



Public Notice

penticton.ca

June 21, 2018

Subject Property:

3590 Skaha Lake Rd

Lot 3, Block 211, District Lot 189, Similkameen (Formerly Osoyoos) Division Yale District, Plan 397

Application:

Development Variance Permit PL2018-8233

The applicant is proposing to construct a second storey addition to the existing motel. This will increase the number of rooms from 19 to 29. To do so, the applicant is requesting a variance to the following sections of Zoning Bylaw 2017-08:

- Section 11.10.2.7.ii: to decrease the minimum exterior side yard from 4.5m to 3.2m.
- Section 11.10.2.7.8: to decrease the minimum rear yard from 4.5m to 4.0m

Information:

The staff report to Council and Development Variance Permit PL2018-8233 will be available for public inspection from **Friday, June 22, 2018 to Tuesday, July 3, 2018** at the following locations during hours of operation:

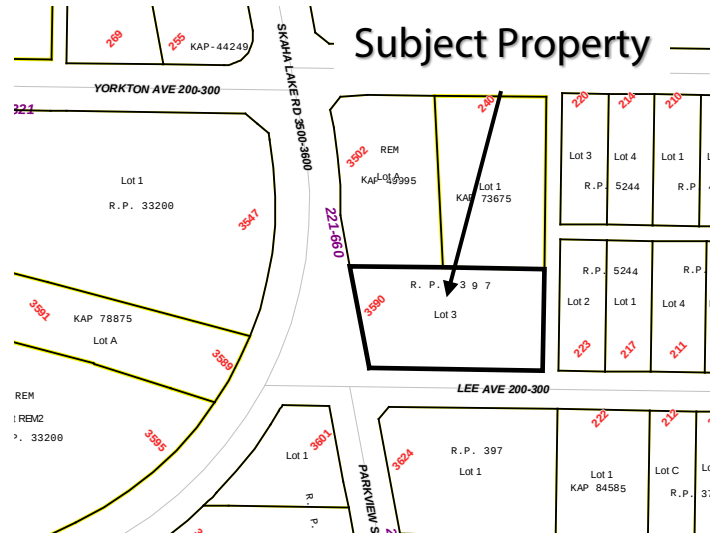
- Penticton City Hall, 171 Main Street
- Penticton Library, 785 Main Street
- Penticton Community Centre, 325 Power Street

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:

Council will consider this application at its Regular Council Meeting scheduled for **6:00 pm, Tuesday, July 3, 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, July 3, 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 July 3, 2018 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.

Blake Laven, RPP, MCIP

Manager of Planning



Council Report

penticton.ca

Date: July 3, 2018
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 3590 Skaha Lake Road
Subject: Development Variance Permit PL2018-8233
Development Permit PL2018-8230

File No: 2018 PRJ-099

Staff Recommendation

Development Variance Permit

THAT Council approve "Development Variance Permit PL2018-8233" for Lot 3 Block 211 District Lot 189 Similkameen (Formerly Osoyoos) Division Yale District Plan 397, located at 3590 Skaha Lake Road, a permit to reduce the minimum exterior side yard from 4.5m to 3.2m and to reduce the minimum rear yard from 4.5m to 4.0m;

AND THAT staff be directed to issue "Development Variance Permit PL2018-8233".

Development Permit

THAT Council approve "Development Permit PL2018-8230" for Lot 3 Block 211 District Lot 189 Similkameen (formerly Osoyoos) Division Yale District Plan 397, located at 3590 Skaha Lake Road, a permit that allows for a motel addition.

AND THAT staff be directed to issue "Development Permit PL2018-8230."

Background

The subject property (Attachment A) is zoned CT1 (Tourist Commercial) and designated by the City's Official Community Plan as TC (Tourist Commercial). Photos of the sites are included as Attachment D. The subject property is approximately 2,915m² (31,379ft²) and features a one-storey motel with 19 units as well as a security/operator dwelling unit. The surrounding properties are primarily zoned for commercial and multiple family. The property borders a pub and liquor store to the northwest as well as a multiple family development to the northeast. Single family dwellings are located to the east of the subject property, separated by a lane.

The property is located at the south end of town, in close proximity to Skaha Lake Park. Three other motels are located to the south of the subject property, along Parkview Street.

Proposal

The applicant is proposing to construct a second storey addition to an existing motel. This will increase the number of units from 19 to 29. To do so, the applicant is requesting a Development Variance Permit to vary the following sections of Zoning Bylaw No. 2017-08:

- Section 11.10.2.7.ii: to decrease the minimum exterior side yard from 4.5m to 3.2m.
- Section 11.10.2.7.8: to decrease the minimum rear yard from 4.5m to 4.0m.

Secondly, the property is located within the Tourist Commercial Development Permit area and requires approval for the form and character of the proposed development and to address landscaping requirements.

Financial implication

The City will receive Development Cost Charges from the developer at a rate of \$4.20 per ft² of increased floor area. A sidewalk will also be added along Lee Avenue at no cost to the City.

Technical Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. As per City of Penticton Building Bylaw 94-95 section 7.1.5, storm water/drainage is to be maintained on site. As per Subdivision & Development Bylaw Section 9.3; Except as otherwise provided in this section every *Owner* making an application for a *Building Permit* is required, if the *Building Costs* exceed \$150,000, to provide the following *works and services* within the *development* and on that portion of a *highway* immediately adjacent to the lot being *developed* up to the center line of the *highway*. This may include sidewalks, boulevards, boulevard crossings, transit bays, street lighting and underground wiring. In this case, sidewalk will be required along the Lee Avenue frontage with an irrigated grass boulevard. This will be at the cost of the developer. Servicing upgrades will be required based on fixture counts. Fire department access has been addressed through the implementation of a fire lane from Lee Avenue. If the requests for the variance and development permit are supported, BC Building Code and City bylaw provisions, such as height restrictions, will apply.

Development Statistics

The following table outlines the proposed development statistics on the plans submitted with the Development Variance and Development Permit applications:

Item	Requirement CT1 zone	Proposed
Maximum Lot Coverage:	40%	25%
Maximum Density:	1.2 FAR	0.48 FAR
Vehicle Parking:	1 space per room (29) + 1 security operator dwelling unit = 30 required	30 spaces

Required Setbacks		
Front yard (west, Skaha Lake Road):	3.0m	6.33m
Rear yard (east, lane):	4.5m	4.0m (variance required)
Interior yard (north):	0m	1.24m
Exterior yard (south, Lee Avenue):	4.5m	3.2m (variance required)
Maximum Building Height:	12.0m	7.6m
Other Information:	- The subject property is located within the General Tourist Commercial Development Permit Area, thus a development permit is required.	

Analysis

Development Variance Permit

Support Variances

When considering a variance to a City bylaw, staff encourages Council to be mindful of any constraints on the property that makes following the bylaw difficult or impossible; whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable.

Both of the variances below are required to enable the upgrade to the existing building and addition of new hotel rooms to the subject property, which will provide for a positive contribution to the south end of the community. The setbacks of the existing single storey motel are non-conforming to the zoning bylaw and the proposed second story addition follows the setbacks of the existing building (not including the structural supports), triggering the variances below.

Section 11.10.2.7.ii: to decrease the minimum exterior side yard from 4.5m to 3.2m.

- The proposed motel addition will result in a 3.2m exterior side yard (along Lee Avenue). The existing one-storey motel already encroaches on the exterior yard setback but a second storey addition is increasing the non-conformity, thus a variance is required. Staff do not consider there to be any negative impacts as the design will have a positive impact on the street. Landscaping, fencing and a sidewalk between the motel and the street will be provided to enhance the building design. The motel will sit approximately 6.0m from the street, which is an adequate distance. For these reasons, it is reasonable to support the variance.

Section 11.10.2.7.8: to decrease the minimum rear yard from 4.5m to 4.0m.

- The developer is proposing to decrease the rear yard setback from 4.5m to 4.0m in order to accommodate the second storey addition. The addition will be located 4.4m from the rear property line, with the remaining 0.4m allowing for structural supports as required. Staff feel that the variance request will have limited impacts on the single family dwellings to the east as the lane acts as a buffer. The addition will be located approximately 10.0m from the residences to the east and will be

two storeys instead of the three storeys permitted in the CT1 zone. For the reasons listed above, staff feel that a 0.5m variance request is minor and unlikely to cause any added negative impacts on the surrounding neighbourhood.

Staff consider that the variances requested will have little impact on the neighbourhood and recommend that Council, after hearing from any affected neighbours, support the application.

Deny/Refer Variances

Council may consider that the proposed variances will negatively affect the adjacent properties. If this is the case, Council should deny the variances.

Development Permit

Support Development Permit

The subject property is in the General Tourist Commercial Development Permit Area. As such, a development permit is required prior to construction. In this DPA, there is an emphasis on the following design considerations:

- Buildings should show thoughtful architectural articulation to create visual interest:
 - o The mid-century modern style of the renovation will add a unique flair to the area. Structural columns will be exposed, low-sloped roofs, ribbon windows and vertical siding will be added. The bright pastel colours are typical of that era and will create visual interest.
- Landscaping shall comprise of plant material of a high decorative value and incorporate drought tolerant species where possible:
 - o The Lee Avenue Frontage will be vastly improved. The fencing will be refinished, sidewalk added, trees planted and irrigated grass provided which will add decorative value from what currently exists.
- Garbage and recycling areas shall be screened within an enclosure:
 - o In the proposal, the garbage and recycling area will be relocated from the existing location along Lee Avenue, to the rear lane, screened and hidden from the street.

Staff feel that the proposed addition will add value to the neighbourhood and the building elevations and improved landscape plan meet the intention of the DP Area guidelines. As such, staff recommend that Council approve the Development Permit application.

Deny/Refer Development Permit

Council may consider that the proposal does not reflect the current built form of the neighbourhood, or that the development should soften the impact on neighbouring properties. If this is the case, Council should deny the permit.

Alternate Recommendations

1. THAT Council support "DVP PL2018-8233" but deny support for "DP PL2018-8230."
2. THAT Council support "DVP PL2018-8233" and "DP PL2018-8230" with conditions.
3. THAT Council refer "DVP PL2018-8233" 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: Site Plan
Attachment F: Elevations
Attachment G: Floor Plans
Attachment H: Letter of Intent
Attachment I: Development Variance Permit PL2018-8233
Attachment J: Development Permit PL2018-8230

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS	CAO
	

Attachment A – Subject Property Location Map



Figure 1: Subject Property Location Map

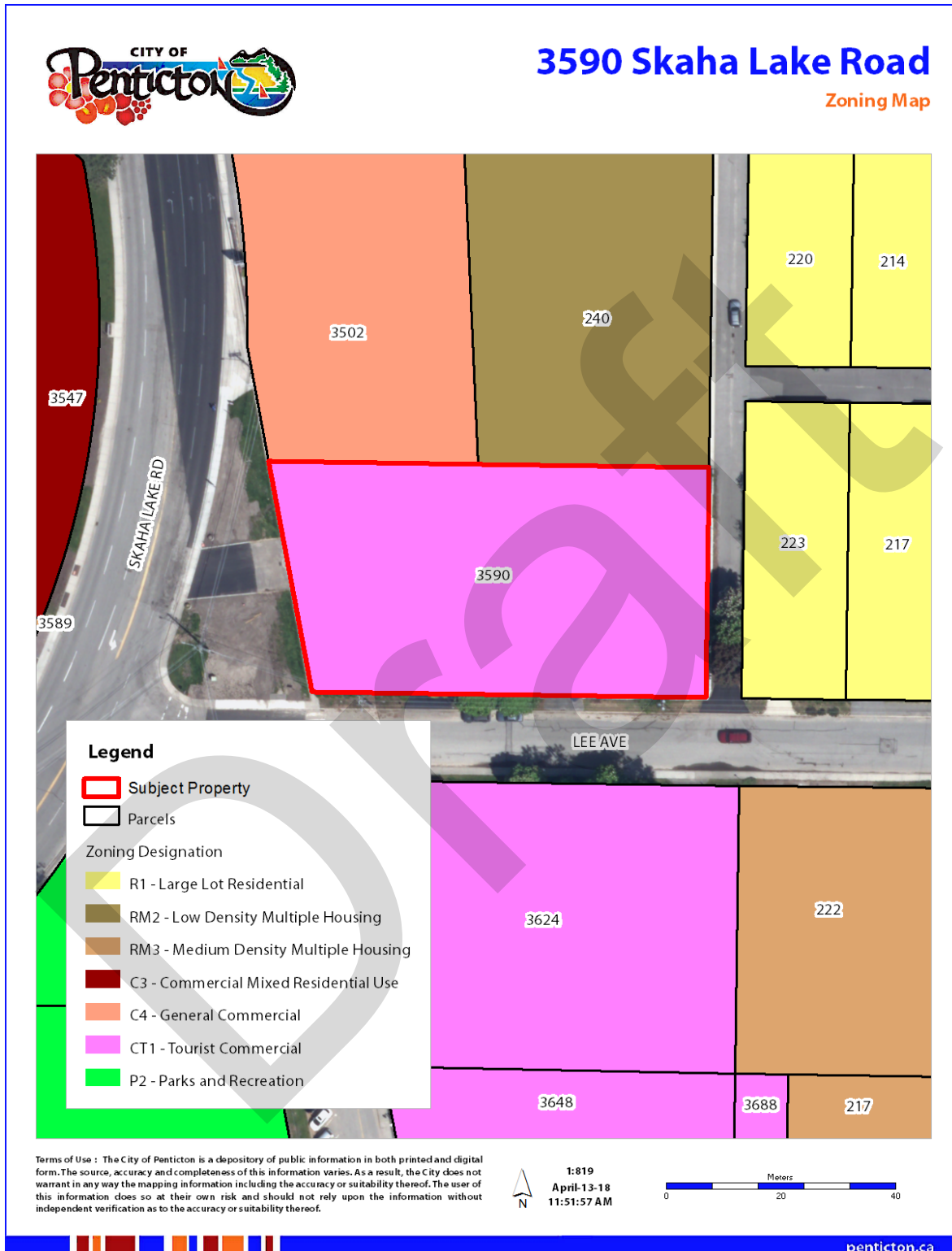


Figure 2: Zoning Map

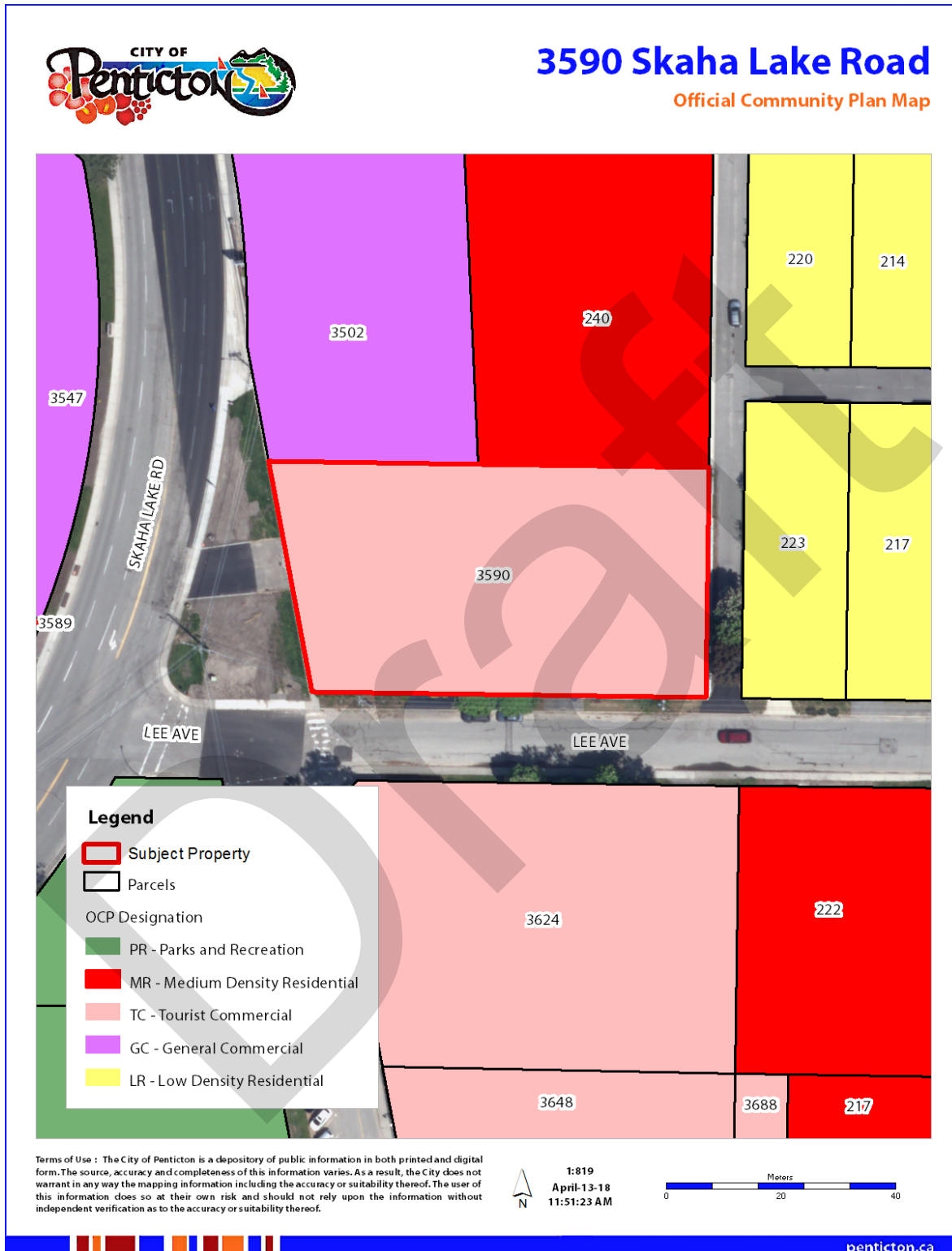


Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: West View of Subject Property (from Skaha Lake Road)



Figure 5: West View of Subject Property (looking along Lee Avenue)



Figure 6: South View of Subject Property showing fire lane access (from Lee Avenue)



Figure 7: South View of Property



Figure 8: South East view of property



Figure 9: East View of Subject Property (from the lane)



Figure 10: Existing motel parking lot

Attachment E – Site Plan

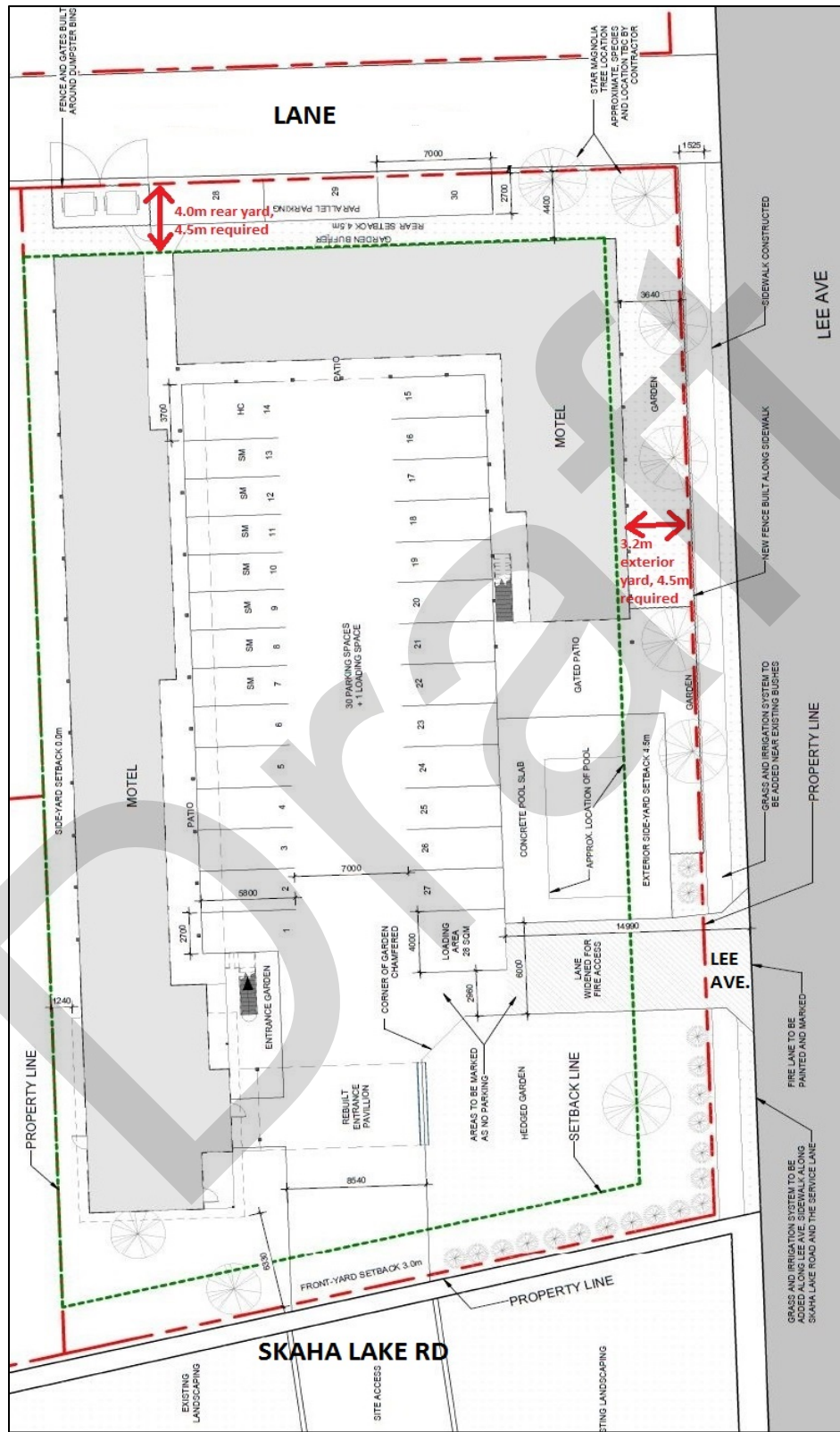


Figure 11: Site Plan

Attachment F – Elevations



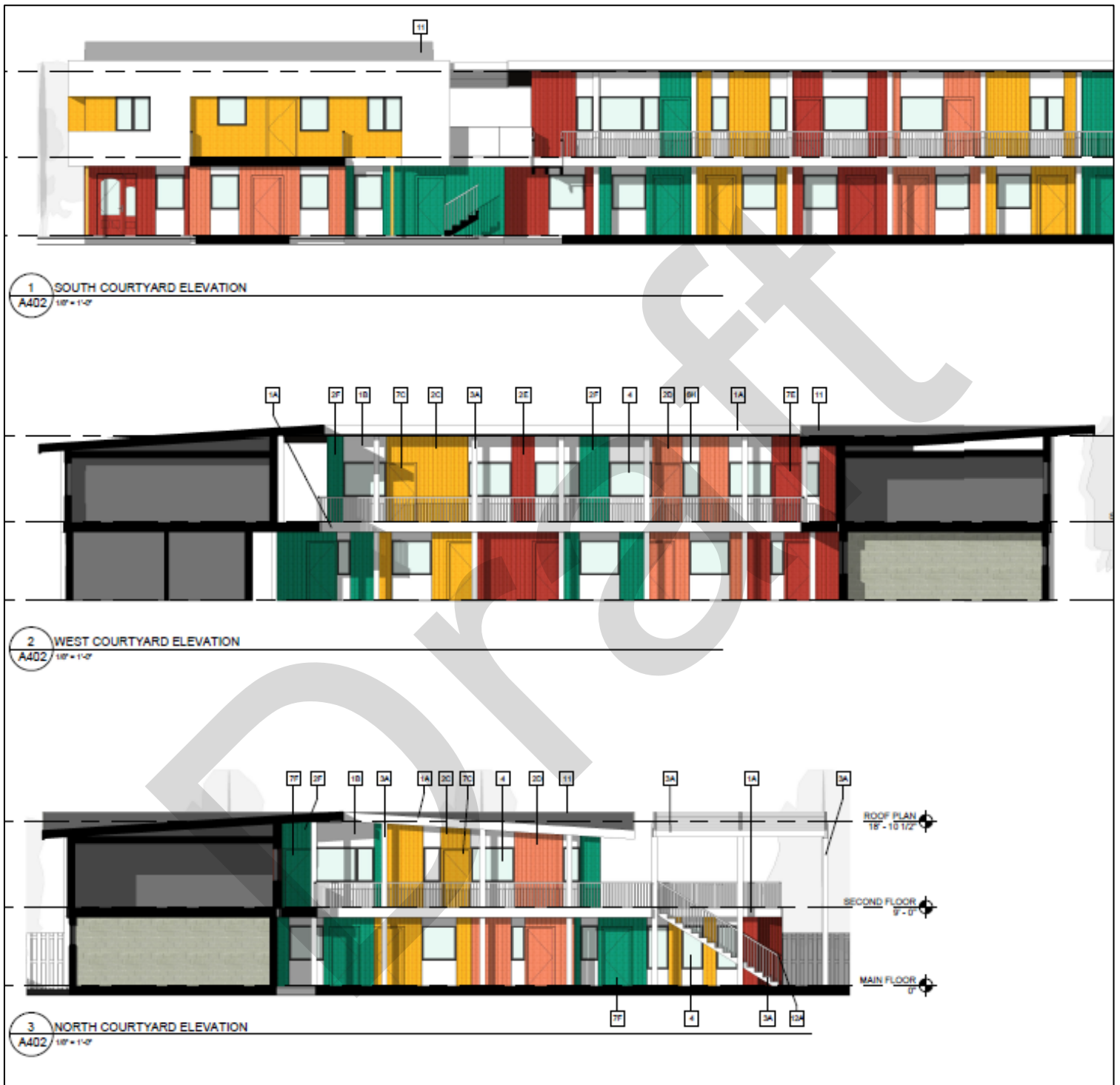


Figure 12: Elevations

Attachment G – Floor Plans

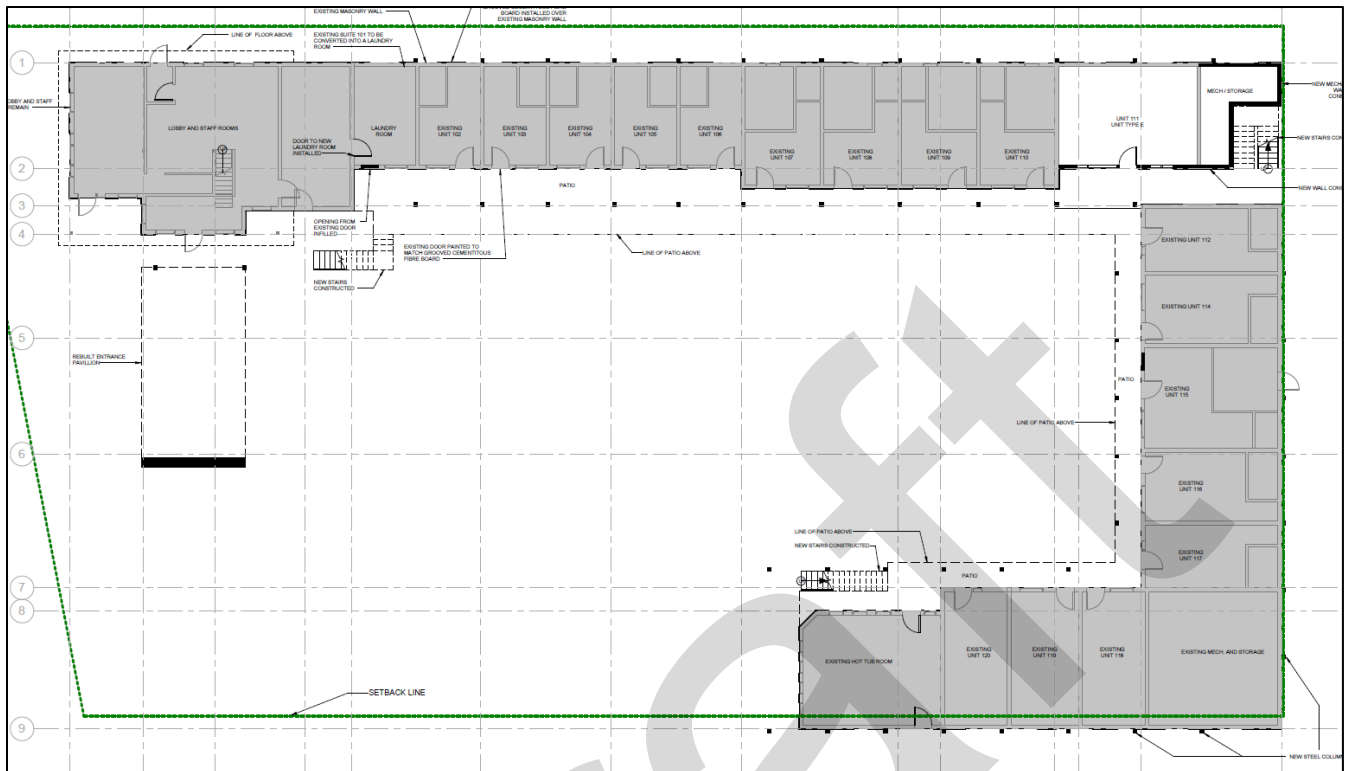


Figure 14: Main Floor Plan

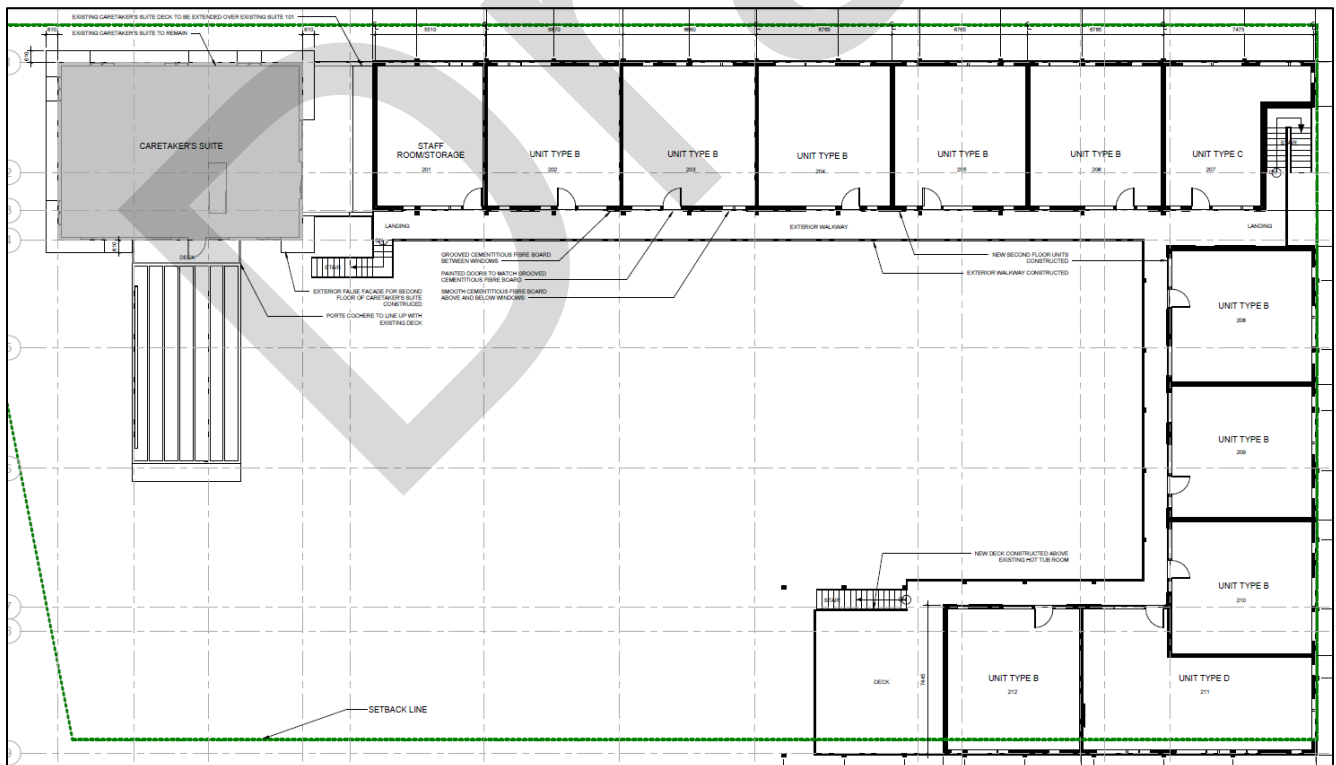


Figure 15: Second Floor Plan

Attachment H - Letter of Intent

MEIKLEJOHN ARCHITECTURAL DESIGN **STUDIO** INC.
CALVIN B MEIKLEJOHN, ARCHITECT AIBC

June 18, 2018

Penticton City Hall
171 Main Street
Penticton, BC
V2A 5A9
Canada

Attention: Planning Department

Lot 3 Block 211 Plan KAP397 District Lot 189 Similkameen
Division Yale District
Traveler's Motel

Dear City Planner,

Please find attached our documents supporting our application for a Development Variance Permit for Traveler's Motel.

Setback Variances

We are requesting a variance to the exterior yard setback and the rear setback. For the exterior side-yard setback, we would like to reduce the setback to 3.2m, and the rear setback to 4.0m.

We believe this request is supportable due to the fact the existing building already encroaches on the rear and side setbacks. The additional floor will take up the same footprint, plus an extra 600mm for structural supports; which are required to bring the structural aspects of the building into conformance with current building codes. From discussion with structural engineers it was estimated that 200mm wide structural elements would be needed for the addition. We have included some leeway for structural changes within our variances by decreasing side yard and rear setbacks by 400mm more than the 200mm estimate.

By building the addition within a similar footprint of the original building, the motel will not impinge on surrounding properties any further than it already does. As for the addition of the second floor caretaker's suite, the addition allows the suite to be stylistically similar to the rest of the building as part of our complete "remake" of the building. As it is viewable along Skaha Lake Road, it is essential that it is aesthetically pleasing and fits with the rest of the building upgrades. This addition to the caretaker's suit is simply a false façade and will not alter the existing square footage of the suite.

201 - 75 FRONT STREET, PENTICTON, BC V2A 1H2 t: 250.492.3143 e: office@meiklejohn.ca

Draft

Entranceway Canopy Height

As per the Technical Planning Committee outcome sent on May 15th, 2018, it was stated the current dimensions of the entrance pavilion would not work as per BCBC 2012 3.2.5.6. It was argued that the porte-cochere needed a clearance underneath of 5m for firetrucks to safely pass under. This would be reasonable if the fire department used the main entrance for firefighting, but as per BCBC 2012 3.2.5.5 firetrucks would be unable to reach that entrance in case of emergencies.

At the location 3590 Skaha Lake Road there are no fire department connections, so the property would rely on fire hydrants. The closest fire hydrant to the property is located on the north side of Skaha Lake Park (refer to A211 FIRE DEPARTMENT ACCESS SITE PLAN). As per BCBC 2012 3.2.5.5, 45m is the maximum distance from the fire hydrant to the truck and 45m is the maximum distance between the truck and the firefighter. As seen in A211, the dark grey dashed line is the radius of the maximum distance the firetruck can be from the fire hydrant. The green dashed lines and green 'X' shows the ideal location of fire department vehicles as it allows for the furthest reach for firefighters to the building (green dashed circle). Also shown is the reach of firefighters if the vehicle was located at the main entranceway (grey dashed circle).

As can be seen, it is ideal for fire fighting vehicles to be located along Lee Avenue and not in the main entranceway for firefighting purposes; as the Lee Avenue location allows for a greater reach to the motel, whereas the main entranceway only allows firefighters to reach the west half of the motel. Regardless, in either situation the firetruck would not be able to reach far enough from the hydrant to go underneath the entrance canopy. Because of this, the entrance canopy does not need to have the 5m clearance needed for fire department vehicles.

As a solution, we have widened the side lane on Lee Avenue to make it a fire lane. This lane is 6m in width and 14.99m long. As noted in drawing A211 this allows firefighters to reach the front doors of all suites in the motel. As there is no canopy or other obstructions along this lane, the lane allows for the 5m clearance needed for fire department vehicles.

As well, if the canopy was to have a 5m clearance, it would greatly change the character of the building and cause issues for the caretaker's suite. A higher canopy would block the views from the upper balcony, as well as open it to the space below. This would make the balcony less of a private area for the caretakers. It will also block sunlight into the caretaker suites. As the false façade has been designed to block sunlight during the summer, but allow it to enter during the winter, extra shading would increase the amount of heating the suites would require during the winter months.

Aesthetically, a larger canopy would clash with the horizontal motif currently seen in the building design, which would take away from the mid-century modern styling that we are striving to achieve. As well, with the greater height the blue "TRAVELERS sign would be difficult to read from ground level and would appear misplaced. It

MEIKLEJOHN ARCHITECTURAL DESIGN **STUDIO** INC.
CALVIN B MEIKLEJOHN, ARCHITECT AIBC

would have to be removed from the design, which would once again diminish the unique character from the original design.

Exterior Styling

The addition and refacing of the existing building is to be done in a mid-century modern style. Some of the character defining elements that we will be incorporating will be the exposure of structural columns, low-sloped roofs, the appearance of ribbon windows, vertical slatted siding, and bright pastel colours that were typical of the era. By using this style, we hope to create a care-free reminiscent quality for tourists and residents alike.

Please feel free to contact the undersigned if you have any questions regarding this application.

Sincerely,



Cal Meiklejohn, Architect AIBC, FRAIC, LEEDTM AP
MEIKLEJOHN ARCHITECTURAL DESIGN **STUDIO** INC.
cal@meiklejohn.ca

201 – 75 FRONT STREET, PENTICTON, BC V2A 1H2 t: 250.492.3143 e: office@meiklejohn.ca

Figure 16: Letter of Intent

Attachment J - Development Variance Permit PL2018-8233



Development Variance Permit

Permit Number: DVP PL2018-8233

Name:

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 3 Block 211 District Lot 189 Similkameen (Formerly Osoyoos) Division Yale District Plan 397
Civic: 3590 Skaha Lake Road
PID: 004-465-270
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 motel addition.
 - Section 11.10.2.7.ii: to decrease the minimum exterior side yard from 4.5m to 3.2m.
 - Section 11.10.2.7.8: to decrease the minimum rear yard from 4.5m to 4.0m.

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 3 day of July, 2018.

Issued this ____ day of _____, 2018

Dana Schmidt,
Corporate Officer

DVP PL2018-8233

Page 2 of 2

Attachment K - Development Permit PL2018-8230



Development Permit

Permit Number: DP PL2018-8230

Name:
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 3 Block 211 District Lot 189 Similkameen (Formerly Osoyoos) Division Yale District
Plan 397
Civic: 3590 Skaha Lake Road
PID: 004-465-270
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a motel addition, as shown in the plans attached in Schedule A.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$____.00 must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502(2.1) of the *Local Government Act*, to undertake works or other activities required to:
 - a. correct an unsafe condition that has resulted from a contravention of this permit,
 - b. satisfy the landscaping requirements of this permit as shown in Schedule A or otherwise required by this permit, or
 - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 5 only if:
 - a. the permit has lapsed as described under Condition 8, or
 - b. a completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.
6. Upon completion of the development authorized by this permit, an application for release of securities must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security as follows:

1 st Inspection	No fee
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2 nd Inspection	\$50
3 rd Inspection	\$100
4 th Inspection or additional inspections	\$200



General Conditions

7. In accordance with Section 501(2) 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.
8. 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.
9. **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.**
10. 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.
11. 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 3 day of July, 2018

Issued this _____ day of _____, 2018

Dana Schmidt,
Corporate Officer

DP PL2018-8230

Page 2 of 2