
The subject property is within the Okanagan Falls Fire District, is serviced by community sewer and water is provided by Okanagan Falls Irrigation District and has been classified as “Residential” (Class 01) by BC Assessment.

Under the Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, the subject parcel is within the Okanagan Falls Primary Growth Area.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Town Centre (TC), and is the subject of Okanagan Falls Town Centre Development Permit (OFTCDP) Area designation.

Under the Electoral Area “D” Zoning Bylaw No. 2455, 2008, the property is currently zoned Okanagan Falls Town Centre (OFTC) which permits, among other uses, apartment buildings. The maximum density permitted is 100 dwelling units per hectare (which equates to 3 dwelling units within subject strata lots).

The OFTC zone has zero lot line setbacks for all property lines except those fronting Highway 97 where a 4.5 metre setback is required (coinciding with Ministry of Transportation and Infrastructure setback permit requirements).

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Skaha Lake

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

Analysis:

In considering this proposal, Administration notes that the subject site is in close proximity with Lions Park (immediate North), Kettle Valley Rail Trail (immediate West) and Kenyon Park (northeast), thereby mitigating the impact of reduced amenity space.

The Zoning Bylaw’s use of amenity space regulations is generally to provide efficient useable open space area, outside of setbacks and parking area, for recreational use of the residents of a dwelling unit.

In Town Centre area – provision of amenity space is more crucial as there is a need to ensure a sufficient amount of amenity space is provided to support recreational needs and access to outdoor space. In residential zones these types of uses are typically associated with a sufficient amount of outdoor amenity space (regulated by larger rear yard setbacks).

In this instance, Administration notes that the proposal to convert bottom commercial into residential units is consistent with the Electoral Area “D” OCP Bylaw, which promotes additional density in Okanagan Falls Town Centre.

While reviewing a variance, Administration will consider the proposed reduction (in amenity space in this instance) and its impact on the neighbourhood. In this instance, the reduction in amenity space itself is seen to be minimal (*required 50 m², provided 41 m²*) and the proximity of subject site to nearby parks and beach is seen to mitigate the reduced amenity space.

Administration also notes that building was constructed in late 90's, during which the provisions for amenity space were lenient and not strictly followed. It is important to note that no new structures are proposed through conversion of units, thereby limiting the applicant's ability to provide additional amenity space on an already developed lot. (*for eg. providing deck space is not an option on ground floor units*)

Conversely, Administration notes that there are options available to meet the bylaw provision for amenity space by converting parking spaces into outdoor recreation areas.

For these reasons, Administration supports the requested variances and is recommending approval.

Alternatives:

1. That the Board deny Development Variance Permit No. D2021.012-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "D" Advisory Planning Commission.

Respectfully submitted

R. Gadoya

Rushi Gadoya, Planning Technician

Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Google Streetview)

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