

December 5, 2019

Subject Property:

2931 Skaha Lake Road

Lot 2, District Lot 116, Similkameen Division Yale District Plan
33814

Application:

Development Variance Permit PL2019-8640

The applicant is proposing to construct a 27.3 sq m (294 sq ft) addition on the front of the car wash building and has applied to vary the following section of Zoning Bylaw No. 2017-08:

- Section 11.8.2.3: to increase the maximum lot coverage from 35% to 37.7%

Information:

The staff report to Council and Development Variance Permit PL2019-8640 will be available for public inspection from **Friday,**

December 6, 2019 to Tuesday, December 17, 2019 at the following locations during hours of operation:

- Penticton City Hall, 171 Main Street (8:30 am to 4:30 pm, Mon. to Fri., excluding statutory holidays)
- 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, December 17, 2019** 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, December 17, 2019** to:

Attention: Corporate Officer, City of Penticton

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

Email: corpadmin@penticton.ca

No letter, report or representation from the public will be received by Council after the conclusion of the December 17, 2019 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: December 17, 2019
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner 1
Address: 2931 Skaha Lake Road
Subject: Development Variance Permit PL2019-8640

File No: 2019 PRJ-147

Staff Recommendation

THAT Council approve "Development Variance Permit PL2019-8640" for Lot 2, District Lot 116, Similkameen Division Yale District, Plan 33814, located at 2931 Skaha Lake Road, a permit to increase the maximum lot coverage from 35% to 37.7%

Background

The subject property (Attachment 'A') is currently zoned C8 (Vehicle Service Station), and is designated as Commercial in the City's Official Community Plan. The applicant is proposing to convert the coin operated wash bays in the existing car wash to an automated system. The conversion requires a small addition on the front of the building. The existing building occupies 36% of the lot, and the proposed addition further increases the lot coverage beyond the maximum 35% permitted in the C8 Zone. As such, a variance to the zoning bylaw is required to accommodate the addition.

Proposal

The applicant is proposing to construct a 27.3 sqm (294 sq ft) addition on the front of a car wash building. The applicant is requesting a Development Variance Permit to vary the following section of Zoning Bylaw No. 2017-08:

1. Section 11.8.2.3: to increase the maximum lot coverage from 35% to 37.7%

Financial implication

This application does not pose any financial implications to the City. Development costs are the responsibility of the applicant.

Technical Review

The application has been reviewed by the City's Technical Planning Committee (TPC). It is the property owner(s) responsibility to provide services and/or upgrade existing services as required. All buildings are

required to be constructed to BC Building Code healthy and safety standards. Building code requirements have been identified to the applicant and will be addressed as part of the building permit process.

Development Statistics

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

	Requirement C8 Zone	Provided on Plans
Maximum Lot Coverage:	35%	37.7% - Variance Requested
Vehicle Parking:	2 spaces (based on floor area)	3 spaces
Required Setbacks Front Yard (Skaha Lake Road): Interior Side Yard (north): Interior Side Yard (south): Rear Yard (west):	4.5 metres 4.5 metres 4.5 metres 6.0 metres	6.24 metres (Existing) (Existing) (Existing)
Maximum Building Height	10.5 metres	3.2 metres

Analysis

When considering a variance to a City bylaw, staff encourages Council to consider if there is a hardship 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.

The current car wash building occupies 36% of the property. It would be impossible to meet the Zoning Bylaw requirement for lot coverage with any proposed addition. The car wash was built prior to the current zoning provisions coming into effect and met the development requirements of the day. The proposed conversion to an automated car wash system necessitates the proposed addition which increases the lot coverage by 1.7%. This increased lot coverage is considered minor in nature and is not anticipated to have a negative impact on surrounding properties.

The proposed addition is on the front of the building and does not alter the existing side yard setbacks. Abutting uses are established commercial operations; a gas station and convenience store to the north and a dentist office to the south. A lane runs along the rear of the property. The proposed addition is not anticipated to have a negative impact on these uses.

The proposed addition maintains the current front yard setback from Skaha Lake Road and will not extend closer to the road than the existing building (Attachment F). The applicant is proposing to update the building façade as part of the renovation (Attachment I). Through the related Development Permit the applicant is proposing to reconfigure the landscaping area along the street (Attachment G). The updated façade and landscaping will assist with buffering the structure from the sidewalk and the street, while contributing to improved overall commercial form and character.

For these reasons, staff are recommending that Council approve the permit.

Alternate recommendations

1. THAT Council support “Development Variance Permit PL2019-8640” with conditions.
2. THAT “Development Variance Permit PL2019-8640” be referred back to staff.

Attachments

Attachment A:	Subject Property Location Map
Attachment B:	Zoning Map of Subject Property
Attachment C:	Official Community Plan Map of Subject Property
Attachment D:	Images of Subject Property
Attachment E:	Letter of Intent
Attachment F:	Proposed Site Plan
Attachment G:	Proposed Landscaping Plan
Attachment H:	Proposed Building Plans
Attachment I:	Proposed Building Elevations
Attachment J:	Draft Development Variance Permit (DVP)

Respectfully submitted,

Steven Collyer
Planner 1

Concurrence

Director Development Services	Chief Administrative Officer
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Attachment A – Subject Property Location Map

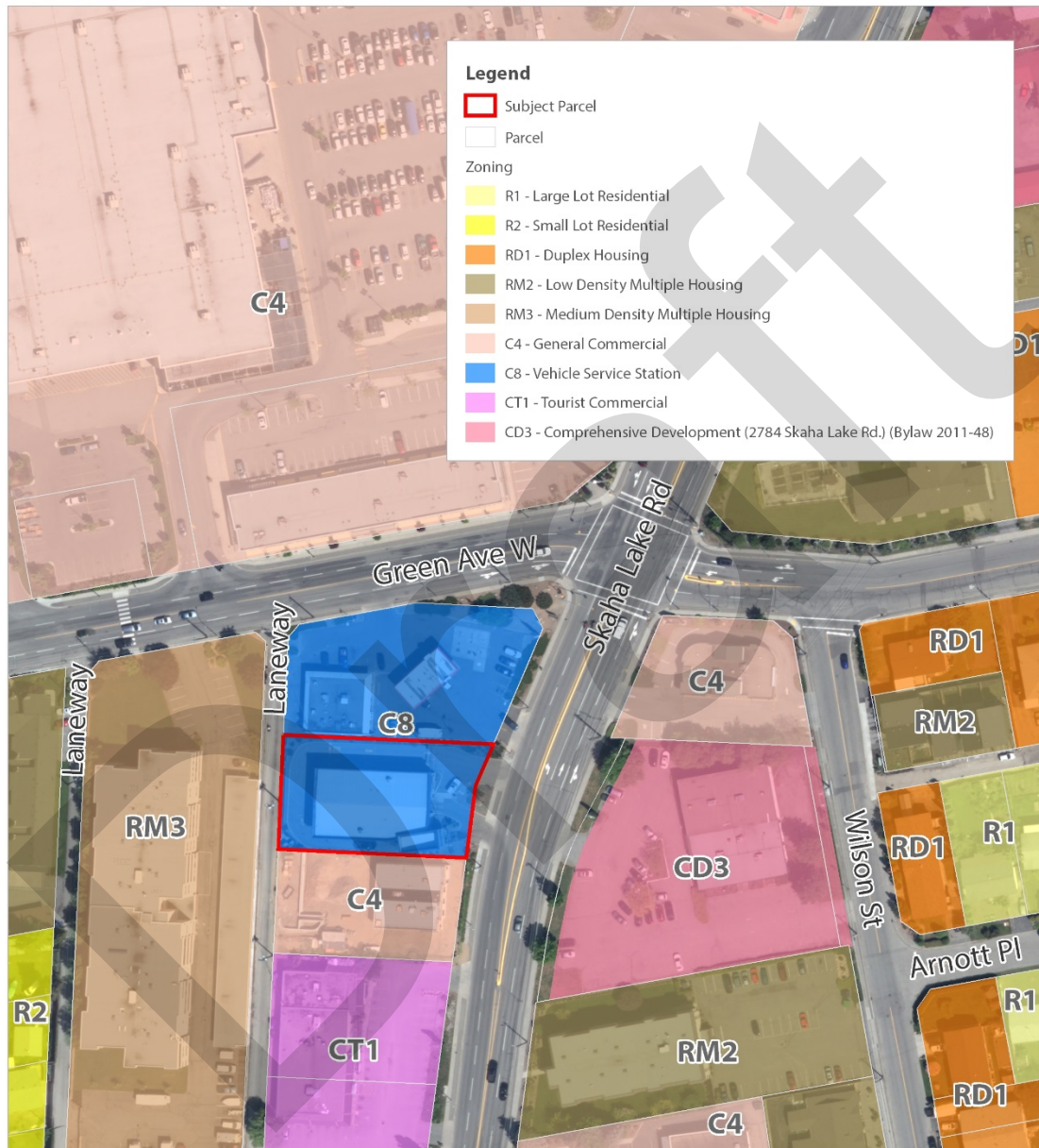


Attachment B – Zoning Map of Subject Property

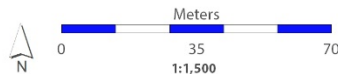


2931 Skaha Lake Road

Zoning Map



Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user of this information does so at their own risk and should not rely upon the information without independent verification as to the accuracy or suitability thereof.



November-04-19
9:00:06 AM

penticton.ca



2931 Skaha Lake Road

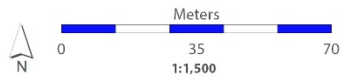
Official Community Plan Future Land Use Map



Legend

- Subject Parcel
- Parcel
- OCP 2019-08 Future Land Use
 - Detached Residential
 - Ground Oriented Residential
 - Urban Residential
 - Urban High Density Residential
 - Commercial
 - Mixed Use

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November-04-19
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Attachment D – Images of Subject Property



Location of proposed addition

Attachment E – Letter of Intent



November 6, 2019

Ecora File No.: 19-302-WGD

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

Attention: Planning Department

Reference: Development Variance Permit for 2931 Skaha Lake Road

Ecora Engineering and Resource Group Ltd. (Ecora) has previously submitted an application to amend the Development Permit for a car wash at 2931 Skaha Lake Road and is subsequently applying for a Development Variance Permit to increase the lot coverage in the C8 zone from 35% to 37.7%.

The owner's are proposing to change the inside of the building from self-serve to an automated car wash. This requires a small addition to the front of the building of 4.7m x 5.8m as well a minor adjustment to the egress from the new car wash. It is also proposed to install a vacuum station near the entrance as shown on the Site Plan.

Variance:

This site is fully developed with a car wash, access driveways and required setbacks. The proposal to add a small addition to the front of the building of 27.3 m² (293 sq. ft.) combined with the existing buildings, increases the site coverage to 37.7%. The small addition complements the architecture of the existing building, meets the front setback requirements and will have no impact on neighbouring properties.

We trust this application meets your present requirements. If you have any questions or comments, please contact the undersigned.

Sincerely

Ecora Engineering & Resource Group Ltd.

Kyle Doiron
Senior Civil Engineering Technologist
kyle.doiron@ecora.ca

Ecora Engineering & Resource Group Ltd.
201 - 284 Main Street, Penticton, BC V2A 5B2
| P: 250.492.2227 | F: 250.492.2135
www.ecora.ca



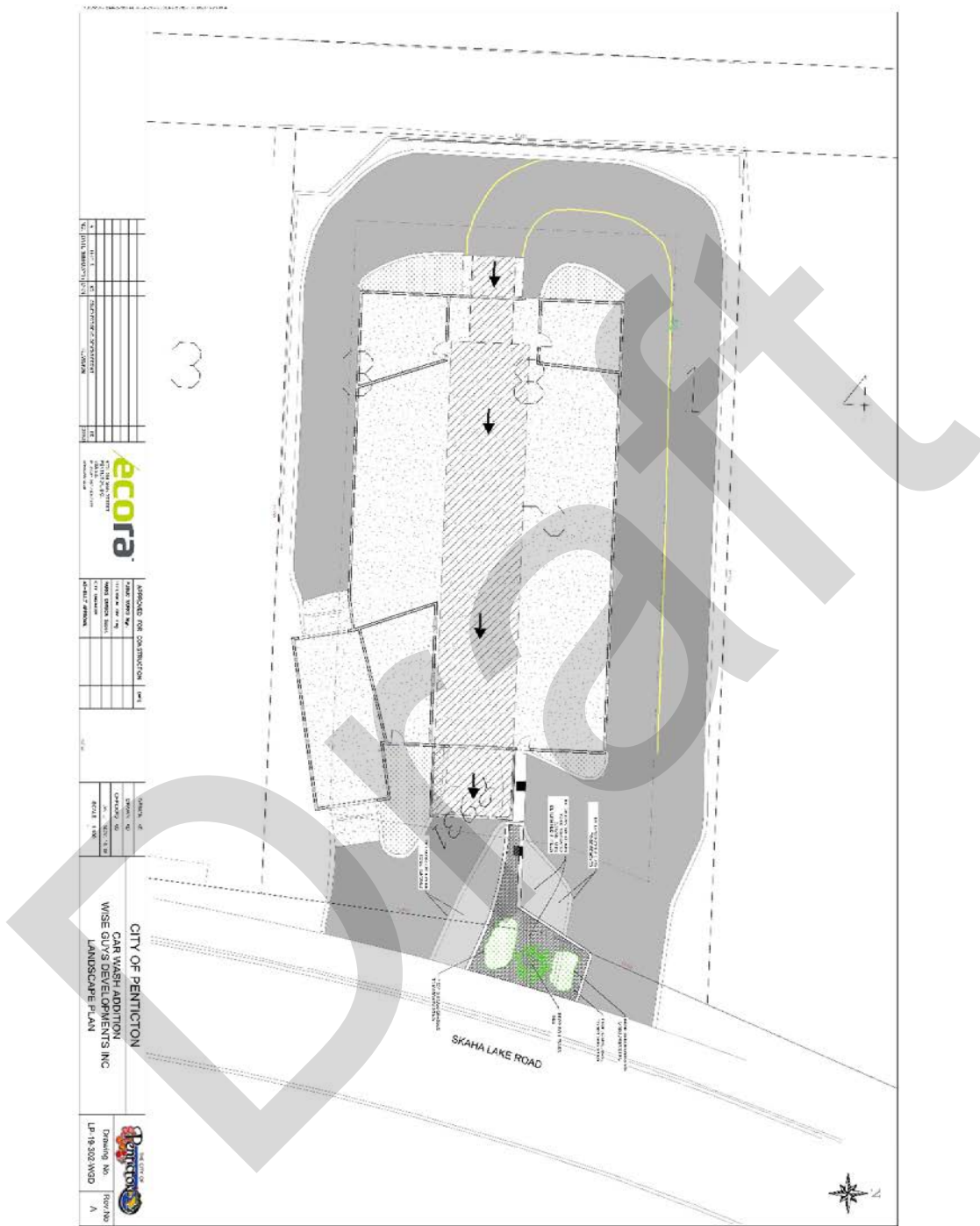
Forming your company

Formalizing your business
Partnership Agreement _____ Page # _____
Shareholders' Agreement _____ Page # _____

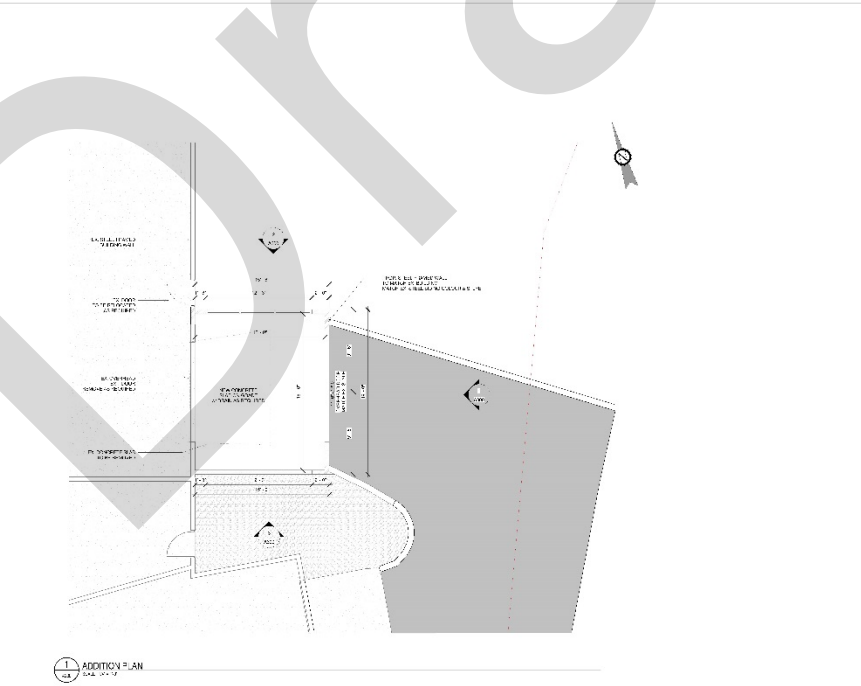
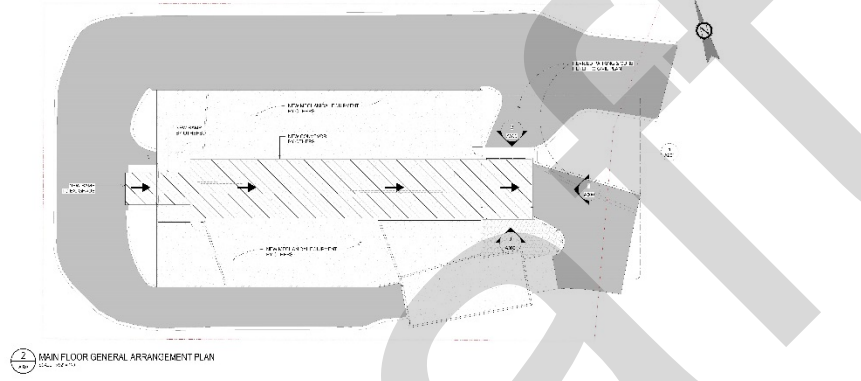
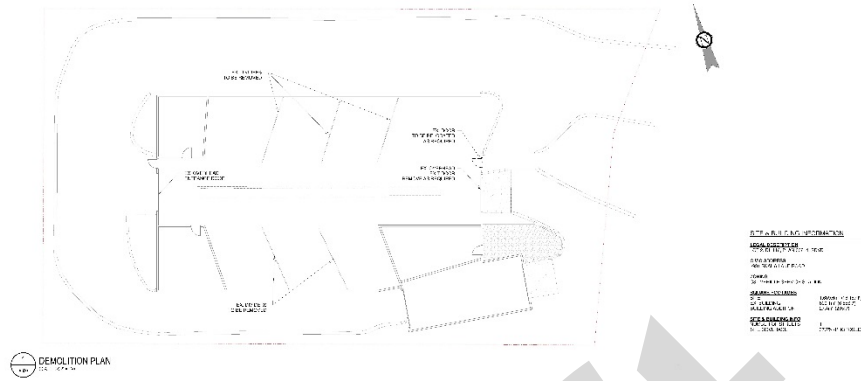
Setting up your books **Chapter 7** **Setting up your accounts**
Assets & Liabilities _____ Page # _____



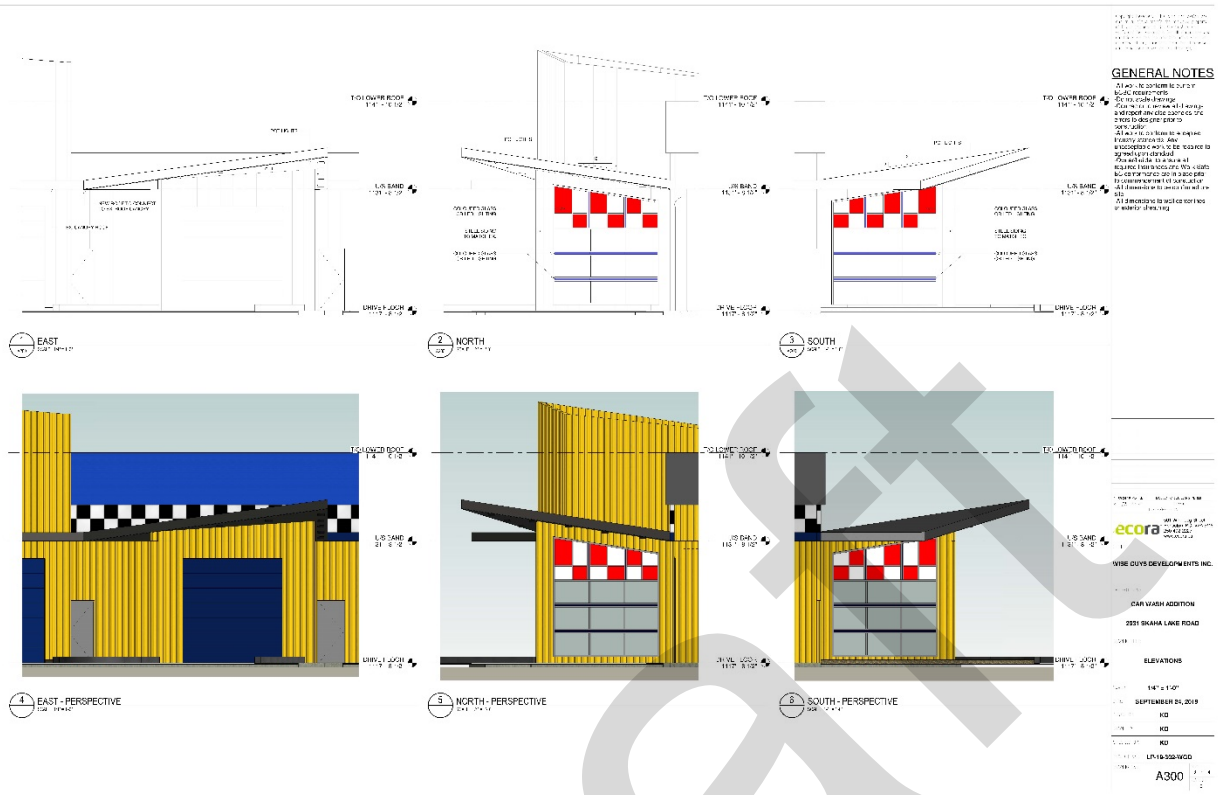
Attachment G – Proposed Landscaping Plan



Attachment H – Proposed Building Plans



Attachment I – Proposed Building Elevations



1 20:07:03 NORTH EAST VIEW RENDERING
SCN: 7-17



2019-07-03 - SOUTH EAST VIEW RENDERING





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

Development Variance Permit

Permit Number: DVP PL2019-8640

Owner Name
Owner 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 2 District Lot 116 Similkameen Division Yale District Plan 33814
Civic: 2931 Skaha Lake Road
PID: 003-083-799
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 an addition to the principal building:
 - a. Section 11.8.2.3: to increase the maximum lot coverage from 35% to 37.7%

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. This permit is subject to the front yard of the subject property being landscaped and screened as per Schedule 'A', at the cost of the developer.
6. 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.
7. **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.**
8. 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.

9. 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 ____ day of _____, 2019

Issued this ____ day of _____, 2019

Angela Collison,
Corporate Officer