



COUNCIL REPORT

To: Mayor and Council

Date: April 11, 2023

From: Paul Gipps, CAO

File No: Z 22-09

Subject: **Z 22-09; Zoning Amendment Bylaw No. 0265.02, 2022 (First and Second Reading); 3349 Glenrosa Road**

Report Prepared By: Jayden Riley, Planner III

BACKGROUND

This application is seeking to rezone the subject property from Rural Residential Large Parcel (RU4) to Rural Residential Small Parcel (RU2) to accommodate a two-lot subdivision. The subject property is located within the Rural Reserve Growth Management Designation (GMD). Rezoning in the Rural Reserve GMD for the purpose of subdivision is not supported under the existing Official Community Plan policy.

This amendment bylaw was first considered by Council for First and Second Reading on September 6, 2022 – report attached (*Attachment 2*). Council resolved to defer consideration and directed staff to provide more information related water servicing alternatives as the applicant could not meet the City's bylaw requirements for water provision. The applicant has submitted a proposal to pump water to any future lot created by subdivision from the City's reservoir and to install a sprinkler system to service any future dwelling, subject to rezoning, variance (for servicing), and subdivision approval.

New Information

Since the application was considered by Council on September 6, 2022, the existing dwelling located on subject property has been connected to public water via a pump, as per the terms of an agreement intended to compensate adjacent properties related to the reservoir construction. Site grading has also been completed (*Figures 1 & 2*).



Figures 1 & 2: reservoir site and subject property (photos taken Sept. 2022)

Proposal

Following the September 6 meeting, staff engaged with the applicant to consider water servicing alternatives for Council consideration with the understanding that all options would require variances to the Works and Services Bylaw No. 0249.

The applicant submitted a technical memo in March 2023 proposing to supply any future lot created by subdivision of the subject property with a domestic water service by pump and to register a covenant to require any future dwelling to be serviced with a sprinkler system. The applicant's engineer has noted that the domestic pumps installed as part of the reservoir construction are of adequate size to accommodate another domestic service and that no upgrades would be required.

Recommended Conditions for Sprinkler System

Should the proposed amendment bylaw proceed to Third Reading, staff will recommend that any infrastructure required to accommodate a fire suppression system be located on, operated, and maintained by the owner of the subject property, as a condition of adoption. The intent of this is to ensure that the City is not responsible for any future maintenance or operational costs if additional equipment, beyond the existing pump, is needed to accommodate a sprinkler system.

Anticipated Variances Contingent Upon Revised Proposal

The following variances to the Works and Services Bylaw No. 0249 will be required as a condition of adoption of the proposed RU2 zone:

- To permit a property zoned RU2 to forgo connection to the community water system via gravity; and
- To permit water servicing, without adequate fire flow.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
September 6, 2022	THAT Council defer First and Second Reading to the City of West Kelowna Zoning Amendment Bylaw No. 0265.02, 2022 (File: Z22-09) to a future Regular Council meeting	C252/22

OPTIONS FOR COUNCIL'S CONSIDERATION:

1. That Council **Deny** First and Second Reading of the proposed amendment bylaw (staff recommendation).

THAT Council deny First and Second Reading to City of West Kelowna Zoning Amendment Bylaw No. 0265.02, 2022 (File: Z 22-09); and

THAT Council direct staff to close the file in accordance the City's Development Application Procedures Bylaw No. 0260.

2. That Council **give First and Second Reading** to the proposed amendment bylaw.

THAT Council give First and Second Reading to City of West Kelowna Zoning Amendment Bylaw No. 0265.02, 2022 (File: Z 22-09); and

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

REVIEWED BY

Brent Magnan, Director of Development Approvals

Corinne Boback, Legislative Services Manager / Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes No

Attachments:

1. Zoning Amendment Bylaw No. 0265.02, 2022
2. September 6, 2022, Council Report (First and Second Reading)