

Referral Responses – updated to October 7, 2019

The application has been referred out to external agencies and presented to Council Committees at various stages of the bylaw development. The following section is a summary of the responses received to date.

Fire Department:

The following updated referral comments were provided after review of the revised Traffic Impact Assessment:

- The scope and scale of this building, combined with its location relative to existing fire stations adds complexity and time to ensure an adequate fire department response
- The fire department may not be able to properly protect this development, given the following:
 - We are unsure how the code requirements for fire department access (in particular access and setup or the aerial ladder) will be met given the topography and access. In any case, fire department access must meet the code requirements, we will not support any variances in this respect.
 - The development is at least 6km from the nearest fire station. Fire Underwriters requires commercial and multi family developments ideally be within 2.5km and a maximum of 5km response distance from fire stations, for insurance purposes. This could impact the cost to insure and/or insurability of the development. A professional in this area should be consulted.
 - The nearest WKFR aerial ladder is over 12 km away. A mutual aid agreement exists with Kelowna to provide this service, but that would not be recognized for insurance purposes.
- The proposed density will result in an increased volume of fire department responses and this development exists on the edge of the fire response area, meaning that other areas will be left uncovered when a response is required to the proposed development.
- The Fire Department continues to be concerned about the one-way-in one-way-out nature of the Casa Loma neighbourhood against the backdrop of increasing population and the Fire Risk that is present. Best practice (National Fire Protection Association) suggests that neighbourhoods greater than 100 dwelling units be provided with a secondary emergency access/egress. Neighbourhoods with greater than 300 dwelling units be provided with a third emergency access/egress. For reference there are over 300 properties in Casa Loma although not all have dwelling units present. The proposed development will push well past the requirement for at least three egress routes. Fire department access and evacuation of residents is already an issue and the proposed development will significantly increase that risk. *(The current wording in the TIA suggesting a “holistic stakeholder discussion” is not acceptable. Options to meet access requirements as per NFPA must be identified)*

Advisory Planning Commission (APC):

The Advisory Planning Commission considered the draft CD8 zone and water use on June 13, 2018 and carried the following motion:

THAT the APC support File Z17-07, Bylaws 154.59 and 154.56, as presented with the exception of supporting changes to the CD zone to permit heights up to 12 storeys, and recommend that the applicant's alternate amenity space and parking provisions not be added to the zone but are dealt with under possible future variances at time of development permit.

Agricultural Advisory Committee (AAC):

The Agricultural Advisory Committee considered the draft CD8 and water use on July 5, 2018 and carried the following motion:

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THAT the AAC support the proposal bylaw amendments as presented; and

THAT the AAC support registration of a restrictive covenant to ensure:

1. That boat launch and marina parking are provided on the upland CD8 area; and
2. That perimeter fencing is required adjacent to the access road to prevent parking encroachment on to the agricultural land.

In support of these conditions and concerns noted generally with parking, it is recommended that a restrictive covenant is registered as condition of adoption. Further consideration of the fencing requirement may also require consideration of the ALC as part of the related Non Farm Use Application.

The Agricultural Advisory Committee considered the Non Farm Use application for the boat launch and shared driveway on May 3, 2018 and carried the following motion:

THAT the AAC support the non-farm use based on the concept presented.

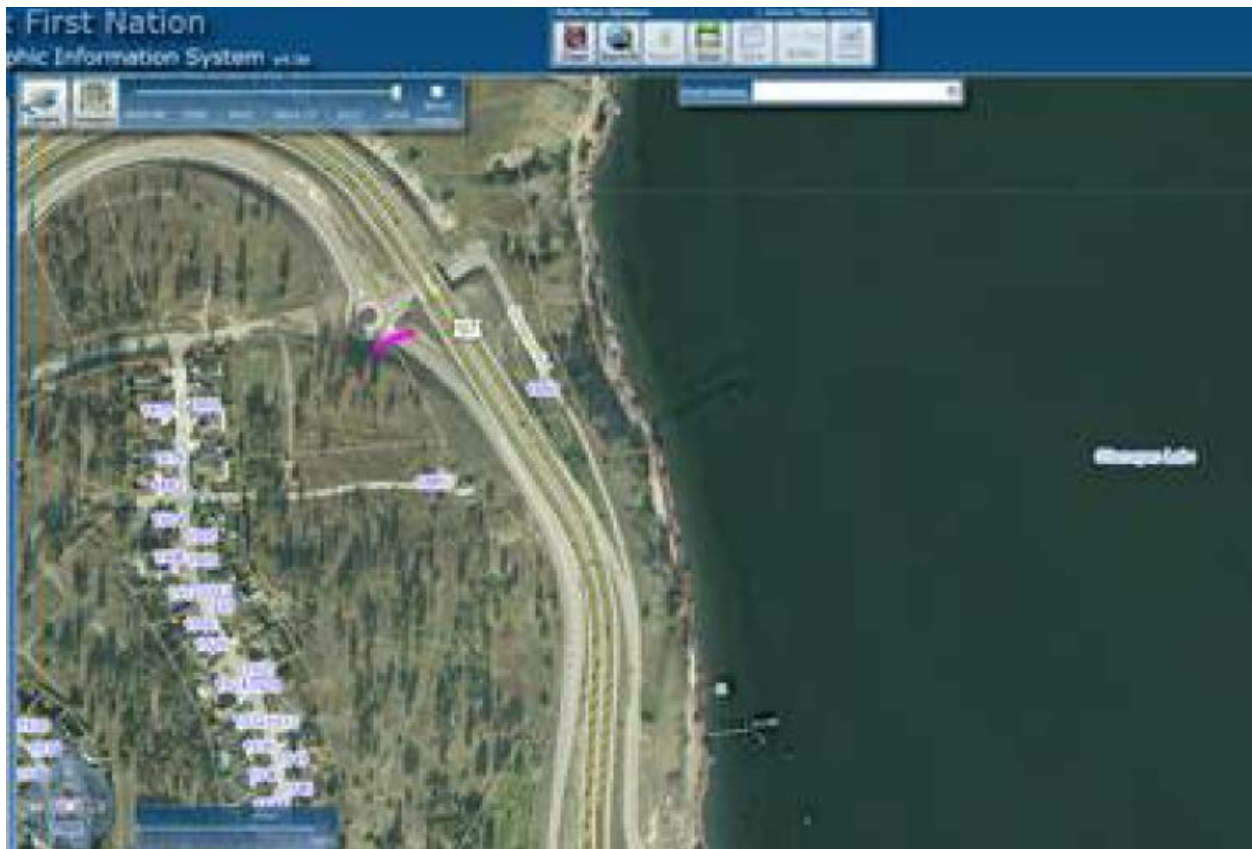
As noted above, the Non Farm Use application (A 18-02) is anticipated to be presented to Council following public hearing, as applicable.

Westbank First Nation (WFN):

WFN clarified in an updated referral (July 18, 2019) that the residential development on Campbell Road on WFN land (Shelter Bay) is currently finalizing submission requirements for development permit approval of phase 1 of the project. Phase 1 consists of approximately 100 townhouse units, full buildout includes approximately 250 multifamily units¹. In regard to the potential for further development in this area of WFN, they noted that properties along Campbell Road between the Shelter Bay project and the WRB Bennett Bridge are currently zoned commercial and medium density multifamily. While the current zoning and community plan supports additional development there are no open applications on these properties.

In response to the recommendations/issues addressed in the traffic impact analysis, the road closure of Sneena Road, north of Campbell Road exit (no specific location provided for closure but assuming a proposed closure as shown below), would eliminate shortcutting on Sneena but would negatively impact future development of the Bluff lands. Future residents would need to drive back to Westside Road via Sneena or Ferry Wharf to head into Kelowna. Any proposed closures would require Council approval and at this level of review staff would not support a closure recommendation to the WFN Council.

¹ The updated TIA corrected this unit count in the most recent version date August 27, 2019.



Ramp metering or Alternate Merge Signage is specific to the Campbell Road roundabout entry from the west (Casa Loma) and is under the jurisdiction of MOTI. Below, MOTI indicated that they do not feel it will have an impact but it is not clear if they provide support. There appears to be no reason for WFN to object, but if it were a ramp light or signage it would not be owned and operated by WFN. Traffic modifications would require WFN Council approval.

Regarding emergency access, it is noted that the Campbell Place access could provide a parallel route connecting directly to Sneena Road on-ramp, but it is unclear what is being recommended here and what the Sneena Road on-ramp is. It is understood that it is an emergency connection between Campbell Place and Blackmun Bay (as shown below in pink) would provide Campbell Place residents a secondary emergency access to Campbell Road, but it appears like a recommendation to extend Campbell Place through the Marina Site to Campbell Road roundabout. More clarity on this proposal would be beneficial.

Figure 3.1: Site Plan



An earlier response from WFN also noted additional concerns or comments including screening/buffering/impacts to WFN properties, location of boat launch, parking for boat launch/marina, impacts to water/sewer systems, and storm water discharge.

Regional District of Central Okanagan (RDCO):

The RDCO noted three key regional growth strategy policies relevant to this development, including consideration of proposed new growth areas impacts on existing services and facilities in the community, supporting land uses that provide affordable, effective and efficient services and infrastructure that conserve land, water and energy resources, and promoting identified urban/village centres in current community plans.

Ministry of Transportation and Infrastructure (MOTI):

MOTI's general referral response notes that the proposed bylaw falls outside of their jurisdiction, however, they wished to express concern regarding the level of density being proposed. Should the bylaw amendment be successful, they have concern that the subsequent traffic being generated by the site will negatively affect the existing Campbell Road and Highway 97 overpass facilities. The Ministry is requesting that the City of West Kelowna consider:

- Scaled down version of development that would result in a lower trip generation and less impact to the surrounding community roads and highway.
- Additional internal links to local road network that may relieve some pressure on downstream roads and highways.

In reference to the noted traffic effects on the Campbell Road/Highway 97 intersection and potential improvements, MOTI's referral response to the updated TIA dated Mar 22, 2019 noted that "based on our technical review, the options presented in the report will have little to no effect on the reported highway congestion during the AM commuter peak period on either Highway 97 or Campbell Road. Should the City of West Kelowna wish to pursue or explore improvements at

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the interchange, this would require the City to approach the Ministry with a formal proposal as a separate process.”

Agricultural Land Commission (ALC):

The ALC does not support amending the Agricultural land use designation or zone on the remaining land within the ALR. All proposed uses within the ALR portion must be consistent with the ALC Act. They further note that the original exclusion application was conditional on the future road dedication of Campbell Road to act as a buffer to the ALR lands. A non-farm use application for the proposed boat launch and shared driveway has been received (File: A 18-02), which has not been considered by Council as it is still under technical review and will be presented to Council as a separate file following public hearing of the water use zoning bylaw amendment.

Ministry of Agriculture (MOA):

The MOA notes concern with the fragmentation of the remaining agricultural area. As noted, the proposed CD8 zone has been reduced to include only the non-ALR portion of the lands.

Interior Health Authority (IHA):

IHA made comments under their Healthy Food System and Healthy Built Environment policies. The preservation and retention of the agricultural uses in the proposed bylaw amendments were supported where it is intended to be active farmland, but noted concern with any uses that may limit agricultural use. Comments on healthy built environments advised that complete, compact and connected neighbourhoods encourage active transportation. They further noted that while the proposed CD8 zone included some mixed uses and amenities, which may allow some people to work from home, most residents would likely have to travel farther into West Kelowna or Kelowna to go to work, access a variety of amenities for daily life or to go to school.

Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD):

The Ministry advises that crown land tenure is required for any planned foreshore use. The applicant has provided confirmation that they have FLNRO approval for the commercial dock subject to zoning approval. The applicant has further noted that have also applied for the boat launch which is in process. It is recommended that these conditional approvals are both confirmed as a condition of adoption.

Archaeology Branch (FLNRORD):

The Archaeology Branch concurs with the findings of the Archaeological Overview Assessment, where it is noted that an Archaeological Impact Assessment must be completed in the recommended areas prior to any development.

Fortis:

There is a 60 mm polyethylene gas main that runs along Campbell Road that will need to be accommodated with any road upgrades in the area.

Telus:

Telus has no objection to the proposed development but notes that the developer is responsible for paying for any and all development related modifications to the existing Telus plant in this area.

Hydro:

BC Hydro notes that they support the application as long as conditions are met regarding a required statutory right of way and ensuring that any proposed buildings respect clearances adjacent to works along Campbell Road.