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**CITY OF KELOWNA**  
**MEMORANDUM**

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**DATE:** AUGUST 29, 2006

**TO:** CITY MANAGER

**FROM:** PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

**APPLICATION NO.** Z06-0037

**OWNER:** CITY OF KELOWNA

**AT:** 200-210 Bernard Ave.  
220 Mill Street  
222 Queensway  
1414 Water Street

**APPLICANT:** CITY OF KELOWNA

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE P3 – PARKS AND OPEN SPACE ZONE TO THE W2 – INTENSIVE WATER USE ZONE

**EXISTING ZONE:** P3 – PARKS AND OPEN SPACE

**PROPOSED ZONE:** W2 – INTENSIVE WATER USE

**REPORT PREPARED BY:** RYAN SMITH

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z06-0037 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of water lots D.L. 4004, D.L.5118, D.L. 5203 and the portion of Block G, D.L.1527 below the north edge of Block F, D.L. 1527 (as shown on Map “A”, attached to this report), Kelowna, B.C. from the P3 – Parks and Open Space zone to the W2 – Intensive Water Use zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

**2.0 SUMMARY**

The City of Kelowna is proposing to rezone the subject properties (water lots) from the P3 – Parks and Open Space zone to the W2 – Intensive Water Use zone. This proposal is a housekeeping type amendment which will bring the zoning of these water lots into conformity with their actual use.

**3.0 BACKGROUND**

Currently the “Kelowna Marina”, the Fintry Queen” dock and the “Sails” dock are all leased by the City to commercial marina operators or for permanent moorage uses. The docks are either floating or anchored on driven piles and may contain utilities such as power, water and sewer.

#### 4.0 SITE STATISTICS

The application compares to the requirements of the C2 – Neighborhood Commercial zone as follows:

Legal Description	Common Name	Most Recent Lessee	City Owned
D.L.4004	Sails Dock	Executive Houseboat Charters	Yes
D.L.5118	Fintry Queen Dock	Fintry Queen Investment Corp.	Yes
D.L.5203	Kelowna Marina	Turtle Bay	Leased by City from Land and Water BC
the portion of Block G, D.L.1527 below the north edge of Block F, D.L.1527	None	None	Leased by City from Land and Water BC

#### 5.0 SITE CONTEXT

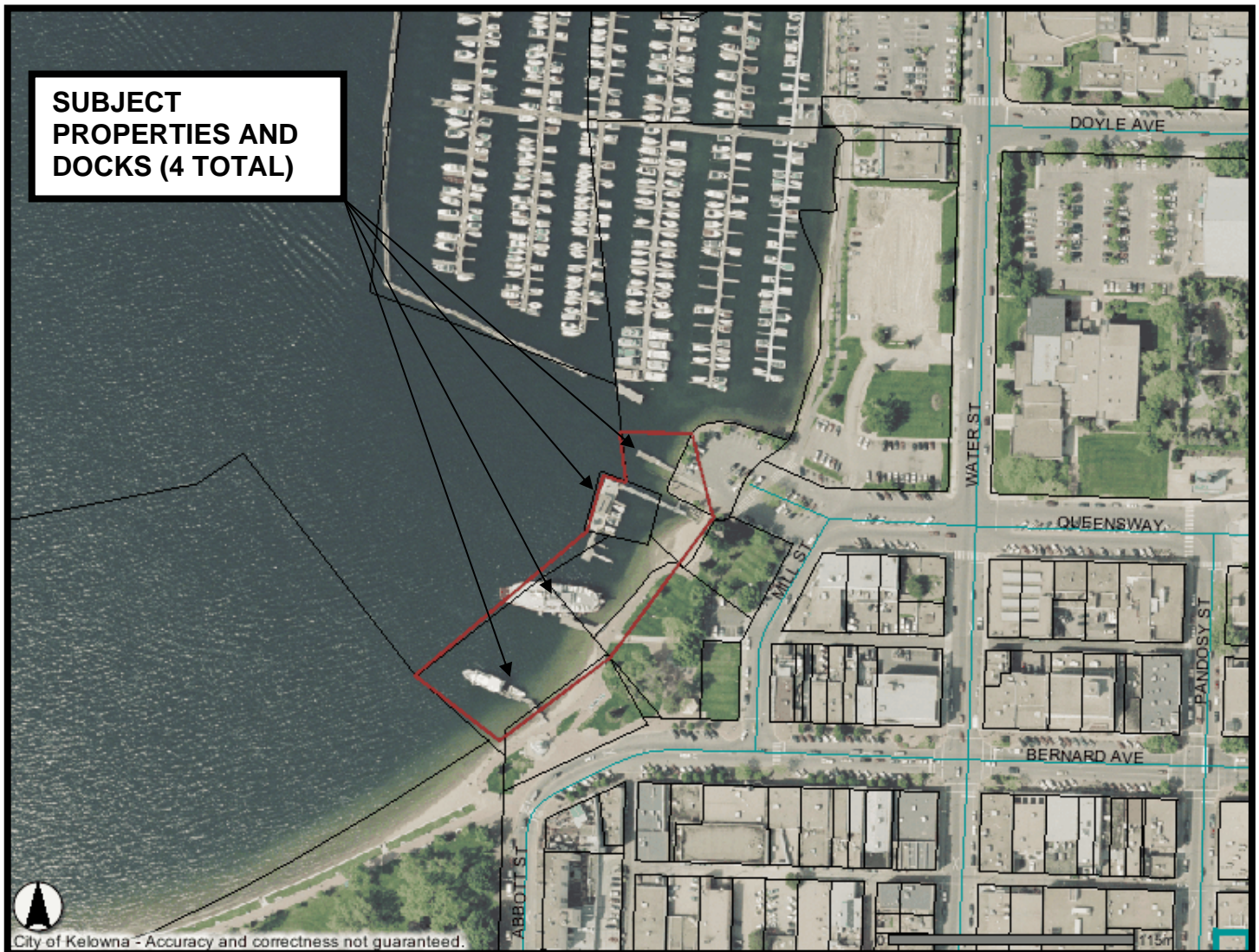
The subject water lots are located in Okanagan Lake, between the west ends of Queensway and Bernard Avenue.

Adjacent zones and uses are:

North - W2 - Kelowna Yacht Club  
 East - P3 - Kerry Park  
 South - P3 – City Park  
 West - Okanagan Lake

## 6.0 SITE LOCATION MAP

Subject Properties: 200-210 Bernard Ave.  
220 Mill Street  
222 Queensway  
1414 Water Street



## 7.0 CURRENT DEVELOPMENT POLICY

### 7.1 Existing and Proposed Development Potential

The subject properties are currently zoned P3 – Parks and Open Space. This zone provides for the preservation and enhancement of open space and limited public facilities. The proposed W2 – Intensive Water Use zone allows for a diverse and concentrated range of water activities consistent with the upland use, maintaining foreshore public access and minimizing impacts on fish, wildlife and vegetation communities. The uses which are currently occurring on the subject

water lots are more consistent with the W2 – Intensive Water Use zone than the P3 – Parks and Open space zone.

8.0 TECHNICAL COMMENTS

This application was circulated to various City Departments and technical agencies and the following comments were received:

8.1 Works and Utilities

The Works & Utilities Department has no requirements associated with this development application.

9.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns with this rezoning application. The proposal will bring the zoning into conformity with the actual use of the subject water lots.

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Shelley Gambacort  
Acting Manager of Development Services

Approved for inclusion ☐

Mary Pynenburg, MRAIC MCIP  
Director of Planning & Development Services

MP/SG/rs  
Attach

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject properties



## MAP “A”

