



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: December 14, 2021

From: Carla Eaton, Planner III

File No: Z 20-08

Subject: **Z 20-08, OCP and Zoning Amendment Bylaw No. 100.62, 154.96 and 154.97 (Second Reading), 2211 Campbell Rd**

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### RECOMMENDATION

**THAT** Council give second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.62, 2021 (File: Z 20-08); and

**THAT** Council give second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.96, 2021 (File: Z 20-08); and

**THAT** Council give second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.97, 2021 (File: Z 20-08); and

**THAT** Council direct staff to schedule the proposed bylaws for Public Hearing.

### STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity – Quality, innovative urban development (Council's 2021-2022 Strategic Priorities)

### BACKGROUND

This report addresses Official Community Plan and Zoning Bylaw amendments (*Attachments 1, 2 and 3*) related to the applicant's proposal to develop the property with up to 60 townhomes west of Campbell Road, and allowing for access through the agricultural (A1/ALR) lands to the east of Campbell Road to a private moorage dock commensurate in size to the associated upland residential use (maximum 60 units). Council gave first reading to the proposed bylaw amendments on August 24, 2021, and directed consideration of second reading pending submission of a number of technical reports and referral updates. This report recommends second reading of the proposed amendments and outlines the new technical and referral information, as well as updates the anticipated preliminary conditions of zoning that would be considered with future readings following public hearing, as applicable.

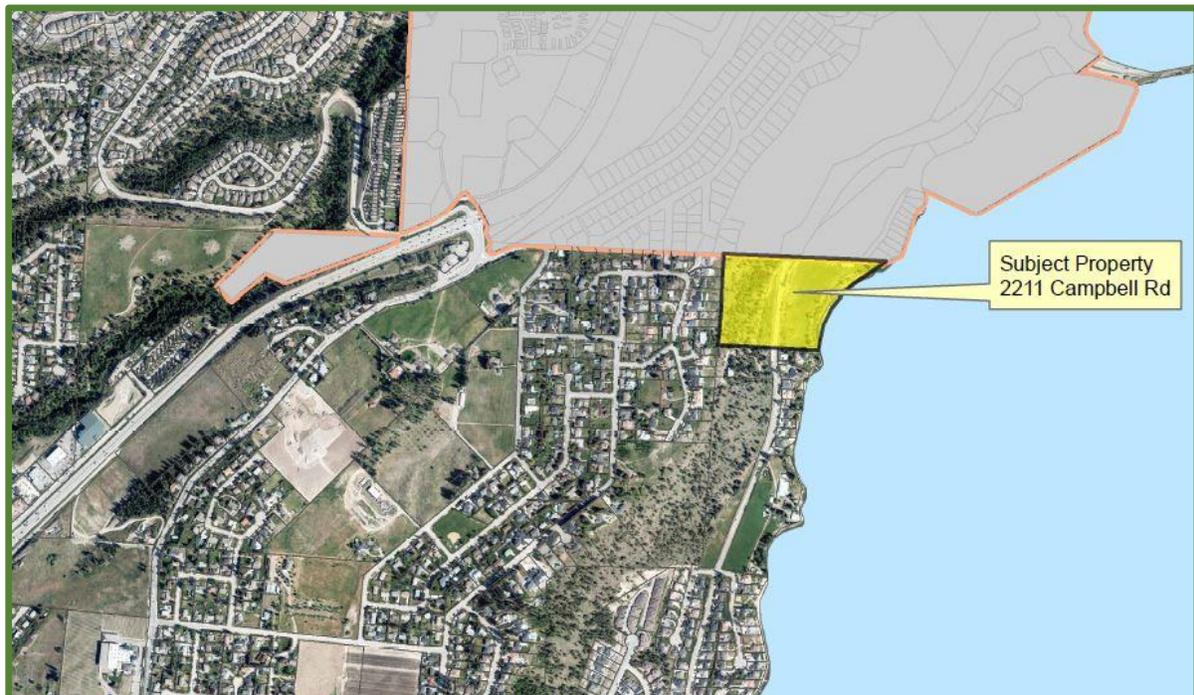
## PROPERTY DETAILS

<b>Address</b>	2211 Campbell Road		
<b>PID</b>	011-516-402		
<b>Folio</b>	36412782.000		
<b>Lot Size</b>	7.09 ha (17.52 acres)		
<b>Owner</b>	1087032 B.C. Ltd. (Inc. No. 1087032)	<b>Agent</b>	CTQ Consultants (Justin Rubello)
<b>Current Zoning</b>	Agricultural (A1)	<b>Proposed Zoning</b>	R3, W2, and A1 with text amendments
<b>Current OCP</b>	Agricultural	<b>Proposed OCP</b>	Agricultural and Low Density Multiple Family
<b>Current Use</b>	Old tree crop / vacant	<b>Proposed Use</b>	Residential, Dock, Agricultural
<b>Development Permit Areas</b>	Hillside, Sensitive Terrestrial Ecosystem, Aquatic Ecosystem		
<b>Hazards</b>	Rockfall		
<b>Agricultural Land Reserve</b>	Partially within (area below Campbell Road)		

## ADJACENT ZONING & LAND USES

<b>North</b>	^	Westbank First Nation (IR#10) – multiple residential and single family
<b>East</b>	>	Okanagan Lake
<b>West</b>	<	Single Detached Residential (R1)
<b>South</b>	v	Rural Residential (RU2 and RU4)

## NEIGHBOURHOOD MAP



# PROPERTY MAP



## DISCUSSION

### Overview of Proposal

A summary of the applicant's conceptual plan is provided in more detail below and the three development areas are shown on Figure 1.

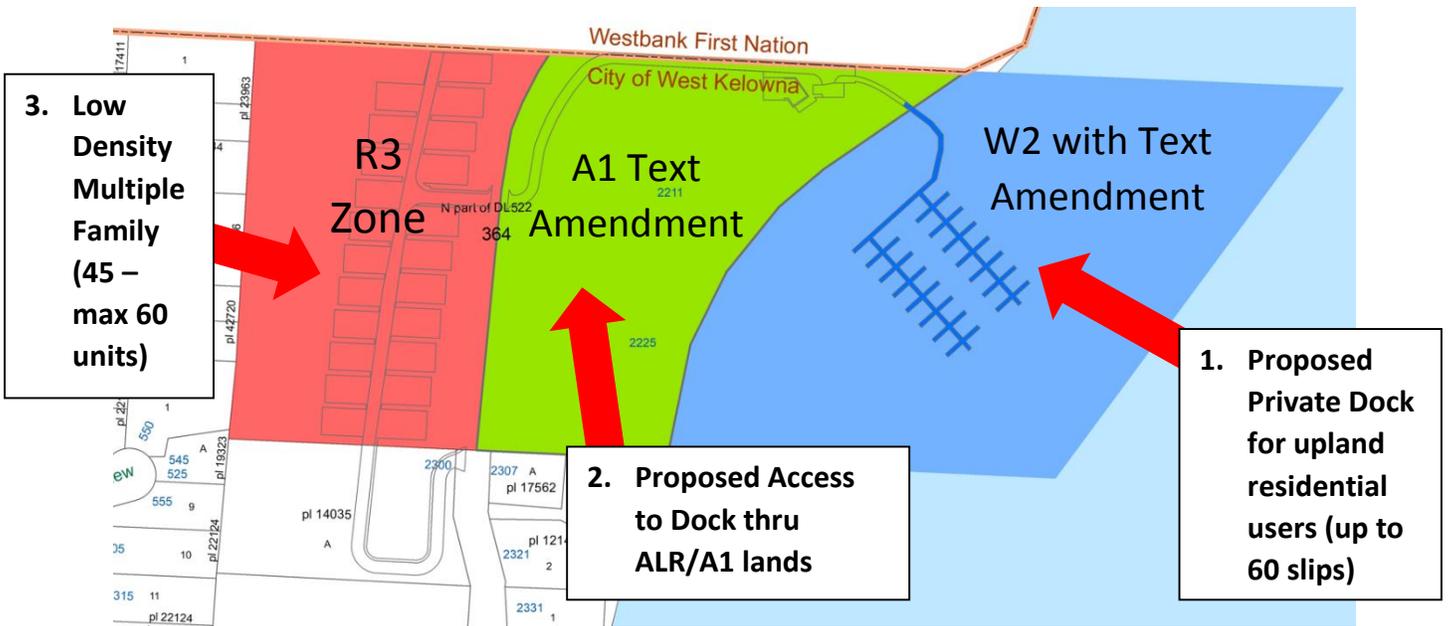


Figure 1: Proposed Three Development Areas

- 1. Low Density Multiple Family Townhouse Development** – The proposed bylaw amendments to the area West of Campbell Road (*Attachments 1 and 2*) will facilitate a maximum of 60 townhouses in duplex form (Figure 2 and 3) on the lower portion of the hillside, with protection of the upper, environmentally sensitive portions of the area. An additional private access to the development is proposed through the adjacent rural property to the south as a second access to the subject property. All design and renderings are conceptual at this stage and subject to future Development Permit approvals (*Attachment 3 – Development Concept Drawings*).



Figure 2: Proposed Townhouses



Figure 3: Conceptual Residential Rendering

- 2. Agricultural Development** - The applicant is proposing a site specific text amendment to the existing A1 zone east of Campbell Road to permit access to a proposed private moorage dock (*Attachment 3*). Access to the dock is anticipated to be via existing / new farm roads (See Figure 4, red arrow) limited to pedestrians, vehicle access with maximum 15 minute loading/unloading, and emergency vehicle access with turnaround area (See Figure 4, blue arrow), and a short pedestrian only walkway access to the dock through the riparian area (see Figure 4, yellow arrow). Parking for owners of the boat slips (trailers and vehicles) will be located above Campbell Road within their own designated parking spaces associated with the upland townhouse development.

The proposed uses are within the Agricultural Land Reserve (ALR) and will require consideration of an Agricultural Land Commission Non-Farm Use application with additional detail provided in a separate ALR section below.



Figure 4: Proposed Agricultural Development – Permitted Uses and Non-Farm Uses

**3. Marina Development** - The applicant is requesting a zoning amendment to Okanagan Lake fronting the subject property from the W1 (Recreational Water Use) zone to W2 (Intensive Water Use - Attachment 4). The proposed W2 zone is fronting the agricultural lands (See Figure 6) and is proposed to include a private moorage dock for up to 60 boat slips associated with the upland residential use (See Figure 7). The proposed dock does not include boat launch or retail convenience, servicing, repair or construction of boats or other water vessels. Note: All provincial approvals previously granted for development of the marina are subject to City zoning approval. The revised development concept has been re-referred to the Ministry of Natural Resource Operations for comment and will be provided once received.

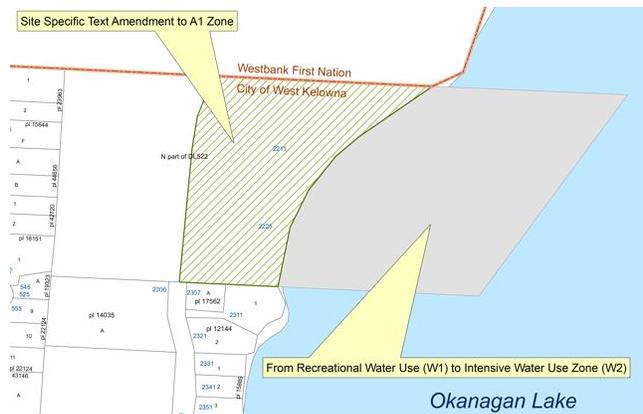


Figure 6: Proposed Intensive Water Use (W2) Zone



Figure 7: Proposed Private Moorage Dock Development (W2 Zone)

## Policy and Bylaw Review

A detailed policy review can be reviewed in the 1<sup>st</sup> reading report dated August 24, 2021.

### Zoning Bylaw No. 0154

#### *R3 – Multi-Family Residential Component*

The proposed Low Density Multiple Residential (R3) zone will apply to maximum density (FAR), parcel coverage, heights, setbacks, and required outdoor amenity space (*Attachment 6*). With a maximum of three storey heights up to 9.0 m, the proposed townhouses/duplex can be anticipated to have a very similar character to existing nodes of development within the Casa Loma neighbourhood, which has similar height limitations under the R1, R1L, R3, RU2, and RU4 zones.

Updated technical reports confirm the site can be adequately serviced and provide recommendations for safe development of the site in addition to environmental mitigation strategies. Given these factors along with consistency with policy direction to promote infill housing and a diversity in housing options, it is recommended that the R3 zone be given 2<sup>nd</sup> reading. Additional technical information to confirm off-site infrastructure requirements will be required prior to further readings.

### *A1/W2 – Agricultural and Dock Component*

As noted above, the proposed Intensive Water Use (W2) zone (*Attachment 7*) with text amendment (*Attachment 4*) would allow for a private moorage dock commensurate in size to the associated upland residential use (maximum 60 units) and allows for pedestrian and vehicle access to the dock through the A1 zoned/ALR lands. This option would also include a recommendation for a covenant to restrict future subdivision to ensure the moorage would be permanently fixed to the upland residential parcel.

Updated technical reports confirm that the site can be adequately serviced and provide recommendations for future consideration of site access through the future detailed design process. Given the reduced impact to agricultural lands through the proposed shared access and related mitigation and operational measures identified in the new Non-farm Use application (additional details noted below), it is recommended that the A1/W2 zone be given 2<sup>nd</sup> reading.

Should Council wish to postpone consideration of the A1/W2 zone separately from the R3 zone, additional options are available for Council's consideration (Alternate Recommendation #2). This option could potentially consider that no moorage facilities be permitted fronting the agricultural portion of the site, and it is requested that direction be provided as part of the Council resolution with this option.

### Agricultural Land Reserve (ALR) Non-Farm Use Application

Agricultural Land Commission (ALC) approval is required to accommodate the proposed non-farm uses on ALR lands including the proposed use of the shared driveway/access (pedestrian and emergency vehicle) to the proposed dock moorage (Figure 8). A Non-farm Use application (File: A 21-07) has been received and is under review. It is anticipated that this application would be most appropriately brought forward with consideration of third reading. This would enable Council to consider if the zoning amendment is moving forward before providing formal comment to the Agricultural Land Commission (ALC) on the non-farm use, and a number of conditions would be anticipated with any recommendation from the City. It is anticipated that adoption of the bylaw amendments would be conditional on confirmation of the ALC's conditional approval for the proposed non-farm use.



Figure 8: ALR land in Green and Excluded Area in Red

Initial review of the application notes that the proposed uses are consistent with the proposed A1/W2 zoning amendments, and includes additional detail regarding:

- agricultural restoration of the property based on a new farm plan (possible winery and future tasting room/bistro with off-site processing);

- agrology opinion letter on the combination of farm and non-farm uses in support of a proposed vineyard development and mitigation recommendations for the proposed non-farm use;
- inclusion of signage, fencing, and buffer planting (see Figure 4);
- pedestrian only dock access via walkway or platform through approximately 55 m<sup>2</sup> riparian area (SPEA and high water mark); and
- proposed improvements to the shared access (6 m wide driveway/pedestrian access with recycled asphalt or gravel crush surface) for passage and use of hand carts for the boat owners, vehicles including farm equipment and emergency vehicle access complete with large turnaround.

The agricultural restoration of the property, including uses such as the winery/vineyard, associated parking, equipment access through the site, and other farm uses are not subject to land use approvals providing they are consistent with permitted farm uses under the existing A1 zone and ALC regulations. Concerns with the use of agricultural lands to administer the dock operation, such as potential parking issues or introduction of the public into an active farm operation, seem to have been largely addressed through the operational mitigation measures outlined above. However, the Non-farm Use application will be referred to the Agricultural Advisory Committee and will be brought forward to Council as a separate report for additional consideration.

## Technical Review

As per Council resolution at 1<sup>st</sup> reading, the applicant has submitted a number of updated technical reports to support the proposed development (*Technical Reports Summary - Attachment 8*), and outstanding referral comments have been received from a number of agencies. The following sections elaborate on these updated reports and comments, or note where additional clarification is required with regard to anticipated off-site works required as a condition of zoning.

### Revised Functional Servicing Report - Servicing Review:

#### *Sanitary Sewer*

Based on the significantly reduced development proposal now at a maximum of 60 units, the Regional District of Central Okanagan project sanitary sewer flows from the Sol Aqua development are not a concern. The Regional District notes that it is currently monitoring flows at key locations and has capacity for the development as proposed.

#### *Water*

The revised Servicing Report updated proposed density and fire flow requirements for the entire residential, agricultural, and water use area, and it has been referred to the City's water consultant AECOM<sup>1</sup> to review the City's existing water system capacity in relation to the proposed development.

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<sup>1</sup> Water system modelling was completed for the previous Blackmun Bay Village Development – Water Servicing Review Final, Memorandum prepared by AECOM, dated July 11, 2019 which was completed at the Developer's expense

It is anticipated that the new modelling will identify off-site infrastructure improvements or upgrades to the existing water system in order to support the proposed development, such as extension of water lines, securing statutory rights of way, and other technical improvements. It is recommended that prior to further readings of the bylaw amendments that the Servicing Report be updated to the satisfaction of the Director of Development Services to reflect the new modelling results from AECOM.

Should the development proceed, it is recommended that a covenant is registered as a condition of adoption to restrict development until off-site water infrastructure works have been constructed or secured, including any required statutory right of ways (SRW). It is also recommended that a conceptual design drawing and cost estimate is submitted as a condition of zoning, with the final detailed design completed with the future development and building permit processes.

### *Casa Loma Water System*

The Casa Loma water intake lies approximately 1.2 km south of the proposed development at an approximate depth of 23 m. No new reports have been provided, although a number of professional reports previously submitted are still applicable to address concerns regarding water quality related to the proposed development. The AECOM report (July 2019) noted that they do not anticipate impacts from the proposed now Sol Aqua development on the Casa Loma water intake, reiterating comments from the Ecoscapes letter<sup>2</sup> (June 2019) that the now dock [marina and boat launch] are not likely a significant risk to water quality in Okanagan Lake or to the Casa Loma water intake. Tetra-Tech was also engaged by the developer to specifically review the Casa Loma water intake in relation to the proposed development, concluding the proposed now dock [marina] would not add more risk than that which is already present in Okanagan Lake and would not impact the water-quality drawing at the Casa Loma water intake.

### *Stormwater Management*

The revised Servicing Report updated preliminary stormwater management for the development, and included consideration of the two future stormwater connections through the site in accordance with the City's Master Drainage Plan (*Attachment 9 - Project 10.3 and 10.4*). It is recommended that a blanket Statutory Right of Way (SRW) be registered as a condition of adoption for the two stormwater connections, including any required extension for the safe outlet potentially to Okanagan Lake. This will accommodate the existing overland flow routes from adjacent upland areas. Additionally, it is recommended that a covenant be registered as a condition of adoption to restrict development until the necessary right of way(s) to accommodate drainage from the Lakeview Heights area through the subject property, have been secured.

### Revised Transportation Review - Transportation and Off-Site Impacts at Hwy 97:

An updated transportation review was provided and based on recommendations from the City's Traffic Consultant, the review provided updated trip volumes for the proposed development, including townhouses, moorage dock and potential winery. Additionally, the

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<sup>2</sup> Casa Loma Water Quality, letter prepared by Ecoscape Environmental Consultants Ltd., dated June 5, 2019

revised report noted that final design would be addressed at the future development permit stage but provided preliminary comments on:

- safe turning sight distances;
- parking and access locations;
- future road improvements to a full urban standard with a multi-use path;
- pedestrian crosswalk across Campbell Road between the development areas; and
- dedication of a 20 m right of way.

The revised report was reviewed by the City's Traffic Consultant. In terms of the impact of the incremental development on emergency access/egress, the following unit numbers were noted:

- This development proposes 60 townhouse units.
- The Casa Loma neighbourhood has 372 units, including Casa Loma Resort.
- WFN has had 100 approved units and an additional 120 units coming on-stream.
- West Kelowna has approximately 65 additional approved units not yet built.

#### Emergency Services:

With the addition of the proposed residential units and private moorage dock, additional pressure may be added to egress of the area. The applicant's Traffic Assessment suggests that a holistic discussion that includes all stakeholders (MOTI, WFN, CWK, and emergency response) is required to review emergency access options.

Due to steep slopes and existing development including park and residential uses, there are limited options for additional emergency access/egress routes out of the neighbourhood other than Campbell Road. The City's Traffic Consultant notes that with limited emergency access opportunities, careful consideration should be taken to allow additional development in the Casa Loma area.

A working group, led by the City, is currently working on an Evacuation Plan for the Casa Loma Neighbourhood to mitigate risks associated with the emergency egress of existing and proposed development along Campbell Road.

Fire Hall Station 32 is outside the recommended maximum 2.5 to 5 km response distance from fire stations for insurance purposes (approximately 5.8 km to the edge of the subject property with a 9 minute response time). Additionally, the proposed residential development and marina could result in an increased volume of Fire Department responses at the edge of the fire response area which may leave other areas left uncovered. Parking on Campbell Road is not supported, as it has the potential to increase evacuation times out of the area.

#### Campbell Road Improvements and Dedication:

The revised Traffic Review continues to confirm that a portion of Campbell Road that extends through the subject property is not currently located within a dedicated road right

of way and is considered a Section 42 road under the *Transportation Act*. This would be required to be dedicated to the City as a condition of zoning.

Campbell Road is identified with an Urban Minor Collector road standard as per the Works and Services Bylaw No. 0249, and the Recreational Trails Master Plan recommends a Narrow Multi-Use Trail (pedestrians and cyclists) along Campbell Road<sup>3</sup>.

Should the amendment proceed, it is recommended that as condition of zoning:

- That a Section 219 covenant is registered to restrict development until a Narrow Multi-use Trail along Campbell Road, with a 1.8 m wide, asphalt paved surface to connect seamlessly with the recently constructed multi-use pathway on Westbank First Nation land has been constructed or secured, including any dedication or required statutory right of ways.
- A preliminary design drawing for the proposed Campbell Road improvements, including provision for a Narrow Multi-use Trail, is provided to the satisfaction of the Director of Development Services.

Given the concerns regarding conflicts with parking associated with any proposed dock or non-farm uses, road design considerations will also include potential parking restrictions along Campbell Road.

#### Revised Geotechnical Investigation Report - Geotechnical Review:

A revised Geotechnical Investigation Report<sup>4</sup> was provided that addresses the updated preliminary building footprint and confirms “that the proposed development is feasible provided that the recommendations...are incorporated into the overall design.” As the site gradually steepens above Campbell Road to include slopes in excess of 30% and ranging up to 80% slopes with near vertical rock bluff upslope of the development, recommendations are made for site preparation, foundations, drainage, excavations, pavement, grading and stockpiling, and retaining walls.

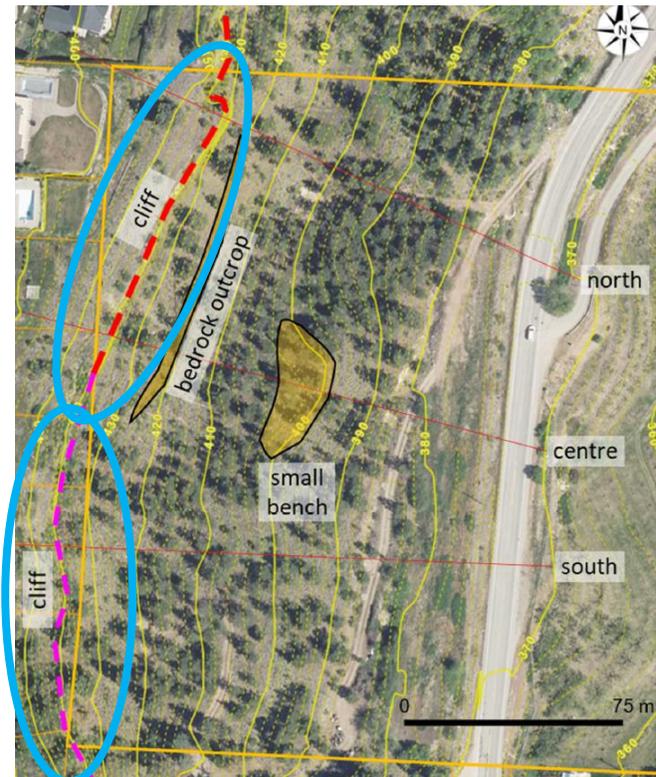


Figure 9: Rock Fall Hazard Areas

<sup>3</sup> Campbell Road is identified as a major trail corridor route.

<sup>4</sup> Geotechnical Investigation Report, prepared by GeoPacific, dated October 26, 2021 (including an attached Rockfall Mitigation Memo, prepared by Dr. Dwayne Tannant, dated October 12, 2021)

## Rock Fall Barrier Options

Given that the proposed development lies within the identified rock fall hazard zone (see cliff areas in blue shown in Figure 9), an updated assessment was completed by the applicant's consultant<sup>5</sup> which notes that the "rockfall hazards...can be technically mitigated by the installation of a rockfall barrier upslope from the proposed development". The report also includes options for mitigation of rock fall hazard over two areas of rock instability (see yellow circles in Figure 10). The report outlines 2 options for the location of the rock fall barrier (see conceptual location shown as orange and blue line in Figure 10), as well as outlining the pros and cons with each option that address:

- visual impact,
- hazard reduction potential,
- future access and maintenance requirements,
- limiting additional hillside disturbance, and
- risk to install.

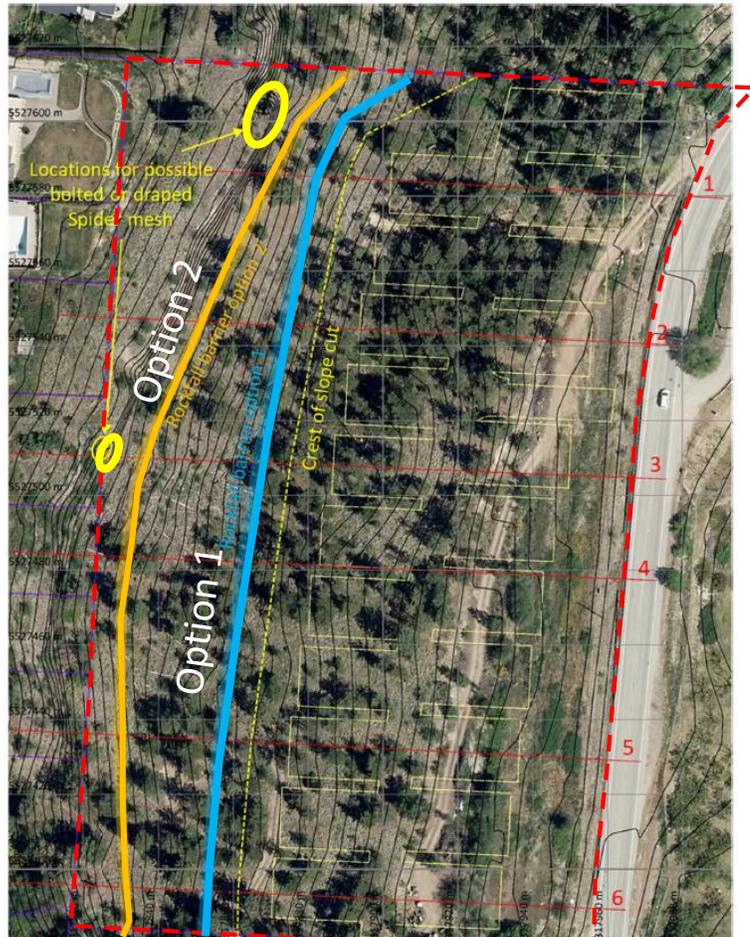


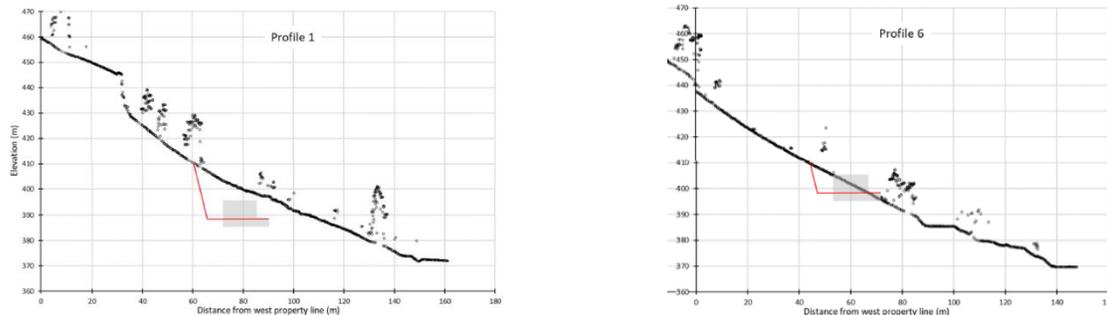
Figure 10: Options for Rock Fall Barrier and Drapery Location

As noted in the environmental review section below, Option 1 is the preferred location with regard to reduced environmental impacts but results in potentially greater visual impacts and installation challenges. Given these potentially conflicting goals, additional technical review of the rock fall barrier options is anticipated at the future development permit stage where more refined grading plans will be available for the site and additional detailed geotechnical reporting can be provided regarding these methods and locations.

<sup>5</sup> Dr. Dwayne Tannant, P.Eng., Rockfall Mitigation Memorandum, dated October 12, 2021

## Potential Retaining Wall/Slope Cuts

Preliminary building location and cut slope information for the site includes potential retaining walls within the rear of the upper townhouse units with heights from 12 to 20 m. The proposed retaining wall type is anticipated to use a top-down construction method to accommodate the proposed cuts where other bottom up methods would not be feasible due to soil instability during construction. Additional smaller lock block style retaining walls or graded slopes are also anticipated below the lower townhouses above Campbell Road. Final design details will be addressed through the future development permit processes with collaboration between the architectural, civil and geotechnical engineers in conformance with the City's Hillside Development Permit Guidelines.



**Figure 11: Potential Rear Yard Cuts – Soil Nail Retaining Wall from 12 to 20 m**

## Revised Environmental Assessment - Environmental Review:

The revised Environmental Assessment<sup>6</sup> consolidates and replaces a number of separate environmental reports and addresses previously raised concerns that remain relevant to the current development proposal. This includes responses to previous technical Ministry comments and reflecting on the most current geotechnical reports and dock access layout. The report is in support of the proposed upland development and dock/dock access, where it was noted that the conceptual design will have direct impact on ESA2 areas and some impact on ESA1 areas<sup>7</sup> where avoidance was not able to be achieved. Recommendations that would be addressed in greater detail at the future development permit stage to mitigate and/or compensate impacts included:

- Establishing no disturb covenant areas to protect wildlife corridors, sensitive habitat features, and hazardous areas, and otherwise limiting areas of disturbance;
- Maintaining the proposed larger 20 m riparian area and foreshore setback;
- Moving development away from identified high environmental sensitivity areas (ESA) where possible;
- Providing 3:1 compensation planting/restoration for ESA1 disturbance;
- Preference for rock fall mitigation Option 1 to reduce the environmental disturbance into ESA1;
- Identification of endangered and blue listed species of special concern (bats and birds) resulting in the requirement for site development to preserve key habitat areas and follow protocol regarding construction timing and methods (noise and vibration); and

<sup>6</sup> Environmental Assessment, prepared by Ecoscape Consultants Ltd., dated October 2021

<sup>7</sup> ESA 1 disturbance: approx. 4,611 m<sup>2</sup> disturbance as part of the townhouse development, and approx. 45 m<sup>2</sup> disturbance for dock access

- Following best practice with regard to sediment and erosion control particularly within the context of protecting riparian habitat and water quality, including site monitoring.

### Outstanding Referrals

Further to Council direction at 1<sup>st</sup> reading, the following outstanding technical comments have been received from the following agencies on the revised proposal:

- Westbank First Nation – WFN staff have provided construction design drawings for the Campbell Road improvements completed to the immediate north of the subject property to aid in future road alignment design as the bylaw amendments proceed.
- Agricultural Land Commission – ALC staff note that the dock and access referenced in Bylaw No. 0154.97 are not a permitted use in the ALR, and that the ALC cannot endorse the bylaw as written. Upon receipt and confirmation of an ALC decision on the dock/access Non-Farm Use application, the ALC will be in a position to provide more detailed advice on the draft bylaw (see comments above on the concurrent ALR Non-farm Use application File: A 21-07).
- Ministry of Environment – MOE no longer responds to individual zoning amendment application referrals and no comments are expected.
- Ministry of Forests, Lands, Natural Resource Operations, and Rural Development (related to marina approvals) – FLNRORD notes that the offer to 1087032 BC Ltd. for a 242 slip commercial marina was subject to the approval from the City of West Kelowna. As the City only supports up to 60 residential units and an associated 60 unit strata marina, FLNRORD will be rescinding their offer for the larger marina and replacing it with a revised offer for a 60 slip marina in the near future.

### Public Notification

Two notice of application signs have been placed on the subject property in accordance with the Development Application Procedures Bylaw No. 0260, along Campbell Road at the north and south ends of the property with the current development proposal. As noted at 1<sup>st</sup> reading, the applicant had completed additional public open house events and a summary was previously provided.

### Legislative Requirements

Council has the authority under Part 14, s. 472 of the *Local Government Act* to amend the Official Community Plan and s. 479 to create and amend the Zoning Bylaw.

### **Summary of Anticipated Zoning Conditions**

Should the bylaw amendments proceed, the following list summarizes the anticipated conditions of rezoning; it is a preliminary list and is subject to change through the application review and public hearing process:

1. Submission of the following items to the satisfaction of the Director of Development Services:
  - a. Off-site water infrastructure improvements (conceptual design drawing and cost estimate); and
  - b. Preliminary design drawings for the proposed Campbell Road improvements, including provision for a Narrow Multi-use Trail;

2. Dedication of the portion of Campbell Road that crosses the subject property;
3. Registration of blanket Statutory Right of Way (SRW) for two future stormwater connections through the site in accordance with the City's Master Drainage Plan (Project 10.3 and 10.4), including any required extension for the safe outlet potentially to Okanagan Lake;
4. Registration of a Covenant to:
  - a. Restrict development to a maximum of 60 units;
  - b. Restrict subdivision of the subject property as applicable to address the connection of the upland residential development with the water use zone;
  - c. Restrict development until a Narrow Multi-use Trail along Campbell Road has been constructed or secured, including any dedication or required statutory right of ways;
  - d. Restrict development until off-site water infrastructure works have been constructed or secured, including any required statutory right of ways;
  - e. Restrict development until the collection and safe conveyance of drainage from the Lakeview Heights area through the subject property has been secured;
5. Confirmation of conditional approval<sup>8</sup> by the Province for the proposed dock with the revised zoning amendments; and
6. Conditional approval<sup>9</sup> by the ALC for the proposed non-farm use (separate application File: A 21-07 under review) to permit the proposed shared driveway access, as well as the pedestrian access to the foreshore and dock.

## COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
August 24, 2021	<p><b>THAT</b> Council give first reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.62, 2021; and</p> <p><b>THAT</b> Council give first reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.96, 2021; and</p> <p><b>THAT</b> Council give first reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.97, 2021; and</p> <p>THAT Council direct staff to schedule the bylaws for consideration of second reading following submission of the following items to the satisfaction of the Director of Development Services:</p> <ul style="list-style-type: none"> <li>• Water and Sanitary Modelling;</li> <li>• Revised Transportation Review;</li> <li>• Revised Functional Servicing Report;</li> </ul>	<b>C274/21</b>

<sup>8</sup> Approval subject to successful rezoning for the Commercial Water Use Zone (W3)

<sup>9</sup> Approval subject to successful rezoning for the Commercial Water Use Zone (W3)

- 
- Revised Geotechnical Report;
  - Updated and Consolidated Environmental Report;
  - Submission of outstanding referral comments.
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## CONCLUSION

It is recommended that Council give second reading to the staff recommendation based on the following:

- The proposed low density multiple family and R3 zoning amendments are consistent with Official Community Plan policy:
  - Residential policies encourage the sensitive integration of different housing forms in all residential growth areas in support of neighbourhood diversity and healthy communities.
  - Infill development makes more efficient use of community services and reduces development pressures at the urban fringes.
- Additional technical reporting has been provided to update technical impacts of the proposed zoning, and the remaining water modelling results will be addressed prior to potential third reading of the bylaw amendments to clarify the potential future off-site servicing impacts that may be required as a condition of zoning.
- The proposed A1 and W2 zoning amendments strike a balance between the provision of waterfront amenities to upland residential uses and access through the section of remaining agricultural lands, where non-farm use conditions will be addressed through the review of a conditional ALR application.
- The future development permit process will ensure that the proposed upland covenant area is in place to protect existing steep slopes and environmentally sensitive areas, as well as ensure the form and character of the proposed development fits within the character of the surrounding neighbourhood.
- The boundary of the low density multi-family residential use has an appropriate transition to the existing adjacent compact single family residential zone to the west with a large hillside buffer between the areas, and larger rural or park uses to the north and south.
- The required dedication of Campbell Road will formalize the road network connectivity to the Casa Loma neighbourhood, as well as key infrastructure and utility rights of way, and will act as a buffer between the new residential area above Campbell Road and the agricultural land below Campbell Road.

### Alternate Motion(s):

#### Option 1: Postpone 2<sup>nd</sup> Reading until of completion of OCP update

**THAT** Council postpone second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.62, 2021 (File: Z 20-08); and

**THAT** Council postpone second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.96, 2021 and 0154.97, 2021 (File: Z 20-08).

Option 2 – 2<sup>nd</sup> Reading of residential component without moorage opportunities

**THAT** Council give second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.62, 2021 (File: Z 20-08); and

**THAT** Council give second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.96, 2021 (File: Z 20-08); and

**THAT** Council direct staff direct staff to schedule the bylaws for public hearing; and

**THAT** Council postpone second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.97, 2021 (File: Z 20-08).

Should Council wish to postpone second reading of the moorage (W2) bylaw amendment, it is requested that direction be provided as part of the Council resolution.

Option 3: Deny the Application

**THAT** Council rescind first reading of City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.62, 2021 (File: Z 20-08); and

**THAT** Council rescind first reading of City of West Kelowna Zoning Amendment Bylaw No. 0154.96, 2021 (File Z 20-08); and

**THAT** Council rescind first reading of City of West Kelowna Zoning Amendment Bylaw No. 0154.97, 2021 (File: Z 20-08); and

**THAT** Council deny the proposal 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 six months after initial Council consideration.

**REVIEWED BY**

Brent Magnan, Planning Manager

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

**APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes  No

**Attachments:**

1. Official Community Plan Amendment Bylaw No. 0100.62, 2021
2. Zoning Amendment Bylaw No. 0154.96, 2021 (residential portion)
3. Development Concept Drawings
4. Zoning Amendment Bylaw No. 0154.97, 2021 (agricultural and water portion)
5. Agricultural (A1) Zone
6. Low Density Multiple Residential (R3) Zone
7. Intensive Water Use (W2) Zone
8. Summary of Technical Reports
9. Master Drainage Plan Excerpt - Project 10.3 and 10.4