

PROPERTY DESCRIPTION:

Civic address: 5204 9 Ave, Okanagan Falls BC

Legal Description PID 016-563-948 lot 2 DL374 SDYD Plan 43911

Lot: Plan: Block: District Lot: Section: Township:

Current Zoning: OFTC OCP designation:

Current land use:
OFTC

Surrounding land uses:
residential, commercial and vacant land

Current method of sewerage disposal: Community Sewer Septic Tank Other

Current method of water supply: Community Water Well Other

Any restrictive covenants registered on the subject property: Yes (if yes, provide details) No

Any registered easements or rights-of-ways over the subject property: Yes (if yes, provide details) No

Does the subject property possess a legal road access: Yes No (if no, provide details)

Agricultural Land Reserve: Yes No Riparian Area: Yes No

Environmentally Sensitive: Yes No MoT Approval: Yes No
(required for setbacks within 4.5 metres of a road reserve)

DEVELOPMENT INFORMATION:

Provide a description of the proposed development (please attach as a separate sheet, as required):
please see attached page

REQUESTED VARIANCE(S):

List all requested variances to the regulations in bylaws of the Regional District. Each variance should be marked on the applicable drawings. A variance cannot be considered where use or density would be affected.

1. Bylaw (Include No.): 13.1.7 Section: a) v)

Proposed variance: zero lot line for north side of lot 2, DL 374, SDYD, PLAN 43911 adjacent to hwy 97

2. Bylaw (Include No.): 9.6 Section: table 9.2

Proposed variance: one parking space per dwelling unit.

3. Requested variance:

Bylaw (Include No.): 9.3 Section: 9.3.8

Proposed variance: Allowing back lane to be used as turn around

please see attached document.

SUPPORTING RATIONALE:

All new development should meet the Regional District's applicable bylaw standards. A variance is considered only as a last resort. An application for a development variance permit should meet most, if not all, of the following criteria, in order to be considered for approval (please attach as a separate sheet, as required).

1. The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw. Please elaborate how the requested variance meets this criteria:

2. The variance should not adversely affect adjacent or nearby properties or public lands. Please elaborate how the requested variance meets this criteria:

3. The variance should be considered as a unique solution to an unusual situation or set of circumstances. Please elaborate how the requested variance meets this criteria:

4. The variance represents the best solution for the proposed development after all other options have been considered. Please elaborate how the requested variance meets this criteria:

5. The variance should not negatively affect the natural site characteristics or environmental qualities of the property. Please elaborate how the requested variance meets this criteria:

Development Variance Permit Application

Development information: Proposal summary:

We will be constructing a 3 storey multi dwelling residential building. It is directly aligned with the focus of new medium density residential developments in the Okanagan Falls town Centre.

This high-quality design boasts with large balconies promoting lakeside views and private amenity space at the front of the property. The back of the building will be visually pleasing and conform to the standards of the OFTC with Large windows and faux balconies.

Supporting Rationale:

1- We seek approval for a variance of bylaw 13.1.7(a)(v)- Minimum set backs:

a. For a parcel line adjacent to Highway 97 from 4.5m to 0.0m

- Prior to the fire in 2019 caused by the barbershop next door, the building was set on a 0-lot line. Even at a 0-lot line the building will be set back 11.5m away from the existing highway. This allows there to be a buffer from the proposed development from any further road widening.
- The 0.0m setback would allow for the construction of a 4 storey multi-dwelling residential building. This building aligns with the Town Center Plan for development and revitalization.
- Having a Zero lot line adjacent to highway 97 means that we will be able to comfortably add balconies and a good amount of amenity area for our tenants at the front of the building. This aligns with the town plan because it will make the building one that is pedestrian-friendly that is oriented towards Sakha Lake and optimizes public access to the waterfront. It supports increased residential development that in turn supports local businesses. We will be improving and updating the look of the building to meet the requirements of OFTC.
- 5081 8th Ave has recently been approved to have a zero-lot line adjacent to highway 97 and is on the same lot line as our building. Approving our variance will help maintain a uniform look in the town centres main block.
- Allowance of this set back variance will not adversely affect the neighbouring properties as most are on the 0.0m lot line adjacent to highway. Our building would look very out of place should the variance not be approved.
- Our request for the 0.0m setback variance is a unique solution to the space issue on this small lot so we can make the best, most attractive residential building possible.
- There will not be a negative affect on the natural site characteristics or environmental qualities. In fact, allowing the variance will provide more available space for landscaping and amenity space

2- Variance on parking space requirements is being requested to 1 parking space per unit;

Bylaw 9.6 (table 9.2) off street parking and loading:

- a. Residential (apartment building, townhouse) from 1.75 per dwelling unit to 1.0 per dwelling unit.
 - This variance has no negative impact to the intent of the OFTC. The existing parking requirements intended in the current bylaw regulations are not required to meet the demands for the individuals expected to occupy this development.
 - The parking variance has no affect on any neighbouring properties or public land. We will provide one dedicated parking space per unit on our property.
 - Reducing the required parking space allotment is a great solution to creating more space on a small lot so it can better conform to the OFTC vision.
 - A variance in the parking space will allow for more open amenity space therefore improving the environmental qualities of the lot.
 - The variance will maximize the parking given the property boundaries.

- 3- Variance on off street parking space standards; Bylaw 9.3.8; all parking areas must contain adequate provisions so that vehicles may turn on the parcel.
 - a. Grant variance to allow use of access lane for safe turn around
 - The lot in questions is unable to physically meet the requirement of the bylaw.
 - An unlimited access permit to the laneway has been granted to the owners and any tenants of the property therefore creating enough space for vehicles to safely turn.
 - No other properties are affected by the use of the access lane.
 - This is a very unique situation. The size of the lot cannot satisfy the requirements of the bylaw. To satisfy the bylaw we have obtained unlimited, unrestricted use of the back access lane.
 - The variance is the only solution. It isn't physically possible. The access way makes the turn around possible.
 - Granting this variance does no affect on the characteristics of the lot or the overall town centre plan as the drive way is in the back of the property and is only required to maneuver on the lot.