



## COMMUNITY DEVELOPMENT COUNCIL REPORT

To: Mayor and Council

Date: March 10, 2026

From: Ron Bowles, Chief Administrative Officer

File No: DVP 25-11

Subject: **DVP 25-11, Development Variance Permit (2232 Horizon Drive)**

Prepared By: Cam Graham, Senior Planner

Reviewed By: Brent Magnan, General Manager of Community Development

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### RECOMMENDATION:

**THAT** the parkland donation of the ~4.3 ha parcel (west of Horizon Drive) be accepted following the completion of wildfire mitigation and associated improvements at time of subdivision;

**AND THAT** the parkland donation area be named Faulkner Creek Park in accordance with the Parks Naming Policy and to be consistent with the existing surrounding parkland;

**AND THAT** a tax deductible receipt for the fair market value of the land to be donated for parks purposes (less the value of the trail area which fulfils the required 5% park dedication for the associated 7 lot subdivision) be provide to the owner;

**AND FURTHER THAT** the issuance of Development Variance Permit (DVP 25-11) for 2232 Horizon Drive be authorized to vary S.3.1.6 of the Works and Services Bylaw No. 0249 to exempt ~726m of frontage improvements and allow for a reduced standard (no sidewalk) for ~137m, subject to the following condition:

- That a cash in lieu contribution of \$80,000 be paid prior to final subdivision for future road improvements on Horizon Drive.

### 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 subject property is located in the West Kelowna Estates/Rose Valley Neighbourhood. This variance application runs concurrently with DP 25-06 and SUB 25-15, the applicant

has requested this variance be considered prior to the completion of these applications. The property was rezoned in 1998, and a two lot subdivision was submitted in 2013 (SUB 13-12) to subdivide the parkland portion to donate to the City and dedicate a portion of ROW (small portion to the east of Horizon Drive) to reduce frontage improvements. This application expired, and the property was sold. The owner has applied to create a similar subdivision, and the proposal has been revised numerous times during the process.

<b>PROPERTY DETAILS</b>			
<b>Address</b>	2232 Horizon Drive		
<b>PID</b>	023-141-824		
<b>Folio</b>	36413406.171		
<b>Lot Size</b>	78116.5 m <sup>2</sup>		
<b>Owner</b>	0725353 BC Ltd	<b>Agent</b>	Tony Khunkhun
<b>Current Zoning</b>	R1 - Single Detached Residential Zone, P1 Parks and Open Space Zone	<b>Proposed Zoning</b>	N/A
<b>Current OCP</b>	Low Density Residential, Natural Areas and Public Parks	<b>Proposed OCP</b>	N/A
<b>Development Permit Areas</b>	Hillside, Sensitive Terrestrial, Aquatic, Wildfire		

<b>ADJACENT ZONING &amp; LAND USES</b>			
<b>North</b>	^	R1 – Single Detached and Duplex Residential Zone	
<b>East</b>	>	RC3 – Compact Single Detached Residential Zone	
<b>West</b>	<	P1 – Parks and Open Space Zone/ A1 – Agricultural Zone	
<b>South</b>	v	R1 – Single Detached and Duplex Zone/ WFN – Westbank	

**PROPERTY MAP**



## PROPOSAL

The applicant has applied to subdivide and create seven lots off Horizon Drive. Due to the large, irregular nature of the property, the subdivision triggers a significant amount of frontage improvements (~865m) based on the Works and Services Bylaw. In order to make the subdivision viable, the applicant has proposed the following which will reduce the amount of frontage improvements required:

1. **R1 Modified Standard:** A variance to the Works and Services Bylaw No. 0249 to reduce the standard for the frontage improvements in front of the 7 proposed lots (Bylaw 3.1.6). The reduced standard would include bike lane, curb, and lighting, but no sidewalk. In lieu of this sidewalk improvement, the applicant has proposed to provide \$80,000 cash in lieu towards connecting the existing sidewalks on the opposite side of Horizon Drive, which would be more beneficial than a new sidewalk fronting the 7 lots, which would not connect in either direction (Figure 2);
2. **Frontage Exemption:** A frontage exemption to eliminate all necessary frontage works for remaining portions of the property that will not be developed or donated to the City; and
3. **Park Donation:** Donation of a ~4.3 ha parcel (shown in red outline in Figure 1) that includes ~150m of road frontage to the City to eliminate the need for these frontage improvements.

Figure 1 shows the breakdown of the required frontage for upgrades based on the Works and Services Bylaw. The solid red lines (~150m) show the removal of 150m of frontage based on the acceptance of the park donation. The orange shows the section that will be upgraded to a modified Urban Collector Road Standard (without sidewalk). The yellow lines highlight areas where all frontage improvements would be exempt from

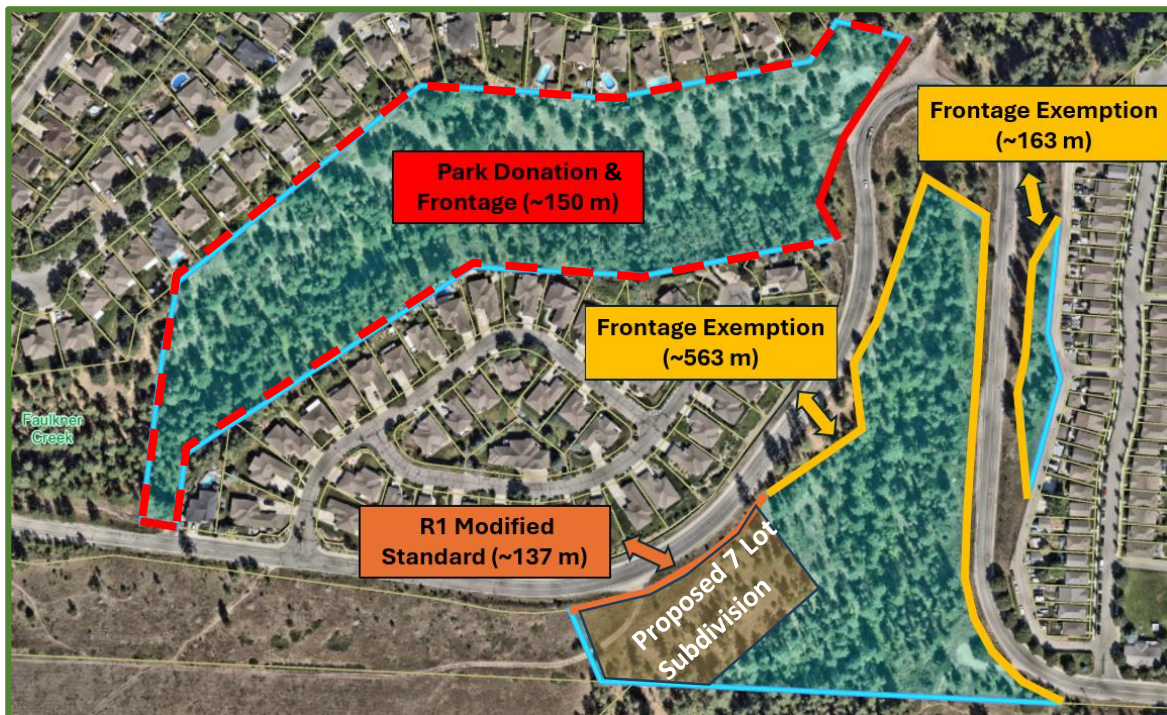


Figure 1: Frontage Diagram Red Area is Parkland Donation

improvements to the works and services Bylaw. It is noted that this corresponds with the existing sidewalk. The portions of the property with the frontage exemption are generally remaining undisturbed with the exception of wildfire mitigation.

*Cash in Lieu:*

The proposed \$80,000 cash in lieu for the sidewalk in front of the development is better utilized to connect the existing sidewalk (blue lines) along Horizon Drive (hairpin curve - Figure 2). The cash in lieu amount was calculated by the applicant's engineer based on the modification to the road standard adjacent to the R1 development. The money will be put toward a future capital works project to create a safe walkable connection of existing sidewalks along Horizon Drive (dashed red line).

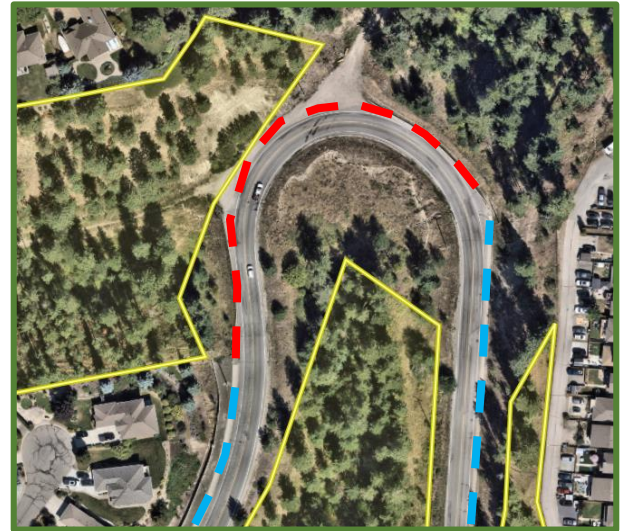


Figure 2: Hairpin on Horizon

**DISCUSSION**

Official Community Plan No. 0300

This application is consistent with the Official Community Plan No. 0300, which designates the subject lands as Low Density Residential and Natural Areas and Public Parks. The Natural Areas and Public Parks designation supports the protection of sensitive ecosystems and the provision of connected parks and greenspace for public benefit. The subject lands are located within the Hillside, Aquatic, and Sensitive Terrestrial Ecosystem Development Permit Areas; required supporting studies have been submitted with the concurrent Development Permit application.

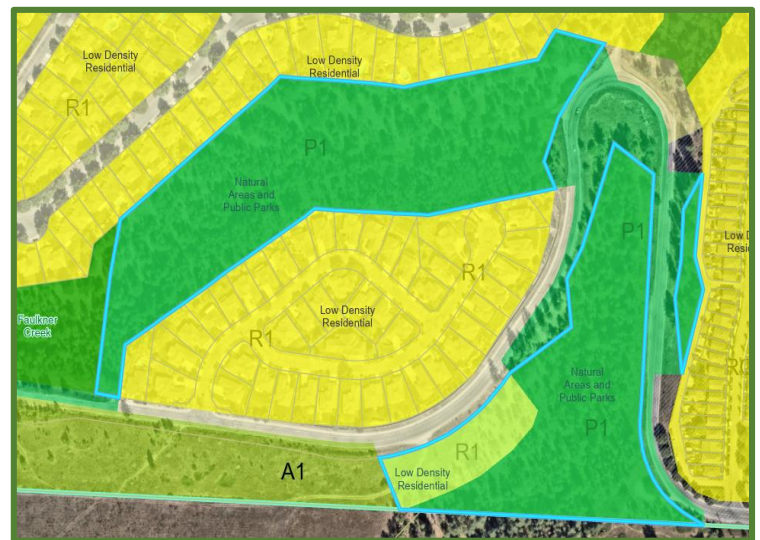


Figure 3: Land Use

Zoning Bylaw No. 0320

The subject property is split zoned, R1 Single Detached and Duplex Residential Zone and P1 Parks and Open Space. These corresponding zones will be determined for compliance at the Development Permit and subdivision stages if this variance is approved.

## Works and Services Bylaw No. 0249

The bylaw requested to be varied is as follows:

*3.1.6 The Owner shall provide the works and services required by this Bylaw on every highway immediately adjacent to land being subdivided or developed, up to the centreline of such highway. Where the works and services on the adjacent highway have been constructed to an alternate standard than those required by this Bylaw, the Owner shall reconstruct the works and services to the Bylaw standard.*

Due to the constraints associated with this parcel, subdivision of the lands would otherwise require approximately 1,015m of highway frontage improvements. With the proposed parkland donation, the length of required frontage improvements would be reduced to approximately 865m. Given the limited development potential of the residential area, the applicant has advised that the cost burden associated with the full extent of frontage improvements would render the project financially unfeasible without frontage exemption and parkland donation.

### Parkland Donation:

The applicant has expressed the intention to donate ~4.3 ha of parkland to the (shown in red on Figure 1). The proposed parkland donation is intended to be considered independent of the variance approval and will be considered at time of subdivision; however, it does affect the overall extent of frontage improvements exempted. Should circumstances related to the parkland donation change, the associated variance would need to be reconsidered. If Council accepts the donation, the owner will be credited with a tax receipt of the donated lands minus the value of the 5% dedication required with the associated subdivision.

### *Parkland Acceptance Policy:*

The City of West Kelowna's Parkland Acceptance Policy seeks to ensure that lands added to the park system provide a clear public benefit and are functional, safe, and sustainable to maintain. Small, irregular, or isolated parcels that lack recreational use, ecological value, or meaningful connectivity are generally not accepted, as they can create ongoing maintenance and liability challenges without delivering public benefit.

The parkland dedication would increase the existing Faulkner Creek Park area from 4.1 ha to 8.4 ha and enable a trail connection to the existing trails, environmental stewardship, wildfire hazard mitigation, and the preservation of natural open space.

The P1 zoned land not proposed for donation including the sliver to the east of Horizon Drive has been considered inadequate for donation and will remain attached to a remnant residential parcel at the subdivision stage.

### *Parks Naming Policy and Trails Improvements:*

The naming of the donated park is recommended to be undertaken in accordance with the City's Parks Naming Policy, and the applicant has made a delegation request to petition Council to consider naming the park, trail or area in the park after themselves.

The current policy states that per Section 6 “*the donation of land, facilities or funds for the acquisition, renovation or maintenance of land or facilities, shall not constitute an obligation by the District to name the land and/or facility or any portion thereof after an individual, family or organization.*”

In Section 7, the *naming a park after a person may be considered when:*

1. *The land was donated specifically for park purposes and the donor (or next of kin) requests the naming;*
2. *There is strong community support;*
3. *The individual made a tangible contribution to the area or District;*
4. *If the individual is deceased, at least three years have passed (except when parkland is bequeathed)*

The applicant has also expressed a desire for recognition of this donation beyond the naming, and staff have committed to providing a bench, plaque, and media promotion acknowledging the donation of the park from the applicant.

Donation and improvements to the trail connection will be required at the subdivision stage, and in coordination with the City’s Parks Department. All subdivision and zoning requirements applicable to the proposed parkland donation will be considered at the time of donation and are intended to comply with the City’s applicable bylaw standards. Requirements related to perimeter fencing, encroachments, and site conditions will be reviewed as part of the subdivision process.

*Wildfire Mitigation:*

Wildfire mitigation works within the proposed parkland donation area will be required to be completed prior to the City’s acceptance of the land. In addition, wildfire mitigation measures on the subdivided portion will also be required at time of Development Permit. All mitigation measures shall be carried out in accordance with the submitted Wildfire Mitigation Plan.

**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, notification was sent to all property owners and their tenants within 100 m of the subject property, advertised in the local newspaper, and posted on the City's website as per the *Local Government Act*.

**CONCLUSION**

This Development Variance Permit supports the creation of residential lots on land that would otherwise be financially constrained due to the presence of challenging remnant lands associated with the parent parcel. The proposed variance, in combination with the separate developer-led donation of parkland and implementation of wildfire mitigation

measures, enables a balanced outcome that advances housing objectives while delivering meaningful community benefit.

The dedication of parkland secures the long-term protection of a key natural area aligning with City of West Kelowna policies related to environmental stewardship, hazard mitigation, and the preservation of natural open space. Collectively, the variance and associated developer commitments represent a practical and policy supported approach that facilitates modest residential growth while enhancing public safety and protecting environmentally sensitive lands.

**Alternate Recommendation:**

**1. Parkland Donation be named after the applicant (Applicant's request)**

**THAT** the parkland donation of the ~4.3 ha parcel (west of Horizon Drive) be accepted following the completion of wildfire mitigation and associated improvements at time of subdivision;

**AND THAT** the [to be determined by Council: park, trail or other area, to be specified] be named after the applicant donating the parkland;

**AND THAT** a tax deductible receipt for the fair market value of the land to be donated for parks purposes (less the value of the trail area which fulfils the required 5% park dedication for the associated 7 lot subdivision) be provide to the owner;

**AND FURTHER THAT** the issuance of Development Variance Permit (DVP 25-11) for 2232 Horizon Drive be authorized to vary S.3.1.6 of the Works and Services Bylaw No. 0249 to exempt ~726m of frontage improvements and allow for a reduced standard (no sidewalk) for ~137m, subject to the following condition:

That a cash in lieu contribution of \$80,000 be paid prior to final subdivision for future road improvements on Horizon Drive.

Should Council wish to support the applicant's request for naming the park, trail or a portion of the park after the applicant, staff will incorporate that direction into the subsequent donation processes.

**2. Application be denied**

**THAT** the issuance of a Development Variance Permit (DVP 25-11) for 2232 Horizon Drive be denied;

**AND THAT** Council direct staff to close the file.

Should Council deny the proposed Development Variance Permit, the application will be closed in accordance with the Development Applications Procedures Bylaw No. 0260. Council shall not reconsider an application of this nature for the property for a period of six months.

**3. Application be postponed**

**THAT** the issuance of a Development Variance Permit (DVP 25-11) for 2232 Horizon Drive be postponed.

Should Council postpone consideration of the Development Variance Permit, it is requested that additional direction be provided to staff.

PowerPoint: Yes  No

Attachments:

1. Development Variance Permit (DVP 25-11)



**CITY OF WEST KELOWNA  
DEVELOPMENT VARIANCE PERMIT  
DVP 25-11**

**To:** Tony Khunkhun  
PO Box 22024 Capri,  
Kelowna, BC  
V1Y9N9

1. This **Development Variance Permit** is issued subject to compliance with all the Bylaws of the City of West Kelowna applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands within the City of West Kelowna described below, and any and all buildings, structures, and other developments thereon:

PLAN KAP55153 LOT 1 DISTRICT LOT 1117 OSOYOOS DIV OF YALE DISTRICT  
EXCEPT PLAN KAP67866,  
(2232 Horizon Drive)

3. This Permit allows for the variance of S.3.1.6 of the Works and Services Bylaw to exempt ~726m of frontage improvements adjacent to lands being subdivided and allow for ~137m of modified standard to the Urban Collector Road Standard (no sidewalk) subject to the following condition:
  - A. Cash in Lieu contribution of \$80,000 be paid prior to final subdivision for future Road Improvements on Horizon Drive.
4. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof. Should any change be required to this permit, please ensure that you obtain written approval from the City of West Kelowna prior to making any changes.
5. If this Development Variance Permit has not been issued within one year from approval, Permit (DVP 25-11) shall be deemed to have been refused and the file will be closed.
6. **This Permit is not a Building Permit.**
7. **This Permit is not a Municipal Highway Permit.**
8. **This is not an Archaeology Permit.**

A: All archaeological sites in B.C. are protected under the Heritage Conservation Act. This applies to whether sites are located on public or private land and whether the site is known or unknown. If you think you have uncovered an archaeological site during a building project or renovation, please do not disturb the site further and call B.C.'s Archaeology Branch

immediately at (250) 953-3334. Branch archaeologists will review your project plans and make recommendations to manage site impacts and secure the required permitting.

AUTHORIZING RESOLUTION NO XXXX/XX PASSED BY THE MUNICIPAL COUNCIL ON MARCH 10TH, 2026.

Signed on \_\_\_\_\_

\_\_\_\_\_  
Corporate Officer

I hereby confirm that I have read and concur with the conditions of the Development Variance Permit and will ensure that copies of the Permit will be provided to onsite personnel at time of construction.

Signed on \_\_\_\_\_

\_\_\_\_\_  
Property Owner or Agent

ISSUED on \_\_\_\_\_

Schedules: