

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 18, 2023
RE: Development Variance Permit Application — Electoral Area “I” (I2023.004-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. I2023.004-DVP, to waive the off-street parking requirements to allow for an additional dwelling unit at 52-300 Strayhorse Road, Apex, be denied.

Proposed Development:

This application is seeking a variance to waive the 1.75 off-street parking requirement to convert a portion of the lobby of an apartment building into a new one bedroom dwelling unit.

In support of this request, the applicant has stated that “parking variance requested in order to apply for a building permit. [The] building already exists, just adding a wall, plumbing.”

Site Context:

The subject property is approximately 4,366 m² in area and is situated on the south end of Strayhorse Road on Apex Mountain. The property contains a 44 unit apartment building and attached restaurant.

The surrounding pattern of development is generally characterised by smaller residential uses to the west, Apex Mountain Resort buildings to the east, a gravel parking lot to the north and vacant land to the south.

Background:

The property was created on November 15, 1994. The plan of subdivision was corrected August 10, 2015 and was later amended pursuant to Section 259, Strata Property Act on October 3, 2016. Available records indicate that building permits for a hotel (1994), restaurant (1996) and interior renovations (2017) have previously been issued for this property.

Under the Electoral Area “I” Official Community Plan (OCP), the subject property is currently designated Apex Village Centre (AVC), with a policy for this designation speaking to support for “the preparation of a strategy to address day-use and/or overnight parking at Apex Mountain Resort.”

The property is zoned Apex Mountain Village (AMV) zone which permits apartment buildings and eating/drinking establishments as principal uses. BC Assessment has classified the property as “Residential” (Class 01).

Parking History

- 1994 – a building permit is issued for a hotel:
 - required on-site parking spaces is 106;

-
- 24 stalls were set to be provided on-site (see Attachment No. 1);
 - 82 dedicated parking stalls were to be provided in public parking lot to the north (see Attachment No. 2);
 - a sub-lease agreement with Apex Mountain Resort for the 82 spaces does not appear to have been completed.
- 1999 – a building permit is issued for the conversion of part of the hotel into a restaurant:
 - required on-site parking spaces for the restaurant use is 26;
 - applicant proposes adjacent public parking lot provides sufficient spaces for restaurant use;
 - this proposal is accepted, so no additional parking stalls are required for the restaurant use.

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 February 17, 2023. All comments received are included as a separate item on the Board's Agenda.

Analysis:

Overview:

In considering this proposal, Administration notes that the adequate provision of vehicle parking at a ski hill such as Apex is an important component of the visitor experience as well as the business model of a resort. It is further understood that the industry standard is generally to have the majority of vehicle parking provided within 500 metres of the existing base area of the ski hill.

The Zoning Bylaw generally supports this by requiring that uses – whether they be commercial or residential – provide sufficient on-site vehicle parking spaces and not create competition for limited public parking spaces.

In the context of Apex Mountain Resort, the majority of public parking is provided at the parking lot at the base of the ski hill, which is also immediately adjacent to the subject property, while a secondary parking area is provided at the terminus of Apex Road (1,000 metres to the west).

Alternate forms of transit to and within Apex such as buses, taxis and ride sharing are limited resulting in residents and visitors generally driving their own vehicles to the resort.

As a result, there have been long-standing concerns regarding the adequate provision of vehicle parking at Apex, which prompted amendments to the zoning bylaw in 2019 in order to require new developments provide adequate snow-storage areas separate from required on-site vehicle parking spaces.

In light of this parking history at Apex (see also the "Background" section above), it is worth highlighting that some local government zoning bylaws will provide options to reduce on-site vehicle parking requirements through the submission of a cash-in-lieu payment (to be used to provide public parking spaces elsewhere). Other zoning bylaws will also provide for "shared parking provisions" whereby users whose parking demands occur at different times during a day can share spaces (secured through a statutory covenant).

Neither of these options is seen to be applicable in this instance as the Regional District does not collect money to provide alternate future parking options at Apex, while the proposed residential use is seen to create a parking demand that will generally occur at the same time of day as that created by the ski resort – thereby negating the opportunity for shared spaces.

It is anticipated that waiving the parking requirements for the proposed residential use will create competition with patrons of the resort for the limited public parking spaces available during the ski season. Outside of the ski season (e.g. May to November), it is not anticipated that the requested variance would result in any negative vehicle parking issues.

The first two rows of the public parking area are generally used by residents of the subject property, however, there is no formal arrangement permitting this, resulting in use of these spots being “first come, first serve” between residents and ski hill patrons.

Also of concern, the strata that operates the building on the property allows Apex Mountain Resort to use a portion of its existing on-site vehicle parking area for snow storage purposes in the winter months (see Attachment No. 4), thereby removing spaces for its residents.

Finally, other options are seen to be available to the applicant such as having the strata provide the required space on-site, or negotiating with the resort to utilize other space nearby.

Conversely, it is recognised that providing the required parking spaces on the subject property is going to be difficult due to existing site constraints (e.g. topography and available area) and would impede the conversion of a discontinued commercial space to a residential dwelling unit.

Summary:

Apex is a ski resort built around accommodating visitors in the winter months and, as residents and visitors alike generally travel to the resort by motor vehicle, the provision of on-site vehicle parking has been a long-standing concern within the community.

Alternative:

1. That the Board approve Development Variance Permit No. I2023.004-DVP.

Respectfully submitted

Fiona Titley

Fiona Titley, Planner II

Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – 1994 Site Plan

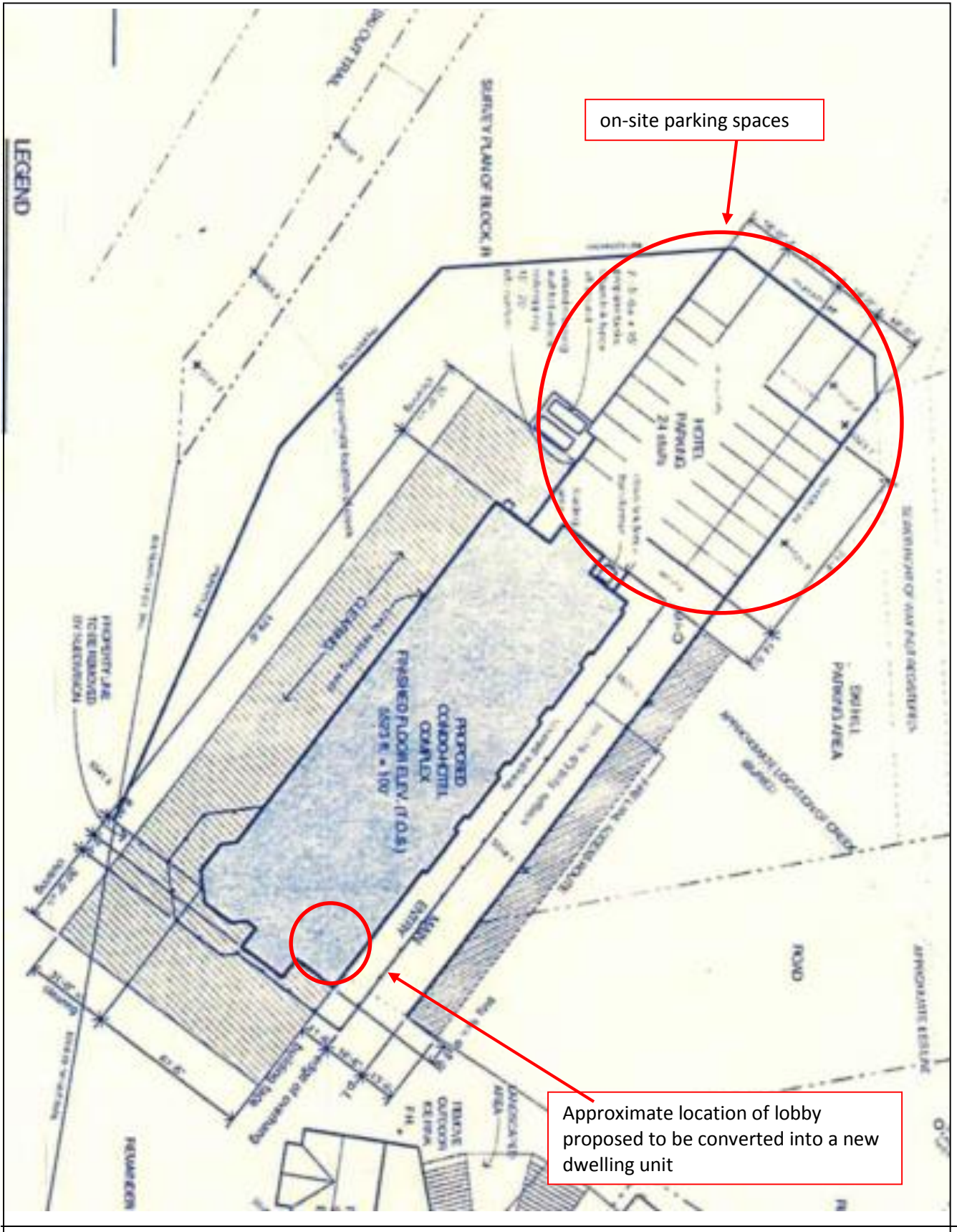
No. 2 – 2023 Site Plan

No. 3 – Proposed Dwelling Unit Floor Plan

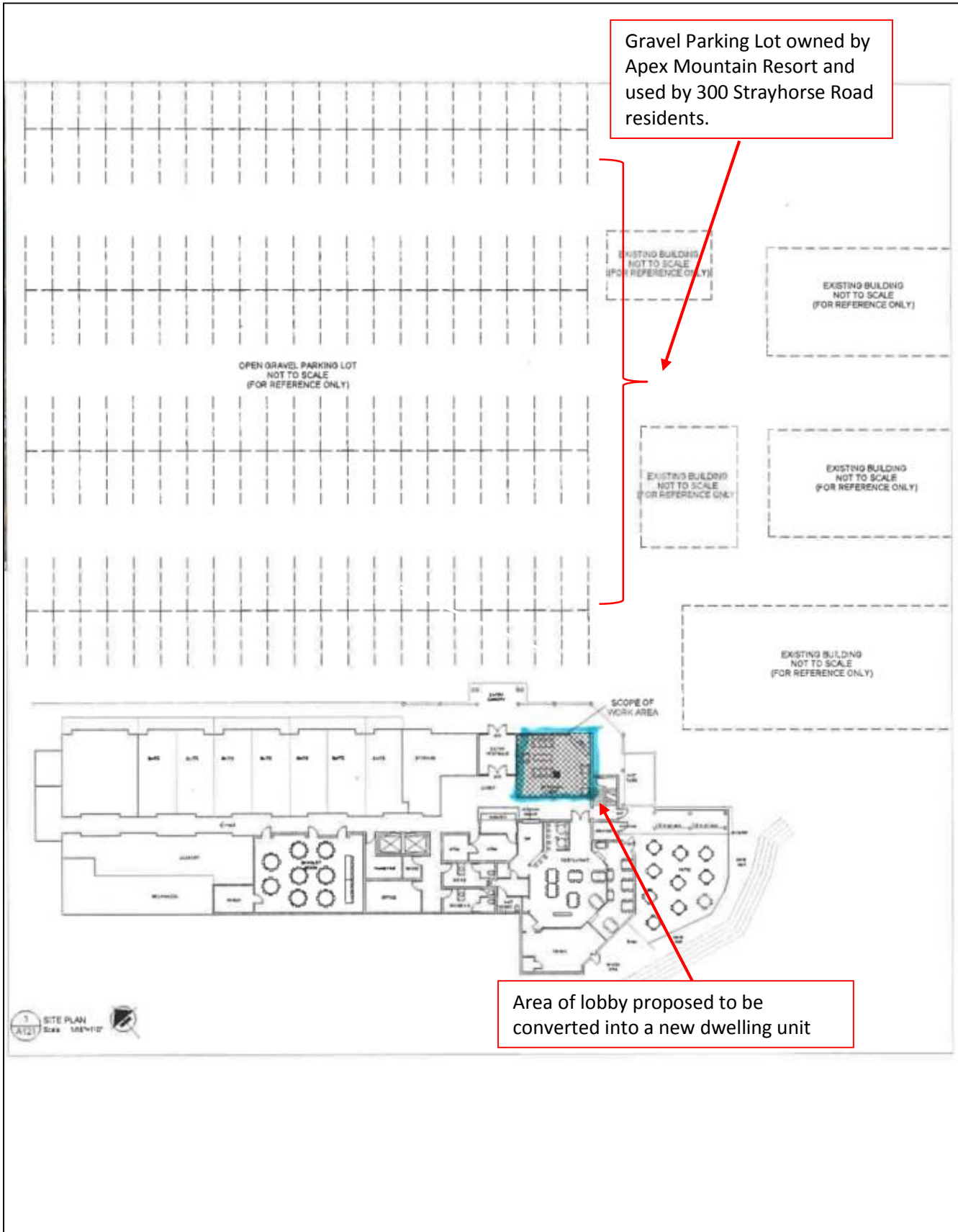
No. 4 – Site Photo (March 2023)

No. 5 – Aerial Photo

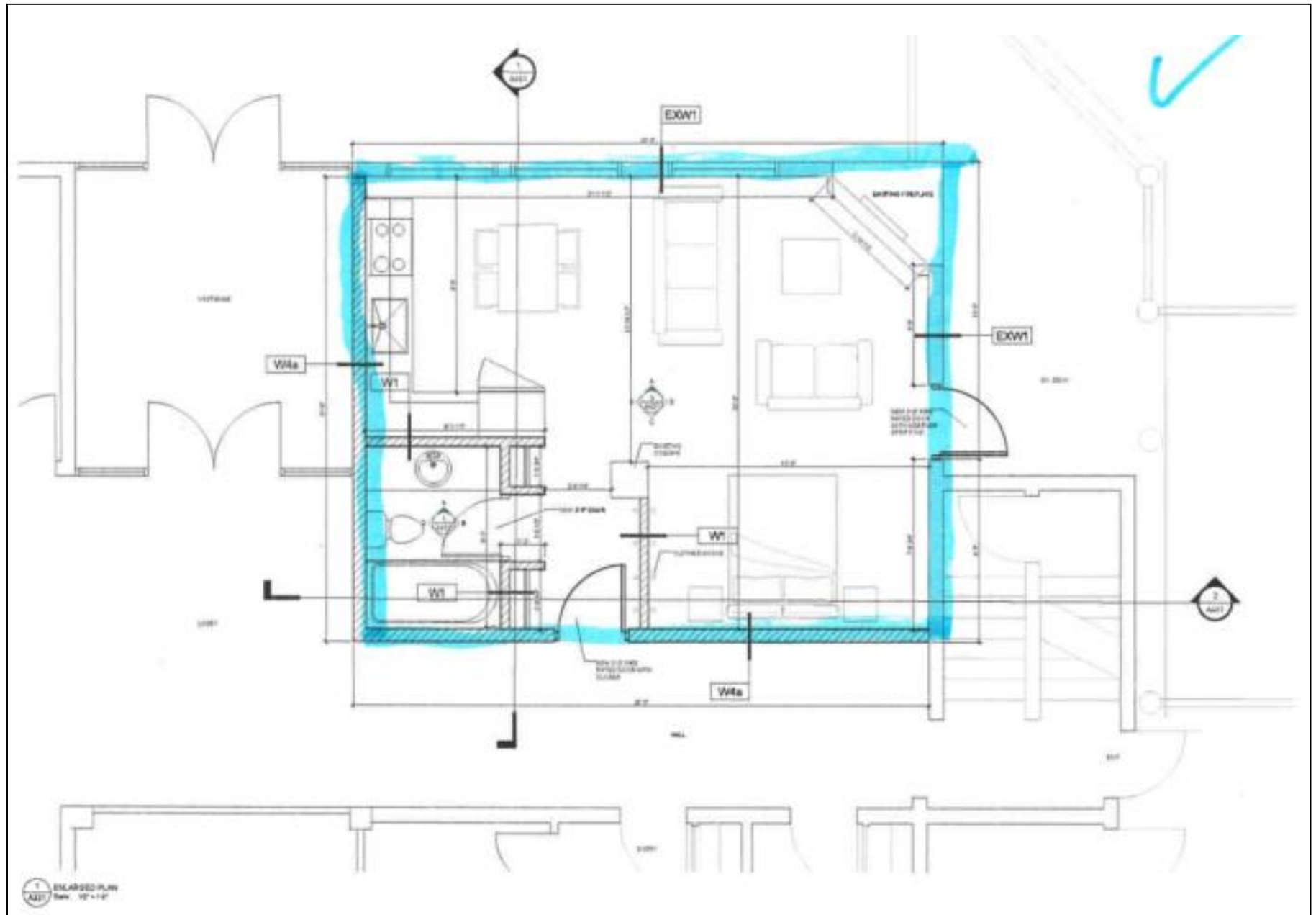
Attachment No. 1 – 1994 Site Plan



Attachment No. 2 – 2023 Site Plan



Attachment No. 3 – Proposed Dwelling Unit Floor Plan



Attachment No. 4 – Site Photo (March 2023)



Attachment No. 5 – Aerial Photo

