



**COUNCIL REPORT**  
**Development Services**  
**For the June 25, 2019 Council Meeting**

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DATE: June 10, 2019 File: Z 18-11

TO: Jim Zaffino, CAO

FROM: Chris Oliver, Planner

RE:       Application: Zoning Amendment Bylaw No. 154.84 (Z 18-11)  
          Legal: Lot 1 and Lot 3, DL 1934, ODYD, Plan 21560  
          Address: 3040 and 3050 Boucherie Road  
          Owners: Allan and Janice Patterson

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**RECOMMENDED MOTION**

**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.

**RATIONALE**

- The proposal is consistent with the Single Family Residential Land Use Designation of the Official Community Plan;
- The proposal is consistent with the neighbourhood character which is predominately single family dwellings and has the ability to complement the type, form, scale, and character of adjacent buildings; and
- The proposal is an efficient use of existing services and infrastructure.

**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.

**LOCATION AND CONTEXT**

The subject properties are 8,984m<sup>2</sup> (2.22 acres) in size and are located within the Lakeview Heights neighbourhood (Attachment 2 and 3). The properties have two existing single family dwellings and one accessory building that is proposed to be removed as part of a subsequent subdivision process. The surrounding land uses include:

- **North** – Agricultural zoned parcel (A1)

- **East** – Single Family Residential zoned parcels (R1)
- **South** – Large Parcel Single Family Residential zoned parcels (R1L)
- **West** – Country Residential zoned parcels (RU1)

## BYLAW AND POLICY REVIEW

### **Official Community Plan No. 0100:**

The OCP designation for the subject property is Single Family Residential and aims to provide traditional single family housing opportunities and encourage more land efficient compact housing forms for families where it is sited to complement the type, form, scale, use, and character of adjacent buildings.

### **Zoning Bylaw No. 0154:**

Below is a comparison table of the R1L and R1 Zone requirements (Table 1.). The proposed R1 Zone includes a variety of permitted uses, including secondary suites and carriage houses.

**Table 1. R1L and R1 Zone Requirements**

	<b>R1L Zone</b>	<b>R1 Zone</b>
<b>Parcel Area</b>	2500 m <sup>2</sup>	550 m <sup>2</sup>
<b>Frontage</b>	30.0 m	16.0 m
<b>Parcel Coverage</b>	20%	40%
<b>Front Setback</b>	6.0 m	4.5 m/ 6.0 m (garage)
<b>Rear Setback</b>	6.0 m	3.0 m
<b>Interior Side Setback</b>	4.5 m	1.5 m
<b>Exterior Side Setback</b>	4.5 m/ 6.0 m (garage)	4.5 m/ 6.0 m (garage)
<b>Agricultural Setback</b>	15.0m/ 9.0m <u>w</u> buffer	15.0m/ 9.0m <u>w</u> buffer

The Zoning Bylaw includes increased setback requirements when adjacent to agricultural parcels. One of the subject properties (3040 Boucherie), abuts an existing agricultural parcel and as a part of any future subdivision application an agricultural protection covenant would be required.

## TECHNICAL CONSIDERATIONS

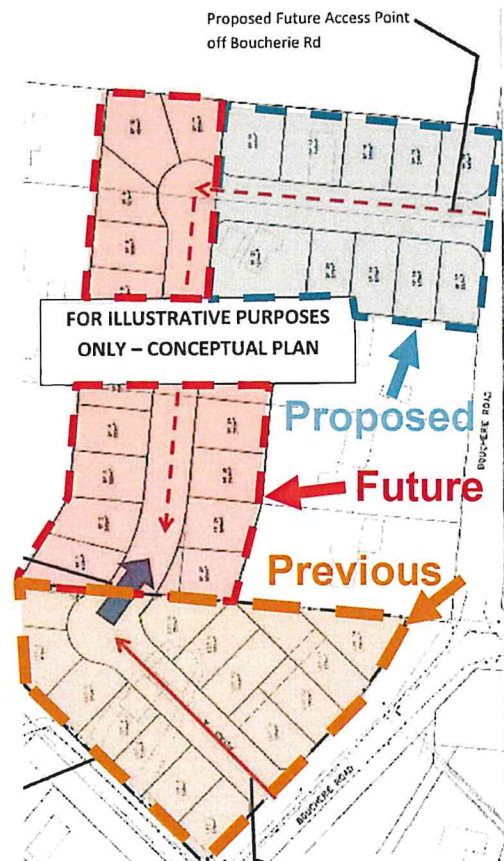
Technical concerns including frontage, access, and detailed servicing would be finalized through a future subdivision application, should the rezoning to R1 be approved.

### **Site Servicing:**

The applicant has submitted a Functional Servicing Report (FSR) that indicates the subject property can be adequately serviced and can meet all applicable servicing requirements.

### **Access:**

A key consideration as part of the neighbouring subdivision on Boucherie Road was to provide access to lands beyond in order to provide access for future development. The applicant is aware that the ability to connect to lands beyond will be a requirement as part of



**Figure 1. Access to lands beyond.**

a future subdivision application (Figure 1.). In order to secure this connection, a road reserve will be required as part of the rezoning application process.

### **Advisory Planning Commission (APC)**

The rezoning of the subject property from R1L to R1 was supported as presented at the June 19, 2019, APC meeting.

### PUBLIC NOTIFICATION

A Notice of Application sign has been posted on site as per the Development Applications Procedures Bylaw No. 0131. Should Council give first and second reading to the proposed bylaw amendment, a public hearing will be held in accordance with the *Local Government Act*, which includes a mail out to all property owners and their tenants within 100 metres of the subject property and advertisements to be placed in the local newspaper.

### ALTERNATE MOTION

1. **THAT** Council postpone first and second reading of the proposed amendment bylaws (File: Z 18-11).

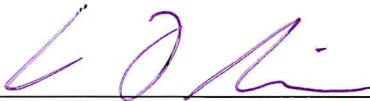
Should Council wish to postpone first and second reading, it is requested that direction be provided as part of the Council resolution.

2. **THAT** Council deny the application (File: Z 18-11) to amend the City of West Kelowna Zoning Bylaw for 3040 and 3050 Boucherie Road; and

**THAT** Council direct staff to close File: Z 18-11.

Should Council deny the proposed amendment bylaws, the application will be closed in accordance with Development Applications Procedures Bylaw No. 0131. Council shall not reconsider an application of this nature for the property for a period of six months.

Respectfully Submitted,

  
Chris Oliver  
Planner

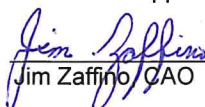
  
Brent Magnan  
Planning Manager

  
Nancy Henderson  
General Manager of Development Services

### Attachments:

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

Powerpoint: Yes ☒ No ☐

Approved for Agenda	
 Jim Zaffino, CAO	June 20, 2019 Date



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**CITY OF WEST KELOWNA**

**BYLAW NO. 0154.84**

**A BYLAW TO AMEND "ZONING BYLAW NO. 0154"**

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WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.84, 2019".

2. Amendments

"Zoning Bylaw No. 0154" is hereby amended as follows:

2.1 By changing the zoning on Lots 1 and 3, DL 1934, ODYD, Plan 21560 as shown on Schedule 'A' attached to and forming part of this bylaw from Large Parcel Single Detached Residential Zone (R1L) to Single Detached Residential Zone (R1).

2.2 By depicting the change on "Zoning Bylaw No. 0154 Schedule B" (Zoning Bylaw map).

READ A FIRST AND SECOND TIME THIS DAY \_\_\_\_\_, 2019  
 PUBLIC HEARING HELD THIS \_\_\_\_\_, 2019  
 READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019  
 ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

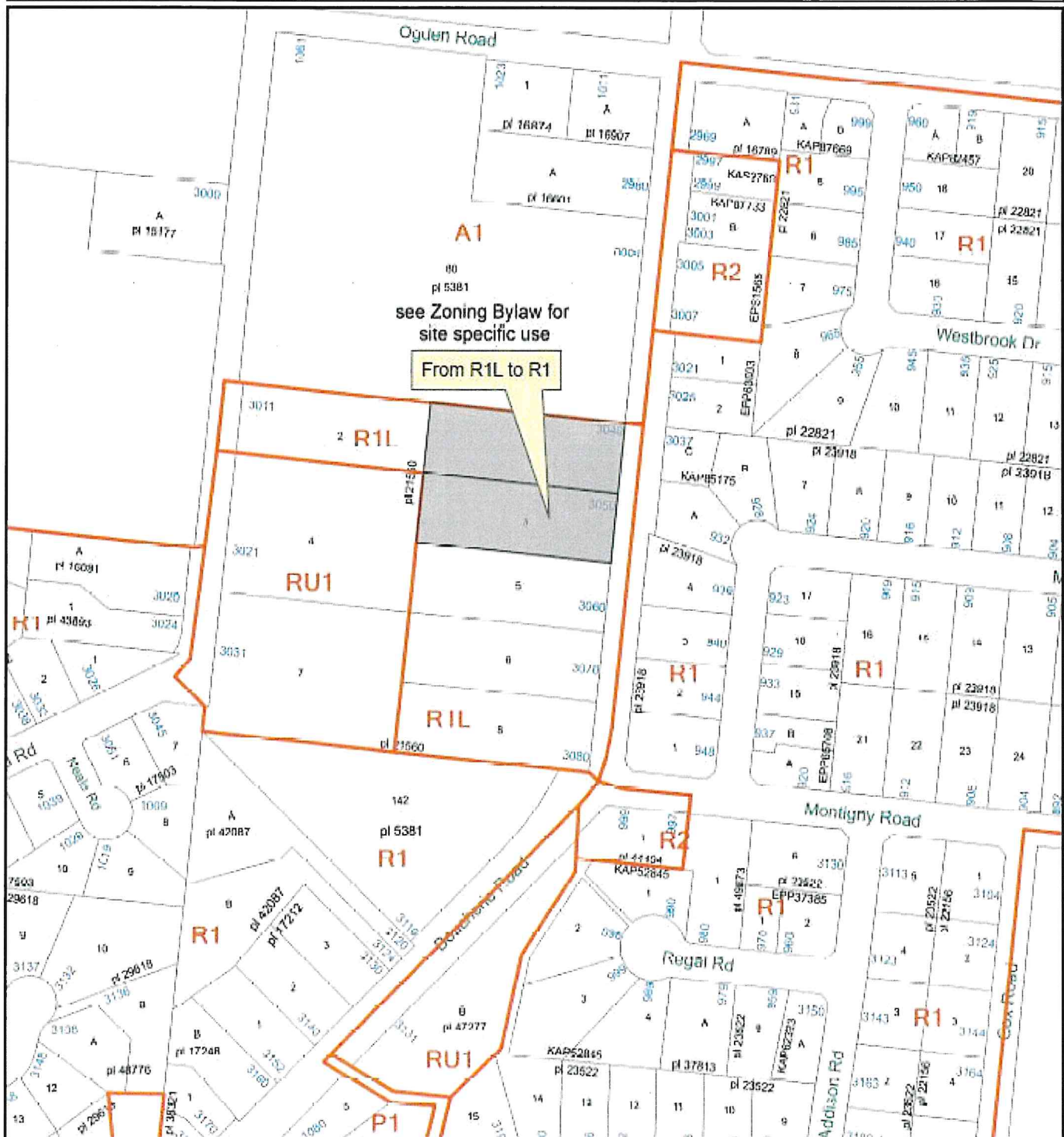
\_\_\_\_\_  
 MAYOR

\_\_\_\_\_  
 CITY CLERK



CITY OF  
WEST  
KELOWNA

# SCHEDULE 'A' of BYLAW NO. 0154.84



File: Z 18-11

Legal Description: Lot 1 and Lot 3 DL1934, ODYD, Plan 21560

0 45 90 180  
Metres 1:3,000

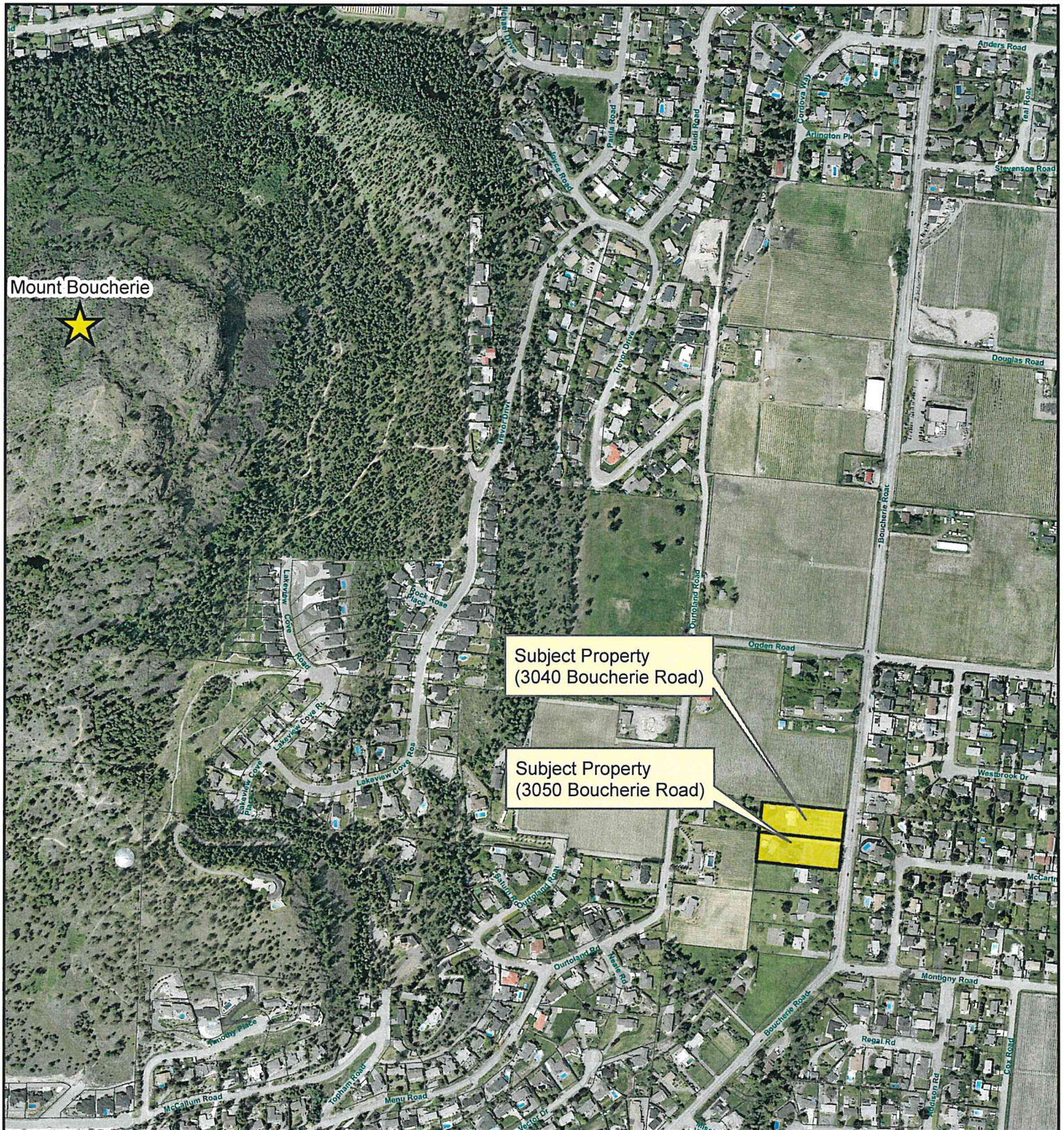
## LEGEND

- Subject Property
- Zoning Boundary
- Parcels



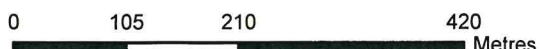
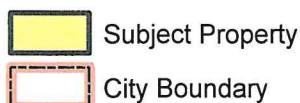
Date: 10/06/2019





File: Z 18-11

Legal Description: Lot 1 & Lot 3, DL 1934, ODYD, Plan 21560







# SUBJECT PROPERTY: Z 18-11



## LEGEND

- Subject Property
- Zoning Boundary
- Parcels

File: Z 18-11

Legal Description: Lot 1 & Lot 3, DL 1934, ODYD, Plan 21560

0 60 120 240 Metres

1:4,000

