
commercial building (2009) and a demolition permit for a fire damaged duplex (2019) have previously been issued for this property.

The subject property is designated Town Centre (TC), and is the subject of Okanagan Falls Town Centre Development Permit (OFTCDP) Area designation and the property is zoned Okanagan Falls Town Centre (OFTC) which, among other uses, permits an apartment building and establishes setbacks from property lines. The bylaw also establishes requirements for off-street parking, including accessibility.

BC Assessment has classified the property as Business and Other (Class 06).

The Ministry of Transportation and Infrastructure (MoTI) issued a permit for the “installation, operation, and maintenance of one (1), nine (9) metre multi-family (three unit) residential access on the south side of the lane right-of-way” to serve the subject property on November 27, 2020 and approved a 0.0 m setback from Highway 97 for the proposed structure on March 18, 2021.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule ‘4’ of the Regional District’s Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on November 11, 2021.

Analysis:

Given the distinct nature of the variances that have been requested, a discussion of the merits of each variance is provided under separate sub-sections below:

On-site Vehicle Parking Spaces:

The purpose of specifying on-site vehicle parking requirements in a zoning bylaw is to ensure that adequate off-street parking based on land use is being provided and to ensure that vehicle parking does not generate adverse on-street demand and traffic congestion in an area.

In this instance, the applicant is required to provide six (6) vehicle parking spaces as part of their apartment building development and they are proposing that these be “in-tandem”; which means the placement of one parking space directly behind another parking space (see Schedule ‘B’ of the permit).

While this is generally acceptable for a single detached dwelling, as the residents of the dwelling are likely to be related in some form, “in-tandem” vehicle parking becomes more problematic in multi-unit developments such as townhouses and apartment buildings.

This is due to an “in-tandem” parking space potentially becoming inaccessible depending on how other vehicles have been parked in the available spaces (i.e. the car that gets parked first may become trapped by the car behind it, or a vacant space may become inaccessible depending on how other vehicles have been parked).

“In-tandem” parking is prohibited as a permissible form of parking for apartment building and townhouse units in the Penticton and Summerland zoning bylaws, with the latter only making an exception for tandem parking in its “Central Business” Zone when access is from a laneway.

Penticton, Summerland, Oliver and Osoyoos each allow for a property owner to make a “cash in-lieu” contribution in place of providing required parking in their equivalent town centre zones. Collected monies are generally placed in a Parking Reserve Fund (and Alternative Transportation Infrastructure fund in Penticton) to be used to provide alternate vehicle parking options within the municipality. The Regional District is not currently pursuing a similar initiative in Okanagan Falls and there are no known commercial parking options (private or public) within the town centre area.

Okanagan Falls is a rural community of approximately 2,100 persons and access to alternate forms of transit such as buses, taxis, and ride sharing are very limited. Access to services such as health, financial, retail, employment, recreational and other personal services are also similarly limited. Consequently, residents must generally drive to meet their daily needs.

Reducing the number of dedicated parking spaces for this development without a viable plan to provide additional parking elsewhere in the Town Centre may contribute to parking issues in the area.

A reduction in on-site vehicle parking for the Okanagan Falls seniors housing facility was previously supported, but this was on the understanding that occupancy of the units will be actively managed by a society and that the proposed demographic of residents would be one that would not generate high vehicle parking demands.

Conversely, the required variance to on-site vehicle parking will result in a loss of only 3 spaces, that, by itself, is unlikely to result in immediate traffic congestion in the area and the applicant is attempting to address this through the provision of “in-tandem” parking, even though such parking spaces offer an imperfect solution.

There are public transit (bus) options within Okanagan Falls and to Penticton, albeit limited, and some services are within walking distance of the subject property and *could* reduce the need for multiple vehicle ownership by residents of the units.

Onsite Vehicle Manoeuvring

The purpose of specifying on-site vehicle manoeuvring requirements in a zoning bylaw is to ensure the vehicle safety and avoidance of traffic hazards that are created when a vehicle backs onto a road.

In considering the request to allow the public laneway to be used as a turn around space, it should be noted that the zoning bylaw does not distinguish between high volume streets (i.e. Highway 97) where backing onto the road network may result in accidents versus lower volume streets (i.e. laneways) where backing onto the road presents less of a hazard. It is unlikely that backing onto a laneway will result in a traffic hazard and finds the request reasonable.

The zoning bylaw clearly requires properties to have adequate room on the parcel so that cars are able to maneuver properly. Not requiring this may create a hazard for other users of the laneway.

Reduced front setback

The purpose of specifying parcel line setbacks in a zoning bylaw is generally to provide a physical separation between neighbouring properties in order to protect privacy and prevent the appearance of overcrowding. When a parcel is also adjacent a roadway, setbacks are further employed to maintain adequate sightlines for vehicle traffic movements.

Minimum setbacks from parcel lines are used to maintain a minimum space between houses in a neighbourhood to allow access to sunlight, to provide separation for fire safety or to mitigate nuisances (like noise) that might come from an adjacent building.

The subject property's front parcel line is at a distance of 10.5 metres from the constructed edge of Highway 97 (9th Avenue) which mitigates the perception of a reduced setback and the appearance of overcrowding.

It is further noted that there are several properties along Highway 97, to the west of the subject property, that have their front parcel line situated considerably closer to the edge of the road, and consequently have structures adhering to the differing applicable setbacks, thus creating a non-uniform streetscape. The proposed variance is not expected to have any impact on vehicular movement along Highway 97.

Conversely, it is noted that there is room on the rear portion of the parcel and the proposed structure could be sited in a way that would not warrant the need for a large setback variance. However, it is also noted that in doing so, the applicant would lose amenity space for the proposed development.

Alternatives:

1. That the Board approve Development Variance Permit No. D2021.017-DVP; or

Respectfully submitted

Endorsed by:

Nikita Kheterpal

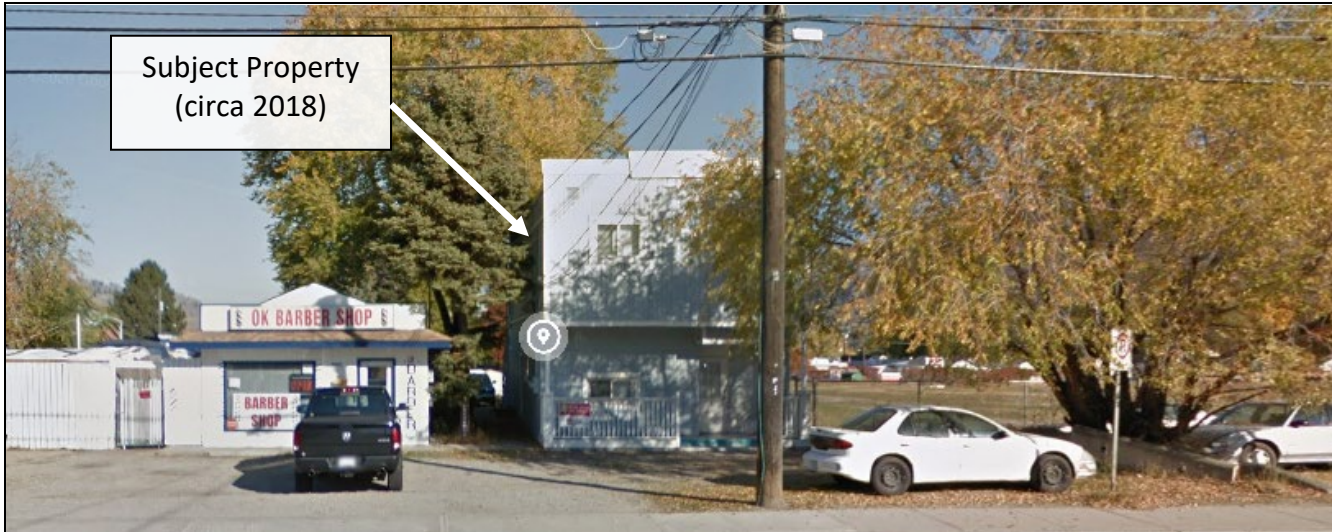


Nikita Kheterpal, Planner I

C. Garrish, Planning Manager

Attachments: No. 1 – Site Photos (Highway 97)
No. 2 – Site Photo (Laneway)
No. 3 – Aerial Photo
No. 4 – Applicant's Turning Radius Drawing

Attachment No. 1 – Site Photos (Highway 97)



Subject Property
(circa 2018)



Subject Property
(Nov. 2021)

Attachment No. 2 – Site Photo (Laneway)



Attachment No. 3 – Aerial Photo



Attachment No. 4 – Applicant's Turning Radius Drawing

