



## CITY OF WEST KELOWNA PUBLIC HEARING AGENDA

Tuesday, September 28, 2021, 6:00 P.M.

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

Pages

### 1. CALL THE PUBLIC HEARING TO ORDER

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

This meeting is open to the public. Public participation will be available in person, by phone, or by written submission and all representations to Council form part of the public record. In accordance with COVID-19 protocols, Interior Health Restrictions, and the City's COVID-19 Safety Plan regarding indoor seated gatherings and events, limited seating will be provided. This meeting is being webcast live and will be archived on the City's website.

### 2. INTRODUCTION OF LATE ITEMS

### 3. ADOPTION OF AGENDA

### 4. OPENING STATEMENT

### 5. PUBLIC HEARING

- 5.1. Z 21-04; OCP Amendment Bylaw No.100.66, 2021 and Zoning Amendment Bylaw No.154.106, 2021; 3830 Gellatly Road South

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Legal/Address: Lot 2, DL 3187, ODYD, Plan KAP54990, 3830 Gellatly Road, South

Current OCP Designation: Single Family Residential

Proposed OCP Designation: Low Density Multiple Family Residential

Current Zoning: Large Parcel Single Detached Residential (R1L)

Proposed Zoning: Low Density Multiple Residential (R3)

Purpose: To support a townhouse development

- 5.2. Z 21-01; Zoning Bylaw Amendment No.0154.103 (PH); 2377 Thacker Drive

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**Legal/Address:** Lot 108, DL 1118, ODYD, Plan 5381, Except Plan 43347, 2377 Thacker Drive

**Current Zoning:** Rural Residential Large Parcel Zone (RU4)

**Proposed Zoning:** Single Detached Residential Zone (R1) / Rural Residential Large Parcel (RU4)

**Purpose:** To accommodate the future subdivision of 10 single family lots.

## **6. ADJOURNMENT OF THE PUBLIC HEARING**

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

Copies of the proposed bylaws, information and reports are available for review at the City of West Kelowna Planning Department, 2760 Cameron Road, between 8:30 a.m. and 4:30 p.m., Monday through Friday (excluding statutory holidays), or online at <https://calendar.westkelownacity.ca/councilcommittee>.



## PUBLIC HEARING REPORT

To: Paul Gipps, CAO

Date: September 28, 2021

From: Jayden Riley, Planner II

File No: Z 21-04

Subject: **Z 21-04; OCP Amendment Bylaw No.100.66, 2021 and Zoning Amendment Bylaw No.154.106, 2021; 3830 Gellatly Road South**

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### BACKGROUND

This application is proposing to amend the subject property's Land Use Designation from Single Family Residential to Low Density Multiple Family and Zoning from Large Parcel Single Detached Residential (R1L) to Low Density Multiple Residential (R3) to support townhome development. Council gave first and second reading to the proposed amendment bylaws on July 27, 2021.

### ADDITIONAL INFORMATION FOR PUBLIC HEARING

#### Agricultural Advisory Committee

On July 27, 2021, Council requested staff refer the application to the Agricultural Advisory Committee (AAC) prior to the Public Hearing. Therefore, staff presented the application to the AAC on September 1, 2021. The AAC passed the following motion:

**THAT** the Agricultural Advisory Committee recommend support for file Z 21-04, OCP and Zoning Amendment, 3830 Gellatly Road.

Discussion from the AAC included the acknowledgement that the subject property, although not directly adjacent, is close enough to the adjacent agricultural land to be impacted by farm activities. The AAC stated it would be helpful to understand if there are any specific concerns from the farm owner, and recommended that disclosure statements or registration of restrictive covenants should be considered for all properties in close proximity to farming activities, not only those immediately adjacent.

#### Public Submissions

At the time of writing this report, one submission has been received from the public.

## COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
July 27, 2017	<b>THAT</b> Council give first and second reading to Official Community Plan Amendment Bylaw No.100.66, 2021; and <b>THAT</b> Council give first and second reading to Zoning Amendment Bylaw No.154.106, 2021; and <b>THAT</b> Council direct staff to schedule a Public Hearing for the proposed bylaw amendments	<b>C249/21</b>

## REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

### Attachments:

1. Z 21-04, 1<sup>st</sup> and 2<sup>nd</sup> Reading Report
2. OCP Amendment Bylaw No.100.66
3. Zoning Amendment Bylaw No.154.106
4. Public Submission



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: July 27, 2021

From: Jayden Riley, Planner II

File No: Z 21-04

Subject: **Z 21-04; OCP Amendment Bylaw No.100.66, 2021 and Zoning Amendment Bylaw No.154.106, 2021 (1st and 2nd Reading); 3830 Gellatly Road South**

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### RECOMMENDATION

**THAT** Council give first and second reading to Official Community Plan Amendment Bylaw No.100.66, 2021; and

**THAT** Council give first and second reading to Zoning Amendment Bylaw No.154.106, 2021; and

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

### STRATEGIC AREA(S) OF FOCUS

Economic Development and Prosperity (Council's Strategic Priorities 2021-2022).

### BACKGROUND

This application is proposing to amend the subject property's Land Use Designation from Single Family Residential to Low Density Multiple Family Residential and Zoning from Large Parcel Single Detached Residential (R1L) to Low Density Multiple Residential (R3) to support townhome development.

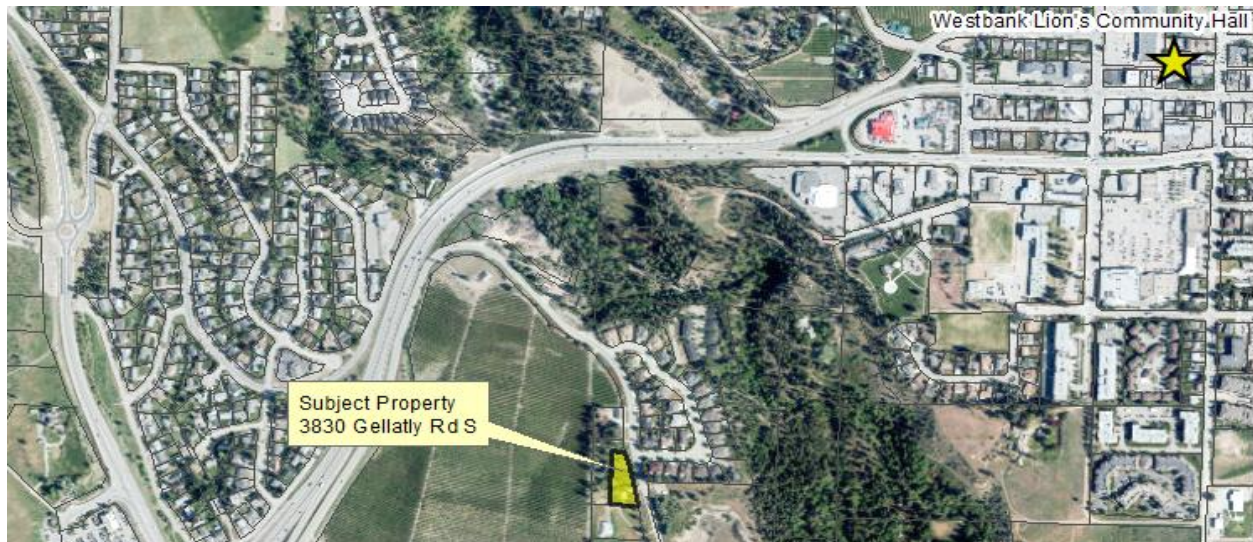
PROPERTY DETAILS			
<b>Address</b>		3830 Gellatly Road South	
<b>PID</b>		023-208-449	
<b>Folio</b>		36414572.025	
<b>Lot Size</b>		3,439 sq. m.	
<b>Owner</b>	James Cove, Jenine Campbell-Cove, Robin Cove, Lorrain Cove	<b>Agent</b>	Robin Cove

<b>Current Zoning</b>	Large Parcel Single Detached Residential (R1L)	<b>Proposed Zoning</b>	Low Density Multiple Residential (R3)
<b>Current OCP</b>	Single Family Residential	<b>Proposed OCP</b>	Low Density Multiple Family Residential
<b>Current Use</b>	Single family dwelling	<b>Proposed Use</b>	Duplex / townhome
<b>Development Permit Areas</b>	Hillside		
<b>Hazards</b>	Hillside, Gas Line		
<b>Agricultural Land Reserve</b>	No		

#### ADJACENT ZONING & LAND USES

<b>North</b>	^	Low Density Multiple Residential (R3)
<b>East</b>	>	Duplex Residential (R2) Rural Residential Large Parcel (RU4)
<b>West</b>	<	Large Parcel Single Detached Residential (R1L)
<b>South</b>	v	Large Parcel Single Detached Residential (R1L)

#### NEIGHBOURHOOD MAP





## PROPERTY MAP



### 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 amend the Zoning Bylaw.

### DISCUSSION

#### Property Details

The subject property is located in the Goats Peak / Gellatly Neighbourhood. The property contains steep slopes and includes one access from Gellatly Road. The lot is surrounded by an adjacent Large Parcel Single Detached Residential (R1L) property located up-slope and acts as a buffer between the subject property and agricultural (A1 / ALR) land to the west.

#### Proposal

This application is proposing to amend the subject property's Land Use Designation from Single Family Residential to Low Density Multiple Family and Zoning from the Large Parcel Single Detached Residential Zone (R1L) to the Low Density Multiple Residential Zone (R3) to support future townhouse and duplex development. Conceptual development plans have not been provided with this application.

## Policy and Bylaw

### Official Community Plan Bylaw No. 0100

The subject property has a Land Use Designation (LUD) of Single Family Residential. The purpose of this LUD is to provide traditional single family housing opportunities and encourage more land efficient compact housing forms for families. The built form and the Single Family Residential LUD includes single detached, duplex, carriage house, and compact or clustered single detached housing. The proposed Low Density Multiple Family LUD aims to provide a broader range of housing opportunities in areas served by transit and in walking distance to community amenities, shops and services. The intended built form of the Low Density Multiple Family LUD is semi-detached and attached townhouse.

The subject property is within a Hillside Development Permit Area, due to existing slopes over 20%. As a result, a geotechnical report was submitted with the application to confirm development feasibility. If the application is successful in amending the land use and zoning designations, a hillside development permit would be required prior to development of the site.



Figure 1: "Neighbourhood" GMD (property indicated by red star)

The Official Community Plan also indicates the property is part of the Neighbourhood Growth Management Designation (GMD) (*Figure 1*). GMDs summarize and geographically illustrate the City's growth management policies and priorities, as well as identify growth priority areas and their broad attributes and characteristics. The Neighbourhood GMD is described to contain low and medium density residential housing, a variety of ground-oriented residential types of housing, and is intended to provide opportunities for localized housing diversity at appropriate locations.

### Zoning Bylaw No. 0154

The subject property is currently zoned Large Parcel Single Detached Residential (R1L). This zone accommodates single detached residential development on parcels of land that are 2,500 m<sup>2</sup> and larger. Permitted uses of the R1L zone include modular home and single detached dwelling, but is limited to one dwelling per parcel. The proposed Low Density Multiple Residential Zone (R3) accommodates multiple residential housing and permits Care Facility, Duplex, Group Home, and Townhouse uses. Below is a zoning analysis table comparing the existing and proposed zones.



Zoning Criteria	R1L Zone (Existing)	R3 Zone (Proposed)
<b>Min. Parcel Area</b>	2,500 sq. m.	1,000 sq. m.
<b>Min. Usable Parcel Area</b>	330 sq. m.	700 sq. m.
<b>Min. Parcel Frontage</b>	30 m	30 m
<b>Max. Density</b>	1 dwelling, 1 carriage house or secondary suite	0.75 FAR
<b>Max. Parcel Coverage</b>	20%	40%
<b>Max. Building Height</b>	9.0m (single family dwelling)	9.0 m
<b>Setbacks</b>		
Front	6.0 m	4.5 m or 6.0 m to garage
Rear	6.0 m	7.5 m
Interior	4.5 m	3.0 m
Exterior	4.5 m or 6.0 m to garage	4.5 m or 6.0 m to garage
<b>Min. Outdoor Amenity Space</b>	N/A	25 sq. m. per unit

**Table 2:** zoning comparison of the R1L and R3 Zone

## Technical Review

### Servicing

A Functional Servicing Report was submitted with the application. The report identifies existing and proposed services, access, offsite roadworks (frontage improvements), drainage, and grading. Frontage improvements (i.e. road widening, curb, gutter, sidewalk, and lighting) are anticipated at time of development. Also identified is an existing gas main and easement that crosses Gellatly Road running east to west through the middle of the lot. Fortis has provided additional advisory comments that have been shared with the applicant by staff in a comprehensive letter.

### Geotechnical

A geotechnical report was provided with the application due to the site containing a Hillside Development Permit Area. The report concludes that slope stability is not considered a concern for the site, taking into consideration the subsurface conditions and slope gradients. The report also provides general recommendations for site preparation, excavations, foundation design, and drainage.

## Public Notification

In accordance with the City's Development Applications Procedures Bylaw No. 0260, Notice of Application signage has been installed on the property. Should Council give first and second reading to the proposed Official Community Plan and Zoning Bylaw amendments, staff would schedule a Public Hearing notifying residents of the Public Hearing date and how to make a submission for Council's consideration, in accordance with the *Local Government Act*.

## Referrals

This application was referred to various internal departments and external agencies on May 28, 2021. Some of the referral comments include:

### Advisory Planning Commission

The Advisory Planning Commission reviewed the application on June 16, 2021. The APC supported the proposal as presented.

### Fortis

Fortis confirmed there is a pressure pipeline that runs through the property. Any work conducted within 10 m or crossing this pipeline, and/or within the right of way, will require a permit. Driveways or parking areas over the right of way or pipeline will require engineering drawings to be submitted for review. This and more detailed information has been shared with the applicant, advising of permit requirements and including contact information.

## Conclusion

Staff recommend that Council give first and second reading to the proposed OCP and Zoning Bylaw amendments due to the following rationale:

- The subject property is located within the Neighborhood Growth Management Designation, which supports low and medium density housing;
- Technical reports submitted with the application conclude that the lot can be developed without hillside hazard, although significant upgrades to the road frontage will be required; and
- Should Council provide first and second reading, the public will have an opportunity to comment on the proposal at a scheduled Public Hearing.

## Alternate Motion:

1. **THAT** Council postpone first and second reading to the City of West Kelowna Official Community Plan Amendment Bylaw No.100.66, 2021; and

**THAT** Council postpone first and second reading of Zoning Amendment Bylaw No.154.106, 2021.

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

2. **THAT** Council deny Official Community Plan Amendment Bylaw No.100.66, 2021; and

**THAT** Council deny Zoning Amendment Bylaw No.154.106, 2021.

Should Council deny the proposed amendment bylaws, the applicant may not apply for a similar application for a period of six (6) months.

**REVIEWED BY**

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

**Attachments:**

1. Official Community Plan Amendment Bylaw No.100.66, 2021
2. Zoning Amendment Bylaw No.154.106, 2021

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**CITY OF WEST KELOWNA**

**BYLAW NO. 0100.66**

**A BYLAW TO AMEND “CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN BYLAW  
NO. 0100”**

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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. 0100.66, 2021”.

2. Amendments

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

2.1 By changing the designation on Lot 2, DL 3187, ODYD, PLAN KAP54990, as shown on Schedule ‘A’ attached to and forming part of this bylaw, from Single Family Residential (SFR) to Low Density Multiple Family Residential (LDMF).

2.2 By depicting the change on “City of West Kelowna Official Community Plan Bylaw No. 0100 Schedule 1” (Land Use map).

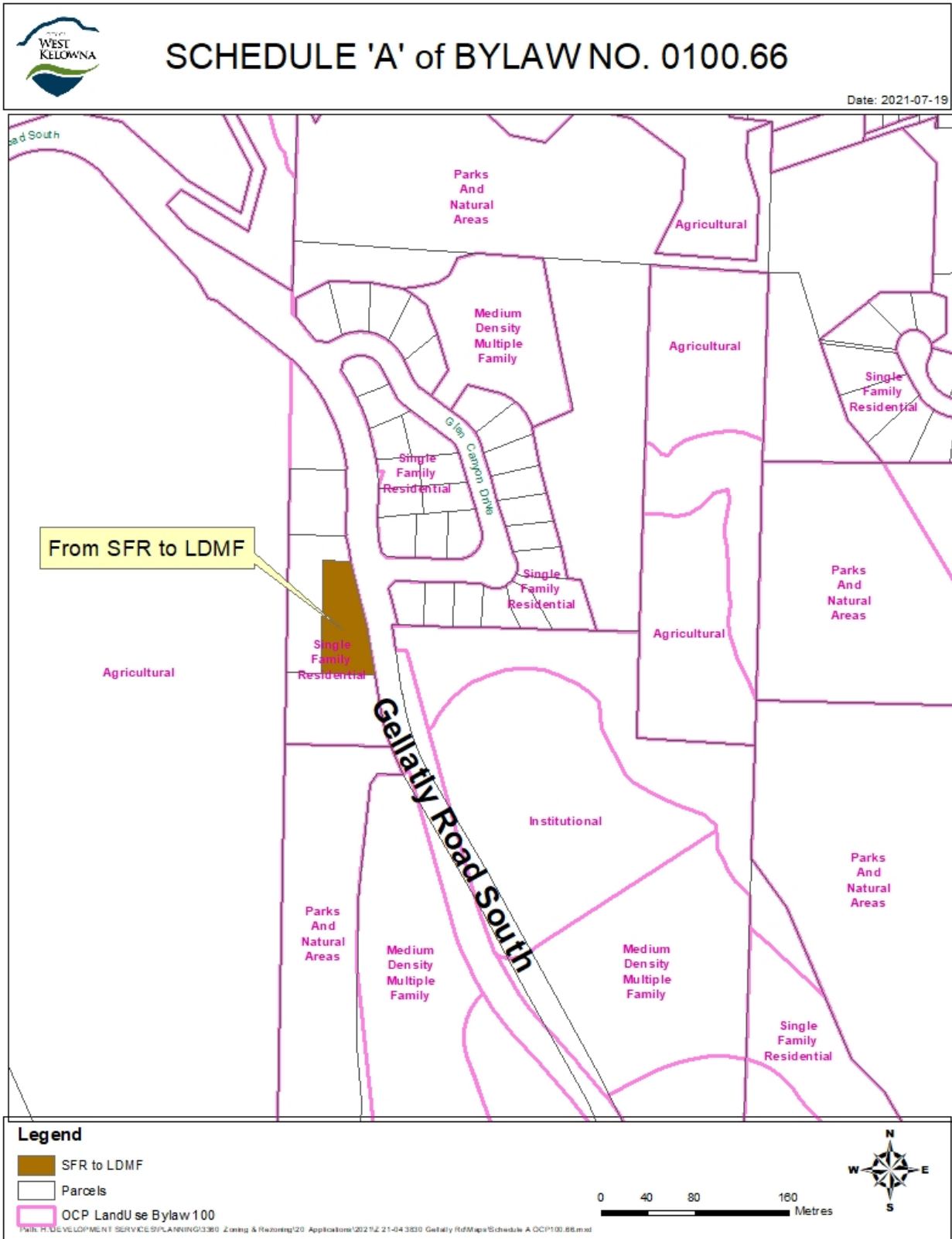
READ A FIRST AND SECOND TIME THIS 27<sup>TH</sup> DAY OF JULY, 2021

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MAYOR

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CORPORATE OFFICER



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**CITY OF WEST KELOWNA**

**BYLAW NO. 0154.106**

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

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

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

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.106, 2021".

2. Amendments

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

2.1 By changing the zoning on Lot 2, DL 3187, ODYD, PLAN KAP54990, as shown on Schedule 'A' attached to and forming part of this bylaw, from Large Parcel Single Detached Residential (R1L) to Low Density Multiple Family (R3).

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

READ A FIRST AND SECOND TIME THIS 27<sup>TH</sup> DAY OF JULY, 2021

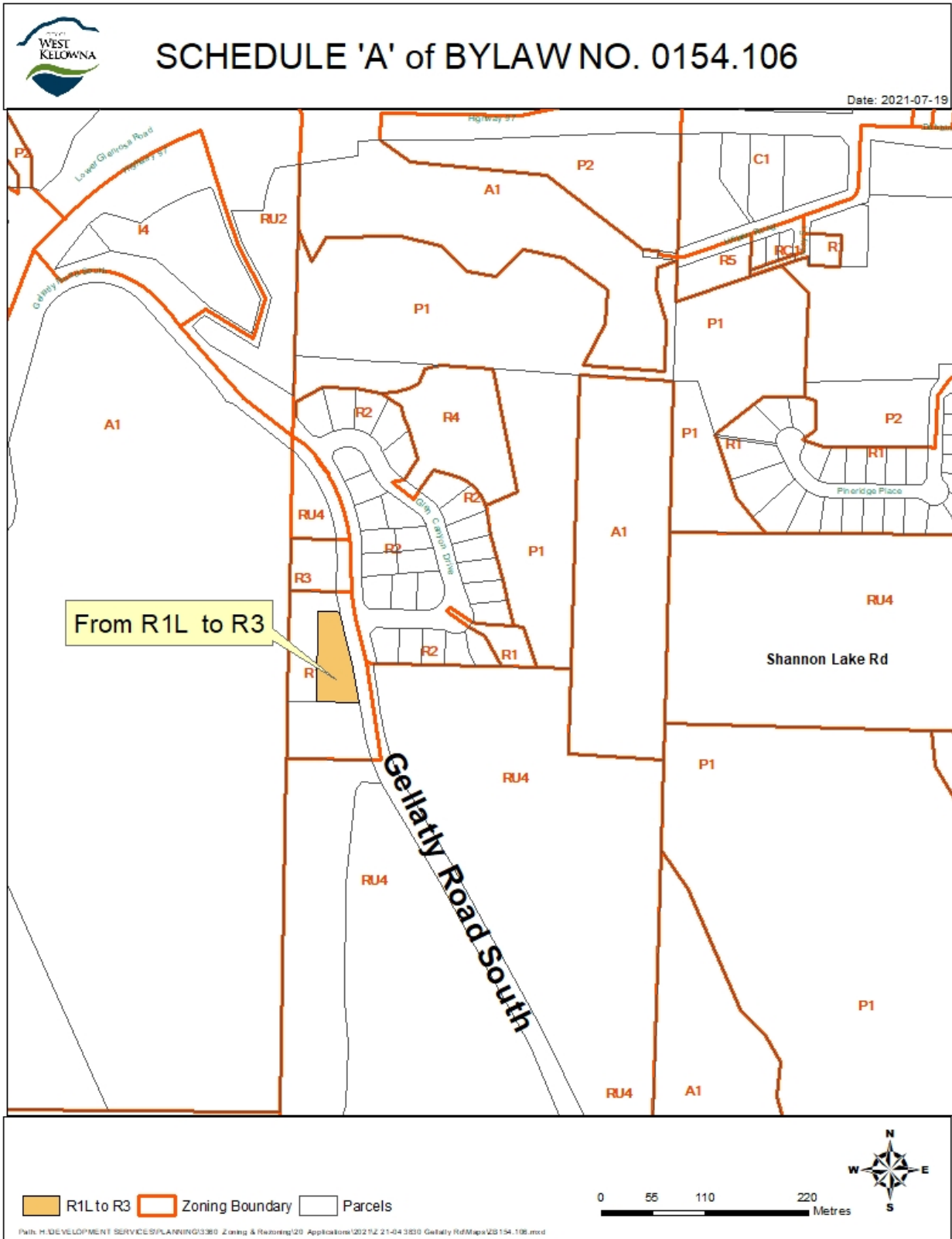
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MAYOR

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CORPORATE OFFICER





## Meg Jacks

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**From:** Bill Stinson [REDACTED] >  
**Sent:** September 21, 2021 6:06 PM  
**To:** City of West Kelowna Submissions  
**Cc:** linda lovisa  
**Subject:** Attn: City Clerk, concerning File Number (Z 21-04)

Dear City Clerk,

I received a written notice about this file as I own a property within 100 m of the property (3830 Gellatly Rd. S, West Kelowna, Lot 2, DL 3187, ODYD, Plan KAP54990) applying for re-zoning from Large Lot Single Detached Residential (R1L) to Low Density Multiple Residential (R3) to support townhome development.

My property, at 3879 Glen Canyon Dr. is immediately across Gellatly Rd. from the property in question (which I have owned for over a decade) and, as such, I stand to be affected more than most within this small community. I most heartily provide my thoughts on the re-zoning and I sincerely hope that you and council will seriously consider this input as well as that of others from the area, especially those others within close proximity to the property.

Apart from putting money in peoples' pockets, I can think of no good reason to re-zone this property. I believe the owners are recently from out-of-province and I imagine that after bulldozing their house and building the townhomes that they will likely return to out-of-province. The property was originally zoned as Large Lot Single Detached Residential (R1L) for a reason; as were the 3 adjacent properties on the same side of Gellatly Rd. The four lots are attractive both individually and collectively and as such form a 'community' of sorts; all properties benefitting in value (and thus tax revenue) by each other's existence. Breaking up the four properties will be detrimental to the three remaining properties. Visually, the presence of a row or rows of townhomes immediately in front of lot #3824 (and adjacent to both #3906 and #3818) will greatly reduce the property value of that lot (whereas the property value is considerably enhanced by the presence of untouched forested land between them and the road).

There will soon be numerous houses and roads built higher on the north slope of Goats Peak. This will add tremendously to the housing density and will impact traffic volumes on Gellatly Rd. and other roads. The single family lots mentioned above will be of even greater value, both esthetically and economically, compared to the more dense housing which will be constructed uphill from the lot in question.

The presence of so many houses, roads, sidewalks, and driveways will irreversibly and negatively affect the drainage of the entire area on the north side of Goats Peak – currently almost completely unhampered. This area is at least as steep as other areas which have experienced drainage issues following uphill development, flooding, landslides, etc. Without catch basins, the drainage will flow downhill, over – possibly under – the houses which are currently there; possibly even the proposed townhomes (and my home and others in the Glen Canyon neighbourhood).

The appearance of a forested area is of far greater esthetic value than any building in my opinion. Some, especially foresters, only see the economic value of the land and the trees upon it. They ignore or repress the *real* value of a forest. I see and I value the untouched forest as it enables the animals that use it, inhabit it, and cross it. I see deer and coyote, marmot, squirrels, quail, ravens, red-tail hawks, and others – all using this property. There are coniferous trees, deciduous trees, bushes, including blackberry, flowers in spring, and grasses. These are all of immeasurably greater value than structures; providing food and shelter for the creatures that use the land. They will all be removed and will never again be on this property after building. Those are only the things that I can see; not including the bacteria, fungi, and microbes, worms, and bugs that inhabit the soil upon which all of the other living things depend. All will be 'no more' given current development and building practices. This is an issue not to be taken lightly. The destruction of habitat has a direct and permanent detrimental effect on wildlife, both large and small. Wildlife, without human

intervention, looks after itself; creating a multi-level inter-dependence that frankly, humans could, or should, learn a great deal from. Humans too often rape the land for their own economic benefit while ignoring the environmental impact of their actions. Growth is not necessarily always the best choice. Governments often support developers in their activities and are thereby complicit in the destruction of natural habitat. I am asking you to, along with the economic concerns mentioned above (ie. Property values and esthetics), to seriously and honestly consider the environment, the animals, the trees, the flowers and the invisible things that make-up a healthy forest when deciding whether or not to approve this re-zoning application.

I will be watching the webcast on Sept 28<sup>th</sup> @ 1800 h. I do not plan to speak at this time but I may wish to phone in at the time depending on how the meeting progresses.

Thank-you very much for inviting my input on this important topic.

Respectfully submitted,

cc. my wife, Linda Lovisa

- *Bill*

Sent from Mail for Windows 10



## PUBLIC HEARING REPORT

To: Paul Gipps, CAO

Date: September 28, 2021

From: Jayden Riley, Planner II

File No: Z 21-01

Subject: **Z 21-01; Zoning Bylaw Amendment No.0154.103 (PH); 2377 Thacker Drive**

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### BACKGROUND

This application is proposing to rezone a 22,008 m<sup>2</sup> portion of the subject property, located at 2377 Thacker Drive, from Rural Residential Large Parcel (RU4) to Single Detached Residential (R1), to accommodate a 10-lot subdivision. The zoning amendment bylaw was given first and second reading on April 20, 2021 (*Attachment 1*).

### ADDITIONAL INFORMATION FOR PUBLIC HEARING

#### Storm Drainage

In advance of the Public Hearing, the applicant has provided further information regarding storm water management for the site, confirming that no additional off-site works are required.

The City's Master Drainage Plan, Project 10.5, includes an overland flow route from Thacker Drive to Campbell Road (*Figure 1*). This flow route would require a statutory right of way to be registered over the subject property and an adjacent private property (2411 Campbell Road).

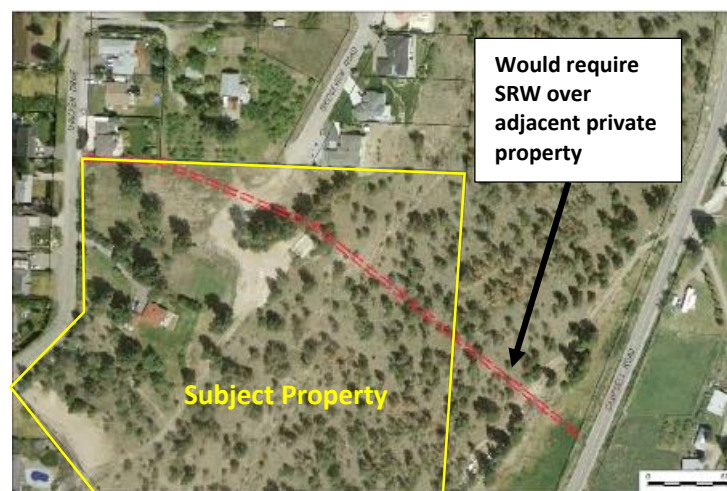


Figure 1: MDP, Project 10.5



To avoid passage through the adjacent property, the applicant is proposing to pass stormwater from Thacker Drive through the subject property via swale, onto Casa Grande Drive (*Figure 2*). Registration of a statutory right of way over this flow route will be required at time of subdivision.

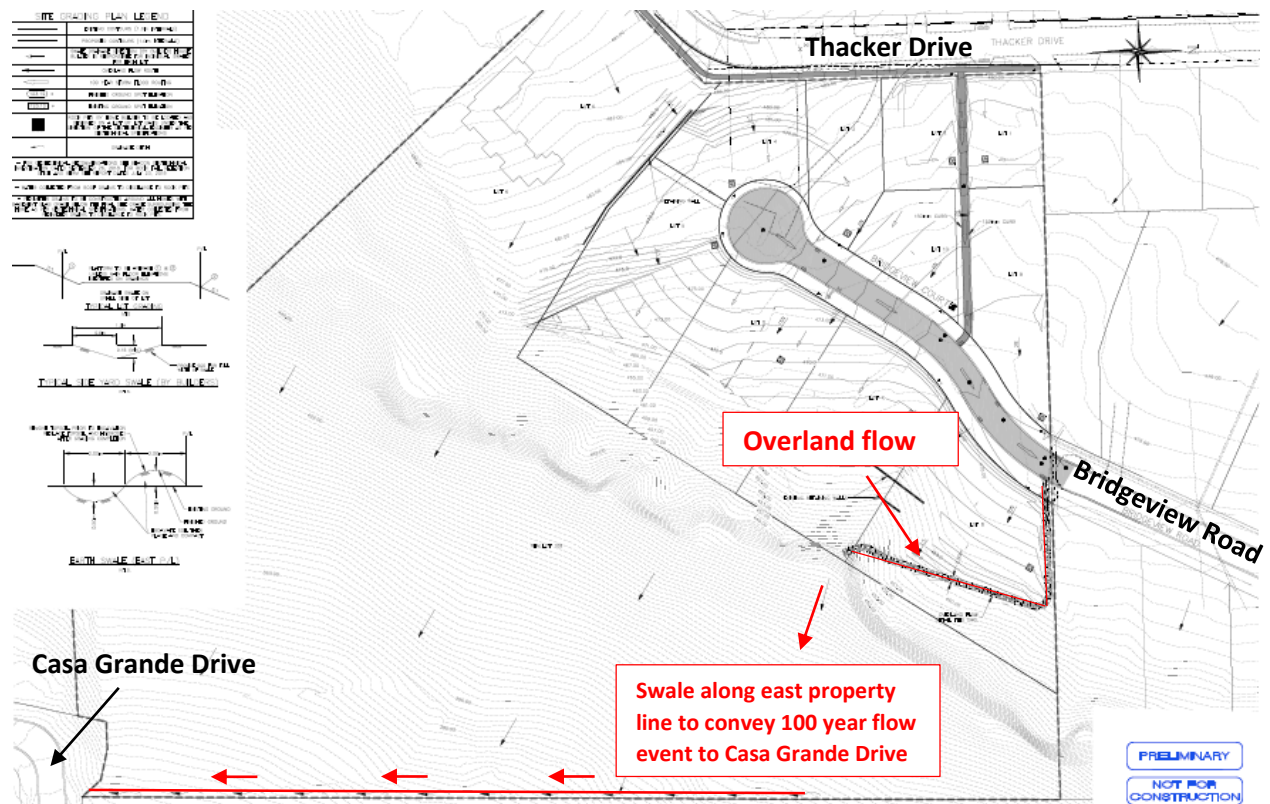


Figure 2: alternate route for 100 year flow event (Protech Consulting)

### Public Notification

In accordance the *Local Government Act*, 82 notices have been mailed to owners and tenants of properties within 100 m of the subject property, as well as advertising in the local newspaper, advising of the Public Hearing and how to make a submission. At the time of writing this report, no written submissions have been received from the public.

### COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
April 20, 2021	<p><b>THAT</b> Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.103, 2021; and</p> <p><b>THAT</b> Council direct staff to schedule a Public Hearing for the proposed Zoning Amendment Bylaw.</p>	<b>C159/21</b>

**REVIEWED BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

**Attachments:**

1. Z 21-01, 1<sup>st</sup> and 2<sup>nd</sup> Reading Report
2. Zoning Amendment Bylaw No. 0154.103





## COUNCIL REPORT

To: Paul Gipps, CAO

Date: April 20, 2021

From: Jayden Riley, Planner II

File No: Z 21-01

Subject: **Z 21-01; Zoning Amendment Bylaw No. 0154.103, 2021 (1st and 2nd Reading); 2377 Thacker Drive**

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### RECOMMENDATION

**THAT** Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.103, 2021 (File: Z 21-01); and

**THAT** Council direct staff to schedule a Public Hearing for the proposed Zoning Amendment Bylaw.

### STRATEGIC AREA(S) OF FOCUS

Economic Development and Prosperity (Council's Strategic Priorities 2020-2022)

### BACKGROUND

This application is proposing to rezone a 22,008 m<sup>2</sup> portion of the subject property, located at 2377 Thacker Drive, from Rural Residential Large Parcel (RU4) to Single Detached Residential (R1), to accommodate a 10-lot single family subdivision. An application to rezone the property was submitted previously under File Z 18-08 and eventually withdrawn. The proposal has now been revised and resubmitted under File Z 21-01 to limit rezoning to the upper bench portion of the property and exclude the existing single family dwelling from the proposed R1 area (*Attachment 1, Figure 1*).

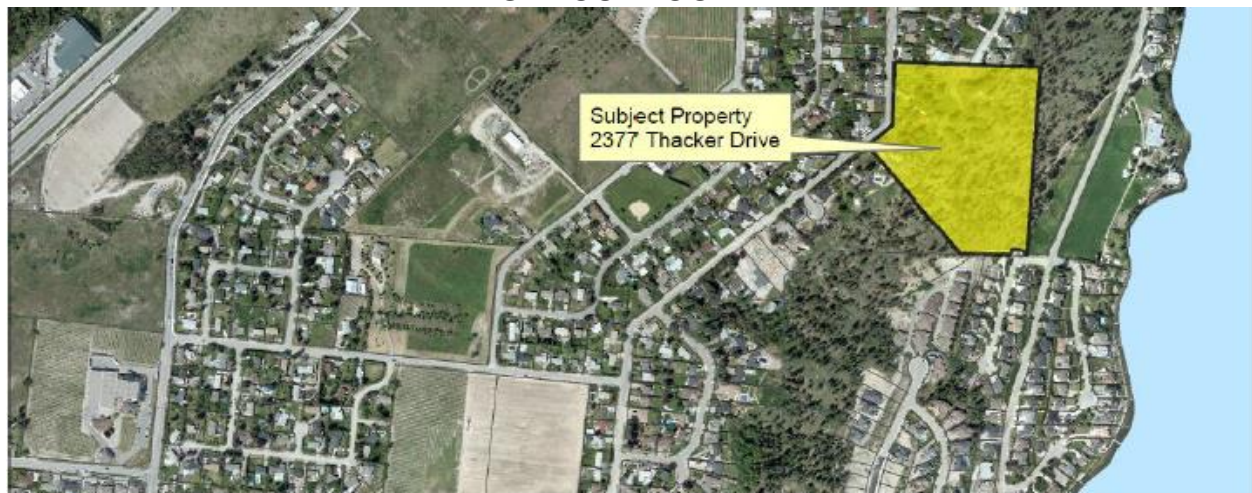
PROPERTY DETAILS			
<b>Address</b>		2377 Thacker Drive	
<b>PID</b>		010-347-674	
<b>Folio</b>		36413417.000	
<b>Lot Size</b>		65,093 m <sup>2</sup>	
<b>Owner</b>	Lunelli Enterprises Ltd.	<b>Agent</b>	Protech Consulting
<b>Current Zoning</b>	Rural Residential Large Parcel (RU4)	<b>Proposed Zoning</b>	Single Detached Residential (R1) / Rural Residential Large Parcel (RU4)

<b>Current OCP</b>	Single Family Residential / Resource Land	<b>Proposed OCP</b>	N/A
<b>Current Use</b>	Single Family Dwelling	<b>Proposed Use</b>	Single Family Subdivision
<b>Development Permit Areas</b>	Hillside, Environmental		
<b>Hazards</b>	Hillside (lower portion)		
<b>Agricultural Land Reserve</b>	No		

#### ADJACENT ZONING & LAND USES

<b>North</b>	^	Single Detached Residential (R1)
<b>East</b>	>	Rural Residential Large Parcel (RU4)
<b>West</b>	<	Single Detached Residential (R1)
<b>South</b>	v	Parks and Open Space (P1), Single Detached Residential (R1), Low Density Multiple, Family Residential (R3)

#### NEIGHBOURHOOD MAP



#### PROPERTY MAP



## Legislative Requirements

Council has the authority under S.479 of the *Local Government Act* to amend the Zoning Bylaw.

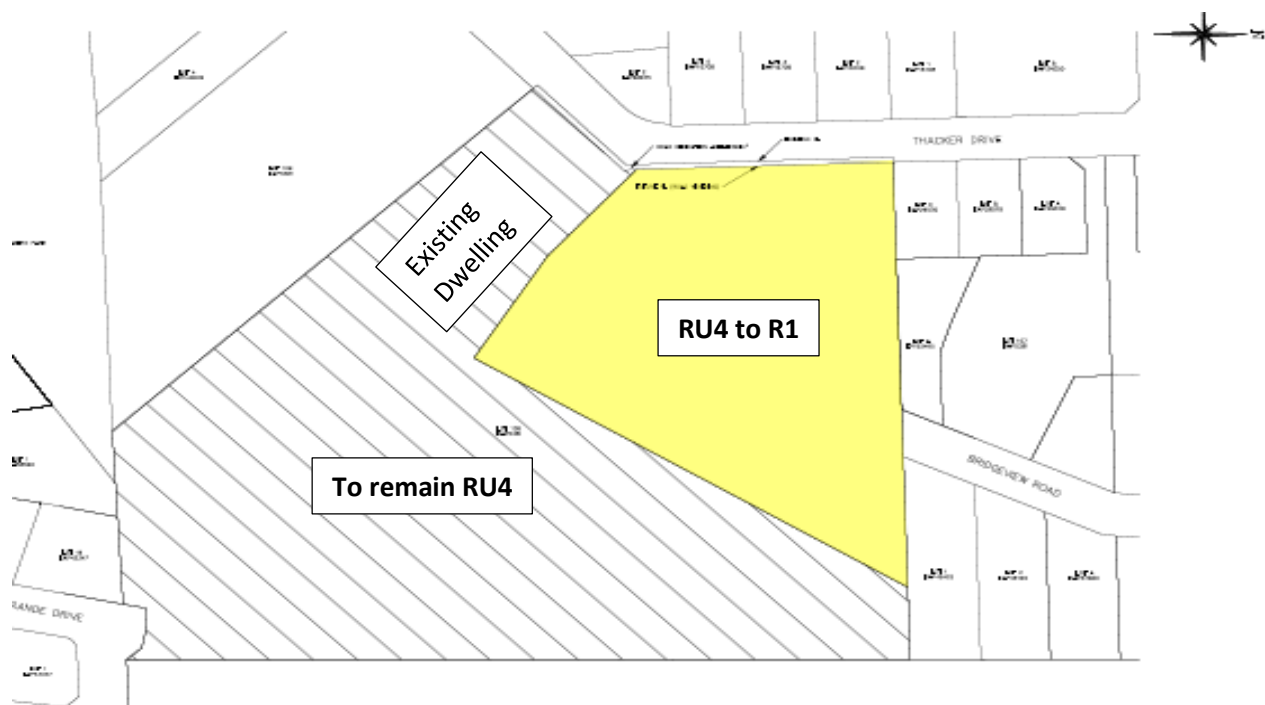
## DISCUSSION

### Background

The subject property is located in the Lakeview Heights neighbourhood, surrounded by Single Detached Residential (R1) to the north and west, Single Detached Residential (R1) and Parks and Open Space (Casa Palmero Park) (P1) to the south, and Rural Residential Large Parcel (RU4) to the east. The property contains an upper bench that fronts Thacker Drive and Bridgeview Road. Rezoning is intended to accommodate the future subdivision of the proposed R1 area and the extension of Bridgeview Road.

### Proposal

This application is proposing to rezone the upper bench portion of the subject property from Rural Residential Large Parcel (RU4) to Single Detached Residential (R1) to accommodate a 10-lot single family subdivision. The proposed R1 area is 22,008 m<sup>2</sup>, fronting Thacker Drive and Bridgeview Road (*Figure 1 and 2*).



**Figure 1:** site plan of proposed R1 area



## Policy and Bylaw Review

### Official Community Plan Bylaw No. 0100

The subject property has a split Land Use Designation (LUD) of Single Family Residential (SFR) to the north and Resource Land (RL) to the south. The intended built form of the SFR LUD includes single detached, duplex, carriage house, and compact or clustered housing. The purpose of the LUD is to provide traditional single family housing opportunities for families and encourage more land efficient compact housing forms.

The property is subject to Hillside and Environmental Development Permit Areas. Subject to rezoning, the applicant may be required to obtain a development permit prior to subdivision. Technical reports have been submitted with the application, outlined below, to confirm feasibility for rezoning purposes only. More detail may be required should a development permit be necessary.

### Zoning Bylaw No. 0154

The entire parcel is zoned Rural Residential Small Parcel (RU4). Rezoning the upper portion of the parcel to R1 is consistent with the existing LUD. The R1 Zone is intended to accommodate single detached residential use on parcels of land that are 550 m<sup>2</sup> and larger.



Figure 2: upper bench area (approximate) proposed for rezoning

## Technical Review

### Geotechnical

A geotechnical report was submitted by Beacon Geotechnical, concluding that the proposed residential development is feasible provided the recommendations of the report are included in the design and construction of the project. The report provides recommendations for site preparation, permanent cut and fill slopes, utility installation, building, and drainage.

### Environmental

An environmental assessment report was submitted with the application, which identifies Environmentally Sensitive Areas of the site and provides recommendations in context to the natural features of the subject property and Best Management Practices. According to the report, the proposed lots and R1 area are located in ESA 3 and ESA 4 areas (low environmental sensitivity), with ESA 1 and ESA 2 areas (high environmental sensitivity) located on the steep slope, located at the lower portion of the property (Figure 3).

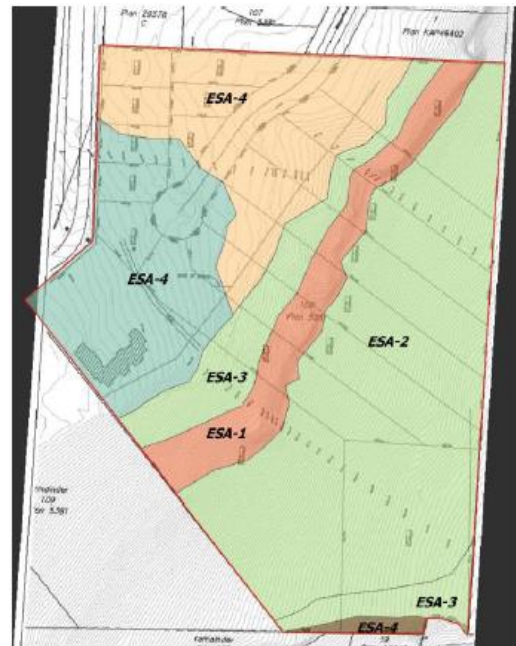


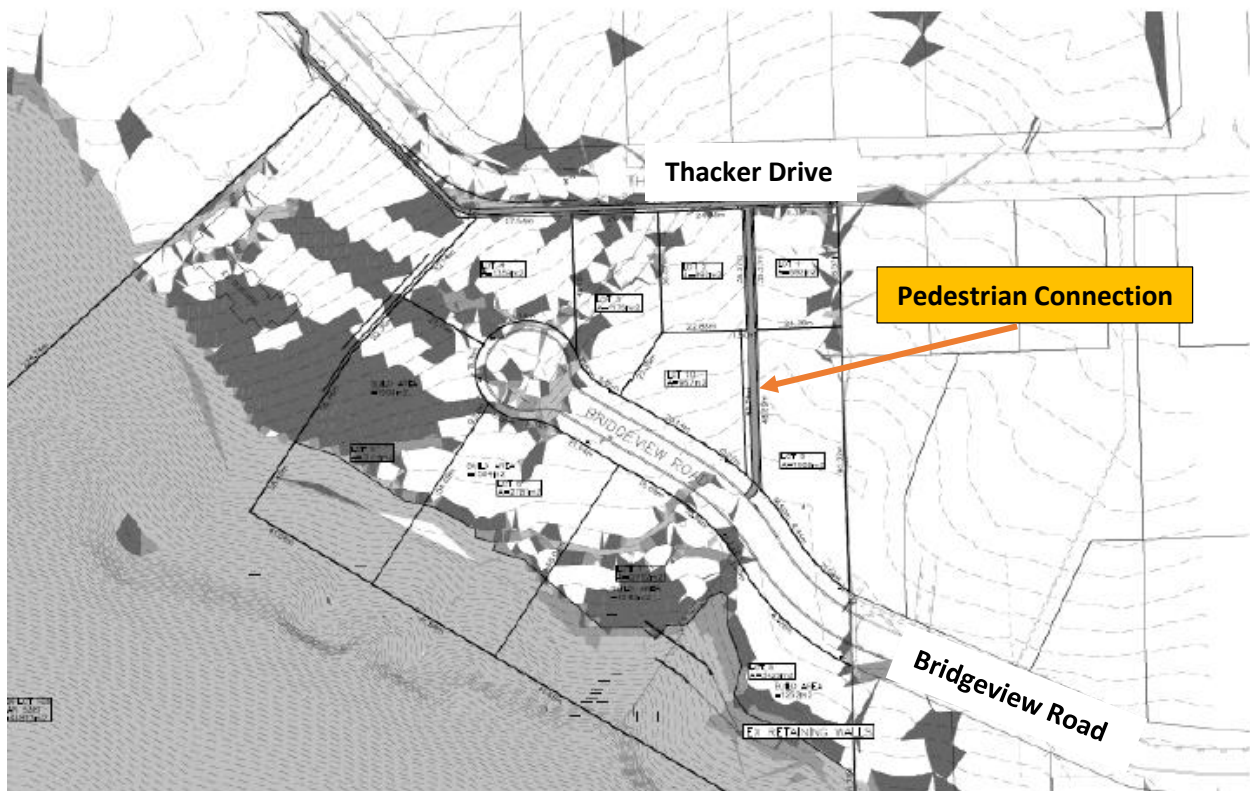
Figure 3: ESA Areas (Makonis, 2019)

### Roads and Servicing

A Functional Servicing Report was prepared by Protech Consulting, identifying existing and proposed water, sewer, storm, and road infrastructure required to service the future subdivision. Future subdivision is anticipated to include off-site upgrades to the lift station at 2252 Bridgeview Road and a standby generator, rock pits for storm water drainage on individual lots, a new water main, and the extension of Bridgeview Road. At time of subdivision, the applicant will also be required to improve the Thacker Drive Road Frontage. Further information related to servicing, and specifically storm drainage, will be presented at time of public hearing.

### Subdivision

The applicant has provided a preliminary subdivision plan of the proposed 10 lots within the proposed R1 area, including the Bridgeview Road extension and proposed public walkway and water SRW (Figure 4).



**Figure 4:** preliminary subdivision plan

### Wildfire Mitigation

A Wildfire Hazard Assessment Report, prepared by R.J.P. Holdings Ltd., was submitted with the application. The report identifies the existing wildland fire hazard rating of the lands and provides a prescription for the reduction of fire fuels in the forested areas. No temporary roads are proposed with this application, as opposed to the previous file, for development or wildfire mitigation purposes.



### Pedestrian Connectivity

The applicant is anticipated to resurface an existing 3.0 m wide pathway connecting Crestview Road to Thacker Drive (*Figure 5*), which currently provides a connection to Issler Park. The proposed subdivision is also expected to include a pedestrian connection to Thacker Drive from the Bridgeview Road extension (*Figure 4*), as well as road dedication and frontage improvements on Thacker Drive extending south-east to a future pedestrian crossing. These improvements will be included as conditions of rezoning.

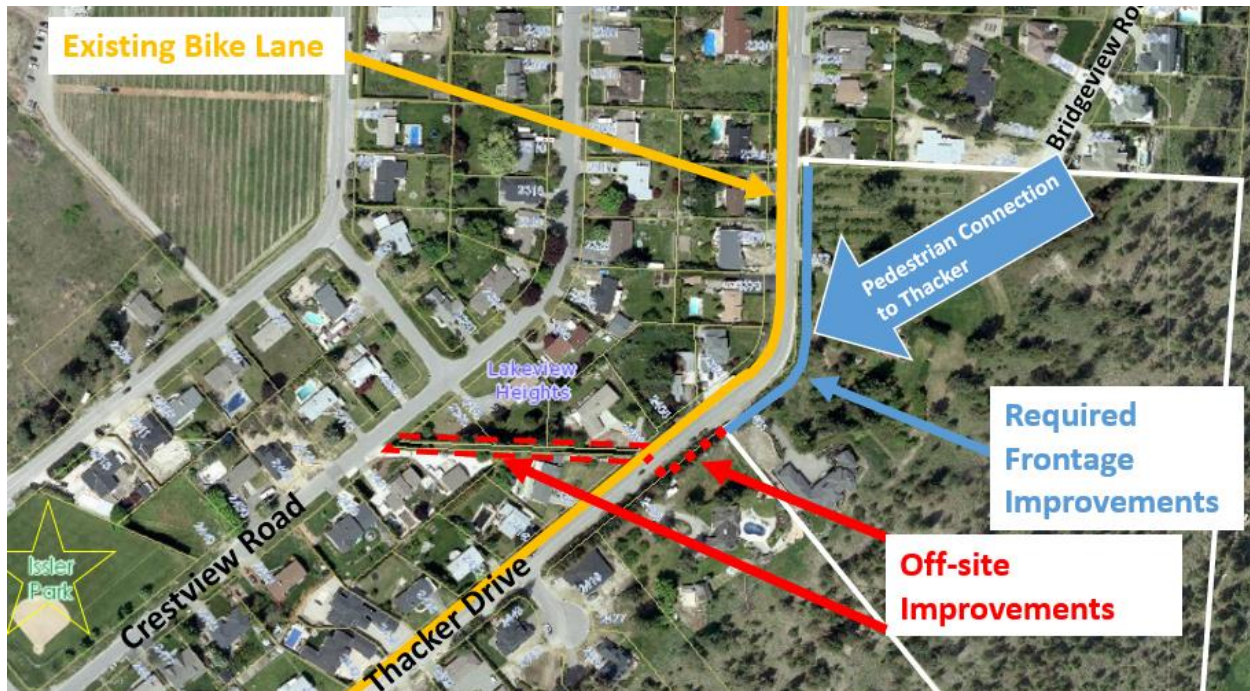


Figure 5: future pedestrian connection and off-site improvements

### **Referrals**

The application was referred to internal departments and external agencies. Many of the concerns identified in the previous application (File Z 18-08) have been addressed with this revised proposal by limiting development to the upper portion of the property. However, the off-site improvements identified from the previous application have been carried forward and will be committed to as a condition of rezoning. Staff have requested additional information specifically related to storm water, which will be provided at time of future consideration.

### Advisory Planning Commission

The application was presented to the APC on February 17, 2021. The APC raised concerns with the future stormwater and the steep nature of the parcel, but ultimately supported the rezoning application as proposed.

### **Public Notification**

In accordance with the City's Applications Procedures Bylaw No. 0260, Notice of Application signage has been installed on the property at Bridgeview Road and Thacker



Drive. Further notification will be required in advance of a Public Hearing, subject to Council giving first and second reading to the proposed zoning amendment.

## CONCLUSION

Staff recommend Council give first and second reading to the proposed zoning amendment bylaw based on the following rationale:

- The proposed R1 Zone is consistent with the underlying Single Family Residential Land Use Designation;
- The applicant will commit to offsite and frontage upgrades to improve pedestrian connections as part of rezoning; and
- The proposal is consistent with the neighbourhood character that is primarily composed of single family dwellings.

## Alternate Motion:

1. **THAT** Council **postpone** first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.103, 2021 (File Z 21-01).

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

2. **THAT** Council **deny** Zoning Amendment Bylaw No. 0154.103, 2021 (File: Z 21-01).

Should Council deny the zoning amendment bylaw, the application will be closed in accordance with the City's Development Applications Procedures Bylaw No. 0260 and the applicant may not apply for a similar application for a period of six (6) months.

## REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

1. ZB 0154.103

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**CITY OF WEST KELOWNA**

**BYLAW NO. 0154.103**

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

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WHEREAS the Council of the City of West Kelowna desires to amend "DISTRICT 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. 0154.103, 2021".

2. Amendments

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

2.1 By changing the zoning on a portion of LOT 108, DL 1118, ODYD PLAN 5381, EXCEPT PLAN 43347 from Rural Residential Large Parcel Zone (RU4) to Single Detached Residential (R1).

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

READ A FIRST AND SECOND TIME THIS 20<sup>TH</sup> DAY OF APRIL, 2021

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MAYOR

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CITY CLERK

