



## CITY OF WEST KELOWNA REGULAR COUNCIL AGENDA

Tuesday, September 8, 2020, 1:30 P.M.

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

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Pages

### 1. CALL THE REGULAR COUNCIL MEETING TO ORDER

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

#### Procedural Motion:

**WHEREAS** the Minister of Public Safety and Solicitor General under the *Emergency Program Act* has issued Ministerial Order No. M192, dated June 17, 2020 in regards to "Local Government Meetings and Bylaw Process (COVID-19) Order No. 3", therefore be it resolved:

**THAT** Council does not allow members of the public to attend this open meeting, as the meeting space will not accommodate members of the public in accordance with the requirements or recommendations under the *Public Health Act*; and

**THAT** Council hereby notifies the public that this meeting is being webcast live and will be archived on the City's website to ensure openness, transparency, accessibility and accountability in respect of this meeting.

### 2. INTRODUCTION OF LATE ITEMS

### 3. ADOPTION OF AGENDA

### 4. ADOPTION OF MINUTES

- |     |  |    |
|-----|--|----|
| 4.1 | Minutes of the Special Council Meeting held August 25, 2020 in the City of West Kelowna Council Chambers | 5  |
| 4.2 | Minutes of the Public Hearing held August 25, 2020 in the City of West Kelowna Council Chambers          | 7  |
| 4.3 | Minutes of the Regular Council Meeting held August 25, 2020 in the City of West Kelowna Council Chambers | 10 |

## **5. MAYOR AND COUNCILLOR'S REPORTS**

### **5.1 Mayor Milsom**

#### **5.1.1 Regional District of Central Okanagan Highlights from the August 24, 2020 Regional Board Meeting**

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## **6. PRESENTATIONS**

### **6.1 Brian Reardon, CAO, Regional District of Central Okanagan Regional District Services - Update**

## **7. UNFINISHED BUSINESS**

## **8. DIVISION REPORTS**

### **8.1 CHIEF ADMINISTRATIVE OFFICER**

#### **8.1.1 Rose Valley Water Treatment Plant Progress Update** Verbal Update from the CAO

### **8.2 DEVELOPMENT SERVICES**

#### **8.2.1 Z 20-03, OCP and Zoning Amendment Bylaw No. 100.59 and 154.90 (1st and 2nd), 2971 Gorman Rd**

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##### Recommended Motion:

**THAT** Council give first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.59, 2020 (File: Z 20-03); and

**THAT** Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.90, 2020 (File: Z 20-03); and

**THAT** Council direct staff to schedule the proposed bylaw amendments for Public Hearing.

#### **8.2.2 Z 20-02; Zoning Amendment Bylaw No. 0154.91, 2020 (3rd Reading), 2417 Apollo Road**

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##### Recommended Motion:

**THAT** Council give 3<sup>rd</sup> reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.91, 2020 (File: Z 20-02); and

**THAT** Council direct staff to schedule the bylaw for consideration of adoption following approval of the bylaw by the Ministry of Transpiration and Infrastructure.

**8.2.3 DVP 20-10, Development Variance Permit, 1267 Bowes Rd 62**

Recommended Motion:

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 20-10) for Lot B District Lot 3866 ODYD Plan 28667 (1267 Bowes Rd) to allow construction of an accessory building in general accordance with the attached permit to vary Zoning Bylaw No. 0154 as follows:

- 10.4.5(g).1 to reduce the minimum front yard setback from 4.5 m to 3.9 m for the proposed accessory building; and
- 10.4.5(g).4 to reduce the minimum exterior side yard setback from 4.5 m to 1.5 m for the proposed accessory building.

**8.2.4 DVP 20-11; Development Variance Permit; 1449 Green Bay Road 82**

Recommended Motion:

**THAT** Council support the issuance of a Development Variance Permit (DVP 20-11) for 1449 Green Bay Road to vary Zoning Bylaw No. 0154, S.13.2.5 (d) to increase the maximum building height from 12.0 m to 12.72 m in accordance with the attached permit.

**8.2.5 City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No 0080, 2802 Smith Creek Road, Local Area Service Inclusion 93**

Recommended Motion:

**THAT** Council adopt “City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Amendment Bylaw No 0080.09 2020”.

**8.2.6 City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No 0080, 2850 Dixie Road, Local Area Service Inclusion 97**

Recommended Motion:

**THAT** Council adopt “City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District)

**8.3 ENGINEERING / PUBLIC WORKS / PARKS**

**8.4 FIRE RESCUE SERVICES**

**8.5 CORPORATE INITIATIVES**

**8.6 FINANCIAL SERVICES**

**8.7 CORPORATE SERVICES / RECREATION AND CULTURE**

**9. CORRESPONDENCE AND INFORMATION ITEMS**

**10. NOTICE OF MOTION**

**11. ADJOURNMENT OF THE REGULAR MEETING**

The next Council meeting is scheduled for 6:00 p.m., Tuesday, September 29, 2020.





**CITY OF WEST KELOWNA**  
**MINUTES OF THE SPECIAL MEETING OF COUNCIL**

Tuesday, August 25, 2020  
COUNCIL CHAMBERS  
2760 CAMERON ROAD, WEST KELOWNA, BC

MEMBERS PRESENT: Mayor Gord Milsom  
Councillor Rick de Jong  
Councillor Doug Findlater  
Councillor Jason Friesen  
Councillor Stephen Johnston  
Councillor Carol Zanon  
Councillor Jayson Zilkie

Staff Present: Paul Gipps, CAO  
Tracey Batten, Deputy CAO / Corporate Officer  
Warren Everton, Director of Finance / CFO  
Jason Brolund, Fire Chief  
Sandy Webster, Director of Corporate Initiatives  
Michelle Reid, Director of Human Resources  
Mark Koch, Director of Development Services  
Brent Magnan, Planning Manager  
Chris Oliver, Planner III

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**1. CALL THE SPECIAL COUNCIL MEETING TO ORDER**

The Special Council meeting was called to order at 4:06 p.m.

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

**2. PROCEDURAL MOTION**

**3. ADDITIONS OR CHANGES TO PROCEDURAL MOTION**

**4. ADOPTION OF AGENDA**

It was moved and seconded

Resolution No. C202/20

**THAT** the agenda be adopted as presented.

CARRIED UNANIMOUSLY

**5. PROCEDURAL MOTION**

It was moved and seconded

Resolution No. C203/20

**THAT** Council close the meeting in accordance with Section 90(1) of the *Community Charter* for:

(c) labour relations or other employee relations;

(d) the security of the property of the municipality;

(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and,

**THAT** Council close the meeting in accordance with Section 90(2) of the *Community Charter* for:

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

**6. ADJOURNMENT OF THE SPECIAL COUNCIL MEETING**

The Special Council meeting adjourned at 5:36 p.m.

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MAYOR

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DEPUTY CAO/CORPORATE OFFICER



## PUBLIC HEARING MINUTES

MINUTES OF THE PUBLIC HEARING  
HELD AT THE CITY OF WEST KELOWNA COUNCIL CHAMBERS,  
2760 CAMERON ROAD, WEST KELOWNA, BC  
TUESDAY, AUGUST 25, 2020

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**MEMBERS PRESENT:** Mayor Gord Milsom  
Councillor Rick de Jong  
Councillor Doug Findlater  
Councillor Jason Friesen  
Councillor Stephen Johnson  
Councillor Carol Zanon  
Councillor Jayson Zilkie

**Staff Present:** Paul Gipps, CAO  
Mark Koch, Director of Development Services  
Warren Everton, Chief Financial Officer  
Sandy Webster, Director of Corporate Initiatives  
Jason Brolund, Fire Chief  
Brent Magnan, Planning Manager  
Shelley Schnitzler, Legislative Services Manager

### **CALL THE PUBLIC HEARING TO ORDER:**

The Public Hearing was called to order at 6:07 p.m.

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

### **1. INTRODUCTION OF LATE ITEMS:**

#### **1.1 Correspondence received from the following:**

- Luis A. D'Elia

### **2. ADOPTION OF AGENDA:**

It was moved and seconded that the agenda be adopted as amended. The motion carried unanimously.

3. **OPENING STATEMENT:**

The Mayor read the Public Hearing Opening Statement, advising that the Public Hearing has been advertised, is open to the public and webcast live, and outlined the process for the hearing.

4. **PUBLIC HEARING:**

The Mayor explained the process of this public hearing being held pursuant to Division 3, Part 14 of the *Local Government Act* for the purpose of hearing representation from those persons who believe their interests may be affected Zoning Amendment Bylaw No. 0154.91, 2417 Apollo Road.

The Mayor noted that information has been available for inspection which includes any written comments received to date for the applications and that Notice of the Public Hearing was duly advertised in accordance with the requirements of the *Local Government Act*.

4.1 Z 20-02, Zoning Amendment Bylaw No. 0154.91, 2417 Apollo Road

The Planning Manager introduced Zoning Amendment Bylaw No. 0154.91 to change the zoning from Single Detached Residential (R1) to Urban Centre Commercial (C1).

The Mayor asked if the owner/agent wished to address Council regarding this application. The owner/agent was not present at the meeting.

The Mayor asked a first time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked a second time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked a third and final time if there were any members of the public who wished to address Council regarding this application. There were no comments from the public.

The Mayor declared the public hearing closed at 6:17 p.m. and Council cannot accept any further information regarding this application.

5. Termination of Public Hearing

The Public Hearing terminated at 6:17 p.m.

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MAYOR

I hereby certify this to be a fair and accurate summary of the nature of the representations made by the public at the Public Hearing with regard to Z 20-02, Zoning Amendment Bylaw No. 0154.91, held on August 25, 2020.

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Legislative Services Manager



**CITY OF WEST KELOWNA**  
**MINUTES OF THE REGULAR MEETING OF COUNCIL**

Tuesday, August 25, 2020  
COUNCIL CHAMBERS  
2760 CAMERON ROAD, WEST KELOWNA, BC

MEMBERS PRESENT: Mayor Gord Milsom  
Councillor Rick de Jong  
Councillor Doug Findlater  
Councillor Jason Friesen  
Councillor Stephen Johnston  
Councillor Carol Zanon  
Councillor Jayson Zilkie

Staff Present: Paul Gipps, CAO  
Tracey Batten, Deputy CAO / Corporate Officer  
Warren Everton, Director of Finance / CFO  
Sandy Webster, Director of Corporate Initiatives  
Mark Koch, Director of Development Services  
Jason Brolund, Fire Chief  
Brent Magnan, Planning Manager  
Bob Dargatz, Development Services/Approving Officer

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**1. CALL THE REGULAR COUNCIL MEETING TO ORDER**

The meeting was called to order at 6:19 p.m.

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

**Procedural Motion:**

It was moved and seconded

Resolution No. C204/20

**WHEREAS** the Minister of Public Safety and Solicitor General under the Emergency Program Act has issued Ministerial Order No. M192, dated June 17, 2020 in regards to "Local Government Meetings and Bylaw Process (COVID-19) Order No. 3", therefore be it resolved;

**THAT** Council does not allow members of the public to attend this open meeting, except for Item 5.1.1 (consideration of the 2019 Annual Report), as the meeting space will not accommodate members of the public in accordance with the requirements or recommendations under the *Public Health Act*; and

**THAT** Council hereby notifies the public that this meeting is being webcast live and will be archived on the City's website to ensure openness, transparency, accessibility and accountability in respect of this meeting.

CARRIED UNANIMOUSLY

**2. INTRODUCTION OF LATE ITEMS**

**2.1 Letter received from Gerry Bielevelt regarding DVP 20-19 for 1491 Ross Road (see item 8.2.2)**

**3. ADOPTION OF AGENDA**

It was moved and seconded

Resolution No. C205/20

**THAT** the agenda be adopted as amended.

CARRIED UNANIMOUSLY

**4. ADOPTION OF MINUTES**

**4.1 Minutes of the Regular Council Meeting held July 28, 2020 in the City of West Kelowna Council Chambers**

It was moved and seconded

Resolution No. C206/20

**THAT** the minutes of the Regular Council Meeting held July 28, 2020 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

**5. MAYOR AND COUNCILLOR'S REPORTS**

**5.1 Mayor Milsom**

The Mayor recognized Mr. Bob Kusch's retirement from the City of West Kelowna and thanked him for his years of service.

The Mayor provided an update on the Community Visioning project.

### 5.1.1 2019 Annual Report

*In accordance with Section 99 of the Community Charter, the public was invited to present submissions or questions to Council regarding the 2019 Annual Report. No members of the public came forward.*

It was moved and seconded

Resolution No. C207/20

**THAT** Council consider and approve the 2019 Annual Report, prepared in accordance with Sections 98 and 99 of the *Community Charter*.

CARRIED UNANIMOUSLY

### 5.1.2 Regional Economic Recovery Task Force - Update

#### 6. DELEGATIONS

#### 7. UNFINISHED BUSINESS

#### 8. DIVISION REPORTS

##### 8.1 CHIEF ADMINISTRATIVE OFFICER

##### 8.1.1 Rose Valley Water Treatment Plant Progress Update

Verbal Update from the CAO

##### 8.2 DEVELOPMENT SERVICES

##### 8.2.1 CDP 14-01 and OCP 20-01, Comprehensive Development Plan and Official Community Plan Amendment Bylaw No. 0100.57 (3rd and adopt)

It was moved and seconded

Resolution No. C208/20

**THAT** Council postpone consideration of third reading of City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.57, 2019 and direct staff to address Council's concern on traffic.

CARRIED Opposed: Councillors Findlater and Zilkie

The meeting recessed at 7:45 p.m.

The meeting reconvened at 7:58 p.m.



### **8.2.7 P 20-16, Short Term Rentals**

It was moved and seconded

Resolution No. C209/20

**THAT** Council postpone Item 8.2.7 P20-16, Short Term Rentals to a future Council meeting.

CARRIED UNANIMOUSLY

### **8.2.2 DVP 20-09, Development Variance Permit, 1491 Ross Road**

It was moved and seconded

Resolution No. C210/20

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 20-09) for Lot A District Lot 506 ODYD Plan KAP79010 (1491 Ross Rd) in general accordance with the attached permit to vary Zoning Bylaw No. 0154 as follows:

- Section 3.26.5 to allow the carriage house roof to be 0.49 m higher than the peak of the roof of the principal detached dwelling;
- Section 10.2.5(f).2 to reduce the required siting from the rear parcel boundary from 3.0 m required to 1.0 m for an existing accessory building; and
- Section 10.2.5(f).3 to reduce the required siting from the interior side parcel boundary from 1.5 m required to 1.19 m for an existing accessory building; and

**THAT** Council direct staff to amend the permit to ensure storm water is managed on-site.

CARRIED UNANIMOUSLY

### **8.2.3 DP 14-12.06 and LL 20-01.01, Development Permit Amendment with Variances and Liquor License, 835 Anders Road**

It was moved and seconded

Resolution No. C211/20

**THAT** Council authorize the issuance of a Development Permit Amendment (DP 14-12.05) to remove the variance for a brewery use located at 845 Anders Road (proposed building); and,

**THAT** Council authorize the issuance of a Development Permit Amendment (DP 14-12.06) with the following variance at 835 Anders Road (existing building):

- That the number of parking spaces be reduced from 40 to 7 (variance of 33 spaces) to accommodate a brewery and accessory uses; and,

**THAT** Council support the proposed Liquor and Cannabis Regulations Branch Lounge Endorsement application (LL 20-01.01) for Lakesider Brewing Company (835 Anders Road) in accordance with the information contained in this report.

CARRIED UNANIMOUSLY

**8.2.4 City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080.09, 2802 Smith Creek Local Area Service Inclusion**

It was moved and seconded

Resolution No. C212/20

**THAT** Council give first, second and third reading to “City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Amendment Bylaw No 0080.09 2020”.

CARRIED UNANIMOUSLY

**8.2.5 City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080.10, 2850 Dixie Local Area Service Inclusion**

It was moved and seconded

Resolution No. C213/20

**THAT** Council give first, second and third reading to “City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Amendment Bylaw No 0080.10 2020”.

CARRIED UNANIMOUSLY

**8.2.6 Regional Housing Needs Assessment**

It was moved and seconded

Resolution No. C214/20

**THAT** Council receive the Regional Housing Needs Assessment dated November 2019.

CARRIED UNANIMOUSLY

**8.2.7 P 20-16, Short Term Rentals**

*Council previously resolved to postpone this item.*

**8.3 ENGINEERING / PUBLIC WORKS / PARKS**

**8.4 FIRE RESCUE SERVICES**

**8.5 CORPORATE INITIATIVES**

**8.6 FINANCIAL SERVICES**

**8.6.1 2019 DRAFT Statement of Financial Information (SOFI)**

It was moved and seconded

Resolution No. C215/20

**THAT** Council approve the 2019 DRAFT Statement of Financial Information report for the City of West Kelowna.

CARRIED UNANIMOUSLY

**8.7 CORPORATE SERVICES / RECREATION AND CULTURE**

**8.7.1 Lease Agreement – CWK and SD No. 23 Constable Neil Bruce Middle School Playing Fields**

It was moved and seconded

Resolution No. C216/20

**THAT** Council authorize the Mayor and Corporate Officer to execute a lease agreement for the Constable Neil Bruce Middle School Playing Fields with School District No. 23 for a term November 1, 2020 to July 1, 2024 for an annual sum of \$1.00.

CARRIED UNANIMOUSLY

**8.7.2 Bylaw Notice Enforcement Amendment Bylaw No. 0093.45 and Ticket Information Utilization Amendment Bylaw No. 0095.42**

It was moved and seconded

Resolution No. C217/20

**THAT** “Bylaw Notice Enforcement Amendment Bylaw No. 0093.45, 2020” be adopted; and

**THAT** “City of West Kelowna Ticket Information Utilization Amendment Bylaw No. 0095.42, 2020” be adopted.

CARRIED UNANIMOUSLY

**9. CORRESPONDENCE AND INFORMATION ITEMS**

- 9.1 Correspondence received from Ken Macdonald, Executive Director, National Programs and Business Development, Environmental and Climate Change Canada, dated July 31, 2020, re Weatheradio Canada**

**10. NOTICE OF MOTION**

**11. ADJOURNMENT OF THE REGULAR MEETING**

The meeting adjourned at 9:10 p.m.

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MAYOR

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DEPUTY CAO/CORPORATE OFFICER

## Highlights of the Regional Board Meeting – August 24, 2020

### 2019 Financial Disclosure Schedules

The Regional Board has approved the 2019 report outlining remuneration and expenses for elected officials, their alternates and 35 staff whose remuneration was greater than \$75,000. In 2019, the remuneration of all Regional District employees totaled just over \$9.2-million. The report also outlines payments totaling over \$14.7-million during 2019 to 98 suppliers for goods and services exceeding \$25,000.

A copy is available for viewing online at [rdco.com/budgets](http://rdco.com/budgets) and at Financial Services in the Regional District office, 1450 KLO Road, Kelowna.

### Agricultural Land Commission Application

The Regional Board has given conditional support to an application made to the Agricultural Land Commission (ALC). The applicant proposes developing a cherry orchard on a property within the Agricultural Land Reserve in the 4900 block of Trepanier Road in the Central Okanagan West Electoral Area and is requesting ALC approval for the existing non-farm use placement of fill material and proposed additional fill activities. The Board support requests the ALC ensure the applicant meets a number of conditions including monitoring of the orchard development by a professional agrologist.

### Community Park Foreshore Agreement

The Regional Board approves a 30-year License of Occupation for the foreshore along Killiney Beach Community Park. The five-hectare waterfront park is located at the end of Hodges Road in the Central Okanagan West Electoral Area and provides swimming, a boat launch and dog beach.

### Okanagan Lake Level Management

The Regional Board has received a request from the District of Peachland to ask the Provincial Government to re-evaluate and update models used to manage Okanagan Lake levels. The municipality is concerned current flow and 'full pool' models for the lake are old and don't take into consideration the impacts of climate change, population growth and flow management. The Board will receive more information about this after hearing from the Okanagan Basin Water Board this fall.

### Program and Service Highlights

A video is available highlighting various service and program accomplishments between January and June in the four key areas of the Regional Board Strategic Priorities. The video can be viewed at [youtube.com/user/regionaldistrict](https://youtube.com/user/regionaldistrict).

### Regional Board Meetings

Regional District office – 1450 KLO Road, Kelowna (Woodhaven Boardroom).

- **Thursday, September 10** – following 8:30 am Governance & Services Committee meeting
- **Monday, September 28** – 7:00 pm

### Audio of the Regional Board meeting at:

[rdco.com/media/290162/Audio\\_20\\_08\\_24brd.mp3](http://rdco.com/media/290162/Audio_20_08_24brd.mp3)



### Volunteer Stewardship Opportunity

#### Invasive Weed Management

Many of the natural areas in parks are at risk due to invasive species. Volunteers are integral to invasive plant management and improving the ecological health of our parks!

Working together, while maintaining physical distancing, volunteers will pull weeds on the southern slope on a section of the Greenway. No experience is necessary! Training provided!

For COVID-19 safety this program is limited to 8 participants. To participate in this project please register on-line at: [rdco.com/parksvip](http://rdco.com/parksvip)

**Saturday  
September 19**

**9:00 a.m. –  
11:00 p.m.**

**Check in 8:45**



## COUNCIL REPORT

Date: September 8, 2020

To: Paul Gipps, CAO

File No: Z 20-03

From: Carla Eaton, Planner III

Subject: **Z 20-03, OCP and Zoning Amendment Bylaw No. 100.59 and 154.90 (1st and 2nd), 2971 Gorman Rd**

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### RECOMMENDATION

**THAT** Council give first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.59, 2020 (File: Z 20-03); and

**THAT** Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.90, 2020 (File: Z 20-03); and

**THAT** Council direct staff to schedule the proposed bylaw amendments for Public Hearing.

### STRATEGIC AREA(S) OF FOCUS

Focus on Economic Growth (Strategic Plan Priorities, 2009 and 2020-2022)

### BACKGROUND

The applicant has applied to rezone the subject property from Rural Residential Small Parcel Zone (RU2) to Single Family Residential Zone (R1) and Low Density Multiple Residential Zone (R3); and to amend the Official Community Plan Land Use Designation on a portion of the property from Single Family Residential to Low Density Multiple Family (*Attachment 1 and 2*). The proposed amendment will facilitate approximately seventeen (17) single family residential lots and forty-four (44) townhouse units in the Glenrosa area.

PROPERTY DETAILS			
<b>Address</b>		2971 Gorman Road	
<b>PID</b>		028-587-154	
<b>Folio</b>		36414601.015	
<b>Lot Size</b>		2.959 ha (7.314 ac)	
<b>Owner</b>	Kerr Properties 002 Ltd.	<b>Agent</b>	Travis Tournier
<b>Current Zoning</b>	Rural Residential Small Parcel Zone (RU2)	<b>Proposed Zoning</b>	Single Family Residential (R1) and Low Density Multiple Family (R3)

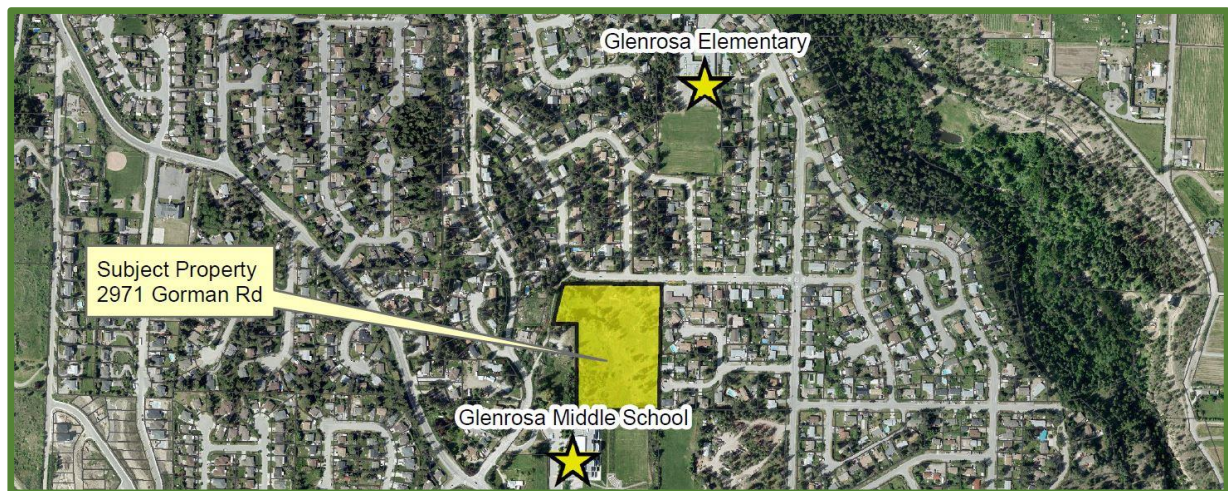


<b>Current OCP</b>	Single Family Residential	<b>Proposed OCP</b>	Low Density Multiple Family and Single Family Residential
<b>Current Use</b>	Vacant	<b>Proposed Use</b>	Residential
<b>Development Permit Areas</b>	Hillside and Sensitive Terrestrial Ecosystem		
<b>Hazards</b>	None Identified but natural drainage course noted		
<b>Agricultural Land Reserve</b>	N/A		

### ADJACENT ZONING & LAND USES

<b>North</b>	^	Single Family Residential (including some duplex use)
<b>East</b>	>	Neighbourhood Commercial and Single Family Residential (including some duplex use)
<b>West</b>	<	Single Family Residential and Country Residential
<b>South</b>	v	Glenrosa Middle School and Agricultural (in and out of ALR)

### NEIGHBOURHOOD MAP



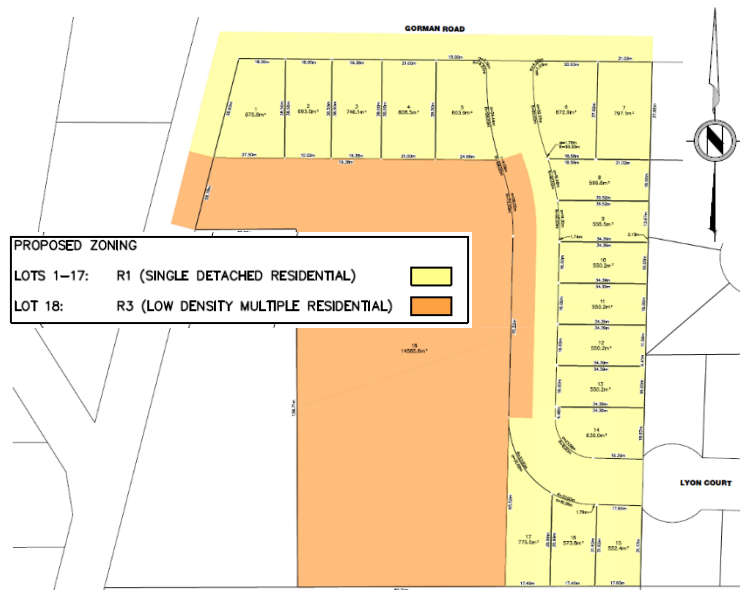
### PROPERTY MAP



## DISCUSSION

### Applicant Rationale

As part of this application, the applicant submitted a development proposal summary in support of the proposed amendments (*Attachment 3*), as well as a preliminary subdivision layout for seventeen (17) single family lots and one (1) multi-family lot (see Figure 1 and *Attachment 4*). While the proposed subdivision layout and future townhouse development are subject to additional subdivision and development permit processes, the applicant has highlighted that the preliminary design and density for the R3 zone (44 units) is “substantially under the allowable density and site coverage in the R3 zone.”



**Figure 1:** Proposed Zoning & Preliminary Subdivision Layout

### Policy and Bylaw Review

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

The subject property is located within the Single Family Residential land use designation, which supports traditional single family housing opportunities and encourages more land efficient compact housing forms for families. The proposed single family (R1) lots are consistent with this designation and will create a buffer between the proposed low density townhouse development and the existing single family residential lots adjacent to the subject property.

The proposed amendment to Low Density Multiple Family land use designation on the south-west portion of the property will accommodate the proposed townhouse development. Although, the proposed LDMF designation is not in accordance with the existing land use plan, the townhouse development does meet broader goals within the OCP for variety of housing types and densification. For example, the purpose of the designation to provide a range of housing opportunities in areas served by transit and in walking distance to community amenities, shops and services, while acknowledging the adjacent land use. The proposed use seems consistent with these objectives given that it is located within a transit service area, is immediately adjacent to the only neighbourhood commercial use, as well as being located less than five minutes walking distance to two schools. Additionally, the proposed ground oriented townhouses are consistent with Neighbourhood Growth Management designation policies that encourage infill housing where designed to respect and complement the type, scale and character of the neighbourhood.

#### *Zoning Bylaw No. 0154*

The subject property is currently Rural Residential Small Parcel (RU2) Zone, which is intended to accommodate rural, agricultural, and residential uses on parcels of land that



are 1 ha or greater. The proposed Single Detached Residential (R1) Zone is intended to accommodate low density single detached residential use on parcels of land that are 550 m<sup>2</sup> and larger (*Attachment 5*). The Low Density Multiple Residential (R3) Zone is intended to accommodate multiple residential in low density house form which includes duplex and townhouse forms (*Attachment 6*). All three zones only permit building heights up to 9 m with a maximum of three storeys, but do have some differences between parcel coverage and setbacks (see comparisons in Table 1 below).

**Table 1. Zoning Regulations Comparison**

Regulations	RU2 Zone	R3 Zone	R1 Zone
<b>Parcel Area</b>	1.0 ha	1000 m <sup>2</sup>	550 m <sup>2</sup>
<b>Frontage</b>	30.0 m	30.0 m	16.0 m
<b>Parcel Coverage</b>	10%	40%	40%
<b>Building Height</b>	9.0 m to a max of 3 storeys (20 m for barn)	9.0 m to a max of 3 storeys (5.0 m for accessory buildings)	9.0 m to a max of 3 storeys
<b>Front Setback</b>	6.0 m	4.5 m/ 6.0 m (garage)	4.5 m/ 6.0 m (garage)
<b>Rear Setback</b>	7.5 m	7.5 m	3.0 m
<b>Interior Side Setback</b>	4.5 m	3.0 m	1.5 m
<b>Exterior Side Setback</b>	4.5 m	4.5 m/ 6.0 m (garage)	4.5 m/ 6.0 m (garage)
<b>Agricultural Setback</b>	15.0m/ 9.0 <u>w</u> buffer	15.0m for the 1 <sup>st</sup> two storeys/ 18.0m for the third storey	15.0m/ 9.0m <u>w</u> buffer

### *Development Permit Areas*

The subject property is located within the Hillside and Sensitive Terrestrial Ecosystem Development Permit areas. Additionally, the proposed R3 townhouse development will also require a separate form and character Multiple Family Residential Development Permit to facilitate any future Building Permits.

### Technical Review

#### *Transportation and Site Access*

A Servicing Report<sup>1</sup> proposes frontage improvements to allow site access from Gorman Road and Lyon Road. Lyon Road is proposed to be extended to Gorman Road<sup>2</sup> to allow additional access/egress from the new development as well as for existing residences.

Additional discussion is required regarding the following potential pedestrian access improvements:

- Pedestrian sidewalks/pathways fronting Gorman Road and the extension of Lyon Road will be required, however design to be determined as stormwater routing may affect requirements;
- Pedestrian access to Glenrosa Middle School along the unconstructed McTaggart Road (see additional detail below);

<sup>1</sup> Prepared by Aplin Martin, dated Jun 8, 2020

<sup>2</sup> Although Gorman Road and Lyon Road are identified as a Rural Local Road classification as per Works and Services Bylaw No. 0249, which includes an 18 m right of way with ditches, street lighting, and optional paved pathway, typically consideration for an urban road classification is given for new development. However, additional discussion is required with the applicant due to stormwater routing considerations and consideration for pedestrian movement.

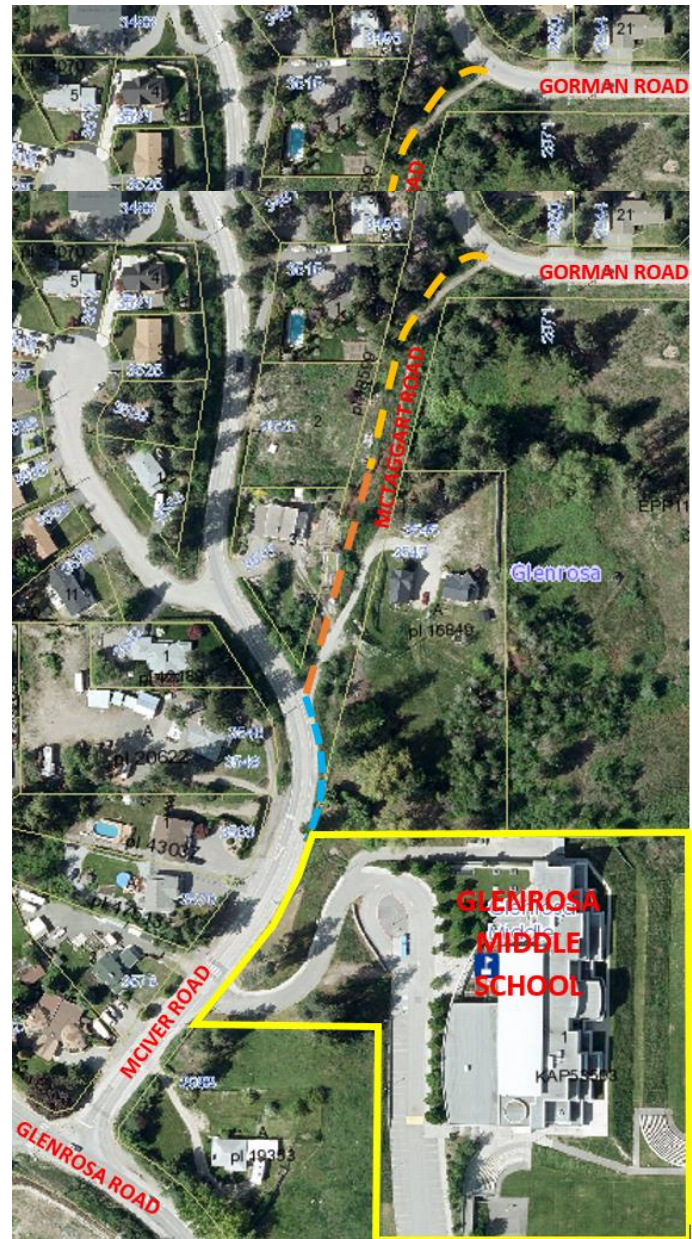
- Crossing upgrades at the corner of Gorman Road and the extension of McTaggart Road pedestrian access (markings, signage, lighting, sightlines, landing area);
- Crossing potential at new road crossing Gorman Road to Ficke Road (sidewalk letdown or culvert crossing, as necessary);
- BC Transit bus stop improvements at an existing stop along Webber Road to enhance universal accessibility (concrete pad at correct height); and street lighting at the Lyon Road and Webber Road intersection to enhance access to transit stop.

It is anticipated that any of the final off-site transportation works will be recommended to be constructed at time of future development as a condition of the zoning amendment and additional information will be provided prior to public hearing.

#### *Pedestrian Connection between Gorman Rd and McIver Rd*

Based on desired pedestrian connections between Gorman Road and McIver Road<sup>3</sup> with access to Glenrosa Middle School, additional discussion is required with the applicant regarding the potential to construct a pedestrian connection along the entire length of McTaggart Road (see Figure 2). This connection would also serve as emergency access linking Glenrosa and Gorman Roads.

The portion of McTaggart Road that lies beyond the subject property (orange dashed line) would be considered an off-site improvement and the portion of McTaggart Road that fronts the property (yellow dashed line) would be required in accordance with the Works and Services Bylaw No. 0249. The blue dashed portion is currently under construction by the City as part of the Glenrosa Road improvement project. Previous residential rezoning application on the adjacent 3545 McIver Road property (Z 17-14) had recommended that the construction of a pedestrian trail<sup>4</sup> along the length of McTaggart Road be secured through the registration of a Section 219 covenant as a condition of the zoning amendment. However, the proposed amendments were never adopted and more recent comments have noted that additional



**Figure 2: Recommended Connection to Glenrosa Middle School**

<sup>3</sup> Identified as a Future Multi-Use Trail (Figure 13), Pedestrian and Bicycle Infrastructure Plan, Jan 15, 2016

<sup>4</sup> Narrow multi-use trail with asphalt finish (2 m width) along McTaggart Road from the subject property to Gorman Road, including lighting and drainage

width should be added to the trail to allow for emergency vehicle access in addition to pedestrian movement<sup>5</sup>.

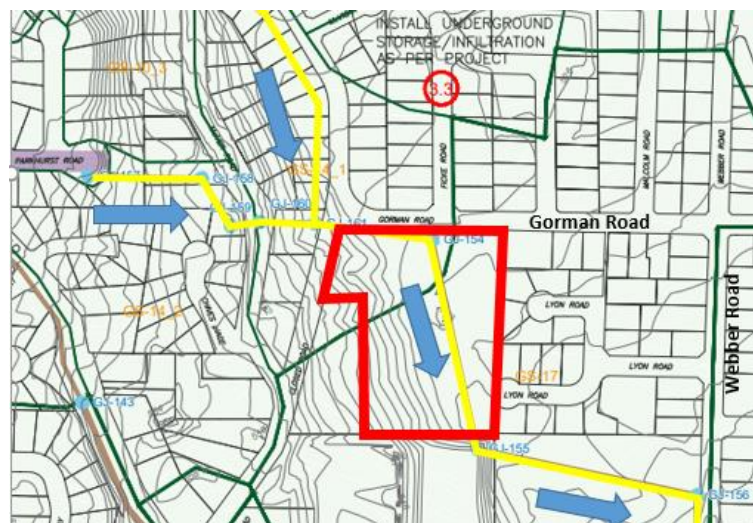
### *Servicing*

A Servicing Report<sup>6</sup> was submitted that notes that the site can be adequately serviced.

Sanitary Sewer: Off-site sanitary sewer service upgrades have been identified along Gorman Road as per the Sanitary Sewer Master Plan<sup>7</sup> and are anticipated to be recommended as conditions of adoption.

Water: The servicing report noted that no additional off-site water servicing requirements are anticipated, although it has been noted that a section of older watermain will likely be impacted by the future frontage improvements where the pipe would typically be replaced. This will be addressed with the future subdivision design stage and is not required as a condition of the zoning.

Stormwater: The report notes that stormwater management is expected to be addressed onsite through infiltration, however the applicant is completing additional review of storm drainage based on existing conditions in the surrounding neighbourhood and in consideration of the City's Master Drainage Plan (MDP). The MDP identifies conceptual routing through this property (refer to Figure 3) which essentially conveys the flows from Gorman Road to Webber Road, where the expectation is that works are located within road right of way or conveyed through statutory rights of way.



**Figure 3:** Master Drainage Plan - Excerpt from Figure 3.5

Drainage considerations may also impact road design with regard to ditching if necessary which may impact the design of pedestrian access. Final design at time of future development permit must also consider stormwater routing and private storage for the townhouse development.

It is anticipated that additional information regarding off-site drainage works will be provided prior to public hearing. These will be recommended to be constructed at time of future development as a condition of the zoning amendment.

<sup>5</sup> 2 m wide asphalt multi-use path (Recreation Trails Master Plan – Narrow Multi-use Standard) with an overall 3 m wide driveable surface for emergency vehicles with gates and bollards at entrances, including a maximum 12% grade including lighting and drainage

<sup>6</sup> Prepared by Aplin Martin, dated Jun 8, 2020

<sup>7</sup> Potentially upsize approximately 100m of sanitary main in Gorman Road between Malcolm and McNamara Road from 250mm to 300 mm with additional information to be provided prior to public hearing



### *Geotechnical*

A Geotechnical Review<sup>8</sup> was submitted that notes that “the site is suitable for the proposed residential development, and appears adequate and safe for the intended purpose.” Site development has been concentrated in the flatter areas of the property and site cut and fill requirements have been kept to a minimum to preserve the natural topography of the site. The geotechnical engineer noted that control and redirection of the drainage course at the northwest corner of the property is anticipated at the time of the site development. The report makes additional future building recommendations regarding considerations for foundation design, groundwater and drainage, and pavement and trench backfilling. As a condition of the future development permit and subdivision process, it is likely that a geotechnical covenant will be registered on title to ensure the recommendations of the report are addressed during future construction.

### *Environmental*

An Environmental Assessment<sup>9</sup> was submitted that identifies the site as having approximately 30% Environmental Sensitive Area (ESA) 2 and 70% ESA 3 which consist primarily of habitat “islands” fragmented from other natural areas by surrounding urban development. As the proposed development will create disturbance within both areas, it recommends “mitigation measures are incorporated into the design and construction and the development footprint is limited to the areas proposed, [to ensure that] the proposed development is not anticipated to have landscape-level effects on the habitat values within the project area.” Recommended mitigation measures include limiting disturbance areas, restoring a vegetated swale designed to capture groundwater, installing bird and bat boxes as compensation for lost habitat, and ensuring that tree clearing either avoids bird nesting periods or includes a site survey for active nests and bird activity. These and other recommendations from the report will be considered with the future development permit prior to site disturbance.

### *Neighbourhood Park Analysis*

The parks provision for the Glenrosa neighbourhood is in line with other neighbourhoods in West Kelowna and is considered sufficient. In accordance with the City’s Parks Master Plan, both City and regional parks are included when considering overall parkland provision. Additionally, Glenrosa benefits from the school grounds at Glenrosa Elementary School and Glenrosa Middle School, as well as the partnership the City has through site-specific agreements for Glenrosa Middle School and Webber Road School. The recommendations in the Parks Master Plan for Glenrosa (which included consultation with area residents) included developing existing undeveloped parks to increase playground and other park amenities. McIver Park was developed in the fall of 2019 with a brand new playground, fencing and trail connection. Additionally, Astoria Park is being improved through the development process (includes a playground and trail loop). There are no additional parks planning capital projects planned for Glenrosa in the near term<sup>10</sup>.

As such, cash in lieu of parkland dedication at time of future subdivision will be required should this development proceed.

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<sup>8</sup> Prepared by Interior Testing Services Ltd, dated April 8, 2020

<sup>9</sup> Prepared by Ecoscape Environmental Consultants Ltd., dated May 2020

<sup>10</sup> The Parks Master Plan is currently scheduled for an update in 2021 and through this process additional recommendations for improvements to parks and recreation in Glenrosa will be identified

## Referral Responses

A referral for the application was circulated to all departments and key agencies. Based on comments received thus far, no objections were noted, but the following external comments were received:

- *BC Transit*
  - Recommend accessible transit infrastructure and crossing improvements on Webber Rd;
- *BC Hydro*
  - Requires a statutory right of way from the developer;
- *Interior Health (Healthy Communities)*
  - Support for development as it is:
    - Supporting pedestrian connection between McIver Road and Gorman Road;
    - within walking distance to schools and commercial area; and
    - provides alternate forms of housing.
- *Advisory Planning Commission (APC)*
  - At the July 15, 2020 meeting, the APC recommended support for the rezoning application as presented.
- *Agricultural Advisory Committee (AAC)*
  - At the August 6, 2020 meeting, the AAC recommended support for the rezoning application as presented.

## Public Notification

Two notice of application signs have been placed on the subject property in accordance with the Development Application Procedures Bylaw No. 0260, along Lyon Road and Gorman Road.

## Legislative Requirements

Council has the authority under Part 14, s. 472 of the *Local Government Act* to amend the Official Community Plan and s. 479 to create and amend the Zoning Bylaw.

## **CONCLUSION**

It is recommended that Council give first and second reading to the proposed amendments (Z 20-03) as per the recommended motion based on the following:

- Residential policies encourage the sensitive integration of different housing forms in all residential growth areas in support of neighbourhood diversity and healthy communities.
- Infill development makes more efficient use of community services and reduces development pressures at the urban fringes.
- The proposed low density multi-family residential use has an appropriate transition to existing single family residential uses and is similar in form in respect of ground oriented 3 storey buildings.
- The future development permit process will address hillside and environmental mitigation, as well as form and character issues with the proposed townhouse development.

- There are opportunities to provide additional trail connections through the new development area and along the adjacent McTaggart Road providing improved pedestrian connectivity to Glenrosa Middle School that require additional discussion.
- The proposal was supported by the City's Advisory Planning Commission (APC) and the Agricultural Advisory Committee (AAC).

### **ALTERNATE MOTION(s)**

#### Option 1: Postpone 1st and 2nd Reading

- 1) THAT Council postpone first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.59, 2020 (File: Z 20-03); and
- 2) THAT Council postpone first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.90, 2020 (File: Z 20-03).

Should Council postpone consideration of the proposed bylaw amendments, further direction to staff on how to proceed is required.

#### Option 2: Deny the Application

- 1) THAT Council deny File: Z 20-03 for 2971 Gorman Road.

Should Council deny the proposal, the file will be closed. As per the City's Procedures Bylaw, the applicant could re-apply for a similar proposal six months after initial Council consideration.

### **REVIEWED BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

### **APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

#### Attachments:

1. Official Community Plan Amendment Bylaw No. 0100.59, 2020
2. Zoning Amendment Bylaw No. 0154.90, 2020
3. Context Map
4. Subject Property
5. Applicant Proposal Summary
6. Conceptual Subdivision Plan
7. Single Detached Residential (R1) Zone
8. Low Density Multiple Residential (R3) Zone



**CITY OF WEST KELOWNA**

**BYLAW NO. 0100.59**

**A BYLAW TO AMEND “OFFICIAL COMMUNITY PLAN BYLAW NO. 0100”**

WHEREAS the Council of the City of West Kelowna desires to amend “CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN BYLAW NO. 0100” 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 OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 0100.59, 2020”.

2. Amendments

“City of West Kelowna Official Community Plan Bylaw No. 0100” is hereby amended as follows:

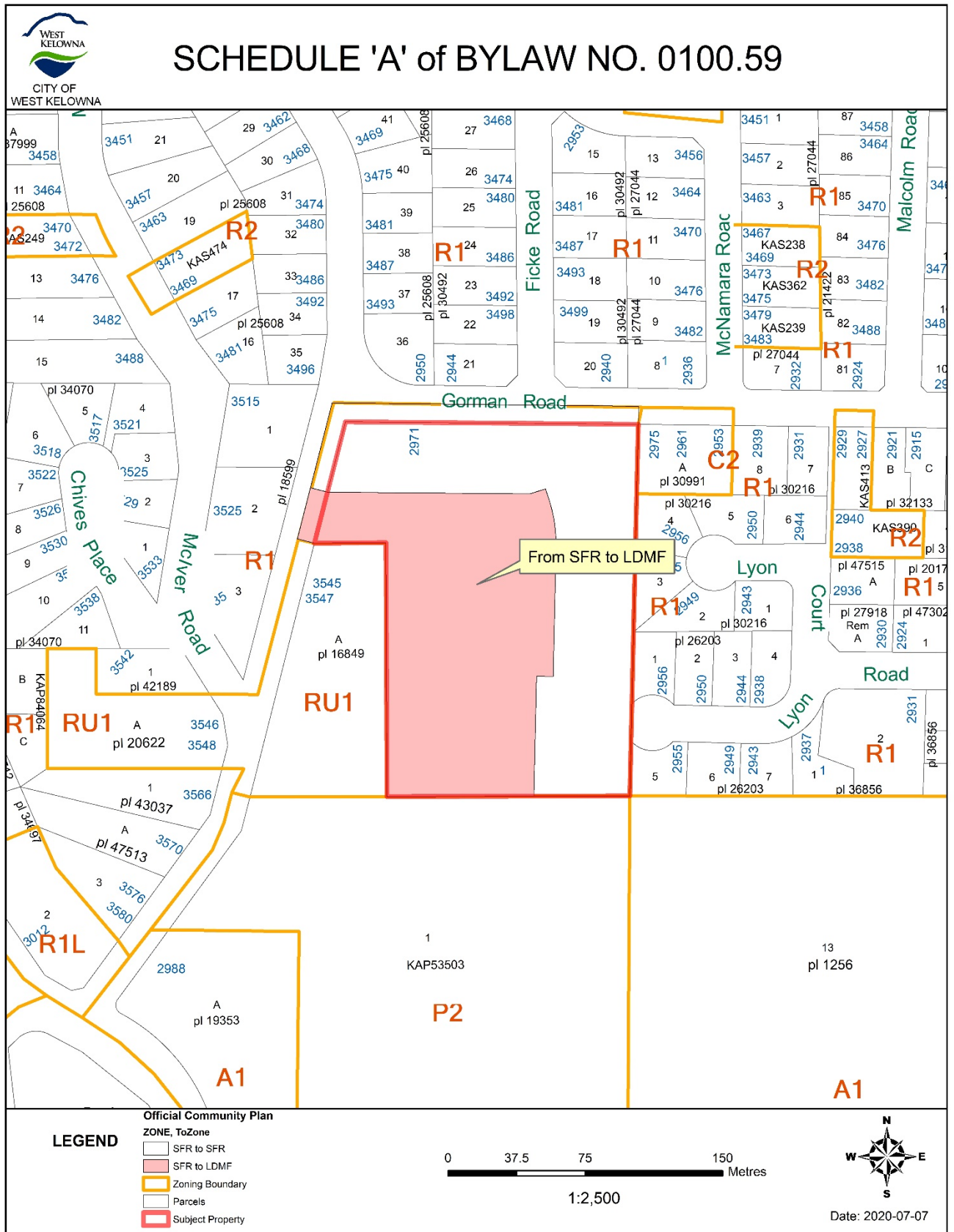
2.1 By changing the designation on a portion of Lot A, District Lot 3189, ODYD, Plan EPP11876, as shown on Schedule ‘A’ attached to and forming part of this bylaw, from Single Family Residential to Low Density Multiple Family.

2.2 By depicting the change on “City of West Kelowna Official Community Plan Bylaw No. 0100 Schedule B” (Land Use map).

READ A FIRST AND SECOND TIME THIS  
PUBLIC HEARING HELD THIS  
READ A THIRD TIME THIS  
ADOPTED THIS

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK







**CITY OF WEST KELOWNA**

**BYLAW NO. 0154.90**

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

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. 0154.90, 2020".

2. Amendments

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

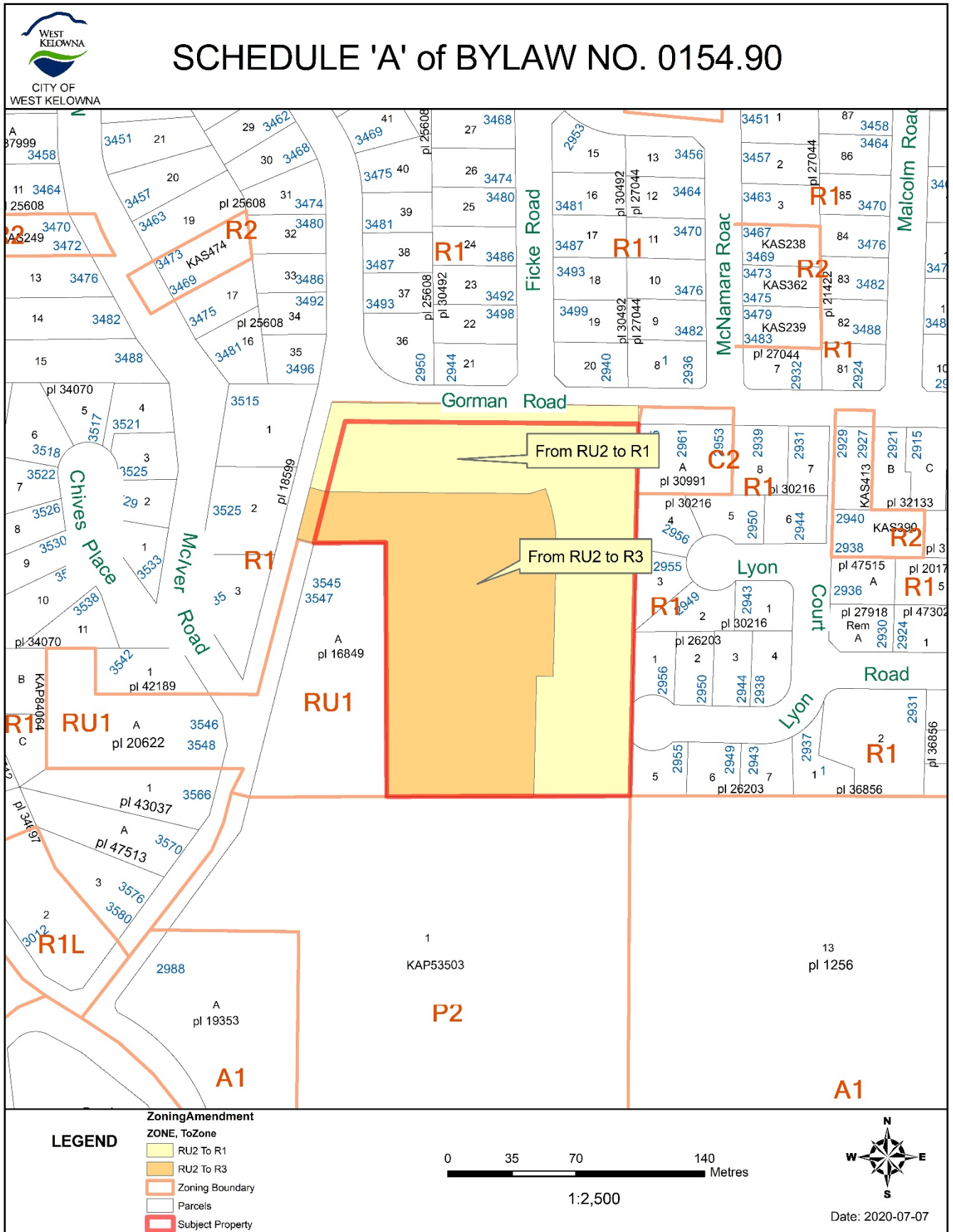
2.1 By changing the zoning on Lot A, District Lot 3189, ODYD, Plan EPP11876, as shown on Schedule 'A' attached to and forming part of this bylaw, from Rural Residential Small Parcel Zone (RU2) to Single Family Residential Zone (R1) and Low Density Multiple Residential Zone (R3).

2.2 By depicting the change on "Zoning Bylaw No. 0154 Schedule B" (Zoning Bylaw map).

READ A FIRST AND SECOND TIME THIS  
PUBLIC HEARING HELD THIS  
READ A THIRD TIME THIS  
ADOPTED THIS

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

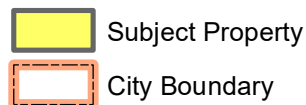




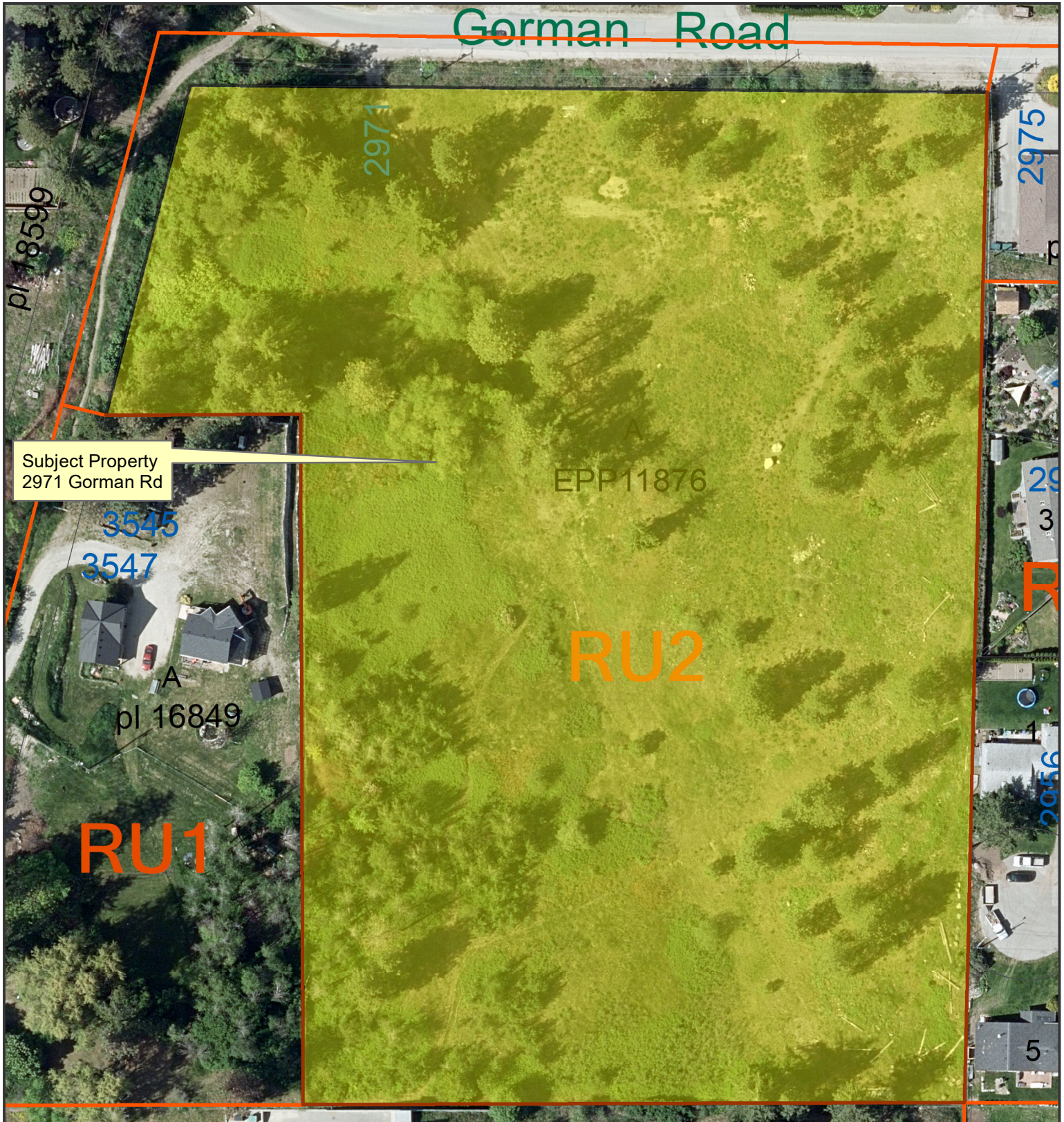


File: Z 20-03

Legal Description: Lot A, DL 3189, ODYD, Plan EPP11876







File: Z 20-03

Legal Description: Lot A, DL 3189, ODYD, Plan EPP11876

**LEGEND**

- Subject Property
- Zoning Boundary
- Parcels

0 15 30 60 Metres





## Development Proposal Summary

Kerr Properties purchased 2971 Gorman Rd with the vision of developing a unique mix of single-family residential homes on sizeable lots and low density multi family townhomes having all the conveniences of a single-family home in a more affordable price range. All located in a spectacular natural setting with rolling hillsides and a convenient location promoting a family oriented and active Okanagan lifestyle.

We view this large seven-acre site as a rare opportunity to offer a diverse range of homes while maintaining the appeal of the surrounding single-family neighbourhood. Kerr Properties worked with our designers at Aplin Martin to envision a site plan that would maintain the privacy of our neighbours by buffering the surrounding single-family properties with new single-family homes.

The topography of the site lends itself beautifully in creating a natural buffer between the proposed townhomes and the one single family property to the west and also limits any site line obstructions with the roof tops of the townhomes being below the grades of the property to the west. The single-family homes within this development are located on the opposite side of the roadway also providing a buffer between single family and multi family homes.

The road extension from Lyon Court through to Gorman Rd offers multiple ingress and egress points to the site allowing resident and neighbourhood traffic to flow with ease. Traffic impacts have been studied and are considered minor as noted by Aplin Martin in the attached functional servicing report.

The development will be serviced with full city services, including an 18-meter right of way for city roads, city sanitary sewer and water, and onsite storm infiltration. Aplin Martin has determined in their preliminary assessment that servicing of the site is achievable with current city infrastructure in the area and some minor upgrades to meet development demands.

Kerr Properties views this site as a very exciting opportunity to add some diverse housing options in the Glenrosa neighbourhood with low density multi family townhomes in an appropriate area with close proximity to schools all while maintaining and even enhancing the character and liveability of the existing neighbourhood.

Proposed are three storey, three bedroom, and three-bathroom townhomes in the southwest section of the property; these townhomes would fall under the R3 zoning, however, the density proposed is substantially under the allowable density and site coverage in the R3 zone.

### **Kerr Properties Ltd**

26138 31 B Avenue, BC, V4W 2Z6  
Tel (604) 856-9772 Fax (604) 856-2325  
[www.kerrproperties.ca](http://www.kerrproperties.ca)

Finally, we have envisioned these townhomes as a alternative lifestyle and more affordable version of a single-family home with all the individual amenities of full driveways, double garages, private patios, and decks but also first class common amenity spaces with playgrounds, pickle ball courts and even a dog park. The townhome site flows nicely with walking trails throughout providing interconnectivity between common amenity spaces while keeping pedestrian and vehicle traffic separate.

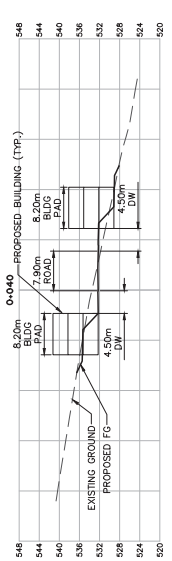
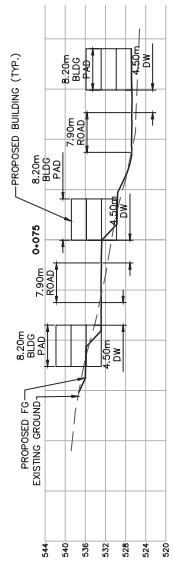
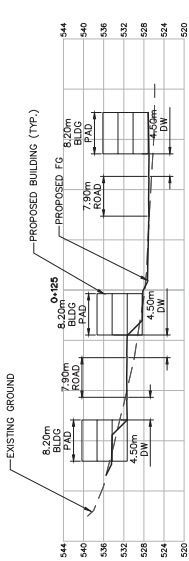
Key Development Features	Yes	No
<b>LOW</b> R3 density with only 44 townhome unit proposed on 3.6 acres – R3 Zoning allows for 78 units on the 3.6 areas	✓	
<b>LOW</b> density with only 0.55 FAR out of the allowable 0.75 under the R3 zone	✓	
<b>LOW</b> parcel coverage with only 18% out of the allowable 40% under the R3 zone	✓	
Large seven-acre parcel offering diverse housing options	✓	
Affordable mix of single family and multi family homes	✓	
Diverse housing options suitable for all lifestyles	✓	
Strategic buffering of surrounding residents	✓	
Full city standard roads	✓	
Full city services	✓	
Townhomes with full driveway queuing and double garages	✓	
Townhomes with private patios, decks and yards	✓	
First class common amenity spaces	✓	
Proximity to schools	✓	
Retention of Natural hillsides	✓	
Improved city infrastructure		X
Need for retaining walls		X
Negative Traffic Impacts		X
Negative Environmental Impacts		X
Negative neighbourhood impacts		X

*Travis Tournier, Development Manager*



**Kerr Properties Ltd**  
 26138 31 B Avenue, BC, V4W 2Z6  
 Tel (604) 856-9772 Fax (604) 856-2325  
[www.kerrproperties.ca](http://www.kerrproperties.ca)

**PROPOSED ZONING**  
**LOTS 1-17: R1 (SINGLE DETACHED RESIDENTIAL)**  
**LOT 18: R3 (LOW DENSITY MULTIPLE RESIDENTIAL)**



**NOTICE TO CONTRACTOR**

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THAT ALL LEGAL REQUIREMENTS SHOWN ON THIS DRAWING ARE ACCURATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR NOTIFYING THE ENGINEER OF RECORD OF ANY DISCREPANCIES.

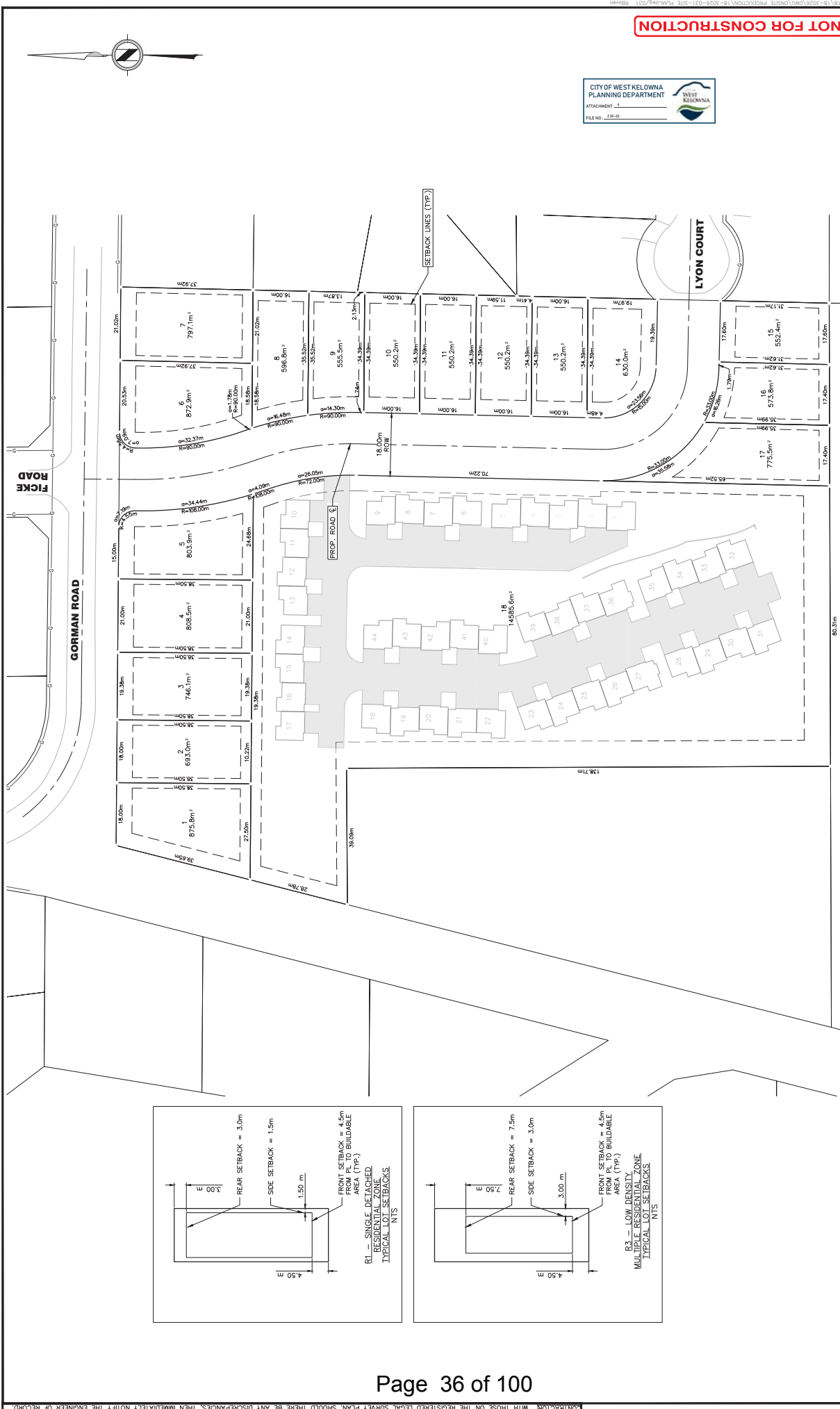
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DRAWN: JRC	DATE: 18-03-20
PROJECT NO.:	18-3026
DRAWING DATE:	FEBRUARY, 2020
SCALE:	1:500
PROJECT NO.:	18-3026-SK1
DRAWING NO.:	REV.

TITLE:	42 MULTI-FAMILY UNITS
PROJECT NO.:	18-3026
DRAWING NO.:	REV.

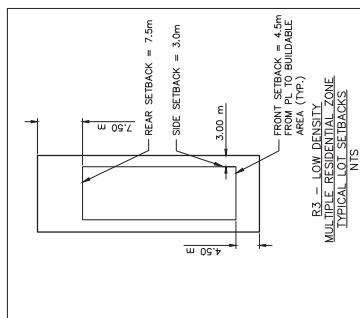
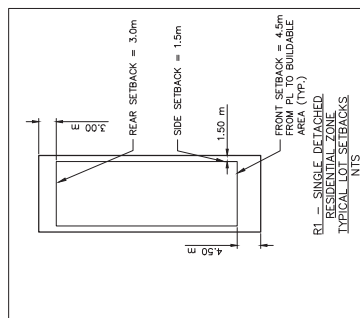
CLIENT:	PATRICK KERR KINGHOE EXCAVATING LTD. PH: 604-669-9172
PROJECT:	GORMAN ROAD SUBDIVISION 2871 GORMAN ROAD, WEST KELOWNA BC

LEGAL DESCRIPTION:	B.M. MONUMENT NO. STREET & AVENUE
REV. NO. DESCRIPTION	DR CH DATE APP

**APLIN MARTIN**  
 ARCHITECTURE & PLANNING  
 461 Lena Avenue, Kelowna, B.C. Canada V1Y 6J3  
 Tel: (250) 444-1717 Fax: (250) 444-1718 Email: general@aplinmartin.com



NOT FOR CONSTRUCTION



LEGAL DESCRIPTION:		CLIENT:		SUBDIVISION LAYOUT PLAN		DESIGN: RB		CHECK: JRS	
B.M. MONUMENT NO. . . . . AVENUE		KERR PROPERTIES 002 LTD.		PROJECT NO.		DRAWN: RB		A & M FILE:	
LOCATED AT . . . . .		2898 319 AVE ALDERGROVE BC		DRAWING DATE:		18-3026		DRAWING DATE:	
REV. NO. DESCRIPTION		GORMAN ROAD SUBDIVISION		SCALE :		1:500		JUNE, 2020	
0 ISSUED FOR REZONING/OCP AMENDMENT		2871 GORMAN ROAD, WEST KELOWNA BC		HORIZ. SCALE :		1:500		SHEET NO.	
				DRAWING NO.		18-3026-031		REV.	
								2 OF 4	
								0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52	





## 10.4. SINGLE DETACHED RESIDENTIAL ZONE (R1)

### .1 Purpose

To accommodate low density single detached residential use on parcels of land that are 550 m<sup>2</sup> and larger.

### .2 Principal Uses, Buildings and Structures

- (a) Single detached dwelling

### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Bed and breakfast
- (c) Care facility, minor
- (d) Carriage house
- (e) Home based business, major
- (f) Secondary suite

### .4 Site Specific Uses, Buildings and Structures

- (a) On Lot 1, Plan 44004, DL 581 ODYD, Except Plans KAP48178 & KAP53981: vineyard and one single detached/caretakers residence.

### .5 Regulations Table

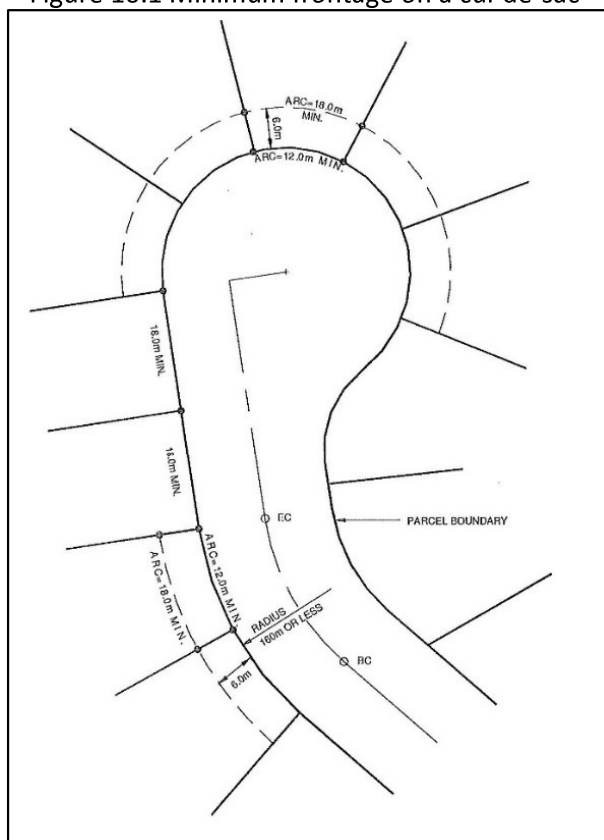
SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	550 m <sup>2</sup> (5,920.2 ft <sup>2</sup> )
(b)	Minimum usable parcel area	330 m <sup>2</sup> (3,552.1 ft <sup>2</sup> )
(c)	Minimum parcel frontage	16.0 m (52.5 ft)
DEVELOPMENT REGULATIONS		
(d)	Maximum density:	
.1	Single detached dwelling	1 per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(e)	Maximum parcel coverage	40%
(f)	Maximum building height:	
.1	Single detached dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Accessory buildings and structures	5.0 m (16.4 ft)
.3	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building

SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
.2	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
.3	Interior side parcel boundary	1.5 m (4.9 ft)
.4	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
.5	A1 Zone or ALR	15.0 m (49.2 ft) except it is 9.0 (24.6ft) if a level 1 buffer is provided.

## .6 Other Regulations

- (a) Without limiting the application of the height regulation in Section 10.4.5(f).1, the height of any single building wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 3 storeys or 9 m (29.5 ft).
- (b) Without limiting the application of the height regulation in Section 10.4.5(f).3, the height of any carriage house wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 1.5 storeys and 6.5 m (21.3 ft).
- (c) Despite Section 10.4.5(c), the parcel frontage may be less than 16.0 m (52.5 ft) for parcels on a cul-de-sac provided that the radius of the curvature along the parcel frontage is less than 160 m (524.9 ft) and the arc length along the parcel boundary is at least 12.0 m (39.4 ft) as illustrated in Figure 10.1.

Figure 10.1 Minimum frontage on a cul-de-sac



## .7 Siting Regulations for Approving Subdivisions

- (a) The regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- (b) The regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.



## 10.9. LOW DENSITY MULTIPLE RESIDENTIAL ZONE (R3)

### .1 Purpose

To accommodate multiple residential in low density housing form.

### .2 Principal Uses, Buildings and Structures

- (a) Care facility, major, in duplex or townhouse form only
- (b) Duplex
- (c) Group home, in duplex or townhouse form only
- (d) Townhouse

### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Home based business, minor

### .4 Site Specific Uses, Buildings and Structures

Bylaw No.  
154.11

- (a) On Lots 1-16, District Lot 2045, ODYD, Strata Plan KAS1884: single detached dwellings

Bylaw No.  
154.11

- (b) On Lots 1-73, District Lot 5070, ODYD, Strata Plan KAS2583: single detached dwellings and apartments.

Bylaw No.  
154.11

- (c) Apartments on:
  - (i) Lot A, District Lot 2602, ODYD, Plan KAP92694;
  - (ii) Lot 41, District Lot 703, ODYD, Plan KAP88313;
  - (iii) District Lot 2602, ODYD, Plan KAP83141, Except Strata Plan KAS3683, and District Lot 2602, ODYD, Strata Plan KAS3683;
  - (iv) Lots 1-14, District Lot 2602, ODYD, Plan KAS3023;
  - (v) Lots 1-142, District Lot 2601, ODYD, Strata Plan KAS3485;
  - (vi) Lot 1, District Lot 434 and District Lot 2045, ODYD, Plan 36364; and
  - (vii) the R3-zoned portion of Lot C, District Lot 2045, ODYD, Plan KAP60462; and
  - (viii) Lot A, DL 2602, ODYD, Plan KAP80333

Bylaw No.  
154.22

### .5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	1000 m <sup>2</sup> (10,763.9 ft <sup>2</sup> )
(b)	Minimum usable parcel area	700 m <sup>2</sup> (7,534.7 ft <sup>2</sup> )
(c)	Minimum parcel frontage	30.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(d)	Maximum density	0.75 FAR
(e)	Maximum parcel coverage	40%
(f)	Maximum building height:	9.0 m (29.5 ft) to a maximum of 3 storeys except it is 5.0 m (16.4 ft) for accessory buildings and structures

SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
.2	Rear parcel boundary	7.5 m (24.6 ft)
.3	Interior side parcel boundary	3.0 m (9.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
.5	A1 Zone or ALR	15.0 m (49.2 ft) for the first two storeys or portion of the building less than or equal to 6.0 m (19.7 ft) in height, whichever is less
		18.0 m (59.1 ft) for the third storey or portion of the building above 6.0 m (19.7 ft) but less than or equal to 9 m (29.5 ft) in height, whichever is less
OUTDOOR AMENITY SPACE		
(h)	Minimum outdoor amenity space per unit	25 m <sup>2</sup> (269.1 ft <sup>2</sup> )

## .6 Other Regulations

- (a) Where side-by-side duplex units or townhouses are subdivided under the *Land Title Act*, Sections 10.9.5(a), 10.9.5(b) and 10.8.9(c) shall not apply provided that each parcel so created contains not less than one half the minimum parcel area, not less than one half the minimum usable site area and not less than one half the minimum frontage specified in those Sections, and Section 10.9.5(g).3 shall not apply.

### (b) Siting Regulations for Approved Subdivisions

- .1 the regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures,

Bylaw No.  
154.06

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: September 8, 2020

From: Jayden Riley, Planner II

File No: Z 20-02

Subject: **Z 20-02; Zoning Amendment Bylaw No. 0154.91, 2020 (3rd Reading),  
2417 Apollo Road**

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### RECOMMENDATION

**THAT** Council give 3<sup>rd</sup> reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.91, 2020 (File: Z 20-02); and

**THAT** Council direct staff to schedule the bylaw for consideration of adoption following approval of the bylaw by the Ministry of Transportation and Infrastructure.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Plan Priorities 2020-2022)

### BACKGROUND

This application proposes to amend the zoning designation of the subject property from Single Detached Residential (R1) to Urban Centre Commercial (C1) to support a mixed-use development. The applicant is proposing to mirror an approved development concept (DP 20-03) of the adjacent property, 2411 Apollo Road, consisting of a 3-storey building with approximately 100 sq. m. of commercial space at ground level and two (2) storeys of residential above, each with four (4) residential units.

PROPERTY DETAILS			
<b>Address</b>	2417 Apollo Road		
<b>PID</b>	012-083-992		
<b>Folio</b>	36412444.000		
<b>Lot Size</b>	566 sq. m.		
<b>Owner</b>	Elias and Kevin Ferreira	<b>Agent</b>	Randi Fox, Fox Architecture

<b>Current Zoning</b>	Single Detached Residential (R1)	<b>Proposed Zoning</b>	Urban Centre Commercial (C1)
<b>Current OCP</b>	Commercial	<b>Proposed OCP</b>	N/A
<b>Current Use</b>	Single Family Dwelling	<b>Proposed Use</b>	Mixed Use
<b>Development Permit Areas</b>	Commercial; Multiple Family and Intensive Residential		
<b>Hazards</b>	No		
<b>Agricultural Land Reserve</b>	No		

### NEIGHBOURHOOD MAP



### PROPERTY MAP





## Overview of Public Hearing

A Public Hearing was held on August 25, 2020. No members of the public addressed Council during the Public Hearing. A total of one (1) submission was received that requested the land be used instead for public use.

## COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
July 14, 2020	Z 20-02; Zoning Amendment Bylaw No. 0154.91 (1 <sup>st</sup> and 2 <sup>nd</sup> Reading); 2417 Apollo Road	C181/20
August 25, 2020	Z 20-02; Zoning Amendment Bylaw No. 0154.91 (PH); 2417 Apollo Road	N/A

## CONCLUSION

It is recommended that Council give 3<sup>rd</sup> reading to the proposed zoning amendment bylaw as the proposed zone is consistent with the existing community plan designation and the proposed use will be able to accommodate the mirrored mixed use concept development over the subject property and adjacent property. Due to the proximity of the subject property to a controlled intersection on Highway 97, approval of the bylaw from the Ministry of Transportation is a condition prior to adoption.

### Alternate Motion:

#### Alternate 1 – Postpone Consideration

1. **THAT** Council postpone 3<sup>rd</sup> reading to the City of West Kelowna Zoning Amendment Bylaw No. 0154.91, 2020 (File: Z 20-02).

Should Council postpone consideration of the proposed Amendment Bylaw, further direction to staff on how to proceed is requested.

#### Alternate 2 – Deny Application

2. **THAT** Council deny 3<sup>rd</sup> reading to the City of West Kelowna Zoning Amendment Bylaw No. 0154.91, 2020 (File: Z 20-02).

Should Council deny the proposal, the application will be closed in accordance with Development Application Procedures Bylaw No. 0260 and the applicant may re-apply after a period of six (6) months.



**REVIEWED BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒

**Attachments:**

1. July 14, 2020 Council Report, Z 20-02 (1<sup>st</sup> and 2<sup>nd</sup> Reading)
2. Zoning Amendment Bylaw No. 0154.91



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: July 14, 2020

From: Jayden Riley, Planner II

File No: Z 20-02

Subject: **Z 20-02; Zoning Amendment Bylaw No. 0154.91, 2020 (1st and 2nd Reading), 2417 Apollo Road**

---

### RECOMMENDATION

**THAT** Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.91, 2020 (File: Z 20-02); and

**THAT** Council direct staff to schedule a public hearing for the proposed Zoning Amendment Bylaw.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Plan Priorities 2020-2022)

### BACKGROUND

This application proposes to amend the zoning designation of the subject property from Single Detached Residential (R1) to Urban Centre Commercial (C1) to support a mixed-use development. The applicant is proposing to mirror a recently approved development (DP 20-03) of the adjacent property, 2411 Apollo Road, consisting of a 3-storey building with 100 sq. m. of commercial space at ground level and two (2) storeys of residential above, each with four (4) residential units – see *Attachment 1, Figure 3*. In anticipation of rezoning, the applicant has submitted a concurrent Form and Character Development Permit application (File: DP 20-11).

PROPERTY DETAILS			
Address		2417 Apollo Road	
PID		012-083-992	
Folio		36412444.000	
Lot Size		566 sq. m.	
Owner	Elias and Kevin Ferreira	Agent	Randi Fox, Fox Architecture

<b>Current Zoning</b>	Single Detached Residential (R1)	<b>Proposed Zoning</b>	Urban Centre Commercial (C1)
<b>Current OCP</b>	Commercial	<b>Proposed OCP</b>	N/A
<b>Current Use</b>	Single Family Dwelling	<b>Proposed Use</b>	Mixed Use
<b>Development Permit Areas</b>	Commercial; Multiple Family and Intensive Residential		
<b>Hazards</b>	No		
<b>Agricultural Land Reserve</b>	No		

#### ADJACENT ZONING & LAND USES

<b>North</b>	^	Institutional and Assembly (P2)
<b>East</b>	>	Urban Centre Commercial (C1)
<b>West</b>	<	Urban Centre Commercial (C1)
<b>South</b>	v	Urban Centre Commercial (C1)

#### NEIGHBOURHOOD MAP



#### PROPERTY MAP



## Legislative Requirements

Council has the authority under Part 14 (S.479) of the *Local Government Act (LGA)* to create and amend its Zoning Bylaw. Section 464(2) of the *Local Government Act* allows local governments to waive the holding of a public hearing on a proposed zoning bylaw amendment if there is an official community plan in effect for the area that is subject to the bylaw and the bylaw is consistent with the plan. Should Council choose to waive the public hearing, the City will be required to give notice that it is waiving the public hearing and the opportunity for the public to review the bylaw.

## Rationale for Recommended Motion

The recommended motion is subject to consideration of any comments or concerns raised by the public and is based on the following rationale:

- The proposal is aligned with the subject property's Commercial Land Use Designation;
- The applicant has applied for a concurrent development permit application which intends to mirror the form and character of a mixed-use building approved under DP 20-03 and Z 19-04; and
- The proposal aligns with the Westbank Centre Revitalization Plan and the desired attributes of the Westbank Centre neighbourhood.

## **DISCUSSION**

### *Official Community Plan No. 0100*

The subject property has a Land Use Designation of Commercial, which is intended to support a variety of built form reflecting a diversity of retail, office, and personal service uses, with opportunities for increased density and height in Westbank Centre and above-street residential. The property is also located within Westbank Centre Neighbourhood. Desired attributes of this neighbourhood include excellent pedestrian facilities (i.e. walkability), a mix of residential, commercial and civic uses, and human scale development at street level.

### *Westbank Centre Revitalization Plan*

The Westbank Centre plan area is defined by Butt Road to the north, Old Okanagan Highway and Westbank First Nation lands to the east, agricultural lands to the south, and Glen Canyon Regional Park and Paynter Road to the west (*Figure 1*).

The Westbank Centre Revitalization Plan provides a long-term vision for the Westbank Centre aimed to improve the quality of both private development and the public streetscape, as well as enhancing the 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. The vision includes a concentration and mix of housing for a diversity of lifestyles, ages and income levels. The strategy for revitalization of Westbank Centre



includes amending zoning regulations to achieve density and flexibility in unit types and to allow for buildings up to 6 storeys in designated areas. The proposed zoning amendment for 2417 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.



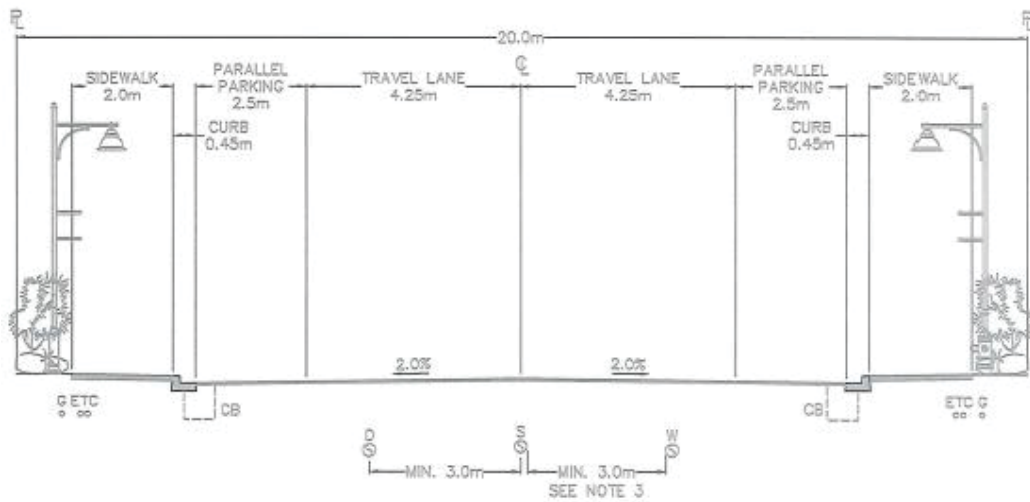
**Figure 1:** Westbank Centre Revitalization Plan Area

#### *Zoning Bylaw No. 0154*

The subject property is currently zoned Single Detached Residential (R1), intended to accommodate low density single detached residential use on parcels of land that are 550 sq. m. and larger. The proposed zone is Urban Centre Commercial (C1), intended to accommodate a mix of uses with active commercial frontages, such as apartment, retail, personal services establishment, and office. The subject property meets the minimum parcel size and frontage requirements of the C1 Zone. No variances to setbacks, building height, or parking are anticipated.

#### *Technical Review*

The applicant has provided a functional servicing report, concluding that existing infrastructure will support the proposed development, subject to road upgrades (*Figure 2*), lane upgrades, water service upgrade, and installation of storm and sanitary sewer services.



**Figure 2: Urban Centre Road Detail**

### *Potential to Waive Public Hearing*

Considering the subject property's existing commercial Land Use Designation and the concurrent development permit application submitted (DP 20-11) to mirror the form and character of the approved development permit (DP 20-03) for the adjacent property, 2411 Apollo Road, Council may choose to waive the public hearing. The proposal is consistent with the surrounding commercial and mixed-use nature of the neighbourhood, and the City did not receive any submissions or public comments for file Z 19-04 to rezone 2411 Apollo Road from Single Detached Residential (R1) to Urban Centre Commercial (C1).



**Figure 3: Mirrored Concept, Application Summary**

## ALTERNATE MOTIONS

### Alternate 1 - Give 1<sup>st</sup> and 2<sup>nd</sup> Reading and Waive Public Hearing

1. **THAT** Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.91, 2020 (File: Z 20-02) and direct staff waive the public hearing for the proposed Zoning Amendment Bylaw.

Should Council choose to waive the public hearing, in accordance with S.467 of the *Local Government Act*, the City will be required to give notice that it is waiving the public hearing and the opportunity for the public to review the bylaw.

### Alternate 2 – Postpone Consideration

2. **THAT** Council postpone first and second reading to the City of West Kelowna Bylaw No. 0154.91, 2020 (File: Z 20-02).

Should Council postpone consideration of the proposed Amendment Bylaw, further direction to staff on how to proceed is requested.

### Alternate 3 – Deny Application

3. **THAT** Council deny first and second reading to the City of West Kelowna Bylaw No. 0154.91, 2020 (File: Z 20-02).

Should Council deny the proposal, the application will be closed in accordance with Development Application Procedures Bylaw No. 0260 and the applicant may re-apply after a period of six (6) months.

## REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager

## APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

### Attachments:

1. Conceptual Site Plan and Renderings
2. C1 Zone
3. Zoning Amendment Bylaw No. 0154.91







3 3/4 STREET VIEW



4 3/4 LANE VIEW



2 STREET VIEW



5 LANE VIEW



1 3/4 STREET VIEW



6 3/4 LANE VIEW



2 VIEW TO SW



1 VIEW TO SE

A-902	ISSUED FOR PERMITS & DP 05.12.20	
	3-D PHASE 2	
PRELIMINARY	2417 Apollo Rd West Kelowna BC Lot 3, Bldg 2, DL 486, ODYD Ptn 761	
	20-032	
	510 West Ave Kelowna BC V1Y 4Z4 Foxarchitectural.ca 778.484.3696	
	FOX ARCHITECTURE SUSTAINABLE MODERN DESIGN	

A-903

3-D PHASE 1 & PHASE 2

ISSUED FOR PERMITS & DP 05.12.20

PRELIMINARY

Apollo Mixed-Use Phase 2  
2417 Apollo Rd  
West Kelowna BC  
Lot 3, Bk 2, DL 486, ODYD Pln 761

20-032

510 West Ave  
Kelowna BC V1Y 4Z4  
Fox Architecture.ca  
778.484.3696

FOX ARCHITECTURE  
MODERN  
DESIGN  
SUSTAINABLE



2 PHASE 1 & 2 VIEW TO SW



1 PHASE 1 & 2 VIEW TO SE

# PART 11 – COMMERCIAL ZONES

## 11.1. URBAN CENTRE COMMERCIAL ZONE (C1)

Bylaw No.  
154.36

### .1 Purpose

To accommodate a mix of uses with active commercial frontages.

### .2 Principal Uses, Buildings and Structures

- (a) Agricultural market
- (b) Apartment
- (c) Brewery, distillery or meadery
- (d) Broadcasting studio
- (e) Cabaret, bar or lounge
- (f) Commercial school
- (g) Community or assembly hall
- (h) Care facility, major
- (i) Congregate housing
- (j) Education facility
- (k) Extended medical treatment facility
- (l) Entertainment facility, indoor
- (m) Fire, police or ambulance service
- (n) Food bank
- (o) Funeral establishment
- (p) Group home
- (q) High technology business
- (r) Hotel
- (s) Library, museum or art gallery
- (t) Live/work unit
- (u) Neighbourhood pub
- (v) Office
- (w) Personal service establishment
- (x) Postal or courier service
- (y) Printing or publishing
- (z) Recreation services, indoor
- (aa) Restaurant
- (bb) Retail, general
- (cc) Temporary shelter service
- (dd) Transportation station
- (ee) Vehicular parking areas or structures
- (ff) Vehicle washing facility
- (gg) Winery or cidery

**.3 Secondary Uses, Buildings and Structures**

- (a) Accessory uses, buildings and structures
- (b) Home based business, minor

**.4 Site Specific Uses, Buildings and Structures**

- (a) On Lot 2, DL 486, ODYD, Plan 9660: allow the existing accessory building to be occupied as a dwelling.
- (b) On Lot 1, District Lot 5057, ODYD, Plan 41637: despite Section 11.1.6(c), permit apartments to exceed 40% of the Gross Floor Area of the first storey of a building located only at 2301 Carrington Road.
- (c) On Lot 28, DL 486, ODYD, Plan 19995 Except Plan 40663 (#14-2528 Main Street): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.77.
- (d) On Lot A, DL 468, ODYD, Plan KAP84320 (#101-3710 Hoskins Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.78.
- (e) On Lot A, DL 486, ODYD, Plan 36181 (2475 Dobbin Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.85.

Bylaw No.  
154.63

Bylaw No.  
154.77

Bylaw No.  
154.78

Bylaw No.  
154.85

**.5 Regulations Table**

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	400 m <sup>2</sup> (4,305.6 ft <sup>2</sup> )
(b)	Minimum parcel frontage	5.0 m (16.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	With surface parking	2.35 FAR
.2	With non-surface parking	2.5 FAR
(d)	Maximum parcel coverage	100%
(e)	Maximum building height	15.0 m (49.2 ft) to a maximum of 4 storeys
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	4.5 m (14.8 ft), except it is:  0.0 m (0.0 ft) for buildings and structures on Elliot Road and Hoskins Road;  2.0 m (6.6 ft) for buildings and structures on Brown Road; and  3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular

		access from a highway other than a Provincial Highway.
.2	Rear parcel boundary	0.0 m (0.0 ft)
.3	Interior side parcel boundary	0.0 m (0.0 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft), except it is:  0.0 m (0.0 ft) for buildings and structures on Elliot Road and Hoskins Road;  2.0 m (6.6 ft) for buildings and structures on Brown Road; and  3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular access from a highway other than a Provincial Highway.
.5	A1 Zone or ALR	15.0 m (49.2 ft) for the first two storeys or portion of the building less than or equal to 6.0 m (19.7 ft) in height, whichever is less
		18.0 m (59.1 ft) for the third storey or portion of the building above 6.0 m (19.7 ft) but less than or equal to 9 m (29.5 ft) in height, whichever is less
		21.0 m (68.9 ft) for the fourth storey or portion of the building above 9.0 m (29.5 ft) in height, whichever is less

## .6 Other Regulations

- (a) Despite Section 11.1.5(c), in circumstances where a combination of surface and non-surface parking is proposed, the maximum density of 2.35 FAR may be increased by 0.15 multiplied by the ratio of non-surface parking spaces to the total required parking spaces, but in no case shall the FAR exceed 2.5.
- (b) Density bonusing for Westbank Centre Plan Area (As defined in the 2011 Westbank Centre Revitalization Plan)
- .1 Despite Section 11.1.5(c), the maximum density may be increased to 2.8 FAR if the owner of the land pays to the City of West Kelowna prior to the issuance of a building permit, the amount equal to \$26.90 per square metre of additional GFA (\$2.50 per square foot of additional GFA), to be deposited in a Restricted Reserve Fund for Westbank Centre Amenities.



- .2 Buildings that are being constructed at an FAR in excess of 2.5 in accordance with Section 11.1.6(b) shall have a maximum height of 6 storeys, or 22.5 m (73.8 ft), whichever is less, if all of the parking spaces are provided in the form of non-surface parking.
- (c) Apartment and Congregate Housing
  - .1 If apartments or congregate housing units are located on the first storey of a building, no more than 40% of the Gross Floor Area of that storey may be occupied by apartments or congregate housing units and no first storey apartments or congregate housing units shall face parcel boundaries along the following highways:
    - (a) Brown Road
    - (b) Dobbin Road
    - (c) Elliot Road
    - (d) Hoskins Road
    - (e) Main Street
    - (f) Old Okanagan Highway between Main Street and Dobbin Road
    - (g) Hebert Road between Main Street and Dobbin Road

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**CITY OF WEST KELOWNA**

**BYLAW NO. 0154.91**

**A BYLAW TO AMEND “ZONING BYLAW NO. 0154”**

---

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. 0154.91, 2020”.

2. Amendments

“Zoning Bylaw No. 0154” is hereby amended as follows:

- 2.1 By changing the zoning on Lot 3, Block 2, DL 486, ODYD, Plan 761 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 14<sup>TH</sup> DAY OF JULY, 2020

PUBLIC HEARING HELD THIS 25<sup>TH</sup> DAY OF AUGUST, 2020

READ A THIRD TIME

APPROVED BY MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

ADOPTED

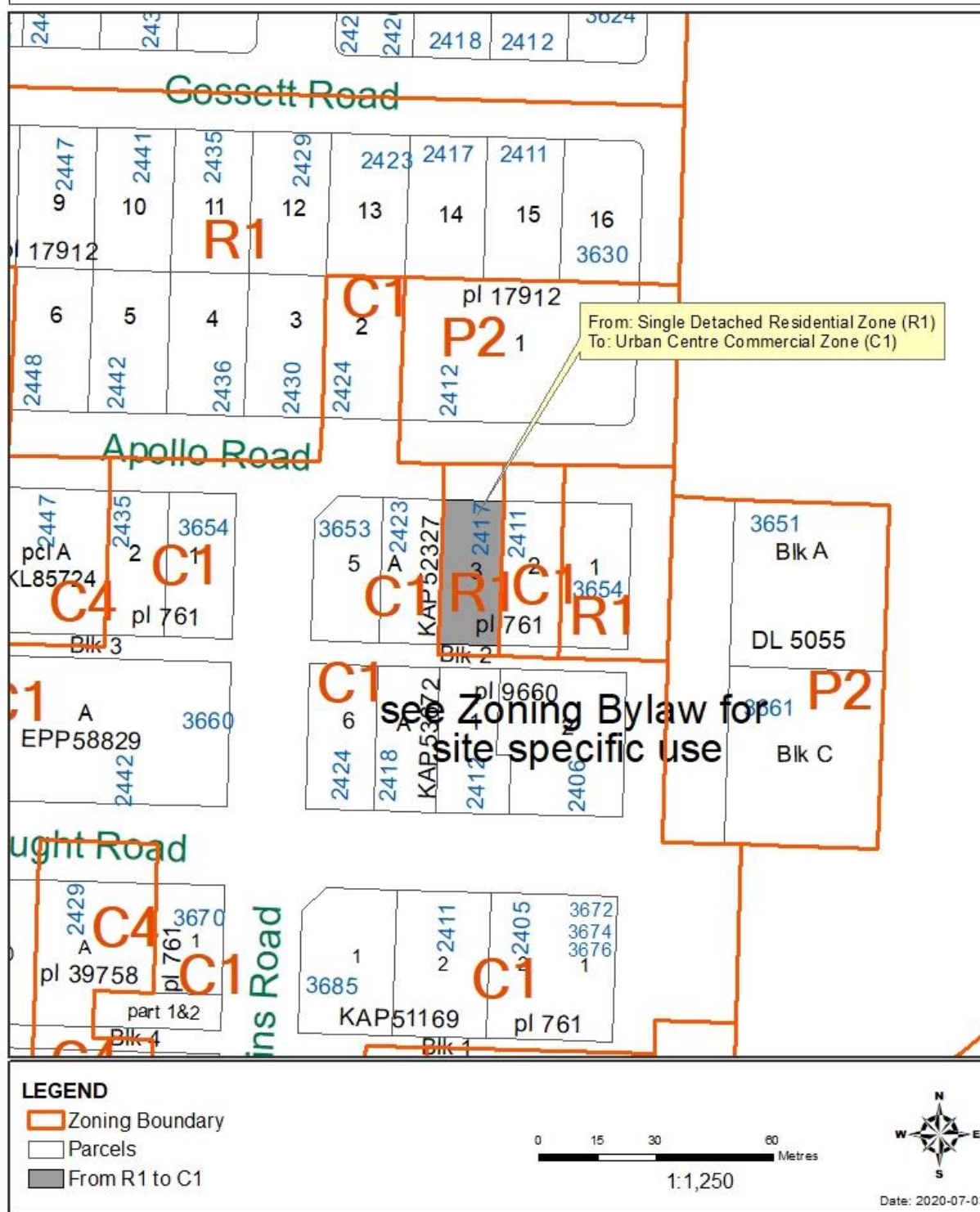
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MAYOR

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CITY CLERK

**SCHEDULE 'A' of BYLAW NO. 0154.91**





## COUNCIL REPORT

To: Paul Gipps, CAO

Date: September 8, 2020

From: Hailey Rilkoff, Planner II

File No: DVP 20-10

Subject: **DVP 20-10, Development Variance Permit, 1267 Bowes Rd**

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### RECOMMENDATION

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 20-10) for Lot B District Lot 3866 ODYD Plan 28667 (1267 Bowes Rd) to allow construction of an accessory building in general accordance with the attached permit to vary Zoning Bylaw No. 0154 as follows:

- 10.4.5(g).1 to reduce the minimum front yard setback from 4.5 m to 3.9 m for the proposed accessory building; and
- 10.4.5(g).4 to reduce the minimum exterior side yard setback from 4.5 m to 1.5 m for the proposed accessory building.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity - Quality, innovative urban development (Council's 2020-2022 Strategic Priorities).

### BACKGROUND

The owner has applied for a Development Variance Permit (Attachment 1) to allow for the construction of a garage/shop with reduced front and exterior side parcel boundaries. The proposed garage/shop will be detached from the existing dwelling and will have access from Bowes Road.

PROPERTY DETAILS			
<b>Address</b>		1267 Bowes Road	
<b>PID</b>		004-519-094	
<b>Folio</b>		36415052.448	
<b>Lot Size</b>		0.25 acres (1012 m2)	
<b>Owner</b>	Shawn Snider	<b>Agent</b>	Shawn Romanko
<b>Current Zoning</b>	R1 – Single Detached Residential	<b>Proposed Zoning</b>	-

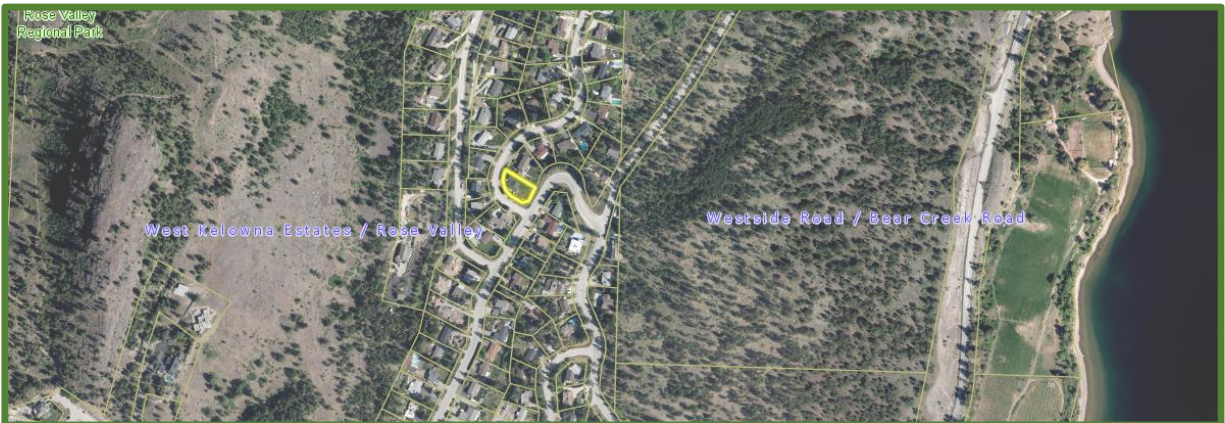


<b>Current OCP</b>	SFR – Single Family Residential	<b>Proposed OCP</b>	-
<b>Current Use</b>	Residential	<b>Proposed Use</b>	-
<b>Development Permit Areas</b>	Hillside		
<b>Hazards</b>	n/a		
<b>Agricultural Land Reserve</b>	No		

#### ADJACENT ZONING & LAND USES

<b>North</b>	^	R1 – Single Detached Residential
<b>East</b>	>	R1 – Single Detached Residential
<b>West</b>	<	R1 – Single Detached Residential
<b>South</b>	v	R1 – Single Detached Residential

#### NEIGHBOURHOOD MAP



#### PROPERTY MAP



## History

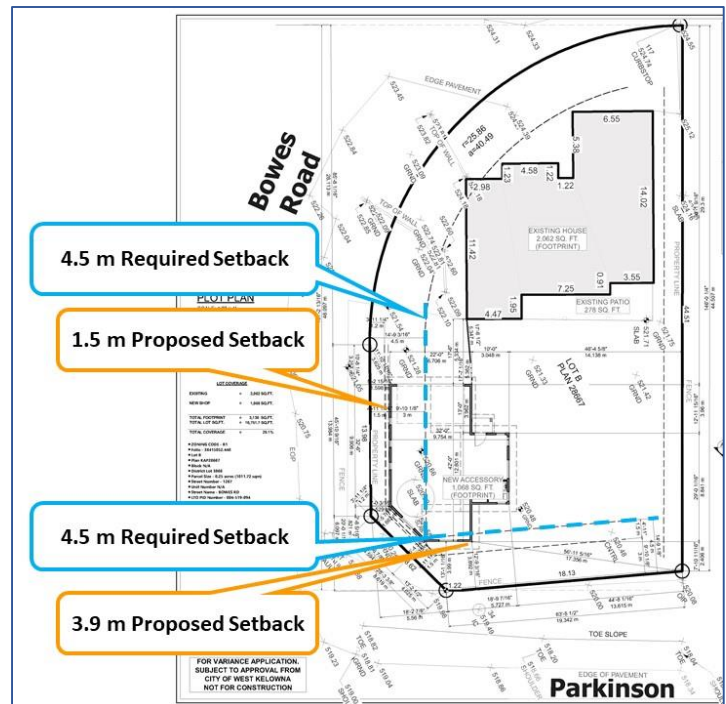
The property is a corner lot with a curved/pie shape. The property has been developed with an existing single detached dwelling fronting Bowes Road. Due to the shape and location of the lot, the front parcel boundary fronts along Parkinson Road. There are three existing driveway accesses to the property all along Bowes Road.

## Proposal

The owner proposes to construct an accessory building, a detached garage/shop, along Bowes Road to the south of the existing dwelling.

## Variances

The proposed siting of the accessory building is 1.5 m from the property line along Bowes Road. The required setback from an exterior side parcel boundary is 4.5 m, therefore the applicant is requesting to reduce the setback by 3.0 m. A small portion of the accessory building also encroaches within the front parcel boundary along Parkinson Road by 0.6 m. Therefore a second variance is requested to reduce the setback from the front parcel boundary from 4.5 m required to 3.9 m proposed.



**Figure 1 - Proposed garage/shop location**

## Applicant's Rationale

The owner has provided a letter which outlines their rationale for the proposed variances (*Attachment 2*). The owners feel that the corner of Bowes and Parkinson Roads allow for enough visibility currently and feel there is room for future road improvements. The owners wish to maintain an enjoyable backyard space, and do not feel the structure will impact neighbouring views. The owners have indicated that they have discussed their proposal with neighbouring property owners and have not received any negative feedback.



## Policy & Bylaw Review

### *Zoning Bylaw No. 0154*

Section 3.7 of the Zoning Bylaw regulates accessory uses, buildings and structures. Section 3.7.1(c) prohibits accessory buildings from projecting into the required minimum siting distance from the front or exterior side parcel boundary. The owner has requested variances to reduce the required setbacks to address this projection.

The proposed accessory building meets the maximum floor area for accessory buildings and structures of 100 m<sup>2</sup> (Section 3.7.1(e), Table 3.2). As the proposed accessory building is 99 m<sup>2</sup>, no other accessory buildings or structures are permitted on the subject property (other than pump houses, swimming pools and swimming pool auxiliary buildings).

Section 10.4.5(g) of the Zoning Bylaw regulates the required setbacks from property boundaries for development. A reduction of the front parcel setback (along Parkinson Road) and the exterior side parcel setback (along Bowes Road) has been requested.

### *Traffic Bylaw No. 0092*

The City's Traffic Bylaw restricts the number of crossings (driveways) to no more than one per 24m of the total highway frontage of the parcel. As the subject property has over 80 m of frontage, three driveways are permitted.

The Traffic Bylaw requires that crossings be no closer than 9.0 m between each other at any point. The lower two accesses, are located approximately within 6.0 m of each other which does not meet the Traffic Bylaw (*Attachment 4*).



**Figure 4 - Main Access (Driveway)**



**Figure 3 - Second Access (Driveway)**



**Figure 3 - Third Access**



## Technical Review

### *Engineering Department*

A Crossing Permit is required under the City's Traffic Bylaw and relocation of the lower driveway access will be necessary if the owners wish to maintain all three driveways. A condition has been included in the draft development variance permit which requires the owner to meet the Traffic Bylaw through removal, adjustments or other changes to the accesses, as approved by the City's Engineering Department.

### *Fire Department*

The Fire Department noted that the existing cedars along Bowes Road may fall within the proposed structure's first two FireSmart priority zones (0-1.5 m and 1.5-10 m) and encourages the homeowner to follow FireSmart practices. When selecting plants and landscaping nearby structures, cedars are one of the "plants to avoid".

## Legislative Requirements

Section 498 of the *Local Government Act* gives Council the authority to issue a Development Variance Permit that varies, in respect of the land covered in the permit, the provisions of the Zoning Bylaw.

## Public Notification

In accordance with the *Local Government Act*, 34 notification letters were sent to all property owners and their tenants within 100 metres of the subject property (Attachment 5) and a notice of application sign has been placed on the subject property in accordance with the Development Applications Procedures Bylaw No. 0260. At the time of writing this report, no submissions from the public had been received.

## **DISCUSSION**

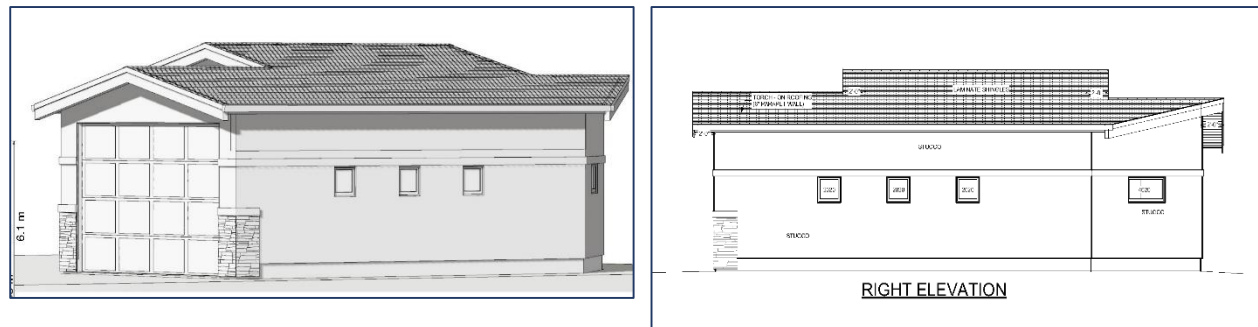
The owner's variance request proposes a significant reduction to the exterior side parcel boundary setback. While there is enough space on the subject property to accommodate the proposed accessory building while meeting the required setbacks, the applicant is requesting the variances in order to maintain an open back yard. The property has an existing corner cut along Bowes and Parkinson Road which provides increased visibility for vehicle traffic. The requested variances are not anticipated to affect existing sightlines at this intersection.

The proposed accessory building design includes a variety of design features which provide visual interest. Along the building face facing Bowes Road, the building includes four windows, a mid-wall stucco band, and cultured stone wrapped around from the garage entry. While this building face is simple in design, the interface with the street is currently complemented by the existing fence and cedar trees. If the cedars or fence were

to be removed, the proposed 1.5m setback does provide room for landscaping to provide a buffer and visual break between Bowes Road and the proposed accessory building.

## CONCLUSION

It is recommended that Council approve the proposed variance application DVP 20-10,



**Figure 5 – Proposed Building Perspective and Elevation Facing Bowes Rd**

with the condition that a Crossing Permit be approved by the City's Engineering Department. The proposed detached garage is not anticipated to create significant negative impacts.

## Alternate Motions:

### Alternate Motion 1:

**THAT** Council deny the issuance of a Development Variance Permit (DVP 20-10) for Lot B District Lot 3866 ODYD Plan 28667 (1267 Bowes Rd) to reduce the required front and exterior side parcel boundary setbacks for a proposed accessory building.

Should Council deny the requested variances, the file will be closed. The owners could not re-apply for a similar proposal for at least six months after initial Council consideration.

### Alternate Motion 2:

**THAT** Council postpone consideration of a Development Variance Permit (DVP 20-10) for Lot B District Lot 3866 ODYD Plan 28667 (1267 Bowes Rd) to reduce the required front and exterior side parcel boundary setbacks for a proposed accessory building.

Should Council postpone consideration of the proposal, further direction to staff is required.

**REVIEWED BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

**Attachments:**

1. Draft DVP 20-10
2. Applicant's Rational Letter
3. Shop Drawings
4. Driveway Accesses
5. Public Notification Map



CITY OF WEST KELOWNA

## DEVELOPMENT VARIANCE PERMIT DVP 20-10

To: Shawn Romanko  
1267 Bowes Road  
West Kelowna, BC V1Z 2R1

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of West Kelowna applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands within the City of West Kelowna described below, and any and all buildings, structures and other developments thereon:

### **Lot B District Lot 3866 ODYD Plan 28667**

3. This Permit reduces the required setbacks for a proposed detached accessory building in accordance with Schedule A. Specifically, this permit varies the following sections of Zoning Bylaw No. 0154:
  - **10.4.5(g).1** to reduce the minimum front yard setback from 4.5 m to 3.9 m for the proposed accessory building; and
  - **10.4.5(g).4** to reduce the minimum exterior side yard setback from 4.5 m to 1.5 m for the proposed accessory building.
4. This Permit is subject to the following conditions:
  - a. A Crossing Permit, issued by the City's Engineering Department, is required to bring the property into compliance with Traffic Bylaw No. 0092 through removal, adjustments or other changes to the accesses;
  - b. Dimensions, siting and design of the new accessory building be constructed on the property in accordance with Schedule 'A'.
5. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit.
6. **This Permit is not a Building Permit.**

AUTHORIZING RESOLUTION NO. CXXX/XX PASSED BY THE MUNICIPAL COUNCIL ON SEPTEMBER 8, 2020.

ISSUED ON \_\_\_\_\_ Signed on \_\_\_\_\_

\_\_\_\_\_  
City Clerk

Schedules:

A. Development Drawings, prepared by Zola Design, dated June 15, 2020

CITY OF WEST KELOWNA  
PLANNING DEPARTMENT

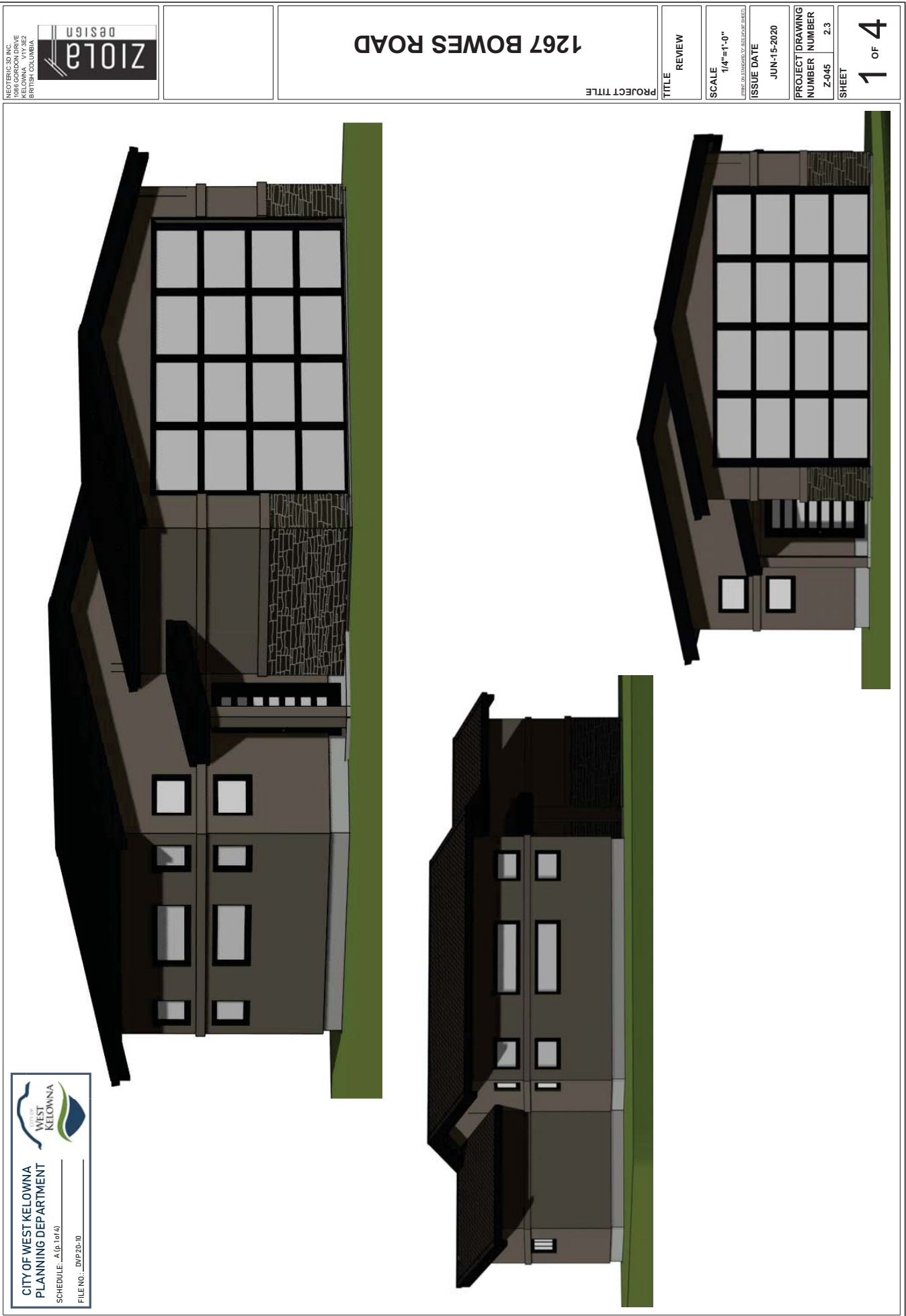
ATTACHMENT: 1 (p. 2 of 2)

FILE NO.: DVP 20-10



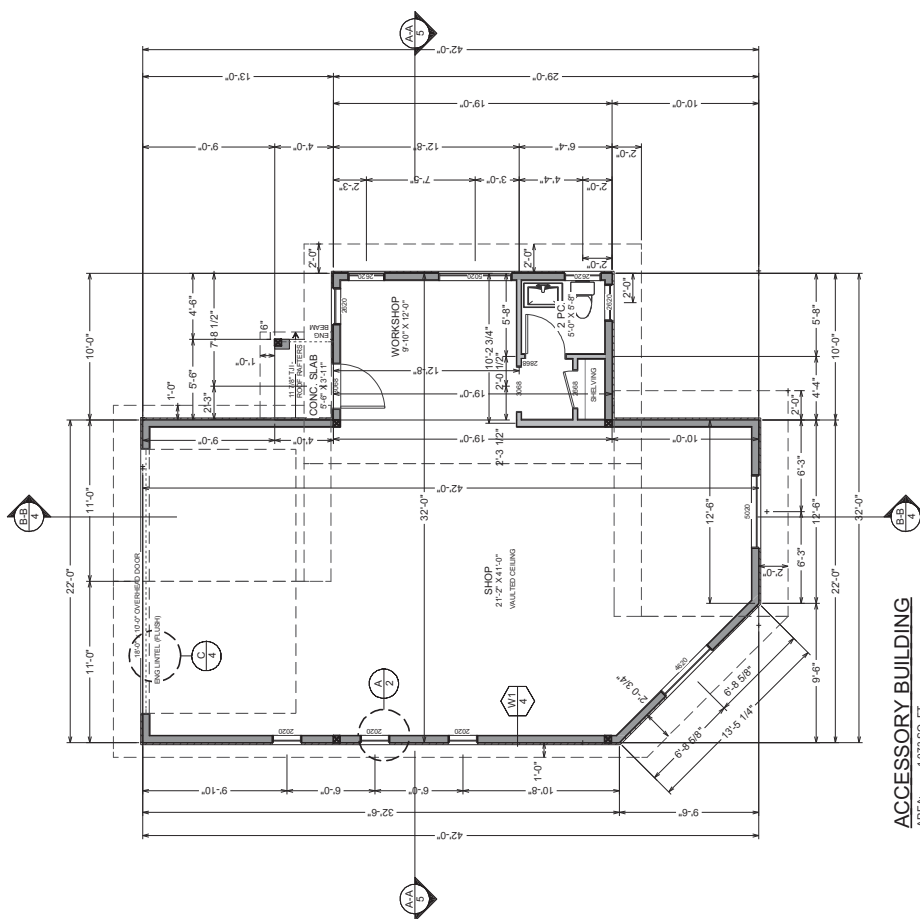
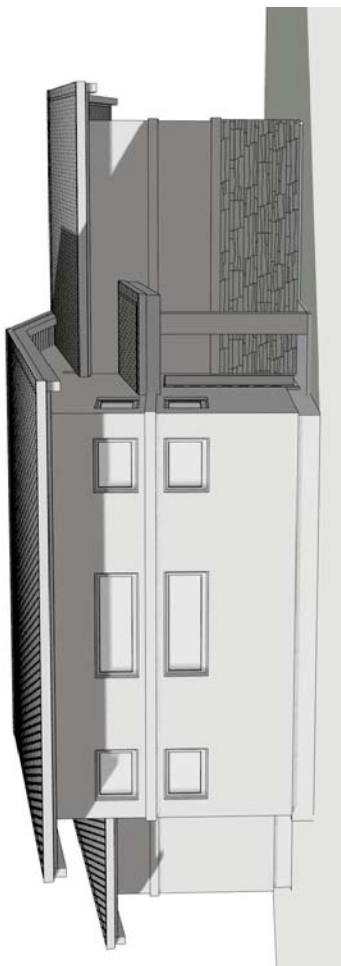
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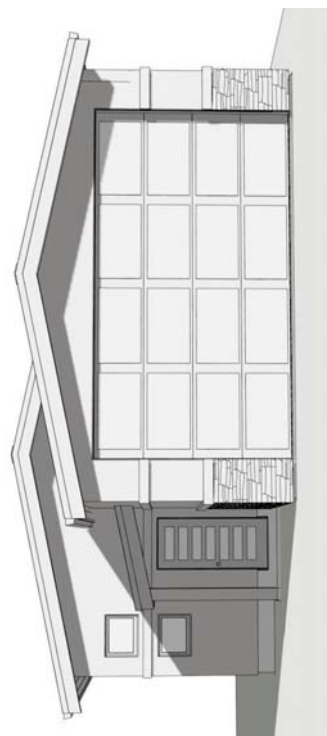
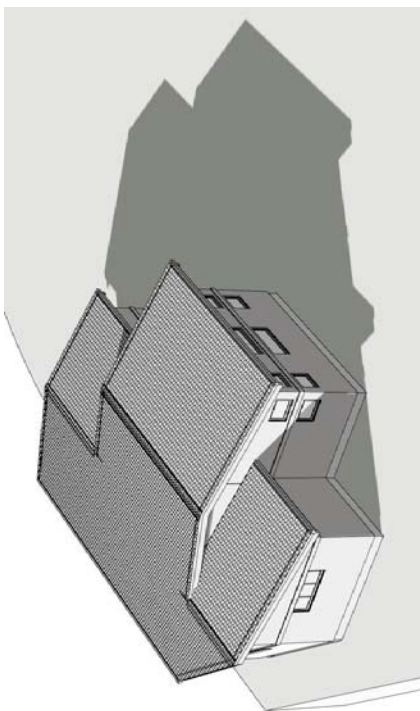








**ACCESSORY BUILDING**  
AREA: 1,073 SQ. FT.



June 30, 2020

# CITY OF WEST KELOWNA

2760 CAMERON ROAD, WEST KELOWNA, BC V1Z 2T6

Dear Council and Staff,

We are seeking your approval of a Development Variance Permit to reduce the exterior setback to 1.5m from the boundaries along Bowes Road and Parkinson Road for the purpose of building a detached garage/shop.

The corner of Bowes and Parkinson Roads allow for ample visibility as well as possible future city improvements of curb/gutter and sidewalk in its current state and will not be negatively impacted by this build. With entry parallel to Bowes Road, the orientation of the building will keep ingress and egress further away from the intersection and allow us to maintain an enjoyable backyard space. As well, we believe the placement of the structure will fit in nicely as the proposed location nests the garage in a location with minimal to no impact of the neighbour's view of Okanagan Lake or Kelowna's city lights.

The build has been discussed with three neighbours with supportive responses. An additional three plus neighbours have been very encouraging of improvements made to the block and area.

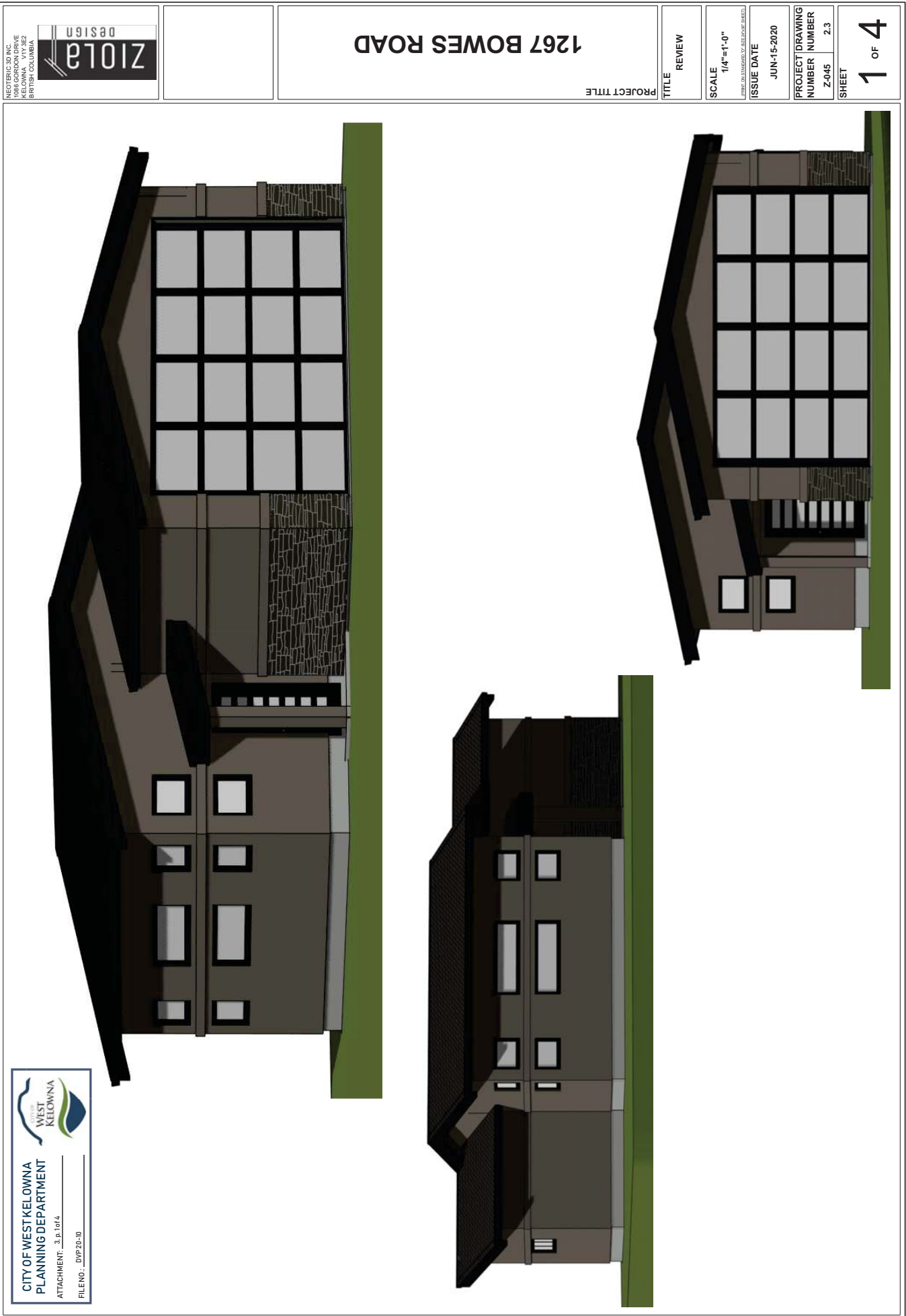
We love our home and see a great deal of potential in this previously neglected corner, please allow us to begin by granting us your approval for this variance.

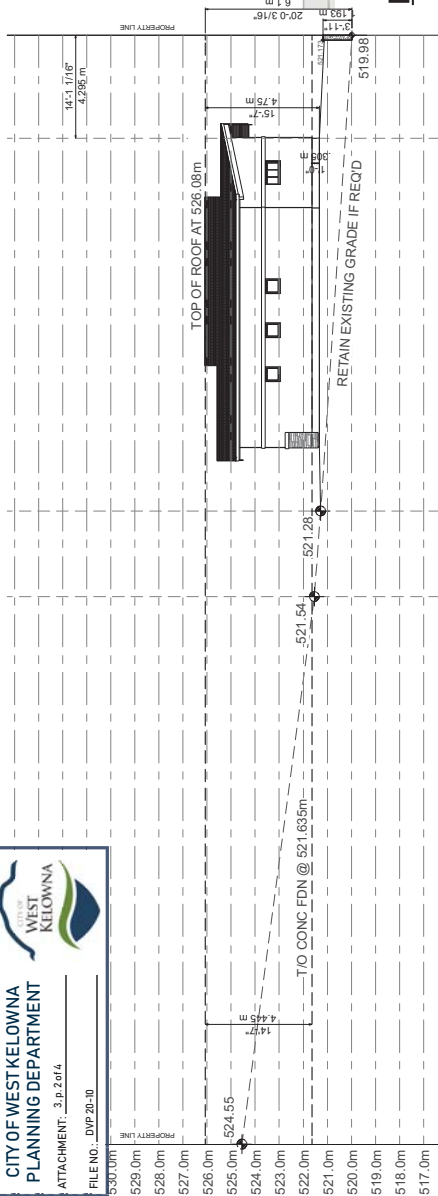
SINCERELY,

SHAWN ROMANKO

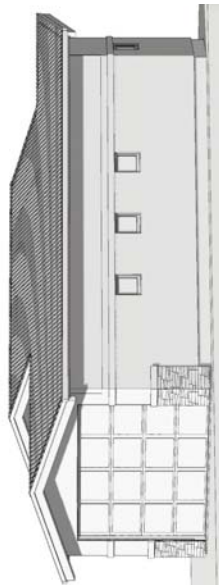
1267 BOWES ROAD, WEST KELOWNA, BC V1Z 2R1



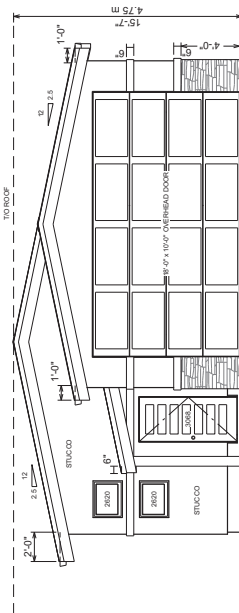




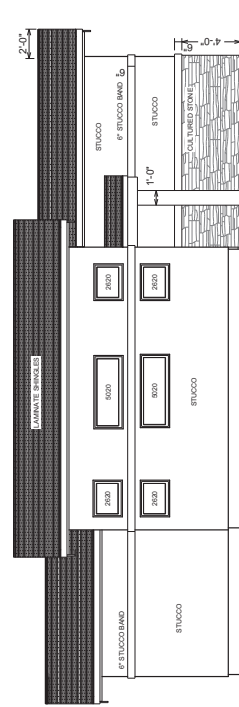
GEODEDIC ELEVATION - SOUTH SIDE OF BUILDING



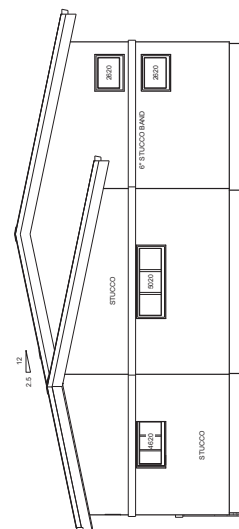
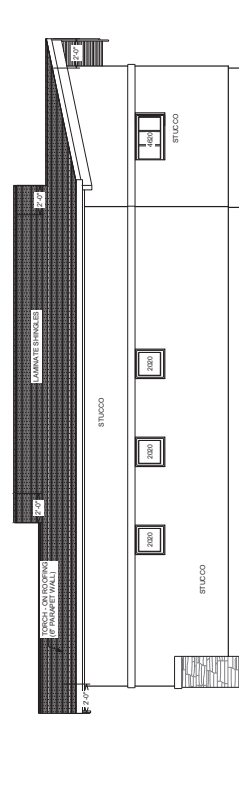
PROPOSED ACCESSORY BUILDING  
PERSPECTIVE VIEW FROM BOWES ROAD



FRONT ELEVATION

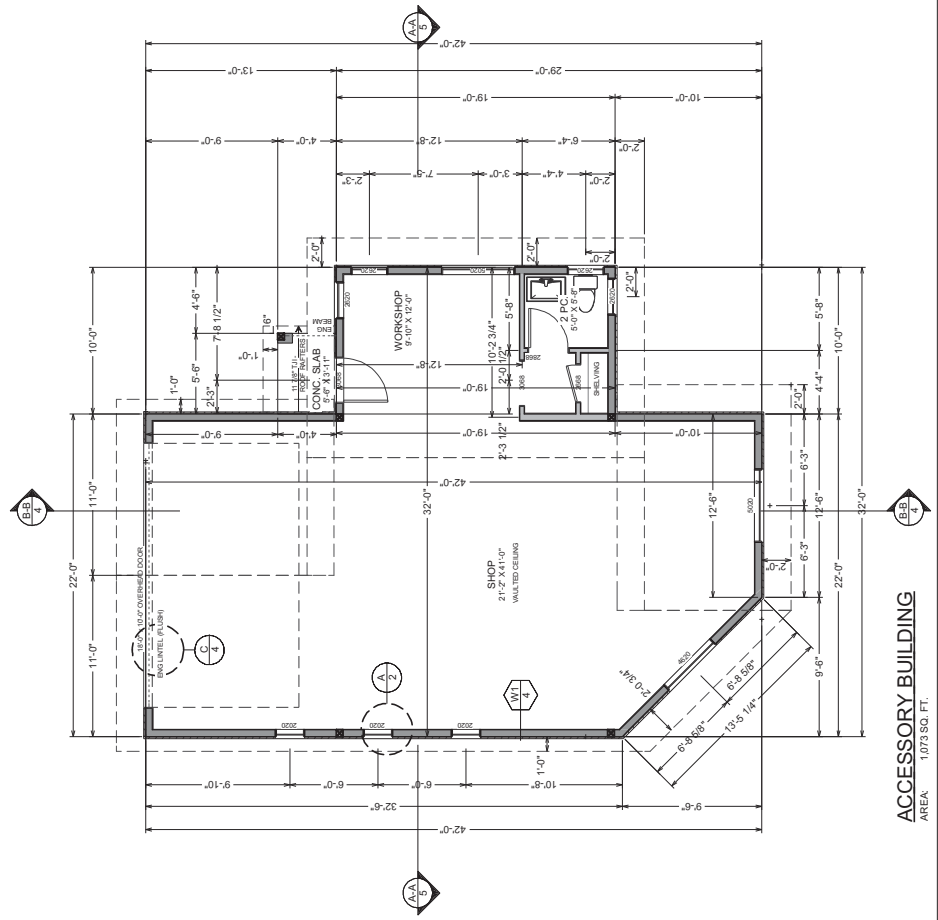
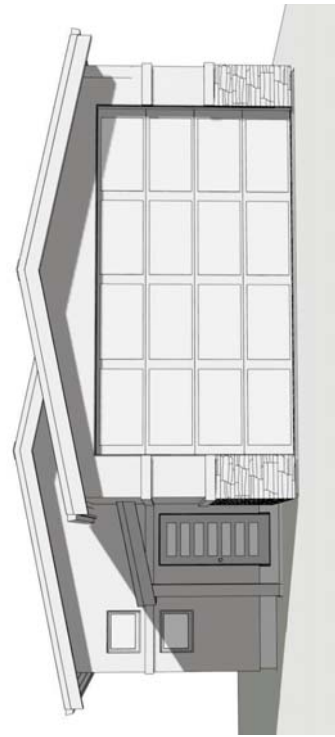
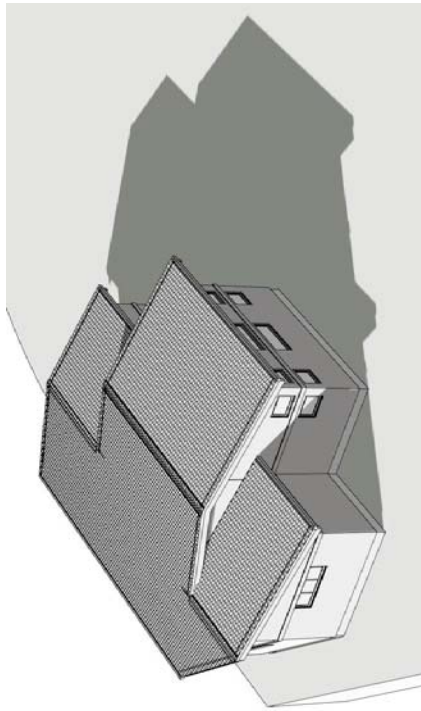
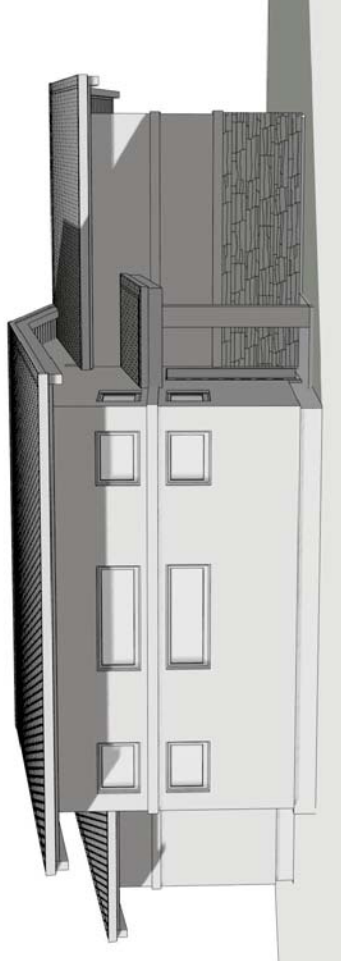


LEFT ELEVATION

REAR ELEVATION

RIGHT ELEVATION





ACCESSORY BUILDING  
AREA: 1,073 SQ. FT.

1267 BOWES ROAD

PROJECT TITLE

TITLE REVIEW

SCALE 1/4"=1'-0"

ISSUE DATE

JUN-15-2020

PROJECT/DRAWING  
NUMBER NUMBER  
Z-045 2.3

SHEET

4 of 4



1261



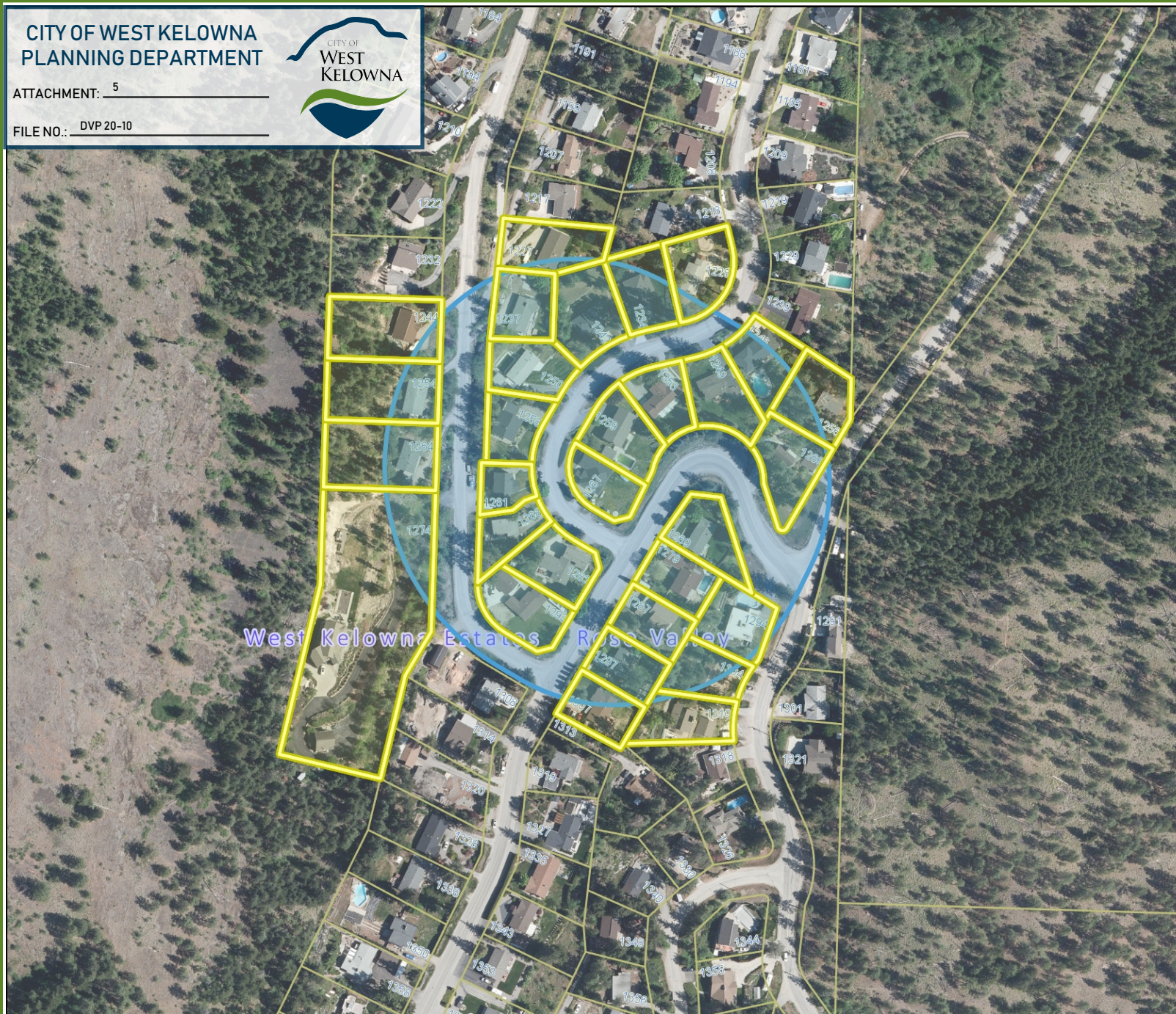


# CITY OF WEST KELOWNA PLANNING DEPARTMENT



ATTACHMENT: 5

FILE NO.: DVP 20-10



## GIS Notification Map DVP 20-10

### Legend

#### Landmarks

- Cemetery
- City Hall
- Community Centre
- Dam
- Fire Hall
- Museum
- RCMP
- School
- Tax Parcels

#### Basemap Parcel Type

- Ownership
- Land Strata
- Building Strata
- Common Property
- Crown Land
- Lease
- Park
- Road Right-Of-Way
- Walkway
- Common Access



Scale 1 : 3,000

### Notes

0 76 152 Meters

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

© City of West Kelowna

Map Produced on: 8/25/2020 11:50:38 AM



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## COUNCIL REPORT

To: Paul Gipps, CAO

Date: September 8, 2020

From: Jayden Riley, Planner II

File No: DVP 20-11

Subject: **DVP 20-11; Development Variance Permit; 1449 Green Bay Road**

---

### RECOMMENDATION

**THAT** Council support the issuance of a Development Variance Permit (DVP 20-11) for 1449 Green Bay Road to vary Zoning Bylaw No. 0154, S.13.2.5 (d) to increase the maximum building height from 12.0 m to 12.72 m in accordance with the attached permit.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Priorities 2020-2022)

### BACKGROUND

The applicant is proposing to vary Zoning Bylaw No. 0154 to increase the maximum height of a proposed institutional building from 12.0 m to 12.72 m. The proposed building is intended to serve as the dining hall, and provide accommodation and meeting space to support the operations of the Green Bay Bible Campground.

PROPERTY DETAILS			
<b>Address</b>		1449 Green Bay Road	
<b>PID</b>		010-024-115	
<b>Folio</b>		36412270.000	
<b>Lot Size</b>		46,134 m <sup>2</sup>	
<b>Owner</b>	Green Bay Bible Camp, Inc.	<b>Agent</b>	Jordan Hettinga
<b>Current Zoning</b>	Institutional and Assembly (P2)	<b>Proposed Zoning</b>	N/A
<b>Current OCP</b>	Institutional	<b>Proposed OCP</b>	N/A
<b>Current Use</b>	Campground	<b>Proposed Use</b>	N/A
<b>Development Permit Areas</b>	Sensitive Aquatic Ecosystem, Terrestrial		
<b>Hazards</b>	None		
<b>Agricultural Land Reserve</b>	None		

### ADJACENT ZONING & LAND USES

North	^	Manufactured Home Park (RMP)
East	>	Compact Single Detached Residential (RC4)
West	<	Low Density Multiple Residential (R3)
South	v	Okanagan Lake

### NEIGHBOURHOOD MAP



### PROPERTY MAP



### DISCUSSION

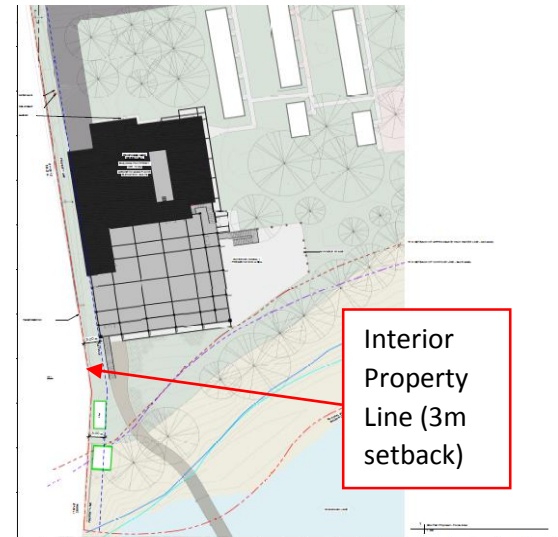
The applicant is requesting to vary Zoning Bylaw No. 0154 to increase the maximum height of an institutional building from 12.0 m to 12.72 m (*Figure 1*). The applicant's rationale for the height increase is to allow for mechanical equipment to be housed within the roof structure as opposed to having it located atop a flat roof at the 12 m height.

The proposed building is located in the south west corner of the property and is intended to support activities related to the Green Bay Bible Campground, such as dining, accommodation, and meeting space. Aside from the height variance, no other variances are required to accommodate the development, as proposed.



**Figure 1:** Proposed Height Variance

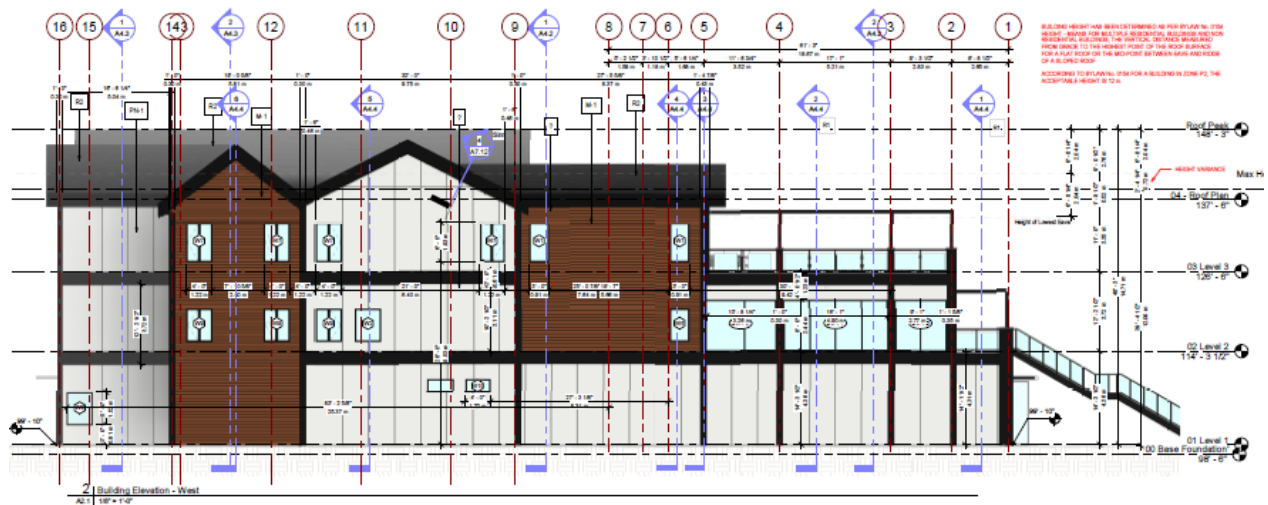
According to the site plan (*Figure 2*), the proposed building is intended to meet the siting regulations of the P2 Zone, including the 3.0 m minimum interior side setback. In its proposed location, the building is adjacent to a number of residences located on the east side of the adjacent residential development, “The Waterfront”. It is noted that although the proximity of the building will impact the adjacent property, the impacts are not directly related to the proposed height variance and the incremental impact is not expected to be significant given the 0.72 m increase to the otherwise permitted 12 m maximum building height. For context, The Waterfront’s residential buildings are within a Low Density Multiple Residential (R3) Zone and 10.63 m in height.



**Figure 2:** Site Plan

The below building elevation (*Figure 3*) shows the west façade, which is proposed to face the adjacent property, “The Waterfront”, with the stairs fronting the lake side of the property (south).







### Public Submissions

In accordance with the *Local Government Act*, 206 notifications letters were sent to all property owners and their tenants within 100 meters of the subject property (*Attachment 3*) and a notice of application sign has been placed on the subject property in accordance with the Development Application Procedures Bylaw No. 0260. At the time of writing this report, no submissions have been received.

### **CONCLUSION**

The recommended motion is based on the following:

- The proposed variance to increase the building height an additional 0.72 m is not anticipated to have a significant incremental impact to adjacent properties from the otherwise permitted 12 m maximum building height; and
- The proposed building otherwise conforms to the siting and development regulations of the P2 Zone.

### **Alternate Motions:**

#### Alternate 1 – Postpone Consideration

**THAT** Council postpone the issuance of a Development Variance Permit (DVP 20-11) for 1449 Green Bay Road to vary Zoning Bylaw No. 0154, S.13.2.5 (d) to increase the maximum building height from 12.0 m to 12.72 m.

Should Council postpone consideration of the requested variance, further Council direction to staff is required.

#### Alternate 2 – Deny Application

**THAT** Council deny the issuance of a Development Variance Permit (DVP 20-11) for 1449 Green Bay Road to vary Zoning Bylaw No. 0154, S.13.2.5 (d) to increase the maximum building height from 12.0 m to 12.72 m.

Should Council deny the requested variance, the file will be closed. As per the City's Development Application Procedures Bylaw no. 0260, the applicant could re-apply for a similar proposal 6 months after initial Council consideration.

### **REVIEWED BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

**Attachments:**

1. Site Plan
2. Building Elevations
3. Public Notification Area Map
4. Development Variance Permit (DVP 20-11)

[illegible]

**NOTE:** TOPOGRAPHY LINES ARE SHOWN AT INCREMENTS OF 0.1 m

SITE LEGEND:

[illegible]

OVERHEAD POWER POLE

FREE TRIANT



TO BE REMOVED



NEW TREE (RESTORATION)

1

BUILDING

188

100

ACTIVITY	

182

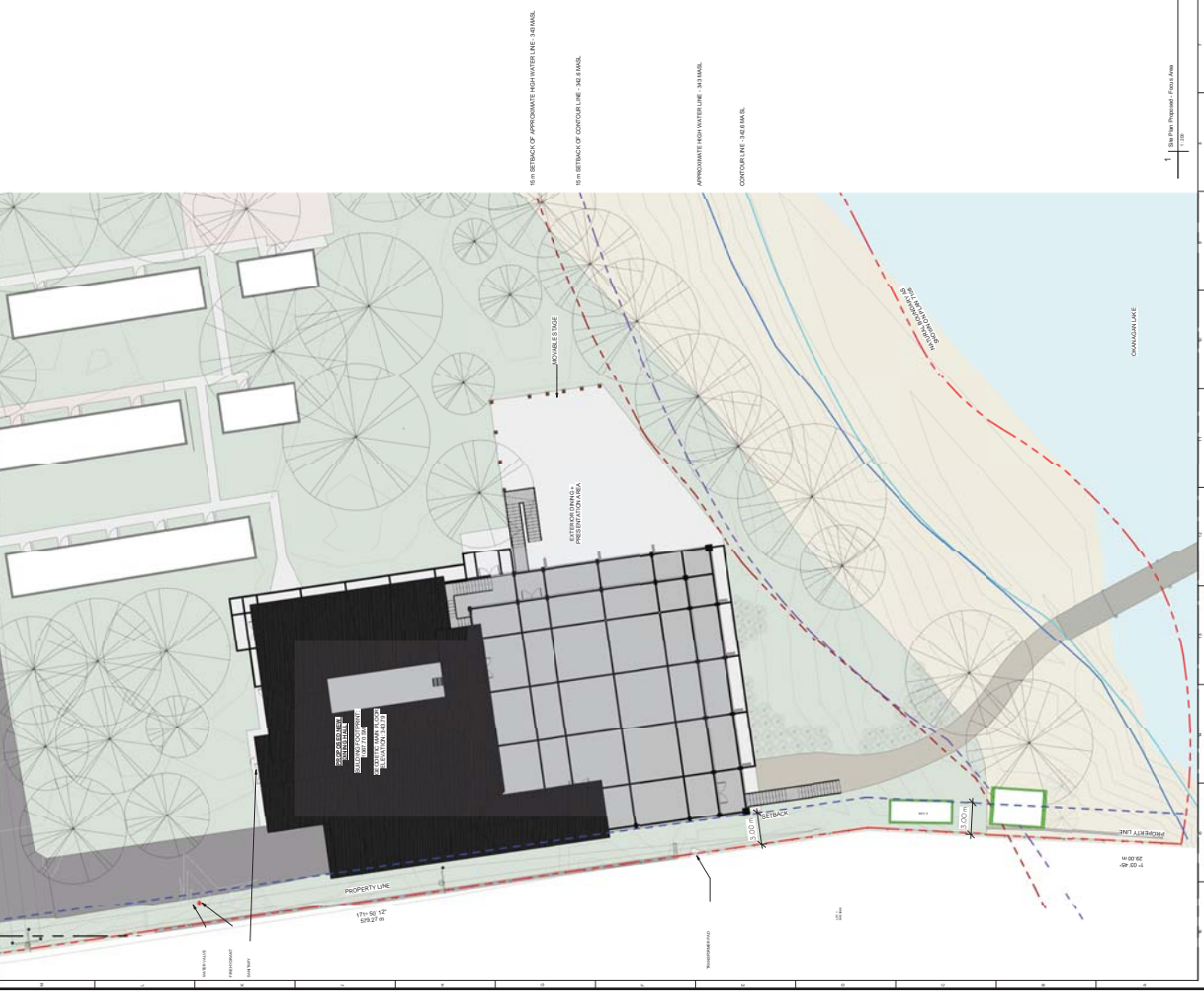
1000

CONCRETE

1

1000000

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LOT: 1  
PLAN: KAP7108  
LOT SIZE: 11.4 Acres (46,134.2 SM)

## Attachment 2



#	Description	Date
Revision Schedule		

[illegible]

ALVIN REINHARD FRITZ  
**ARCHITECT**  
INC.

68

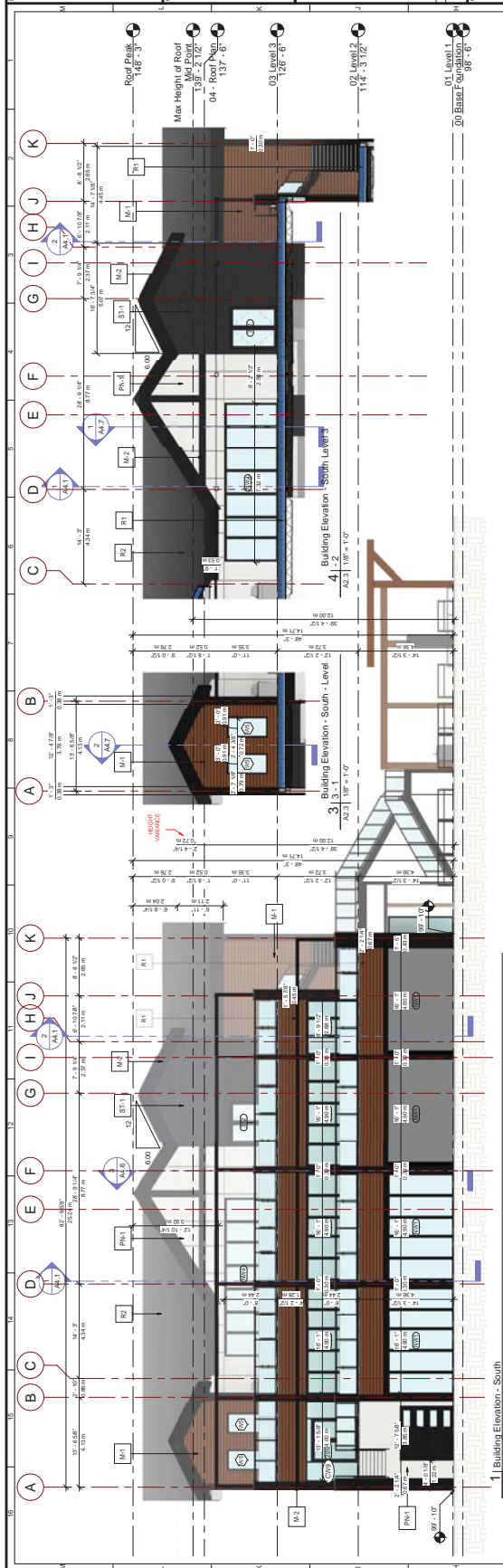
This design is and shall at all times remain the exclusive property of **ALVIN REINHARD FRITZ ARCHITECT INC.** and shall not be reproduced or used without the architect's written permission.

Do not scale this drawing. All dimensions, data and levels, shall be verified prior to construction and all errors or omissions shall be reported to the architect immediately.

**DRAWING TITLE:**  
**Building Elevations**

DRAWN BY :		CHECKED BY :	
JGO		Checker	
SCALE : 1/8" = 1'-0"			
PROJECT : KGOR 17731			
ISSUE FOR :			
DP - Variance			
ISSUE DATE :			
2019 02 11			
REV. NO.	SHEET NO.		

A3.2



**GENERAL NOTE**

BUILDING HEIGHT HAS BEEN DETERMINED AS PER BYLAW No. 0154 HEIGHT - MEANS FOR MULTIPLE RESIDENTIAL BUILDINGS AND NON RESIDENTIAL BUILDINGS, THE HIGHEST POINT OF THE ROOF GRADE TO THE HIGHEST POINT OF THE ROOF SURFACE FOR A FLAT ROOF OR THE MID-POINT BETWEEN EAVE AND RIDGE OF A SLOPED ROOF

ACCORDING TO BYLAW No. 0154 FOR A BUILDING IN ZONE P2, THE ACCEPTABLE HEIGHT IS 12 m.

[illegible]

**NOTE:**










1. PRE-FINISHED METAL SAVED TROUGH TO MATCH H-2 BLACK METAL FLASHING COLOR
2. PRE-FINISHED METAL DOWNSPOUTS, FLASHING & CUPS TO MATCH H-2 BLACK METAL FLASHING COLOR
3. PRE-FINISHED METAL SPOUT TO MATCH H-2 BLACK METAL FLASHING COLOR
4. DOORS & WINDOWS - LUX - ALUMINUM CLAD PVC - SABLE ANODIZED
5. EXTERIOR RAILINGS, ENTRANCE CANOPY & ROOF TRELLIS CANOPY TO BE PAINTED FINISH BLACK. COLOUR TO BE CONFIRMED BY CLIENT.



# GIS Mail Notification Map (DVP 20-11)

## Legend Attachment 3

### Landmarks

-  Cemetery
-  City Hall
-  Community Centre
-  Dam
-  Fire Hall
-  Museum
-  RCMP
-  School
-  Tax Parcels

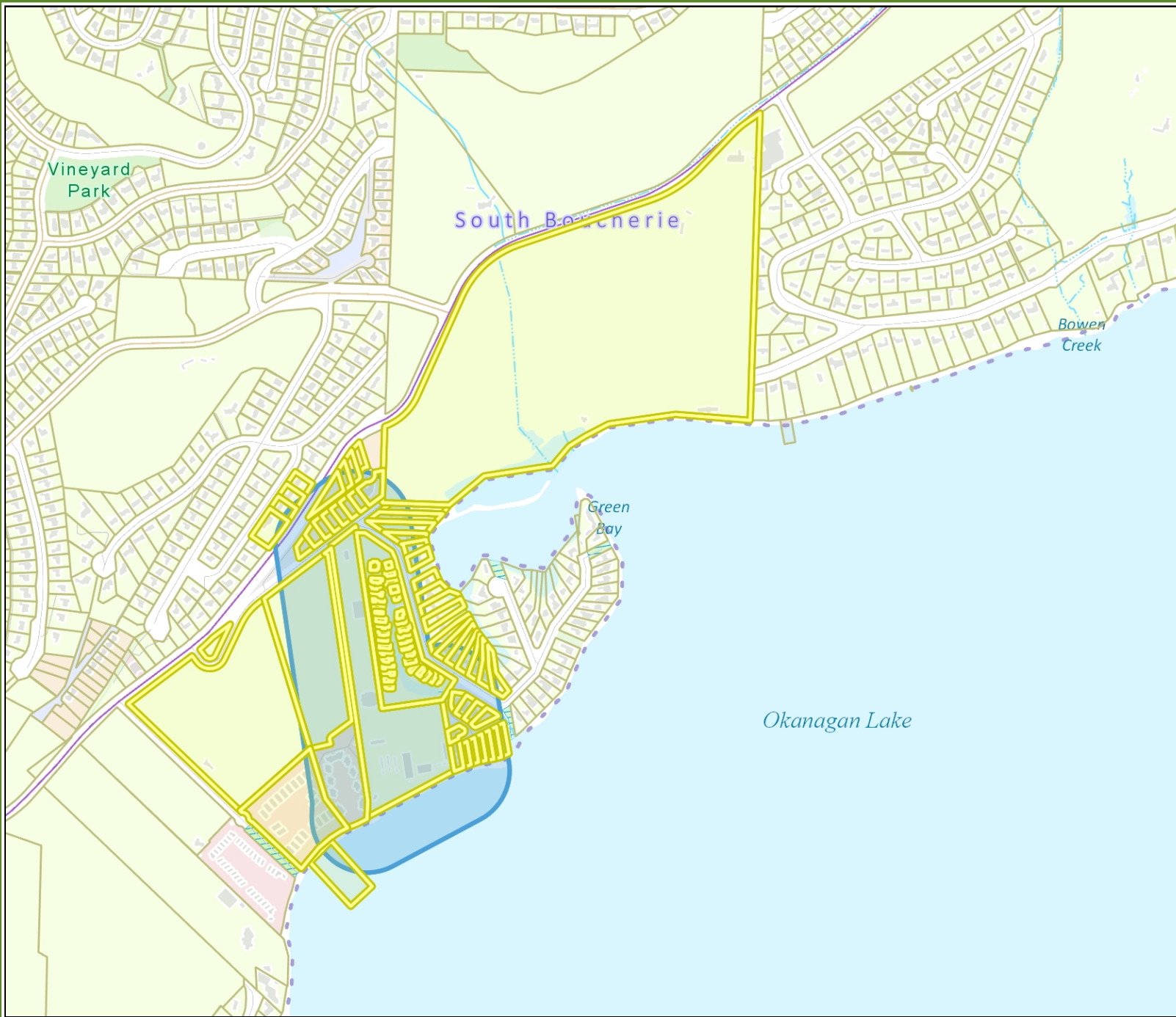
### Basemap Parcel Type

- |   |  |
|---|--|
|  Ownership         |  Lease              |
|  Land Strata       |  Park               |
|  Building Strata  |  Road Right-Of-Way |
|  Common Property |  Walkway          |
|  Crown Land      |  Common Access    |



**Scale** 1 : 10,000

### Notes



0 254 508 Meters

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

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**CITY OF WEST KELOWNA  
DEVELOPMENT VARIANCE PERMIT  
DVP 20-11**

To: Green Bay Bible Camp, Inc. No. S7938  
1449 Green Bay Road  
West Kelowna, BC, V4T 2B9  
c/o  
Jordan Hettinga  
304 – 1708 Dolphin Ave  
Kelowna, BC, V1Y 9S4

1. This Permit is issued subject to compliance with all of the Bylaws of the City of West Kelowna applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands within the City of West Kelowna described below thereon:  
**Lot 1, DL 434 & 523, ODYD, PLAN 7108 (1449 Green Bay Road)**
3. This permit allows for a duplex to be sited within the setback from the shared access easement. Specifically this permit varies S. 13.2.5 (d) of Zoning Bylaw No. 0154 to increase the maximum building height from 12.0 m to 12.72 m, in general accordance the following conditions and schedules:
  - Siting to be in general conformance with Site Plan, Drawing No. DD 1.3, Rev. 2, dated July 13, 2020, prepared by Alvin Reinhard Fritz Architect Inc, attached as Schedule 'A'; and
  - Building Height to be in accordance with Building Elevations, Drawing No. A3.1 and A3.2, Rev. 2, dated July 13, 2020, prepared by Alvin Reinhard Fritz Architect Inc., attached as Schedule 'B'.
4. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof.
5. **This Permit is not a Building Permit.**

AUTHORIZING RESOLUTION **NO. CXX/XX** PASSED BY THE MUNICIPAL COUNCIL ON \_\_\_\_\_, 2020.

ISSUED ON \_\_\_\_\_

Signed on \_\_\_\_\_, 2020

\_\_\_\_\_  
City Clerk

Schedules:

- A. Site Plan, Drawing No. DD 1.3, Rev. 2, dated July 13, 2020, prepared by Alvin Reinhard Fritz Architect Inc.
- B. Building Elevations, Drawing No. A3.1 and A3.2, Rev. 2, dated July 13, 2020, prepared by Alvin Reinhard Fritz Architect Inc.



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: September 8, 2020

From: Catherine Snow, Senior Development Engineer

File No: SUB 17-12

Subject: **City of West Kelowna Local Area Water Service Establishment  
(Westbank Irrigation District) Bylaw 2009 No 0080, 2802 Smith Creek  
Road, Local Area Service Inclusion**

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### RECOMMENDATION

**THAT** Council adopt “City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Amendment Bylaw No 0080.09 2020”.

### LEGISLATIVE REQUIREMENTS:

Sections 210, 211, 212, and 218 of the *Community Charter*.

### BACKGROUND

A local area service is a municipal service (ie. water, sewer, street lighting) that is to be paid for in whole or in part by a local service tax imposed only on the benefiting properties. A municipality must adopt a bylaw to establish a local area service. When a property located outside the local area service boundary wishes to be added or included in the service area, the property owner must petition the municipality to amend the boundary of the service area.

A Petition to amend the boundary of the Local Area Water Service (Westbank Irrigation District) was received from the owners of Lot A, Plan KAP56155, DL 3478, ODYD, Except Plan KAP56156 & KAP57629. The Petition for inclusion into the local service area is requested in order to provide 105 domestic water service connections to the community water system for the subject property. The current subdivision application proposes 33 new lots within the parent parcel, the remaining balance to be installed under later subdivision phases. These services would be installed under subdivision servicing and would connect to the new reservoir being installed for the community water system.

Council gave three readings to Bylaw 0080.09 at the August 25, 2020 Council Meeting. The Bylaw is now before Council for consideration of adoption.

## **FINANCIAL IMPLICATIONS**

The costs associated with the connection of the subject property to the community water system will be recovered in accordance with the cost recovery mechanism authorized under District of West Kelowna Local Area Water Bylaw No. 0080.

Water connection costs and fees will be paid at time of Building Permit in accordance with the City's Fees and Charges Bylaw No. 0028.

The Development Cost Charges (DCC's), to be collected under Bylaw 0190 at time of final subdivision, are estimated to be \$308,502.60 for water DCC's.

## **REVIEWED BY**

Bob Dargatz, Development Engineering Manager

Mark Koch, Director of Development Services

## **APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒

Attachments:  
(Bylaw No. 0080.09, 2020)

CITY OF WEST KELOWNA

BYLAW NO. 0080.09

A BYLAW TO AMEND THE LOCAL AREA WATER SERVICE ESTABLISHMENT  
(WESTBANK IRRIGATION DISTRICT) BYLAW

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WHEREAS the City of West Kelowna established “District of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080”, a local area service for the purpose of providing water service to Water System Local Area Service – Westbank Irrigation District; and

WHEREAS the Council of the City of West Kelowna wishes to amend the established local area service to include Lot A, Plan KAP56155, DL 3478, ODYD, Except Plan KAP56156 & KAP57629; and

WHEREAS the expansion of the service and its cost recovery methods have been proposed by a petition process in accordance with Section 212 of the *Community Charter*;

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 the “CITY OF WEST KELOWNA LOCAL AREA WATER SERVICE ESTABLISHMENT (WESTBANK IRRIGATION DISTRICT) AMENDMENT BYLAW NO. 0080.09, 2020”.

2. Amendments

“District of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080” is hereby amended as follows:

2.1 Boundaries

The boundaries of the local area service created under Bylaw No. 0080, cited as the “District of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080” are hereby extended to include Lot A, Plan KAP56155, DL 3478, ODYD, Except Plan KAP56156 & KAP57629, as shown on the shaded area on Schedule A, attached hereto and forming part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME THIS 25<sup>TH</sup> DAY OF AUGUST, 2020  
ADOPTED

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MAYOR

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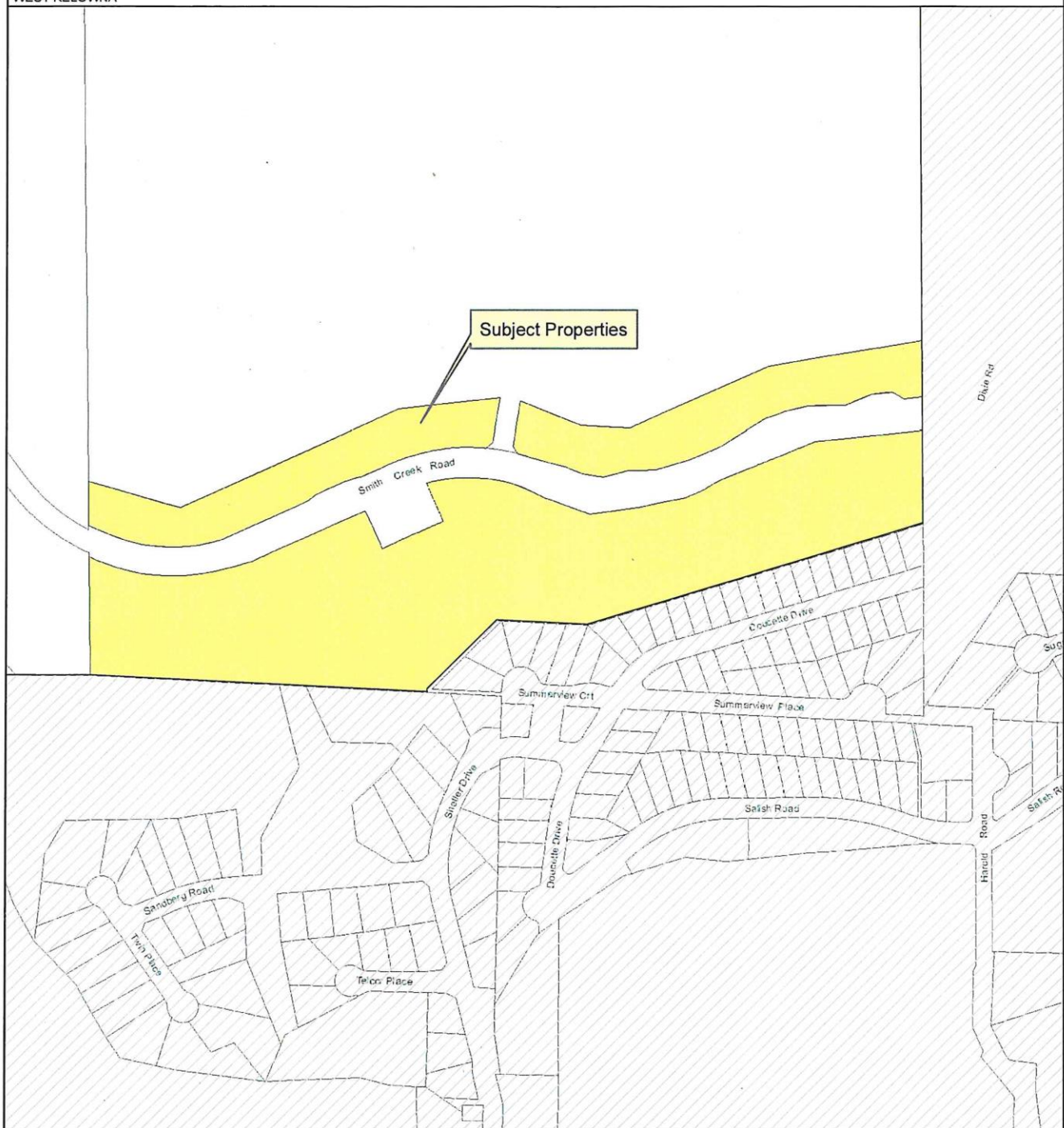
CITY CLERK





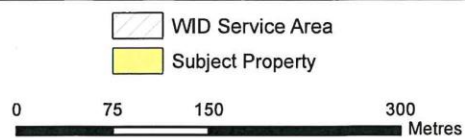
CITY OF  
WEST KELOWNA

# SCHEDULE A



File: Bylaw No. 0080.09

Legal Description: LOTA, DL 3478, PLAN KAP56155



1:5,000



Date: 2020-04-30



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: September 8, 2020

From: Catherine Snow, Senior Development Engineer

File No: SUB 17-12

Subject: City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No 0080, 2850 Dixie Road, Local Area Service Inclusion

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### RECOMMENDATION

**THAT** Council adopt "City of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Amendment Bylaw No 0080.10 2020

### LEGISLATIVE REQUIREMENTS

Sections 210, 211, 212, and 218 of the *Community Charter*.

### BACKGROUND

A local area service is a municipal service (ie. water, sewer, street lighting) that is to be paid for in whole or in part by a local service tax imposed only on the benefiting properties. A municipality must adopt a bylaw to establish a local area service. When a property located outside the local area service boundary wishes to be added or included in the service area, the property owner must petition the municipality to amend the boundary of the service area.

A Petition to amend the boundary of the Local Area Water Service (Westbank Irrigation District) was received from the owner of DL 3977, ODYD. The Petition for inclusion into the local service area is requested in order to provide one domestic water service connection to the community water system for the subject property. The existing home is requesting a single water service, as the new watermain which is being constructed to the new reservoir is in close proximity to the existing residence. The service connection will be installed under Building Permit

Council gave three readings to Bylaw 0080.10 at the August 25, 2020 Council Meeting. The Bylaw is now before Council for consideration of adoption.

## **FINANCIAL IMPLICATIONS**

The costs associated with the connection of the subject property to the community water system will be recovered in accordance with the cost recovery mechanism authorized under District of West Kelowna Local Area Water Bylaw No. 0080.

Water connection costs and fees will be paid at time of Building Permit in accordance with the City's Fees and Charges Bylaw No. 0028.

The New Water Connection Capital Fee for Properties and Existing Structures is to be collected under Bylaw 0028, at time of house connection under building permit, in the amount of \$2,938.12.

## **REVIEWED BY**

Bob Dargatz, Development Engineering Manager

Mark Koch, Director of Development Services

## **APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒

Attachments:  
(Bylaw No. 0080.10, 2020)

CITY OF WEST KELOWNA

BYLAW NO. 0080.10

A BYLAW TO AMEND THE LOCAL AREA WATER SERVICE ESTABLISHMENT  
(WESTBANK IRRIGATION DISTRICT) BYLAW

---

WHEREAS the City of West Kelowna established “District of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080”, a local area service for the purpose of providing water service to Water System Local Area Service – Westbank Irrigation District; and

WHEREAS the Council of the City of West Kelowna wishes to amend the established local area service to include DL 3977, ODYD; and

WHEREAS the expansion of the service and its cost recovery methods have been proposed by a petition process in accordance with Section 212 of the *Community Charter*;

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 the “CITY OF WEST KELOWNA LOCAL AREA WATER SERVICE ESTABLISHMENT (WESTBANK IRRIGATION DISTRICT) AMENDMENT BYLAW NO. 0080.10, 2020”.

2. Amendments

“District of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080” is hereby amended as follows:

2.1 Boundaries

The boundaries of the local area service created under Bylaw No. 0080, cited as the “District of West Kelowna Local Area Water Service Establishment (Westbank Irrigation District) Bylaw 2009 No. 0080” are hereby extended to include DL 3977, ODYD, as shown on the shaded area on Schedule A, attached hereto and forming part of this Bylaw.

READ A FIRST, SECOND AND THIRD TIME THIS 25<sup>TH</sup> DAY OF AUGUST, 2020  
ADOPTED

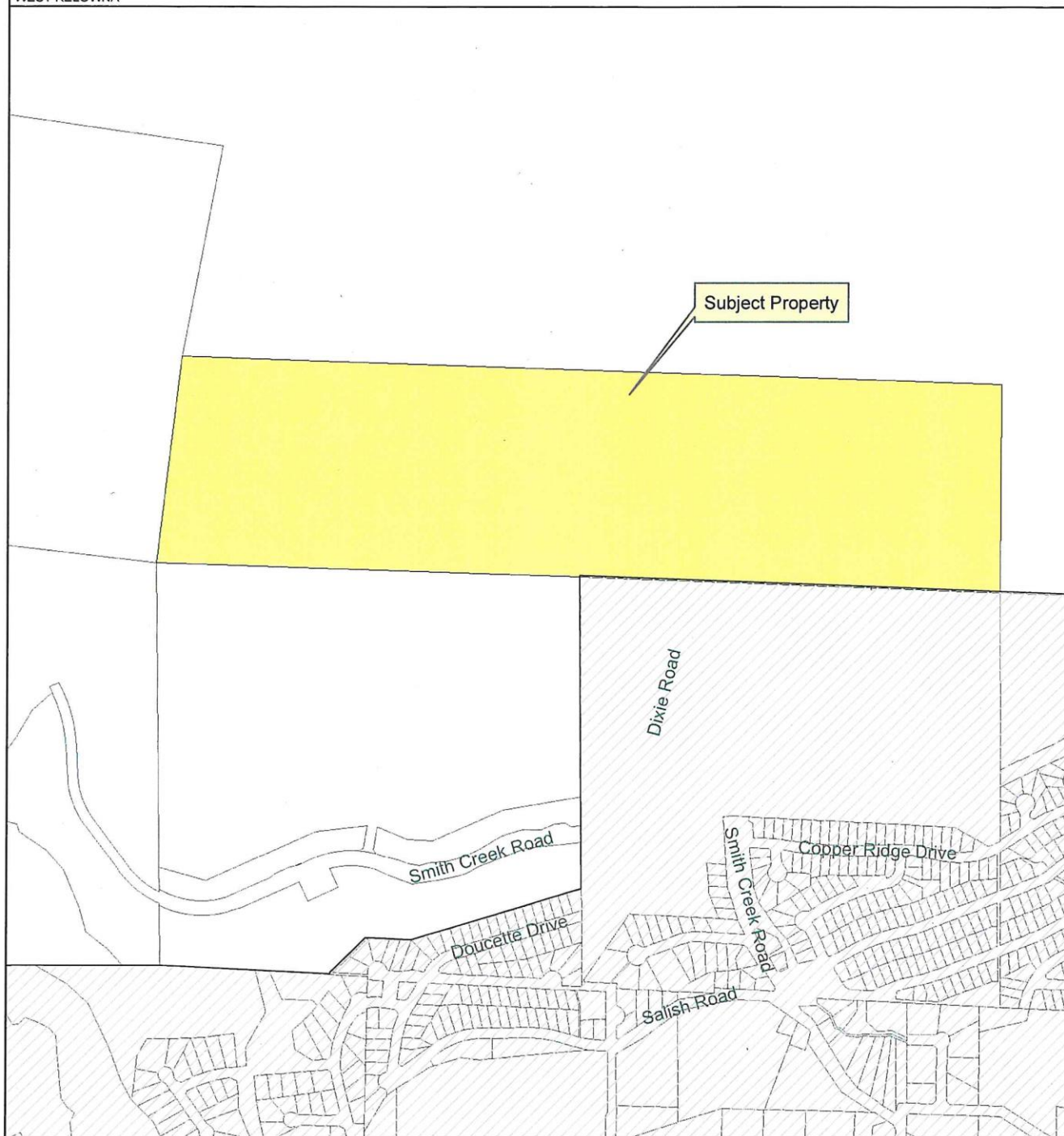
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MAYOR

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
CITY CLERK

# SCHEDULE A



File: Bylaw No. 0080.10

Legal Description: DL 3977, PID 011-347-147

 WID Service Area  
 Subject Property

0 150 300 600  
 Metres

1:10,000



Date: 2020-04-30