

PUBLIC HEARING  
JANUARY 15, 2013 - COUNCIL CHAMBER  
CITY HALL - 1435 WATER STREET  
6:00 P.M.

CHAIRMAN WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.
- (b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.
- (c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after December 14, 2012 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.
- (d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.
- (e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. The City Clerk will provide information as to how the meeting was publicized.

3. INDIVIDUAL BYLAW SUBMISSIONS:

Item 3.1

[BYLAW NO. 10753 \(OCP12-0012\)](#)

Applicant:

Proposed Text Amendment:

City of Kelowna

To amend various sections of 2030 - Official Community Plan Bylaw No. 10500 based on staff-initiated policy and map changes

Purpose:

The City of Kelowna is proposing to proceed with miscellaneous amendments to Official Community Plan Bylaw No. 10500 based on staff-initiated policy and map changes.

Item 3.2

[BYLAW NO. 10786 \(Z12-0065\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

LOCATION: 1650 KLO Road

Portion of Lot 3, District Lot 131, ODYD, Plan KAP77109

Danco Developments Ltd./Protech Consultants Ltd.

From the A1 - Agriculture 1 zone to the RR1 - Rural Residential 1 zone and the RR3 - Rural Residential 3 zone.

Purpose:

The applicant is proposing to rezone a portion of the subject property in order to facilitate a future two (2) lot subdivision.

Item 3.3

[BYLAW NO. 10789 \(Z12-0066\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

LOCATION: 925 Kennedy Street

Lot 10, Section 29, Township 26, ODYD, Plan 16270

Peter & Charlene Jones/Axel Hilmer

From the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.

Purpose:

The applicant is proposing to rezone the subject property in order to construct a carriage house.

4. PROCEDURE ON EACH BYLAW SUBMISSION:

- (a) Brief description of the application by City Staff (Planning).
- (b) The Chairman will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chairman will call for representation from the public in attendance.
  - (i) The microphone at the podium has been provided for any person(s) wishing to make representation to the meeting.

- (ii) The Chair will recognize ONLY speakers at podium.
- (iii) Speakers are encouraged to limit their remarks to 5 minutes. However, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.
- (g) Final calls for representation (Ask three times). Unless Council directs that the public hearing on the bylaw in question be adjourned (held open), the chairman shall state to the gallery that the public hearing on that bylaw is closed.

Note: Any applicant or member of the public may use visual aids (eg. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer station and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

## 5. TERMINATION

# REPORT TO COUNCIL



**Date:** November 23, 2012  
**File:** 1200-30  
OCP12-0012 / BL 10753  
**To:** City Manager  
**From:** Planner Specialist  
**Subject:** Official Community Plan 2030 Bylaw 10500 - Miscellaneous Amendments

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## **Recommendation:**

THAT Council receives, for information, the report from the Planner Specialist dated November 23, 2012 with respect to amendments to Official Community Plan 2030 Bylaw 10500;

AND THAT Bylaw No. 10753, being an amendment to Bylaw No. 10500 Kelowna 2030 - Official Community Plan, be forwarded to the January 15, 2013 Public Hearing;

## **Purpose:**

To report back to Council on the public consultation process for OCP Amendment Bylaw No. 10753 in order to move the bylaw forward to public hearing.

## **Background:**

At the Council Meeting of October 29, 2012 the following resolutions with respect to Bylaw 10753 were adopted:

THAT OCP Bylaw Text Amendment No. OCP12-0012 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 as outlined in the Report of the Planner Specialist dated October 19, 2012 be considered by Council;

AND THAT Council confirms that OCP Bylaw Text Amendment No. OCP12-0012 has been considered in conjunction with the existing Financial Plan;

AND THAT OCP Bylaw Text Amendment No. OCP12-0012 be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT staff be directed to pursue the consultation process outlined in the Report of the Planner Specialist dated October 19, 2012 and report back to Council prior to scheduling OCP Amending Bylaw No. 10753 to a Public Hearing.

A handwritten signature, possibly "K", located at the bottom right of the page.



The requirement for consultation over and above the Public Hearing was addressed by advertising in a local newspaper, posting information on the website and notification through e-subscribe, with contact information for the Planner Specialist to field inquiries and comments. The consultation period ended on November 23, 2012.

**Internal Circulation:**

General Manager of Community Sustainability

**Legal / Statutory Authority:**

Local Government Act Part 26: Division 2 - Official Community Plans, Sections 875 - 882.

**Legal/Statutory Procedural Requirements:**

Local Government Act Section 882(3) specifies that after first reading (and prior to Public Hearing) of an Official Community Plan bylaw the local government must, in sequence, consider the plan in conjunction with its financial plan and any waste management plan applicable. The local government must also refer the plan to the Agricultural Land Commission (ALC) for comment if the plan applies to land in an agricultural land reserve established under the Agricultural Land Commission Act.

**External Agency/Public Comments:**

Local Government Act Section 879 (1) specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is in addition to the required public hearing.

The consultation period ended on November 23, 2012 and there were no public comments or inquiries.

**Existing Policy:**

Kelowna OCP 2030 Bylaw 10500.

**Considerations not applicable to this report:**

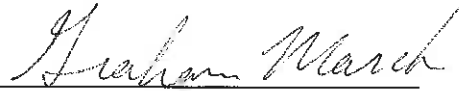
**Financial/Budgetary Considerations:**

**Communications Comments:**

**Personnel Implications:**

**Alternate Recommendation:**

Submitted by:



Graham March, Planner Specialist  
Policy and Planning



Gary Stephen, Manager of Long Range Planning  
Policy and Planning

Approved for inclusion:

Signe Bagh, Director of Policy & Planning



cc: Acting General Manager, Community Sustainability

# REPORT TO COUNCIL



**Date:** October 19, 2012  
**File:** 1200-30  
OCP12-0012 / BL 10753  
**To:** City Manager  
**From:** Planner Specialist  
**Subject:** OCP 2030 Bylaw 10500 - Miscellaneous Amendments

---

## **Recommendation:**

**THAT** OCP Bylaw Text Amendment No. OCP12-0012 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 as outlined in the Report of the Planner Specialist dated October 19, 2012 be considered by Council;

**AND THAT** Council confirms that OCP Bylaw Text Amendment No. OCP12-0012 has been considered in conjunction with the existing Financial Plan;

**AND THAT** OCP Bylaw Text Amendment No. OCP12-0012 be forwarded to a Public Hearing for further consideration;

**AND FURTHER THAT** staff be directed to pursue the consultation process outlined in the Report of the Planner Specialist dated October 19, 2012 and report back to Council prior to scheduling OCP Amending Bylaw No. 10753 to a Public Hearing.

## **Purpose:**

To proceed with miscellaneous amendments to the Official Community Plan based on staff initiated policy and map changes.

## **Background:**

As a result of the continued growth and evolution of the city, including new land acquisitions, changes in Council policy and on-going development approvals, staff have identified minor changes that are necessary to the OCP to keep pace. The full list of proposed amendments is itemized in Attachment 1.

At the September 10, 2012 Council Meeting, Bylaw No. 10686 (TA12-0005) was adopted to amend the Official Community Plan to reflect changes in secondary suite policy. The term "Secondary Suite" is now defined as an additional residential unit specifically located within the footprint of the primary dwelling. The term "Carriage House" is now defined as any residential unit located within an accessory building. A specific suite designation is no longer required for a secondary suite but one is required to have a conforming carriage house.

A handwritten signature in black ink, appearing to be a stylized 'W' or 'K'.

The recent change to the Secondary Suite policy, and subsequent Zoning Bylaw text amendment for “Carriage House”, triggers changes to the Official Community Plan in several different chapters, including: Chapter 2, Chapter 3 - New Housing Distribution, Chapter 4 - FLU Designations, Chapter 5 - Policy 22.12, Chapter 14, Chapter 15, Chapter 16, and Chapter 17.

Refinement of the GIS legal lots layer occurs as new subdivisions are approved and registered and amendments are recommended to ensure that the Future Land Use mapping matches the revised GIS lots layer. Refinements are also suggested to ensure maps reflect recent park land acquisitions. Proposed mapping changes are indicated in Attachments 2 through 11.

To fully incorporate Council’s direction relating to endorsement of the Housing Strategy (November 7, 2011) a new policy (Family Housing) is being recommended for inclusion in the OCP.

Another change for consideration is to amend the DP exemption in all sections of Chapter 14 - Urban Design Development Permit Areas, to exempt building alterations or additions for single storey accessory structures (*4.5m in height*) with less than 30m<sup>2</sup> of floor space. A new exemption is also proposed for all sections of Chapter 14 - which states that “construction, addition or alteration not to exceed 45 m<sup>2</sup> (484 sq. ft) for a single storey building (*4.5m in height*) when the building is non-habitable space and where no variance(s) of the Zoning Bylaw are required”. This would allow the construction of a typical single storey double garage without a DP.

Also required is an amendment to Chapter 17 - Definitions, to remove a duplicate entry for Accessory Rental Apartments. This term has been included twice due to an editing error and needs to be corrected.

#### **Internal Circulation:**

General Manager of Community Sustainability  
Community Planning Manager  
Urban Land Use Manager  
Manager, Parks & Public Spaces

#### **Legal / Statutory Authority:**

Local Government Act Part 26: Division 2 - Official Community Plans, Sections 875 - 882.

#### **Legal/Statutory Procedural Requirements:**

Local Government Act Section 882(3) specifies that after first reading (and prior to Public Hearing) of an Official Community Plan bylaw the local government must, in sequence, consider the plan in conjunction with its financial plan and any waste management plan applicable.

#### **External Agency/Public Comments:**

Local Government Act Section 879 (1) specifies that a local government must, during the development, repeal or amendment of an official community plan, provide one or more

opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. This consultation is in addition to the required public hearing.

The requirement for consultation over and above the Public Hearing will be addressed by advertising in a local newspaper, posting information on the website and notification through e-subscribe, with contact information for the Planner Specialist to field inquiries and comments. The results of that consultation will be provided to Council at the Public Hearing.

The Local Government Act also provides that where a bylaw amendment includes land use changes that encompass more than 10 properties, owned by 10 or more individuals there is no requirement to notify adjoining property owners. In this case the City owns the majority of the properties in question and therefore it is necessary to notify all adjoining property owners within 50 m of the subject properties, in writing.

**Existing Policy:**

Kelowna OCP 2030 Bylaw 10500

Bylaw No. 10686 (TA12-0005 - Secondary Suites / Carriage Houses)

**Considerations not applicable to this report:**

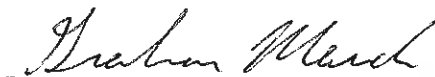
**Financial/Budgetary Considerations:**

**Communications Comments:**

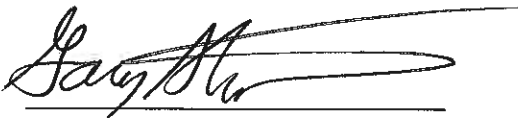
**Personnel Implications:**

**Alternate Recommendation:**

Submitted by:



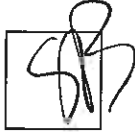
Graham March,  
Planner Specialist, Policy and Planning



Gary Stephen,  
Manager of Long Range Planning

**Approved for inclusion:**

Signe Bagh,  
Director of Policy & Planning



cc: General Manager, Community Sustainability  
Community Planning Manager  
Urban Land Use Manager  
Manager, Parks & Public Spaces

Attachment 1 - Proposed OCP Amendments

Attachments 2 - 11 - Proposed Future Land Use Map Amendments

## Attachment 1

### Proposed OCP Amendments

1. Amend Chapter 2 - **Regional Context - Housing** (proposed new wording is underlined) to add a reference to “carriage house”:

From a housing perspective the City of Kelowna projects the need for approximately 20,100 units by the year 2030 to accommodate the projected growth within the City. Those housing units encompass a range of housing options from low density traditional single detached neighbourhoods to secondary suites/carriage houses, attached homes, town housing as infill and apartments from traditional 4 storey walk-ups to high rise condominiums, including mixed use commercial - residential development in urban centres.

2. Amend Chapter 3 - **Table 3.5 - New Housing Distribution** (proposed new wording is underlined):

Amend Table 3.5 New Housing Distribution row for “Secondary Suites” to include “Secondary Suites/Carriage Houses”

3. Amend Chapter 4 - **Single / Two Unit Residential and Single / Two Unit Residential - Hillside Designations** (proposed new wording is underlined):

#### **Single / Two Unit Residential**

Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non-residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

#### **Single / Two Unit Residential - Hillside**

Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, and those complementary uses (i.e. minor care centres, minor public services / utilities, and neighbourhood parks), which are integral components of urban neighbourhoods. This designation applies to suburban hillside areas where slopes are over 20%. Subdivisions on hillsides over 20% slope will be required to rezone to a hillside zone.

4. Amend **Map 4.1 - Generalized Future Land Use** to change the designation of properties located at 969 Raymer Rd and 979 Raymer Rd from Single / Two Unit Residential to Major Park & Open Space - City has acquired these site (Attachment 2)
5. Amend **Map 4.1 - Generalized Future Land Use** to adjust the boundary for the Glenmore Recreation Park (Attachment 3).
6. Amend **Map 4.1 - Generalized Future Land Use** to change FLU for (N of) Kincaid Road from Single / Two Unit Residential to Major Park / Open Space (Attachment 4)
7. Amend **Map 4.1 - Generalized Future Land Use** to change FLU for 781 Varney Court and 4711 Gordon Drive from Single / Two Unit Residential to Major Park / Open Space (Attachment 5)
8. Amend **Map 4.1 - Generalized Future Land Use** to change FLU for 5581 South Perimeter Way from Resource Protection Area to Major Park / Open Space (Attachment 6)
9. Amend **Map 4.1 - Generalized Future Land Use** to change FLU for 1896 Marshall Street from Single / Two Unit Residential to Major Park / Open Space (Attachment 7)
10. Amend **Map 4.1 - Generalized Future Land Use** to change FLU for Strata Lots 1 - 10 of 180 Sheerwater Court from Resource Protection Area to Major Park / Open Space and from Major Park / Open Space to Resource Protection Area (Attachment 8)
11. Amend **Map 4.1 - Generalized Future Land Use** to change FLU for a portion of Sutherland Avenue from Mixed Use (Residential/Commercial) to Major Park / Open Space (Attachment 9)
12. Amend **Map 4.1 - Generalized Future Land Use** to change FLU for 2157 Highway 33 East from Resource Protection Area to Major Park / Open Space (Attachment 10)
13. Amend **Map 4.1 - Generalized Future Land Use** to change FLU for 1840 Gallagher Road from Resource Protection Area to Major Park / Open Space (Attachment 11)
14. Amend Chapter 5 - **Policy 5.22.12** (proposed new wording is underlined; wording to be deleted in ~~strikethrough~~):

**Carriage Houses and Accessory Apartments.** Support, carriage houses and accessory apartments through appropriate zoning regulations.

15. Add a new policy under Objective 5.22 as Policy 5.22.13 as well as adding the Economic Sustainability and Social Sustainability icons as follows (proposed new wording is underlined):

**Family Housing.** Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g.: location and amenities).



16. Amend Chapter 14 - **Urban Design DP Guidelines - Sections A, B, C, D, E - Exemptions** (proposed new wording is underlined):

Construction, addition or alteration not to exceed 30 sq. m (323 sq. ft) for a single storey accessory structure (4.5 m in height) is proposed and where no variance(s) of the Zoning Bylaw are required; or.

18. Add new exemption to Chapter 14 - **Urban Design DP Guidelines - Sections A, B, C, D, E - Exemptions** (proposed new wording is underlined):

Construction, addition or alteration not to exceed 45 sq. m (484 sq. ft) for a single storey building (4.5 m in height) where the building is non-habitable space and where no variance(s) of the Zoning Bylaw are required; or

19. Amend Chapter 14 - **Urban Design DP Guidelines Section C - Intensive Residential - Secondary Suite Two Dwelling Housing Design Guidelines** (proposed new wording is underlined; deleted wording in ~~strikethrough~~):

**C. INTENSIVE RESIDENTIAL - ~~SECONDARY SUITE~~ CARRIAGE HOUSE / TWO DWELLING HOUSING DESIGN GUIDELINES**

20. Amend Chapter 14 - **Intensive Residential - Section C - Properties Affected** (proposed new wording is underlined; deleted wording in ~~strikethrough~~):

**Properties Affected**

Unless exempted (see Exemptions Section below) a development permit addressing design guidelines (see Guidelines Section below) must be approved for all properties that are currently, or become, zoned for carriage house, boarding or lodging house, or two dwelling housing uses before:

- Construction of, addition to, or alteration of a building or structure.

A two dwelling project that requires an Intensive Residential - Hillside DP does not require an Intensive Residential - ~~Secondary Suite~~ Carriage House / Two Dwelling Housing DP.

21. Amend Chapter 15 - **Farm Protection DP Guidelines** (proposed new wording is underlined):

**Properties Affected**

- 1) b. ix. temporary farm worker housing

22. Amend Chapter 15 - **Farm Protection DP Guidelines - Guideline 1.3** (proposed new wording is underlined; wording to be deleted in ~~strikethrough~~):

1.3 On agricultural and non-agricultural lands, establish and maintain a landscape buffer along the agricultural and/or property boundary, except where development is for a permitted farm use that will not encourage public attendance and does not concern additional residences (including ~~secondary suites~~ carriage houses), in accordance with the following criteria:

23. Amend Chapter 16 - **Heritage Conservation Area Guidelines - Site Layout and Parking** (proposed new wording is underlined; wording to be deleted in ~~strikethrough~~):

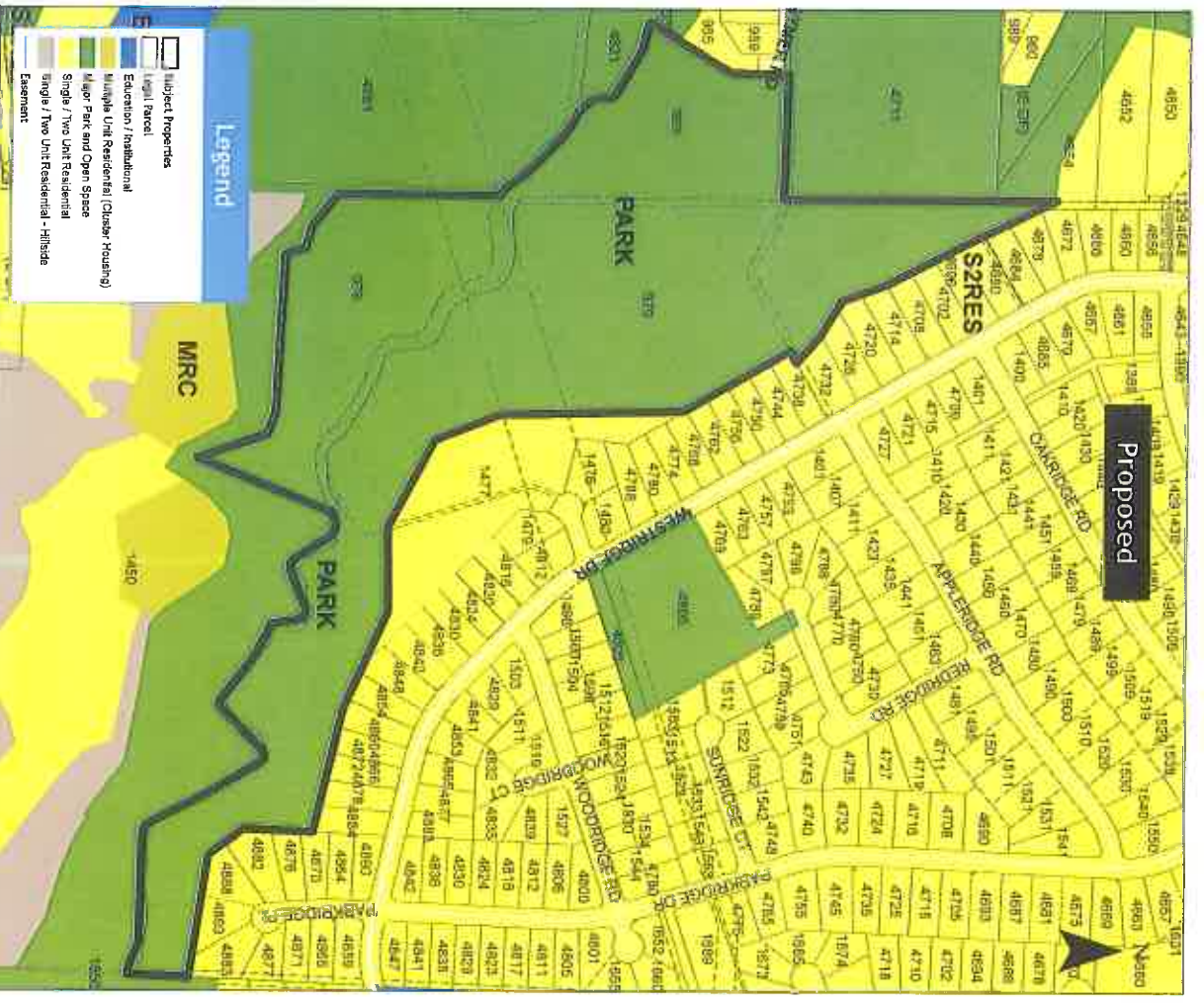
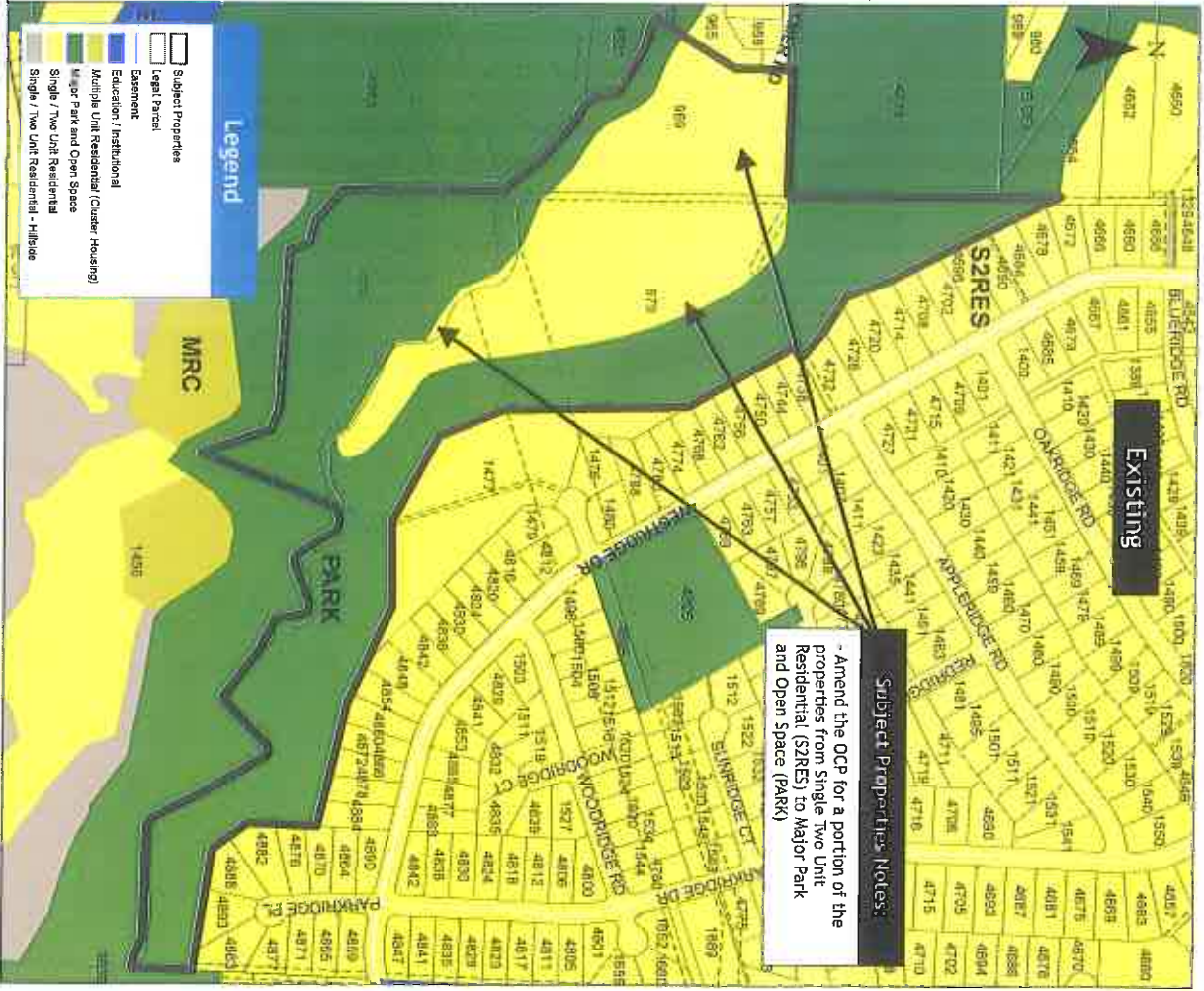
~~Secondary suites~~ Carriage houses over garages, when permitted, are encouraged to draw architectural design inspiration from the principle residence.

24. Amend Chapter 17 - **Definitions** (proposed wording to be deleted in ~~strikethrough~~):

Remove the duplicate entry above "Auto-Oriented Development":

**~~Accessory Rental Apartment.~~**

~~Development sites containing prominent, large parking areas for businesses that primarily sell products of sufficient size or quantities that transportation other than by a vehicle is not practical.~~

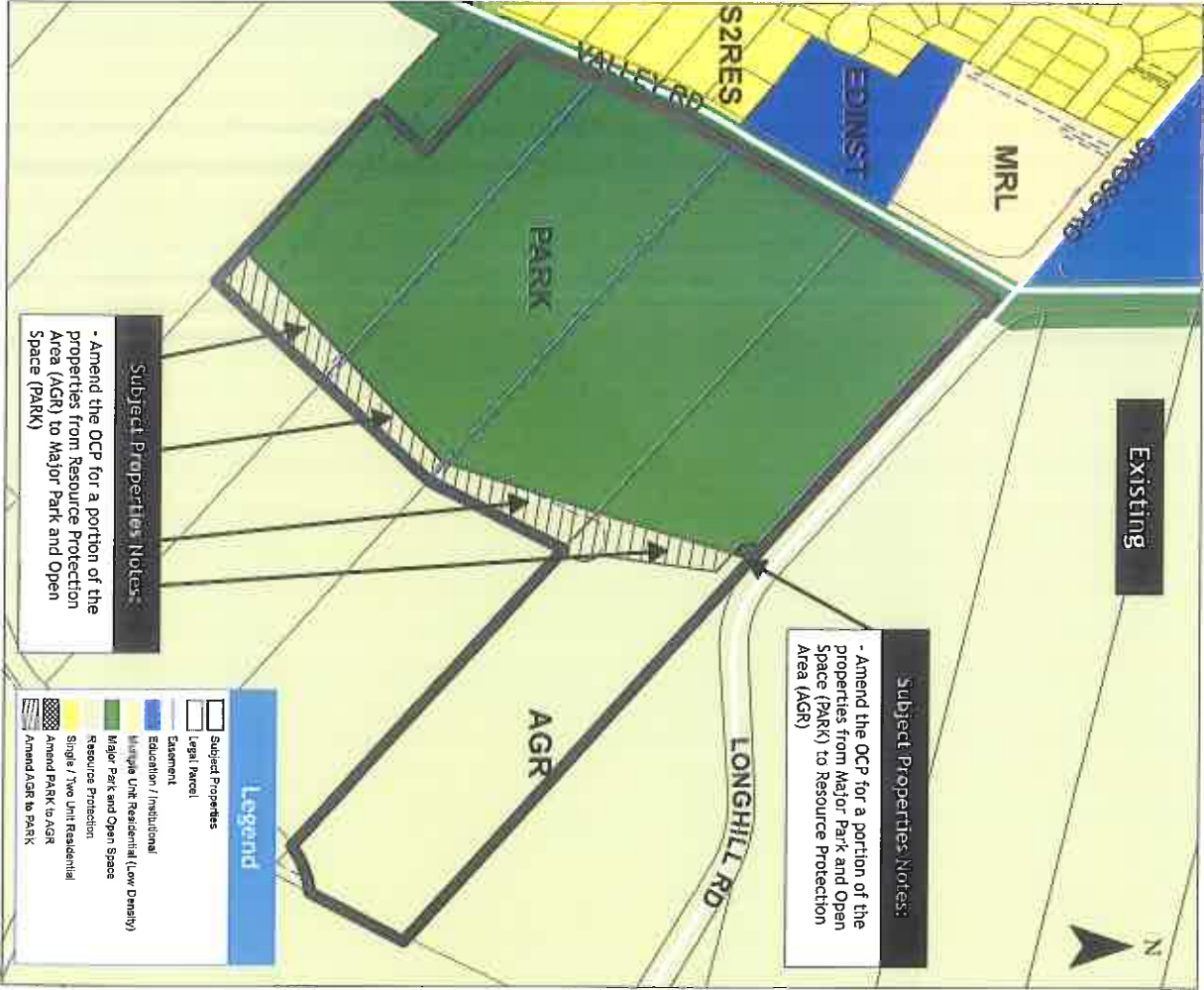


# Proposed OCP Land Use Amendments

## Bylaw 10753 - Attachment # 2

September 2012



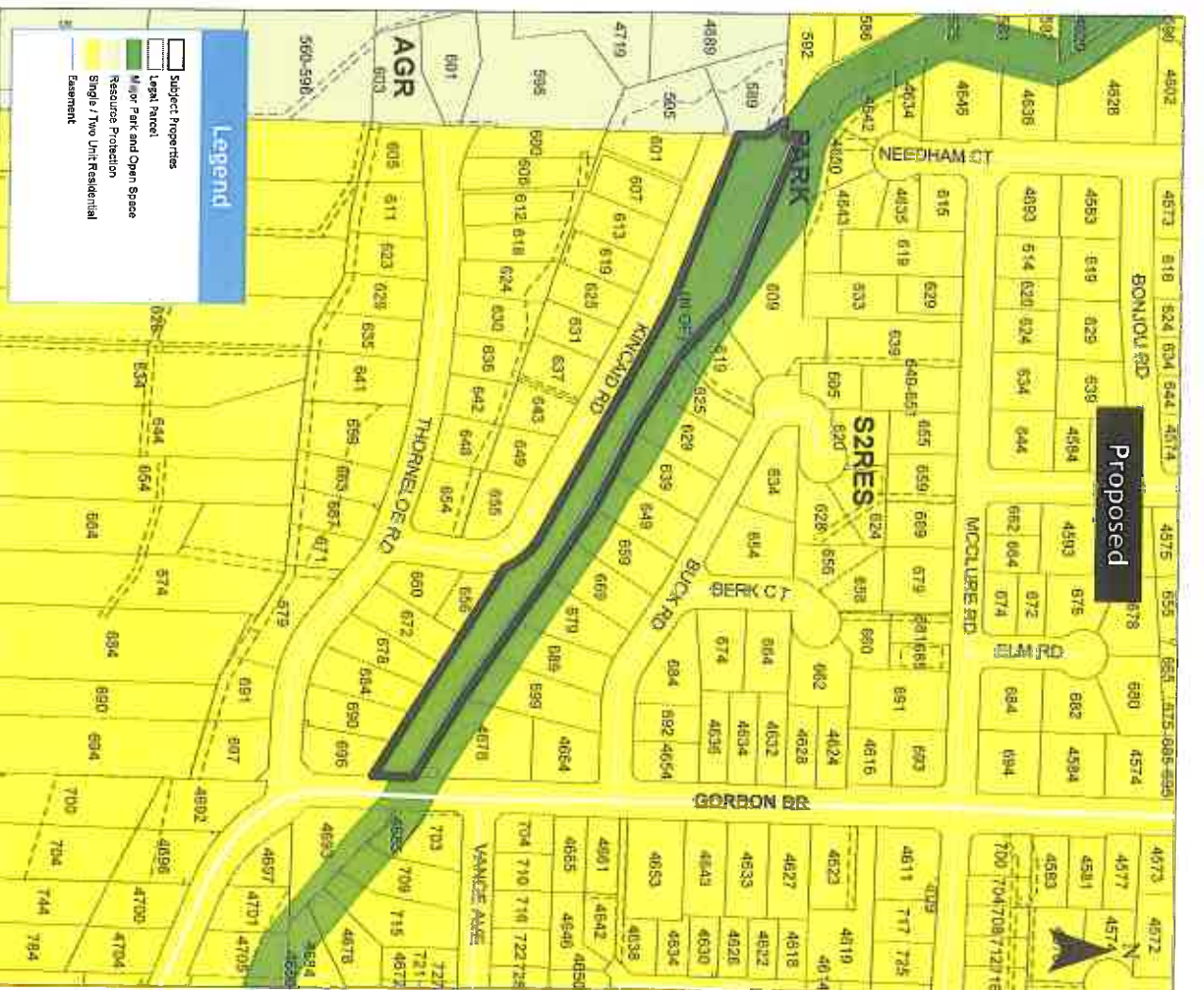


# Proposed OCP Land Use Amendments

## Bylaw 10753 - Attachment # 3

September 2012



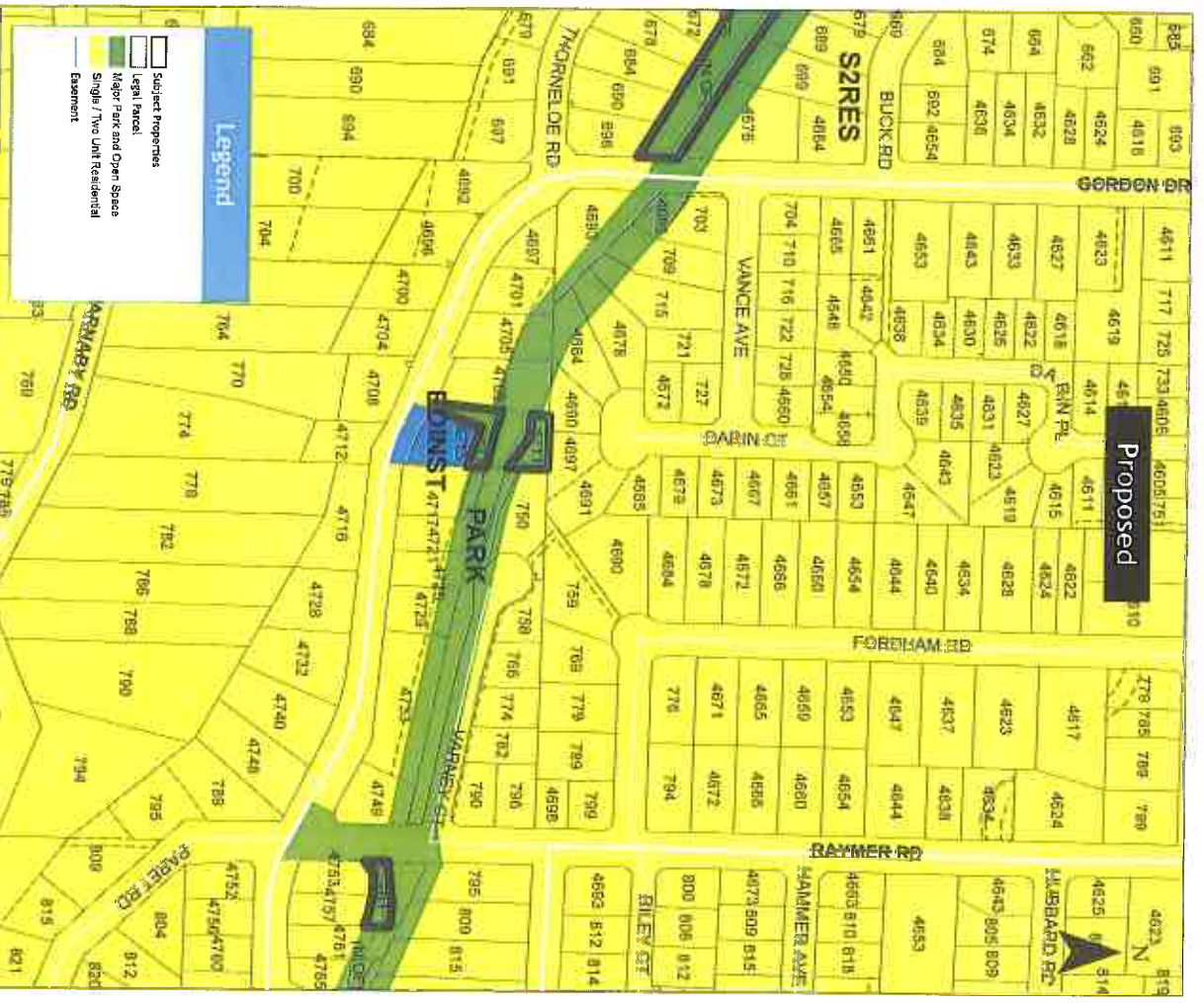
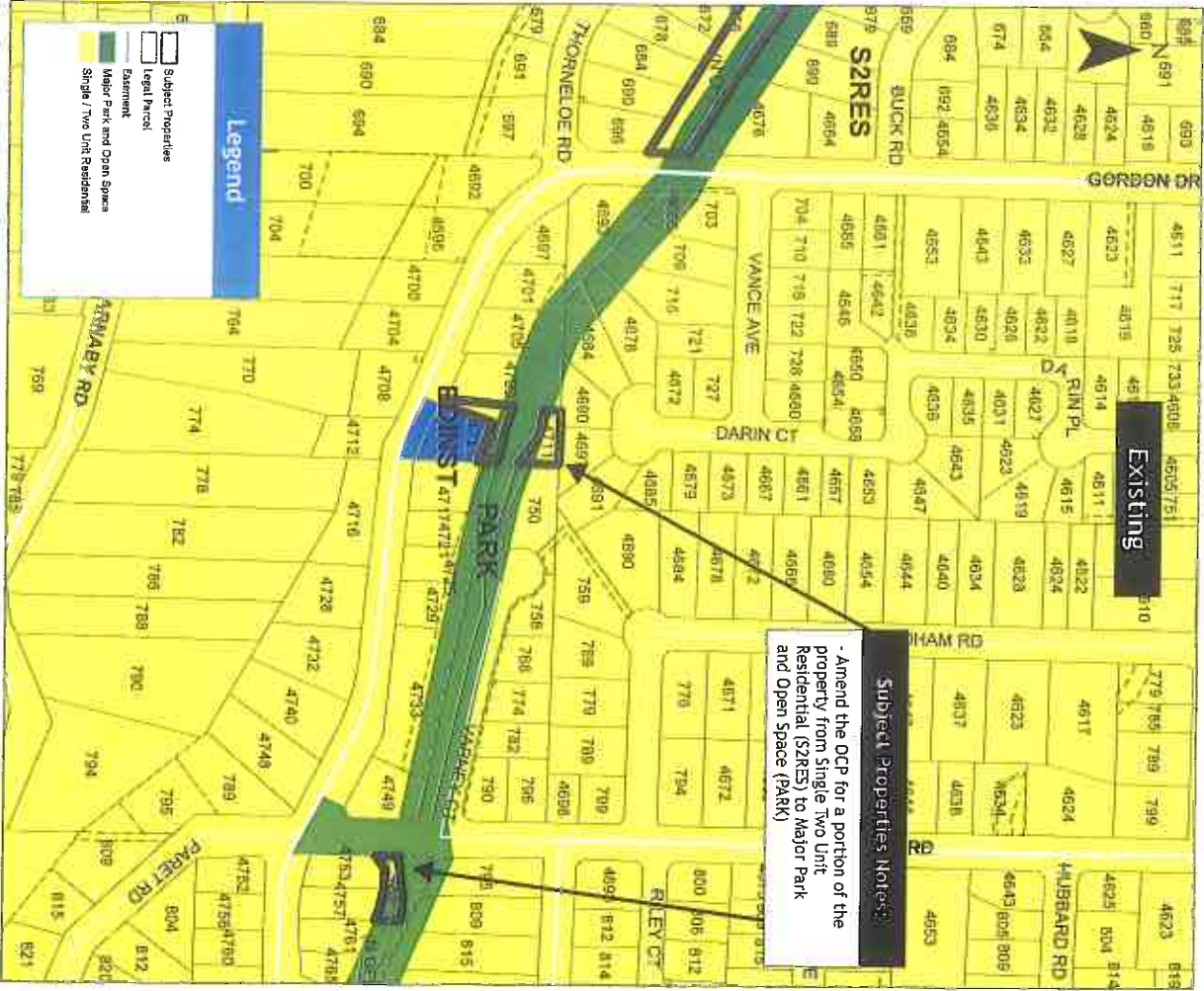


# Proposed OCP Land Use Amendments

## Bylaw 10753 - Attachment # 4

October 2012



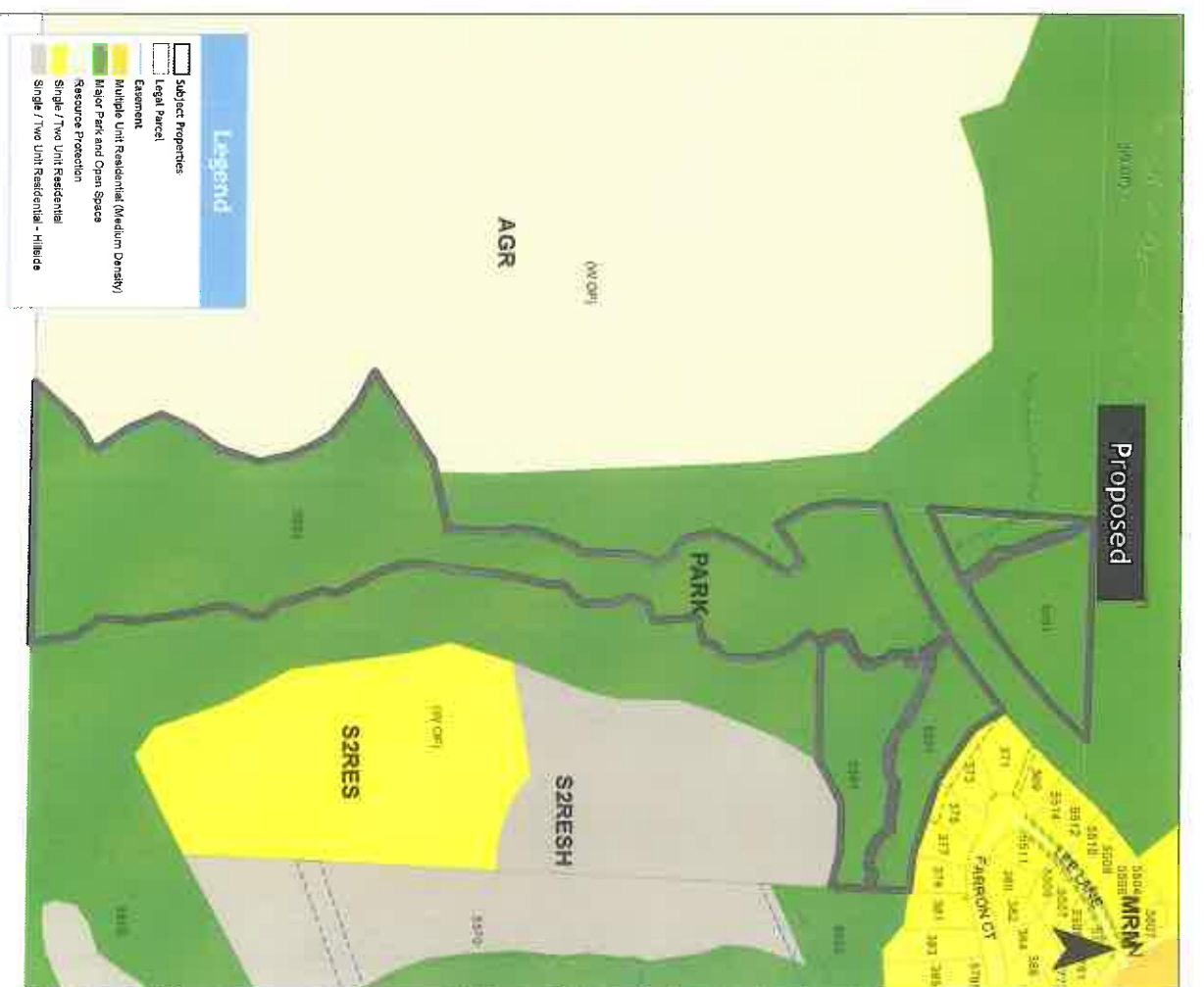
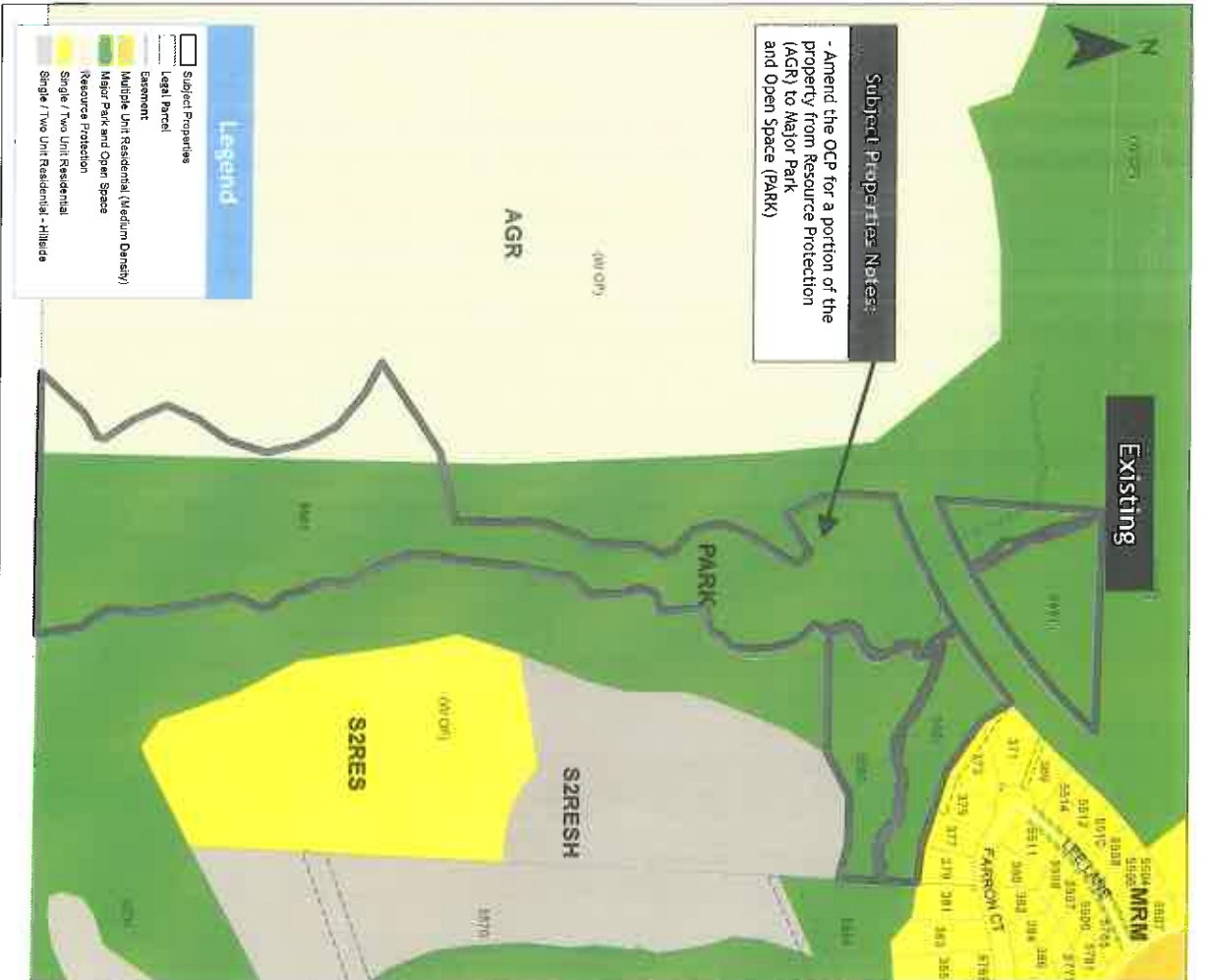


# Proposed OCP Land Use Amendments

## Bylaw 10753 - Attachment # 5

October 2012





# Proposed OCP Land Use Amendments

## Bylaw 10753 - Attachment # 6

October 2012





# Proposed OCP Land Use Amendments

## Bylaw 10753 - Attachment # 7

October 2012

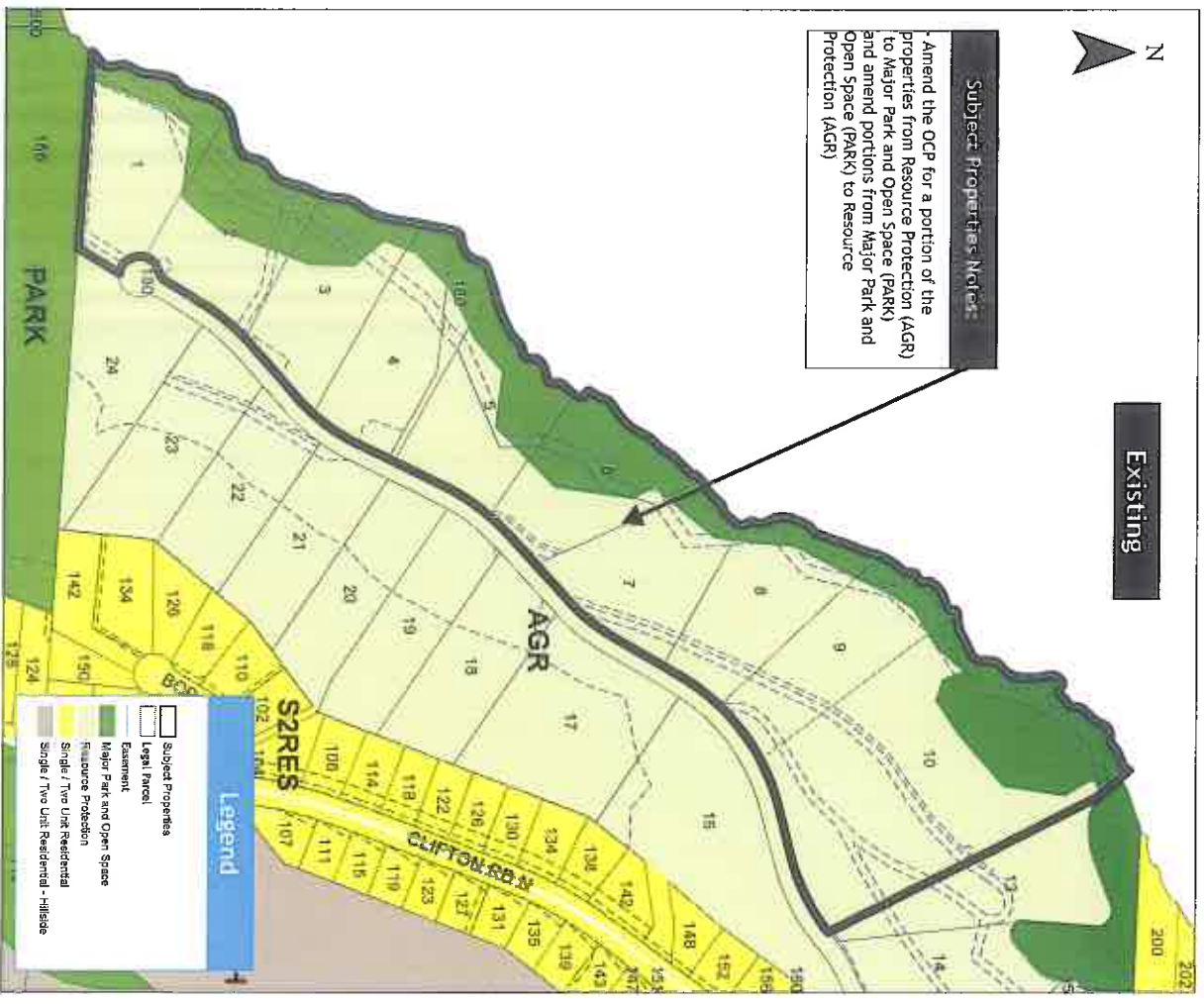




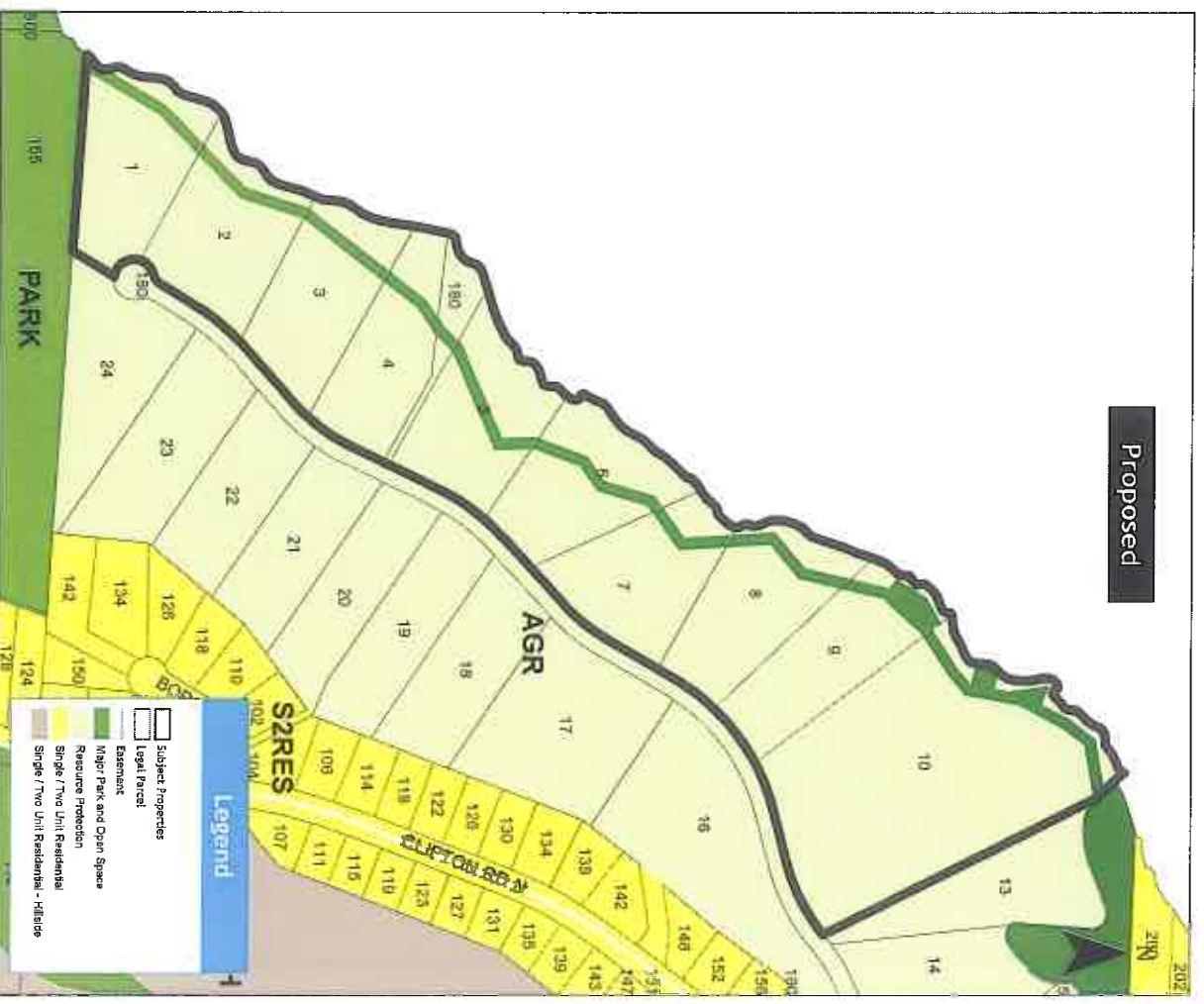
Existing

**Subject Properties Notes:**

- Amend the OCP for a portion of the properties from Resource Protection (AGR) to Major Park and Open Space (PARK) and amend portions from Major Park and Open Space (PARK) to Resource Protection (AGR)



Proposed



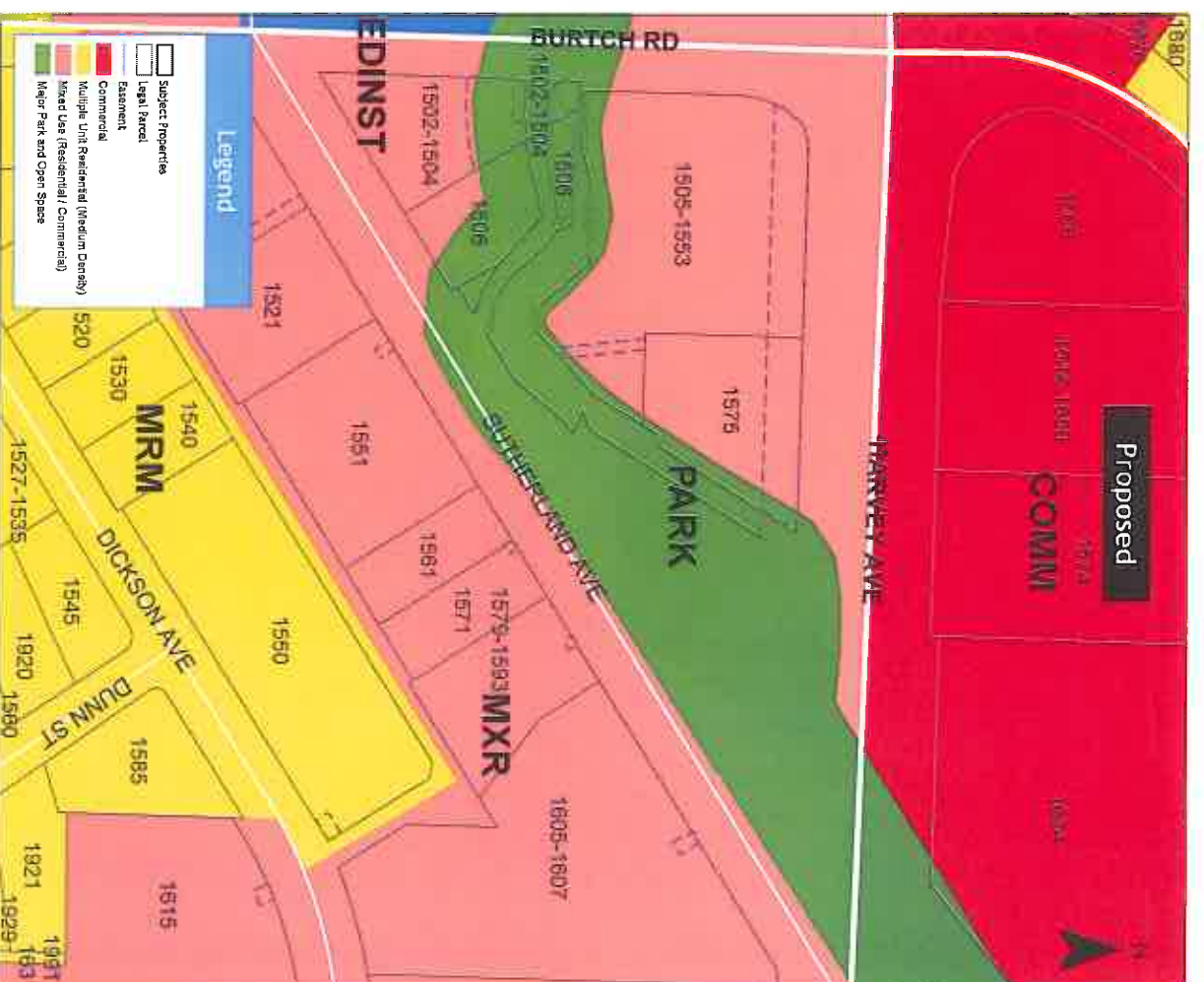
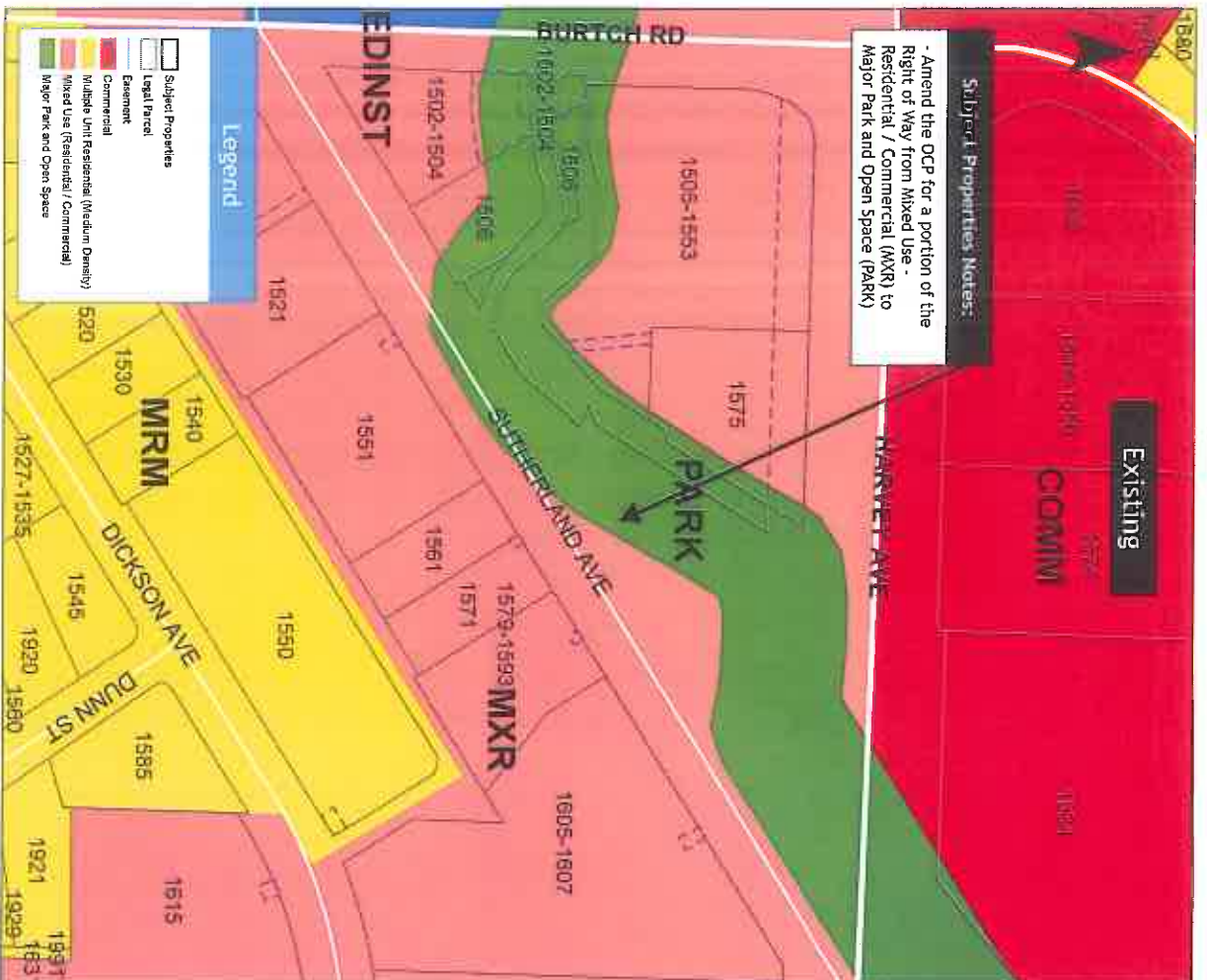
# Proposed OCP Land Use Amendments

## Bylaw 10753 - Attachment # 8

October 2012



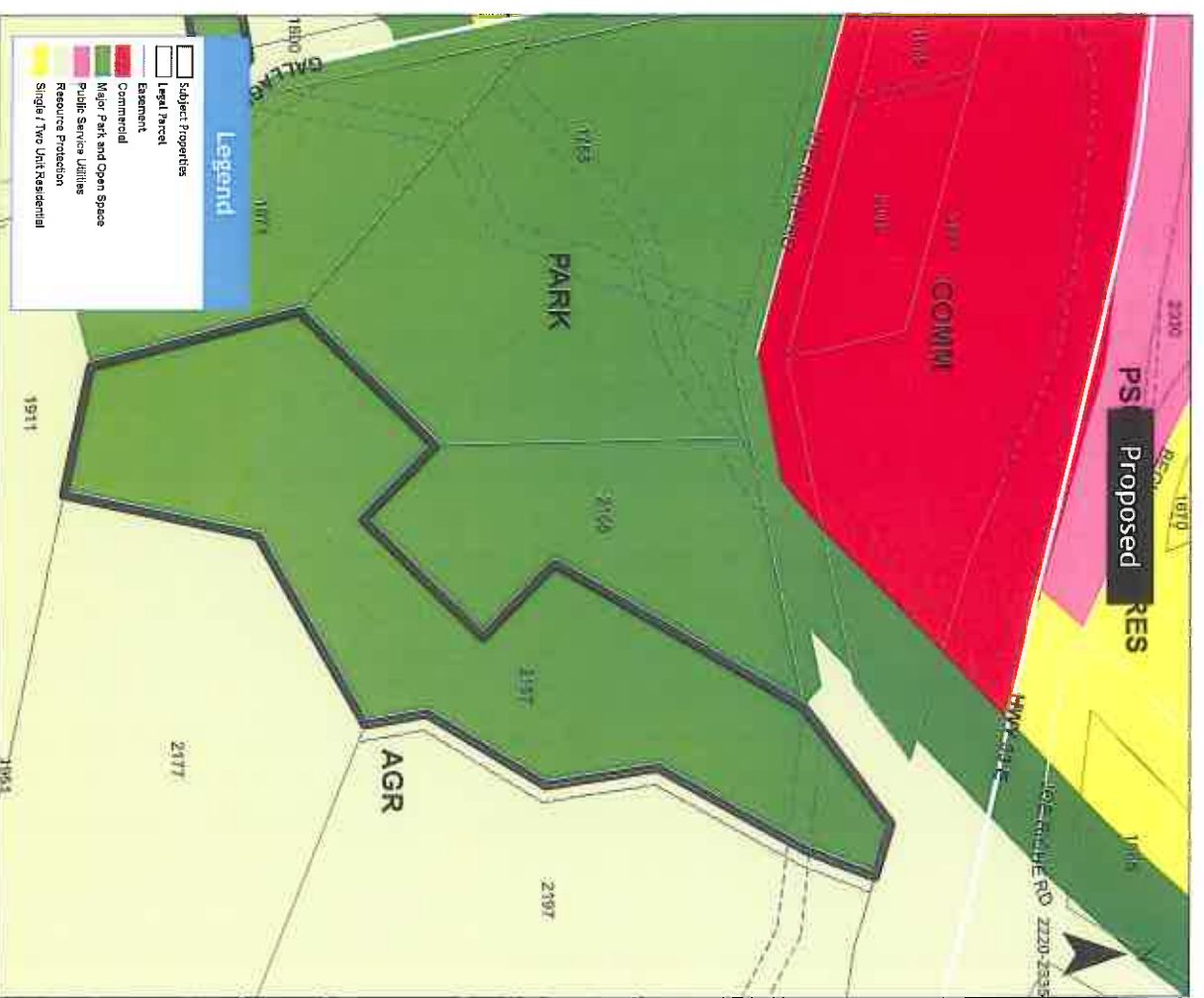
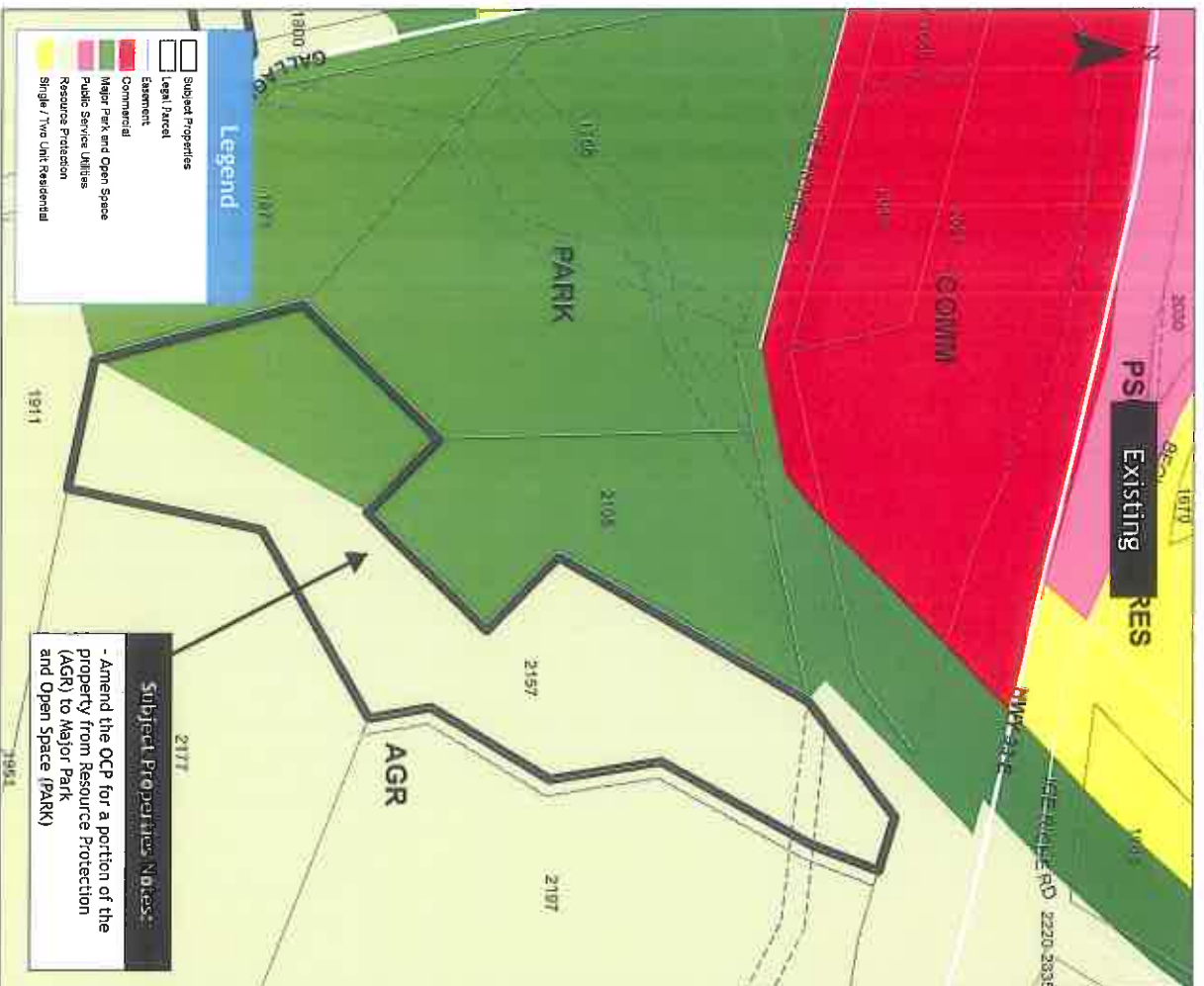




# Proposed OCP Land Use Amendments

Bylaw 10753 - Attachment # 9

October 2012



# Proposed OCP Land Use Amendments

## Bylaw 10753 - Attachment # 10

## Bylaw 10753 - Attachment # 10

October 2012





# REPORT TO COUNCIL



**Date:** November 12, 2012

**To:** City Manager

**From:** Land Use Management, Community Sustainability (GS)

**Application:** Z12-0065                      **Owner(s):** Danco Developments Ltd.

**Address:** 1650 KLO Road                      **Applicant:** Protech Consultants Ltd.

**Subject:** Rezoning for the purpose of a future two lot subdivision.

**Existing OCP Designation:** Resource Protection Area

**Existing Zone:** A1 - Agriculture

**Proposed Zone:** RR1 & RR3 - Rural Residential 1 & 3

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## 1.0 Recommendation

THAT Rezoning Application No. Z12-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot 3, District Lot 131, ODYD Plan KAP77109, located on 1650 KLO Road, Kelowna, BC, from the A1 - Agriculture 1 zone to the RR1 - Rural Residential 1 and RR3 - Rural Residential 3 zones, as shown on Map "A" attached to the Report of the Land Use Management Department dated November 12, 2012 be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

## 2.0 Purpose

The applicant is requesting an amendment to the zoning of the subject parcel located at 1650 KLO Road from the A1 - Agriculture 1 zone to the RR1 - Rural Residential 1 and RR3 - Rural Residential 3 zones. This rezoning is being pursued to facilitate a future two lot subdivision.

## 3.0 Land Use Management

The City of Kelowna is a mosaic of land uses with key areas of the City transitioning from urban to rural land use without warning. While there is undeniable beauty to this land use pattern on the surface, the mosaic is also inherently flawed in practical terms. In most cases the varied impacts of rural activities including but not limited to noise, smell, eroding soil, chemical application are not appreciated by those not engaged in agriculture in some form. An additional concern is the cumulative, albeit incremental loss of farm land to urban uses with agricultural land viewed as an affordable alternative to land designated for urban use. The loss of affordable



and sufficient agricultural land is a concern, especially when viewed through a longer term lens (i.e. a view to future generations).

Both Land Use Management staff and the City's AAC wrestled with the proposed rezoning and especially with the ALC decision-making leading to this application. In the end, the AAC members could not understand the logic of permitting development along Burtch Road and which went against everything that they cautioned against through the ALC exclusion file and which was supported by the ALC in their original refusal (see Anecdotal Comments, Section 7.0, below).

While Land Use Management staff do view the exclusion similar to the AAC, staff also recognize the value in rehabilitating the remainder of the subject property to a crop standard. This condition of exclusion is a significant mitigating factor given that the subject property is known to have agricultural limitations (contaminated fill and water table issues) in the northern portion and has remained fallow for years. Rezoning to RR1 and RR3 permits the owner to proceed with conditions including the rehabilitation of the debilitated portions<sup>1</sup> of the 1.3 ha remainder to "an agricultural standard which permits cropping, and not merely forage crops" and the provision of irrigation infrastructure.

The remediation of the 1.3 ha remainder to a crop standard reflects a potential win-win. The rezoning and two lot subdivision provide the owner the option of selling either the 0.7 ha (RR3) portion, or the 1.3 ha (RR1) portion to help finance the rehabilitation and irrigation improvements required prior to being authorized for exclusion. The two parcels, while inherently less agriculturally viable than the original single parcel, will each have improved agricultural potential relative to present. This reality is sufficient for Land Use staff to support the proposal.

While extensive interface areas already exist within the City, agricultural policy and regulations (i.e. Agriculture Plan, OCP) have been developed and endorsed to prevent future interface issues. Policies which call for the protection of agricultural land and preserving the future potential of farm land by not supporting further subdivision can be found in the OCP (see Section 5.2 below); while others seek to ensure the integrity of ALR land by establishing a defined urban/agricultural boundary utilizing existing roads, topographic features, or watercourses where possible (Section 5.4).

While staff support the proposed rezoning, a corollary is that future plans for the 0.7 ha portion along Burtch Road that involve an OCP amendment may not be supported for the numerous reasons identified within this report with respect to the need to preserve agricultural land and also to limit the future potential for rural/urban interface.

## 4.0 Proposal

### 4.1 Project Background

The subject property has significant background in terms of land use consideration as illustrated below.

#### 2007/2008

- Request for exclusion received by the City of Kelowna.
  - Stated intent was multi-family residential use (e.g. "RM5 Zoning, similar to The Verve on Glenmore Rd").
- Agricultural Advisory Committee (AAC) did not support the proposed exclusion.

<sup>1</sup> A report prepared by a qualified professional (soils agrologist) must be submitted to the ALC prior to the 0.7 ha portion being excluded.

- The need to retain agricultural land within the City cited as the primary reason for non-support.
- Burtch Road marks a defensible boundary between urban and rural/agricultural uses and the boundary should be preserved.
- The boundary would be weakened through approval of this exclusion and would result in an undesirable precedent.
- The land has good potential for arable agriculture, provided the drainage of the land is improved.
- City staff did not support the proposed exclusion.
  - Shared all of the AAC's concerns.
- Council elected to forward the application to the ALC with "No Comment".
- ALC rejected the application as the applicant had not met the ALC's notification requirements.
- Proposal reconsidered by Council following proper advertising and this time supported.
- ALC refused the proposed exclusion (see Resolution #760/2008, attached).
  - Concluded that an exclusion could "raise the potential that farm/residential conflicts will arise about smells, noise and spraying".
  - Exclusion would "raise expectations that land use change is imminent".
  - "Burtch Road represents a defensible boundary between urban and agricultural uses and the land is suitable for agricultural development"<sup>2</sup>.
  - "Concerned that exclusion and residential development of this property would signal to Kelowna's development community that the Commission might support excluding the remaining farmlands fronting onto KLO and Benvoulin Roads"<sup>3</sup>.

## 2010

- First reconsideration requested of the ALC (bases on new evidence submitted, i.e. landfilling) by the owner and which led to Resolution #2382/2010.
  - ALC authorized partial exclusion (0.7ha north of the irrigation ditch) of the original 2.0 ha requested subject to the following conditions:
    - the rehabilitation of debilitated portions of the 1.3 ha remainder;
    - the erection of a 2 metre high chain link fence along the north, south and east boundaries of the 0.7 ha excluded area and fencing the westerly and southerly edge of the remainder;
    - the planting of a cedar hedge along the south and east boundary (minimum 1 meter high trees along the inside of the fence); and,
    - residential building setbacks of 10 meters from the south property boundary.
- Reconsideration of the orientation of the 0.7 ha exclusion requested and which led to Resolution #2382A/2010.
  - ALC authorized new north/south orientation requested subject to the following additional condition:
    - Registration of a covenant prohibiting residential structures within 10 meters of the east and north property boundary and prohibiting structures taller than two storeys.

## 2011

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<sup>2</sup> Resolution #760/2008, p.3.

<sup>3</sup> Ibid.



- Third reconsideration requested of the ALC (re: height limitation).
  - ALC authorized 3 storey structure subject to the following additional conditions:
    - a 16.74 metre setback from the east property line; and
    - remediation of the 1.3 ha remainder to a crop standard (not merely forage crops).

#### 4.2 Project Description

The rezoning request is necessary to complete the two lot subdivision, a subdivision request which is consistent with the ALC approved exclusion. As the minimum parcel sizes are insufficient for the A1 zone (2.0 ha in the ALR), Council must first approve the rezoning of the parcel to a split zone (RR1 and RR3). Rural residential zoning is consistent with the City's OCP Future Land Use designation (Resource Protection Area).

The applicant is seeking the rezoning and subdivision in an effort to meet the ALC's exclusion conditions, which included that "the conditions of approval must be completed within three (3) years from the date of this decision" (December 2010).

The applicant has verbally acknowledged that the rural residential zoning for the 0.7 ha portion excluded is not the ultimate intent. Rather, staff understand that the intent is multi-family residential development and which would require an OCP amendment and second rezoning.

#### 4.3 Site Context

The 1.97 ha (4.86 acres) parcel is located on KLO Road, immediately east of the proposed Burtch Road extension. The property is bound on the east, north, and south by properties having ALR status. The City of Kelowna's OCP designates the future land use of the subject property as Resource Protection Area (REP).

The subject property is adjacent to a number of agriculturally zoned properties. However, as the subject property is on the fringe of the ALR, land uses such as public, institutional and a variety of residential designations are also found in the area. The existing parcel does not have any structures and it has been vacant for many years and is not being farmed.

The subject property has a constructed channel or ditch<sup>4</sup> for irrigation which currently runs east/west through the property approximately 2/3 of the way up from KLO. The ditch then flows north along the western property line where it enters a piped system. The water re-emerges on RDCO lands (1456 KLO Road) approximately 300 metres from the point of entry in a ditch.

There is also evidence that portions of the subject property have received contaminated fill including sand and potentially salt from snow clearing efforts.

#### Parcel Summary:

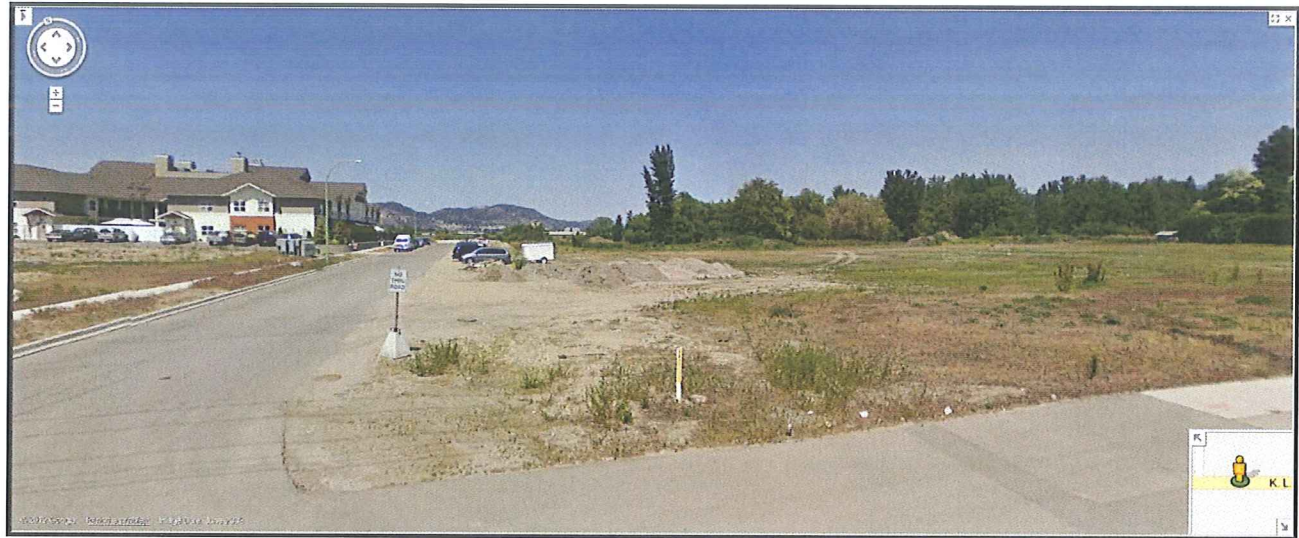
Parcel Size: 1.97 ha (4.86 ac)  
Elevation: 350 m

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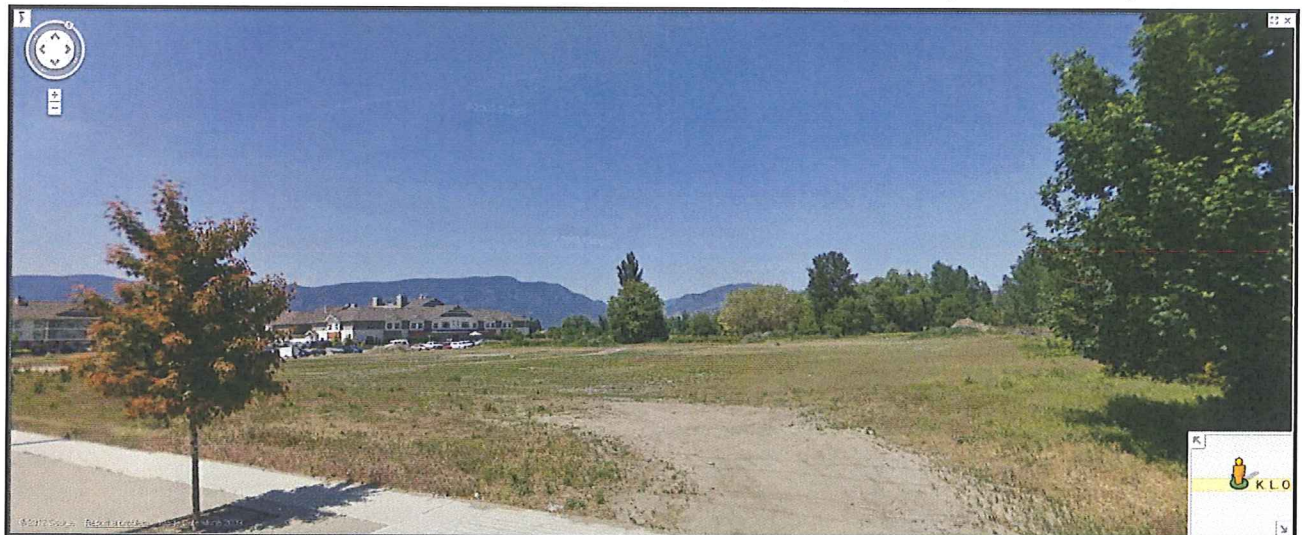
<sup>4</sup> The irrigation ditch is operated by the Mission Creek Water Users' Group.



**Figure 1: Subject Property and Proposed RV Site (in the foreground) Looking East Along Byrns Road**

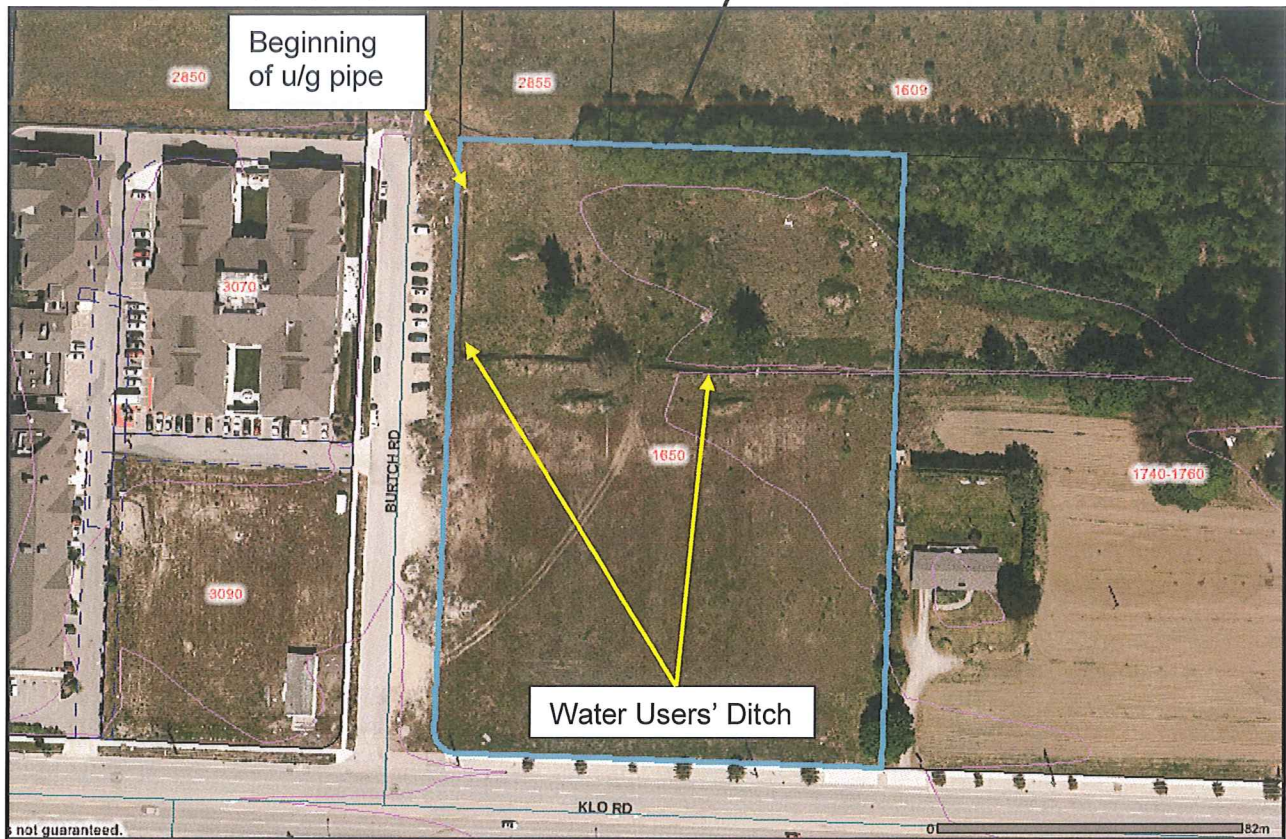


**Figure 2: Subject Property and Proposed RV Site (in the foreground) Looking North from Byrns Road**





#### 4.4 Subject Property Map: 1650 KLO Road



#### 4.5 Zoning of Adjacent Property

The subject property is located north of KLO Road and east of Burtch Road. The surrounding properties are zoned as follows:

Direction	Zoning	ALR	Land Use
North	A1 - Agriculture 1	Yes	Munson Pond/Future Park
South	A1 - Agriculture 1	No	Rural Residential
East	A1- Agriculture 1	Yes	Agricultural
West	RM4 - Transitional Low Density Housing	No	Multi-family Residential

#### 5.0 Current Development Policies

##### 5.1 Zoning Bylaw 8000

##### Section 7.6.1 Minimum Landscape Buffers<sup>5</sup>

A landscape buffer is required for all land abutting ALR land where non-farm uses exist. The minimum buffer shall be 3.0m wide and include an opaque barrier immediately adjacent to the boundary(s) abutting the ALR on the urban side of the property. This standard may be replaced or modified as a result of conditions of a decision by the Land Reserve Commission. The buffer area shall not be included in the required setback for Rural and Urban Residential zones.

<sup>5</sup> City of Kelowna Zoning Bylaw - Section 7 - Landscaping and Screening; p. 7-5.



## 5.2 2030 Official Community Plan: Greening Our Future

### Objective 5.33 Protect and enhance local agriculture<sup>6</sup>.

Policy .1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

Policy .3 Urban Uses. Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

Policy .4 Transition Uses. Consider complementary agricultural land uses such as urban agriculture (as defined in the Zoning Bylaw) along the urban-rural interface that act as a transition between existing urban development and farming operations.

Policy .8 Subdivision. Maximize potential for the use of farmland by not allowing the subdivision of agricultural land into smaller parcels (with the exception of Homesite Severances approved by the ALC) except where significant positive benefits to agriculture can be demonstrated.

### Farm Protection DP Guidelines<sup>7</sup>

#### Objectives

- Protect farm land and farm operations;
- Minimize the impact of urban encroachment and land use conflicts on agricultural land;
- Minimize conflicts created by activities designated as farm use by ALC regulation and non-farm uses within agricultural areas.

#### Guidelines

1.1 On properties located adjacent to agricultural lands, design buildings to reduce impact from activities associated with farm operations. Design considerations include, but are not limited to maximizing the setback between agricultural land and buildings and structures, and reducing the number of doors, windows, and outdoor patios facing agricultural land;

1.2 On agricultural lands, where appropriate, locate all buildings and structures, including farm help housing and farm retail sales, within a contiguous area (i.e. homeplate). Exceptions may be permitted where the buildings or structures are for farm use only;

1.3 On agricultural and non-agricultural lands, establish and maintain a landscape buffer along the agricultural and/or property boundary, except where development is for a permitted farm use that will not encourage public attendance and does not concern additional residences (including secondary suites), in accordance with the following criteria:

1.3.1 Consistent with guidelines provided by Ministry of Agriculture "Guide to Edge Planning" and the ALC report "Landscape Buffer Specifications" or its replacement;

1.3.2 Incorporate landscaping that reinforces the character of agricultural lands. A majority of plant material selected should include low maintenance, indigenous vegetation;

1.3.3 Preserve all healthy existing mature trees located within the buffer area;

<sup>6</sup> City of Kelowna Official Community Plan - Chapter 5 - Development Process; pp. 5.33 & 5.34.

<sup>7</sup> City of Kelowna 2030 Official Community Plan (2011) - Farm Protection Development Permit Chapter; p. 15.2 - 15.4.

1.3.4 Integrate double rows of trees, including coniferous trees, and dense vegetation into the buffer;

1.3.5 Install and maintain a continuous fence along the edge of agricultural land. A permeable fence which allows for the movement of wildlife (i.e. split rail) in combination with dense and continuous evergreen hedge is preferred. Impermeable fencing will not be permitted.

1.4 On non-agricultural lands, design developments to protect the required landscape buffer from potential negative impacts related to on-site activities (i.e. drainage, recreational pathways, driveways);

1.7 Require statutory covenants on non-agricultural land at subdivision to notify landowners that “normal farm practices” occur in close proximity.

### 5.3 City of Kelowna Strategic Plan

Objective<sup>8</sup>: Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

Action towards this objective<sup>9</sup>: Evaluate the effectiveness of City policies and bylaws in preserving agricultural lands.

### 5.4 City of Kelowna Agriculture Plan

#### Urban Buffers

New developments adjacent to agricultural areas will be required to establish appropriate setbacks, fencing and landscape buffers on urban lands, as noted above, to mitigate potential conflict. In addition, for developments other than single or two family residential uses, there should be consideration of appropriate site planning measures that locate access roads, storage areas, or other spaces between agricultural lands and proposed buildings or public use areas.

In addition to the requirements for landscape buffers and fencing, it would be appropriate to consider the need for a covenant registered on the title, as part of the subdivision approval, that advises prospective buyers and land owners of the potential impacts of living near farm operations and conditions of the Farm Practices Protection (Right to Farm) Act. It may also be appropriate to support amendments to the Real Estate Act that requires disclosure to prospective buyers of these same conditions.

1. Defined Urban - Rural/Agricultural Boundary. Confirm support for the Agricultural Land Reserve and establish a defined urban - rural/agricultural boundary, as indicated on Map 14 - Urban - Rural/Agricultural Boundary, utilizing existing roads, topographic features, or watercourses wherever possible;

2. Farmland Preservation. Direct urban uses to land within the urban portion of the defined urban - rural / agricultural boundary, in the interest of reducing development and speculative pressure, toward the preservation of agricultural lands and discourage further extension of existing urban areas into agricultural lands;

4. Landscape Buffer Specifications and Fencing Specifications. Amend the Zoning Bylaw to include setbacks and landscape buffer and fencing requirements consistent with the Land Commission specifications, with consideration for minimum setback requirements at standard

<sup>8</sup> City of Kelowna Strategic Plan (2004); p. 7.

<sup>9</sup> City of Kelowna Strategic Plan (2004); p. 29.



road or half road widths to support the potential need for future road, park, or public access corridors;

5. Bonding. Require the provision of bonding for landscape buffer and fencing requirements adjacent to agricultural lands at the time of rezoning, subdivision, and/or building permit, in accordance with the Municipal Act;

6. Urban Buffers. Require new development, adjacent to agricultural areas, to establish setbacks, fencing and landscape buffers on the urban side of the defined urban - rural/agricultural boundary;

7. Site Planning Measures. Consider the use of site planning measures such as locating internal access roads, storage areas, or other appropriate spaces between agricultural lands and proposed buildings or public use areas, for developments requiring a Development Permit;

8. Covenants. Consider the need for a covenant registered on the title, as part of a subdivision approval, that advises prospective buyers and land owners of the potential impact of living near farm operations and the conditions of the Farm Practices Protection (Right to Farm) Act;

12. Parcel Size: Agricultural Land. Discourage the subdivision of agricultural land into smaller parcels, except where positive benefits to agriculture can be demonstrated.

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

See attached.

### **6.2 Infrastructure Planning**

The subject property shares a boundary line with Munson Pond Park (e.g. north property line). In order to manage the private/public interface, a fence should be constructed on the northern property line (min. 6" within the private property). The City's standard for fencing is 4' high black chain link fence.

### **6.3 Shaw Cable**

Owner/developer to supply and install an underground conduit system.

### **6.4 Subdivision Approving Officer**

- DCC payable at subdivision stage and must be paid prior to final subdivision sign off.
- Subject to engineering requirements

## **7.0 Application Chronology**

Date of Application Received:      October 1, 2012

Agricultural Advisory Committee:      November 8, 2012

The above noted application was reviewed by the AAC and the following recommendation was passed:

**MOVED BY Leo Gebert/SECONDED BY Gill Green**

THAT the Agricultural Advisory Committee support Rezoning Application No. Z12-0065, for 1650 KLO Road, to rezone the subject property from the A1 Agriculture 1 zone to the RR1 - Rural Residential 1 and RR3 - Rural Residential 3 zones in order to facilitate a future two lot subdivision.

**DEFEATED**

Gill Green, Yvonne Herbison, Pete Spencer, Pierre Calissi - Opposed

**Anecdotal Comments:**

The AAC did not support the proposed rezoning (Z12-0065) as it was generally felt that the land has been and continues to be suitable for agriculture with some improvements and should not be excluded from the ALR. Burtch Road provides an important buffer between urban and rural uses at present. The AAC also felt that the orientation of the proposed subdivision (i.e. north/south) did not make sense as the less viable (i.e. degraded) land was demonstrated to be in the northern portion (i.e. east/west).

While the AAC did not support the proposed rezoning it was felt that the following be considered/dealt with to ensure that the future use of the remainder agricultural land not be impeded if the use is supported:

- That rehabilitation of the degraded land be required prior to rezoning being granted.
- That the density of residential development on the future non-ALR parcel not be excessive.
- That buffering on the future non-ALR parcel should be consistent with the ALC's A.3: Airborne Particle and Visual Screen buffering requirements (see attached) at a minimum and which includes yearly (coniferous) and seasonal (coniferous/deciduous), trespass inhibiting shrubs and a solid wood fence.
- The AAC also suggested that urban agriculture opportunities for future residents of the non-ALR land be required onsite.

**Report prepared by:**
  
 \_\_\_\_\_  
 Greg Sauer, Land Use Planner
**Reviewed by:**

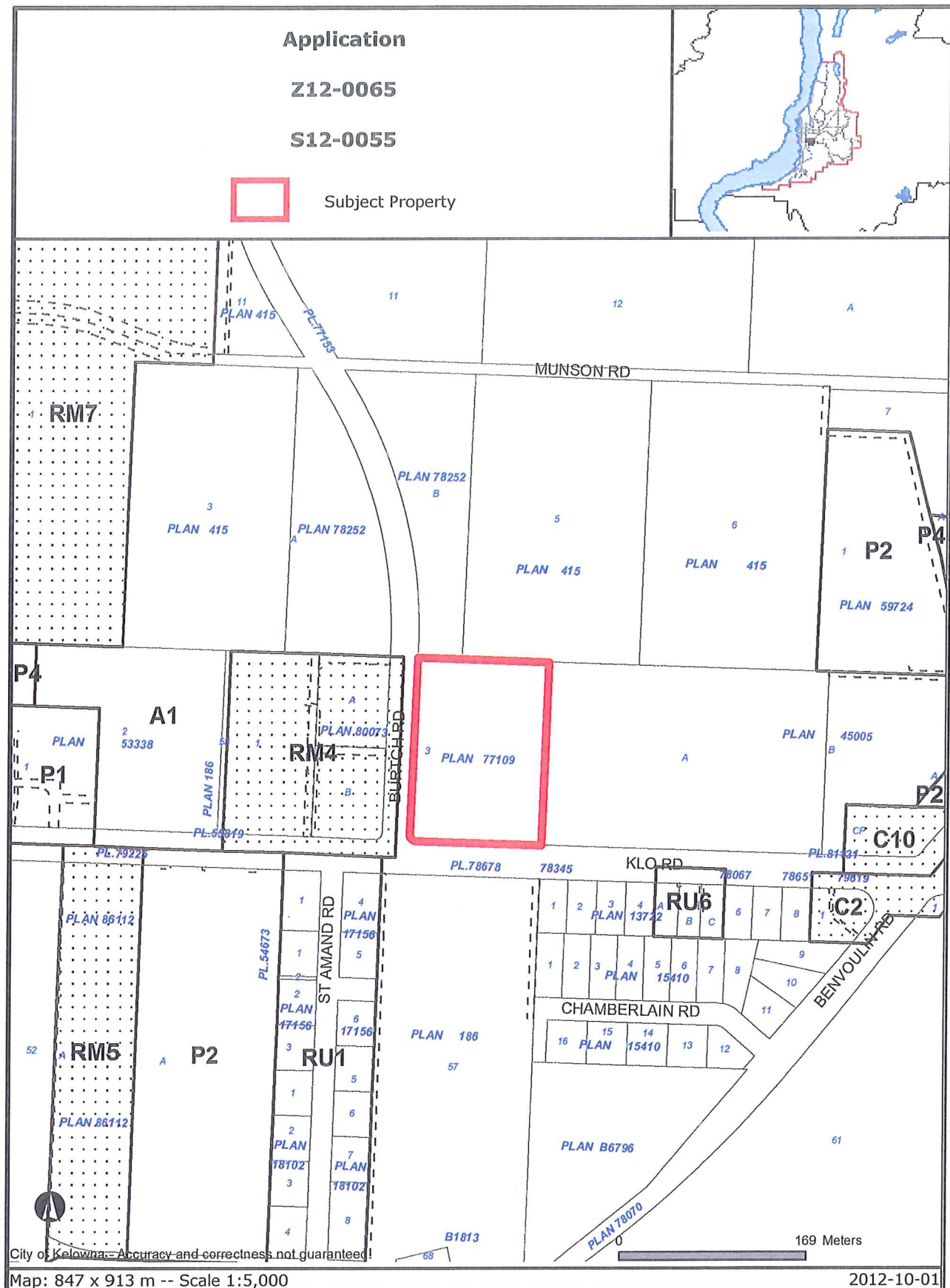

Todd Cashin Manager, Manager, Environment &amp; Land Use

**Approved for Inclusion:**


Shelley Gambacort, Director, Land Use Management

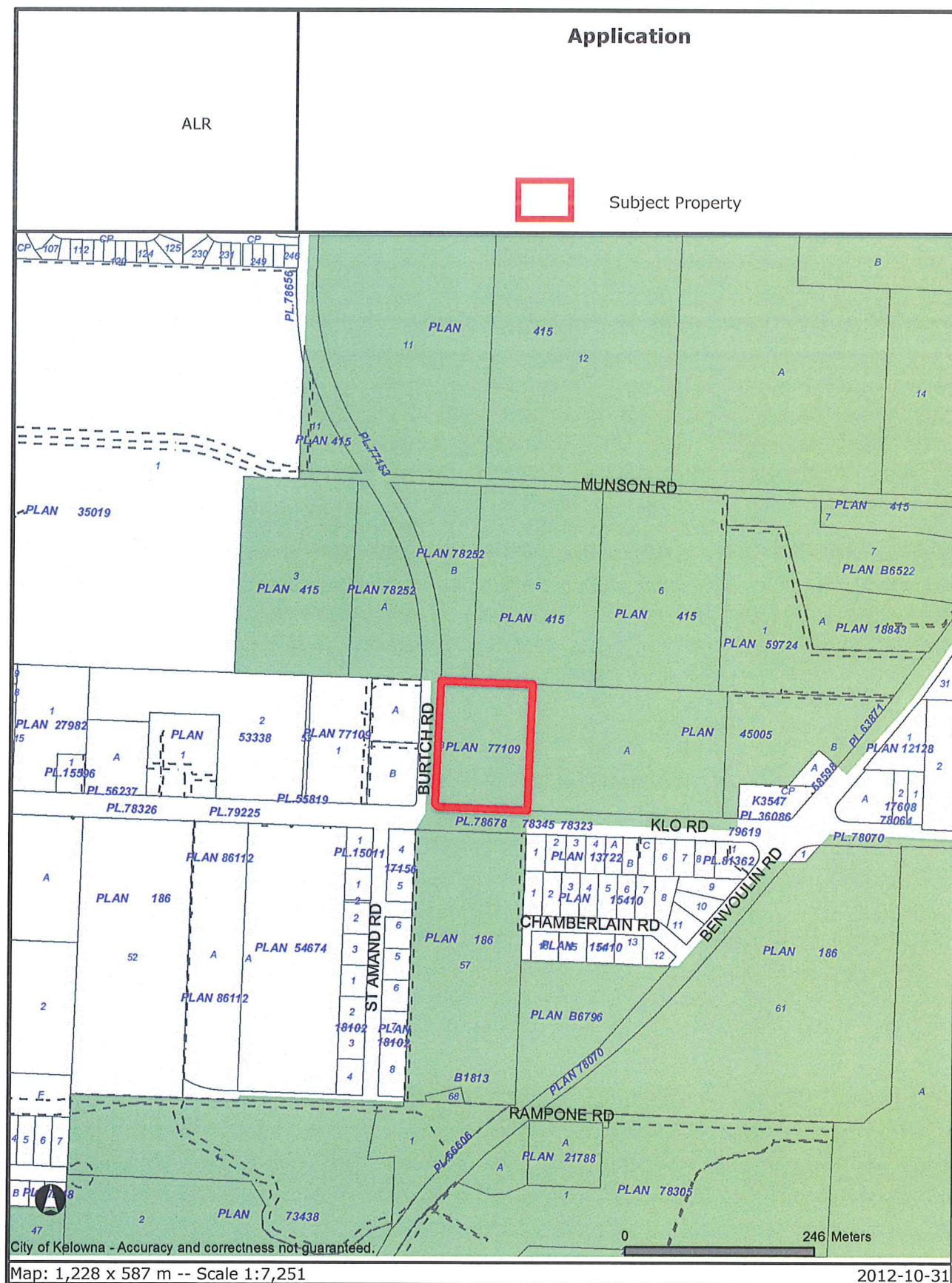
**Attachments:**

Subject property/zoning map & ALR map (2 pages)  
 Map "A" (1 page)  
 Site Plan (1 page)  
 Development Engineering Memo (2 pages)  
 ALC Correspondence (15 pages)



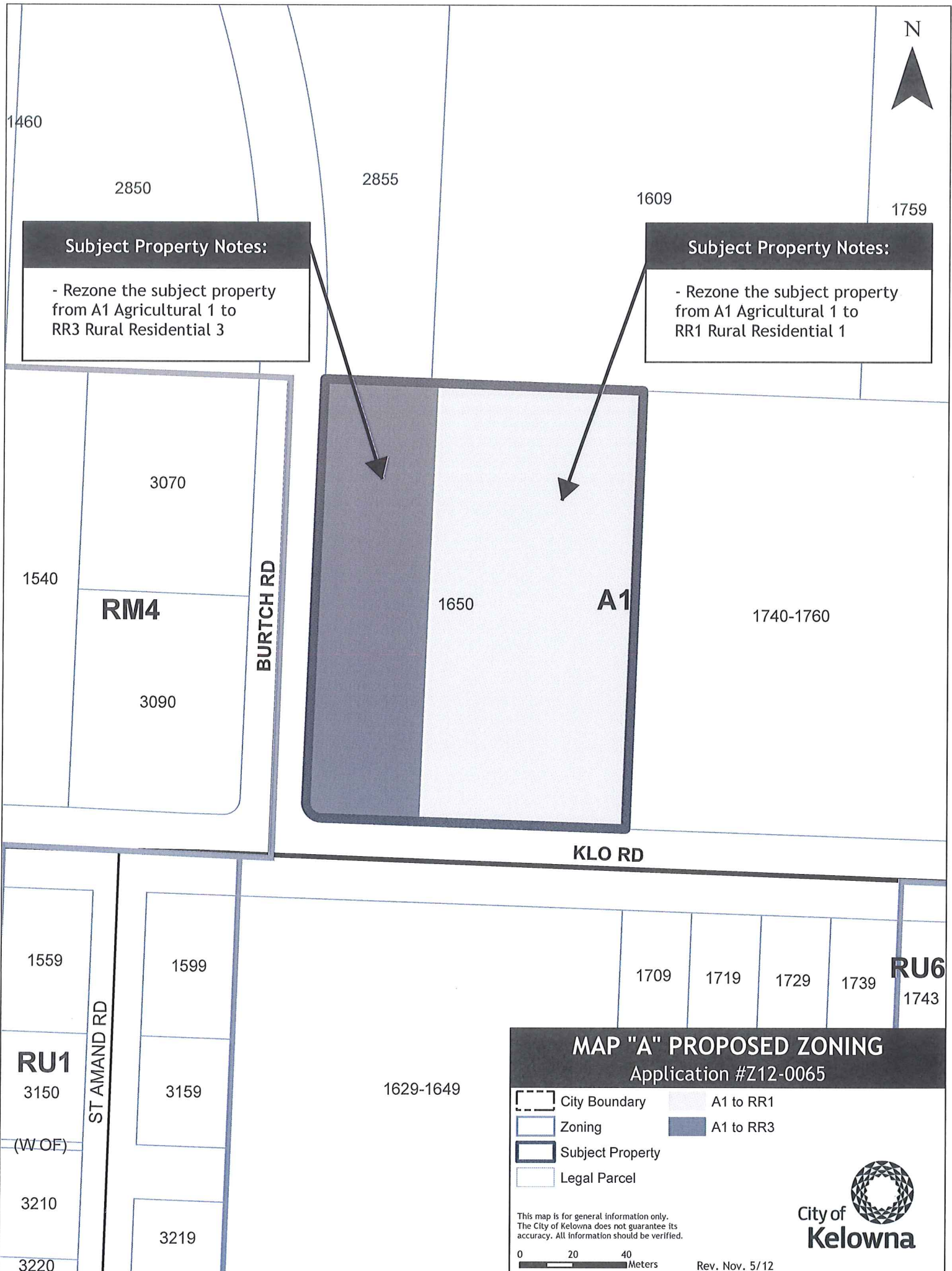
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
 The City of Kelowna does not guarantee its accuracy. All information should be verified.





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The City of Kelowna does not guarantee its accuracy. All information should be verified.





**Subject Property Notes:**

- Rezone the subject property from A1 Agricultural 1 to RR3 Rural Residential 3

**Subject Property Notes:**

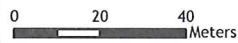
- Rezone the subject property from A1 Agricultural 1 to RR1 Rural Residential 1

**MAP "A" PROPOSED ZONING**

Application #Z12-0065

- |                  |           |
|------------------|-----------|
| City Boundary    | A1 to RR1 |
| Zoning           | A1 to RR3 |
| Subject Property |           |
| Legal Parcel     |           |

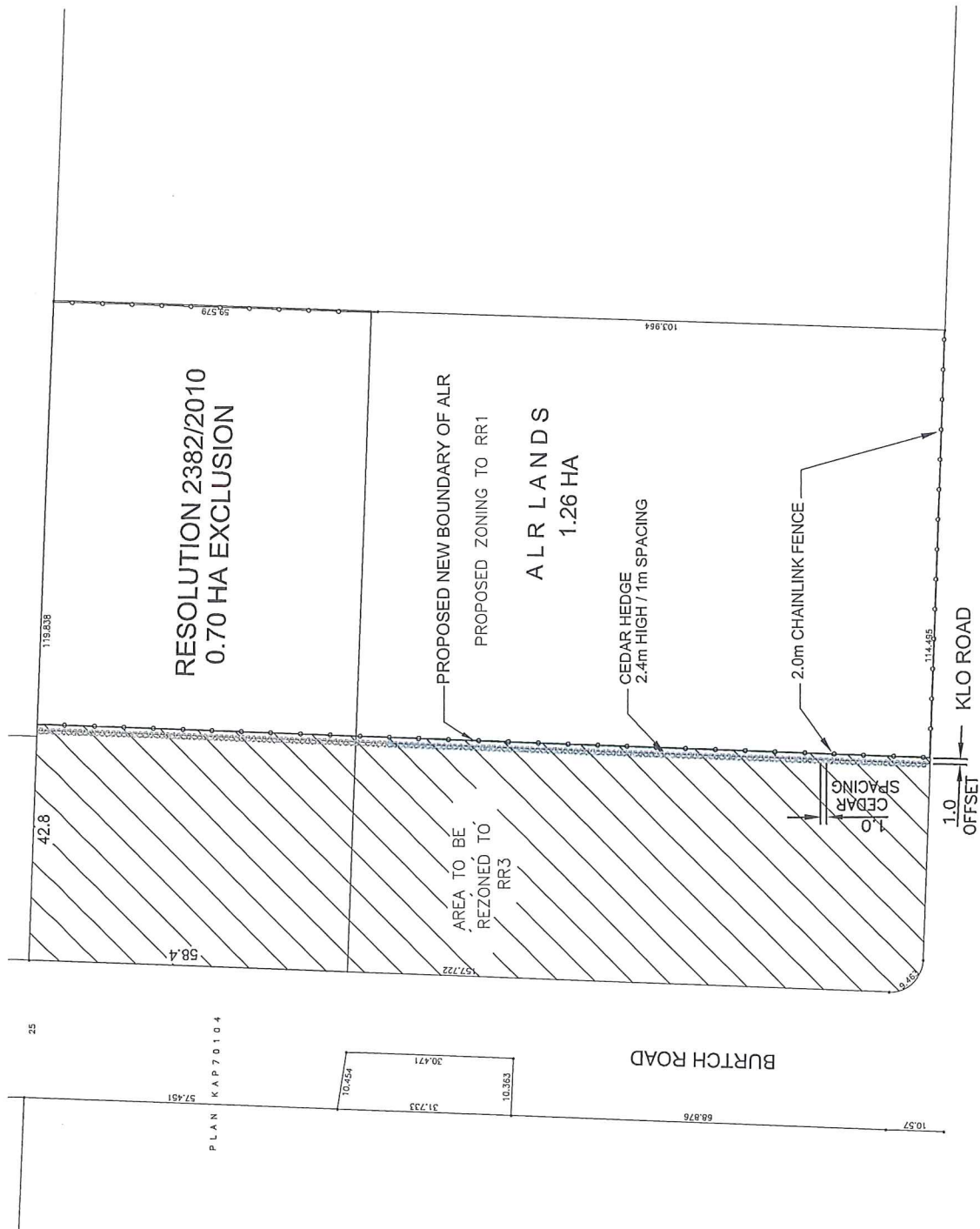
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Rev. Nov. 5/12



9059-BAS.dwg



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

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**Date:** November 13, 2012  
**File No.:** Z12-0065

**To:** Land Use Management Department (GS)

**From:** Development Engineering Manager

**Subject:** 1650 KLO Road **Updated drawing**

A1 to RR1/ RR3

Development Engineering Services have the following requirements associated with this rezoning application;

1. Domestic Water and Fire Protection

This property is not currently serviced. According to the Subdivision, Development and Servicing Bylaw 7900 it is a requirement for the RR1 & RR3 zone that the property be serviced by City of Kelowna water.

2. Sanitary Sewer

This property is not currently serviced. According to the Subdivision, Development and Servicing Bylaw 7900 it is a requirement for the RR3 zone that the proposed RR3 lot be serviced by City of Kelowna sanitary sewer. Abandon and backfill existing septic tanks in accordance with Building Department requirements.

The property is located in Sewer Connection Area No 25(Chamberlain) and therefore, all parcels to be created will be subject to the fee for this service. The Sewer Connection Area No 25(Chamberlain) Area fee is **\$3,149.38/EDU**.

3. Roads

Burtch Road must be upgraded to a full urban standard including curb and gutter, sidewalk, pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.

4. Electric Power and Telecommunication Services

If the existing area is served by overhead wiring, the service connections may be provided overhead provided that there are no new poles required and service trespasses will not be created. If either of these conditions is not satisfied, then underground service will be required for that lot.

Streetlights must be installed on all roads.

Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

Before making application for approval of your subdivision plan, please make arrangements with Fortis for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application for final approval.



Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

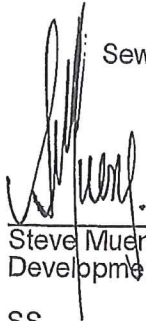
5. Servicing Agreements for Works and Services

A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

6. Charges and Fees

Sewer Connection Area No 25(Chamberlain) fee of **\$3,149.38**.



---

Steve Muenz, P. Eng.  
Development Engineering Manager

SS



POSTED

RECEIVED

**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

December 17, 2008

JAN 08 2009  
CITY OF KELOWNA  
PLANNING DEPT.

Reply to the attention of Brandy Ridout  
ALC File: **G-38500**

Gary Feeny  
Danco Developments Ltd  
3142 Dunster Road  
Kelowna, BC V1W4H3

Dear Mr. Feeny:

---

Re: **Application to Exclude land from the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #760/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

Enclosure: Minutes

cc: City of Kelowna (A07-0012)

MC/  
i/38500d1



**A meeting was held by the Provincial Agricultural Land Commission on November 28, 2008 at the offices of the Regional District of Okanagan-Similkameen located at 101 Martin Street, Penticton, BC.**

<b>PRESENT:</b>	Roger Mayer	Chair, Okanagan Panel
	Sid Sidhu	Commissioner
	Gerald Zimmermann	Commissioner
	Martin Collins	Staff

## For Consideration

Application: #G-38500  
Applicant: Danco Developments Ltd.  
Proposal: To exclude the 2 ha subject property from the ALR to construct medium to high density residential units.  
Legal: PID: 026-155-427  
Location: Lot 3, District Lot 131, Osoyoos Division Yale District, Plan KAP77109  
1650 KLO Road, Kelowna

## Site Inspection

A site inspection was conducted on November 26, 2008. Those in attendance were:

- Roger Mayer Chair, Okanagan Panel
- Sid Sidhu Commissioner
- Gerald Zimmermann Commissioner
- Martin Collins Staff
- Gary Feeny Applicant
- Grant Maddock Surveyor
- Catherine Orban Soil specialist
- Jim Woods Eastwood Farms (across KLO Road)

Mr. Feeny confirmed that the staff report dated November 18, 2008 was received and no errors were identified.

The Commissioners viewed the property with Catherine Orban, noting that the area closest to KLO Road had been filled, to a relatively shallow depth of less than one metre, potentially with sandy road bed material from a past widening of KLO Road. In addition, the Commission viewed the 0.5 ha northerly portion of the property, confirming that filling of concrete and construction material had occurred in this area over past decades (possibly prior to the establishment of the ALR).

Jim Woods of Eastwood Farms indicated that he farmed the subject property for several years and that his yield was significantly less on this property than on the home farm. The soils are sandier and require more water and fertilizer.

The Commission also noted that the adjoining 4 ha farm parcel lying to the east was cultivated.



### **Context**

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

### **Discussion**

#### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system. According to this system, the agricultural capability of the soil of the majority of the subject property is 70% Class 2 and 30% Class 3 with limitations of excess water and low fertility characteristics.

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

The Commission reviewed a Soils Onsite Report by Catherine Orban (M.Sc., P.Ag.) submitted with the application. The report indicates that approximately 0.8 ha (40%) of the property has Class 4 (70%) and Class 5 (30%) unimprovable capability. Approximately 0.7 ha (36%) of the property has Class 6 unimprovable capability. The remaining 0.5 (24%) has anthropogenic alterations that leave it unimprovable and unsuitable for agricultural use. The potential agricultural development and management of the property is constrained by excess moisture and high groundwater levels. The potential for improvements to drainage is severely inhibited by the technical and logistical issues associated with the ongoing disposal of excess water in an urban area with high groundwater levels. The report concludes by indicating that the property may be suitable for small greenhouses and/or a container nursery. However, it is not considered to be suitable for cultivation or livestock production.

The Commission discussed the report and confirmed that the majority of the property has challenges for certain types of soil bound agriculture due to a high water table (in spring), and that the northerly 0.5 ha portion of the property has severe limitations for agricultural use due to past filling. However the Commission did believe that the property could be cultivated and that with careful management ground crops could be grown. Alternately the parcel has potential to be developed as a small agricultural property with a residence and pasture for livestock or as a container or greenhouse operation. The Commission also indicated that the debilitated area would be ideal for a homesite and yard area, or alternately for parking and structures in conjunction with a nursery/greenhouse operation.

### **Assessment of Agricultural Suitability**

The Commission assessed whether factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission admitted that adjoining high density residential development to the west has two effects on the potential agricultural development of the property. Firstly it raises the potential that farm/residential conflicts will arise about smells, noise and spraying if agricultural development occurs. Secondly it raises expectations that land use change is imminent. However, in the Commission's opinion, Burtch Road represents a defensible boundary between urban and agricultural uses and the land is suitable for agricultural development.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission was concerned that exclusion and residential development of this property would signal to Kelowna's development community that the Commission might support excluding the remaining farmlands fronting onto KLO and Benvoulin Roads. The result would be the purchase or optioning of ALR land by developers and the decline (or prevention) of agricultural investment. In particular, the 5 ha ALR property lying directly to the east would also come under pressure to be excluded. The Commission reconfirmed its support for the City of Kelowna's agriculture plan which shows the subject property (and the adjoining parcel) designated for "agriculture".

### **Assessment of Other Factors**

The Commission recalled its decision to include the northern 0.7 ha portion of the property into the ALR was as a condition of Resolution #490/2001 which permitted the dedication and construction Burtch Road. The purpose of the inclusion and consolidation was to compensate for the loss of 3.3 ha to Burtch Road, to increase the size of Lot 2 to a more appropriate agricultural size, and to limit urban encroachment simplifying and straightening the ALR boundary in this area. Its concern was that the non ALR 0.7 ha area would be developed for intensive residential uses and negatively affect the smaller farm property.

### **Conclusions**

1. That the land under application has agricultural capability, is appropriately designated as ALR, and is suitable for agricultural use.
2. That the proposal will negatively impact agriculture.
3. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

**IT WAS**

**MOVED BY:**

Commissioner S. Sidhu

**SECONDED BY:**

Commissioner R. Mayer

THAT the application to exclude the 2 ha subject property from the ALR to construct residential condominium units be refused on the grounds the land is suitable for agricultural uses.



AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*  
*(a) evidence not available at the time of the original decision has become available,*  
*(b) all or part of the original decision was based on evidence that was in error or was false.*  
(2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

---

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

**CARRIED**  
**Resolution #760/2008**



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

April 15, 2010

Reply to the attention of Martin Collins  
ALC File G-38500

Grant Maddock,  
Protech Consultants Ltd.  
#200 - 1461 St Paul St.  
Kelowna, B.C.  
V1Y 2E4

Dear Sir:

**Re: Request for Reconsideration**

This is further to your letter of December 8<sup>th</sup>, 2010 in which you asked the Provincial Agricultural Land Commission to reconsider Resolution #655/2007.

The Commission has reconsidered the matter and has attached the Minutes of Resolution #2382/2010 and a sketch plan outlining its latest decision. As agent, it is your responsibility to notify your client(s) accordingly.

Please send two (2) paper prints of the final survey plans to this office along with three copies of the required covenants. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan. It will also confirm for the Registrar the area excluded from the ALR.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: City of Kelowna (file: A07-0012)

Enclosure: Minutes/Sketch Plan







## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

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**A meeting was held by the Provincial Agricultural Land Commission on March 16, 2010 in Kelowna, BC.**

<b>PRESENT:</b>	Roger Mayer	Chair, Okanagan Panel
	Gerald Zimmerman	Commissioner
	Martin Collins	Staff
	Brandy Ridout	Staff

### **For Consideration**

A letter from Grant Maddock of Protech Consultants dated December 8, 2009 was received requesting that the Commission reconsider its decision to refuse the exclusion of 2 ha from the ALR - recorded as Resolution #760/2008. Accompanying the letter were various reports indicating that the 0.7 ha northerly portion of the parcel had been debilitated as a landfill prior to the establishment of the ALR, and the 2004 inclusion of the land into the ALR ( up to 9,000 cubic meters of landfilled municipal waste).

Application:	38500
Applicant:	Danco Developments
Agent:	Grant Maddock, Protech Consultants
Original proposal:	To exclude 2 ha from the ALR for high density residential development.
Original decision:	Refuse as proposed
Current proposal:	To exclude 2 ha for high density residential development
Legal:	PID 026 155 427 Lot 3, DL 131 ODYD, Plan KAP 77109
Location:	KLO Road

### **Context**

The proposal was considered under Section 33 of the Agricultural Land Commission Act (the "Act") which states:

S33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that

- (a) evidence not available at the time of the original decision has become available,
- (b) all or part of the original decision was based on evidence that was in error or was false, or
- (c) a recommendation by a facilitator under section 13 relating to a dispute warrants a reconsideration of the original decision.

The Commission believed that the applicant had provided evidence that was not available at the time of the original decision and so reconsidered the application.

### Discussion

The Commission reviewed the following information;

- 1) Protech Consultants December 8, 2009 letter;
- 2) June 12, 2009 letter from Jim and Lorena Wood of Eastwood Orchards providing information about previous agricultural activity undertaken on the 2 ha property from 1997 to 2001;
- 3) Catherine Orbán's (P. Ag.) December 3, 2009 letter to Gary Feeny;
- 4) James Richards (P. Ag.) December report to Danco Developments;
- 5) Trash removal estimate from Affordable trash-all.com Ltd.

The applicant's primary rationale for exclusion is that the northerly ~ 0.7 ha portion of the property cannot be used for agriculture because of its past use as a landfill site. In addition there has been deposition of sand and other material (salt from snow deposit) on the remainder, particularly on the southern and western edges which may have damaged the land's soil capability for cropping.

The Commission discussed the reports and recalled the rationale for the decision to include the 0.7 ha northerly portion of the property into the ALR. It noted that it had been aware of the fill material on the northerly portion but believed that the fill would help mitigate the low lying wet area and potentially serve as a suitable homesite and yard for a small farm operation. Alternately it might be a suitable site for a non soil bound agricultural activity, such as a greenhouse or a container nursery operation. It recalled that no soil testing was undertaken at the time of inclusion.

In view of the extensive landfill contamination of the ~ 0.7 ha area lying north of the drainage ditch the Commission agreed that the exclusion of this area from the ALR was warranted.

However the Commission still believed that there was merit in retaining the 1.3 ha remainder within the ALR. While it was acknowledged that there were challenges to soil bound agriculture on the 1.3 ha remnant, the Commission does not believe that these are insurmountable, and that the property could be used as a hobby farm, market garden or nursery. Its other concerns are that the exclusion and conversion of the property to high density urban residential uses are inconsistent with its mandate and with local government planning. Furthermore the Commission believed that the impacts of urban development would have the result of negatively affecting, or eliminating, the agricultural potential of the adjoining property to the east, raising expectations of further land use change on KLO road.

The Commission believed that fencing the excluded area and the remainder is also important to help discourage trespass and further dumping.

### **IT WAS**

**MOVED BY:** Commissioner R. Mayer

**SECONDED BY:** Commissioner G. Zimmerman

THAT for the purposes of Section 33(2) of the *Agricultural Land Commission Act*, there are no persons it considers affected by the reconsideration.

AND THAT the request to exclude the 2 ha subject property from the ALR be refused.

However, the Commission indicated that it was prepared to allow the exclusion of the ~ 0.7 ha lying north of the drainage ditch, subject to the following conditions;

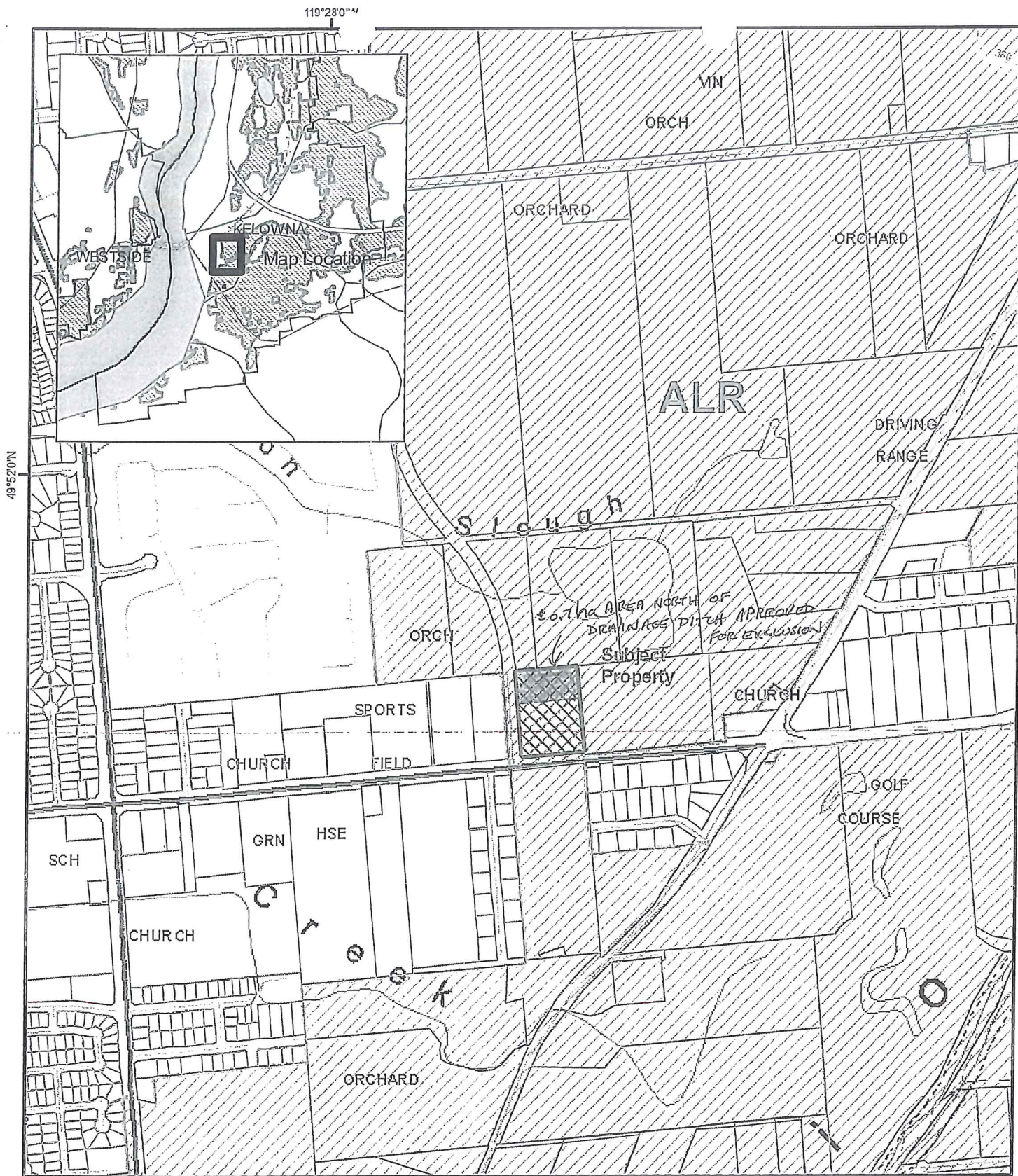
- the preparation of a subdivision plan to delineate the area to be excluded per the attached drawing,
- the rehabilitation of the debilitated portions of the 1.3 ha remainder. The Commission requires the submission and approval of a soils remediation plan prepared by an agrologist who is also a soils specialist.
- The erection of a 2 meter high chain link fence along the north, south and east boundaries of the 0.7 ha excluded area, and fencing the westerly and southerly edge of the remainder to discourage trespass and unauthorized dumping
- The planting of a cedar hedge along the south and east boundary (minimum 1 meter high trees along the inside of the fence).
- Residential building setbacks of 10 meters from the south property boundary,
- the subdivision and development must be completed within three (3) years from the date of this decision.

And that as it has now been over a year since the Commisison's original decision the Commission considers this application to be closed. Any further proposals involving the subject property must be made by way of a new application.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

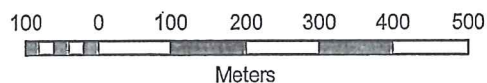
**CARRIED**  
**Resolution # 2382/2010**





RESOLUTION # 2382/2016  
 APPROVED to the EXCLUSION  
**Context Map**

Map Scale: 1:10,000



ALC File #: 02-2008-38500

Mapsheet #: 82E.083

Map Produced: Sep 24, 2008

Regional District: Central Okanagan





December 2, 2010



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

Reply to the attention of Martin Collins  
File: G-38500

Gary Feeny  
3142 Dunster Rd  
Kelowna B.C.  
V1W4H3

**Re: Reconsideration of File: G-38500**

Thank you for your e-mail received November 16<sup>th</sup>, 2010 which requested that the 0.7 ha exclusion area conditionally permitted by Resolution # 2382/2010 be reconfigured so that it borders Burtch Road for its length.

Although the Commission noted that the overall area proposed for exclusion was not increased, it expressed concern about the potential negative impacts of higher density residential uses on the 1.3 ha remainder, since the amended configuration may require less land for vehicle access than the original configuration. There was also concern about;

- potential for shading from a taller, multi-storey structure,
- increased potential for agriculture/residential conflict,
- the difficulty of soil rehabilitation on portions of the contaminated fill site due to historic land disturbance and the necessity of extensive movement (and deposit) of soils.

In view of the above, this is to advise that although the Agricultural Land Commission has no objection to the reconfiguration of the exclusion area as noted on the attached map, subject to the conditions stipulated by Resolution #2382/2010, it requires an additional condition that a covenant be registered against the title of the excluded 0.7 ha parcel limiting the height of any structure to two storeys. The purpose of the condition is limit the negative impacts of multi-storey residential development on the 1.3 ha remainder.

To reiterate, the Commission allowed the exclusion of 0.7 ha, as per Resolution 2382A/2010, subject to:

- The preparation of a subdivision plan to delineate the area to be excluded per the attached drawing.
- The rehabilitation of the debilitated portions of the 1.3 ha remainder. The Commission requires the preparation and submission of a soils remediation plan prepared by an agrologist who is also a soils specialist which describes how the land will be reclaimed to the same or better standard as prior to debilitation. Upon completion of the rehabilitation a closure report from the same agrologist is also required to confirm the rehabilitation.
- The erection of a 2 meter high chain link fence around the perimeter of the 1.3 ha agricultural remainder and the northwest edge of the exclusion area to Burtch Road.
- The planting of a cedar hedge along the east and north boundary of the excluded area (minimum 1 meter high trees on a 1 meter spacing along the inside of the fence).

- The registration of a covenant prohibiting residential structures within 10 meters from the east and north property boundary, and prohibiting structures greater than two storeys in height.
- the conditions of approval must be completed within three (3) years from the date of this decision.

If you wish to proceed on the basis of the above, upon confirmation of completion of the agricultural rehabilitation, fencing, vegetative buffer, and the registration of the covenant, the 0.7 ha area bordering Burtch Road will be excluded from the ALR.

Nothing in this decision relieves the owner or occupier of the responsibility to comply with applicable Acts, regulations and bylaws of local government, and decisions and orders of any person or body having jurisdiction over the land under the enactment.

If you have any further questions about this matter, please contact this office.

Yours truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per

A handwritten signature in black ink, appearing to read 'Brian Underhill', written over a horizontal line.

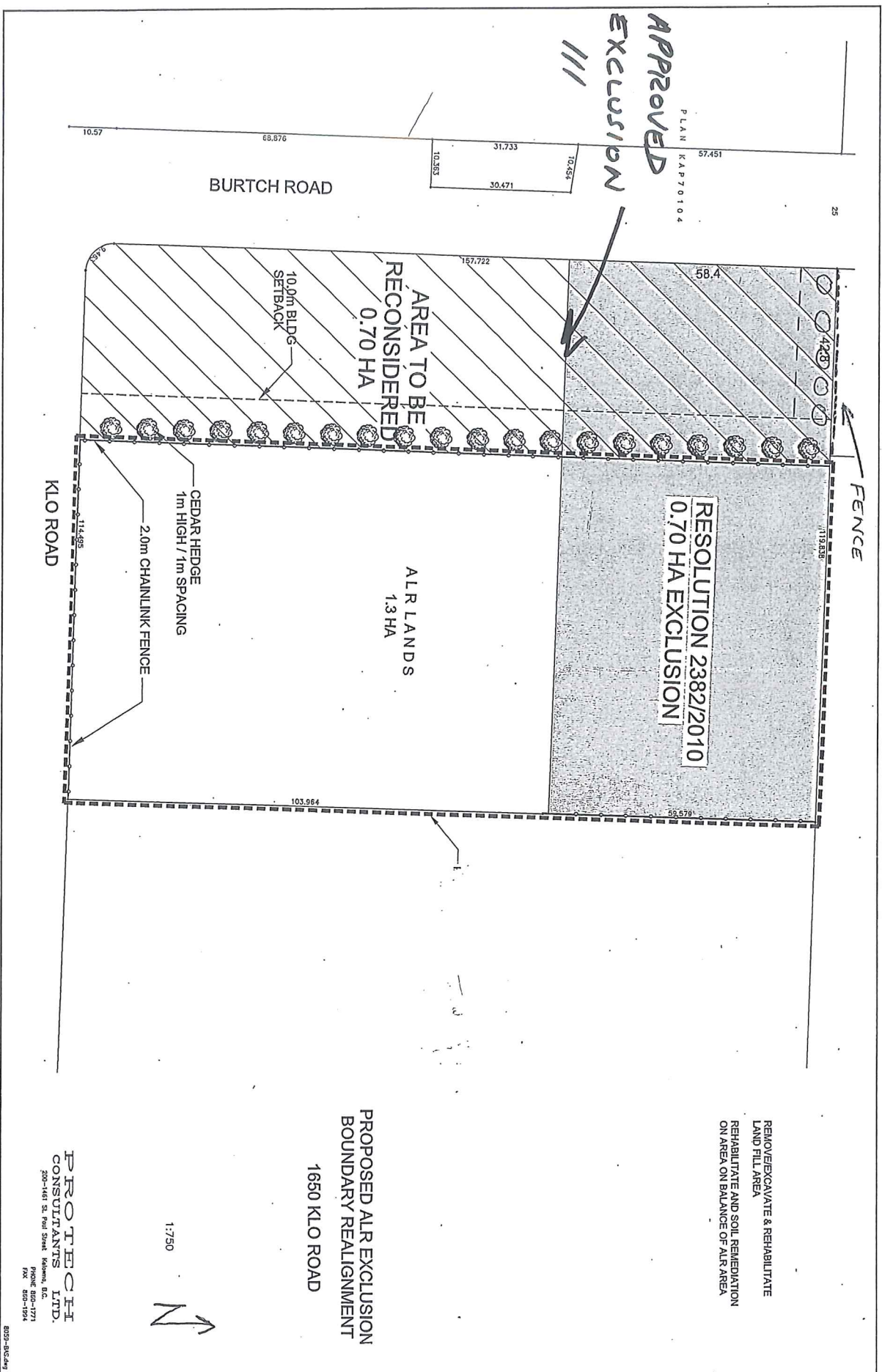
Brian Underhill, Executive Director

enclosure

cc: City of Kelowna file: (A07-0012)



# SKETCH PLAN - RESOLUTION # 2382 A / 2010



FILE : 38500

AMENDED CONFIGURATION RES # 2382/2010

INCLUDING FENCING & BUFFERING



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

March 1, 2011

Reply to the attention of Martin Collins  
File: G-38500

Gary Feeny  
3142 Dunster Road  
Kelowna, B.C.  
V1W 4H4

Dear Sir

**Re: 1650 KLO Road - Lot 3, DL 131, ODYD, Plan KAP77109**

Thank you for your letter dated February 15, 2011 and the attached sketch which provided information indicating that a three storey structure would not excessively shade the adjoining farmland provided it was set back from the west property boundary by 16.74 meters.

Based on this the Agricultural Land Commission would be prepared to permit the construction of a three storey structure on the excluded parcel subject to the conditions stipulated by Resolution #2382A/2010, and the amended condition that the required covenant prohibit the building of residential structures within 16.74 meters from the east property boundary of the proposed 0.7 ha exclusion area.

However, be advised the Commission will require that the rehabilitation of the 1.3 ha remainder to be completed, including fencing, before excluding the 0.7 ha parcel from the ALR. A report must be submitted by a qualified professional agrologist, who is also a soils specialist, confirming that the land has been rehabilitated to an agricultural standard which permits cropping, and not merely forage crops. Irrigation infrastructure must also be provided. The vegetative buffering may be delayed until the landscaping of the excluded lot is completed, subject to the submission of a financial security in the amount necessary to plant the vegetative buffer.

If you have any further questions regarding this matter, please contact this office.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Martin Collins, Regional Planner

City of Kelowna File: (A07-0012)

# REPORT TO COUNCIL



**Date:** November 23, 2012

**To:** City Manager

**From:** Land Use Management, Community Sustainability (BD)

**Application:** Z12-0066      **Owner:** Peter L. and Charlene J. Jones

**Address:** 925 Kennedy Street      **Applicant:** Axel Hilmer

**Subject:** Rezoning Application

**Existing OCP Designation:** Single/Two Unit Residential

**Existing Zone:** RU1- Large Lot Housing

**Proposed Zone:** RU1c - Large Lot Housing with Carriage House

---

## 1.0 Recommendation

THAT Rezoning Application No. Z12-0066 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 10, Section 29, Township 26, ODYD Plan 16270, located on Kennedy Street, Kelowna, BC from the RU1- Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone be considered by Council;

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

## 2.0 Purpose

This application is seeking to rezone the subject property from the RU1- Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone to construct a carriage house.

## 3.0 Land Use Management

The applicant is seeking to rezone the subject property to allow the construction of a carriage house. The site is located on a corner which would allow the retention of the existing home facing Kennedy Street and site the carriage house to face Tronson Drive. The proposal will create a greater density on the site than previously seen in this neighbourhood, however densification is starting to occur as seen across the street where a carriage house was constructed in 2011. The established street rhythm is retained as the site configuration easily accommodates this housing form to be sensitively integrated.

The subject property is located within the Permanent Growth Boundary. Policies within the Official Community Plan support the sensitive integration into existing neighbourhoods, where



services are already in place and densification can easily be accommodated. The subject property is in close proximity to parks, schools, transit and recreational opportunities.

Should the land use be supported by Council, a Development Permit executed at a staff level will be required for the new construction.

#### 4.0 Proposal

##### 4.1 Project Description

The subject property is located on a corner lot with frontage on both Kennedy Street and Tronson Drive making this site a good candidate for infill development. The applicant is proposing a compact one and half storey accessory building which contains two bedrooms on the upper floor and garage and great room living area on the ground floor. The required parking is easily achieved on the site and plenty of outdoor private space is available on this large sized lot.

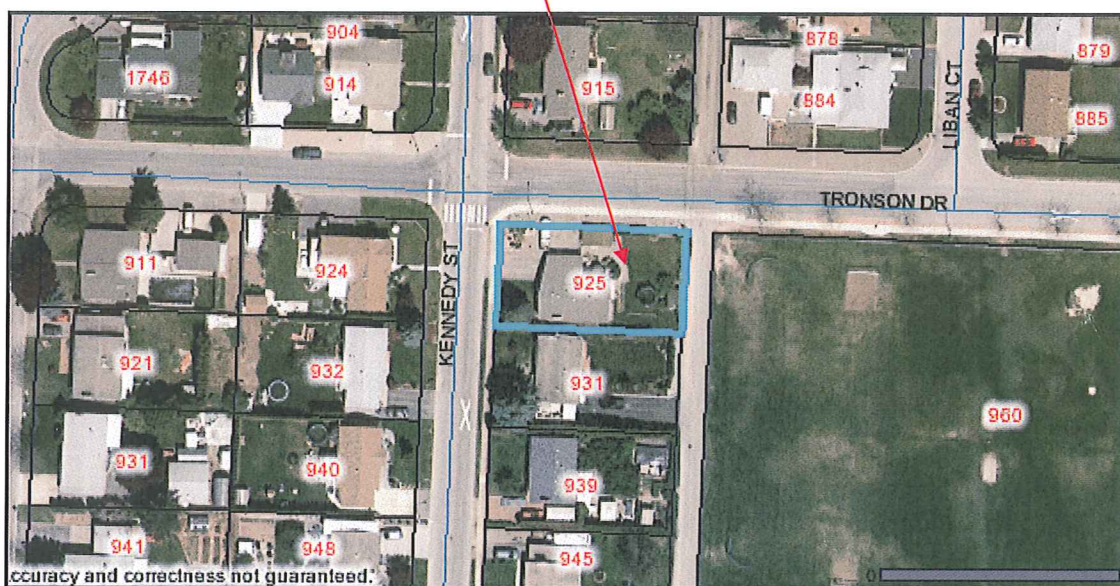
A colour board and landscape details will be submitted for the processing of the Development Permit.

##### 4.2 Site Context

The subject property is on the corner of Kennedy Street and Tronson Drive in the Glenmore/Clifton/Dilworth sector of Kelowna. The site is in close proximity to Glenmore Elementary school, transit routes, and neighbourhood convenience shopping. The surrounding properties are zoned as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential use
East	P2- Educational & Institutional	Glenmore Elementary school
South	RU1- Large Lot Housing	Single Family Dwelling
West	RU1- Large Lot Housing	Single Family Dwelling

##### 4.3 Subject Property Map : 925 Kennedy Street



#### 4.4 Zoning Analysis Table

The proposed application meets the requirements of RU1c - Large Lot Housing with Carriage House zone as follows:

Zoning Analysis Table		
CRITERIA	PROPOSAL	RU1c ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	856.5 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	21.6 m	17 m
Lot Depth	39.6 m	30.0 m
Development Regulations		
Site Coverage (buildings)	27 %	40%
Site Coverage (buildings/parking)	38 %	50%
Principal Dwelling		
Height	4.8 m	2 ½ storeys / 9.5 m
Front Yard	10 m	6 m to garage or carport
Side Yard (n)	6.74 m	4.5m for flanking street
Side Yard (s)	2.25 m	2.0 m (1 - 1 ½ storey)
Rear yard	16.73 m	7.5m
Proposed Carriage House		
Height	4.5 m	1 ½ storeys / 4.5 m
Separation between buildings	5.45 m	4.5 m
Side Yard (n)	5.49 m	4.5m for flanking street
Side Yard (s)	6.34 m	2.0 m (1 - 1 ½ storey)
Rear yard	1.52 m	1.5 m
Other Requirements		
Floor Area Ratio	Principal dwelling: 141 m <sup>2</sup> Secondary suite: 87.3 m <sup>2</sup> 62 %	May not exceed the lesser of 90 m <sup>2</sup> or 75%
Parking Stalls (#)	2 at principal dwelling 1 within garage of carriage house	2 spaces for the principal dwelling and 1 for the carriage house
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling

#### 5.0 Current Development Policies

##### 5.1 Kelowna Official Community Plan (OCP)

##### Development Process

Policy 5.2.3 **Complete Suburbs**.<sup>1</sup> Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete

<sup>1</sup> Official community plan Objective 5.2 Community Sustainability



communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

**Policy 5.3.2 Compact Urban Form.<sup>2</sup>** Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 2) Operable bedroom windows required as per the 2006 edition of the British Columbia Building Code (BCBC 06).
- 3) Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- 4) No building heights are provided on this application, please ensure the height of the structure meets the requirements or a variance is requested. *(provided by applicant)*

### 6.2 Development Engineering Department

See attached.

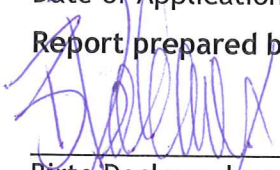
### 6.3 Fire Department

No concerns. Additional address is required for the new home on Tronson Drive.

## 7.0 Application Chronology

Date of Application Received: October 11, 2012

Report prepared by:

  
Birte Decloux, Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use

Approved for Inclusion:



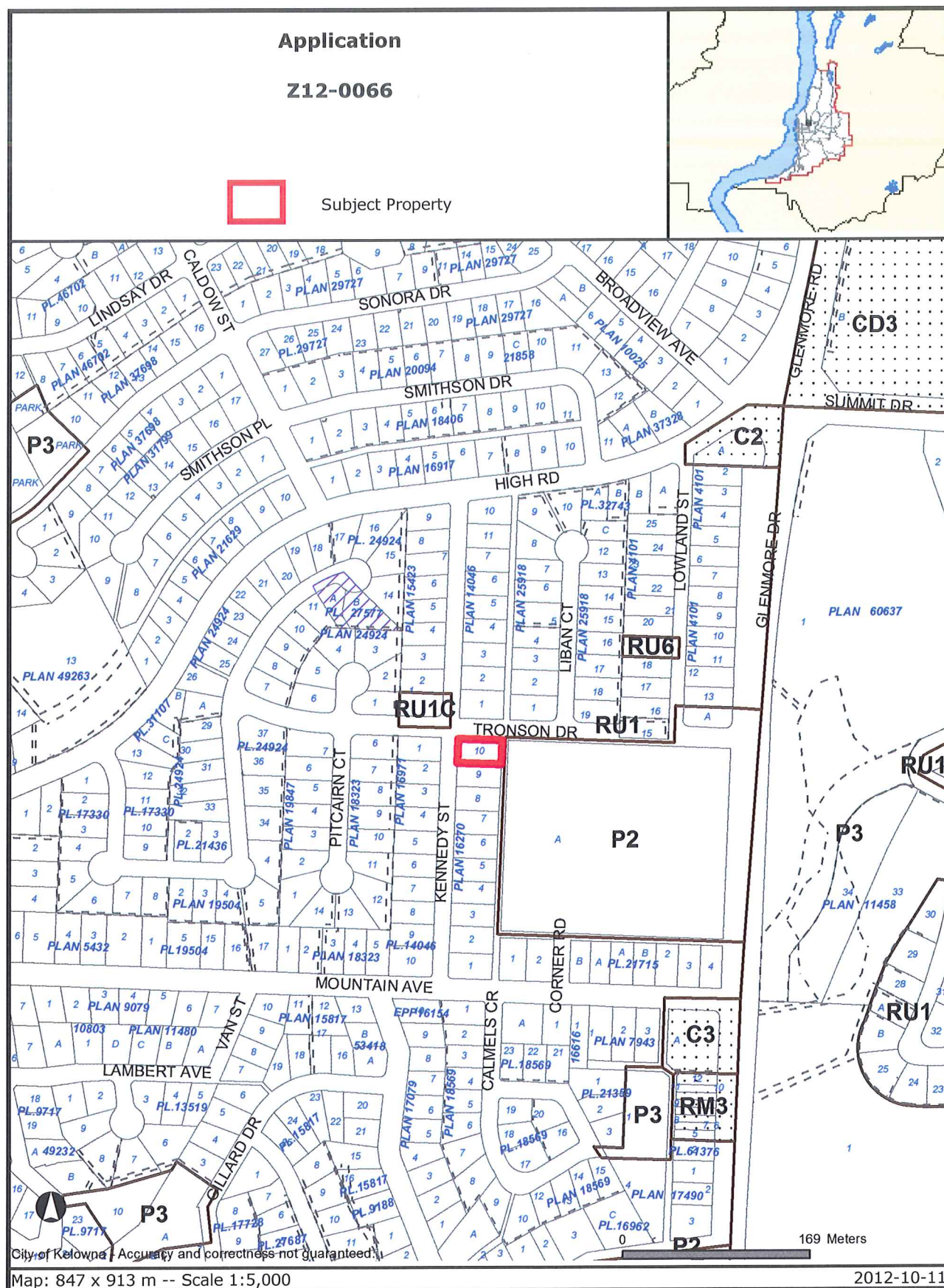
Shelley Gambacort, Director, Land Use Management

### Attachments:

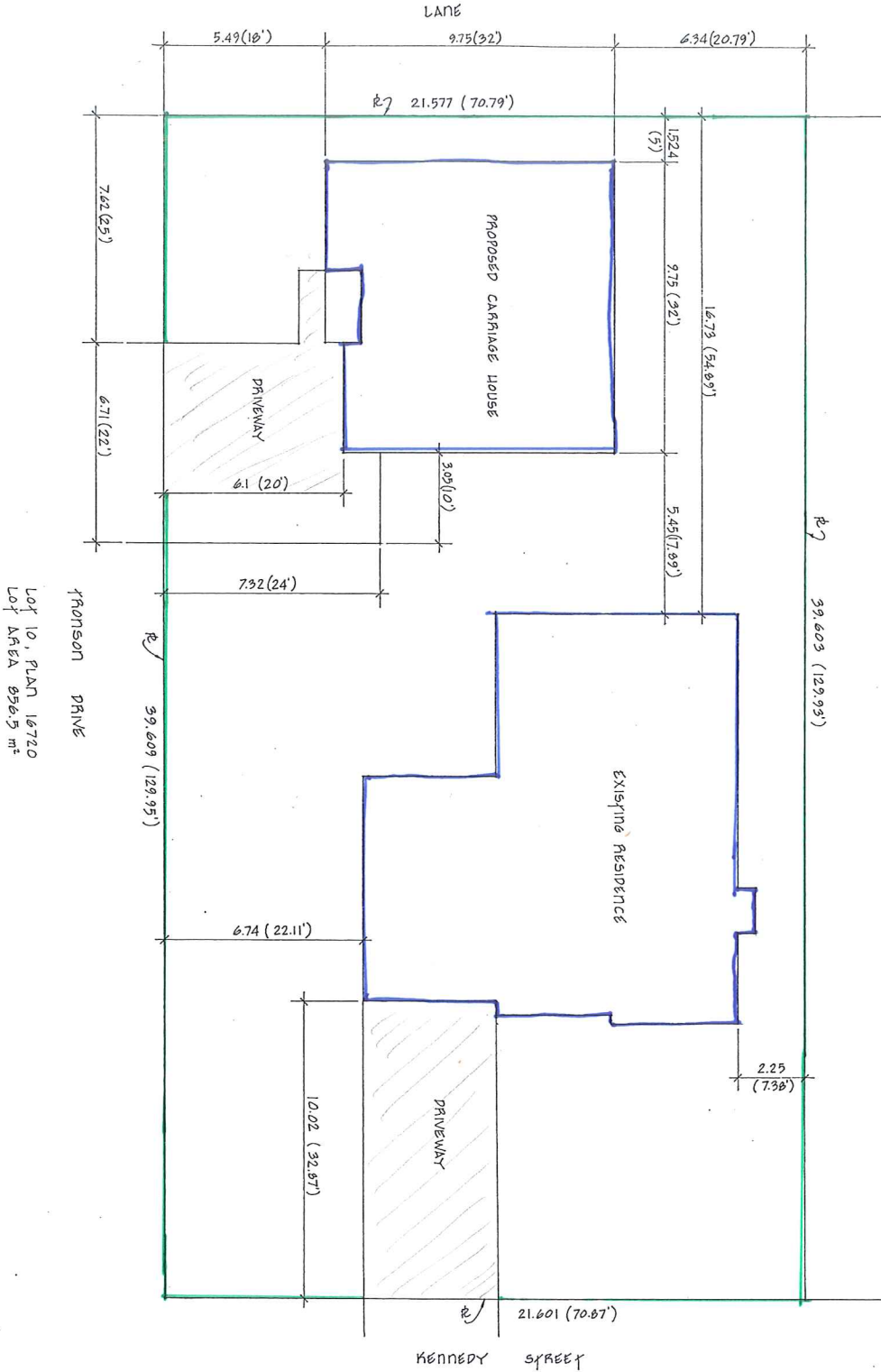
Site Plan  
Conceptual Elevations  
Floor Plan  
Context/Site Photos  
Technical Comments

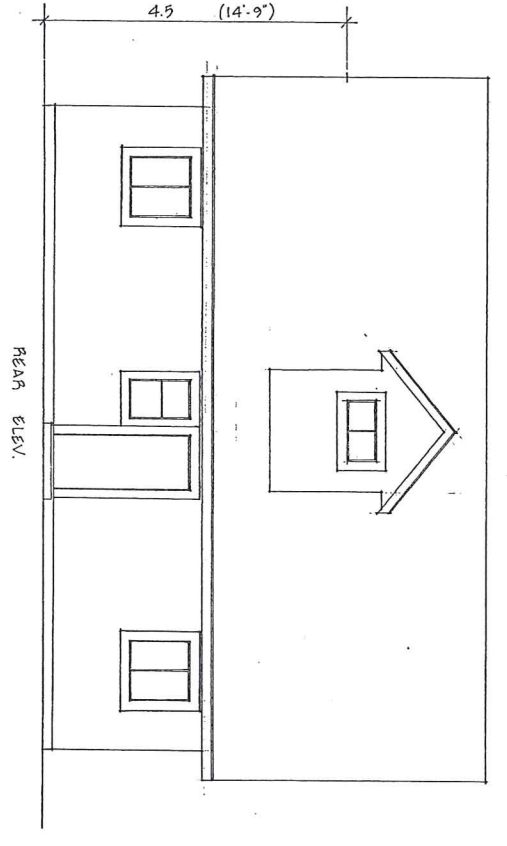
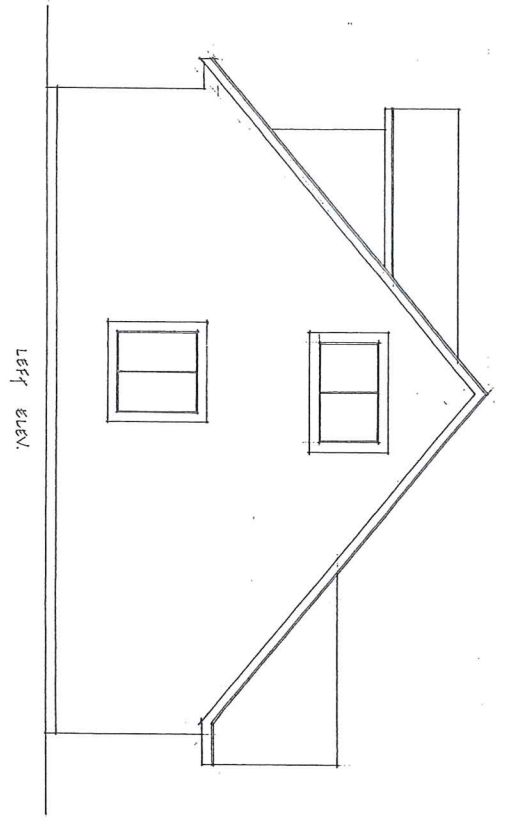
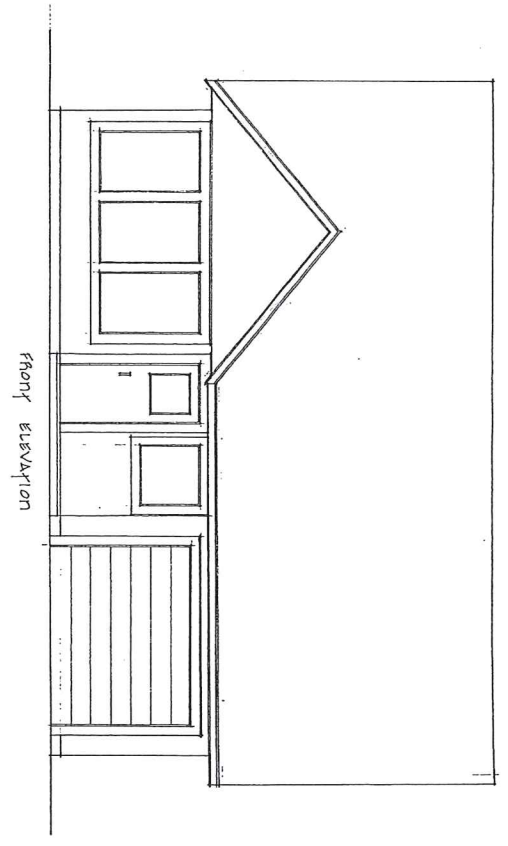
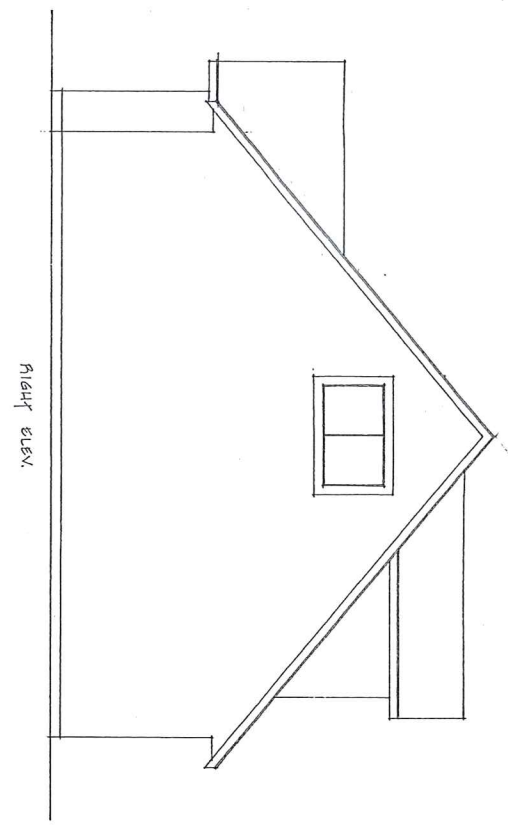
<sup>2</sup> Official community plan Objective 5.3 Focus development to designated growth areas.



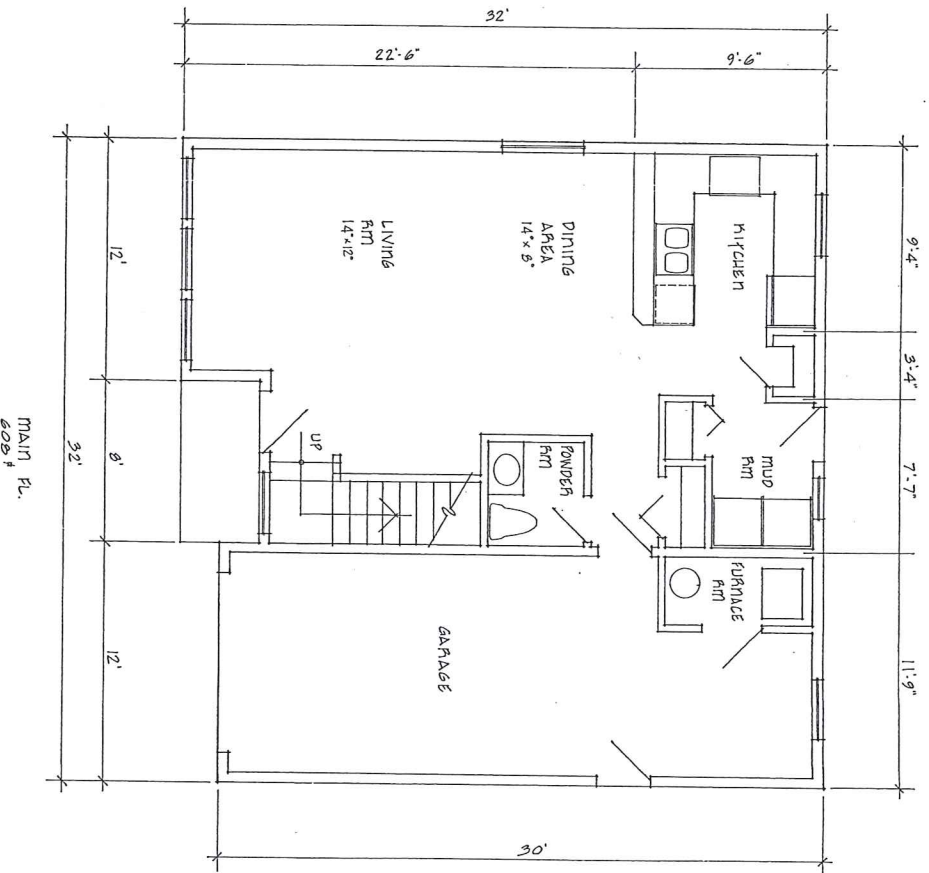
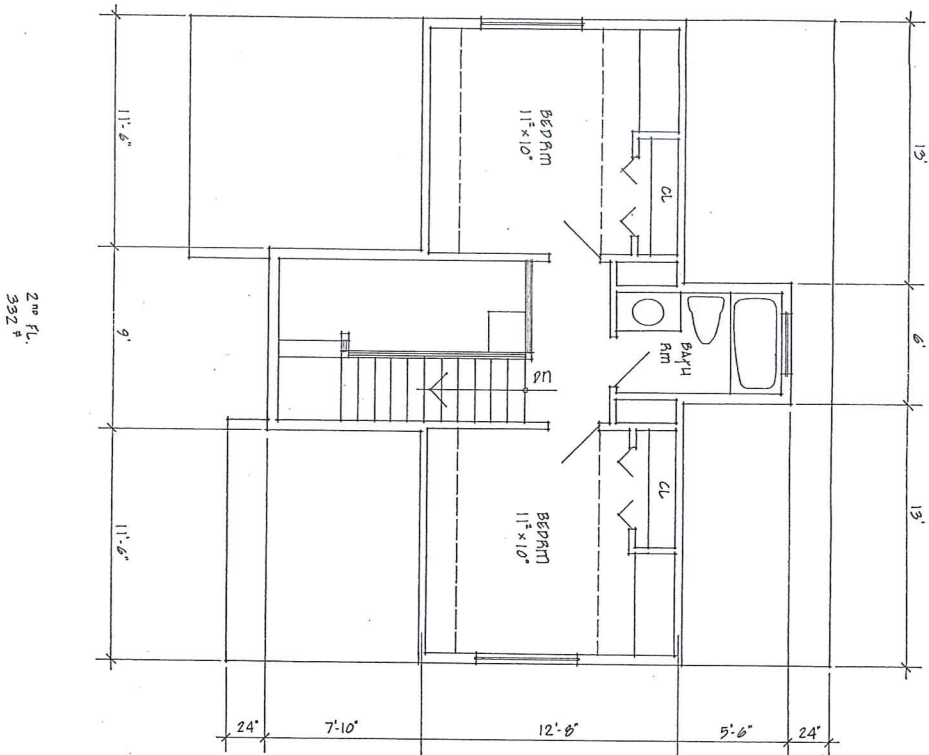


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



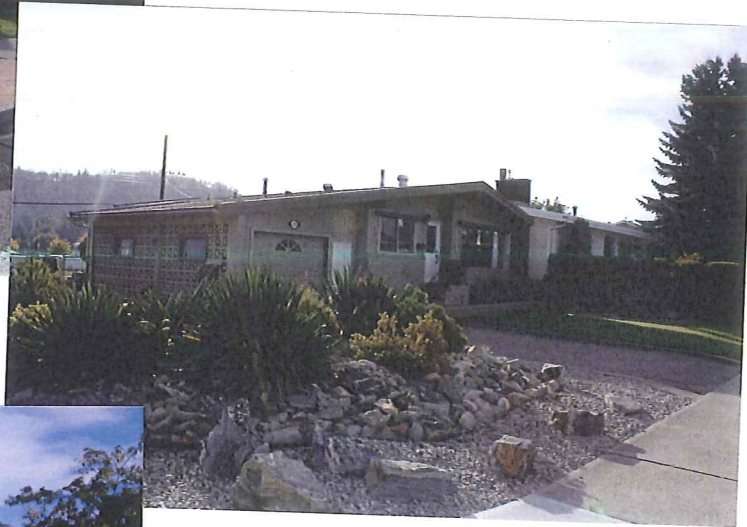




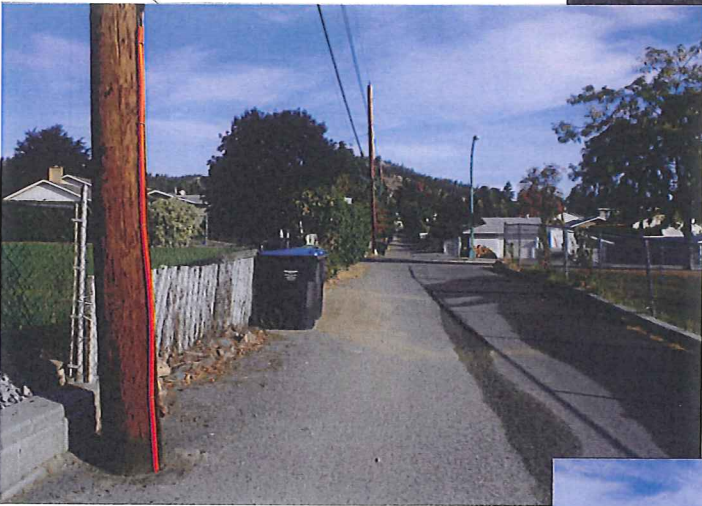




Principal Dwelling 925 Kennedy



Front



view from lane into  
the subject property



view of subject property  
from Tronson Dr.







Neighbouring Carriage house - 914 Kennedy  
(with same plan)



✓

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

---

**Date:** October 23, 2012  
**File No.:** Z12-0066

**To:** Land Use Management Department (BD)

**From:** Development Engineering Manager

**Subject:** 925 Kennedy Street, Lot 10 Plan 16270 RU1 to RU1s

---

Development Engineering has the following requirements associated with this rezoning application.

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter copper water service. The service will be adequate for this application. One metered water service will supply both the main residence and the suite.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber which is adequate for this application.

3. Development Permit and Site Related Issues

The proposed driveway must be located 8 m from the lane and a maximum width entering Tronson Drive is 6 metres. On-site parking modules must meet bylaw requirements.

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



---

Steve Muenz, P. Eng.  
Development Engineering Manager

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