



COUNCIL REPORT
Development Services
For the May 12, 2020 Council Meeting

DATE: April 27, 2020

TO: Paul Gipps, CAO

FROM: Carla Eaton, Planner III

RE: Z 19-05; Official Community Plan Amendment Bylaw No. 0100.56, 2019 and Zoning Amendment Bylaw No. 0154.76, 2019 (Adoption); 2370 Tallus Ridge Drive
Legal: Lot 1, DL 2602, ODYD, Plan KAP85779, Except Plan EPP21757
Owner: Uday Development Inc. (BC1080647)
Agent: Protech Consulting / Kyle Lorincz

RECOMMENDED MOTION:

THAT Council adopt City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.56, 2019 (File: Z 19-05); and

THAT Council adopt City of West Kelowna Zoning Amendment Bylaw No. 0154.76, 2019 (File: Z 19-05).

RATIONALE:

The recommended motion is based on the following:

- As a condition of adoption, the required restrictive covenants have been registered.
- Residential policies encourage the sensitive integration of different housing forms in all residential growth areas in support of neighbourhood diversity and healthy communities.
- Infill development makes more efficient use of community services and reduces development pressures at the urban fringes.
- While increasing the density from 8 units to approximately 17 units over the new R3 area, no additional disturbance is anticipated as the townhouse units will roughly follow the original site layout for the single family development.
- The future development permit process will address hillside (grading and rock fall mitigation) and form and character issues with the proposed townhouse development.
- The previous rezoning process already protected sensitive areas through the registration of a covenant, as well as secured right of way for trail connections through the site.
- The applicant has agreed to provide additional trail connections through the new development area at time of future development to be finalized as part of the future development permit.
- The proposal was supported by the City's Advisory Planning Commission (APC) and Agricultural Advisory Committee (AAC).

LEGISLATIVE REQUIREMENTS:

Council has the authority under Part 14, s. 472 of the *Local Government Act* to amend the Official Community Plan and s. 479 to create and amend the Zoning Bylaw.

BACKGROUND:

Overview of Proposal

This Official Community Plan (OCP) and Zoning Amendment Application proposes to adjust the OCP land use designations and zoning boundaries to expand an existing multiple family (R3) zoned area and reduce the existing single detached (R1) zoned area (*Attachments 1 and 2*). The new R3 zone (approx. 17 townhouse units) will be combined with the existing R3 zone (approx. 9 townhouse units) to facilitate the proposed 26 unit townhouse strata development (Figure 1 – shows the combined R3 zones in black dotted line). The proposed amendments will also allow realignment of the A1 zone along the proposed strata road to ensure the Low Density Residential strata lot is not split zoned. The amendment will increase the proposed residential density from 8 single family dwelling units to approximately 17 townhouse dwelling units.

Zoning Conditions

The Council resolution at third reading established two zoning conditions, as noted in the Council Report/Resolution History table below. The zoning conditions have now been satisfied and it is recommended that the amendment bylaws be adopted.

COUNCIL REPORT/RESOLUTION HISTORY

Date	Report Topic/Resolution	Resolution No.
Sep 3, 2019	<p>THAT Council give third reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.56, 2019 (File: Z 19-05); and</p> <p>THAT Council give third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.76, 2019 (File: Z 19-05); and</p> <p>THAT Council direct staff to schedule the bylaws for consideration of adoption following:</p> <ul style="list-style-type: none">• Submission of design drawings and cost estimates to the satisfaction of the Director of Development Services for the following:<ul style="list-style-type: none">○ Construction of municipal road and utilities connecting Mountain Hollows Lane to the subject property;○ Upgrades to the pedestrian right of way at the north end of the property (CA5016164); and○ Construction of a 3 m wide pedestrian right of way through the south end of the property;• Confirmation of the registration of a Section 219 covenant to require:	C318/19

	<ul style="list-style-type: none"> ○ Construction of the extension of the municipal road and utilities connecting Mountain Hollows Lane with the development site; ○ Upgrades to the registered pedestrian right of way (CA5016164) to the City's Nature Trail Standard at time of future development; ○ Registration of a statutory right of way and construction of a 3.0 m wide pedestrian access connecting through the proposed strata lot and Tallus Ridge Drive at time of future development; and ○ Ongoing maintenance and inspection of rock fall areas by property owners, including debris removal, in accordance with the updated geotechnical recommendations. 	
Jul 9, 2019	Public Hearing held	N/A
Jun 11, 2019	<p>THAT Council give first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.56, 2019; and</p> <p>THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.76, 2019; and</p> <p>THAT Council direct staff to schedule the proposed bylaw amendments for Public Hearing.</p>	C231/19

REVIEWED AND APPROVED BY:

Brent Magnan, Planning Manager
Mark Koch, Director of Development Services
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒

Attachments:

1. Official Community Plan Amendment Bylaw No. 0100.56
2. Zoning Amendment Bylaw No. 0154.76