



COUNCIL REPORT

To: Mayor and Council

Date: May 9, 2023

From: Paul Gipps, CAO

File No: Z 21-02

Subject: **Z 21-02; OCP and Zoning Amendment Bylaw No. 0100.64 and 0265.04, 2022 (Rescind Third Reading, Re-read as Amended and Adopt); Smith Creek, Phase 1**

Report Prepared By: Jayden Riley, Planner III

RECOMMENDATION to Consider and Resolve:

THAT Council adopt City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.64, 2022 (File: Z 21-02);

THAT Council rescind third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.104, 2022 (File: Z 21-02);

THAT Council give third reading as amended to City of West Kelowna Zoning Amendment Bylaw No. 0265.04, 2022 (File: Z 21-02); and

THAT Council adopt City of West Kelowna Zoning Amendment Bylaw No. 0265.04, 2022 (File: Z 21-02).

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity

BACKGROUND

The proposed OCP and zoning amendment bylaws received third reading on August 23, 2022. Council directed staff to consider the amendment bylaws for adoption subject to conditions – those conditions have since been satisfied.

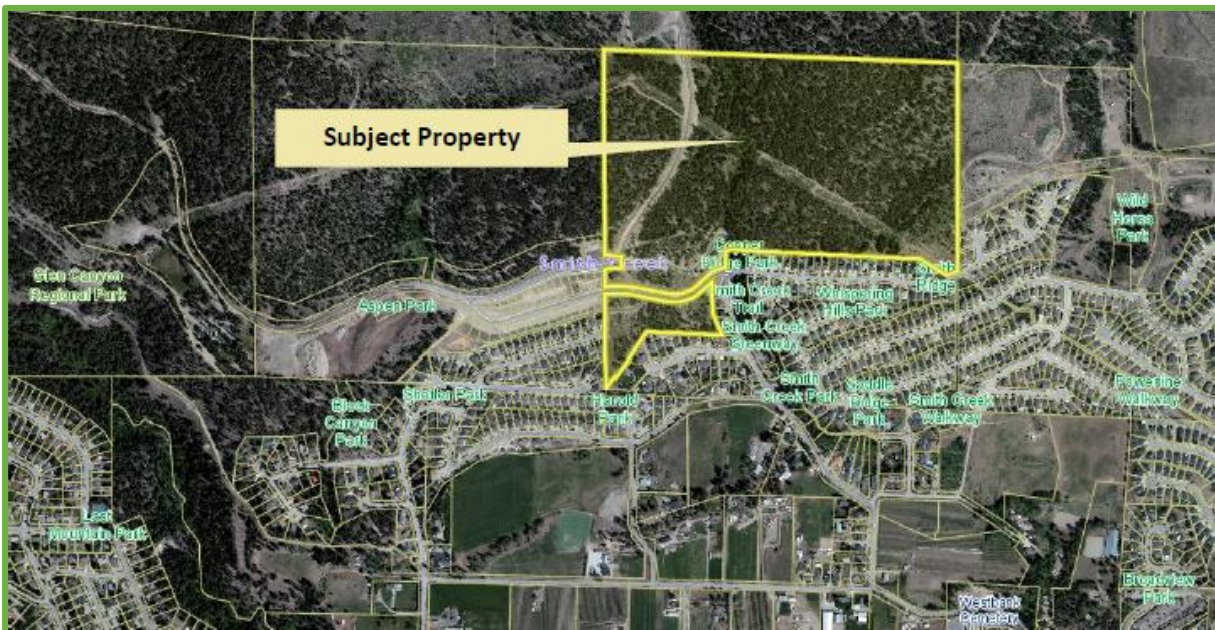
PROPERTY DETAILS

Address	Smith Creek Road (Part E 1/2, DL 3478, ODYD, Except Plan 6425, 10683, 12080, 15504, 40370, KAP56474)		
PID	011-344-709		
Folio	36414695.000		
Lot Size	432,694 m2 parent parcel / ~ 56,000 m2 rezoning area		
Owner	0999149 BC Ltd	Agent	Protech Consulting (2012) / Kyle Lorincz
Current Zoning	RU5 (Rural Resource)	Proposed Zoning	R3 (Low Density Multiple Family) and R1 (Single Detached Residential)
Current OCP	Parks and Natural Areas / Single Family Residential / Low Density Multiple Family	Proposed OCP	Single Family Residential / Low Density Multiple Family
Current Use	Vacant	Proposed Use	Residential
Development Permit Areas	Hillside, Terrestrial, Aquatic, Wildfire, Form and Character for Multiple Family		
Hazards	Potential Rockfall / Slide Area on parent parcel		
Agricultural Land Reserve	N/A		

ADJACENT ZONING & LAND USES

North	^	RU5 (Rural Resource) – vacant CDP land
East	>	P1 - Smith Creek Greenway / R1 - single family residential
West	<	R1 - single family residential (new Smith Creek Ph. 1)
South	v	P1 – Harold Park / R1 - single family residential

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Rescinding Third Reading and Re-Reading as Amended

Third Reading of the proposed Zoning Amendment Bylaw occurred on August 23, 2022, prior to the adoption of updated Zoning Bylaw No. 0265. Therefore, the Amendment Bylaw must be rescinded and re-read a third time as amended to reflect the new bylaw number; its contents have otherwise not changed.

Overview of Proposed OCP and Zoning Amendment

The applicant has proposed an Official Community Plan amendment from Low Density Multiple Family and Parks and Natural Areas to Single Family Residential and Low Density Multiple Family. The applicant has also proposed a Zoning Bylaw amendment from Rural Resource Zone (R5) to Low Density Multiple Residential Zone (R3) and Single Family Residential Zone (R1). The amendments are for a ~56,000 m² portion of the south-east corner of the parcel are required to facilitate a proposed development including approximately 43 single family residential lots and one 1.2 ha multi-family parcel. The proposed development also includes road dedication that will connect the northern extent of Smith Creek Road to the southern portion.

Summary of Conditions

At time of Third Reading, Council directed staff to schedule the amendment bylaws for adoption subject to registration of a S.219 covenant to secure servicing and infrastructure works, including preliminary design and cost estimates to the satisfaction of the City and as described in this report for the following:

- Full dedication and construction of the adjacent Smith Creek Road alignment;
- Extension of Doucette Drive to connect with Copper Ridge Drive prior to any further development over 100 units;

- Bus stop improvements, including the extension of sidewalk from the Copper Ridge intersection;
- Linear trail connections to connect Harold Park to Smith Creek Road including works and any necessary statutory rights of way to facilitate pedestrian, cycling, and equestrian movements; and
- Off-site storm water improvements.

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

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
Jan 25, 2022	<p>THAT Council give first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.64, 2022 (File: Z 21-02); and</p> <p>THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.104, 2022 (File: Z 21-02); and</p> <p>THAT Council direct staff to schedule the proposed bylaw amendments for Public Hearing pending receipt of a conceptual storm water management plan to the satisfaction of the Director of Engineering.</p>	C043/22
May 10, 2022	<p>THAT Council rescind second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.64, 2022 and Zoning Amendment Bylaw No. 0154.104, 2022 (File: Z 21-02); and</p> <p>THAT Council re-read City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.64, 2022 and Zoning Amendment Bylaw No. 0154.104, 2022 (File: Z 21-02) a second time as amended; and</p> <p>THAT Council direct staff to schedule the proposed bylaw amendments for Public Hearing pending receipt of a conceptual stormwater management plan to the satisfaction of the Director of Engineering.</p>	C130/22
Jun 14, 2022	Public Hearing Held	N/A
Jun 14, 2022	THAT Council postpone consideration of Third Reading to City of West Kelowna OCP and Zoning Amendment Bylaw	C159/22

No. 100.64 and 154.104, 2022 (File: Z 21-02); and direct staff to bring the file back subject to confirmation of any off-site improvements including those related to transportation.

August
23, 2023

THAT Council give third reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.64, 2022 (File: Z 21-02); and
THAT Council give third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.104, 2022 (File: Z 21-02); and

C228/22

THAT Council direct staff to schedule the bylaws for consideration of adoption following registration of a Section 219 Covenant to secure servicing and infrastructure works as a condition of zoning, including preliminary design and cost estimates to the satisfaction of the City and as described in this report for the following:

- Full dedication and construction of the east-south Smith Creek Road alignment
- Extension of Doucette Drive to connect with Copper Ridge Drive prior to any further development over 100 units;
- Bus stop improvements, including the extension of sidewalk from the Copper Ridge intersection;
- Linear trail connections including works and any necessary statutory rights of way; and
- Off-site storm water improvements.

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. OCP Amendment Bylaw No. 0100.64, 2022
2. Zoning Amendment Bylaw No. 0265.04, 2022