

To: Mayor and Council
From: Paul Gipps, CAO
Prepared by: Trevor Empey, Senior Planner

Meeting Date: November 5, 2024
Meeting Type: Regular Council Meeting
Department: Planning and Development

Title: Rezoning Application | Z0000265 | 9850 Chase Rd.
Description: Rezoning from RR2 – Rural Residential to RU1 – Small Scale Multi Unit Housing

RECOMMENDATION

THAT Zoning Amendment (Z0000265) Bylaw 1242, 2024 be read a first, second, and third time;
 AND THAT prior to adoption, the District secure a road reserve covenant and associated right-of-way on title of the subject property to allow for future road network construction.

EXECUTIVE SUMMARY

An application has been submitted to rezone 9850 Chase Road (subject property) from RR2 – Rural Residential to RU1 – Small Scale Multi Unit Housing. As the future land use designation of the subject property is Urban Residential under the Official Community Plan (OCP), rezoning the subject property would be consistent with the future land use designation and would support achieving policy objectives under the OCP relative to housing, environment and growth.

If Council approves this rezoning application, the owner would be able to submit a subdivision application for review by the District of Lake Country; if subdivided, future development of the subject property could include single-family dwellings along with Small Scale Multi Unit Housing as permitted under the Zoning Bylaw.

Due to topographic constraints and the existing location of municipal road and service infrastructure, staff recommend that Council secure a road reserve covenant and associated right-of-way on the title of the subject property to allow for future development of adjacent parcels.

Consultation occurred in accordance with the Development Approval Procedures Bylaw 1227, 2024, with 35 residences within 100 metres of the property being consulted, notice letters, two newspaper ads and a notice sign. A public hearing for this application is prohibited as per the *Local Government Act* (LGA) s.464. Staff responded to all letter writers to provide feedback on their questions in relation to this application.

Staff support the proposed Zoning Bylaw amendment.

BACKGROUND

Property Information		
Application Type	Zoning Bylaw Amendment	Application Date: 2022-08-11
Variances	N/A	
Folio/Roll #:	10094.232	
PID & Legal Description	003-053-334 / LOT 2 SECTION 9&10 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP33960 TOWNSHIP 20	

Property Information			
Civic Address:	9850 Chase Rd.		
Applicant:	Macdonald Lakeshore Properties Ltd.	Owner:	Macdonald Lakeshore Properties Ltd.
OCP Designation:	Urban Residential		
Zoning Designation:	RR2 – Rural Residential		
Land Use Contract	N/A		
ALR:	N/A		
Parcel Size:	1.31 Hectares / 3.25 Acres		
Development Permit Area:	Natural Environment		
Water Supply:	Municipal		
Sewer:	Municipal		
Site Summary:	Zoning:	Use:	
	<i>North:</i> RR2 – Rural Residential	Residential	
	<i>East:</i> A1 – Agricultural	Agriculture	
	<i>South:</i> RU1 – Small Scale Multi Unit Housing	Residential	
	<i>West:</i> DC3 – Direct Control Lakestone	Vacant	

DISCUSSION/ANALYSIS

The subject property is located on Chase Road directly north of the Sage Glen Neighbourhood. Under the OCP, the future land use designation of the subject property is Urban Residential. Rezoning the subject property to RU1 – Small Scale Multi Unit Housing would be consistent with the future land use designation under the OCP and would support policy objectives under housing, growth, and environment sections of the OCP. Through subdivision of the subject property, future development could include single-family dwellings along with small-scale multiple housing which would permit up to four residential units, in various building forms, on future RU1-zoned parcels. For example, the proposed zoning would permit two single family dwellings, each with a suite, to be constructed on future parcels in the proposed development.

District staff are supportive of the proposed rezoning as it would be consistent with the OCP and would support more opportunities for residential development on a parcel this is located within the Urban Containment Boundary.

Future Road Network

The adjacent parcel west of the subject property is part of the Lakestone development. The developer is in discussion with District staff to plan the future phases of the residential subdivision. Due to topographic constraints and the location of the existing road network and municipal servicing, the opportunities to provide access to future phases of Lakestone and adjacent land to the north are limited. Should adjacent parcels require extension of municipal road or service infrastructure, staff recommend that Council require a covenant and associated right-of-way to be registered on title of the subject property as a condition of this rezoning application. The location and alignment of any future road on the subject property would be determined through a subdivision process.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other

COMMUNICATION

- This application was referred to internal departments and comments were provided and shared with the applicant through the Comprehensive Letter.
- The applicant installed on-site signage and District staff notified 35 residences within 100m of the subject property. Additionally, two newspaper advertisements were distributed through the Lake Country Calendar notifying the community of the rezoning application.
- The Applicant completed Neighbour Consultation and provided a summary of the consultation. The feedback received (five pieces of correspondence) focused on future traffic within the Sage Glen Neighbourhood, and beyond. Feedback was also received regarding what type of development the proposed RU1 zone would permit. Staff also responded to all inquiries.
- In accordance with *Local Government Act* (LGA) s.464, a public hearing is prohibited for this application.

ALTERNATE RECOMMENDATIONS

- A. THAT Zoning Amendment (Z0000265) Bylaw 1242, 2024 not be read and the file closed.
- B. THAT Zoning Amendment (Z0000265) Bylaw 1242, 2024 be deferred pending receipt of additional information as identified by Council.

Trevor Empey
Senior Planner, RPP, MCIP

Respectfully Submitted

Report Approval Details

Document Title:	Zoning Bylaw Amendment Z0000265 - 9850 Chase Road.docx
Attachments:	<ul style="list-style-type: none"> - Z0000265 - Attachment A Context Map.pdf - Z0000265 - Attachment B - Land Use Map.pdf - Z0000265 - Attachment C - Draft Bylaw 1242, 2024.pdf - Z0000265 - Attachment D - Zoning Comparison.pdf - Z0000265 - Attachment E - Land Use Analysis.pdf - Z0000265 - Attachment F - Neighbour Consultation.pdf
Final Approval Date:	Oct 30, 2024

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

Carie Liefke, Manager of Current Planning - Oct 25, 2024 - 3:27 PM

Brian Zurek, Manager of Planning - Oct 25, 2024 - 3:46 PM

Steven Gubbels, Development Engineering Manager - Oct 28, 2024 - 9:22 AM

Matthew Salmon, Infrastructure & Development Engineering Director - Oct 28, 2024 - 10:07 AM

Jeremy Frick, Director of Development Approvals - Oct 29, 2024 - 4:36 PM

Reyna Seabrook, Director of Corporate Services - Oct 29, 2024 - 6:41 PM

Paul Gipps, Chief Administrative Officer - Oct 30, 2024 - 8:59 AM