

To: Her Worship Mayor McKortoff and Members of Council

From: Christopher Garrish, Contract Planner

Date: April 9, 2024

Subject: Zoning Bylaw Review – Vehicle Parking Regulations

Tracker No: BLW-389

RECOMMENDATION:

That the Committee of the Whole recommend to Council that the following off-street vehicle parking regulations be included in the Draft Town of Osoyoos Zoning Bylaw:

- the cash in lieu payment amount for off-street vehicle parking spaces be increased from \$3,000 to \$20,000; and
- that electric vehicle charging infrastructure be required for new building projects.

CAO Comments:

Approved for Council consideration.

Executive Summary:

The purpose of this report is to provide Council with options in relation to certain off-street vehicle parking regulations to be included within the new Town Zoning Bylaw.

Background:

Under Section 525 (Off-street parking and loading space requirements) of the *Local Government Act*, a local government may, by bylaw, do one of the following:

- require owners or occupiers of any land, or of any building or other structure, to provide off-street parking and loading spaces, including spaces for use by disabled persons,*
 - for the building or other structure, or*
 - for the use of the land, building or other structure;*
- establish design standards for spaces required under paragraph (a), including standards respecting the size, surfacing, lighting and numbering of the spaces;*
- permit off-street parking spaces required under paragraph (a) to be provided, other than on the site of the building or other structure or use, under conditions that are specified in the bylaw;*
- as an alternative to complying with a requirement to provide off-street parking spaces under paragraph (a), permit, at the option of the owner or occupier of the land or the building or*

other structure, the payment to the municipality or regional district of an amount of money specified in the bylaw.

The Town of Osoyoos has a long history of establishing off-street parking requirements through its zoning bylaw, with the current bylaw regulating, amongst other things, the following:

- the use of parking facilities (s. 6.5);
- allowing parking facilities in the C1 Zone to be provided on a separate parcel (s. 6.6);
- required number of off-street vehicle parking spaces for new buildings and uses (s. 6.6);
 - including reduced parking requirements for multi-family dwellings in the “core area”.
- allowing for the payment in lieu of required parking spaces (s. 6.7);
- requiring disability parking spaces (s. 6.8); and
- design standards for parking spaces (s. 6.9).

More recently, Council has considered provincial direction regarding Small-Scale Multi-Unit Housing (SSMUH) Implementation and directed the following:

- the required on-site vehicle parking requirements for single detached dwellings, duplexes, secondary suites and accessory dwellings be 1.0 space per dwelling unit; and
- the required on-site vehicle parking requirements for townhouses and apartment building units be 1.5 space per dwelling unit outside of the “core area”.

Analysis:

In addition to Council’s previous direction regarding off-street vehicle parking requirements in relation to SSMUH Implementation, Administration is seeking direction on a number of other parking items as part of the drafting of the new zoning bylaw.

Cash In Lieu Payments:

Cash in lieu provisions in a zoning bylaw provide flexibility to property owners and developers who may find it difficult or impractical to provide the required parking spaces on-site due to space constraints or other limitations.

Allowing a cash in lieu payment option also enables property owners and developers to use their land more efficiently, such as for additional housing units or commercial space, thereby promoting densification and economic development.

Cash in lieu payments can also generate revenue for a municipality, which can then be used to fund public parking facilities, transportation infrastructure improvements, or alternative transportation options such as public transit, cycling infrastructure, or pedestrian improvements.

At present, the Town currently allows for a cash in lieu payment option of \$3,000 for each parking spaces required but not provided on a site at the time of building permit or business licence issuance (i.e. change of use).

Of concern; the current sum of \$3,000 has not been reviewed since the current bylaw was adopted in 1998 and has been eroded by inflation (i.e. \$3,000 in 1998 has the equivalent buying power of \$1,720 in 2024) and is likely insufficient to cover the cost of funding future parking facilities or transportation options.

In addition, it is understood that the Town has not collected a cash in lieu payment since the adoption of the current bylaw in 1998 and, as a result, there are no monies in the reserve fund required by the *Local Government Act* for such payments.

In response, three (3) options are seen to be available to Council:

1. revise the cash in lieu payment option to better reflect the actual costs of parking infrastructure or alternative transportation options;
2. repeal the cash in lieu payment option; or
3. status quo (e.g. retain the current \$3,000/space option).

Of these, Administration recommends that the cash in lieu payment option be revised and that consideration be given to an amount of \$20,000, which is reflective of the amounts required by some other Southern Interior local governments:

• Peachland:	\$56,000 (2023)	• Kamloops:	\$6,000 (2021)
• Kelowna:	\$37,391 (2024)	• Salmon Area:	\$5,500 (1999)
• Revelstoke:	\$22,150 (2024)	• Princeton:	\$5,000 (2013)
• Penticton:	\$13,000 (2023)	• Keremeos:	\$5,000 (2021)
• Summerland:	\$13,000 (proposed)	• Sicamous:	\$2,500 (2022)
• West Kelowna:	\$10,000 (2022)	• Merritt:	\$1 (up to a 25% reduction)
• Vernon:	\$10,000 (2019)		\$100 (between 25% and 50%)
• Oliver:	\$8,000 (2017)		\$1,000 (reductions over 50%).

Council is asked to be aware that the recommended sum of \$20,000 is based on other local government figures and if a sum based on a market-based assessment is desired, this will require additional work and budget.

Council is also asked to be aware that any increase in the cash in lieu payment option is likely to be passed on to tenants, homebuyers, or customers and possibly impact affordability within the C1 Zone.

In addition, and as can be seen by past experience, there is usually a significant time-lag between the collection of funds for new parking facilities and the actual construction of those facilities. In the interim, a cash in lieu payment option could lead to a shortage of parking spaces in certain areas of the Town, resulting in increased competition for limited parking spots, congestion, and inconvenience for residents, businesses, and visitors.

Council may also wish to consider the merits of expanding the cash in lieu payment option to a broader area (see “Core Area” discussion below).

Electric Vehicle Charging Infrastructure:

The availability of EV charging infrastructure is reportedly one of the most important factors in an individual's decision to purchase an EV and over 80% of EV charging occurs at home, which is typically the most convenient as well as the lowest cost.

Equipping new buildings with the capacity for electric vehicle charging at a level where a full charge can easily occur overnight or while at work is purportedly key to supporting the transition to electric vehicles.

Further, new homes and commercial spaces can be equipped with EV charging at a relatively modest cost with the wiring parking spaces for Level 2 charging at construction is reported to be generally half the cost of doing the work post-occupancy.

For these reasons, Council consider the inclusion of the following parking regulations in the new Zoning Bylaw related to electric vehicle charging:

- .1 For a single detached dwelling, duplex dwelling or a townhouse, a minimum of one (1) parking space per dwelling unit shall be provided with an energized electric vehicle outlet or electric vehicle charger.*
- .2 For an apartment building or mixed-use residential building, 100% of residential parking spaces shall be provided with an electric vehicle charger or a dedicated energized electric vehicle outlet.*
- .3 accessory dwellings, secondary suites and visitor parking spaces are exempt from the requirements of sub-sections .1 & .2.*
- .4 The following regulations apply to non-residential uses:*
 - i) 20% of the total number of parking spaces constructed for commercial uses in a commercial zone shall be provided with an electric vehicle charger or a dedicated energized electric vehicle outlet.*
 - ii) 5% of the total number of parking spaces constructed for industrial uses in an industrial zone shall be provided with an electric vehicle charger or a dedicated energized electric vehicle outlet.*

These requirements would result in the majority of new residential dwellings constructed within the Town being provided with charging infrastructure and would also introduce requirements for non-residential uses.

Conversely, the status quo remains an option for Council wherein the zoning bylaw does not specify any requirements for charging infrastructure in new builds and these are decisions are left to market forces.

Vehicle Parking Exceptions:

At present, the Zoning Bylaw provides for two broad categories of vehicle parking exceptions;

- reduced parking requirements for residential development in the “Core Area”; and
- a 100% reduction (e.g. exemption) for new construction with a value of less than \$250,000.

With regard to the “Core Area” exception, this applies to apartment buildings and townhouses constructed within an area centered around the downtown area and reduces required off-street vehicle parking from 1.75 spaces per dwelling unit to 1.0 space per dwelling unit.

Such an exemption usually has a dual role. First, it is applied to an area that was developed prior to the predominance of the automobile, such as an historic downtown area and in recognition that the footprint of many buildings in such areas comprise a majority of the parcel on which they are located, leaving little space for off-street vehicle parking spaces.

Second, due to the density of an area and close proximity of existing services and amenities, residents are not going to be as dependent on transportation by private automobile in order to meet their daily needs and do not require as many automobiles per household as outlying areas of the municipality. Accordingly, not as many vehicle parking spaces are required.

Finally, reducing parking requirements for desired types of housing forms (i.e. higher density in the form of townhouses and apartment buildings) can be a way to spur development.

While the basis of the current “Core Area” is unknown, it tracks closely with the downtown area and surrounding medium density residential areas, which suggests that the criteria above informed its creation.



With regard to the preparation of the new Zoning Bylaw, three (3) options are seen to be available to Council:

1. the “Core Area” map is revised to remove and/or add areas;
2. the “Core Area” map and related exemptions are repealed; or
3. status quo (e.g. the “Core Area” map is retained unchanged).

In considering this issue, it is noted that, since the adoption of the current Zoning Bylaw in 1998, the footprint of the medium density residential zones has expanded, principally south-west of the current “Core Area” boundary and along 89th Street and Loon Crescent. In response, Council could consider expanding the “Core Area” map to include this area.

Conversely, it is recognized that the adequate provision of vehicle parking is already a concern and that further reducing required parking spaces in the absence of a plan to provide alternate parking facilities could be problematic.

Should Council favour repealing the “Core Area” exemption, the option of applying the cash in lieu option (discussed above) to this same area is also available and could be used to fund new parking facilities or alternative transportation options.

Of these available options, Administration is recommending the status quo, but if Council wants additional work done on this issue that it be prioritized as a strategic project for 2025.

With regard to the \$250,000 exemption, Administration is proposing that this not be carried forward into the new Zoning Bylaw.

Options/discussion:

1. That the Committee of the Whole recommend to Council that the following off-street vehicle parking regulations be included in the Draft Town of Osyoos Zoning Bylaw:
 - the cash in lieu payment amount for off-street vehicle parking spaces be increased from \$3,000 to \$20,000; and
 - that electric vehicle charging infrastructure be required for new building projects.
2. That the Committee of the Whole recommend to Council that the following off-street vehicle parking regulations be included in the Draft Town of Osyoos Zoning Bylaw No:
 - i) *TBD*
3. Status quo.

Implications:

- a) Community
 - It is anticipated there will be increasing demand for vehicle parking due to the influx of visitors during the Town’s peak tourist season and the proposed amendments are a start to addressing the long-term provision of parking facilities within the downtown area.
- b) Organizational
 - A strategy to address vehicle parking demands within the Town is required.
- c) Budget
 - None at the time.
- d) Financial/Risk Implications
 - The cost of implementing a long-term vehicle parking strategy is going to be significant.
- e) Significant Dates
 - The Town’s zoning bylaw must be updated by June 30, 2024, to comply with provincial legislative requirements.

f) Sustainability

- Supporting the transition to electric vehicles by improving the occurrence of charging infrastructure is consistent with the OCP policy of supporting an EV “charging network”.

Others Consulted:

Corporate Services
Financial Services
Operational Services

Attachments: