



ADVISORY PLANNING COMMISSION REPORT

To: Advisory Planning Commission Members

Date: April 19, 2023

From: Yvonne Mitchell, Planner II

File No: Z 23-01

Subject: **Z 23-01; Official Community Plan and Zoning Bylaw Amendment; 1179 Westside Road**

BACKGROUND

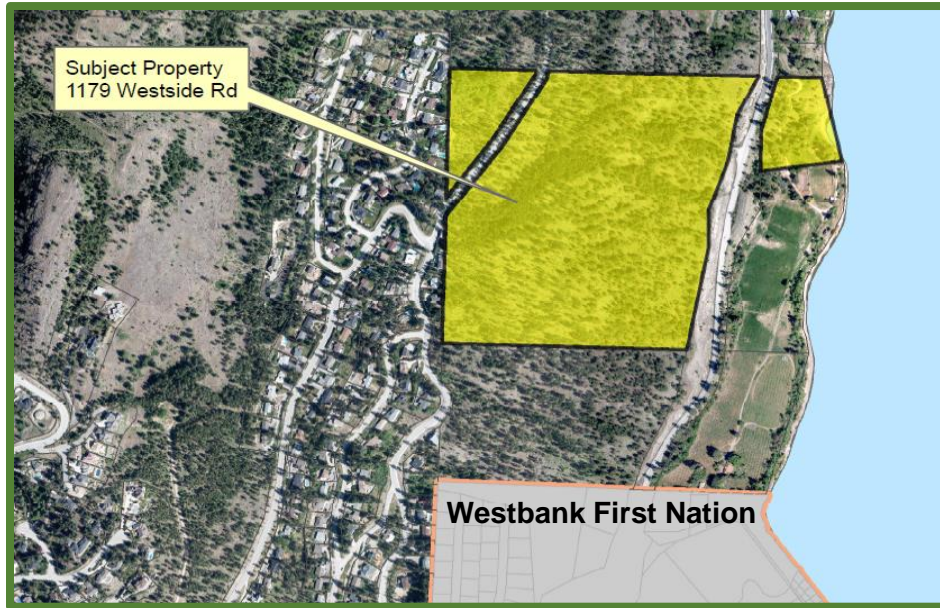
The subject property, at 1179 Westside Road, is located in the West Kelowna Estates/Rose Valley neighbourhood. The subject property is 23 ha (57 acres) and bisected by Westside Road and Bear Creek Road dividing the property into thirds. The subject property is currently undeveloped, except for the lower third adjacent to Lake Okanagan, that contains a single detached dwelling. This application only applies to the upper third (triangle) portion of the property that is +/-1.78 ha (4.39 ac) and adjacent to Bear Creek Road (see Property Map below).

PROPERTY DETAILS			
Address	1179 Westside Road		
PID	008-819-823		
Folio	36413204.000		
Lot Size	57.433 acres (232423 sqm)		
Owner	Homestar Investments Ltd.	Agent	Aplin Martin Consultants Ltd.
Current Zoning	Agricultural Zone (A1)	Proposed Zoning	Single Detached Residential (R1) and Low Density Multiple Residential (R3)
Current OCP	Comprehensive Development Areas	Proposed OCP	Single Family Residential and Low Density Multiple Family
Current Use	Vacant	Proposed Use	Residential
Development Permit Areas	Sensitive Terrestrial Ecosystem and Hillside		
Hazards	Sensitive Terrestrial Ecosystem and Hillside		
Agricultural Land Reserve	Yes (<i>portion of lower third only</i>)		

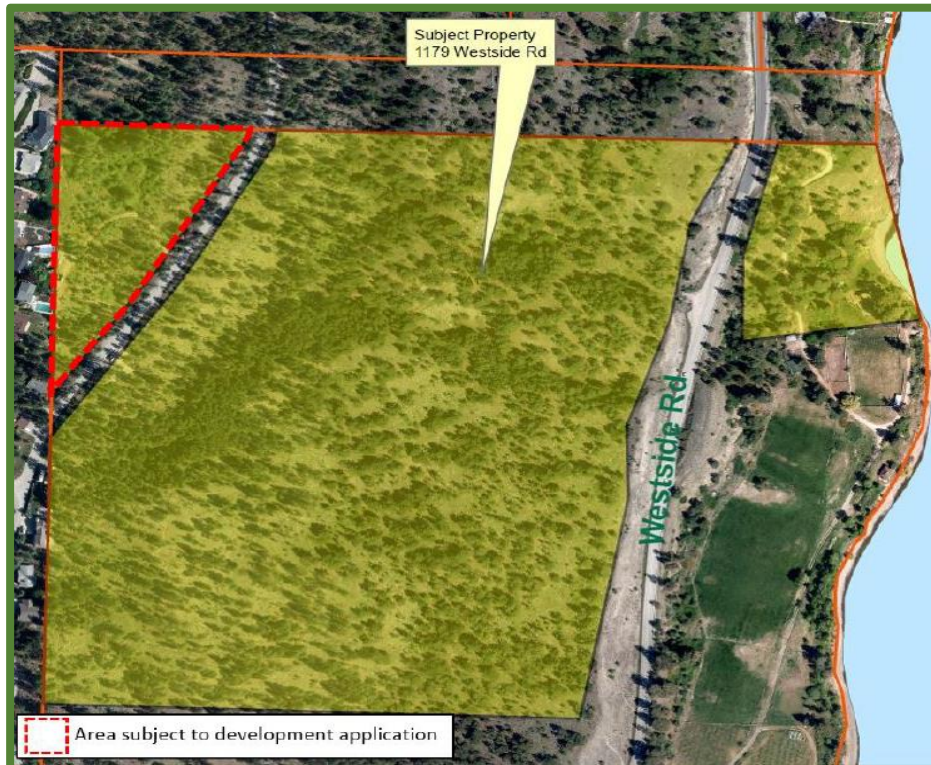
ADJACENT ZONING & LAND USES

North	^	Rural Residential Medium Parcel Zone (RU3)
East	>	Recreational Water Use Zone (W1)
West	<	Single Detached Residential (R1)
South	v	Agricultural Zone (A1)

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Proposal

This application is for an Official Community Plan Amendment and Zoning Bylaw Amendment. The proposed Official Community Plan Amendment is from Comprehensive Development Areas to Single Family Residential and Low Density Multiple Family. The proposed Zoning Bylaw Amendment is from Agricultural Zone (A1) to Single Detached Residential Zone (R1) and Low Density Multiple Residential Zone (R3).

Applicant's Rationale

The applicant has provided a rationale for their proposal (Attachment 1).

Zoning and Policy Review

Official Community Plan Bylaw No. 0100

The Land Use Designation for the subject property in the Official Community Plan is Comprehensive Development Areas. The built form/land use for the Comprehensive Development Areas is pending further study, and potential land uses remain to be determined. The purpose is to align development opportunities with CWK's Land Use Analysis and Growth Management designations and strategy; and to protect visually prominent, hillside, and environmentally sensitive areas. The subject property is within the Raymer Comprehensive Development Area which has been undergoing a Comprehensive Development Plan since 2011 and is yet to be completed. The proposal is not consistent with the existing Land Use Designation in the Official Community Plan and an Official Community Plan amendment is required which would remove the upper third (triangle) portion of the subject property from the Raymer Area.

The proposed Land Use Designation of Single Family Residential has a built form/land use of single detached, duplex and carriage house and compact or clustered single-detached housing, including manufactured homes. The purpose is to provide traditional single family housing opportunities and encourage more land efficient compact housing forms for families (See Figure 1 below and the applicant's rationale in Attachment 1 for more information).

The proposed Land Use Designation of Low Density Multiple Family has a built form/land use of semi-detached, attached townhouse. The purpose is to provide a broader 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 (See Figure 1 below and the applicant's rationale in Attachment 1 for more information).

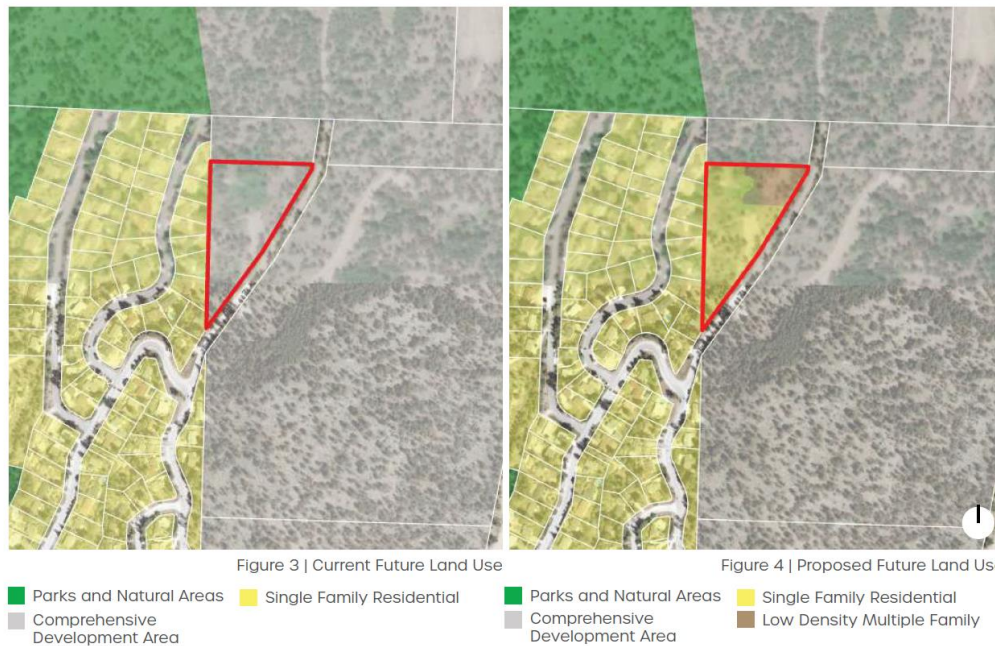


Figure 1 – Current and proposed OCP land use designations excerpted from applicant’s rationale.

Development Permit Areas

Unless future development qualifies for exemptions under the Official Community Plan, a Hillside and Sensitive Terrestrial Development Permit would be required. In addition, if the applicant chooses to construct multiple family development a Multiple Family Form and Character Development Permit will be required.

Zoning Bylaw No. 0265

The existing Agricultural Zone (A1) permits single detached dwelling, modular home, mobile home, and a variety of agricultural uses. For subdivision in the A1 Zone, the minimum parcel area permitted is 4.0ha (9.9 ac).

The proposed Single Detached Residential Zone permits single detached dwelling as a principal use and a variety of secondary uses, including but not limited to, carriage house, secondary suite, bed and breakfast, and short term accommodation. For subdivision the minimum parcel area permitted is 550m² (5,920.2 ft²).

The proposed Low Density Multiple Residential Zone (R3) zone permits townhomes and duplexes, and a care facility or group home in such forms. For subdivision in the R3 Zone, the minimum parcel area permitted is 1000m² (10,763.9 ft²).

Relevant sections of the zoning bylaw discussed above can be found in Attachment 2.

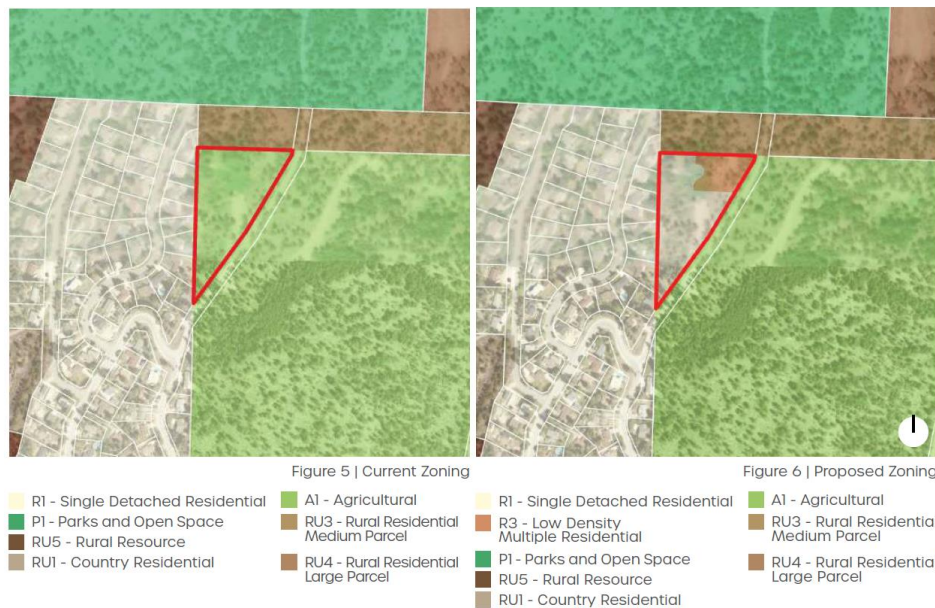


Figure 2 – Current and proposed zones excerpted from applicant’s rationale.

TECHNICAL REVIEW

Environmental Considerations

The applicant has provided an environmental report that identifies the site (upper third triangle portion only) as Environmental Sensitive Area 3 - Low. As the expected proposal is to develop the whole site, the report recommends restoration where possible with future subdivision.

Geotechnical Considerations

The applicant has provided a geotechnical report that identifies the soil profile as suitable for building on conventional foundations and that it is expected that an adequate factor of safety for slope stability can be achieved. Further geotechnical analysis would be completed at time of future development.

Servicing Considerations

An existing sanitary main services the property and an existing water main is located approximately 90m from the property. If the future development as proposed proceeds extensions to servicing will be required. There is currently no stormwater management for the site. Future development will be required to provide on-site, and off-site storm works to meet the standards in the City of West Kelowna’s Works and Services Bylaw.

KEY CONSIDERATIONS

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

- The Purpose of the Single Family Residential Land Use Designation is to provide traditional single family housing opportunities and encourage more land efficient compact housing forms for families.
- The purpose of the Low-Density Multiple Family Land Use Designation is to provide a broader 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 R1 Zone permits single detached dwellings with either an accessory carriage house or secondary suite, and the R3 Zone permits duplexes and townhomes.

Specific comments would be appreciated should the APC have any concerns with the proposed official community plan and zoning bylaw amendments, so that they may be further investigated or considered prior to staff providing a recommendation to Council as part of consideration of the application.

Respectfully submitted,

Yvonne Mitchell, Planner II

Powerpoint: Yes No

Attachments:

1. Applicant's Rationale
2. Zoning Bylaw Sections