



CITY OF WEST KELOWNA
MINUTES OF THE ADVISORY PLANNING COMMISSION MEETING

Wednesday, April 19, 2023
COUNCIL CHAMBERS
2760 CAMERON ROAD, WEST KELOWNA, BC

MEMBERS PRESENT: Joe Gluska
Nicole Richard
Briane Simpson, Acting Chair
Andy Smith
Melissa Smith

MEMBER ABSENT: Anthony Bastiaanssen

Staff Present: Jayden Riley, Planner III
Yvonne Mitchell, Planner II
Natasha Patricelli, Recording Secretary

1. CALL THE ADVISORY PLANNING COMMISSION MEETING TO ORDER

The meeting was called to order at 9:30 a.m.

It was acknowledged that this meeting was held on the traditional territory of the Syilx/Okanagan Peoples.

This meeting was open to the public. This meeting was webcast live and archived on the City's website.

1.1 Appointment of Acting Chair

It was moved and seconded

THAT Briane Simpson be appointed as Acting Chair for the April 19, 2023 Advisory Planning Commission meeting.

CARRIED UNANIMOUSLY

2. INTRODUCTION OF LATE ITEMS

3. ADOPTION OF AGENDA

It was moved and seconded

THAT the agenda be adopted as presented.

CARRIED UNANIMOUSLY

4. ADOPTION OF MINUTES

**4.1 Minutes of the Advisory Planning Commission meeting held
Wednesday, February 15, 2023 in the City of West Kelowna Council
Chambers**

It was moved and seconded

THAT the minutes of the Advisory Planning Commission meeting held
Wednesday, February 15, 2023 in the City of West Kelowna Council
Chambers be adopted.

CARRIED UNANIMOUSLY

5. PRESENTATIONS

6. DELEGATIONS

7. UNFINISHED BUSINESS

8. REFERRALS

8.1 TUP 23-01; Temporary Use Permit; 815 and 819 Douglas Road

Highlights of the presentation include:

- Located in the Lakeview Heights neighbourhood;
- Current zoning is Single Detached Residential (R1) with Land Use Designation Single Family Residential;
- Surrounding uses include Single Detached Residential (R1) and Agriculture (A1);
- Proposal is to permit a Short Term Accommodation where the operator is not the principal resident. Mt. Boucherie Estate Winery will operate the Short Term Accommodations from the adjacent parcel;

- A Temporary Use Permit is required because Short Term Accommodations as a principal use is not currently permitted in the City of West Kelowna;
- Application has been referred to various internal departments and external agencies with no concerns identified;
- Proposal meets Short Term Accommodation regulations and meets parking regulations.

Questions on the presentation:

- Can a Temporary Use Permit be adjusted from 3 years to 2 years? Yes, Council can select any term up to 3 years;
- Is there a maximum length of stay for short term accommodation? Yes, under 30 days;
- Are there specific outlines for Short Term Accommodation violations? Yes, the Good Neighbour Agreement and other agreements through business licensing and bylaw enforcement;
- Who would be the after hours contact outside of the winery hours? The Business Licensing bylaw requires local contact information to be provided;
- Has a Temporary Use Permit previously been provided for Short Term Accommodation regulations? This is the first application with no resident on site.

Steven Lane, Sales & Marketing Specialist and Logan Jacobs, Hospitality Manager from Mt. Boucherie Estate Winery provided a presentation and were available to answer questions.

- The contact outside of business hours for these properties would be the occupant of the adjacent parcel at 811 Douglas Road;
- The houses are currently being used as private guest houses for the winery;
- Engaged with neighbourhood - committed to be respectful and keep the neighbourhood, clean, safe and quite;
- Intention to increase local tourism and bring revenue to the area while respecting neighbourhood and community;

- If Temporary Use Permit application is not approved the houses will remain as private guest houses;
- Will the resident at 811 Douglas Road stay there permanently? Yes, they will remain the occupant and local contact. There are no plans to operate that property as a Short Term Accommodation;
- Why not have a principal operator in the other two homes? Preferred to keep each property as a whole Short Term Accommodation and have a point of contact at the neighbouring home;
- Have any negative comments been received from the neighbours? We went door to door and spoke with neighbouring residents about this application and to seek feedback. No negative feedback was received.

Highlights of the discussion include:

- Other wineries in the community have guest suites on their properties;
- Recommendation to support a 2 year Temporary Use Permit to see how it works in the neighbourhood. Review at the next renewal and if feedback is good, recommend support for a 3 year Temporary Use Permit;
- Agri-tourism is a benefit for our community;
- The presentation showed that the applicant has thought carefully about this application and is willing to address concerns;
- Concern that application needs careful consideration as it may set precedent for future applications;
- This is a special circumstance - the houses were built near the winery and it works. This may not work for every winery;
- Comment that these lots should be treated as separate lots as they are not houses on the winery property;
- Some property owners are looking to host Short Term Accommodations instead of providing long term rentals;
- The Temporary Use Permit fits within the parameters given.

It was moved and seconded

THAT the Advisory Planning Commission recommend support for file TUP 23-01, Temporary Use Permit, 815 and 819 Douglas Road with a 2 year consideration.

CARRIED; Members M. Smith and N. Richard opposed

8.2 Z 23-01; Official Community Plan and Zoning Bylaw Amendment; 1179 Westside Road

Highlights of the presentation include:

- Located in the West Kelowna Estates/Rose Valley neighbourhood;
- Current zoning is Agricultural Zone (A1) with Land Use Designation of Comprehensive Development Areas;
- Application is focused on top third of the property which is currently vacant;
- Proposal is to amend the Official Community Plan from Comprehensive Development Areas to Single Family Residential and Low Density Multiple Family; and to rezone from Agriculture Zone (A1) to Single Detached Residential Zone (R1) and Low Density Multiple Residential Zone (R3) to allow for future subdivision;
- Proposed zone is consistent with adjacent R1 neighbourhood;
- Technical reports include an environmental report and geotechnical report;
- Extensions to services would be required.

Questions on the presentation:

- Provincial government looking to change single family residential units to 3-4 units. Will this affect this property? At this time it is unknown which cities or types of properties this will relate to;
- What are the number of lots this piece of property could accommodate? Unknown at this stage;

Highlights of the discussion include:

- Recommendation for Council to consider potential changes from the Province to ensure storm water, sewer and water infrastructure will service the community;
- Single family is suitable for this neighbourhood;
- Concern raised that low density is not walking distance to community amenities, shops and services.

Agent Davin Shillong, Aplin and Martin Consultants Ltd. spoke to questions and concerns of the Commission.

- No intention to exceed maximum density of an R1 zone (potentially 33 units);
- Townhomes offer a different style of housing with intent of affordability.

It was moved and seconded

THAT the Advisory Planning Commission recommend support for file Z 23-01, Official Community Plan and Zoning Bylaw Amendment, 1179 Westside Road.

CARRIED; Member M. Smith opposed

8.3 Z 23-02; Zoning Bylaw Amendment; 3655 and 3657 Apple Way Boulevard

Highlights of the presentation include:

- Located in the South Boucherie neighbourhood;
- Current Zoning is Duplex Residential Zone with Land Use Designation of Single Family Residential;
- Currently use of the property is a duplex with both owners applying for this application;
- Proposal is to allow a Short Term Accommodation in the R2 Zone and a Short Term Accommodation in a duplex;

- Rationale includes large home with room for parking, supports tourism in West Kelowna and space proposed does not take away from affordable housing supply;
- Short Term Accommodations are not permitted in the R2 Zone or in a duplex;
- Proposal is consistent with the Official Community Plan;
- Proposal meets the Short Term Accommodation regulations and required parking;
- Referred to internal departments and external agencies with no concerns identified.

Questions on the presentation:

- Both duplex owners will remain primary occupants and operate Short Term Accommodations? Yes, both owners will remain occupants and want to use 2 rooms in each property for Short Term Accommodations;
- What happens if one of the owners sells the property? Zoning would stay with the property but a new business license application would be required;
- Parking shows spaces on each driveway with the owners parking in the garage? Tandem parking is permitted for Short Term Accommodations.

Applicant, Amanda Balak, primary resident of 3655 Apple Way Boulevard provided a presentation and was available for questions.

- Property was purchased with the intention of sharing the home as a Short Term Accommodation;
- The property meet all the requirements for a Short Term Accommodation;
- This application has support from neighbours, meets all Short Term Accommodation requirements, is not feasible for long term rentals and provides positive tourism in West Kelowna.

Questions for applicant:

- Are there 2 bedrooms for each property? Yes;

- While the properties are being rented will you be on site? Yes;
- Houses weren't designed for long term rentals? Looking to remain primary resident and share our property;
- Is there a separate entrance or self contained suite on the property? Separate entrance, 2 bedrooms, with basic cooking facilities such as kettle, fridge, microwave and hot plate.

Highlights of the discussion include:

- Parking should be separate from the garage;
- Thoughtful application with consideration from neighbours;
- Concern that this application will set precedence for other R2 applications;
- Council approved these regulations;
- Last year an R1 property on this street was approved for B&B use;
- Short term rentals can alleviate some of the problems that come with long term rentals;
- If approved, the zoning would remain for all future owners;
- If these properties sell in the future, the strata needs to be in agreeance to acquire a business license for Short Term Accommodations;
- The City of West Kelowna thrives on tourism. It is hard to find accommodations when visiting. Short Term Accommodations are needed.

It was moved and seconded

THAT the Advisory Planning Commission recommend support for file Z 23-02, Zoning Bylaw Amendment, 3655 and 3657 Apple Way Boulevard.

DEFEATED; Members A. Smith, M. Smith and N. Richard opposed

8.4 Z 23-03; OCP and Zoning Amendment; 1551 Blackwood Drive, 1417 West Kelowna Road

Highlights of the presentation include:

- Subject property contains two parcels: 1551 Blackwood Drive is 40.2 ha and is currently vacant; 1417 West Kelowna Road is 1.2 ha, contains an existing residence and only a small portion of property is affected (0.4 ha);
- Located in the West Kelowna Estates/Rose Valley neighbourhood;
- Surrounding uses include Rose Valley Regional Park and Single Detached Residential (R1);
- Proposal is to reconfigure Land Use Designations Single Family Residential and Parks and Natural Areas and rezone from Rural Resources (RU5) to Single Detached Residential (R1), Duplex Residential (R2), and Parks and Open Space (P1) to support 107 lot subdivision;
- Property contains an informal trail connection to the Regional Park;
- Property contains Hillside, Sensitive Terrestrial Ecosystem and Wildfire Development Permit areas to be addressed at the Development Permit stage;
- Technical Reports include Environmental Assessment, Geotechnical Assessment, Servicing, Traffic Impact Assessment and Wildfire Hazard Assessment;
- Application has been referred to internal departments and external agencies with no major concerns identified.

Questions on the presentation:

- Did the Transportation study include the previous application that was looked at today Z 23-01? No, that application was not included in the transportation study;
- Owner is proposing parkland dedication but does the City have to agree to it? Parkland dedication is required under the Land Title Act at time of subdivision - anything in excess would need to be committed to at time of rezoning by Council.

Agent Davin Shillong, Aplin & Martin Consultants Ltd. was available to answer questions from the Commission.

- What is the time frame for construction? As quickly as possible, keen to provide housing for the area;

- Was consideration given to the community benefits of this application? Plan to have parkland with lookout and formalized trails.

Highlights of the discussion include:

- Recommendation for Council to consider potential changes from the Province to ensure storm water, sewer and water infrastructure can meet future demands;
- Council wouldn't approve developments that couldn't be maintained by the new water treatment plant;
- Traffic impact assessment have any wording for traffic circles? The Traffic Impact Assessment stated that no off-site traffic improvements were warranted, however the report is still being reviewed.

It was moved and seconded

THAT the Advisory Planning Commission recommend support for file Z 23-03, OCP and Zoning Amendment, 1551 Blackwood Drive and 1417 West Kelowna Road.

CARRIED UNANIMOUSLY

9. CORRESPONDENCE AND INFORMATION ITEMS

- 9.1 Decision Letter - Z 17-18, OCP and Zoning Bylaw Amendment, 2734 & 2736 Lower Glenrosa Road**
- 9.2 Decision Letter - Z 22-11, Zoning Bylaw Amendment, 3575 Elliott Road**
- 9.3 Decision Letter - LUCA 22-01, Land Use Contract Discharge, 753 Lindsay Court**
- 9.4 Decision Letter - Z 22-02, Zoning Bylaw Amendment, 3746A Wetton Road**
- 9.5 Decision Letter - Z 22-13, Zoning Bylaw Amendment, 3858 Angus Drive**

10. OTHER BUSINESS

11. ADJOURNMENT OF THE MEETING

The meeting adjourned at 11:14 a.m.

CHAIR

RECORDING SECRETARY