



COUNCIL REPORT

To: Paul Gipps, CAO

Date: July 14, 2020

From: Jayden Riley, Planner II

File No: Z 20-02

Subject: **Z 20-02; Zoning Amendment Bylaw No. 0154.91, 2020 (1st and 2nd Reading), 2417 Apollo Road**

RECOMMENDATION

THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.91, 2020 (File: Z 20-02); and

THAT Council direct staff to schedule a public hearing for the proposed Zoning Amendment Bylaw.

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Plan Priorities 2020-2022)

BACKGROUND

This application proposes to amend the zoning designation of the subject property from Single Detached Residential (R1) to Urban Centre Commercial (C1) to support a mixed-use development. The applicant is proposing to mirror a recently approved development (DP 20-03) of the adjacent property, 2411 Apollo Road, consisting of a 3-storey building with 100 sq. m. of commercial space at ground level and two (2) storeys of residential above, each with four (4) residential units – see *Attachment 1, Figure 3*. In anticipation of rezoning, the applicant has submitted a concurrent Form and Character Development Permit application (File: DP 20-11).

PROPERTY DETAILS			
Address	2417 Apollo Road		
PID	012-083-992		
Folio	36412444.000		
Lot Size	566 sq. m.		
Owner	Elias and Kevin Ferreira	Agent	Randi Fox, Fox Architecture

Current Zoning	Single Detached Residential (R1)	Proposed Zoning	Urban Centre Commercial (C1)
Current OCP	Commercial	Proposed OCP	N/A
Current Use	Single Family Dwelling	Proposed Use	Mixed Use
Development Permit Areas	Commercial; Multiple Family and Intensive Residential		
Hazards	No		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Institutional and Assembly (P2)
East	>	Urban Centre Commercial (C1)
West	<	Urban Centre Commercial (C1)
South	v	Urban Centre Commercial (C1)

NEIGHBOURHOOD MAP



PROPERTY MAP



Legislative Requirements

Council has the authority under Part 14 (S.479) of the *Local Government Act (LGA)* to create and amend its Zoning Bylaw. Section 464(2) of the *Local Government Act* allows local governments to waive the holding of a public hearing on a proposed zoning bylaw amendment if there is an official community plan in effect for the area that is subject to the bylaw and the bylaw is consistent with the plan. Should Council choose to waive the public hearing, the City will be required to give notice that it is waiving the public hearing and the opportunity for the public to review the bylaw.

Rationale for Recommended Motion

The recommended motion is subject to consideration of any comments or concerns raised by the public and is based on the following rationale:

- The proposal is aligned with the subject property's Commercial Land Use Designation;
- The applicant has applied for a concurrent development permit application which intends to mirror the form and character of a mixed-use building approved under DP 20-03 and Z 19-04; and
- The proposal aligns with the Westbank Centre Revitalization Plan and the desired attributes of the Westbank Centre neighbourhood.

DISCUSSION

Official Community Plan No. 0100

The subject property has a Land Use Designation of Commercial, which is intended to support a variety of built form reflecting a diversity of retail, office, and personal service uses, with opportunities for increased density and height in Westbank Centre and above-street residential. The property is also located within Westbank Centre Neighbourhood. Desired attributes of this neighbourhood include excellent pedestrian facilities (i.e. walkability), a mix of residential, commercial and civic uses, and human scale development at street level.

Westbank Centre Revitalization Plan

The Westbank Centre plan area is defined by Butt Road to the north, Old Okanagan Highway and Westbank First Nation lands to the east, agricultural lands to the south, and Glen Canyon Regional Park and Paynter Road to the west (*Figure 1*).

The Westbank Centre Revitalization Plan provides a long-term vision for the Westbank Centre aimed to improve the quality of both private development and the public streetscape, as well as enhancing the cultural and heritage aspects of the community. The vision for Westbank Centre is a thriving, unique, walkable, transit-oriented and highly attractive urban place with a range of businesses, services, and cultural and civic facilities. The vision includes a concentration and mix of housing for a diversity of lifestyles, ages and income levels. The strategy for revitalization of Westbank Centre

includes amending zoning regulations to achieve density and flexibility in unit types and to allow for buildings up to 6 storeys in designated areas. The proposed zoning amendment for 2417 Apollo Road aligns with the vision and strategy of the Westbank Centre Revitalization Plan.

The Westbank Centre Revitalization Plan includes Design Guidelines similar to the OCP Design Guideines, which emphasize desirable form and character, siting and landscaping for new development projects.



Figure 1: Westbank Centre Revitalization Plan Area

Zoning Bylaw No. 0154

The subject property is currently zoned Single Detached Residential (R1), intended to accommodate low density single detached residential use on parcels of land that are 550 sq. m. and larger. The proposed zone is Urban Centre Commercial (C1), intended to accommodate a mix of uses with active commercial frontages, such as apartment, retail, personal services establishment, and office. The subject property meets the minimum parcel size and frontage requirements of the C1 Zone. No variances to setbacks, building height, or parking are anticipated.

Technical Review

The applicant has provided a functional servicing report, concluding that existing infrastructure will support the proposed development, subject to road upgrades (*Figure 2*), lane upgrades, water service upgrade, and installation of storm and sanitary sewer services.

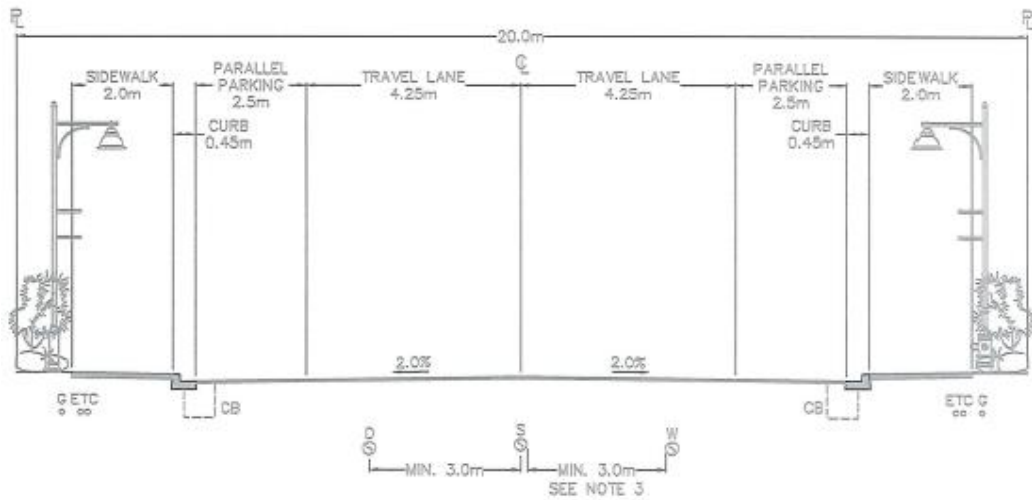


Figure 2: Urban Centre Road Detail

Potential to Waive Public Hearing

Considering the subject property's existing commercial Land Use Designation and the concurrent development permit application submitted (DP 20-11) to mirror the form and character of the approved development permit (DP 20-03) for the adjacent property, 2411 Apollo Road, Council may choose to waive the public hearing. The proposal is consistent with the surrounding commercial and mixed-use nature of the neighbourhood, and the City did not receive any submissions or public comments for file Z 19-04 to rezone 2411 Apollo Road from Single Detached Residential (R1) to Urban Centre Commercial (C1).



Figure 3: Mirrored Concept, Application Summary

ALTERNATE MOTIONS

Alternate 1 - Give 1st and 2nd Reading and Waive Public Hearing

1. **THAT** Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.91, 2020 (File: Z 20-02) and direct staff waive the public hearing for the proposed Zoning Amendment Bylaw.

Should Council choose to waive the public hearing, in accordance with S.467 of the *Local Government Act*, the City will be required to give notice that it is waiving the public hearing and the opportunity for the public to review the bylaw.

Alternate 2 – Postpone Consideration

2. **THAT** Council postpone first and second reading to the City of West Kelowna Bylaw No. 0154.91, 2020 (File: Z 20-02).

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

Alternate 3 – Deny Application

3. **THAT** Council deny first and second reading to the City of West Kelowna Bylaw No. 0154.91, 2020 (File: Z 20-02).

Should Council deny the proposal, the application will be closed in accordance with Development Application Procedures Bylaw No. 0260 and the applicant may re-apply after a period of six (6) months.

REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes No

Attachments:

1. Conceptual Site Plan and Renderings
2. C1 Zone
3. Zoning Amendment Bylaw No. 0154.91