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**MEETING TYPE:** Regular Council Meeting  
**MEETING DATE:** September 03, 2024  
**AUTHOR:** Sheeja Vimalan, Planner  
**DEPARTMENT:** Planning and Development  
**ITEM TITLE:** Development Permit and with Variance | DP000819 | 11474 Petrie Road  
**DESCRIPTION:** Multiple-Unit Development Permit with Variances

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#### **PURPOSE**

To consider a Development Permit for a residential development in the Multiple-Unit Development Permit Area.

#### **RECOMMENDATION**

THAT Development Permit with variance DP000819 (Attachment A to the Report to Council dated September 03, 2024) for the property at 11474 Petrie Road (Roll 02395000; PID 005-460-701) to allow for a residential development be approved.

#### **EXECUTIVE SUMMARY**

The developer submitted a Multiple-Unit Development Permit application to support the construction of 364 units in four six-storey buildings. The project would redevelop the site previously occupied by the Airport Inn Lakeside into a rental residential development. The proposal would be in accordance with the Multiple Family Development Permit Area (DPA) guidelines.

The developer proposes four Zoning Bylaw variances to redevelop the subject property. The proposal would vary the yard setbacks to Highway 97 and Robinson Road, the height of retaining walls, and the daylighting standards of the Zoning Bylaw.

The District of Lake Country's population continues to increase, adding to the supply of rental housing necessary to meet the housing needs of the community. The proposed development would increase the supply of rental housing in Woodsdale, an area undergoing increased development.

Staff reviewed this application against the Official Community Plan's (OCP) Multiple-Unit DPA guidelines. The proposal is in accordance with the guidelines, and staff support the proposed variances.

The developer has voluntarily agreed to place a restrictive Land Title Act Section 219 covenant on the title of the subject property to secure the use of the development for long-term rental housing.

#### **BACKGROUND/HISTORY**

The subject property is the location of the former Airport Inn Lakeside. The business closed in 2019, and the existing buildings are unmaintained. District staff have been working with the developer to ensure that the property remains bylaw compliant.

The developer has submitted a subdivision application to split the subject property into two parcels, one on each side of Robinson Road (Map 1). Additionally, the developer has applied to rezone that portion of the subject property west of Robinson Road from RU1 - Small-Scale Multiple Housing to RM2 - Low-Density Row Housing.

**TABLE 1: PROPERTY INFORMATION**

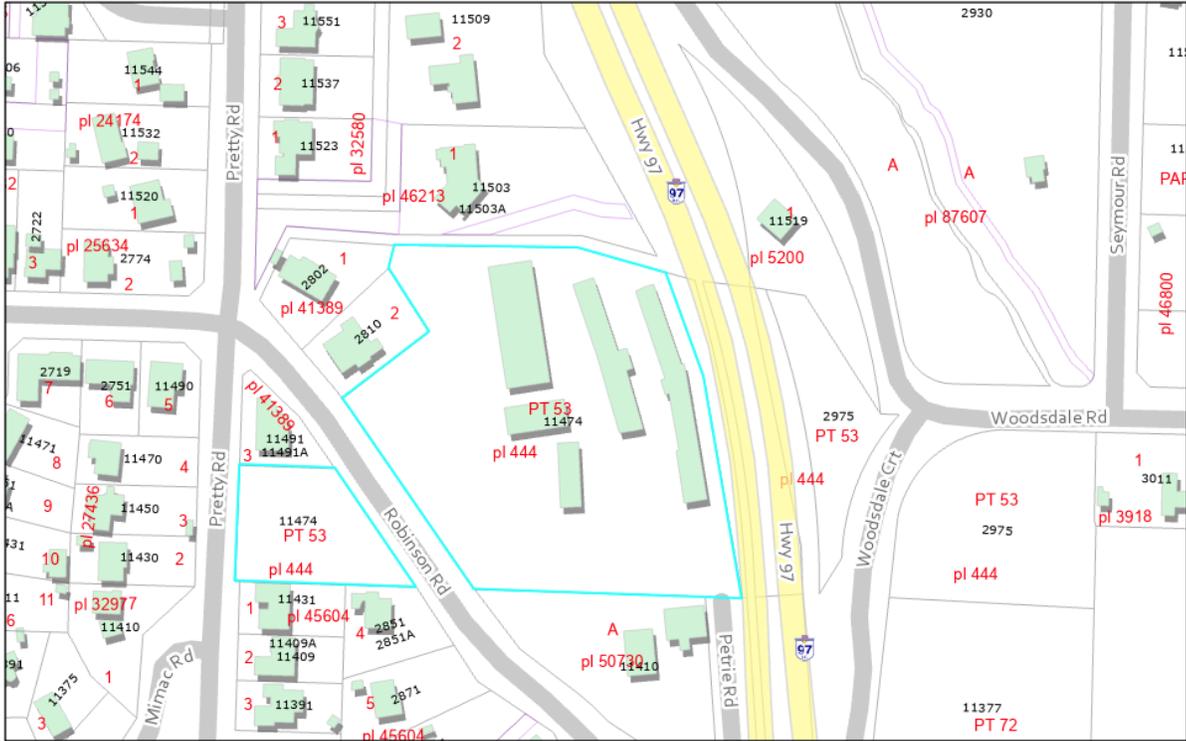
| PROPERTY INFORMATION         |  |  |
|------------------------------|--|--|
| Civic Address:               | 11474 Petrie Rd.   |  |
| Roll Number:                 | 02395000   |  |
| Legal Description:           | PID: 005-460-701; Lot 53 Section 15 ODYD Plan KAP444 Township 20 Except Plans H936 West of the Public Road shown on Plan M69: & Section 22; & Except Plans 39871 and 41389 |  |
| Applicant:                   | Daljit Singh Rattan  | Owner(s): Petrie Road Developments Ltd. Inc.<br>No. BC 1302985     |
| OCP Designation:             | Tourist Commercial   |  |
| Existing Zoning Designation: | C9 – Tourist Commercial  |  |
| Proposed Zoning:             | N/A  |  |
| Land Use Contract:           | N/A  |  |
| ALR:                         | N/A  |  |
| Parcel Size:                 | Site (proposed Lot 2) = ~1.4 ha (3.46 ac)  |  |
| DP Area(s):                  | Multiple-Unit / Commercial DPA   |  |
| Water Supply:                | Municipal  |  |
| Sewer:                       | Municipal  |  |
| Site Context:                | Zoning:  | Use:   |
| <i>North:</i>                | RU1 – Small-Scale Multiple Housing   | Single family residence  |
| <i>East:</i>                 | Hwy 97 & RU6 – Med. Density Residential  | Acreage with single family dwelling (construction project pending) |
| <i>South:</i>                | C11 – Highway Commercial   | Store & Service Commercial   |
| <i>West:</i>                 | RU1 – Single Family Housing  | Single family residence  |

**SITE CONTEXT**

The subject property falls within the urban containment boundary of the Official Community Plan (OCP) and is located within the Winfield Ward of the District of Lake Country. The lot has frontage along Highway 97, Petrie Road, Robinson Road, and Pretty Road. Robinson Road bisects the parcel into two parts (Map 1). The OCP designates the western part of the subject property Urban Residential and the eastern part Tourist Commercial.

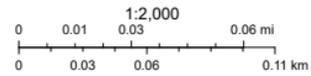
This development permit application focuses on the larger, eastern portion of the subject property fronting Highway 97, Petrie Road, and Robinson Road. The site is zoned as C9 - Tourist Commercial and is within the Multiple-Unit DPA. This area of the District along the Highway accommodates a mix of commercial and visitor facilities, recreation tourist accommodations, and retail stores.

### MAP 1: LOCATION MAP



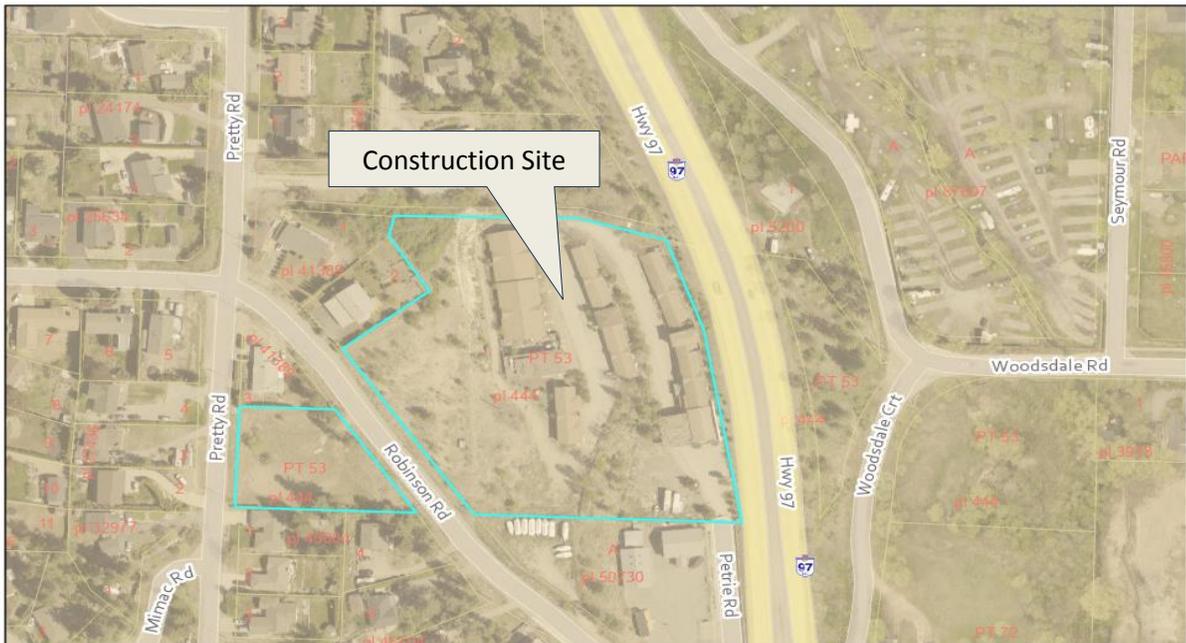
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- Building
- Easements
- Highway
- Parcels
- Streets
- Lake Country Boundary
- Street



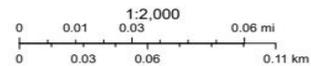
District of Lake Country Online Mapping System  
District of Lake Country

### MAP 2: ORTHOPHOTO AND DEVELOPMENT PERMIT AREAS



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- Multiple Unit Development Permit Area
- Easements
- Highway
- Parcels (On Ortho)
- Streets
- Lake Country Boundary
- Street



District of Lake Country Online Mapping System  
District of Lake Country



View from Robinson Road

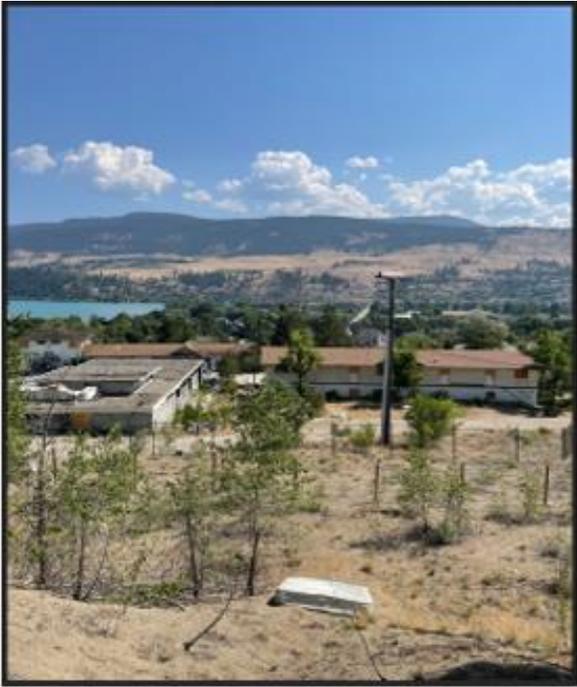


Photo 3: View from Robinson Road



Photo 4: Robinson Road Slope



Photo 5: 11491 Pretty Rd. backyard facing Robinson road



Photo 6: Site view from Robinson Road

View from Pretty Road



Photo 7: View from Pretty Rd.



Photo 8: View from 11474 Petrie Rd-West

**BUILDING RENDERINGS AND NEIGHBOURHOOD VIEWS**



Building 3000 from Robinson Road



View from Pretty Road



View from Pretty Road



View from Highway 97



Building 4000 west elevation view along Robinson Road



View from the backyard of 11491 Pretty Road

## TABLE 2: FILE CHRONOLOGY

| Date       | Event                                |
|------------|--------------------------------------|
| 2022-05-04 | Application Submission               |
| 2022-09-01 | Core Team Meeting                    |
| 2023-09-30 | External Referrals                   |
| 2023-12-11 | Comprehensive Letter Issued          |
| 2023-12-11 | Comprehensive Letter Response        |
| 2024-02-16 | Comprehensive Letter #2              |
| 2024-02-28 | Comprehensive Letter #2 Response     |
| 2024-08-08 | Revised Site Plan from the applicant |

## DISCUSSION/ANALYSIS

The developer proposes to redevelop the site of an abandoned commercial business located along the Highway 97 corridor. The proposal would increase the development density on the subject property by transitioning from low-rise to mid-rise building forms. The elevation of the property falls from west to east. To accommodate the proposed development, the significant regrading of the site would be required to construct the proposed buildings, driveways, and private open space. The development would also trigger significant off-site infrastructure improvements that would be secured prior to the issuance of Building Permits authorizing the proposed development.

The District's Housing Needs Assessment completed in 2023 projects the need for approximately 2,500 new residential units between 2021 and 2031, resulting in a target of 250 units per year. Between 2016 and 2021 the Housing Needs Assessment noted that approximately 980 residential units were constructed averaging 147 units per year. The need for residential housing, including rental, has outpaced supply. To meet the demand for additional

residential units triggered by population growth and the historic pace of development, the number of new residential units approved and constructed in the District will need to increase each year.

The developer proposes to manage the property as a long-term residential housing development. The proposal would meet the Zoning Bylaw definition of an apartment hotel, as the definition does not limit the length of stay for residents. Based on the proposed use, staff evaluated the development against the Multiple-Unit DPA.

#### **Official Community Plan: Multiple-Unit Development Permit Area (s.21.5)**

Staff reviewed OCP section 21.5 – Multiple-Unit DPA guidelines to evaluate this development proposal. The purpose of the Multiple-Unit DPA is to ensure multiple-unit residential development in Lake Country is built to a high aesthetic standard that enhances neighbourhoods and benefits the community.

The applicant proposes four six-storey multi-family buildings containing 364 units, a mix of studio, one- and two-bedroom units. The proposed site design responds to the natural landscape, which slopes down toward Petrie Road from Robinson Road. The proposed buildings incorporate ramps and landscape features across the site to connect Petrie Road and Robinson Road for vehicle and pedestrian access. The maximum height of the buildings is 6 storeys or 22m facing Petrie Road. To reduce the visual impacts on the houses located above the site, the proposed buildings have flat rooflines and fewer storeys facing Robinson Road. The landscape plan includes community gathering spaces in the central and north edges of the site plan. Outdoor seating spaces include a proposed pergola near the central ramp with overhead lighting for residents. The proposal is in accordance with the Multiple-Unit DPA guidelines.

#### **Zoning Bylaw 561, 2007**

As noted previously, the developer proposes to construct an apartment hotel that would function like a long-term rental development. The proposal would provide on-site vehicle parking spaces to comply with the bylaw requirement for apartment housing (508) instead of apartment hotel (364).

The C9 zone regulates development on the subject property. The development proposal proposes to vary the following four Zoning Bylaw regulations:

1. To vary the setback from Building 1000 to Highway 97 from 15 m to 14.1 m, a variance of 0.9 m (Attachment E.1)
  - Building 1000 is setback from Highway 97 by the approximate width of Petrie Road which terminates at the southeast corner of the subject property. Additionally, the site is separated from the highway by a grade change of approximately 2.0 metres. The proposed landscaping would screen the development from the highway corridor and comply with zoning regulations.
  - Staff supports the proposed variance.
2. To vary the setback from Building 4000 to Robinson Road from 6.0 m to 3.5 m, a variance of 1.5 m (Attachment E.1)
  - That portion of Building 4000 above grade complies with the yard setback to Robinson Road; however, the underground parkade would encroach into the setback.
  - The parking structure would not be visible from the street and the proposed landscaping plan would comply with the zoning regulations to screen development from the public realm.
  - Staff supports the proposed variance.
3. To vary the height of retaining walls from 1.5 m up to 9.66 m, a variance of 8.16 m (Attachment E.2)
  - The site slopes approximately 13.72 metres from Robinson Road to Petrie Road. The more intense redevelopment of the subject property would require significant regrading of the site resulting in over-height retaining walls near buildings, driveways, walkways, and associated infrastructure.
  - The proposed over-height retaining walls be constructed out of concrete blocks or cladded to match adjacent buildings and screened with landscaping that would meet the requirements of the DPA and the Zoning Bylaw.
  - Additionally, many of the over-height retaining walls are located internally on the site and not visible from the public realm.

- Staff supports the proposed variance.
4. To vary the daylighting standards for Building 1000 (south 2) from 65 degrees to 70 degrees (Attachment E.3)
- The sloping nature of the site and the proposed location of the parking structure would result in the southern portion of building 1000 exceeding the daylighting requirements of the Zoning Bylaw.
  - Staff supports the proposed variance.

### **Covenant to Secure Rental Tenure Housing**

The applicant voluntarily agreed to enter into a Land Title Act Section 219 covenant in favour of the District to ensure that the proposed development would provide long-term rental housing to the community for a period of 50 years. Securing long-term rental housing on the subject property would support the diversification of housing stock in the Lake Country, which is identified as a priority in the OCP (s.7.8) and the 2023 Housing Needs Report. Registration of the covenant would be a condition of the Development Permit.

### **APPLICABLE LEGISLATION, BYLAWS AND POLICIES**

- Local Government Act - Section 488 (1)(f)
- Official Community Plan – Section 21.5 Multiple-Unit DP Area Guidelines
- Zoning Bylaw 561, 2007 – Section 16.3.C9- Tourist Commercial
- Zoning Bylaw 561, 2007 – Section 7.11.1. Setback from Provincial Highways
- Zoning Bylaw 561, 2007 – Section 8.5 Fencing and Retaining Walls
- Zoning Bylaw 561, 2007 – Section 7.1 Daylight Standards

### **IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY**

The works and servicing requirements of the Subdivision and Development Servicing Bylaw are evaluated through the Building Permit process. Development in the C9 zone would require improvements including highways and walkways, sidewalks, curb and gutter, boulevards and landscaping, water distribution system, community sewer, storm sewer, sediment and erosion control, street lighting and underground utilities. In addition, pedestrian and cycling improvements to Petrie Road would be required in accordance with the Mobility Master Plan.

The District has completed a detailed design of the proposed water system upgrades required to support this development which can be delivered by the District in conjunction with planned transportation network and drainage system improvements on Robinson Road prior to issuance of Building Permits. The District will require a cash-in-lieu contribution from the developer for the detailed design and construction of the water system upgrades and property frontage improvements. Project delivery remains subject to Council approval, payment of the cash-in-lieu contribution by the developer and completion of a successful procurement process. Details of cash-in-lieu contribution and process will be determined in conjunction with an application for Building Permits.

### **FINANCIAL IMPLICATIONS**

None                       Budget Previously Approved     Other (see below)

### **CONSULTATION**

This application was referred to internal departments and external agencies. Comments received were provided and shared with the applicant through comprehensive letters.

### **COMMUNICATIONS**

Development Permit applications do not require public notification.

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

**OPTIONS**

The following options are presented for the Council’s consideration:

- A. THAT Development Permit with variances DP000819 (Attachment A to the Report to Council dated August 20, 2024) for the property at 11474 Petrie Road (Roll 02395000; PID 005-460-701) to allow for a residential development be approved.
- B. THAT Development Permit with variances DP000819 (Attachment A to the Report to Council dated August 20, 2024) for the property at 11474 Petrie Road (Roll 02395000; PID 005-460-701) to allow for a residential development not be approved.
- C. THAT Development Permit with variances DP000819 (Attachment A to the Report to Council dated August 20, 2024) for the property at 11474 Petrie Road (Roll 02395000; PID 005-460-701) to allow for a residential development be deferred pending receipt of additional information as identified by Council.

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

| Name                                     | Date Reviewed |
|--|---------------|
| Sid Smith, Senior Engineering Technician | 2024.08.16    |
|  |               |
|  |               |

Respectfully Submitted,  
 Brian Zurek RPP,  
 Manager of Planning and Development  
 Sheeja Vimalan, Planner

## Report Approval Details

|                      |  |
|----------------------|--|
| Document Title:      | Development Permit - DP000819 - 11474 Petrie Road.docx   |
| Attachments:         | <ul style="list-style-type: none"> <li>- Attachment A-DP000819-Draft Permit.pdf</li> <li>- Attachment B-DP000819-Multi Unit DPA Checklists.pdf</li> <li>- Attachment C-DP000819-Landscape Plan.pdf</li> <li>- Attachment D-DP000819-Site Plan and Building Elevations.pdf</li> <li>- Attachment E.1-DP000819-Bldg 1000-4000 variance.pdf</li> <li>- Attachment E.2-DP000819-Retaining Wall Schedule.pdf</li> <li>- Attachment E.3-DP000819-Bldg 1000 Daylight Standard Variance.pdf</li> </ul> |
| Final Approval Date: | Aug 29, 2024   |

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

**Brian Zurek, Manager of Planning - Aug 28, 2024 - 4:33 PM**

**Matthew Salmon, Infrastructure & Development Engineering Director - Aug 28, 2024 - 4:48 PM**

**Jeremy Frick, Director of Planning & Development - Aug 28, 2024 - 4:55 PM**

**Reyna Seabrook, Director of Corporate Services - Aug 28, 2024 - 7:46 PM**

**Paul Gipps, Chief Administrative Officer - Aug 29, 2024 - 7:50 AM**