

**Public Hearing**  
to be held at  
**City of Penticton Council Chambers**  
171 Main Street, Penticton, B.C.

**Tuesday, October 4, 2016**  
**at 6:00 p.m.**

1. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2016-59”** 1-18
- CO Reads Opening Statement and Introduction of Bylaws  
“Zoning Amendment Bylaw No. 2016-59” (2670 Skaha Lake Road)  
Purpose: To amend Zoning Bylaw No. 2011-23 as follows:  
  
Rezone Lot 1, District Lot 116, Similkameen Division Yale District, 16598 located at 2670 Skaha Lake Road from CT1 (Tourist Commercial) to RM3 (Medium Density Residential).  
  
The applicants are planning to convert the motel into rental apartments for those in need of permanent affordable housing.  
  
Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, September 23, 2016 and Wednesday, September 28, 2016 (pursuant to the *Local Government Act*).
- CO Correspondence received regarding the Zoning Amendment attached (as of noon Wednesday, September 28, 2016)
- Mayor Requests the Acting Director of Development Services describe the proposed amendments
- Mayor Invitation to applicant for comment or elaboration on the application
- Mayor Invites those in attendance to present their views
- Mayor Invites Council members to ask questions
- Mayor Invites applicants to respond to questions and those in attendance may provide new additional information

PUBLIC HEARING for “Zoning Amendment Bylaw No. 2016-59” is terminated and no new information can be received on this matter.

**Regular Council Meeting**  
**held at City of Penticton Council Chambers**  
**171 Main Street, Penticton, B.C.**

**Tuesday, September 20, 2016**  
**at 1:00 p.m.**

## **Resolutions**

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- 14.2 Zoning Amendment Bylaw No. 2016-59 & DVP PL2016-7736  
Re: 2670 Skaha Lake Road

416/2016

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2016-59", a bylaw that amends City of Penticton Zoning Bylaw No. 2011-23 by changing the zoning district of Lot 1, District Lot 116, Similkameen Division Yale District, Plan 16598, located at 2670 Skaha Lake Road, from CT1 (Tourist Commercial) to RM3 (Medium Density Residential), with the intent of converting a motel into a "residential housing project for those in need of permanent housing", be given first reading and be forwarded to the October 4<sup>th</sup>, 2016 Public Hearing for comment from the public.; AND THAT delegations and submissions be heard at the October 4, 2016, Public Hearing for "Development Variance Permit PL2016-7736" for Lot 1, District Lot 116, Similkameen Division Yale District, Plan 16598, located at 2670 Skaha Lake Road, a permit to increase the maximum permitted height of a fence in a front yard from 1.2m to 1.8m; AND THAT "Development Variance Permit PL2016-7736" be considered after adoption of Zoning Amendment Bylaw 2016-59.

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** September 20, 2016  
**To:** Eric Sorensen, Chief Administrative Officer  
**From:** Blake Laven, Planning Manager  
**Address:** 2670 Skaha Lake Road  
**Subject:** **Zoning Amendment Bylaw No. 2016-59 and  
Development Variance Permit PL2016-7736**

File No: MP PRJ16-151

## Staff Recommendation

### *Zoning Amendment*

THAT "Zoning Amendment Bylaw No. 2016-59", a bylaw that amends City of Penticton Zoning Bylaw No. 2011-23 by changing the zoning district of Lot 1, District Lot 116, Similkameen Division Yale District, Plan 16598, located at 2670 Skaha Lake Road, from CT1 (Tourist Commercial) to RM3 (Medium Density Residential), with the intent of converting a motel into a "residential housing project for those in need of permanent housing", be given first reading and be forwarded to the October 4<sup>th</sup>, 2016 Public Hearing for comment from the public.;

### *Development Variance Permit*

AND THAT delegations and submissions be heard at the October 4, 2016, Public Hearing for "Development Variance Permit PL2016-7736" for Lot 1, District Lot 116, Similkameen Division Yale District, Plan 16598, located at 2670 Skaha Lake Road, a permit to increase the maximum permitted height of a fence in a front yard from 1.2m to 1.8m;

AND THAT "Development Variance Permit PL2016-7736" be considered after adoption of Zoning Amendment Bylaw 2016-59.

## Strategic priority objective

The proposed development meets several of the City's strategic priorities, including providing affordable housing and creating a safe community.

## Background

The subject property currently features a 42 unit motel with an administrative office, pool and other amenities. Having been originally built out between 1966 and 1972 with further additions in the 1980s, the motel is now coming to the end of its economic life as a quality tourist offer. Over the past decade the motel has been used as long term housing throughout most of the year. It is located in an area of other such motels mixed with large format commercial development. The property shares a rear property line with a large manufactured home park. (Dauphin Park).

The property was recently purchased by BC Housing, with the intent of converting the motel, through a major renovation, into rental apartments for those in need of permanent affordable housing. The renovation will consist of cosmetic upgrades, including painting and new flooring, as well as improvements to the various buildings' windows and ventilation systems to improve energy efficiency. This will lower operating costs and improve the comfort of the residents.

The property is designated by the City's Official Community Plan as HR (High Density Residential). The proposal for apartment housing is in line with the residential designation, although is at a lower density than ultimately envisioned for the lands. The property is currently zoned CT1 (Tourist Commercial) reflecting its current use as a motel. Prior to occupancy as long term residences, a "change in use" building permit will be required to ensure that the spaces meet the building code for minimum health and safety purposes. A zoning amendment is also required.

As part of the design to convert the lands from tourist commercial to residential, changes are being made to the landscaping and functioning of the common areas. One proposal is the installation of an ornamental fence along the front property line. The fence is intended to be transparent, but will be 1.8m (6 feet) in height. The maximum permitted fence height in a front yard is 1.2m. As such, in addition to the zoning amendment, the applicants are requesting a variance to the Zoning Bylaw to be permitted to install the taller fence.

The intent is for residents to move into the renovated units beginning in November of this year if zoning approval is successful.

### **Proposal**

The applicants are requesting the following amendment to Zoning Bylaw 2011-23:

- Rezone 2670 Skaha Lake Road from CT1 (Tourist Commercial) to RM3 (Medium Density Residential)

The applicants are also requesting development variance permit approval to vary Section 6.5.1 of Zoning Bylaw 2011-23, permitting a fence of 1.8m in height in a front yard.

### **Financial implication**

N/A

### **Technical Review**

The subject applications were referred to the Technical Planning Committee for their review and comment. No major concerns were identified as part of that review. The Penticton Fire Department has requested upgrades to the alarm system. These upgrades will be completed as part of the total building code conformance upgrade work. The City's Building Department has been involved with BC Housing and their consultant on the required code upgrades. That work has been on going.

The service level for sewer, water and fire protection are adequate for the intended use.

## **Analysis**

### *Zoning Amendment*

The City's Official Community Plan (OCP) envisions this property as ultimately high density residential. The property is located in an area considered the "Peach Tree Urban Village". While no area plan for the Peach Tree Urban Village has yet been created, the general intent for this stretch of Skaha Lake Road is buildings constructed to the street edge with small scale pedestrian-oriented retail (offices, restaurants and personal services etc) located at the street edge with high rise residential construction built above. While the subject proposal is not intending such a redevelopment at this time, the purchase of the property by the Housing Corporation and ultimate conversion to a residential use, may be seen as an interim measure, with the ultimate goal of redevelopment of the lands at a later date.

Rezoning to the RM3 zone will be giving the Housing Corporation additional development rights and density that does not exist with the CT1 zone. Ultimately though, further applications would have to be made to realize those additional density rights.

Staff do note that the current position of the buildings on the lot, while built to the setbacks of the CT1 zone, do not meet the current setbacks of the proposed RM3 zone. The current number of parking spaces located on the property is also slightly deficient (required 42 + 10 visitor space = 52 spaces and there are only 45 spaces). Council does have the ability though, to approve the Zoning while knowing that these non-conformities exist. It is a policy decision that Council can make. Staff do suggest that in making that decision Council should consider that the use of the buildings will be similar to how it is currently used. Neighbouring properties will not experience much of a change in the use of the lands. Any new construction would have to meet required setbacks and provide additional parking.

With regard to the minor variance for the fence height, the proposed fencing material is ornamental and transparent so that the height will not obstruct views of the residential complex. The fence is intended to provide security for the residents and help to change the feel of the property from a commercial business to residential.

Given the above and the ultimate need for additional low cost structured housing for those at risk of homelessness, staff recommend that Council give first reading to the zoning amendment bylaw and forward the bylaw and the development variance permit to the October 4<sup>th</sup>, 2016, Public Hearing for comment from the public and neighbouring businesses and property owners.

### **Alternate recommendations**

1. THAT Council deny first reading to "Zoning Amendment Bylaw No. 2016-59"
2. THAT Council refer the application back to staff for further discussions with the applicants.

**Attachments**

- Attachment A – Location Map
- Attachment B – Images of subject property
- Attachment B – OCP and zoning maps of subject property
- Attachment C – Letter of Intent from applicant
- Attachment D – Draft Permit (DVP PL2016-7736)

Respectfully submitted

Blake Laven, MCIP, RPP  
Planning Manger

Approvals

Acting DDS  MCH	Chief Administrative Officer  <i>ES</i>
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Attachment A  
Subject Property Location Map



Attachment B  
Images of Subject Property

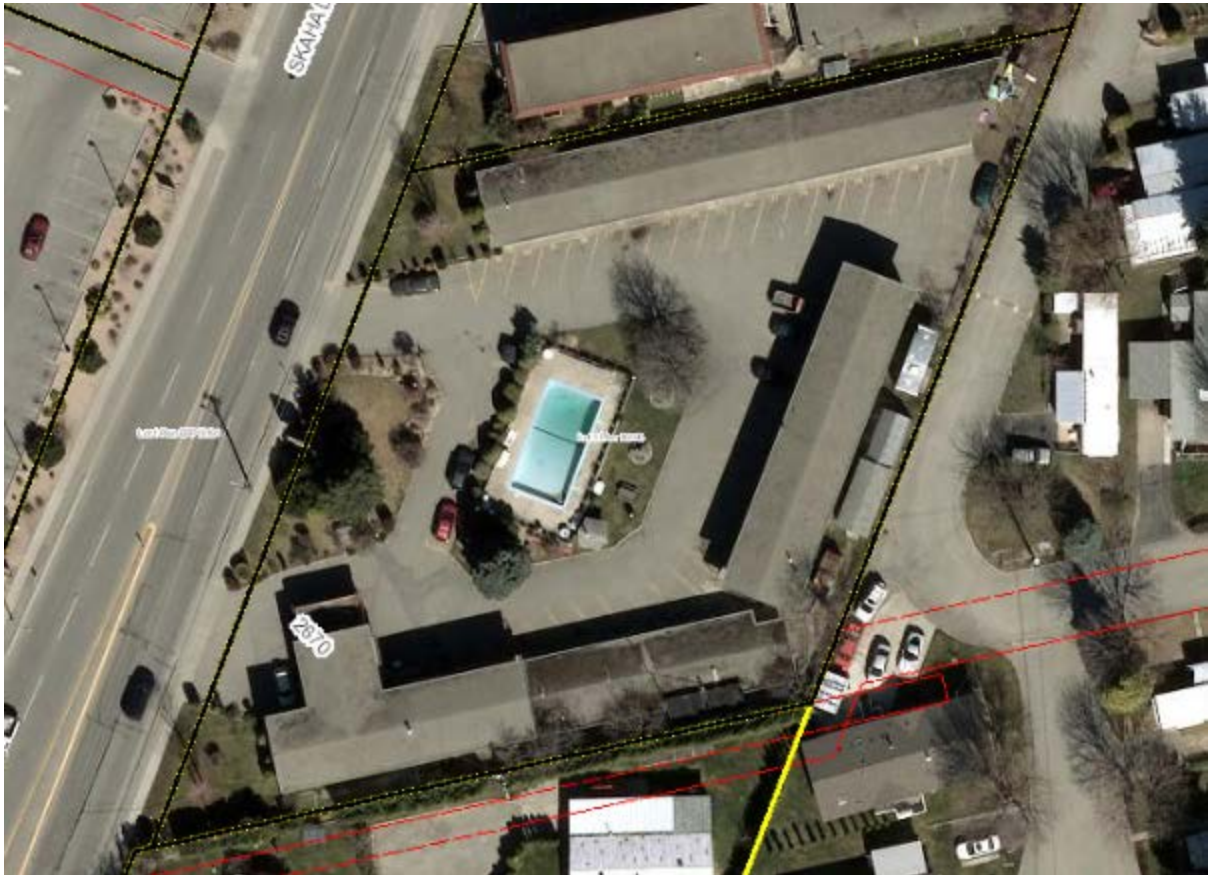


Figure 1: Aerial Image of Subject Property (2013)



Figure 2: Google Maps Image of Subject Property from Skaha Lake Road looking South East

Attachment C  
Land Use Maps

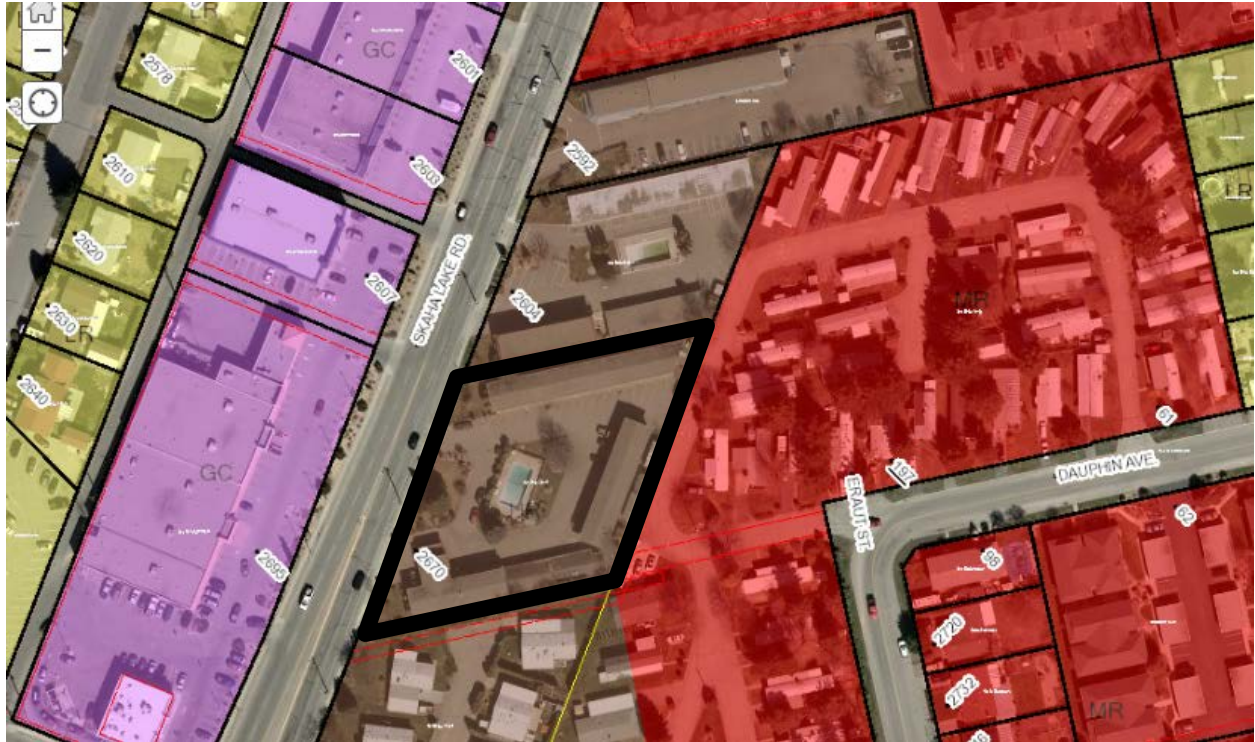


Figure 3: OCP Future Land Use Designation Map (Subject Property HR High Density Residential)



Figure 4: Zoning Map from Zoning Bylaw 2011-23 (subject Property CT1 Tourist Commercial)

Attachment D  
Letter of Intent from applicant

Rezoning Application for Fairhaven

LETTER OF INTENT

Mayor and Council,

In an effort to respond to the community of Penticton's need for safe, secure and permanent affordable housing, BC Housing recently purchased a motel at 2670 Skaha Lake Road with the intention of converting the buildings into long-term residences. The site contains 42 units, with a mix of one-bedroom and studio layouts. Additionally there is a caretaker's suite, which will house a full-time on-site caretaker.

The units will undergo renovation and receive a cosmetic upgrade, including new floors, windows, ventilation systems, and painting. Although the buildings are old, they are in relatively good condition. Renovations will focus on increasing the comfort of residents and reducing overall operation expenses.

The former lobby area will be converted into a communal gathering space, shared kitchen facilities (for rooms without a kitchenette), offices, and a laundry room. Above this space will be the caretaker's suite.

The current zoning of this property does not align with BC Housing's vision of *long-term residential accommodations*. By rezoning the property to RM3 (Medium Density Multiple Housing), BC Housing will be able to offer, at minimum, 42 people in Penticton the opportunity to access comfortable homes at a cost well below market rates.

Thank you for your consideration and support,

Lindsey Fraser  
Goodtown Development Consulting  
On behalf of BC Housing



Rezoning Application for Fairhaven

CURRENT PICTURES OF 2670 SKAHA LAKE ROAD



Figure 1: Former lobby and caretaker's suite



Figure 2: Inner courtyard area and two of three buildings

Rezoning Application for Fairhaven



Figure 3: Close-up of east building, facade typical



Figure 4: Inner courtyard area

Attachment E  
Image of example of fence style



## Attachment F Development Variance Permit



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

### Development Variance Permit

#### Permit Number:

Provincial Rental Housing Corporation Inc. No, BC0052129  
1701 – 4555 Kingsway  
Burnaby BC V5H 4V8

#### 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 1, District Lot 116, Similkameen Division Yale District, Plan 16598  
Civic: 2670 Skaha Lake Road  
PID: 008-564-582
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary Section 6.5.1 of Zoning Bylaw 2011-23 increasing the permitted height of a fence in a front yard from 1.2m to 1.8m.

#### 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.
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 \_\_\_\_\_ day of \_\_\_\_\_, 2016

Issued this \_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Dana Schmidt,  
Corporate Officer

Page 2 of 2

Bylaw No. 2016-59

A Bylaw to Amend Zoning Bylaw 2011-23

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2011-23;

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 "Zoning Amendment Bylaw No. 2016-59".

2. Amendment:

2.1 Zoning Bylaw 2011-23 is hereby amended as follows:

Rezone Lot 1, District Lot 116, Similkameen Division Yale District, Plan 16598, located at 2670 Skaha Lake Road, from CT1 (Tourist Commercial) to RM3 (Medium Density Residential).

2.2 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this	20	day of	September, 2016
A PUBLIC HEARING was held this	4	day of	October, 2016
READ A SECOND time this		day of	, 2016
READ A THIRD time this		day of	, 2016
RECEIVED the approval of the		day of	, 2016
Ministry of Transportation on the			
ADOPTED this		day of	, 2016

Notice of intention to proceed with this bylaw was published on the 23 day of September, 2016 and the 28 day of September, 2016 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

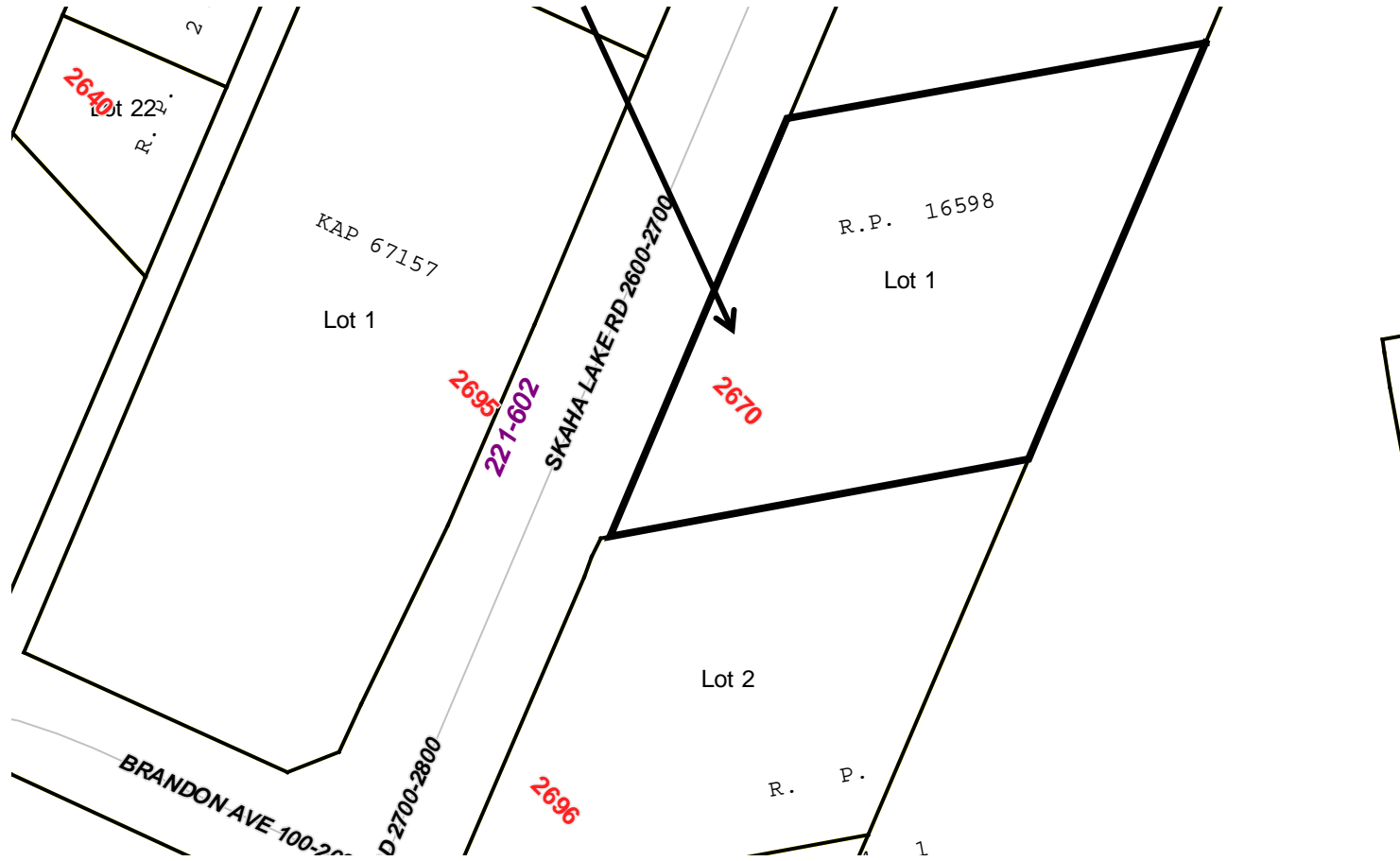
<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i>  this _____ day of _____, 2016</p> <p>_____</p> <p>for Minister of Transportation &amp; Infrastructure</p>
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Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

# 2670 Skaha Lake Road - Rezone

## From CT1 (Tourist Commercial) to RM3 (Medium Density Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-59

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

Dana & Your Worship,

This email is to advise you that I'll be in favour of Zoning Amendment Bylaw No. 2016-59 & DVP PL2016-7736 located at 2670 Skaha Lake Road. I've been a tenant at Skaha Sunrise located at 2872 Skaha Lake Road for 6 years; and it sure helps people like me being a disabled renter who was at risk of being homeless due to the high rent of the place where I was living.

Most people who live in Single Room Occupancy or SRO homes either have Mental Health Issues (MHI) and/or addiction issues for which subsidized housing addresses exemplarily well with the appropriate support mechanisms.

I personally think we need more of this type of housing in Penticton. I believe we have a shortage of this type of affordable housing for people who can least afford the rents landlords are charging per month excluding utilities.

Therefore, I would urge all City Councillors to support the recommendation made by City Staff to amend the Zoning Bylaw and issue the Development Variance Permit.

Thank you,  
James HC Brown  
2872 Skaha Lake Road  
Penticton, BC

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**From:** Merle Kindred  
**Sent:** September-27-16 12:20 PM  
**To:** Public Hearings  
**Subject:** 2670 Skaha Lake Road (formerly Bel-Air Motel)

Penticton City Council,

I am unable to attend the Public Hearing on October 4th pertaining to Lot 1, District Lot 116, Similkameen Division Yale District Plan 16598. However, I fully support:

- Rezone PL2016-7735
- Development Variance Permit PL2016-7736

Dauphin Manufactured Home Park where I live is adjacent to this site and neighbours I've spoken with are in favour of the rezoning and development of the site for this BC Housing project.

Repurposing this old motel for affordable housing is an excellent idea. I would hope the province would also look at similar investments in dated properties as a way of providing decent housing opportunities for citizens unable to afford other housing options.

Cordially,

Merle Kindred  
#1-197 Dauphin Ave.  
Penticton, BC V2A 3S3

former Co-chair, Habitat for Humanity South Okanagan

Director, Penticton & District Manufactured Home Owners Association &  
Park Representative for Dauphin Manufactured Home Park

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