



Public Notice

penticton.ca

June 7, 2018

Subject Property:

456 Main Street

Lot 9, Block 15, District Lot 202, Similkameen Division
Yale District, Plan 269

Application:

Rezone PL2018-8209

The applicant is proposing to convert the back half of the one-storey commercial building into a one-bedroom residential dwelling unit. As ground floor residential units are not permitted in the C5 (Urban Centre Commercial) zone, a site specific zoning amendment is being considered to permit the use at this site.

Information:

The staff report to Council and Zoning Amendment Bylaw 2018-45 will be available for public inspection from **Friday, June 8, 2018 to Tuesday, June 19, 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 19, 2018** in Council Chambers at Penticton City Hall, 171 Main Street.

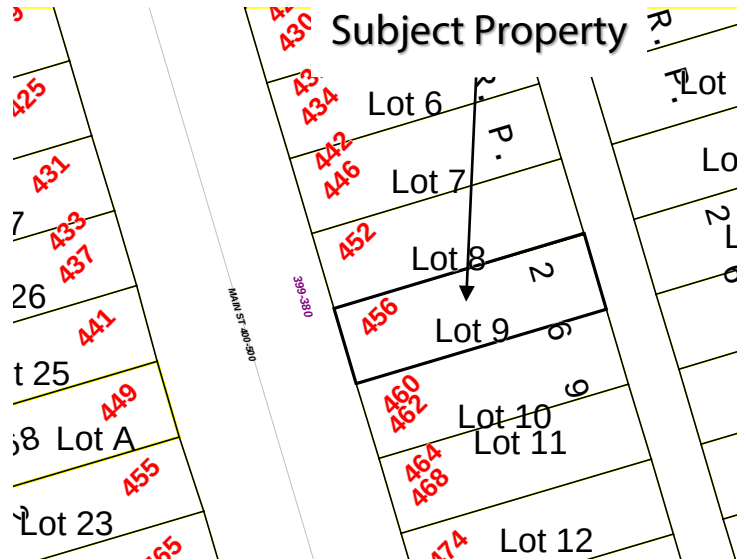
Public Comments:

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, January 19, 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 19, 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: June 5, 2018
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 456 Main Street
Subject: Zoning Amendment Bylaw No. 2018-45

File No: 2018 PRJ-075

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2018-45", a bylaw to add section 11.5.4.9 to the C5 (Urban Centre Commercial) zone, "In the case of Lot 9, Block 15, DL 202, SDYD, Plan 269, located at 456 Main Street, one dwelling unit on the first storey behind the commercial space shall be permitted," be given first reading and be forwarded to the June 19, 2018 Public Hearing.

Background

The subject property (Attachment A) is zoned C5 (Urban Centre Commercial) and designated by the City's Official Community Plan (OCP) as DC (Downtown Commercial). Photos of the site are included as Attachment D. The lot is approximately 278.7m² (3,000ft²) in area with a vacant commercial unit. The building was the former home of Wing's Boutique. Surrounding properties are primarily zoned C5 (Urban Centre Commercial). The property includes a 6ft walkway on the south side, which will form part of the entry to the proposed residential unit at the rear of the property. The property is located in the 400 block of the downtown, close to shops and nearby services.

On May 23, 2017, Council approved a site-specific zoning amendment for 532 Main Street to allow for four residential units on the ground floor with two small commercial units fronting the street. A development permit was issued in December of 2017 but the City has not received a building permit application yet.

Proposal

The applicant is proposing to convert the back half of the one-storey commercial building into a one-bedroom residential dwelling unit. Section 11.5.3.1 of the C5 zone states that dwelling units are restricted to second or higher storeys. Since the proposed dwelling unit will be on the first-storey, a site specific zoning amendment is required. At this time, the applicant is not proposing variances to any City bylaws.

Technical Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works departments. Fire separation issues between units as well as fire department access

requirements have been identified and communicated to the applicant. If the request for the zoning amendment is supported, BC Building Code and City bylaw provisions will apply.

Financial Implication

Development Cost Charges will be applied for the creation of a new residential unit in the C5 zone at a rate of \$3,126.00 to the developer.

Development Statistics

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

Item	Requirement C5 zone	Proposed
Maximum Lot Coverage:	100%	NA
Maximum Density:	6.0 FAR	NA
Minimum Lot Width:	9.0m	9.144m
Minimum Lot Area:	275.0m ²	278.0m ²
Vehicle Parking:	1 space per dwelling unit	0 (see below)*
Required Setbacks		
Front yard (west, Main Street):	0.0m	NA
Rear yard (lane):	0.0m	NA
Interior yard (north):	0.0m	NA
Interior yard (south):	0.0m	NA
Maximum Building Height:	15.0m	NA
Other Information:	- The subject property is located within the Downtown Commercial Development Permit Area. Since the construction is internal, no DP is required. If the applicant proposes to change the façade of the building, then a staff-issuable DP will be required. - Since a building addition is not being proposed, lot coverage, height and setbacks are not addressed in this application. *As per Section 6.1.2.3 of the Zoning Bylaw, Cash-in-lieu for not providing 1 parking space on-site may be paid by the developer at a cost of \$6,000.	

Analysis

Support "Zoning Amendment Bylaw No. 2018-45"

The subject property is designated Downtown Commercial (DC) by the City's Official Community Plan Bylaw No. 2002-20. This designation encourages a wide range of pedestrian oriented retail, office, institutional use, entertainment and includes multi-family residential above the ground floor. The Downtown Plan specifies

the promotion of options to strengthen the economic vitality of the downtown, enhancing the character of the downtown and building local capacity. Promoting residential units at grade in the downtown will offer opportunities for denser residential development and support commercial activity on Main Street.

Planning policies in the downtown encourage a mix of uses, particularly the combination of retail and residential uses. Mixtures of uses tend to create vibrancy and healthy density. This is in part because businesses provide services for residents and the residences provide customers for the businesses. In commercial areas where residential uses are proposed, the residential units are normally restricted to upper storeys of buildings to ensure an active and vibrant ground floor atmosphere and lively streetscape. This is typically achieved by commercial use rather than residential uses. Residential units typically require more privacy than commercial units which is achieved by restricting them to second or higher storeys. In the proposed amendment, the commercial use on Main Street is retained, with the proposed residential unit being located behind the commercial unit, not visible from the street. The commercial street front use is maintained while privacy for the residential unit remains with access from the street via the 6-foot breezeway.

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. 2018-45” and forward the application to the June 19, 2018 Public Hearing for comments from the public.

Deny/Refer Zoning Amendment Bylaw No. 2018-45”

Council may feel that the proposed amendment is not suitable for this site, Council should deny the bylaw amendment. Alternatively, Council may refer the application back to staff with further instructions.

Alternate Recommendations

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2018-45”.
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: Photos of Subject Property
Attachment E: Floor Plan
Attachment F: Letter of Intent
Attachment G: Zoning Amendment Bylaw No. 2018-45

Respectfully submitted,

Randy Houle
Planner I

DDS	CAO
	PW

Attachment A – Subject Property Location Map



Figure 1: Subject Property Location Map

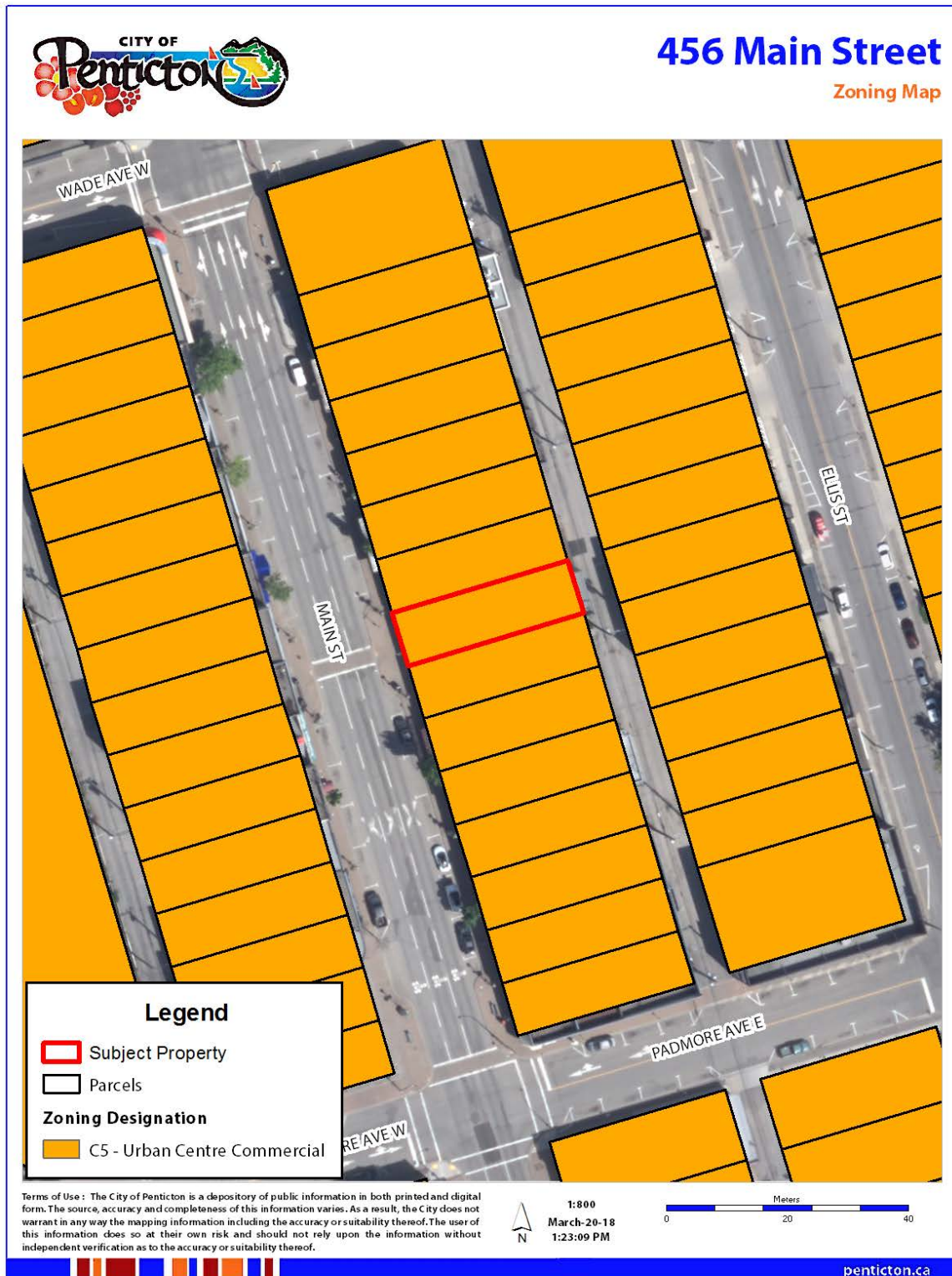


Figure 2: Zoning Map

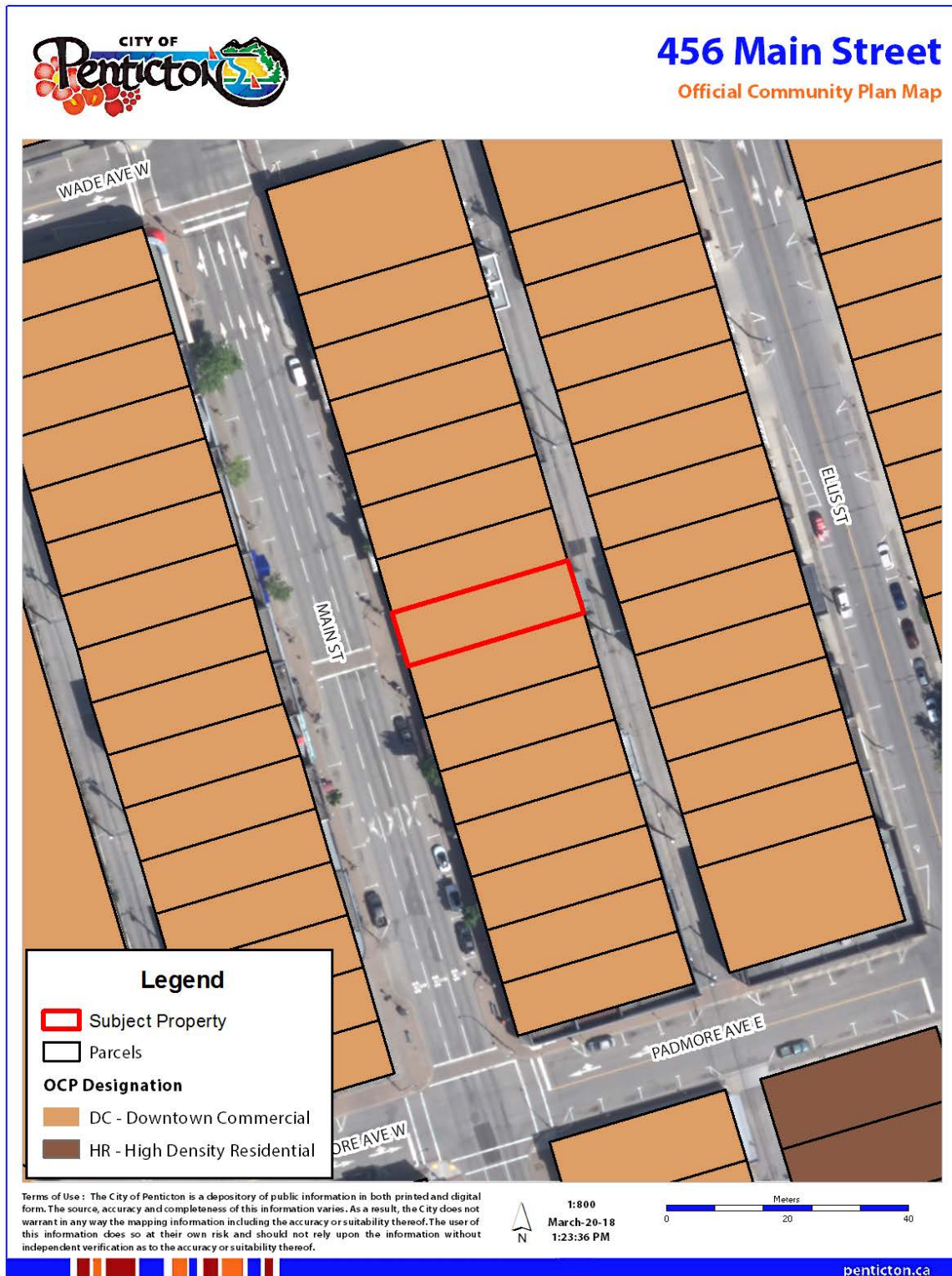


Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: West View (from Main Street)



Figure 5: East View (from the lane)



Figure 6: South View (from the lane)



Figure 7: North Building Face (from the lane)

Attachment E – Floor Plan

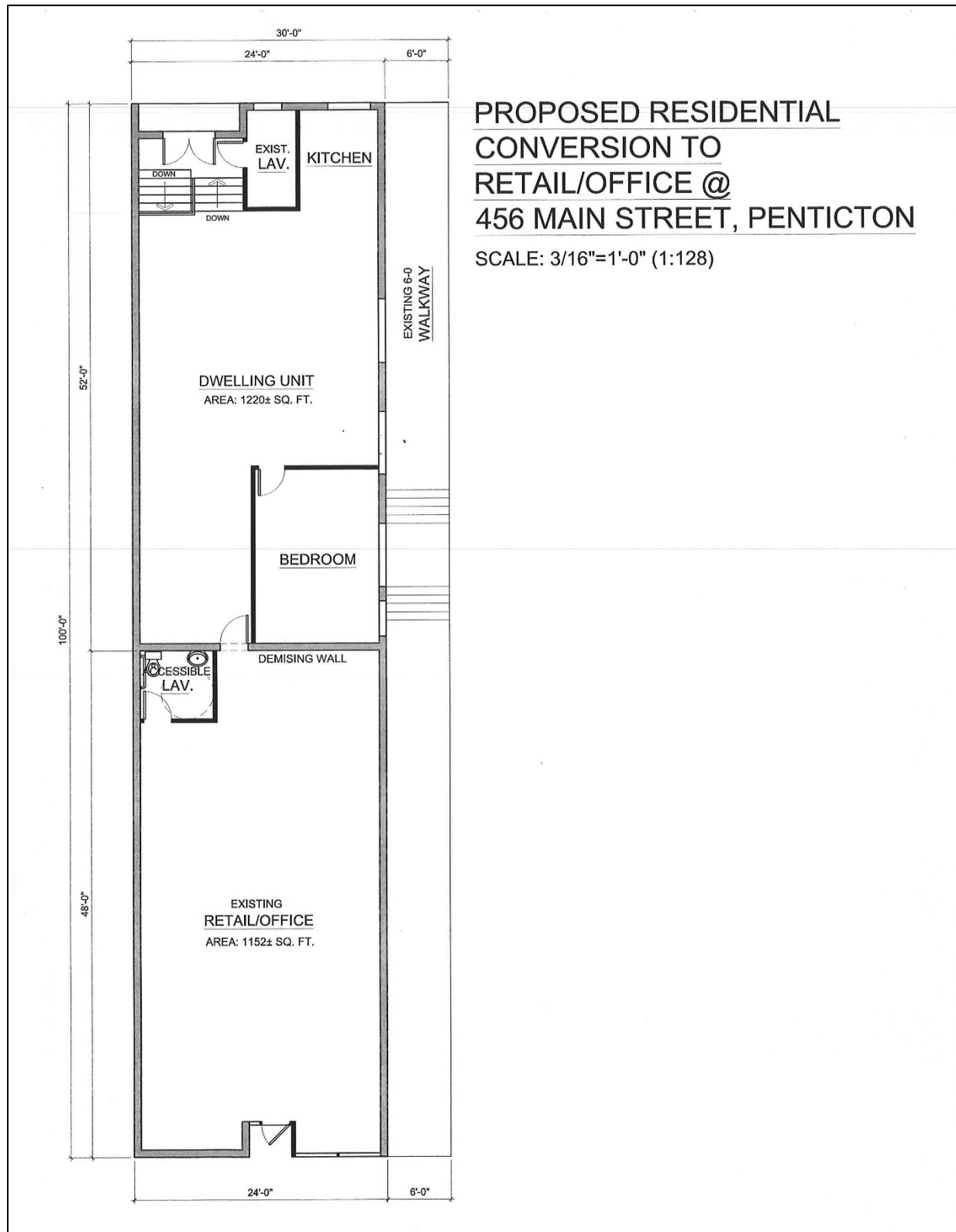


Figure 8: Floor Plan

MOUNTAIN ENTERPRISES LTD.

528 MAIN STREET • PENTICTON BC • V2A 5C7
PHONE: 250-492-0346 • FAX: 250-492-6673

March 8, 2018

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

Attention: Mayor and Council

RE: Letter of Intent, reasons for requesting this rezone application
456 Main Street is to permit the owner to construct a residential
apartment on the first floor at the back part of the building.
The building size is 2400 sq. ft. (±). The building has been vacant since
purchased in October 2014.
Has a history of high vacancies deemed to be due to:

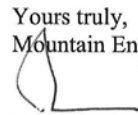
1. The front is half brick rather than all glass display, not typical of a store front.
2. The interior floor is at 2 levels, the front (West) 48' (±) at street level, the back (East) level is 40" (±) higher than the front, access by stairs or wheel chair ramp.
3. 2400 sq. ft. retail is a floor area not in demand, more likely to lease at 1200 sq. ft. (±)

Other Issues:

Would not proceed with a building permit until had a tenant committed to leasing both retail and apartment as logic would have the Residential tenant with access to both front and back. If there were two unrelated tenant's, would most often be in conflict with each other. Leaving heating, air conditioning and electrical "As Is" would be a substantial operating expense for the Owner if rented to unrelated parties as experience indicates heating and electrical utilities increases by 30% if Owner pays. To separate heating and electrical an expensive undertaking therefore an inducement for the Owner to lease both front and back to the same tenant.

Allowing this rezone will place the building in a different market and expect it will attract potential tenants. As a vacant building the insurance premium expense has been \$10,000 + each year.

Yours truly,
Mountain Enterprises Ltd.

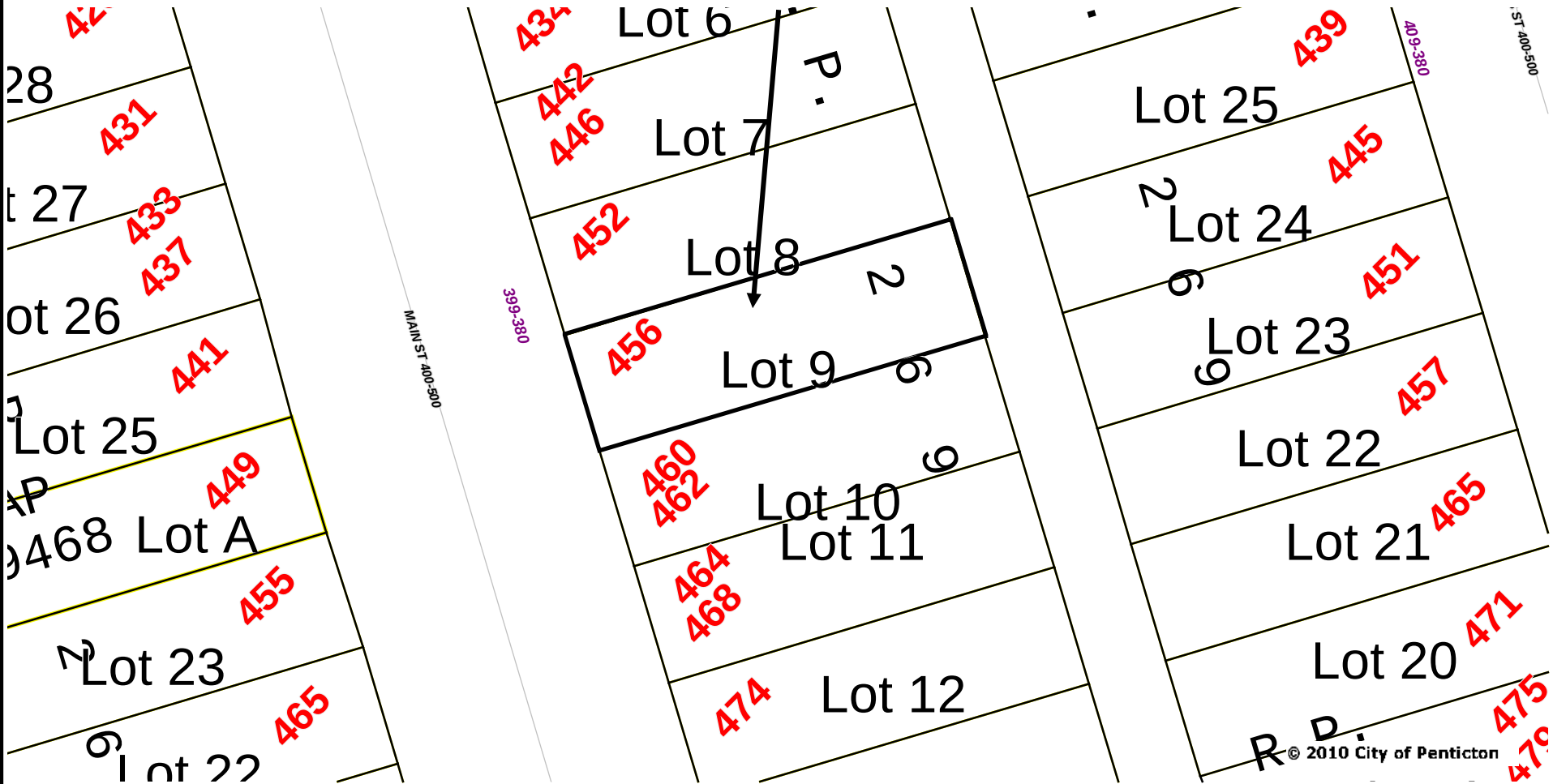

Philip Locke

PL/jw/COP/rezoneappl/030818

Figure 9: Letter of Intent

456 Main Street - Site Specific Zoning Amendment

To permit one dwelling unit on the first storey behind the commercial space



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-45

Date: _____

Corporate Officer: _____