



DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: April 23, 2024

From: Ron Mattiussi, CAO

File No: Z 23-11

Subject: **Z 23-11; OCP & Zoning Bylaw Amendment (first and second); 2734-2736
Lower Glenrosa Road**

Report Prepared By: Brad Clifton, Senior Planner

RECOMMENDATION to Consider and Resolve:

THAT Official Community Plan Amendment Bylaw No. 0300.05, 2024 be given first and second reading;

AND THAT Zoning Amendment Bylaw No. 0265.26, 2024 be given first and second reading;

AND FURTHER THAT Official Community Plan Amendment Bylaw No. 0300.05, 2024 and Zoning Amendment Bylaw No. 0265.26, 2024 be forwarded to a Public Hearing.

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity – We will work with our partners on the Westside and 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

A previous application (file Z 17-18) was submitted for these lands, requesting an OCP and zoning amendment to allow for townhouses. Council denied the application due to concerns about emergency egress routing, steep slope protection, and stormwater management. Consequently, the application did not progress beyond the third reading. This current application represents a similar resubmission to the prior proposal, with minor revisions addressing the previous concerns. Similar to the previous application, staff support the proposed land use amendments to allow for townhouse development. However, the specific form and character, final unit count, and overall site integration will undergo thorough review during the Development Permit process and are subject to change. As per section 12.6 of the City's Development Applications Procedures Bylaw the

applicant has waited the required six (6) month period following application refusal to reapply.

The subject properties, located at 2734 and 2736 Lower Glenrosa Road, are situated within the Glenrosa Neighbourhood. Encompassing a total area of 2.60 hectares (approximately 6.44 acres), these properties share borders with various land uses. To the North lies land owned by School District 23 (SD23), including the Webber Road Community Centre. An existing detached subdivision along Inverness Road borders the Northeast side of the properties. Glenway Park and Glenway Road, with detached residential properties lie to the West, while the southern boundary is Lower Glenrosa Road. .

Knoppler Brook, a tributary of Powers Creek, bisects a large portion of the 2734 property, connecting through a neighbouring parcel (2738 Glenrosa Road) and then re-entering the southern portion of 2736/2734. Knoppler Brook is designated under OCP Bylaw 300 as Natural Areas and Public Parks. The development proposal includes a creek crossing. Both properties have existing single-detached residences and are connected to municipal water and sewer services.

PROPERTY DETAILS

Address		2734 & 2736 Lower Glenrosa	
PID		031-030-751 (2734) and 003-769-950 (2736)	
Folio		36414590.194 (2734) and 36414590.516 (2736)	
Lot Size		6.44 ac combined	
Owner	1109808 BC Ltd.	Agent	Steve Kalinocka D.E Pilling 250-869-9639
Current Zoning	Rural Residential Small Parcel RU2 (2734) & Institutional Assembly P2 (2736)	Proposed Zoning	Low Density Multiple Residential R3 & Parks and Open Space P1
Current OCP	Resource Land RL (2734) / Low Density Residential LDR (2736) Natural Areas & Public Parks (Knoppler Brook)	Proposed OCP	Medium Density Residential MDR & Natural Areas and Public Parks
Current Use	Single Family Residential (2734) & (2736)	Proposed Use	47 unit townhome development
Development Permit Areas	Wildfire, Terrestrial, Hillside, Aquatic, Intensive Residential		
Hazards	N/A		
Agricultural Land Reserve	N/A		

ADJACENT ZONING & LAND USES

North	^	RC3 Detached / P2 Institutional
East	>	RU2 Detached / P1 Glen Canyon Regional Park
West	<	R1 Detached
South	v	I4 Industrial

NEIGHBOURHOOD MAP



PROPERTY MAP



Legislative Requirements

Council has the authority under s.472 of the *Local Government Act* to amend the Official Community Plan

Council has the authority under s.479 of the *Local Government Act* to amend the Zoning Bylaw.

Proposal

This application is for an OCP amendment and Zoning Bylaw amendment from Resource Land RL (2734) / Low Density Residential LDR (2736) to the Medium Density Residential designation (MDR), and Rural Residential Small Parcel RU2 (2734) & Institutional Assembly P2 (2736) to the Low Density Multiple Residential Zone (R3). The proposal also includes an OCP amendment and Zoning Bylaw amendment from Resource Land RL (2734) to Natural Areas & Public Parks, and Rural Residential Small Parcel RU2 (2734) to Parks and Open space P1 to accommodate a voluntary parkland dedication. The applicant intends to develop the land with strata townhomes, contingent upon approval of these amendments. The proposed amendments closely mirror the developer's previous proposal under file Z 17-18, with the primary change being the elimination of an emergency egress road through the northern portion of the site. This change has allowed for the addition of units, increasing the proposed townhouse count from 44 to 47. Additional discussion on the prior application will be reviewed later in the report.

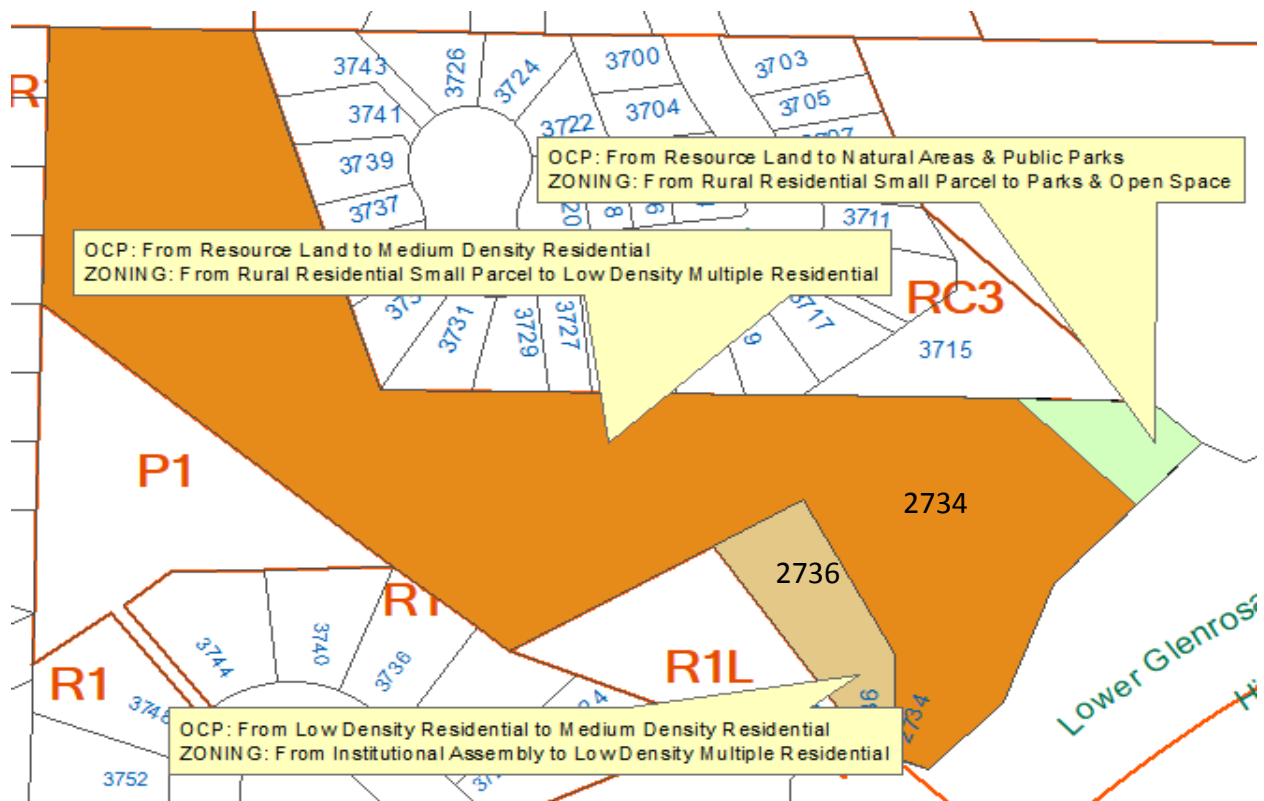


Figure 1: OCP & Zoning Amendments

DISCUSSION

Policy Review

Official Community Plan Bylaw No. 0300

The Official Community Plan (OCP) currently designates the subject properties as Resource Land (2734) and Low Density Residential (2736). The proposed rezoning to the Low Density Multiple Residential (R3) Zone, which would permit townhomes, requires amending the OCP designation to Medium Density Residential (MDR). The properties' central location near transit, neighborhood centers, and community services, along with their suitability for clustered hillside development, provides a strong rationale for the OCP amendment to MDR. The MDR designation allows low-rise housing like townhouses (up to three stories) and multi-unit buildings (up to four stories). The proposed zoning amendment aligns with this designation. Key objectives within the MDR designation include:

2.8.1 Medium Density Residential Objectives

3. Aims to provide an opportunity for residential development to modestly increase densities within existing single detached residential neighbourhoods outside of Urban and Neighbourhood Centres, where appropriate.
4. Aims to demonstrate how medium density development can be introduced into very low-density, single-detached neighbourhoods to support the evolution and growth of the area through sensitive integration of new and compatible housing forms

The proposed R3 zoning specifically permits townhouses, not apartments. This represents a modest density increase from the current neighborhood composition while supporting community enhancements through parkland acquisition, pedestrian and trail connections, and offsite improvements.

2.8.2 Medium Density Residential Policies

2. Low-rise multi-unit residential development located within existing neighbourhoods on collector or local roads should be in ground-oriented forms such as semi-detached or attached townhouses, with at-grade private entrances.

The proposal incorporates buffers and setbacks to seamlessly integrate with existing development to the north and maintains a safe distance from the existing channel bisecting the property. Additionally, all townhomes would feature private at-grade entrances, and no variances to the R3 zone are being requested.

Development Permit Areas

Should the rezoning be approved, the proposal would require the following development permits: Hillside, Terrestrial, Wildfire, Aquatic, and Intensive Residential (form and character). Compliance with these permits is essential, and it's important to note that they

may affect the final unit yield. As such, the total number of units currently presented in the proposal is not guaranteed.

Zoning Bylaw No. 0265

The Rural Residential Small Parcel RU2 (2734) zone accommodates rural, agricultural, and residential uses on parcels 1 hectare or larger. While not currently used for farming, the property has an existing single-detached dwelling. The Institutional Assembly P2 (2736) zone is designed for institutional, administrative, and community services. The property formerly housed the Westbank Museum (which has relocated) and currently features a single-detached home.

The Low Density Multiple Residential R3 zone permits townhouses and duplex units as principal uses, along with various secondary uses like home-based businesses and accessory buildings. This zone is intended for low-density, multiple-unit residential developments. The R3 zone requires a minimum lot size of 1000m², a maximum parcel coverage of 40%, and a maximum building height of 10m.

Prior Application

A prior application for the same rezoning (file Z 17-18) was previously submitted, denied by council, and did not pass third reading. The current proposal differs mainly in the removal of an emergency egress road through the northern portion of the site, allowing for the addition of three townhouse units (totaling 47 from a prior 44). The following Key Issues were raised for discussion with the prior application:

1. Key Issue: Emergency Egress

The Glenrosa neighbourhood's limited access via Highway 97 and Lower Glenrosa Road (both from the south) became a critical concern during the 2009 wildfire, hindering efficient evacuation. In the previous application, staff encouraged a private emergency egress road through the applicant's property to address this concern. The applicant included this private road in their previous submission. However, Council directed staff to explore alternative public routes that were more direct and easier to implement.

In response to Council's direction, staff have explored and proposed an alternative emergency egress route connecting to Pleasantview Road. The applicant has removed the private emergency egress connection from their current proposal.

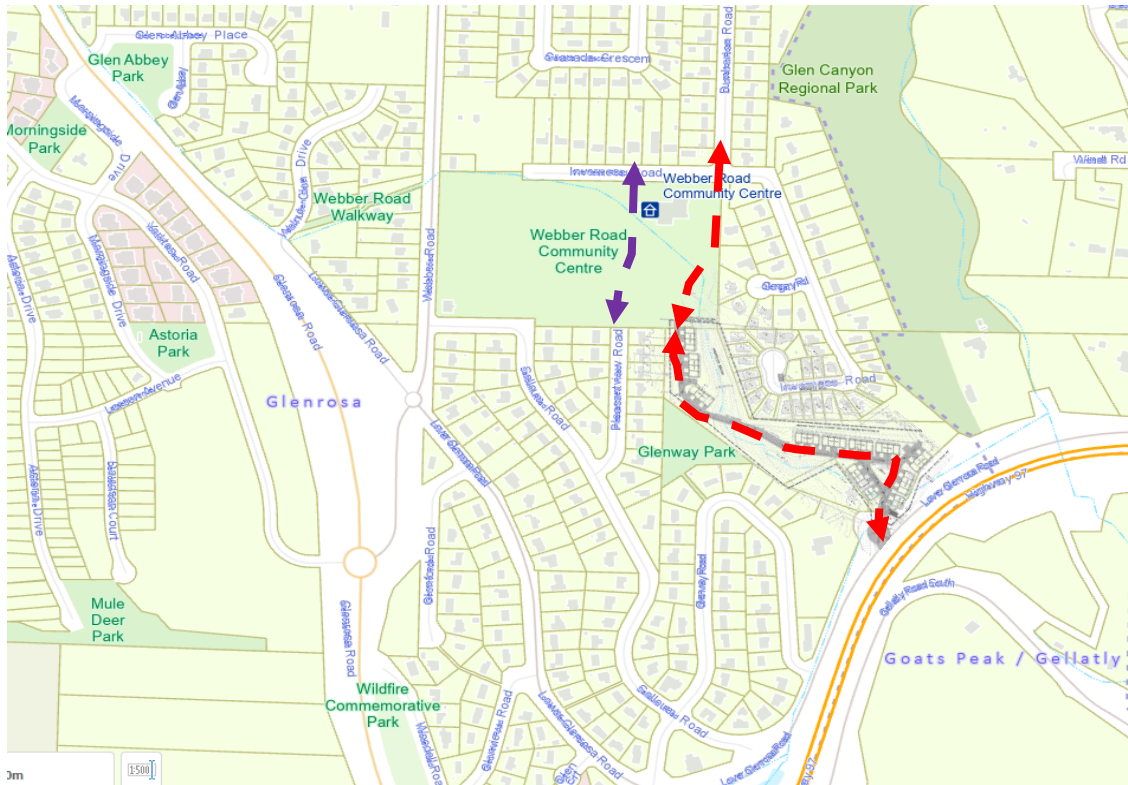


Figure 2: New proposed public emergency egress location being explored through SD23 lands (purple dashed line) vs old emergency egress location through applicants' private lands & SD23 lands (red dashed line); discussion is ongoing with SD23 for current purple alignment.

2. Key Issue: Stormwater Conveyance

An existing stormwater conveyance system, installed without permits or approvals, runs through the southern portion of the site including the neighbouring property at 2738 Lower Glenrosa Road. During the previous application, Council expressed concerns about the system's impacts on public infrastructure at the outlet on Lower Glenrosa Road, along with potential liability issues. As part of the previous rezoning application, the applicant was required to identify and map these conduits with the intend of rectifying the issue as a condition of zoning approval. They subsequently conducted a review, camera inspection, and provided the findings to staff.

The applicant has provided a storm water design that includes remediating the existing piped system by creating an open ditch with a headwall through the neighbouring property. To secure this change, the closed system on the neighbouring property will require a Statutory Right-of-Way (SRW) in favour of the City, which will be required as a condition of zoning adoption. It should be noted, that this will be a challenging condition for the applicat to resolve as it requires cooperation with a neighbouring property owner.



Figure 3: area of stormwater conveyance remediation and additional study (red circle)

3. Key Issue: Previous Public Hearing Concerns

Wildlife and Environment:

Questions were raised about protecting wildlife corridors, greenspace, and the creek. A provincial Section 11 permit will be needed for the creek crossing, and Riparian Area Protection Regulation (RAPR) buffers will dictate development limits. A Section 219 No Disturb covenant will also protect sensitive riparian areas and steep slopes for a minimum of 10 meters on either side of Knoppler Brook. This will be a condition of zoning adoption.

Steep Slopes and Erosion:

Concerns were expressed about safeguarding steep slopes and neighbouring properties from erosion and drainage problems. Neighbours from the adjacent 3700 Inverness Road development are particularly interested in this issue. This matter will be thoroughly addressed during the review of a Hillside DP. In the interim, A Section 219 covenant restricting development on slopes over 30% will be required as a condition of zoning adoption. If a rezoning advances, a formal Hillside Development Permit review will be required. This review may necessitate additional measures and adjustments once final grading and landscaping plans are submitted. Any adjustments would require careful consideration and robust geotechnical justification.

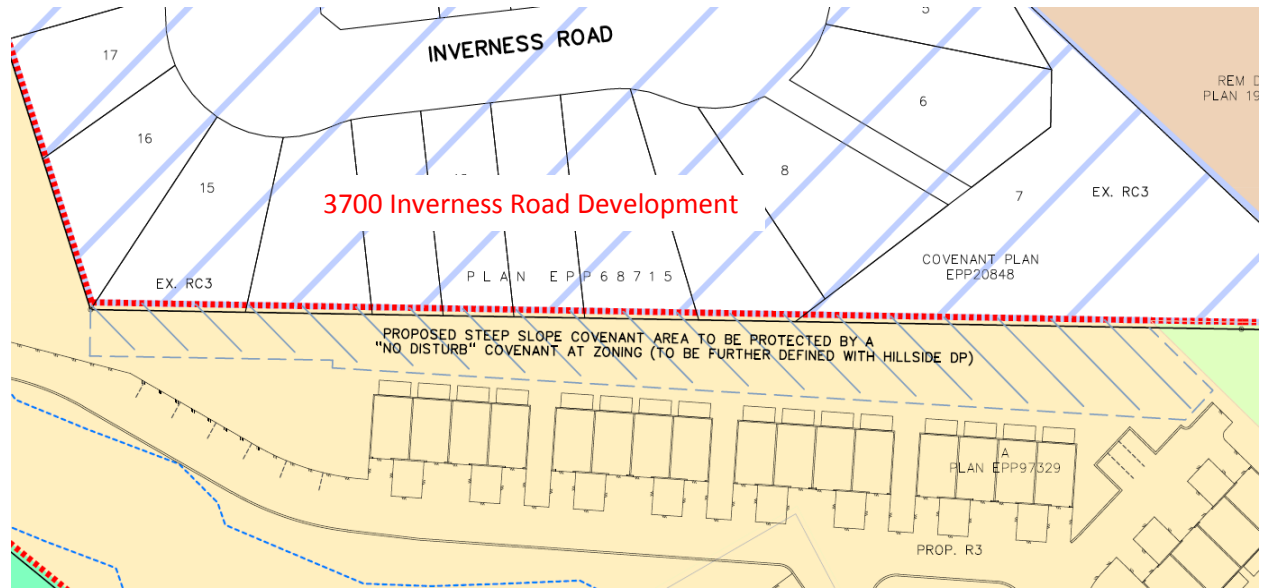


Figure 4: Current site plan & area of section 219 covenant for protection of steep slopes with zoning adoption (blue hatch).

Density Impacts:

Concerns were raised regarding the projects additional density's impact on traffic, noise, and overall neighbourhood character. A traffic report is not required as the proposal has less than 100 units (47 proposed). The applicant will construct a new cul-de-sac bulb and access point, designed with sightline analysis and access angles to Lower Glenrosa Road in mind. This will be a condition of zoning adoption.

Parkland Dedication & Trail Connections

While the Local Government Act requires parkland dedication for subdivisions with more than two parcels, this proposal is exempt as it consolidates two existing parcels. However, the applicant is voluntarily proposing to dedicate 883m² as parkland to support their rezoning application. The proposal will enhance connectivity with trail linkages between the Webber Road Community Centre, Glenway Park, the neighbouring Inverness Road development, and Lower Glenrosa Road. It will also include a pedestrian walkway to secure public access from the applicants' proposed park to Lower Glenrosa Road. All trail connections will be formally secured through the registration of SRWs as a condition of zoning adoption.

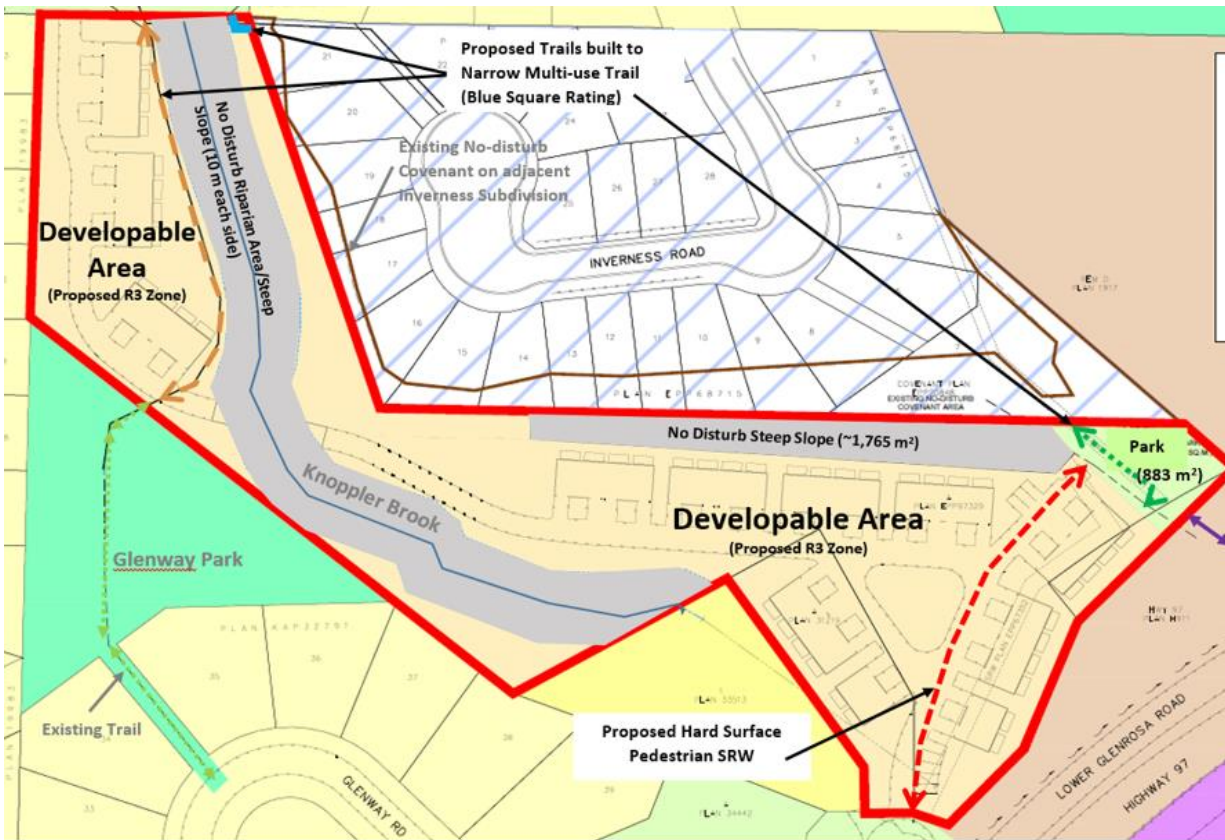


Figure 5: Proposed Park Dedication, Trails, Pedestrian SRW (disregard building siting as this image is from the applicant's prior application. The image is illustrative to show park and access considerations).

Technical Considerations

The subject site will be connected to municipal storm, sanitary, and water systems as required by the City of West Kelowna Works and Services Bylaw No. 0249. Several offsite improvements will be required as a condition of rezoning. These include:

- **Cul-de-sac Design:** The applicant will design a new cul-de-sac bulb and access point, taking into account sightline analysis and access angles. Storm drainage design for the cul-de-sac will also be addressed.
- **Watermain Upgrade:** The applicant will upgrade approximately 130m of off-site watermain to service the subject property, connecting it to the existing main on Lower Glenrosa Road.
- **Sidewalk Extension:** The applicant will extend the sidewalk from the property's frontage to connect with the existing pedestrian walkway on Lower Glenrosa Road.
- **Creek Remediation:** The applicant will replace the existing piped creek and stormwater system on 2738 Lower Glenrosa Road with an open ditch and headwall. They will also establish an emergency overland route from the stormwater headwall. A SRW will be registered over this area.

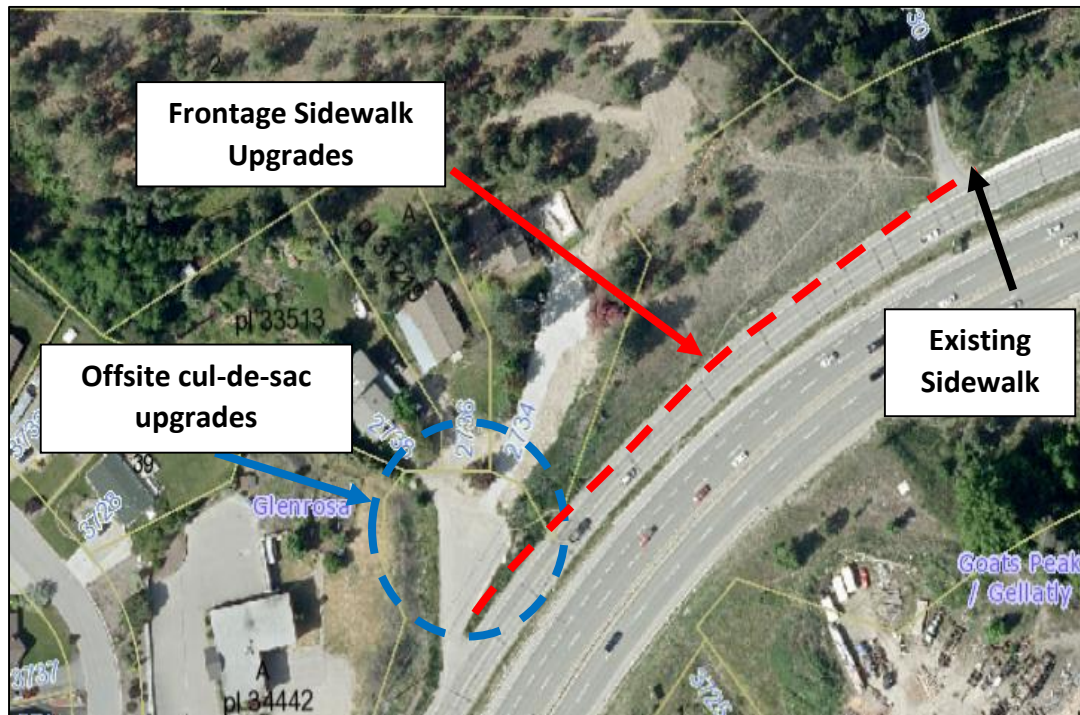


Figure 6: Frontage Improvements

Referral Comments

Parks

The proposal includes the voluntary dedication of an 883m² park. In keeping with the City's Parkland Acceptance Policy, to ensure its protection, a Section 219 covenant is required before dedication. This covenant will restrict development and mandate the completion of any necessary wildfire mitigation measures.

A no disturb covenant will need to be established to protect sensitive riparian areas and steep slopes for a minimum of 10m on either side of Knoppler Brook. This aligns with City policy and existing lands designated in the OCP and safeguards this important natural feature.

With the identified no disturb covenant areas and proposed park dedication, the proposed corridors will serve to connect adjacent greenspaces to enhance wildlife movement through the area. A more detailed environmental review will be conducted during the Development Permit process. This will identify any specific habitat concerns or mitigation strategies that may be required.

The subject properties have existing informal trails that indicate residents are travelling through the site as it is located within walking distance proximity to Westbank Centre. Four pedestrian connections are proposed to improve walkability and connect the development with surrounding areas. Construction of trails within the park should be secured through a restrictive covenant prior to park dedication. The remaining three trails should be secured with Section 219 covenants, ensuring their completion once statutory rights of way are registered and construction is finalized.

BC Transit

With the revised application, City staff received a new request from BC Transit. Due to the potential increase in density, BC Transit recommends adding a sidewalk and shelter to bus stop #103621. This would improve safety, comfort, and the overall transit experience for residents of the proposed development, as well as other nearby developments and the church. The applicant is currently exploring the feasibility of these improvements with BC Transit along with the possibility of relocating the existing stop closer to the development. If facilitated, the sidewalk and shelter upgrades would be added as conditions of zoning approval prior to third reading.

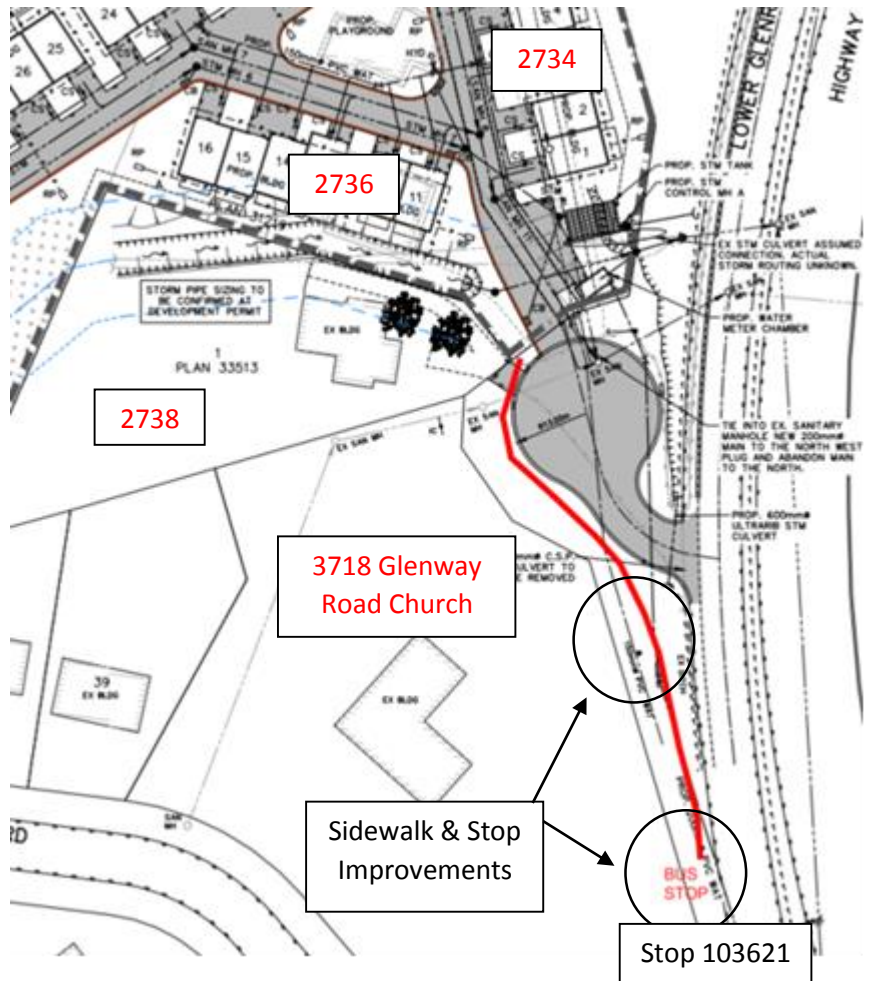


Figure 7: Sidewalk and Bus Stop Improvements. Also note new cul-de-sac.

Advisory Planning Commission (APC)

The APC considered the application on February 14, 2023 for OCP & Zoning Bylaw Amendment 2734-2736 Lower Glenrosa Road file Z 23-11

The APC recommended **support** for file Z 23-11 Official Community Plan and Zoning Bylaw Amendment, 2734-2736 Lower Glenrosa Road

The APC acknowledged that the application had received previous APC approval. They emphasized the need for additional density to address the ongoing housing crisis. The APC also noted a lack of parking but clarified that addressing parking concerns falls outside the of the zoning approval. The applicant will be required to comply with the off-street loading and parking regulations of bylaw 0265.

Expected Conditions of Approval

Conditions are expected to be as follows:

1. Traffic & Pedestrian Improvements (covenant)

- Cul-de-sac Design: The applicant will be required to design and implement a new cul-de-sac bulb and access point with careful consideration of sightlines, access angles, and drainage solutions.
- Sidewalk Extension: The applicant will be required to extend the sidewalk from the property's frontage to connect with the existing pedestrian walkway on Lower Glenrosa Road.
- BC Transit Improvements: The applicant must upgrade bus stop #103621 and add a sidewalk connection. Final design & location will be determined prior to the bylaw's third reading.

2. Servicing Improvements (covenant & SRW)

- Watermain Upgrade: The applicant will be required to upgrade approximately 130m of off-site watermain to service the subject property, connecting it to the existing main on Lower Glenrosa Road.
- Knoppler Brook Stormwater: The applicant will be required to complete a stormwater design to illustrate the routing of Knoppler Brook, enabling a SRW over the subject properties including the neighbouring property at 2738 Lower Glenrosa Road. The applicant will establish an emergency overland route from the headwall and assess risks to existing and proposed structures, identifying any necessary mitigation measures.
- Steep Hillside: A Section 219 covenant restricting development on slopes over 30% will be required.

3. Parkland, Trail & Walkway Connections (covenant & SRW)

- Parkland Protection: A Section 219 covenant is required before dedication of the 883m² park, restricting development and mandating wildfire mitigation measures.
- Riparian Protection: A No Disturb covenant will protect sensitive riparian areas and steep slopes for a minimum of 10m on either side of Knoppler Brook, aligning with City policy.
- Trail Construction (parkland): Construction of trails within Glenway Park and the applicant's proposed park will be secured through a restrictive covenant prior to park dedication.
- Trail Linkages & Access: Trail linkages between the Webber Road Community Centre, Glenway Park, the neighbouring Inverness Road development, and Lower Glenrosa Road, along with the pedestrian walkway through the applicant's land, will be secured for construction through covenant, and then be encumbered by an SRW to ensure public access.

Public Notification

A notification sign has been posted on the subject property in accordance with Development Application Procedures Bylaw No. 0260. Additionally, per the Development Applications Procedures Bylaw No. 0260, a public hearing is required for zoning bylaw amendment applications not consistent with the Official Community Plan. Should this

application proceed to Public Hearing, notification by mail, advertisement in the local newspaper, and City's website is required under the Local Government Act.

CONCLUSION

The requested Low Density Multiple Residential (R3) Zone, which allows townhouses not apartments, represents a modest density increase while enhancing the community with parkland, improved pedestrian and trail connections, and offsite improvements. If approved, the application would enable development on an underutilized parcel, incorporating buffers and setbacks to blend seamlessly with existing development to the north and maintain a safe distance from the existing channel.

Alternate Recommendation to Consider and Resolve:

1. **THAT** Council postpone first and second reading of Official Community Plan Amendment Bylaw No.0300.05,2024 & Zoning Amendment Bylaw No.0265.26, 2024 (File Z23-11).

Should Council postpone consideration of the proposed amendment bylaw, further direction to staff on how to proceed is requested.

2. **THAT** Council deny Official Community Plan Amendment Bylaw No.0300.05, 2024 & Zoning Amendment Bylaw No. 0265.26, 2024 (File Z23-11); and

THAT Council direct staff to close the file.

Should Council deny the proposed amendment bylaw, the applicant may not apply for a similar application for a period of six (6) months in accordance with Development Applications Procedures Bylaw No. 0260, 2018.

REVIEWED BY

Brent Magnan, Director of Development Approvals

Corinne Boback, Legislative Services Manager / Corporate Officer

APPROVED FOR THE AGENDA BY

Trevor Seibel, Deputy CAO

Powerpoint: Yes No

Attachments:

1. OCP Amendment Bylaw No. 0300.05, 2024

2. Zoning Amendment Bylaw No. 0265.26, 2024
3. Applicants Rationale
4. Applicants Proposed Site Plan