

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: June 7, 2018
RE: Temporary Use Permit & Development Permit Applications — Electoral Area “D”

Administrative Recommendation:

**THAT the Board of Directors approve Temporary Use Permit No. D2018.054-TUP;
AND THAT the Board of Directors approve Development Permit No. D2018.072-DP.**

Purpose: To allow for the construction of ground floor multi-dwelling units.

Owner: South Skaha Housing Society Applicant: Greyback Construction Folio: D-000998.010

Civic: 5080 Hwy 97, OK Falls Legal: Lot 1, DL 374, SDYD, Plan 12558

OCP: Commercial (C) Zoning: Okanagan Falls Town Centre Zone (C4)

Proposal:

This application seeks approval to allow construction of ground floor multiple dwelling units as part of a 26 unit seniors’ multi-family housing project.

The current Okanagan Falls Town Centre (C4) Zone requires that commercial uses occur on the ground floor (at street level) and that residential uses occur either above or to the rear of the same building, whereas the applicant is proposing a stand alone multi-family residential building.

As the funding timelines are tight, a Temporary Use Permit will provide assurances that the use is permitted until such time the OK Falls Town Centre Plan’s recommendations are implemented, which includes allowing for strictly multi-family residential buildings in the Town Centre Zone.

The proposal also includes the number of required parking stalls to be reduced to 29 (26 regular and 3 handicap-1.07 stalls per unit). The required amount under the zoning bylaw would be 46 stalls (1.75 stalls per unit).

This report also addresses the current requirement of an OK Falls Commercial Development Permit also how the proposal meets the proposed (but not yet implemented) OK Falls Town Centre Development Permit guidelines.

Site Context:

The subject parcel is approximately 0.50 ha in area and is situated between Highway 97 (Ninth Ave) to the south and Eighth Ave to the north, and is located approximately 65 m west of the Hwy 97 ninety degree turn in the OK Falls townsite. It is locally known as the old flea market site.

The property is currently vacant. The surrounding pattern of development is characterised by commercial tourist type development to the east and north west, with residential lots and an RV park to the north. Along Highway 97, there is highway commercial uses to the west and south.

Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on September 13, 1962, and has been vacant for a number of years but was historically used as a weekend flea market site.

Under the Electoral Area “D-2” Zoning Bylaw No. 2455, 2008, the property is currently zoned Town Centre (C4) which does permit multiple unit dwellings; however, they must be located above or to the rear of a commercial use and within the same building.

Under the Electoral Area “D-2” Official Community Plan (OCP) Bylaw No. 2603, 2008, the property is designated Commercial (C) and is also the subject of a Commercial Development Permit Area designation.

At its meeting of December 7, 2017, the Board accepted the Okanagan Falls Town Centre Plan. This Plan was the result of several years of community input and design studies. The Town Centre Plan contains Form and Character Design Guidelines for new buildings within the Town Centre area and encourages development of multi-family dwelling residential buildings in the core area of OK Falls.

Implementation of the Town Centre Plan (TCP) includes amending the Electoral Area “D-2” Official Community Plan (OCP) and to amend the Zoning Bylaw to reflect the new directions and policies of the TCP.

The South Skaha Housing Society is a non-profit organization based in Okanagan Falls whose goal is to support and facilitate affordable housing in the South Skaha region. A partnership between BC Housing, the Provincial government and the society has enabled the construction of the OK Falls Senior’s housing project on the subject property.

Regarding water, sewer and other Infrastructure requirements, these will need to be met prior to a Building Permit issuance. It is anticipated that through the Okanagan Falls Irrigation District (OFID), a 200 mm water main will be constructed from Cedar to Main Street; and as part of connecting to the Regional District sanitary sewer system, construction of a new sanitary main pipe from Main Street to the subject property will be needed to meet the Subdivision Servicing Bylaw No. 2000, 2002.

A pedestrian access right-of-way of four metres is shown on the site plan and will need to be secured to the Regional District prior to issuance of the Building Permit. A pedestrian walkway along 8th Avenue from the subject property to Cedar Street is also recommended as part of the Town Centre Plan and is recommended for inclusion in the infrastructure servicing agreement.

Public Process:

A Public Information Meeting was held prior to the APC meeting on May 8, 2018, and twelve (12) members of the public attended.

At its meeting of May 8, 2018, the Electoral Area “D” Advisory Planning Commission (APC) made a motion to recommend that the RDOS Board approve the subject application.

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.

In accordance with Section 2.5 of Schedule ‘5’ of the Development Procedures Bylaw, this proposal has been referred to the external agencies listed at Attachment No. 1. To date, comments have been

received from Interior Health Authority, Ministry of Transportation and Infrastructure, Penticton Indian Band, and OK Falls Irrigation District, and are included as a separate item on the Agenda.

Analysis:

Temporary Use Permit (D2018.054-TUP):

Temporary Use Permits may be considered by the Regional Board to allow specific land uses to occur for a period of time. The Permit can contain very detailed requirements such as indicating the buildings to be used, timeframe of the permit and may include other conditions such as compatibility with adjacent uses.

The following criteria are to be used when evaluating a TUP application: use is to be clearly temporary or seasonal in nature; compatibility with adjacent uses; impact on natural environment; intensity of use; opportunity to conduct proposed use elsewhere in the community; and, any remedial measures to mitigate damage to the natural environment.

- In this case, the proposed use (residential) is temporary until such time that the Town Centre Plan's recommendations will be implemented. It is anticipated that the new zoning bylaw will be in place later this year or early in 2019.
- The proposed use is situated in an area close to amenities and in an area where there are other multi storey residential buildings.
- The subject property is not within a designated Environmentally Sensitive Development Permit Area, nor within an important ecosystem area.
- The proposed three storey building is to be located along the 8th Avenue side of the subject property and would not be seen as excessive increase in density or use.
- There are very few large vacant properties within the OK Falls townsite area that could accommodate the proposed use. Larger properties outside the town centre area may not have the community water and sewer infrastructure required for servicing.
- No remedial measures are anticipated; however, the project will include additional landscaping as provided for on the submitted plans.

In summary, Administration supports the proposed Temporary Use Permit.

Commercial Development Permit (D2018.072-DP):

The subject property is identified as being within the OK Falls Commercial Development Permit area, and has been assessed against the form and character guidelines outlined in the OCP. The Commercial Development Permit is designated over the main commercial core area and encourages the commercial area to develop as a pedestrian oriented, vibrant hub of mixed use commercial and residential land uses. Future development should be harmonious and in keeping with the current scale of the commercial area but higher density development should be accommodated.

The proposal is seen to substantially meet the current Development Permit guidelines regarding buildings, signage, access and parking, screening, landscaping and amenities, and lighting.

The proposal has also been reviewed against the proposed Okanagan Falls Town Centre Development Permit, that forms part of the recently completed Town Centre Plan, although the guidelines have not yet been incorporated into the Area "D" OCP.

Proposed Okanagan Town Centre Development Permit

The Form and Character in the OK Falls Town Centre Plan for multi-dwelling residential buildings, screening and landscaping are assessed below:

Built Form:

The north south siting meets the goals of the TCP in order to optimize sunlight and views to the lake.

The proposed façade will be made of recommended materials including stucco, metal panel and wood siding in a neutral grey colour scheme. The elevations are articulated to reduce the scale and feel of the building through using bay windows and variety of façade materials. The individual units will be accessed from the interior of the building, therefore ground floor units will not have separate outdoor access.

The building will be raised above adjacent grade level to provide a clear separation between public and private space.

Access and Parking:

Access for parking will be off Eighth Avenue and located on the east side of the building with 29 stalls proposed, 26 regular and 3 handicap. The 29 proposed parking stalls falls short of the required 46 required under the Electoral Area Zoning Bylaw, that states 1.75 stalls per unit is required for multi-dwelling residential. However, other jurisdictions commonly reduce the parking requirement for seniors and non-profit housing apartments. Given the housing complex is designed for seniors, the required number of vehicles per unit outlined in the zoning bylaw can be seen to be higher than other multiple dwelling type units. In comparison, the City of Penticton requires only 1 stall per unit, plus 0.25 for visitor parking for apartments and townhouses; and the District of Summerland requires one stall per unit in the Central Business zone for multi-family units.

The site plan shows that a dedicated 4 metre pedestrian pathway along the west side that will link a walkway from Highway 97 to 8th Ave, and this is indicated as a desirable connection in the OK Falls TCP. Although this connection is desired in the future, it is recommended that the 4.0 metre right-of-way be provided to the RDOS, but that the construction of the pathway be determined at a later date in consultation with the Recreation and Parks commission.

The second desirable pedestrian pathway recommended in the TCP is along 8th Ave. As the water and sewer infrastructure will be serviced from 8th Ave, within the MOTI right of way, the developer may be able to construct a paved pathway within the MOTI right of way at the same time as construction of these mains but still needs to be confirmed. Both these pedestrian pathways will require securing appropriate tenure (through right of way or agreement with MoTI) and will be conditional of final approval of the TUP.

The parking plan also provides for bike and scooter parking. There is no parking proposed between 8th Ave and the north side of the building which conforms to the Town Centre plan guidelines.

Screening and Landscaping:

A professional landscaping plan has been provided that indicates landscaping in the form of perennials, grasses, shrubs and trees will be planted throughout the site. All four sides of the site will have landscaping including new trees on the north, west and east sides. The garbage containers are shown as being contained within a screened area.

The RDOS will need a landscaping security as a condition of the development permit approval, based on 115% of the estimated costs of landscaping. The security deposit remains in place until the Regional District is satisfied that the conditions for the development permit have been met.

In summary, Administration supports the proposed temporary use because it reflects the desires of the Town Centre Plan directing medium density residential in the downtown area. Administration also recognizes the need for seniors housing in OK Falls and the work of all the partners involved in having this project completed.

Administration also supports the issuance of the Commercial Development Permit.

Alternative:

THAT the Board of Directors deny Temporary Use Permit No. D2018.054-TUP and Development Permit No. D2018.072-DP.

Respectfully submitted:



E. Riechert, Planner

Endorsed by:



C. Garrish, Planning Supervisor

Endorsed by:



B. Dollevoet, Dev. Services Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Aerial Photo (2014)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , prior to Board consideration of TUP No. D2018.054-TUP:

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input type="checkbox"/>	City of Penticton
<input checked="" type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Community, Sport and Cultural Development	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Energy & Mines	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Environment	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Forests, Lands & Natural Resource Operations and Rural Development	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input checked="" type="checkbox"/>	Archaeology Branch	<input checked="" type="checkbox"/>	Penticton Indian Band (PIB)
<input checked="" type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Upper Similkameen Indian Bands (USIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Lower Similkameen Indian Bands (LSIB)
<input type="checkbox"/>	School District #53 (Okanagan Similkameen)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #58 (Nicola Similkameen)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	School District #67 (Okanagan Skaha)	<input type="checkbox"/>	Fortis
<input type="checkbox"/>	Canadian Wildlife Service	<input checked="" type="checkbox"/>	Okanagan Falls Irrigation District

Attachment No. 2 – Aerial Photo (2014)

