



Request for Decision Bylaw Amendment Application

File No: P 722 503
Reference: Bylaw No. 3130
Date: March 29, 2022

- Subject:** Bylaw No. 3130 (Windermere North / HGK Holdings Ltd)
Applicant: HGK Holdings Ltd.
Agent: Global Raymac Land Surveying (Adam Brash)
Location: Southwest corner of the intersection of Athalmer Rd. and Hwy 93/95
Legal: Lot 2, District Lot 9561, Kootenay District, Plan NEP19111 except Plans NEP81810, EPP6220, NEP91167 and NEP91752
- Proposal:** To amend the zoning designation of the HGK Holdings Ltd. property to give the owner a broader range of permitted uses for future development. The zoning designation is proposed to be amended from C-2, Service Commercial to C-1, Community Commercial.
- Options:**
- 1 THAT Bylaw No. 3130 cited as "Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 380, 2022 (Windermere North / HGK Holdings Ltd)" be introduced.
 3. THAT Bylaw No. 3130 cited as "Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 380, 2022 (Windermere North / HGK Holdings Ltd)" not proceed.
- Recommendation: Option 1**
The proposed zoning aligns with OCP's commercial objectives and policies. Minimum parcel size is not affected by the proposed bylaw amendment, therefore potential future density will not increase. Negative impacts are not anticipated.

Property Information: **Current OCP Designation:** C, General Commercial which supports local commercial uses intended primarily for local residents and the travelling public and commercial uses of a regional nature intended for a wide range of potential users.

OCP Objectives and Policies:

- Maintain commercial development in existing commercial nodes within the plan area.
- Support commercial recreation and tourism land uses within the plan area where it is compatible with adjacent land uses.
- Support commercial development that offers year round or high quality seasonally appropriate services for residents, visitors and the traveling public.

**Property
Information -
cont'd:**

- Except where otherwise noted, commercial development is generally directed to existing commercial nodes along Highway 93/95, Athalmer Road and the Windermere core.
- Commercial development along the Highway 93/95 corridor must be adequately screened and landscaped as per the development permit area guidelines found in Section 19.5.
- New commercial development in the Windermere north subarea is encouraged to be oriented towards regional commercial services.
- Developing design guidelines for commercial development along Athalmer Road in collaboration with the District of Invermere and the Shuswap Indian Band is encouraged.

Current Zone Designation: C-2, Service Commercial Zone (minimum parcel size: 555 m²)

Proposed Zone Designation: C-1, Community Commercial Zone (minimum parcel size: 555 m²)

Parcel Size: 3.1 ha (7.6 ac)

Density:

Existing: The parcel is currently vacant.

Proposed: No proposed change in density.

ALR Status: Not within the ALR

Interface Fire Hazard Rating: High, within the Windermere Rural fire protection area

BC Assessment: Business / Other (Vacant)

Water and Sewer Services: Community Water & Sewer

Flood Hazard Rating: N/A

**Professional
Studies:**

None

**Additional
Information:**

None

Consultation:

APC Areas F & G: Supported

Referral Agencies:

- **Interior Health Authority:** Interests Unaffected
- **Transportation & Infrastructure:** Supports the rezoning proposal.

The following has been noted:

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- That all commercial properties require a commercial access permit prior to operation; and,
- New property owners must apply for a new commercial access permit.

- **Environment:** Interests Unaffected
- **Ktunaxa Nation Council:** No comment to date
- **Shuswap Indian Band:** No comment to date
- **School District No. 6:** No comment to date
- **Telus:** Interests Unaffected

**Documents
Attached:**

- Bylaw
- Schedule A
- Location Map
- Land Use Map
- Zoning and OCP Designation Map
- Aerial Photo
- Proposal

**RDEK
Contact:**

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