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**MEETING TYPE:** Regular Council Meeting  
**MEETING DATE:** September 5, 2023  
**AUTHOR:** Jason Tran, Planner  
**DEPARTMENT:** Planning and Development  
**ITEM TITLE:** Development Permit | DP2021-028-C | 2651 and 2725 Dick Road  
**DESCRIPTION:** Development Permit to develop an outdoor and secure commercial storage site.

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### QUESTION

Does Council agree the proposed Development Permit complies with the Industrial and Greenhouse Gas Reduction and Resource Conservation Development Permit Guidelines?

### OPTIONS

#### DEVELOPMENT PERMIT

- A. THAT Development Permit DP2021-028-C (Attachment A in the Report to Council dated September 5, 2023) for property at 2651 & 2725 Dick Road, legally described as Lot 1 Section 3 Township 20 Osoyoos Division Yale District Plan 25775, and Lot A Section 3 Township 20 Osoyoos Division Yale District Plan 25775 be approved.
- B. THAT Development Permit DP2021-028-C (Attachment A in the Report to Council dated September 5, 2023) for property at 2651 & 2725 Dick Road, legally described as Lot 1 Section 3 Township 20 Osoyoos Division Yale District Plan 25775, and Lot A Section 3 Township 20 Osoyoos Division Yale District Plan 25775 be denied.
- C. THAT Development Permit DP2021-028-C (Attachment A in the Report to Council dated September 5, 2023) for property at 2651 & 2725 Dick Road, legally described as Lot 1 Section 3 Township 20 Osoyoos Division Yale District Plan 25775, and Lot A Section 3 Township 20 Osoyoos Division Yale District Plan 25775 be referred back to staff pending receipt of additional information as identified by Council.

### EXECUTIVE SUMMARY

This Development Permit (DP) application would authorize an outdoor and secure commercial storage site. The subject property is in the Industrial, Hillside and Greenhouse Gas Reduction and Resource Conservation DP areas. Council has designated staff the authority to approve Hillside Development Permit applications. Staff are reviewing a concurrent application to authorize the proposed development against the Hillside DP area guidelines.

The applicant is not proposing any variance for this application. The proposal includes a wash bay, covered structures for recreational vehicles (RVs), boats, and container storage. There would be a water and sanitary dump station for the RV customers.

### BACKGROUND/HISTORY

The development permit application was received on September 1<sup>st</sup>, 2021. The Official Community Plan (OCP) designates the future land use of the subject property as Industrial, and the Zoning Bylaw identifies the lot as I1 – General Industrial.

The subject property is within the Urban Containment Boundary. The OCP encourages higher density development within the Urban Containment Boundary to minimize transportation distances and to utilize existing infrastructure. Water and sanitary are located along Dick Road.

The properties are between Okanagan Centre Road to the South and Dick Road to the North. Gravel extraction has occurred historically on the subject properties in accordance with the Agriculture Land Commission (ALC). The extraction of gravel has brought the grade of the land down so that it is more suitable for future industrial development.

The ALC excluded the subject properties from the Agricultural Land Reserve (ALR) on March 30, 2016.

Three Land Title Act (section 219) covenants in favour of the District were registered on the title of the subject properties in 2020. The charges are discussed further in the report.

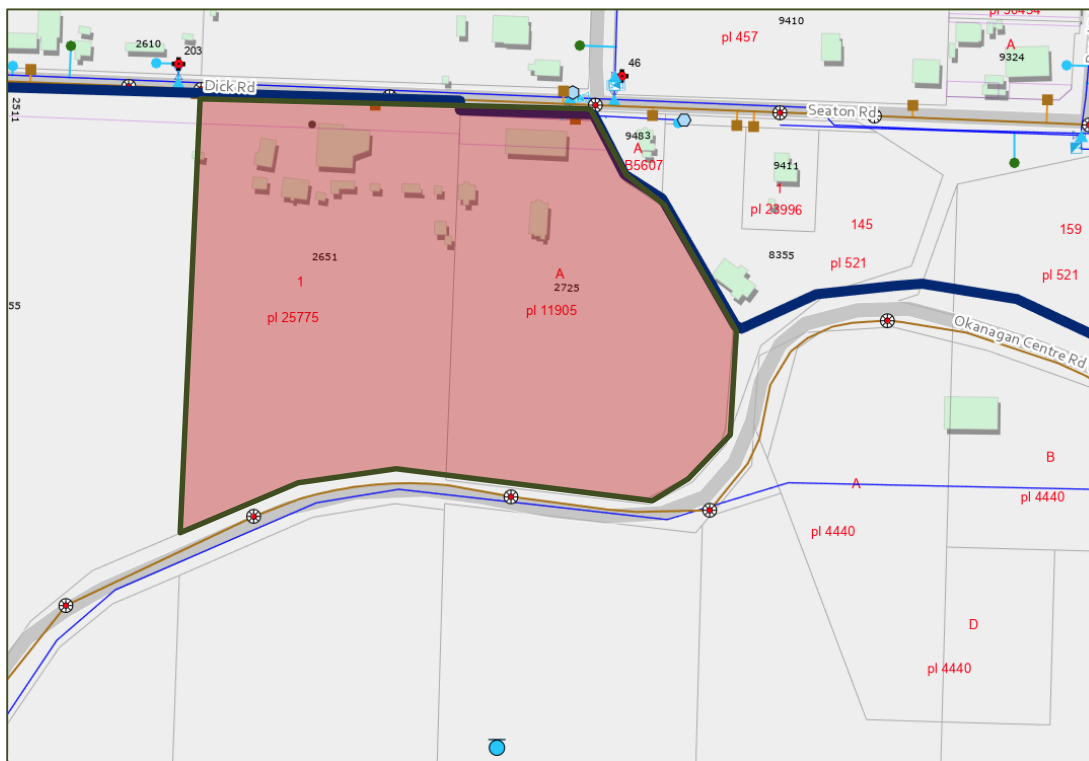
**TABLE 1: PROPERTY INFORMATION**

PROPERTY INFORMATION			
Property Information			
Application Type	Development Permit		
File Number:	DP2021-028-C	Folio/Roll #:	2173265 & 2149000
Legal Description:	PID: 005-321-760 Lot 1 Section 3 Township 20 Osoyoos Division Yale District Plan 25775 PID: 009-483-144 Lot A Section 3 Township 20 Osoyoos Division Yale District Plan 25775		
Civic Address:	2651 & 2725 Dick Road, Lake Country, BC		
OCP Designation:	Industrial		
Zoning Designation:	I1 – General Industrial		
Site Summary:	Zoning:	Use:	
North:	A1 – Agriculture 1	Grazing	
East:	I1 – General Industrial	Residential	
South:	A1 – Agriculture 1 & I5 – Soil Processing	Gravel Pit	
West:	I1 – General Industrial	Gravel Pit	
ALR:	No		
Land Use Contract	No		
Parcel Size:	2.76 ha (6.83 ac) and 2.37 ha (5.86 ac) totaling 5.13 ha (12.69 ac)		
Development Permit Area(s):	Industrial, Hillside and Greenhouse Gas Reduction and Resource Conservation		
Water Supply:	Municipal		
Sewer:	Municipal		

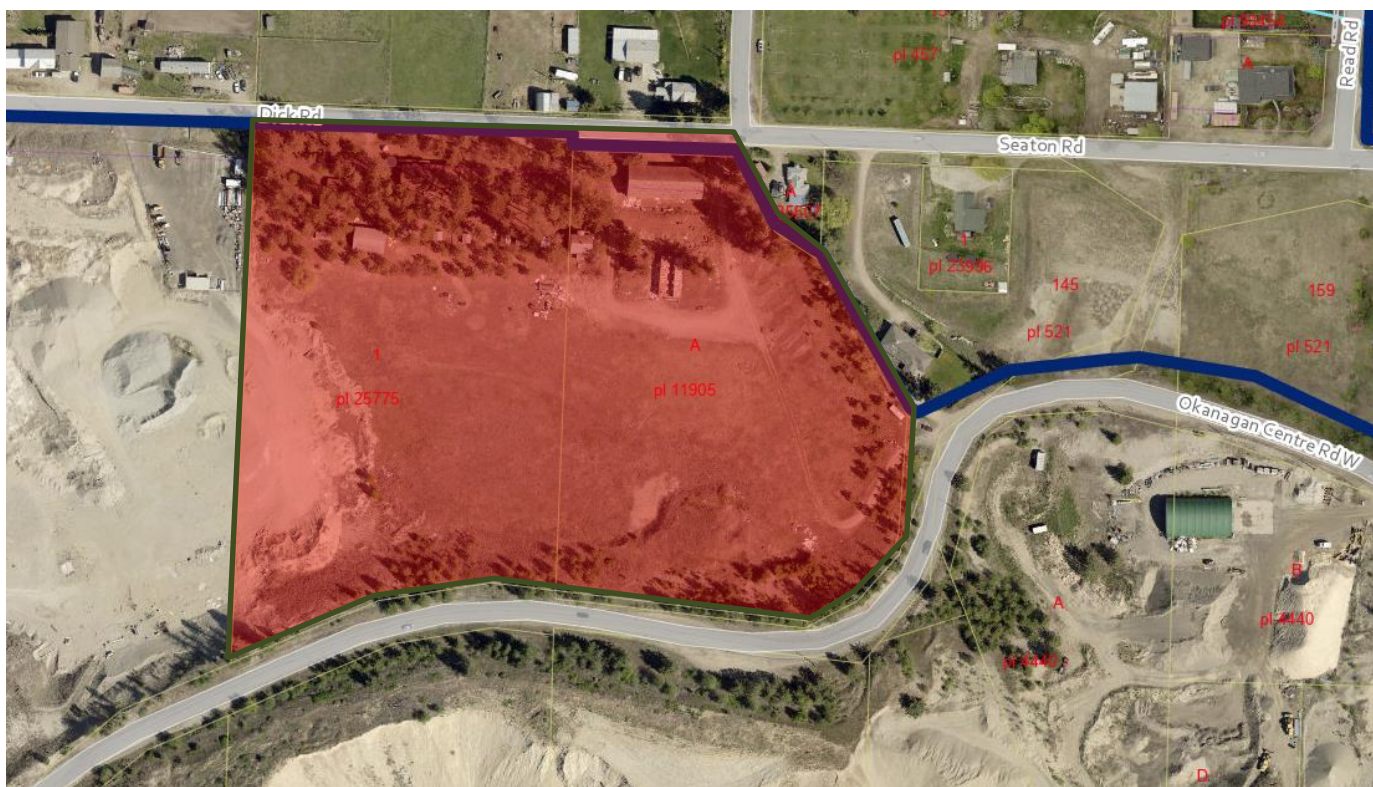
## SITE CONTEXT

The subject properties are large sites with cut slopes and grading from previous gravel pit operations. Dick Road is constructed to a rural standard with no sidewalk. Previous buildings and structures located on the subject properties have been demolished and removed from the site. The applicant is applying for commercial storage as a primary use on the subject properties to transition between the neighbouring agricultural use to the north and the heavy industrial aggregate extraction use to the south.

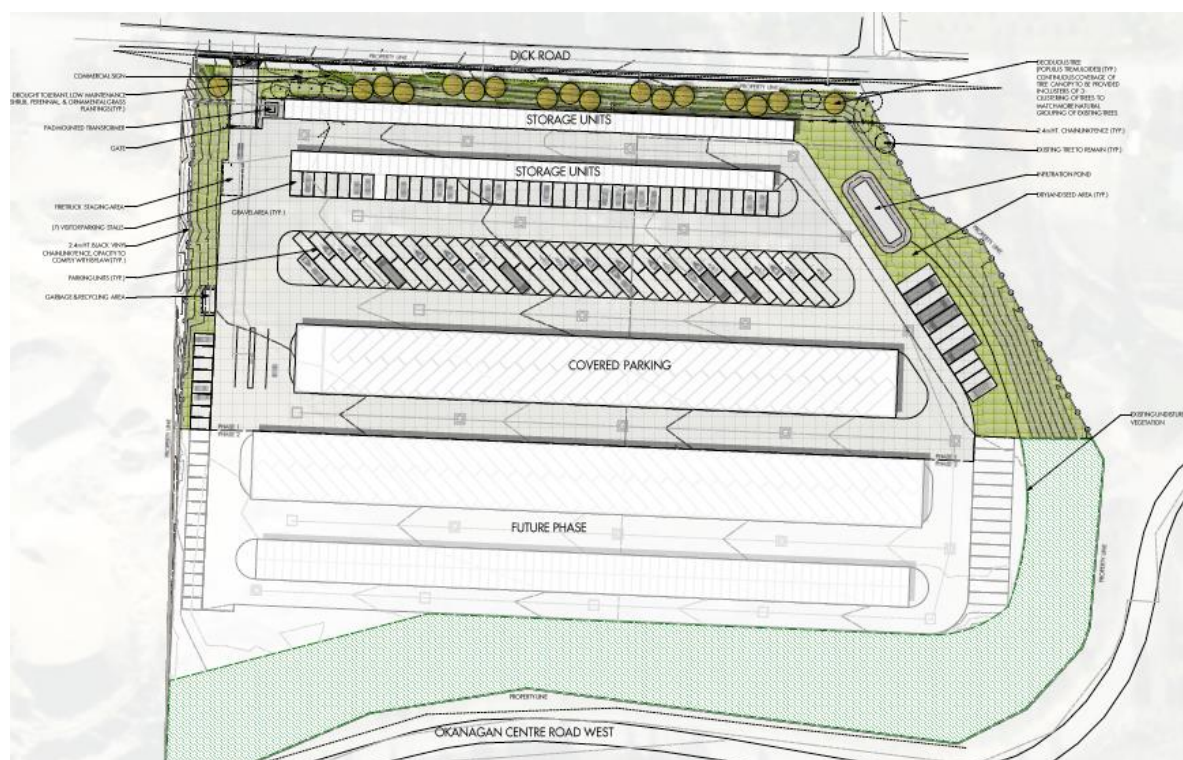
MAP 1: LOCATION MAP



MAP 2: ORTHOPHOTO









**SITE PHOTO 1: LOOKING WEST ALONG DICK ROAD**



**SITE PHOTO 2: LOOKING SOUTH FROM THE EASTERN ACCESS POINT**





**SITE PHOTO 3: LOOKING EAST ALONG DICK ROAD****TABLE 2: FILE CHRONOLOGY**

Date	Event
2021-09-01	Application Submission
2023-02-16	Core Team Meeting
2023-02-16	Internal & External Referrals
2023-05-16	Comprehensive Letter Sent
Today	Council Consideration

## **DISCUSSION/ANALYSIS**

### Proposed Development

The applicant proposes consolidating the existing parcels and developing the site for secured storage for RVs, boats and containers. Storage containers are presented along the property's north, east and west sides, with most of the site reserved for open-sided structures for the covered storage of trailers, recreational vehicles and boats.

The proposed building (wash bay) and covered structures would be in current flat areas. The proposed development would reduce the number of accesses to the properties from two to one. An approved Access Permit is on file.

The property 2725 Dick Road has been identified as part of the proposed Lake Country Business Park. Staff met with the applicant to discuss future plans for the business park, and the applicant is receptive to working with the DLC on phase 2 of the land development to best optimize the property.

As a development permit condition, the applicants must consolidate the parcels before applying for a Building Permit.

### *Site Design*

Access would be provided via Dick Road at the site's northwest corner. A fire staging area is proposed south of the primary entrance, and the road surface within the site would be gravel. There would be a stormwater pond on the east side of the property, a garbage/recycling collection on the west side, and visitor parking east of the fire staging area. The applicant's proposed use of outdoor commercial storage satisfied the parking requirements under the Zoning Bylaw.

The conceptual site plan does not include retaining walls as the site is generally level.

### *Building Design*

One conventional building is proposed: a wash bay for customers. It is a simple building design concept illustrated in the figure below.

**FIGURE 2: WASH BAY CONCEPT RENDERING**



### Development Permit Area (DPA) Guidelines

#### *Industrial DPA*

The proposed outdoor storage is a transitional primary use from heavy industrial to agricultural and acreage uses to the north. The proposal includes one wash bay building with exterior finishes consistent with permitted materials (i.e., metal vinyl siding, masonry, brick, wood or stucco) appropriate for the development. The applicant submitted a lighting plan that satisfied the site guidelines for lighting and security.

Most of the site is gravel. The proposal satisfied the impervious surface guidelines. The proposal is in accordance with the Industrial DPA guidelines.

The applicant's landscaping plan includes plantings around the northern perimeter of the site, including a continuous canopy of trees along Dick Road. Existing trees and vegetation are proposed to remain along the Okanagan Centre Road West frontage to act as a visual screen. The proposed landscaping plan satisfies the landscaping guidelines.

#### *Greenhouse Gas Reduction and Resource Conservation DPA*

The proposed development is for commercial storage, and many GHG Reduction and Resource Conservation DPA guidelines are for building development. This development has one proposed building: the RV wash bay. The storage containers do not have climate control, but they do have vents to allow for air circulation. Therefore, the storage containers would not use additional power for heating or cooling.

The applicant satisfied the purposes of the GHG Reduction and Resource Conservation DPA guidelines, and the proposal is in accordance with the GHG Reduction and Resource Conservation DPA guidelines.

## Additional discussion

### *Covenants*

Three Land Title Act (section 219) covenants are registered on the titles of the subject properties in favour of the District of Lake Country (DLC). The covenants were registered in 2020 through a rezoning application (Z2019-009). The covenants restrict the use of the site subject to conditions regulating subdivision, landscaping (3 m landscaped berm), and access restrictions.

Since the DLC secured the covenants, the redevelopment concept for the subject properties no longer includes gravel extraction or proposed subdivision. Additionally, the District developed the Mobility Master Plan and advanced the concept for the Lake Country Business Park. The covenant conditions, including the berm requirement, do not align with the current vision for the area and would detract from the open streetscape envisioned for Dick and Seaton Roads. The covenants may be discharged to allow the proposed redevelopment of the site to proceed.

## **APPLICABLE LEGISLATION AND POLICIES**

### **Official Community Plan**

The applicant's proposal addresses the OCP's Industrial and Green House Gas Reduction and Resource Conservation DPA guidelines.

### **Zoning Bylaw**

The proposed development meets all Zoning Bylaw regulations.

### **Development Application Procedures Bylaw**

The application is identified as a Council development permit application and therefore is presented to Council for consideration.

### **Subdivision and Development Servicing Bylaw:**

Subdivision and Development Servicing Bylaw regulations are applied at the Building Permit stage. The proposed development will require improvements to the frontage of the subject properties along Dick Road. Additionally, the applicant would be required to comply with servicing regulations, and meet the requirements of the District's water and sanitary sewer systems. A Building Permit will be required to authorize the construction of the proposed commercial storage.

### **Highway Bylaw (Driveway Access Permit)**

Access Permit A2020-180 has been approved, and permission to construct pending a final inspection during the Building Permit process (prior to issuance of the Occupancy Permit).

### **Signage Bylaw**

Any proposed signs must comply with the "District of Lake Country Signage Regulation Bylaw 501, 2004".

## **IMPACT ON INFRASTRUCTURE OR MUNICIPAL SERVICES**

There will be impacts on municipal infrastructure or services expected because of this proposal. The proposal includes a wash bay and sanitary dump for their customers.

## **IMPACT ON STAFF CAPACITY AND FINANCIAL RESOURCES**

Regular staff time has been used to process this application.

## **COMMENTS FROM EXTERNAL AGENCIES, COMMITTEES AND STAKEHOLDERS**

All external stakeholder comments were addressed through this development permit application.

## **CONSULTATION AND COMMUNICATION**

There is no statutory requirement or DLC regulation requiring notification to neighbouring property owners or tenants as part of the DP process.



**ANALYSIS OF OPTIONS FOR CONSIDERATION**

OPTION A: If Council approves the Development Permit application, the owners would be able to advance their redevelopment concept for the site.

OPTION B: If Council denies the Development Permit application, the applicant will not be able to proceed with their proposed development. Council is required to provide reasons why the application was denied and direction to the applicant regarding what could be changed to achieve an approval.

OPTION C: If Council defers the application, staff will work with the applicant to ensure the additional information or revisions are provided.

**Collaborators:**

<b>Name</b>	<b>Date Reviewed</b>
Sid Smith	2023.07.28

Respectfully Submitted,  
Jason T. Tran,  
Planner

## Report Approval Details

Document Title:	DP2021-028-C - 2651 and 2725 Dick Road (Sept. 5 Meeting).docx
Attachments:	- Attachment A - Draft Development Permit - DP2021-028-C - 2651 and 2725 Dick Road with Schedule.pdf - Attachment B - Development Permit Area Checklists.pdf
Final Approval Date:	Aug 30, 2023

This report and all of its attachments were approved and signed as outlined below:

**Brian Zurek, Manager of Planning - Aug 24, 2023 - 1:17 PM**

**Steven Gubbels, Manager of Development - Aug 25, 2023 - 10:51 AM**

**No Signature - Task assigned to Matthew Salmon, Director of Engineering and Environmental Services was completed by assistant Makayla Ablitt, Legislative Technical Clerk**

**Matthew Salmon, Director of Engineering and Environmental Services - Aug 25, 2023 - 10:54 AM**

**Jared Kassel, Director of Planning & Development - Aug 25, 2023 - 11:38 AM**

**Reyna Seabrook, Director of Corporate Services - Aug 25, 2023 - 3:06 PM**

**Tanya Garost, Chief Administrative Officer - Aug 30, 2023 - 8:43 AM**