



COUNCIL REPORT
Development Services
For the November 26, 2019 Council Meeting

DATE: November 19, 2019 File: Z18-11
TO: Paul Gipps, CAO
FROM: Chris Oliver, Planner
RE: Application: Z 18-11, Zoning Amendment Bylaw No. 154.84 (Adoption), 3040 &
3050 Boucherie Road
Legal: Lot 1 and Lot 3, DL 1934, ODYD, Plan 21560
Owner: 3040 and 3050 Boucherie Road
Agent: Allan and Janice Patterson

RECOMMENDED MOTION:

THAT Council adopt City of West Kelowna Zoning Amendment Bylaw No. 0154.84, 2019 (File: Z 18-11).

RATIONALE:

The recommended motion is based on the following:

- The zoning conditions established at third reading have been met, which include the registration of an agricultural protection covenant and road reserve restrictive covenant.

LEGISLATIVE REQUIREMENTS:

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

BACKGROUND:

This application is to amend the zoning from Large Parcel Single Detached Residential (R1L) to Single Family Residential (R1) for two parcels to allow the creation of an eight lot subdivision while maintaining two existing residential dwellings (Attachment 2).

Zoning Conditions

The Council resolution at third reading established two zoning conditions:

1. Registration of a road reserve to provide access to lands beyond; and
2. Registration of an agricultural protection covenant.

The zoning conditions have now been satisfied and it is recommended that the amendment bylaws be adopted.

COUNCIL REPORT/RESOLUTION HISTORY:

Date	Report Topic/Resolution	Resolution No.
June 25, 2019	THAT Council give first and second readings to City of West Kelowna Zoning Amendment Bylaw No. 0154.84, 2019; and THAT Council direct staff to schedule the bylaws for public hearing.	C251/19
July 23, 2019	A Public Hearing was held for the amending bylaw.	N/A
September 17, 2019	THAT Council give third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.84, 2019 (File: Z 18-11); and THAT Council direct staff to schedule the bylaw for consideration of adoption following registration of the following items to the satisfaction of the Director of Development Services: <ul style="list-style-type: none"> • Section 219 Highway Reserve Agreement under S.44 of the Community Charter; and • Section 219 agricultural protection covenant on Lot 1 DL 1934, ODYD, Plan KAP21560 (3040 Boucherie). 	C330/19

REVIEWED AND APPROVED BY:

Dallas Clowes, Senior Planner
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Powerpoint: Yes No

Attachments:

1. Zoning Amendment Bylaw No.0154.84, 2019 (Z18-11)
2. Conceptual Site Plan
3. Context Map
4. Subject Property Map
5. Highway Reserve Plan