



TO: Regional Board of Directors
FROM: Director Taylor
DATE: February 27, 2024
RE: Public Hearing Report - Amendment Bylaw No. 2800.06, 2022

Purpose of Bylaw:

The proposed amendments to the Okanagan Valley Zoning Bylaw No. 2800.06, 2022, are related to a proposal to redevelop the property at 5356 8th Avenue in Okanagan Falls to a four-storey apartment building.

Public Hearing Overview:

The Public Hearing for Bylaw No. 2800.06, 2022 was convened on Tuesday, February 27, 2024, at 7:00 pm, at 1141 Cedar Street, Okanagan Falls (Okanagan Falls Recreation Centre).

Members of the Regional District staff present were:

- Shannon Duong, Planner II
- Colin Martin, Planner I

There were twenty-five (25) members of the public present.

In accordance with the Regional District’s *Public Notice Bylaw No. 2977, 2022*, the time and place of the public hearing was notified electronically as follows:

- by posting the notice on the Regional District’s website; and
- by distributing the notice through the Regional District’s email subscription service (VoyentAlert!) on February 8, 2024.

Copies of reports and correspondence received related to Bylaw No. 2800.06, 2022 were available for viewing at the Regional District office during the required posting period.

Pursuant to Section 464, 465 & 468 of the *Local Government Act*, Chair Taylor called the Public Hearing to order at 7:02 p.m. in order to consider the amendment bylaw.

Summary of Representations:

There were no written briefs submitted at the public hearing.

Chair Taylor called a first time for briefs and comments from the floor and noted that a binder is available which includes all written comments received to date and anyone wishing to review the comments could do so.

Shannon Duong, Planner, outlined the proposed bylaw.

Chair Taylor asked if anyone wished to speak to the proposed bylaw.

Bob Daly of 438 Eastside Road queried as to whether any subsequent consideration of development permits, building permits, and development variance permits would involve public engagement.

Further queried as to whether the development proposal could proceed as proposed.

Shannon Duong responded, noting that the development permit and building permit process do not include a public consultation component.

Explained the public consultation process in the development variance permit process.

Confirmed that, if the rezoning is successful, any development of the site would need to conform with the zoning requirements under the Okanagan Falls Town Centre (OFTC) Zone.

Randy Galbreath of 800 Railway Lane noted that they generally support the proposal, but has concerns regarding the 15.0 metre height allowance under the OFTC Zone. Queried as to whether the proposal, as long as it was under 15.0 metres, could proceed with no additional public consultation.

Shannon Duong confirmed that the proposal could proceed as long as it met the zoning provisions.

Further noted the existence of numerous properties in the vicinity which already have the OFTC zoning, which would permit the construction of buildings up to 15.0 metres in height.

Randy Galbreath noted that those properties are not currently developed to that maximum height allowance.

Further queried about the Streamside Protection and Enhancement Area (SPEA), how it is calculated (i.e., from the high water mark, or otherwise), and whether the proposed 7.0 metre wide walkway area is included in the 30.0 metre SPEA.

Shannon Duong clarified that the SPEA would be calculated from the natural boundary of Skaha Lake, and confirmed that the 7.0 metre walkway would be included in the 30.0 metre SPEA.

General discussion regarding the proposed walkway.

Randy Galbreath expressed concerns about the capacity of the fire department to fight fires as it relates to four-storey buildings.

Further queried whether road upgrades would be required to facilitate the proposed development.

Shannon Duong clarified that roads are regulated under the authority of the Ministry of Transportation and Infrastructure, and as a result, they cannot provide confirmation on what the Ministry would require.

Allison Symons of 4400 McLean Creek Rd queried about parking and whether the proposal meets the parking requirements under the Zoning Bylaw. Expressed concerns regarding visitor parking, and spaces provided for park use being utilized as overflow by visitors to the property.

Shannon Duong confirmed that the site plans provided indicated a sufficient number of parking spaces required under the Zoning Bylaw.

Further noted that visitor parking is not required under the Zoning Bylaw, though a developer could provide such spaces on their own volition.

Further noted that where parking requirements cannot be met, the developer would have the ability to apply for a variance, which involves discretionary approval.

Ruth-Ann Gullin of 1410 Cedar St expressed concerns about the development as it is currently described on the application webpage, noting that the proposal involves a five-storey building (being four storeys of residences atop a ground floor parkade) as opposed to four.

Further expressed concerns about the impacts of the proposed development on views, noting the existing three-storey buildings nearby.

Further expressed concerns regarding removal of recreational opportunities and replacement with luxury condominiums as opposed to a development which would provide residential opportunities for the middle class.

Expressed further concerns regarding water capacity and whether the proposal would further strain the system and impose costs onto the community.

Spoke to older demographic in the area and whether the proposal is appealing to tourists or young families, noting that younger families contribute more to the local economy.

Brent Schleppe of 640 Main St indicated that they support development in the community, but expressed concerns regarding water treatment and water quality, referencing current boil water advisories.

Queried as to whether the ability to accommodate additional growth within the Town Centre area, as noted in the Official Community Plan, took into consideration servicing capacity.

Further queried as to whether the dock will be included in the License of Occupation transfer.

Shannon Duong generally discussed how growth management is examined during an Official Community Plan review process, including assessment of growth capacity. Noted uncertainty of the extent to which water and sewer servicing capacity was integrated into the review.

Brent Schleppe queried about what deficiencies were identified as it relates to servicing.

Shannon Duong noted that they were unsure of the specific deficiencies; however, these have been identified by CTQ Consultants in their previously submitted System Capacity Assessment and RDOS Utilities staff.

Clarified that the dock would not be included as part of the License of Occupation transfer.

Nick Minchin of 1840 Oliver Ranch Rd expressed support for the proposed bylaw, and indicated that they would prefer larger development.

Ruth-Ann Gullin echoed previous concerns regarding parking in the area, referencing issues particularly after acquisition of Christie Memorial Park. Noted issues of parking on Cedar Street, Maple Street, and Oliver Ranch Road. Expressed importance of working with the Ministry of Transportation and Infrastructure to enforce parking which is occurring in the road reserves.

Annalise Toporowski of 718 Main St expressed support for the proposed bylaw.

Chair Taylor asked a second time if there was anyone who wished to speak further to the proposed bylaw.

Chair Taylor asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 7:41 p.m.

Recorded by:



Shannon Duong
Planner II

Confirmed:



Colin Martin
Planner I

Confirmed:



Matt Taylor
Chair