



## CITY OF WEST KELOWNA PUBLIC HEARING AGENDA

Tuesday, November 23, 2021, 6:00 P.M.

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

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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 21-06, Zoning Amendment Bylaw No. 0154.109, 2082 Shannon Ridge Drive

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Legal Address: Lot 23, DL 2044, Plan KAP90501, 2082 Shannon Ridge Drive

Current Zoning: Single Detached Residential (R1)

Proposed Zoning: Compact Single Detached Residential (RC3)

Purpose: To accommodate a 10-lot subdivision

### 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: November 23, 2021

From: Jayden Riley, Planner II

File No: Z 21-06

Subject: **Z 21-06; Zoning Amendment Bylaw No. 0154.109 (Public Hearing); 2082 Shannon Ridge Drive**

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### BACKGROUND

This application is proposing to rezone the subject property from the Single Detached Residential (R1) Zone to the Compact Single Detached Residential (RC3) in order to accommodate a proposed 10-lot subdivision.

### ADDITIONAL INFORMATION FOR PUBLIC HEARING

Based on the Council discussion at the October 26, 2021 meeting for first and second Reading, additional geotechnical and traffic information has been provided.

#### Geotechnical

The applicant submitted an updated geotechnical report that confirms the proposal is safe for intended use and provides general recommendations, including a detailed analysis to be conducted at time of Development Permit. The geotechnical information provided is determined to be adequate for rezoning purposes.

#### Traffic Sightlines

The City's traffic consultant<sup>1</sup> completed a transportation review of the proposed rezoning. It concluded that the development would likely result in closer spacing of driveways (due to the compact housing designation), and on-street parking fronting the development would impact sightlines of vehicles entering/leaving the residences. It was also noted that the City's traffic bylaw restricts parking 3m from a driveway, which would (technically) result in insufficient parking opportunities fronting the development.

The traffic report concludes that traffic impacts by adding (an additional) 2-3 lots along Shannon Ridge Drive would be limited, providing no on-street parking occurs fronting the development in accordance with the Traffic Bylaw. It further notes that the City may choose to limit on-street parking fronting the development should operational challenges occur.

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<sup>1</sup> Align Engineering

The report further recommends traffic improvements to improve sight lines at the intersection of Shannon Ridge Drive and Auburn Road<sup>2</sup>; however, this is an existing condition and not impacted measurably by the proposed development.

#### Parking

On-street parking is regulated by Traffic Bylaw No. 092, which restricts vehicles from parking 3 m from a public or private driveway. It is recommended that off-street parking issues be evaluated and addressed based on future needs for this specific area.

#### **Public Notification**

In accordance with the *Local Government Act*, 157 notices have been mailed to residents and tenants within 100 m of the subject property, and an advertisement has been placed in the local newspaper, advising of the time and date of the Public Hearing and how to make a submission. At this time, no submission have been received.

Notice of Application signage has also been installed on the property, in accordance with the City's Development Application Procedures Bylaw No. 0260.

#### **COUNCIL REPORT / RESOLUTION HISTORY**

<b>Date</b>	<b>Report Topic / Resolution</b>	<b>Resolution No.</b>
October 26, 2021	<b>THAT</b> Council give 1 <sup>st</sup> and 2 <sup>nd</sup> Reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.109; and <b>THAT</b> Council direct staff to schedule a Public Hearing.	C318/21

#### **REVIEWED BY**

Brent Magnan, Planning Manager

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

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<sup>2</sup> Align Engineering recommends painting stop bar, twin parallel crosswalk, and 15m centreline on Shannon Ridge Drive.

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Attachments:

1. Zoning Amendment Bylaw No. 0154.109, 2021
2. Z 21-06 Council Report (1<sup>st</sup> and 2<sup>nd</sup> Reading)

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**CITY OF WEST KELOWNA**

**BYLAW NO. 0154.109**

**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. 0154.109, 2021".

2. Amendments

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

2.1 By changing the zoning of LOT 23, District Lot 2044, ODYD, PLAN KAP90501, from Single Detached Residential (R1) to the Compact Single Detached Residential (RC3).

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

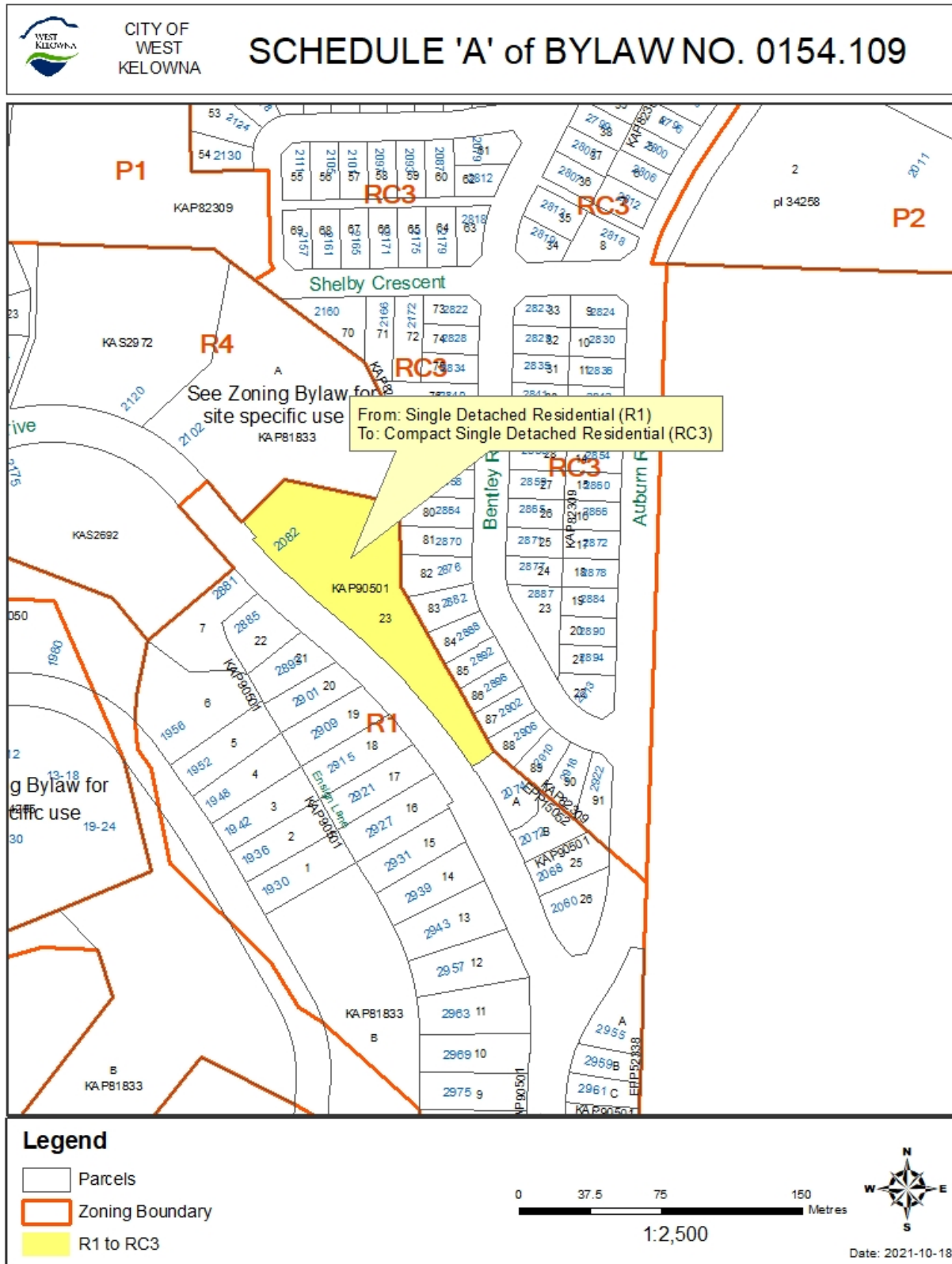
READ A FIRST AND SECOND TIME THIS 26<sup>TH</sup> DAY OF OCTOBER, 2021

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MAYOR

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CITY CLERK





## COUNCIL REPORT

To: Paul Gipps, CAO

Date: October 26, 2021

From: Jayden Riley, Planner II

File No: Z 21-06

Subject: **Z 21-06; Zoning Amendment Bylaw No. 0154.109, 2021 (First and Second Reading); 2082 Shannon Ridge Drive**

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### RECOMMENDATION

**THAT** Council give first and second reading to Zoning Amendment Bylaw No. 0154.109, 2021; and

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

### STRATEGIC AREA(S) OF FOCUS

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

### BACKGROUND

This application is proposing to rezone the subject property from the Single Detached Residential (R1) Zone to the Compact Single Detached Residential (RC3) in order to accommodate a proposed 10-lot subdivision.

PROPERTY DETAILS			
<b>Address</b>		2082 Shannon Ridge Drive	
<b>PID</b>		028-171-861	
<b>Folio</b>		36413691.483	
<b>Lot Size</b>		6,474 m <sup>2</sup>	
<b>Owner</b>	Hihannah Land and Cattle Co.	<b>Agent</b>	Russell Ensign
<b>Current Zoning</b>	Single Detached Residential (R1)	<b>Proposed Zoning</b>	Compact Single Detached Residential (RC3)
<b>Current OCP</b>	Single Family Residential	<b>Proposed OCP</b>	N/A



<b>Current Use</b>	Vacant	<b>Proposed Use</b>	Single Detached Residential, 10 lots
<b>Development Permit Areas</b>	Hillside		
<b>Hazards</b>	Hillside		
<b>Agricultural Land Reserve</b>	None		

#### ADJACENT ZONING & LAND USES

<b>North</b>	^	Medium Density Multiple Residential (R4)
<b>East</b>	>	Compact Single Detached Residential (RC3)
<b>West</b>	<	Single Detached Residential (R1)
<b>South</b>	v	Single Detached Residential (R1)

#### NEIGHBOURHOOD MAP



#### PROPERTY MAP





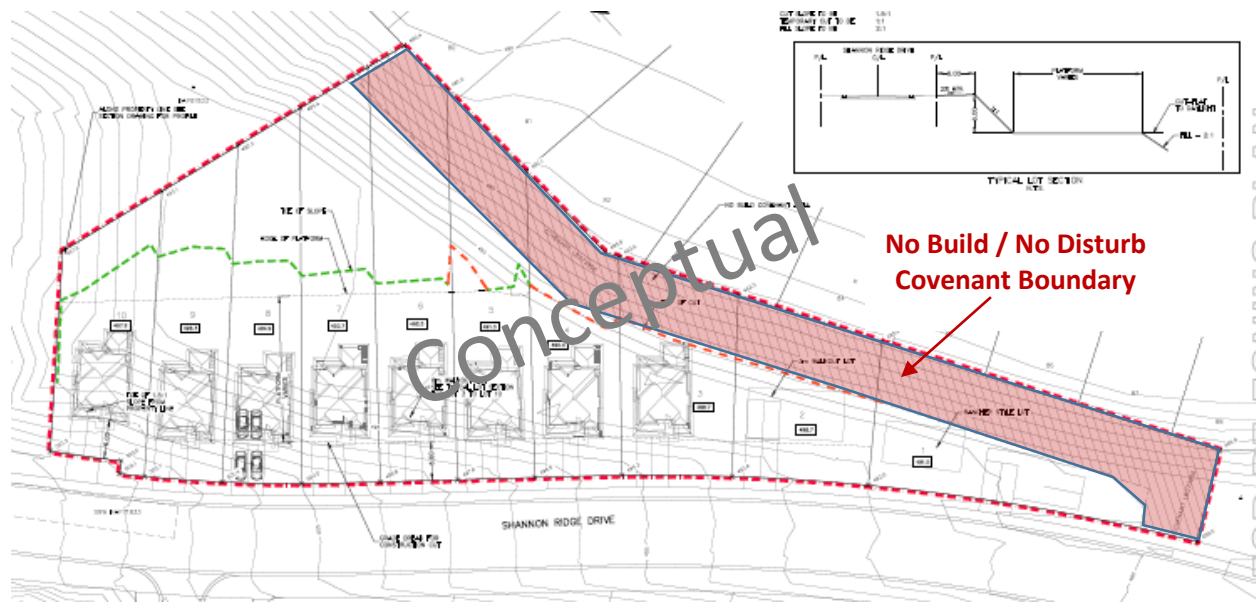
## Legislative Requirements

Council has the authority under Part 14, S.479 of the *Local Government Act* to amend its the Zoning Bylaw.

## BACKGROUND

### Proposal

This application is proposing to rezone the subject property from the Single Detached Residential (R1) Zone to the Compact Single Detached Residential (RC3) in order to accommodate a proposed 10-lot subdivision - see *Figure 1* for conceptual plan



**Figure 1:** preliminary grading and subdivision plan with covenant boundary.

### Property Details

The subject property is located in the Shannon Lake Neighbourhood, containing a plateau and steep hillside along the east property boundary, which is protected by a no build, no disturb covenant. The property fronts Shannon Ridge Drive, with the northern portion of the parcel sloping downward from the road as the road increases in elevation.

## Policy and Bylaw Review

### Official Community Plan No. 0100

The subject property has a Land Use Designation (LUD) of Single Family Residential (SFR). The purpose of this LUD is to provide traditional single family housing opportunities and encourage more land efficient compact housing forms for families. The

intended built form of the LUD includes single detached, duplex, carriage house, and compact or clustered housing. The proposal is consistent with the OCP.

The subject property contains a Hillside Development Permit Area, due to existing slopes over 20%, however these areas are protected by a hillside covenant as a result of a previous subdivision application. Future development of the site may still be subject to a Development Permit – to be confirmed when additional information regarding site grading is provided at future subdivision.

#### Zoning Bylaw No. 0154

The subject property is zoned Single Detached Residential (R1), which is intended to accommodate low density single detached residential use on parcels of land that are 550 m<sup>2</sup> and larger. The proposed Compact Single Detached Residential (RC3) zone is intended to accommodate single detached residential use on parcels of land that are 325 m<sup>2</sup> and larger. Both zones permit single detached dwellings however the RC3 is more restrictive in terms of secondary uses – a zoning analysis table provided below (*Table 1*). Aside from a reduction in parcel area, the most influential factor of the RC3 zone is the reduction in parcel frontage (from 16 to 12 m), which will allow for an increased number of potential lots on the site.

<b>Zoning Criteria</b>	<b>R1 Zone (Existing)</b>	<b>RC3 Zone (Proposed)</b>
<b>Min. Parcel Area</b>	550 sq. m.	325 sq. m.
<b>Min. Usable Parcel Area</b>	330 sq. m.	195 sq. m.
<b>Min. Parcel Frontage</b>	16.0 m	12.0 m
<b>Max. Density</b>	1 Single Detached Dwelling, 1 Secondary Suite or 1 Carriage house	1 Single Detached Dwelling, 1 Secondary Suite or 1 Carriage House (requires min. 550 sq. m. parcel area)
<b>Max. Parcel Coverage</b>	40%	40%
<b>Max. Building Height</b>	9.0 m	9.0 m
<b>Min. Setbacks</b>		
Front	4.5 m or 6.0 m to garage	3.5 m or 6.0 m to garage
Rear	3.0 m	3.0 m
Interior	1.5 m	1.5 m
Exterior	4.5 m or 6.0 m to garage	2.5 or 6.0 m to garage

**Table 1:** zoning analysis

## **Technical Review**

### Environmental

An environmental assessment report was submitted by Makonis Consulting Ltd, dated April 2021. The report identifies Environmental 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 majority of the subject property has previously been disturbed with the proposed lots located in ESA 4 (low sensitivity) areas. The ESA 2 (moderate) areas contained within the property exist within the no build and no disturb covenant areas at the rear parcel boundary.

#### Servicing

A Functional Servicing Report was prepared by CTQ Consultants Ltd. The report identifies existing and proposed water, sewer, storm, and road infrastructure required to service the future subdivision. The proposed lots are intended to be accessed from Shannon Ridge Drive. No off-site improvements were identified in the report to be required to accommodate rezoning.

#### Subdivision and Grading

The applicant has provided a preliminary subdivision plan for the proposed 10-lot subdivision, as well as a preliminary site grading plan (*Figure 1*). Grading and subdivision information will be considered following submission of a subdivision application under the authority of the Approving Officer.

#### Covenants

There is a no build covenant (LB373919) located on the east boundary of the property and a no disturb hillside covenant (LB373956) registered as part of SUB 09-14 (*Figure 1*). These areas protect the steep hillsides contained on the property; however, the applicant will be providing additional geotechnical information in advance of a Public Hearing to confirm if additional measures need to be considered at development permit, given the evidence of subsistence in the area.

### **Referrals**

This application was referred to various external agencies and internal departments. No major concerns were identified during initial review of the application. Advisory comments have been sent to the applicant.

#### Advisory Planning Commission

The Advisory Planning Commission reviewed the proposal on July 21, 2021. The APC supported the proposal as presented.

### **Public Notification**

Public Notification Signage was installed on the property in accordance with the City's Development Applications Procedures Bylaw No. 0260. Subject to receiving first and second reading, additional notification by mail and advertisement in the local newspaper is required in accordance with the *Local Government Act*, which will advise the public of the date and time of the Public Hearing and how to make a submission for Council's consideration.

## CONCLUSION

Staff recommend that Council provide First and Second Reading for the proposed zoning Amendment bylaw based on the following rationale:

- The proposed RC3 zone is consistent with existing Single Family Residential Land Use designation;
- The proposal is consistent with the neighborhood character of the area, which is primarily composed of single family dwellings; and
- The proposed RC3 designation will make a more efficient use of the land base for residential development.

### Alternate Motion:

1. **THAT** Council postpone first and second reading to Zoning Amendment Bylaw No. 0154.109, 2021.

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

2. **THAT** Council deny Zoning Amendment Bylaw No. 0154.109, 2021.

Should Council resolve to deny the proposed 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 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. Zoning Bylaw No. 0154.109, 2021