
MEETING TYPE: Regular Council Meeting
MEETING DATE: July 16, 2024
AUTHOR: Jason Tran, Planner
DEPARTMENT: Planning and Development
ITEM TITLE: Zoning Bylaw Amendment | Z0000276 | 11583 & 11615 Bottom Wood Lake Rd
DESCRIPTION: Rezoning from RR3 – Rural Residential 3 to RM5 – Medium Density Multiple Housing

PURPOSE

To consider a Zoning Bylaw Amendment to rezone a residential property in the Winfield Ward of the District.

RECOMMENDATION

THAT Zoning Amendment (Z0000276) Bylaw 1239, 2024 be read a first, second and third time;
AND THAT prior to adoption, the applicant enter into a rental housing agreement with the District to secure rental units on the subject properties for a 10 year term;
AND THAT prior to adoption, the District secure a minimum of 2.4 m wide road dedication along 11615 Bottom Wood Lake Road.

EXECUTIVE SUMMARY

The applicant proposes to rezone 11583 & 11615 Bottom Wood Lake Road (subject properties) from RR3 – Rural Residential 3 to RM5 – Medium Density Multiple Housing.

The Official Community Plan (OCP) designates the parcels as High Density Residential. The future land use designation supports high density residential development near commercial, institutional, and recreational opportunities. The OCP supports a range of housing types and higher density in the Woodsdale Neighbourhood.

Staff support the amendment to align the zoning regulations with the policies of the Official Community Plan (OCP).

This application has been expedited by staff as the applicant has agreed to voluntarily enter into a covenant to secure rental housing on the subject properties for a 10-year period. Staff recommend securing the rental housing agreement as a covenant on titles and as a condition of bylaw approval.

Additionally, staff recommend securing a minimum of 2.4 m wide road dedication along the frontage of 11615 Bottom Wood Lake Road as a condition of bylaw approval.

BACKGROUND/HISTORY

The OCP future land use designation for the subject properties is High Density Residential and the current zoning is RR3 - Rural Residential 3. The proposed application would align the future land use designation and zoning for the parcel. The application was originally received on January 13, 2023.

As per OCP section 7.1.7(b), the review of this redevelopment proposal has been expedited by staff for Council's consideration as the applicant has voluntarily agreed to enter a covenant held by the District to limit any future residential development to rental housing on the subject property for a 10-year period. A future development permit would come before Council for consideration to authorize multi-family development on the subject properties.

TABLE 1: PROPERTY INFORMATION

PROPERTY INFORMATION			
Civic Address:	11583 & 11615 Bottom Wood Lake Rd		
Roll Number:	11567.000 & 11598.000		
Legal Description:	PID: 009-891-471 LOT 1 DISTRICT LOT 169 OSOYOOS DIVISION YALE DISTRICT PLAN 7994 PID: 008-878-463 LOT A DISTRICT LOT 169 OSOYOOS DIVISION YALE DISTRICT PLAN 15147		
Applicant:	New Town Architecture and Engineering Inc.	Owner(s):	Bottomwood Lake Development Ltd.
OCP Designation:	High Density Residential		
Existing Zoning Designation:	RR3 – Rural Residential 3		
Proposed Zoning:	RM5 – Medium Density Multiple Housing		
Land Use Contract:	N/A		
ALR:	N/A		
Parcel Size:	0.52 ha (1.3 acres)		
DP Area(s):	Multiple Unit		
Water Supply:	Municipal		
Sewer:	Municipal		

Site Context:	Zoning:	Use:
<i>North:</i>	RU1 – Single Family Housing & RM4 – Low Density Multiple Housing	Residential
<i>East:</i>	RM5 – Medium Density Multiple Housing	Residential
<i>South:</i>	RM5 – Medium Density Multiple Housing	Residential
<i>West:</i>	RR2 – Rural Residential 2	Residential

SITE CONTEXT

The subject properties are rural in nature and located in the Winfield Ward of the District of Lake Country (DLC). The lots are surrounded by a mix of single family and multi-family residential developments.

Many local properties are in various stages of redevelopment. Multi-family developments are under construction at 3719 and 3041 Woodsdale Road, and proposals for increased residential or tourist commercial density have been submitted to the DLC for the properties at the corner of Turtle Bay Court and Woodsdale Road. Staff are in discussions with developers for other proposed townhouses and multi-family buildings in the area. Council recently approved a rezoning application to facilitate mixed-use development at 3223 Woodsdale Road (Home Hardware). This neighbourhood is transitioning from large-lot single-family homes with onsite servicing to higher density, mixed-use, municipally serviced neighbourhood envisioned by the OCP.

MAP 1: LOCATION MAP



MAP 2: ORTHOPHOTO

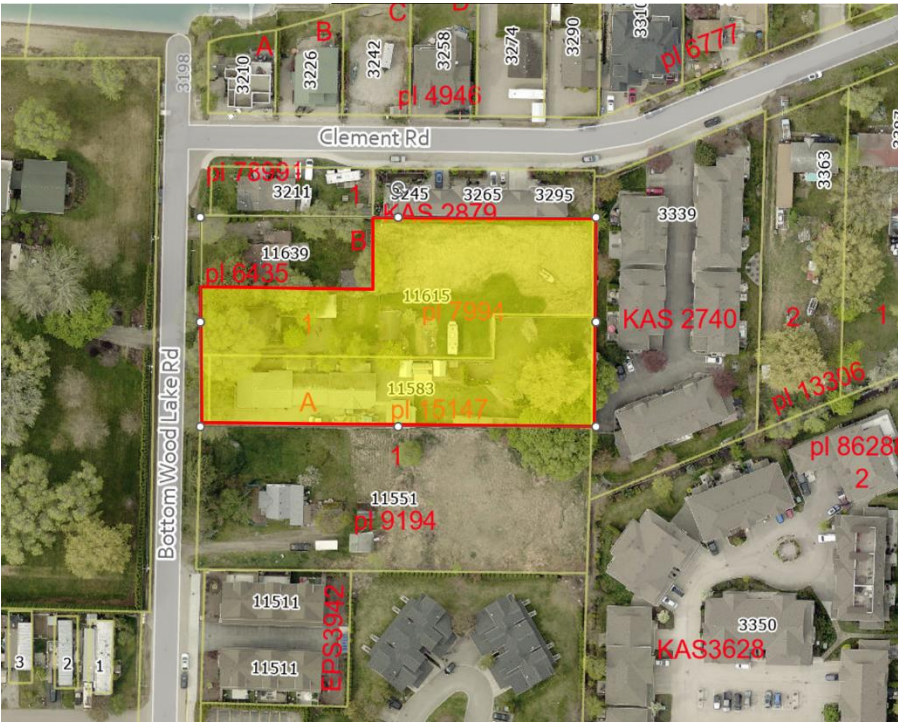


FIGURE 1: SITE PHOTOS

Photo 1: Subject property 11583 Bottom Woodlake Rd looking Northeast



Photo 2: Subject Properties (11615 to the left and 11583 to the right) and looking east



Photo 3: Looking south along the subject properties on Bottom Woodlake Road

TABLE 2: FILE CHRONOLOGY

Date	Event
2023-01-13	Application Submission
2024-02-01	Core Team Meeting
2024-02-07	External Referrals
2024-05-03	Comprehensive Letter Issued

DISCUSSION/ANALYSIS

To evaluate this Zoning Bylaw amendment application, staff reviewed the District's OCP for policy direction.

Official Community Plan

The OCP Future Land Use Designation for the subject property is High Density Residential which includes objectives to concentrate development within the urban containment boundary, to increase population density within High Density areas, and to maintain and enhance livability within the designation.

The Woodsdale section of the OCP supports a range of housing types in the neighbourhood, including townhouses, apartments, and secondary suites in developments up to mid-rise (5.4.7(d)-(c)). Urban Design policy suggests that high density development should be considered where appropriate (11.1.6). The OCP includes guidance for neighbourhood infill development, and acknowledges a commitment to existing community character (Infill Development Strategy 4.6.2(c)).

The OCP targets a density range of 25 to 120 units per hectare in High Density Residential areas, and suggests prioritizing high density residential development in the Woodsdale Neighbourhood (17.1.7). Additionally, OCP Housing policy supports locating high density projects close to commercial services, parks and recreation facilities in areas including Woodsdale (7.8.2).

In addition to OCP policy, the District's Housing Needs Report (2023) underscored the community need for all forms of multi-unit housing.

Staff supports the proposed Zoning Bylaw amendment.

Zoning Bylaw

The proposed zoning (RM5 – Medium Density Multiple Housing) would align with the high density residential land use designation for the subject properties and the general intent of OCP Environment, Growth and Housing policies. The Zoning Bylaw amendment would permit both apartment and townhouse, whereas the current zoning (RR3 – Rural Residential 3) does not allow more than four units per lot. Table 3 provides a comparison between the RR3 - Rural Residential 3 and RM5 – Medium Density Multiple Housing zones.

TABLE 3: ZONING ANALYSIS

Development Regulations	RR3 – Rural Residential 3	RM5 – Medium Density Multiple Housing
Principle Uses	<ul style="list-style-type: none"> • Extensive single family dwelling and vehicular oriented uses • No multiple housing uses permitted 	<ul style="list-style-type: none"> • Extensive multiple dwelling housing like apartments, which may include commercial uses in conjunction with residential development
Site Coverage	<ul style="list-style-type: none"> • 40% and cannot exceed 50% all together with driveways, and parking 	<ul style="list-style-type: none"> • 40% and cannot exceed 60% all together with driveways, and parking
Floor Area Ratio (FAR)	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Residential uses: 1.0 FAR with exceptions
Height	<ul style="list-style-type: none"> • 9.5m / 2 ½ storeys 	<ul style="list-style-type: none"> • Apartments: 12.4metres / 3 storeys • Density bonus: 16.5m / 4 storeys
Front Yard	<ul style="list-style-type: none"> • 4.5m with exceptions 	<ul style="list-style-type: none"> • 6.0m
Side Yard	<ul style="list-style-type: none"> • 3.0m with exceptions 	<ul style="list-style-type: none"> • 4.5m for building not over 2 ½ storeys • 7.5m for building excess of 2 ½ storeys • 7.5m from a flanking street
Rear Yard	<ul style="list-style-type: none"> • 6.0m with exceptions 	<ul style="list-style-type: none"> • 9.0m with exceptions

Other Considerations

As noted previously, this application has been expedited by staff for Council's consideration. As such, the applicant has voluntarily agreed to enter into a restrictive covenant on the subject properties to secure rental tenure housing for a 10-year period. Staff recommend securing rental housing as a condition of amendment approval.

The existing width of the roadway along the frontage of 11615 Bottom Wood Lake Road does not comply with District standards and specifications. Staff recommend securing road dedication (2.4 m) to expand the width of Bottom Wood Lake Road as a condition of amendment approval (Attachment B).

During recent Council meetings, Council has expressed concern regarding the ability of proposed developments to manage drainage in the vicinity of Wood Lake. The management of stormwater is currently under review by the DLC. Staff are planning to bring the following related items to the August 20th Council meeting:

- Subdivision and Development Servicing Bylaw Schedule M and Stormwater Management Guidelines Policy,
- Integrated Stormwater Management Plan Phase 1, and
- Middle Vernon Creek Flood Hazard Assessment.

Should Council support the proposed amendment application, staff would continue to evaluate the proposed redevelopment of the subject properties against the District's regulations to ensure that zoning and stormwater management regulations are addressed through subsequent Development and Building Permit approval processes.

APPLICABLE LEGISLATION, BYLAWS AND POLICIES

Local Government Act

Section 478 of the *Local Government Act* requires all bylaws enacted after the adoption of an OCP to be consistent with than plan.

Section 464 (3) of the *Local Government Act* requires that local government must not 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,
- b. the bylaw is consistent with the official community plan,
- c. the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development, and

- d. the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

Engineering and Environmental Services has reviewed the development proposal. Subject to modelling confirmation of capacities, the property can be serviced with water, sanitary and storm sewer. At time of subdivision or building permit urban frontage improvements including sidewalk, curb and gutter, boulevard, and street lighting would be required.

An performance assessment of the intersection at Bottom Wood Lake and Woodsdale Roads completed in 2023 indicates that the intersection will not warrant a future roundabout or traffic signal and that traffic growth can be managed with all-way stop control. Completion of a transportation requirement assessment may be required prior to building permit issuance to determine if the proposed development of the subject properties would warrant intersection improvements. Highway dedication of 10 m from the centreline of Bottom Wood Lake Road on the northern parcel (11615) will be required to facilitate construction of the frontage improvements in alignment with existing improvements.

At time of construction, adherence to the building elevation requirements of the Zoning Bylaw with respect to flood elevations will be required.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

CONSULTATION

External referrals occurred to applicable agencies with general support for this application. Future considerations provided by agencies were shared with the applicant through a comprehensive letter.

As per the Development Approval Procedures Bylaw 1133, 2023, the applicant was required to consult neighbours within a 50m radius and provide any feedback to staff prior to this application proceeding to Council. To satisfy notice requirements under the bylaw, notice signs were posted on the subject properties to notify the public of this proposal and options to provide feedback.

The *Local Government Act* also requires the District of Lake Country to notify the public of the prohibited hearing through mail notice. To satisfy statutory requirements, 105 parcels were notified within a 100m radius of the subject properties.

COMMUNICATIONS

As per the *Local Government Act*, notices were posted in the Lake Country Calendar on July 4th and 11th, 2024, notifying the public of this amendment application.

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 checked="" 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 checked="" type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

- A. THAT Zoning Amendment (Z000276) Bylaw 1239, 2024 be read a first, second and third time;
AND THAT prior to adoption, the applicant enter into a rental housing agreement with the District to secure rental units on the subject properties for a 10 year term;
AND THAT prior to adoption, the District secure a minimum of 2.4 m wide road dedication along 11615 Bottom Wood Lake Road;
- B. THAT Zoning Amendment (Z000276) Bylaw 1239, 2024 not be read a first, second and third time and the file closed.
- C. THAT Zoning Amendment (Z000276) Bylaw 1239, 2024 be deferred pending additional information as identified by Council.

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

Name	Date Reviewed
Sid Smith	2024.07.08

Respectfully Submitted,
Jason Tran, Planner
MCIP, RPP

Report Approval Details

Document Title:	Zoning Bylaw Amendment-Z0000276-11583 and 11615 Bottom Wood Lake Rd.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A-Z0000276-Bylaw 1239, 2024.pdf - Attachment B-Z0000276-Conceptual Site Plan.pdf - Attachment C-Z0000276-OCP Analysis Table.pdf - Attachment D-Z0000276-Public Correspondence.pdf - Attachment E-Z0000276-Newspaper Advertisements.pdf
Final Approval Date:	Jul 10, 2024

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

Brian Zurek, Manager of Planning - Jul 10, 2024 - 8:32 AM

Steven Gubbels, Manager of Development - Jul 10, 2024 - 3:16 PM

Matthew Salmon, Director of Engineering and Environmental Services - Jul 10, 2024 - 3:55 PM

Reyna Seabrook, Director of Corporate Services - Jul 10, 2024 - 4:15 PM

Paul Gipps, Chief Administrative Officer - Jul 10, 2024 - 4:21 PM