



Public Notice

penticton.ca

April 9, 2020

Subject Property:

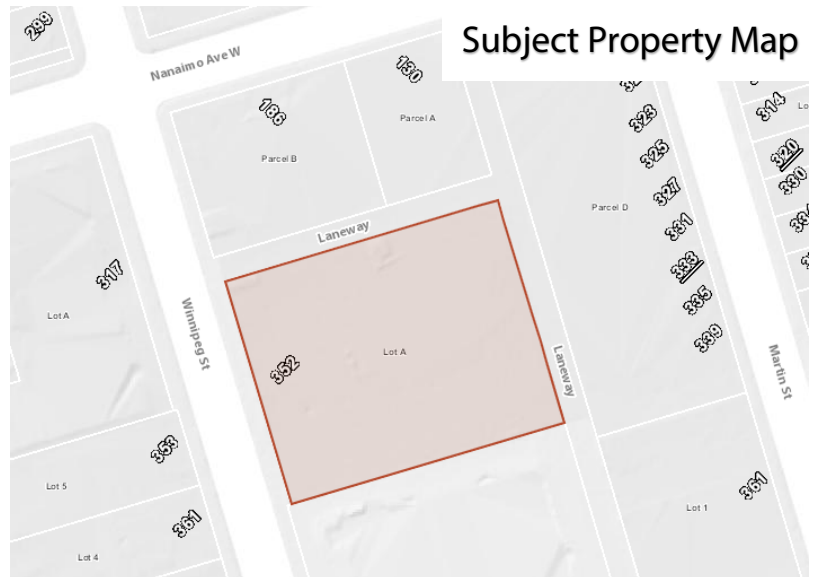
352 Winnipeg Street

Lot A, District Lot 4, Group 7, Similkameen
Division Yale (Formerly Yale –Lytton) District, Plan
KAP49367

Application:

Rezone PL2019-8612

The owners of the property are proposing to redevelop the existing building to include office space, a residential unit, and self-storage on the ground level. To facilitate the development, they have applied to add 'self-storage' as a permitted use with a maximum gross floor area of 505m² at 352 Winnipeg Street (C5: Urban Centre Commercial).

**Information:**

You can find the staff report to Council and Zoning Amendment Bylaw 2020-08 on the City's website at www.penticton.ca/latestannouncements. Select the Public Notice category.

Please contact the Planning Department at www.penticton.ca or (250) 490-2501 with any questions.

Council Consideration:

Council has waived the Public Hearing for Zoning Amendment Bylaw 2020-08 and will consider the bylaw at its Regular Council Meeting scheduled for **1:00 pm, Tuesday, April 21, 2020**.

In response to the COVID-19 pandemic, council meetings will remain closed to the public. All meetings will be live streamed via the City's website: www.penticton.ca.

Audrey Tanguay
Planning Manager

Date: March 3, 2020
To: Donny van Dyk, Chief Administrative Officer
From: Nicole Capewell, Planner I
Address: 352 Winnipeg Street
Subject: Zoning Amendment Bylaw No. 2020-08

File No: RMS/352 Winnipeg St

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2020-08", a bylaw to add the use 'self-storage', limited to 505m² to the C5 (Urban Centre Commercial) zone on a site specific basis for Lot A District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District plan KAP49367, located at 352 Winnipeg Street, be given first reading and be forwarded to the March 17, 2020 Public Hearing;

AND THAT Council, subject to the issuance of "Zoning Amendment Bylaw No. 2020-08", consider approval of "Development Permit PL2019-8613", for 352 Winnipeg Street, a permit to allow for a mixed-use development featuring office, residential and self-storage uses.

Strategic priority objective

This proposal meets Council's strategic priority objectives of:

Community Safety: The City of Penticton will support a safe, secure and healthy community; and

Community Design: The City of Penticton will attract, promote and support sustainable growth and development congruent with the community's vision for the future.

Background

The applicants are proposing to redevelop the property located at 352 Winnipeg Street. Currently, the property contains a large building originally constructed in the 1990s as convention space for the Penticton Executive Inn (333 Martin Street). When the hotel converted to the seniors home 'Charles Manor', the convention building and land it is located on was subdivided and sold off to the Victory Church, which operated there until 2018.



The new owners of the property are proposing to redevelop the building to include office space, a residential unit, and self-storage on the ground level.

The property is currently zoned C5 (Urban Centre Commercial) and is designated as 'Urban Residential' within the Official Community Plan's Future Land Use Map. The C5 zone does not include the use self-storage. All other uses proposed are permitted by the C5 zone.

History of bylaw complaints

This property has a history of bylaw complaints due to the building being elevated above a parking area and providing opportunity for vagrancy. City Bylaw officers and RCMP members regularly attend the property for issues in this underground parking area. The City's Bylaw Department anticipates a positive outcome from the development of this property and enclosure of the lower parking area. The additional activity on the property will increase surveillance and eliminate the likelihood of loitering, social and bylaw issues.



Proposal

The applicant is requesting the following amendment to Zoning Bylaw No. 2017-08:

Add:

Section 11.5.4 "In the case of Lot A District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District plan KAP49367, located at 352 Winnipeg Street, the use 'self-storage' shall be permitted, limited to a maximum gross floor area of 505m²."

The subject property is also considered within the Commercial/Mixed Use Development Permit Area and Development Permit approval is required prior to construction. This has been included for Council's consideration.

Technical Review

This application was reviewed by the City's Technical Planning Committee. As part of the review, standard servicing upgrades were identified to the applicant, as well as building permit processes and expectations. Of note on the property are two registered documents, which provide parking to a nearby property, which currently supports the Charles Manor. The proposed plans maintain compliance with these documents.

Development Statistics

The following table outlines the proposed development statistics of the project:

	C5 Zone	Proposed in Plans
Lot Area:	275 m ²	3,660 m ²
Maximum Density:	6.0 Floor Area Ratio	0.74 Floor Area Ratio
Maximum Lot Coverage:	100%	36.2%
Vehicle Parking:	1 parking space/dwelling unit. No parking or loading spaces are required for commercial uses within the C5 zone. Parking required for legal documents on title (total 45 spaces) Total required = 46 spaces	72 provided
Maximum Height Principal building:	36.6 m	14.32 m
Required Setbacks Front Yard (Winnipeg St): Interior Side Yard (north): Exterior Side Yard (south): Rear Yard (west)	0.0 m 0.0 m 0.0 m 0.0 m	20.75 m 0.10 m 20.57 m 1.37 m

Analysis

Staff are supportive of the proposed redevelopment of the property for the following reasons:

1. This is a positive improvement to what currently exists. As shown below, the front of the building currently does not have any street presence towards Winnipeg Street, and the primary entrance to the building is located along the lane. The proposed elevation would provide a prominent entrance point from Winnipeg Street and have the overlook from the outdoor deck space of the residential unit.



Figure 1 - Existing and Proposed West Elevation

2. Staff have recommended that a maximum floor area of 505m² be placed on the amount of self-storage permitted on the property. This would provide assurance that the self-storage area would not be increased from what is currently proposed and other, high value and permitted by zoning uses, would fill the remainder of the building.
3. The parking area under the current building which currently poses a safety concern will be filled in.
4. The addition of a residential unit to the property would allow for someone to be on the property at all hours. This would provide an increased form of security through 'eyes on the street'. Often commercial properties are vacated after working hours, which can result in isolated areas.

In summary, although self-storage is not a use generally permitted within the C5 zone and is not a desired use as directed by the OCP designation of 'urban residential', staff consider the proposal is a positive outcome to the existing situation on the property, provided a maximum floor area (505m²) is included to restrict the self-storage from expanding further on the property.

Through this development, the applicants will also be completing improvements to the property, including updates to the parking layout on the property (to be repainted with wheel stops), and landscaping improvements. These items were reviewed through a Development Permit Analysis, as the property is considered within the Commercial/Mixed Use Development Permit Area. A complete analysis has been included as Attachment 'B'. Staff are recommending issuance of the Development Permit, subsequently to the approval of the rezoning application.

Alternate recommendations

Council may consider that placing a maximum floor area is not desirable for the proposal, in the event the property should wish to expand the self-storage. If this is the case, Council should consider Alternative 1. Alternatively, Council may feel that self-storage is not an appropriate use in the downtown. If that is the case Council should deny first reading of the bylaw (Alternative 2).

Alternative 1

THAT "Zoning Amendment Bylaw No. 2020-08", a bylaw to add the use 'self-storage' as a site specific use in the C5 (Urban Centre Commercial) zone for Lot A District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan KAP49367, located at 352 Winnipeg Street, be given first reading and be forwarded to the March 17, 2020 Public Hearing.

Alternative 2

That Council deny first reading to "Zoning Amendment Bylaw 2020-08".

Attachments

Attachment A – Letter of Intent

Attachment B – Development Permit Analysis

Attachment C – Images of Subject Property

Attachment D – Draft Development Permit

Respectfully submitted,

Concurrence:

Nicole Capewell
Planner I

Director	A/Chief Administrative Officer
<i>BL</i>	<i>LWB</i>

Attachment A – Letter of Intent

September 18, 2019

City of Penticton, Planning Department
171 Main Street,
Penticton, B.C., V2A 5A9.

ATTN: Nicole Capewell

RE: LETTER OF INTENT, 352 WINNIPEG STREET

This letter is in support of the DP application proposed for the site located at 312 Winnipeg street in Penticton, B.C.

Background

The property faces Winnipeg Street on the West, a Lane on the North side and another Lane on the East side. Access to the site is through Winnipeg street.

The Lot is currently occupied by an existing two storey building, currently vacant.

Originally it was used as an assembly facility.

The main entrance does not face Winnipeg street but the lane. Access from Winnipeg street is provided by exterior stairs, which also function as exiting from the building.

The perimeter of the ground floor of the building is considerably smaller than the perimeter of the second floor. The area under the building is currently occupied by parking.

Surface parking surrounds the building.

The exterior of the building is stucco

The current Zoning is C5.

Proposal

The program for the design is:

- 1) Creating storage and enclosing the parking at the ground floor by enclosing the exiting space under the second floor
- 2) Allowing the function of the interior to be flexible and include a single tenant as well as a multi-tenant space
- 3) Add a residential Unit
- 4) Update the exterior creating a presence towards Winnipeg Street by introducing an entrance, articulate the exterior massing and the materials used on the exterior

The current zoning does not allow for storage. For this reason, a rezoning would be required, however maintain the current C5 zoning.

In the C5 there are no requirements for parking. No variance would be required.

The setbacks comply with the requirements of the zoning.

We believe that the benefit that the project provides to the surroundings can be summarized as:

- 1) Providing secured facilities that fulfill a service that have been identified as needed in the area and for the renovated building (i.e. secured parking and storage). By closing the area under the ground floor, the exterior of the building will become more secure as well.
- 2) Allowing more flexibility of the interior space would lead to possible more variety of functions
- 3) Introducing an entrance facing Winnipeg Street will reorient the building creating the proper presence in the urban articulation
- 4) Introducing the residential unit will create, at times, a more constant presence on site even after business hours
- 5) The increased articulation of the form and the materials used on the building will add visual interest

As indicated, currently the building is vacant. It has an outdated appearance and internal distribution. The renovation is intended to bring the building to an up to date status that would allow to be occupied. This will intend hopefully to provide also opportunities for new employment positions to be fulfilled.

Acknowledging that the building is existing and its location on the site is defined and the objectives of the project are intended to concentrate on the building, the following aspects of the project respond to principles expressed in the OCP:

A) General Guidelines

1) Designing in Context

- a. The boulevard is enhanced with new planting integrated with the existing
- b. Solar Access is optimized
- c. The location of the new residential unit does not compete with the commercial presence on the street, enhanced by the new entrance.

2) Framing Space

- a. The new entrance creates a strong presence towards Winnipeg Street
- b. The enclosure of the area at the ground floor under the existing building increases the security aspect, not only within the site, but also outside the boundary.

3) Prioritizing Pedestrian

- a. The boundaries of the site are open and pedestrian movement within the property is not obstructed.
- b. The entrance to the newly created residential unit is at grade
- c. The building, after the renovation, will be provided with two entrances: one towards Winnipeg Street and the other facing the lane (on the opposite side). The latter is the original entrance and it is pedestrian oriented. The second entrance is fronted by a generous sidewalk, where bike racks are also located .

- 4) Cars and Parking
 - a. Parking is existing
- 5) Design For our Climate
 - a. Considerable fenestration has been introduced to maximize the penetration of natural light
 - b. The building will be well insulated, and the systems utilized will be designed to optimize their efficiency
 - c. The roof material minimizes heat loading and increases reflectivity
 - d. Cross ventilation using openable windows will be introduced
- 6) Friendly Spaces, Friendly Neighbors
 - a. The new entrance created towards Winnipeg Street enhances the presence of the building
 - b. Articulation of the massing has been introduced by the residential component and the new entrance
 - c. Deck and balconies create a visual interest and vitality
 - d. Layering of elements are utilized in the design
- 7) Eyes on the Street
 - a. The existing building is elevated and does not connect with the street (except of the lane side) The renovation intends to connect the building with the grade and provide a level of visual interest
 - b. The entry is very visible
 - c. Windows and balconies are oriented towards the public realm
 - d. Blank walls are avoided in the design
 - e. Additional fenestration will increase security by providing self-policing of the lot and surrounding areas.
- 8) Design with Nature
 - a. In designing the irrigation system and choosing planting species, very much attention will be placed on the water conservation.
 - b. Soil and depth composition, where new planting will be introduced, will be carefully considered
- 9) Enhance the Urban Forest
 - a. All existing trees have been retained and new ones have been introduced. Irrigation will be provided.
- 10) Functional Use of Landscaping
 - a. Between the sidewalk and the parking low edging has been introduced to define the Public from the Semi-public spaces
- 11) Corner Lots
 - a. The new residential addition, with the increased height, will function as a landmark , without competing with the new entrance to the existing building.
- 12) Lighting
 - a. Lighting fixtures will avoid "pollution" by cutting off glare above the 90 degrees mark.
 - b. Warmer sources of lighting will be utilized

- c. The design of the lighting will take into consideration the functions to which such lighting is associated. Various intensities will be used to highlight the location in which major functions will be concentrated.
- d. The lighting design will be carefully analyzed in order to avoid intrusions into neighboring spaces.
- e. Adequate lighting in its intensity and location will eliminate dark and unsecured areas.

13) Utilities, Mechanical Services and Servicing

- a. The units are existing

14) Waste Management

- a. Location of the waste is existing

B) Commercial and Mixed-Use Guideline

1) Framing Space

- a. The commercial space is oriented towards the street, while the residential unit access is from a secondary lane. However, the balconies and decks at the upper floors still face the public realm.

2) Parking

- a. It is existing

3) Friendly Faces (Massing and Articulation)

- a. The addition increases the articulation of the existing building
- b. The new entrance structure, with its considerable size, provide a clear indication of its function and characterizes the architectural expression of the building.

4) Commercial Frontages

- a. Blank walls are minimized

5) Weather Protection

- a. The entrances are covered by canopies or overhangs

6) Signage

- a. Signage will be part of a separate permit

I trust you will find this in order.

Yours sincerely,



Marco Ciriello, Principal
Architect AIBC
per: LO STUDIO architecture Inc.

Development Permit Analysis

The proposed development is located within the Commercial/Mixed Use Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with this development permit area.

- Guideline G1 Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.).*
- Site analysis was completed to review constraints on the property prior to redevelopment.
- Guideline G7 All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment*
- The applicants have provided a proposal which improves the current situation on the property. Closing in the open parking areas under the building will eliminate dark, hidden areas, and increase security in the area.
- Guideline G10 Pedestrian connectivity to adjacent properties is encouraged. With the exception of private yards, open spaces shall be designed for public access and connectivity to adjacent public areas (and publicly-accessible private spaces).*
- The proposal includes an update to the site, including parking and landscaping. Currently the property is not pedestrian friendly as the parking spaces and drive aisles are not clearly delineated, which should be alleviated through the proposed improvements (painting, wheel stops, landscaping). Further, the proposed façade facing Winnipeg Street will introduce a pedestrian connection to the streetscape, which does not currently exist.
- Guideline G21 Orientation of buildings should face public spaces (e.g., street and lane) with a preference for ground-oriented types (e.g., a front door for everyone or every business).*
- The proposed improvement will introduce a main entrance onto the front of the building that faces Winnipeg Street. Currently, the entrance is at the rear of the building, which is not desirable.
- Guideline G23 Articulation of building mass should include horizontal (minor) setbacks and stepbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience...*
- The proposed building has been designed with variation throughout the rooflines and elevations of the building to reduce the appearance of one large structure.
- Guideline G27 Development should activate the public realm (e.g., sidewalks) and shared open spaces by placing active uses at street level.*
- Guideline G29 Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces and parking areas.*
- Guideline G34 Tree Retention*
- The proposed landscaping plans considers the existing trees along the frontage of the property. Landscaping has been designed to maintain these trees, while introducing new shrubs and landscaping items throughout the property.

Guideline CM3 Mixed-use developments require thoughtful consideration to create synergies in mix and placement of uses.

- The proposed development has been designed with compatible uses.
- The proposed changes have introduced a ground-oriented presence through a new entrance to the building.

Attachment C – Images of Subject Property



Frontage of Property (west elevation)



South Elevation of Existing Building



Looking north towards existing building from laneway



Rear of Existing Building (looking west)



Looking West at Northeast Corner of Property



Looking South at North Elevation of Existing Building from laneway



Looking east from northwest corner of property



Looking south along existing property frontage



City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Permit

Permit Number: DP PL2019-8613

Owner Name
Owner Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
 - Legal: Insert Legal Description
 - Civic: 352 Winnipeg Street
 - PID: Insert PID
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a mixed-use development as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$_____ must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502(2.1) of the *Local Government Act*, to undertake works or other activities required to:
 - a. correct an unsafe condition that has resulted from a contravention of this permit,
 - b. satisfy the landscaping requirements of this permit as shown in Schedule 'A' or otherwise required by this permit, or
 - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:
 - a. The permit has lapsed as described under Condition 8, or
 - b. A completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.
6. Upon completion of the development authorized by this permit, an application for release of securities (Landscape Inspection & Refund Request) must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security in accordance with the City of Penticton Fees and Charges Bylaw (as amended from time to time).

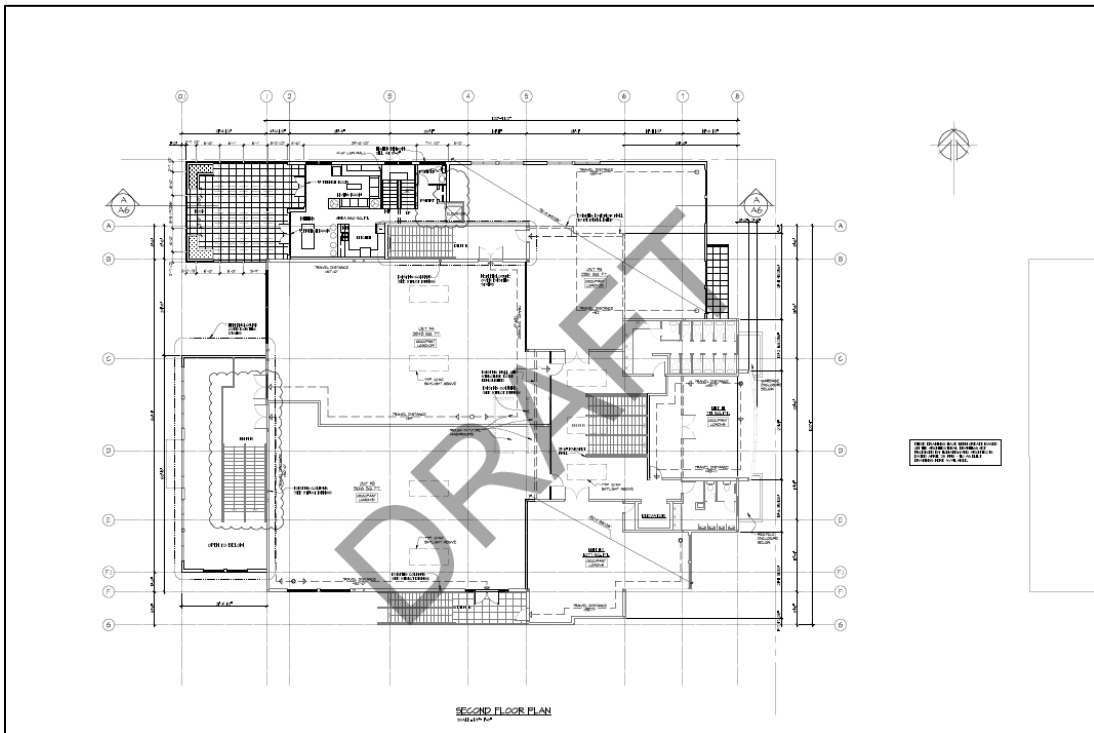
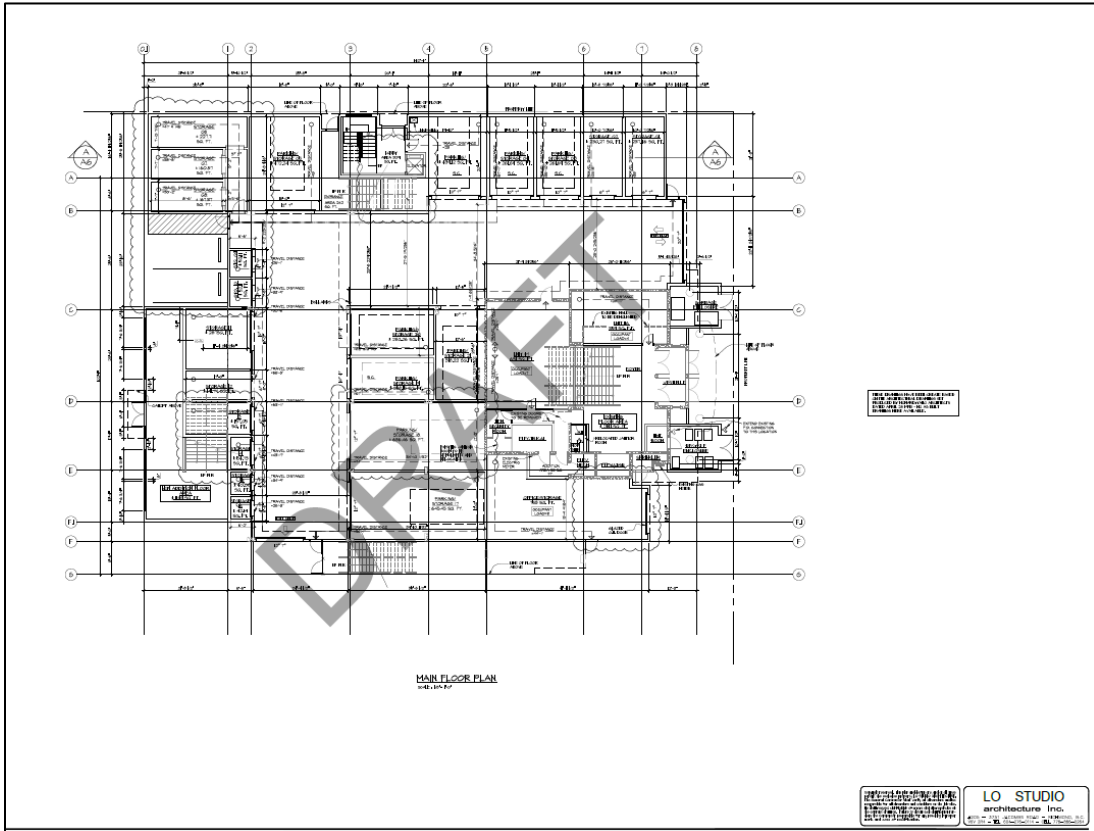
General Conditions

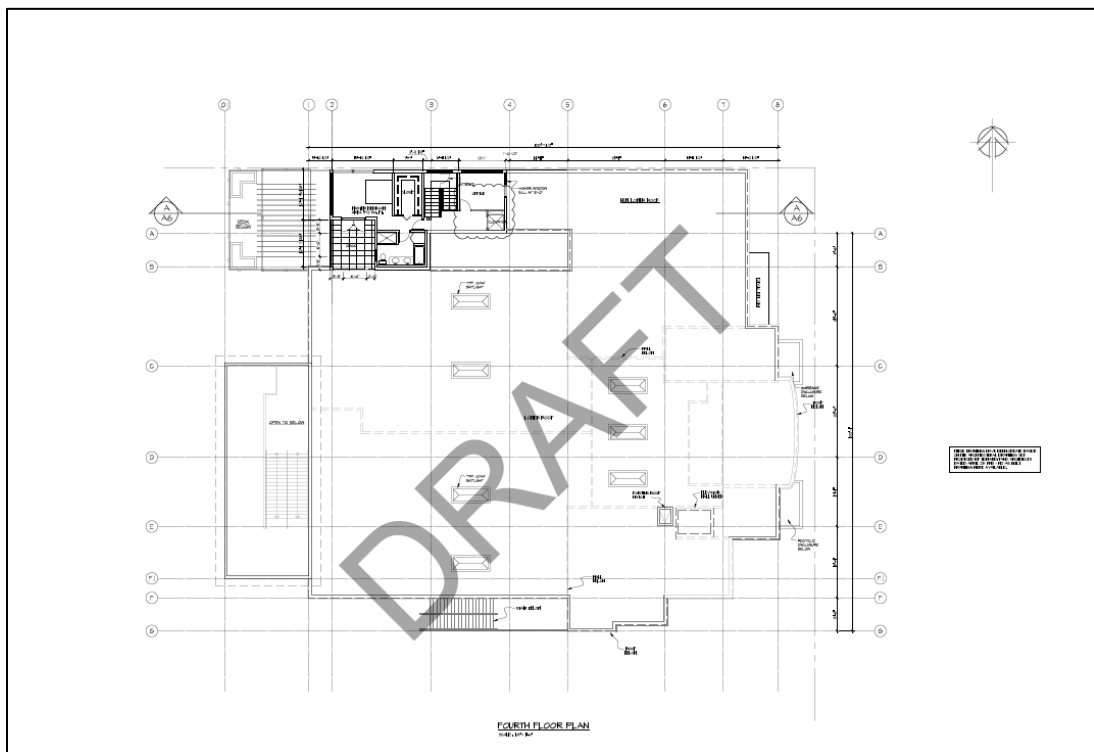
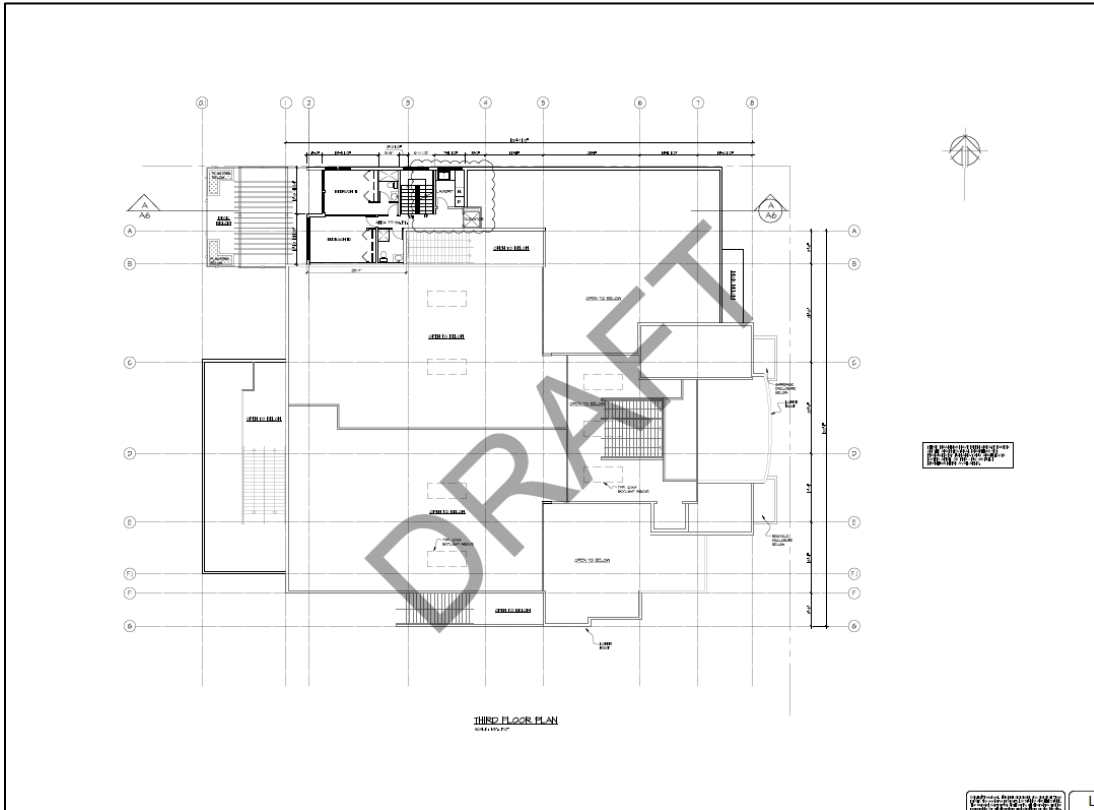
7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

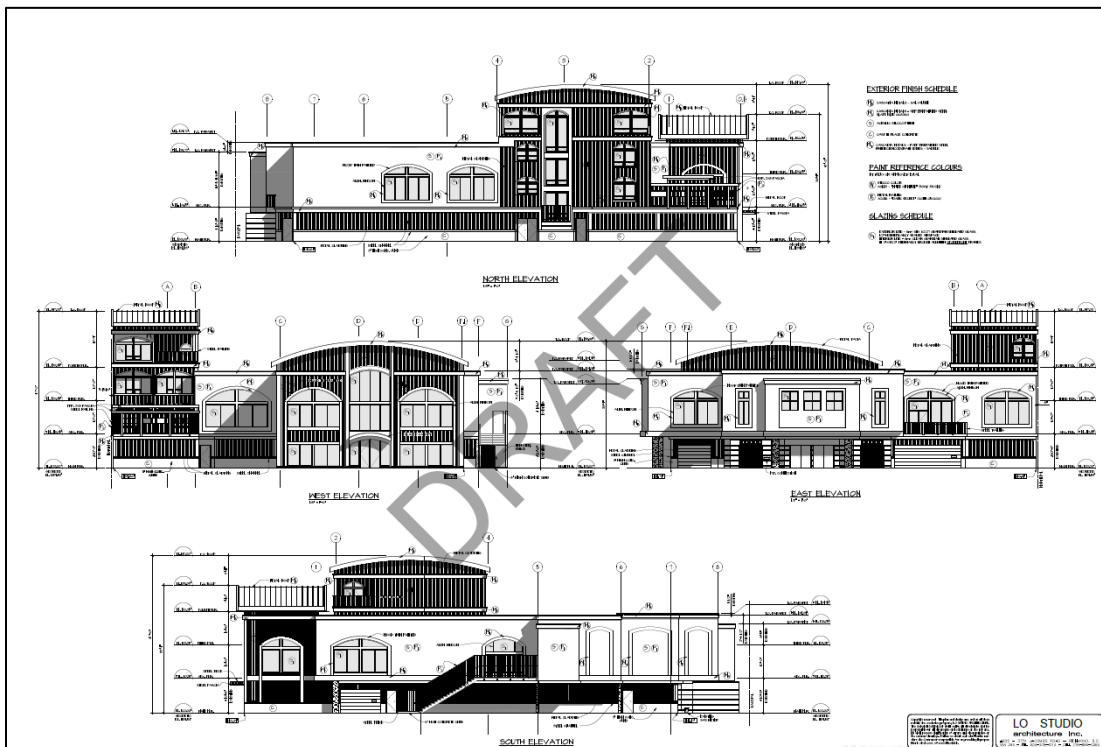
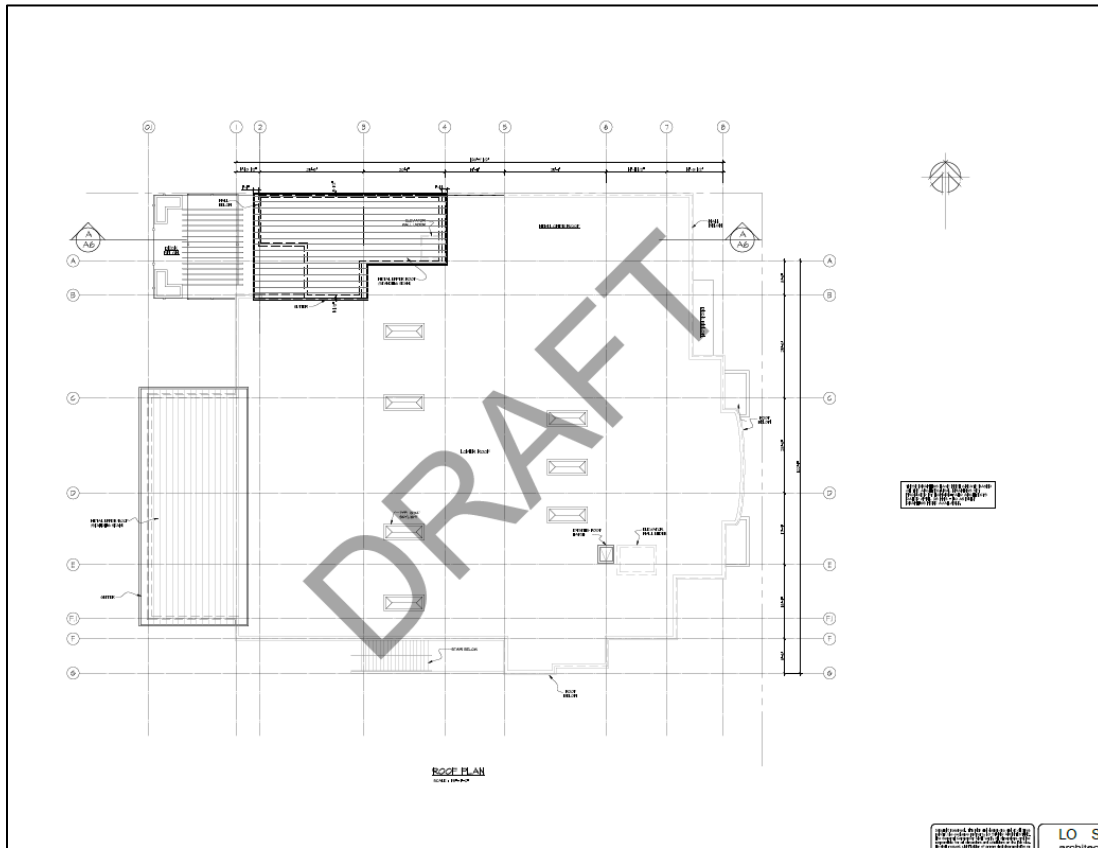
Authorized by City Council, the ____ day of ____, 2020.

Issued this ____ day of ____, 2020.

Angela Collison
Corporate Officer









The Corporation of the City of Penticton

Bylaw No. 2020-08

A Bylaw to Amend Zoning Bylaw 2017-08

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2017-08;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2020-08".

2. **Amendment:**

2.1 Zoning Bylaw No. 2017-08 is hereby amended by adding the following site specific provisions to 11.5 C5 – Urban Centre Commercial, section 11.5.4:

.10 In the case of Lot A District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District plan KAP49367, located at 352 Winnipeg Street, the use 'self-storage' shall be permitted, limited to a maximum gross floor area of 505m².

2.2 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this _____ day of _____, 2020

A PUBLIC HEARING was held this _____ day of _____, 2020

READ A SECOND time this _____ day of _____, 2020

READ A THIRD time this _____ day of _____, 2020

RECEIVED the approval of the _____ day of _____, 2020

Ministry of Transportation on the

ADOPTED this _____ day of _____, 2020

Notice of intention to proceed with this bylaw was published on the ____ day of ____, 2020 and the ____ day of ____, 2020 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 2020

for Minister of Transportation & Infrastructure

John Vassilaki, Mayor

Angie Collison, Corporate Officer

Site Specific Zoning Amendment

To add the use 'self-storage',
(limited to 505m²)
as a permitted use at
352 Winnipeg Street
(C5 Urban Centre Commercial)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2020-08

Date: _____

Corporate Officer: _____