



COUNCIL REPORT

To: Paul Gipps, CAO

Date: April 20, 2021

From: Jayden Riley, Planner II

File No: Z 21-01

Subject: **Z 21-01; Zoning Amendment Bylaw No. 0154.103, 2021 (1st and 2nd Reading); 2377 Thacker Drive**

RECOMMENDATION

THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.103, 2021 (File: Z 21-01); and

THAT Council direct staff to schedule a Public Hearing for the proposed Zoning Amendment Bylaw.

STRATEGIC AREA(S) OF FOCUS

Economic Development and Prosperity (Council's Strategic Priorities 2020-2022)

BACKGROUND

This application is proposing to rezone a 22,008 m² portion of the subject property, located at 2377 Thacker Drive, from Rural Residential Large Parcel (RU4) to Single Detached Residential (R1), to accommodate a 10-lot single family subdivision. An application to rezone the property was submitted previously under File Z 18-08 and eventually withdrawn. The proposal has now been revised and resubmitted under File Z 21-01 to limit rezoning to the upper bench portion of the property and exclude the existing single family dwelling from the proposed R1 area (*Attachment 1, Figure 1*).

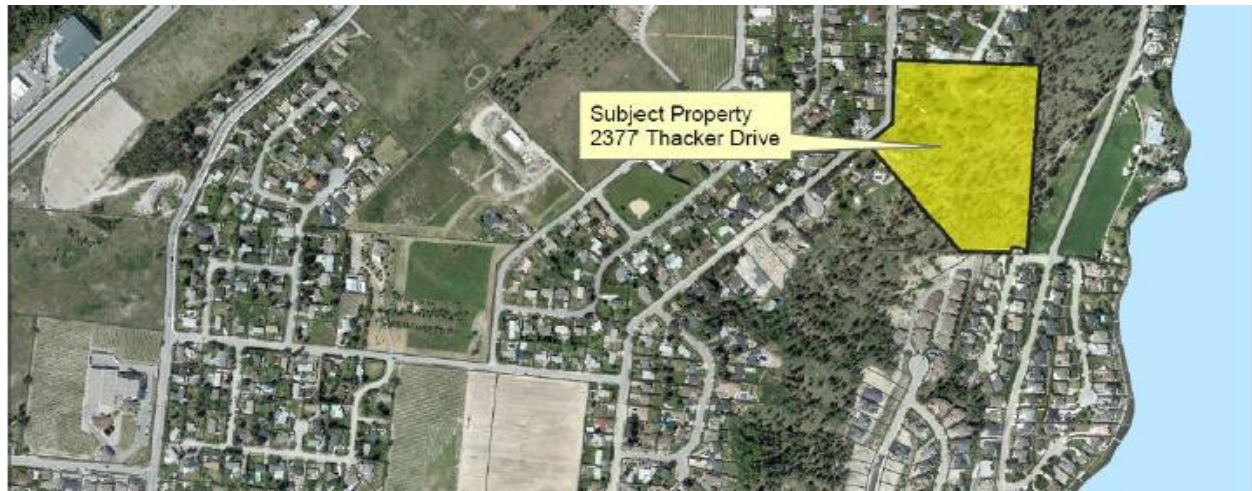
PROPERTY DETAILS			
Address		2377 Thacker Drive	
PID		010-347-674	
Folio		36413417.000	
Lot Size		65,093 m ²	
Owner	Lunelli Enterprises Ltd.	Agent	Protech Consulting
Current Zoning	Rural Residential Large Parcel (RU4)	Proposed Zoning	Single Detached Residential (R1) / Rural Residential Large Parcel (RU4)

Current OCP	Single Family Residential / Resource Land	Proposed OCP	N/A
Current Use	Single Family Dwelling	Proposed Use	Single Family Subdivision
Development Permit Areas	Hillside, Environmental		
Hazards	Hillside (lower portion)		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Single Detached Residential (R1)
East	>	Rural Residential Large Parcel (RU4)
West	<	Single Detached Residential (R1)
South	v	Parks and Open Space (P1), Single Detached Residential (R1) Low Density Multiple, Family Residential (R3)

NEIGHBOURHOOD MAP



PROPERTY MAP



Legislative Requirements

Council has the authority under S.479 of the *Local Government Act* to amend the Zoning Bylaw.

DISCUSSION

Background

The subject property is located in the Lakeview Heights neighbourhood, surrounded by Single Detached Residential (R1) to the north and west, Single Detached Residential (R1) and Parks and Open Space (Casa Palmero Park) (P1) to the south, and Rural Residential Large Parcel (RU4) to the east. The property contains an upper bench that fronts Thacker Drive and Bridgeview Road. Rezoning is intended to accommodate the future subdivision of the proposed R1 area and the extension of Bridgeview Road.

Proposal

This application is proposing to rezone the upper bench portion of the subject property from Rural Residential Large Parcel (RU4) to Single Detached Residential (R1) to accommodate a 10-lot single family subdivision. The proposed R1 area is 22,008 m², fronting Thacker Drive and Bridgeview Road (*Figure 1 and 2*).

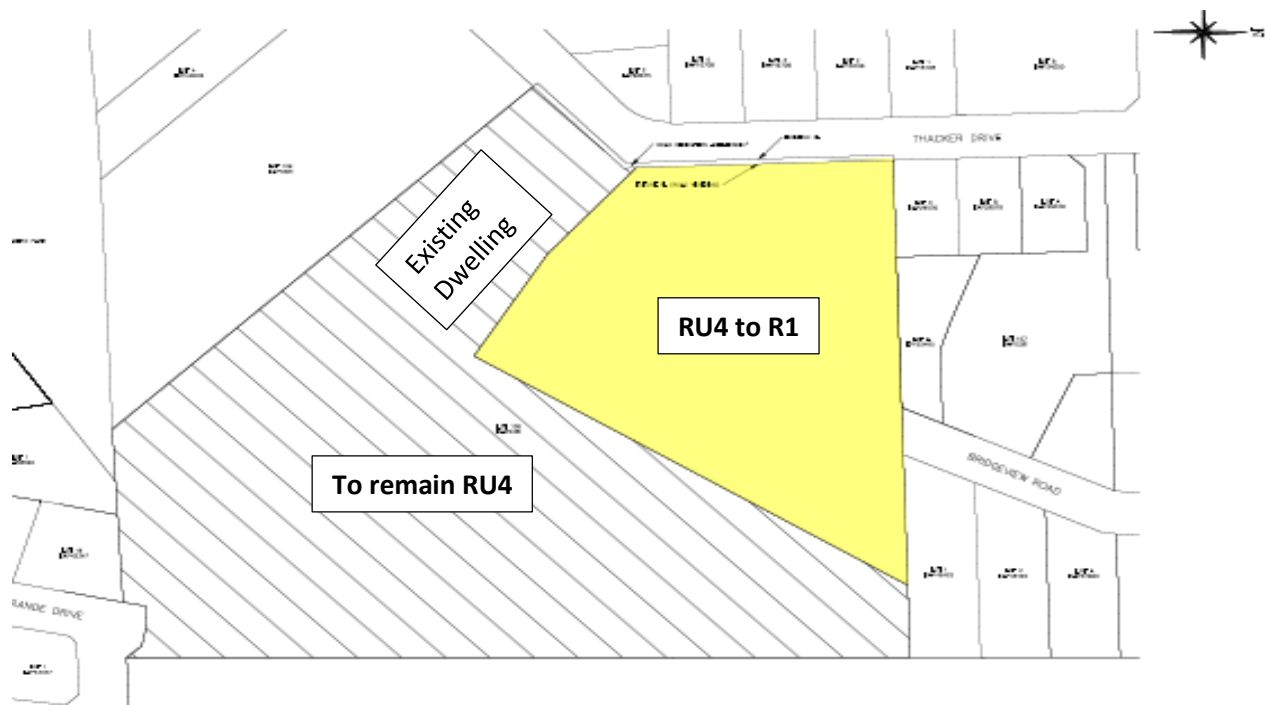


Figure 1: site plan of proposed R1 area

Policy and Bylaw Review

Official Community Plan Bylaw No. 0100

The subject property has a split Land Use Designation (LUD) of Single Family Residential (SFR) to the north and Resource Land (RL) to the south. The intended built form of the SFR LUD includes single detached, duplex, carriage house, and compact or clustered housing. The purpose of the LUD is to provide traditional single family housing opportunities for families and encourage more land efficient compact housing forms.

The property is subject to Hillside and Environmental Development Permit Areas. Subject to rezoning, the applicant may be required to obtain a development permit prior to subdivision. Technical reports have been submitted with the application, outlined below, to confirm feasibility for rezoning purposes only. More detail may be required should a development permit be necessary.

Zoning Bylaw No. 0154

The entire parcel is zoned Rural Residential Small Parcel (RU4). Rezoning the upper portion of the parcel to R1 is consistent with the existing LUD. The R1 Zone is intended to accommodate single detached residential use on parcels of land that are 550 m² and larger.



Figure 2: upper bench area (approximate) proposed for rezoning

Technical Review

Geotechnical

A geotechnical report was submitted by Beacon Geotechnical, concluding that the proposed residential development is feasible provided the recommendations of the report are included in the design and construction of the project. The report provides recommendations for site preparation, permanent cut and fill slopes, utility installation, building, and drainage.

Environmental

An environmental assessment report was submitted with the application, which identifies Environmentally Sensitive Areas of the site and provides recommendations in context to the natural features of the subject property and Best Management Practices. According to the report, the proposed lots and R1 area are located in ESA 3 and ESA 4 areas (low environmental sensitivity), with ESA 1 and ESA 2 areas (high environmental sensitivity) located on the steep slope, located at the lower portion of the property (Figure 3).

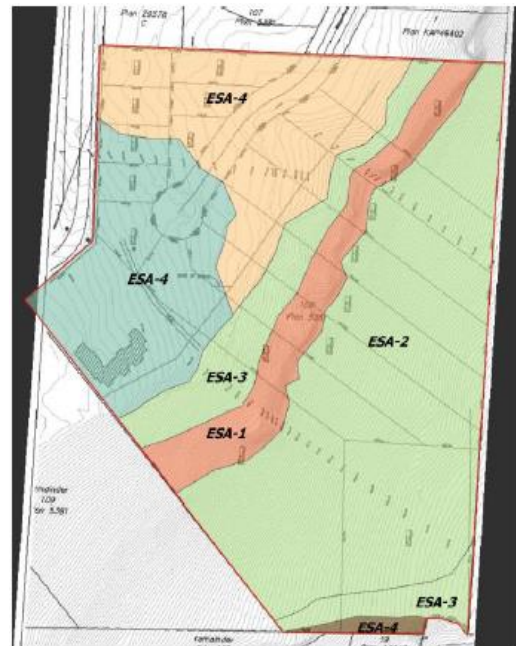


Figure 3: ESA Areas (Makonis, 2019)

Roads and Servicing

A Functional Servicing Report was prepared by Protech Consulting, identifying existing and proposed water, sewer, storm, and road infrastructure required to service the future subdivision. Future subdivision is anticipated to include off-site upgrades to the lift station at 2252 Bridgeview Road and a standby generator, rock pits for storm water drainage on individual lots, a new water main, and the extension of Bridgeview Road. At time of subdivision, the applicant will also be required to improve the Thacker Drive Road Frontage. Further information related to servicing, and specifically storm drainage, will be presented at time of public hearing.

Subdivision

The applicant has provided a preliminary subdivision plan of the proposed 10 lots within the proposed R1 area, including the Bridgeview Road extension and proposed public walkway and water SRW (Figure 4).

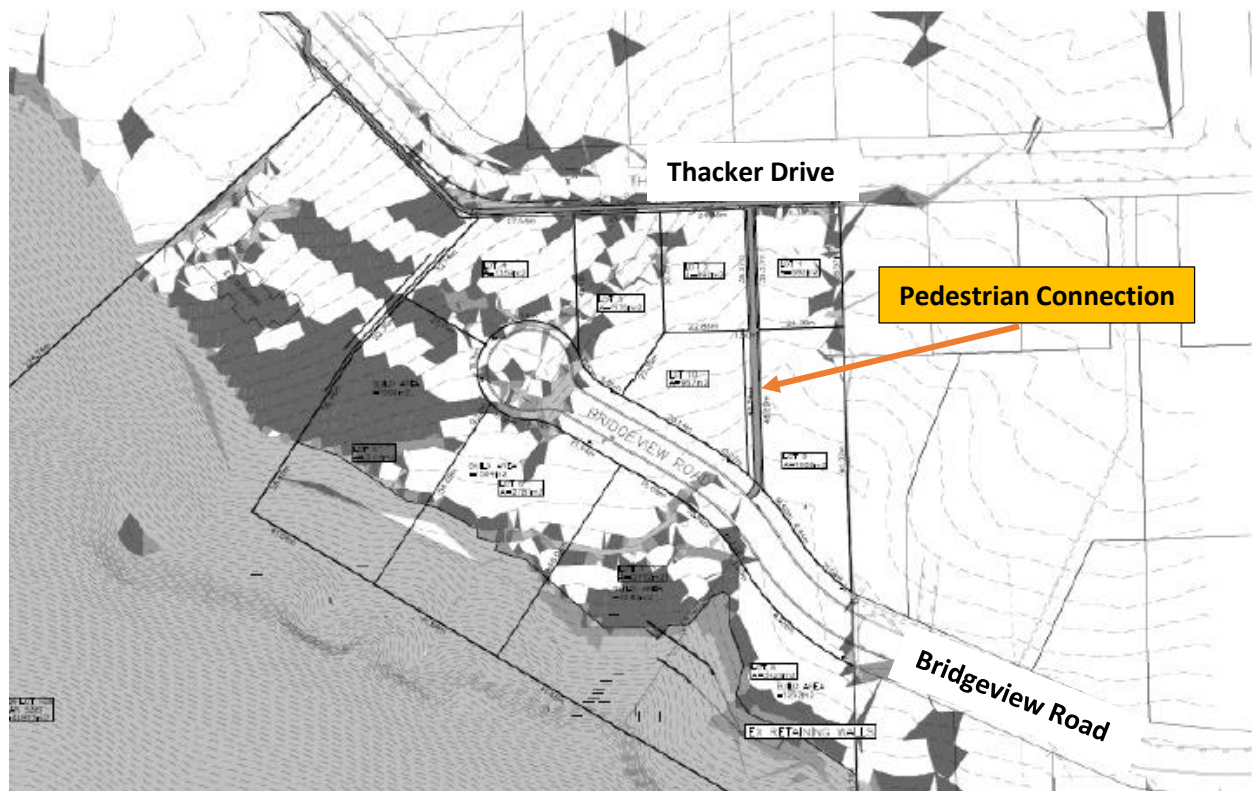


Figure 4: preliminary subdivision plan

Wildfire Mitigation

A Wildfire Hazard Assessment Report, prepared by R.J.P. Holdings Ltd., was submitted with the application. The report identifies the existing wildland fire hazard rating of the lands and provides a prescription for the reduction of fire fuels in the forested areas. No temporary roads are proposed with this application, as opposed to the previous file, for development or wildfire mitigation purposes.

Pedestrian Connectivity

The applicant is anticipated to resurface an existing 3.0 m wide pathway connecting Crestview Road to Thacker Drive (*Figure 5*), which currently provides a connection to Issler Park. The proposed subdivision is also expected to include a pedestrian connection to Thacker Drive from the Bridgeview Road extension (*Figure 4*), as well as road dedication and frontage improvements on Thacker Drive extending south-east to a future pedestrian crossing. These improvements will be included as conditions of rezoning.

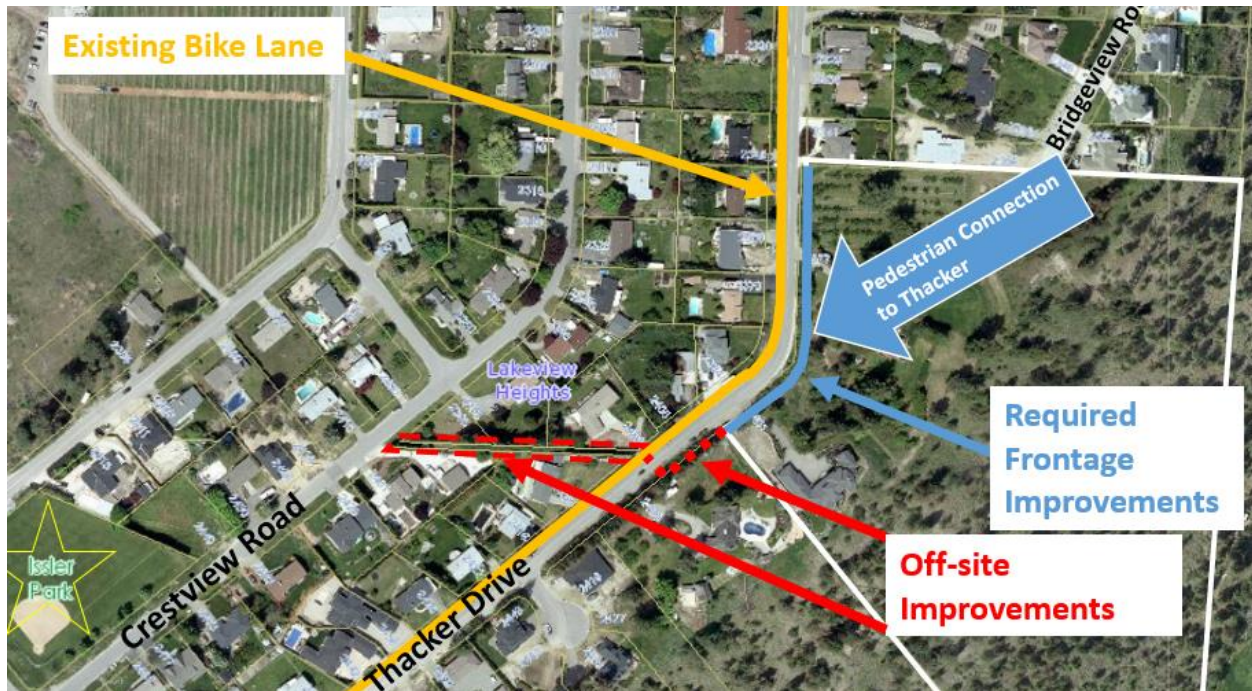


Figure 5: future pedestrian connection and off-site improvements

Referrals

The application was referred to internal departments and external agencies. Many of the concerns identified in the previous application (File Z 18-08) have been addressed with this revised proposal by limiting development to the upper portion of the property. However, the off-site improvements identified from the previous application have been carried forward and will be committed to as a condition of rezoning. Staff have requested additional information specifically related to storm water, which will be provided at time of future consideration.

Advisory Planning Commission

The application was presented to the APC on February 17, 2021. The APC raised concerns with the future stormwater and the steep nature of the parcel, but ultimately supported the rezoning application as proposed.

Public Notification

In accordance with the City's Applications Procedures Bylaw No. 0260, Notice of Application signage has been installed on the property at Bridgeview Road and Thacker

Drive. Further notification will be required in advance of a Public Hearing, subject to Council giving first and second reading to the proposed zoning amendment.

CONCLUSION

Staff recommend Council give first and second reading to the proposed zoning amendment bylaw based on the following rationale:

- The proposed R1 Zone is consistent with the underlying Single Family Residential Land Use Designation;
- The applicant will commit to offsite and frontage upgrades to improve pedestrian connections as part of rezoning; and
- The proposal is consistent with the neighbourhood character that is primarily composed of single family dwellings.

Alternate Motion:

1. **THAT** Council **postpone** first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.103, 2021 (File Z 21-01).

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

2. **THAT** Council **deny** Zoning Amendment Bylaw No. 0154.103, 2021 (File: Z 21-01).

Should Council deny the zoning amendment bylaw, the application will be closed in accordance with the City's Development Applications Procedures Bylaw No. 0260 and the applicant may not apply for a similar application for a period of six (6) months.

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

Powerpoint: Yes ☒ No ☐

Attachments:

1. ZB 0154.103