

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** May 6, 2021

**RE:** OCP & Zoning Bylaw Amendments – Okanagan Falls Commercial Zone Review  
(Okanagan Falls Town Centre Plan – Phase 3)

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### **Administrative Recommendation:**

**THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2021, and Zoning Amendment Bylaw 2455.38, 2021 be read a first and second time and proceed to public hearing;**

**AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated May 6, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;**

**AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.15, 2021, in conjunction with its Financial and applicable Waste Management Plans;**

**AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of June 3, 2021;**

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

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### **Proposal:**

It is being proposed that the Regional District Board initiate an amendment to the Electoral Area “D” Official Community Plan (OCP) and Zoning Bylaws in order to update the Okanagan Falls Commercial Transition zone as part of the final phase of implementing the Okanagan Falls Town Centre Plan as well as on-going work related to the preparation of a single zoning bylaw for the Okanagan Electoral Areas.

Specifically, it is being proposed that the Okanagan Falls Town Centre Transition Zone (C4), which applies to 31 parcels, be replaced as follows:

- that 16 parcels be rezoned to a General Commercial (C1);
- that 7 parcels be rezoned to Medium Density Residential (RM1),
- that 5 parcel be rezoned to Highway Commercial (C4),
- that 2 parcels be rezoned to Administrative and Institutional (AI); and
- that 1 parcel be rezoned to Tourist Commercial (CT1).

### **Background:**

The Okanagan Falls Town Centre Plan was commenced in 2014 with the objective of helping to “reverse the economic fortunes of Okanagan Falls” by creating a land use plan to guide strategic

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public and private investments and partnerships, and to foster positive streetscape improvements and quality urban design that together will provide a distinctive sense of place. The planning process was conducted in three (3) phases and included significant consultation with the community and other stakeholders.

At its meeting of November 16, 2017, the Planning and Development (P&D) Committee of the Regional District Board resolved to accept the Okanagan Falls Town Centre Plan as a guiding document for the future amendments to the Electoral Area “D” Official Community Plans (OCP) and Zoning Bylaws.

At its meeting of November 16, 2017, the Board also directed Administration to complete a review of the Electoral Area “D-2” Zoning Bylaw to ensure conformance to the Okanagan Falls Town Centre Plan – Phase 3 Report as a strategic project for 2018, and this work remains on-going.

Incorporating changes into the OCP and Zoning Bylaws has been done in phases: Phase 1 amendments to the OCP Bylaw were adopted on August 2, 2018, while Phase 2 amendments to the Zoning Bylaw were adopted on February 7, 2019. Phase 3, which is the section of Highway 97 south of Main Street was originally scheduled to occur in 2019, but was delayed until 2021.

Amendment Bylaw No. 2603.15 and No. 2455.38, 2018, represent the third and final phase of incorporating the OK Falls Town Centre Plan’s recommendations.

**Referrals:**

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

**Public Process:**

In lieu of holding an in person Public Information Meeting (PIM), letters were sent to all affected property owners on October 29, 2020. This involved approximately 52 different owners of 31 different parcels (including strata parcels) advising of the proposed zoning changes, and offering to meet to discuss any questions or comments they may have had. In response, one (1) property owner contacted the Regional District.

On February 9, 2021, the regional District resent letters to all property owners advising them of the proposed zoning amendments. Subsequently, on February 23, 2021, and as a result of received feedback, five (5) property owners were advised of a new proposed Highway Commercial (C4) zone.

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

**Analysis:**

A principal objective of the Okanagan Falls Town Centre Plan is to encourage the area north of Highway 97 to become the focal point of the community through the encouragement of new, mixed-used and multi-family residential developments.

In support of this strategic direction, the final phase of the Town Centre Plan involves a review of the commercial C4 zoning south of the Town Centre adjacent to Highway 97 and to replace it with more suitable zoning.

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While many of the buildings along this corridor are being used for commercial purposes in the past, and are being proposed for conversion to a different commercial zone, others have been converted to non-commercial uses, such as residential or administrative.

The replacement zoning being proposed for each property was done in consideration of information obtained from BC Assessment classifications, current land use, potential re-development, and policy directions from the OCP and the Town Centre Plan.

Also, through public feedback, a number of properties have been re-designated as Highway Commercial (C4), a new zone that allows a mixed use that retains uses similar to a commercial zone and also allows for dwelling units above or at the rear of the property.

In summary, Administration believes that the proposed changes support the direction of the Okanagan Falls Town Centre Plan, and the Electoral Area "D" OCP while encouraging a broad range of commercial uses along the highway and the potential for greater residential density by introducing a Medium Density zone.

**Alternatives:**

1. THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2018, and Zoning Amendment Bylaw 2455.38, 2018 be read a first and second time and proceed to public hearing;  
AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated May 6, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;  
AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.15, 2021, in conjunction with its Financial and applicable Waste Management Plans;  
AND THAT the holding of the public hearing be delegated to Director Obirek, or their delegate;  
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Obirek;  
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2021 and Zoning Amendment Bylaw No. 2455.38, 2021 be deferred; or
3. THAT Official Community Plan (OCP) Amendment Bylaw No. 2603.15, 2021 and Zoning Amendment Bylaw No. 2455.38, 2021 be denied.

**Respectfully submitted:**

  
C. Garrish, Planning Manager