



COUNCIL REPORT  
Development Services  
For the May 26, 2020 Council Meeting

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DATE: May 15, 2020  
TO: Paul Gipps, CAO  
FROM: Hailey Rilkoff, Planner II  
RE: DVP 20-03; Development Variance Permit; 2751 Cameron Road  
Legal: Lot A District Lot 3486 ODYD Plan 26784  
Address: 2751 Cameron Road  
Owner: The Board of School Trustees of School District No 23 (Central Okanagan)  
Applicant: David Widdis, Planning Manager

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**RECOMMENDED MOTION:**

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 20-03) for Lot A District Lot 3486 ODYD Plan 26784 (2751 Cameron Road) in general accordance with the attached permit to vary Zoning Bylaw No. 0154 S 4.4.1a. to reduce the number of off-street parking spaces from 20 required to 5 proposed to facilitate the installation of up to four additional portable classrooms.

**RATIONALE:**

The recommended motion is based on the following:

- Mount Boucherie Secondary School has a Parking Management Plan with guidelines for students to follow;
- Increased enrolment and reduced class sizes over the years requires more classroom space on site;
- The School District added 30 additional parking spaces on-site in 2019 to alleviate parking concerns; and
- A collaborative approach to shared uses between the School District and City of West Kelowna is encouraged by the Official Community Plan.

**LEGISLATIVE REQUIREMENTS:**

Section 498 of the *Local Government Act* gives Council the authority to issue a Development Variance Permit that varies, in respect of the land covered in the permit, the provisions of the Zoning Bylaw.

## BACKGROUND:

### **Location and Surrounding Uses**

The subject property is located in the Boucherie Centre neighbourhood and is zoned P2 – Institutional and Assembly Zone. The subject property has been the site of Mount Boucherie Secondary School, West Kelowna’s only secondary school, since it was built in the 1970’s.

The subject property is adjacent to the City Hall and Royal LePage Place and the surrounding land uses are as follows:



Figure 1 - Subject Property (MBSS)

Direction	Zone	Land Use
North	RMP – Manufactured Home Park R3 – Low Density Multiple Residential	Trailpark Mobile Villas & RV Park Residential
East	P2 – Institutional and Assembly	City Hall and Arenas
South	P1 – Parks and Open Space	Mount Boucherie Park
West	P1 – Parks and Open Space	Mount Boucherie Sports Fields and Darroch park

### **MBSS Site History**

Mount Boucherie Secondary School (MBSS) was built in 1975. Portable classrooms have been added and removed from the site as enrolment has increased and decreased over time. In 1990, when required parking was calculated per teacher and per ten students (Zoning Bylaw No. 176, adopted March 1981), MBSS required 129 parking spaces and was able to provide 155 on site (surplus of 26 spaces). By 1997, with increased enrolment and staffing, MBSS required 217 parking spaces and was only able to provide 150 (deficiency of 67 spaces).

The persisting parking deficiencies on-site have been acknowledged by both the School District and the Regional District of Central Okanagan (RDCO) since the mid 1990’s. Variance Permits were not historically required under Zoning Bylaw No. 176 due to the temporary nature of the portable classrooms. By 2008 a new Zoning Bylaw was in effect (Zoning Bylaw No. 871, adopted August 2000) and a major addition was constructed at MBSS creating 16 new classrooms and reducing the need for portable classrooms. However, since 2008 the City of West Kelowna has continued to grow resulting in increased enrolment at MBSS.

### **2018 Development Variance Permit Application**

In the Spring of 2018, due to increased enrolment projections at MBSS, School District #23 (SD23) applied for a Development Variance Permit (DVP 18-02) in order to reduce the number of required parking spaces on-site for the placement of up to 13 additional portable classrooms through to 2028. At the time of application in 2018 the current onsite conditions at MBSS were as follows:

- 57 classrooms (54 regular classrooms and 3 portable classrooms)
- 110 staff (plus 5-8 temporary teachers)
- 1,432 students (projected Sept 2018 enrolment)
- 170 on-site parking spaces
- 38 off-site parking spaces through a joint-use agreement with the City of West Kelowna.

Zoning Bylaw No. 0154 (adopted February 2014) requires 5 off-street parking spaces per classroom. At the time of application in April 2018, MBSS was not meeting the required on-street parking requirements as 285 spaces would have been required for 57 classrooms.

In July 2018, Council considered the requested variance, however due to parking management concerns only approved a reduction in required parking (from 15 spaces to 0 spaces) for the 3 portables for the 2018/2019 school year.

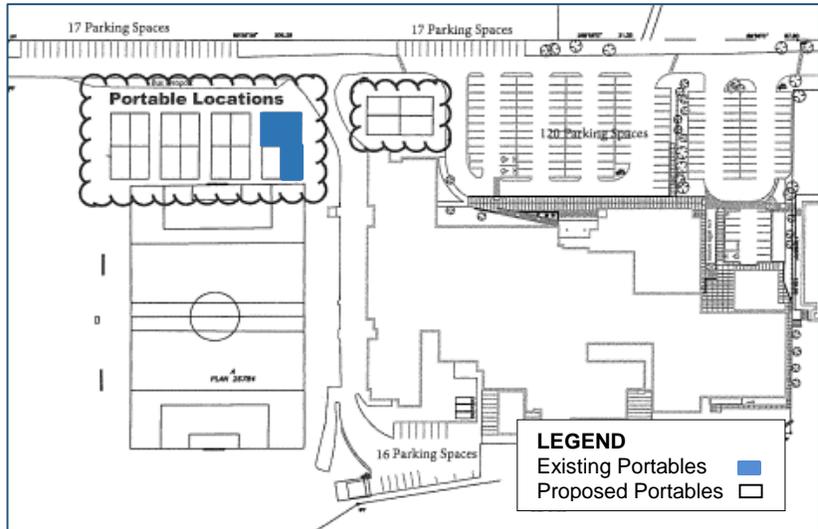


Figure 2 - 2018 Proposed Portable Locations

In addition, Council required SD23 to provide a parking study and a parking management plan to Council in order to consider future variances. A building permit for the installation of the 3 portable classrooms was issued and completed.

**2019 Portable Installation and DVP Exemption**

In 2019, SD23 was able to create 30 additional parking spaces on-site, by removing the basketball courts and relocating the garbage and recycling bins. These 30 parking spaces addressed the required parking spaces for the 3 portable classrooms installed in 2018 (15 spaces), as well as 2 additional portable classrooms installed in the summer of 2019 (10 spaces). The School District therefore provided a surplus of 5 spaces in 2019 for the portables installed between 2018 and 2019. No additional variances were required and no Parking Study or Parking Management Plan was completed.

**Proposal**

The original application submitted in March 2020 only requested a variance for 1 portable classroom to not require parking (with a total of 2 being installed in 2020). SD23 has indicated that the maximum build out on site would be up to 4 additional portables. Therefore, the recommended motion before Council is to consider a variance to accommodate the maximum build out of portables on site.

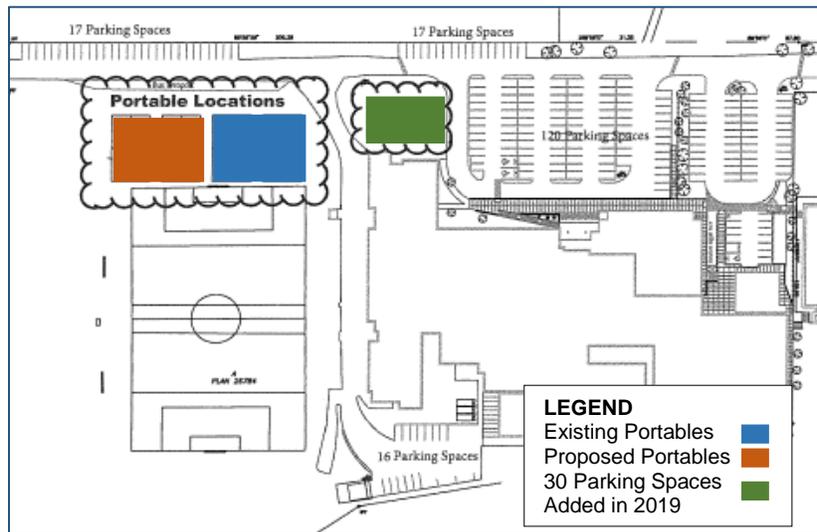


Figure 3 - 2020 Proposed Portable Locations

School District #23 (SD23) proposes to install 2 additional portable classrooms to accommodate the projected enrolment numbers for the 2020/2021 school year, and up to 2 additional portable classrooms to accommodate increased enrolment between 2021 and 2023.

The current onsite conditions at MBSS are as follows:

- 62 classrooms (54 regular classrooms and 8 portable classrooms)
- 1,476 students (current enrolment)
- 200 on-site parking spaces (counting the 30 new spaces created in 2019)
- 38 off-site parking spaces through a joint-use agreement with the City of West Kelowna (approximately 80 spaces can be accommodated in the gravel student parking area)



Figure 4 – Existing Portables (in background) and location of up to 4 new portables (in foreground)

With the 4 additional portable classrooms, MBSS would have a total of 66 classrooms, requiring a total of 330 off-street parking spaces, which due to previous development history has been non-conforming since 1995. The current variance request is to reduce the additional required parking spaces for the 4 additional portables from 20 spaces to 5 spaces. The 5 parking spaces provided were added as surplus in 2019 where the former basketball courts were located.

Table 1 - Required Parking Calculations

Year	Existing Classrooms (Portables)	Proposed Classrooms	Total Classrooms	Required Parking	Parking Provided*	Notes
Prior to 2018	57 Classrooms (3 Portables)	-	57 Classrooms	285	208**	
2018	57 Classrooms (3 Portables)	+3 Portables	60 Classrooms	300	208	<i>DVP 18-02 issued</i>
2019	60 Classrooms (8 Portables)	+2 Portables	62 Classrooms	310	238	<i>30 parking spaces added</i>
2020	62 Classrooms (10 Portables)	+2 Portables	64 Classrooms	320	238	<i>DVP 20-03 proposed</i>
Beyond 2020	64 Classrooms (12 Portables)	+2 Portables	66 Classrooms	330	238	
* Includes 38 spaces at City Hall/Arena site through Joint Use Agreement						
** Non-conforming, cannot increase non-conformity without variances						

## Applicant's Rationale

The School District has provided a proposal letter (*Attachment 4*) which outlines their rationale for the requested variance. The history of portable classrooms is outlined, which are viewed as a temporary solution for the immediate challenge of a growing enrolment. The subject property accommodated 13 portables on site in 2006 when the school's enrolment was over 1,500. The School District has indicated that "a new secondary school on the Westside is the number one priority of the School District's Capital Plan." New class size requirements were introduced in 2017, which has also contributed to the need for additional classroom space on site.

## BYLAW AND POLICY REVIEW:

### Official Community Plan No. 0100

The Official Community Plan has policies to support engaging in joint planning with SD23 for the joint use of school and CWK facilities (S.3.8.1.3). The OCP supports collaboration between the city and SD23 in regards to shared uses, such as the Joint Use Agreement for parking at the City Hall/Arena site: "As sustained shared use practices will ensure the best possible use of our land and facilities, CWK will continue to invest in and support these important partnerships."

### Zoning Bylaw No. 0154

The City's Zoning Bylaw regulates required off-street parking in the City of West Kelowna, and requires 5 parking spaces per classroom for Secondary Schools.

## TECHNICAL REVIEW:

### Joint Use Agreement Parking

The parking spaces allocated for student parking in the City Hall/Arena lot designated for Student Parking can accommodate approximately 80 vehicles, almost double what the original joint-use agreement allocated (38). There are prominent signs that indicate where student parking is prohibited (No Student Parking signs), however the signage for the student parking area is small and not as prominent (Student Parking signs).



Figure 5 - Student Parking Signage (MBSS)



Figure 6 - Student Parking Signage (City Hall/Arena)



### Bylaw Enforcement

The City's Bylaw Enforcement Department has indicated that over the years there have only been a few instances of ticketing required due to student parking in prohibited areas on the City Hall/Arena lot. Bylaw has not had any neighbourhood complaints regarding student parking in the area this school year and in 2019 there were no issues with student parking.

### **Parking Management Plan**

A collaborative approach between the City and SD23 to address the parking deficiency at MBSS should be taken in this case. The Parking Management Plan will allow the existing non-conforming parking issues to be resolved and to mitigate future parking pressures within the area. MBSS has a student parking program in place (*Attachment 5*) which outlines guidelines for students to follow in order to maintain their student parking passes and which identifies where student parking is allowed. SD23 has indicated that of the 1,146 students that attend MBSS, 158 have been issued parking passes, and that alternate and active transportation are actively encouraged. The school administration team perform regular walkabouts (on and off-site) to monitor parking compliance and the Principal of MBSS addresses parking issues as they arise.

### **PUBLIC NOTIFICATION:**

In accordance with the *Local Government Act*, 194 notification letters were sent to all property owners and their tenants within 100 metres of the subject property (*Attachment 7*) and a notice of application sign has been placed on the subject property in accordance with the Development Applications Procedures Bylaw No. 0260. At the time of writing this report, no submissions from the public had been received.

### **COUNCIL REPORT/RESOLUTION HISTORY:**

Date	Report Topic/Resolution	Resolution No.
July 10, 2018	<p><b>THAT</b> Council support the issuance of a Development Variance Permit (DVP 18-02) for 2751 Cameron Road to vary Zoning Bylaw No. 0154, S.4.4.1(a) to not require on-site parking stalls for the addition of three (3) new portables in 2018/2019 school year only, in accordance with the attached permit; and,</p> <p><b>THAT</b> Council add as a condition of the permit that the School Board provide a parking study and a detailed parking plan to the City of West Kelowna no later than March 31, 2019.</p>	C292/18

### **ALTERNATE MOTIONS:**

#### **Alternate Motion 1: Reduced Variance**

**THAT** Council authorize the issuance of a Development Variance Permit (DVP 20-03) for Lot A District Lot 3486 ODYD Plan 26784 (2751 Cameron Road) in general accordance with the attached permit to vary Zoning Bylaw No. 0154 S 4.4.1a. to reduce the number of off-street parking spaces from 10 required to 5 proposed to facilitate the installation of two additional portable classrooms.

Should Council only wish to grant a parking variance for the two proposed portables to be installed in 2020, the applicant would be required to submit a Development Variance Application for any future portable installations if no additional parking is provided on-site.

## **Alternate Motion 2: Postpone**

**THAT** Council postpone consideration of a Development Variance Permit (DVP 20-03) for Lot A District Lot 3486 ODYD Plan 26784 (2751 Cameron Road).

Should Council postpone consideration of the requested variance, further Council direction to staff is required.

## **Alternate Motion 3: Deny**

**THAT** Council deny the issuance of a Development Variance Permit (DVP 20-04) for Lot A District Lot 3486 ODYD Plan 26784 (2751 Cameron Road).

Should Council deny the requested variance, the file will be closed. No Building Permits could be issued new portables could be installed on-site to accommodate increased student enrolment. As per the City's Development Applications Procedures Bylaw No. 0260, the applicant could re-apply for a similar proposal 6 months after initial Council consideration.

### 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. Draft DVP 20-03
2. Context Map
3. Subject Property Map
4. Proposal Letter
5. MBSS Parking Strategy
6. Site Photos
7. Public Notification Map