



PUBLIC HEARING REPORT

To: Paul Gipps, CAO

Date: January 25, 2022

From: Jayden Riley, Planner II

File No: Z 21-08

Subject: **Z 21-08; Zoning Amendment Bylaw No. 0154.110, 2021 (PH); 3595 Elliott Road**

BACKGROUND

This application is proposing to rezone the subject property in the form of a site-specific text amendment to permit Live/Work Unit use within an existing Neighbourhood Commercial (C2) Zone. Live/Work Unit is defined as *a commercial use combined with a dwelling unit whose occupant of the dwelling is the primary operator of the commercial use*. The commercial component of the Live/Work Unit would be limited to the uses permitted in the existing C2 Zone.

Council gave first and second reading to the proposed amendment bylaw on November 23, 2021. At that time, staff recommended that language was included in the amendment bylaw to further clarify that commercial and residential uses contained in a Live/Work Unit are to be calculated separately for the purposes of determining parking requirements. This was determined necessary due to the absence of on-street parking adjacent to the subject property. Otherwise, Part 4 of the Zoning Bylaw requires only one (1) off-street space per Live/Work Unit, which was the applicant's preferred interpretation.

Further details regarding building design and parking will be presented at time of future development permit, subject to rezoning. The applicant would have an opportunity at that time to apply for a variance to the parking requirements outlined in the proposed amendment bylaw (*Attachment 2*), as it relates to Live/Work Unit use.

ADDITIONAL INFORMATION FOR PUBLIC HEARING

In accordance with the *Local Government Act*, 256 notices have been mailed to property owners and tenants within 100 m of the subject property, as well as an advertisement in the local newspaper, advising of the time and date of the Public Hearing and how to make a submission for Council's consideration. At the time of writing this report, no submissions have been received.

Notice of Application Signage has also been posted on the subject property, in accordance with the City's Development Applications Procedures Bylaw No. 0260.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
Nov. 23, 2021	THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.110; and THAT Council direct staff to schedule a Public Hearing for the proposed Zoning Amendment Bylaw.	C349/29

REVIEWED BY

Brent Magnan, Planning Manager

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

1. First and Second Reading Report (File: Z 21-08)
2. Zoning Bylaw No. 0154.110