

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: April 6, 2023

RE: Temporary Use Permit Application – Electoral Area “D” (D2023.005-TUP)

Administrative Recommendation:

THAT Temporary Use Permit No. D2023.005-TUP, to allow a storage and warehouse use at 946 Main Street, Okanagan Falls, be approved on the condition that a water meter be installed.

Legal: Lot 14, Block 17, Plan KAP4, District Lot 374, SDYD Folio: D-00779.000

OCP: Commercial (C) Zone: General Commercial (C1)

Proposed Development:

This application is seeking to allow an existing accessory building on the subject property to be used for a “storage and warehouse use” through the issuance of a Temporary Use Permit (TUP).

In support of this proposal, the applicant has stated that “we would like to see a storage facility for personal, and/ or wine storage and/ or equipment storage. This is for the existing warehouse and possibly the centre storage area... The area will be accessed from the alley and will have no visual effect on the building front.”

Site Context:

The subject property is approximately 581 m² in area and is situated on the west side of Main Street. It is understood that the parcel is comprised of a commercial store front and a rear accessory building. The surrounding pattern of development is generally characterised by similarly sized commercial buildings, townhouses and single detached dwellings.

Background:

The property was created August 31, 1993, while available Regional District records indicate that multiple building permits for renovations and alterations to the commercial store front (2004-2018) have previously been issued for this property.

The property is designated Commercial (C), and is the subject of an Okanagan Falls Commercial Development Permit Area. It is zoned General Commercial (C1) which permits a range of principal commercial uses and permits “accessory building or structure” as an accessory use. The General Commercial Zone does not permit “storage and warehouse”, as this use is only permitted in the General Industrial (I1) zone.

The property has been the subject of a Stop Work Notice for “renovations of a commercial space without a building permit”.

Public Process:

Adjacent property owners will have received notification of this application with written comments being accepted up until one (1) week prior to the Board's regular meeting at which the application is to be considered. All comments received are included as a separate item on the Board's Agenda.

Analysis:

The proposal generally satisfies the TUP evaluation criteria in the Electoral Area "D" OCP:

The proposed use would be limited entirely to an existing accessory building and would not result in inappropriate development of the site or impact the natural environment.

Although the zoning bylaw requires one (1) additional on-site parking space it is understood that the intent of this provision is to ensure that delivery vehicles are able to safely load and unload goods into the storage space. In this case, the proposal is small-scale in nature and would not require substantially more parking than existing commercial uses in the vicinity. For this reason, the proposed temporary use is seen to be compatible with adjacent uses.

The applicant has indicated there is limited opportunity to conduct the proposed use elsewhere in the community.

The existing water and sewer service is adequate to meet the proposed temporary use.

The proposal is seen to be an interim use to test the viability and appropriateness of a "storage and warehouse" use, and therefore no additional upgrades are required at this time. Depending on the viability of the requested TUP and the scope of the rezoning that is indicated to follow, installation of a manhole or cleanout may be required as a condition of future rezoning.

Conversely, the use is not clearly temporary or seasonal in nature. Larger warehouse storage facilities generally require installation of a manhole at the sewer in order to allow for monitoring. Storage of wine could be a problem if large quantities are dumped into the sewer system.

Summary

The proposed temporary use allows for an efficient use of the existing development and should not adversely impact adjacent properties.

Alternatives:

1. THAT the Board of Directors deny Temporary Use Permit No. D2023.005-TUP.

Respectfully submitted:

Ben Kent

Ben Kent, Planner I

Endorsed By:

CG

C. Garrish, Planning Manager

Attachments: No. 1 – Agency Referral List

No. 2 – Rear Site Photo (Street View – 2012)

No. 3 – Front Site Photo (Street View – 2022)

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Temporary Use Permit No. D2023.005-TUP:

<input type="checkbox"/>	Agricultural Land Commission (ALC)	<input type="checkbox"/>	Fortis
<input type="checkbox"/>	Interior Health Authority (IHA)	<input type="checkbox"/>	City of Penticton
<input type="checkbox"/>	Ministry of Agriculture	<input type="checkbox"/>	District of Summerland
<input type="checkbox"/>	Ministry of Energy, Mines & Petroleum Resources	<input type="checkbox"/>	Town of Oliver
<input type="checkbox"/>	Ministry of Municipal Affairs & Housing	<input type="checkbox"/>	Town of Osoyoos
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Ecosystem Section)	<input type="checkbox"/>	Town of Princeton
<input type="checkbox"/>	Ministry of Forest, Lands, Natural Resource Operations & Rural Development (Archaeology Branch)	<input type="checkbox"/>	Village of Keremeos
<input type="checkbox"/>	Ministry of Jobs, Trade & Technology	<input type="checkbox"/>	Okanagan Nation Alliance (ONA)
<input type="checkbox"/>	Ministry of Transportation and Infrastructure	<input type="checkbox"/>	Penticton Indian Band (PIB)
<input type="checkbox"/>	Integrated Land Management Bureau	<input type="checkbox"/>	Osoyoos Indian Band (OIB)
<input type="checkbox"/>	BC Parks	<input type="checkbox"/>	Upper Similkameen Indian Band (USIB)
<input type="checkbox"/>	School District #53 (Areas A, B, C, D & G)	<input type="checkbox"/>	Lower Similkameen Indian Band (LSIB)
<input type="checkbox"/>	School District #58 (Area H)	<input type="checkbox"/>	Environment Canada
<input type="checkbox"/>	School District #67 (Areas D, E, F, I)	<input type="checkbox"/>	Fisheries and Oceans Canada
<input type="checkbox"/>	Central Okanagan Regional District	<input type="checkbox"/>	Canadian Wildlife Services
<input type="checkbox"/>	Kootenay Boundary Regional District	<input type="checkbox"/>	OK Falls Irrigation District
<input type="checkbox"/>	Thompson Nicola Regional District	<input type="checkbox"/>	Kaleden Irrigation District
<input type="checkbox"/>	Fraser Valley Regional District	<input type="checkbox"/>	Irrigation District / improvement Districts / etc.
<input checked="" type="checkbox"/>	Okanagan Falls Fire Department	<input type="checkbox"/>	

Attachment No. 2 – Rear Site Photo (Street View – 2012)



Attachment No. 3 – Front Site Photo (Street View – 2022)

