

MEETING TYPE: Regular Council Meeting
MEETING DATE: September 3, 2024
AUTHOR: Jason Tran, Planner
DEPARTMENT: Planning and Development
ITEM TITLE: Request for Feedback | 15660 Oyama Road
DESCRIPTION: To seek Council direction on the proposed expansion of commercial uses

PURPOSE

To seek Council direction on a proposed expansion of commercial uses for the property at 15660 Oyama Road.

RECOMMENDATION

THAT staff be directed to work with the owner of the property at 15660 Oyama Road (Roll No. 01878.000 PID: 009-973-656) to process a Zoning Bylaw amendment application to regulate the long-term use of the parcel for boat sales and storage.

EXECUTIVE SUMMARY

Temporary Use Permits authorize the current boat storage and service business on the subject property. The owner would like to continue operating the business and to expand the services offered to include boat sales.

Council would be required to authorize the proposed use on the subject property. Staff are seeking direction from Council on how to proceed. Should Council support the long-term use of the parcel for boat sales and storage, staff recommend that Council direct staff to work with the owner on a Direct Control zone to authorize the proposed development.

BACKGROUND/HISTORY

The subject property is located in the Oyama Ward of the District and contained within the Urban containment Boundary. The Official Community Plan designates the property Mixed-Use Commercial, and the Zoning Bylaw assigns C2 – Neighbourhood Commercial zoning.

Previously, the property functioned as a fruit packing house. To support the adaptive reuse of the existing buildings, the District has issued two temporary use permits to authorize boat storage and service on the subject property. Additionally, Council renewed the second temporary use permit in 2022.

The property is serviced with municipal water and a private on-site sewer. Because Oyama is not currently serviced by municipal sewer, Temporary Use Permits were proposed previously to authorize boat storage on the subject property on a short-term basis due in part to policy (OCP) and regulation (Subdivision Development Servicing Bylaw) directing development to be connected to urban services (municipal water and sanitary sewer).

TABLE 1: TEMPORARY USE PERMIT HISTORY

History of Temporary Use Permits at the subject property		
First TUP	Second TUP	Renewal of the second TUP
TP2017-001	TP2018-001	TP2018-001-REN
Issued on Sept. 20, 2017	Issued on Oct. 9, 2019	Issued on Aug. 17, 2022
Expired on May 2, 2020	Expired on Sept. 4, 2021	Expired on Sept. 4, 2024

Under the Local Government Act, a Temporary Use Permit can only be issued once for up to 3 years, with the possibility of one extension of up to 3 years. After these terms have expired, a new application is required should the applicant wish to continue the temporary use.

TABLE 2: PROPERTY SUMMARY

Summary Information			
Application Type	Request Council for direction		
File Number:	TP2018-001-REN	Folio/Roll #:	01878.000
Legal Description:	LOT 1 SECTION 11 TOWNSHIP 14 OSOYOOS DIVISION YALE DISTRICT PLAN 3087		
PID	009-973-656		
Civic Address:	15660 Oyama Road		
OCP Designation:	Mixed Use Commercial		
Zoning Designation:	C2 - Neighbour Commercial		
Land Use Contract	No		
ALR:	No		
Parcel Size:	1.4 ha (3.46 acres)		
Development Permit Area(s):	Agricultural and Commercial		
Water Supply:	District		
Sewer:	On-Site		
Number of Building(s) on Site	1		
Site Summary:	Zoning:	Use:	
	<i>North:</i>	RU1 – Single Family Housing	Residential
	<i>East:</i>	P2 & RU1 – Administration, Public Services and Assembly	Fire Hall & Residential
	<i>South:</i>	P1 – Public Park & Open Space	Park
	<i>West:</i>	Road & P2 – Administration, Public Services and Assembly	Oyama Community Club

DISCUSSION/ANALYSIS

The owner of the subject property operates a boat storage and service business authorized by the existing Temporary Use Permit. The owner proposes to continue operating the business and expand the services to include boat sales. The owner must seek authorization from Council to continue and expand the existing business.

TABLE 3: FUTURE LAND USE AND ZONING OPTIONS

	Option A	Option B	Option C
OCP Future Land Use	Mixed Used Commercial		Service Commercial
Zoning	Direct Control	Temporary Use Permit	Service Commercial
Application requirements	OCP & Zoning Amendment Applications	Temporary Use Permit Application	OCP & Zoning Amendment Applications
Staff Comments	Existing future land use and Direct Control Zone greatest potential for policy and regulatory alignment	Proposed uses are not intended to be temporary	Proposal does not align with OCP Oyama Neighbourhood policy

Option A would retain the existing Mixed Use Commercial land use designation but ask Council to consider a new Direct Control zone to guide the future development of the subject property through targeted regulations. Should Council wish to support the proposed use on the parcel in the long-term, staff recommend a Direct Control zone.

Option B would retain the existing Mixed Use Commercial land use designation but ask Council to consider a new Temporary Use Permit. Staff do not recommend a Temporary Use Permit to continue the pattern of regulating land use through short-term controls; however, should Council not support the owner's proposal to expand the existing

commercial business on the subject property (through a Direct Control zone), Council could consider issuing a Temporary Use Permit for a limited period to allow the owner to relocate the existing business to another location.

Option C was proposed by the owner. Staff do not support amending the OCP and Zoning Bylaw to Service Commercial as the proposal would not be consistent with the OCP.

Staff are seeking direction from Council.

APPLICABLE LEGISLATION, BYLAWS AND POLICY

Local Government Act

Section 493(2) states: "A temporary use permit may do one or more of the following:

- (a) allow a use not permitted by a zoning bylaw;
- (b) specify conditions under which the temporary use may be carried on;
- (c) allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued."

Official Community Plan (OCP):

Section 18.2 contains policies related to Mixed Use Commercial Designation.

Section 18.4 contains policies related to Serviced Commercial Designation.

Section 23.5 contains policies related to Direct Control Zones and Comprehensive Development Zones.

Section 23.6 contains policies related to Temporary Use Permits.

Zoning Bylaw 561, 2007:

The property is zoned C2 – Neighbourhood Commercial.

Subdivision and Development Servicing Bylaw:

The Subdivision and Development Servicing Bylaw would be apply through a Building Permit.

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

Impact on infrastructure or municipal services associated with this application would be evaluated through an application process.

FINANCIAL IMPLICATIONS

- None Budget Previously Approved Other (see below)

CONSULTATION

Staff have not received a formal application for the redevelopment of the subject property. No consultation has been completed.

COMMUNICATIONS

Staff have not received a formal application for the redevelopment of the subject property. No communications have been completed.

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Support Opportunities to Diversify Lake Country's Tax Base

ALIGNMENT WITH MASTER PLANS

- | | |
|---|--|
| <input type="checkbox"/> Agricultural Plan | <input type="checkbox"/> Official Community Plan |
| <input type="checkbox"/> Climate Action Charter | <input type="checkbox"/> Parks & Recreation Master Plan 2019 |
| <input type="checkbox"/> Housing Needs Report | <input type="checkbox"/> Sanitary Sewer System Map |

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- | | |
|--|--|
| <input type="checkbox"/> Liquid Waste Management Plan Stage 1/2 Report | <input type="checkbox"/> Transit Future Plan-Central Okanagan Region-DRAFT |
| <input type="checkbox"/> McCoubrey Plateau Area Structure Plan | <input type="checkbox"/> Transportation for Tomorrow |
| <input type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

- A. THAT staff be directed to work with the owner of the property at 15660 Oyama Road (Roll No. 01878.000 PID: 009-973-656) to process a Zoning Bylaw amendment application to regulate the long-term use of the parcel for boat sales and storage.
- B. THAT staff be directed to work with the owner of the property at 15660 Oyama Road (Roll No. 01878.000 PID: 009-973-656) to process a Temporary Use Permit application for a limited period to allow the owner to relocate the existing business to another location.

Respectfully Submitted,
Jason Tran, Planner

Report Approval Details

Document Title:	Requesting Council Feedback - 15660 Oyama Road - Future Use of the Property.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A – 15660 Oyama Road- Description of the OCP and Zoning Request.pdf - Attachment B - 15660 Oyama Road - Drone View.pdf - Attachment C - 15660 Oyama Road - Signed Permit TP2018-001-REN.pdf
Final Approval Date:	Aug 29, 2024

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

Brian Zurek, Manager of Planning - Aug 28, 2024 - 4:38 PM

Matthew Salmon, Infrastructure & Development Engineering Director - Aug 28, 2024 - 4:48 PM

Jeremy Frick, Director of Planning & Development - Aug 28, 2024 - 4:55 PM

Reyna Seabrook, Director of Corporate Services - Aug 28, 2024 - 7:45 PM

Paul Gipps, Chief Administrative Officer - Aug 29, 2024 - 7:42 AM