

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

Tuesday, August 15, 2017
at 6:00 p.m.

1. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2017-50”** 1-13

CO Reads Opening Statement and Introduction of Bylaws

“Zoning Amendment Bylaw No. 2017-50” (1700/1706 Main Street)

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

Add the following Site Specific provision to section 11.7.4: .3 In the case of Lot 8, District Lots 1997S and 3237S, Similkameen Division Yale District, Plan 4762 and That Part of Closed Road in District Lot 3237S, Similkameen Division Yale District, Shown as Parcel B (Plan B7772), Lying Adjacent to Lot 8, Plan 4762, located at 1700 and 1706 Main Street, the following uses shall be permitted: dwelling units, congregate housing, transitional housing and emergency shelter.

The applicant is proposing to convert the motel, through major renovation, into housing for those in need of mental health services, persons suffering from addictions and persons in housing crisis. The property is also intended to accommodate the City’s homeless and emergency weather response shelters.

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, August 4, 2017 and Wednesday, August 9, 2017 (pursuant to the *Local Government Act*).

CO No Correspondence received regarding the Zoning Amendment (as of noon Wednesday, August 9, 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. 2017-50" is terminated and no new information can be received on this matter.

2. Mayor Calls Public Hearing to Order for "**Zoning Amendment Bylaw No. 2017-51**" 14-33

CO Reads Opening Statement and Introduction of Bylaws

"Zoning Amendment Bylaw No. 2017-51" (910, 920, 932 and 946 Eckhardt Ave W)

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

Rezone Lot A, District Lot 366, Similkameen Division Yale District Plan 34986, located at 910 Eckhardt Avenue West from C8 (Vehicle Service Station) to CT1 (Tourist Commercial).

Rezone Lots 4-5-6, District Lot 366, Similkameen Division Yale District Plan 10670, located at 920, 932, 946 Eckhardt Avenue West from R2 (Small Lot Residential) to CT1 (Tourist Commercial).

Add the following site specific provisions to the CT1 Zone: 1) Notwithstanding the Subdivision and Development Regulations in Section 11.10.2, building height of 16.5m for the stair tower and 15m for principal roof is permitted and a maximum parcel overage of 46.5% is permitted; and 2) Notwithstanding the parking requirements in Section 7.6, the required parking spaces shall be 0.9 spaces per room and 4 Class I Biking spaces and 2 Class II bicycle spaces shall be required.

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, August 4, 2017 and Wednesday, August 9, 2017 (pursuant to the *Local Government Act*).

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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. 2017-51" is terminated and no new information can be received on this matter.

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

Tuesday, August 1, 2017
at 1:00 p.m.

Resolutions

- 12.2 Zoning Amendment Bylaw No. 2017-50
Re: 1706 Main Street

453/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-50", a bylaw that amends City of Penticton Zoning Bylaw No. 2017-08 by adding the uses "dwelling units, congregate housing, transitional housing and emergency shelter" to the C7 zone on a site specific basis for Lot 8, District Lots 1997S and 3237S, Similkameen Division Yale District, Plan 4762 and That Part of Closed Road in District Lot 3237S, Similkameen Division Yale District, Shown as Parcel B (Plan B7772), Lying Adjacent to Lot 8, Plan 4762, located at 1700 and 1706 Main Street, be given first reading and be forwarded to the August 15, 2017 Public Hearing;
AND THAT final adoption of "Zoning Amendment Bylaw No. 2017-50" be subject to the registration of a 4.0m road dedication along the Main Street frontage of the property and consolidation of the two parcels at the Land Title Office.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: August 1, 2017
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager
Address: 1706 Main Street
Subject: **Zoning Amendment Bylaw No. 2017-50**

File No: RZ PL2017-8009

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2017-50", a bylaw that amends City of Penticton Zoning Bylaw No. 2017-08 by adding the uses "dwelling units, congregate housing, transitional housing and emergency shelter" to the C7 zone on a site specific basis for *Lot 8, District Lots 1997S and 3237S, Similkameen Division Yale District, Plan 4762 and That Part of Closed Road in District Lot 3237S, Similkameen Division Yale District, Shown as Parcel B (Plan B7772), Lying Adjacent to Lot 8, Plan 4762*, located at 1700 and 1706 Main Street, be given first reading and be forwarded to the August 15, 2017 Public Hearing;

AND THAT final adoption of "Zoning Amendment Bylaw No.2017-50" be subject to the registration of a 4.0m road dedication along the Main Street frontage of the property and consolidation of the two parcels at the Land Title Office.

Strategic priority objective

The proposed development meets several of the City's strategic priorities, including providing affordable housing and creating a safe community. The project also assists in filling a gap identified by the recently completed housing needs assessment to provide additional non-market housing in Penticton.

Background

The subject property currently features a 54-unit motel with a mix of hotel suites, traditional motel suites and a large indoor swimming pool.

The property was recently purchased by BC Housing, with the intent of converting the motel, through a major renovation, into housing for those in need of mental health services, persons suffering from addictions and persons in housing crisis. The property is also intended to accommodate the City's homeless and emergency weather response shelters, a service that is currently operating at Compass House in the Downtown. The facility will be run by the Penticton and District Society for Community Living (PDSCL) in partnership with Interior Health, who will be managing the units intended for persons with mental health issues and the Salvation Army, who will be operating the emergency shelter and emergency weather shelter.

The housing being provided is based on the “housing first” model, as championed by 100 Homes Penticton in our community and 20,000 Homes Canada on a federal level. The development will be called Compass Court.

Renovations to the property will consist of cosmetic upgrades, including painting, new flooring and general clean-up of the existing motel rooms. The major renovation will be the conversion of the pool area into the shelter.

Prior to occupancy of the building, a building permit process will be undertaken to change the use of the property from a tourist accommodation designation to a long term residential designation, dealt with differently in the BC Building Code. That process has already begun with environmental testing and plans being developed. Actual construction will begin after zoning approval, if successful.

The intent is for the emergency weather shelter to be open for November of this year as work on the long term housing units proceeds.

Proposal

The applicants are requesting the following amendment to Zoning Bylaw 2017-08:

Add Section 11.7.4

.3 In the case of Lot 8, District Lots 1997S and 3237S, Similkameen Division Yale District, Plan 4762 and That Part of Closed Road in District Lot 3237S, Similkameen Division Yale District, Shown as Parcel B (Plan B7772), Lying Adjacent to Lot 8, Plan 4762, located at 1700 and 1706 Main Street, the following uses shall be permitted: ‘dwelling units, congregate housing, transitional housing and emergency shelter’.

Financial implication

“Housing first” models are proven to reduce costs of servicing persons with addictions, mental health and homeless. Housing first models and are shown to reduce the overall cost to a community for hospital, police and other emergency services. Studies have also shown that housing first models have led to reductions in crime in communities that have embraced the model over more traditional ‘qualifying for housing’ models.

Technical Review

The subject application was referred to the Technical Planning Committee (TPC) for their review and comment. No major concerns were identified as part of that review. The service level for sewer, water and fire protection are adequate for the intended use. The City’s Building Department has been involved with BC Housing and their consultant on the required code upgrades to convert the building. That work has been ongoing.

A 4.0m road dedication has been identified and staff are recommending that the road dedication be registered with the Land Title Office prior to adoption of the zoning amendment bylaw. The City’s sidewalk is actually constructed on the subject lands. With the road dedication, the sidewalk will end up in the road right-of-way, where it belongs. Lot consolidation is also being recommended.

Parking

There are currently 52 parking spaces on site. BC Housing and PDSCL have indicated that this parking amount is sufficient for their staff and the few tenants that have vehicles.

Analysis

Zoning Amendment

According to the recently completed Housing Needs Assessment for the City of Penticton, our community is deficient by over 200 units of non-market supported housing. The City's homeless and cold weather shelters are operating at above capacity. The need for this type of facility is evident, however, the question with this type of facility is always where an appropriate location would be. The location selected by BC Housing for this project is, in staff's consideration, a good location. This is an area easily serviced by transit, is close to major shopping areas including several fast food restaurants, grocery stores and Value Village. More importantly, the site is close to the hospital and other emergency services.

The success of housing first models relies on monitoring, good oversight and continued funding. The intent here is to have a safe place for persons to live with access to services (mental health, addictions, counselling etc.) that will allow people to take steps to improve their personal situation. The facility is intended to have security measures in place, including fencing, with secured locking gates and 24 hour a day on-site management personnel.

This investment by the Housing Authority follows two other projects which saw the conversion of older motels into supported housing for persons with high resource needs. The Skaha Sunrise (2010) and Fairhaven (2016) projects are both up and running. While some growing pains with the two projects were experienced early-on, both properties are currently operating well with waitlists for entry. The subject project is more ambitious than the previous two. This is a larger property with more units and will incorporate health services as well as emergency and cold weather shelter services. The hope is that with the new project coming on-line, pressure at Fairhaven and Skaha Sunrise will be reduced as the 'high resource' residents are better placed where they will succeed.

The City's Official Community Plan (OCP) designates this property as General Commercial, and envisions this area as an area for large format retail. The General Commercial designation does permit some residential uses, but is primarily an area for commercial development. This is the reason why the application is not to change the commercial zoning for the property, but to keep it C7 and add the desired uses as site specific uses. When this property redevelops in the future, it is intended that the property will redevelop as a commercial development.

Given the above and the ultimate need for additional low cost structured housing for those at risk of homelessness, staff recommend that Council give first reading to the zoning amendment bylaw and forward the bylaw to the August 15, 2017, Public Hearing for comment from the public and neighbouring businesses and property owners.

Alternate recommendations

1. THAT Council deny first reading to “Zoning Amendment Bylaw No. 2017-50”.
2. THAT Council refer the application back to staff for further discussions with the applicants.

Attachments

- Attachment A – Location Map
- Attachment B – Images of subject property
- Attachment C – OCP and zoning maps of subject property
- Attachment D – Letter of Intent from applicant
- Attachment E – Proposed road widening
- Attachment F – “Zoning Amendment Bylaw 2017-50”

Respectfully submitted

Blake Laven, MCIP, RPP
Planning Manger

Approvals

Director Development Services <i>ALH</i>	Chief Administrative Officer PW
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Attachment A
Subject Property Location Map



Attachment B
Images of Subject Property



Figure 1: Subject property from Main Street looking east



Figure 2: Subject property from sidewalk on east side of Main Street looking north



Figure 3: Subject property from Amherst Street looking west



Figure 4: Northern side yard from Main Street and from Amherst Street

Attachment C
Land Use Maps

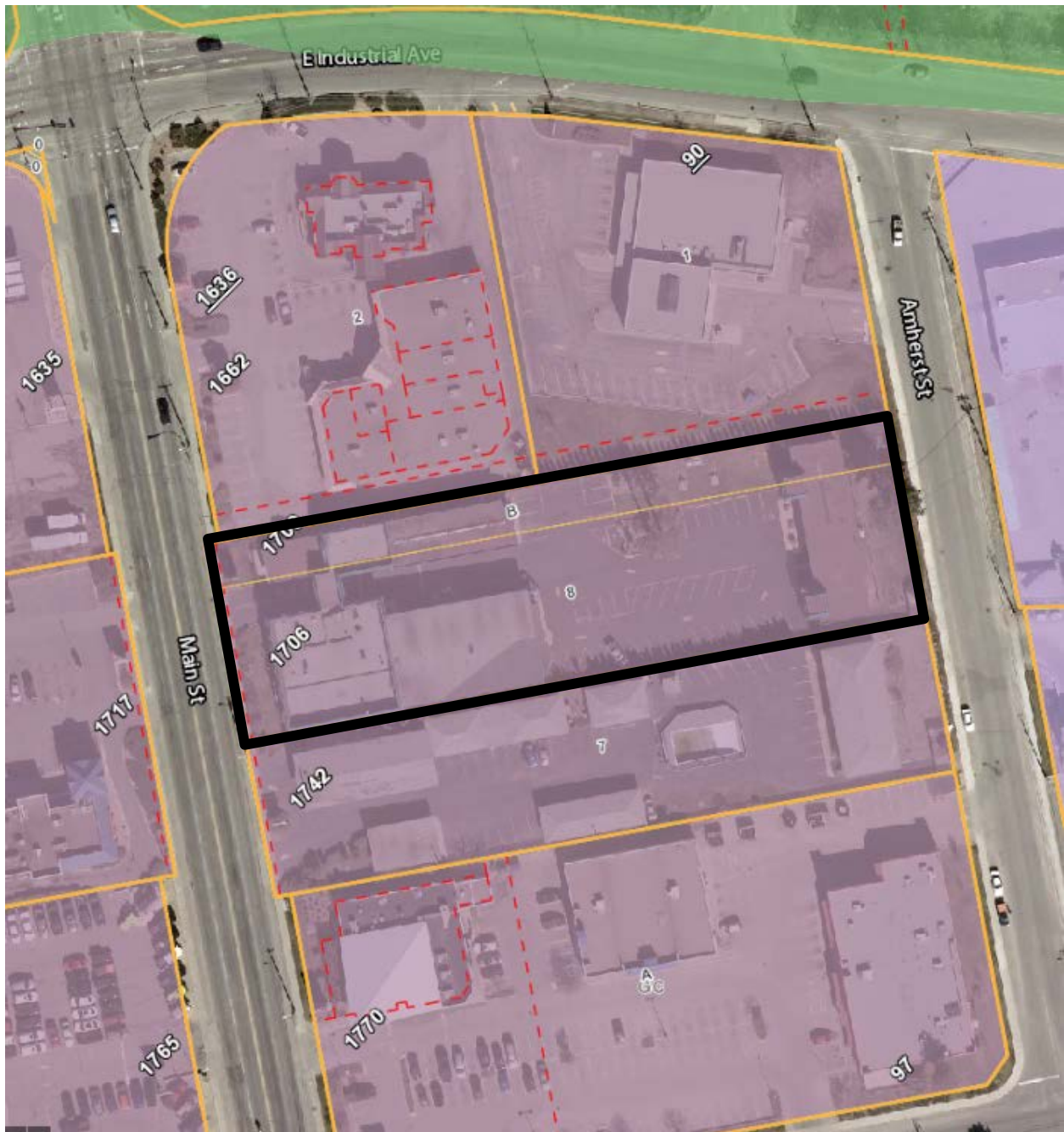


Figure 5: Official Community Plan Future Land Use Map (Showing subject property as GC - General Commercial)



Figure 6: Zoning Bylaw 2017-08 zoning map (showing the subject property as C7 - Service Commercial)

Attachment D
Letter of Intent from applicant



Penticton and District Society For
Community Living
180 Industrial Avenue West
Penticton, BC V2A 6X9
Phone: 250-493-0312 Fax: 250-493-9113
Email: admin@pdscl.org www.pdscl.org

July 4, 2017
City of Penticton – Planning Department
171 Main Street
Penticton, BC V2A 5A9

Dear Planning Committee,
Re: Application to rezone 1706 Main Street, Penticton (Formerly Super 8 Motel)

We are seeking your support in rezoning the above C7 property with a site-specific amendment to allow for congregate housing, townhouses, dwelling units and emergency shelter as permitted uses on this property.

The plan is to utilize the three (3) separate properties on this site in the following manner:

- Penticton & District Society for Community Living will be offering a progressive range of transitional housing for those struggling with mental illness and substance use as they move towards independent living;
- Salvation Army will be running their Extreme Weather Response (EWR) and Shelter Programs which will have on-site staff 24/7; and
- Interior Health will provide support services to mental health clients in the community.

The proposed location is away from downtown Penticton, but is still close to the necessary amenities and support services. There is a high need for housing and support services for vulnerable individuals at risk of homeless in Penticton and the existing EWR site has outgrown its current location. This opportunity brings together the transition housing, shelter and support services into one location, which will assist the clients in accessing the housing and supports they need.

We will make every effort to successfully integrate this development into the neighbourhood and provide much needed support for some of the most vulnerable in our community. To do this, we will be drawing on BC Housing's experience with the Fairhaven property, located at 2670 Skaha Lake Road. The plan is to ensure the following in place to prior to moving anyone in or opening the EWR and shelter programs:

- EWR and shelter programs will have onsite 24/7 staff;
- Engaging the neighbours and local businesses to identify and address concerns;
- Providing a quick response to neighbourhood concerns;
- Completing the renovations on the units and common areas;
- Providing gated areas for designated smoking and pets;
- Ensuring a CCTV system is in place to monitor the premises; and
- Enclosing all the buildings with secured locking gates that are only accessible to approved individuals.

If you have any questions, please contact me at 250.493.0312 or tony@pdscl.org.

Regards,

Tony Laing
Executive Director
Penticton & District Society for Community Living

Our Mission "To enhance the lives and the potential of the people we are able to serve"

Attachment E
Proposed road widening



Bylaw No. 2017-50

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. 2017-50".

2. **Amendment:**

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

Add Section 11.7.4 SITE SPECIFIC PROVISIONS

.3 In the case of Lot 8, District Lots 1997S and 3237S, Similkameen Division Yale District, Plan 4762 and That Part of Closed Road in District Lot 3237S, Similkameen Division Yale District, Shown as Parcel B (Plan B7772), Lying Adjacent to Lot 8, Plan 4762, located at 1700 and 1706 Main Street, the following uses shall be permitted: dwelling units, congregate housing, transitional housing and emergency shelter.

READ A FIRST time this	1	day of	August, 2017
A PUBLIC HEARING was held this	15	day of	August, 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 4 day of August, 2017 and the 9 day of August, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

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

Tuesday, August 1, 2017
at 1:00 p.m.

Resolutions

- 12.3 Zoning Amendment Bylaw No. 2017-51
Development Variance Permit PL2017-7959
Re: 910, 920, 932, 946 Eckhardt Ave W

454/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-51", a bylaw to rezone Lot A, District Lot 366, Similkameen Division Yale District Plan 34986, located at 910 Eckhardt Avenue West from C8 (Vehicle Service Station) to CT1 (Tourist Commercial), and to Rezone Lots 4-5-6, District Lot 366, Similkameen Division Yale District Plan 10670, located at 920, 932, 946 Eckhardt Avenue West from R2 (Small Lot Residential) to CT1 (Tourist Commercial) and add a site specific zoning amendment to increase the maximum height, waive the bicycle parking, decrease the parking ratio for the subject lands be given first reading and be forwarded to the August 15, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-51", the following conditions are met:

1. A 2m road dedication and 5.0m x 5.0m northeast corner cut on Eckhardt Avenue West 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.

AND THAT, in accordance with section 507 of the *Local Government Act*, Council require the developer to construct the full width of the lane along the frontage of the property, including the provisions for storm water management.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: August 1, 2017
To: Peter Weeber, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 910, 920, 932, 946 Eckhardt Avenue West
Subject: **Zoning Amendment Bylaw No. 2017-51**

File No: RZ PL2017-7957

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2017-51", a bylaw to rezone Lot A, District Lot 366, Similkameen Division Yale District Plan 34986, located at 910 Eckhardt Avenue West from C8 (Vehicle Service Station) to CT1 (Tourist Commercial), and to Rezone Lots 4-5-6, District Lot 366, Similkameen Division Yale District Plan 10670, located at 920, 932, 946 Eckhardt Avenue West from R2 (Small Lot Residential) to CT1 (Tourist Commercial) and add a site specific zoning amendment to increase the maximum height, waive the bicycle parking, decrease the parking ratio for the subject lands be given first reading and be forwarded to the August 15, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-51", the following conditions are met:

1. A 2m road dedication and 5.0m x 5.0m northeast corner cut on Eckhardt Avenue West 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.

AND THAT, in accordance with section 507 of the *Local Government Act*, Council require the developer to construct the full width of the lane along the frontage of the property, including the provisions for storm water management.

Strategic priority objective

Support for this project will help to create a welcoming city part of the livable pillar. This project will also contribute to the economy of Penticton's tourism industry and support the initiatives of the South Okanagan Event Centre Campus.

Background

This application concerns a proposal to construct a four storey 75 suite hotel on the subject lands. The subject properties (Attachment 'A') represent four parcels of land, which are presently designated by Official Community Plan 2002-20 (OCP) as GC (General Commercial) and zoned C8 (Vehicle Service Station) and

R2(Small Lot Residential) by City of Penticton Zoning Bylaw No. 2017-08. The subject properties are currently vacant. The most recent use of the property was a gas station operating under the Petro Canada franchise. The gas station shut down in mid-2013, shortly after the new Petro Canada station opened at 1090 Westminster Avenue. All of the buildings on the subject property were demolished in January 2014 and all of the petrol pumps, canopy and underground tanks have been removed. The applicants have submitted a "Certificate of Compliance" issued from the Ministry of Environment, Land Remediation Branch, with their application, stating that the site has been satisfactorily remediated to meet the applicable Contaminated Sites Regulation remediation standards and criteria.

Surrounding properties are designated by the OCP as GC (General Commercial) and PR (Parks and Recreation). Penticton's Golf and Country Club is located south of the subject property.

The property is located within the General/Tourist Commercial Development Permit area, thus a development permit is required prior to construction. Furthermore, because this property fronts a controlled access highway, the Ministry of Transportation and Infrastructure (MOTI) must grant approval prior to adoption of the Zoning Bylaw amendment. MOTI has provided a response, discussed in detail below.

Proposal

To accommodate the tourist accommodation use the applicants are proposing to rezone 910 Eckhardt Avenue West from C8 (Vehicle Service Station) to CT1(Tourist Commercial), and to rezone 920, 932, 946 Eckhardt Avenue West from R2 (Small Lot Residential) to CT1 (Tourist Commercial).

Additionally, a site-specific zoning is proposed for the site that includes the following:

Section 11.10.4

.3 In the case of Lot A, District Lot 366 ,Similkameen Division Yale District Plan 34986, located at 910 Eckhardt Avenue West and Lots 4-5-6, District Lot 366, Similkameen Division Yale District Plan 10670, located at 920, 932, 946 Eckhardt Avenue West the following applies:

.1 Notwithstanding the Subdivision and Development Regulations in Section 11.10.2, the following regulation applies to these properties:

- Building height of 16.5m for the stair tower and 15m for principal roof is permitted
- A maximum parcel coverage of 46.5% is permitted

.2 Notwithstanding the Parking requirements in Section 7.6, the required parking spaces shall be 0.9 spaces per room and 4 Class 1 Biking spaces and 2 Class II bicycle spaces shall be required

Financial implication

The construction value of the project is estimated to be around 10.3M. This will contribute approximately \$79,000 a year in general municipal taxes based on the 2017 tax rate, whereas the current taxes on the property are approximately \$6,300 a year.

Technical Review

This proposal was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments as well as the provincial Ministry of Transportation and Infrastructure. The following items are noted and will need to be addressed as this project moves through the development process:

Lot Consolidation

Initial comments from MOTI indicate that lot consolidation will be a condition that of approval. Staff have recommended that lot consolidation happen prior to adoption of the zoning bylaw.

Site access

One of MOTI's conditions of approval are that no direct access to the site be permitted from the controlled access highway. Access to the property will be from what is currently an unconstructed lane, located directly to the east of the subject property. These lands are, at this time, used by the Golf Club as golf cart parking. The developer has made an agreement with the Golf Club to relocate the cart parking and to open up the laneway to traffic. The construction of the lane and new intersection with the highway will be completed at the expense of the developer.

MOTI has also commented on the proposed deceleration lane and current entrance design and are requiring that this be redesigned. The redesign of the entrance will need to be completed prior to zoning adoption, but should not affect the building location.

Traffic Management Study / Access Design

MOTI has also indicated the need for a transportation impact assessment. Precisely, there is a request to examine the entrances on the 97 Highway, the proposed loading zone and the parking alignment. The report will also need to speak to the turning radius at both the entrance and the lane with consideration for fire truck access. The pedestrian traffic will need to be addressed along Eckhardt Avenue W and the entrance to confirm the safety of the proposed crossing at the lane. This analysis 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 2m road dedication along Eckhardt Avenue West. The 2m dedication also forms parts of a request from MOTI. This widening will help to achieve the desired width of Eckhardt Avenue West. Through the traffic impact analysis, additional road dedication may be suggested along the lane including additional turning radius for emergency vehicle. MOTI is also requiring that any buildings be set back a minimum of 3.0m from the future property line. The building is currently 3.0m from the future property line so will not need to be relocated as long as no further road dedication is required, beyond the 2.0m already identified.

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. The easement will be registered as part of the development permit and building permit process, if rezoning is successful.

Frontage upgrades

As part of building permit approval, street frontage upgrades (curb letdowns, sidewalk improvements) will be required. Standard water and sewer upgrades will be required. A private hydrant will also be required on site. MOTI has also placed a requirement that all letdown curbs that currently exist on the property be replaced with barrier curb. This will most likely necessitate the replacement of the entire boulevard and sidewalk area along the frontage of the property. All of the above noted works are required at the developer's expense and have been communicated to the developer.

Certificate of Compliance

The former use on the site included a gas station. Under section 40 of the Environmental Management Act, if a site has been used for industrial or commercial activities and includes Schedules 2 uses under the Contaminated Sites Regulations, the Ministry requires remediation followed by submission of a certificate of compliance. The City has received confirmation from the Ministry of Environment that the site has been satisfactorily remediated to meet the applicable Contaminated Sites Regulations. The requirements under the submitted certificate of compliance specify that any building erected on the site will have to be slab on grade and site grading must remain approximately consistent with current grade or higher.

Development Permit requirement

The subject property is in the General tourist Commercial Development Permit Area, As such, prior to the issuance of a building permit, the applicant will be required to submit a development permit application. The drawings attached to the development permit will have to show conformance to the development permit area guidelines contained in the City's OCP. The plans submitted to date are generally in line with the guidelines. Staff are anticipating some changes with ground level organization, specifically around the entrance to the site. These minor changes to the plans will be dealt with through the development permit process if the rezoning is successful.

Project specifications

As stated above the proposal is for a 75 room hotel. The hotel will have complimentary breakfast but no on site restaurant. Vehicle entrance is proposed in the east side of the property through a new constructed lane. No direct access to Highway 97 (Eckhardt Ave W.) will be granted by the MOTI (Ministry of Transportations and Infrastructures). The MOTI has stated that access to the proposal is only permitted by way of existing Municipal Street or lanes and a restrictive covenant will need to be delivered in favour of the Ministry accordingly. The following table outlines the proposed development statistics on the plans submitted with the rezoning application:

Item	Requirement CT1 Zone	Proposed (Site Specific)
Maximum Lot Coverage:	40%	46.5%
Maximum Density:	1.2 FAR	1.2 FAR
Minimum Lot Width:	20.0m	100m
Minimum Lot Area:	930m ²	2955m ²
Vehicle Parking:	1 per room (75 total)	72 spaces +1 Loading
Bicycle Parking (Class 1):	1 per 125m ² (27 required)	1
Bicycle Parking (Class 2):	1 per 125m ² (27 required)	8

Required Setbacks		
Front yard (North):	3.0m	3.66m
Rear yard (South):	4.5m	5.62m
Interior yard (East):	0m	1.53m
Interior yard (West):	4.5m	20.8m
Maximum Building Height:	12.0m	Stairs Tower: 16.5m Principal Roof: 15m
Other Information:	Subject properties are located within the General/Tourist Commercial Development Permit Area. A development permit will follow the rezoning application.	

Analysis

Zoning Amendment

Support “Zoning Amendment Bylaw No. 2017-51”

The development provides for an increase in the supply of quality tourist commercial space in proximity of existing City’s golf course and SOEC campus. The proposal is located in an area that encourages 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, 75-unit hotel is an appropriate use of the land for the following reasons:

- The application is consistent with the OCP’s vision that highlights the importance of a range of commercial opportunities that will contribute to its employment and tax base growth.
- 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 OCP encourages development within the general commercial area to integrate and accommodate trees and landscaping, which is included.
- The proximity to the events center, casino and nearby services encourages more walking and active forms of transportation.

Overall, staff consider that the proposed building will contribute positively to the area with the increase in commercial area and the 75 new hotel rooms. The location of the site and characteristics of the surrounding area make it ideally suited for commercial densification. The transition from a petrol station and subsequent brownfield site to a brand new hotel in a strategic gateway location for the City of Penticton is another step in a positive direction for our community.

Given the uniqueness of the site and the limitation placed on the property by both the MOE Certificate of Compliance and MOTI’s conditions, staff have established some site specific development regulations for the lands, which provide some site specific allowances above what would normally be acceptable in the CT1 zone. This is a typical process for unique and strategic sites.

Given the above, staff recommends that Council support “Zoning Amendment Bylaw No. 2017-XX” and forward the application to the August 15, 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.

Alternate Recommendations

- 1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2017-51".

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: Zoning Amendment Bylaw No.2017-51

Respectfully submitted,

Audrey Tanguay

Senior Planner

Approvals

DDS	CAO
<i>AT</i>	PW

Attachment A – Subject Property Location Map



Figure 1: Subject Property Location Map

Attachment B – Zoning Map



Figure 2: Zoning Map

Attachment C- OCP Map

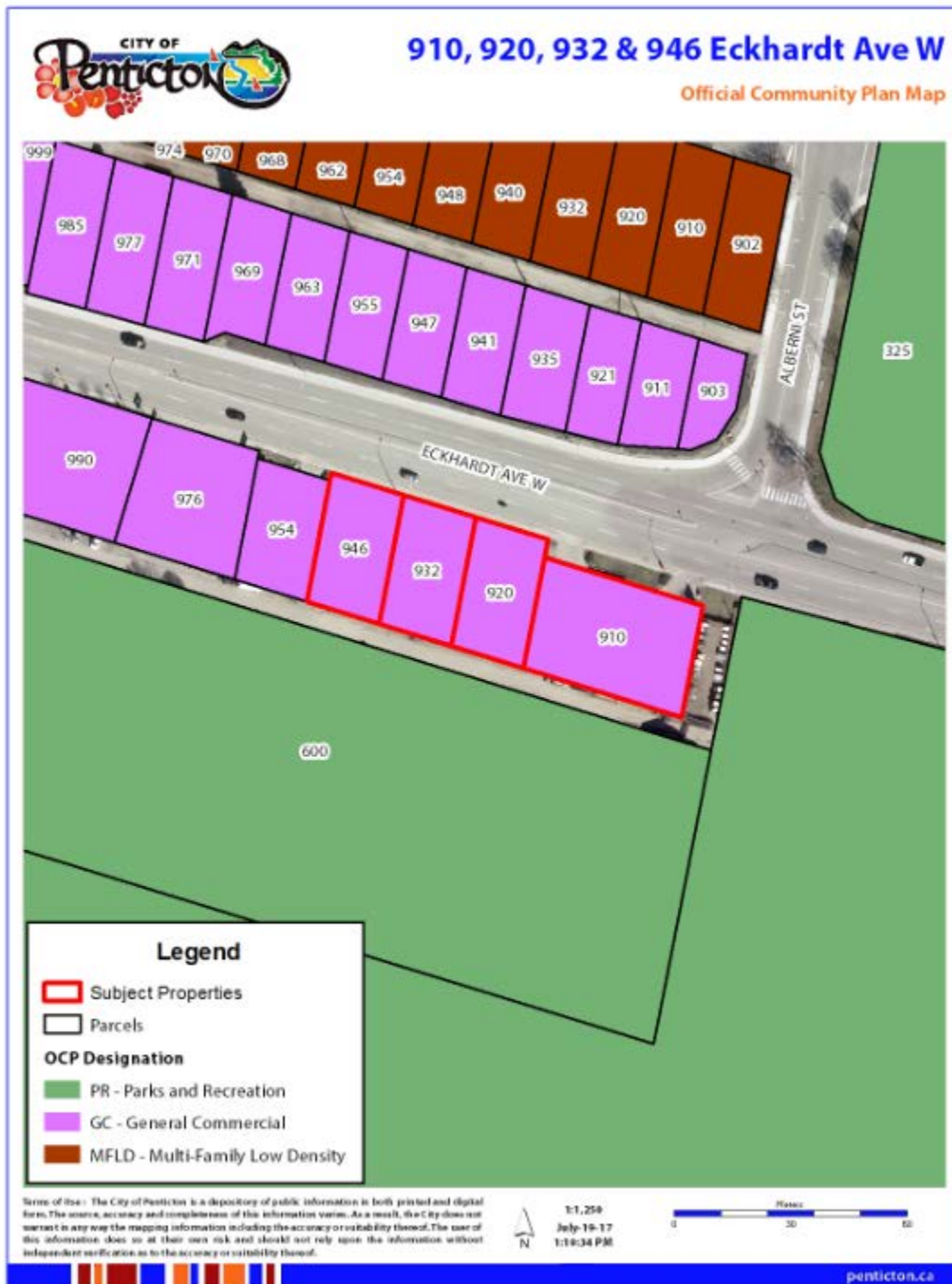


Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: Front View Looking West



Figure 5: Front View of 640 Eckhardt Ave West

Attachment F – Elevations



Figure 8: View from Eckhardt Avenue



Figure 9: View looking South West



Figure 10: View looking North West

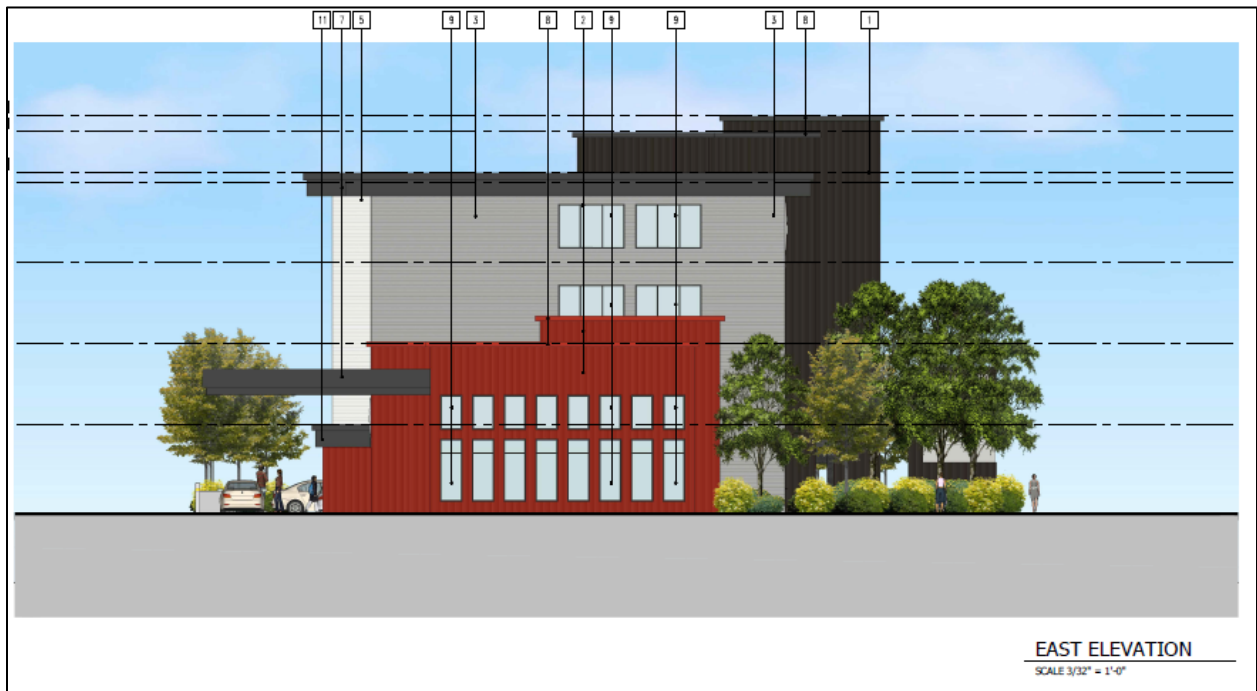


Figure 11: East Elevation



NORTH ELEVATION
SCALE 3/32" = 1'-0"

Figure 12: North Elevation



SOUTH ELEVATION
SCALE 3/32" = 1'-0"

Figure 13: South Elevation

Attachment G- Letter of Intent

JM Architecture Inc.

Registered in BC - AB - ON
Joe M. Minten principal
Architect aibc aaa oaa mraic

6 July, 2017

RE: Ramada Penticton - New Development Proposal
910, 920, 932 and 946 Eckhart Avenue

DESIGN NARRATIVE



The proposed development lies within the North Gateway Development Permit Area as defined within the City of Penticton Official Community Plan.

The design meets the intent of the OCP in all respects.



To the South and East, and across the lane, lies the golf course. To the immediate West is a one storey commercial building and further to the west are other commercial buildings. To the North and across Eckhart Avenue is a large surface parking lot, the Sports complex and residential neighbourhood.

Four lots comprise the development area; the current zoning includes R2 and C8. These four lots shall be consolidated to a single lot and rezoned to CT-1 Tourist Commercial to ensure compliance with the zoning bylaw. The design is in general compliance with the CT-1 zoning however some variances are required; these include the following:

1. Building height to 16.5m (West stair tower) to permit access to the roof for maintenance of building services equipment. Note the main roof structure is set at 14.5m and a raised parapet at the East end of the building set to 15.75m will provide screening for the equipment.
2. Parking is required at 1 space per guest room. This development proposes 74 guest rooms - two are designed as accessible rooms. On-site parking, which includes covered and uncovered areas, provide 73 parking spaces (2 are designated as accessible) and there are two drop off parking spaces which are included to provide the required 74 spaces.

The design is in compliance with all other regulation set out in the CT-1 zone.

MOTI will not permit access to the site directly from Eckhart Avenue so access to the parking is from a new right turn only lane at the east end of the property; reference the site plan.

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JM Architecture Inc.

Registered in BC - AB - ON
Joe M. Minten principal
Architect aibc aaa oaa mraic

The form and character of the hotel is an eclectic mix of contemporary and traditional elements. All parking spaces are located on the surface; the hotel guest rooms are situated above with only the hotel lobby and ancillary spaces located at the eastern end of the site and adjacent to the principle road access as noted above.

Two exterior materials are used to define the form and character of the building ; Hardie Siding forms the base material - four colours are used: Pearl Gray, Rich Espresso, Arctic White and Traditional Red - Vertical Metal Cladding used as accent material in Deep Bronze and Dark Red. The mix and juxtaposition of these materials create an interesting and vibrant building composition to the neighbourhood and fit well within the context of the OCP intent for this area.

Landscape areas of the site are principally to the north bordering Eckhart Avenue. Because there is no vehicular access directly from the road a continuous line of landscape is possible. This creates almost a park-like environment to the lot as it faces the public realm. The design of the parking area has provided trees to be located within the site as well as along the west and south perimeters. Please refer to the landscape plan for complete details.

Waste and recycling will be designed during the design development stage, it is expected that one parking space may be removed to facilitate a staging area for on-site collection. This would provide a total of 73 onsite parking spaces

Full accessibility is provided to the project; this begins with access to parking and the main entry as well as complete access to the accessible suites provided in the hotel and all areas required to maintain barrier free access.

Crime Prevention Through Environmental Design (CPTED) principals have been considered in the design to ensure safety and surveillance for public, guest and staff alike.

Finally energy efficiency design will be incorporated at all levels of the design to meet the requirements of the BC Building Code and best practices. There is however no intent to seek third party certification such as LEED or Green Globes at this time.

end of document

Joe Minten Architect AIBC, AAA, OAA, MRAIS
principal

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Figure 15: Letter of Intent

Bylaw No. 2017-51

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. 2017-51".

2. **Amendment:**

Zoning Bylaw 2017-08 is hereby amended as follows:

2.1 Rezone Lot A, District Lot 366, Similkameen Division Yale District Plan 34986, located at 910 Eckhardt Avenue West from C8 (Vehicle Service Station) to CT1 (Tourist Commercial).

2.2 Rezone Lots 4-5-6, District Lot 366, Similkameen Division Yale District Plan 10670, located at 920, 932, 946 Eckhardt Avenue West from R2 (Small Lot Residential) to CT1 (Tourist Commercial).

2.3 Add 11.10.4 SITE SPECIFIC PROVISIONS

.3 In the case of Lot A, District Lot 36 , Similkameen Division Yale District Plan 34986, located at 910 Eckhardt Avenue West and Lots 4-5-6, District Lot 366, Similkameen Division Yale District Plan 10670, located at 920, 932, 946 Eckhardt Avenue West the following applies:

.1 Notwithstanding the Subdivision and Development Regulations in Section 11.10.2, the following regulation applies to these properties:

- Building height of 16.5m for the stair tower and 15m for principal roof is permitted;
- A maximum parcel coverage of 46.5% is permitted.

.2 Notwithstanding the Parking requirements in Section 7.6, the required parking spaces shall be 0.9 spaces per room and 4 Class 1 Biking spaces and 2 Class II bicycle spaces shall be required.

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

READ A FIRST time this	1	day of	August, 2017
A PUBLIC HEARING was held this	15	day of	August, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
RECEIVED the approval of the Ministry of Transportation on the		day of	, 2017
ADOPTED this		day of	, 2017

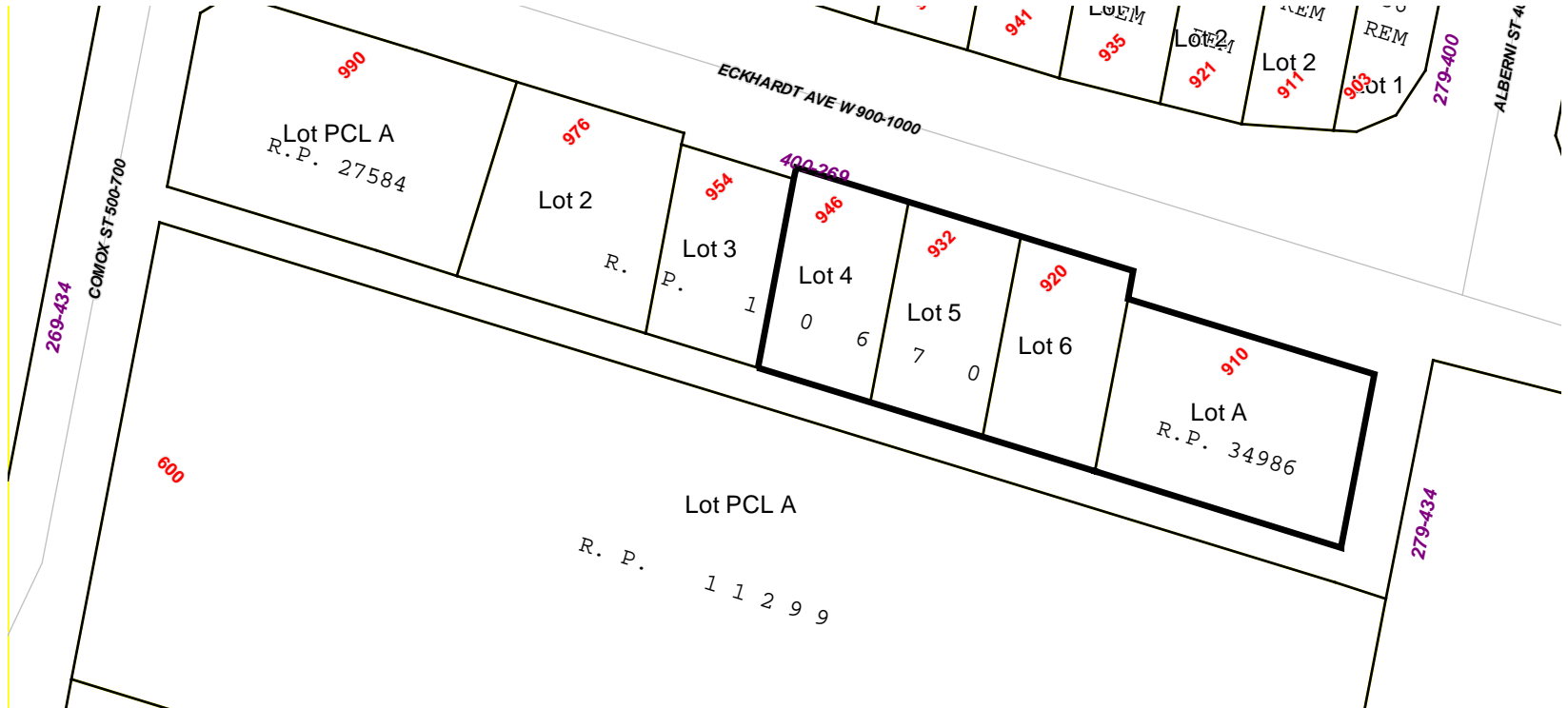
Notice of intention to proceed with this bylaw was published on the 4 day of August, 2017 and the 9 day of August, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

<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 910 Eckhardt Ave W from R2 (Small Lot Residential) to C8 (Vehicle Service Station)
- Rezone 920, 932 & 946 Eckhardt Ave W from R2 (Small Lot Residential) to CT1 (Tourist Commercial)
- Site Specific Rezoning for 910, 920, 932 and 946 Eckhardt Ave W to increase the maximum height allowed, waive bicycle parking and decrease the parking ratio



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-51

Date: _____

Corporate Officer: _____