

April 21, 2022

Address & Legal Description:

200 Carmi Avenue

Lot A, District Lot 3237S, Similkameen Division Yale
District Plan KAP87660

Subject & Proposal:

Temporary Use Permit PL2022-9294

The applicant is proposing to operate a Return-It "Express & Go Station" recycling site on the subject property. This use falls under the definition of "General Industrial" as per Zoning Bylaw 2021-01. As the "General Industrial" use is not permitted in the C4 (General Commercial) zone of the subject property, the applicant has applied for a temporary use permit in order to allow the use on the property for a period of three (3) years.



Information:

You can find the staff report to Council and Temporary Use Permit PL2022-9294 on the City's website at www.penticton.ca/publicnotice.

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

Council Consideration:

Council will consider the Temporary Use Permit at its Regular Council Meeting scheduled for **1:00 pm, Tuesday, May 3, 2022** in Council Chambers, 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 Temporary Use Permit, may submit a petition or written comments by mail or email no later than **9:30 am, Tuesday, May 3, 2022**, to:

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

Please ensure the following is included in your correspondence:

Subject: TUP PL2022-9294; 200 Carmi Ave.

No letter, report or representation from the public will be received by Council after the conclusion of the May 3, 2022 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: May 3, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Jordan Hallam, Planner I
Address: 200 Carmi Avenue

File No: RMS/200 Carmi Ave

Subject: Temporary Use Permit PL2022-9294

Staff Recommendation

THAT Council approve "Temporary Use Permit PL2022-9294, a permit to allow 'General Industrial' as a temporary permitted use, to allow the operation of recycling material drop-off site for used cans and bottles operated by Return-It as a "Express & Go Station" on Lot A District Lot 3237S Similkameen Division Yale District Plan KAP87660, located at 200 Carmi Avenue, for a three (3) year period;

AND THAT staff be directed to issue the permit.

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 operate a Return-It "Express & Go Station" recycling site on the subject property. This use falls under the definition of "General Industrial" as per Zoning Bylaw 2021-01. As the "General Industrial" use is not permitted in the C4 (General Commercial) zone on the subject property, the applicant has applied for a temporary use permit in order to allow the use on the property for a period of three (3) years.

Background

The subject property is located on the south side of Carmi Avenue, east of Main Street (Figure 1). The property is 30,189m² (7.46 acres) in area. The property contains buildings used as a grocery store, and a gas station. The location of the Express & Go Station is zoned C4 (General



Figure 1 – Location Map

Commercial) and is designated 'Mixed Use' by the Official Community Plan (OCP). The property is also zoned C8 (Vehicle Service Station) where the gas station is located. Surrounding land uses are primarily commercial to the south, and residential to the west and north (Attachment 'A').

The proposed use is a Return-It "Express & Go Station". The "Express & Go Station" is a self-contained, metal storage container that is an electronically operated bottle depot (Figure 2). Consumers sign up online for an account, prints a label at the Express & Go station, place their empty containers in a transparent plastic bag and affixes the printed label to each bag they are dropping off. The customer enters their unique PIN using the keypad to access the container to drop off their bags. The unit owner sorts and counts the containers and credits the customer's online Express account. The customer can request payment via eTransfer or cheque from their online Express account. Additional details about the proposed use are outlined in the Letter of Intent submitted by the applicant (Attachment 'D'). The applicant has applied for a three year temporary use permit to see if this is a viable location for their business. If this location is deemed successful by the applicant, they may apply for renewal of the temporary use permit, or apply for site specific zoning to permanently allow this use on the site.



Figure 2 – Express & Go Station

Technical Review

This application was reviewed by the Technical Planning Committee. No issues or comments arose during the committee meeting.

Analysis

When considering an application for a temporary use permit, the Official Community Plan has established a set of guidelines for Council and staff to follow. Temporary uses can be permitted for a maximum of three years with the possibility of one renewal of up to three additional years. The OCP contains the criteria to be considered when reviewing an application for a temporary use permit:

1. Compatibility with its Land Use Designation
2. Minimizing conflict with adjacent land uses
3. Avoiding impacts on environmentally-sensitive areas
4. Not creating significant increase in level of demand for services
5. Not permanently altering the site where it is located

Staff have reviewed the subject application with these criteria in mind. Each criterion has been addressed below:

1. Compatibility with its Land Use Designation

The property is designated 'Mixed Use' by the Official Community Plan Future Land Use Map (Attachment 'B'). This designation allows for intensive development with active and vibrant retail or service uses at ground level and multi-family residential and/or office uses. The proposed use is at ground level, offering a general industrial use and provides ample parking from the existing commercial building on the site. Council approval would be required for any renewal to the temporary use permit, which would include public notices being sent to neighbours to gather feedback on any proposed extension.

2. Minimizing conflict with adjacent land uses

The surrounding land uses are mostly General Commercial, Service Commercial, and Residential. This Temporary Use Permit does not conflict with adjacent land uses as most in the area include grocery stores, restaurants, gas stations, or residential homes. The Return-It "Express & Go Station" operates as standalone business, which offers customers a quick and easy access for recycling drop off. There are no other businesses in this area that offer this type of service. The container itself is located in the parking lot of 200 Carmi Ave, it is twenty feet in length, and will occupy three parking spaces from the existing business. Due to the size of the parking lot and location of the container, it provides distance away from other businesses and residences in the area.

3. Avoiding impacts on environmentally-sensitive areas

The property location is north of Ellis Creek, which is in the Environmental Protection zone. The proposed use is a self-contained metal storage container which is used for can and bottle recycling, located on the opposite side of the property from the creek. There should be no impact on the Environmentally Protected zone.

4. Not creating significant increase in level of demand for services

The use does not require any water or sanitary sewer services.

5. Not permanently altering the site where it is located

The use is a metal storage container that is not permanently fixed to the site, and can be easily moved or transported.

In addition to the OCP temporary use permit criteria reviewed above, staff consider the surrounding zoning of the properties. The subject property is zoned C4 (General Commercial). Surrounding commercial properties are generally zoned C7 (Service Commercial) (Attachment 'A'). The surrounding zones also do not permit 'General Industrial', therefore staff are of the opinion that this use will not compete with other businesses in the area.

Upon review of the OCP policies for temporary use permits, staff are of the opinion that this application meets the intent of the OCP temporary use permit criteria, and that allowing a recycling depot in a metal storage container as a temporary use is appropriate in this instance. Based on the reasons above, it is recommended that Council support the issuance of the temporary use permit for a three (3) year period.

Alternate Recommendations

Alternate Recommendation #1

Council may consider a one (1) year limit on the temporary use permit as a more appropriate timeline for the temporary 'general industrial' use. If this is the case, Council may choose to approve the permit with an amended timeline of one (1) year instead of three (3) years. Staff are recommending against this option, as the applicant has applied for a three (3) year temporary use permit to allow enough time to justify this location as successful for their business.

1. THAT Council approve "Temporary Use Permit PL2022-9294", with an amended timeline of one (1) year.

Alternate Recommendation #2

Council may consider the requested use ('general industrial') to be undesirable in this location. If this is the case, Council should deny the temporary use permit. Staff are recommending against this option, as in staff's opinion the request is in keeping with the OCP criteria for temporary use permits.

2. THAT Council deny "Temporary Use Permit PL2022-9294".

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Photos of Property

Attachment D – Letter of Intent

Attachment E – Draft Temporary Use Permit PL2022-9294

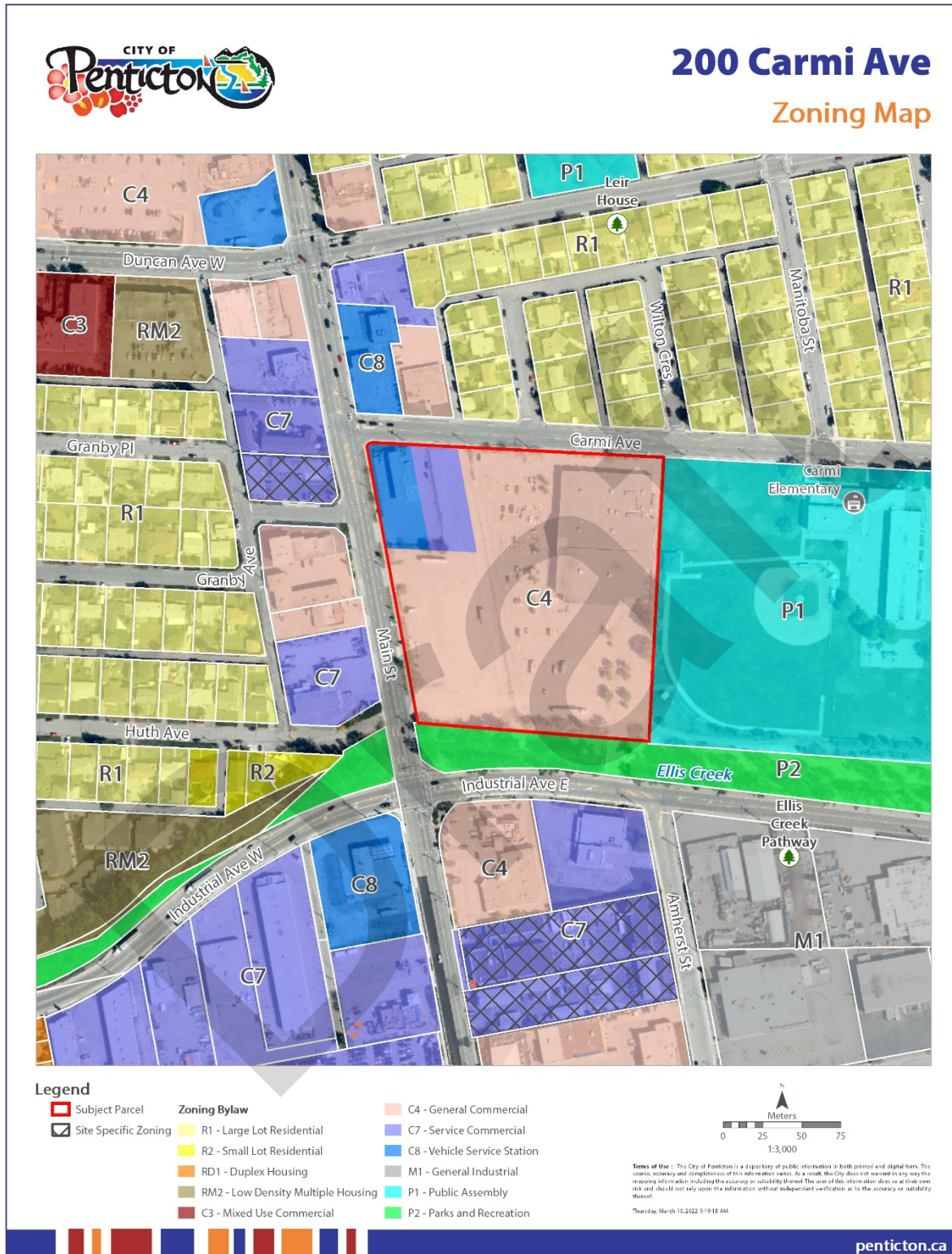
Respectfully submitted,

Jordan Hallam
Planner I

Concurrence

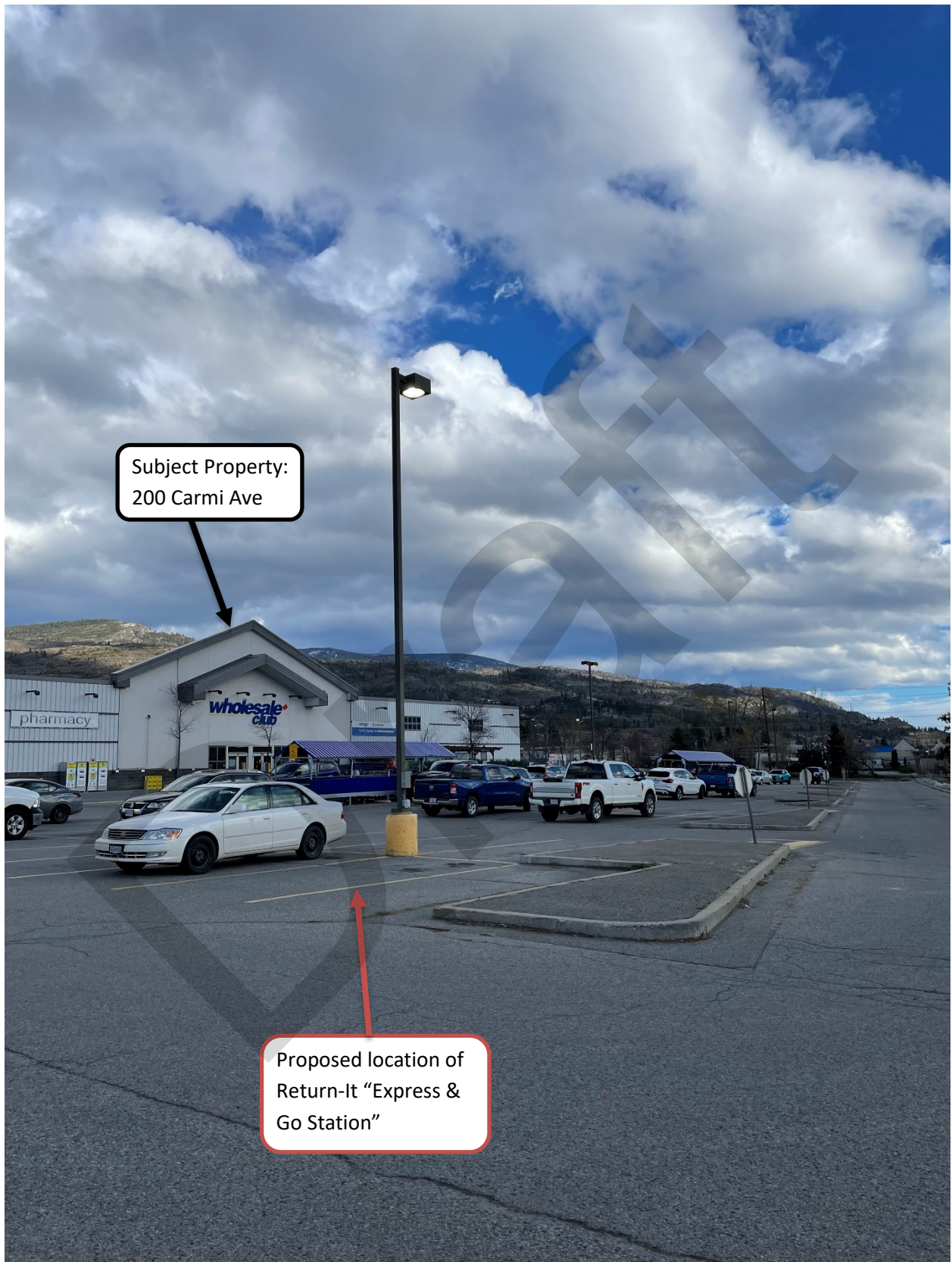
Director of Development Services <i>BL</i>	Chief Administrative Officer
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Attachment A – Zoning Map





Attachment C – Photos of Property





Subject Property:
200 Carmi Ave

Carmi Ave



Encorp Pacific (Canada) Express & GO Station Letter of Intent 200 Carmi Ave, Penticton, BC

Encorp Pacific, better known as Return-It, is the industry owned, not-for-profit, product stewardship Corporation with beverage container management as our core business. Return-It has over 26 years of leading extended producer responsibility performance in Canada and diverting more than 21 billion beverage containers from the landfill. Our mandate is to develop, manage and improve systems to recover used packaging and end-of-life products from consumers and ensure that they are properly recycled and do not end up in our natural environment. As the need for recycling solutions for material streams continue to grow at a rapid pace, we have been at the forefront of providing innovative solutions. Our systems include the development and implementation of methods which provide solutions to reduce waste.

The intent of this Express & GO station is to provide residents in the area with a convenient, contactless and easy recycling option for their used beverage containers. The Return-It Express & GO concept, which Return-It introduced in 2019, revolutionizes the recycling experience. This unstaffed, cashless, contactless, and solar-powered recycling station is housed in a 20-foot repurposed shipping container (see figure 1) and is one of the ways Return-It is addressing accessibility, convenience and innovating recycling. The business model for Express & GO is very different than a traditional depot experience, focused solely on ease and convenience for consumers allowing them to drop-off their used beverage containers in a fast in-and-out manner that takes about a minute in total. It also supports a growing demand and need for innovative recycling infrastructure in a wide range of communities – from large urban centres where commercial space is at a premium, to less accessible, rural locations.



Figure 1: 20ft. Express & GO station

ENCORP PACIFIC (CANADA) 100 - 4259 Canada Way, Burnaby, BC V5G 4Y2, 1.800.330.9767, 604.473.2411, return-it.ca



How does the Express system and Express & GO work?

Return-It Express is designed to be a quick and simple beverage container recycling solution that serves the community.

1. Customers sign up online for a free Return-It Express account
2. The customer prints a label at either the Express & GO station or any nearby Express kiosk terminal
3. The customer places their unsorted containers in a transparent plastic bag and affixes the printed label to each bag they are dropping off
4. The customer enters their unique PIN using the keypad to access the container to drop off their bags
5. Encorp sorts and counts the containers and credits the customer's online Express account
6. The customer can request payment via eTransfer or cheque from their online Express account

Return-It is currently operating nine Express & GO stations throughout the Province of British Columbia, including Superstore – North Vancouver, Park Royal Shopping Centre, and the University of BC and SFU campuses. This innovative model is in addition to our Express system found at Return-It depots. Within our Express program, we currently have over 199,000 registered Express users utilizing the Express system.

Hours of Operation

The Express & GO stations are open from 8 am to 8 pm, 7 days a week. It is locked after hours so Express users cannot drop off their bags.

Customer Volume and Usage

The Express & GO model is uniquely designed to appeal to Penticton residents who want a fast and convenient way to return their used beverage containers without having to go to a traditional depot. Additionally, Express is also a great way for charitable, sport or student organizations to fundraise. We have charities and non-profit organizations who will set up an Express account and provide their account information to consumers who want to direct the funds from their containers to a cause of their choice.

For our two existing containers that are most comparable to the proposed Wholesale Club parking lot at 200 Carmi Ave site (North Vancouver Superstore and Park Royal Shopping Centre), we are averaging 165,000 used beverage containers per month. In an average day we see 33 unique users use the Express & GO station and each user brings an average of 3 bags per month.

We expect the Express & GO station at Wholesale Club parking lot to be used by consumers as they commute to and from work, errands or shopping excursions where they will park at one of the provided parking spots while they quickly drop off their Express bag. We also expect those who live near the station to arrive on foot. The model reduces potential parking issues or congestion based on the quick in and out nature of the service.



Customer Experience and Security

The Express customer takes about 1 minute to print the label and drop off their bag. Customers simply “drop and go”. The efficiency of this system eliminates line-ups and the cashless system results in no loitering around the area.

The Express & GO station is equipped with security devices including internal and external cameras and an alarm system which is monitored 24/7. Unlike traditional depots that collect various recyclables beyond used beverage containers, Express & GO is single purpose and we have not experienced any issues, including loitering at our existing sites. An outside security camera further eliminates the possibility of any loitering or activity in the area. The camera provides visibility for Encorp to identify customers and communicate immediately via remote monitoring with the individual. If necessary, we can notify the authorities to respond to any incidents.

Collection and Transportation of used beverage containers

The Express & GO station is serviced by a Return-it contracted third-party transportation partner who will empty the containers from designated onsite loading areas. The frequency of pick-ups can be modified quickly based on the volume of Express bags in the container.

Power requirements and Maintenance

The Express & GO stations are powered by solar panels thus reducing the use of electricity. They use minimal power during the winter months. There is a contracted maintenance person to ensure that the station is kept clean on the outside and the transporter maintains the inside of the container. We also perform regular additional cleaning and maintenance to ensure the container is well-kept and maintained.

If you require further information or have any questions, please let us know. Encorp Pacific (Canada) Contact Information:

Chris Campbell – Vice-President of Operations – chris.campbell@returnit.ca

Baljit Lalli – Vice-President of Corporate Communications and Stakeholder Relations – blalli@returnit.ca





Temporary Use Permit

Permit Number: TUP PL2022-9294

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 A District Lot 3237S Similkameen Division Yale District Plan KAP87660
Civic: 200 Carmi Ave
PID: 027-678-717
3. This permit has been issued in accordance with Section 493 of the *Local Government Act*, to allow for the temporary use of the above noted lands for 'general industrial' to facilitate a recycling drop off metal storage container.

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 497 of the *Local Government Act*, this permit shall expire on **May 3, 2025**.
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.

Authorized by City Council, the 3rd day of May, 2022.

Issued this ____ day of May, 2022.

Angela Collison
Corporate Officer