



COUNCIL REPORT

To: Mayor and Council

Date: May 9, 2023

From: Paul Gipps, CAO

File No: Z 22-06

Subject: **Z 22-06; Zoning Amendment Bylaw No.0265.08, 2022 (Adoption); Smith Creek, Stage 4**

Report Prepared By: Jayden Riley, Planner III

RECOMMENDATION to Consider and Resolve:

THAT Council adopt City of West Kelowna Zoning Amendment Bylaw No. 0265.08, 2022.

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity

BACKGROUND

The proposed amendment bylaw to rezone the subject property from Rural Residential Small Parcel (RU2) to Single Detached Residential (R1) was given Third Reading on January 10, 2023. The conditions established by Council at Third Reading have since been satisfied.

PROPERTY DETAILS

Address	2919 Sandberg Road (Smith Creek, Stage 4)		
PID	006-678-149		
Folio	36414410.026		
Lot Size	5.1 ha		
Owner	1068059 BC LTD	Agent	Kyle Lorincz, Protech Consulting
Current Zoning	Rural Residential Small Parcel (RU2), Parks and Open Space (P1)	Proposed Zoning	Single Detached Residential (R1)
Current OCP	Single Family Residential, Parks and Natural Areas	Proposed OCP	No Change

Current Use	Vacant	Proposed Use	Single Family Dwelling / Subdivision
Development Permit Areas	Hillside, Sensitive Terrestrial, Aquatic		
Hazards	Hillside, Terrestrial Ecosystems		

ADJACENT ZONING & LAND USES

North	^	Single Detached Residential (R1) / Institutional and Assembly (P2)
East	>	Parks and Open Space (P1) / Black Canyon Park
West	<	Parks and Open Space (P1) / Glen Canyon Regional Park
South	v	Single Detached Residential (R1)

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Overview of the Proposed Zoning Amendment

This application is seeking to rezone a 3.1-ha portion of the 5.1-ha subject property from Rural Residential Small Parcel (RU2) to Single Detached Residential (R1) to support a proposed 20-lot subdivision. The property is otherwise split-zoned with a 2.0-ha portion zoned Parks and Open Space (P1) – no amendment to the land use designation or zoning of the P1 area is proposed.

Summary of Conditions

On January 10, 2023, at time of Third Reading, Council directed staff to schedule the amendment bylaw for adoption subject to the following conditions:

- Registration of a S.219 covenant that includes preliminary design and cost estimate to the satisfaction of the City for the construction of an off-site sidewalk and asphalt pathway on Smith Creek Road, connecting Copper Ridge Drive to Elliott Road;
- Registration of S.219 covenant with preliminary design and cost estimate to the satisfaction of the City for the extension of Doucette Drive¹ to connect with Copper Ridge Drive prior to further development over 100 units in the area;
- Registration of a S. 219 No Disturb Covenant over the wildlife corridor identified in the Environmental Assessment Report prepared by Ecoscape Environmental Consultants, dated February 22, 2022; and
- Registration of a S. 219 Wildfire Covenant to ensure the wildfire hazard rating of the subject property is low to moderate in advance of building permit.

The above conditions have since been satisfied; therefore, staff recommend that Council adopt the proposed zoning amendment bylaw.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
July 12, 2022	THAT Council give First and Second Reading to City of West Kelowna Zoning Amendment Bylaw No.0154.114, 2022; and THAT Council direct staff to schedule a Public Hearing regarding the proposed zoning amendment subject to additional information on anticipated costs and scope of proposed pedestrian improvements	C189/22
November 22, 2022	Public Hearing	N/A

¹ Constructed to a Local or Local Hillside Road standard, as per Works and Services Bylaw No. 0249

November 22, 2022	THAT Council resolve to postpone consideration of the amendment bylaw to allow for further details regarding the proposed off-site pedestrian and cycling improvements and any other applicable conditions	C300/22
January 10, 2023	<p>THAT Council give Third Reading as amended to City of West Kelowna Zoning Amendment Bylaw No.0265, 2022; and</p> <p>THAT Council resolve to direct staff to schedule the amendment bylaw for adoption subject to:</p> <ul style="list-style-type: none"> • Registration of a S. 219 Covenant that includes preliminary design and cost estimate to the satisfaction of the City and for the construction of an off-site sidewalk and asphalt pathway on Smith Creek Road, connecting Copper Ridge Drive to Elliott Road; • Registration of S. 219 covenant with preliminary design and cost estimate to the satisfaction of the City for the extension of Doucette Drive to connect with Copper Ridge Drive prior to further development over 100 units in the area; • Registration of a S. 219 No Disturb Covenant over the wildlife corridor identified in the Environmental Assessment Report prepared by Ecoscape Environmental Consultants, dated February 22, 2022; and • Registration of a S. 219 Wildfire Covenant to ensure the wildfire hazard rating of the subject property is low to moderate in advance of building permit. 	C008/23

REVIEWED BY

Chris Oliver, Planning Manager

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. 0265.08, 2022