

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 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 third time.

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:

On February 8, 2021, a Public Information Meeting (PIM) was held electronically and was attended by approximately one member of the public (as well as the applicant, two members of the Strata, and one member from Clearbridge Holdings Ltd.).

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

At its meeting of February 18, 2021, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur at the Board meeting of March 18, 2021.

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

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).

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 third reading of Bylaw No. 2455.45, 2021, Electoral Area "D" Zoning Amendment Bylaw be deferred; or
2. THAT first and second readings of Bylaw No. 2455.45, 2021, Electoral Area "D" Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

Respectfully submitted:

R. Gadoya

R.Gadoya, Planning Technician

Endorsed By:



C. Garrish, Planning Manager

Attachments: No. 1 – Applicant's Site Plan

No. 2 - Applicant's Floor Plan with Amenity Space

No. 3 – 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 2883S
ZONING	OKANAGAN FALLS TOWN CENTRE ZONE (OFC15)
BUILDING DESCRIPTION	3 STORY MIXED USE (CURRENTLY COMMERCIAL MAIN FLOOR, RESIDENTIAL TWO UPPER FLOORS)
CONSTRUCTION	NON-COMBUSTIBLE
SPRINKLERED	NON-SPRINKLERED

PROJECT DESCRIPTION:

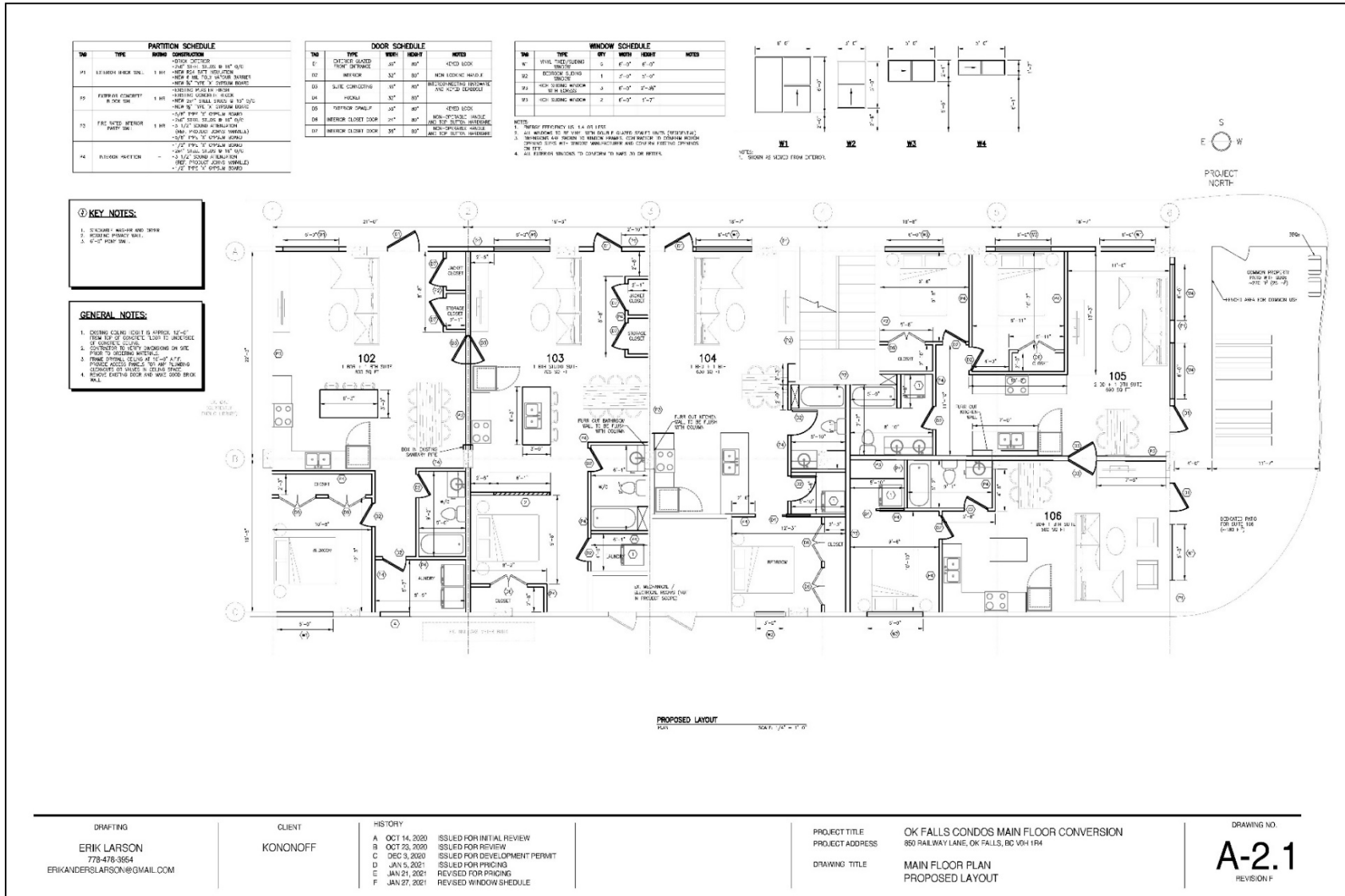
THE PROJECT INCLUDES THE RENOVATION OF THE TWO WESTERMOST COMMERCIAL SUITES ON THE MAIN FLOOR. THE COMMERCIAL UNITS WILL BE CONVERTED INTO FIVE (5) RESIDENTIAL UNITS TO BE INCLUDED INTO THE EXISTING BUILDING STRATA.

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 ERIK LARSON 778-478-3954 ERIKANDERSLARSON@GMAIL.COM	CLIENT KONONOFF	HISTORY A OCT 14, 2019 ISSUED FOR INITIAL REVIEW B OCT 23, 2019 ISSUED FOR REVIEW C DEC 3, 2019 ISSUED FOR DEVELOPMENT PERMIT	PROJECT TITLE OK FALLS CONDOS MAIN FLOOR CONVERSION	DRAWING NO. A-0.0 REVISION C
			PROJECT ADDRESS 850 RAILWAY LANE, OK FALLS, BC V0H 1R4	

Attachment No. 2 – Applicant’s Floor Plan with Amenity Space



Attachment No. 3 – Site Photo

