



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

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

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	THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.86, 2020 (File: Z 19-14); and THAT 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

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