



DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: September 12, 2023

From: Paul Gipps, CAO

File No: Z 20-08

Subject: **Z 20-08; OCP and Zoning Amendment Bylaws No. 100.62, 265.16, and 265.17 (Rescind Third Reading, Give Third Reading as Amended and Adopt); 2211 Campbell Road**

Report Prepared By: Jayden Riley, Planner III

RECOMMENDATION to Consider and Resolve:

THAT Council adopt the City of West Kelowna Official Community Plan Amendment Bylaw No. 100.62, 2021;

THAT Council rescind third reading to the City of West Kelowna Zoning Amendment Bylaws No. 154.96 and 154.97, 2021;

THAT Council give third reading as amended to the City of West Kelowna Zoning Amendment Bylaws No. 265.16 and 265.17, 2023; and

THAT Council adopt the City of West Kelowna Zoning Amendment Bylaws No. 265.16 and 265.17, 2023.

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 the proposed Official Community Plan and Zoning Amendment Bylaws on April 19, 2022 (Attachment 4). The conditions established at third reading have since been satisfied and are summarized in the following sections of this report.

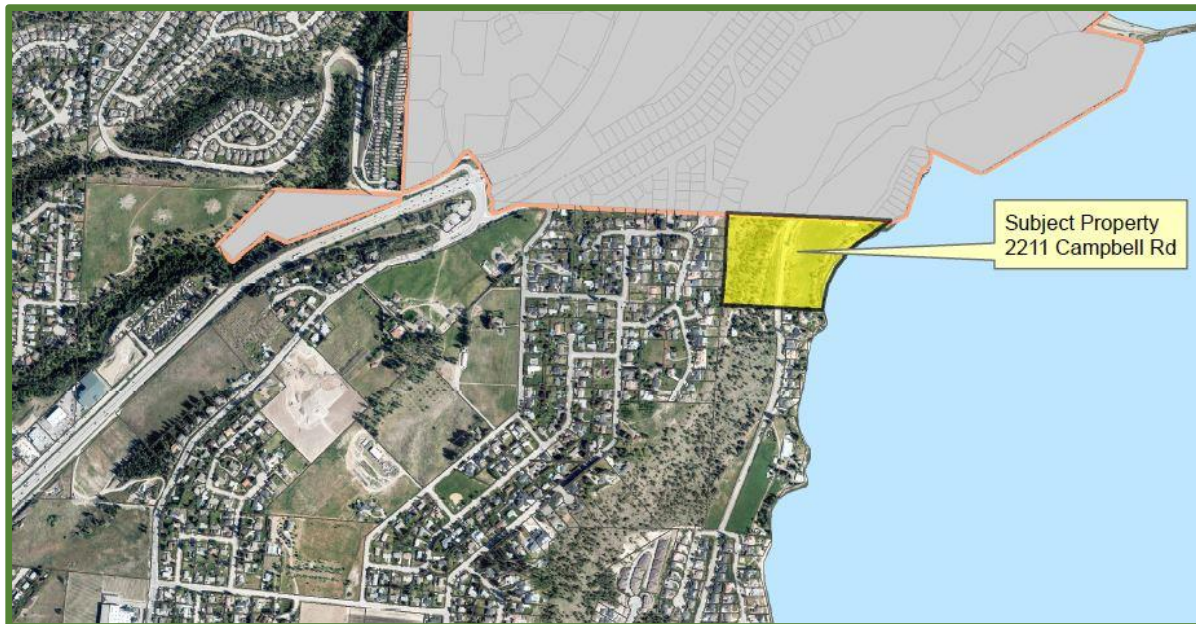
PROPERTY DETAILS

Address	2211 Campbell Road		
PID	011-516-402		
Folio	36412782.000		
Lot Size	7.09 ha (17.52 acres)		
Owner	1087032 B.C. Ltd. (Inc. No. 1087032)	Agent	CTQ Consultants (Justin Rubello)
Current Zoning	Agricultural (A1)	Proposed Zoning	R3, W2, and A1 with text amendments
Current OCP	Agricultural	Proposed OCP	Agricultural and Low Density Multiple Family
Current Use	Old tree crop / vacant	Proposed Use	Residential, Dock, Agricultural
Development Permit Areas	Hillside, Sensitive Terrestrial Ecosystem, Aquatic Ecosystem		
Hazards	Rockfall		
Agricultural Land Reserve	Partially within (area below Campbell Road)		

ADJACENT ZONING & LAND USES

North	^	Westbank First Nation (IR#10) – multiple residential and single family
East	>	Okanagan Lake
West	<	Single Detached Residential (R1)
South	v	Rural Residential (RU2 and RU4)

NEIGHBOURHOOD MAP



DISCUSSION

Amendments to the Zoning Amendment Bylaws

Following third reading of the proposed zoning amendment bylaws on April 19, 2022, the City of West Kelowna adopted Zoning Bylaw No. 0265. As a result, amendments to the zoning amendment bylaws are required to reflect the updated bylaw numbers and reference to related sections. The intent of the amendment bylaws has otherwise not changed.

Summary of Zoning Conditions

At time of third reading, Council directed staff to schedule the amendment bylaws for adoption subject to the following conditions:

1. Submission the following:
 - a. Updated water memo to confirm water design criteria, off-site water routing, and to provide preliminary design drawing and cost estimate for the off-site water infrastructure improvements;
 - b. Preliminary design drawings for the proposed Campbell Road improvements, including provision for a Narrow Multi-use Trail;
 - c. Conceptual stormwater plan drawing, including consideration of how all the stormwater components outlined in the FSR work as a whole and to confirm the stormwater SRW (area, location, and design) through the ALR lands; and;
 - d. Conceptual design drawing for the non-farm use access lane, including consideration of turning movements and stormwater improvements (SRW);
2. Dedication of the portion of Campbell Road that crosses the subject property;
3. Registration of a blanket Statutory Right of Way (SRW) for two future stormwater connections through the site in accordance with the City's Master Drainage Plan (Project 10.3 and 10.4), including any required extension for the safe outlet potentially to Okanagan Lake;
4. Registration of a covenant to:
 - a. Restrict subdivision of the subject property as applicable to address the connection of the upland residential development with the water use zone;
 - b. Restrict development to a maximum of 60 units;
 - c. Restrict development until:
 - i. a second emergency egress and appropriate wildfire mitigation has been completed to the satisfaction of the City;
 - ii. a proportional financial contribution is submitted by the applicant towards increased emergency egress requirements and wildfire mitigation to the satisfaction of the City;
 - iii. a narrow multi-use trail along Campbell Road has been constructed or secured, including any dedication or required statutory right of ways;
 - iv. off-site water infrastructure works have been constructed or secured, including any required stator right of ways;

- v. the collection and safe conveyance of drainage from the Lakeview Heights area through the subject property has been secured;
- d. Restrict any plant species not recommended adjacent to agricultural lands, and to notify future owners of farm operation;
- 5. Confirmation of conditional approval by the Province for the proposed dock with the revised zoning amendments; and
- 6. Conditional approval by the ALC for the proposed non-farm use (File: A 21-07) to permit the proposed shared driveway access, pedestrian access through the riparian area to the foreshore and dock, and for the statutory right of way to accommodate the safe conveyance of drainage through to Okanagan Lake.

The above noted conditions have since been satisfied; therefore, it is recommended that Council adopt the proposed amendment bylaws.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
August 24, 2021	<p>THAT Council give first reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.62, 2021; and</p> <p>THAT Council give first reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.96, 2021; and</p> <p>THAT Council give first reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.97, 2021; and</p> <p>THAT Council direct staff to schedule the bylaws for consideration of second reading following submission of the following items to the satisfaction of the Director of Development Services:</p> <ul style="list-style-type: none"> • Water and Sanitary Modelling; • Revised Transportation Review; • Revised Functional Servicing Report; • Revised Geotechnical Report; • Updated and Consolidated Environmental Report; <p>Submission of outstanding referral comments.</p>	C274/21
December 14, 2021	<p>THAT Council give second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.62, 2021; and</p> <p>THAT Council give second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.96, 2021; and</p>	C381/21

	<p>THAT Council give second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.97, 2021; and</p> <p>THAT Council direct staff to schedule the bylaws for Public Hearing.</p>	
February 9, 2022	Public Hearing held	N/A
April 19, 2022	<p>THAT Council give third reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.62, 2021, Zoning Amendment Bylaw No. 0154.96 and 1054.97, 2021; and</p> <p>THAT Council support the request to permit a non-farm use for the proposed shared driveway/access and drainage through the Agricultural Land Reserve (File A 21-07), pending clarification for the SRW area and direct staff to forward the application to the Agricultural Land Commission for consideration subject the following:</p> <ol style="list-style-type: none"> 1. That any ALC Non-Farm Use approval is subject to the City's adoptions of the Zoning Amendment Bylaw Permitted the non-farm use (dock and access); 2. That buffer fencing and planting be required to be installed between the shared driveway/access and the productive agricultural land to reduce potential trespass, including appropriate security to ensure their installation; 3. That active agricultural signed be required to be posted along the perimeter of the productive agricultural lands, including appropriate security to ensure their installation; 4. That the ALC require confirmation of the proposed improvements for the productive agricultural lands, including consideration for a long-term farm plan to address the restoration of the agricultural lands, planting plans with security for the installation of new plant material, clarification of the long-term lease terms or ownership and management scheme for the agricultural lands which are not permitted to be subdivided from the townhouse development; and <p>THAT Council direct staff to schedule the bylaws for adoption pending confirmation of the following:</p> <ol style="list-style-type: none"> 1. Submission of the following items to the satisfaction of the City: 	C115/22

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- a. Updated water memo to confirm water design criteria, off-site water routing, and to provide preliminary design drawing and cost estimate for the off-site water infrastructure improvements;
 - b. Preliminary design drawings for the proposed Campbell Road improvements, including provision for a Narrow Multi-use Trail;
 - c. Conceptual stormwater plan drawing, including consideration of how all the stormwater components outlined in the FSR work as a whole and to confirm the stormwater SRW (area, location and design) through the ALR lands; and
 - d. Conceptual design drawing for the non-farm use access lane, including consideration of turning movements and stormwater improvements (SRW);
2. Dedication of the portion of Campbell Road that crosses the subject property;
 3. Registration of a blanket Statutory Right of Way (SRW) for two future stormwater connections through the site in accordance with the City's Master Drainage Plan (Project 10.3 and 10.4), including any required extension for the safe outlet potentially to Okanagan Lake;
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 - v. the collection and safe conveyance of drainage from the Lakeview Heights area through the subject property has been secured;
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 - 5. Confirmation of conditional approval by the Province for the proposed dock with the revised zoning amendments; and
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REVIEWED BY

Brent Magnan, Director of Development Approvals

Corinne Boback, Legislative Services Manager / Corporate Officer

Trevor Seibel, Deputy CAO

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes No

Attachments:

1. Official Community Plan Amendment Bylaw No. 0100.62
2. Zoning Amendment Bylaw No. 0265.16
3. Zoning Amendment Bylaw No. 0265.17
4. Third Reading Report (File Z 20-08)