



## **CITY OF WEST KELOWNA PUBLIC HEARING AGENDA**

Tuesday, May 28, 2019, 6:00 P.M.

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

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### **Pages**

**1. CALL THE PUBLIC HEARING TO ORDER**

**2. INTRODUCTION OF LATE ITEMS**

**3. ADOPTION OF AGENDA**

**4. OPENING STATEMENT**

**5. PUBLIC HEARING**

**5.1 Z 19-04, Zoning Amendment Bylaw No. 0154.75, 2411 Apollo Road**

**2**

A site specific text amendment to rezone the subject property from R1, low density residential use to C1, Commercial use. The C1 zone has the potential to accommodate a variety of commercial and/or residential uses.

**6. ADJOURNMENT OF THE PUBLIC HEARING**

No other submissions from the public or applicant may be received by Council.

Copies of the proposed bylaws, information and reports are available for review at the City of West Kelowna Planning Department, 2760 Cameron Road, between 8:30 a.m. and 4:30 p.m., Monday through Friday (excluding statutory holidays).



PUBLIC HEARING REPORT  
Development Services  
For the May 28, 2019 Council Meeting

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DATE: May 16, 2019 File: Z 19-04

TO: Jim Zaffino, CAO

FROM: Jaleen Rousseau, Planner

RE: Application: Zoning Amendment Bylaw No. 0154.75  
Legal: Lot 2, DL 486, ODYD, Plan KAP761  
Address: 2411 Apollo Road  
Owner: E. & K. Ferreira  
Agent: M. Shahidul Islam / Rai Consulting Services Inc.

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**LEGISLATIVE REQUIREMENTS:**

Council has the authority under Part 14 (s. 479) of the *Local Government Act (LGA)* to amend its Zoning Bylaw. Section 464 of the *LGA* requires the City to hold a public hearing as part of the bylaw amendment process to allow the public to make representations to Council regarding the matters contained in the proposed bylaw amendment. Finally, the public hearing must be held after first reading and before third reading. Notification of the public hearing was completed as per Part 14 (s. 466) of the *LGA*.

**BACKGROUND:**

The proposed bylaw amendment was given first and second readings on April 9, 2019 and Council directed staff to proceed with a Public Hearing.

The application is a request to rezone the subject property from Single Detached Residential (R1) to Urban Centre Commercial (C1). The applicant's conceptual design for the site includes a three-storey building with commercial ground floor and nine (9) residential rental apartments located on the second and third floor. The conceptual site plan is appended as *Attachment 4*.

**Location and Context**

The subject property is 566.5 square metres (0.14 acres) in size and is located within Westbank Centre on Apollo Road, between Old Okanagan Highway and Hoskins Road (Attachments 2 and 3). The property has frontage on Apollo Road and laneway access at the rear of the property. The property is zoned Single Detached Residential (R1) Zone and is currently vacant. The surrounding land uses include:

- North – Apollo Road and Institutional (P2)
- West – Single Detached Residential (R1) and Urban Centre Commercial (C1)
- East – Single Detached Residential (R1), Old Okanagan Highway and Fire Station 31
- South – A laneway and Urban Centre Commercial (C1)

## **Bylaw and Policy Review**

### Official Community Plan (OCP) Bylaw No. 0100

The subject property is located within the *Westbank Centre Growth Management Designation* (GMD), which supports a mix of commercial and residential uses, serviced by transit, pedestrian facilities, and human scaled development at the street level. The proposal will foster urban growth through infill and intensification. Redevelopment aids in revitalizing the Westbank Centre, which aligns with the vision for the Westbank Centre GMD.

The OCP Future Land Use Designation is *Commercial*, which supports a diversity of retail, office, and personal service uses with opportunities for increased density and height in the Westbank Centre with above ground floor residential where appropriate. The proposal to rezone the subject property from the Single Detached Residential Zone (R1) to the Urban Centre Commercial Zone (C1) aligns with the desired future land use of the area.

Should the proposed rezoning receive Council approval, development of the parcel will be subject to the Form and Character Development Permit (DP) Guidelines governing development of commercial zoned parcels. The applicant has included a conceptual development design with their application. However, this design is not final and will be subject to review and consideration at time of Development Permit at a later date. In general, the DP Guidelines encourage pedestrian oriented design, safe communities, and visual interest through careful and thoughtful siting design, building form and character, and landscaping. Additionally, the Westbank Centre (WBC) Revitalization Design Guidelines apply to the development. The WBC design guidelines expand on the OCP guidelines by encouraging flexibility and innovation in building design that is focused on the overall form and character and in achieving architectural design that emphasizes a human scale at the streetscape.

### Westbank Centre Revitalization Plan

This Plan provides a long-term vision for the Westbank Centre which intends to improve the quality of both private development and the public streetscape, as well as enhancement of cultural and heritage aspects of the community. The vision for Westbank Centre is a thriving, unique, walkable, transit oriented and highly attractive urban place with a range of businesses, services, and cultural and civic facilities. This vision includes a concentration and mix of housing for a diversity of lifestyles, ages and income levels. The strategy for revitalizing Westbank Centre includes amending zoning regulations to achieve density and flexibility in unit types, in addition to the potential for buildings up to 6 storeys in height within designated areas. The proposed zoning amendment for 2411 Apollo Road aligns with the vision and strategy of the Westbank Centre Revitalization Plan.

The Westbank Centre Revitalization Plan includes Design Guidelines similar to the OCP Design Guideines, which emphasize desirable form and character, siting and landscaping for new development projects. Any future Development Permit application will need to demonstrate that the proposal for 2411 Apollo Road will align with the vision and qualities desired for the public and private realm.

### Zoning Bylaw No. 0154

The current zoning of the subject property is Single Detached Residential Zone (R1), which permits one single detached dwelling. The applicant is proposing to rezone the subject property to the Urban Centre Commercial Zone (C1). The Subject property meets the minimum parcel size and frontage requirements of the C1 Zone. The applicant has indicated that their preliminary conceptual design can achieve required yard setbacks, building height, and parking requirements for the C1 Zone.

### Technical Considerations

The applicant has submitted a Functional Servicing Report indicating that the subject property can be serviced by sanitary sewer, water and stormwater infrastructure. The report further indicates that the City's existing infrastructure can accommodate the additional capacity for sanitary sewer, water and stormwater. A traffic impact assessment is not required based on the City's Terms of Reference for Professional Reporting because the proposal is less than 100 units.

### Referral Comments

#### *Advisory Planning Commission (APC)*

The Advisory Planning Commission considered the application on May 15, 2017 and supported the proposal as presented.

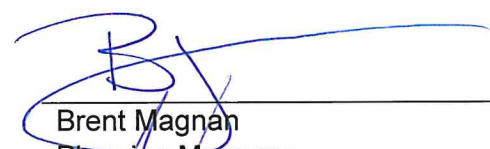
### Public Consultation / Notification

Per the City's Procedures Bylaw, a development notice sign has been installed on the property. Advertisements have been placed in local newspapers and 68 notification letters have been forwarded to property owners within 100 metres of the proposed development (*Attachment 6*). At time of writing, no letters have been received from the public.

Respectfully submitted,

  
\_\_\_\_\_  
Jaleen Rousseau  
Planner

  
\_\_\_\_\_  
Bob Dargatz  
Development Manager

  
\_\_\_\_\_  
Brent Magnan  
Planning Manager

  
\_\_\_\_\_  
Nancy Henderson  
GM Development Services

Powerpoint: Yes ☒ No ☐

#### Attachments:

1. Zoning Amendment Bylaw No. 0154.75, 2019
2. Context Map
3. Subject Property Map
4. Conceptual Site Plan and Rendering
5. Minutes of the Advisory Planning Commission
6. Public Notification Map

Approved for Agenda	
 Jim Zaffino, CAO	May 23, 2019 Date

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**CITY OF WEST KELOWNA**

**BYLAW NO. 0154.75**

**A BYLAW TO AMEND "ZONING BYLAW NO. 0154"**

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WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.75, 2019".

2. Amendments

"Zoning Bylaw No. 0154" is hereby amended as follows:

- 2.1 By changing the zoning on Lot 2, DL 486, ODYD, Plan KAP761 as shown on Schedule 'A' attached to and forming part of this bylaw from Single Detached Residential Zone (R1) to Urban Centre Commercial Zone (C1).
- 2.2 By depicting the change on "Zoning Bylaw No. 0154 Schedule B" (Zoning Bylaw map).

READ A FIRST AND SECOND TIME THIS 9<sup>TH</sup> DAY OF APRIL, 2019  
PUBLIC HEARING HELD  
READ A THIRD TIME  
ADOPTED

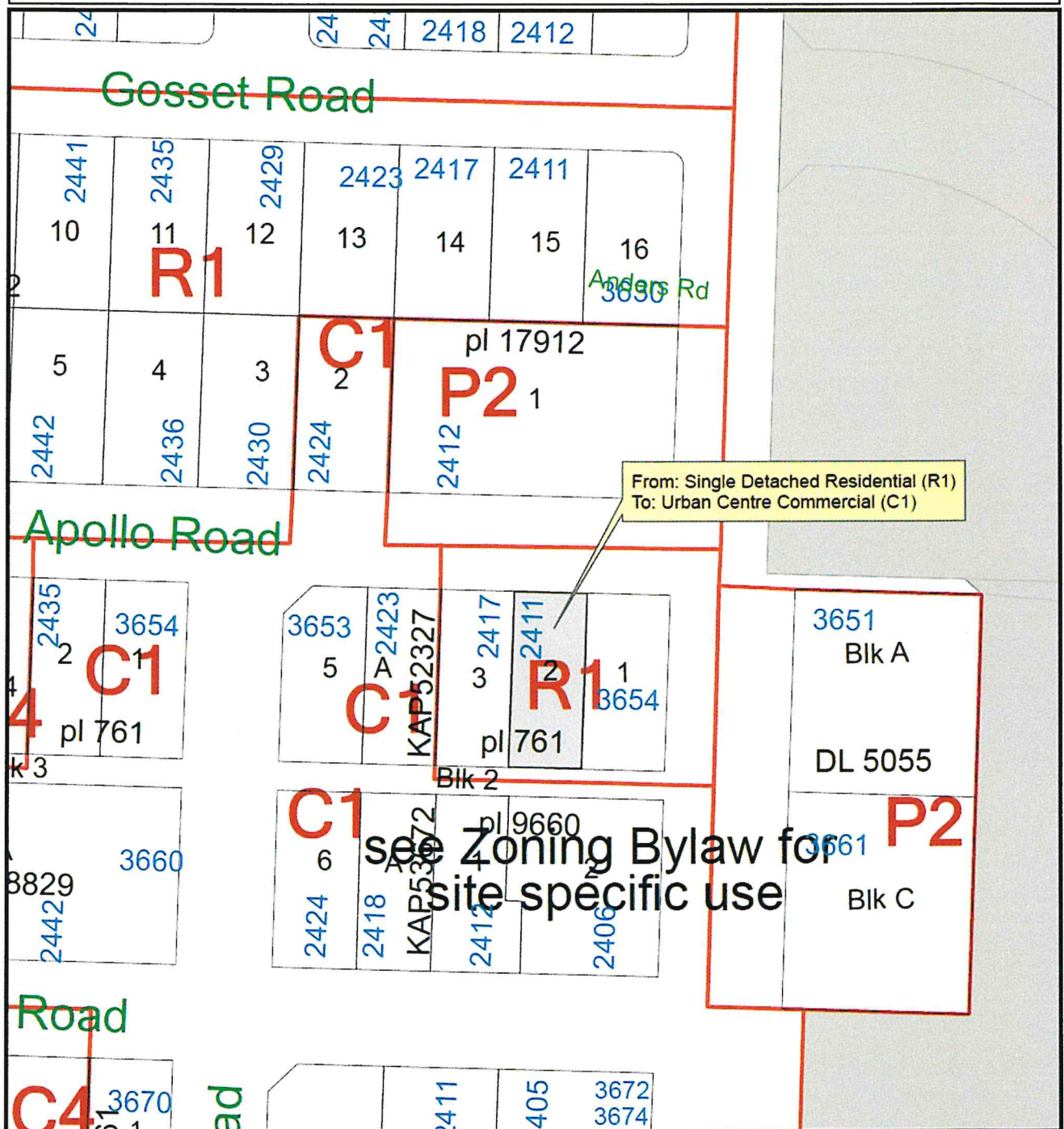
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MAYOR

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CITY CLERK

# SCHEDULE 'A' of BYLAW NO. 0154.75



## LEGEND

- Parcels
- Zoning Boundary
- W.F.N. Lotlines
- WFN Advisory Council Districts
- From R1 to C1

0 15 30 60 Metres

1:1,100



Date: 25/03/2019



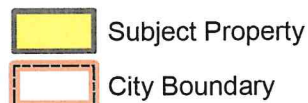


# CONTEXT MAP: Z 19-04



File: Z 19-04

Legal Description: Lot 2, Block 2, DL 486, ODYD,  
Plan KAP761



0 105 210 420  
Metres







# SUBJECT PROPERTY: Z 19-04



File: Z 19-04

Legal Description: Lot 2, Block 2, DL 486, ODYD,  
Plan KAP761

## LEGEND

- Subject Property
- Zoning Boundary
- Parcels

0 35 70 140  
Metres

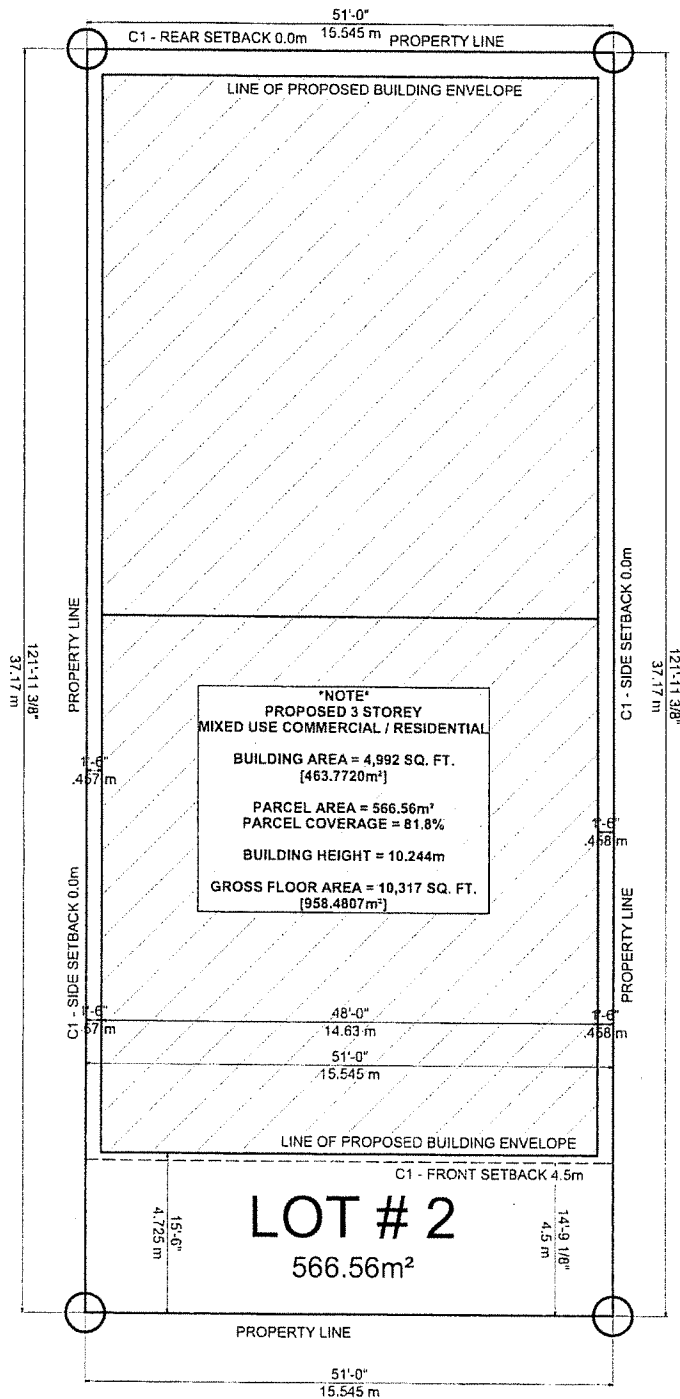


1:2,500

Date: 2019-02-15



## LANE



SUMMARY	SETBACKS	REQUIRED	PROPOSED	BUILDING HEIGHT	PERMITTED	PROPOSED
CIVIC ADDRESS 2411 APOLLO ROAD	FRONT YARD	4.5m	4.5m		4 STOREYS	3 STOREYS
LEGAL Lot: 2 Block: 2 Plan: KAP 761 DL: 486	SIDE YARD	0m	0.0m		15.0m	10.244m
CURRENT ZONING R1	REAR YARD	0m	1.5m			
PROPOSED ZONING C1						
SITE AREA (SUBJECT TO SURVEY) 566.56m²						
				SITE COVERAGE	PERMITTED 100% MAX	PROPOSED 81.80%

**PLOT PLAN**  
SCALE: 3/16" = 1'



2411  
APOLLO ROAD

**NOTE**  
SITE PLAN SUBJECT  
TO CHANGE, SITE  
SURVEY REQUIRED

**\*PROPOSED REZONING TO C1\***

SHEET 1 OF 2	PROJECT DRAWING NUMBER 2-048 1.0	ISSUE DATE JAN-30-2019	SCALE AS NOTED	TITLE REZONING SET	PROJECT TITLE	CITY OF WEST KENOWA RECEIVED FEB 14 2019 Development Services	 INFORMATION: (778) 363-4421 WWW.WESTKENOWA.CA
					2411 APOLLO RD DEVELOPMENT PROPOSAL (FOR REZONING PURPOSES ONLY)		

**\*NOTE\* PRELIMINARY CONCEPT - SUBJECT TO CHANGE**



LEFT ELEVATION - EAST SIDE  
(FACING WEST)



FRONT ELEVATION - NORTH SIDE  
(FACING SOUTH)



# 2411 APOLLO RD DEVELOPMENT PROPOSAL

(FOR REVIEW - NOT FOR CONSTRUCTION)

PROJECT TITLE

TITLE  
RENDERING

SCALE  
1/4" = 1'-0"

ISSUE DATE  
APR-01-2019

PROJECT DRAWING  
NUMBER  
Z-046  
2.0

SHEET  
1 of 1

RESIDENTIAL SERVICES  
1001 GORDON DRIVE  
VICTORIA, BC V8T 2C2  
250-317-5200

250-317-5200  
ARCHITECTURAL DRAFTING  
CUSTOM DESIGN  
DEVELOPMENT CONSULTING  
RESIDENTIAL SERVICES  
www.ziola.ca

Rai  
http://rai-consulting.com

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**CITY OF WEST KELOWNA**  
**MINUTES OF THE ADVISORY PLANNING COMMISSION**  
**HELD AT THE CITY OF WEST KELOWNA COUNCIL CHAMBERS,**  
**MAY 15, 2019**

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**Z 19-04 2411 Apollo Road Rezoning Application**

Highlights of the discussion include:

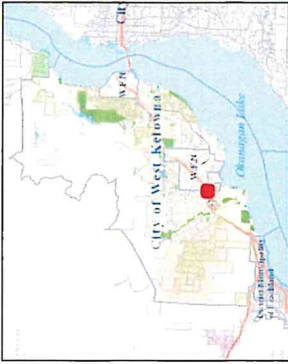
- The Zoning Bylaw stipulates the maximum height permitted;
- The subject property is surrounded by a mix of commercial and residential;
- The Westbank Centre Plan encourages the C1 zone that allows for wider residential use;
- Currently the property fronts on Apollo Road, but that may change at the development stage;
- There is a lot between the property and Old Okanagan Highway.

It was moved and seconded:

**THAT** the APC support File Z 19-04, 2411 Apollo Road as presented.

The motion carried unanimously.

# Z 19-04 GIS Mail Notification Map



**Legend**

**Landmarks**

- Cemetery
- City Hall
- Community Centre
- Dam
- Fire Hall
- Museum

**Basemap Layers**

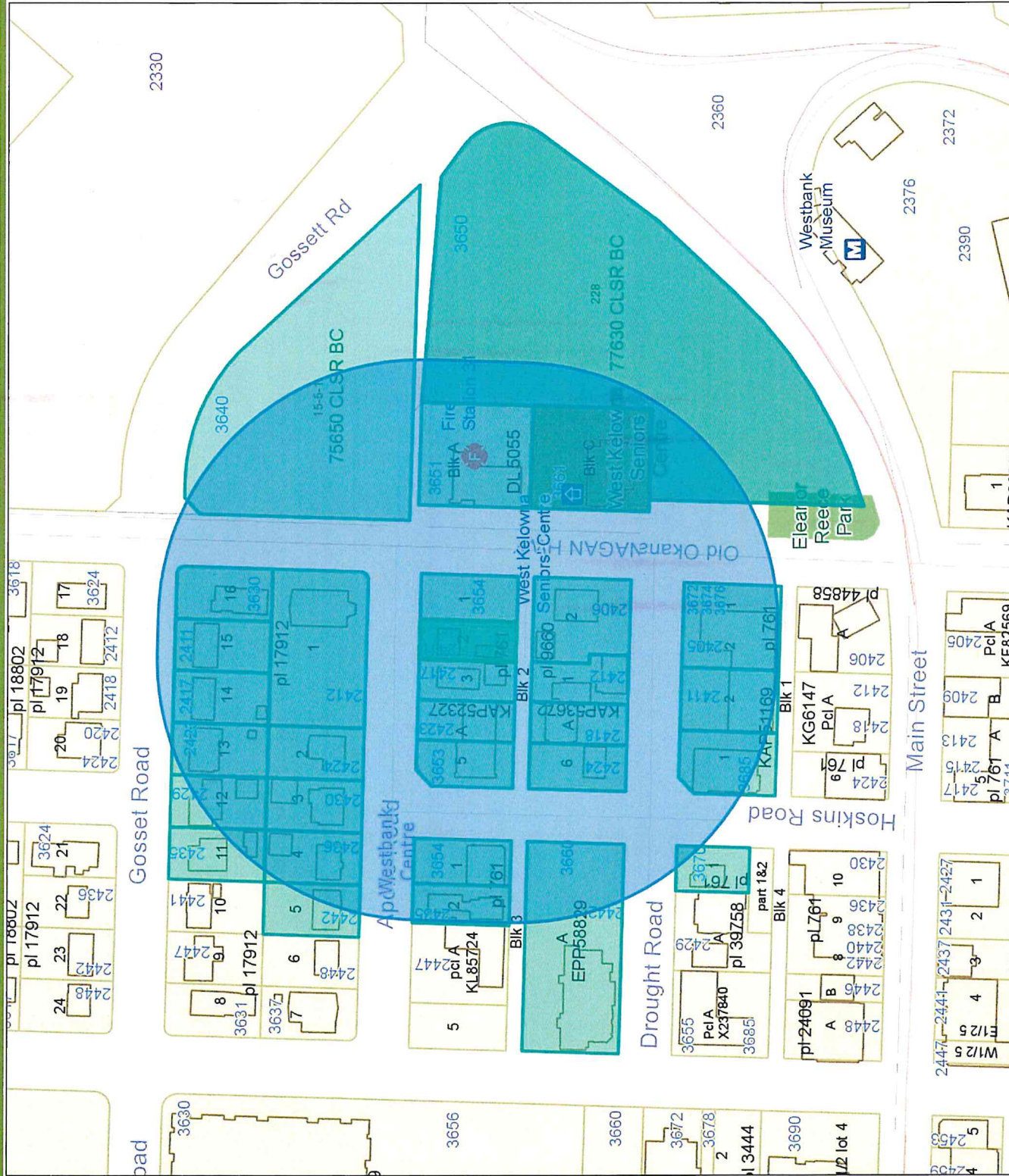
- Wk Admn Boundary
- Regional Admn Boundary
- Highway
- River / Stream
- Intermittent Stream
- Parcels

**Other Features**

- Waterbody
- Lake Access
- Regional Park
- Municipal Park
- Westbank First Nation
- Lease
- Park
- Road Right-Of-Way
- Walkway
- Common Property
- Crown Land

Scale 1 : 2,104

Notes



This map has been produced by the City of West Kelowna's Geographic Information System. The data provided is derived from a variety of sources with varying levels of accuracy. The City of West Kelowna makes no warranty or representation, expressed or implied, with the regard to the correctness, accuracy and/or reliability of the information contained herein.



0 53 107 Meters

Map Projection: NAD\_1983\_UTM\_Zone\_11N

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Map Produced on: 5/21/2019 8:34:57 AM