



COUNCIL REPORT  
Development Services  
For the March 10, 2020 Council Meeting

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DATE: March 4, 2020  
TO: Paul Gipps, CAO  
FROM: Jayden Riley, Planner II  
RE: Z 19-14; Zoning Bylaw Amendment No. 0154.86, 2020; 1150 Sunview Place  
Legal: Lot 37, District Lot 1119, ODYD, Plan KAP 5289  
Owner: Leszek and Kerry Pazio  
Agent: Dave MacBride

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**RECOMMENDED MOTION**

**THAT** Council give third reading and adopt City of West Kelowna Zoning Amendment Bylaw No. 0154.86, 2020 (File: Z 19-14).

**RATIONALE**

- The proposed amendment is consistent with the existing and intended use of the subject property.
- The proposal is aligned with the parcel's Land Use Designation of Single Family Residential (SFR).
- Servicing for both water and sanitary sewer is currently available to facilitate the anticipated two (2) lot subdivision under the proposed RC3 Zone.
- Rezoning and subsequent subdivision would eliminate potential secondary uses that would otherwise be permitted under the current zone, such as bed and breakfast or secondary suite, therefore limiting further development potential.

**LEGISLATIVE REQUIREMENTS**

Council has the authority under Part 14 (s. 479) of the *Local Government Act* to amend its Zoning Bylaw.

**BACKGROUND**

**Proposal**

The applicant is proposing to amend the subject property's zoning designation from the Single Detached Residential Zone (R1) to the Compact Single Detached Residential Zone (RC3) in order to facilitate a two (2) lot subdivision. See *Attachment 3* for the preliminary subdivision plan.

## Overview of Public Hearing

A Public Hearing was held on February 25, 2020. The City received a total of seven (7) written submissions. Six (6) submissions were in support of the application, stating the proposed zoning amendment would have no direct impact on their property and continue to reflect the visual intent of the neighbourhood.

The City also received one (1) written submission of non-support, the author of which also addressed Council at the Public Hearing, stating their concerns for privacy and that the proposal does not reflect the general intent of the neighbourhood.

## DISCUSSION

Although opportunities for similar proposals in the area are limited, rezoning to support subdivision of a parcel with sufficient parcel area and frontage aligns with the objectives of the SFR Land Use Designation, which is to support traditional single family housing and encourage land efficient compact housing form. Subsequent subdivision and development of the property will be required to follow the development regulations of the RC3 zone, as it relates to siting, height, and coverage, and does not necessarily pose a greater threat to privacy than re-development of the subject property under the existing R1 Zone.

Rezoning to RC3 will also limit secondary uses that would otherwise be permitted under the R1 zone, such as Bed and Breakfast and Secondary Suite. The subject property is supported by existing public sewer and water, with future service connection and access possible at Sunview Drive.

## COUNCIL REPORT/RESOLUTION HISTORY

| Date               | Report Topic/Resolution  | Resolution No. |
|--------------------|--|----------------|
| January 28, 2020   | <b>THAT</b> Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.86, 2020 (File: Z 19-14); and<br><b>THAT</b> Council direct staff to schedule the proposed bylaw amendment for a Public Hearing. | C028-20        |
| February, 25, 2020 | Public Hearing held  |                |

## ALTERNATE MOTION 1: POSTPONE

This alternate motion is provided should Council wish to provide direction on a specific matter related to the application.

**THAT** Council postpone consideration of third reading and adoption of City of West Kelowna Zoning Bylaw Amendment Bylaw No. 0154.86, 2020 (File: Z 19-14).

REVIEWED AND APPROVED BY

Brent Magnan, Planning Manager  
Mark Koch, Director of Development Services  
Tracey Batten, Deputy CAO/Corporate Officer  
Paul Gipps, CAO

Powerpoint: Yes  No

1. Context Map
2. Subject Property Map
3. Preliminary Subdivision Plan
4. Zoning Bylaw Amendment No. 0154.86, 2020

H:\DEVELOPMENT SERVICES\PLANNING\3360 Zoning & Rezoning\20 Applications\2019\Z 19-14 1150 Sunview  
Place\Bylaw\_Rpts\_Minutes\3<sup>rd</sup> and Adoption