



COUNCIL REPORT
Development Services
For the July 9, 2019 Council Meeting

DATE: July 4, 2019 File: Z 19-04
TO: Tracey Batten, Deputy CAO
FROM: Jaleen Rousseau, Planner
RE: Application: Zoning Amendment Bylaw No. 0154.75
Legal: Lot 2, DL 486, ODYD, Plan KAP761
Address: 2411 Apollo Road
Owner: E. & K. Ferreira
Agent: M. Shahidul Islam / Rai Consulting Services Inc.

RECOMMENDED MOTION:

THAT Council give third reading to West Kelowna Zoning Amendment Bylaw No. 0154.75, 2019.

RATIONALE:

- The proposal aligns with the future land use designation for Commercial Mixed Use within Westbank Centre;
- Infill development in this location makes more efficient use of community services and reduces development pressures at the urban fringes;
- The subject property is vacant and development will help to revitalize the Apollo Road neighbourhood with commercial space and provide new residential rental opportunities within Westbank Centre;
- A Form and Character Development Permit application will be required to demonstrate how the application meets the OCP Design Guidelines and the Westbank Centre Revitalization Plan Design Guidelines prior to development of the site; and

LEGISLATIVE REQUIREMENTS:

Council has the authority under Part 14 (s. 479) of the *Local Government Act (LGA)* to amend its Zoning Bylaw.

BACKGROUND:

The proposed bylaw amendment received first and second readings on April 9, 2019 and a Public Hearing was held on May 28, 2019. No issues were raised at the Public Hearing.

Proposal

The applicant is requesting an amendment to Zoning Bylaw No. 0154 to rezone the subject property from Single Detached Residential (R1) to Urban Centre Commercial (C1).

Bylaw and Policy Review

Official Community Plan (OCP) Bylaw No. 0100

Development of the property under C1 zoning will be required to demonstrate compliance with the City's Form and Character Development Permit Guidelines for General and Multiple Family and Intensive Residential. In general, the guidelines encourage pedestrian oriented design, safe communities, and visual interest through careful and thoughtful siting design, building form and character, and landscaping.

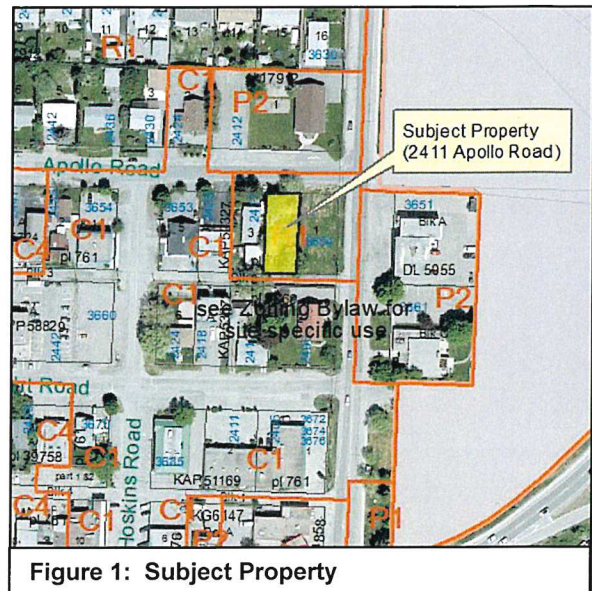


Figure 1: Subject Property

Zoning Bylaw No. 0154

The current zoning of the subject property is Single Detached Residential Zone (R1), which permits one single detached dwelling. The applicant is proposing to rezone the subject property to the Urban Centre Commercial Zone (C1) to allow for a three storey mixed use building (ground floor commercial with residential above). The Subject property meets the minimum parcel size and frontage requirements of the C1 Zone. The applicant has indicated that the required yard setbacks, building height, and parking requirements of the C1 Zone will be achieved and no variances are requested.

Technical Review

The applicant has submitted a Functional Servicing Report indicating that the subject property can be serviced by existing sanitary sewer, water and stormwater infrastructure. A traffic impact assessment is not required based on the City's Terms of Reference for Professional Reports and Technical Studies because the proposal will result in less than 100 units.

Overview of Public Hearing

A Public Hearing was held on May 28, 2019. No written submissions were received and no public comments were made at the Public Hearing. As identified in this report and noted at Public Hearing, there are no outstanding technical issues to be addressed and no recommended conditions of adoption. As such, the recommended motion has been provided for Council's consideration of third reading of the Zoning Amendment Bylaw.

Next Steps

Prior to adoption, the bylaw amendment will be forwarded to the Ministry of Transportation for approval.

COUNCIL REPORT/RESOLUTION HISTORY:

Date	Report Topic/Resolution	Resolution No.
May 28, 2019	Public Hearing	N/A
April 9, 2019	THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.75, 2019; and THAT Council direct staff to schedule the proposed bylaw amendment for a Public Hearing.	C152/19

ALTERNATE MOTIONS:

1. **THAT** Council postpone third reading of City of West Kelowna Zoning Amendment Bylaw No. 0154.75, 2019.

Should Council postpone consideration of the proposed bylaw amendment, further direction to staff on how to proceed is required.

2. **THAT** Council deny File No. Z 19-04 Zoning Amendment for 2411 Apollo Road and close the file.

Should Council deny the proposal, the file will be closed. As per the City's Procedures Bylaw, the applicant could re-apply for a similar proposal 6 months after initial Council consideration.

Respectfully submitted,

Jaleen Rousseau
Planner



Brent Magnan
Planning Manager



Bob Dargatz
Development Manager



Nancy Henderson
GM Development Services


File:

Powerpoint: ___ Yes X No

Attachments:

1. Zoning Amendment Bylaw No. 0154.75, 2019
2. Context Map
3. Subject Property Map

Approved for Agenda

Tracey Batten, Deputy CAO Date

Tracey Batten, Deputy CAO

July 5/19

CITY OF WEST KELOWNA

BYLAW NO. 0154.75

A BYLAW TO AMEND "ZONING BYLAW NO. 0154"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.75, 2019".

2. Amendments

"Zoning Bylaw No. 0154" is hereby amended as follows:

- 2.1 By changing the zoning on Lot 2, DL 486, ODYD, Plan KAP761 as shown on Schedule 'A' attached to and forming part of this bylaw from Single Detached Residential Zone (R1) to Urban Centre Commercial Zone (C1).
- 2.2 By depicting the change on "Zoning Bylaw No. 0154 Schedule B" (Zoning Bylaw map).

READ A FIRST AND SECOND TIME THIS 9TH DAY OF APRIL, 2019

PUBLIC HEARING HELD THIS 28TH DAY OF MAY, 2019

READ A THIRD TIME THIS DAY OF

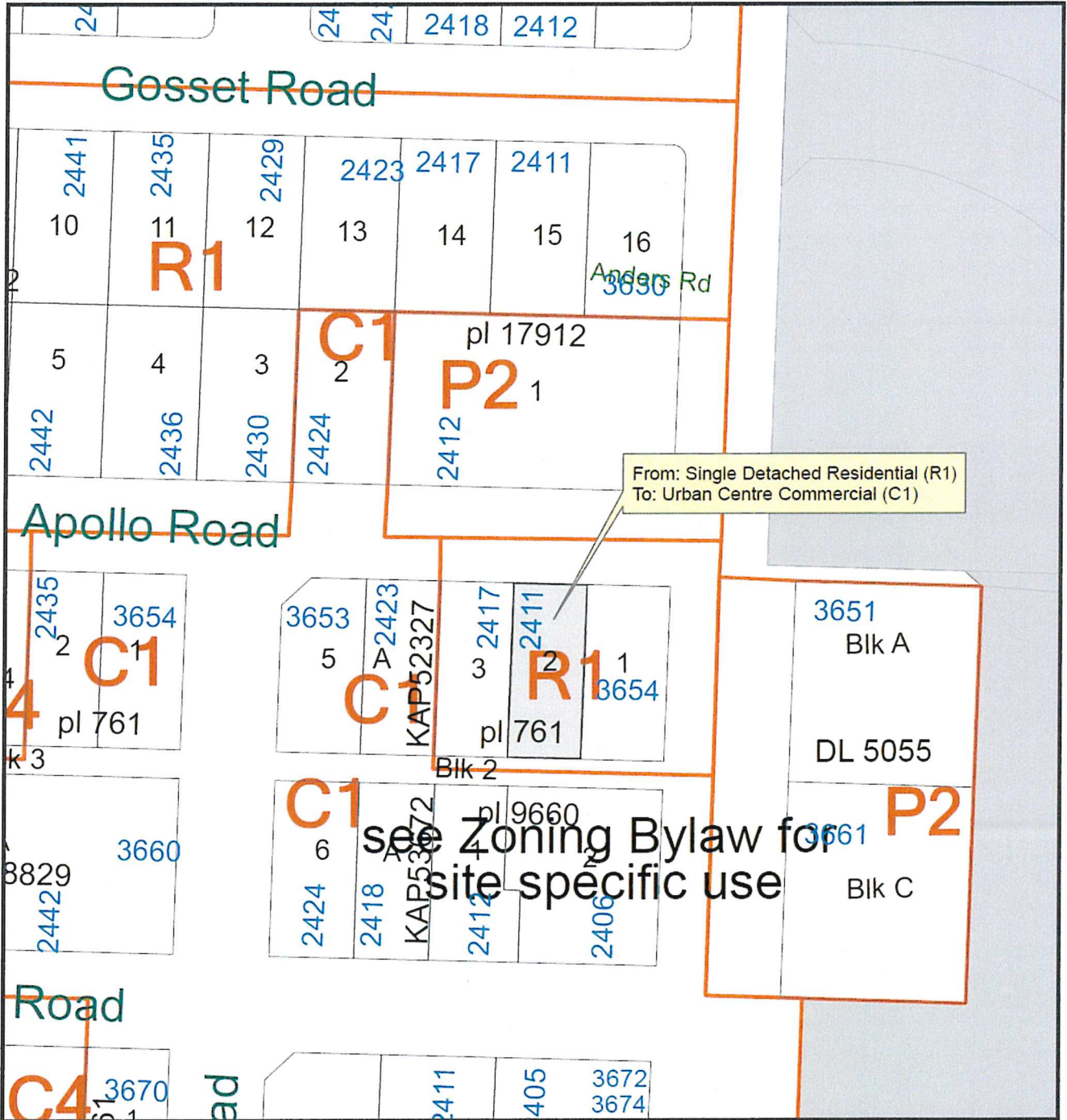
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE THIS DAY OF

ADOPTED THIS DAY OF

MAYOR

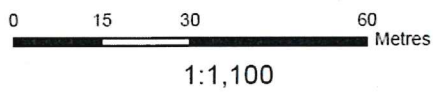
CITY CLERK

SCHEDULE 'A' of BYLAW NO. 0154.75



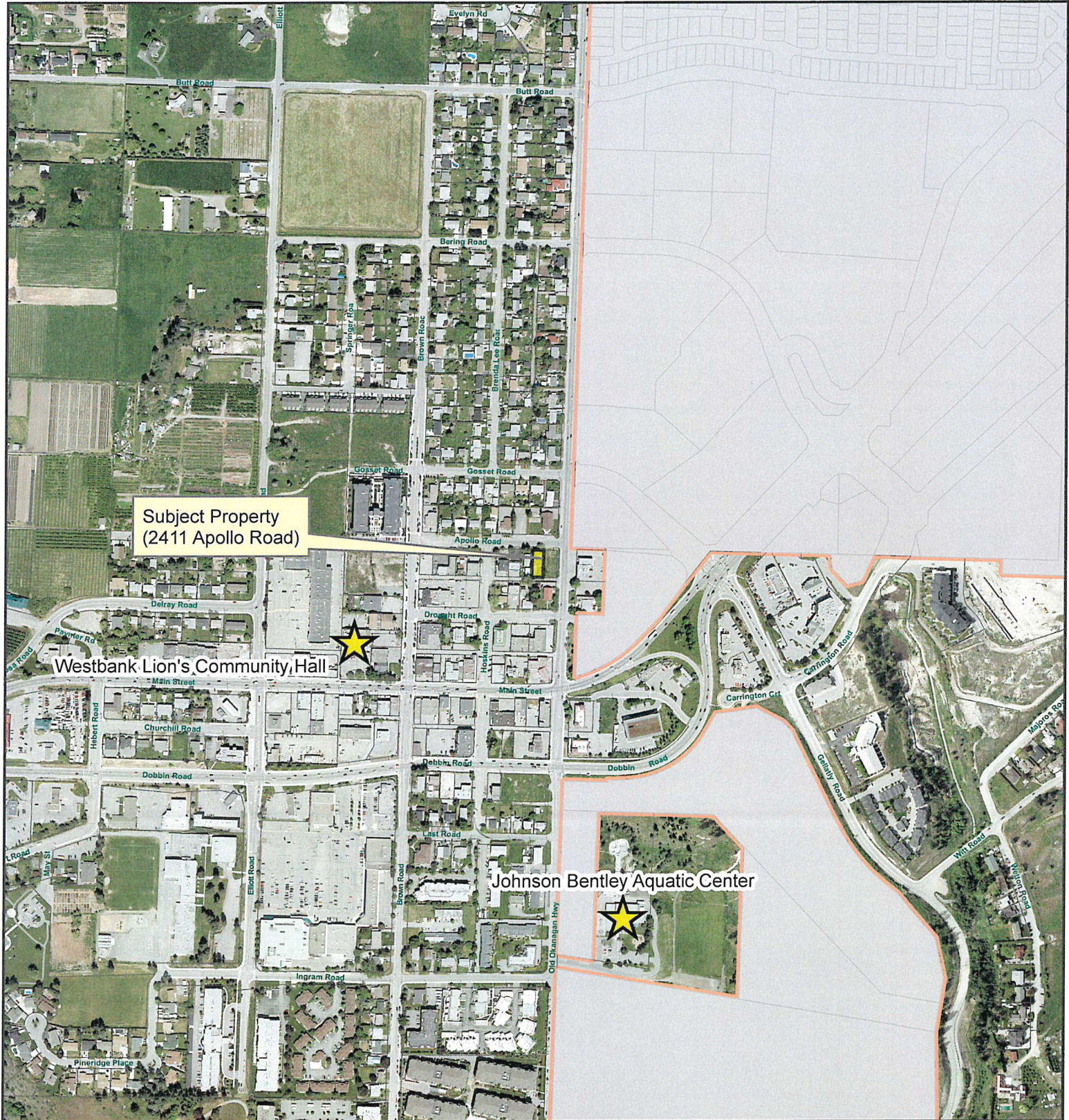
LEGEND

- Parcels
- Zoning Boundary
- W.F.N. Lotlines
- WFN Advisory Council Districts
- From R1 to C1





CONTEXT MAP: Z 19-04



File: Z 19-04

Legal Description: Lot 2, Block 2, DL 486, ODYD,
Plan KAP761

 Subject Property

 City Boundary



1:7,000

Date: 2019-02-15



SUBJECT PROPERTY: Z 19-04

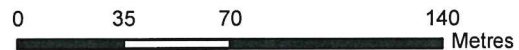


File: Z 19-04

Legal Description: Lot 2, Block 2, DL 486, ODYD, Plan KAP761

LEGEND

- Subject Property
- Zoning Boundary
- Parcels



1:2,500



Date: 2019-02-15