



## COMMUNITY DEVELOPMENT COUNCIL REPORT

To: Mayor and Council

Date: July 22, 2025

From: Ron Bowles, Chief Administrative Officer

File No: Z 25-04

Subject: **Z 25-04; Zoning Bylaw Amendment 0320.03, 2025 - 3330 & 3348  
Boucherie Road**

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Reviewed By: Chris Oliver, Planning Manager

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### **RECOMMENDATION:**

**THAT** City of West Kelowna Zoning Amendment Bylaw No. 0320.03, 2025 be given first, second, third reading and adoption.

### **STRATEGIC AREA(S) OF FOCUS**

**Pursue Economic Growth and Prosperity** – We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

**Strengthen Our Community** – We will provide opportunities for the residents of West Kelowna to build connections, celebrate successes, embrace the community's strengths and diversity, address shared needs, and contribute to shaping the community's future.

### **BACKGROUND**

The subject properties at 3330 & 3348 Boucherie Road are both zoned A1- Agricultural Zone. The properties have both been historically used for agricultural grape production for Quails Gate Winery. 3348 Boucherie Road features a single-family home built in the 1960s by the original owners of Quails Gate, who later sold the property & home to their son. The adjacent parcel at 3330 Boucherie Road does not have any structures and has been used solely for grape production.

## PROPERTY DETAILS

<b>Address</b>	3348 Boucherie Road	3330 Boucherie Road
<b>PID</b>	009-191-011	004-569-105
<b>Folio</b>	36413139.000	36413188.280
<b>Lot Size</b>	16.16 acres (65397.3 sqm)	39.216 acres (158702 sqm)
<b>Owner</b>	Ben Stewart	<b>Agent</b> Grant Maddock
<b>Current Zoning</b>	A1 – Agricultural Zone	<b>Proposed Zoning</b> A1- Agricultural Zone
<b>Current OCP</b>	Boucherie Neighborhood - Agricultural	<b>Proposed OCP</b> N/A
<b>Current Use</b>	A1- Agricultural	<b>Proposed Use</b> Single Family Dwelling
<b>Agricultural Land Reserve</b>	Yes	

## ADJACENT ZONING & LAND USES

<b>North</b>	^	R1 – Single Detached Residential
<b>East</b>	>	A1 – Agricultural
<b>West</b>	<	R1 – Single Detached Residential
<b>South</b>	v	R3 – Low Density Multiple Residential

## NEIGHBOURHOOD MAP



## PROPERTY MAP



### Legislative Requirements

Council has the authority under s.479 of the *Local Government Act* to amend the Zoning Bylaw. Under s.464(3) in the *Local Government Act*, a local government must not hold a public hearing on a proposed zoning bylaw if: it is consistent with the official community plan and permits development where at least half of gross floor area is to be residential.

Council also has the authority under s. 480 of the *Local Government Act* that, despite section 135 (3) [at least one day between third reading and adoption] of the *Community Charter*, a council may adopt a zoning bylaw at the same meeting at which the bylaw passed third reading. With recent changes regarding prohibited public hearings, applications where a public hearing cannot be held, and when there are no third reading conditions, Zoning Bylaw amendments can be given three readings and adopted at the same meeting.



## PROPOSAL

The applicant is proposing a Site-Specific Text Amendment to reduce the required parcel size for subdivision on A1 zoned land from 4.0ha (9.9ac) to 1.0ha (2.47ac) to allow for a separation of the homesite from the larger active agricultural area of the parcel at 3348 Boucherie Road, and to facilitate a lot consolidation with the adjacent property. The intention is to have the two larger working agricultural areas joined as one larger parcel with the smaller parcel encompassing the immediate area around the house. Future subdivision is shown in Figure 1.

## DISCUSSION

### Policy & Bylaw Review

#### Official Community Plan No. 0300

The subject properties are designated as Agricultural in the Official Community Plan. This designation aims to support diverse, prosperous, and adaptable agricultural uses, as well as ancillary agricultural retail for on-farm grown and/or produced goods, and residential uses. The proposed text amendment aligns with the intent and objectives of the Agricultural designation.

OCP section 2.17.2 outlines details regarding homesite severance, which focuses on discouraging the proliferation of non-farm residential development or use, except as provided for by the Homesite Severance Policy within the ALR. The proposal does not include any additional development and is being sought to facilitate what would generally be considered a homesite parcel. The proposed amendment will allow for more practical use of the family home and help facilitate streamlined agricultural production across both parcels. The application aligns with the OCP section 2.17.2 (11), which focuses on supporting the ALC objective of retaining agricultural lands in larger parcels to maintain their viability for agricultural use, and further support consolidation of farmland where possible.

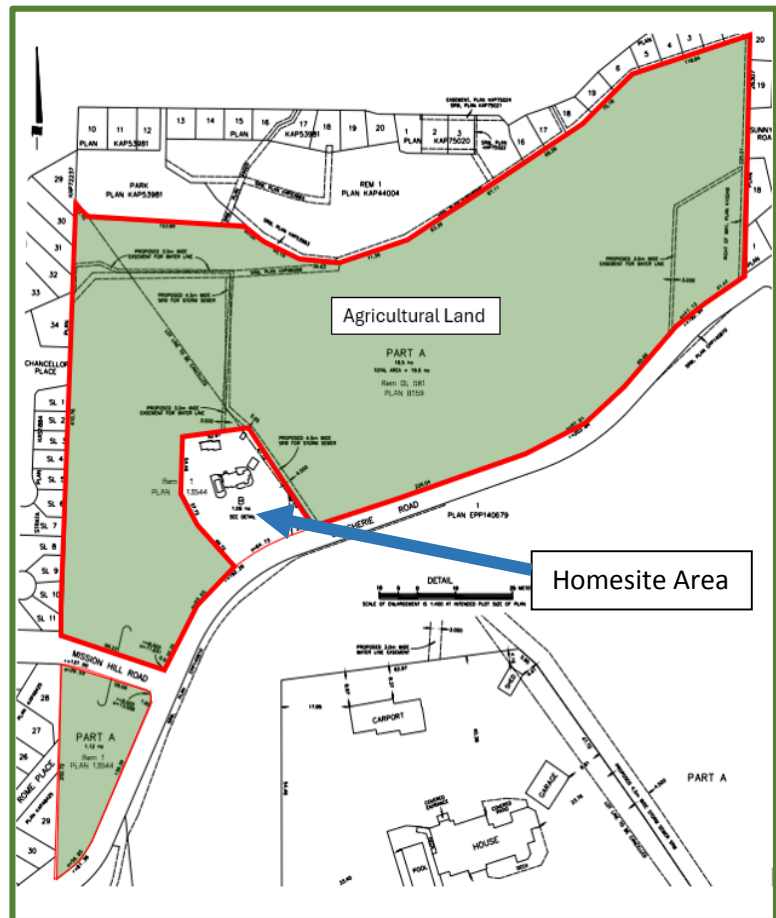


Figure 1: Subdivision Plan

### Zoning Bylaw No. 0320

The proposed bylaw amendment will maintain A1 zoning while reducing the required subdivision parcel size from 4.0ha (9.9ac) to 1.0ha (2.47ac). This amendment will allow the property to align with both Bylaw 0320 and ALC subdivision regulations.

Typical homesite severances are permitted to have a reduced parcel in the Zoning Bylaw (s.3.8(a)). The subject property does not qualify for this exemption because the applicant has not occupied the home as their principal residence since 1972, which is a homesite severance requirement of the ALC outlined below.

### ALC Review

The ALC outlines regulations for homesite severance on ALR land that prevent this action unless the homeowner has continuously owned and occupied the property as his or her principal place of residence since December 21, 1972. Since the current owner purchased the property from his parents, this property does not meet the regulations for homesite severance.

Amending Zoning Bylaw 0320 section 8.1.5 (a) to allow for a reduction in parcel area will consolidate the agricultural operations while also aligning with ALC subdivision regulations of a minimum of 1-hectare subdivided parcel size. The ALC does not require approval for subdivision applications provided that all of the following conditions are met:

- the agricultural land to be subdivided involves not more than 4 parcels, each of which is a minimum of 1.0 ha;
- on subdivision, there would be no increase in the number of parcels and no parcel would be less than 1.0 ha;
- the subdivision would allow for boundary adjustments that, in the opinion of the approving officer, will enhance farming on the agricultural land or permit better use of structures used for farming.

The proposed bylaw amendment and subsequent lot line adjustment will meet these conditions.

### **Public Notification**

A notification sign has been posted on the subject property in accordance with Development Application Procedures Bylaw No. 0260. Additionally, per the Development Applications Procedures Bylaw No. 0260, notifications of first reading have been mailed to surrounding residents.

### **CONCLUSION**

The proposed Zoning Bylaw amendment would facilitate a subsequent subdivision very similar to that of a typical home site severance. This would involve no land-use-related

changes and is in alignment with the OCP. The proposal does not negatively impact agricultural activity and will help facilitate a subdivision meeting the operational objectives of the existing agricultural operators and the ALC's subdivision requirements.

**Alternate Recommendation:**

1. **THAT** Council postpone third reading of Zoning Bylaw Amendment No 0320.03, 2025 (File Z 25-04).

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. No 0320.03, 2025 (File Z 25-04);

**AND THAT** Council direct staff to close the file.

Should Council deny consideration of the proposed amendment bylaw, the applicant would be eligible to reapply for the same application after six months.

PowerPoint: Yes ☒ No ☐

**Attachments:**

1. Zoning Amendment Bylaw No. 0320.03