

July 9, 2020

Subject Property:

2475 Skaha Lake Road

Lot 2, District Lot 116, Similkameen
Division Yale District Plan 9227

Application:

Rezone PL2020-8758

The applicant is proposing to construct a used car dealership associated with Penticton Toyota on the subject property. In order for the proposed development to proceed, the site needs to be rezoned from CT1 (Tourist Commercial) to C7 (Service Commercial) to permit the use 'motor vehicle sales and rental'.



Information:

You can find the staff report to Council and Zoning Amendment Bylaw 2020-27 on the City's website at www.penticton.ca/latestannouncements. Select the Public Notice category.

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

Council Consideration:

A Public Hearing has been scheduled for **6:00 pm, Tuesday, July 21, 2020** in Council Chambers at Penticton City Hall, 171 Main Street.

All meetings will be live streamed via the City's website at: www.penticton.ca/city-hall/city-council/council-meetings. Select the 'Watch Live' button.

Public Comments:

Any person whose interest may be affected by the proposed bylaw:

1. May appear in person (adapted to comply with physical distancing requirements);
2. May telephone the evening of the Regular Council meeting. Contact the Corporate Officer at 250-490-2410 before 9:30 a.m. Tuesday, July 21, 2020 to register and receive the dial in number and participation instructions; or
3. Submit written comments by mail or email no later than 9:30 am, Tuesday, July 21, 2020 to

Attention: Corporate Officer, City of Penticton
171 Main Street, Penticton, B.C. V2A 5A9
Email: publichearings@penticton.ca

For more information on Public Hearings during Covid-19, please go to www.penticton.ca/publichearings.

No letter, report or representation from the public will be received by Council after the conclusion of the July 21, 2020 Public Hearing.

Please note that all correspondence submitted to the City of Penticton in response to this Notice must include your name and address and will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's name and address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.

Audrey Tanguay
Planning Manager



Council Report

penticton.ca

Date: July 7, 2020
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner 1
Address: 2475 Skaha Lake Road

File No: RMS/2475 Skaha Lake Road

Subject: Zoning Amendment Bylaw No. 2020-27
Development Permit PL2020-8759

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2020-27", a bylaw to rezone Lot 2 District Lot 116 Similkameen Division Yale District Plan 9227, located at 2475 Skaha Lake Road from CT1 (Tourist Commercial) to C7 (Service Commercial), be given first reading and be forwarded to the July 21, 2020 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2020-27", a road dedication of 2.0m along the Skaha Lake Road frontage be registered with the Land Title Office;

AND THAT Council, subject to approval of "Zoning Amendment Bylaw No. 2020-27", approve "Development Permit PL2020-8759" for 2475 Skaha Lake Road, a permit to allow for the construction of a motor vehicle sales and rental business.

Strategic Priority Objective

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

Proposal

The applicant is proposing to construct a used car dealership associated with Penticton Toyota on the subject property. In order for the proposed development to proceed, the site needs to be rezoned from CT1 (Tourist Commercial) to C7 (Service Commercial) to permit the use 'motor vehicle sales and rental'. A Development Permit is also required as the use is considered within the Commercial and Mixed Use Development Permit Area.

Background

The subject property is located on the west side of Skaha Lake Road, directly adjacent to Penticton Toyota (Figure 1). The subject property contains the Jubilee Motel, consisting of two buildings which are both proposed to be demolished.

The property is currently zoned CT1 (Tourist Commercial) and designated 'Commercial' by the Official Community Plan (OCP). The property is located in a primarily commercial area consisting of a mix of retail and service uses along the Skaha Lake Road corridor. Across the rear lane to the west is a low density residential neighbourhood.

The proposed development is associated with the Penticton Toyota dealership adjacent to the north. A recent addition and building updates on that property have been completed within the last three years, and now the applicants are proposing to construct a motor vehicle sales and rental business on the subject property. The proposed use will be operated in conjunction with the Penticton Toyota dealership (Attachment 'E').



Figure 1 - Location Map

Financial Implication

The City is responsible for the surveying and legal costs of taking the identified road widening, with no cost for the land itself.

Technical Review

This application was reviewed by the City's Technical Planning Committee (TPC). The TPC identified the requirement for a 2.0m road widening along the Skaha Lake Road frontage. Staff have included this requirement as a condition of the rezoning. Additional discussion and resulting comments were provided to the applicant regarding the landscaping and site features such as the secure bicycle parking area, which the applicant has addressed on updated plans. The Building Department provided BC Building Code requirements to the applicant for information when proceeding to the construction phase, and outlined that demolition permits will be required for the existing buildings on the property.

Development Statistics

The following table outlines how the proposed development meets the applicable Zoning Bylaw regulations:

	C7 Zone Requirement	Provided on Plans
Minimum Lot Width:	20 m	50.42 m
Minimum Lot Area:	650 m ²	3,066 m ²
Maximum Lot Coverage:	50%	14%
Vehicle Parking:	8 spaces (1 space per 50m ² net floor area)	10 spaces – including 2 small car spaces and 1 accessible space

Required Setbacks		
Front Yard:	4.5 m	29.5 m
Side Yard (north):	0 m	3.0 m
Side Yard (south):	4.5 m	+/- 18 m
Rear Yard (lane):	0 m	3.8 m
Maximum Building Height	12 m	9.6 m

Analysis

Rezoning

The OCP designation for the property is 'Commercial'. This land use designation supports a range of commercial uses including office, retail, goods and services (Figure 2). The proposed rezoning to C7 and development of a motor vehicle sales and rental business is consistent with the 'Commercial' land use designation.

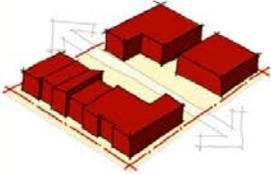
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Commercial 	Areas with a wide range of commercial uses including office, retail, goods and services.	<ul style="list-style-type: none"> Commercial (retail/office/service) buildings and mixed-use buildings (in specific areas, residential units limited to the second floor and above) 	<ul style="list-style-type: none"> Retail, Service Office Restaurant Grocery Store Residential (in specific zones) 	<ul style="list-style-type: none"> varies by zone 	<ul style="list-style-type: none"> C1 C3 C4 C7 C8

Figure 2 - Excerpt of Land Use Designations table from OCP.

Staff note that the proposed rezoning will allow for development that conforms to the following OCP Policies:

- OCP Policy 4.2.3.8 Require adequate levels of secure bike parking in new multi-family, mixed-use and commercial development.
- OCP Policy 4.2.6.5 Ensure developments in commercial, high-density residential and mixed-use areas are designed with adequate loading zones and access for goods delivery.
- OCP Policy 4.3.2.1 Encourage high quality commercial development by applying Development Permit Area Guidelines, updating and enforcing regulatory bylaws, and fostering initiatives that improve the quality and infrastructure of commercial areas.
- OCP Policy 4.3.5.3 Work with the business community and partners to increase capacity for business succession.

Staff consider the proposed use to be consistent with the adjacent motor vehicle sales and rental use (Penticton Toyota). The development is in keeping with the commercial nature of the Skaha Lake Road corridor and allows an expansion of an existing business in the City.

Given that there is adequate policy through the OCP to support the development, staff recommend that Council give First Reading of "Zoning Amendment Bylaw No. 2020-27" and forward it to the July 21, 2020 Public Hearing.

Development Permit

The proposed development is considered within the Commercial and Mixed Use Development Permit Area, which is intended to support high quality urban design and appropriate redevelopment of commercial areas. Unlike many commercial uses, the proposed use is auto-oriented and the design guidelines were reviewed with this in mind. Staff have completed an analysis of how the proposed development conforms to the development permit guidelines (Attachment 'D'). As shown within the analysis, the plans are aligned with the intent of the Commercial and Mixed Use Development Permit Area. The applicant has also provided an analysis of the development permit area guidelines with their submission (Attachment 'F').



Figure 3: Designer's rendering of proposed new building

The proposed development has been designed with the OCP policies and guidelines in mind and achieves the design objectives for this commercial area of the City. The proposed use is in keeping with the use on the adjacent property. As such, staff recommend that Council consider approval of Development Permit DP PL2020-8759, subject to the adoption of the rezoning.

Alternate Recommendation

Council may consider that the proposed rezoning is not suitable or desirable for this property. If this is the case, Council should deny first reading of Zoning Amendment Bylaw No. 2020-27.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2020-27" and deny "Development Permit PL2020-8759".

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Images of Subject Property
- Attachment D – Development Permit Analysis (staff)
- Attachment E – Letter of Intent
- Attachment F – Development Permit Analysis (applicant)
- Attachment G – Draft Development Permit PL2020-8759
- Attachment H – Zoning Amendment Bylaw No. 2020-27

Respectfully submitted,

Steven Collyer, MCIP, RPP
Planner 1

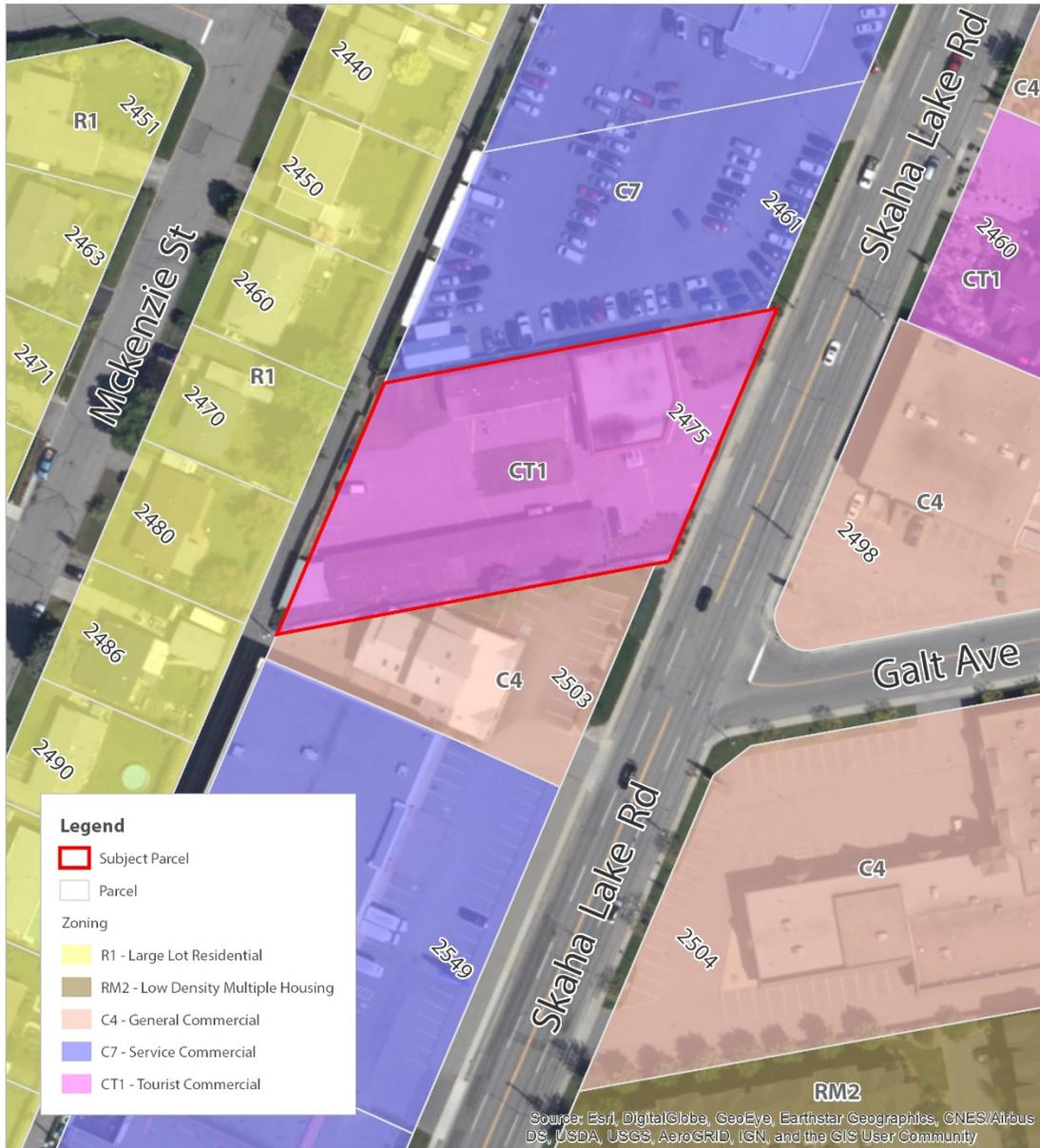
Concurrence

Director <i>BL</i>	Chief Administrative Officer <i>DyD</i>
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2475 Skaha Lake Road

Zoning Map



Legend

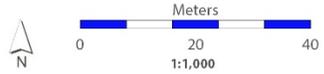
- Subject Parcel
- Parcel

Zoning

- R1 - Large Lot Residential
- RM2 - Low Density Multiple Housing
- C4 - General Commercial
- C7 - Service Commercial
- CT1 - Tourist Commercial

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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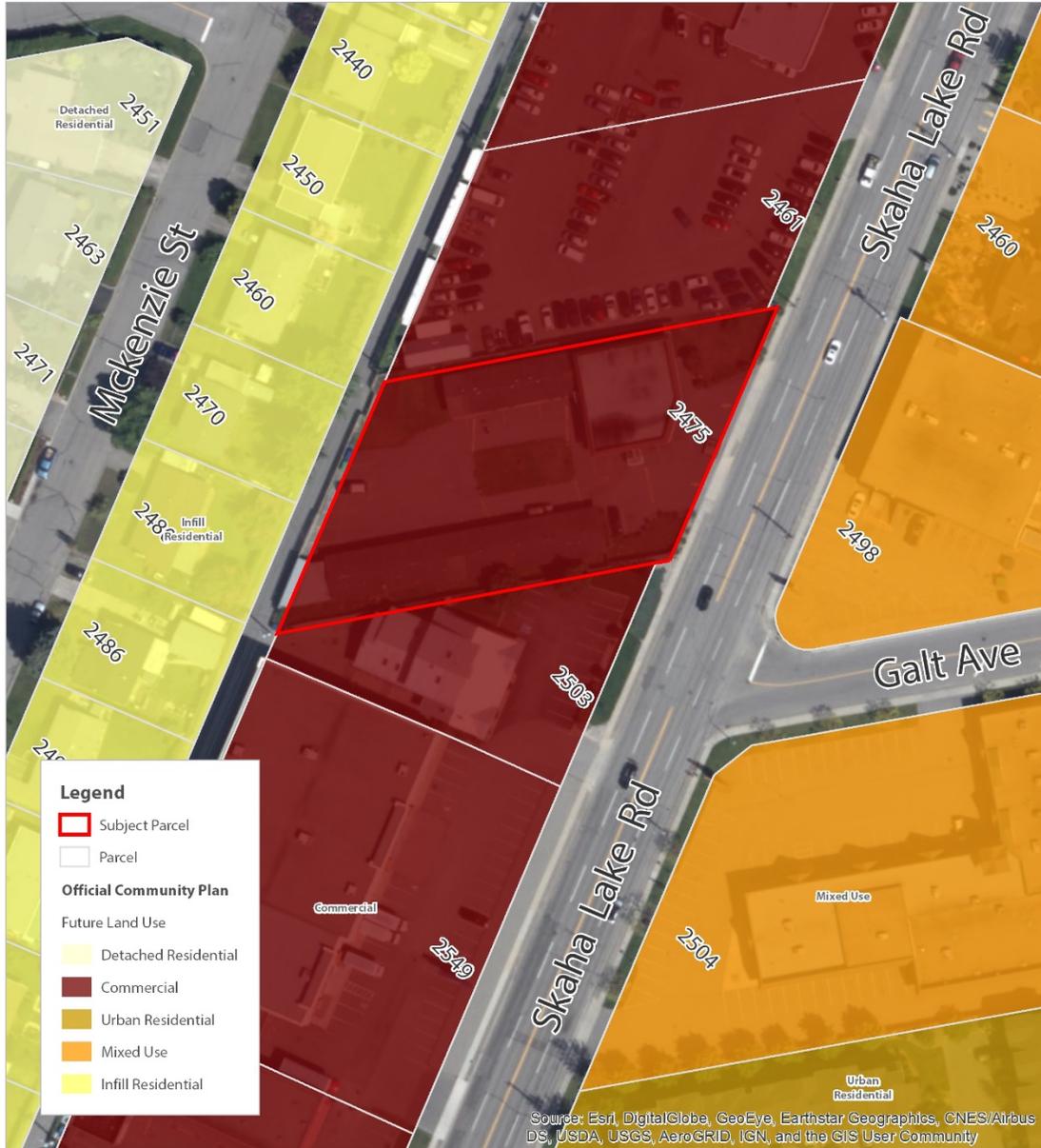


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2475 Skaha Lake Road

Official Community Plan Map



Legend

- Subject Parcel
- Parcel

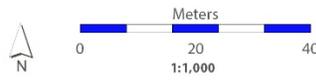
Official Community Plan

Future Land Use

- Detached Residential
- Commercial
- Urban Residential
- Mixed Use
- Infill Residential

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

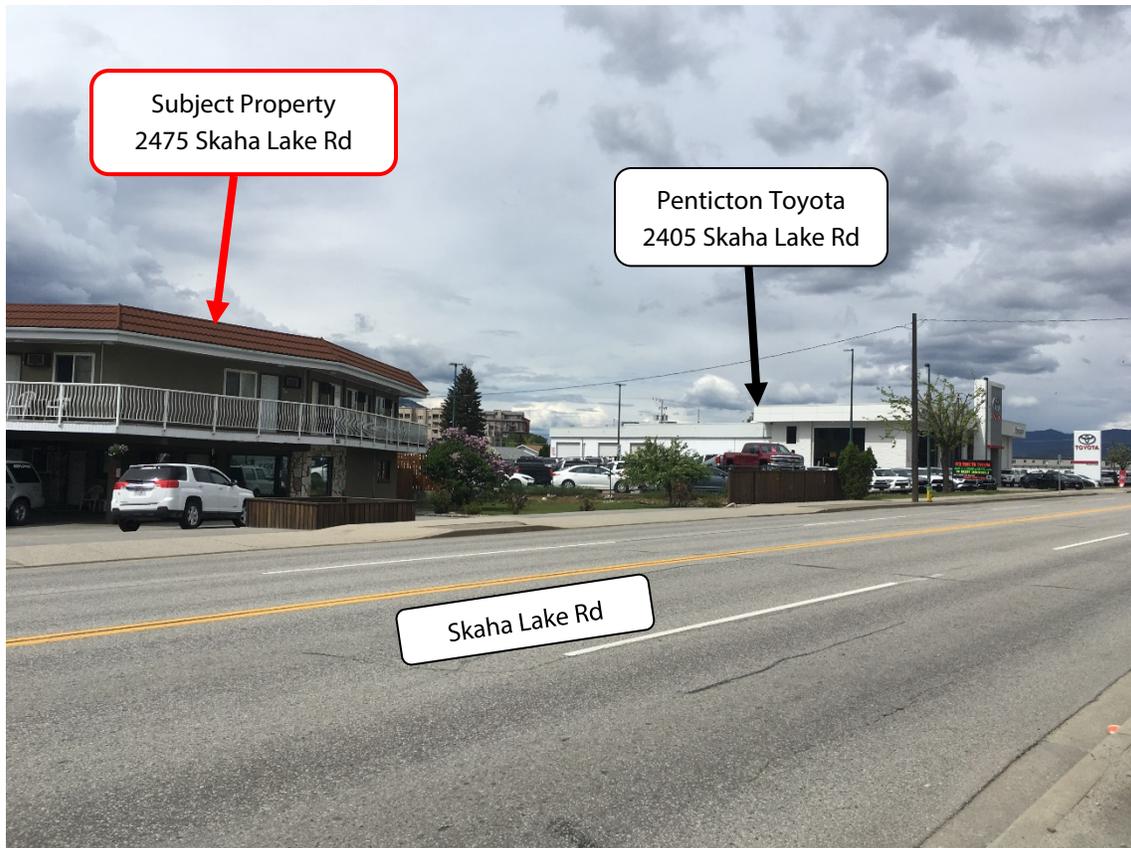
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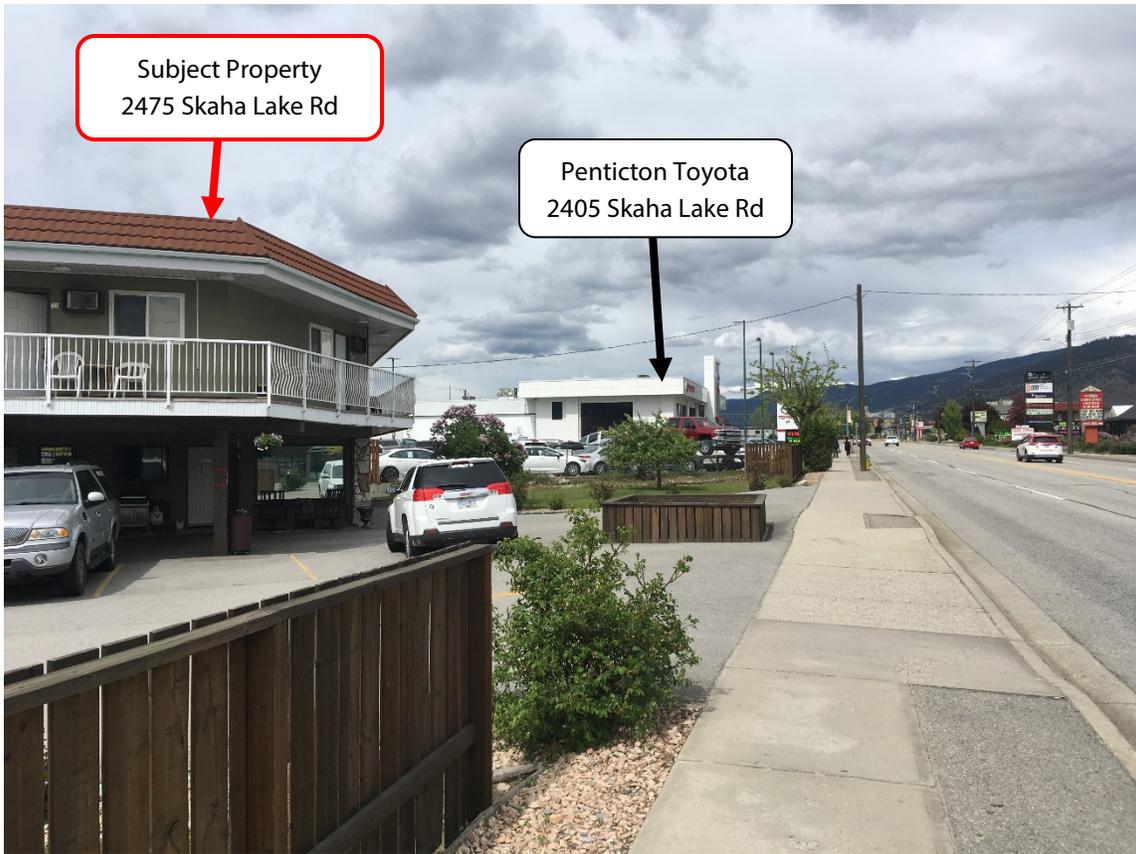


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Attachment C – Images of Subject Property





Development Permit Analysis

The proposed development is located within the Commercial and Mixed Use Development Permit Area. The following analysis demonstrates how the proposal is aligned with the applicable design guidelines.

- 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.).*
- The applicants have undertaken analysis of the site to assess whether the existing buildings could be reconfigured and converted for the proposed use. As outlined in the Letter of Intent, it was determined that conversion was not viable. The applicant is planning to share services with the existing Penticton Toyota property, including garbage collection. Existing perimeter fencing will remain and minimal site grading is anticipated.
- Guideline G20* Designs should respond to Penticton’s setting and climate [...]
- The east facing windows on the front of the building provide passive solar light into the building, while the west façade has minimal windows to keep the interior cool during the afternoon sun. In addition, the white exterior of the building reduces the heat absorption effect.
- Guideline G28* Entries should be visible and clearly identifiable from the fronting public street.
- The primary entrance is clearly visible from Skaha Lake Road. The building is designed to face the street with the orientation of large windows and business signage on the east façade.
- Guideline G35* Tree planting [...]
- Five (5) trees are proposed along the Skaha Lake Road frontage in addition to a landscaping strip. The trees will be planted within the private property and provided with irrigation.
- Guideline G38* Screening & Buffering
- The landscaping strip along the Skaha Lake Road side assist with buffering the parking area from the street. As a condition of the development permit, the applicant will provide landscaping on the islands in the parking lot to further reduce the visual impact of surface parking.
- Guideline G42* Hardscapes [...]
- The light-coloured exterior finishing on the building assists with reducing the heat island effect.
- Guideline G54* Mechanical/utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building.
- The proposed electrical transformer is located at the rear of the property. This location is adjacent to the lane to provide the City with easy access while also being out of public view from the street.
- Guideline G58* Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic.

- Garbage and recycling will be kept inside the proposed building. The applicant has indicated that collection will be associated with Penticton Toyota to the north, and handled by a private contractor.

Guideline G63 All plans should show intended fencing.

- Existing fencing is proposed to remain around the property. A new gate will be added along the rear property line to provide vehicle access to and from the lane.

Guideline CM10

Visual connection to the store interior maintained through at least 75% glazing along the primary store frontage. Windows shall be transparent and clear of obstructions (e.g., posters, decorative decals, reflective and highly tinted glass, etc.) looking onto display materials and/or active uses.

- The new building features large windows facing the street. This design allows for views from the street into the office and customer delivery area.

Guideline CM21

A signage and lighting program for commercial developments should be designed, with signs, lighting, and weather protection architecturally integrated from the outset. The signage and lighting plan should be provided with the Development Permit application.

- Signage on the proposed building is located to face primarily to the east, towards Skaha Lake Road, with a small sign on the south façade.



April 23, 2020

Giroux Design Group Inc.
214-18006 Bentley Rd.
Summerland, BC V0H 1Z3

City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Re: 2475 Skaha Lake Rd. Rezoning & Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposed rezoning and development of the property located at 2475 Skaha Lake Road. The property is currently zoned CT1 (Tourist Commercial) and is the location of the Jubilee Motel, an older single storey motel with a two storey office and residence at the front. The motel is in need of major renovations and does not contribute to the City's need for short term or vacation accommodations in a significant way. Original discussions with the owners involved renovating the existing buildings for use as a car sales office, however inspection of the buildings showed them to be in need of major and costly repair, so the plan was changed to demolish and rebuild.

The proposal is to rezone the property to C7 (Service Commercial) to allow for the construction of a new motor vehicle sales centre. This new building will be part of the neighbouring Toyota Car Dealership and will become the sales building and lot for their used vehicle sales. The location of the property is ideal as it allows the two dealerships to share services in an efficient way.

Thank you for considering our proposal.

Best regards,

A handwritten signature in black ink, appearing to read 'Tony Giroux', is written over a light blue horizontal line.

Tony Giroux **ASTTBC.RBD**
Owner/Registered Building Designer
Giroux Design Group Inc.

2475 SKAHA LAKE ROAD: DEVELOPMENT PERMIT ANALYSIS

PEDESTRIAN CONNECTIVITY

The development is on a major road with pedestrian sidewalks on the street. The property will be graded to a gradual slope and will allow for easy access from the city sidewalk to the sales lot and sales building.

PARKING

Uncovered parking for staff and clients is conveniently located close to the sales building with drive-up access to the entry doors and service doors of the building.

DESIGN FOR CLIMATE

The building faces east and south east to Skaha Lake Road. The street facing side of the building is mostly glass, which will take advantage of the morning sun and winter sun exposure, whereas the other building faces are solid wall which will provide relief from the afternoon, evening and summer sun exposures. This will be a benefit for heating and cooling of the building while also providing an open and inviting showroom and work environment. The high ceilings and glass will give the interior of the building the feeling of being outside.

ORIENTATION & MASSING

As the building is part of the Toyota branded sales centres, it has been designed to conform to the Toyota standards for their dealership buildings. The glass walls facing Skaha Lake Road provide an inviting and fresh look to the building, and will complement the neighbouring commercial properties. The building is set back on the property to allow for sales vehicles to be parked in front of the building, with enough clearance behind the building to allow for access to the detailing and service bays. The building is a modest sized two storey building with attractive signage and colors that will not impose on the neighbouring properties. The building will be a major improvement to the neighbourhood as it will replace a tired and run down building with poor street appeal.

LANDSCAPING (ENHANCING THE URBAN FOREST)

A 3.0 meter landscape buffer runs along the front of the property and will tie into the City boulevard along Skaha Lake Road. The City's grass boulevard will be blended with the small portions of grass around the five new trees planted along the boulevard. The trees selected will match the trees planted along the existing Toyota dealership and will allow some cohesion between the landscaping of the two properties. Additionally the planting beds between the trees contain a mixture of ornamental grasses and plants that are drought resistant yet attractive. Along the parking lot side of the boulevard a 0.6 m strip of 2" river rock is provided to prevent the boulevard plantings and grass from being damaged by parked vehicles or customer foot traffic, while providing an attractive separation from the parking to the grass and plants.

WASTE MANAGEMENT

Garbage and recycling will be collected in a roll out bin or dumpster to be collected from the lane side as required.

FENCES

The south property line (facing Lindsay Veterinary Hospital) has an existing 6' wood privacy fence that provides adequate screening to the neighbouring property. Where a small retaining wall may be required along this property line, the existing fence will be preserved or replaced as required to maintain the screening. The west property line (along the lane) has an existing chain link fence that will be maintained or repaired as required, and a new 6.6 m vehicle gate will be added to allow access to the lane as needed. The north property line (facing Penticton Toyota) has an existing chain link fence that will remain and be repaired or replaced as required.

We believe the proposed project will fit nicely into the neighbourhood and will allow Penticton Toyota to expand it's business in the most efficient way.

Thank you for considering our proposal.

Best regards,



Tony Giroux **ASTTBC.RBD**
Owner/Registered Building Designer
Giroux Design Group Inc.

