

May 24, 2018

Subject Property:

1386 Commercial Way

Lot 2, District Lots 2710 and 3821S, Similkameen
Division Yale District, Plan 20419

Application:

Rezone PL2018-8223

The applicant is proposing to rezone the property
from M3 (Wrecking Yard) to M1 (General
Industrial) to facilitate a two lot subdivision.

Information:

The staff report to Council and Zoning
Amendment Bylaw 2018-40 will be available for public inspection from **Friday, May 25, 2018 to Tuesday, June 5, 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.

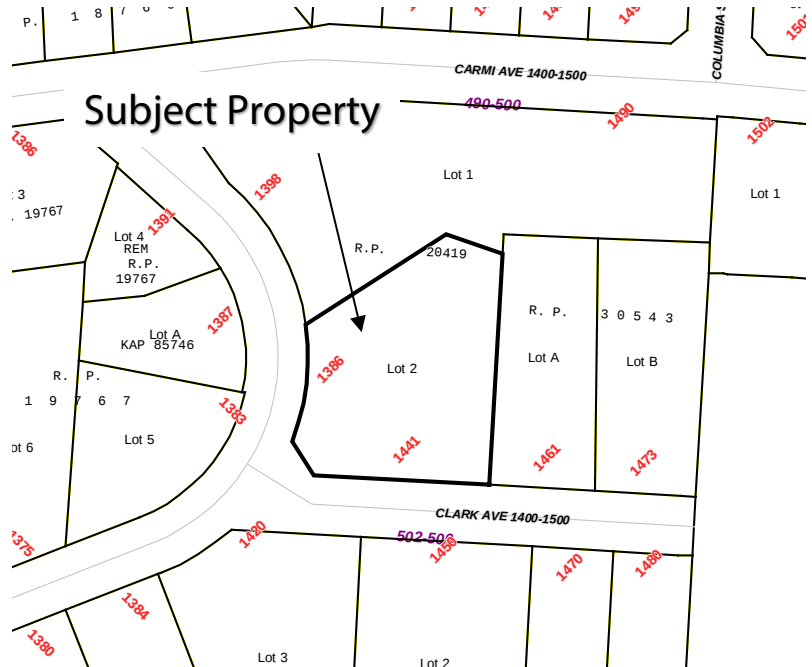
Council Consideration:

A Public Hearing has been scheduled for **6:00 pm, Tuesday, June 5, 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 am, Tuesday, June 5, 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 June 5, 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 Report

penticton.ca

Date: May 22, 2018
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 1386 Commercial Way
Subject: Zoning Amendment Bylaw No. 2018-40

File No: 2018 PRJ-092

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2018-40", a bylaw to rezone Lot 2 District Lots 2710 and 3821 S Similkameen Division Yale District Plan 20419, located at 1386 Commercial Way from M3 (Wrecking Yard) to M1 (General Industrial), be given first reading and be forwarded to the June 5, 2018 Public Hearing.

Background

The subject property (Attachment A) is zoned M3 (Wrecking Yard) and designated by the City's Official Community Plan (OCP) as I (Industrial). Photos of the site are included as Attachment E. The lot is 3800.0m² (40,900ft²) in area. The property is located on the eastern portion of the Industrial area, just south of Carmi Avenue. The property has historically been used as an auto wrecking site. The property has recently been sold and the wrecked vehicles have been removed from the property. The new owners are in the process of renovating the existing buildings on the site in order to operate a restoration business, which is a permitted use under the current zone.

Proposal

The applicant is proposing to rezone the property from M3 (Wrecking Yard) to M1 (General Industrial) to facilitate a two lot subdivision. Under the current zoning, a two-lot subdivision could be applied for with a variance request to reduce the minimum lot width from 30.0m to 21.0m and to reduce the minimum lot area from 2000m² to 1600m². Staff feel that a rezoning to M1 (General Industrial) is a more appropriate option as no variances will be required for the subdivision and the wrecking yard use will be abolished as it is not a permitted use under that zone.

Technical Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works departments. At the time of subdivision, new water and sewer connections will be required to be paid for by the developer to service the new lot. Electrical requirements will be addressed through the subdivision process. As per City of Penticton Building Bylaw 94-95 section 7.1.5, storm water/drainage is to be maintained on site. If the request for the zoning amendment is supported, BC Building Code and City bylaw provisions will apply.

Financial Implication

Future construction on the property will be subject to Development Cost Charges at a rate of \$2.23 per ft². The exact cost depends on the DCC rates at the time of building permit issuance.

Development Statistics

The following table outlines the proposed development statistics on the plans submitted with the rezoning application:

Item	Requirement M1 Zone	Proposed Lot A	Proposed Lot B
Maximum Lot Coverage:	100%	NA	NA
Maximum Density:	NA	NA	NA
Minimum Lot Width:	20.0m	37.0m+	21.893m
Minimum Lot Area:	1000m ²	2200m ²	1600m ²
Required Setbacks			
Front yard:	6.0m	West, Commercial Way (13.0m+)	South, Clarke Avenue (NA)
Rear yard:	0.0m	East (4.0m)	North (NA)
Interior yard:	0.0m and 3.5m	North (11.89m)	West and East (NA)
Exterior yard:	4.5m	South, Clark Avenue (6.73m)	(NA)
Maximum Building Height:	15.0m	<15m	NA
Other Information:	Subject property is not located within a Development Permit Area. As such, a development permit is not required.		

Analysis

Support "Zoning Amendment Bylaw No. 2018-40"

The OCP designation for this site is (Industrial), which supports the proposed uses. Staff consider that the zoning amendment to allow for the proposed subdivision represents best use of the land for the following reasons:

- The OCP encourages efficient use of the existing industrial lands by permitting subdivision of industrial land and promoting industrial densification of existing industrial lands.
- The proposal is in line with the OCP's goal to make effective and efficient use of the limited amount of industrial land and efficiently utilize existing services.
- The OCP highlights the negative impacts that industrial growth can have on adjacent land uses and the environment; In this proposal, the subject property is surrounded by industrial development and the proposal positively contributes to the environment by abolishing the auto wrecking use.

Staff considers that the location of the site and characteristics of the surrounding neighbourhood make it appropriate for the proposed amendment. Given the above, staff recommends that Council support "Zoning Amendment Bylaw No. 2018-40" and forward the application to the June 5, 2018 Public Hearing for comments from the public.

Deny/Refer Zoning Amendment

Council may consider that the proposed amendment is not suitable for this site and that the property shall remain as a large wrecking yard zoned lot. If this is the case, Council should deny the bylaw amendment.

Alternatively, Council may wish to refer the matter back to staff to work with the applicant with any direction that Council considers appropriate.

Alternate Recommendations

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2018-40".
2. THAT Council refer the bylaw back to staff.

Attachments

Attachment A: Subject Property Location Map
Attachment B: Zoning Map
Attachment C: OCP Map
Attachment D: Subdivision Sketch Plan
Attachment E: Photos of Subject Property
Attachment F: Letter of Intent
Attachment G: Zoning Amendment Bylaw No. 2018-40

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS 	CAO PW
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Attachment A – Subject Property Location Map



Figure 1: Subject Property Location Map

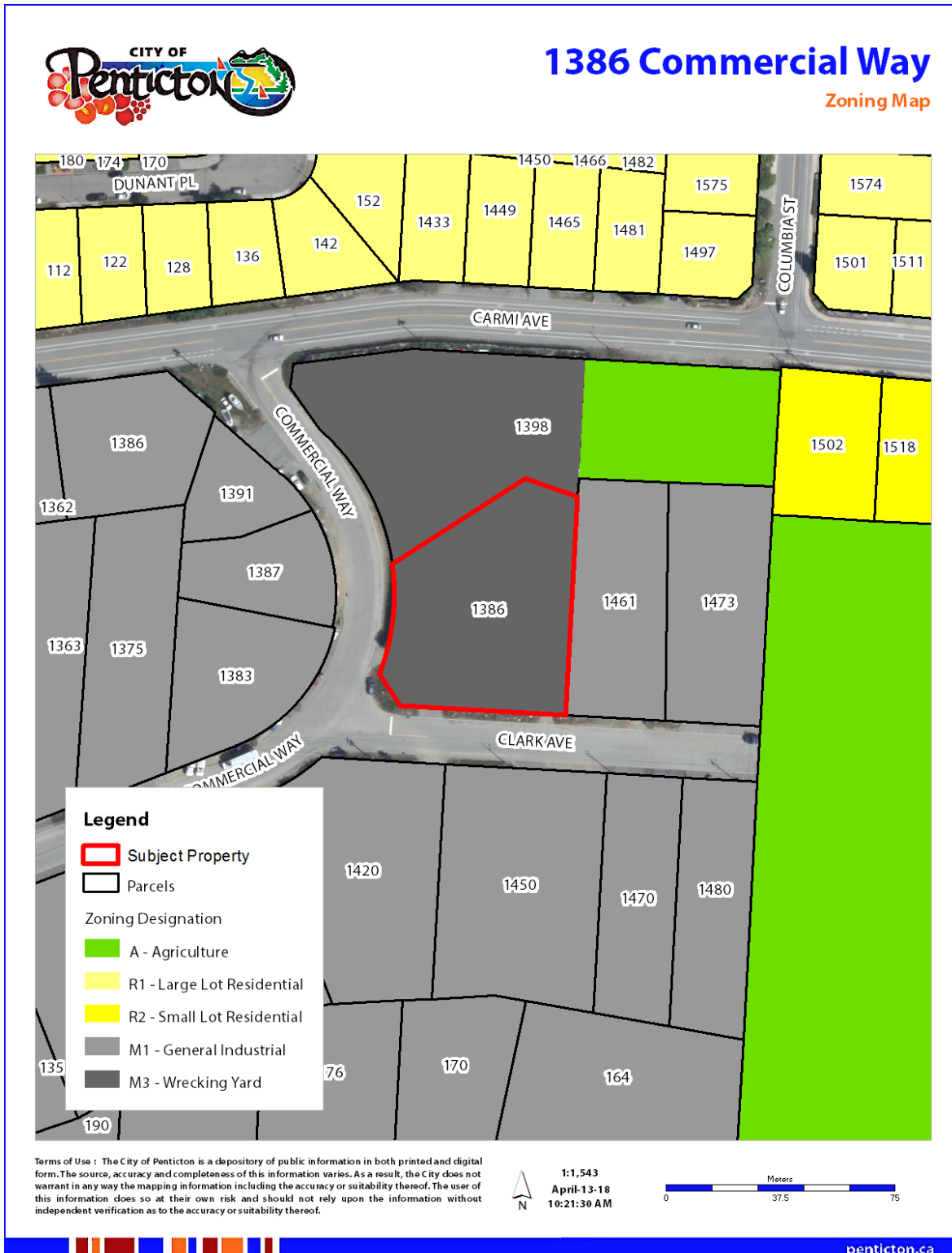


Figure 2: Zoning Map

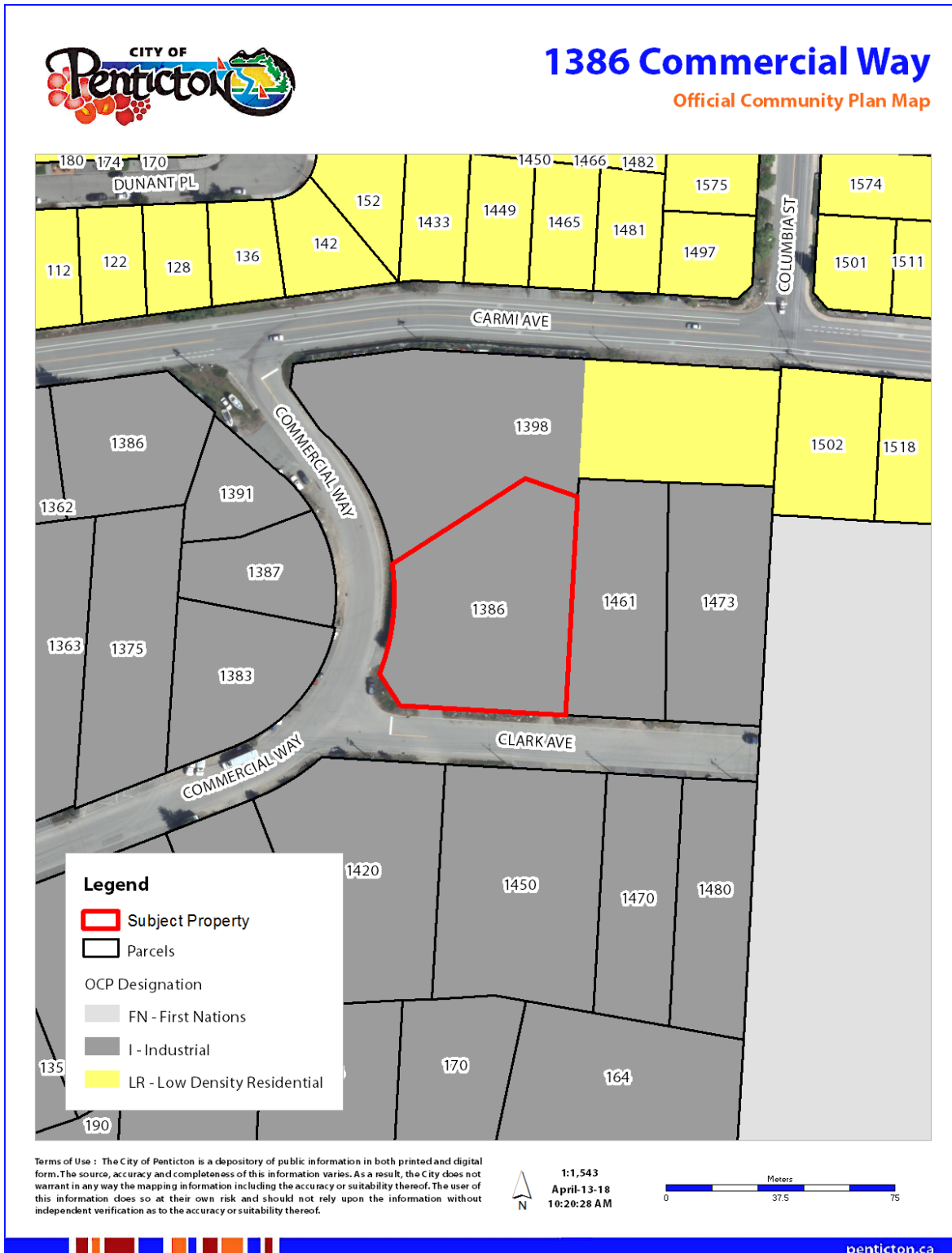


Figure 3: OCP Map

Attachment D – Subdivision Sketch Plan

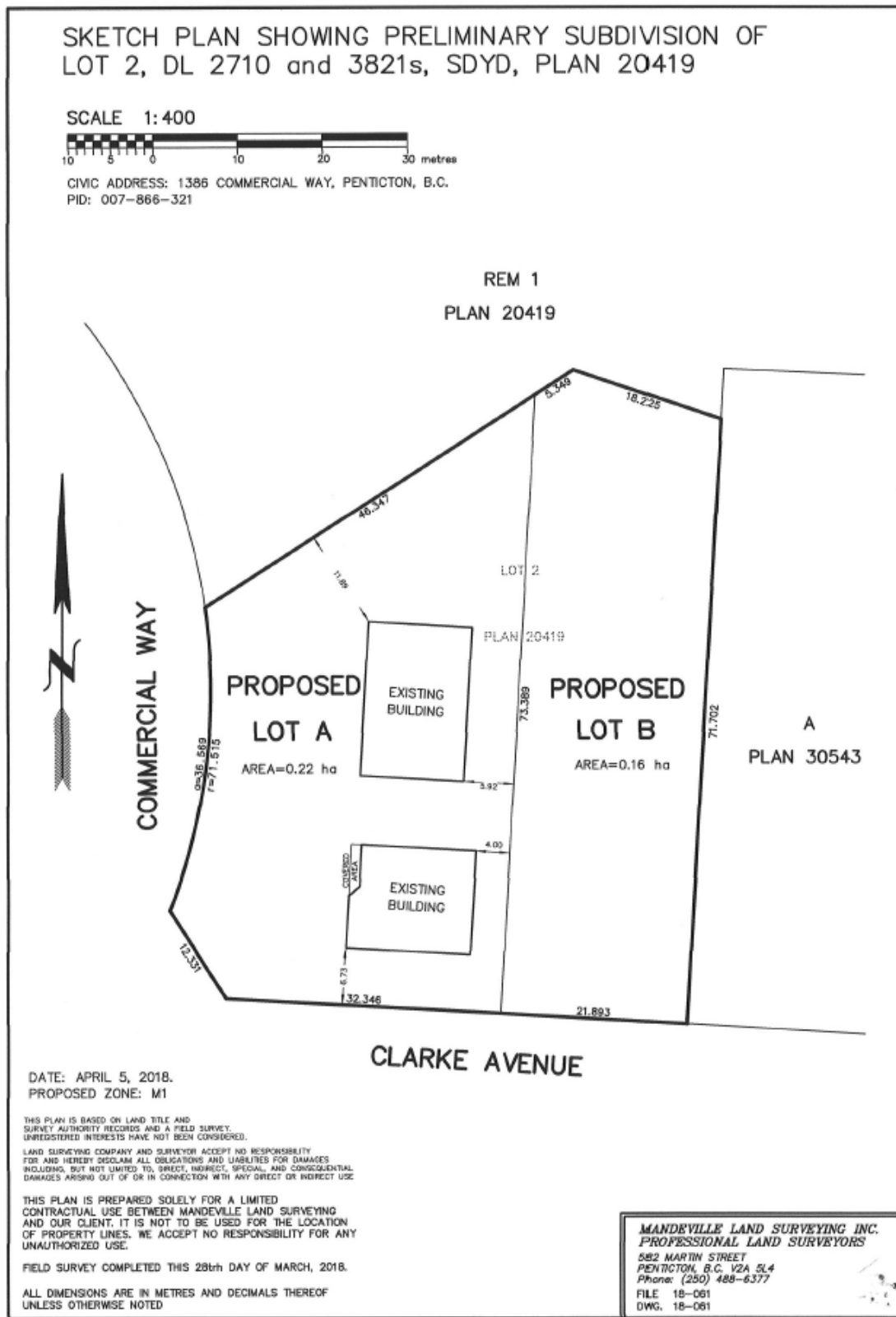


Figure 4: Subdivision Sketch Plan

Attachment E – Photos of Subject Property



Figure 5: West View of Existing Buildings currently under renovation on Proposed Lot A (from Commercial Way)



Figure 6: South View of Proposed Lot A (from Clark Avenue)



Figure 7: North View of Proposed Lot A



Figure 8: South View of Proposed Lot B (from Clark Avenue)



Figure 9: Rear Portion of Proposed Lot B (looking North)



Figure 10: North View of Proposed Lot B



**TOTAL
RESTORATION**
SERVICES

April 6, 2018

Letter of Intent
Rezone & Subdivision
1386 Commercial Way
Penticton, BC

Thank you Council and Staff for considering my application.

I purchased the property at 1386 Commercial Way in Penticton, BC, on March 23, 2018.

My intent with this purchase was to redevelop the property and additionally renovate the existing buildings to be able to operate my business, Total Restoration Services, a full service 24/7 restoration company, from this site.

Since approximately .6 of the acre is required for the operation of Total Restoration Services, I intend to subdivide the property. This may be for future development by myself of the remaining parcel, or sell the parcel off.

I also want to change the zoning in order to reduce the minimum lot size and setbacks required in its current zoning (M3), to zoning requirements of M1. Not only will rezoning allow me to subdivide without variances, it will also change the M3 zoning and eliminate the unsightly image of the property, potentially becoming an auto wrecker in the future.

Best regards,


Rob Nazer
Total Restoration Services
(0844831 BC Ltd)



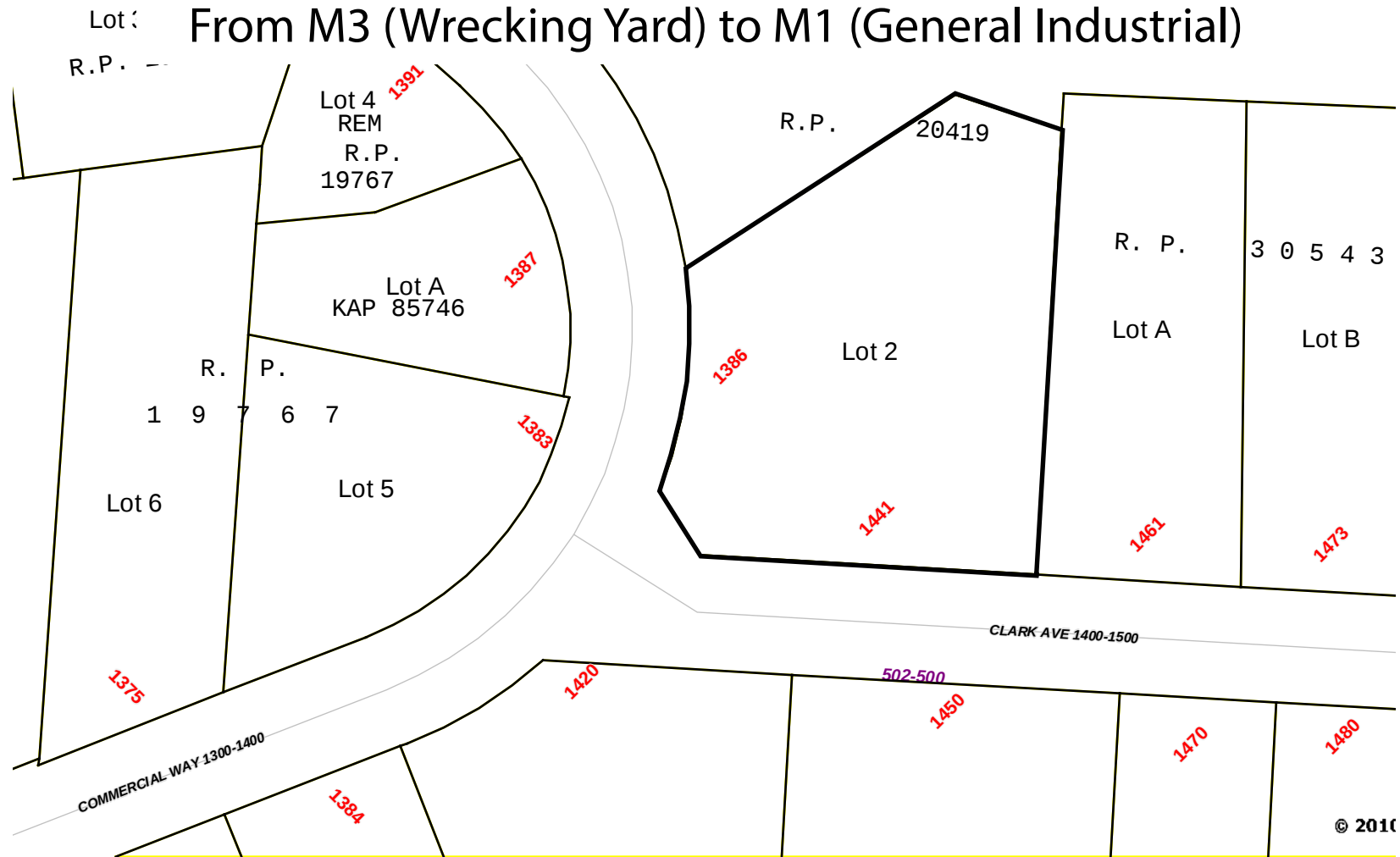
**TOTAL
RESTORATION**
SERVICES

Serving the South Okanagan-Similkameen
250-493-8028
505 Dawson Avenue, Penticton BC V2A 6S5

Figure 11: Letter of Intent

Rezone 1386 Commercial Way

From M3 (Wrecking Yard) to M1 (General Industrial)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-40

Date: _____

Corporate Officer: _____