

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

**Tuesday, July 4, 2017
at 6:00 p.m.**

1. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2017-40”** 1-23
- CO Reads Opening Statement and Introduction of Bylaw
“Zoning Amendment Bylaw No. 2017-40” (218 Norton Street)

Purpose: To amend Zoning Bylaw No. 2017-08 as follows:

Rezone Lot 2, District Lot 202, Similkameen Division Yale District, Plan 3115, located at 218 Norton Street from RM3 (Medium Density Multiple Housing) to RD2 (Duplex Housing: Lane).

The applicant is proposing to subdivide 218 Norton Street into two lots and construct a side-by-side duplex with suites fronting Townley Street.

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, June 23, 2017 and Wednesday, June 28, 2017 (pursuant to the *Local Government Act*).
- CO No Correspondence received regarding the Zoning Amendment (as of noon Wednesday, June 28, 2017)
- Mayor Requests the 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. 2017-40” is terminated and no new information can be received on this matter.

2. Mayor Calls Public Hearing to Order for **“Official Community Plan Amendment Bylaw No. 2017-41”** 24-51

CO Reads Opening Statement and Introduction of Bylaw

“Official Community Plan Amendment Bylaw No. 2017-41” (102 Cossar Avenue)

Purpose: To amend Official Community Plan Bylaw 2002-20 as follows:

Amend Schedule ‘B’ Future Land Use designation on Lot 4, District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, from HR (High Density Residential) to MR (Medium Density Residential).

The applicant is proposing to construct a 4-unit town house development.

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, June 23, 2017 and Wednesday, June 28, 2017 (pursuant to the *Local Government Act*).

CO No Correspondence received regarding the OCP Amendment (as of noon Wednesday, June 28, 2017)

Mayor Requests the 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 “OCP Amendment Bylaw No. 2017-41” is terminated and no new information can be received on this matter.

3. Mayor Calls Public Hearing to Order for **"Zoning Amendment Bylaw No. 2017-42"** 52-53

CO Reads Opening Statement and Introduction of Bylaw

"Zoning Amendment Bylaw No. 2017-42" (102 Cossar Avenue)

Purpose: To amend Zoning Bylaw No. 2017-08 as follows:

Rezone Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lyttton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, from RD2 (Duplex Housing: Lane) to RM3 (Low Density Multiple Housing).

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, June 23, 2017 and Wednesday, June 28, 2017 (pursuant to the *Local Government Act*).

CO No Correspondence received regarding the Zoning Amendment (as of noon Wednesday, June 28, 2017)

Mayor Requests the 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. 2017-42" is terminated and no new information can be received on this matter.

4. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2017-43”** 54-109

CO Reads Opening Statement and Introduction of Bylaws

“Zoning Amendment Bylaw No. 2017-43” (602/640 Eckhardt Avenue W)

Purpose: To amend Zoning Bylaw No. 2017-08 as follows:

Rezone Lot A District Lots 2 and 4 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 35373, located at 602 Eckhardt Avenue West, and to Rezone Lot 1, District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 7039, located at 640 Eckhardt Avenue West from C7 (Service Commercial) to CT1 (Tourist Commercial).

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, June 23, 2017 and Wednesday, June 28, 2017 (pursuant to the *Local Government Act*).

CO Correspondence received regarding the Zoning Amendment attached (as of noon Wednesday, June 28, 2017)

Mayor Requests the 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. 2017-43” is terminated and no new information can be received on this matter.

- 1 -

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

Tuesday, June 20, 2017
at 1:00 p.m.

Resolutions

13. Reconsideration of Bylaws and Permits

14. Land Matters

- 14.1 Zoning Amendment Bylaw No. 2017-40
DVP PL2017-7797
Re: 218 Norton Street

369/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-40," a bylaw to amend Zoning Bylaw 2017-08 to rezone Lot 2, District Lot 202, Similkameen Division Yale District, Plan 3115, located at 218 Norton Street from RM3 (Medium Density Multiple Housing) to RD2 (Duplex Housing: Lane) be given first reading and forwarded to the July 4, 2017 Public Hearing;
AND THAT, in accordance with section 507 of the Local Government Act, Council require the developer to construct the full width of Townley Street to a local residential street standard including the provisions for storm water management;
THAT delegations and submissions for "Development Variance Permit PL2017-7797" on Lot 2, District Lot 202, Similkameen Division Yale District, Plan 3115, located at 218 Norton Street, a permit to vary the maximum lot coverage from 40% to 45%; to decrease the minimum front yard setback from 4.5m to 3m, to increase the height of a retaining wall from 1.2m to 3.5m and increase the height of a building from 10.5m to 11.5m to construct 1 side-by side duplexes with suites, be heard at the July 4, Public Hearing; AND THAT Council consider "DVP PL2017-7797" following the adoption of "Zoning Amendment Bylaw No. 2017-40".

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: June 20, 2017
To: Peter Weeber, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: **218 Norton Street**

File Nos: RZ PL7796 & DVP PL2016-7797

**Subject: Zoning Amendment Bylaw No. 2017-40
Development Variance Permit DVP PL2016-7797**

Staff Recommendation

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2017-40," a bylaw to amend Zoning Bylaw 2017-08 to rezone Lot 2, District Lot 202, Similkameen Division Yale District, Plan 3115, located at 218 Norton Street from RM3 (Medium Density Multiple Housing) to RD2 (Duplex Housing: Lane) be given first reading and forwarded to the July 4, 2017 Public Hearing;

AND THAT, in accordance with section 507 of the Local Government Act, Council require the developer to construct the full width of Townley Street to a local residential street standard including the provisions for storm water management;

Development Variance Permit

THAT delegations and submissions for "Development Variance Permit PL2017-7797" on Lot 2, District Lot 202, Similkameen Division Yale District, Plan 3115, located at 218 Norton Street, a permit to vary the maximum lot coverage from 40% to 45%; to decrease the minimum front yard setback from 4.5m to 3m, to increase the height of a retaining wall from 1.2m to 3.5m and increase the height of a building from 10.5m to 11.5m to construct 1 side-by side duplexes with suites, be heard at the July 4, Public Hearing;

AND THAT Council consider "DVP PL2017-7797" following the adoption of "Zoning Amendment Bylaw No. 2017-40".

Strategic Priority Objective

Approval of the zoning change and variances represents sustainable growth, utilizing the City's existing infrastructure to increase density in a sensitive way and provides additional housing.

Background

The subject property (Attachment 'A') is zoned RM3 (Medium Density Multiple Housing) and is designated by the City's Official Community Plan as MR (Medium Density). Photos of the site are incorporated as

Attachment 'D'. The site is 1,125m² (0.2278 acre) in area and presently features a single detached dwelling that has recently been renovated. The proposed development only affects 0.114 acres of land directly adjacent to Townley that is currently unused. The surrounding area is a mixture of single family dwellings, duplexes, townhomes and apartments. All the properties along Townley Street and the East side of Norton Street are designated Medium Density Residential (MR) in the OCP. Other recent redevelopment in the immediate area features townhouses and duplex development. The subject property is also located within the General Multiple Development Permit Area. As such, a development permit addressing form, character, and landscaping will be required if rezoning proves successful.

The lot presently features a single family dwelling facing Norton Street, but the property owner intends to subdivide the back property facing Townley street and develop a side-by-side duplex with suites (Attachment 'F'), with all of the vehicle access from Townley street. The current RM3 zone does not allow for duplex development and planned for slightly higher density development like an apartment or townhouses. A zoning amendment and variances to the zoning bylaw are required to accommodate the proposal. There is no existing rear lane hence the access and parking for each unit will be from Townley Avenue. Each main unit is estimated to have an approximate floor area of 364 m² (3,920 sq.ft) and each suites are estimated at 148m² (1600 ft²).

Proposal

The applicant is requesting that part of the subject property be rezoned from RM3 (Medium Density Multiple Housing) to RD2 (Duplex: Lane), as identified in Zoning Bylaw 2017-08.

Additionally, the applicant is pursuing a Development Variance Permit to vary the following sections of Zoning Bylaw 2017-08:

- Section 10.6.2.3. : To vary the maximum lot coverage from 40% to 43%
- Section 10.6.2.6 .: Decrease the minimum front yard from 4.5m to 3m
- Section 10.6.2.5.: Increase the maximum height from 10.5m to 11.5m
- Section 5.6.2.: Increase the maximum height of retaining walls within required yard from 1.2m to 3.5m

Project Specifications

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

Item	Requirement RM3 Zone	Requirement RD2 Zoning	Provided on Plans
Minimum Lot Size:	1400m ²	275 m ²	463m ²
Minimum Lot Width	25m	9.1m	15.5m
Maximum Lot Coverage:	50%	40%	43%(Variance Required)
Maximum Density:	1.6 FAR	0.95 FAR	0.72 FAR
Vehicle Parking:	1 per unit and 0.25 visitor parking	1 space per unit	4 spaces

Required Setbacks Front yard: Side yard): Rear yard :	3.0m 4.5m 6m	4.5m 1.5m 6.0m	3m (Variance Required) 2.1m 6m
Maximum Building Height:	24m	10.5m	11.5 (Variance Required)
Other Information:	The property is in the General Multiple Development Permit Area and a development permit will be required		

Financial Implication

Approval of the subject proposal will allow for the increase in property value substantially. This increase in land value will have a positive impact on the City’s tax base.

Development Engineering Review

This application was forwarded to the City’s Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Frontage upgrades and servicing requirements have been identified and will be included in the subdivision approval. These items have been communicated to the applicant.

Excess Service Resolution

Under current Subdivision and Development Bylaw requirements, the developer is responsible to design and construct works to the centerline of existing roads adjacent to the development. In cases where it is in the public interest, the *Local Government Act* gives authority to Council to formally require the developer to build beyond that requirement. In those cases, that developer is eligible for latecomer contributions from any land owner that later-on ties into the excess services constructed.

For this particular application, frontage upgrades will be required on Townley Street. This will include the full width of the street and curb on both sides. No sidewalk would be required. The current construction of Townley St is more comparable to a lane than a residential street; it is narrow without curb or gutter on either side. There is currently ad-hoc parking on the city boulevard. It is the intention to have the developer to upgrade Townley St to include two traffic lanes and a single parking lane, similar to the streets in Sendero Canyon. The intention is to allow the street to be improved within the narrow constraints provided by the existing slope. In addition, the intent is to allow Townley to be upgraded to provide clear traffic lanes and parking without destroying the unique feel and appearance of Townley Street.

Townley Street only has residential buildings on the West Side with the KVR trail on the East Side. It is Staff’s recommendation that the developer upgrades the full width of the street as the site will receive the full benefit of the upgrade to the street. The developers cost to upgrade Townley Street to the Subdivision and Development Bylaw requirements will be approximately \$7,500 including all taxes and the cost of complying with the excess services requirement will be approximately the same.

In moving forward, it is Staff vision that the City will arrange for a survey of the area and the concept design of the entire street. Then, the developers of the lots fronting onto Townley will be asked, through future Excess services agreements, to build their sections as they develop.

Analysis

Support "Zoning Amendment Bylaw 2017-40"

The MR (Medium Density) designation typically calls for apartments and townhouse development. However given the size of the lot, duplex housing is a suitable housing type for this property - promoting the City's density goals and respecting the built form of the surrounding neighbourhood. The proposed development also brings a townhouse form to this property. The Development Permit process will ensure that the building and structure as well as screening and landscaping are held to a high standard.

Staff considers that rezoning the lot from RM3 (Medium Density Multiple Housing) to RD2 (Duplex: Lane) to enable this development is an appropriate use of the land for the following reasons:

- The Official Community Plan designates the property for Multi-Family Residential development. Duplex is a permitted use in the Medium Density (MR) designation;
- The guidelines in the OCP encourage buildings with strong street presence, varied materials, and architectural elements. The applicants have submitted plans for a side-by-side duplex, giving the structure a strong and connected frontage.
- According to the City's OCP, residential development should be accommodated through infill development. Set in an area with a combination of single family homes, duplexes, townhouses and apartments, this application encourages a mixed range of housing, types, tenures and densities;
- The plan supports residential intensification near the downtown core and supports densification in areas where existing services can accommodate higher densities; and
- The proposed duplexes will fit into the existing mix of housing in the area and the design of the buildings will lend positively to the overall character of the community

Given the above, staff find adequate policy to support the proposal to rezone the subject property from RM3 (Medium Density Multiple Housing) to RD2 (Duplex Housing: Lane) and recommend that Council support the zoning amendment bylaw and forward it to the July 4, 2017 Public Hearing for comments from the public.

Deny/Refer

Council may feel that duplex development is not appropriate for this lot and the property owner should wait until neighbouring property owners are ready to amalgamate lots in an effort to construct buildings with higher density potential. If this is the case, Council should deny the first reading.

Alternatively, Council may refer the application back to staff with further instructions.

Support DVP PL2016-7729

The existing RM3 zone on the property does not allow for duplex development and planned for somewhat higher density development like an apartment or townhouses and consolidation of lots to support the density. Despite the fact that the applicant is proposing to downzone a section of the lot, a number of variances are required in order to proceed with the subdivision and the construction of the duplex. When considering a variance to a City bylaw, staff encourages Council to contemplate whether there is a constraint 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 developer has requested four zoning bylaw variances and each variance is discussed independently:

Section 10.6.2.3.: To vary the maximum lot coverage from 40% to 43%

The applicant is asking for an increase in lot coverage to create a buildable parcel under the RD2 zoning. In considering this request for a variance, staff has concluded that the increase will facilitate the development of a duplex lots while utilizing an area with existing services available without compromising the evolving development in the neighborhood.

Section 10.6.2.5.: Increase the maximum height from 10.5m to 11.5m

Due to the topographical challenges of the proposed lot, the applicant is proposing to increase the height from 10.5m to 11.5m to construct a 3 storey duplex building. The proposed height of 11.5m is measured from the rear of the property. The height of the building from the road is simply 8m. By increasing the height, a well-designed building results creating varied roof line rather than a simple flat roof. The proposal does not exceed the 3 storey maximum of the zoning bylaw. Staff does not consider that, given the scale of the variance requested, there will be an adverse impact on neighbouring properties.

Section 10.6.2.6.: Decrease the minimum front yard from 4.5m to 3m

Reducing the minimum front yard to 3.0m enables the applicants to make the most of the building area of the lot. On the road level, the garage will be located 6.18m from the edge of the road. This will still enable adequate driveway space to park a vehicle and not impede traffic. The RD2 zone requires that each unit have one parking stall from the rear lane. In this case, the lot has no rear lane therefore the parking requirement will be provided in the front yard. This variance is not a substantial variance and staff consider that it will not have a negative impact on the existing neighbourhood. This development will be the first along the south portion of Lower Townley Street that fronts onto it, thereby creating the first of an eventual streetscape along this portion of the road.

Section 5.6.2.: Increase the maximum height of retaining walls within required yard from 1.2m to 3.5m

Given the steep topography of the lot, retaining walls are required within the interior and rear yard. The walls will be higher than the 1.2m height permitted by the bylaw. The retaining walls will provide a reasonably flat rear yard for the occupants of the units. The wall can be stepped as per the Zoning Bylaw but this will make the rear yard impracticable for the occupants. The walls will not be visible from the street and are located at the rear of property.

In considering this submission, staff recognized the limitations of this site to accommodate the development and determined that the variances being requested are in keeping with the objectives of the OCP. The

applicant has been working extensively to try to meet the zoning bylaw requirement but the topographical challenges of this lot makes it difficult to build a duplex. Before final approval of a subdivision application, a number of requirements will need to be addressed, as indicated by Subdivision and Development Bylaw 2004-81. Staff have been working with the applicants on these requirements.

Deny/Refer

Should Council consider that the proposed variances represent a negative impact on the residential character of the area it should deny the Development Variance Permit. As mentioned earlier, the current zoning on the property would allow them to build a much denser and higher building on the site. Alternatively, Council may refer the application back to staff with further instructions.

Alternate Recommendations

1. THAT Council gives first reading to "Zoning Amendment Bylaw No.2017-XX" but denies support for "Development Variance Permit PL2017-7797".

Attachments

- Attachment A: Subject Property Location Map
- Attachment B: OCP Map
- Attachment C: Zoning Map
- Attachment D: Images of Subject Property
- Attachment E: Letter of Intent
- Attachment F: Elevations
- Attachment G: Site Plan
- Attachment H: Subdivision Plan
- Attachment I: DVP
- Attachment J: Zoning Amendment Bylaw No. 2017-40

Respectfully submitted,

Audrey Tanguay, MCIP
Senior Planner

Approvals

Director <i>AH</i>	CAO <i>PW</i>
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Attachment A - Subject Property



Figure 1: Location Map

Attachment B - OCP Map

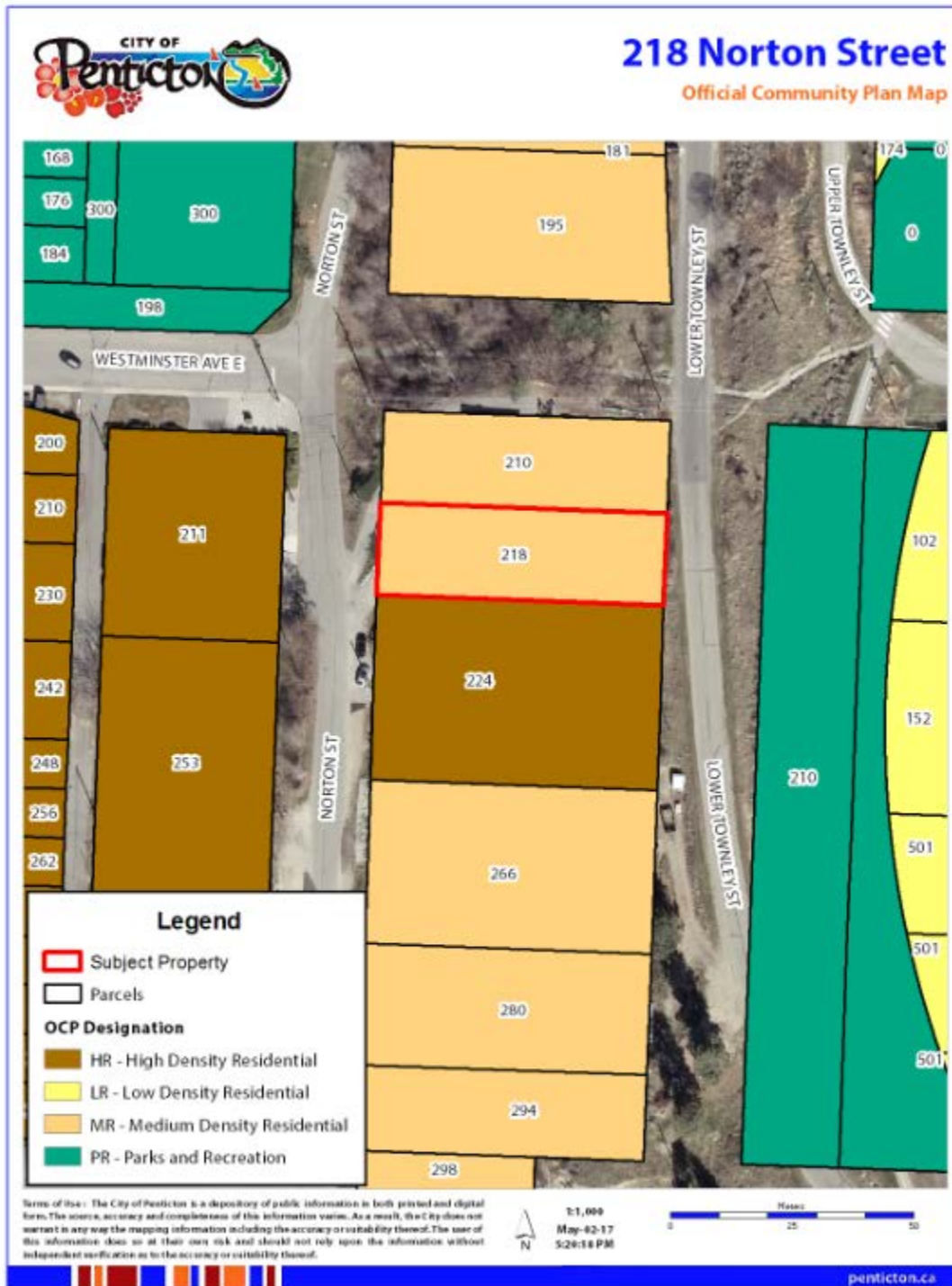


Figure 2: OCP Map

Attachment C - Zoning Map

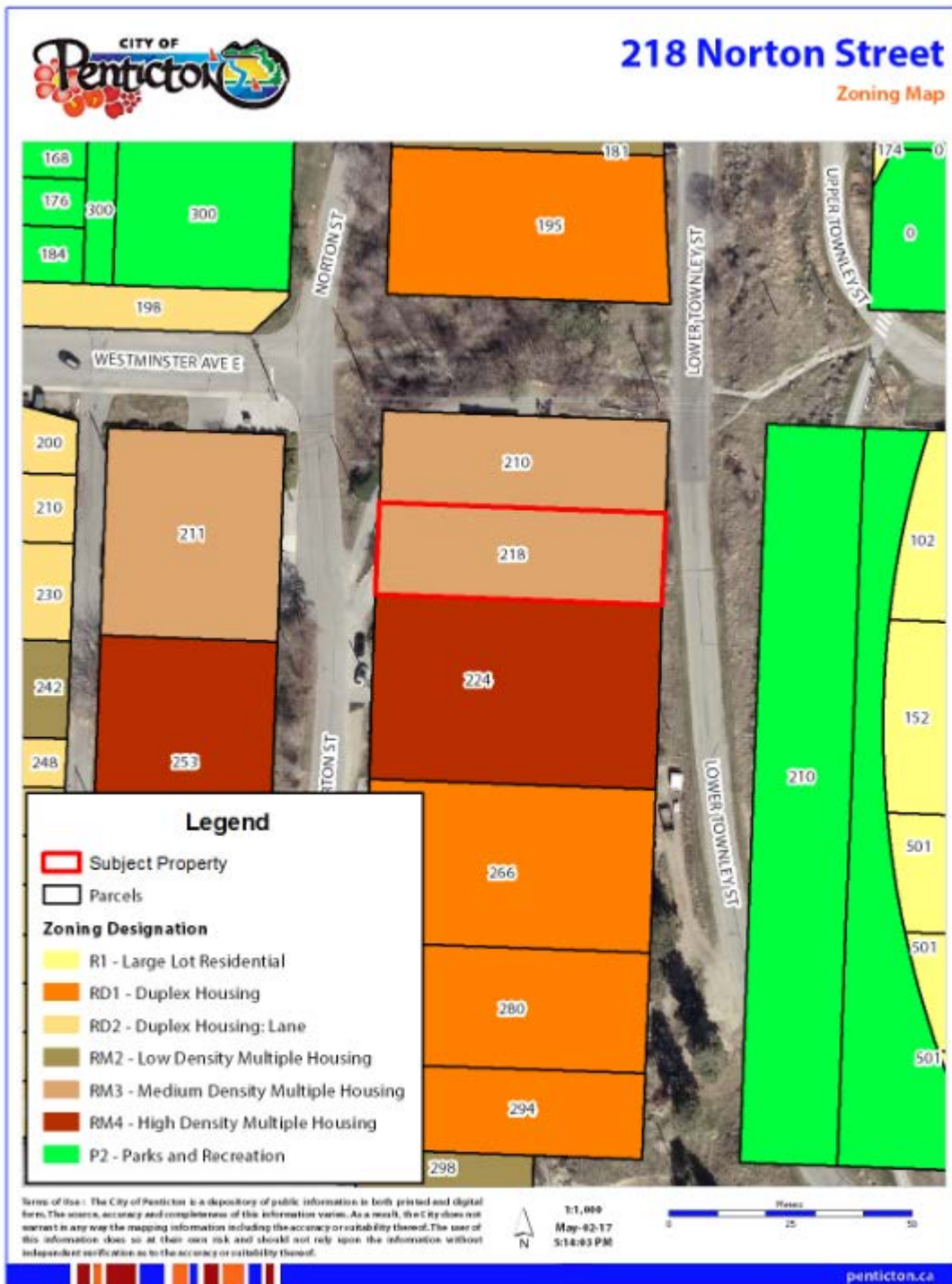


Figure 3: Zoning Map

Attachment D - Images of the Subject Property



Figure 4: View from Townley Street



Figure 5: View looking down on the proposed lot



Figure 6: View looking North on Townley street

Attachment E –Letter of Rationale



June 8, 2017

Ms. Audrey Tanguay, Senior Planner
 City of Penticton
 171 Main Street
 Penticton, BC V2A
 5A9

Re: Subdivision/Rezoning and Development Variance Permit Application for 218 Norton Street

On behalf of the owner of 218 Norton Street, we are respectfully providing supporting documentation for the subdivision/rezoning and development variance permit for the construction of a duplex. The lot is currently zoned RM3; however, the property does not provide adequate area on the site to construct a “high-density mid-rise apartment”. Therefore, we are requesting a rezoning to RD2 in order to construct a duplex with basement suites. The basement suites will provide a higher density than a standalone duplex with a total of four dwelling units.

To support the application and development of a duplex we are requesting the following variances:

Lot coverage:	Maximum permitted	40%
	Proposed coverage	43%

Front yard setback:	Required	4.5 m
	Proposed	3.21 m (to garage face)

Building height:	Required	10.5 m
	Proposed (front yard)	8.0 m
	Proposed (rear yard)	11.47 m

Retaining wall height:	Maximum height in a yard setback	1.2 m
	Proposed height in the rear yard and interior side yards setback	3.5 m

The proposed front yard setback is to the garage face (3.21 m from the property line) while the main entrance steps back to approximately 6.51 m from the property line. It is unlikely that there will be development across from the duplex on the east side of Townley Street and by providing a larger side yard setback (than the minimum 1.5 m) the intent is to not impose on the adjacent neighbours.

The existing RM3 zoning permits a building 24 m in height, which is well above the rear yard height variance being requested. While a variance is requested for the building height based on the rear grade, the massing from the street will still be under the required building height for the RD2 zone.



As a result of the existing topography a retaining wall is required in the rear yard. We are proposing a 3.5 m high retaining wall which will then provide a relatively flat rear yard for use by the occupants of the duplex and suites. As the retaining wall is in the rear yard we do not believe it would impede on any adjacent properties nor detract from the development.

If you have any questions or require additional information, please contact my office.

Regards,

A handwritten signature in black ink, appearing to read 'H. Shedden', with a horizontal line underneath.

Heather Shedden
MCIP, RPP, BAAID
203-166 Main
Street Penticton
BC V2A 5A4
250.486.1481
heather@pspace.ca

Attachment F – Building Rendering



Figure 7: Front (East Elevation)

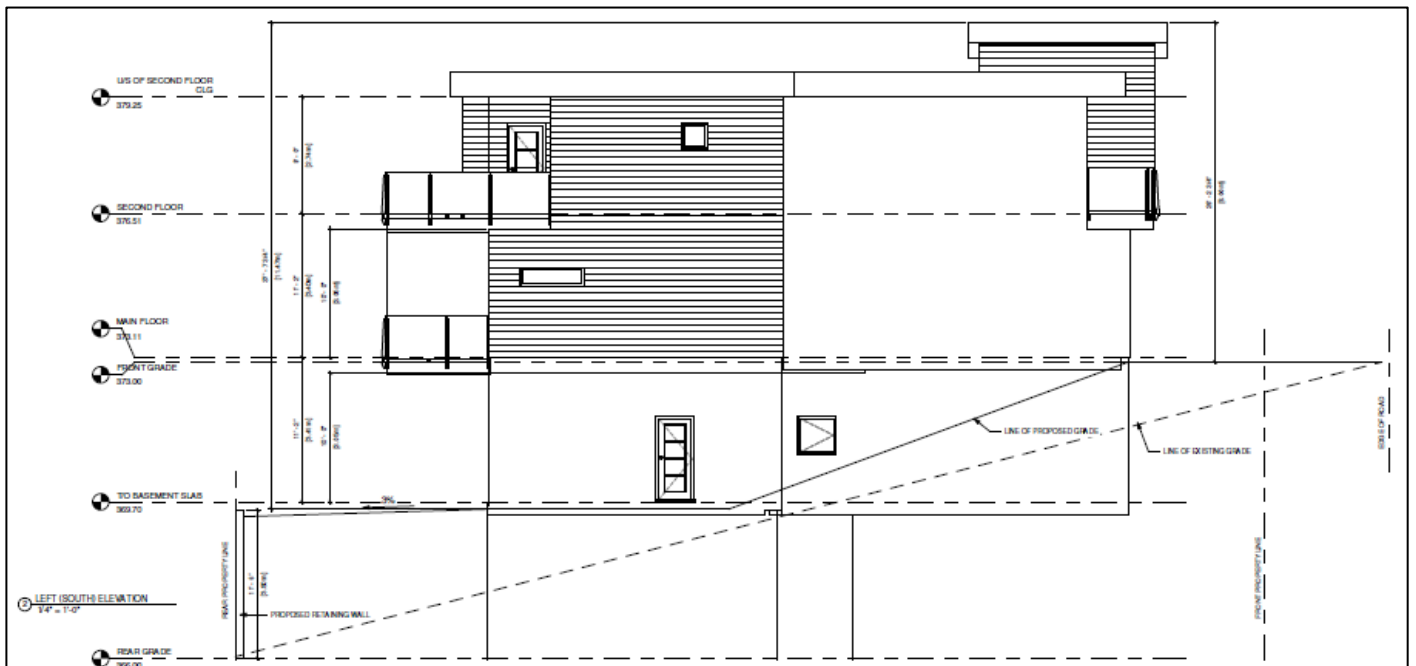


Figure 8: Side Elevation (South)

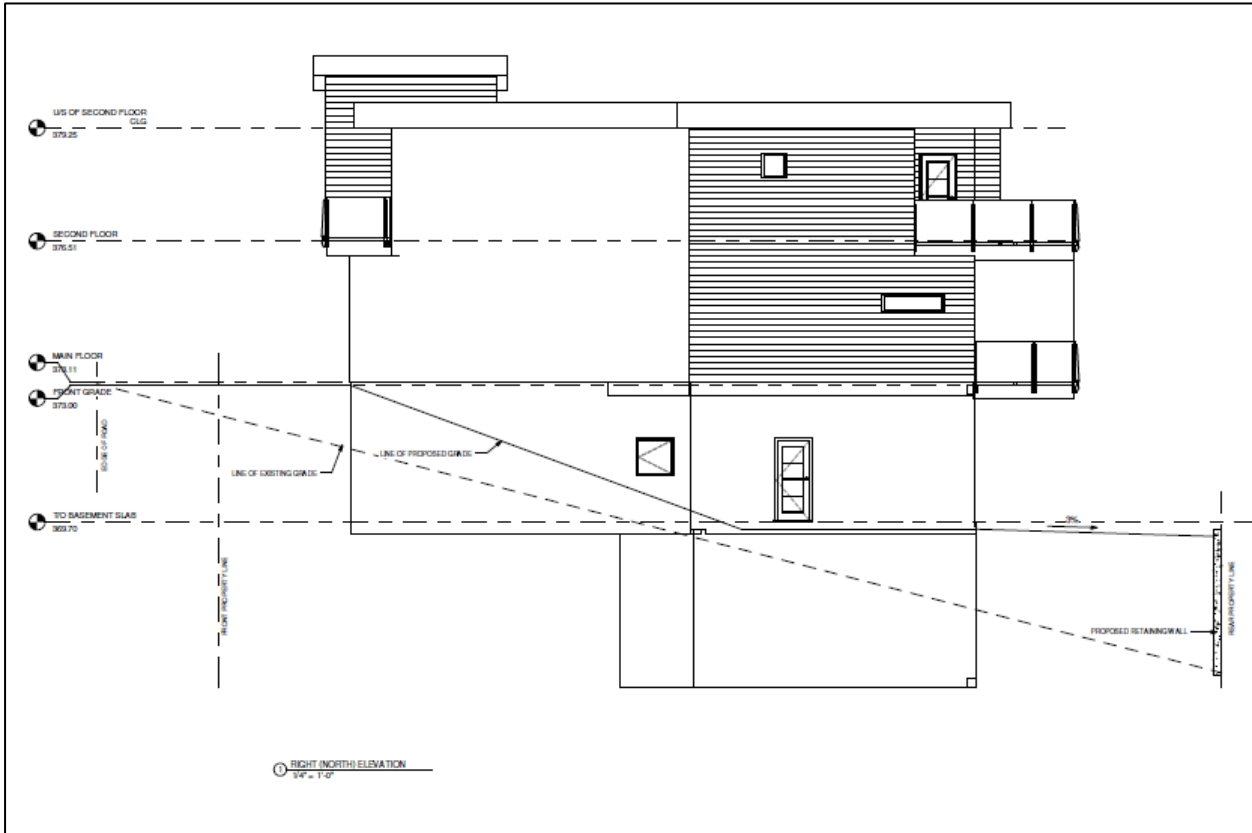


Figure 8: Side Elevation (North)

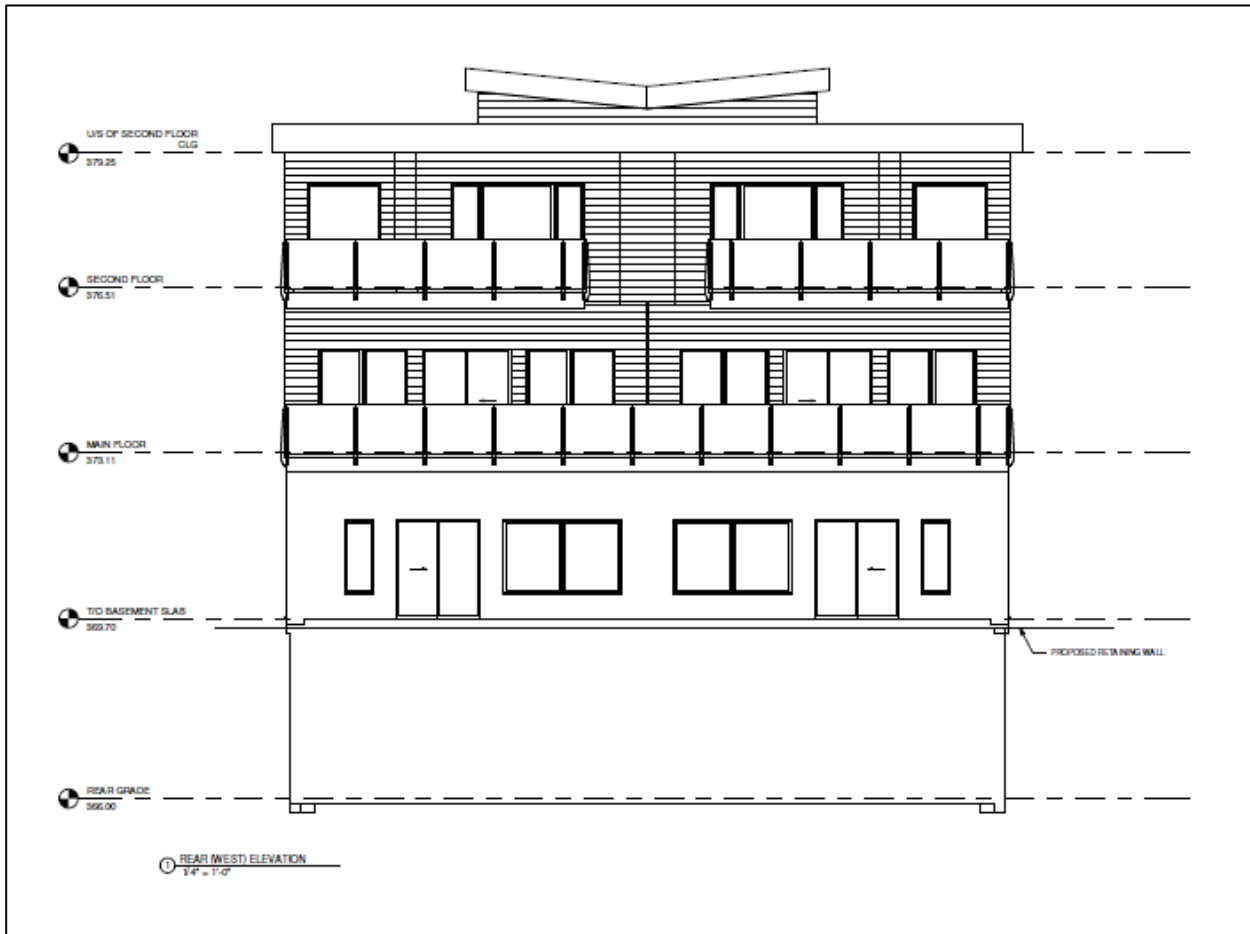
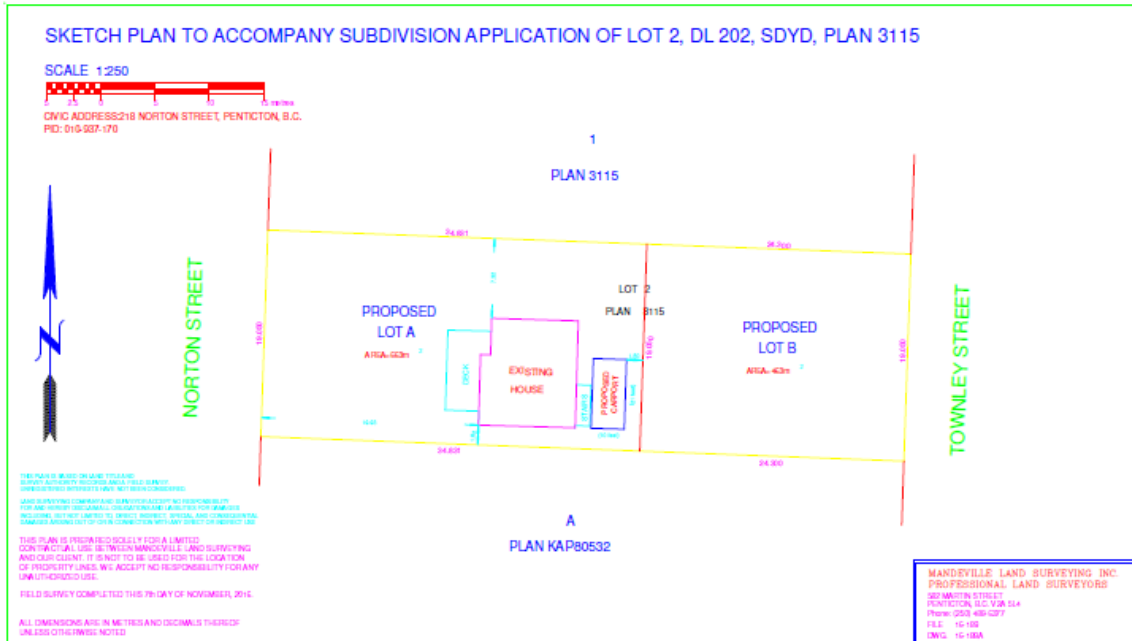


Figure 9: Rear (West Elevation)

Attachment H: Proposed Subdivision



Attachment I: DVP



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

Development Variance Permit

Permit Number: DVP PL2016-7797

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 202, Similkameen Division Yale District, Plan 3115
Civic: 218 Norton Street
PID: 010-937-170
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2011-23 as shown in the plan attached in Schedule "A":
 - Section 10.6.2.3.: To vary the maximum lot coverage from 40% to 45%
 - Section 10.6.2.6.: Decrease the minimum front yard from 4.5m to 3m
 - Section 10.6.2.5.: Increase the maximum height from 10.5m to 11.5m
 - Section 5.6.2.: Increase the maximum height of retaining walls within required yard from 1.2m to 3.5m

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 day of July, 2017

Issued this ____ day of _____, 2017

Dana Schmidt,
Corporate Officer

Bylaw No. 2017-40

A Bylaw to Amend Zoning Bylaw 2017-08

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 2017-08;

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. 2017-40".

2. **Amendment:**

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone Lot 2, District Lot 202, Similkameen Division Yale District, Plan 3115, located at 218 Norton Street from RM3 (Medium Density Multiple Housing) to RD2 (Duplex Housing: Lane).

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

READ A FIRST time this	20	day of	June, 2017
A PUBLIC HEARING was held this	4	day of	July, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
ADOPTED this		day of	, 2017

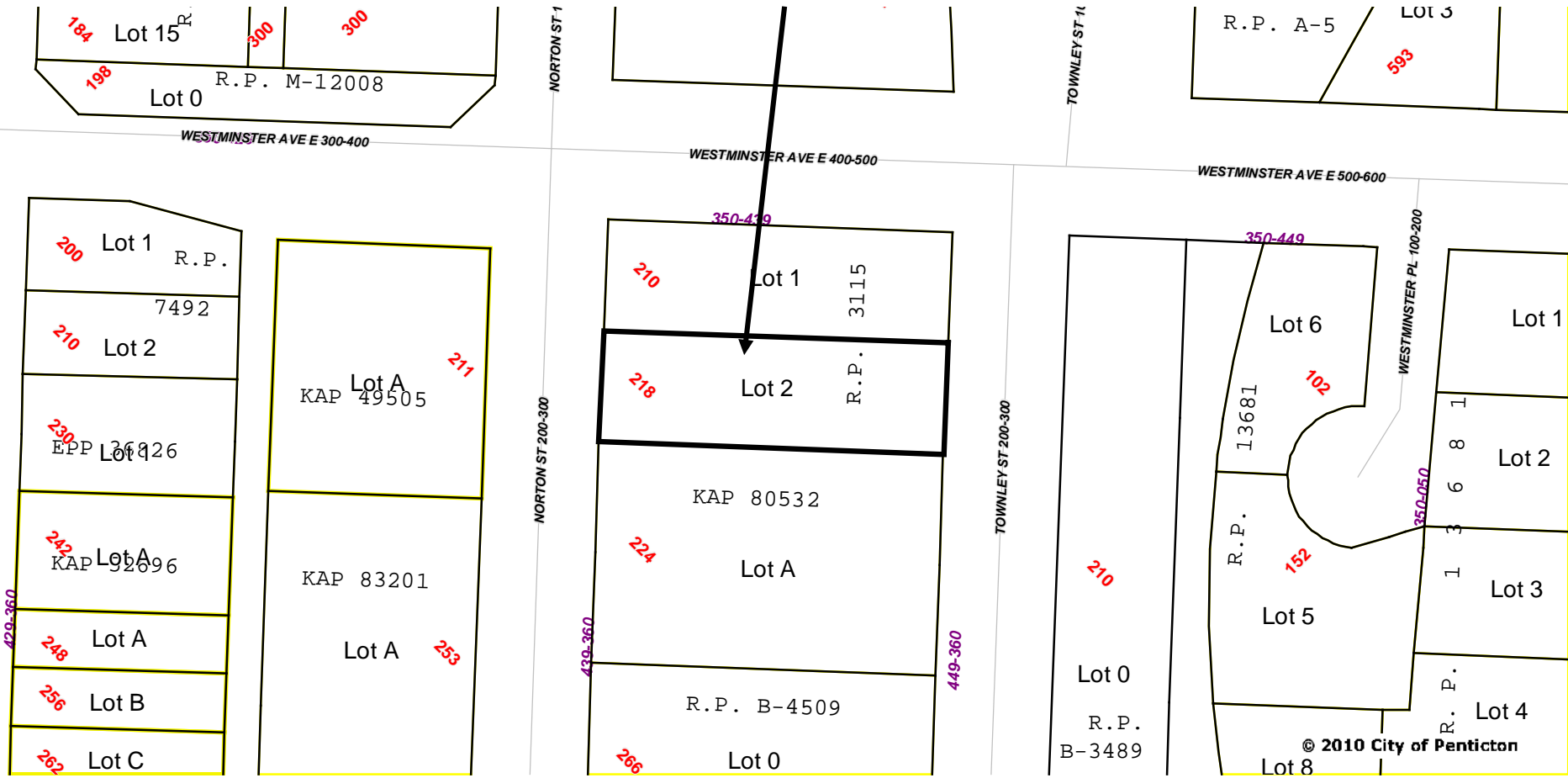
Notice of intention to proceed with this bylaw was published on the 23 day of June, 2017 and the 28 day of June, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 218 Norton Street

From RM3 (Medium Density Multiple Housing) to RD2 (Duplex Housing)



City of Penticton – Schedule 'A' Zoning Amendment Bylaw No. 2017-40

Date: _____ Corporate Officer: _____

- 24 -

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

Tuesday, June 20, 2017
at 1:00 p.m.

Resolutions

- 14.2 Official Community Plan Amendment Bylaw No. 2017-41
Zoning Amendment Bylaw No. 2017-42
DVP PL2017-7930 & DP PL2017-7931
Re: 102 Cossar Avenue

370/2017

It was MOVED and SECONDED

THAT prior to consideration of OCP Amendment Bylaw No. 2017-41 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. 2017-41", being a bylaw to amend "OCP Bylaw No. 2002-20" changing the OCP designation on Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, shown as Attachment 'B' of this report, from HR (High Density Residential) to MR (Medium Density Residential); be introduced, given first reading and forwarded to the July 4, 2017 Public Hearing.

THAT "Zoning Amendment Bylaw No. 2017-42," being a bylaw to Rezone Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the July 4, 2017 Public Hearing.

THAT delegations and submissions for "Development Variance Permit PL2017-7930" for Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, a permit to waive the requirements to provide trees in the landscape buffer area, to decrease the minimum west interior yard from 3.0m to 1.5m, and to decrease the minimum east interior yard from 3.0m to 2.4m, be heard at the July 4, 2017 public hearing;

AND THAT Council consider "DVP PL2017-7930" following the adoption of "Zoning Amendment Bylaw No. 2017-42".

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-42," approve Development Permit PL2017-7931 for Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, a permit that allows for the construction of a four-unit townhouse.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: June 20, 2017
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 102 Cossar Avenue

File No: OCP PL2017-7928
RZ PL2017-7929
DVP PL2017-7930
& DP PL2017-7931

Subject: **OCP Amendment Bylaw No. 2017- 41**
Zoning Amendment Bylaw No. 2017-42
Development Variance Permit PL2017-7930
Development Permit PL2017-7931

Staff Recommendation

Official Community Plan Amendment

THAT prior to consideration of OCP Amendment Bylaw No. 2017-41 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. 2017-41", being a bylaw to amend "OCP Bylaw No. 2002-20" changing the OCP designation on Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, shown as Attachment 'B' of this report, from HR (High Density Residential) to MR (Medium Density Residential); be introduced, given first reading and forwarded to the July 4, 2017 Public Hearing.

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2017-42," being a bylaw to Rezone Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the July 4, 2017 Public Hearing.

Development Variance Permit

THAT delegations and submissions for "Development Variance Permit PL2017-7930" for Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, a permit to waive the requirements to provide trees in the landscape buffer area, to decrease the minimum west interior yard from 3.0m to 1.5m, and to decrease the minimum east interior yard from 3.0m to 2.4m, be heard at the July 4, 2017 public hearing;

AND THAT council consider "DVP PL2017-7930" following the adoption of "Zoning Amendment Bylaw No. 2017-42".

Development Permit

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-42," approve Development Permit PL2017-7931 for Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, a permit that allows for the construction of a four-unit townhouse.

Strategic priority objective

N/A

Background

The subject property (Attachment A) is currently designated in the Official Community Plan as HR (High Density Residential) and is also zoned RD2 (Duplex Housing: Lane). Photos of the site are included as Attachment D. The site is approximately 625m² (6727ft²) and features a single detached dwelling with accessory structures. Surrounding properties are zoned RD2 (Duplex Housing: Lane), RM2 (Low Density Multiple Housing) and RM3 (Medium Density Multiple Housing). The majority of properties along Cossar Avenue are designated HR (High Density Residential) by the City's Official Community Plan except for 134 Cossar Avenue which recently changed its OCP designation from HR (High Density Residential) to MR (Medium Density Residential) to construct two duplexes. Housing in this neighbourhood is slowly being replaced with denser forms of construction, although not as dense as originally envisioned by the OCP, largely in part due to the parcel configuration and individual ownership that exists. Other redevelopment in the immediate area features townhouses, duplexes and multi-family development.

Proposal

The developer is proposing to construct a four-unit townhouse. Each townhouse will be approximately 1,100ft² with living area on the main level and 2 or 3 bedrooms on the second level. Due to the irregular shape of the lot, three units will front Cossar Avenue and the fourth will front the rear lane (Attachment G). Since a townhouse is not a permitted use in the RD2 (Duplex Housing: Lane) zone, a rezoning to RM2 (Low Density Multiple Housing) is required.

Secondly, the applicant is proposing the following amendments to the Official Community Plan Bylaw 2002-20:

- ‘Schedule B: Future Land Use Map’ to change the OCP designation of the site (as identified on Attachment B of this report) from HR (High Density Residential) to MR (Medium Density Residential).

Thirdly, the applicant is seeking a Development Variance Permit to vary the following sections of Zoning Bylaw 2017-08:

- Section 5.3.1.1: To waive the requirements to provide trees in the landscape buffer area.
- Section 10.8.2.7.i: to decrease the minimum west interior yard from 3.0m to 1.5m.
- Section 10.8.2.7.i: to decrease the minimum east interior yard from 3.0m to 2.4m.

Lastly, the property is located within the High Density Development Permit area and requires approval for the form and character of the townhouse and to address landscaping requirements.

Public consultation

Staff are not recommending any further consultation above and beyond the Public Hearing. The proposed development is similar to other recent developments in the area, in which Council and staff have received opinion from the surrounding neighbourhood on other occasions. Furthermore, the development represents a reduction in density.

Project Specifications

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

Item	Requirement RM2 Zone	Provided on Plans
Maximum Lot Coverage:	40%	33%
Minimum Lot Width	18m	32.28m
Minimum Lot Area	540m ²	625m ²
Maximum Density:	0.8 FAR	0.66 FAR
Vehicle Parking:	1 space per unit (4 spaces) + 0.25 per unit for visitor (1 space)	5 spaces
Required Setbacks		
Front yard (North)	3.0m	3.0m
Rear yard (South)	6.0m	6.0m
Interior Side yard (West)	3.0m	1.5m (variance required)
Interior Side yard (East)	3.0m	2.4m (variance required)
Maximum Building Height:	12m	8.2m
Other Information:	Property is located in the High Density Development Permit Area	

Development Engineering Review

This application was forwarded to the City’s Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Staff had concerns with the angle of the parking spaces and screening requirements. These items were addressed by the developer. Frontage upgrades including curb, gutter and

sidewalk will be required at the developer's expense. Electrical and water services require upgrading at the developer's expense. The existing 100mm sanitary service may require upgrading, depending on the fixture count. These items have been communicated to the applicant and will be addressed at the building permit stage.

Financial implication

N/A

Analysis

OCP & Zoning Amendment

Support OCP and Zoning amendment

The subject property is designated High Density Residential (HR) under OCP Bylaw 2002-20. Schedule K of the OCP also recognizes that the site lies within the "Plaza Urban Village". The Plaza village is centered behind the Safeway plaza and is well connected to the downtown via the KVR trail, which currently ends by the subject property. The OCP envisions ongoing small scale densification on the lands north of the Plaza Urban Village; but also contains an area of high density residential development between the mall and Fairview Road, on Cossar Avenue. Although the City's OCP projected higher density in this area, staff considers that the Medium Density Residential (MR) designation will achieve the intent of small scale densification of this area and is more compatible with adjoining land uses. The character of the neighborhood will slowly change as this is an area that is seeing redevelopment through replacement of older residential building stock over time. The proposal adds to the already diverse range of housing, types, tenures and densities of this area.

In summary, the development meets the following objectives of the OCP:

- Encourage residential intensification near commercial activities and in the urban villages;
- Provide for the integration of new medium density development adjacent to lower density development;
- Encourage densification in areas where existing services can accommodate higher densities; and
- Encourage a wide range of Medium Density Residential housing, including cluster housing and compact housing.

Staff considers that the design is appropriate and consistent with the redevelopment trend in the area. The location of the site and characteristics of the surrounding neighbourhood make it ideally suited for residential densification. For the reasons mentioned above, staff are recommending that Council support the land use designation change, as provided in this report and refer the application to the July 4, 2017 Public Hearing.

Deny/Refer

Council may consider that the proposed amendments are not suitable for this site. If this is the case, Council should deny the bylaw amendments. If the OCP and zoning amendments do not go forward, the property will be restricted to one duplex with suites if so desired. 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 Variances

When considering a variance to a City bylaw, staff encourages Council to consider whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. The proposed variances are as follows:

Section 5.3.1.1: To waive the requirements to provide trees in the landscape buffer area.

- The applicant has provided the required number of shrubs in the buffer area, but is requesting to waive the requirements to provide trees in the buffer area. A 1.5m (5ft) setback is not enough space to plant trees as it could cause issues between neighbours and block fire access. The applicant is providing 7 trees throughout the rest of the development. As depicted in *Figure 7*, the neighbour impacted by this variance has landscaping and a driveway acting as a buffer between the proposed development and their residence. Council has recently supported a similar variance. Given the above, it is reasonable to support the waiving of providing trees in the landscape buffer area. As a note, this variance is not for waiving the requirements for trees in the entire development, but only waiving the requirement for trees in the buffer area – 7 new trees are proposed as part of this development.

Section 10.8.2.7.i: to decrease the minimum west interior yard from 3.0m to 1.5m.

- The applicant is requesting a 1.5m interior setback reduction along the west property line. The height of the proposed building (8.2m) is much less than the 12.0m permitted, thus reducing the impact on the neighbours. Under the current RD2 (Duplex Housing: Lane), a developer could construct a duplex with suites with a 1.5m setback. In 2016, Council approved a variance to both interior yards from 3.0m to 1.5m for the duplexes constructed at 134 Cossar Avenue (*Attachment K*). The proximity of those duplexes to the adjacent residence is much closer than the proposed development to the adjacent house. For the reasons above, it is reasonable to support this variance.

Section 10.8.2.7.i: to decrease the minimum east interior yard from 3.0m to 2.4m.

- The applicant is requesting a variance of the interior side yard along the lane from 3.0m to 2.4m. Staff feel that a 0.6m variance is minimal and since it is along a lane, it should have no negative impacts on the neighbours. Staff do not see any sight line or visibility concerns because it is a lane and not a street. Technically a six-foot fence could be constructed along that property line which would cause more concerns. For this reason, staff recommend support of the variance.

Development Variance Permit

Deny/Refer Variances

Council may consider that the proposed variances will negatively affect the neighborhood, in particular the adjacent neighbour. Council may decide that the developer should reduce the size and or/ number of units to meet the setbacks. If this is the case, Council should deny the variances.

Development Permit

Support Development Permit

The subject property is located within the High Density Development Permit Area. As a consequence, a Development Permit is required. Although this Development Permit can be staff-issued, it has been included in this report for Council's decision in order to streamline the approvals process. The Development Permit Area guidelines are intended to address the form and character of new multi-family buildings. The current proposal addresses the intent of the Development Permit Area as highlighted below:

- The entrances have a street orientation with picture windows, creating an aesthetically pleasing connection to the street.
- The landscape plan features a variety of different plants, flowers and trees.
- Garbage and recycling bins will be screened within an enclosure.
- Each unit has private patio space which is screened from surface parking spaces.

Staff consider that the plans submitted meet the intent of the DPA guidelines and generally conform to the zoning bylaw. 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 give first readings to "OCP Amendment Bylaw No.2017-41" and "Zoning Amendment Bylaw No. 2017-42" but deny support to "Development Variance Permit PL2017-7930 and Development Permit PL2017-7931."
2. THAT Council give first reading to "OCP Amendment Bylaw No. 2017-41" and deny first reading of "Zoning Amendment Bylaw No. 2017-42."

Attachments

- Attachment A: Subject Property Location Map
- Attachment B: OCP Map
- Attachment C: Zoning Map
- Attachment D: Photos of Subject Property
- Attachment E: Letter of Intent
- Attachment F: Elevations
- Attachment G: Site Plan
- Attachment H: Landscape Plan
- Attachment I: Floor Plans
- Attachment J: Renderings
- Attachment K: Duplexes at 134 Cossar Avenue
- Attachment L: DVP PL2017-7930
- Attachment M: DP PL2017-7931
- Attachment N: OCP Amendment Bylaw No. 2017-41
- Attachment O: Zoning Amendment Bylaw No. 2017-42

Respectfully submitted,

Randy Houle
Planner I

Approvals

Director <i>AH</i>	CAO
---------------------------	-----

Attachment A - Subject Property Location Map



Figure 1: Subject Property Location Map

Attachment B - OCP Map

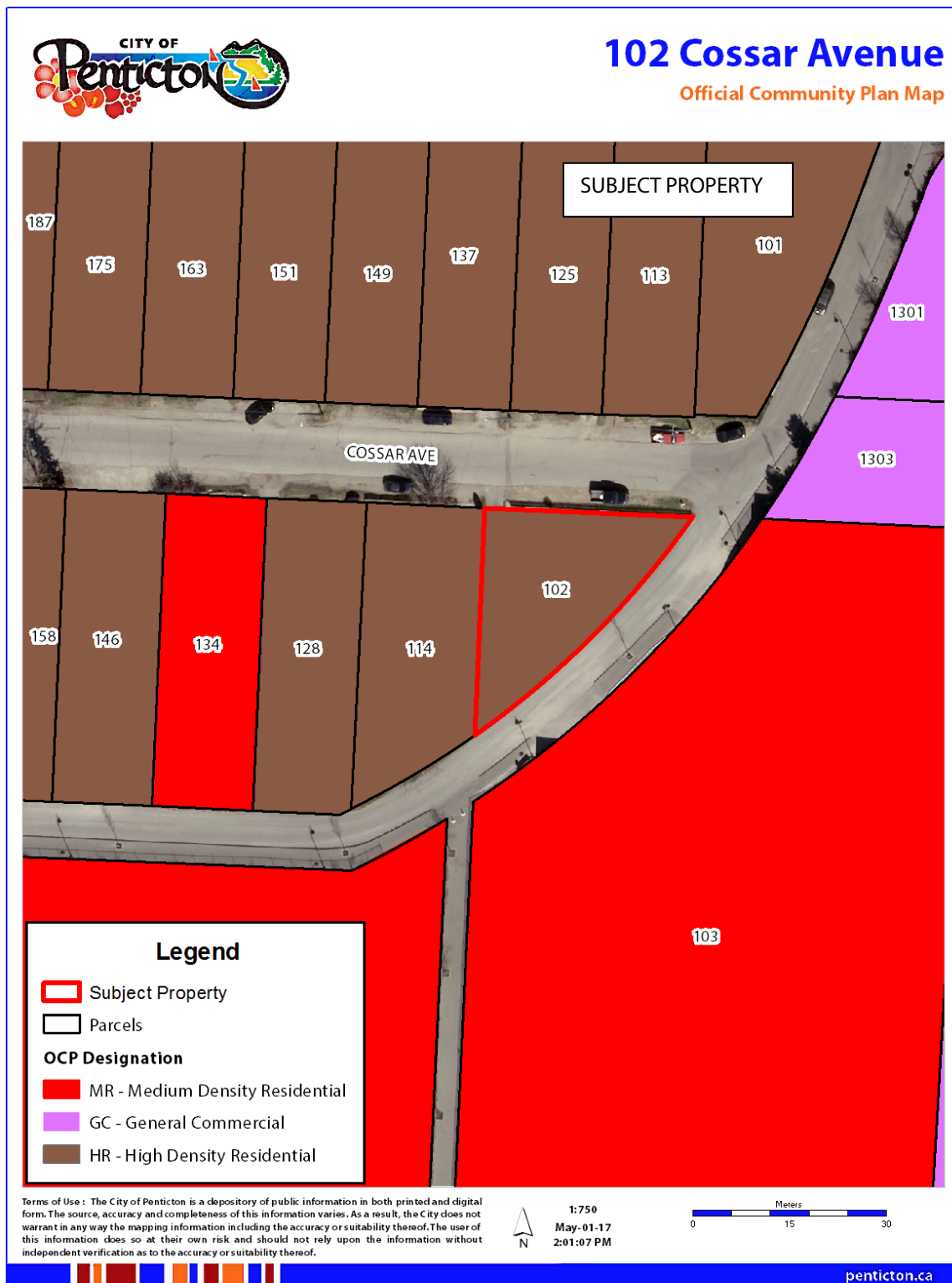


Figure 2: OCP Map

Attachment C - Zoning Map

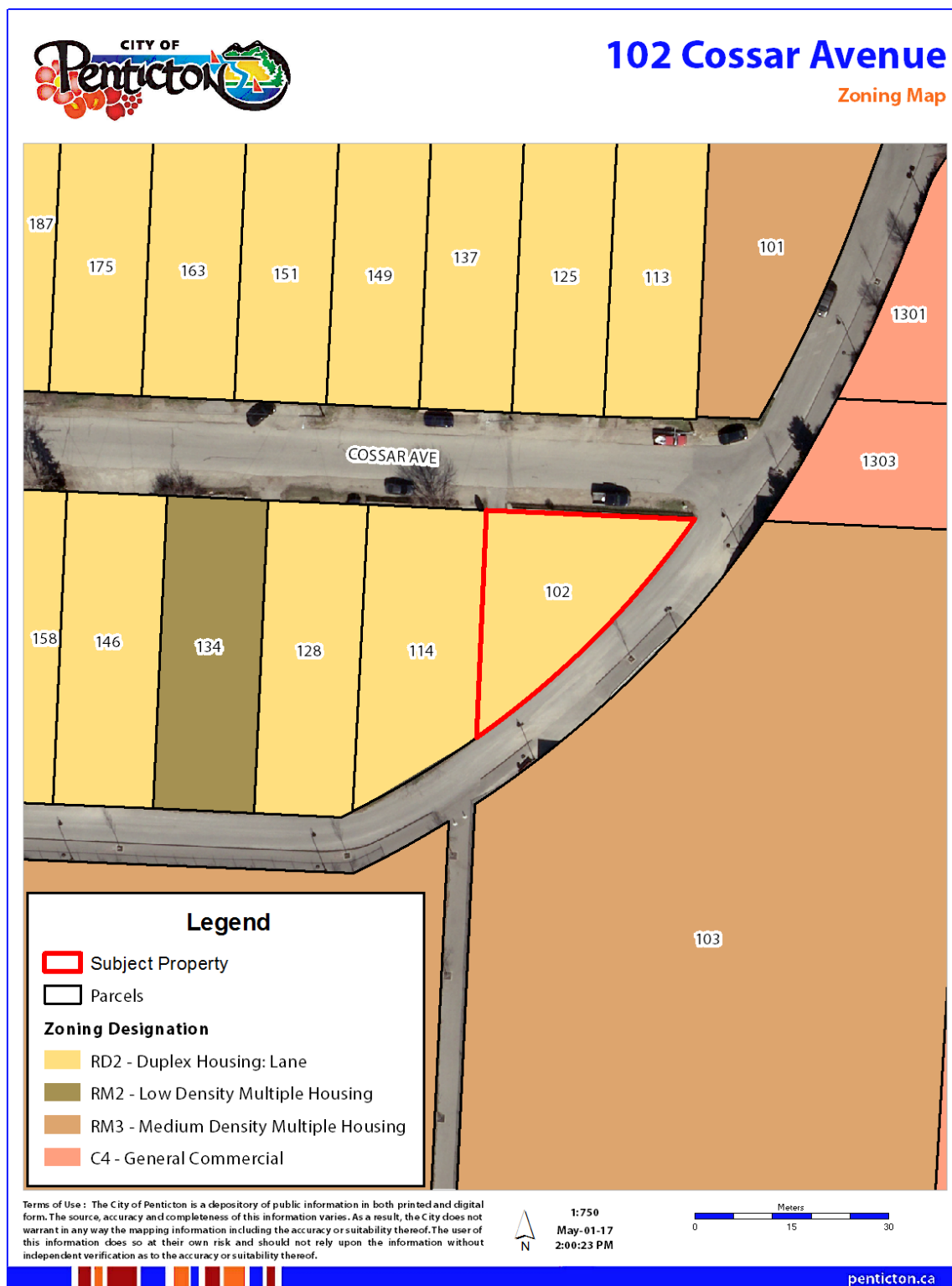


Figure 3: Zoning Map

Attachment D – Photos of Subject Property



Figure 4: North Elevation (From Cossar Avenue)



Figure 5: View from North East Corner



Figure 6: South Elevation



Figure 7: West Neighbouring Property

Attachment E –Letter of Intent



Figure 8: Letter of Intent

Attachment F – Building Elevations



Figure 9: North Elevation (from Cossar Avenue)



Figure 10: South Elevation (from lane)

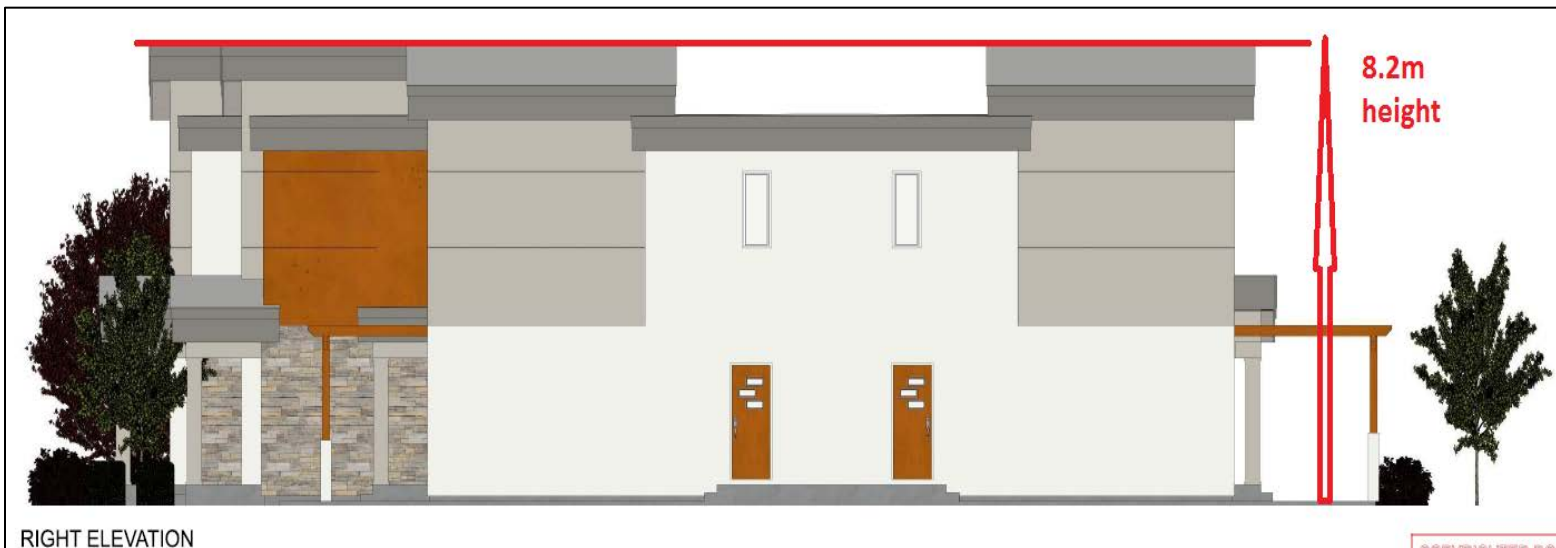


Figure 11: West Elevation (from neighbours)



Figure 12: East Elevation (from lane)

Attachment G: Site Plan

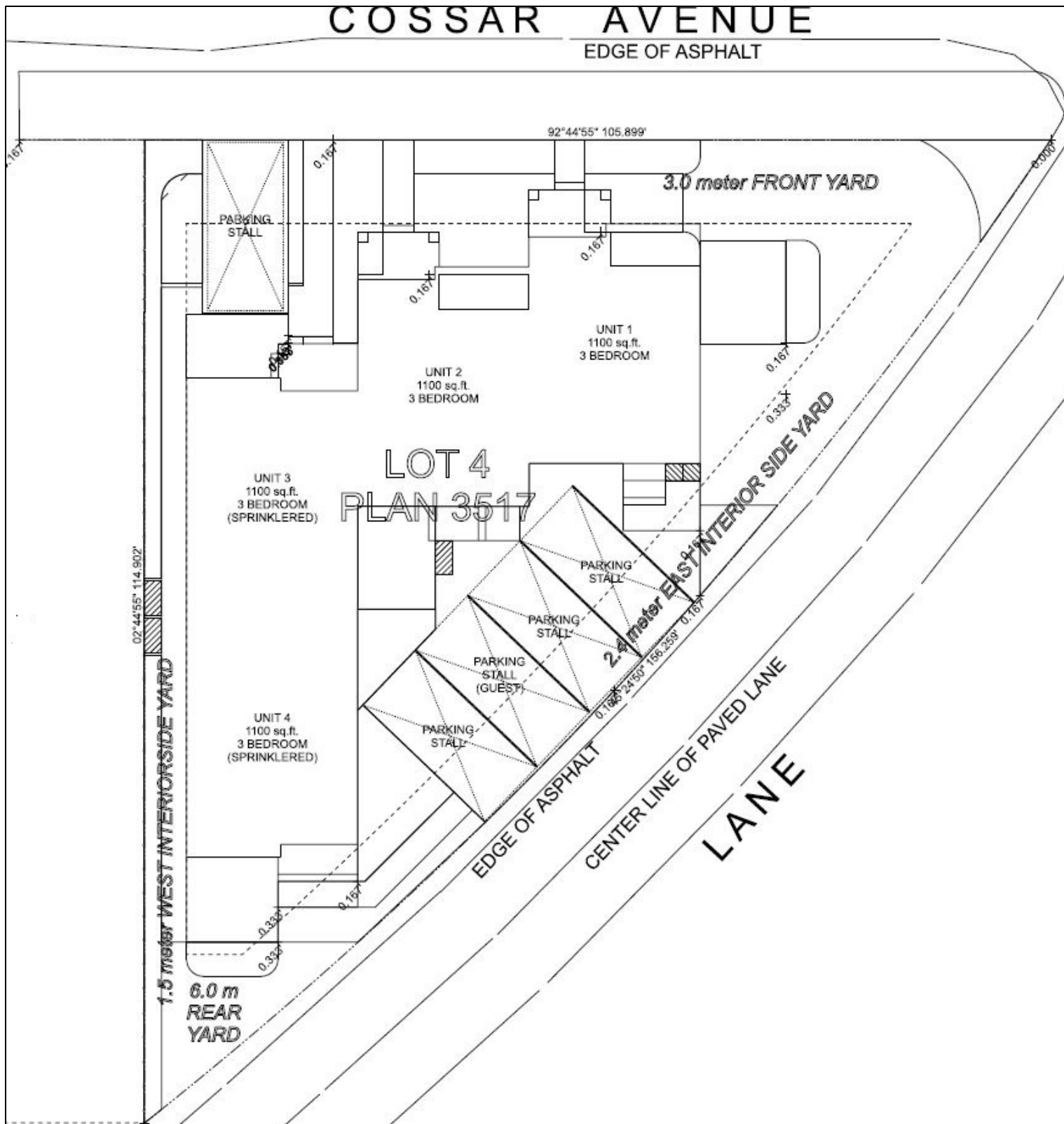


Figure 14: Landscape Plan

Attachment I: Floor Plans

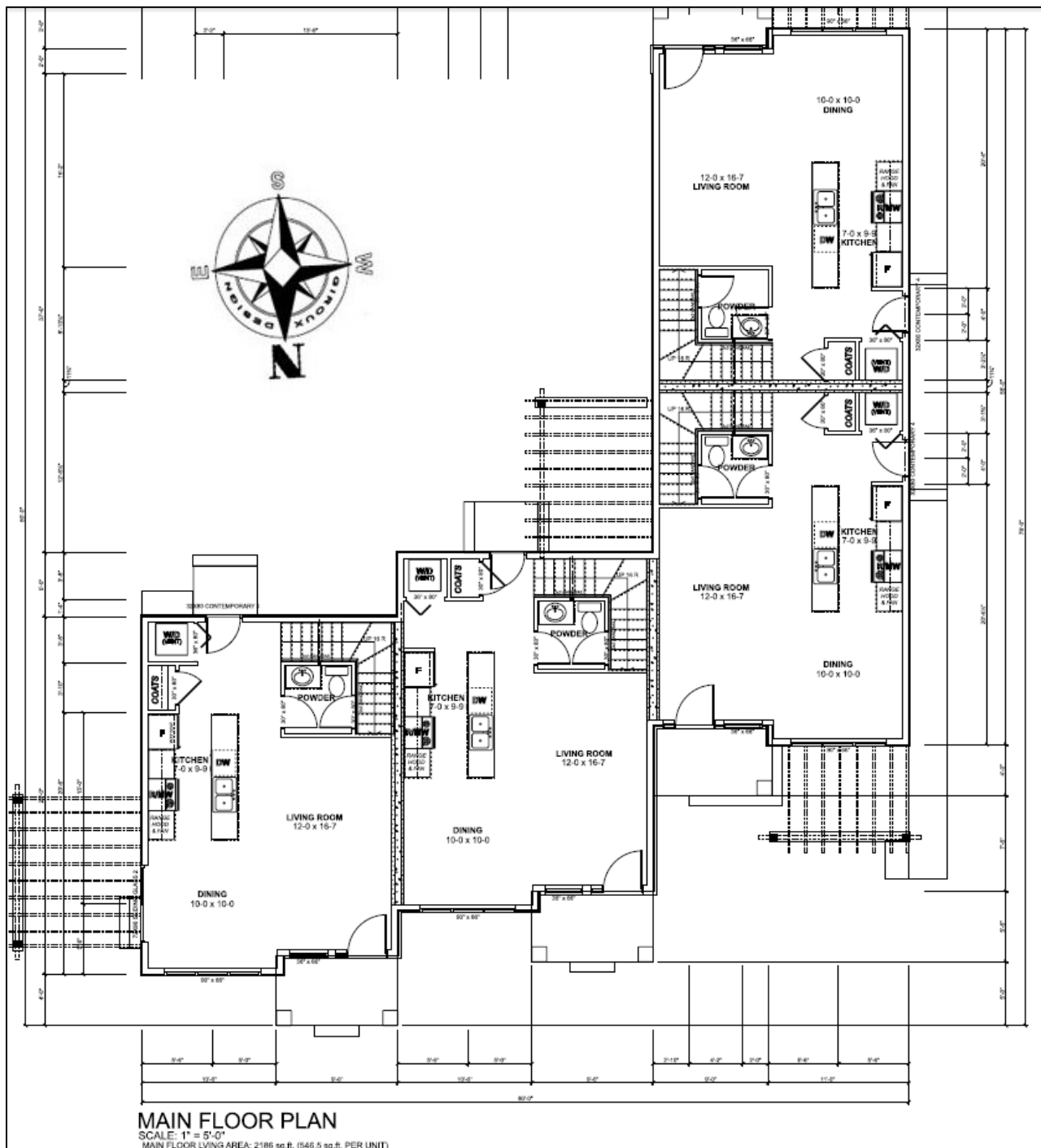


Figure 15: Main Floor Plan

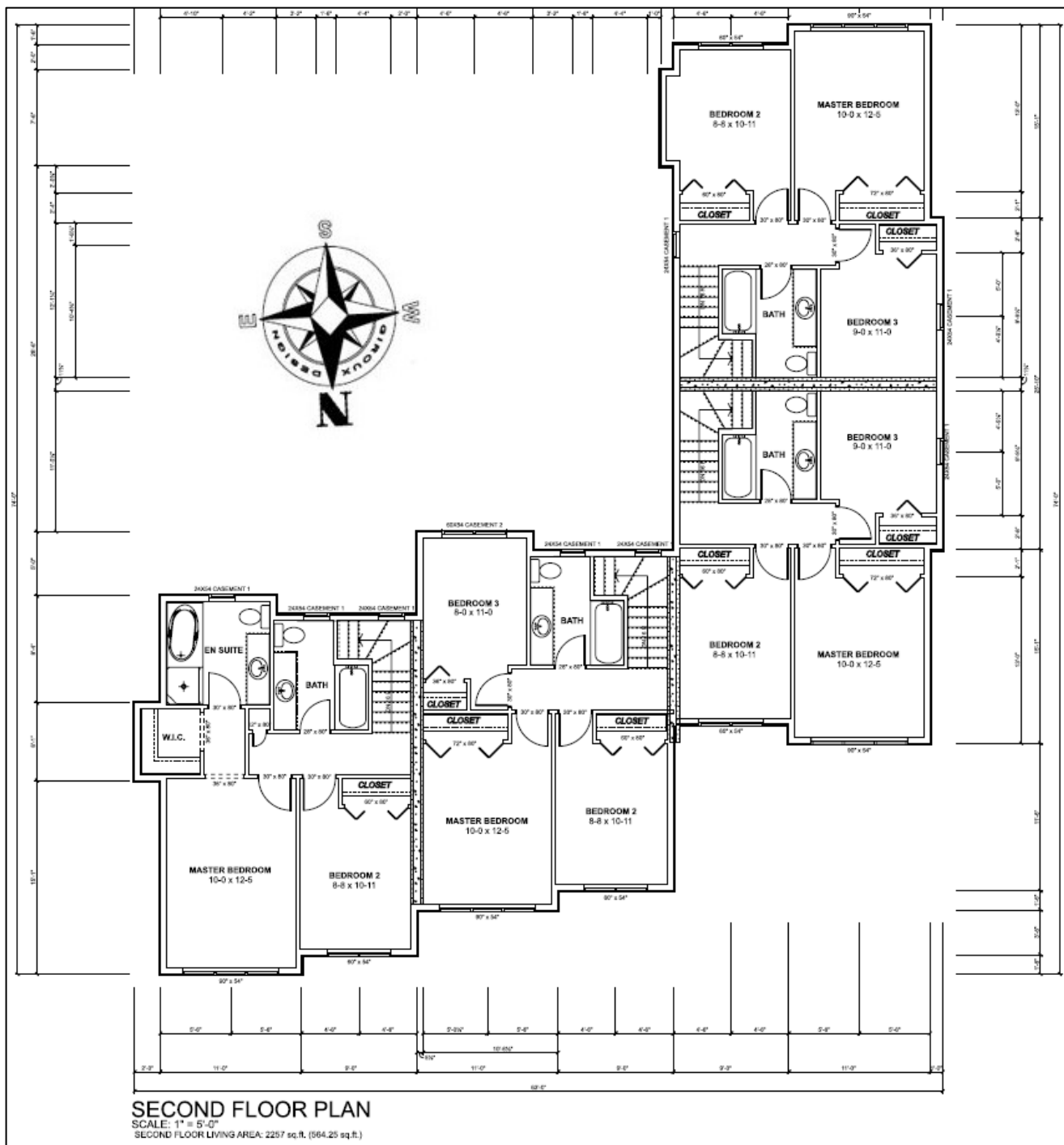


Figure 16: Second Storey Floor Plan

Attachment J: Renderings



Figure 17: View from Cossar



Figure 18: View from Back Lane

Attachment K: Duplexes at 134 Cossar Avenue



Figure 19: Street view of 134 Cossar Avenue showing proximity to adjacent dwelling



Figure 20: Lane view of 134 Cossar Avenue showing proximity to adjacent dwelling



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

Development Variance Permit

Permit Number: DVP PL2017-7930

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 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District
And Of District Lot 250 Similkameen Division Yale District Plan 3517
Civic: 102 Cossar Avenue
PID: 010-844-864
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 four-unit townhouse as shown in the plans attached as Schedule 'A'.
 - Section 5.3.1.1: To waive the requirements to provide trees in the landscape buffer area.
 - Section 10.8.2.7.i: to decrease the minimum west interior yard from 3.0m to 1.5m.
 - Section 10.8.2.7.i: to decrease the minimum east interior yard from 3.0m to 2.4m.

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 __ day of July, 2017

Issued this ____ day of _____, 2017

Dana Schmidt,
Corporate Officer



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

Development Permit

Permit Number: DP PL2017-7931

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 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District
And Of District Lot 250 Similkameen Division Yale District Plan 3517
Civic: 102 Cossar Avenue
PID: 010-844-864
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a four-unit townhouse, 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 \$8072.93 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
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 __ day of July, 2017

Issued this ____ day of _____, 2017

Dana Schmidt,
Corporate Officer

Bylaw No. 2017-41

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. 2017-41."

2. Amendment:

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

2.1 Amend Schedule 'B' Future Land Use designation for Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, identified in Schedule A of this bylaw, from HR (High Density Residential) to MR (Medium Density Residential).

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

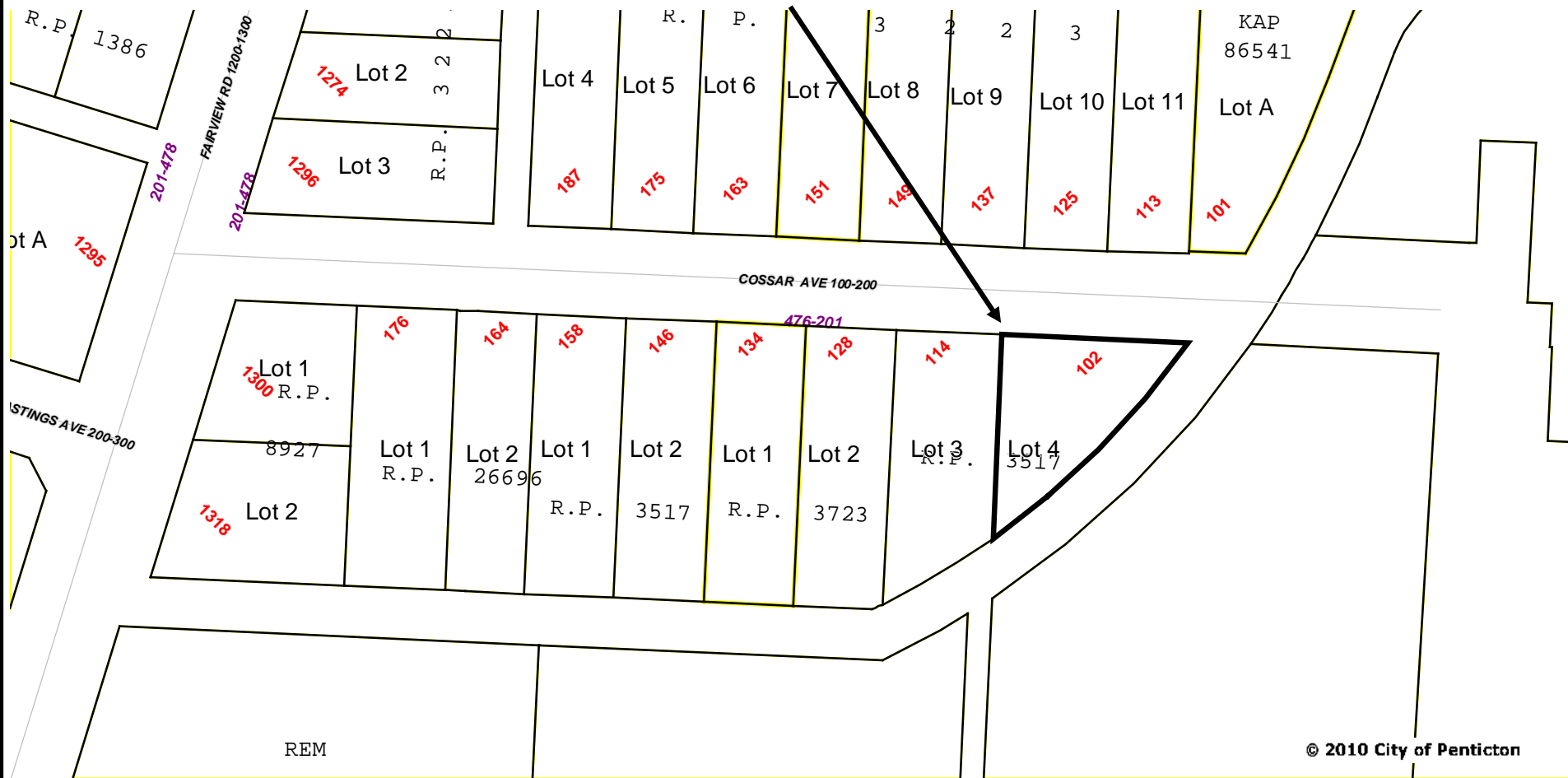
READ A FIRST time this 20 day of June, 2017
A PUBLIC HEARING was held this 4 day of July, 2017
READ A SECOND time this day of , 2017
READ A THIRD time this day of , 2017
ADOPTED this day of , 2017

Notice of intention to proceed with this bylaw was published on the 23 of June, 2017 and the 28 of June, 2017 in the Penticton newspapers, pursuant to Section 94 of the Community Charter.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Amend the OCP Designation of 102 Cossar Avenue From HR (High Density) to MR (Medium Density Residential)



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2017-41

Date: _____

Corporate Officer: _____

Bylaw No. 2017-42

A Bylaw to Amend Zoning Bylaw 2017-08

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 2017-08;

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. 2017-42".

2. Amendment:

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone Lot 4, District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District And Of District Lot 250 Similkameen Division Yale District Plan 3517, located at 102 Cossar Avenue, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	20	day of	June, 2017
A PUBLIC HEARING was held this	4	day of	July, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
RECEIVED the approval of the		day of	, 2017
Ministry of Transportation on the			
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 23 day of June, 2017 and the 28 day of June, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the Community Charter.

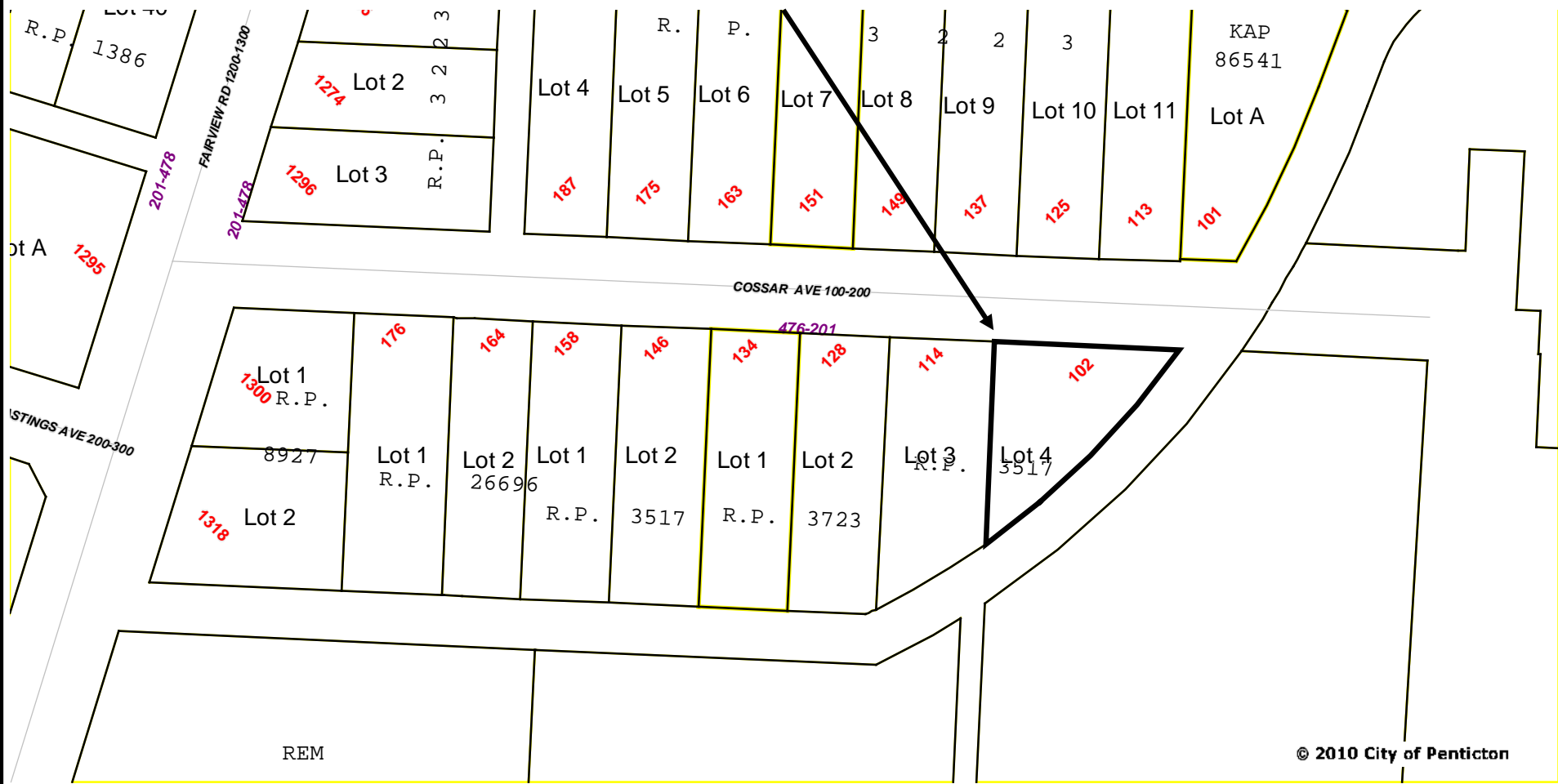
<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i> this _____ day of _____, 2017</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure</p>

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 102 Cossar Avenue

From RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing)



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City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-42

Date: _____

Corporate Officer: _____

- 54 -

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

Tuesday, June 20, 2017
at 1:00 p.m.

Resolutions

- 14.3 Zoning Amendment Bylaw No. 2017-43
DVP PL2017-7969
Re: 602/640 Eckhardt Avenue W

371/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-43," being a bylaw to rezone Lot A District Lots 2 and 4 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 35373, located at 602 Eckhardt Avenue West, and to rezone Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 7039, located at 640 Eckhardt Avenue West from C7 (Service Commercial) to CT1 (Tourist Commercial), be given first reading and forwarded to the July 4, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-43," the following conditions are met:

1. a 2.9m road dedication and 5.0m x 5.0m northeast corner cut is registered with the Land Title Office;
2. the subject lots are consolidated and registered with the Land Title Office;
3. a transportation impact assessment is submitted.

THAT delegations and submissions for Development Variance Permit PL2017-7969 for Lot A District Lots 2 and 4 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 35373, located at 602 Eckhardt Avenue West, and Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 7039, located at 640 Eckhardt Avenue West, a permit to increase the maximum height from 12.0m to 13.5m and to waive the requirement for bicycle parking, be heard at the July 4, 2017 Public Hearing. AND THAT Council consider DVP PL2017-7969 following the adoption of Zoning Amendment Bylaw No. 2017-43."

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: June 20, 2017
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 602 & 640 Eckhardt Avenue West

File No: RZ PL2017-7927
& DVP PL2017-7969

**Subject: Zoning Amendment Bylaw No. 2017-43
Development Variance Permit PL2017-7969**

Staff Recommendation

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2017-43," being a bylaw to rezone Lot A District Lots 2 and 4 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 35373, located at 602 Eckhardt Avenue West, and to rezone Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 7039, located at 640 Eckhardt Avenue West from C7 (Service Commercial) to CT1 (Tourist Commercial), be given first reading and forwarded to the July 4, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-43," the following conditions are met:

1. a 2.9m road dedication and 5.0m x 5.0m northeast corner cut is registered with the Land Title Office;
2. the subject lots are consolidated and registered with the Land Title Office;
3. a transportation impact assessment is submitted.

Development Variance Permit

THAT delegations and submissions for Development Variance Permit PL2017-7969 for Lot A District Lots 2 and 4 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 35373, located at 602 Eckhardt Avenue West, and Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 7039, located at 640 Eckhardt Avenue West, a permit to increase the maximum height from 12.0m to 13.5m and to waive the requirement for bicycle parking, be heard at the July 4, 2017 Public Hearing.

AND THAT Council consider DVP PL2017-7969 following the adoption of Zoning Amendment Bylaw No. 2017-43."

Strategic priority objective

N/A

Background

The subject properties (Attachment A) are zoned C7 (Service Commercial) and designated by the City's Official Community Plan as GC (General Commercial). Photos of the site are included as Attachment D. The subject properties are a combined 6,211m² (66,855ft²). The smaller lot (602 Eckhardt Avenue W) has a single family dwelling which is intended to be demolished. The bingo hall is on the larger lot (640 Eckhardt Avenue West) and is intended to be demolished as well. Surrounding properties are designated by the OCP as GC (General Commercial), PR (Parks and Recreation) and MFLD (Multi Family Low Density Residential) King's park is located south of the subject property, with a City parking lot to the east, a used car lot to the west and residential/commercial buildings across the street.

The property is located within the General/Tourist Commercial Development Permit area, thus a development permit is required prior to construction. Additionally, approval must be granted by the Ministry of Transportation prior to adoption of the Zoning Bylaw amendment.

Proposal

The applicant is proposing to construct a four storey, 95-room hotel. The hotel will be a Fairfield by Marriot brand with an indoor pool, hot tub and complimentary breakfast. Vehicle entrances are proposed in the northwest corner of the property and two entries/exits off the east lane. The proposal has 95 parking spaces, which meets the bylaw requiring one (1) space per room. Since *tourist accommodation* is not a permitted use in the C7 (Service Commercial) zone, a rezoning to CT1 (Tourist Commercial) is required.

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

- Section 6.4.3 (Table 6.4): To waive the bicycle parking requirements for a commercial use.
- Section 11.10.2.5: To increase the maximum height from 12.0m to 13.5m.

Financial implication

The construction value and land costs of the project are estimated to be around \$13.8 million. This will contribute approximately \$95,000 a year in general municipal taxes.

Technical Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. The following items have been identified and will need to be addressed as this project moves through the development process:

Transportation Assessment

The City's Development Engineer has identified the need for a transportation impact assessment. Specifically, there is a request to investigate the intersection of Orchard Avenue and Eckhardt Avenue West as well as the proposed entry and exits. This review will need to be submitted to the City prior to final zoning approval. If the report identifies any significant off-site works, these may be a requirement of the developer at a further stage in the process.

Road Dedication

The City's road widening map shows a proposed 2.9m road dedication along Eckhardt Avenue West and 5.0m by 5.0m northeast corner cut that the developer has agreed to dedicate to the City as part of the rezoning process. This widening will help to achieve the desired width of Eckhardt Avenue West.

Lot Consolidation

The proposed hotel will straddle the two lots, thus creating a non-conforming setback situation. As such, staff are recommending that Council make consolidation of the two lots a condition of zoning adoption.

Electrical

Electrical service to the development will be underground from a new pad mount transfer. An easement will be required for city owned equipment on private property including an existing overhead line encroachment on the NE corner.

Engineering

As part of building permit approval, street frontage upgrades (curb letdowns, sidewalk improvements) will be required at the developer's expense. Staff has confirmed that lane upgrade is not required unless damages occur during construction. Standard water and sewer upgrades will be required at the developer's expense. These engineering requirements have been communicated to the developer.

Development Permit

Prior to the issuance of a building permit, the applicant will be required to submit a development permit application which will be required to be approved by Council.

If the requests for the zoning amendment and variance permits are supported, BC Building Code and City bylaw provisions will apply.

Development Statistics

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

Item	Requirement CT1 Zone	Proposed
Maximum Lot Coverage:	40%	21%
Maximum Density:	1.2 FAR	0.84 FAR
Minimum Lot Width:	20.0m	73.67m
Minimum Lot Area:	930m ²	6211m ²
Vehicle Parking:	1 per room (95 total)	95 spaces
Bicycle Parking (Class 1):	1 per 125m ² (42 required)	10 (variance required)
Bicycle Parking (Class 2):	1 per 125m ² (42 required)	10 (variance required)
Required Setbacks		
Front yard (North):	3.0m	23.18m
Rear yard (South):	4.5m	25.41m
Interior yard (East):	0m	3.65m
Interior yard (West):	4.5m	8.0m

Maximum Building Height:	12.0m	13.4m (variance required)
Other Information:	Subject properties are located within the General/Tourist Commercial Development Permit Area. A development permit will follow the rezoning and variance application to be approved by Council.	

Analysis

Zoning Amendment

Support “Zoning Amendment Bylaw No. 2017-43”

The site is situated in an area that promotes commercial development. The OCP designation for this site is General Commercial (GC), which supports tourist accommodation. Staff consider that the zoning amendment to allow for a four storey, 95-unit hotel represents an appropriate use of the land for the following reasons:

- The City’s commercial goals are to work towards achieving a well-balanced economy that provides a range of economic and employment opportunities for the community. The hotel will employ 30 staff plus additional jobs created during construction.
- The OCP encourages development within the general commercial area to integrate and accommodate trees and landscaping, which is the case here.
- The proximity to the events center, casino and nearby services encourages more walking and active forms of transportation.
- The proposal is consistent with the OCP’s view that highlights the importance of a range of commercial opportunities that will contribute to its employment and tax base growth.

Staff considers that the design is suitable and consistent with the area. The lot coverage (21%) is much less than the 40% maximum allowed. The proposed floor area ratio (0.84) is well below the 1.2 FAR allowed in the CT1 zone. Additionally, the building is setback a fair distance from all property lines and landscape buffering will be provided, thus limiting the impact on the surrounding areas Staff are recommending fencing along the property, especially the south end to ensure vehicle access is directed in and out of the appropriate entry/exit points. There may be an increase in traffic in the area, but the majority will be from Eckhardt Avenue West and not the rear lane (Pacific Crescent). Commercial vehicles and garbage trucks will access the loading areas in the back of the property from the east lane, entering from Eckhardt Avenue. Given the above, staff recommends that Council support “Zoning Amendment Bylaw No. 2017-43” and forward the application to the July 4, 2017 Public Hearing for comments from the public.

Deny/Refer Zoning Amendment

Council may consider that the proposed amendment is not suitable for this site. Although ‘tourist accommodation’ is a supported use in the General Commercial OCP designation, these lands are not designated as Tourist Commercial and were most likely not envisioned for this scale of tourist accommodation. If this is the case, Council 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 Variances

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

Section 6.4.3 (Table 6.4): To waive the bicycle parking requirements for a commercial use.

6.4.3 Bicycle Parking Requirements

Table 6.4 Bicycle Parking Requirements

Use	Class 1	Class 2
Commercial Uses	Minimum of 2, plus one for every 125 m ² over 250 m ²	Minimum of 2, plus one for every 125 m ² over 250 m ²

- The approximate floor area of the proposed hotel is 5,200m² (56,000ft²). Therefore, the requirement is for 42 (Class 1 bicycle parking spaces) and 42 (Class 2 bicycle parking spaces). Class 1 spaces can be defined as being located in bicycle lockers, compounds or rooms with lockable doors whereas Class 2 spaces consist of bicycle parking racks. The applicant is proposing to add a bike rack at the front of the hotel with 10 Class 2 bicycle parking spaces. Staff is requesting that through the development permit process, a room within the hotel with at least 10 Class 1 spaces will be required. Due to the nature of the business, a hotel is unlikely to require many visitors on bicycles. Therefore, staff feel that providing 10 Class 2 spaces for visitors and an additional 10 Class 1 spaces for hotel staff is acceptable and recommend support of the variance.

Section 11.10.2.5: To increase the maximum height from 12.0m to 13.5m.

- The proposed development is 13.4m (44ft) in height. The maximum allowable height is 12.0m (39ft). The purpose of the variance of only 5 feet is to accommodate the brand’s design features of architectural elements and high ceilings in the lobby. The rest of the building is under the 12.0m maximum. As part of the development permit process, the applicants will be required to submit a shadow study to determine any effects that the height of the hotel will have on King’s Park. From Staff’s view, the additional 5ft is minimal and recommend support of the variance.

Staff feel that the variances above will not add any additional negative impacts to the neighbouring properties. Given the above, staff considers that the variances requested are reasonable 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 neighborhood. If this is the case, Council should deny the variances.

Alternate Recommendations

- 1. THAT Council deny first reading of Zoning Amendment Bylaw No. 2017-43 and deny support for DVP PL2017-7969.
- 2. THAT Council give first reading to Zoning Amendment Bylaw No. 2017-43 but deny support for DVP PL2017-7969.
- 3. THAT Council give first reading to Zoning Amendment Bylaw No. 2017-43 and support DVP PL2017-7969 with conditions that Council feels are appropriate.

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: Letter of Intent
- Attachment H: Development Variance Permit PL2017-7969
- Attachment I: Zoning Amendment Bylaw No.2017-43

Respectfully submitted,

Randy Houle
Planner 1

Approvals

DDS <i>AH</i>	CAO PW
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Attachment A – Subject Property Location Map

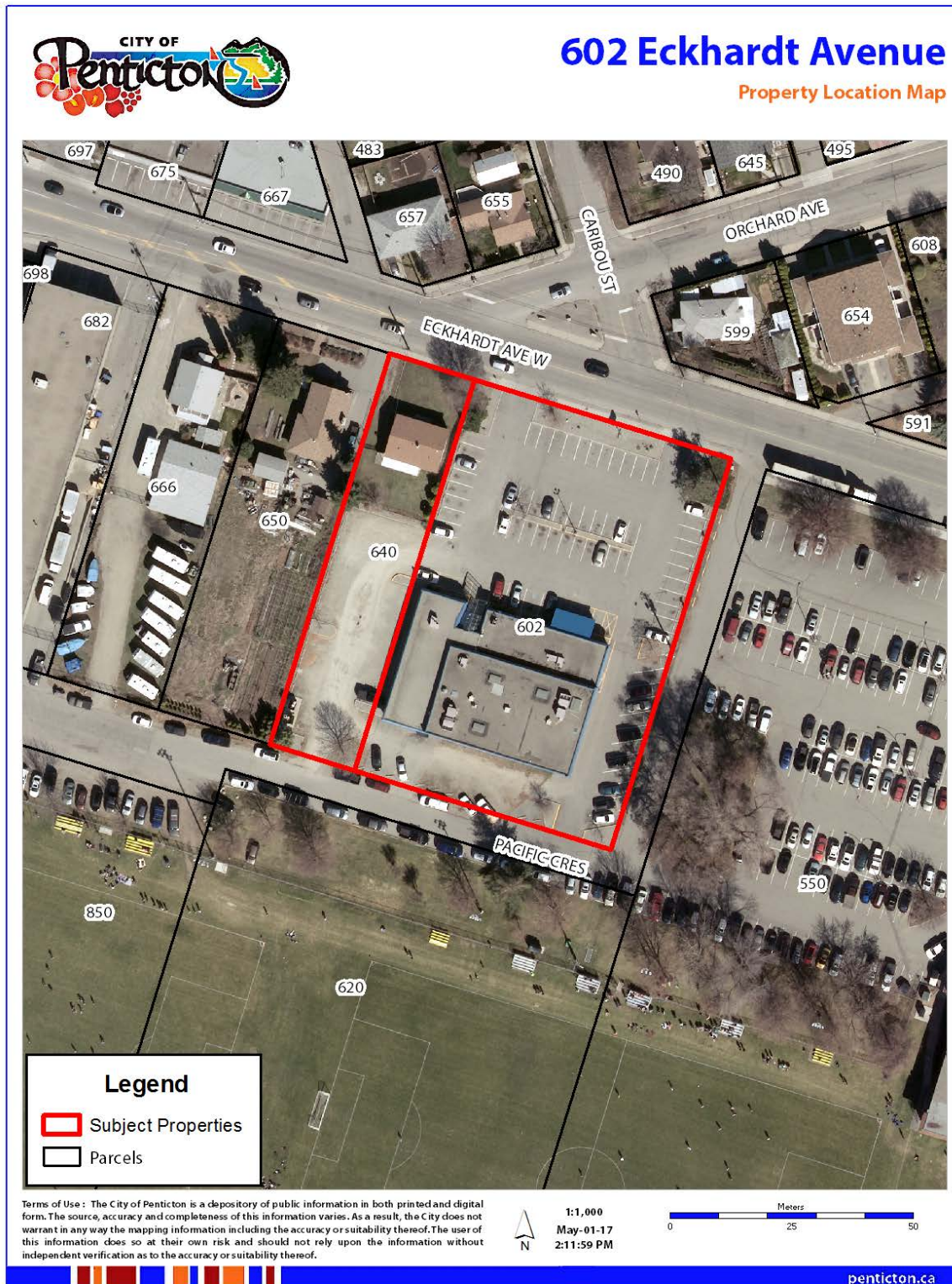


Figure 1: Subject Property Location Map

Attachment B – Zoning Map

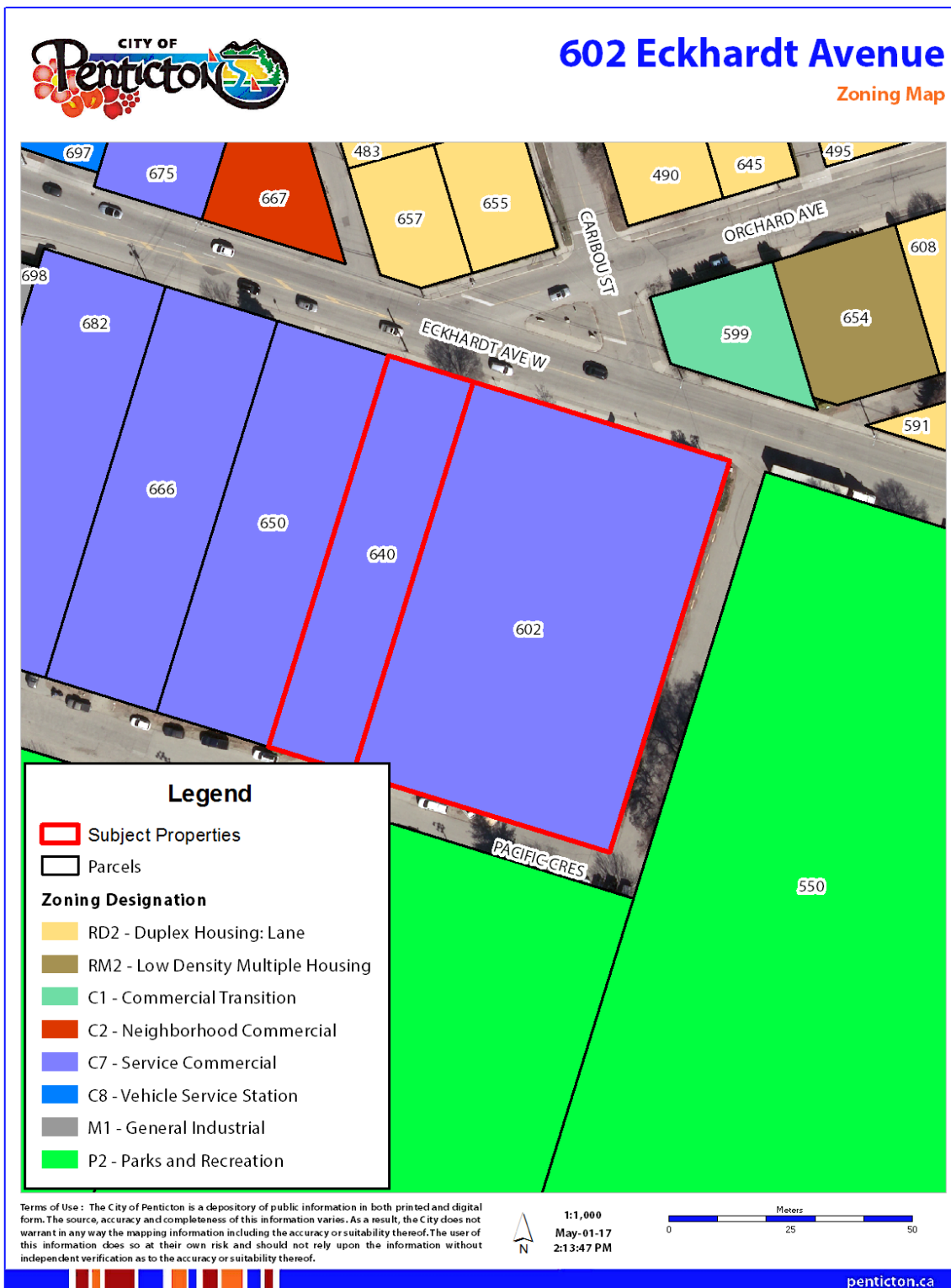


Figure 2: Zoning Map

Attachment C- OCP Map

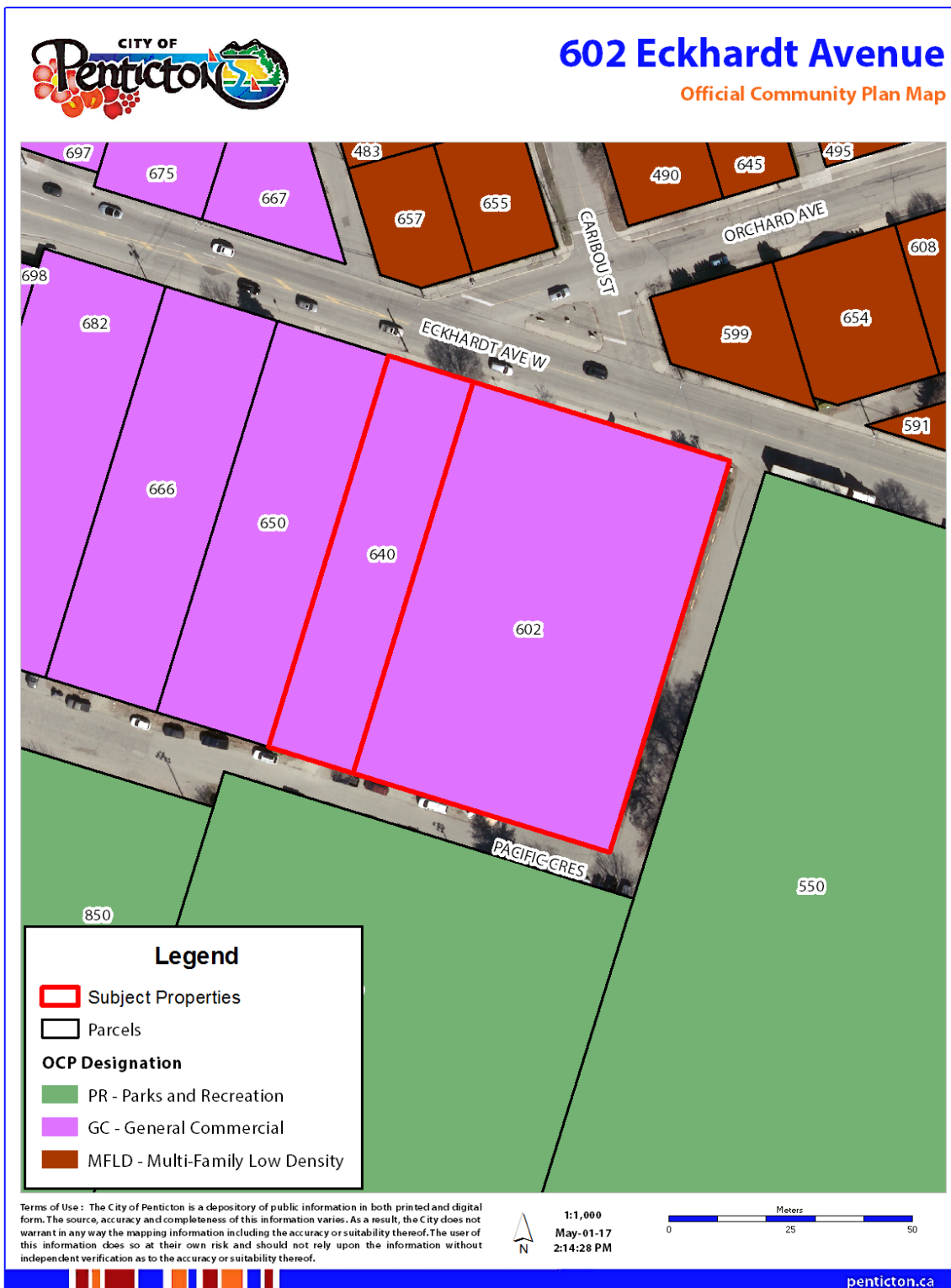


Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: Front View of 602 Eckhardt Avenue West



Figure 5: Front View of 640 Eckhardt Ave West



Figure 6: East View (from City Parking Lot)



Figure 7: East Lane looking South



Figure 8: Rear Lane looking West



Figure 9: West Property Line looking North



Figure 10: Looking South East Towards King's Park

Attachment F – Elevations

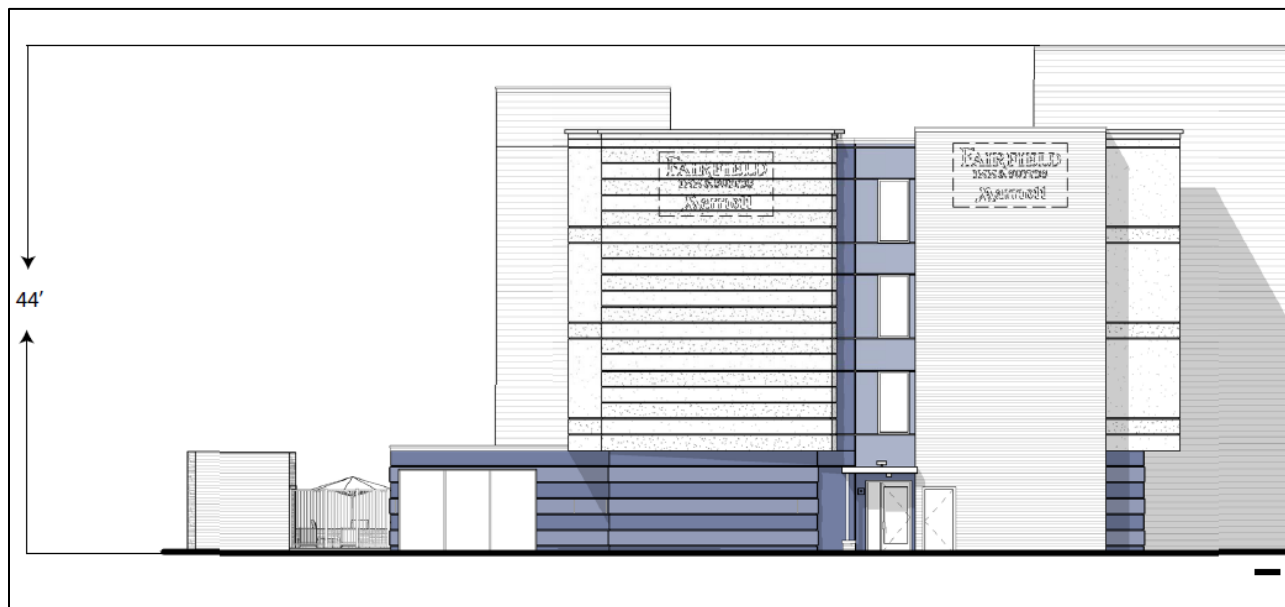


Figure 12: Side Elevation

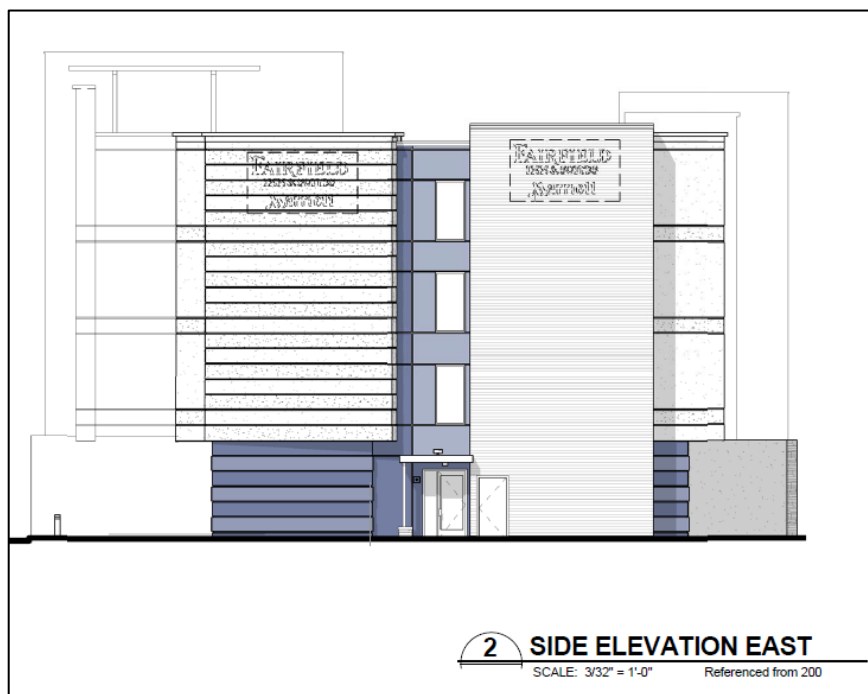


Figure 13: Side Elevation



Figure 14: North Elevation

Attachment G- Letter of Intent

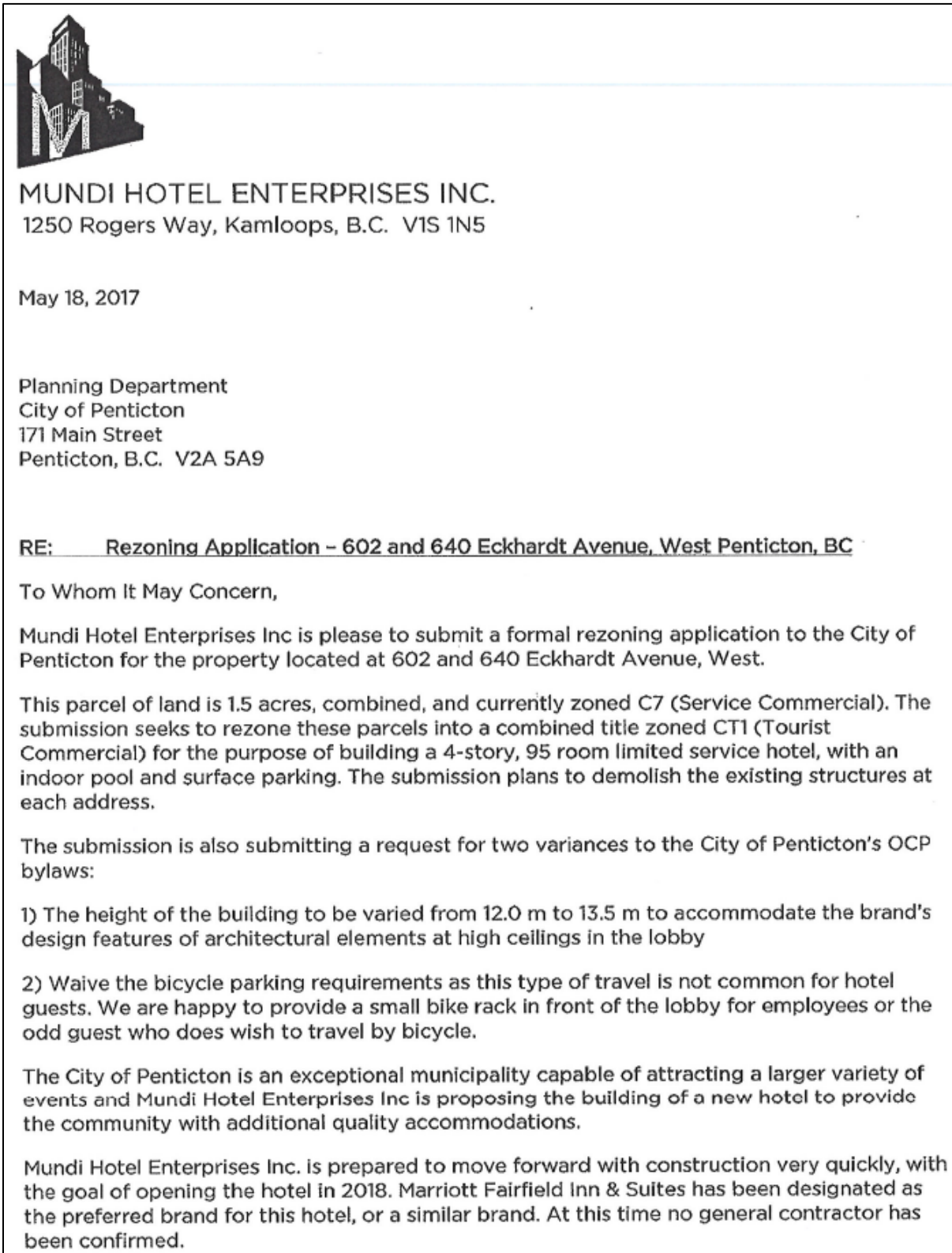
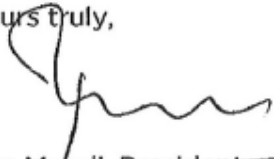


Figure 15: Letter of Intent

Mundi Hotel Enterprises Inc has been in the hotel industry for nearly 20 years and has an impressive streak of transformations in the tourism and accommodation sector. We currently own three hotels in Alberta and two in BC.

We would like to thank the Mayor, Council and Planning Department for the opportunity to submit our rezoning application and look forward to continuing to work with the city staff on this proposal.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ron Mundi', with a long horizontal flourish extending to the right.

Ron Mundi, President
Mundi Hotel Enterprises Inc.

Attachment H- Development Variance Permit PL2017-7969



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

Development Variance Permit

Permit Number: DVP PL2017-7969

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 A District Lots 2 and 4 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 35373
Civic: 602 Eckhardt Avenue West
PID: 001-522-256

Legal: Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 7039
Civic: 640 Eckhardt Avenue West
PID: 010-060-430
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 95-unit hotel.
 - Section 6.4.3 (Table 6.4): To waive the bicycle parking requirements for a commercial use.
 - Section 11.10.2.5: To increase the maximum height from 12.0m to 13.5m.

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 __ day of August, 2017

Issued this ____ day of _____, 2017

Dana Schmidt,
Corporate Officer

Bylaw No. 2017-43

A Bylaw to Amend Zoning Bylaw 2017-08

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 2017-08;

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. 2017-43".

2. Amendment:

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone Lot A District Lots 2 and 4 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 35373, located at 602 Eckhardt Avenue West, and to Rezone Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 7039, located at 640 Eckhardt Avenue West from C7 (Service Commercial) to CT1 (Tourist Commercial).

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

READ A FIRST time this	20	day of	June, 2017
A PUBLIC HEARING was held this	4	day of	July, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
RECEIVED the approval of the		day of	, 2017
Ministry of Transportation on the			
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 23 day of June, 2017 and the 28 day of June, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

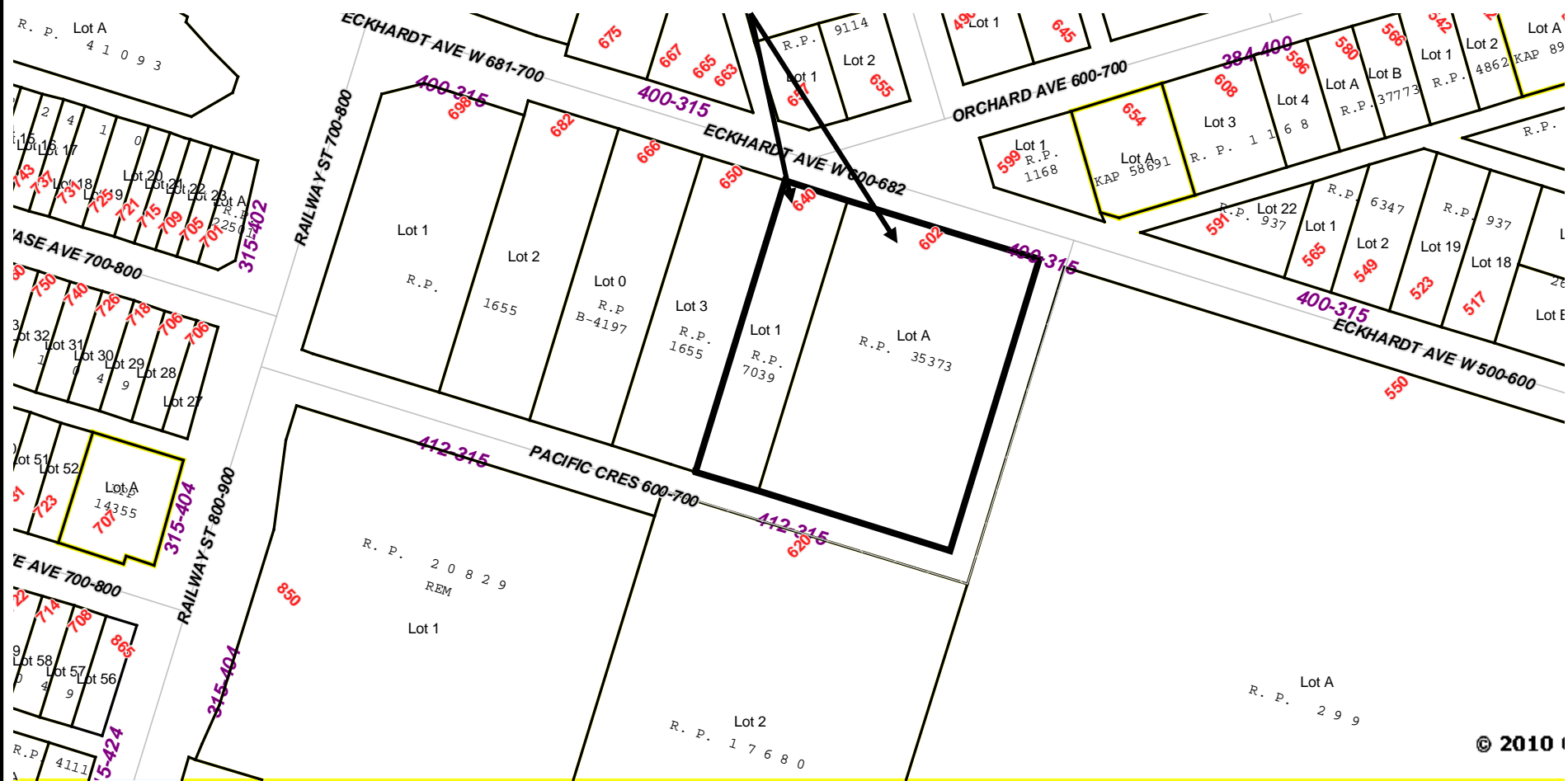
<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i> this _____ day of _____, 2017</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure</p>

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 602 & 640 Eckhardt Ave W

From C7 (Service Commercial) to CT1 (Tourist Commercial)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-43

Date: _____

Corporate Officer: _____

Subject: Zoning change - bingo Hall on Eckhardt Ave.

From: Leah K. Bailey [

Sent: June-20-17 2:42 PM

To: Dana Schmidt; Lorraine Williston; Andrew Jakubeit; Tarik Sayeed; Judy Sentes; Max Picton

Subject: Zoning change - bingo Hall on Eckhardt Ave.

To whom this may concern,

Please forward this for the city hall meeting of June 20th 2017

As a resident of the neighbourhood (Caribou St.) where this zoning change is proposed I would like to say that **I AM AGAINST this proposal**, regardless of the \$90,000 in tax revenue it may provide. **There are better things that can be done with that lot.**

City of Penticton has made a major mess when it comes to parking and parking related infrastructure for the Cascades Casino, the SOECS, the Community Centre, the convention centre, the wine and visitor info centre, and the Memorial Area and refuses to sleep in it.

There are already so many hotels, motels, and other short stay accommodations in this city that another hotel is **ABSOLUTELY** not needed. The Marriott proposing 95 parking spaces is not enough will spill out into the Kings Park Soccer field parking space and the already over loaded streets surrounding the bingo hall. Just like the poor planning for the hospital leaving no where for staff and visitors to put their cars you will run into a major problem when staff have no where to park when spaces proposed are for guests only. A hotel needs to plan not just for guests but for staff as well. To eliminate the need for bicycle parking is also deplorable considering this is 2017 and a city to think green.

I will tell you what is needed and that is a is **A PARKING GARAGE** and more than one of them. Knock down that bingo building and put in a 3-5 story parking garage to accommodate all of the cars that come down town for events and gambling. Heck put another one just for fun **IN THE PARKING LOT OF the SOECS** et all so that people who are attending events there **HAVE SOMEWHERE TO PARK.**

The average age of someone in Penticton is in the 60s do you honestly expect them to take public transit? or ride that rinky dink shuttle bus? God no, you would be delusional to think that. So if you insist on putting everything all in one place put in some G - D parking. Building up is not a bad thing.

Residents in the areas surrounding area are already suffering and suffocating when it comes to finding a place to park their car when they come home. You've continuously denied them resident parking passes to they can park near the home. Do they not pay their taxes? do they not get a voice?

There is no way the proposal to change the from service commercial to tourist commercial has any fore thought on population and city growth. Sounds like you want to cater to people who come and go and leave their garbage behind. When will you think of the people who live here and want to stay living here. A city that relies only on tourism is a city that will ultimately drive out the hearts and minds that make the great community it is.

Thank you,

Leah Bailey

Subject: FW: Concerns re: Rezoning of Bingo Palace on Eckhardt

From: Alex Ross [
Sent: June-20-17 2:35 PM
To: Dana Schmidt; Lorraine Williston
Subject: Concerns re: Rezoning of Bingo Palace on Eckhardt

Hi there,

I would like to make my voice heard on the matter of rezoning and ultimate redevelopment of the bingo hall on Eckhardt Ave. I am a resident of Caribou St which runs parallel to Power St and perpendicular to Eckhardt Ave.

The idea of putting a hotel on that plot is quite ridiculous. There has been an immense amount of recent development in this area (the SOEC, Cascades Casino) which is already very high traffic due to the Information Centre, Community Centre, and Trade and Convention Centre. While I understand the appeal of increasing accommodation for folks who travel for concerts and conferences, there seems to be no forethought on *community* planning.

I believe many residents had hoped this council would for once put current and future population needs over short term gain and propose something useful like a parkade on that plot. Not very exciting and not very pretty but very much needed, and would still be a source of revenue for the city in parking fees.

I am a university graduate with a thesis in housing and city design. I love to see cities flourish under good leadership. However, I am concerned by many of the council's recent decisions which reflect very poor vision and forward planning for the future of this city. There is a reason certain areas have certain zoning restrictions. The fact that this council pays no heed to them and rezones as it pleases is insulting to those who have elected you. Please consider what you will leave us when you leave office. You must make decisions that prioritize sustainable growth to ensure this is in fact a *livable* city in 10-20 years time.

Thank you for taking my words under consideration.

-Alex

Alex Ross AKA DrawnAlex
www.drawnalex.com
// Penticton, BC

“Welcome to the Chamber”

June 23, 2017

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

RE: Letter of Support for Development of Hotel Accommodations in Penticton

Dear Mayor & Council,

Mundi Hotel Enterprises Inc. requested that the Penticton & Wine Country Chamber of Commerce write to you in support of their proposed hotel development at 602 and 640 Eckhardt Avenue. With the information available to us at this time, the Chamber does not take a position on this project specifically, but encourages the development of additional hotel accommodations in our community.

The Chamber believes that additional hotel accommodations will allow the City to present competitive bids for larger events, and increased capacity for tourist accommodations will encourage more corporate, leisure and sport travel throughout the year.

When considering any proposed hotel development, we ask that the city consider the project from all perspectives and ensure that the proposed hotel fits the neighbourhood: both by offering easy access for travellers to take advantage of our community’s offerings, but also taking into account the existing business and residents who will be affected by the new development. We ask you to encourage the development of new hotel accommodations, while keeping in mind factors such as the impact of the project on transportation, parking, and the livability of any nearby residential areas.

The project proposed by Mundi Hotel Enterprises Inc. does provide easy access from the main highway, and guests will be in walking distance to many dining and entertainment establishments. If the project otherwise fits the needs of its neighbourhood, the additional hotel accommodations would be a welcome addition to Penticton.

Sincerely,



Neil Wyper, President
Penticton & Wine Country Chamber of Commerce

Council Report

penticton.ca

Date: July 4, 2017
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Subject: **Traffic Impact Assessment for proposed Hotel at 602 and 640 Eckhardt Avenue West**

File No: RZ PL2017-7927
& DVP PL2017-7969

Staff Recommendation

THAT Council receive the attached traffic impact assessment report dated June 23, 2017, prepared by EASL Transportation Consultants Inc., as further information to the Staff Report dated June 20, 2017, regarding "Zoning Amendment Bylaw 2017-43" and "Development Variance Permit PL2017-7969".

No action is required as this item is for informational purposes only.

Background

Further to the information presented to Council at the June 20, 2017 Council meeting, a condition of zoning adoption was that the developers submit a traffic impact assessment and address any concerns identified. The City has now received this report and its information is summarized below.

Summary

The transportation assessment considered both the existing 2017 traffic conditions as well as future 2037 projections and states that all study intersections are currently and will continue to operate at acceptable service levels, with ample capacities and no vehicle queuing.

The traffic impact assessment was based on the original proposal of 111 rooms, which has now been scaled back to 95 rooms to meet parking requirements.

The report concludes that the hotel *will* have an impact on traffic operations of both the existing and future road network, *but* these impacts can be mitigated through proposed intersection improvements. The report's author included recommendations for pavement markings and a signage plan for the study area intersections and proposed site access, some of which already exist. These issues will be reviewed in further detail at time of development permit application.

Analysis

The report outlines some minor upgrades to the intersection of Caribou Street, Orchard Avenue and Eckhardt Avenue W that would improve traffic flow in this area as well as some on-site works and signage and works around the new entrance proposed. The on-site works and entrance to the hotel are the

responsibility of the developer. The works of the Caribou/ Orchard/ Eckhardt intersection are beyond what staff can require of the developer under the current Subdivision and Development bylaw powers.

That said, Council could pass an 'excess and extended service resolution' requiring the works as part of building permit approval. Given that this intersection is pre-existing and that the works are already scheduled for in the 2018-capital budget, staff are not recommending that, the 'excess and extended service' approach be taken in this case.

Staff do consider these works as important though. The City has received feedback from residents on Caribou Street with concerns that parking from the proposed hotel may overflow onto their street and that traffic will increase on their currently quiet residential street. The intersection improvements will reduce the amount of cut-through traffic. With regard to parking, the proposed hotel has 95 on-site parking spaces, which meets the requirement of the bylaw of one (1) parking space per room. All required spaces for persons with disabilities is being provided. Staff do not anticipate that hotel parking will *spill out* onto Caribou Street.

It seems that many of the parking concerns have come about from the increase in usage of the SOEC campus, especially since the opening of the Casino on those lands – and more so when there are a number of events occurring at once at the campus. Staff have received a request from the residents of Caribou Street to be included in the resident only parking program. This information has been forwarded to the parking strategy process, scheduled to come back to Council this fall.

Staff are not recommending any action be taken with regard to this report, only that the information contained in the report be used in the decision on "Zoning Amendment Bylaw 2017-43" and "Development Variance Permit PL2017-7969".

Attachments

Attachment A: Traffic Impact Assessment, prepared by EASL Transportation Consultants, Inc., dated June 23, 2017

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS <i>AH</i>	CAO PW
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Attachment A – Traffic Impact Assessment (TIA)

[N:\city\ADDRESS\Eckhardt Ave W\602\PLANNING\2017 PRJ-145\REPORTS\2017-06-23 Traffic Impact Assessment\2017-06-23 Mundi Hotel TIA Report](#)

A Traffic Impact Assessment (TIA) Report
For
THE PROPOSED FAIRFIELD BY MARRIOTT HOTEL DEVELOPMENT
Penticton, British Columbia
Prepared for
Mundi Hotel Enterprises Inc.
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EASL Transportation Consultants, Inc.
Delivering Engineering and Planning Solutions
840 6 Avenue SW, Suite 300
Calgary, Alberta, T2P 3E5
Tel: 403.930.1928 | Fax: 403.265.3783
info@easltransportation.ca
www.easltransportation.ca

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1.0 INTRODUCTION

1.1 General

Mundi Hotel Enterprises Inc. retained EASL Transportation Consultants, Inc. to undertake a traffic impact assessment (TIA) in support of the proposed Fairfield by Marriott Hotel Development in Penticton, British Columbia. The proposed hotel will be located at 602 and 640 Eckhardt Avenue in Penticton. This traffic impact assessment is being prepared to assess potential transportation impacts of the proposed development and to satisfy the City of Penticton's requirements for such a study as a result of the proposed development.

Figure 1a presents a site map that shows the general location of the proposed development, and **Figure 1b** presents a local context aerial map.

1.2 Existing Land Use

The project land area is currently occupied by a Bingo Playtime Gaming facility.

1.3 Proposed Development Plan

The proposed hotel development will include a total of 111 rooms without restaurant. The project's development plan is included in **Appendix A** of this report.

1.4 Purpose of Study

The primary purposes of this traffic impact assessment study are:

- To evaluate the traffic operations and levels of service (LOS) at the following intersections:
 - Eckhardt Avenue W and Orchard Avenue intersection
 - Eckhardt Avenue W and Caribou Street / Hotel Access intersection
 - Orchard Avenue and Caribou Street intersection
- To evaluate any potential project traffic impacts of the proposed development to the surrounding roadway network, and to determine if the roadways, site access and traffic circulations in the project vicinities would be suitable for the intended development and the amount of development traffic volumes anticipated.

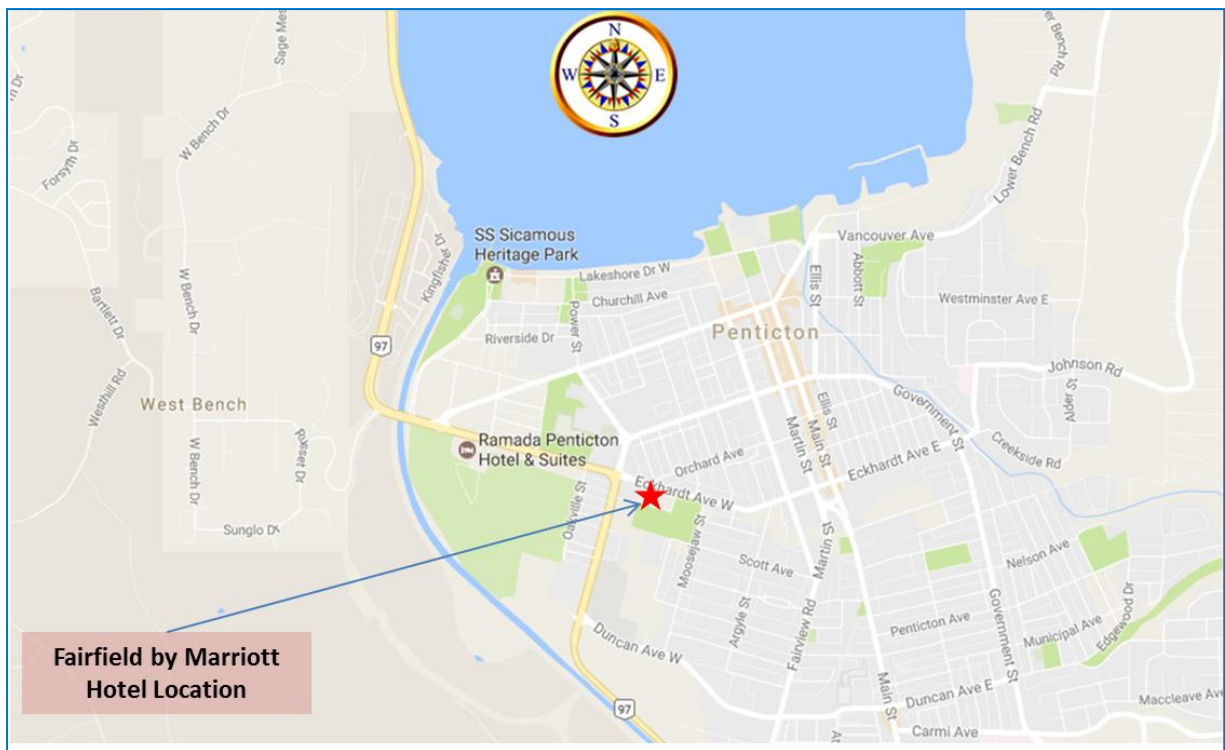


Figure 1a: Site Location Map



Figure 1b: Local Context Aerial Map

- To identify suitable intersection control and geometric configurations that would be required to properly service the proposed development including conducting a signal warrant analyses for the study intersection, as needed.
- Also to identify any needed short-term and long-term roadway improvements in the areas to enable acceptable traffic operations that would satisfy the City of Penticton's requirements.

1.5 Methodologies

This traffic impact assessment utilizes the following evaluation methodologies:

- Data collection including but not limited to existing roadway and intersection geometric characteristic, pavement markings, traffic control types, and intersection turning movement traffic counts.
- The forecast of background peak hour traffic volumes without the site traffic for the 20 year horizon (2037).
- Trip generation estimate for the proposed development based on appropriate **Trip Generation** land use categories and corresponding trip generation rates by the Institute of Transportation Engineers (ITE).
- Distribution of the site generated trips to/from the development site based on population, land uses, roadway network, and existing traffic patterns in the project vicinities.
- Assignment of the project trips to the adjacent roadways based on the proposed project site plan and the estimated roadway trip distribution characteristics.
- Existing, background, and future traffic capacity analysis for the study area intersections and roadways to identify possible capacity constraints and to assess overall traffic impacts of the proposed development, which is based on the latest **Highway Capacity Manual (HCM)** methodologies by the Transportation Research Board, the US National Academies of Sciences, Engineering and Medicine.

2.0 EXISTING CONDITIONS

2.1 Area Road Network

There is one major roadway providing primary accesses to the site as described below. This road is Eckhardt Avenue W. A brief description of this roadway follows.

Eckhardt Avenue W is a two-lane, two-way roadway that runs in the east/west directions in the vicinity of the proposed development. Eckhardt Avenue to the west of the signalized intersection at Veas Dr. joins the provincial Highway 97. The speed limit on Eckhardt Avenue W in the vicinity of the site is not posted but a prima facie speed limit of 50 Km/hr. is assumed.

The intersection of Eckhardt Avenue W and Orchard Avenue is an unsignalized skewed T-intersection with stop-control on the Orchard Avenue southwest bound.

The intersection of Eckhardt Avenue W and Caribou Street is an unsignalized and skewed T-intersection with stop-control on the Caribou Street southeast bound.

The intersection of Orchard Avenue and Caribou Street is an unsignalized four-leg intersection with stop-control on the Caribou Street approaches and free flow operation on Orchard Avenue approaches.

2.2 Existing Traffic Volumes and Conditions

A field reconnaissance of the site and its surroundings was conducted to establish a database of the existing conditions. Turning movement traffic count data was collected on Tuesday June 6, 2017 from 7:00 AM to 9:00 AM and from 4:00 PM to 6:00 PM for the a.m. and p.m. peak periods respectively at the following study intersections:

- Eckhardt Avenue W and Orchard Avenue intersection;
- Eckhardt Avenue W and Caribou Street; and
- Orchard Avenue and Caribou Street intersection.

The peak hours of traffic at the study intersections were determined to occur between 8:00 AM and 9:00 AM for the AM peak hour and between 4:00 PM and 5:00 PM for the PM peak hour. The existing AM and PM peak-hour traffic volumes for the above intersections are illustrated on **Figure 2**. Details of the collected traffic count data for the four-hour periods counted and at all intersections are contained in **Appendix B**.

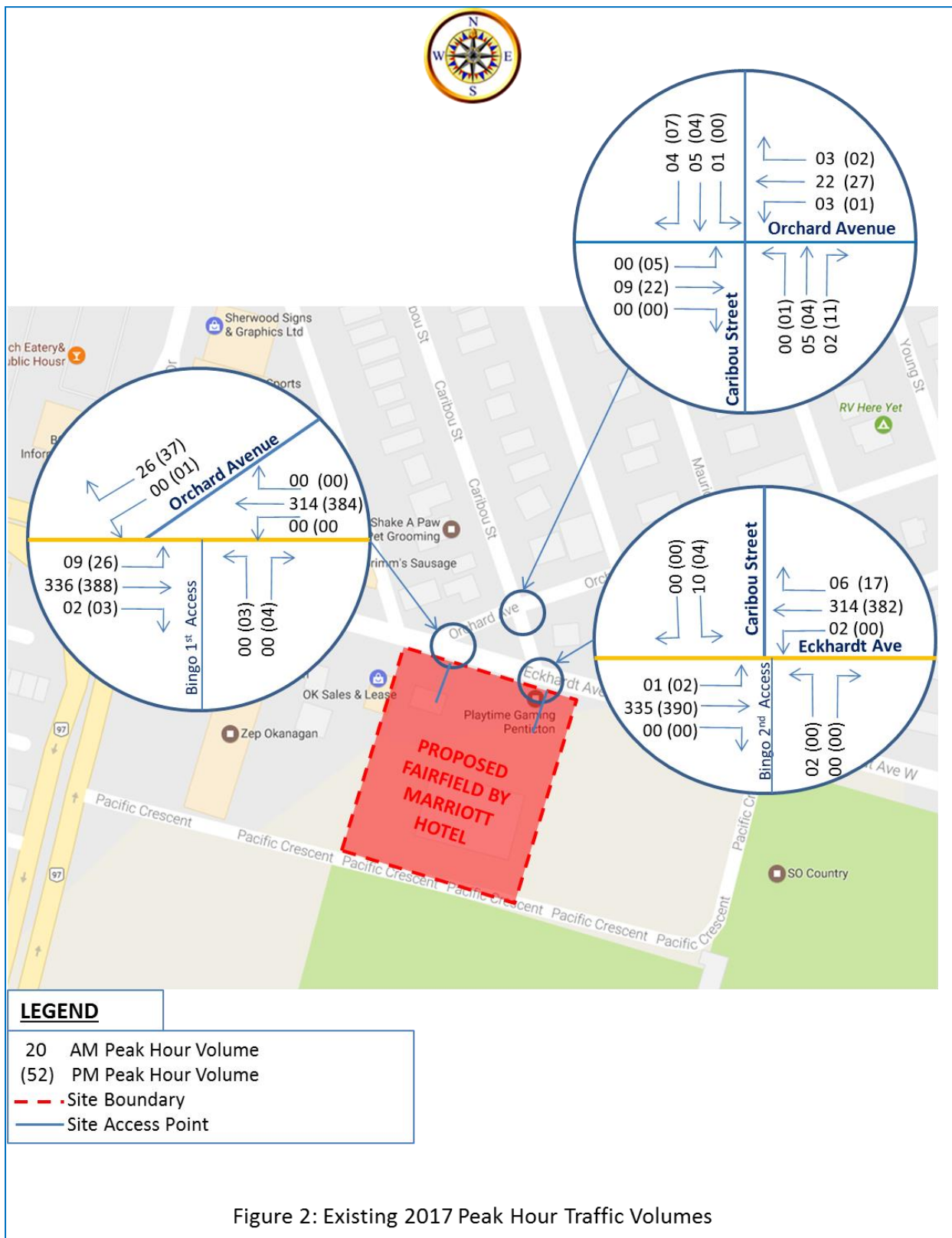


Figure 2: Existing 2017 Peak Hour Traffic Volumes

2.3 Existing Heavy Vehicle Composition

The 2017 turning movement traffic count completed for the study intersections were analyzed and the heavy vehicle percentages were determined at the study intersections. The AM peak hour and the PM peak hour heavy vehicle compositions were determined and presented in **Table 1**. Note that the heavy vehicle traffic volume included trucks, multi-axle vehicles, city buses and school buses.

Table 1: Adjacent Highway Heavy Vehicle Composition (in %)

Description	2017 Traffic Count Data			
	Eckhardt Avenue W		Orchard Ave.	Caribou St.
	Eastbound	Westbound	Southwest Bound	Southeast Bound
AM Peak Hour	2%	3%	8%	10%
PM Peak Hour	1%	1%	0%	0%

A review of **Table 1** indicates that Eckhardt Avenue W carries small amounts of heavy vehicle traffic. The PM peak hour notably carries much lower heavy vehicles than the AM peak hour. Based on the above results, the capacity analysis for the study intersections utilized the 2017 observed heavy vehicle percentages as noted in Table 1. Noting that in the approaches where the observed percentage was less than 2% a heavy vehicle percentage of **2%** was utilized in the capacity analysis software for that approach.

2.4 Planned Roadway Improvements

The City of Penticton has been contacted in order to find out if there are any plans for any roadway improvements within the study area in the near future. The City of Penticton development planning staff indicated that Eckhardt Ave has a proposed road widening in place to establish a 21m right-of-way (ROW). When asked when this would occur they indicated that Eckhardt Ave is part of the 40,000 Population Horizon Improvements, highlighted in the “2005 Transportation Study” prepared for the City by Earth Tech. However, there has no guaranteed future design at this time. Depending on the growth rates, a population of 40,000 could be possible within the next 20 years and should be considered. It is believed that with the 21m ROW Eckhardt Avenue would have two travel lanes per direction, which of course would improve the traffic operations within the study area.

3.0 PROJECTED TRAFFIC VOLUMES

3.1 Trip Generation for Background Developments

Background traffic takes into account additional traffic on the roadway systems that will be generated by approved developments in the area that may be completed by the time of the site build-out. The current project is projected to be built-out in the near term. Based on EASL Transportation Consultants' discussion with the City of Penticton, there are no approved developments within the vicinity of the project site that need to be considered. Therefore, no background development traffic is included for the project impact analyses for this study.

3.2 Historical Traffic Growth Rate

To account for inherited growth in traffic and those traffic generated by other unknown developments that may occur at the build-out of the proposed project, a traffic growth factor was applied to the existing traffic volumes to forecast the future traffic conditions. A 2.5% annual growth rate was used to estimate traffic growth for the 20 year horizon, which was applied to the 2017 existing traffic volumes to derive the 2037 background traffic volumes for future development impact analyses. Note that the 2.5% annual growth rate is in accordance with the City of Penticton's acceptable long range growth in traffic.

3.3 Background Traffic

The traffic growth due to unknown developments were added to the existing 2017 peak hour traffic volumes shown on **Figure 2**, creating the future 2037 background traffic scenario as illustrated on **Figure 3**.

3.4 Site Generated Trips

To estimate the number of vehicle trips expected to be generated by a particular development, trip generation rates are applied based on the proposed land uses and intensity. The number of trips that would be generated by the proposed development was estimated based on the rates published in *Trip Generation, 9th Edition* by the Institute of Transportation Engineers (ITE). The trip generation rates along with the proposed land uses and the corresponding ITE land codes are presented in **Table 2**. The projected Fairfield by Marriott Hotel Development peak-hours and daily site-generated traffic volumes are presented in **Table 3**. The Pass-by and internal capture trip generation are discussed in the following subsections.

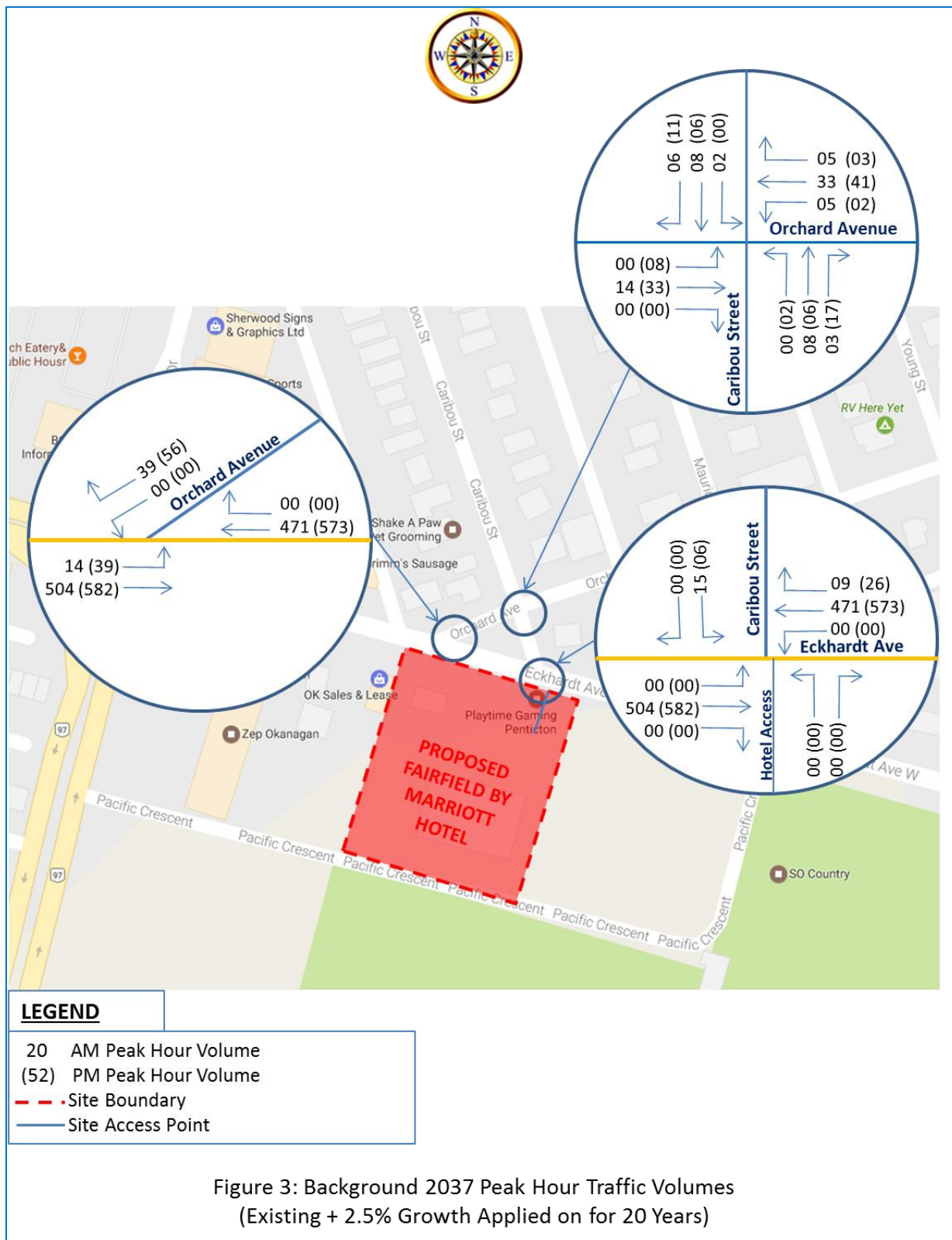


Table 2: Trip Generation Rates

Land Use	ITE Code	Unit	AM Peak Hour			PM Peak Hour			Daily Trips
			in	out	total	in	out	total	
Hotel	310	Rooms	59%	41%	0.53	51%	49%	0.60	8.17

Table 3: Projected Site-Generated Peak-Hour and Daily Traffic Volumes

Land Use	ITE Code	Density	AM Peak Hour			PM Peak Hour			Daily Trips
			in	out	total	in	out	total	
Fairfield by Marriott Hotel	310	111 Rooms	35	24	59	34	33	67	907
Total Trips			35	24	59	34	33	67	907

3.4.1 Pass-by Trips

Pass-by trips are not new trips but they are the trips that are attracted from the traffic passing the site on adjacent roadways. While pass-by trips are new trips at the access points to the site, they are not new trips on the adjacent roadway systems. Since the proposed development will a hotel, no pass-by trips are expected. Therefore, no reduction for pass-by trips considered.

3.4.2 Internal Trips

An internal trip is a trip that has both its origin and destination within a multi-use development area under investigation, which should be deducted from the total number of trips departing and entering the study site. The appropriate internal trip reduction rates are based on the characteristics of the mixed land uses. The proposed development is an independent hotel development, which is not expected to create internal trips. Therefore, no reduction for internal trips was thus considered.

3.5 Trip Distribution

The directions from which vehicles will approach and depart a site is a function of several variables, including the population and employment distribution within the development’s area of influence, the operational characteristics of the road system, and the ease with which drivers can travel over various sections of the roadway network without encountering congestion. The directional distribution of new project trips by the proposed Hotel development was estimated based on the consideration of all the pertinent factors above including existing traffic patterns.

The resulting directional distributions are as follows:

- 60% of site generated trips will travel to and from the west on Eckhardt Avenue
- 40% of site generated trips will travel to and from the east on Eckhardt Avenue

Site access distribution percentages were determined based on the above directional distributions coupled with the ability of traffic to perform the needed turns. The resulting final directions of approaches and the site access traffic distributions are illustrated on **Figure 4**.

3.6 Trip Assignment

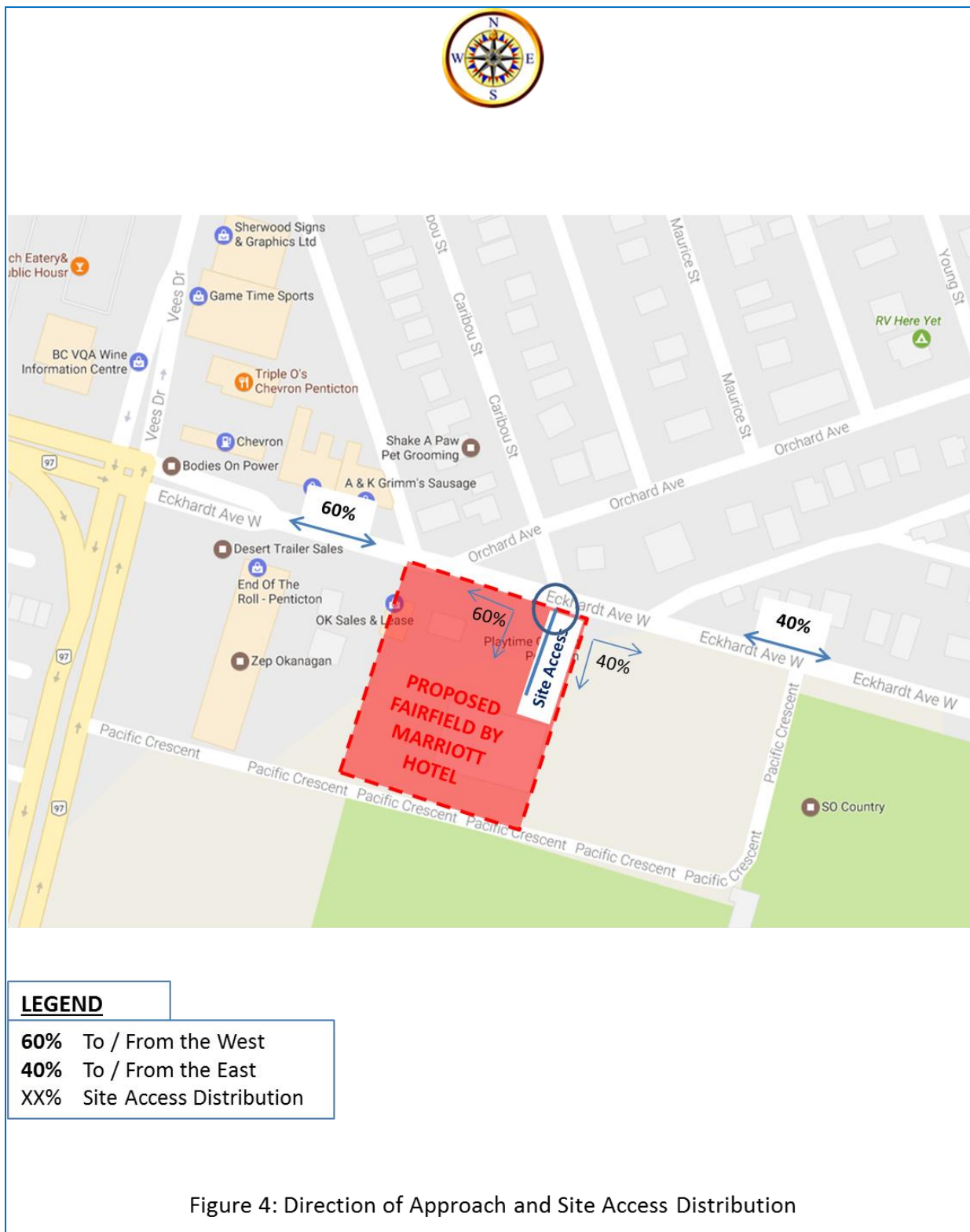
3.6.1 Future 2037 Volumes

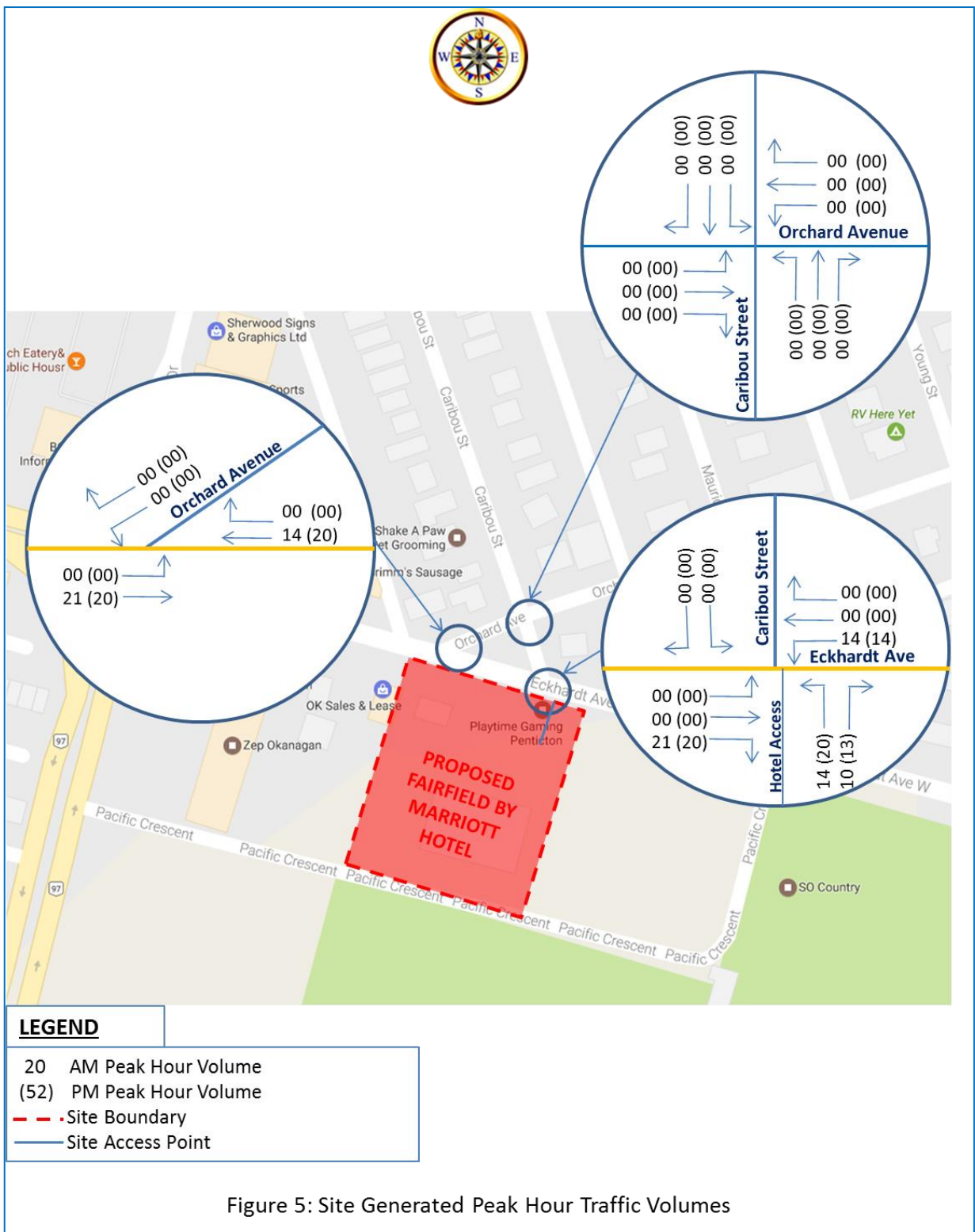
The projected peak-hour traffic volumes for the Hotel Development were assigned to the adjacent roadways based on the estimated directional distribution as shown on **Figure 4**. The resulted site generated AM peak hour and PM peak hour trips are illustrated on **Figure 5**.

The development site-generated trips shown on **Figure 5** were then added to the 2037 background peak-hour traffic volumes shown on **Figure 3** to arrive at the ultimate future 2037 peak-hour total traffic volumes, which are illustrated on **Figure 6**.

3.6.2 Project Built-Out Year Volumes

The project built-out year traffic volumes (opening year volumes) were not prepared because the capacity analysis of the ultimate 2037 future conditions indicated acceptable traffic operation and hence no need to analyze the opening year conditions.





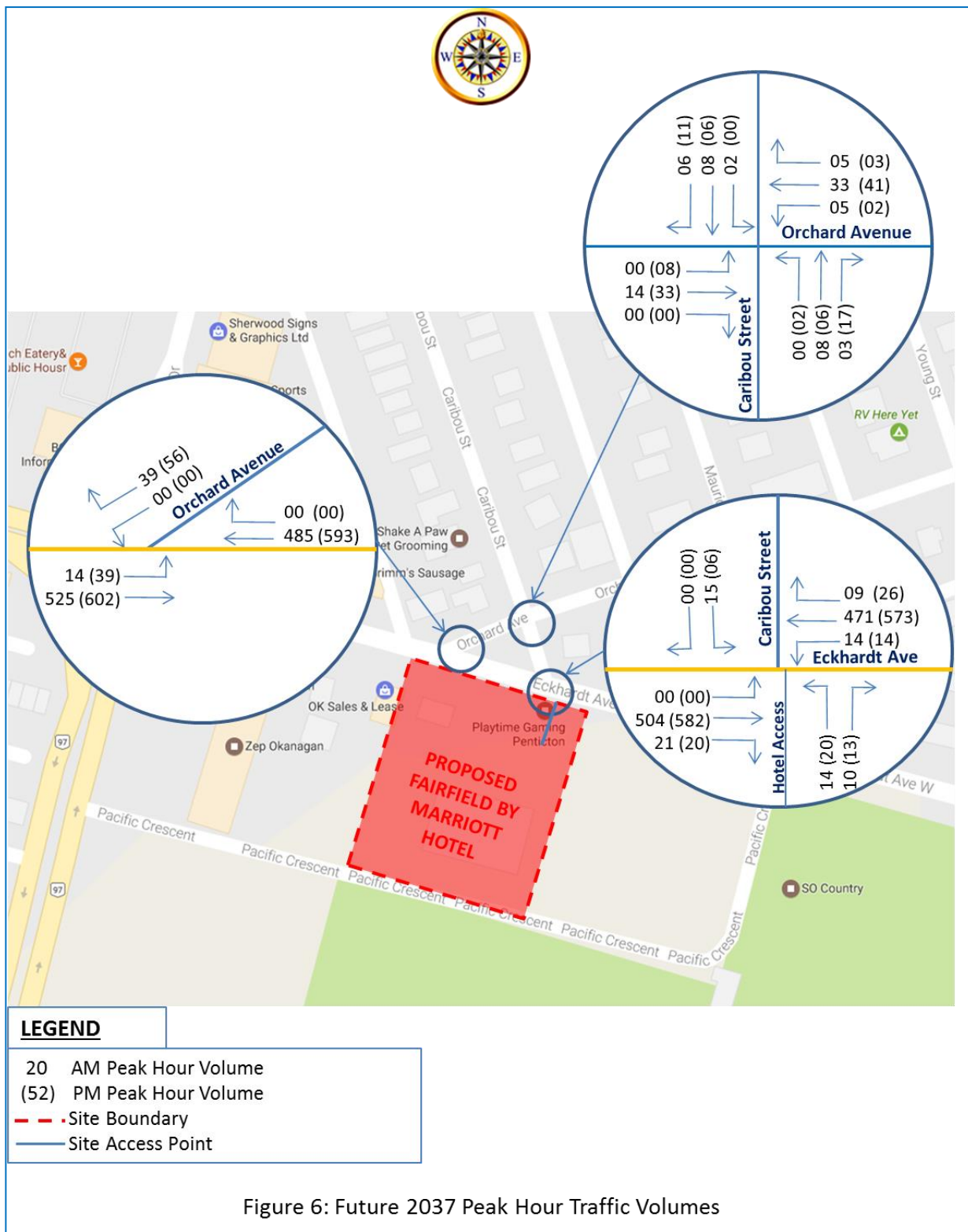


Figure 6: Future 2037 Peak Hour Traffic Volumes

4.0 EVALUATION AND RECOMMENDED IMPROVEMENTS

4.1 Level of Service Criteria for Intersections

The intersections identified for the study were analyzed according to the methodologies presented in the *2010 Highway Capacity Manual*. The analysis determines the "Level of Service (LOS)" of unsignalized intersections considering the factors including but not limited to number and types of lanes, traffic volumes, heavy vehicle composition, peak hour factors, pedestrian activities, etc. Levels of service are expressed in a range from "A" through "F," with "A" being the highest level of service, and "F" representing the lowest level of service. **Table 4** shows the thresholds for Levels of Service "A" through "F" for unsignalized intersections that were evaluated under the current study. For comparison purpose, **Table 5** presents the LOS criteria for signalized intersections.

Table 4: Level of Service Criteria for Unsignalized Intersections *

Level of Service	Delay/Vehicle (seconds)	Description
A	≤ 10.0	Little or no delay, very low main street traffic.
B	10.1 to 15.0	Short traffic delays, many acceptable gaps.
C	15.1 to 25.0	Average traffic delays, frequent gaps still occur.
D	25.1 to 35.0	Long traffic delays, limited number of acceptable gaps.
E	35.1 to 50.0	Very long traffic delays, very small number of acceptable gaps.
F	> 50.0	Extreme traffic delays, virtually no acceptable gaps in traffic.

* Note: Capacity analysis for two-way stop controlled intersection provides the LOS for the critical movements, not of the overall intersection.

Table 5: Level of Service Criteria for Signalized Intersections

Level of Service	Delay/Vehicle (seconds)	Description
A	≤ 10.0	Most vehicles do not stop at all.
B	10.1 to 20.0	Some vehicles stop.
C	20.1 to 35.0	The number of vehicles stopping is significant, although many pass through without stopping.
D	35.1 to 55.0	Many vehicles stop. Individual cycle failures are noticeable.
E	55.1 to 80.0	Considered to be the limit of acceptable delay. Individual cycle failures are frequent.
F	> 80.0	Unacceptable delay.

4.2 Capacity and Level of Service Analyses

Capacity and level of service analyses were conducted for the following conditions:

- Existing 2017 Conditions;
- Background 2037 Conditions (without site traffic); and
- Future 2037 Conditions (with the site traffic).

The software package Synchro 8 was utilized for the capacity analyses of all study intersections and site accesses. The Synchro software utilizes *Highway Capacity Manual 2010* methodologies for the evaluations.

Note that the observed heavy vehicle percentages and peak hour factors (PHF) were utilized in the capacity analysis of all study intersections.

4.2.1 Existing 2017 Conditions

Existing capacity and level of service analysis results for the study intersections are presented in **Table 6**. These results were taken from the HCM Un-signalized Intersection Capacity Analyses Reports produced by Synchro software.

Table 6: Capacity Analysis for Existing 2017 Traffic Conditions

Intersection	App.	AM Peak Hour		PM Peak Hour	
		Delay "Sec"	LOS	Delay "Sec"	LOS
Orchard Avenue and Caribou Street (Unsignalized)	EB	0.0	A	1.4	A
	WB	0.8	A	0.2	A
	NB	9.1	A	8.8	A
	SB	9.0	A	8.9	A
Eckhardt Avenue and Orchard Avenue (Unsignalized)	EB	0.2	A	0.5	A
	WB	0.0	A	0.0	A
	SB	10.8	B	10.9	B
Eckhardt Avenue and Caribou Street/Bingo 2 nd Access (Unsignalized)	EB	0.0	A	0.0	A
	WB	0.0	A	0.0	A
	NB	17.0	C	0.0	A
	SB	17.8	C	17.6	C
Eckhardt Avenue and Bingo 1 st Access (Unsignalized)	EB	0.0	A	0.0	A
	WB	0.0	A	0.0	A
	NB	0.0	A	12.8	B

The detailed capacity and LOS analyses reports for all Synchro capacity analyses scenarios are contained in **Appendix C** of this report.

A review of **Table 6** indicates that all study intersection are currently operating at acceptable levels of service with the stop controls on minor roads, during both the AM and the PM peak hours. Additionally, all stop controlled approaches operate at acceptable levels of service. Therefore, no mitigations are needed under existing traffic conditions.

4.2.2 Background 2037 Conditions

LOS and capacity analyses results for the background 2037 traffic conditions (without site development generated traffic) for all study intersections are presented in **Table 7**.

Table 7: Capacity Analysis for Background 2037 Traffic Conditions

Intersection	App.	AM Peak Hour		PM Peak Hour	
		Delay "Sec"	LOS	Delay "Sec"	LOS
Orchard Avenue and Caribou Street (Unsignalized)	EB	0.0	A	1.4	A
	WB	0.9	A	0.3	A
	NB	9.2	A	9.0	A
	SB	9.1	A	9.0	A
Eckhardt Avenue and Orchard Avenue (Unsignalized)	EB	0.2	A	0.6	A
	WB	0.0	A	0.0	A
	SB	12.8	B	13.2	B
Eckhardt Avenue and Caribou Street/Bingo 2 nd Access (Unsignalized)	EB	0.0	A	0.0	A
	WB	0.0	A	0.0	A
	NB	0.0	A	0.0	A
	SB	30.9	D	29.4	D

A review of **Table 7** indicates that all study intersections would continue to operate at acceptable levels of service with the stop controls during the AM peak and PM peak hours. Additionally, all stop controlled approaches would continue to operate at acceptable levels of service. Therefore, no mitigations would be needed under background 2037 conditions.

4.2.3 Future 2037 Conditions

LOS and capacity analysis results for the future 2037 traffic conditions (with site development traffic) for all study intersections are presented in **Table 8**.

Table 8: Capacity Analysis for Future 2037 Traffic Conditions

Intersection	App.	AM Peak Hour		PM Peak Hour	
		Delay "Sec"	LOS	Delay "Sec"	LOS
Orchard Avenue and Caribou Street (Unsignalized)	EB	0.0	A	1.4	A
	WB	0.9	A	0.3	A
	NB	9.2	A	9.0	A
	SB	9.1	A	9.0	A
Eckhardt Avenue and Orchard Avenue (Unsignalized)	EB	0.2	A	0.5	A
	WB	0.0	A	0.0	A
	SB	13.0	B	13.4	B
Eckhardt Avenue and Caribou Street / Proposed Hotel Access (Unsignalized)	EB	0.0	A	0.0	A
	WB	0.3	A	0.2	A
	NB	25.0	D	27.1	D
	SB	35.3	E	32.5	D

A review of **Table 8** indicates that all study intersections would continue to operate at acceptable levels of service with the stop controls during the AM peak and PM peak hours with site generated traffic. Additionally, all stop controlled approaches would continue to operate at acceptable levels of service. Only Caribou Street southbound approach would operate at LOS "E" during the AM peak hour only with 35.3 seconds of average delay per vehicle. Note that the 35 is the border point between LOS "D" and LOS "E". Also an average delay of 35 seconds per vehicle is considered acceptable to the majority of drivers. Therefore, no mitigation would be needed under future 2037 conditions.

4.2.4 Opening Year Conditions

LOS and capacity analysis results for the build-out 2017 traffic conditions were not performed since the ultimate 2037 future traffic condition analysis indicated acceptable levels of service without any movement experiencing extremely high delays.

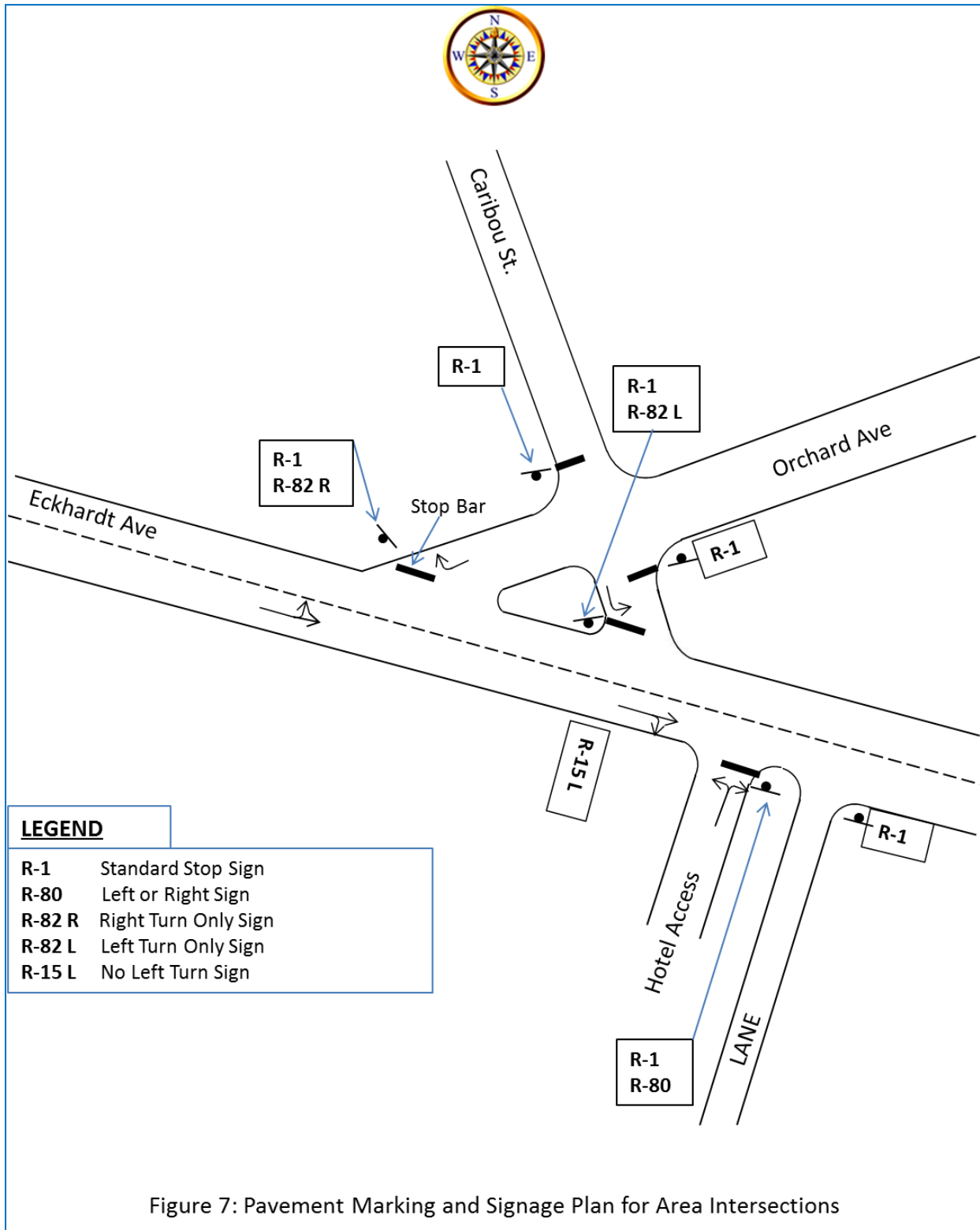
4.3 Traffic Control Signal Warrants

Signal warrant analyses are usually performed in accordance with *Transportation Association of Canada (TAC)* standards utilizing TAC warrants table. The purpose of the traffic signal warrant assessment is to determine if the installation of a traffic control signal is justified under 2037 future traffic conditions. The traffic signal installation warrants were not performed for any of the study intersections because the unsignalized capacity analysis results for the future 2037 traffic volume conditions indicated acceptable levels of service during the AM and PM peak

hours without any significant delays along any of the study intersections approaches. Therefore, signalization would not be justified under 2037 conditions for any of the study intersections.

4.4 Pavement Marking and Signage Plan

The traffic impact assessment scope requires the preparation and provision of a traffic signage plan for the study intersections including the proposed site. Figure 7 presents a schematic signage plan per the requirements. Note that safety and smooth traffic operations were the factors considered in the preparation of this proposed traffic signage plan.



5.0 CONCLUSIONS AND RECOMMENDATIONS

This study analyzed the traffic impacts of the proposed Fairfield by Marriott Hotel Development project to be located in City of Penticton, British Columbia. The proposed development will consist of 111 hotel rooms without restaurant. The estimated number of total site generated trips entering and exiting the restaurant would be 907 trips daily, 59 trips during the AM peak, and 67 trips during the PM peak hour. The following conclusions have been reached by this traffic impact assessment study:

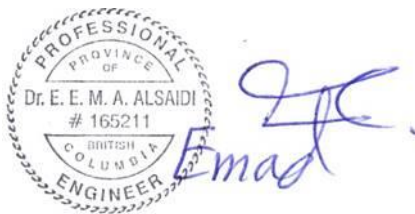
- LOS and capacity analyses indicated that under the Existing 2017 traffic conditions, all study intersections are currently operating at acceptable levels of service with ample capacities and no vehicle queuing. No intersection improvements are required for any of the study intersections under existing conditions.
- Background 2037 without the Project Site Traffic LOS analyses indicated that all study intersections would continue to operate at acceptable levels of service with ample capacities and no vehicle queuing. Therefore, no mitigations would be needed under background 2037 conditions for any of the study intersections.
- Future 2037 with the Project Site Traffic LOS analyses indicated that all study intersections would continue to operate at acceptable levels of service with ample capacities and no vehicle queuing issues. Therefore, no mitigations would be needed under future 2037 conditions with site traffic for any of the study intersections.
- Traffic signal control warrant analyses were not performed for any of the stop controlled study intersections because the unsignalized capacity analyses results for the future 2037 traffic volume conditions indicated acceptable levels of service during the AM and PM peak hours without any significant delays along any of stop controlled approaches.
- Recommended pavement marking and signage plan for the study area intersections including the proposed site access were provided within this TIA report. Safety and smooth traffic operations were the factors considered in the preparation of the plan.
- It is understood that Eckhardt Ave has a proposed road widening in place to establish a 21m right-of-way (ROW) within this TIA study area. This improvement would occur when the City of Penticton population reaches 40,000. It is believed that with the 21m ROW Eckhardt Avenue would have two travel lanes per direction, which of course would improve the traffic operations within the study area.

In summary, the proposed Fairfield by Marriott Hotel Development will have some impact on the traffic operations of both existing and future road network. However, this impact will be alleviated by implementing the improvements recommended above.

Yours truly,

EASL Transportation Consultants, Inc.

Prepared by:



June 22, 2017

Emad Alsaïdi, PhD, PEng, PE
Phone: (403) 930-1928
Direct Phone: (587) 703-5222
E-mail: ealsaidi@easltransportation.ca

Appendix A
Project Development Site Plan

Appendix B

Existing 2017 Intersection Turning Movement Traffic Counts

Appendix C

Synchro Levels of Service & Capacity Analysis Reports