

Public Hearing

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

To view the live broadcast, visit www.penticton.ca

Tuesday, March 19, 2024
at 6:00 p.m.

- | | | |
|-------|---|------|
| 1. | Mayor Calls Public Hearing to Order for “Zoning Amendment Bylaw No. 2024-07” | 1-16 |
| CO | Reads Opening Statement and Introduction of Bylaw
“Zoning Amendment Bylaw No. 2024-07” (21 Lakeshore Drive West)

Purpose: To amend Zoning Bylaw No. 2023-08 as follows:

Add site-specific provision within the CT1 (Tourist Commercial) zone, as follows:

<ul style="list-style-type: none"> • “In the case of Lot A District Lots 202 and 211S Similkameen Division Yale District Plan KAP63701, located at 21 Lakeshore Drive West, office with a maximum of 250 m² shall be permitted.”
The applicant is proposing to use an existing space within the Penticton Lakeside Resort as a real estate office on the subject property. | |
| | Notice: Pursuant to the <i>Local Government Act</i> the Public Hearing was advertised on Friday, March 8, 2024 and Wednesday, March 13, 2024 in an online news source and the newspaper. | |
| CO | One letter has been received regarding the Zoning Amendment Bylaw (as of noon Wednesday, March 13, 2024). | |
| Mayor | Requests Development Services staff describe the proposed bylaw | |
| Mayor | Invitation to applicant for comment or elaboration on the application | |
| Mayor | Invitation to electronic and in person participants to present their views | |
| Mayor | Invites Council members to ask questions | |
| Mayor | Invites applicants to respond to questions | |
- PUBLIC HEARING for “Zoning Amendment Bylaw No. 2024-07” is terminated and no new information can be received on this matter.

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

Tuesday, March 5, 2024
at 1:00 p.m.

Resolutions

- 8.8 Zoning Amendment Bylaw No. 2024-07
Re: 21 Lakeshore Drive West

68/2024

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2024-07", for Lot A District Lots 202 And 211S Similkameen Division Yale District Plan KAP63701, located at 21 Lakeshore Drive West, a bylaw to add the site-specific provision, within the CT1 (Tourist Commercial) zone as follows: "Section 11.10.4.3, In the case of Lot A District Lots 202 And 211S Similkameen Division Yale District Plan KAP63701, located at 21 Lakeshore Drive West, 'office' with a maximum of floor area of 250 m² shall be permitted."; AND THAT Council forward "Zoning Amendment Bylaw No. 2024-07" to the March 19, 2024 Public Hearing.

CARRIED UNANIMOUSLY



Council Report

penticton.ca

Date: March 5, 2024
To: Anthony Haddad, City Manager
From: Jordan Hallam, Planner II
Address: 21 Lakeshore Drive West

File No: RMS/21 Lakeshore Dr W

Subject: Zoning Amendment Bylaw No. 2024-07

Staff Recommendation

THAT Council give first reading to “Zoning Amendment Bylaw No. 2024-07”, for Lot A District Lots 202 And 211S Similkameen Division Yale District Plan KAP63701, located at 21 Lakeshore Drive West, a bylaw to add the site-specific provision, within the CT1 (Tourist Commercial) zone as follows:

“Section 11.10.4.3, In the case of Lot A District Lots 202 And 211S Similkameen Division Yale District Plan KAP63701, located at 21 Lakeshore Drive West, ‘office’ with a maximum of floor area of 250 m² shall be permitted.”;

AND THAT Council forward “Zoning Amendment Bylaw No. 2024-07” to the March 19, 2024 Public Hearing.

Strategic Priority Objective

Vibrant and Connected: Support vibrant and diverse activities creating opportunities for connection in community.

Proposal

The applicant is proposing to use an existing space within the Penticton Lakeside Resort as a real estate office on the subject property (Figure 1). In order to proceed with the proposed use, the applicant has requested a site-specific zoning on the subject property to allow ‘office’ as a permitted use with a maximum floor area of 250 m².



Figure 1 – Property Location Map

Background

The subject property is located on the north side of Lakeshore Drive West, in the downtown area of Penticton (Figure 1). The property is approximately 32,900 m² in size. Surrounding land uses include multi-family developments, commercial uses, parks, and tourist commercial. The main hotel building on the property was built in 1982, and a six-storey annex building was constructed on the property in 2016/17. The proposed office spaces would be located on the first-storey of the annex hotel building (Figure 2).



Figure 2 – Rendering of Proposed Office Space

The property is zoned 'CT1 (Tourist Commercial)' by the Zoning Bylaw 2023-08 and is designated 'Tourist Commercial' by the Official Community Plan. The CT1 zone does not currently permit office as a permitted use, which is why the zoning amendment is required.

Public Hearing

A public hearing is required for this site-specific zoning, as the request does not propose any residential uses. The *Local Government Act's* requires the City to mail public notice letters to nearby residents, public notice sign posted on the property, and post a public notice on the City's website that a Public Hearing is being held.

Analysis

Zoning Amendment

The Official Community Plan (OCP) designation for the subject property is 'Tourist Commercial', which supports areas that serve both visitors and residents, providing accommodation, entertainment, and food and beverage, as well as resort residential uses (Figure 3). Hotels, motels, restaurants, and complementary residential and office uses where appropriate.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Tourist Commercial</p>	<p>Areas that serve both visitors and residents, providing accommodation, entertainment, and food and beverage, as well as resort residential uses.</p>	<ul style="list-style-type: none"> Hotels Motels Restaurants Complementary residential uses where appropriate 	<ul style="list-style-type: none"> Tourist Accommodation, Restaurant, Entertainment, Service Retail Supporting Residential and Office Uses 	<ul style="list-style-type: none"> Up to 6 storeys (18m) 	<ul style="list-style-type: none"> CT1 CT2
<p>Site-Specific Tourist Commercial Policy Statement: 3200 Evergreen Drive (Wiltse South Block) - tourist accommodation resort with a maximum of 20 units and a maximum floor area of 1850m²</p>					

Figure 3 – Excerpt from Land Use Designation Table (OCP)

In addition to alignment with the future land use designation, staff consider that the proposed zoning amendment will also allow for a use that is supported through the following OCP Commercial & Mixed Use Guidelines:

<i>Guideline CM1</i>	<p><i>Retail building frontages:</i></p> <ul style="list-style-type: none"> <i>Shall meet the sidewalk at grade.</i>
	<ul style="list-style-type: none"> The proposed office use is located on the first-storey of the existing annex hotel building. The building is located approximately 12 m from property line that fronts Lakeshore Dr. There is an existing sidewalk along Lakeshore Dr to allow pedestrians to easily access the office use.
<i>Guideline CM4</i>	<p><i>Locate parking areas to the rear or interior of a site rather than between the street and building.</i></p>
	<ul style="list-style-type: none"> There is ample parking in the Penticton Lakeside Resort parking lot. The parking lot is located on the interior of the site to allow visitors wishing to visit the office space an area to park, while also not taking up parking spaces along Lakeshore Dr.
<i>Guideline CM5</i>	<p><i>Support a “Park Once” approach by locating and connecting parking to the greater pedestrian network.</i></p>
	<ul style="list-style-type: none"> The parking area provided at the Penticton Lakeside Resort is located within the downtown area and adjacent to Lakeshore Dr. Parking once at this location allows pedestrians to easily access Lakeshore Dr and Main St and the downtown core by the existing pedestrian network.
<i>Guideline CM9</i>	<p><i>Clearly signed and generously sized entries to indicate primary pedestrian access.</i></p>
	<ul style="list-style-type: none"> The proposed office fronts directly onto Lakeshore Dr. Pedestrians can easily access the proposed office space from various areas of the downtown core.

Staff consider that the application proposes a use in an area of the city that is well established for increased commercial and mixed uses. The proposed site-specific zoning to allow offices with a maximum area of 250.0 m² on the property is consistent with the ‘Tourist Commercial’ designation. Staff are recommending adding a size limit of the office space of 250 m² on the subject property. The ‘Tourist Commercial’

designation supports complementary uses such as office uses which is used in accessory to the main use of tourist accommodation.

Given that there is adequate policy through the OCP to support the proposed use, staff recommend that Council give first reading to "Zoning Amendment Bylaw No. 2024-07", and forward the bylaw to the March 19, 2024 Public Hearing to gather comments and feedback from the public.

Alternate Recommendations

Council may consider that the proposed rezoning is not suitable for this site. If this is the case, Council should deny the bylaw amendment. Staff are not recommending this option, as the proposal is well aligned with the OCP policies by allowing a commercial use in a high-amenity area of the City with a site-specific provision to allow office use.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2024-07".

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent
- Attachment E – Draft Plans
- Attachment F – Zoning Amendment Bylaw No. 2024-07

Respectfully submitted,

Jordan Hallam
Planner II

Concurrence

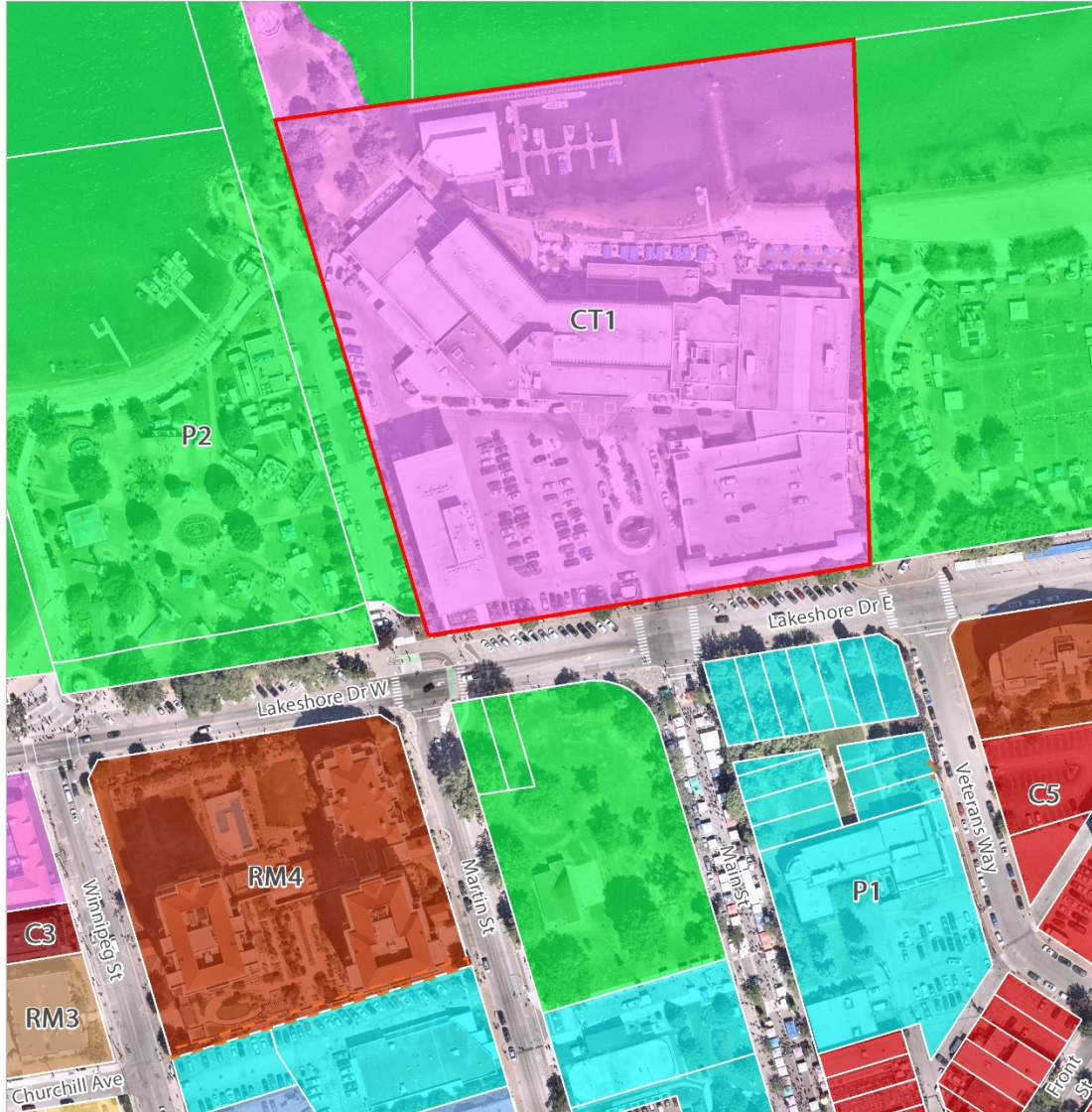
Director of Development Services <i>BL</i>	City Manager
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Attachment A – Zoning Map



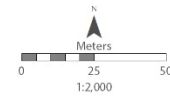
21 Lakeshore Dr W

Zoning Map



Legend

- Subject Parcel
- RD2 - Duplex Housing: Lane
- CT1 - Tourist Commercial
- RM3 - Medium Density Multiple Housing
- RM4 - High Density Multiple Housing
- P1 - Public Assembly
- C3 - Mixed Use Commercial
- P2 - Parks and Recreation
- C5 - Urban Centre Commercial
- C6 - Urban Peripheral Commercial



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

Friday, February 9, 2024 2:11:35 PM

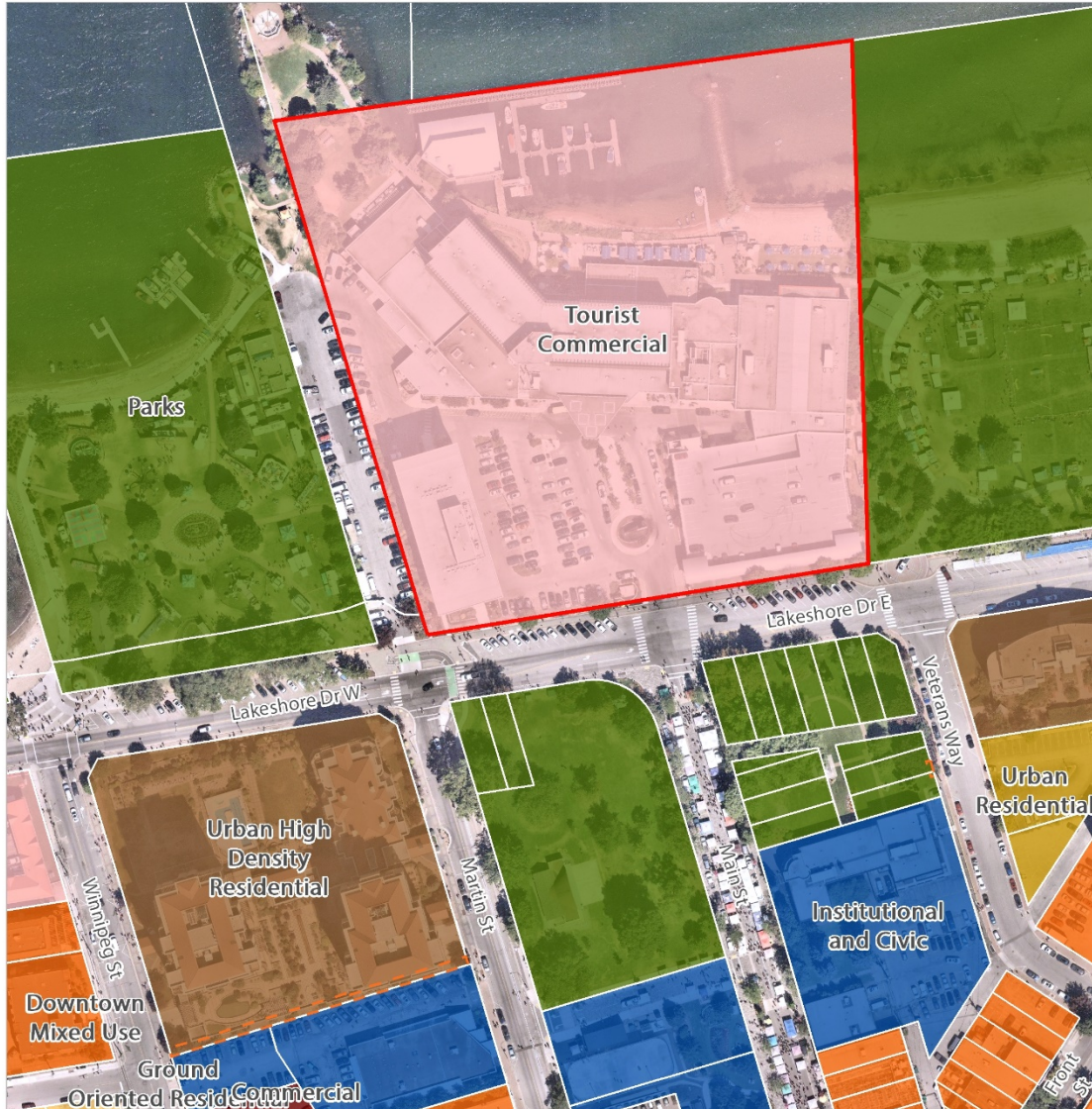
penticton.ca

Attachment B – Official Community Plan Map



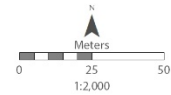
21 Lakeshore Dr W

OCP Map



Legend

- Subject Parcel
- Future Land Use
- Ground Oriented Residential
- Tourist Commercial
- Institutional and Civic
- Commercial
- Urban Residential
- Parks



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Friday, February 9, 2018 10:51 PM

penticton.ca

Attachment C – Photos of Property





Attachment D – Letter of Intent

February 9, 2024

Letter of Intent

CHAMBERLAIN PROPERTY GROUP INC.

**APPLICATION FOR SITE-SPECIFIC ZONING AMENDMENT
FOR 21 LAKESHORE ROAD, PENTICTON, BC V2A 7M5**

Purpose of Application

We are requesting a site-specific zoning amendment to permit the use office within the CT1 zone for 21 Lakeshore Drive. The office use includes real estate professional services.

This is in keeping with the zoning provisions of other hotel properties including the Four Points Sheraton and Ascend Hotel.

Parking:

There are four allocated parking stalls that are included for the duration of all the terms of the lease between Penticton Lakefront Resort Corporation and Chamberlain Property Group Inc. at the SW corner plus unlimited unassigned free parking spaces elsewhere on the property limited to the use of the realtors and employees of Chamberlain Property Group Inc.

Impact on Neighbouring Properties:

We believe this will have positive impact on neighbouring properties for these reasons:

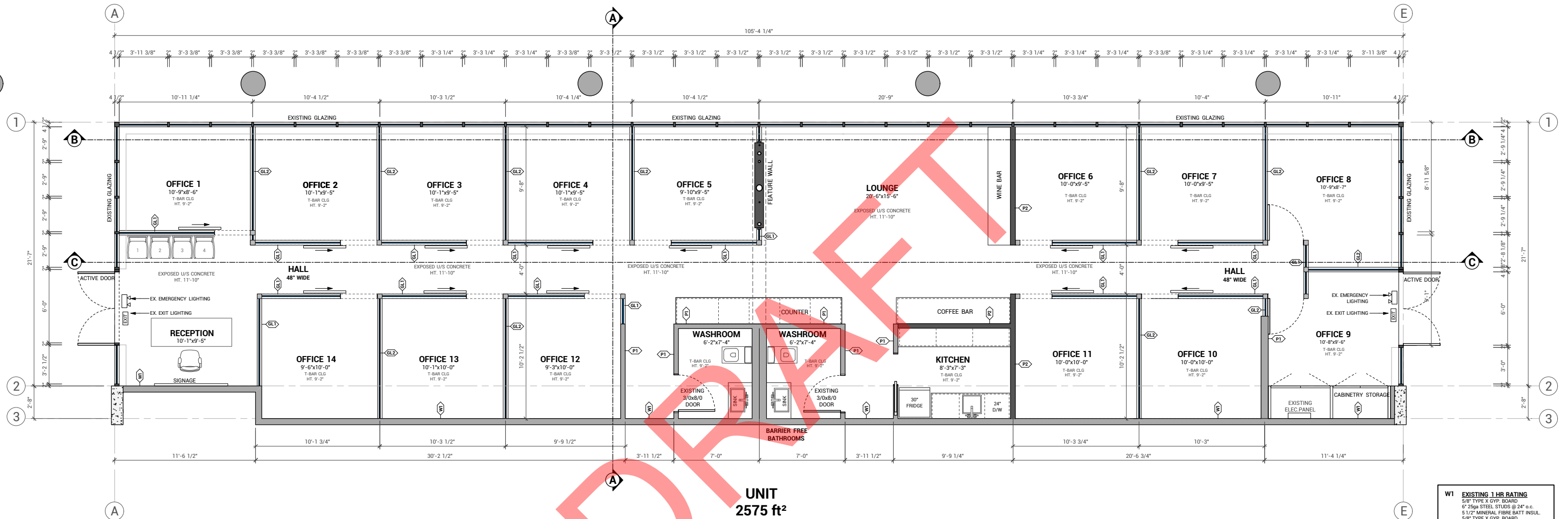
1. We are a year-round business. We actively support local restaurants and other businesses in proximity year-round.
2. Tourists coming to Penticton are often interested in real estate. This includes hotel guests and people just enjoying the beach. We will, through personal contact and digital display, be able to familiarize them with local real estate.
Our office hours are Monday-Saturday from May to October and Monday-Friday in the winter months.
3. We are active participants in community events including financial and volunteer support for the Penticton Vees and the Peach City Beach Cruise, as examples.

Minimizing Negative Impacts:

We believe that having a vibrant office space with people coming and going will add energy to the neighbourhood and not have a negative impact.

How is this a Positive Contribution to the Community?

A local landmark will look "full", and the quality of improvements will make a positive statement that although Penticton has that small town feel, it has amenities of a larger city.



UNIT
2575 ft²

W1	EXISTING 1 HR RATING 5/8" TYPE X GYP. BOARD 6" 25ga STEEL STUDS @ 24" o.c. 5 1/2" MINERAL FIBRE BATT INSUL 5/8" TYPE X GYP. BOARD (1 HR. FIRE RESISTANCE RATING)
P1	EXISTING PARTITION 16mm GYPSUM WALL BOARD 2x4 or 2x6 STEEL STUDS @ 16" o.c. 16mm GYPSUM WALL BOARD
P2	NEW PARTITION 16mm GYPSUM WALL BOARD 2x4 STEEL STUDS @ 16" o.c. 16mm GYPSUM WALL BOARD
GL1	GLASS PARTITION 2x4 ALUMINUM FRAME & GLASS FLOOR TO T-BAR CEILING HT.
GL2	GLASS PARTITION 2x4 ALUMINUM FRAME & GLASS ON 17" HIGH BASE WALL (16mm GYPSUM WALL BOARD 2x4 STEEL STUDS @ 16" o.c. 16mm GYPSUM WALL BOARD)



CHAMBERLAIN PROPERTY GROUP

LAKESIDE RESORT, PENTICTON

EXTERIOR ELEVATION

Revisions:

- A
- B
- C
- D
- E
- F
- G
- H

Drawn: Sam Shakura	Date: 2022 - 02 - 11
Scale:	
ID:	Sheet: 1 of 1

General Notes

1. These drawings are to serve as a design guideline only. All dimensions must be checked on site by coordinating trades to ensure accuracy and verify specifications prior to construction, as well as ensure stability for all construction.
2. These drawings are to be read in conjunction with any and all other architectural, engineered and structural plans provided by expert consultants.
3. If there are any discrepancies or concerns, please email our office so that we can adjust accordingly.

The Corporation of the City of Penticton

Bylaw No. 2024-07

A Bylaw to Amend Zoning Bylaw 2023-08

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 No. 2023-08;

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. 2024-07".

2. **Amendment:**

2.1 Zoning Bylaw No. 2023-08 is hereby amended as follows:

Add Section 11.10.4.3: "In the case of Lot A District Lots 202 And 211S Similkameen Division Yale District Plan KAP63701, located at 21 Lakeshore Drive West, office with a maximum of 250 m² shall be permitted."

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

READ A FIRST time this	5 day of	March, 2024
A PUBLIC HEARING was held this	5 day of	March, 2024
READ A SECOND time this	day of	, 2024
READ A THIRD time this	day of	, 2024
ADOPTED this	day of	, 2024

Notice of intention to proceed with this bylaw was published on the 8th day of March, 2024 and the 13th day of March, 2024 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer



City of Penticton – Schedule ‘A’

Zoning Amendment Bylaw No. 2024-07

Date: _____

Corporate Officer: _____

From: [Enlightened Lashes](#)
To: [Public Hearings](#)
Subject: Re: 21 Lakeshore Dr. W.
Date: Wednesday, March 13, 2024 11:23:43 AM

Caution! This message was sent from outside your organization.

I just received a letter in my mailbox stating that they want to put in a real estate office in the lower part of the hotel across the street.

As a resident of downtown Penticton for the last five years, I am not happy with this at all. Our downtown course should have more little shops or something nicer for people visiting here and for the locals we already have a bunch of real estate offices downtown so to put one right in the most prestigious part of our city is ridiculous.!

I have lived in three different beach towns and know what I'm talking about. Here you are going to ruin the downtown core by putting meaningless shops down here that we don't need.

A nice market down here with fruits and vegetables and wine is most needed when talking to all the locals in our building which there is 250 units here we have had empty meetings of what we would like to see downtown and food is one of the largest ones that would be so attractive down here.

Thank you for listening to what I have to say and I hope you will consider not zoning this wonderful space into something that we already have lots of down here :(

Kind regards
Elaine Starchuk

Living Enlightened Education & Products

**Late Submission - Public Hearing
Zoning Amendment Bylaw No. 2024-07
re 21 Lakeshore Drive West**

From: [Lynn Gooding](#)
To: [Public Hearings](#)
Subject: The applicant at 21 Lakeshore Drive
Date: Monday, March 18, 2024 5:13:36 PM

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hello

This is in reference to 21 Lakeshore Drive and the proposed The applicant at 21 Lakeshore Drive is proposing to use an existing space within the Penticton Lakeside Resort as a real estate office on the subject property.

I fail to see why a real estate office would in any way fit into a tourist location, is not a hotel set up for the tourist visitors to our city? It seems like conflict of interest to put "selling Penticton" in a hotel space. You come to our city on vacation and if you are looking to relocate here then you seek out an agent of office in the city not in your hotel ?

I feel that anything within a hotel should support tourism based business, a wine shop, gift shop, tourist information center ext not somethings that "Sells you a home".

I do not support this idea at all.

Lynn Gooding
423 Caribou Street
Penticton BC
V2A 5W5