



# Public Notice

penticton.ca

March 4, 2021

## Subject Property:

1940 Barnes Street

Lot B, District Lot 3429S, Similkameen Division Yale  
District, Plan 30969, Except Plan EPP69123

## Application:

Development Variance Permit PL2020-8925

The applicant is proposing to construct a two-storey addition on the existing building and operate a self-storage facility. The applicant is requesting to vary Section 12.1.2.4 of Zoning Bylaw 2017-08 to reduce the front yard setback (Barnes St. side) from 6.0m to 4.5m to allow for the new addition.



## Information:

You can find the staff report to Council and Development Variance Permit PL2020-8925 on the City's website at [www.penticton.ca/publicnotice](http://www.penticton.ca/publicnotice).

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

## Council Consideration:

Council will consider the Development Variance Permit at its Regular Council Meeting scheduled for **1:00 pm, Tuesday, March 16, 2021** at Penticton City Hall, 171 Main St.

**In response to COVID-19, Regular Council meetings will remain closed to the public.** All meetings will be live streamed via the City's website at: [www.penticton.ca/city-hall/city-council/council-meetings](http://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 Development Variance Permit, may submit a petition or written comments by mail or email no later than **9:30 am, Tuesday March 16, 2021** to:

Attention: Corporate Officer, City of Penticton  
171 Main Street, Penticton, B.C. V2A 5A9  
Email: [corpadmin@penticton.ca](mailto:corpadmin@penticton.ca)

No letter, report or representation from the public will be received by Council after the conclusion of the March 16, 2021 Council Meeting.

**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

**Date:** March 16, 2021  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Steven Collyer, Planner II  
**Address:** 1940 Barnes Street  
**Subject:** Development Variance Permit PL2020-8925

File No: RMS/1940 Barnes St

## Staff Recommendation

THAT Council approve "Development Variance Permit PL2020-8925" for Lot B District Lot 3429S Similkameen Division Yale District Plan 30969 Except Plan EPP69123, located at 1940 Barnes Street, a permit to vary Section 12.1.2.4 of Zoning Bylaw 2017-08, to reduce the minimum required front yard setback from 6.0m to 4.5m, to allow the construction of a self-storage building.

## Strategic Priority Objective

**Community Vitality:** The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

## Proposal

The applicant is proposing to construct a two-storey addition onto the existing building in order to operate a self-storage facility on the subject property. The applicant is requesting to vary Section 12.1.2.4 of the Zoning Bylaw to reduce the front yard setback (Barnes St side) from 6.0m to 4.5m to allow for the new addition.

## Background

The subject property is located at the intersection of Barnes St, Industrial Ave E, and Okanagan Ave E (Figure 1). The property is 3,509m<sup>2</sup> (0.87 acres) in size and contains a storage building near the south end of the property. The property is zoned M1 (General Industrial) and is designated 'Industrial' by the Official Community Plan (OCP). Surrounding properties also contain industrial uses.



Figure 1 - Property location map

The property was subdivided in 2017 from 530 Okanagan Ave E, the adjacent property to the east. Council approved a Development Variance Permit on December 20, 2016, which allowed the subdivision to proceed by waiving the requirement to upgrade the City's water system to meet the required fire flow, and waiving the requirement to upgrade the municipal water line fronting the property from 150mm to 200mm. This variance did not waive the requirement for any future construction to be required to meet the minimum firefighting requirements of the BC Building Code, and was limited to the scope of the subdivision application at the time.

## Technical Review

This application was reviewed by the City's Technical Planning Committee (TPC). The committee had no concerns with the requested front yard setback variance. Minor adjustments were made to the plans regarding proposed retaining walls. Staff noted a Development Permit would not be required as the property is not within a Development Permit Area outlined by the OCP. Future building permit requirements have been provided to the applicant. A City tree along the Barnes St frontage will be removed, and the applicant will be required to pay for two replacement trees, at the time of building permit, to be planted elsewhere in the City by the City's Parks Department. The 2016 variance was noted by the committee as it allowed the subdivision to occur without proper fire flow. For the proposed application, the applicant will need to provide adequate firefighting to meet the BC Building Code requirements. The applicant will be required to pay Development Cost Charges (DCC's) per square foot of additional floor space at the building permit stage.

## Development Statistics

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

|                                      | Zone Requirement         | Provided on Plans          |
|--------------------------------------|--------------------------|----------------------------|
| <b>Vehicle Parking:</b>              | Minimum 5 parking spaces | 9 parking spaces           |
| <b>Required Setbacks</b>             |                          |                            |
| Front Yard (Barnes St):              | 6.0 m                    | 4.5 m – Variance Requested |
| Exterior Side Yard (Okanagan Ave E): | 4.5 m                    | 4.5 m                      |
| Interior Side Yard (south):          | 0 m                      | 7.03 m                     |
| Rear Yard (east):                    | 0 m                      | 0 m                        |
| <b>Maximum Building Height</b>       | 15 m                     | 7.98 m                     |

## Analysis

When considering a variance to a City bylaw, staff encourages Council to consider whether approval of the variance would cause a negative impact on the surrounding area and if the variance request is reasonable. Staff have reviewed the requested variance to reduce the minimum front yard setback from 6.0m to 4.5m for the proposed self-storage building, and are recommending support for the following reasons:

1. The variance will allow a consistent building setback along all street frontages.

The subject property is bounded by streets on 2 sides (Figure 1). The M1 zone has different setback requirements for front yards and exterior side yards. The minimum required front yard setback is

6.0m and the minimum required exterior side yard setback is 4.5m in the M1 zone. The proposed addition is designed with a 4.5m setback along the Okanagan Ave E side, which complies with the exterior side yard setback requirement. The same 4.5m setback is proposed along the Barnes St side, however a variance is being requested as the Barnes St side is the front yard setback which has a greater required setback. Approval of the variance will allow the building to have a consistent setback along all road frontages and improve the visual appeal of the proposed development, as noted in the Applicant's Letter of Intent (Attachment 'D').

2. The development plans show that parking and loading areas will be accommodated on the private property, and landscaping is proposed near the intersection.

A consideration when reviewing a request for a reduced building setback is to ensure that all other zoning requirements can be met, including parking. The submitted plans show that the property will contain a parking area at the side of the new addition, accessed from Barnes Street near the south end of the property. Additional parking spaces are provided off Okanagan Ave E, for a total of 9 parking spaces on the property. Off-street, 'nose-in' parking is not part of this proposal, as the proposed 4.5m setback would not allow sufficient depth for nose-in parking within the private property. The proposed parking plan was reviewed by the Development Engineering Department, who did not indicate any concerns with the proposal.

To improve the visual appeal of the development, the applicant is proposing to install landscaping along the building near the Barnes St/Industrial Ave E/Okanagan Ave E intersection, and has located driveways further from the intersection to create an uninterrupted landscaping area, as shown on the development plans (Attachment 'E').

3. Approval of the variance will enable development of a currently underutilized industrial property.

The subject property was created through a subdivision in 2017. While there is currently a small building on the property and outdoor storage, this development proposal represents a substantial investment in the property and in the industrial area. The proposed self-storage building has been designed with two storeys and a consistent 4.5m setback along the fronting roads. Should the variance be denied, the applicant will need to redesign the building and site to meet the current M1 zone regulations, which will delay development on this property.

Given the reasons above, staff support the development variance permit application to reduce the minimum required front yard setback for the proposed development from 6.0m to 4.5m. The proposed use is in keeping with the OCP designation and the surrounding industrial area. Staff recommend that Council approve the development variance permit, and direct staff to issue the permit.

### **Alternate Recommendations**

Council may consider the requested variance is unnecessary and that the applicants should build within the Zoning Bylaw regulations. If this is the case, Council should deny "Development Variance Permit PL2020-8925". If this decision is made, the applicants would need to redesign their proposal to meet the required 6m front yard setback of the M1 zone. Staff are recommending against this option, as in staff's opinion the variance request is considered reasonable in this instance.

1. THAT Council deny “Development Variance Permit PL2020-8925”.

### Attachments

Attachment A – Zoning Map  
Attachment B – Official Community Plan Map  
Attachment C – Photos of Property  
Attachment D – Letter of Intent  
Attachment E – Draft Development Variance Permit PL2020-8925

Respectfully submitted,

Steven Collyer, RPP, MCIP  
Planner II

Concurrence

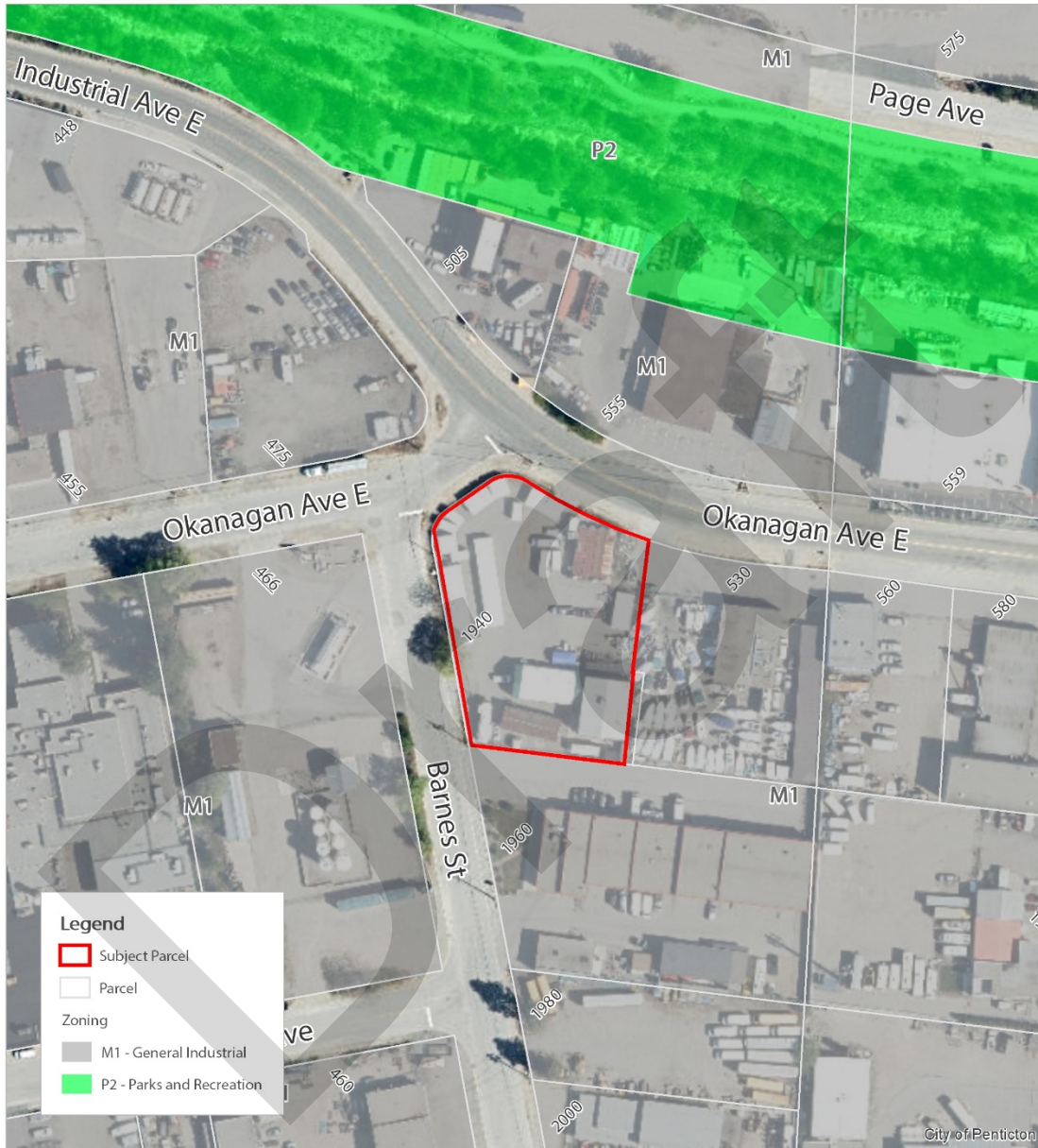
|                           |                                 |
|---------------------------|---------------------------------|
| Director<br><br><i>BL</i> | Chief Administrative<br>Officer |
|---------------------------|---------------------------------|

# Attachment A – Zoning Map

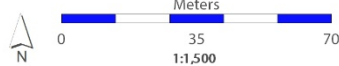


## 1940 Barnes Street

Zoning Map



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February 2, 2021  
2:46:55 PM

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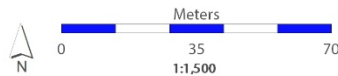


# 1940 Barnes Street

Official Community Plan Map



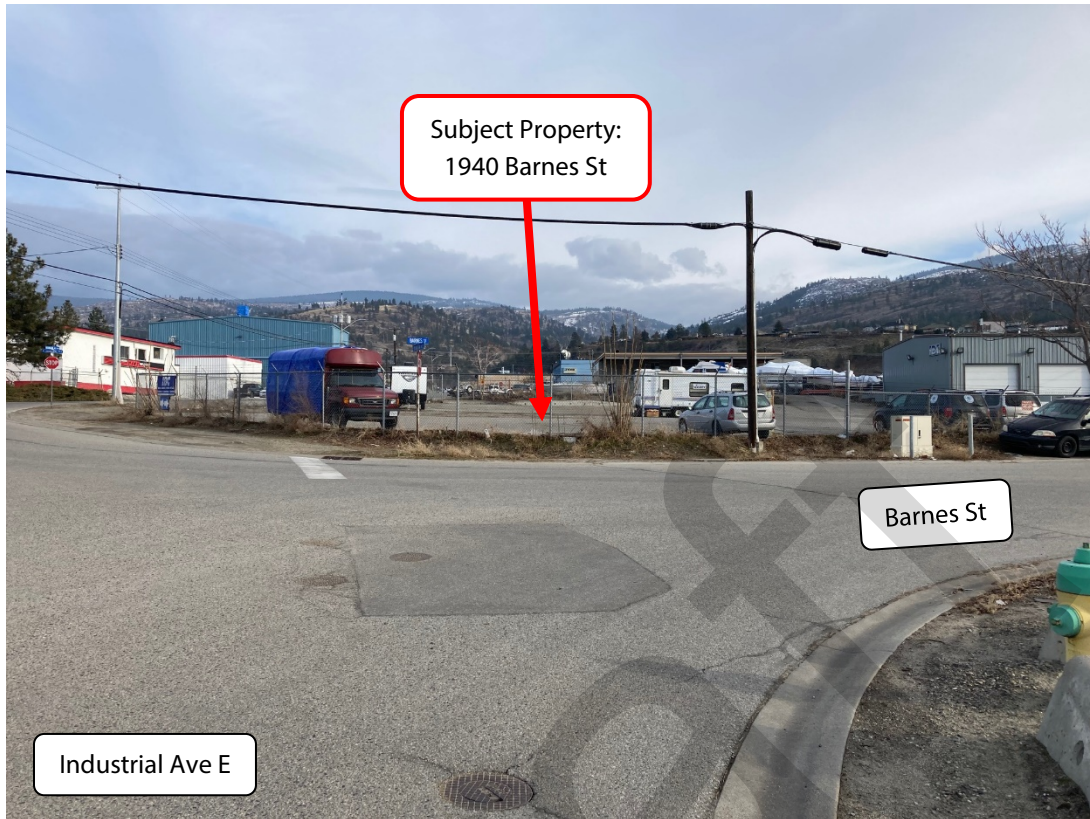
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February 2, 2021  
2:47:30 PM

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Attachment C – Photos of Property







December 16, 2020

Mr. Steven Collyer  
Development Planner  
City of Penticton  
171 Main St  
Penticton BC

Dear Mr. Collyer,

Re: Proposed storage facility at 1940 Barnes St

On behalf of the owners of the above-listed property, we are respectfully submitting a Variance Permit application for the construction of a two-storey storage facility. The project scope includes retaining and refurbishing an existing building and constructing a new two storey metal-clad storage facility with two access points. Given the sloping site grade, one access is from Barnes St. and the other is off Okanagan Ave. We are requesting a frontyard setback variance as part of our application. Increasing the building footprint both ensures the viability of the project and allows the building to be two stories, thus better integrating into the low-rise surrounding streetscape. We are requesting the following:

Reduce the front yard setback at the corner of Okanagan Ave and Barnes St. from 6.0 to 4.5m. Parking and building access is located on the sides of the building and so a deeper 'front yard' is not necessary. This variance will create a consistent street presence from corner to corner of the building, enhancing the visual appeal of the project.

Norman L. Goddard, Architect AIBC  
Suite 209 212 Main Street Penticton, BC V2A 5B1 [norman@goddardarchitectureltd.com](mailto:norman@goddardarchitectureltd.com) P: 250-488-0580



The exterior materials of the building include grey architectural finish concrete and neutral colour metal paneling. Contrasting metal colours will be used to accent entry points. A material colour board will be submitted for your review. The xeriscape landscaping is designed to be low-maintenance and low-water use. The F2 occupancy building will have a SIPS panel wall and roof assembly supported by a steel frame and will be sprinklered. As the proposed storage facility and the existing building will be connected, the existing structure is to be retrofitted with a sprinkler system. FUS calculations will be provided with the building permit application. Please refer to the enclosed drawings for additional site information.

Civic Address: 1940 Barnes St.

Legal Description: Plan KAP30969 PID 003-821-978

Zone: M1

Proposed building area: existing- 3105 sq.m.  
new- 225 sq.m.

Proposed building height: 8.5m

Setbacks: Front 4.5m (variance)  
Rear 0.0m/ 7.5m (existing)  
Exterior side: 4.5m  
Interior side: 0.0m

If you require additional information or have any questions regarding this application, please do not hesitate to contact our office.

Yours truly,

Norman Goddard  
Architect AIBC

## Development Variance Permit

Permit Number: DVP PL2020-8925

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: Lot B District Lot 3429S Similkameen Division Yale District Plan 30969 Except Plan EPP69123
  - Civic: 1940 Barnes Street
  - PID: 003-821-978
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2017-08 to allow for the construction of a self-storage, as shown in the plans attached in Schedule 'A':
  - a. Section 12.1.2.4: to reduce the minimum front yard setback from 6.0m to 4.5m.

### General Conditions

4. In accordance with Section 501 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'.
5. 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.
6. **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.**
7. 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.
8. 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.

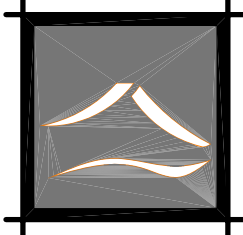
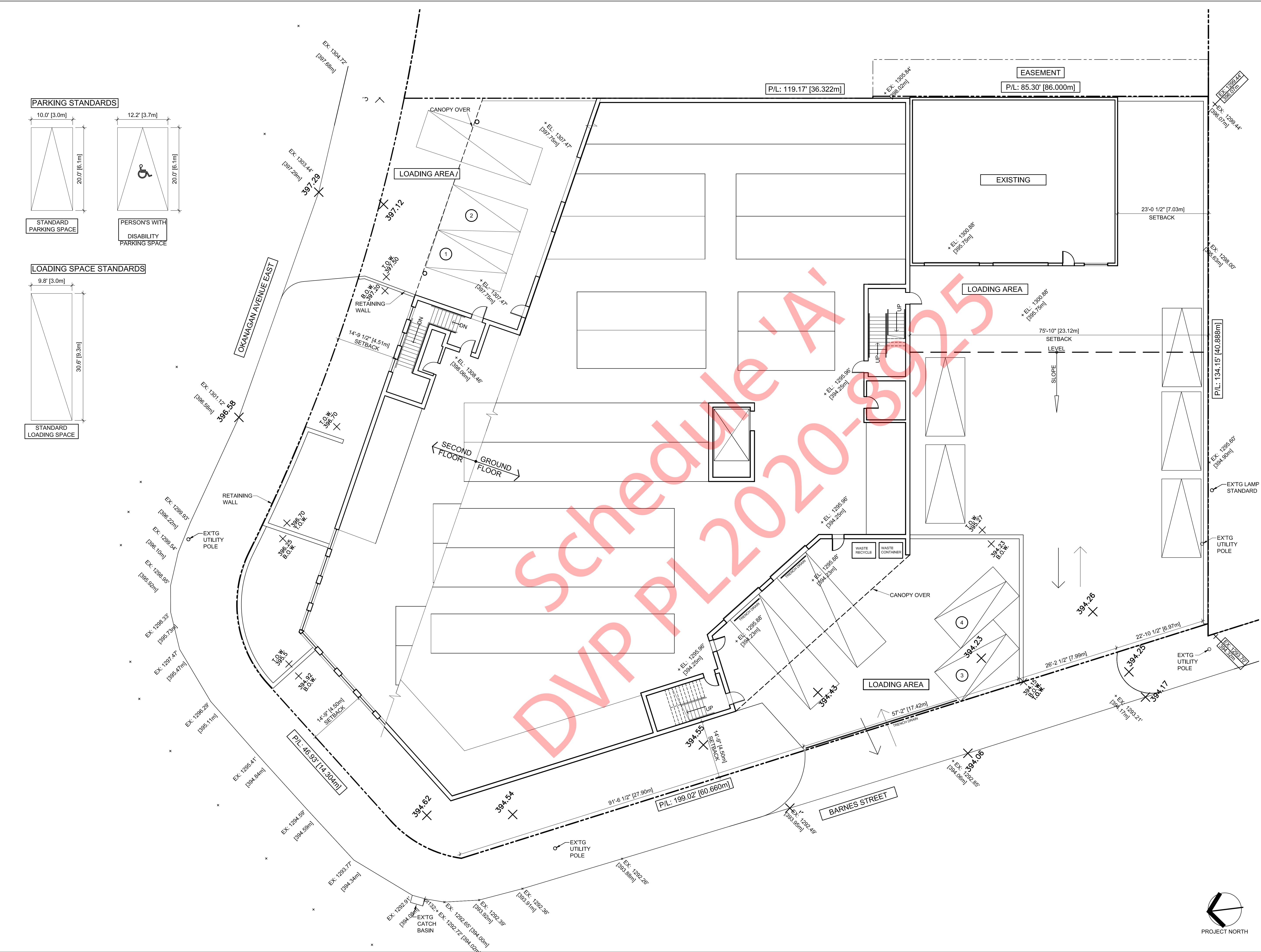
Authorized by City Council, the \_\_\_\_ day of \_\_\_\_\_, 2021.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2021.

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Angela Collison  
Corporate Officer

DRAFT



**NORMAN  
GODDARD**  
architecture + design

209-212 Main Street  
Penticton  
British Columbia  
V2A 5B2  
250-770-1104

| no. | date     | revision               |
|-----|----------|------------------------|
| 1   | 20.10.05 | PRELIMINARY FOR REVIEW |
| 2   | 20.10.06 | PRELIMINARY FOR REVIEW |
| 3   | 20.10.07 | PRELIMINARY FOR REVIEW |
| 4   | 20.10.19 | PRELIMINARY FOR REVIEW |
| 5   | 20.10.23 | PRELIMINARY FOR REVIEW |
| 6   | 20.10.29 | PRELIMINARY FOR REVIEW |
| 7   | 20.11.05 | PRELIMINARY FOR REVIEW |
| 8   | 20.12.07 | PRELIMINARY FOR REVIEW |
| 9   | 20.12.08 | PRELIMINARY FOR REVIEW |
| 10  | 20.12.21 | RELEASE FOR DP         |
| 11  | 21.02.18 | SITE ALTERATIONS       |

project title  
**AFFORDABLE STORAGE**  
**1940 BARNES STREET**  
**PENTICTON, BC**

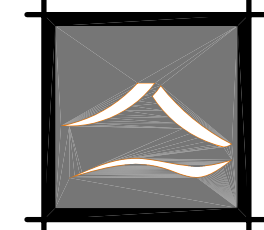
dwg. title  
**SITE PLAN**

|        |                    |
|--------|--------------------|
| dr: DJ | date: 2021.02.18   |
| ch: NG | scale: 3/32"=1'-0" |

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sheet no.  
**A-1.2**





NORMAN  
GODDARD  
architecture + design

209-212 Main Street  
Penticton  
British Columbia  
V2A 5B2  
250-770-1104

| no. | date     | revision               |
|-----|----------|------------------------|
| 1   | 20.10.05 | PRELIMINARY FOR REVIEW |
| 2   | 20.10.06 | PRELIMINARY FOR REVIEW |
| 3   | 20.10.07 | PRELIMINARY FOR REVIEW |
| 4   | 20.10.19 | PRELIMINARY FOR REVIEW |
| 5   | 20.10.23 | PRELIMINARY FOR REVIEW |
| 6   | 20.10.29 | PRELIMINARY FOR REVIEW |
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| 9   | 20.12.08 | PRELIMINARY FOR REVIEW |
| 10  | 20.12.21 | RELEASE FOR DP         |
| 11  | 21.02.18 | SITE ALTERATIONS       |

PROPOSED PLANT AREA  
TO BE PLANTED WITH A SELECTION  
OF THE FOLLOWING:  
1 - MUNGO PINE  
2 - POTENTILLA  
3 - LAVENDER  
4 - BARBERRY BUSH  
5 - GIANT WILD RYE  
6 - FOUNTAIN GRASS  
7 - ADAMS NEEDLE YUCCA

LARGER GROWTH PLANTS TO BE LOCATED  
CLOSER TO THE BUILDING WITH SMALLER  
GROWTH PLANTINGS TO BE  
INTERSPERSED AND TOWARDS THE  
PERIMETER OF THE LOT

LANDSCAPE PERIMETER EDGING MEDIUM  
TO BE A 2" GRAVEL CRUSH  
OVER A LAYER OF LANDSCAPE FABRIC

LANDSCAPE COVERAGE MEDIUM  
FOR PLANTING AREAS  
IS TO BE A BARK MULCH  
OVER A LAYER OF LANDSCAPE FABRIC

project title

AFFORDABLE STORAGE

1940 BARNES STREET  
PENTICTON, BC

dwg. title

LANDSCAPE PLAN

dr: DJ date: 2021.02.18

ch: NG scale: 3/32"=1'-0"

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A-1.3