

August 22, 2019

Subject Property:
2800 Cedar Road

Lot 1, District Lot 2710,
Similkameen Division Yale
District, Plan 14911, Except
Plans 20725, KAP66018 and
EPP57171

Application:
Rezone PL2019-8497



The applicant is proposing to subdivide 2800 Cedar Road into two lots. One lot will include the current house and the second lot will be set aside for future residential subdivision. To facilitate the proposal they have applied to rezone the property from A (Agriculture) to R1 (Large Lot Residential).

Information:

The staff report to Council and Zoning Amendment Bylaw 2019-33 will be available for public inspection from **Friday, August 23, 2019 to Tuesday, September 3, 2019** at the following locations during hours of operation:

- Penticton City Hall, 171 Main Street
- Penticton Library, 785 Main Street
- Penticton Community Centre, 325 Power Street

You can also find this information on the City's website at www.penticton.ca/publicnotice.

Please contact the Planning Department at (250) 490-2501 with any questions.

Council Consideration:

A Public Hearing has been scheduled for **6:00 pm, Tuesday, September 3, 2019** in Council Chambers at Penticton City Hall, 171 Main Street.

Public Comments:

You may appear in person, or by agent, the evening of the Council meeting, or submit a petition or written comments by mail or email no later than **9:30 am, Tuesday, September 3, 2019** to:

Attention: Corporate Officer, City of Penticton
171 Main Street, Penticton, B.C. V2A 5A9
Email: publichearings@penticton.ca.

No letter, report or representation from the public will be received by Council after the conclusion of the September 3, 2019 Public Hearing.

Please note that all correspondence submitted to the City of Penticton in response to this Notice must include your name and address and will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's name and address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.

Blake Laven, RPP, MCIP
Manager of Planning



Council Report

penticton.ca

Date: August 20, 2019
To: Donny van Dyk, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 2800 Cedar Road

File No: RZ PL2019-8496

Subject: Zoning Amendment Bylaw No. 2019-33

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2019-33", a bylaw that rezone Lot 1, District Lot 2710, Similkameen Division Yale District Plan 14911, Except Plans 20725 and KAP66018 and EPP57171, located at 2800 Cedar Road, from A (Agriculture) to R1 (Large Lot Residential), be given first reading and be forwarded to the September 3, 2019 Public Hearing.

Council Priorities

Community Design: The City of Penticton will attract, promote and support sustainable growth and development congruent with the community's vision for the future.

Background

The subject property (Attachment A) is designated for detached residential development by the City's newly adopted Official Community Plan (OCP 2019-08), but is currently zoned A (Agriculture) under the Zoning Bylaw. The large rectangular property (3.339 Acres) is lightly wooded and features one single detached dwelling which is accessed off Cedar Road. The property runs from Cedar Road at its west side, is intersected by Evergreen Drive (though unconstructed at this point) and runs east to Partridge Drive. The property is included in the Cedar Road Area Plan created in 1999 and revised in 2010 Attachment C.

The applicant is requesting to rezone 2800 Cedar Road from A (Agriculture) to R1 (Large Lot Residential). This rezoning will facilitate the subdivision of the property into 2 parcels. The owner intends to subdivide the existing house on the property and the remainder will be set aside for future residential subdivisions. The Zoning Map of the neighbourhood (Attachment B) indicates that this area is mainly zoned R1 (Large Lot Residential). Since the intent is for future residential development, a zoning amendment is required prior to subdivision.

Proposal

The applicant is requesting that Zoning Bylaw 2017-08 be amended to change the zoning of the property from A (Agriculture) to R1 (Large Lot Residential). The zoning amendment is intended to facilitate eventual residential subdivision in line with Cedar Road Area Plan. The Plan shows approximately the creation of 9 new lots.

Financial implications

If approved, the development anticipated by this application will create a large development site for the construction of single family housing, hence contributing to an increase in the City's tax base. All costs of the development are the responsibility of the property owner.

Technical review

This application was forwarded to the City's Technical Planning Committee (TPC) and reviewed by the Engineering and Public Works Departments. No significant issues arose in the process. The subsequent subdivision application that will follow this zoning amendment, if adopted, will require full engineering consultation and review by the City's Public Works and Engineering departments. That review will look for conformance to the City's Subdivision and Development Bylaw, Sewer, Irrigation and Water Bylaw and other relevant City policies.

Analysis

When considering a zoning amendment application, staff and Council look toward the Official Community Plan's future land use map and designation for guidance, including all relevant planning policy. As indicated by the Future Land Use Map (Attachment B), this property is identified for detached residential development and future development is envisioned to support single family and duplex development as well as limited commercial and institutional use.

The City's Official Community Plan has identified the area where this property is located for residential growth and future development. The current Agricultural zoning of the property is not in-line with that future vision for the property and no agricultural activity has taken place on the property. This area has seen strong residential growth in the past few years with development activity along Partridge Drive, Hawthorne Drive and Cedar Road.

The proposal for the site provides the opportunity for future single detached housing, at an acceptable scale for the current area and follows the development pattern of the area as per the Cedar Road Area Plan. Staff consider that the zoning amendment represents an appropriate use of the land for the following reasons:

- The proposal focuses new residential development in or adjacent to existing developed areas. The OCP encourages densification in areas where existing services can accommodate higher densities, which is the case here.
- Consistent with the City's desire to provide a variety of housing, the City encourages the development of higher-end single detached dwellings.
- Permitting the subdivision of larger lots in neighborhood where access and servicing are adequate.

The location of the site and characteristics of the surrounding neighbourhood make it appropriate for the proposal. Given the above, staff recommends that Council support "Zoning Amendment Bylaw No. 2019-33" and forward the application to the September 3, 2019 Public Hearing for comments from the public.

Alternate recommendations

THAT "Zoning Amendment Bylaw No. 2019 -33" be denied first reading.

THAT "Zoning Amendment Bylaw No. 2019-33" be referred back to staff with instructions that Council feels are appropriate.

Attachments

Attachment A – Location Map

Attachment B – Official Community Plan Map

Attachment C – Cedar Road Area Plan

Attachment D – Zoning Map

Attachment E – Images of Subject Property

Attachment F – Site and Subdivision Plan

Attachment G– Letter of Intent

Attachment H– Zoning Amendment Bylaw No. 2019-33

Respectfully submitted

Audrey Tanguay

Senior Planner

Concurrence

Acting Director <i>KK</i>	Chief Administrative Officer DyD
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Attachment A – Location Map



Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The 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.



Figure 1: Location Map

Attachment B – Official Community Plan Map



Figure 2 OCP Map

Attachment C – Cedar Road Area Plan

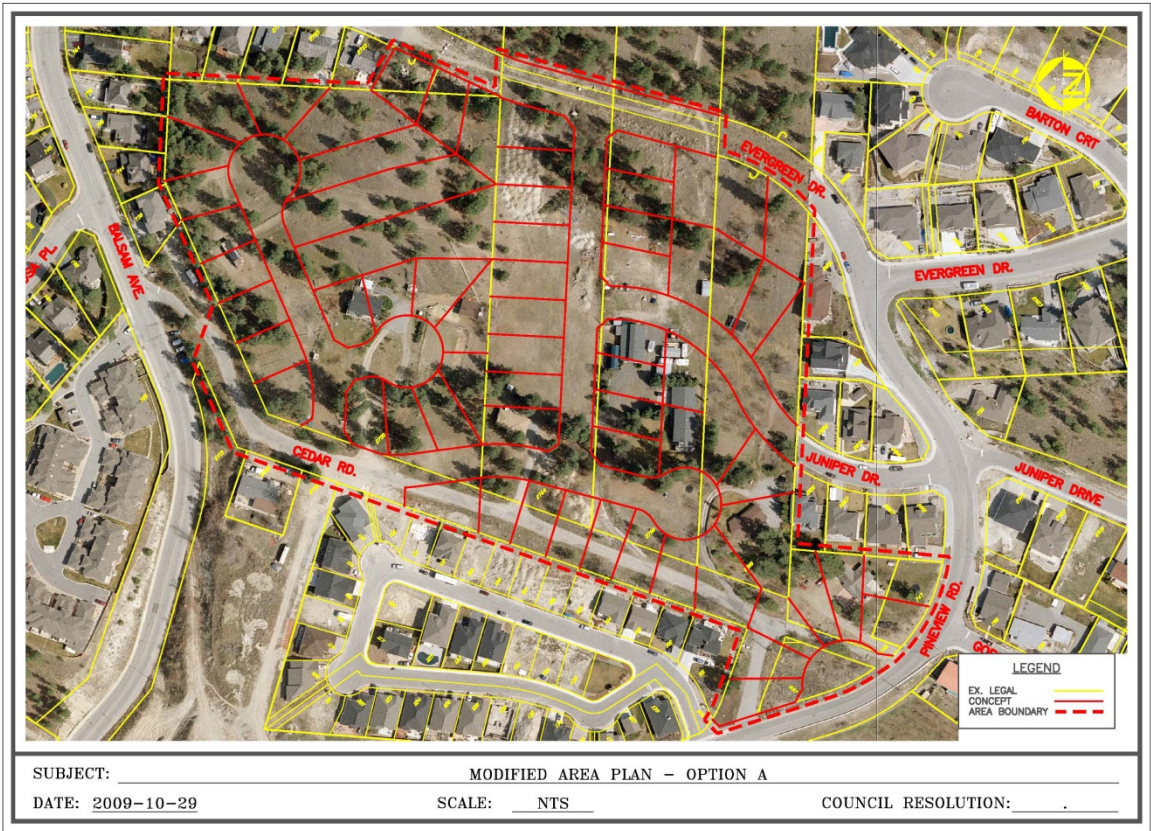
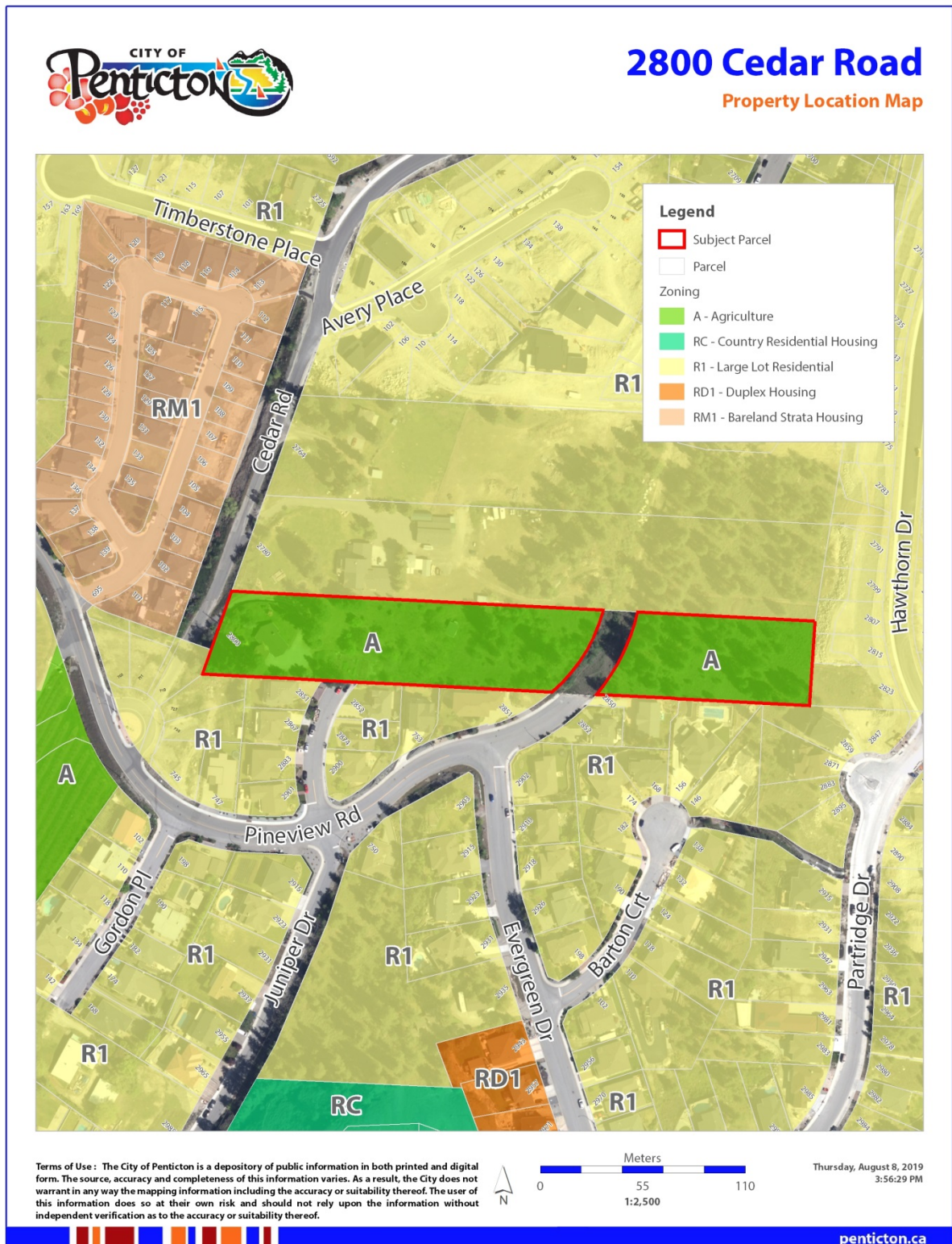


Figure 3: Cedar Road Area Plan

Attachment D – Zoning Map



Attachment E - Images of Subject Property



Figure 5: Image of subject property with the house and current driveway shown



Figure 6: Image of current Access of Cedar Road

[illegible]

Council Report

LETTER OF INTENT

March 6, 2019

RE: Rezone and Subdivision applications

2800 Cedar Road

I wish to subdivide off my house that I have lived in for over 30 years and wish to continue living in from the remainder of my property. This will facilitate a much simpler estate settlement in the future. My plan is to sell off the large remainder thus converting the land into money which is much simpler to split in two than the land would be.

S.W. Lawrie

The Corporation of the City of Penticton

Bylaw No. 2019-33

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. 2019-33".

2. **Amendment:**

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

Rezone Lot 1, District Lot 2710, Similkameen Division Yale District Plan 14911, Except Plans 20725 and KAP66018 and EPP57171, located at 2800 Cedar Road, from A (Agriculture) to R1 (Large Lot Residential).

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

READ A FIRST time this	20	day of	August, 2019
A PUBLIC HEARING was held this	3	day of	September, 2019
READ A SECOND time this		day of	, 2019
READ A THIRD time this		day of	, 2019
ADOPTED this		day of	, 2019

Notice of intention to proceed with this bylaw was published on the 23 day of August, 2019 and the 28 day of August, 2019 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

Rezone 2800 Cedar Rd From A (Agriculture) to R1 (Large Lot Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2019-33

Date: _____

Corporate Officer: _____