



## PUBLIC HEARING REPORT

To: Paul Gipps, CAO

Date: May 25, 2021

From: Hailey Rilkoff, Planner II

File No: Z 20-11

Subject: **Z 20-11; Zoning Amendment Bylaw No. 0154.102; 2416 Saddleback Way**

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### BACKGROUND

Bylaw No. 0154.102 (File Z 20-11) was given 1<sup>st</sup> and 2<sup>nd</sup> reading at the March 23, 2021 regular Council meeting (*Attachment 1*).

### ADDITIONAL INFORMATION FOR PUBLIC HEARING

#### Seniors Congregate Housing

In order to provide clarity within the Zoning Bylaw that the proposed congregate housing use would only be permitted for a seniors congregate housing development, it was proposed that the Site Specific Text Amendment specify the use as “Seniors Congregate Housing”. Apartments are already a permitted use on the subject property and an apartment development, for any demographic, without any supportive services such as laundry, housekeeping, or dining facilities would not require a Zoning Amendment.

If Council wishes to amend the Site Specific Text Amendment to read “Congregate Housing” as the permitted use and require a Covenant to ensure only a seniors congregate housing facility this could be facilitated through an amendment following the Public Hearing at third reading. This would not change the proposed use being requested through the site specific text amendment.

#### Hillside Disturbance

Specific details regarding the development will be reviewed through a Hillside and Form and Character Development Permit, following an approved Zoning Amendment. However, the applicant has provided preliminary information regarding the Geotechnical Assessment and proposed blasting. A geotechnical assessment has been provided, which will be reviewed and form part of any Development Permit, which indicates that the site can be developed safely for the intended use with recommendations regarding inspections.

Diagram illustrating the proposed rock cut wall and parkade wall. The diagram shows a cross-section profile with the following labels and features:

- PARKADE**: Indicated by an arrow pointing to the horizontal section of the wall.
- 543.5 m**: Elevation of the parkade level.
- B.C. HYDRO R.O.W.**: Boundary line for the British Columbia Hydro Right-of-Way.
- 550 m**: Elevation of the rock cut wall.
- PR. ROCK CUT WALL**: Proposed rock cut wall.
- PR. PARKADE WALL**: Proposed parkade wall.
- PR. GROUND**: Proposed ground level.

The horizontal axis is marked with stationing: 0+050, 0+060, 0+070, and 0+080.

Through an approved Blasting Permit, the City requires that blasting companies are insured, have a blasting certificate issued by WorkSafe BC, have hired an independent third-party consultant to monitor blasting and that they issue notification to neighbouring property owners.

While the property is within the City's Terrestrial Ecosystem Development Permit Area (DPA), an Environmental Assessment (EA) has been provided which confirms that the proposed development on the site would occur within areas with Environmental Sensitivity Analysis (ESA) values of Low (ESA 3) or Not Sensitive (ESA 4). Based on the dominance of invasive species, the BC Hydro right of way on the site preventing woodland

growth, and the sites classification of a former gravel pit outline in the EA, this site is exempted from requiring a Terrestrial DP based on the following exemption criteria:

*A site inspection and professional report has been completed and submitted by a Registered Professional Biologist with experience in rare and endangered species demonstrating that all sensitive ecosystem attributes of the site have been lost due to previously approved development.*

## Transportation

### *Transportation Master Plan*

The Transportation Master Plan (TMP) has objectives to promote safety, efficiency and viability of the transportation system in West Kelowna. Current planned road improvements in the area (*Figures 3 & 4*) include:

- **Upgrades to Shannon Lake Road** 2021 Capital Project with sidewalk and intersection improvements from IR #9 to Asquith Road (area identified in red circle in Figure 4); and
- **Extension of Asquith Road** to future extensions of Tallus Ridge Drive and Smith Creek Road.



Figure 1 - Excerpt from Transportation Master Plan in relation to Subject Property

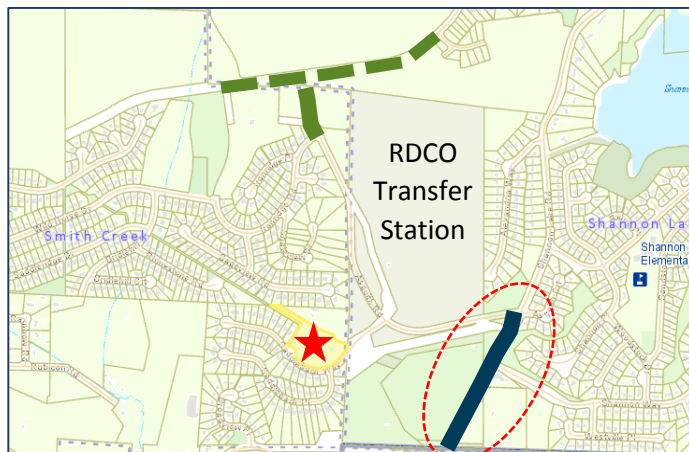


Figure 2 - Planned/Potential Road Improvements in Relation to Subject Property

The access to the RDCO Transfer Station is not currently identified as a project within the City's Road Development Cost Charge (DCC) program. However, Council may wish to review this through future budget deliberations and/or discussion with the RDCO and it has been flagged for review by staff with the Transportation Master Plan process.

### *Transportation Impact Assessment*

A Transportation Impact Assessment (TIA) was submitted by the applicant to assess the impacts on the transportation network by the proposed development and analyzed both the Asquith Rd/Saddleback Way and Shannon Lake Rd/Asquith Rd intersections, parking, sightlines, pedestrian and cyclist infrastructure and transit. The TIA has also assessed additional traffic impacts from planned growth in the Tallus Ridge neighbourhood in the traffic analysis. The TIA concluded that there is little negative impact to the local neighbourhood from the proposed project.

The City's Transportation Consultant reviewed the TIA submitted by the applicant for the proposed development. There are no noted concerns with traffic circulation, with the exception of the requirement for a contribution to a northbound left-hand turn lane from Shannon Lake Road to Asquith Road and upgrades to the transit stop on Asquith Road.

The TIA Review identified that the seniors congregate housing development could contribute to an increase of approximately 7% in traffic to the northbound left-turn movements from Shannon Lake Road to Asquith Road, which would warrant a proportional contribution to a left-turn lane. A left-turn lane is not part of the City's Development Cost Charges (DCC) Capital Program and is not DCC eligible. However, by requiring cash-in-lieu for these upgrades, the City can utilize them towards upgrades at this intersection, the design of which may include any number of upgrades from turn lanes or a roundabout. It is recommended that Council require this contribution as a condition of the rezoning.

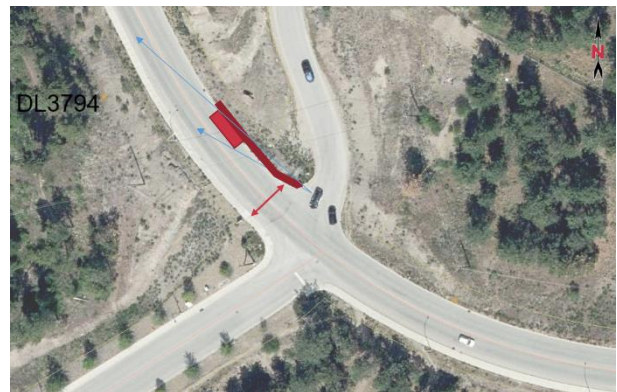
#### *Local Transportation Network*

Saddleback Way is an Urban Local Road which meets the required road standard, no additional frontage improvements are anticipated for Saddleback Way. The former landfill site on Asquith Road is presently used as a Regional Transfer Station and is operated by the Regional District of Central Okanagan (RDCO). Access to the Transfer Station is directly from Asquith Road, across from the entrance to Saddleback Way. The additional traffic from the proposed development on Saddleback Way is not anticipated to significantly affect the existing traffic movements to and from the Transfer Station. The RDCO manages seasonal traffic to and from the Transfer Station through the use of flaggers to mitigate heavy traffic periods. Recent ICBC Road Safety Data collected November 2020 does not indicate any accidents at this access.

#### Transit

The Transportation Impact Assessment estimates that five transit trips per day would be generated by the proposed development. BC Transit has identified that the current northbound bus stop on Asquith Road (#140058) does not meet their standards for a safe and accessible transit stop.

The City's Transportation Consultant has provided an analysis of the existing transit stop including the option to relocate the bus stop to the North side of the Transfer Station access. Three different options were reviewed (A, B & C). As part of the original TIA review, it was identified that relocating the bus stop to the north would restrict sightlines for vehicles egressing from the Transfer Station who would be looking north for southbound vehicles (Option A - Figure 5). Therefore, Option A is not recommended.



**Figure 5 – Transit Relocation Option A**

It was recommended that the transit stop remain south of the Transfer Station access, with a landing and sidewalk connection to a lighted crosswalk north of the access (Option B - *Figure 6*). However, as a result of Council's discussion at 1<sup>st</sup> and 2<sup>nd</sup> readings indicating an interest in further relocating the bus stop, the City's Transportation Consultant has provided an alternative location further north along Asquith to maintain sightlines and stopping distances (Option C – *Figure 7*).



**Figure 6 – Transit Stop Relocation Option B**



**Figure 7 – Transit Stop Relocation Option C**

Relocation Options B and C would maintain sightlines and stopping distances, however Option C increases the length of sidewalk required. In addition, if Option C was the chosen relocation for Bus Stop #140058 to the north side of the intersection, BC Transit recommends that the southbound bus stop on Asquith Road (#140166) should be relocated further south to ensure the bus stops are off-set. *Figure 7* shows the current location of bus stop #140166 with a yellow star.

#### Applicant's Community Consultation

The applicant has undertaken additional community consultation in advance of the Public Hearing with residents of the neighbourhood. The applicant distributed a flyer to 74 nearby households describing the proposal, provided an online project website and survey, as well as hosted a virtual townhall with 19 participants to provide additional details on the project and answer questions. A summary of the applicant's community consultation activities are attached (*Attachment 3*).

#### Public Notification

A notice of application sign has been posted on the subject property in accordance with Development Application Procedures Bylaw No. 0260. Advertisements have been placed in local newspapers and 84 notification letters have been forwarded to property owners within 100 m of the proposed development in advance of this Public Hearing.

Correspondence with questions and concerns related to the proposed development have been received since the application was submitted. Staff have provided answers to questions relating to the rezoning process, the development proposal, blasting permit requirements and the shared private access easement. As of May 20<sup>th</sup>, 2021 seven Public Hearing submissions opposed to the Zoning Amendment have been received and while many are generally supportive of seniors housing in the community, there were many concerns primarily related to:

- Increased traffic in the neighbourhood from staff, guests and deliveries;
- Staff and guests will utilize street parking if on-site parking is insufficient;
- The location is not suitable for seniors congregate housing due to the hillsides and limited local services;
- Potential pedestrian safety from increased vehicle traffic; and
- Blasting impacts during development to nearby homes.

## **COUNCIL REPORT / RESOLUTION HISTORY**

| <b>Date</b>    | <b>Report Topic / Resolution</b>   | <b>Resolution No.</b> |
|----------------|--|-----------------------|
| March 23, 2021 | <p><b>THAT</b> Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.102, 2021 (File: Z 20-11); and</p> <p><b>THAT</b> Council direct staff to schedule the proposed bylaw amendment for Public Hearing.</p> | <b>C114/21</b>        |

## **REVIEWED BY**

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

## **APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

## **Attachments:**

1. March 23, 2021 Council Report: Z 20-11; Zoning Amendment Bylaw No. 0154.102 (1<sup>st</sup> and 2<sup>nd</sup>); 2416 Saddleback Way
2. Zoning Amendment Bylaw No. 0154.102
3. Applicant's Consultation Activity Summary
4. Public Notification Map
5. Submission List – May 20, 2021