

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: B. Newell, Chief Administrative Officer
DATE: December 14, 2021
RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “D”

Purpose: to permit mini-storage and outdoor storage use on the property. Folio: D-01110.100

Civic: 1830 Alba Road Legal: Lot 1, Plan KAP87398, District Lot 10, SDYD

OCP: Low Density Residential (LR) Zone: Low Density Residential Duplex Site Specific (RD1s)

Proposed OCP: [no change] Proposed Zone: Alba Road Comprehensive Development (CD12)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to permit mini-storage and outdoor storage use on the property.

In order to accomplish this, the following land use bylaw amendments are being proposed by the applicant:

- amend the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603.22, 2021, by adding a new Section 11.3.11 (Policies – Residential) under Section 11.0 (Residential).
- amend the zoning under Schedule ‘2’ (Zoning Map) of the Electoral Area “D” Zoning Bylaw No. 2455.49, 2021, from Low Density Residential Duplex Site Specific (RD1s) Alba Road Comprehensive Development (CD12) Zone.

In support of the rezoning, the applicant has stated that “The property is currently underutilized and cannot be developed for its intended residential use due to the inability of the Okanagan Falls Irrigation District to provide water. The proposed land use is an appropriate interim use for the land considering the proposed land use does not require water or sewer service. The proposed caretaker dwelling can utilize the existing well for potable water.”

Site Context:

The subject property is approximately 4.04 ha in area and is situated on the west side of Highway 97, accessed from Alba Road. It is understood that the parcel is comprised of two dwellings and a workshop/barn.

The surrounding pattern of development is generally characterised by industrial land on the east side of Highway 97, agricultural lands to the northwest and west of the property, and rural residential parcels to the north and southeast

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 28, 2008, while available Regional District records indicate that building permits have not previously been issued for this property.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603.22, 2021, the subject property is currently designated Low Density Residential (LR), and is subject to an Environmentally Sensitive Development Permit (ESDP) Area Designation.

Under the Electoral Area “D” Zoning Bylaw No. 2455.49, 2021, the property is currently zoned Low Density Residential Duplex Site Specific (RD1s) which does not list mini-storage or outdoor storage as permitted uses.

While the property is within the boundaries of the Okanagan Falls Primary Growth Area under the South Okanagan Regional Growth Strategy Bylaw and Electoral Area “D” Official Community Plan (OCP) Bylaw, and is within the Okanagan Falls Sanitary Sewer System Service Area, it is not within the Okanagan Falls Irrigation District (OFID) water service area. In 2021, the OFID advised that it would not be able to provide water service to the subject property without significant upgrades to its system infrastructure.

The property is located within a designated primary growth area in The South Okanagan Regional Growth Strategy (RGS) and has been classified as “Residential” (Class 01) by BC Assessment.

Analysis:

In considering this proposal, Administration notes that mini-storage and outdoor storage uses are typically found in industrial zones and that the Electoral Area “D” OCP directs industrial uses to the areas designated as Industrial at Okanagan Falls on the land use map; and discourages industrial uses outside of this area.

The OCP further states that re-designation or rezoning of land to permit industrial uses will only be allowed if certain criteria are met such as ensuring that the location of the development will not have a negative impact on the quality of life of existing residents.

In this instance, Administration is concerned that the storage use on the subject property represents:

- an extension of industrial uses to a location that is physically dis-contiguous from the Okanagan Falls industrial area;
- undermines the viability of the existing Okanagan Falls industrial area for such uses;
- is at cross-purposes with the current residential designation of the subject property and the reason it was included in the Okanagan Falls Growth Area under the RGS Bylaw; and
- will result in an industrial use being situated on a visually prominent transportation corridor that informs many visitor and resident impressions of the community.

Administration is aware of the issues surrounding the provision of water to the site by the Irrigation District, and understands that these are not insurmountable, but may be cost prohibitive.

Administration does not consider this to be sufficient rationale to abandon the future residential development of this property in favour of an industrial use.

On this latter point, Administration notes that the applicant is proposing that the storage uses will be “temporary” in nature, however, the Regional District would have no ability to compel the property owner to pursue residential development once the CD zone is in place. While the structures used for

storage may be “temporary” the length of time under which the storage use may take place may not be so temporary.

Conversely, it is recognized that the challenges of providing water to the property are significant and likely preclude it from residential development in the short-term.

It is further recognized that the applicant has indicated that the long-term plan is to re-develop to residential and that the proposed storage use is a temporary interim step until servicing issues can be resolved.

In support of this, they have committed to only developing the site with structures that are easily removable (i.e. metal storage containers) with the only permanent structure being a caretaker residence. This will help ensure the storage use causes limited long term effects to the land. Further, fencing and buffering is proposed in an effort to mitigate unattractive views.

The proposed land use bylaw changes would allow the property to retain its residential OCP designation with the OCP amended to indicate that the proposed storage use on the property could occur notwithstanding the residential OCP designation. In the future, when the land is redeveloped, the CD12 zone should be replaced with the RD1s zone again.

Summary:

In summary, Administration does not support storage use on the subject property as it does not meet the intent of the OCP and is not seen to be an appropriate use of residential land.

Administrative Recommendation:

THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

Options:

1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved with the following conditions:
 - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

Respectfully submitted:



Fiona Titley

Endorsed By:

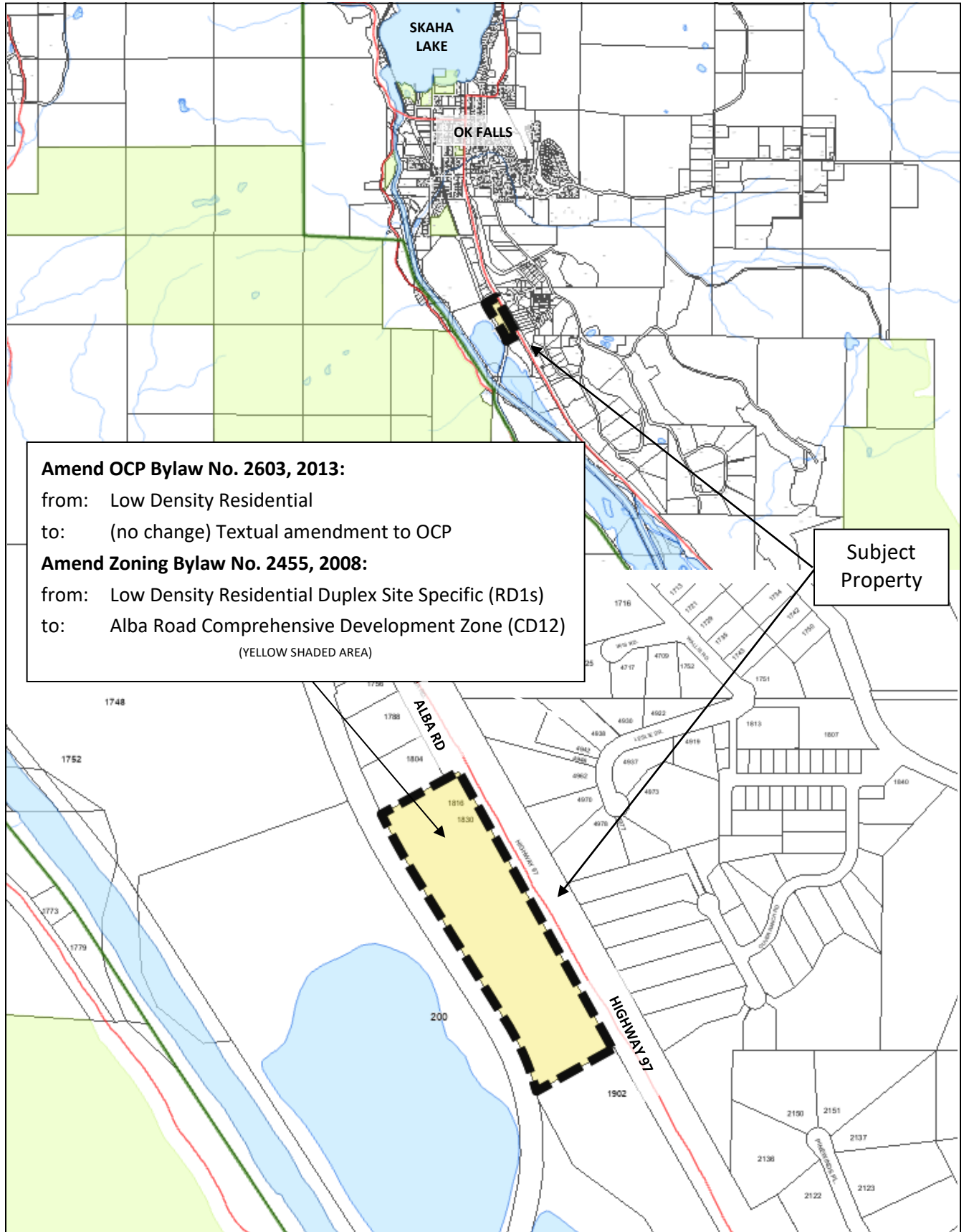


C. Garrish, Planning Manager

Attachments:

- No. 1 – Context Maps
- No. 2 – Applicant’s Site Plan
- No. 3 – Site Photo (Google Streetview)
- No. 4 – Site Photo (2014)

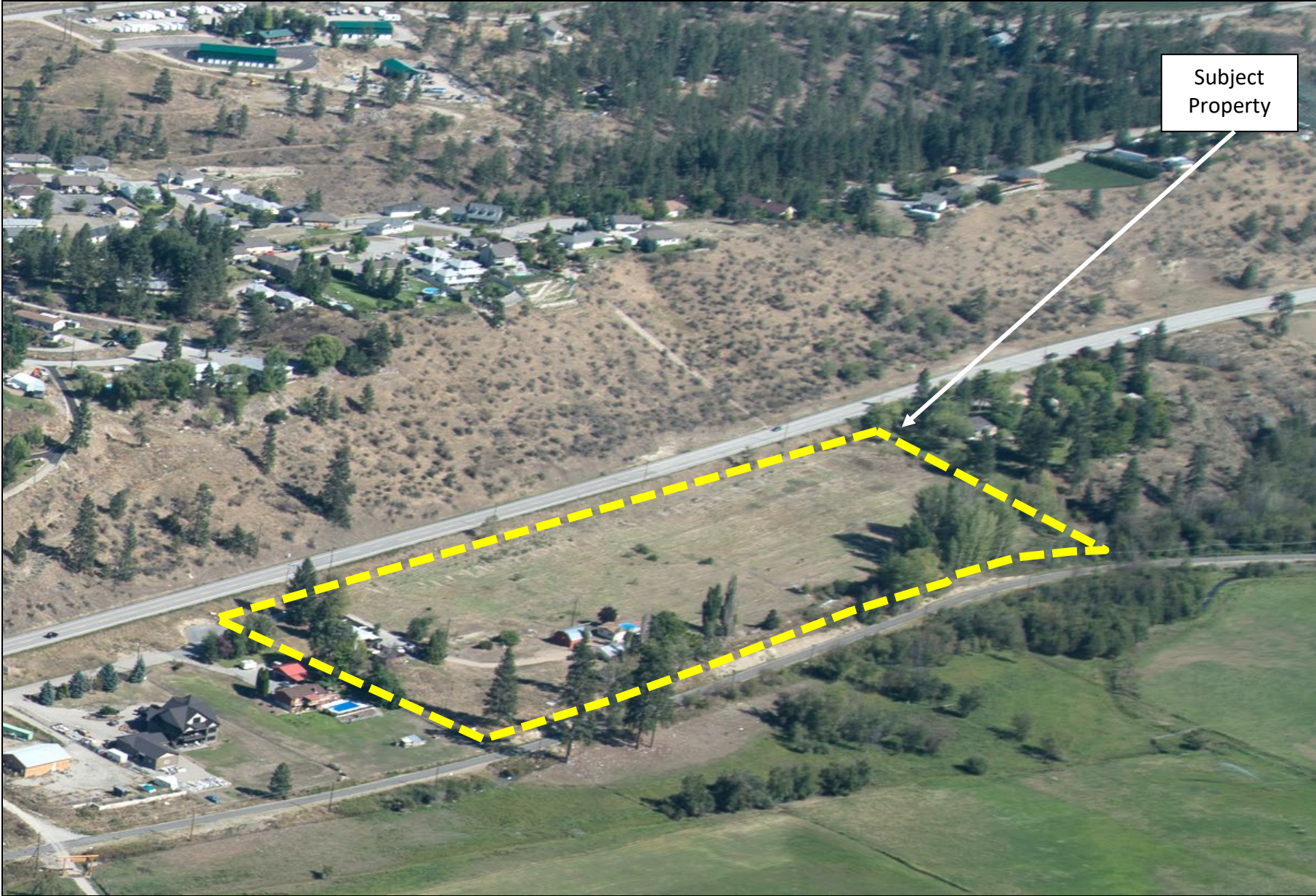
Attachment No. 1 – Context Maps



Attachment No. 3 – Site Photo (Google Streetview)



Attachment No. 4 – Site Photo (2014)



Subject
Property