

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: February 18, 2021
RE: Zoning Bylaw Amendment – Electoral Area “D”

Administrative Recommendation:

THAT Bylaw No. 2455.45, 2021, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of March 18, 2021;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

Purpose: To subdivide bottom two commercial strata units into five residential units. Folio: D-00999.800

Owners: D.D. Thompson Life Insurance Agency Ltd Agent: Ryan Kononoff

Legal: Strata Lots 1 & 2, Plan KAS2687, DL 2883S, SDYD Civic: Unit 102 & 103, 850 Railway Lane

Zone: OK Falls Town Centre (OFTC) Proposed Zoning: OK Falls Town Centre Site Specific (OFTCs)

Proposed Development:

This applicant is seeking to amend the zoning of the subject property in order to allow for the conversion of commercial units into residential units.

In order to accomplish this, the applicant is proposing to amend the zoning of the property under the Electoral Area “D” Zoning Bylaw No. 2455, 2008, from Okanagan Falls Town Centre (OFTC) to Site Specific Okanagan Falls Town Centre (OFTCs). The site specific regulation will allow for the creation of five strata units (residential) by increasing the maximum density from 100 to 159 dwelling units per hectare on the subject parcel.

In support of the rezoning, the applicant has stated that “We would like to subdivide unit 102, and 103 (commercial units), into 5 residential units. Currently this is not permitted under OFTC Zone: Section 13.1.5. If we were allowed to make the proposed changes this would allow us to renovate, and improve 2 commercial units that have sat empty and unimproved for years. This would bring more life and business into Okanagan Falls region.”

Site Context:

The subject property is approximately 3,343 m² in area and is situated on the north side of Highway 97 and surrounded by Skaha Lake to the west. It is understood that the parcel is comprised of a mixed uses (Commercial at the base and Residential above).

The surrounding pattern of development is generally characterised by similar sized parcel zoned OFTC to the north and General Commercial (C1) zoned parcel to the east followed with parkland (Skaha Lake) to the east and Residential zoned lots (across Hwy 97) to the south.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 9, 2004, while available Regional District records indicate that building permit have not previously been issued for this property.

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.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any part of that School District. In this instance, School District No. 67 have been made aware of the proposed amendment bylaw.

Public Process:

On February 8, 2021, a Public Information Meeting (PIM) was held electronically and was attended by approximately 2 members of the public.

At its meeting of February 9, 2021, the Electoral Area “D” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

In considering this proposal, Administration notes that the application aligns with the goals of the Regional Growth Strategy (RGS) and Electoral Area “D” OCP Bylaw to promote additional density in the Okanagan Falls Town Centre.

In this instance, the proposed 5 units (with two lock-offs that are interconnected between the other two units) will have their own separate entrance from the exterior of the building with no part sharing the common hallway with commercial uses above. Further, the interconnected units will have fire rated doors (see Attachment 5) separating those units, thereby meeting Building’s requirement to treat them as independent units.

While reviewing a zoning amendment, Administration will consider the proposed “use” and “density” and its impact on the neighbourhood. In this instance, the use (residential) remains consistent (OFTC) however, the proposal does not meet the maximum density provision associated with OFTC and requires zoning amendment, to facilitate the subdivision.

Further, the proposed development (increased residential growth) in the Okanagan Falls Town Centre will promote a more compact urban form and a more complete community. The increased density will act as a catalyst to support for local businesses in the Town Centre, which indirectly contributes to both meeting housing needs, and supporting growth in Okanagan Falls.

Regarding parking space requirements, the applicant is proposing nine (9) parking spaces (*required five (5)*) for proposed residential units, which exceeds the parking provision requirement under Zoning Bylaw. In addition, the site is within walking distance of the neighbourhood parks and businesses located in the Okanagan Falls to promote alternative transportation (i.e. walking and cycling).

In response to the proposed reduction in amenity space (*required 50 m², provided 41 m²*), 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.

Conversely, Administration recognises that it is not generally considered good planning practice to allow “spot zoning” as this introduces discrepancies between permitted uses within a specific area.

Specifically, Okanagan Falls has historically demanded commercial services, which are key components of a more sustainable, and a complete Town Centre. With already limited market for local commercial services, the proposed conversion of (commercial) units into residential seems to aggravate this on going concern.

Alternatively, the lots are currently vacant and have not been utilised for commercial activities in the past. The proposed development would allow the efficient use of these unused lots.

In summary, Administration supports the proposed Zoning Bylaw amendments to enable conversion of commercial units into residential units within the Okanagan Falls Town Centre.

Alternatives:

1. THAT Bylaw No. 2455.45, 2021, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT Bylaw No. 2455.45, 2021, Electoral Area "D" Zoning Amendment Bylaw be deferred; or
3. THAT Bylaw No. 2455.45, 2021, Electoral Area "D" Zoning Amendment Bylaw be denied.

Respectfully submitted:

R. Gadoya

R. Gadoya, Planning Technician

Endorsed By:



C. Garrish, Planning Manager

- Attachments: No. 1 – Applicant’s Site Plan
No. 2 – Existing Floor Plan
No. 3 – Proposed Floor Plan
No. 4 – Floor Plan with Amenity Space
No. 5 – Site Photo

850 RAILWAY LANE APARTMENT CONVERSION DEVELOPMENT PERMIT PACKAGE

DEC 3, 2020



EXISTING BUILDING (SOUTH EXPOSURE)
ELEVATION PHOTO NOT TO SCALE



LOCATION MAP AND SITE PLAN
PLAN NOT TO SCALE

BUILDING INFORMATION	
CIVIL ADDRESS	850 RAILWAY LANE, OK FALLS, BC
LEGAL ADDRESS	Plan KAS2687, District Lot 28835
ZONING	OKANAGAN FALLS TOWN CENTRE ZONING (O-1C)
BUILDING DESCRIPTION	3 STORY MIXED USE (CURRENTLY COMMERCIAL MAIN FLOOR, RESIDENTIAL TWO UPPER FLOORS)
CONSTRUCTION	NON-COMBUSTIBLE
SPRINKLERED	NON-SPRINKLERED

PROJECT DESCRIPTION:

THE PROJECT INCLUDES THE RENOVATION OF THE TWO WESTERNMOST COMMERCIAL SUITES ON THE MAIN FLOOR. THE COMMERCIAL UNITS WILL BE CONVERTED INTO FIVE (5) RESIDENTIAL UNITS TO BE INCLUDED INTO THE EXISTING BUILDING STRAIA.

PARKING NOTES:

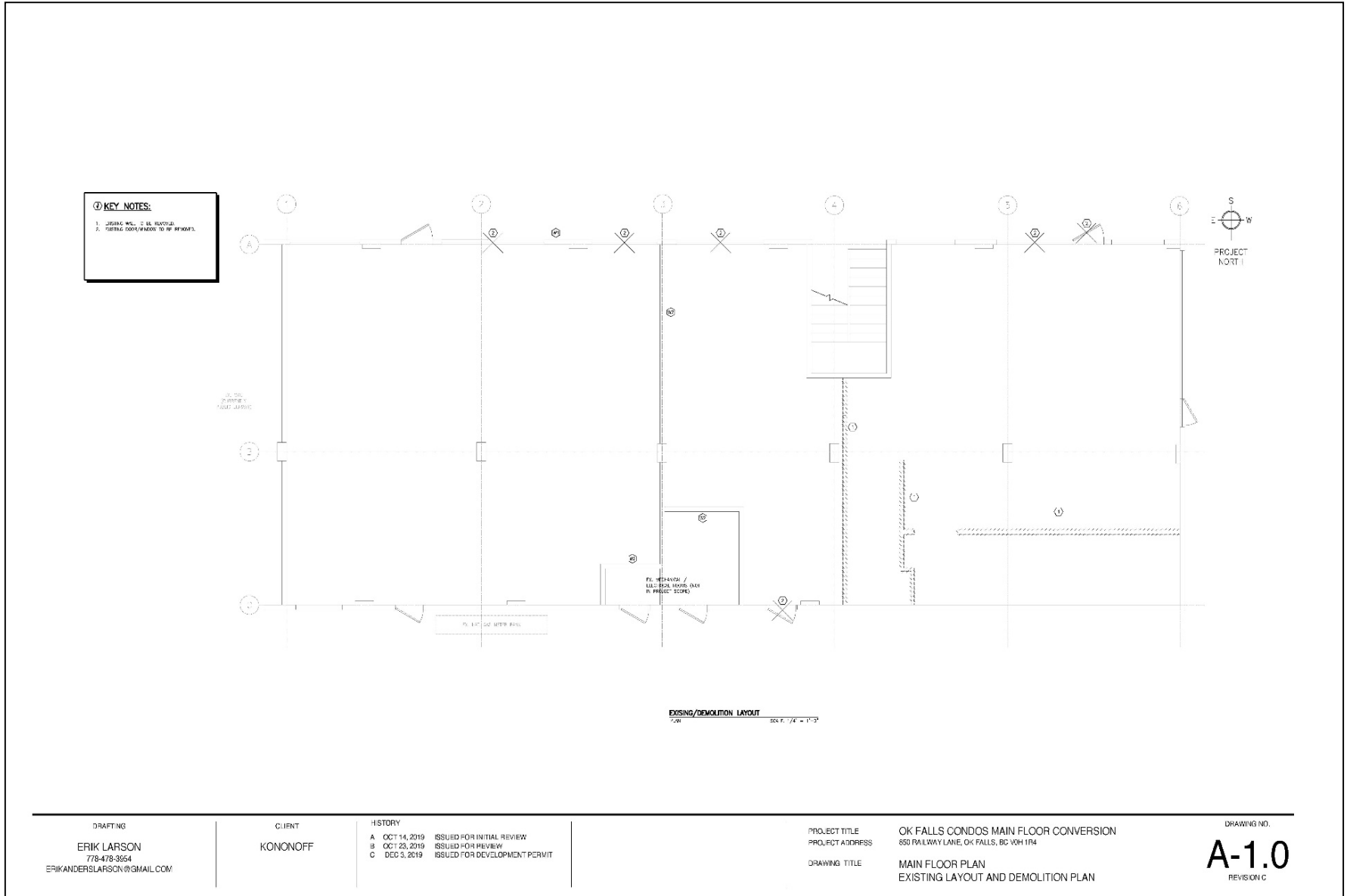
1.75 SPOTS/UNIT X 5 UNITS = 9 PARKING SPOTS
9 PARKING SPOTS ARE AVAILABLE FOR DEDICATION TO THESE 5 RESIDENTIAL UNITS.

DRAFTING	CLIENT	HISTORY
ERIK LARSON 778-478-3954 ERIKANDERSLARSON@GMAIL.COM	KONONOFF	A OCT 14, 2019 ISSUED FOR INITIAL REVIEW B OCT 28, 2019 ISSUED FOR REVIEW C DEC 3, 2019 ISSUED FOR DEVELOPMENT PERMIT

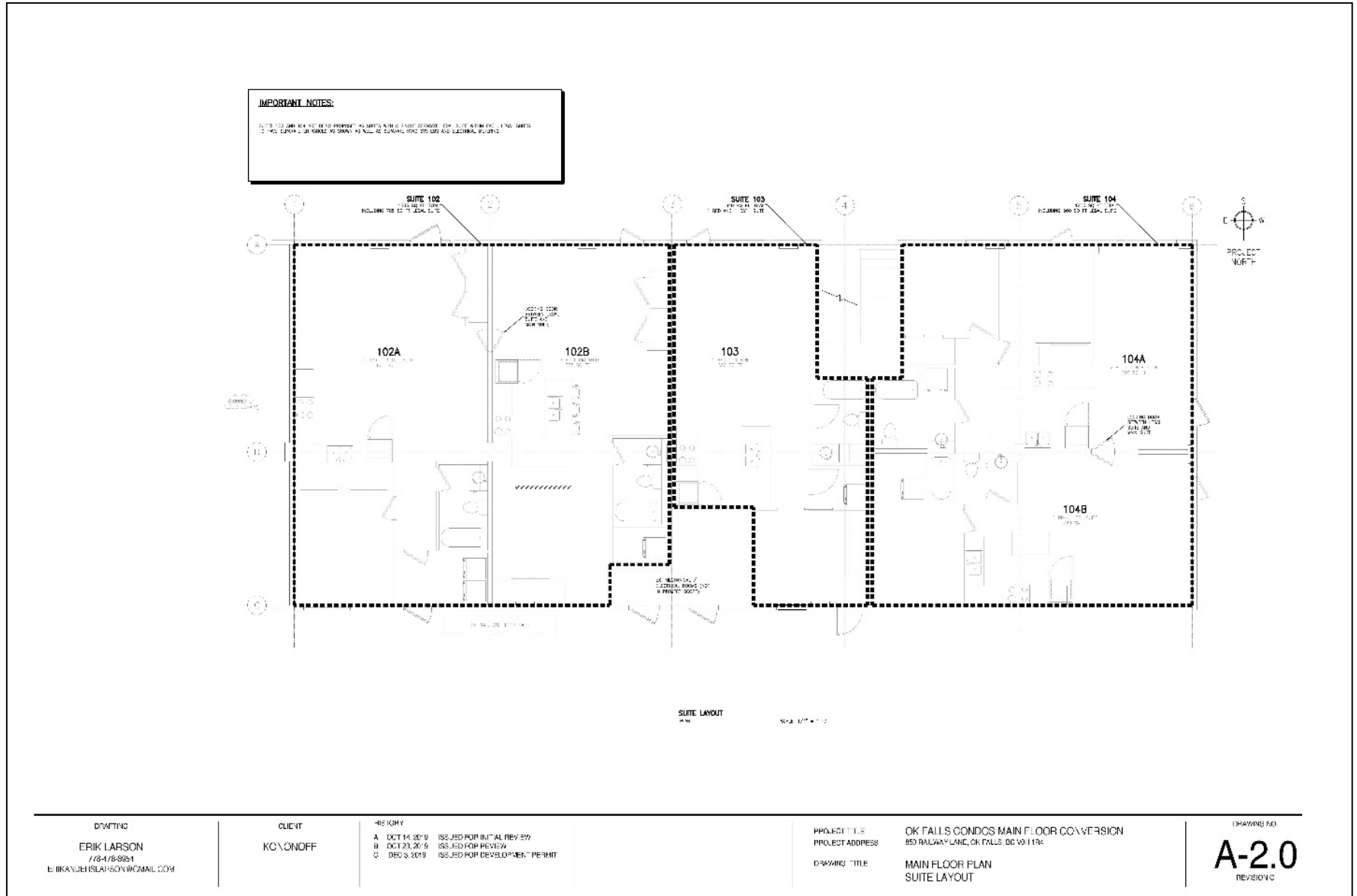
PROJECT TITLE	OK FALLS CONDOS MAIN FLOOR CONVERSION
PROJECT ADDRESS	850 RAILWAY LANE, OK FALLS, BC V0H 1R4
DRAWING TITLE	PROJECT INFORMATION

DRAWING NO.
A-0.0
REVISION C

Attachment No. 2 – Applicant’s Existing Floor Plans



Attachment No. 3 – Applicant’s Proposed Floor Plans

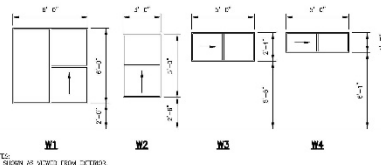


Attachment No. 4 – Applicant’s Proposed Floor Plans with Amenity Space

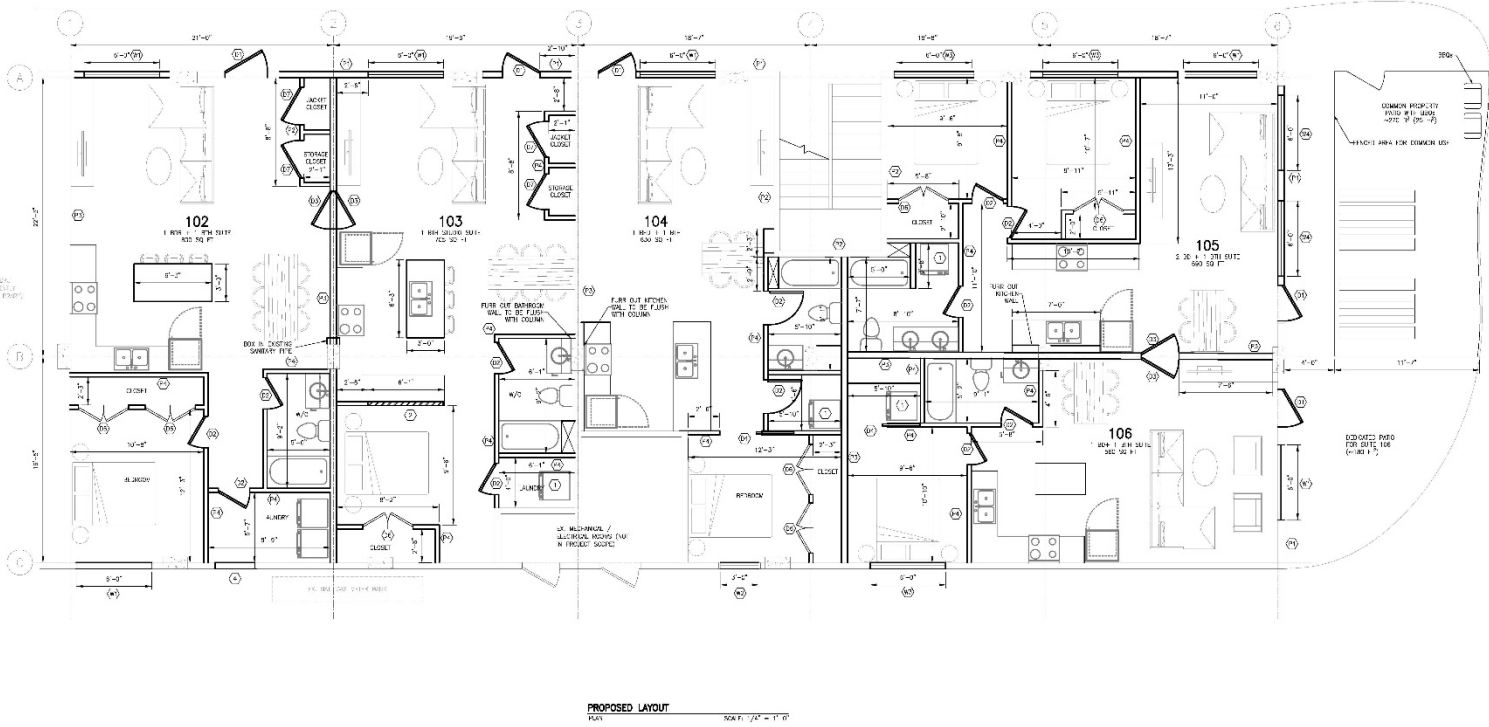
PARTITION SCHEDULE		
NO	TYPE	CONSTRUCTION
01	EXTERIOR BRICK WALL	1 HR -CRACK CONTROL -2"X4" @ 16" O.C. @ 11" O/C -NEW 8" HI. 1/2" INSULATION -NEW 8" HI. 1/2" INSULATION -NEW 8" HI. 1/2" INSULATION
02	EXTERIOR Gypsum BOARD	1 HR -1/2" GYPSUM BOARD -1/2" GYPSUM BOARD -1/2" GYPSUM BOARD
03	FRG. ACTG. INTERIOR PARTN. WALL	1 HR -1/2" GYPSUM BOARD -1/2" GYPSUM BOARD -1/2" GYPSUM BOARD
04	EXTERIOR PARTITION	-1/2" GYPSUM BOARD -1/2" GYPSUM BOARD -1/2" GYPSUM BOARD

DOOR SCHEDULE			
NO	TYPE	WIDTH	HEIGHT
01	OUTSIDE GLAZED FRONT ENTRANCE	36"	80"
02	INTERIOR	36"	80"
03	SLATE CONCEALING	36"	80"
04	MODULAR	36"	80"
05	PATRIOT SWEEP	36"	80"
06	INTERIOR CLOSET DOOR	36"	80"
07	INTERIOR CLOSET DOOR	36"	80"

WINDOW SCHEDULE				
NO	TYPE	QTY	WIDTH	HEIGHT
01	W/AL. INTERIOR GLAZED WINDOW	5	6'-0"	6'-0"
02	EXTERIOR GLAZED WINDOW	1	6'-0"	6'-0"
03	EXTERIOR GLAZED WINDOW	3	6'-0"	6'-0"
04	EXTERIOR GLAZED WINDOW	2	6'-0"	6'-0"



- KEY NOTES:**
1. EXTERIOR WALLS AND ROOF
 2. EXTERIOR PARTN. WALL
 3. 6'-0" HIGH WALL
- GENERAL NOTES:**
1. CEILING CEILING HEIGHT IS APPROX. 10'-0" FROM FIN. TO FINISH. LEAVE TO JURISDICTION OF APPLICANT.
 2. CONSTRUCTION TO BE COMPLETED ON SITE PRIOR TO ORDERING MATERIALS.
 3. FINISH CEILING HEIGHT AT 10'-0" A.T.E. PROVIDE ACCESS PANELS TO ALL HANGING CEILING FOR MAINT. ACCESS PANELS.
 4. REMOVE EXISTING DOOR AND MAKE GOOD BRICK WALL.



DRAFTING ERIK LARSON 778-478-3654 ERIKANDERSLARSON@GMAIL.COM	CLIENT KONONOFF	HISTORY A OCT 14, 2020 ISSUED FOR INITIAL REVIEW B OCT 23, 2020 ISSUED FOR REVIEW C DEC 3, 2020 ISSUED FOR DEVELOPMENT PERMIT D JAN 5, 2021 ISSUED FOR PRICING E JAN 21, 2021 REVISED FOR PRICING F JAN 27, 2021 REVISED WINDOW SCHEDULE	PROJECT TITLE OK FALLS CONDOS MAIN FLOOR CONVERSION PROJECT ADDRESS 850 RAILWAY LANE, OK FALLS, BC V0H 1R4 DRAWING TITLE MAIN FLOOR PLAN PROPOSED LAYOUT	DRAWING NO. A-2.1 REVISION F
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Attachment No. 5 – Site Photo (Google Streetview)

