Public Hearing

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

Monday, July 20, 2015
at 6:00 p.m.

Mayor Calls Public Hearing to Order for “Zoning Amendment Bylaw No. 2015-39”

CO Reads Opening Statement and Introduction of Bylaw

1. “Zoning Amendment Bylaw No. 2015-39” (Cluster Housing)

Purpose: To amend Zoning Bylaw No. 2011-23 as follows:

Add ‘cluster housing’ as a permitted use in the RM2 zone and add a definition for ‘cluster housing’ into the definitions section

Notice: The Public Hearing was advertised in the Penticton Western News on Friday, July 10, 2015 and Wednesday, July 15, 2015 (pursuant to the Local Government Act).

CO No Correspondence received regarding the Zoning Amendment (as of noon Wednesday, July 15, 2015)

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. 2015-39” is terminated and no new information can be received on this matter.
8.9  **Zoning Amendment Bylaw No. 2015-39**  
Re: Cluster Housing

368/2015

It was MOVED and SECONDED
THAT Council give first reading to “Zoning Amendment Bylaw 2015-39”, a bylaw to add the use ‘cluster housing’ as a permitted use in the RM2 zone and to add a definition for ‘cluster housing’ into the definitions section of the bylaw; AND THAT the bylaw be forwarded to the July 20th, Public Hearing.

CARRIED UNANIMOUSLY
Council Report

Date: July 6, 2015        File No: 3360-01
To: Mitch Morozuk, Acting City Manager
From: Blake Laven, Planner

Subject: Adding the use ‘cluster housing’ as a permitted use in the RM2 zone

Staff Recommendation

THAT Council give first reading to “Zoning Amendment Bylaw 2015-39”, a bylaw to add the use ‘cluster housing’ as a permitted use in the RM2 zone and to add a definition for ‘cluster housing’ into the definitions section of the bylaw;

AND THAT the bylaw be forwarded to the July 20th, Public Hearing.

Strategic priority objective

N/A

Financial implication

N/A

Background

Development Services staff have been approached by several developers in the city with demand for multiple duplex and single detached dwellings on a single parcel. The zoning bylaw does not currently permit this type of development, except for bareland strata organizations. As there is demand for this type of development and the OCP calls for gentle densification in certain areas of the city, staff have investigated ways to accommodate these types of development. Up until now, these types of development have normally gone through a site specific zoning amendment procedure. What staff are proposing through this bylaw amendment is to create a use that will accommodate this demand.

Proposal

That the use ‘cluster housing’ be included as a permitted use in the RM2 zone.

And that the following definition for cluster housing be include in the definitions section (Section 4.2) of Zoning Bylaw 2011-23:
CLUSTER HOUSING means a grouping of three or more attached or detached dwelling units on a single parcel with common amenity areas.

Analysis

New approaches to housing delivery are always being brought forward. During the drafting of Zoning Bylaw 2011-23 the idea of cluster housing was not necessarily contemplated and was not included in the bylaw. In the past year, Council has supported a number of projects that would meet this definition and that have been accommodated through ‘site specific’ bylaw amendments. With the addition of this new use, developers will have more options to respond to market demand for housing in Penticton.

The RM2 (Low Density Multiple Housing) zone is a zone that allows for multiple family housing in a low density setting. The inclusion of multiple duplex and single family housing in this zone is in keeping with the intent of the zone. Most RM2 zoned properties are in areas that act as buffers between higher and lower density development or in those areas between low density residential and commercial areas. This type of development is appropriate in those areas.

For these reasons staff recommend that Council give first reading to the Bylaw and forward it to the July 20th, 2015 Public Hearing for comment from the public.

Alternate Recommendations

1. THAT Council not give first reading to the bylaw.

2. THAT Council send the bylaw back to staff for further research as directed by Council.

Attachments

Attachment A: “Zoning Amendment Bylaw No. 2015-39”

Respectfully submitted,

Blake Laven, RPP, MCIP
Planning Manager

Approvals

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<tr>
<th>Director</th>
<th>Acting City Manager</th>
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<td>JGH</td>
<td>MM</td>
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The Corporation of the City of Penticton

Bylaw No. 2015-39

A Bylaw to Amend Zoning Bylaw 2011-23

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

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

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

   This bylaw may be cited for all purposes as “Zoning Amendment Bylaw 2015-39”.

2. **Amendment:**

   Zoning Bylaw 2011-23 is hereby amended as follows:

   2.1 Add the following definition to Section 4.2 DEFINITIONS:

   CLUSTER HOUSING means a grouping of three or more attached or detached dwelling units on a single parcel with common amenity areas.

   2.2 Add to 10.8 RM2 – Low Density Multiple Housing

   10.8.1 PERMITTED USES
   .8 cluster housing

   READ A FIRST time this 6 day of July, 2015
   A PUBLIC HEARING was held this 20 day of July, 2015
   READ A SECOND time this day of 2015
   READ A THIRD time this day of 2015
   ADOPTED this day of 2015

Notice of intention to proceed with this bylaw was published on the 10 day of July, 2015 and the 15 day of July, 2015 in the Penticton Western newspaper, pursuant to Section 94 of the Community Charter.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer