



COUNCIL REPORT

To: Paul Gipps, CAO

Date: June 9, 2020

From: Jayden Riley, Planner II

File No: Z 19-13

Subject: **Z 19-13; Zoning Amendment Bylaw No. 0154.87, 2020 (Adopt); 1130 Thomas Rd.**

RECOMMENDATION

THAT Council adopt City of West Kelowna Zoning Amendment Bylaw No.0154.87, 2020 (File: Z 19-13).

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Plan Priorities, 2020-2022).

BACKGROUND

This application proposes to amend the zoning designation of an 800 sq. m. portion of the subject property from Single Detached Residential (R1) to Duplex Residential (R2) to facilitate subdivision and subsequent duplex development. All conditions from 3rd reading have been satisfied, including the condition that the applicant register a S. 219 No-Build Covenant on the parcel to ensure no building occurs until subdivision is registered. Discharge of the no-build covenant may occur following subdivision of the parcel.

PROPERTY DETAILS			
Address		1130 Thomas Road	
PID		007-121-792	
Folio		36412746.390	
Lot Size		1,456 sq. m.	
Owner	Roberta and Michael Kay	Agent	N/A
Current Zoning	Single Detached Residential (R1)	Proposed Zoning	Duplex Residential (R2) – specific to 800 sq. m. portion of property
Current OCP	Single Family Residential (SFR)	Proposed OCP	N/A
Current Use	Single Family Dwelling	Proposed Use	Duplex
Development Permit Areas		No	
Hazards		No	
Agricultural Land Reserve		No	

ADJACENT ZONING & LAND USES

North	^	Agriculture (A1) / ALR
East	>	Single Detached Residential (R1)
West	<	Concord Road / Highway 97C
South	v	Single Detached Residential (R1)

NEIGHBOURHOOD MAP



PROPERTY MAP



Legislative Requirements

Council has authority under S.479 of the *Local Government Act* to amend the Zoning Bylaw.

DISCUSSION

Modification of Condition

The condition established at third reading to register a S. 219 No-Build Covenant over the 800 sq. m. portion of the property, i.e. the portion proposed for rezoning, was instead registered over the entire parcel. This option was provided to the applicant in order to reduce survey costs while still maintaining the intent of the covenant, which is to restrict building on the property until subdivision registration has occurred.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
February 11, 2020	THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.87, 2020 (File Z 19-13); and THAT Council direct staff to schedule the proposed amendment for Public Hearing	C044/20
February 25, 2020	Public Hearing held	N/A

March 10,
2020

THAT Council give third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.87, 2020 (File: Z 19-13); and
THAT Council direct staff to schedule the bylaw for consideration of adoption following the registration of a S.219 No Build Covenant over “Lot A” as identified by *Attachment 3*.

C075/20

CONCLUSION

Conditions established at third reading have been satisfied. Staff recommend Council adopt the zoning amendment bylaw.

REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Tracey Batten, Deputy CAO/Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☐ No **X**

Attachments:

1. Zoning Bylaw Amendment 0154.87