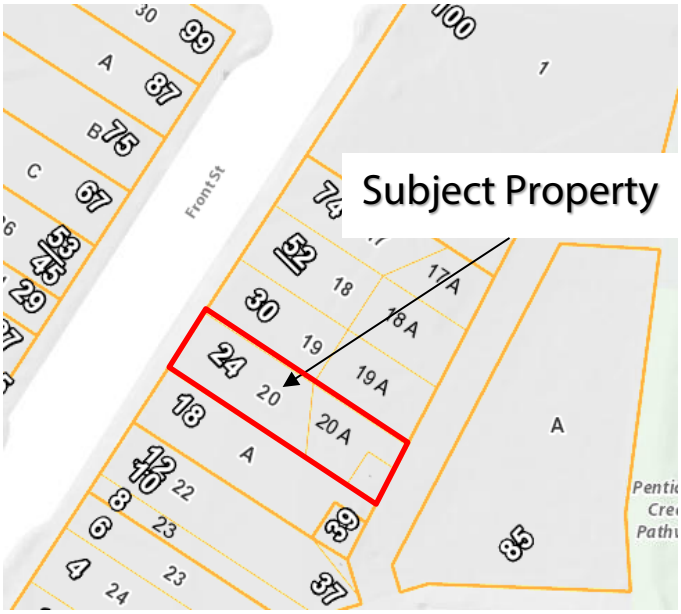
Public Notice

penticton.ca

February 7, 2019

Subject Property:
24 Front Street

Lot 20, Block 5, District Lot 202, Similkameen Division Yale District, Plan 269, Except Plan KAP81855, Lot 20A, District Lot 202, Similkameen Division Yale District, Plan 1067, Except Plans B262 and KAP81855 and That Part of Lot 20A Shown on Plan B262, District Lot 202, Similkameen Division Yale District, Plan 1067, Except Plan KAP81855



Application:
The applicant is proposing to construct a five-storey mixed-use building. The following applications are being considered:

Official Community Plan Amendment PL2018-8337
Given that the current OCP and Downtown Plan (2012) places a three storey maximum height restriction on Front street, an amendment to the OCP allowing for a five-storey building is required prior to construction.

Development Variance Permit PL2018-8336
Vary Section 11.5.2.5.ii of Zoning Bylaw No. 2017-08 to increase the maximum permitted height of a building on Front Street from 15.0m to 21.1m.

Information:
The staff report to Council, Official Community Plan Amendment Bylaw 2019-04 and Development Variance Permit PL2018-8336 will be available for public inspection from **Friday, February 8, 2019 to Tuesday, February 19, 2019** 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, February 19, 2019** in Council Chambers at Penticton City Hall, 171 Main Street.

continued on Page 2

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, February 19, 2019** 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 19, 2019 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: February 5, 2019 File No: 2018 PRJ-181
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 24 Front Street

Subject: **Official Community Plan Amendment Bylaw No. 2019-04**
Development Variance Permit PL2018-8336
Development Permit PL2018-8335

Staff Recommendation

Official Community Plan Amendment

THAT prior to consideration of "OCP Amendment Bylaw No. 2019-04" and in accordance with Section 475 of *Local Government Act*, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67; and
5. The provincial or federal government and their agencies.

AND THAT it is determined that the public consultation conducted to date is sufficient;

AND THAT "OCP Amendment Bylaw No. 2019-04", being a bylaw to amend "OCP Bylaw No. 2002-20" shown as Attachment 'O' of this report to allow a 5 storey building on 24 Front Street; be introduced, given first reading and be forwarded to the February 19, 2019 Public Hearing.

Development Variance Permit

THAT delegations and submissions for "Development Variance Permit PL2018-8336" for That part of Lot 20A Shown on Plan B262 DL 202 SDYD Plan 1067 Except Plan KAP81855, for Lot 20A DL 202 SDYD Plan 1067 Except Plans B262 and KAP81855, and for Lot 20 Block 5 DL 202 SDYD Plan 269 Except Plan KAP81855, all of which are located at 24 Front Street, a permit to increase the maximum permitted height of a building on Front Street from 15.0m to 21.1m, be heard at the February 19, 2019 Public Hearing;

AND THAT Council consider "DVP PL2018-8336" following the adoption of "OCP Amendment Bylaw No. 2019-04."

Development Permit

THAT Council approve "Development Permit PL2018-8335" for 24 Front Street, a permit that allows for the construction of a mixed-use development, featuring ground floor retail and four (4) residential suites;

AND THAT approval of "Development Permit PL2018-8335" be conditional on issuance of "Development Variance Permit PL2018-8336" and consolidation of the subject properties.

AND THAT staff be directed to issue "Development Permit PL2018-8335" following lot consolidation.

Background

The development lands (Attachment A) are made up of three small parcels which are intended to be consolidated and support the development of a five storey, mixed use building. The lands are zoned C5 (Urban Centre Commercial) and designated by Official Community Plan No. 2002-20 as DC (Downtown Commercial). Photos of the site are included as Attachment D. The lands are a combined 312.3m^2 (3,361ft^2) in area and have historically been undeveloped and used for parking. The surrounding properties are primarily zoned C5 and similarly designated by the OCP as Downtown Commercial.

Proposal

The applicant is proposing to construct a five-storey mixed-use building. Given that the current OCP and Downtown Plan (2012) places a three storey maximum height restriction on Front street, an amendment to the OCP allowing for a five-storey building is required prior to construction.

Secondly, the applicant is requesting a Development Variance Permit to vary the following section of Zoning Bylaw No. 2017-08:

- Section 11.5.2.5.ii: to increase the maximum permitted height of a building on Front Street from 15.0m to 21.1m.

Lastly, the property is located within the Downtown Enterprise Development Permit Area and requires approval for the form and character of the proposed development.

Financial implication

The City will receive Development Cost Charges from the developer at a rate of $3,126.00 per dwelling unit x4 for a total of $12,504.00, with the commercial space being charged at a rate of $4.20 per ft^2 of floor area. This is in addition to the building permit fees, based on construction cost estimates.

Technical Review

The proposed development was reviewed by the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Servicing requirements will be required based on fixture counts. Building code requirements have been relayed to the applicant. On the north property, there is an existing exit door that opens into the subject lands. This will be addressed through an access agreement via a public passageway. The existing driveway sidewalk letdown will need to be re-instated at the cost of the developer. As per City of Penticton Building Bylaw 2018-01 Section 14.4.i, storm water/drainage is to be

maintained on site. If the requests for the OCP Amendment, variance and development permit application is supported, BC Building Code and City bylaw provisions, such as site coverage and setbacks, will apply.

New Official Community Plan (2019)

The draft Official Community Plan, currently under development and anticipated to be adopted this spring, identifies this area for Downtown Mixed Use. This means developments with active retail, service or civic and cultural uses at ground level and multi-family residential and/or office uses above with a maximum height of 10 storeys, but limited to 3 storeys on Main Street. The subject property falls within the Downtown Development Permit Area of the new OCP, which identifies the 100-500 block of Main Street and Front Street as the heart of the community, central to the City's identity. The intent of these guidelines is to maintain and strengthen a vibrant, active and livable downtown, by using commercial retail frontages to activate street edges and incorporating residential development above retail and office uses. These new guidelines speak to promoting an infill strategy focused on commercial and mixed-use, three to five storeys in height, rather than large-scale redevelopment that involves consolidation of several lots. The proposed building is closely aligned with this future designation and development permit guidelines of the new OCP.

Downtown Penticton Association

The proposal was reviewed by the Downtown Penticton Association (DPA) on January 29, 2019 and a letter of support has been submitted as Attachment K.

Development Statistics

The following table outlines the proposed development statistics on the plans submitted with the Rezoning and OCP amendment applications:

Item	Requirement C5 zone	Proposed
Maximum Lot Coverage:	100%	99.2%
Maximum Density:	6.0 FAR	4.01 FAR
Minimum Lot Width:	9.0m	9.1m
Minimum Lot Area:	275.0m^2	312.3m^2
Vehicle Parking:	1 space per dwelling unit (4 required)	2 spaces (see below)
Bicycle Parking:	Four (4) Class I spaces & Two (2) Class II spaces	Eight (8) Class I & Four (4) Class II
Required Setbacks		
Front yard (west, Front Street):	0.0m	0.0m
Rear yard (east, lane):	0.0m	0.0m
Interior yard (north):	0.0m	0.0m
Interior yard (south):	0.0m	0.0m
Maximum Building Height:	15.0m	21.1m (variance required)
Other Information:	As per Section 6.1.2.1 of the zoning bylaw, "where five addition Class I or Class II bicycle parking spaces are provided on-site, the vehicle parking space requirement can be reduced by one (1) parking space." In this case, the developer is providing six additional bicycle parking spaces, thus only 3 parking spaces are required for four dwelling units.	

	Since tandem parking is not permitted for an apartment building, only two parking spaces count. As per Section 6.1.2.3 of the zoning bylaw, a property owner may provide the City with a sum of money equal to the number of parking spaces not provided. The total cost is $6,000 per space, and in this case the developer is one space short (given the bicycle space reduction). Thus, $6,000 will be paid by the developer and will be deposited in the Alternative Transportation Infrastructure Reserve Fund.

Analysis

Support Official Community Plan Amendment Bylaw No. 2019-04

The Downtown plan limits the height of buildings on Main Street and Front Street to three storeys. Although a five-storey building is being proposed in this case, the two-storey character of the 100 block of Front Street has been retained, as the upper storeys have been setback from the street. The developer has produced several revisions to the plans and has produced a final version, which compliments the diversity and heritage character of Front Street.

Staff consider that the increase in height will have minimal impact on the street considering the design proposed. The proposal adds to the already diverse range of densities of this area and fills a gap in the streetscape, creating a more complete street.

In summary, even though an amended to the OCP is being sought, the proposed meets several objectives of the Plan, including:

- Encouraging residential intensification and allow for a visually interesting building design.
- Promoting infill development with priority on mixed use development with ground floor commercial.
- Retaining the Downtown Commercial areas as a compact well defined and pedestrian oriented area.
- Encouraging densification in areas where existing services can accommodate higher densities; and
- Encouraging infill commercial development on vacant parcels on Front Street.

Overall, staff believe that the proposed building will generate positive impacts for the downtown by turning a historically vacant lot into commercial space and four new dwelling units. The location of the site and characteristics of the surrounding make it ideally suited for densification. Furthermore, there are several other buildings of a similar height that have been approved in the past few years, most notable the five storey building at 135 Front Street which was recently completed, the approval for a four storey building at 123 Front Street and the six storey building approved for 32 Backstreet Boulevard.

For these reasons, staff are recommending that Council support the OCP amendment as provided in this report and refer the application to the February 19, 2019 Public Hearing for comments from the public.

Deny/Refer Official Community Plan Amendment

Council may consider that the proposed amendment is not suitable for this site and that revisions should be completed to produce a three-storey building. Staff do not recommend this as a building with two-storeys at the street frontage is a better outcome than a developer proposing three-storeys in height right at the street frontage. The increase in storeys contributes to the viability of the project, and results in extra residential units and commercial space, rather than a small parking lot in the heart of the downtown. Ultimately, if council has concerns with the height of the building, then they 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.

Development Variance Permit

Support Variance

When considering a variance to a City bylaw, staff encourages Council to be mindful as to whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. Also, Council should consider the positive community benefit that may be gained from approval of the variance.

The variance below is required to accommodate the commercial space and residential unit count. Approval of this variance provides for a positive contribution to the community in the heart of the downtown, close to several public and private amenities.

Section 11.5.2.5.ii: to increase the maximum permitted height of a building on Front Street from 15.0m to 21.1m.

- The developer is proposing to construct a five storey building along Front Street, in which City policies limit the height to three storeys. The 15.0m maximum height in the Zoning Bylaw, is reflective of the three storey maximum height for Front Street from the Downtown Plan and the Official Community Plan. As mentioned in the previous section, the two-storey character of Front Street is maintained at the street frontage, which the upper three-storeys stepped back. This is keeping with the intent of the bylaw.

- A height of 36.6m (10 storeys) is permitted in the rest of the downtown.

- The building was designed so that the upper storey has jogs, and windows, which will reduce the negative visual impact of a five-storey building amongst two and three-storey buildings.

Given the above, Staff consider the variance request to be reasonable and unlikely to have any negative impacts on surrounding properties or the aesthetic appearance from the street. The public benefit of approving the variance, with additional commercial and dwelling units, are, in staff's consideration a reasonable trade off to accommodate this proposal. Staff are recommending that Council, after hearing from any affected neighbours, support the requested variance.

Deny/Refer Variance

Council may consider that the proposed variance will negatively affect the overall aesthetics of the street and/or adjacent properties given the increased height. Council may consider requiring the developer to reduce the height of the building which will result in an elimination of multiple dwelling units and commercial space. If Council has concern with the height, then they should deny the variance request.

Development Permit

Support Development Permit

The Downtown Enterprise Development Permit Area (DPA) encompasses a three block area, which is considered to be the "heart" of Penticton's downtown. The City recognizes that the attractiveness of this area is vital in attracting tourists, pedestrians, and new development to the area. As such, development is expected to largely comply with what the OCP recommends with respect to siting, design, and community impact. In terms of the Development Permit Guidelines, the developer has submitted a historical analysis of Front Street with design rationale for the proposed building (Attachment N).

The subject property is located in one of Penticton's highest profile commercial streets. The historical attributes of Front Street date back to Penticton's earliest times and the colorful building designs that have taken place over the years have contributed towards the form and character that exists in the street today. Over time however, the evolving design of Front Street has seen more contemporary building design elements and building materials. Although some recent development has responded with the use of brick to reflect earlier development forms, the proposed building is more contemporary in style, with a mix of white stucco and wood cladding.

The Official Community Plan contains specific guidance for redevelopment in the downtown core. Staff have provided a detailed analysis of the building plans with the applicable development permit area guidelines which has been included as Attachment G.

The two to three storey character of the street is maintained through stepping back the upper storeys. This results in the upper storeys being hidden from view of the pedestrian. Thus, a greater emphasis is placed on the design of the lower two storeys, and how it ties in with the surrounding neighbourhood. As per the Historical Analysis of Front Street conducted by the applicant (Attachment N), "a large window at street level was designed to invite passersby, while the building entrance mimics the recesses of the historic Empress Theatre next door." Careful attention has gone into designing a contemporary building that can be incorporated into a historical context. This has been achieved through continuing existing parapet heights and matching architectural elements such as windows and doors. A neutral material palette provides a pleasant fit that is respectful of its surrounds and adjacent building.

Overall, Staff consider that the plans closely align with the DPA guidelines. Staff consider that the proposed building will have a positive impact on the downtown by the increase in commercial space and four new residential units. The overall design and appearance of the building is of high quality and will add positively to the eclectic mix of buildings that exist along Front Street. Staff considers that the project is in-line with the vision and intent of the OCP.

The three lots will need to be consolidated prior to issuance of the development permit. As such, staff recommend that Council approve the development permit, subject to lots consolidation.

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. Staff do not recommend this, as a complete redesign will be required. Staff have worked closely with the designer to bring forward a project, which staff feel align closely with the intent of the DPA guidelines and consider that the proposed contemporary design complements the historical context of the street.

Alternate Recommendations

1. THAT Council give first reading to "OCP Amendment Bylaw No. 2019-04, "but deny support to "Development Variance Permit PL2018-8335" and Development Permit PL2018-8336."

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:	Staff Analysis Development Permit Guidelines
Attachment H:	Floor Plans
Attachment I:	Conceptual Renderings
Attachment J:	Letter of Intent
Attachment K:	Downtown Penticton Association Letter of Support
Attachment L:	Development Variance Permit PL2018-8336
Attachment M:	Development Permit PL2018-8335
Attachment N:	Historical Analysis of Front Street (Applicant Submitted)
Attachment O:	OCP Amendment Bylaw No. 2019-04

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS	ACAO
AH	LD

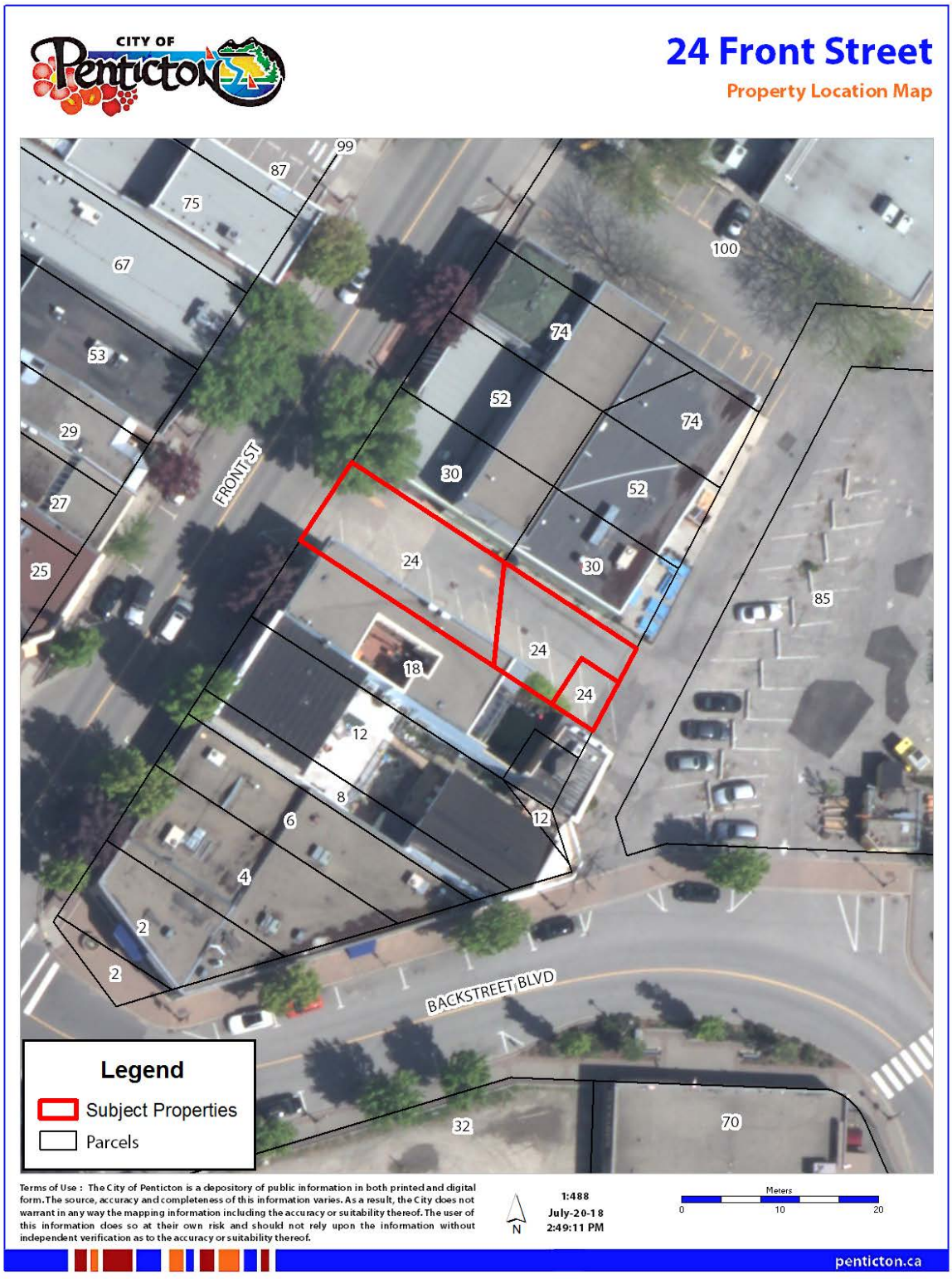


Figure 1: Subject Property Location Map

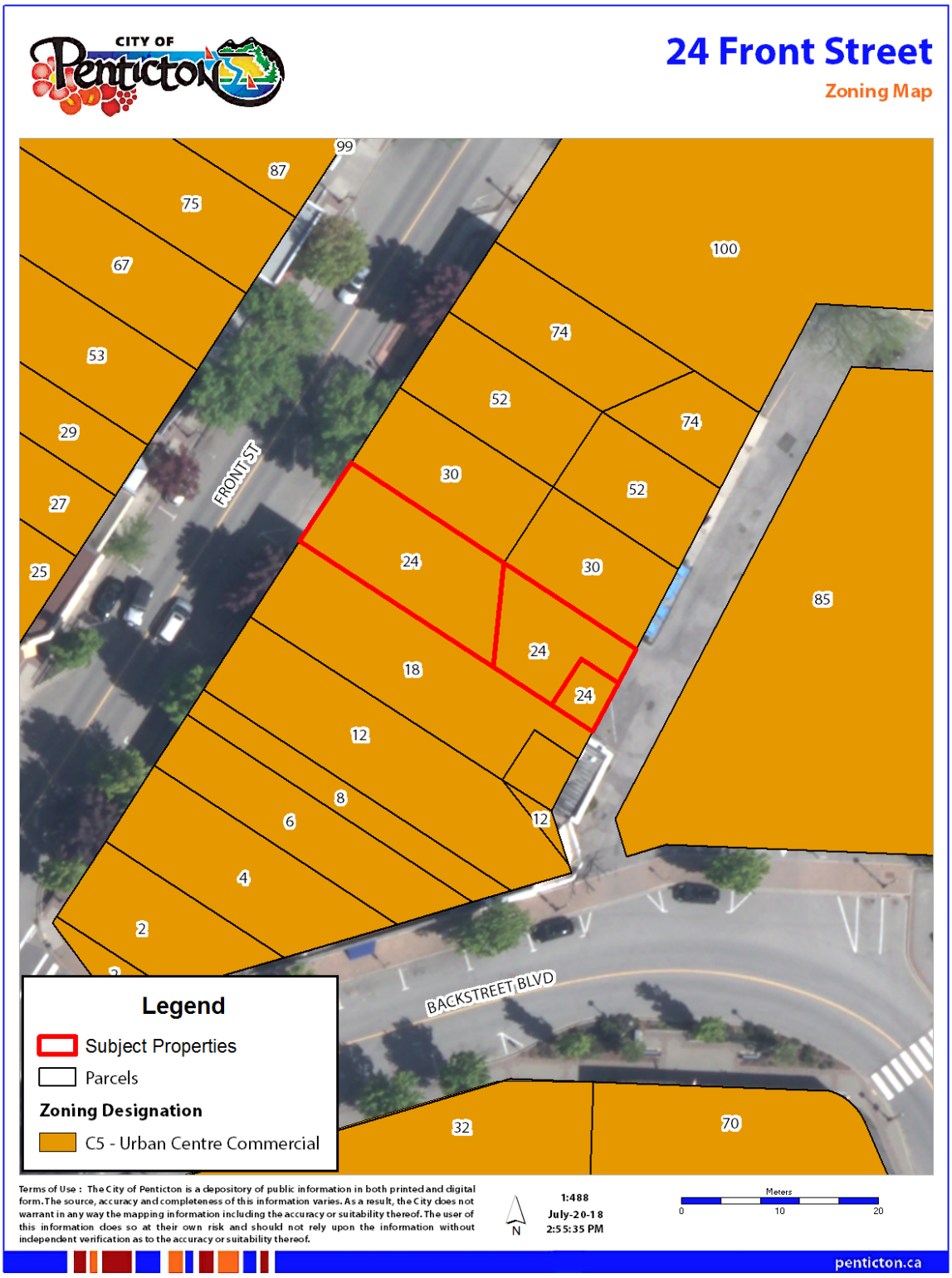


Figure 2: Zoning Map

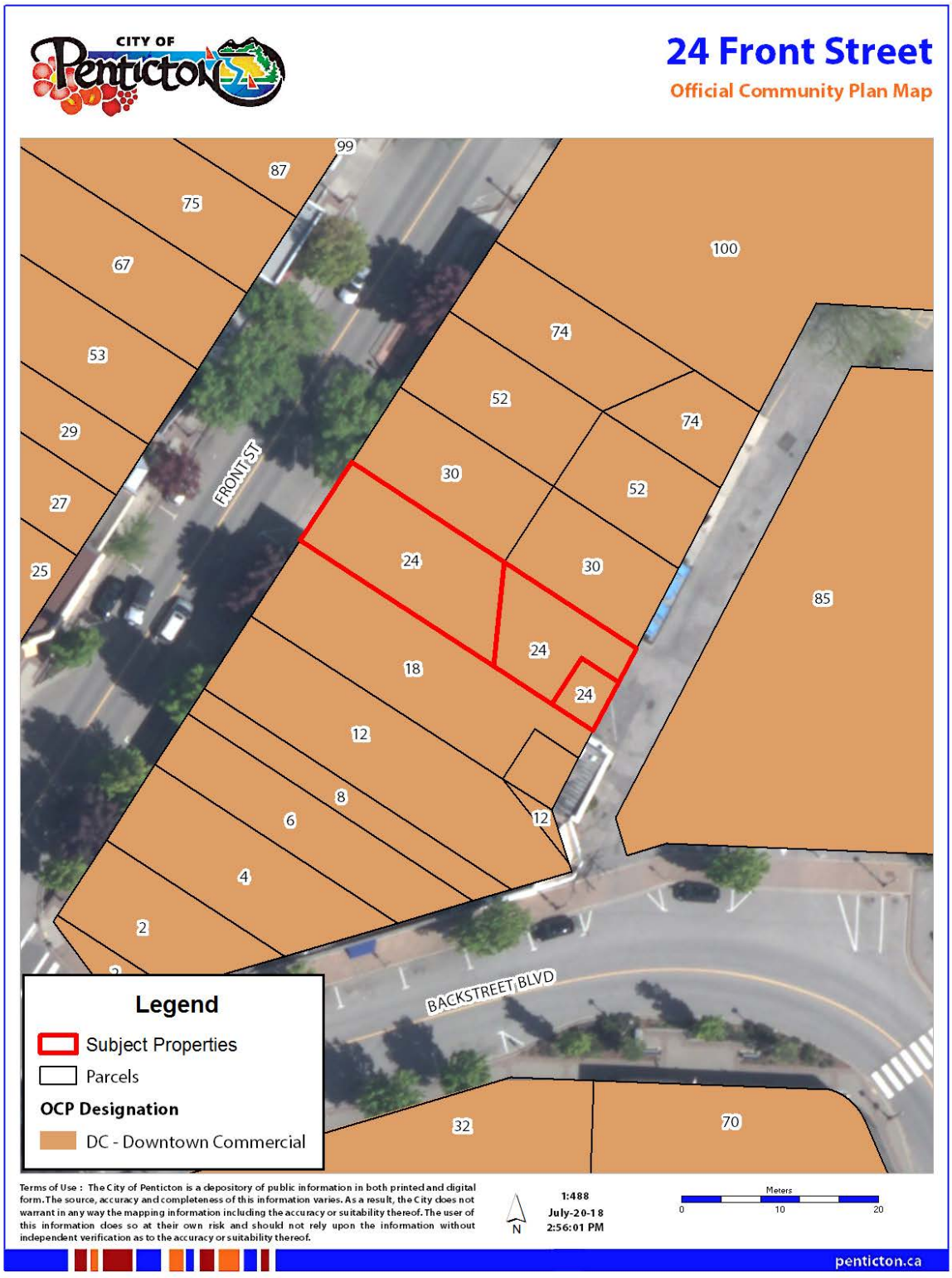


Figure 3: OCP Map

Figure 4: Front Street View

Figure 5: Lane View

Figure 6: Lane View showing property to the South

Figure 7: Lane View showing property to the North

Attachment E –Site Plan

Figure 8: Site Plan

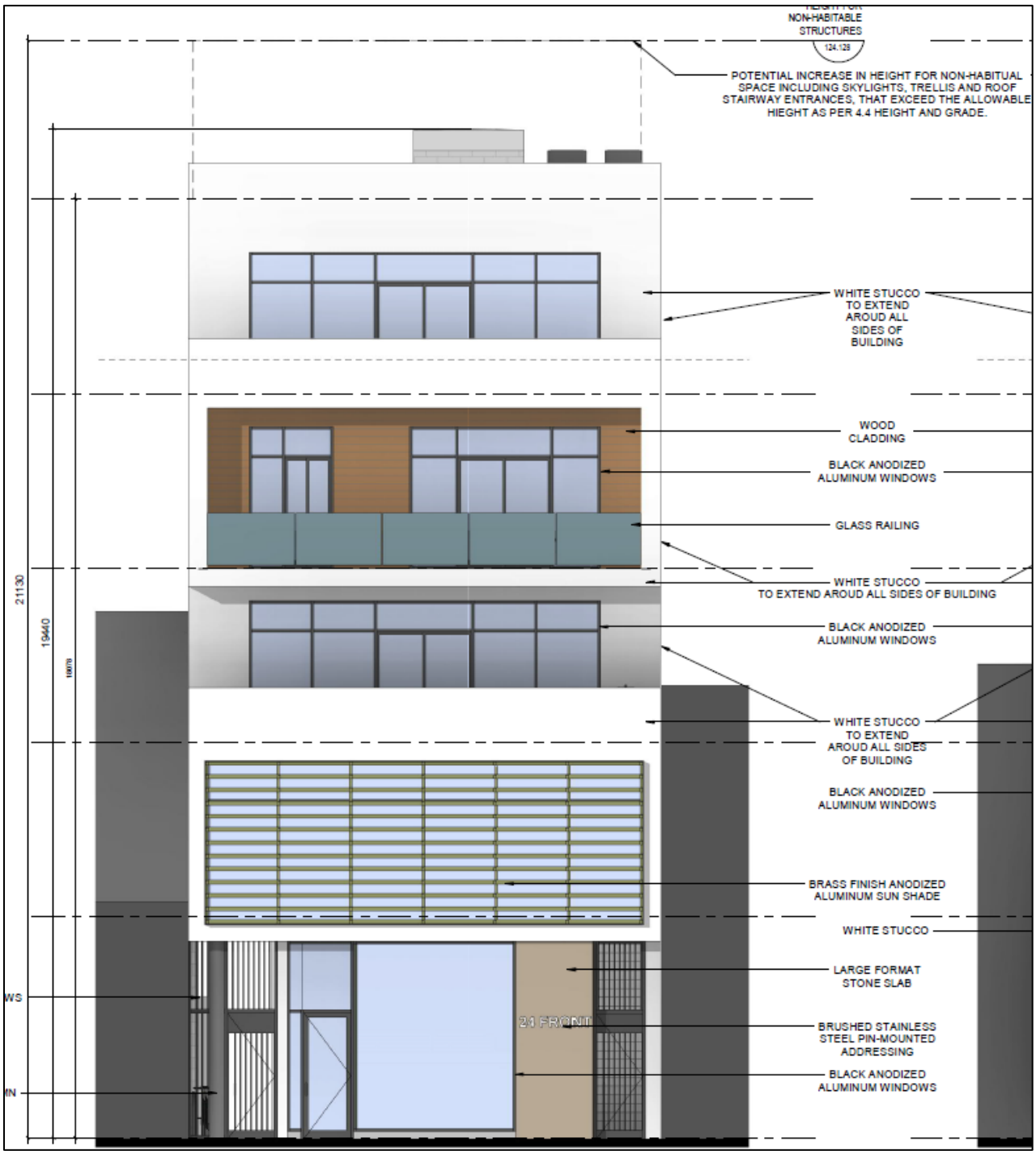


Figure 9: West Elevation (from Front Street)

Figure 10: East Elevation (from Penticton Creek)

OCP Design Guideline – Downtown Enterprise DPA	Proposed Design – Response to guideline
Building design should define a pedestrian oriented first floor with canopies, window and door trim and a varied building façade.	The proposed design includes three well defined pedestrian entries- one for the retail space, one for upper storey access and one for a passage way between the adjacent building. The build façade is varied, with stone slab, large picture windows and doors with black trim.
Front entrances should be well defined and provide a focal point to the building.	The entrance to the commercial space is front and center, with accesses to the passage way and second storey office space at either end.
Building finish shall be consistent in terms of appearance and colour on all elevations facing a street. Building elevations not facing a street must be painted or finished in some other decorative manner.	On the first storey, a large window comprises more than half of the frontage, with a large format stone slab finish and black gates comprising the remainder. On the second storey, white stucco, along with a large window with a brass finish aluminum sun shade is proposed. The third to fifth storeys have large windows, with wood cladding and white stucco, resulting in consistency in terms of appearance and colour.
The shape, roof lines, architectural features and exterior finish should be sufficiently varied to create interest and avoid a monotonous appearance.	The jog in the north side of the building and stepping back of the third to fifth storeys from Front Street adds visual interest to the building. The mix of stucco, wood cladding, large windows with black trim, brass sun shade and stone slab provide a unique mix to the building, thus avoiding a monotonous appearance.
Buildings must be a minimum of two storeys and should be sited at the street edge unless a street plaza is proposed.	The proposed mixed-use building is five-storeys in height, with the bottom two storeys at the street frontage, and the three upper storeys stepped back.
Where the rear of the buildings back onto parking lots, the design of the building should include entrance features or some level of architectural design to provide a "second front" to the building.	The designer has put a lot of thought in what the rear of the building looks like, given that it faces a parking lot and Backstreet Boulevard. Two garage doors with windows, along with a mix of white stucco, multiple windows and recessed jogs in the building add visual character to the rear façade.

Figure 11: Staff Analysis DP Guidelines

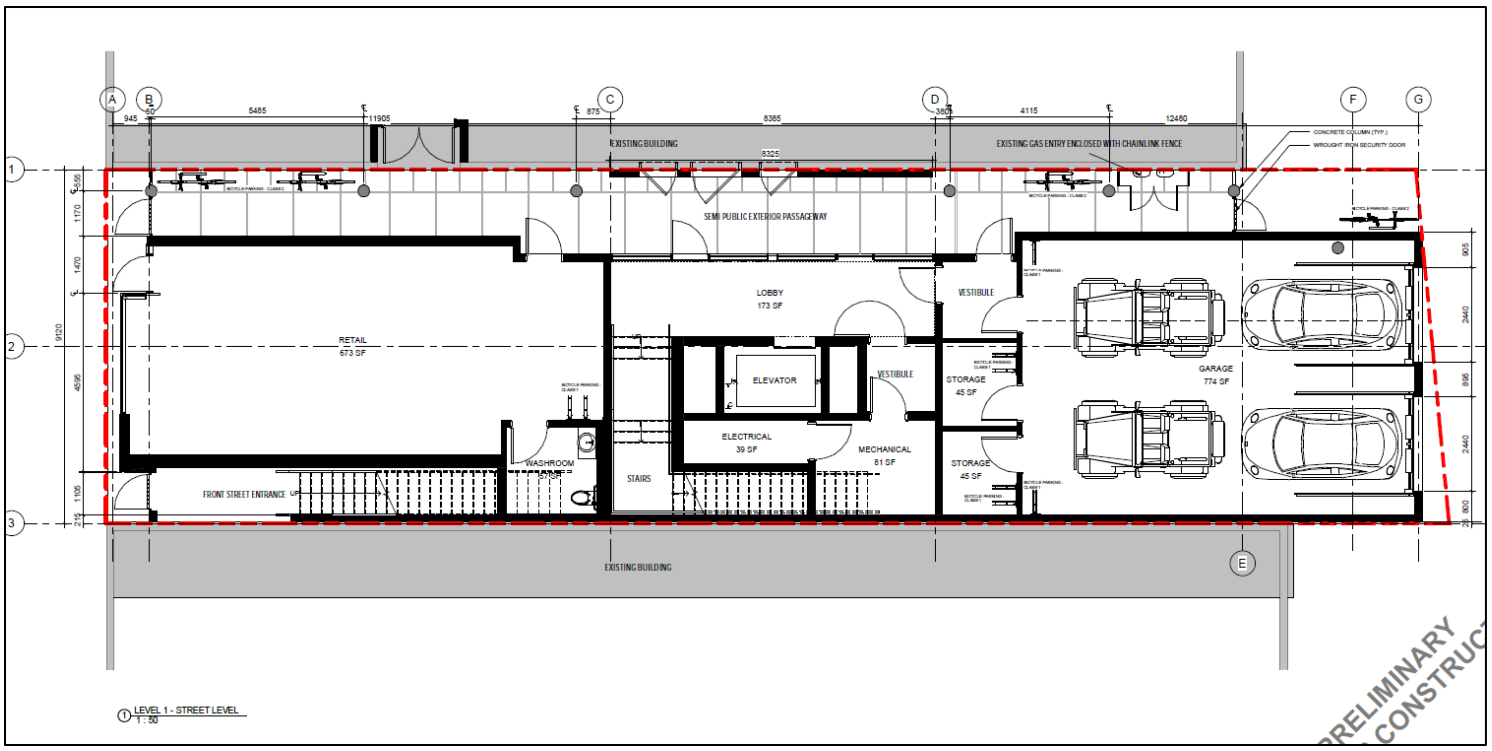


Figure 12: Main Floor Plan (Retail and Parking)

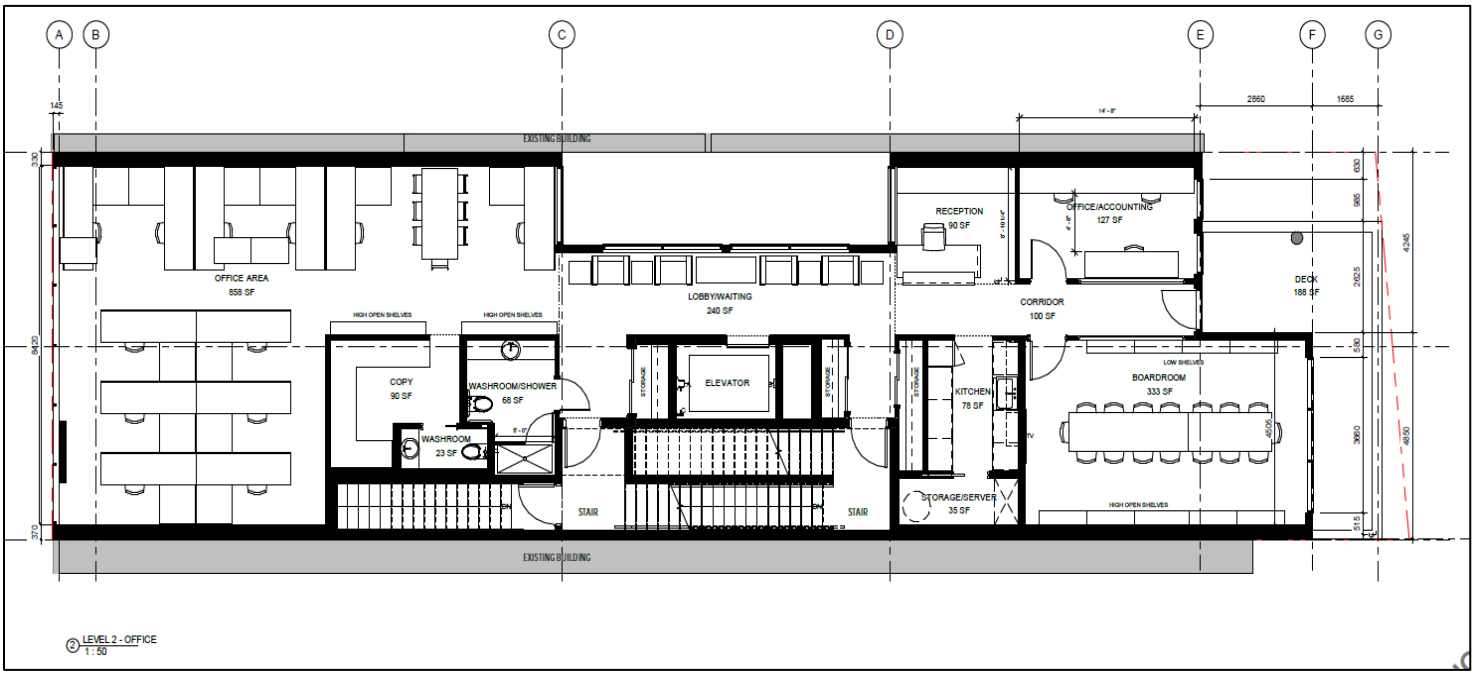


Figure 13: Second Storey Plan (Offices)

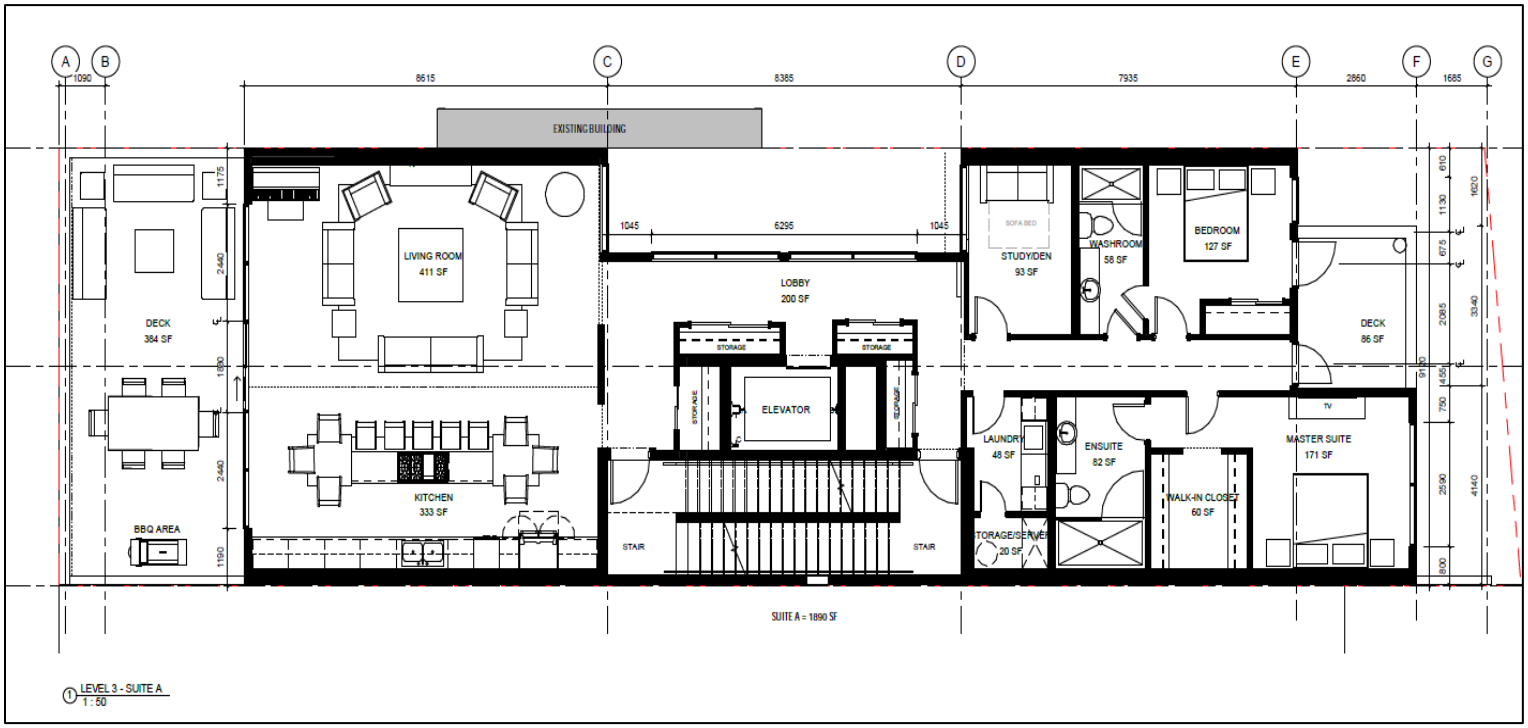


Figure 14: Third Storey Plan (Suite A)

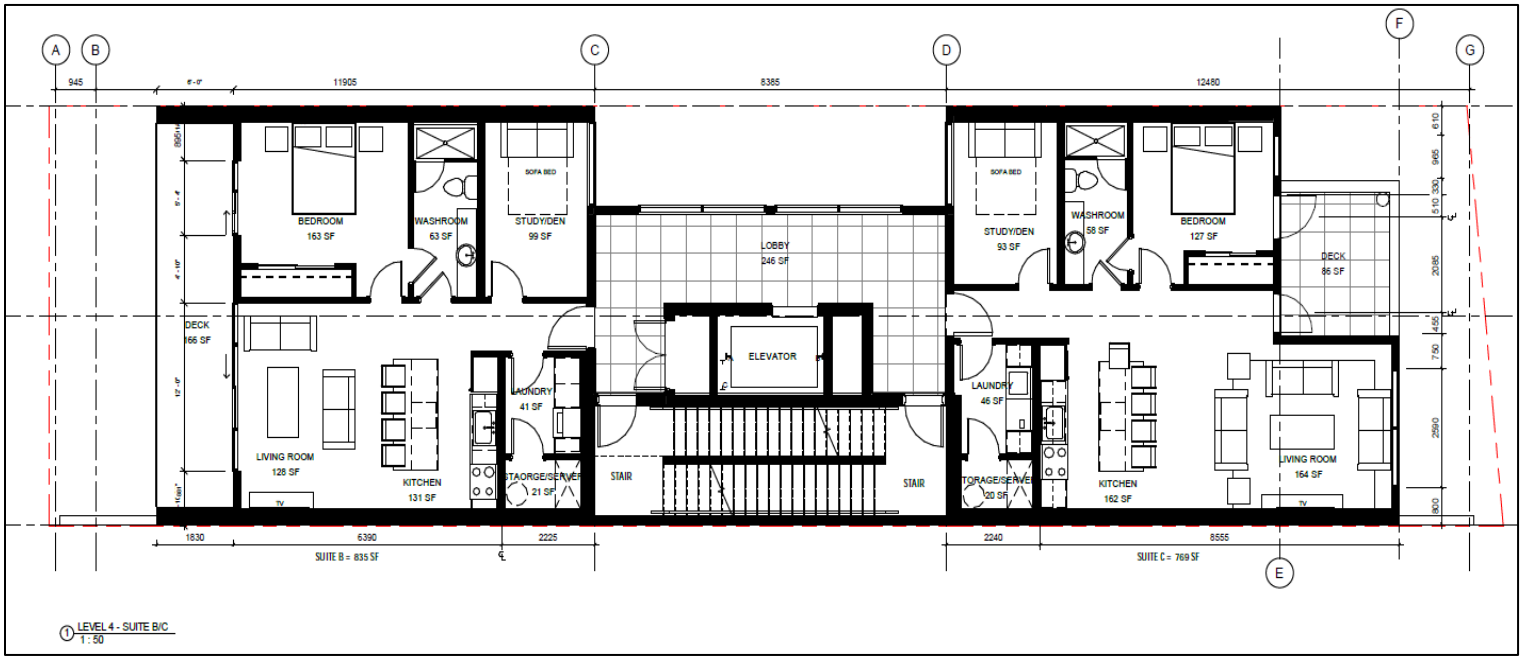


Figure 15: Fourth Storey Plan (Suite B & C)

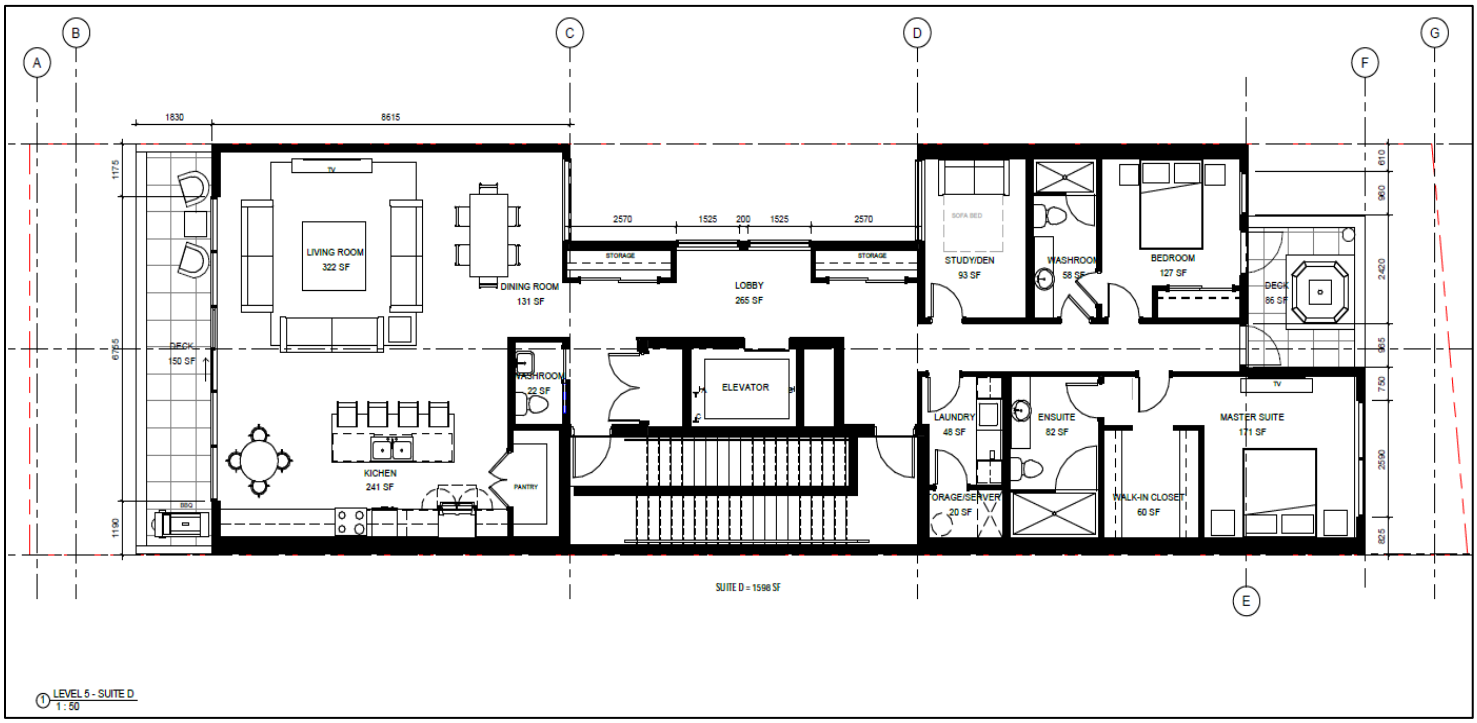


Figure 16: Fifth Storey Plan (Suite D)

Figure 17: Front Street Rendering

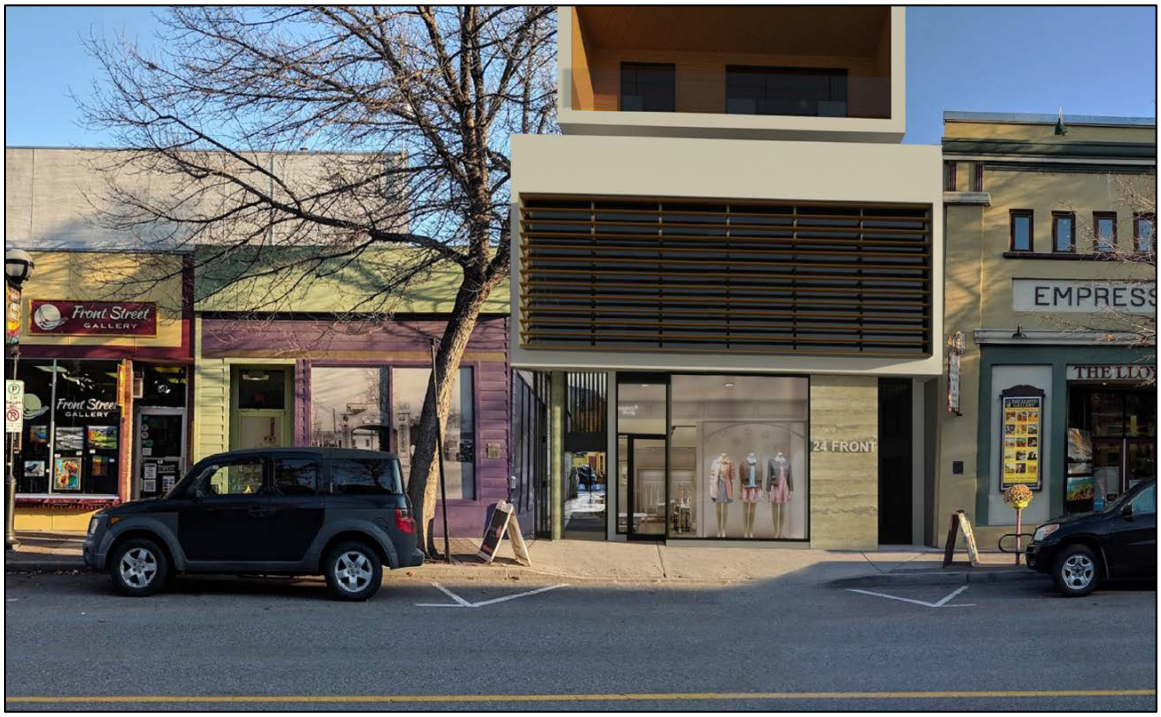


Figure 18: Front Street Rendering

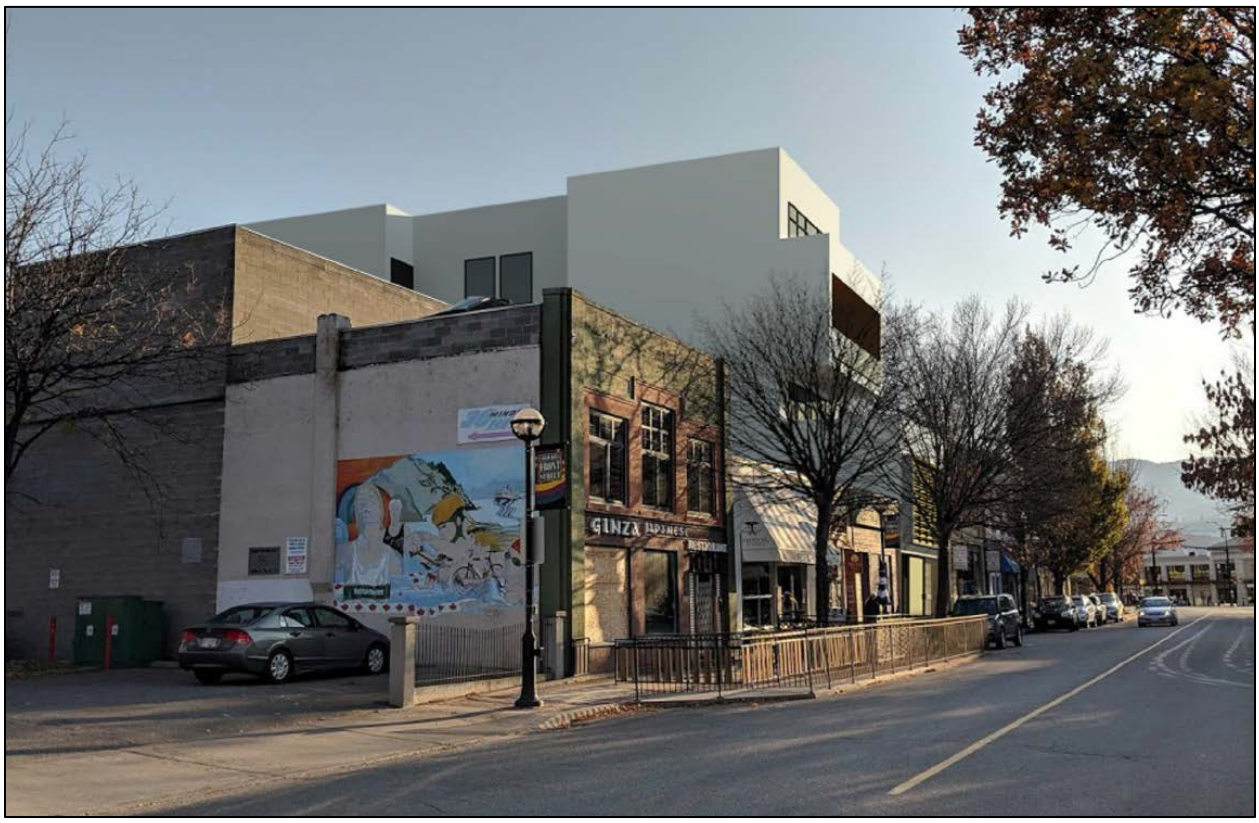


Figure 19: North Rendering

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

January 21, 2019

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

Attention: Planning Department

Front Street Larsen Building
Design Rationale

Dear Randy Houle,

Please find attached our application for a Development Variance Permit for the Front Street Larsen Building, as well as our Architectural Analysis of the proposal within the larger context of the street. Below you will find our brief Design Rationale which explains our project and supports our variance request.

Our project is located on Front Street which is currently zoned C5 – Urban Commercial. Section 11.5.2.5.ii of the Zoning Bylaw indicates a maximum height of 15.0m in the zone and we are requesting a variance to the maximum height of 21.1m. The maximum height of the proposed structure is 19.44m, and we are asking for an extra 1.7m to allow for flexibility during the Design Development phase such as an increase in the height for non-habitable structures such as roof stairway entrances, skylights, and roof top trellis & patio. The extra height requested is in addition to the allowed 10% of total roof area height limitations as outlined in Chapter 4 – General Development Regulations – 4.4 Height & Grade. The allowed 10% (approximately 235 sqft) will be used to house mechanical equipment and storage.

We believe this is a reasonable request for several reasons. There are several projects on Front Street which exceed the 15.0 m maximum height: 1) the existing building at 136 Front Street - currently being renovated – constructed in 2008 and over 15.0 m in height; 2) the building under construction at 135 Front Street which was granted a Development Permit in March 2017 with a height of 20.5 m; and 3) the proposed building at 123 Front Street that has been approved for a similar mixed-use development with a height of 21.1 m.

In addition to being of similar height to the recent infill projects on Front Street, our proposal takes a creative approach to reducing its apparent height when seen from

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

the street. The project was designed so that he west façade of the building steps back at the second-floor level and maintains the 2-storey height along Front Street in general alignment with the historic Capital Theatre building on the south and the renovated Larsen Tire building on the north. There is a similar setback on the east façade overlooking the adjacent parking lot and Penticton Creek.

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CALVIN B MEIKLEJOHN, ARCHITECT AIBC

The building setback from Front Street and the alley provides outdoor living space for the third-floor residence and minimizes the impact of the building height on both facades. Drawing PA701 – SIGHT LINES OF BUILDINGS and PA702 – RENDERINGS demonstrates that the upper stories are hidden as one walks towards the building along Front Street. All six levels can only be seen as one walks along the north sidewalk of Front Street, along the Penticton Creek Pathway, or from the upper floors in the surrounding buildings.

We also believe our design for the infill of 24 Front Street is congruent with the current aesthetics of Front Street. It is not a historic reproduction but a modern infill building – similar to the project approved for 123 Front Street – but one that respects the form and character of the street with its glazed retail space on the main floor and the strong cornice line on the second storey. It is our hope that the Larsen Building will encourage a design standard for future projects downtown by illustrating how a contemporary building can be incorporated into a historical context.

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

Sincerely,

Cal Meiklejohn, Architect AIBC, FRAIC, LEED™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 20: Letter of Intent

DOWNTOWN PENTICTON
Everything Under the Sun

Tuesday January 29, 2019

City of Penticton

Attention: Randy Houle

RE: Proposed OCP amendment, Variance and Development Permit application for 24 Front Street

Hello Randy,

The Downtown Penticton Board of Directors met Tuesday January 29, 2019 and had a presentation by Cal Meiklejohn with regard to his development plans for 24 Front Street.

Based on the presentation and details provided by Cal Meiklejohn, the board is completely supportive of this plan for development on 24 Front Street.

Should you require anything further from the DPA, please let me know.

Kindly

Lynn Allin
Executive Director
Downtown Penticton Association

Figure 21: Letter of Support

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Variance Permit

Permit Number: DVP PL2018-8336

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: That Part of Lot 20A Shown on Plan B262; District Lot 202 Similkameen Division Yale District Plan 1067 Except Plan KAP81855
   Civic: 24 Front Street
   PID: 011-852-089

   Legal: Lot 20A District Lot 202 Similkameen Division Yale District Plan 1067 Except Plans B262 and KAP81855
   Civic: 24 Front Street
   PID: 011-852-119

   Legal: Lot 20 Block 5 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP81855
   Civic: 24 Front Street
   PID: 012-445-151

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 mixed-use building.

   - Section 11.5.2.5.ii: to increase the maximum permitted height of a building on Front Street from 15.0m to 21.1m.

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 19 day of February, 2019.

Issued this ___ day of _____, 2019

_____
Angie Collison,
Corporate Officer

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Permit

Permit Number: DP PL2018-8335

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: That Part of Lot 20A Shown on Plan B262; District Lot 202 Similkameen Division Yale District Plan 1067 Except Plan KAP81855
   Civic: 24 Front Street
   PID: 011-852-089

   Legal: Lot 20A District Lot 202 Similkameen Division Yale District Plan 1067 Except Plans B262 and KAP81855
   Civic: 24 Front Street
   PID: 011-852-119

   Legal: Lot 20 Block 5 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP81855
   Civic: 24 Front Street
   PID: 012-445-151

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a mixed-use building, as shown in the plans attached in Schedule A.

General Conditions

4. 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.

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.

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Authorized by City Council, the 19 day of February, 2019

Issued this ___ day of _____, 2019

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Angie Collison,
Corporate Officer

Attachment N –Historical Analysis of Front Street (Applicant Submitted)

..\PLANS\Historical Analysis of Front Street (Applicant Submitted).pdf

Front Street

Analysis of Architectural Infill and Revitalization in a Historical Context

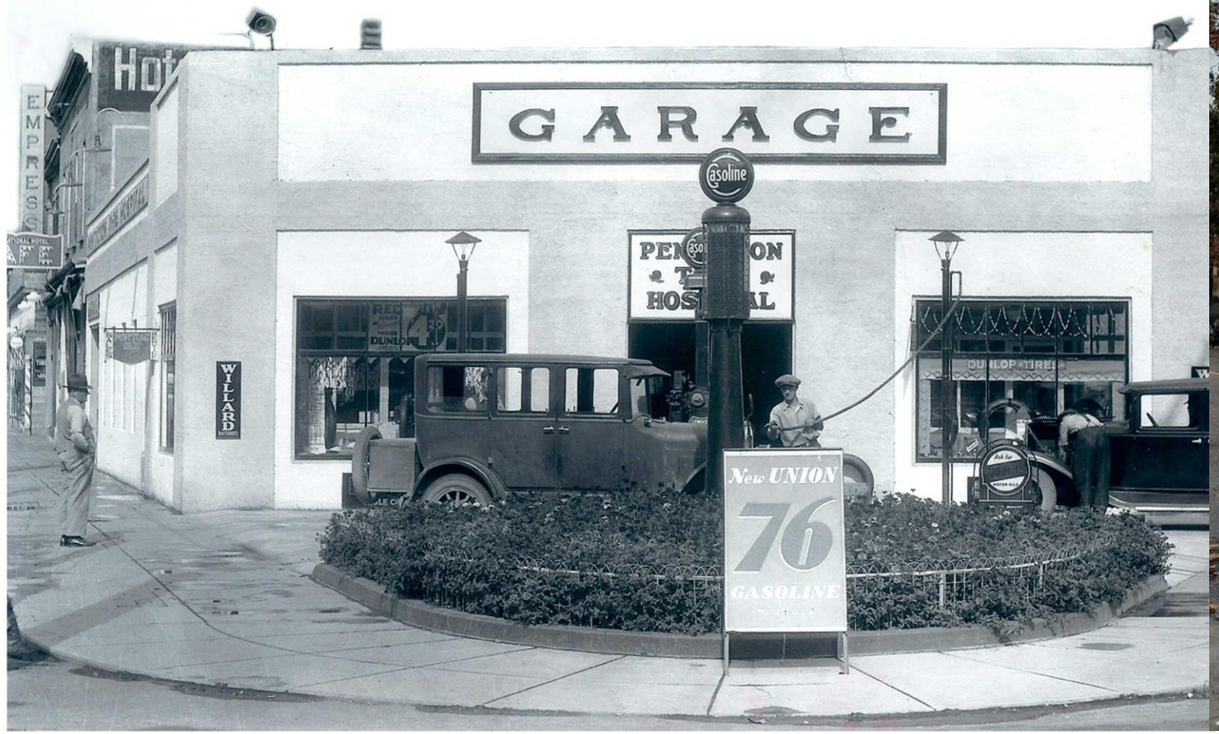
Table of Contents

(Image Credit: Okanagan Archive Trust Society)

Front Street Revitalization

Over the last few decades the architecture of Front Street has undergone tremendous change. A number of new buildings have been built and a number have been renovated. Based on the following analysis however, few buildings on this historic street have achieved results post modernization with respect to adding architectural interest and revitalizing the pedestrian realm. As new buildings are built and older ones continue to be renovated, it is worth noting that there are certain architectural elements that help to maintain stylistic continuity, while others do not. Noted elements that have fallen short in maintaining continuity of style are cladding materials that are contextually inappropriate. Examples of these are the use of metal siding, mirrored glass, exposed concrete blocks, and residential stucco. The addition or subtraction of stylistic elements specific to a particular era, such as canopies and signage have also produced mixed results. An example of this is the former Grove Motors Building, pictured above.

Penticton Tire Hospital
Built by C.E. Bentley
in 1915



(Image Credit: Okanagan Archive Trust Society)

In the case of the former Penticton Tire Hospital (above), located on the corner of Main Street and Front Street, the modernization included removing the historical character of the building and simplifying the pedestrian realm. The removal of historical signage, pilasters and recessed signage bands, period appropriate windows, as well as a landscaped boulevard planter contribute to the building looking less appropriate to its historical location.

(Image Credit: Okanagan Archive Trust Society)

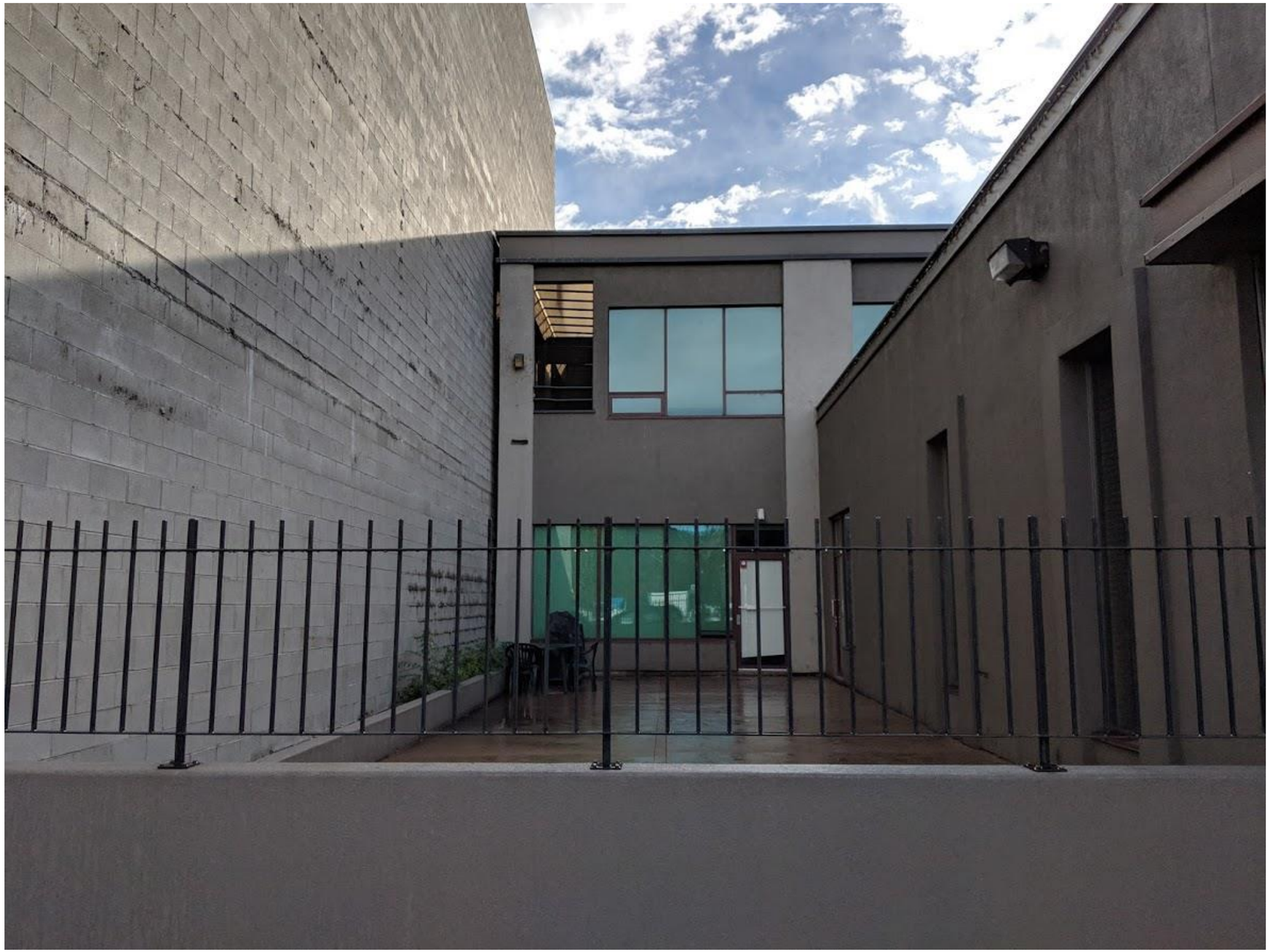
In the case of the building located at 52 Front Street, the modernization included removing the historical character and a change to a more simplified material palette. The engagement with the pedestrian was also reduced, partially caused by the windows that are covered with large graphics. The vibrant colours break up the massing of the building, but in contrast the large grey unadorned façade of the 3rd and 4th storey does not add architectural style.

Front Street Infill Precedent

There are several more contemporary buildings in this part of downtown that have attempted to infill the urban context after historical buildings were demolished. Most of these efforts have an arguable positive impact on the street. This is either due to the use of inappropriate materials or a program that does not encourage a vibrant street life. Case in point are the following 3 buildings. Despite containing large glazed openings, the facades do not embrace the street. Large windows at street level are covered by advertising when office functions are placed on the ground floor.

Here, oversized windows at street level are also covered by advertising with office functions placed on the ground floor.

As a result, the building façade does not encourage interaction between the vibrant street and building's interior.



Excessive setbacks and privacy fences adjacent to fire walls result in architecture that does not engage with the pedestrian. Here although the building is scaled contextually to the rest of the street, its placement against a stark concrete block wall, as well as an exaggerated recess created by a private patio, limit pedestrian interaction with the building.

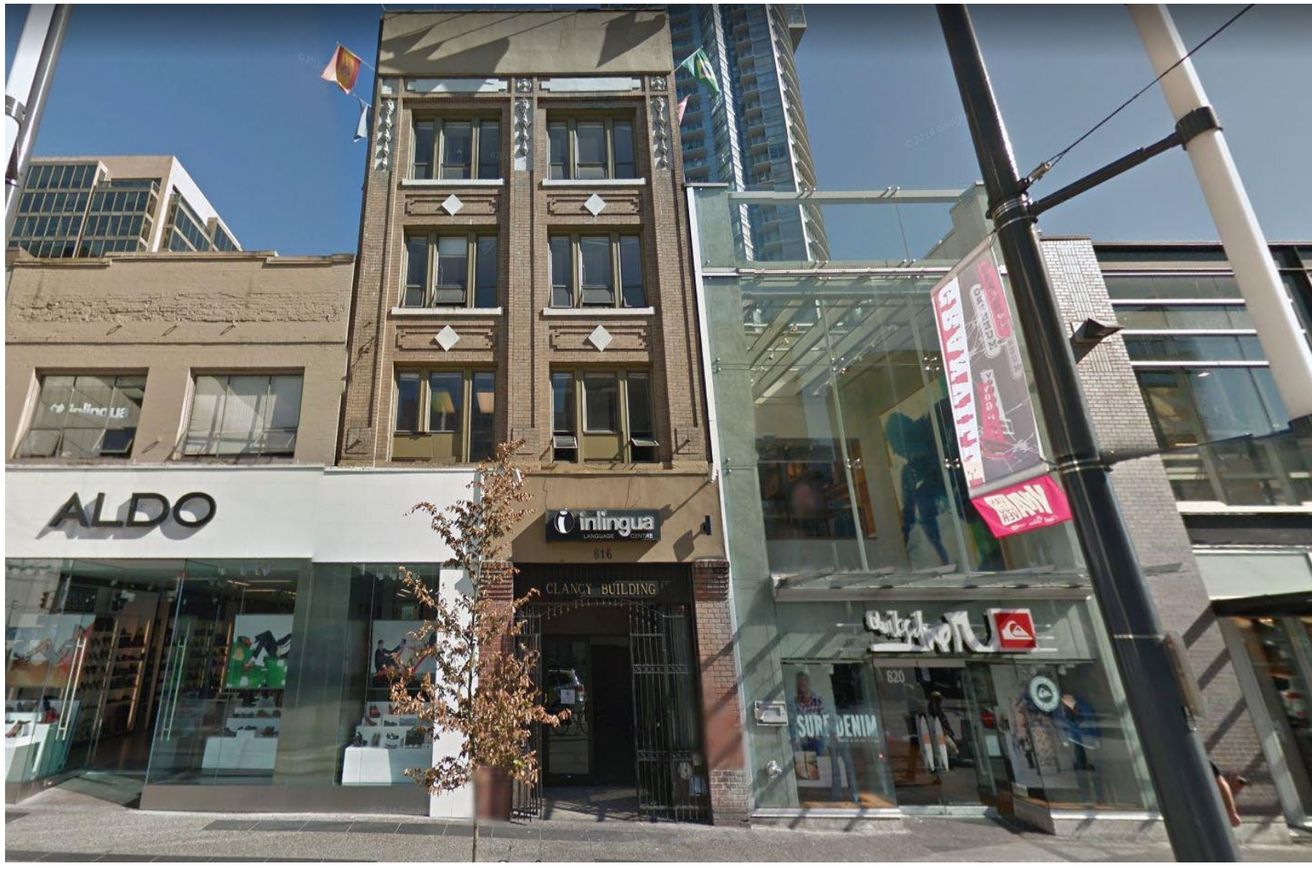
Here the use of mirrored glass and defensive landscaping discourage engagement with the street.

New urban infill on Front St. is also challenged by issues of scale and the three-dimensional implications of applying historicized façades only on the front and back sides. The photograph on the left represents an idealized historicised infill with period materials, but the building appears as a largely mute grey cube when seen from most vantage points from the street. Large expanses of fire walls out of scale with the surrounding context, form backdrops that will probably never be obscured by future developments. The building has been designed for a future scenario of a continuous multi-storey façade. This scenario is unlikely however, as it would require removing the remaining historical low-rise buildings. (See next page)

Here is an example of a building that does step back in order to break up the overall massing and contextualize the street facing façade. A clear attempt at creating a conversation between the two buildings is visible, but its scale, the parking entrance, the bright colour and the screening at grade work against synergy between the two buildings.

Contemporary Facades in Other Historical Contexts: Vancouver, Granville St

Other cities have dealt with contemporary urban infill in many ways. Some have indeed opted for historicised facades, others like the city of Vancouver, as shown on the right, have chosen a fresh aesthetic start with bold architectural styles. Issues of note with respect to such an approach are appropriate scaling of building elements such as windows, intermediate cornices, and entrance widths.



Here are two examples from European cities, where contemporary buildings are often integrated into historical facades. When done well, there is a natural synergy between new and old without the use of historicized elements and materials.

24 Front Street: Analysis

Based on our analysis of the past efforts to modernize and renovate the architecture of Front Street, we have spent considerable effort in designing a building that makes use of the lessons learned. The proposal for 24 Front Street attempts to both update the urban architectural aesthetic and fit contextually within its adjacencies.

Our proposed mixed-use building design incorporates a contemporary aesthetic that we believe is harmonious with the existing historical buildings. One of the goals of the proposal is to encourage a design standard for future projects downtown by illustrating how a contemporary building can be incorporated into a historical context. Another goal is to revitalize the concept of engagement between architecture, the street and the pedestrian.

This first image illustrates that the proposed building was carefully inserted between the adjacent buildings, continuing existing parapet heights and matching architectural elements such as size of retail windows and doors. A neutral material palette accentuates this contextual fit. A large pedestrian passageway is located at the north end of the site. It connects the lane and the street and allows the building to the north to maintain its existing side exiting. It also allows the windows of the adjacent building to continue to wrap around into 24 Front Street, enhancing the interaction between the two buildings. Office and residential entrances are tucked away in the same passageway, allowing the front façade to remain mainly retail commercial.

The main floor of the proposed building is projected to be a retail or gallery space that will promote a vibrant interaction with the street and pedestrians. A large window at street level was designed to invite passers by, while the building entrance mimics the recesses of the historic Empress Theater next door.

The second floor has a feature brass screen adding to the elegance to the building while providing solar control to the offices located on that floor.

This images above display how the proposed building steps back between the third and fifth floors allowing it to blend in with the adjacent buildings by making it appear smaller at the street level. This is something that presents a challenge to other urban infill on Front Street, pictured above right. Additional images showing our careful investigation with respect to the siting of the building can be found on pages PA501, PA502, and PA701 of the accompanying DVP Application. Here we illustrate that a lot of planning was dedicated to sculpting both the street and lane facing facades, and considerable effort was made to reduce full height massing in these locations.

The building exterior materials were selected to be part of and enhance the fabric of Front Street. Large scale stone cladding adorns the retail / gallery storefront, while contrasting window frames and shimmering sunscreen on the second floor sit boldly next to the finely crafted finish of the rest of the building.

This final image (above right) displays how stepping the building face along the northerly property line allows the creation of a lightwell courtyard, introducing windows on a face that typically does not contain any openings, pictured above left. This exterior glazing on the long side the building prevents it from looking like a solid mute mass. Further investigation of this relationship to the adjacent buildings and the street is shown on PA503, where the light well courtyard can be clearly seen.

It is our belief that the mixed-use proposal for 24 Front Street satisfies the stated objective of incorporating a contemporary aesthetic that is harmonious with the existing historical buildings. It is our hope that the building can help to revitalize the concept of engagement between architecture, the street and the pedestrian by emulating the scale and stylistic elements of its distinguished neighbours such as the Empress Theatre.

The Corporation of the City of Penticton

Bylaw No. 2019-04

A Bylaw to Amend Official Community Plan Bylaw 2002-20

WHEREAS the Council of the City of Penticton has adopted an Official Community Plan Bylaw pursuant to the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Official Community Bylaw 2002-20;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as "Official Community Plan Amendment Bylaw No. 2019-04."

2. **Amendment:**

"Official Community Plan Bylaw No. 2002-20" is hereby amended as follows:

2.1 Amend Section 2.1.2 The Downtown and Urban Villages to include "A five storey high density format would be an option in the Downtown Commercial (DC) designated area of 24 Front Street."

READ A FIRST time this	day of	, 2019
A PUBLIC HEARING was held this	day of	, 2019
READ A SECOND time this	day of	, 2019
READ A THIRD time this	day of	, 2019
ADOPTED this	day of	, 2019

Notice of intention to proceed with this bylaw was published on the __ of _____, 2019 and the __ of_____, 2019 in the Penticton newspapers, pursuant to Section 94 of the *Community Charter*.

_____

John Vassilaki, Mayor

_____

Angie Collison, Corporate Officer