



Public Notice

penticton.ca

February 8, 2018

Subject Property:

450 Martin Street

Lot A, District Lot 4, Group 7, Similkameen Division Yale
(Formerly Yale Lytton) District and District Lot 202,
Similkameen Division Yale District, Plan KAP90148

Application:

Rezone PL2018-8154

City staff are recommending rezoning 450 Martin Street from
CD1 Comprehensive Development Zone 1 (400 Martin St) to
C5 (Urban Centre Commercial).

As a result, this will revert the property back to the previous
zoning, lower the height of any future proposal on the
property to a maximum of 10 storeys (as limited by the airport zoning regulations) and remove the CD zone from
Zoning Bylaw 2017-08.

Information:

The staff report to Council and Zoning Amendment Bylaw 2018-03 will be available for public inspection from
Friday, February 9, 2018 to Tuesday, February 20, 2018 at the following locations during hours of operation:

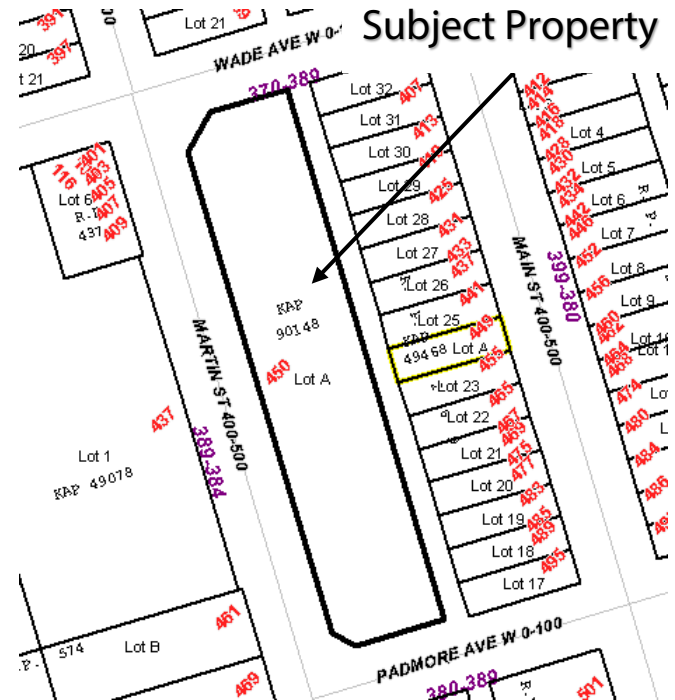
- Penticton City Hall, 171 Main Street
- Penticton Library, 785 Main Street
- Penticton Community Centre, 325 Power Street

You can also find this information on the City's website at www.penticton.ca/publicnotice.

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

Council Consideration:

A Public Hearing has been scheduled for **6:00 p.m., Tuesday, February 20, 2018** in Council Chambers at
Penticton City Hall, 171 Main Street.



Public Comments:

You may appear in person, or by agent, the evening of the Council meeting, or submit a petition or written comments by mail or email no later than **9:30 a.m., Tuesday, February 20, 2018** to:

Attention: Corporate Officer, City of Penticton

171 Main Street, Penticton, B.C. V2A 5A9

Email: publichearings@penticton.ca.

No letter, report or representation from the public will be received by Council after the conclusion of the February 20, 2018 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.

Blake Laven, RPP, MCIP

Manager of Planning

Council Outcome

Regular Meeting Held Tuesday, January 23, 2018

- 12.2 Zoning Amendment Bylaw No. 2018-03
Re: 450 Martin Street (P2 Developments)

33/2018

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2018-03", being a bylaw to rezone Lot A, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District and District Lot 202, Similkameen Division Yale District, Plan KAP90148, from CD1 Comprehensive Development Zone 1 (400 Martin Street) to C5 (Urban Centre Commercial) and to remove the CD1 from Zoning Bylaw 2017-08, be given first reading and be forwarded to the February 20, 2018 Public Hearing.

CARRIED UNANIMOUSLY



Council Report

penticton.ca

Date: January 23, 2018
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager
Address: 450 Martin Street
Subject: Zoning Amendment Bylaw No. 2018-03 (P2 Developments)

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2018-03", being a bylaw to rezone Lot A, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District and District Lot 202, Similkameen Division Yale District, Plan KAP90148, from CD1 Comprehensive Development Zone 1 (400 Martin Street) to C5 (Urban Centre Commercial) and to remove the CD1 from Zoning Bylaw 2017-08, be given first reading and be forwarded to the February 6, 2018 Public Hearing.

Background

At the December 5, 2017, Regular Meeting, City Council voted to mutually cancel a Phased Development Agreement for 450 Martin Street as offered by the land owner. Council at that meeting also gave direction for staff to bring forward a bylaw amendment to lower the permitted height of the project from 23 storeys to 10 storeys and to rezone the lands in-line with surrounding properties – in essence reverting the lands to its previous zoning designation. Rationale for this direction is contained in the staff report to Council dated December 5, 2017.

Ultimately Council supported the following steps to move forward with this property once the Phased Agreement was cancelled:

1. Deliver notice to the developer of agreement with the plan to mutually cancel the PDA
2. Proceed with amendments to the Zoning Bylaw to remove the height allowances permitted by the previous development approvals.
3. Take steps to *clean up* the title of the property, removing the restrictive covenant and statutory right-of-way that were required as part of the agreement.
4. Return the \$150,000 that was given to the City by the developer for downtown planning work (the money has not been spent)

Following adoption of the subject bylaw, staff will proceed with steps 3 and 4 as listed above.

Proposal

Staff are introducing an amendment bylaw for Council's consideration today that reverts the zoning of the lands back to a similar zoning of surrounding properties and removes the CD zone pertaining to the property from the zoning bylaw. The bylaw includes the following provisions:

- 450 Martin Street is rezoned from CD1 Comprehensive Development (400 Martin Street) to C5 (Urban Centre Commercial)
- And the CD1 zone is removed from Bylaw 2017-08

Analysis

Support Zoning Amendment Bylaw

The original development plans for this property were disrupted by forces outside of the control of either the City or the developer. As such the City has agreed to mutually cancel the phased development agreement that was originally signed by both parties in 2009.

As part of the cancellation, an arrangement has been agreed to whereby the lands would revert to the previous zoning to lower the height of any future proposal on the property to a maximum of 10 storeys (as limited by the airport zoning regulations).

The proposed amendment to change the zone to C5 is in line with the OCP designation for the property and the vision of the Downtown Plan.

For these reasons, staff are recommending that Council give first reading to the bylaw and forward it to the February 6, 2018 public hearing for comment from the public.

Attachments

Attachment A – Zoning Amendment Bylaw No. 2018-03

Respectfully submitted

Blake Laven, MCIP, RPP
Planning Manager

Approvals

Director Development Services 	Chief Administrative Officer PW
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Rezone 450 Martin Street from CD1
Comprehensive Development Zone 1
(400 Martin St) to C5 (Urban Centre
Commercial)



City of Penticton – Schedule ‘A’

Zoning Amendment Bylaw No. 2018-03

Date: _____

Corporate Officer: _____