

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 17, 2022
RE: Development Variance Permit Application — Electoral Area “D” (D2022.005-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. D2022.005-DVP, to allow for the construction of an addition to the fire hall at 5013 11th Avenue, Okanagan Falls, be approved.

Legal: Lot B, Plan KAP55321, District Lot 374, SDYD Folio: D-00819.120

OCP: Administrative and Institutional (AI) Zone: Administrative and Institutional (AI)

Variance to reduce the minimum interior side parcel line setback from 4.5 metres to 2.0 metres; and

Requests: to reduce the minimum rear parcel line setback from 7.5 metres to 6.0 metres; and
to increase the maximum allowed parcel coverage from 40% to 58%

Proposed Development:

This application is seeking a variance to the interior side parcel line setback, rear parcel line setback and the maximum allowed parcel coverage that applies to the subject property in order to construct an addition to the fire hall.

Specifically, it is being proposed to:

- reduce the minimum interior side parcel line setback from 4.5 metres to 2.0 metres;
- reduce the minimum rear parcel line setback from 7.5 metres to 6.0 metres; and
- increase the maximum allowed parcel coverage from 40% to 58%

In support of this request, the applicant has stated that “due to the constraints of the existing building, and the stringent size requirements of fire truck parking bays, it is not possible to construct a functional addition within the current zoning setbacks.”

Site Context:

The subject property is approximately 1,378 m² in area and is situated on the east side of 11th Avenue in Okanagan Falls and currently comprises the Okanagan Falls Fire Hall. The surrounding pattern of development is characterised by a mix of uses including commercial, administrative and institutional and park land.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 10, 1995, while available Regional District records

indicate that a building permits for renovation for firehall (1985), addition of storage shed to the firehall building (1997).

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2008, the subject property is currently designated Administration and Institutional (AI), and is the subject of a Multi Family Development Permit (MFDP) Area designation.

Under the Electoral Area “D” Zoning Bylaw No. 2455,2008, the property is currently zoned Administration and Institutional (AI) which allows for a civic facility as a permitted principal use.

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

Infrastructure:

There is an existing sewer line connection that appears to be in the same approximate location of the proposed new building addition and will need to be exposed prior to construction of any approved addition. It is anticipated that a new service connection will need to be provided to the site if the proposed expansion of the fire hall proceeds as proposed.

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 March 10, 2022. All comments received are included as a separate item on the Board’s Agenda.

Analysis:

Interior Side and Rear Parcel Line Setbacks

The Zoning Bylaw’s use of setback regulations is generally to provide 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.

In this instance, Administration notes that the subject property was previously part of the adjacent parcel to the west which houses the Okanagan Falls Irrigation District office. Many of the Fire Hall buildings were constructed prior to the subdivision of the land and, as a result, do not comply with zoning regulations (e.g. setbacks).

Accordingly, when considering the rear parcel setback reduction request, it is unlikely that the proposed addition will negatively impact the surrounding area as the existing building is legally non-conforming and already encroaches into the rear setback by more than 6.0 metres.

The location of the addition will match the front setback of the existing building and is necessary to accommodate the size requirement for fire truck parking bays. Further, the subject building is accessed from the front property line along 11th Avenue and there is no access to the building provided within the proposed reduced interior side or rear setback.

The proposed additions do no impact vehicle traffic movements or impact privacy to neighbouring parcels.

Parcel Coverage

The purpose of establishing a maximum parcel coverage is to limit the proportion of any lot that can be built on in order to, amongst other things, provide outdoor space for residents, to protect the amenity and character of neighbourhoods and to leave more open space between buildings.

The AI zone has a maximum parcel coverage of 40%, the existing building is currently legally non-conforming and the property currently has a parcel coverage of 50%. The proposed addition will increase the parcel coverage to 58% which represents an 8% increase.

The variance is being requested to facilitate the construction of additional fire truck bays to service the growing community and the request is minor in nature.

Alternative:

Conversely, Administration recognises that this proposal increases the non-conformity of the existing building by increasing the building footprint within the setbacks, which may be perceived as over development of the parcel and will also remove a majority of the on-site parking on the property.

Under the current Electoral Area "D" Zoning bylaw, no clear parking requirements are specified for civic facilities such as a fire hall. However, under the draft South Okanagan Zoning Bylaw No. 2800, uses in the AI zone would be required to provide one (1) on-site parking space per 30 m² of gross floor area in which case the fire hall would be required to provide 10 on site parking spaces. While not enforceable at this time, this issue may arise at the building permit stage dependant on construction timelines.

The applicants have noted that as "the surrounding site is publicly owned, and already functions as overflow parking for the firehall, there is adequate parking provided on the larger property."

Alternatives:

1. That the Board deny Development Variance Permit No. D2022.005-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "D" Advisory Planning Commission.

Respectfully submitted

Fiona Titley

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Endorsed by:

CG

C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Google Streetview)

No. 2 – Aerial Photo

Attachment No. 1 – Site Photo (Google Streetview)



Attachment No. 2 – Aerial Photo

