

MEETING TYPE: Regular Council Meeting
MEETING DATE: November 7, 2023
AUTHOR: Brian Zurek, Manager of Planning
DEPARTMENT: Planning and Development
ITEM TITLE: Zoning Bylaw Amendment | Z2021-002 | 11506 Turtle Bay Court | Zoning Amendment Bylaw 1199, 2023
DESCRIPTION: To rezone a Woodsdale-area property allowing future Tourist Commercial development

PURPOSE

To propose a Zoning Bylaw amendment (C9A – Tourist Commercial) that would authorize Tourist Commercial development on a property in the Woodsdale neighborhood.

RECOMMENDATION

THAT Zoning Amendment (Z2021-002) Bylaw 1199, 2023 be read a second time as amended;
 AND THAT Zoning Amendment (Z2021-002) Bylaw 1199, 2023 be forwarded to a public hearing.

EXECUTIVE SUMMARY

On February 21, 2023, Council considered a proposal to rezone (Z2021-002) the property at 11506 Turtle Bay Court from RU1 – Single Family Residential to C9 – Tourist Commercial to support the concept for an apartment hotel on the property. At that meeting, Council directed staff to provide options to limit or regulate Apartment Hotel as a permitted use in the Zoning Bylaw.

Following Council’s direction, staff proposed a new tourist commercial zone (C9A – Tourist Commercial) with fewer permitted uses, including the removal of Apartment Hotel.

Should Council support the C9A – Tourist Commercial zone, the owner of the property at 11506 Turtle Bay Court would request C9A zoning for the property to authorize the development of a hotel.

BACKGROUND/HISTORY

The Official Community Plan (OCP) future land use designation is Tourist Commercial, and the current zoning is RU-1 - Urban Single Family Residential. The proposed application would align the property with the OCP future land use designation. The application was originally submitted on February 2, 2021. Following a comprehensive review of the application by District staff, further information was requested. The revised package was considered complete on October 25, 2022.

On February 21, 2023, Zoning Bylaw Amendment 1199, 2023 was presented to Council with a proposal to develop an Apartment Hotel. Council expressed concerns regarding the lack of clarity in the definition of Apartment Hotel and gave first reading to the bylaw with a request that staff clarify the definition of Apartment Hotel in the Zoning Bylaw. Following the Council discussion, the applicant changed the site development concept from an Apartment Hotel to a Hotel.

TABLE 1: SITE CONTEXT

PROPERTY INFORMATION	
Civic Address:	11506 Turtle Bay Court
Roll Number:	11606208

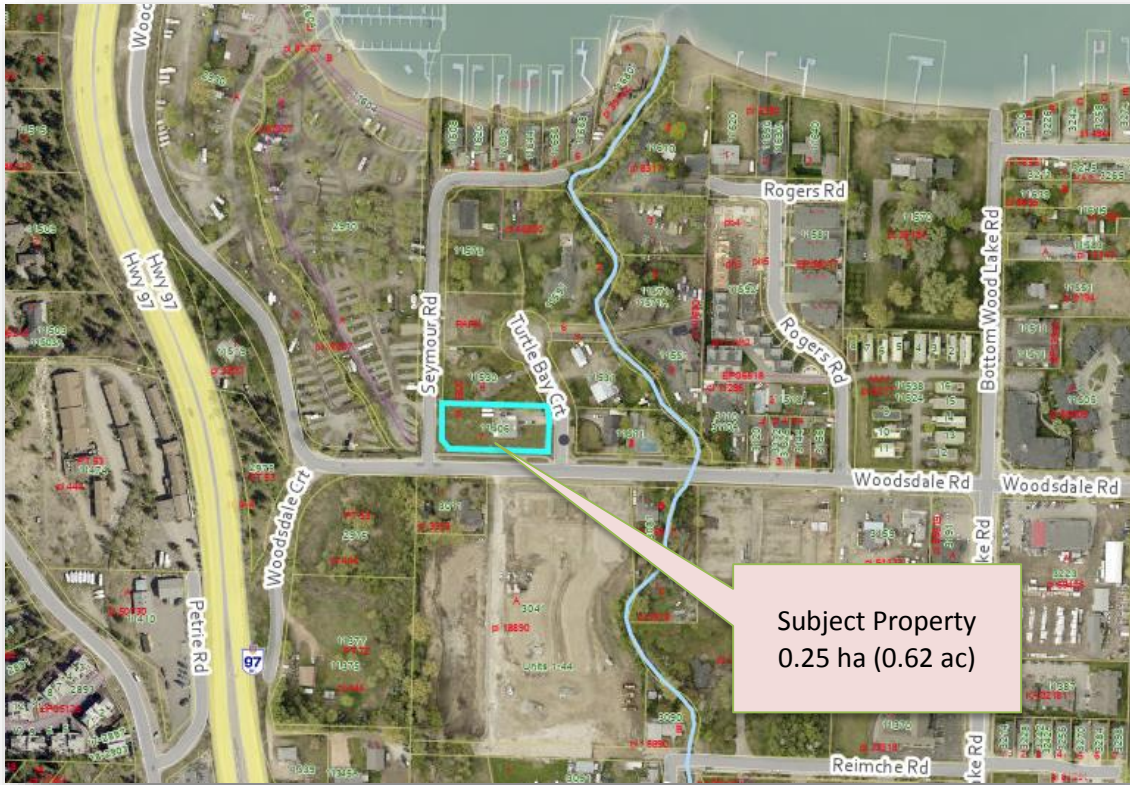
Legal Description:	PID: 017-705-380 Lot 7 District Lot 169 ODYD Plan KAP46800		
Applicant:	Dave Richardson	Owner(s):	Dave Richardson
OCP Designation:	Tourist Commercial		
Existing Zoning Designation:	RU1 – Urban Single Family Residential		
Proposed Zoning:	C9 - Tourist Commercial		
Land Use Contract:	No		
ALR:	No		
Parcel Size:	0.25 ha (0.62 acres)		
DP Area(s):	Commercial and Green House Gas & Resource Conservation		
Water Supply:	Current – onsite; required for development - Municipal		
Sewer:	Current – onsite; required for development - Municipal		
Adjacent Land Use:	Zoning:	Use:	
<i>North:</i>	Existing: RU1 Proposed: Application for P2 – Administration, Public Service and Assembly	Existing: Single Family Dwelling Proposed: Application for Long term Care Home	
<i>East:</i>	Existing: RU1 Proposed: Application for C9 – Tourist Commercial	Existing: Single family Dwelling Proposed: Application for Apartment Hotel	
<i>South:</i>	RM5 – Multi Family & RU1	Multi-Family & Townhouses under construction and Single Family Dwelling	
<i>West:</i>	C9 – Tourist Commercial	RV Park and Campground	

SITE CONTEXT

The vision for Woodsdale in the OCP includes mid-range residential density, with mixed-use urban uses, attractive recreational opportunities, public open spaces, and transportation amenities (OCP, Section 5.4). Building on the existing recreational amenities such as Beasley Park and the Rail Trail, as well as commercial enterprises along Woodsdale Road, the District of Lake Country has recognized current development pressures in the neighbourhood and has upgraded amenities such as bike paths and bus stops along Woodsdale Road (2023). Further upgrades would be undertaken as individual properties are developed along this corridor.

Many of the parcels adjacent to the subject property are in various stages of re-development. As noted in Table 1, there are proposed multifamily developments on the south side of Woodsdale Road, and proposals for increased residential or tourist commercial density on adjacent Turtle Bay Court properties. Additional townhouse developments have recently been constructed further east along Woodsdale, with more townhouse and multi-family buildings in the proposal stage. Altogether, this neighbourhood is transitioning from large-lot single family homes with onsite servicing, to the mid-density, mixed-use, and municipally serviced neighbourhood envisioned by the OCP.

MAP 1: LOCATION MAP



MAP 2: ORTHOPHOTO



FIGURE 1: CONCEPT SITE PLAN

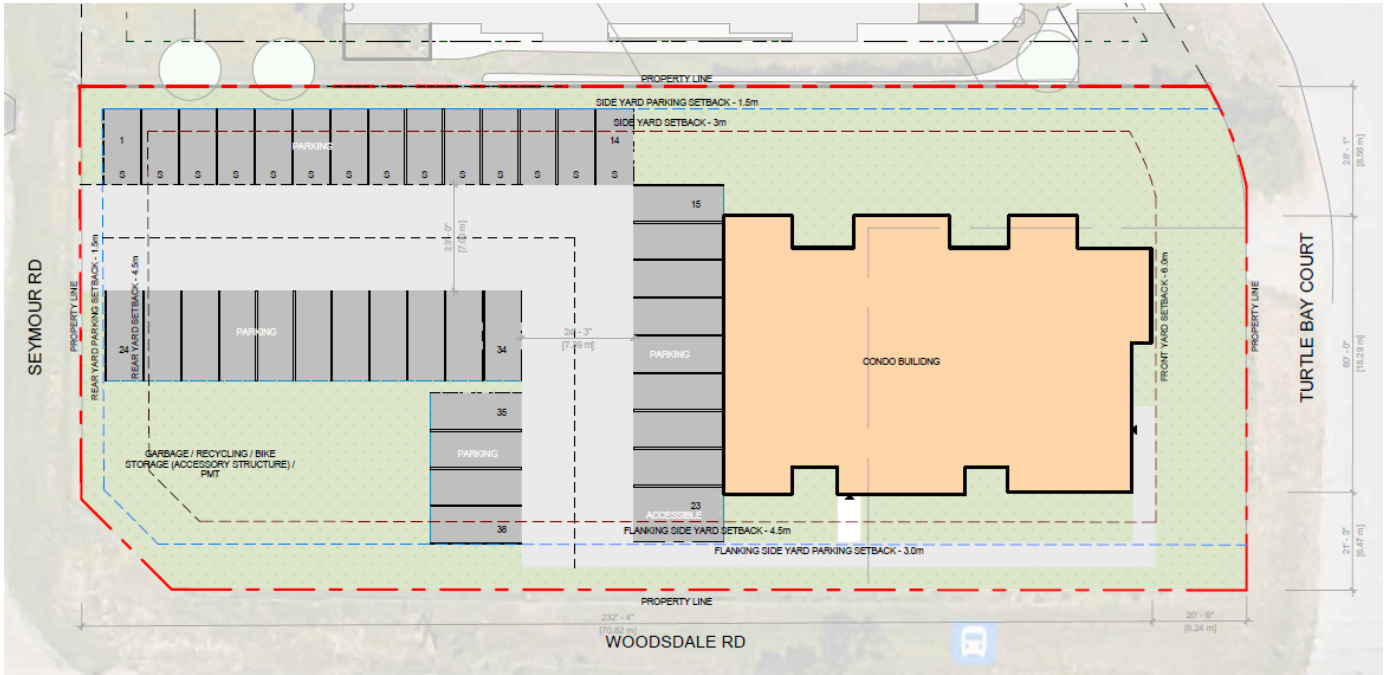


FIGURE 2: PHOTO CURRENT USE

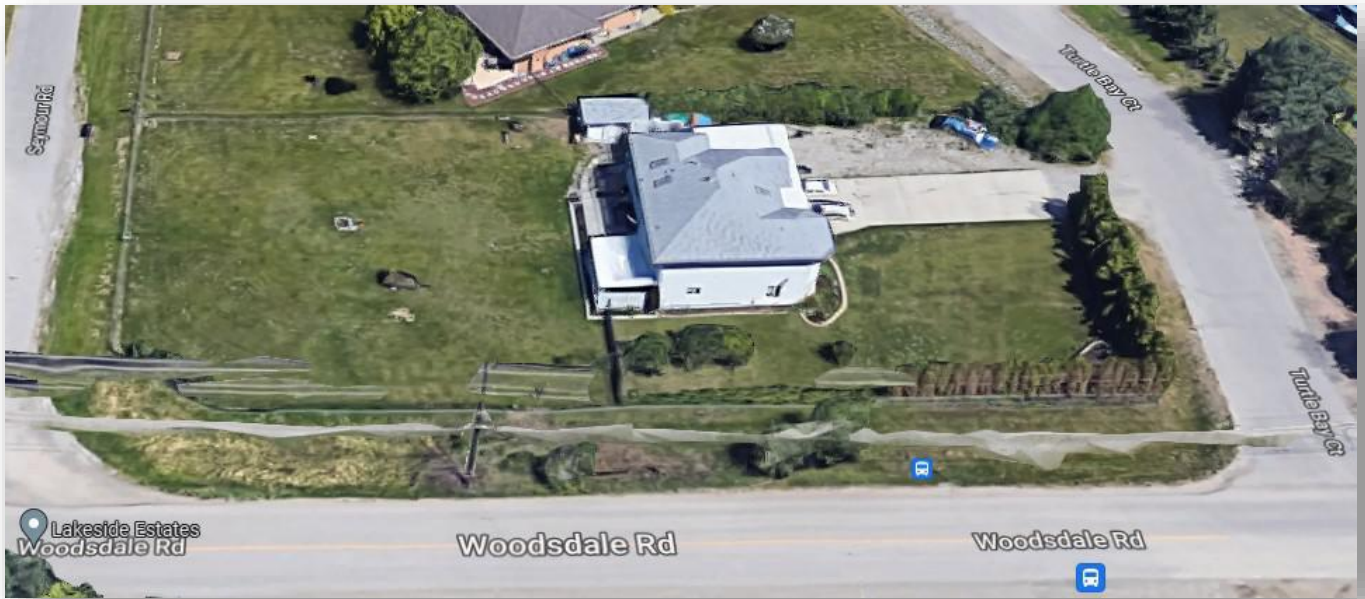
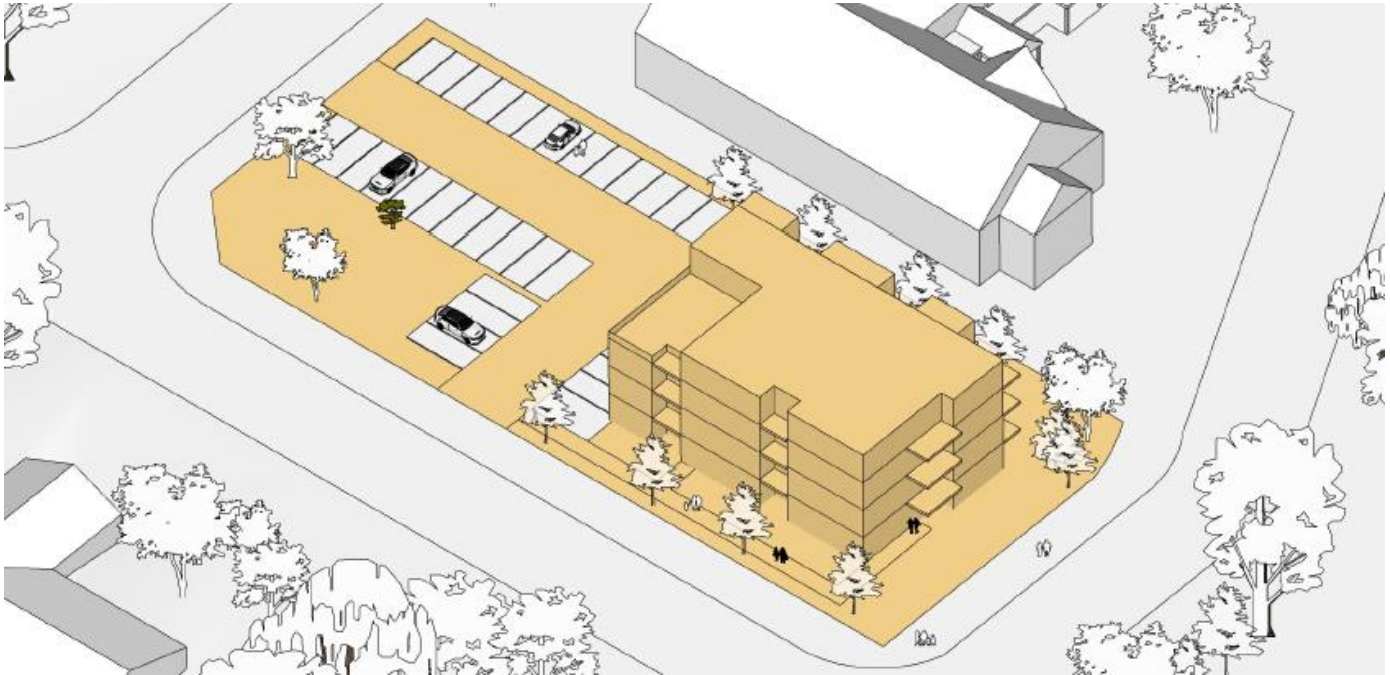


FIGURE 3: RENDERING OF DEVELOPMENT CONCEPT**TABLE 2: FILE CHRONOLOGY**

Date	Event
2021-02-02	Application submission – original
2022-10-25	Application submission – revised & complete
2022-11-24	Core Team Meeting
2023-01-12	External Referrals Completed
n/a	Committee consideration
2023-02-21	Previous Council consideration, with first reading given to the Zoning Bylaw Amendment

DISCUSSION/ANALYSISProposed Bylaw Amendment

The applicant's development concept is a 28-unit, four-storey Hotel. A Hotel provides sleeping accommodation for transient visitors and may include other public facilities for the convenience of guests. The maximum stay is 240 days within a calendar year.

The existing single-family dwelling has private water and sanitary sewer services, and vehicle access off Turtle Bay Court. The District would require any proposed commercial development to connect to municipal water and sewer. The applicant's development concept includes vehicle access and parking off Seymour Road and pedestrian accesses off Woodsdale Road and Turtle Bay Court. Building and site design is at a conceptual stage, which is appropriate for a rezoning application.

The subject property is designated in the OCP as Tourist Commercial. It is adjacent to a large RV park and has access to appropriate amenities along Woodsdale Road including bus services, e-bike rentals, convenience store and gas, park, rail trail and beach access. Previously mentioned, the improvements to Woodsdale Road (nearing completion) will include bicycle lanes to better serve the community and to support local growth including tourist accommodation developments.

The proposed development is supported by the policies of the OCP. The OCP encourages the development of tourist, commercial and multiple-unit residential along Woodsdale Road (Section 5.4.6). The OCP policies (Section

5.4.7) encourage mixing commercial, and tourist uses together and state that midrise development should be permitted. The building height of the development concept conforms to the OCP policy.

Generally, the concept proposal is appropriate for the location and supports many of the targets and policies set by the District for development. The concept complies with the zoning requirements for density and site coverage. Providing sufficient parking spaces is the limiting factor of the site.

Policies in the OCP (Section 8.2.) and Mobility Master Plan support reducing parking requirements in favour of alternate modes of mobility such as transit access, car sharing, bicycle parking and end of trip facilities.

Changes from the Previous Conceptual Proposal

Following the discussion at Council in February 2022, the owner has clarified the intent to conduct a commercial Hotel business on the subject property.

The conceptual plans have been revised. Reducing the number of two bedroom units, while keeping the number of units at 28 has reduced the building footprint. A bicycle parking facility has been added on the main floor.

Should Council support the proposal, additional modifications and refinements would be made to the plans, prior to the development permit submission. Should Council approve the proposed Zoning Bylaw Amendment, the development will require a Development Permit for Commercial use and Greenhouse Gas Reduction and Resource Conservation.

APPLICABLE LEGISLATION, BYLAWS AND POLICIES

Local Government Act

Part 14, Division 3, Public Hearings on Planning and Land Use Bylaws

- 464 (2)** A local government is not required to hold a public hearing on a proposed zoning bylaw if
- (a) an official community plan is in effect for the area that is the subject of the zoning bylaw, and
 - (b) the bylaw is consistent with the official community plan.

Official Community Plan (OCP)

18.5 Tourist Commercial Designation: describes the future land use anticipated to meet the needs of the District's commercial tourism industry over the timeline (2018-2038) of the OCP.

Zoning Bylaw

16.3 C9 – Tourist Commercial

Purpose: The purpose is to designate and preserve land for the orderly development of commercial visitor facilities.

Economic Development and Tourism Strategy 2022-2027, August 2022

4 Enhance Tourism and Visitor Experience

❖ Challenge: Attract the right type of visitor to help benefit local businesses who rely on tourism clientele, specifically seasonal. Better understand what Lake Country visitors want and expect while being in the community and providing the appropriate services and resources to minimize disruption to locals.

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

No additional impact on infrastructure or services is expected. Should Council support the proposed Zoning Bylaw amendment, no additional impact is anticipated to administer the Bylaw.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other

Advertising costs associated with a public hearing.

CONSULTATION (Internal referrals, External Agencies, Committees, Stakeholders)

The applicant completed the required neighbour consultation with occupants of all properties within 50m of the subject site on January 8, 2023. He took the information door to door and discussed the proposal with the neighbours, leaving contact information for questions or concerns. Neither the applicant nor the district planner have received any questions or concerns regarding the conceptual proposal.

Should Council grant Second reading of the Zoning Bylaw (as amended), a Public Hearing will be held prior to third reading. The public will be notified of the Public Hearing through signage on the property, notification to surrounding property owners/tenants and two advertisements in the local newspaper.

COMMUNICATIONS (if applicable)

Subject to the requirements of the Local Government Act, the DLC will advertise the proposed Zoning Bylaw amendments in the local newspaper. Members of the public will be notified to contact the DLC for additional information.

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Create and Support Opportunities for a Healthy, Active and Inclusive Community
- Create Infrastructure That Meets Community Needs
- Encourage Growth of the Downtown Core
- Ensure Sustainable Water Service Delivery for the Community
- Explore Opportunities to Engage With Regional Local Governments for the Betterment of the Community
- Honour Reconciliation by Strengthening Relationships and Inclusiveness With Our Indigenous Partners
- Identify and support improvements to the Development Process
- Implement the Agricultural Plan
- Preserve, Protect and Enhance Our Natural Environment
- Secure long term wastewater service delivery for our community
- Support Opportunities to Diversify Lake Country's Tax Base

ALIGNMENT WITH MASTER PLANS

- | | |
|------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <input type="checkbox"/> Agricultural Plan | <input checked="" type="checkbox"/> Official Community Plan |
| <input type="checkbox"/> Climate Action Charter | <input type="checkbox"/> Parks & Recreation Master Plan 2019 |
| <input type="checkbox"/> Housing Needs Report | <input type="checkbox"/> Sanitary Sewer System Map |
| <input type="checkbox"/> Liquid Waste Management Plan Stage 1/2 Report | <input type="checkbox"/> Transit Future Plan-Central Okanagan Region-DRAFT |
| <input type="checkbox"/> McCoubrey Plateau Area Structure Plan | <input type="checkbox"/> Transportation for Tomorrow |
| <input type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

The following options are presented for Council's consideration:

- A. THAT First Reading of Zoning Amendment (Z2021-002) Bylaw 1199, 2023 as amended, be rescinded; AND THAT no public hearing be held for Zoning Amendment (Z2021-002) Bylaw 1199, 2023; AND THAT staff be directed to give notice of the decision not to hold a public hearing; AND FURTHER THAT Zoning Amendment (Z2021-002) Bylaw 1199, 2023 be brought back for consideration following the required notice.
- B. THAT Zoning Amendment (Z2021-002) Bylaw 1199, 2023, not be read a second time and that the file be closed.
- C. THAT Zoning Amendment (Z2021-002) Bylaw 1199, 2023, be deferred pending receipt of additional information as identified by Council.

Collaborators: (each individual collaborator to add name and date reviewed)

Name	Date Reviewed

Respectfully Submitted,
Brian Zurek, Manager of Planning

Report Approval Details

Document Title:	Zoning Amendment Bylaw 1199, 2023 - Z2021-002 - 11506 Turtle Bay Court .docx
Attachments:	- Attachment A. Draft Zoning Amendment Bylaw 1199, 2023.pdf - Attachment B. Project Description.pdf - Attachment C. Zoning Analysis Table.pdf
Final Approval Date:	Oct 31, 2023

This report and all of its attachments were approved and signed as outlined below:

No Signature found

Steven Gubbels, Manager of Development - Oct 30, 2023 - 3:43 PM

No Signature found

Jared Kassel, Director of Planning & Development - Oct 30, 2023 - 4:28 PM

No Signature found

Reyna Seabrook, Director of Corporate Services - Oct 31, 2023 - 9:49 AM

Leslie Groulx, Interim Chief Administrative Officer - Oct 31, 2023 - 11:11 AM