



DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: November 26, 2024

From: Ron Bowles, Chief Administration Officer

File No: Z 22-08

Subject: **Z 22-08 – Zoning Bylaw Amendment (2741 Auburn Road)**

Report Prepared By: Chris Oliver, Planning Manager

RECOMMENDATION to Consider and Resolve:

THAT Council adopt City of West Kelowna Zoning Amendment Bylaw No. 0265.12, 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

The proposed rezoning changes the designation on the property from Low Density Multiple Residential (R3) to Comprehensive Development (CD10) and Parks and Open Space (P1). The rezoning process began in February 2023 with a first reading, followed by further readings throughout the year. A public hearing in December 2023 gathered substantial feedback, including concerns about traffic safety and the scale of the development, with numerous public submissions and petitions presented.

Incorporating feedback from the public hearing, the applicant was required to address significant off-site traffic infrastructure improvements to mitigate safety risks as conditions of adoption. Future improvements required at the developer's cost will include constructing a roundabout, creating turning lanes, turning restrictions and widening Auburn Road.

DISCUSSION

Summary of Conditions

On July 23, 2024, at time of third reading, Council directed staff to schedule the amendment bylaw for adoption subject to:

- Approval of the bylaw by the Ministry of Transportation and Infrastructure;
- Discharge of covenant (LB138594) which restricts the development of the lands to 220 dwelling units
- Registration of a no-build covenant that requires:
 - Preliminary design and cost estimates to secure the construction of the following Off-Site improvements prior to building construction (no phasing of improvements permitted):
 - Roundabout (Auburn Road/ Daimler Drive)
 - Restrict through traffic and left turns onto Byland Road / Old Okanagan Highway
 - Dual left turn lanes (Daimler Drive to Highway 97)
 - Road widening and on-street parking along the frontage of the subject property (Auburn Road).
 - Submission of a construction traffic plan at the time of Development Permit that minimizes impacts to school and industrial traffic, to the satisfaction of the Director of Engineering.

All items noted above have been satisfied, and the conditions of third reading have been met. The bylaw can now be considered for adoption.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
February 14, 2023	<p>THAT Council resolve to give first reading to City of West Kelowna Zoning Amendment Bylaw No. 0265.12, 2023; and</p> <p>THAT Council resolve to direct staff to schedule the bylaw for second reading pending further traffic review and analysis to determine necessary off-site improvements to mitigate intersections failures near the surrounding stie and the steps required to initiate those improvements.</p>	C125/23
July 25, 2023	<p>THAT Council postpone second reading to the City of West Kelowna Bylaw No. 0265.12, 2023 (File Z 22-08).</p>	C289/23
September 26, 2023	<p>THAT Council give second reading to Zoning Amendment Bylaw No.0265.12, 2023; and</p> <p>THAT Council direct staff to schedule a public hearing regarding the proposed amendment bylaw.</p>	C331/23
November 28, 2023	<p>THAT Council rescind second reading of City of West Kelowna Zoning Amendment Bylaw No. 0265.12, 2023.</p> <p>AND THAT Council give second reading as amended to City of West Kelowna Zoning Amendment Bylaw No. 0265.12, 2023.</p>	C389/23

December 11, 2023	Public Hearing	N/A
July 23, 2024	<p>THAT Council give third reading to Zoning Amendment Bylaw No. 0265.12, 2023;</p> <p>THAT Council direct staff to schedule Zoning Amendment Bylaw No. 0265.12, 2023 for adoption following:</p> <ul style="list-style-type: none"> • Approval of the bylaw by the Ministry of Transportation and Infrastructure; • Discharge of covenant (LB138594) which restricts the development of the lands to 220 dwelling units • Registration of a no build covenant that requires: <ul style="list-style-type: none"> ○ Preliminary design and cost estimates to secure the construction of the following Off-Site improvements prior to building construction (no phasing of improvements permitted): <ul style="list-style-type: none"> ▪ Roundabout (Auburn Road/ Daimler Drive) ▪ Restrict through traffic and left turns onto Byland Road / Old Okanagan Highway ▪ Dual left turn lanes (Daimler Drive to Highway 97) • Road widening and on-street parking along the frontage of the subject property (Auburn Road). • Submission of a construction traffic plan at the time of Development Permit that minimizes impacts to school and industrial traffic, to the satisfaction of the Director of Engineering <p>AND THAT the Off-Site works to be provided solely by the developer at 100% their cost.</p>	C212/24

REVIEWED BY

Trevor Seibel, Deputy CAO/Deputy Corporate Officer

APPROVED FOR THE AGENDA BY

Ron Bowles, Chief Administrative Officer

Powerpoint: Yes No

Attachments:

1. Zoning Amendment Bylaw No. 0265.12, 2023