

To: Mayor and Council
From: Paul Gipps, CAO
Meeting Date: November 19, 2024
Meeting Type: Regular Council Meeting

Prepared by: Trevor Empey, Senior Planner
Department: Planning and Development

Title: Zoning Amendment | Z0000345 | 3223 Woodsdale Rd & 11437 Bottom Wood Lake Rd.
Description: For Council’s Information – Rezoning Application from C1 to CD15

RECOMMENDATION

For Information.

EXECUTIVE SUMMARY

Council approved rezoning application from C10 - Service Commercial to C1 - Town Centre Commercial for the 3223 Woodsdale (subject property) in July 2024. Since that Council date, subdivision has occurred where two parcels have been created that are zoned C1. This application would apply to both 3223 Woodsdale and 11437 Bottom Wood Lake Rd.

As an update to Council and to support feedback received from Council during the July 2, 2024 meeting, it is proposed to rezone the subject property from C1- Town Centre Commercial to a Comprehensive Development 15 Zone (CD15). The purpose of this rezoning application is to reduce the permitted principal uses under a new zone to be consistent with the Official Community Plan (OCP) which identifies that commercial growth in the Woodsdale is to be restricted to neighbourhood commercial, service commercial and tourist commercial only. Minor changes are proposed to the setback and landscaping requirements to match the applicant’s proposed development. No changes to the development and other applicable zoning regulations are proposed and these regulations would remain the same as the C-1 zone.

Staff will return to Council in December 2024 with a recommendation on this application after completion of the required public notices and applicant neighbour consultation. As this application would be consistent with the OCP, a Public Hearing is prohibited as per the *Local Government Act* s. 464(3).

BACKGROUND

Property Information			
Application Type	Rezoning	Application Date: July 2, 2024	
Folio/Roll #:	To be confirmed from Land Titles and Survey Authority BC		
Subdivision	3223 Woodsdale was subdivided on X date		
PID & Legal Description	032-357-834, LOT A DISTRICT LOT 169 OSOYOOS DIVISION YALE DISTRICT PLAN EPP139349 032-357-842, LOT B DISTRICT LOT 169 OSOYOOS DIVISION YALE DISTRICT PLAN EPP139349		
Civic Address:	3223 Woodsdale Road and 11437 Bottom Wood Lake Rd.		
Applicant:	NOvation Architecture Ltd.	Owner s:	0945725 BC Ltd.
OCP Designation:	Mixed Use Commercial		

Zoning Designation:	C1 - Town Centre Commercial	
Land Use Contract	N/A	
ALR:	N/A	
Parcel Size:	3223 Woodsdale: 0.6 Hectares / 1.5 Acres 11437 Bottom Wood Lake Rd: 0.5 Hectares / 1.24 acres	
Development Permit Areas:	Agricultural, Multiple Unit, Commercial	
Water Supply:	Municipal	
Sewer:	Municipal	
Site Summary:		
<i>North:</i>	RM5 – Medium Density Multiple Housing	High-Density Residential
<i>East:</i>	A1 – Agricultural	Single-family dwelling
<i>South:</i>	RM4 – Low Density Multiple Housing	High-Density Residential
<i>West:</i>	C2 – Neighbourhood Commercial	Mixed-use Commercial

ANALYSIS

The subject properties were rezoned from C10 - Service Commercial to C1 - Town Centre Commercial on July 2, 2024. During this Council meeting, Council provided feedback to staff that the permitted uses under the C1 Zone would be inconsistent with some policies under s.5.4 (Neighborhood Planning: Woodsdale) of the OCP. To support Council's feedback, staff reviewed the C1 - Town Centre zone and compared it to the C2 – Neighbourhood Commercial zone and drafted a new Comprehensive Development Zone for 3223 Woodsdale and 11437 Bottom Wood Lake Rd.

The proposed CD15 Zone would limit Principal and Secondary Uses to be focused to mixed use, neighbourhood services which would be consistent with the OCP and the uses existing on the subject properties. Minor changes are also proposed to the landscaping and setback development regulations for these parcels.

Attachment C shows a draft bylaw for the proposed CD15 Zone. Table 1 below provides an overview of proposed changes from the C1 to the CD15 zone. Note that some of the proposed regulations within the CD15 zone may be modified prior to the bylaw being presented to Council for readings.

Table 1: Overview of Proposed Zoning Changes

Criteria	C1 – Town Centre Commercial	CD15	Analysis
Uses	<ul style="list-style-type: none"> Zone permits a wide range of mixed commercial uses relative to government, financial, retail, entertainment, governmental, cultural and residential uses 	Zone would permit mixed use development including: <ul style="list-style-type: none"> commercial retail personal services financial services childcare services breweries and distilleries minor retail liquor store licensed and non-licensed food establishments offices public libraries residential apartment housing 	<ul style="list-style-type: none"> Reduction of permitted mixed uses to neighbourhood scale more consistent with OCP and the Woodsdale neighbourhood OCP policies
Setbacks	<ul style="list-style-type: none"> Smaller setbacks to encourage streetscape activation 	<ul style="list-style-type: none"> Setbacks would be minimum of 1.2m, except for interior side yard setbacks which would be 0.0m 	<ul style="list-style-type: none"> Ensures holistic development of the two subject properties Expanded setbacks to ensure some separation

			between residential parcels to south
Landscaping	Range from 2.0m to 3.0m	<ul style="list-style-type: none"> Range from minimum of 1.2m 2.0m – (Staff still evaluating) 	<ul style="list-style-type: none"> This is to provided flexibility on required landscaping which would depend on the setbacks the applicant chooses to develop under For example, the applicant could propose a larger side yard setback from the proposed min. of 1.2m and staff would want to ensure landscaping occurs between any vacant space between the property line and wall of a building

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

COMMUNICATION

As per the *Local Government Act* s.467 and the Development Approval Procedures Bylaw, staff will notify properties within 100m of the subject properties, two notice signs will be placed on the subject properties and two news ads will be placed in the Lake Country Calendar to notify the public of this application and that a public hearing is prohibited.

The applicant is also required to complete neighbour consultation as per the Approval Procedures Bylaw.

ALTERNATE RECOMMENDATION(S)

None for Council's consideration at this time

Respectfully Submitted,

Trevor Empey, Senior Planner

RPP,MCIP

Report Approval Details

Document Title:	Rezoning For Council's Information - Z0000345 - 3223 Woodsdale Rd and 11437 Bottom Wood Lake Rd.docx
Attachments:	- Attachment A-Z0000345-Context Map.pdf - Attachment B-Z0000345-Ortho Map.pdf - Attachment C-Z0000345-Draft Zoning Bylaw Final.pdf
Final Approval Date:	Nov 14, 2024

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

Carie Liefke, Manager of Current Planning - Nov 14, 2024 - 2:32 PM

Jeremy Frick, Director of Development Approvals - Nov 14, 2024 - 2:51 PM

Reyna Seabrook, Director of Corporate Services - Nov 14, 2024 - 2:52 PM

Paul Gipps, Chief Administrative Officer - Nov 14, 2024 - 2:53 PM