



CITY OF WEST KELOWNA ADVISORY PLANNING COMMISSION AGENDA

Wednesday, November 20, 2024, 9:30 A.M.
COUNCIL CHAMBERS
3731 OLD OKANAGAN HWY, WEST KELOWNA, BC

Pages

| | |
|---|-----------|
| 1. CALL THE ADVISORY PLANNING COMMISSION MEETING TO ORDER | |
| It is acknowledged that this meeting is being held on the traditional territory of the Syilx/Okanagan Peoples. | |
| This meeting is open to the public. This meeting is being webcast live and will be archived on the City's website. | |
| 2. INTRODUCTION OF LATE ITEMS | |
| 3. ADOPTION OF AGENDA | |
| 4. ADOPTION OF MINUTES | |
| 4.1 Minutes of the Advisory Planning Commission meeting held Wednesday, October 2, 2024 in the City of West Kelowna Council Chambers | 2 |
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| 7. UNFINISHED BUSINESS | |
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| 10. OTHER BUSINESS | |
| 11. ADJOURNMENT OF THE MEETING | |
| The next Advisory Planning Commission meeting is scheduled for Wednesday, December 18, 2024 at 9:30 a.m. | |



CITY OF WEST KELOWNA
MINUTES OF THE ADVISORY PLANNING COMMISSION MEETING

Wednesday, October 2, 2024
COUNCIL CHAMBERS
3731 OLD OKANAGAN HWY, WEST KELOWNA, BC

MEMBERS PRESENT: Joe Gluska
Nicole Richard, Acting Chair
Andy Smith
Melissa Smith

MEMBER ABSENT: Anthony Bastiaanssen, Chair

Staff Present: Natasha Patricelli, Recording Secretary
Carla Eaton, Senior Planner - Long Range
Brittany Nichols, Long Range Planning Manager
Brent Magnan, Director of Development Approvals

1. CALL THE ADVISORY PLANNING COMMISSION MEETING TO ORDER

The meeting was called to order at 9:32am

It was acknowledged that this meeting was held on the traditional territory of the Syilx/Okanagan Peoples.

This meeting was open to the public. This meeting was webcast live and archived on the City's website.

1.1 Appointment of Acting Chair

It was moved and seconded

THAT the Nicole Richard be appointed as Acting Chair for the October 2, 2024 Advisory Planning Commission meeting.

CARRIED UNANIMOUSLY

2. INTRODUCTION OF LATE ITEMS

3. ADOPTION OF AGENDA

It was moved and seconded

THAT the agenda be adopted as presented.

CARRIED UNANIMOUSLY

4. ADOPTION OF MINUTES

**4.1 Minutes of the Advisory Planning Commission meeting held
Wednesday, July 17, 2024 in the City of West Kelowna Council
Chambers**

It was moved and seconded

THAT the minutes of the Advisory Planning Commission meeting held
Wednesday, July 17, 2024 in the City of West Kelowna Council Chambers
be adopted.

CARRIED UNANIMOUSLY

5. PRESENTATIONS

6. DELEGATIONS

7. UNFINISHED BUSINESS

8. REFERRALS

8.1 P 22-08, Zoning Bylaw No. 0320 (APC Consideration)

Highlights of the presentation include:

- Zoning Bylaw was previously updated in 2014 and 2022;
- Zoning Bylaw update is required to be consistent with the Official Community Plan, to incorporate the Housing Strategy and reflect on the Province's legislation changes;
- The bylaw includes 5 new zones, new density bonusing program, updated parking regulations, key updates to regulations, identified corrections, errors and omissions from the housing amendments and mapping updates;
- Westbank Urban Centre zones includes Mixed Use Corridor zone (high density, mixed use), Commercial Core zone (high density

commercial use) and Residential Shoulder zone (multi-unit residential uses and mixed use on first four storeys);

- Boucherie Urban Centre zone provides housing and employment, commercial and recreational opportunities while focusing on proximity to transit hub;
- Neighbourhood Centre zones could be applied in four neighbourhoods and 1 village centre to create complete communities. Providing local services on existing or planned transportation network;
- Major changes includes Tall Building Regulations in the proposed new Urban Centre zones;
- New density bonus program supports priorities identified in the OCP and Housing Strategy to construct priority housing types, Cash in lieu, and priority housing exempt. 2 backstops include maximum height and maximum density;
- New Multiple Residential Adaptability requirements require a minimum of 20% of all new multiple residential units to be built to adaptability standards; incentivized with a density bonus in neighbourhood centres;
- Parking and Loading Regulations include updates to required parking spaces, bicycle parking and repair stations, loading space regulations, electric vehicle charging requirements and update for cash-in-lieu of parking spaces, expand cooperative/car share vehicles, parking landscape requirements ,restrict conversion of designating parking spaces for commercial parking spaces, require accessible parking spaces to be maintained, consolidated and updated parking dimensions and development standards, new zones and mixed uses incorporated across the parking regulations and truck and boat trailer parking space requirements were deleted;
- Minor changes in the zoning bylaw include significant updates in definitions, references to new zones/building types and related interpretation sections, updated list of permitted uses and establish process for consideration of drive through, updates to agricultural zones, rural zones, residential zones, commercial zones, industrial zones, parks and institutional zones, comprehensive development zones;

- Mapping changes have 16 amendments to Schedule A to allow for City owned properties to allow for potential redevelopment, reflect civic and institutional uses, rezoning park acquisitions and correct boundary map areas while eliminate unnecessary spilt zones;
- Referral feedback has been heard from Agricultural Land Commission, Archaeology Branch, Ministry of Forest, BC Transit, Fortis, Interior Health, Ministry of Agriculture, Ministry of Transportation and Infrastructure, Regional District of Central Okanagan (RDCO), Urban Development Institute;
- Key considerations include this zoning bylaw enacting the vision of the Official Community Plan, implementing elements from the Housing Strategy and supporting density and height to enhance walkability, access to transit/cultural/social/commercial amenity opportunities;
- Was thought/consideration given for the adaptability of technology that will be obsolete? Ramifications of electric vehicle enhancements with emerging trends and studies based on the best information you have at the present day.

Questions on the presentation:

- How is a daycare facility allowed on agricultural property and there are no comments from the ALC? The agriculture minor use permits child care opportunities consistent with OCP policy direction. The child care minor (in home use) definition is listed a secondary use within a home. It would not allow a major (centre/facility use) as a separate building or child care centre on the property;
- No child care major allowed in agriculture zone only child care minor? Correct;
- Can the roads be paved on the agricultural land? If the property is located within the Agricultural Land Reserve it would be held to those regulations;
- Is the City involved in updated the Agricultural Land Commission Act? It is beyond our scope although we may be involved as a referral;
- Where did the \$10,000 cash-in-lieu of parking rates amount come from? This is in the existing Zoning bylaw as well as the parking

study and density bonusing to look at project viability, construction of parking space and the value of the land;

- How long has the amount been \$10,000? Staff would need to review when that happened; It was noted that it is a comparative amount for the region;
- Will BC Transit offer better routes and schedules for West Kelowna in support of reduced parking? The Parking Study focused on our area and existing parking. Studies were completed for informal and formal parking, how its being utilized, density changes. The Parking Study recommends parking reductions including increasing sidewalks, transit, bike lanes improvements in a phased approach; Council has recently reviewed transit plans and approved transit improvements, however, funding support is needed from all levels of government to enact transit changes;
- Has the City considered pay parking? The Parking Study considered on street parking management, paid parking spots, signs for formalizing parking. The Parking Study identified existing formal and informal parking within the Westbank Urban Centre and recommended more parking strategies in a phased approach tied to increasing levels of anticipated density;
- The Provincial government changed the building code to allow 6 storeys with a single stairwell entrance. Is that coming to West Kelowna? If it is permitted in the BC Building Code, it would be permitted throughout BC;
- Consideration in certain neighbourhoods to have permit for residential parking? Street parking management could be considered over time in certain areas if required;
- Is it possible to change some of the wording from guest unit to guest bedroom for hotel parking requirements? Definition of guest unit utilized in the zoning bylaw was reviewed and challenged in the parking study to ensure it was comparative to other municipalities. Hotel rates were based on the comparable provided;
- Modular and carriage houses are only allowed in certain areas? The manufactured home definition was removed from the bylaw. Definitions for mobile home, modular home and single detached dwellings have been updated including where modular homes are

permitted. Modular home greater than 5m in width are included as single detached dwellings;

- Timeline for how fire rescue improvements will accommodate proposed developments over 6 storeys? New maximum heights were established in the Official Community Plan and information has been provided to Council on the status of fire protection from the Fire Department. The Zoning bylaw would allow up to 19 storeys but it will take time before we would see these applications, as well as time to construct any taller buildings. We are moving along the right timeline to see these changes.

Highlights of the discussion include:

- \$10,000 in lieu of parking is questioned by some members of the Commission with suggestion to raise the amount;
- Parking reductions are a concern; Parking restrictions in buildings flow out into the local neighbourhoods;
- Accessibility and adaptability in our community was strongly supported to support our aging population;
- Slight concern of daycare use in agricultural properties regarding the changes (paving, increased traffic) that may bring to the agricultural properties;
- Reinforced through the Commission that fire rescue capabilities will need to be enhanced to accommodate taller buildings in the city;
- Questions about how the bicycle network is going to connect with new development density and the impact on the flow of traffic. Staff commented that the zoning bylaw supports infrastructure regarding items like storage of bikes, however the interaction between the building and road network is impacted more by the transportation master plan, and development permit process which affects the actual design of the building and street interface;
- Impressed with the report and how current it is for the present day.

It was moved and seconded

THAT the Advisory Planning Commission recommend support for P22-08, Zoning Bylaw No. 0320.

CARRIED UNANIMOUSLY

9. CORRESPONDENCE AND INFORMATION ITEMS

10. OTHER BUSINESS

10.1 Staff Liaison Update

The Commission was advised that Brad Clifton, Staff Liaison of the Advisory Planning Commission has resigned from the City of West Kelowna. At this time Carla Eaton will be Acting Staff Liaison.

11. ADJOURNMENT OF THE MEETING

The meeting adjourned at 11:05 a.m.

CHAIR

RECORDING SECRETARY



ADVISORY PLANNING COMMISSION REPORT

To: Advisory Planning Commission Members

Date: November 20, 2024

From: Cam Graham, Planner II

File No: TUP 24-03

Subject: **TUP 24-03, 102-1680 Ross Road**

BACKGROUND

The subject property is a 1.5 acre (6074.34 m²) commercial property, located within Boucherie Centre. The property has frontage along Westgate Road and Ross Road. It is adjacent to Highway 97 to the North. Three buildings are located on the subject property, and this application is specific to the outdoor storage section at the site's northeast corner.

| PROPERTY DETAILS | | | |
|----------------------------------|-----------------------------------|------------------------|-----------------------------------|
| Address | 1680 Ross Road | | |
| PID | 008-743-380 | | |
| Folio | 36412764.000 | | |
| Lot Size | 6,074 m ² | | |
| Owner | DDD Cable Friends Inc. | Agent | Jessica Fagan |
| Current Zoning | C1 – Urban Centre Commercial Zone | Proposed Zoning | C1 – Urban Centre Commercial Zone |
| Current OCP | Boucherie Urban Centre | Proposed OCP | Boucherie Urban Centre |
| Current Use | Outdoor Storage | Proposed Use | |
| Development Permit Areas | Form and Character | | |
| Hazards | N/A | | |
| Agricultural Land Reserve | No | | |

| ADJACENT ZONING & LAND USES | | |
|-----------------------------|---|-----------------------------------|
| North | ^ | RU1 – Country Residential Zone |
| East | > | C1 – Urban Centre Commercial Zone |
| West | < | C1 – Urban Centre Commercial Zone |
| South | v | RMP – Manufactured Home Park Zone |

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Proposal

The current proposal is for a Temporary Use Permit, (max three years) to permit a Contractor Services use on the property. The applicant, EnviroMetal Towing Ltd, is proposing to park their tow trucks inside the fenced area outlined below (Figure 1).



Figure 1: Proposed Contractor Service Area (redlined)

Applicant Rationale

Summarized by staff below:

- Temporary Use to line up with signed lease agreement for the property.
- Likely outgrow this space in the future.
- Use will just be used as a resting space for staff and their trucks (no damaged vehicles or traditional Industrial storage to be on-site).
- Proposed location centrally located for better service to the community.

Previous Development/Permits

In April 2016, Council approved TUP 16-01 for the consignment sales and parking of vehicles on the subject property for a period of three (3) years with the following conditions:

- Fenced area and landscaping are not permitted to encroach within the Hwy 97 ROW;
- Activities associated with TUP 16-01 cease following expiry of the TUP; and
- Installation and maintenance of landscaping for the entire three (3) year period.

In May 2019, the applicant applied for a TUP renewal (TUP 16-01.01) for another period of three years. During the review and referral period, a number of issues were identified which included:

- Required landscaping was not maintained;

- Use was not contained to the fenced area of the subject property and has encroached into the Hwy 97 ROW;
- There has been a change of use which now includes major vehicle repairs.

A new TUP was applied for TUP 19-02 and was approved with the following conditions:

THAT issuance of the Temporary Use Permit (TUP 19-02) be subject to the following conditions:

- a. The issuance of a Building Permit to address requirements to convert the building from an office occupancy to a vehicle repair occupancy;
- b. The submission of an Operation Plan with measures to prevent any potential spills or contamination from the activity to the satisfaction of the Director of Development Services;
- c. The installation of a solid screen (i.e. slats in the chain link fence), landscaping and irrigation to the satisfaction of the Director of Development Services;
- d. The submission of a landscape security in the amount of \$1,413.23 prior to the issuance of this permit.

The applicant is the leased company on the site and may or may not have known the permit history of the site and are coming in to enter compliance with the City.

Official Community Plan No.0300

At a high level, the proposal is inconsistent with the Official Community Plan No.0300. The proposed use generally falls under an Industrial or Business Park Designation.

| | | | |
|--|---|---|--|
| <ul style="list-style-type: none"> • Boucherie Urban Centre | <ul style="list-style-type: none"> • To promote a second urban centre that focuses on a mix of residential, commercial/retail, and office uses, while providing generous open space and public amenities. | <ul style="list-style-type: none"> • Mixed-use buildings • Commercial, including office and retail • Multi-unit housing • Townhouses • Institutional, and ancillary housing initiatives • Live-work units | <ul style="list-style-type: none"> • Mid-rise to high-rise • Up to 12 storeys |
| <ul style="list-style-type: none"> • Industrial | <ul style="list-style-type: none"> • To maintain and reinforce industrial lands to allow for a variety of primary industrial uses including aerospace, aggregate processing, agricultural supply, distribution, general and/or heavy industry, manufacturing, research and technology, warehousing/storage, and directly related services in low-rise buildings. May include some secondary uses such as offices and show rooms where directly related to a primary use. | <ul style="list-style-type: none"> • Industrial (focus on primary use) • Ancillary commercial/office/retail, where directly related to or to support the primary Industrial use • Ancillary caretaker units | <ul style="list-style-type: none"> • Low-rise • Up to 3 storeys with greater floor to ceiling heights for industrial use |

Figure 2: Land Use Designations

Zoning Bylaw No.0265

The property is zoned C1 – Urban Centre Commercial Zone which accommodates several mixed uses with active commercial frontages. The applicant is requesting to perform the use of ‘Contractor Services’ this is not a permitted use in a C1 zone, this is a common use for Industrial areas in West Kelowna.

3.13 Solid Screens:

- 3.13 (a) ii. Around all outdoor storage areas in commercial, industrial and parks and institutional zones;

Temporary Use Permits

Local Government Act

Division 8 - 493(2) A temporary Use Permit may do one or more of the following:

- (a) allow a use not permitted by a zoning bylaw;
- (b) specify conditions under which the temporary use may be carried on;
- (c) allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

Conditions that could be attached to the issuance of this permit could include the following:

- Temporary Use Permit for a 3-year term (matches current lease) not to be renewed without review.
- The installation of a solid screen (i.e. slats in the chain link fence), landscaping and irrigation to the satisfaction of the Director of Development Approvals.

KEY CONSIDERATIONS

In providing recommendations to City staff and Council, the APC may wish to consider the following:

- Council may impose conditions on the temporary use, subject to TUP issuance.
- The proposal generally meets Zoning Bylaw No.0265 requirements other than 3.13 (a) ii. Solid screens.
- The applicant wants to work with the City to bring the site into compliance.

Specific comments would be appreciated should the APC have any concerns with the proposed Temporary Use Permit, so that they may be further investigated or considered prior to staff providing a recommendation to Council as part of consideration of the application.

Respectfully submitted,

Cam Graham, Planner II

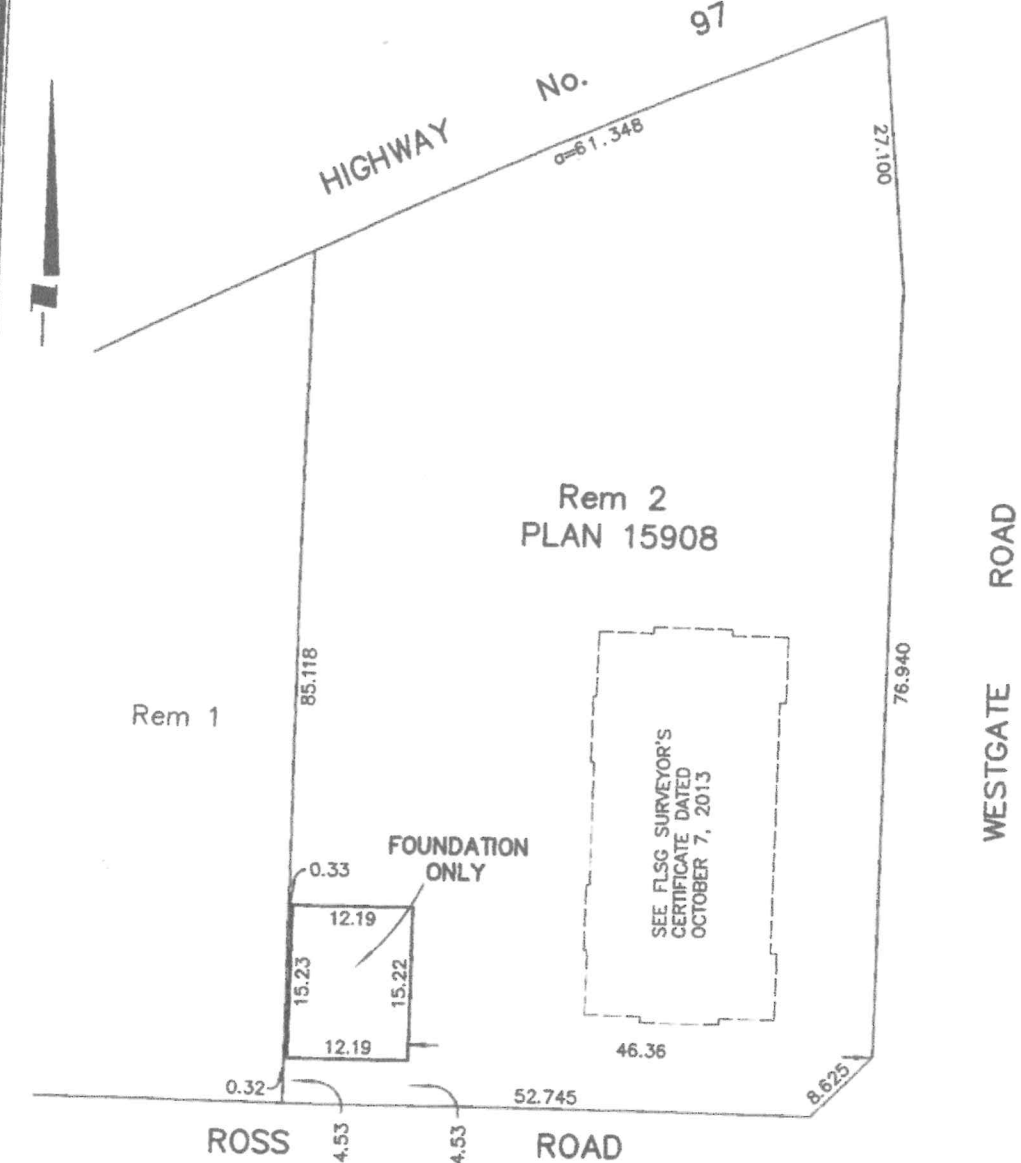
Powerpoint: Yes No

Attachments:

1. Site Plan
2. Applicant's Rationale

BC LAND SURVEYOR'S CERTIFICATE OF LOCATION OF
 NEW FOUNDATION ONLY ON LOT 2, DISTRICT LOT
 507, ODYD, PLAN 15908, EXCEPT PLAN H17081
 PID: 008-743-380

1688 ROSS ROAD



THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY
 AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

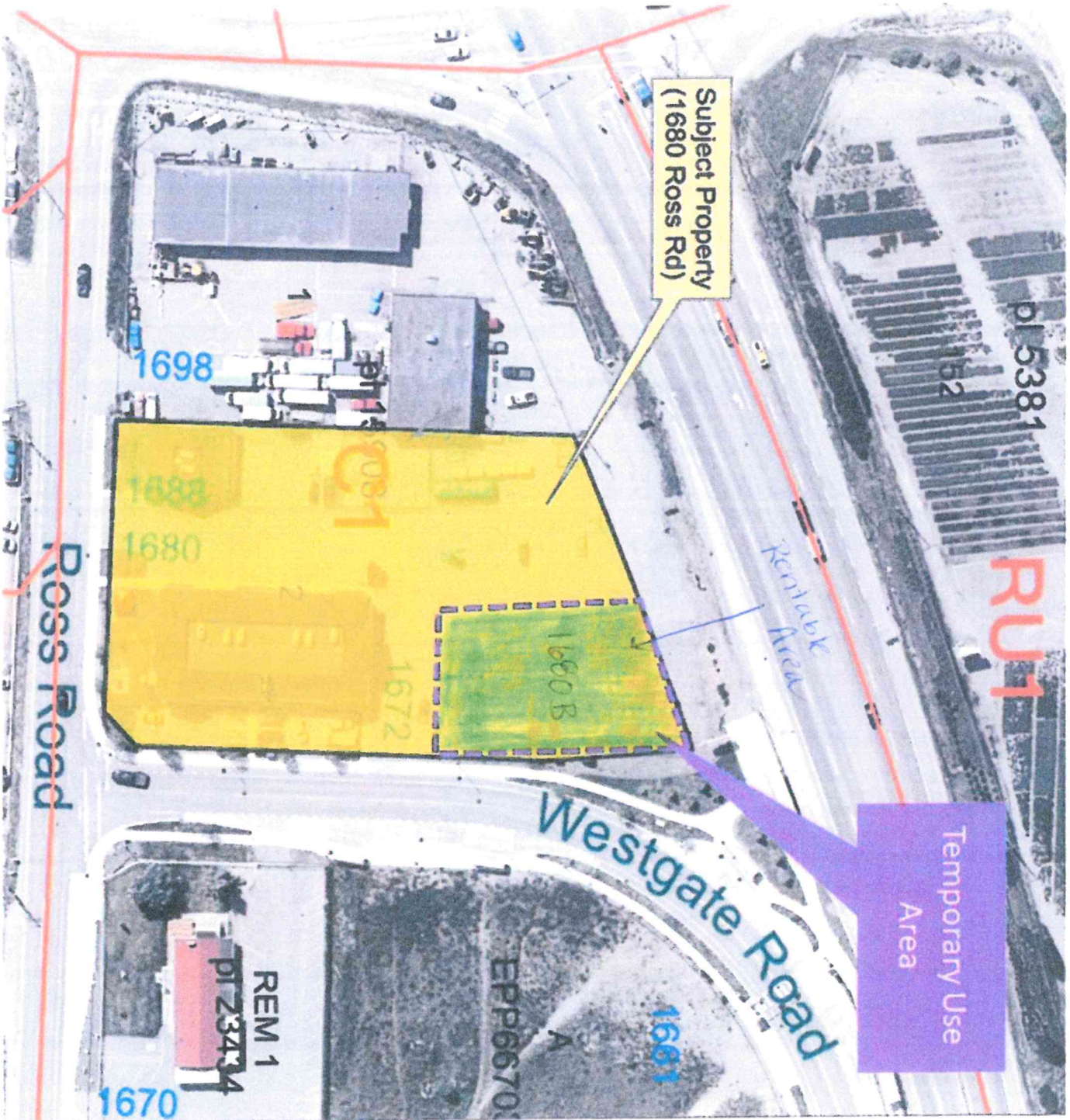
| | |
|---------------------------|---------------------|
| CLIENT: WORMAN COMMERCIAL | DATE: APRIL 7, 2014 |
| SCALE: 1:600 METRES | FILE: 19021 |
| | DRAWN BY: Pvg |

Ferguson Land Surveying & Geomatics Ltd.
 BC AND CANADA LAND SURVEYORS 404-1630 PANDOSY STREET, KELOWNA, BC
 PHONE: (250) 763-3115 FAX: (250) 763-0321
 © Ferguson Land Surveying & Geomatics Ltd., ALL RIGHTS RESERVED.

I HEREBY CERTIFY THAT THE ABOVE
 SKETCH SHOWS THE REGISTERED
 DIMENSIONS OF THE ABOVE DESCRIBED
 PROPERTY AND RELATIVE LOCATION OF
 THE BUILDINGS THEREON.

Colin Ferguson

COLIN FERGUSON, BCLS
 THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY
 SIGNED AND SEALED



1 of 5

Proposal Summary-TUP24-03 EnviroMetal Towing Ltd

Mayor and council,

The proposal seeks approval for temporary use of 102-1680 Ross Road, West Kelowna, B.C V1Z-1L9 to allow commercial vehicles to park on-site. This interim solution will allow us to operate our office and dispatch from this property, establishing a great central location for our customers.

We are a family run tow truck company based in West Kelowna, servicing from Penticton to Kelowna. We offer Towing services and Roadside assistance as well as off-road recoveries. We established our business in West Kelowna in 2016 with one tow truck and have grown substantially. We are contractors for BCAA and ICBC and actively involved within the community as well as a member of the Greater Westside Board of Trade. We are very proud to be a part of this community, we've had some major accomplishments over the past few years, we were proud to accept the award for Young Entrepreneur in 2021 and last year we accepted the key business award for Environmentally Sustainable Business as well as a title sponsor in this years Westside Daze Car Show. We also worked closely with ICBC in the removal of all the vehicles burned in last year's fire.

We believe since we have moved into this property it has had a benefit to the surrounding area, we keep the inside of our property and the perimeter clean at all times. We replaced the billboard and signage and have also added additional lighting and security cameras for added security and to discourage people from loitering in the area. We are in good standing with the Landlord and property management as well as neighbouring tenants.

Our goal if the temporary use permit is approved is to continue to run our dispatch and office out of this location. We use our office for our administration staff and a base for our drivers, while they await dispatch for the next job, grab paperwork or come to warm up their lunches. Our office hours are Monday to Friday 9am-5pm, however our trucks operate 24/7. All the vehicles parked on this property are insured and in use at all times. We have a storage yard on Juliann Road in West Kelowna where we store our safety supplies and equipment and where we store any vehicles or trucks not in use. Having the other yard available to us for storage means at any time the maximum number of vehicles you will see parked at 1680 Ross Road is Ten.

The proposal requests a temporary use term of 3 years with options for renewal depending on future development plans and company growth. We are projecting to outgrow this lease within the 3 years and move on to a larger location.

We will continue to respect the property and the conditions set by the council.

We understand that previous Temporary use permits were applied for and that the previous conditions were not met. We reviewed the previous permits and are aware that screening may be something the council recommends, although we believe screening will not help a ton with privacy as we are below road level on Okanagan Hwy and Westgate Road looks

right over the property, however we are willing to do partial screening in the front of the property or meet whatever conditions the council requires.

Allowing temporary commercial vehicle parking on this property is a mutually beneficial solution for the property owner and local businesses. This proposal serves as an interim measure that will benefit the community, make productive use of this property and support economic activity in the area.

Thank you for taking the time to review this and for your consideration,

Sincerely,

Jessica Fagan
Owner
EnviroMetal Towing Ltd.

Marlon Fagan
Manager
EnviroMetal Towing Ltd.

Property Address
102-1680 Ross Road
West Kelowna B.C
V1Z-1L9

**Advisory Planning Commission (APC)
Summary of Applications Referred to APC**

| File No. | Date Considered by APC | Brief Description | APC Resolution | Council Consideration/Decision |
|---|------------------------|---|---|--------------------------------|
| Z 21-05.01, Decision Letter, 3636 Mclver Road | December 20, 2023 | The application is a zoning boundary adjustment for their existing zoned RC3 and R1 parcels west of 3636 Mclver Road. | THAT the Advisory Planning Commission March 26, 2024 Council Adopted recommend support for file Z 21-05, OCP and the Bylaw Amendments. Zoning Amendment, 3636 Mclver Road. <u>CARRIED UNANIMOUSLY</u> | |