



DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: June 27, 2023

From: Paul Gipps, CAO

File No: Z 17-02

Subject: **Z 17-02; Application Extension; 3290 Glenrosa Road, 3280 Glenrosa Road and Salmon Road**

Report Prepared By: Yvonne Mitchell, Planner II

RECOMMENDATION to Consider and Resolve:

THAT Council approve an extension of one (1) year and maintain the previously identified zoning conditions for File: Z 17-02, subject to the reservoir costs being brought to 2023 standards.

STRATEGIC AREA(S) OF FOCUS

Pursue Economic Growth and Prosperity

We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

BACKGROUND

Council gave third reading to Zoning Bylaw Amendment Application Z 17-02 on May 8, 2018. The amendment proposes to rezone 3 lots in Upper Glenrosa from the Rural Residential Large Parcel Zone (RU4) to the Parks and Institutional Zone (P1), Single Detached Residential Zone (R1), and Low Density Multiple Residential Zone (R3) to facilitate approximately 92 single family and 26 multi-family units.

The Zoning Bylaw Amendment included a variance to exempt the developer from constructing a water storage reservoir and is to be scheduled for consideration of adoption once conditions are met which include submission of technical/design, legal, and financial matters (Attachments 1 - 3). Given deficiencies in the Glenrosa road system, one of Council's conditions included improvements to ~700m of Glenrosa Road to the urban arterial road standard for the section past Gates Road (Figure 1). These improvements were also identified in the Council-adopted Upper Glenrosa/Salmon Road Comprehensive Development Plan (CDP). In recognition of site constraints, the City

previously provided the following concessions to the urban arterial standard to the applicant:

- Reduction of the road right of way width from 24.0m to 20.0 metres;
- Re-location of the 2.0 metre wide sidewalk to back of curb;
- Re-location of the 2.0 metre wide boulevard to back of sidewalk;
- Elimination of the street tree requirements from the cross-section;
- Permission for cut and fill slopes and/or retaining walls to be located within road right of way; and
- increase of the maximum road grade from 8% to 10%.
- Require only curb, gutter, and sidewalk on the north side of Glenrosa Road.

The above concessions result in a half modified arterial road standard and reduce the expected improvement costs by approximately \$600,000 (Attachment 4). Despite these concessions the applicant expressed concern with the Glenrosa Road improvement requirements and associated costs at third reading; however, Council maintained the requirement for the improvements. It should be noted the CDP identifies the costs associated with the urbanization of Glenrosa Road are to be borne by the developer.



Figure 1: Extent of Glenrosa Road Improvements at property frontage (red) and extended/off-site improvements (yellow)

This is the second extension request for this application. A previous extension request was made in 2022 (Attachment 5), which extended the deadline for Council consideration for final adoption to May 10, 2023. This extension request was to allow time for the applicant to address the dedication of land to accommodate improvement to Glenrosa Road. The applicant has now made another extension request to further review the level of Glenrosa Road improvements required. The current request would extend the deadline to May 10, 2024.

DISCUSSION

Applicant Rationale

The applicant has provided a rationale letter for their extension request (Attachment 6). As per the letter, the current upgrades required to Glenrosa Road are too costly to pursue the development, and the intent of the extension request is to provide time to undergo a redesign exercise that will look at opportunities to reduce costs along select sections of the roadway upgrade where appropriate.

Impact of Proposed Extension

There are a number of zoning conditions related to improvements to Salmon Road, water reservoir contributions, improvements to Stonegate Park, and stormwater management. One of the detailed zoning conditions related to Glenrosa Road is as follows:

- 1. Submission of designs and cross-sections, cost estimate, and development agreement for the full width of the Glenrosa Road improvements from and including the subject properties to Gates Road to the satisfaction of the General Manager of Development Services (full width improvements include curb, gutter, sidewalk on the north side of the road and ditch on the south side).***

The identified Glenrosa Road improvements are outlined as requirements in the Council-adopted CDP and enhance public safety for both vehicle and pedestrian traffic. The identified works to Glenrosa Road are located outside of the City's current Growth Boundary, and therefore are not anticipated in the City's DCC program or Capital plans for road improvements. The CDP states the road is to be constructed to the full Urban Arterial standard and that all traffic improvements identified at the detailed design stage (i.e. rezoning) and any associated costs will be borne by the developer. In recognition of site constraints, the City has previously worked with the developer to provide multiple concessions to this standard, (see Third Reading Report Attachment 3); however, it is anticipated that further modifications will have an impact on safety and consistency with the CDP.

It is also anticipated that proposed changes to the road improvements may result in a request to amend the conditions established at 3rd reading.

CONCLUSION

Given the applicant has indicated they are not able to meet the Glenrosa Road Improvements condition outlined at zoning, and further concessions to both this condition, as well as the requirement to provide adequate water storage (i.e. build reservoir) have the potential to impact safety and consistency with the CDP, it is recommended that Council not approve the extension request intended to further review required road improvements. It is further recommended that Council maintain the previously identified improvements to Glenrosa Road.

As per the Development Application Procedures Bylaw No. 0260, Council may extend the deadline for a period of one (1) year by passing a resolution to that effect to enable the applicant to complete the requirements for final adoption. A maximum of two (2) one-year time extensions may be granted by Council. This extension request is the second extension request submitted for the application.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
May 10, 2022	THAT Council approve an extension of one (1) year to resolve the zoning conditions for File: Z 17-02, in order for the application to move forward for final adoption, subject to the reservoir costs being brought to 2022 standards.	C129/22
May 8, 2018	THAT Council give third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.56, 2017 (File: Z 17-02); and THAT Council direct staff to schedule the bylaw for consideration of adoption conditional upon submission of all technical/design matters, legal matters, and financial matters to the satisfaction of the General Manager of Development Services (refer to Attachment 1: Detailed Zoning Conditions); and THAT Council authorize the issuance of a Variance Permit (File: DVP 17-15) for 3280 and 3290 Glenrosa Road and Block 105 Salmon Road (Lots A & B, DL 3190, ODYD, Plan KAP 68680 & Block 105, DL 3190, ODYD, Plan 777) to vary Works and Services Bylaw No. 0120, Appendix A – Design and Construction Standards, Schedule 3 – Water Supply and Distribution Systems, Section 3.4.2 – Reservoirs, to exempt the developer from the requirement to construct a water storage reservoir subject to adoption of the associated rezoning application (Zoning Amendment Bylaw No. 0154.56, 2017).	C127/18
February 27, 2018	A Public Hearing was held for the bylaw amendment.	N/A
August 22, 2017	THAT Council give first and second readings to the Zoning Amendment Bylaw; and THAT Council direct staff to schedule the Public Hearing pending submission of the following to the satisfaction of the General Manager of Development Services:	C401/17

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- Proposed design and cross-section for the Glenrosa Road improvements;
 - Storm water management plan for the Glenrosa Road improvements, including details on storm detention facilities;
 - Revised servicing report, including design criteria and rationale for Glenrosa Road and any deficiencies associated with the required road standard; and
 - Proposal to assist with the construction of park improvements at Stonegate Park.
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Alternate Recommendation(s) to Consider and Resolve:

Option 1: This option reflects the applicant's request to extend the application to further review the road design for additional costs savings. Should Council choose this option the applicant would be granted an extension, and the opportunity to present an alternative to the existing Glenrosa Road improvements as part of a future consideration.

THAT Council approve an extension of one (1) year for File: Z 17-02 to allow the applicant an opportunity to provide alternate road design options for further review and consideration, subject to the reservoir costs being brought to 2023 standards.

Option 2:

THAT Council deny an extension request for File: Z 17-02;

THAT Council rescind first, second and third readings to Zoning Amendment Bylaw No. 0154.56, 2017 (File: Z 17-02), and abandon the bylaw; and

THAT Council direct staff to close File Z 17-02 and associated file DVP 17-15.

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. Council Minutes Excerpt - May 8, 2018
2. Detailed Zoning Conditions
3. Third Reading Council Report
4. Glenrosa Road Improvements Cost Estimate
5. Applicant Rationale Extension 1
6. Applicant Rationale Extension 2