



Public Notice

penticton.ca

April 23, 2020

Subject Property:

154 Brunswick Street

Lot 1, District Lot 4, Group 7, Similkameen
Division Yale (Formerly Yale Lytton) District, Plan
KAP49946

Application:

Rezone PL2019-8679

The applicant(s) are proposing to construct a six-storey, 34-unit apartment building at 154 Brunswick Street. To facilitate this development, the applicant is requesting to rezone the property from RM3 (Medium Density Multiple Housing) to CD7 – Comprehensive Development Zone (154 Brunswick Street), a zone developed specifically for the subject property.



Information:

You can find the staff report to Council and Zoning Amendment Bylaw 2020-14 on the City's website at www.penticton.ca/latestannouncements. Select the Public Notice category.

Please contact the Planning Department at planning@penticton.ca or (250) 490-2501 with any questions.

Council Consideration:

Council has waived the Public Hearing for Zoning Amendment Bylaw 2020-14 and will consider the bylaw at its Regular Council Meeting scheduled for **1:00 pm, Tuesday, May 5, 2020**.

In response to the COVID-19 pandemic, council meetings will remain closed to the public. All meetings will be live streamed via the City's website at: www.penticton.ca/city-hall/city-council/council-meetings. Select the 'Watch Live' button.

Audrey Tanguay
Planning Manager



Council Report

penticton.ca

Date: April 21, 2020
To: Donny van Dyk, Chief Administrative Officer
From: Nicole Capewell, Planner I
Address: 154 Brunswick Street

File No: RMS/154 Brunswick St

Subject: Zoning Amendment Bylaw No. 2020-14
Development Permit PL 2019-8680

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2020-14", a bylaw to rezone Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP 49946 (154 Brunswick Street), from RM3 (Medium Density Multiple Housing) to CD7 (Comprehensive Development Zone), be given first reading;

AND THAT Council, as per Section 464(2) of the *Local Government Act*, waive the Public Hearing for "Zoning Amendment Bylaw No. 2020-14" as the bylaw is consistent with the Official Community Plan;

AND THAT Council consider "Development Permit PL2019-8680", a permit that allows for the construction of a 6 storey, 34-unit apartment building, subject to:

1. Adoption of "Zoning Amendment Bylaw No. 2020-14", and
2. A road widening of 0.5m from the west property line along Brunswick Street be registered with the Land Title Office.

Strategic priority objective

Vision: A vibrant, innovative, healthy waterfront city focused on sustainability, community and economic opportunity.

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

Proposal

The applicant(s) are proposing to construct a six-storey, 34-unit apartment building at 154 Brunswick Street. To facilitate this development, the applicant is requesting to rezone the property from RM3 (Medium Density Multiple Housing) to CD7 – Comprehensive Development Zone (154 Brunswick Street), a zone developed specifically for the subject property.

The applicant is required to obtain a Development Permit for the form and character of the building, as the property is considered within the Multifamily Development Permit Area. This has been included in this report for Council's consideration.

Background

The applicant is requesting to rezone the subject property from RM3 (Medium Density Multiple Housing) to CD7 (Comprehensive Development Zone – 154 Brunswick Street). This rezoning will facilitate the construction of a six-storey, 34-unit apartment building facing onto Brunswick Street.

The subject property (Figure 1) is currently zoned RM3 (Medium Density Multiple Housing) and is designated 'urban residential' by the City's Official Community Plan. The subject property is approximately 1,735m² (18,675 sq. ft.) in area and currently sits vacant. The property previously contained an older, single family dwelling, which was demolished in 2019 in preparation for development. Photos of the property are included as Attachment 'C'.

The surrounding neighbourhood contains a range of zones including RD2 (Duplex Housing: Lane), RM2 (Low Density Multiple Housing), RM4 (High Density Multiple Housing), C5 (Urban Centre Commercial), and C6 (Urban Peripheral Commercial). Housing types in the area include single family homes, duplexes, townhouses and apartments and high rise apartments (Lakeshore Towers).

This is a desirable area of the City for development to occur, as it is within walking distance of the downtown, Okanagan Lake, the South Okanagan Events Centre and many other desired amenities and services. The area is well serviced for alternative methods of transportation, with adequate sidewalk connections for pedestrians, as well as transit stops located on Westminster Ave West, Winnipeg Street and Churchill Avenue.

Financial implication

The application does not pose any significant financial implications to the City. Development costs are the responsibility of the applicant(s). The applicant will be required to pay Development Cost Charges (DCC) at the time of Building Permit issuance for the proposed development. DCC's are currently \$5,548.00 per multifamily residential unit (as per Development Cost Charges Bylaw No. 2007-79). The proposed development would contribute \$188,632.00 in DCC's.

Technical Review

This application was reviewed by the City's Technical Planning Committee. No significant issues arose in the process. The development will be required to complete a water main upgrade, as part of the Building Permit, extending along Brunswick Street from Westminster Ave West to the subject property. This upgrade will be



Figure 1 - Property Location Map

at the expense of the applicant. Other standard requirements have been identified (including road, sewer and hydrant requirements) for the Building Permit stage of the project, should the rezoning be supported by Council. These items have been communicated to the applicant.

Development Statistics

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

	RM3	RM4	Proposed CD7	Provided on Plans
Minimum Lot Width:	25 m	30 m	31 m	31.50 m
Minimum Lot Area:	1,400 m ²	2,000 m ²	1,700 m ²	1,735 m ²
Maximum Lot Coverage:	50%	75%	65 %	62 %
Maximum Density:	1.6 FAR	2.0 FAR	2.0 FAR	2.0 FAR
Vehicle Parking:	<i>1 stall/unit + 0.25 visitor stall/unit</i> = 42 stalls	<i>1 stall/unit + 0.25 visitor stall/unit</i> = 42 stalls	<i>1 stall/unit + 0.25 visitor stall/unit</i> = 42 stalls	1 stall/unit + 0.25 visitor stall/unit = 39 stalls provided
Required Setbacks				
Front Yard (Brunswick St):	3.0 m	3.0 m	3.0 m	3.0 m
Side Yard (north):	4.5 m	4.5 m	4.5 m	4.5 m
Side Yard (south):	4.5 m	4.5 m	4.5 m	4.5 m
Rear Yard (east):	6.0 m	6.0 m	4.5 m	5.3 m
Maximum Building Height	24 m	27 m	23 m	22.31 m
Other Information:	- Parking - o 39 parking stalls have been provided. - o In accordance with Zoning Bylaw Section 6.1.2.1, the applicant has provided five additional bicycle parking spaces, to reduce the parking requirement by 1 (one) space. - o The remaining 2 parking spaces will be subject to cash-in-lieu. - The CD zone will also - o eliminate the requirement for a landscaping buffer, and - o increase the percentage of small car spaces permitted from 25% to 44%. - Allow for some features to project further in to required yards than permitted under Section 4.9 of the Zoning Bylaw.			

Analysis

Zoning Amendment

The OCP designation for the property is 'urban residential', which supports 3 to 6 storey apartment buildings in higher-amenity neighbourhoods. The proposed development is consistent with the OCP vision for the neighbourhood. To achieve the desired OCP land use, the applicant has applied for a rezoning to a

comprehensive development zone. Comprehensive development zones give the ability to look at a site on a 'site-specific' level and construct a zone that is reflective of the best way to develop that particular property.

Rather than the applicant applying for an RM4 (High Density Multiple Housing) zone, which would require several variances and site specific changes, the applicant has elected to design a comprehensive development zone for the project. There are currently 6 other properties in the City that are government by comprehensive development zones, including the recent 962 Churchill Avenue.

Staff consider that the creation of a Comprehensive Development (CD) zone is suitable for the proposed development. As indicated within the Development Statistics table, the proposed development is designed very closely to the RM4 (High Density Multiple Housing) zone regulations. However, staff were concerned that the prescribed height within the RM4 zone would be too high for the subject property and would not meet the intent of the OCP. After discussing other components of the proposed development with the applicant(s), it was determined that a CD zone would be suitable. As such, the CD zone has been designed to allow for a high Floor Area Ratio (FAR or density), while restricting the height of the structure to 23m. The CD zone has also included provisions to increase the percentage of small car stalls permitted.

Staff consider that the proposed zoning amendment will allow for a development that is supported through the following City Policies (within the OCP):

OCP Goal	Managing Residential Growth
4.1.1	Ensure that Penticton retains its compact 'footprint' to help protect natural areas and environmental values and agricultural lands, avoid infrastructure costs and hazard lands, and help create conditions that support transit and active modes of transportation.
OCP Policy	Focus new residential development in or adjacent to existing developed areas
4.1.1.1	
OCP Policy	Avoid development in environmentally-sensitive areas, geological hazard and flood
4.1.1.2	hazard areas, on steep slopes, in agricultural areas and in areas not readily served by transit.
OCP Policy	Ensure all new developments fully cover the cost of the required infrastructure and
4.1.1.4	services they require, including roads, water, sewer, storm water, and provision of parks, schools and emergency services.
OCP Goal	Housing Diversity
4.1.3	Ensure a range of housing types, tenures and forms exist throughout the city to provide housing options for all ages, household types, and incomes.
OCP Policy	Encourage more intensive 'infill' residential development in areas close to the
4.1.3.1	Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
OCP Policy	Ensure through the use of zoning that more-intensive forms of residential development
4.1.3.5	are located close to transit and amenities, such as parks, schools and shopping.
OCP Policy	Require adequate levels of secure bike parking in new multi-family, mixed-use and
4.2.3.8	commercial development.
OCP Policy	Encourage land use planning that results in neighbourhoods that can be easily serviced
4.2.5.2	by transit.

OCP Policy 4.2.7.8	Ensure new residential developments provide an appropriate amount of parking for residents and their guests.
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Further to these City Policies, the OCP outlines a growth plan for the City which places a great emphasis on strategic and sensitive use of our limited land base. It recognizes that we must make the most efficient use of the land and infrastructure that we have available, and also protect the natural environment that many of our resident's value. Penticton's Growth Plan (OCP Page 43) indicates 4 key methods to achieve this growth plan:

1. Intensification of existing urban areas
2. Maximizing the use of existing assets and infrastructure
3. Creating complete and accessible communities, and
4. Minimizing negative impacts on natural areas.

The proposed development demonstrates strong conformance with the City's OCP Goals, Policies and growth plan. Staff consider that the proposed development is a strong application in a desired area of the community that has been identified for higher density within the City's OCP.

Given that there is adequate policy through the OCP to support the proposal to rezone the subject property from RM3 (Medium Density Multiple Housing) to CD7 – Comprehensive Development Zone (154 Brunswick Street), support is recommended for First Reading of "Zoning Amendment Bylaw No. 2020-14".

Staff are also recommending that due to the current emergency declarations in place as a result of the COVID-19 pandemic, that Council waive the public hearing as per section 464(2) of the *Local Government Act*. Using this provision still requires notification of the development to go out to residents within a specified distance from the subject property as well as the posting of a notice of development sign and newspaper advertisement.

Development Permit

The subject property is considered within the Multifamily Development Permit Area, which is established to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. Staff have completed an in-depth analysis of how the proposed development conforms to the Development Permit Guidelines. As shown within the analysis, there is a strong alignment between the plans and the intent of the Multifamily Development Permit Area. The development permit analysis has been included as Attachment 'D'. The applicant(s) has also included an analysis, which is included as Attachment 'E'.

The proposed development demonstrates a strong conformance with the development permit guidelines. The proposed development has been designed with the OCP policies in mind. As such, staff recommend that Council consider the Development Permit, subject to 'Zoning Amendment Bylaw 2020-14'.

Alternate recommendations

Council may feel that the plans submitted are not appropriate for this property, or that the CD zone created is not in the community's interest. If this is the case, Council may choose to not support the zoning amendment (Alternative 1). Alternatively, Council may want to hear from residents of the neighbourhood

prior to giving further readings to the bylaw. If this is the case Council could give first reading to the bylaw and postpone additional readings until such time as a public hearing is possible (Alternative 2).

- Alternative 1: THAT Council deny first reading of “Zoning Amendment Bylaw No. 2020-14”.
- Alternative 2: THAT Council give first reading to “Zoning Amendment Bylaw No. 2020-14”, and that further readings be postponed until such time as a public hearing is possible.

Attachments

Attachment A – Zoning Map of Subject Property

Attachment B – Official Community Plan Map of Subject Property

Attachment C – Images of Subject Property

Attachment D – Development Permit Analysis (staff)

Attachment E – Letter of Intent (applicant)

Attachment F – Proposed Renderings of Development

Attachment G – Draft Development Permit

Attachment H – Proposed CD7 Zoning Regulations

Attachment I – Zoning Amendment Bylaw No. 2020-14

Respectfully submitted,

Nicole Capewell
Planner I

Concurrence

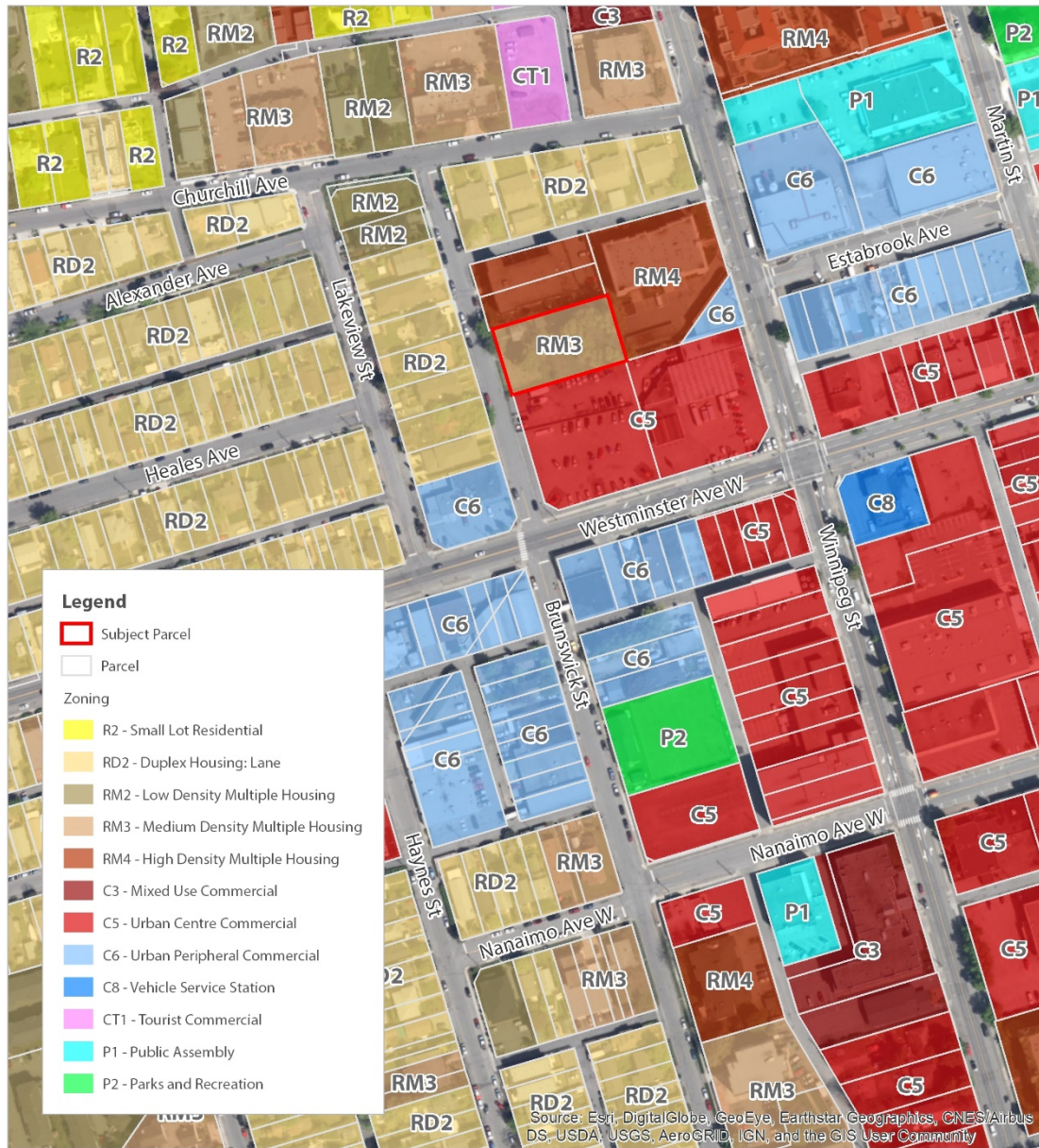
Director <i>BL</i>	Chief Administrative Officer DvD
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Attachment A – Zoning Map of Subject Property

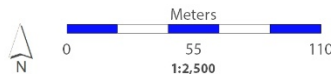


154 Brunswick Street

Zoning Map



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Tuesday, April 7, 2020
11:39:42 AM

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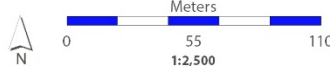


154 Brunswick Street

Official Community Plan Map



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Attachment C – Images of Subject Property



Looking towards subject property from Brunswick Street



Looking towards subject property from Brunswick Street

Development Permit Analysis

The proposed development is located within the Multi Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with this development permit area.

- Guideline G1* Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.).
- Site analysis was completed to review elevations, water table and other elements of the property.
- Guideline G3* Private and semi-private open spaces should be designed to optimize solar access.
- The applicant(s) have provided a shadow study with the proposed development on the property.
- Guideline G5* Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.
- The front façade of the building has been designed at the minimum front yard setback. This assists in activating the public realm and creating a connection between public and private spaces.
- Guideline G11* Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.
- The proposed development includes an accessibility ramp that directly connects the public sidewalk to the main entrance to the building. Stairs have also been designed at the frontage of the property.
- Guideline G17* On-site parking location and design should minimize visual impact and provide safe connections for pedestrians...
- The development proposed parking to be located at the rear of the property and located underneath of the building.
- Guideline G19* All multifamily developments should accommodate sustainable modes of transportation through...
- The proposed development has been designed with an adequate amount of bicycle parking. The applicant has provided additional bicycle parking in lieu of 1 (one) vehicle parking space.
 - Further, the applicant will be utilizing cash-in-lieu for 2 (two) parking spaces, which will provide funds towards the Off-Street Parking Reserve and the Alternative Transportation Infrastructure Reserve.
- Guideline G29* Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas.
- The proposed development incorporates patios and balconies throughout the development. Units at the front of the building will overlook towards the street.

- Guideline G54 Mechanical/Utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building.*
- Guideline G55 Where this is unachievable, units may be located at the edge of the front yard and must be incorporated into landscaped areas and screened from the street.*
- The development has been designed with the transformer located in a discrete location, that can be easily accessed by maintenance workers as needed.
 - While the transformer could not be located at the rear of the property, it has been placed in an enclosed area that is tucked away to reduce visibility from the public realm.
- Guideline MF1 All multifamily development should incorporate community amenity spaces that provide opportunity for recreation and play and address the needs of all age groups likely to reside within the development.*
- The proposed development has been designed with large outdoor patio areas for the residents of the building to utilize.
- Guideline MF5 Electric vehicle charging stations should be provided in larger developments.*
- The applicant(s) has indicated that they will be installing a number of vehicle charging stations to encourage the use of electric or hybrid vehicles.
- Guideline MF9 To increase their attractiveness, taller buildings should demonstrate high-quality cohesive design of form, materials and colour.*
- The proposed design of the building includes high quality materials. The colours appear to be neutral, which can assist in allowing the building to naturally blend into the area.



Proposal for Re-zoning and Development Permit
154 Brunswick Street, Penticton, BC,

Introduction

This application is for re-zoning and development permit to accommodate a 34-home infill condominium enclave located in downtown Penticton.



Site Context

The subject site consists of a single lot that is currently zoned RM3. The property is within the Urban Residential Land Use Designation as prescribed by the City of Penticton Official Community Plan.



Site Location



Existing Home and Street Interface

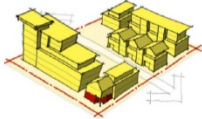
Community Plan Fulfillment

Compliance with the intent of the Penticton OCP 2045 is achieved, in part, by projects with the characteristics of the proposed condominium at 154 Brunswick St.

The Brunswick Multi-Family proposal is located within the core of the established commercial and recreational precinct of Penticton. The property is designated in the OCP as *Urban Residential*. It is within a 5 -15 minute walking distance to jobs, entertainment, shopping, personal services, the Event Center and Okanagan Beach. Below is a clipping from the OCP Future Land Use Map 1 identifying the subject site.



The designation in the OCP as *Urban Residential* for the subject site is forecast as:

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Urban Residential 	Higher-density 3-6 storey apartment neighbourhoods in higher-amenity areas where building construction is primarily wood frame.	- Townhouses and stacked townhouses - Low-rise and mid-rise apartment/condo buildings	- Residential - Limited Retail/Service	Heights up to 6 storeys	RM3

The Brunswick Multi-Family proposal complies to the intent of the Urban Residential land.

MF3. *Amenity spaces should incorporate vegetation for the purposes of active and passive recreation and /or visual interest and incorporate safe play areas in interior courtyards.*

The elevated surrounded courtyard about the lower floor units is separated from the street for children's safe play areas for resident families.

MF6. *Entrances to apartment lobbies should be connected to adjacent sidewalks and provide seating, as well as clear pedestrian-oriented signage.*

The building is connected to the public sidewalk by both a direct stairway and an accessible ramp.

MF9. *To increase their attractiveness, taller buildings should demonstrate:*
• *high-quality cohesive design of form, materials and colour*

All materials chosen are high quality and were handpicked to contrast well off one another to create a visually high-quality aesthetic.

Moreover, the proposal is also consistent with various other sections of the OCP including but not limited to:

4.2.1.7 *Promote walking, cycling and transit use through strategic land use planning that facilitates denser, attractive, mixed-use communities that are rich in amenities.*

Pg. 3-43 *Areas close to the downtown and to shopping and employment centers will see appropriate levels of densification, with an emphasis on low-rise and mid-rise developments, rather than high-rise developments.*

Parking

This project will incorporate a variety of parking stall sizes. The breakdown is as follows:

Stall Type	Size	# Provided	Proportion
Regular (Bylaw Compliant)	2.7m x 5.8m	22	51%
Medium	2.5m x 5.6m	17	40%
Bike in Lieu (5 Stalls)	NA	1 (Equivalent)	2%
Cash in Lieu	NA	3	7%
Total	NA	43	100%

This variety of stall sizes is needed to allow the design to incorporate as many reasonably sized parking stalls as possible. It is worth noting that although some of these stalls are slightly smaller than the typical bylaw standard, the site is in the urban core of Penticton and the demographic of inhabitants will trend towards more urban professionals, younger buyers, and those who generally drive smaller vehicles.

Landscape Buffer

The City of Penticton *Zoning Bylaw No 2017-08* typically requires a 3m landscape buffer when abutting a residential Zone (in this case RM4). Although there is a 3-4.5m building setback along these boundaries, landscape plantings are not possible due to the underlying parkade. To provide the same level of screening protection for adjacent neighbors, an opaque fence will be provided along the perimeter of the property.

Summary

The proposed development would be an excellent addition to the downtown core of Penticton and would offer a mix of unit sizes at a variety of prices point. Overall, the project is consistent with the OCP, and the site-specific Comprehensive Development Zone allows a more customized building based on the site and location. The applicant kindly requests support from Staff and Council for this infill housing project.

Attachment F – Proposed Renderings of Development







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

Development Permit

Permit Number: DP PL2019-8680

Owner Name
Owner 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 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton)
District Plan KAP49946
 - Civic: 154 Brunswick Street
 - PID: 018-291-422
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a six-storey, 34-unit apartment building, 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 \$[] 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 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 4 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 (Landscape Inspection & Refund Request) 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 in accordance with the City of Penticton Fees

and Charges Bylaw (as amended from time to time).

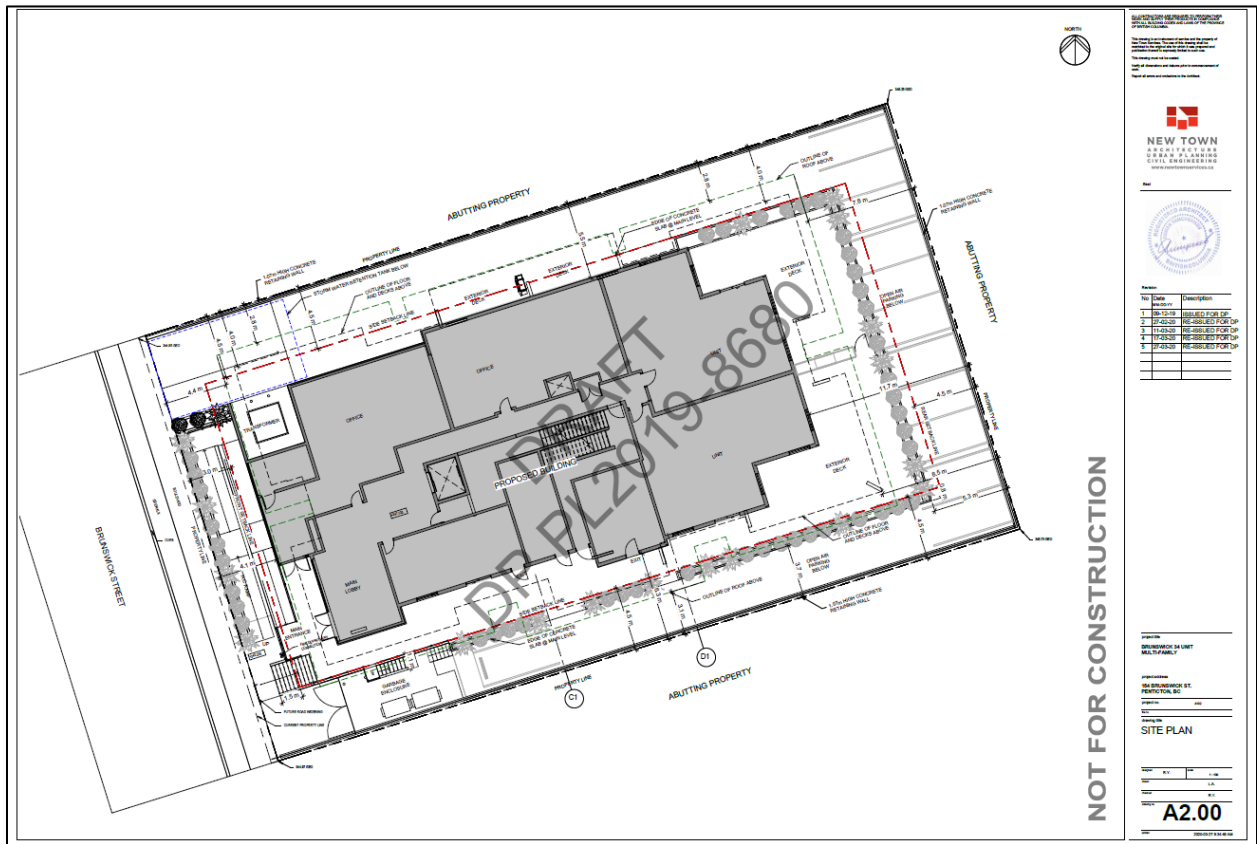
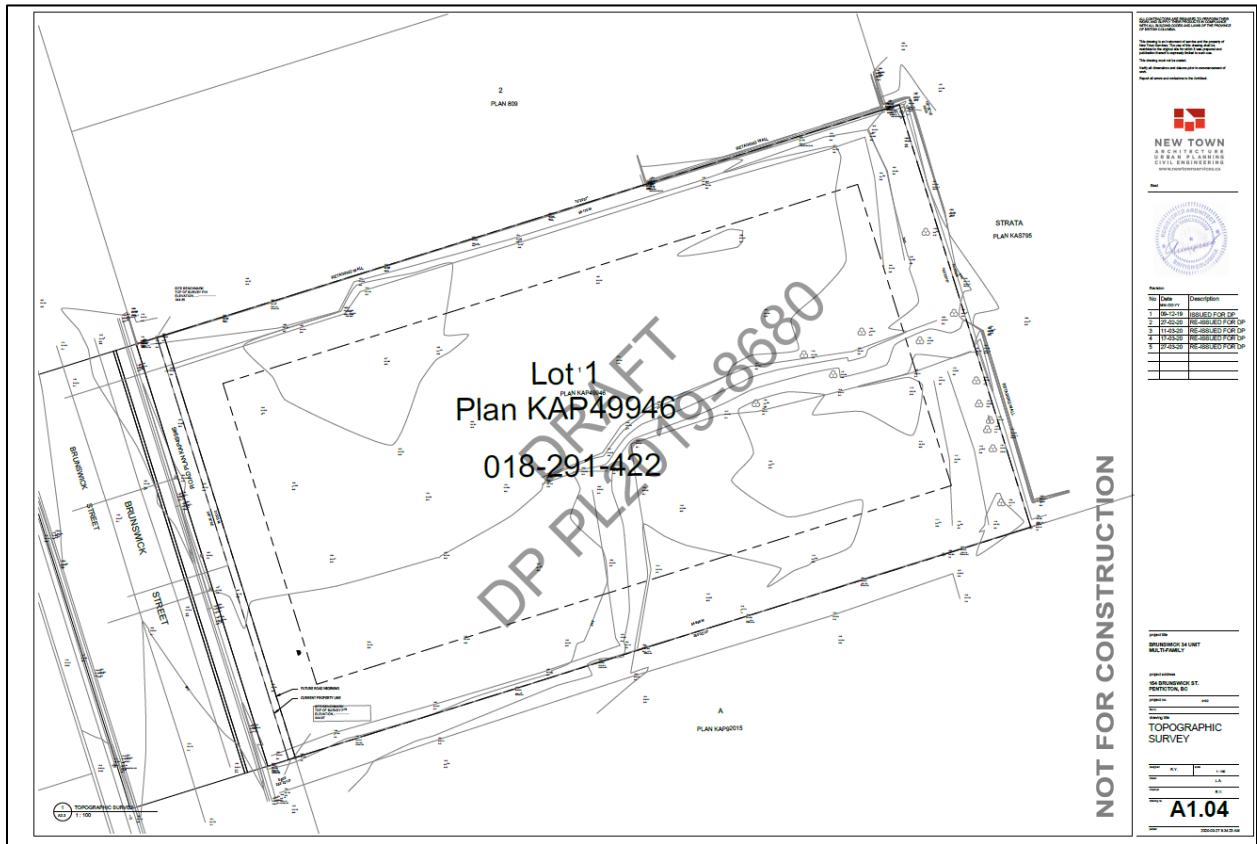
General Conditions

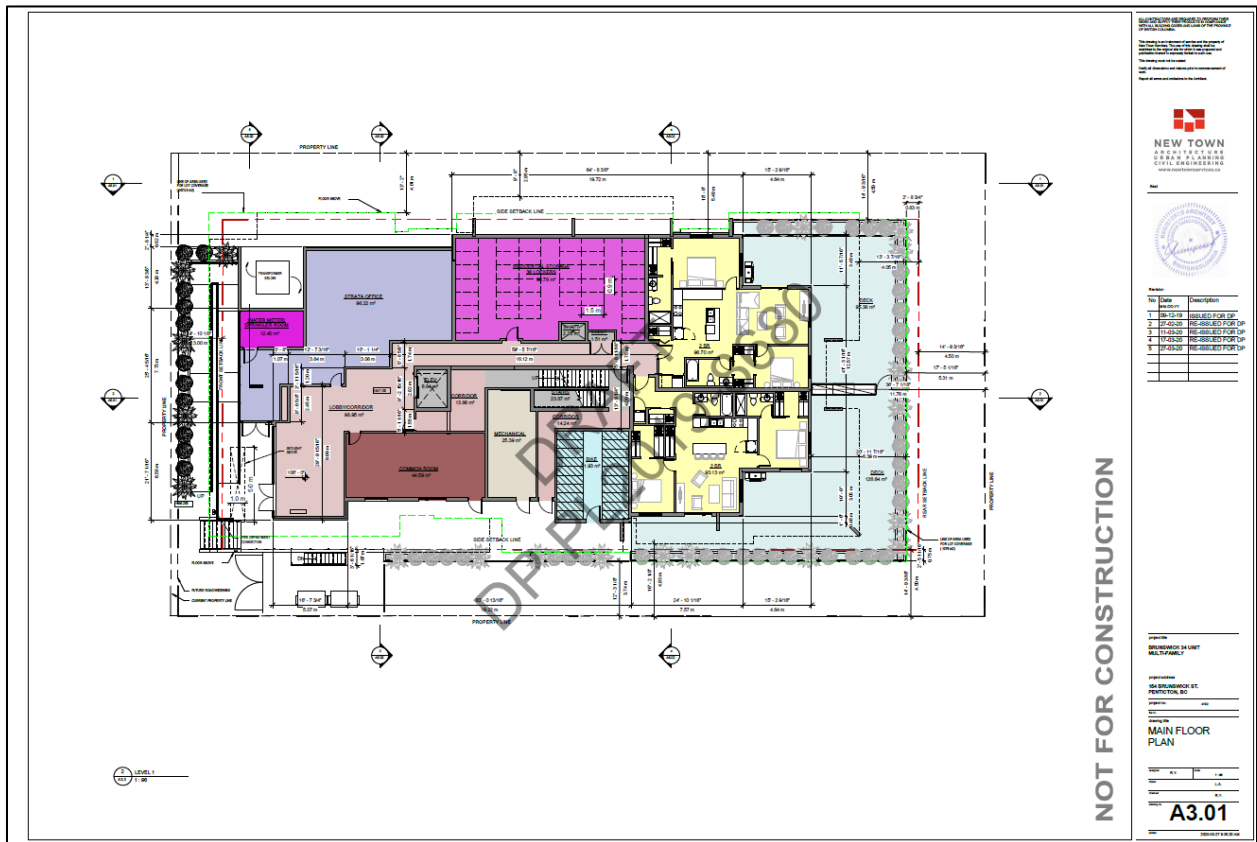
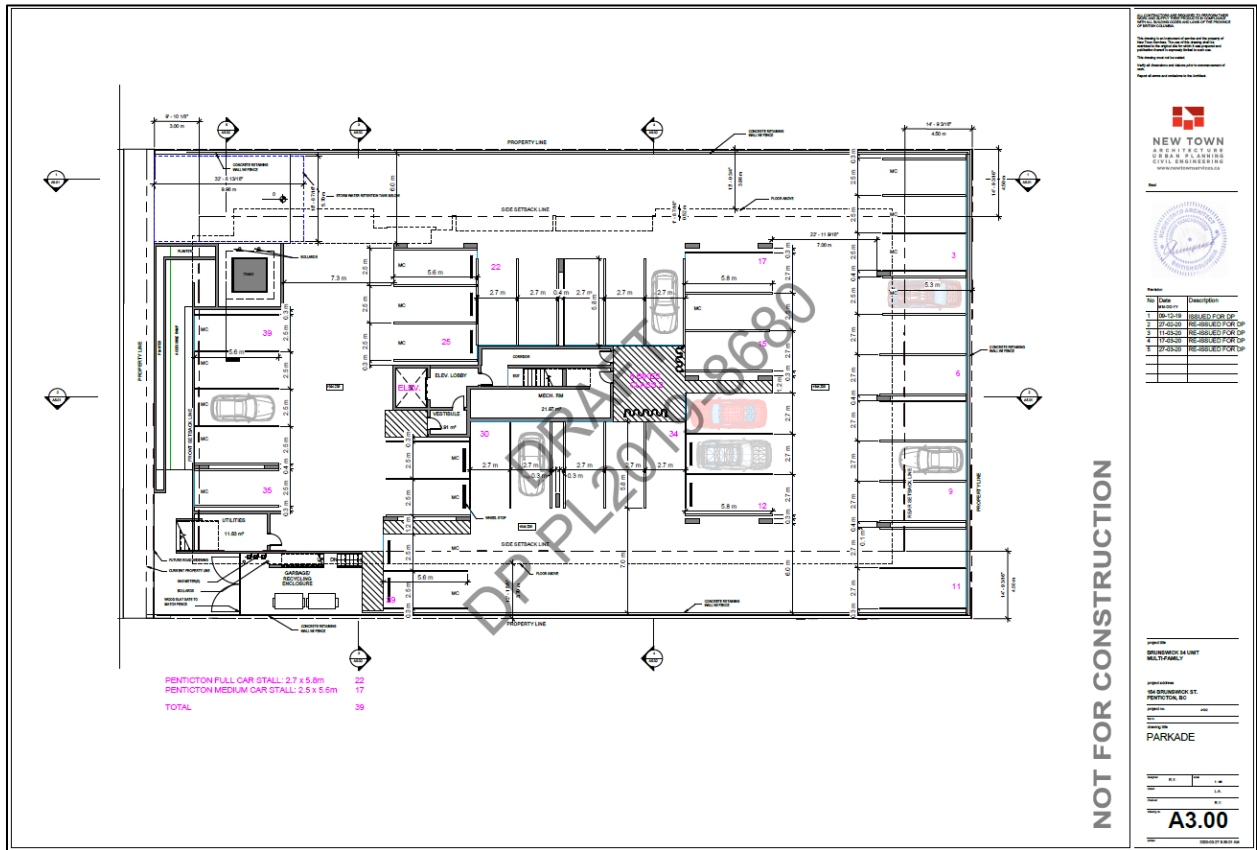
7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not 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.

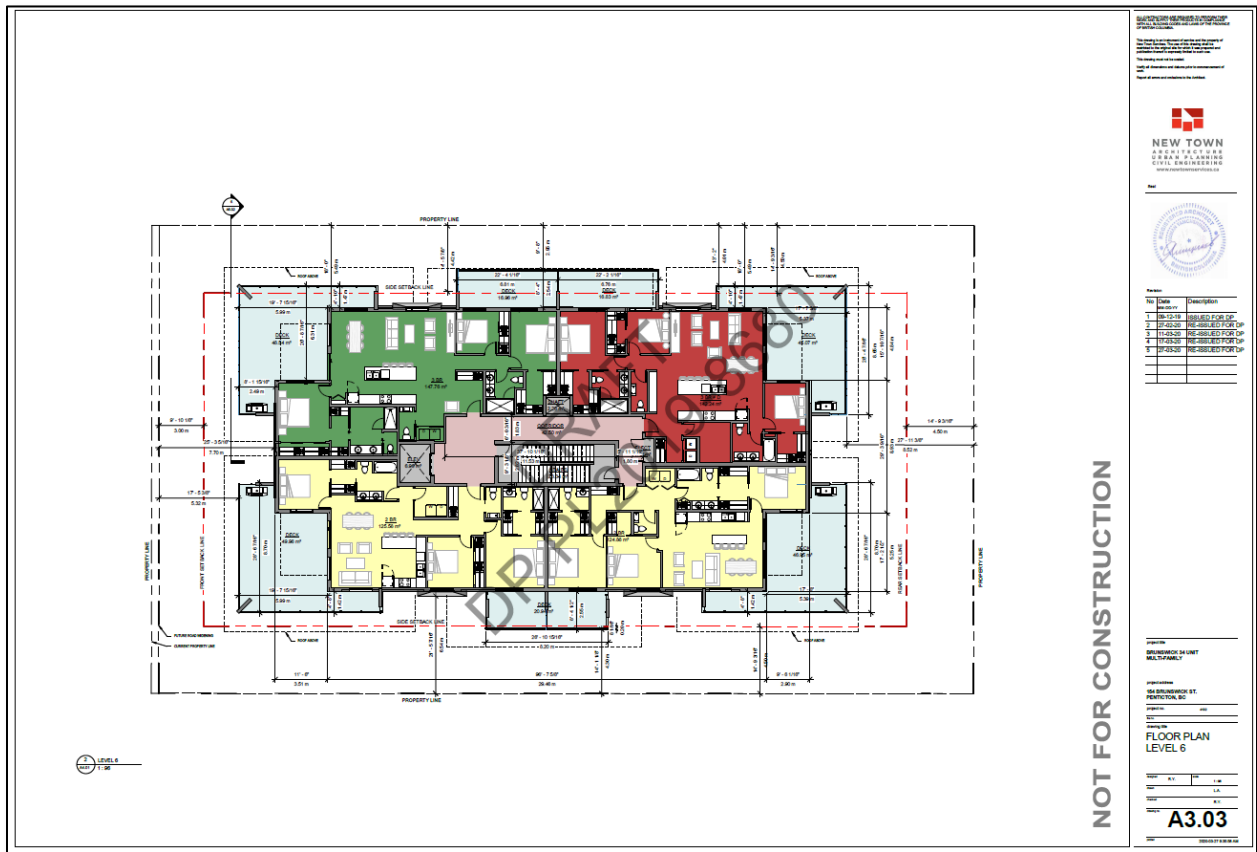
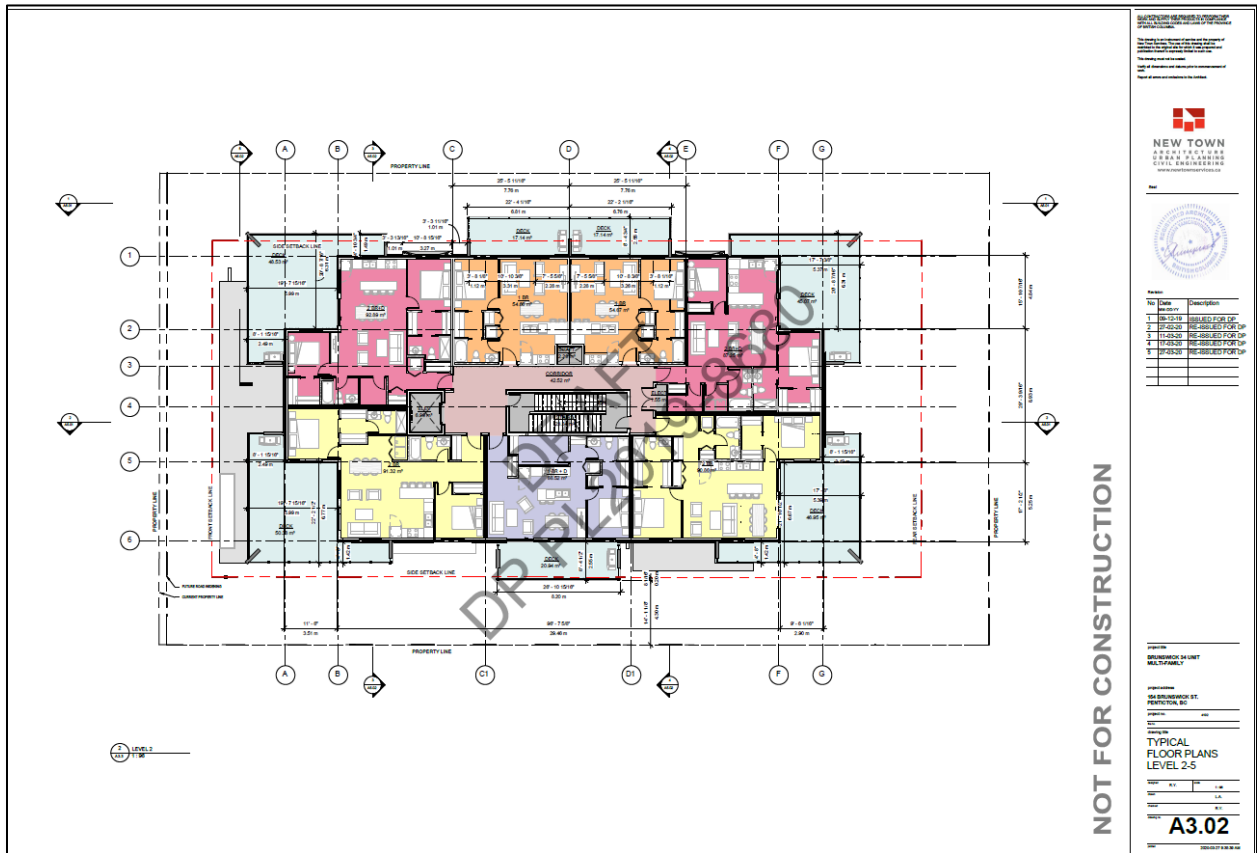
Authorized by City Council, the _____ day of _____, 2020.

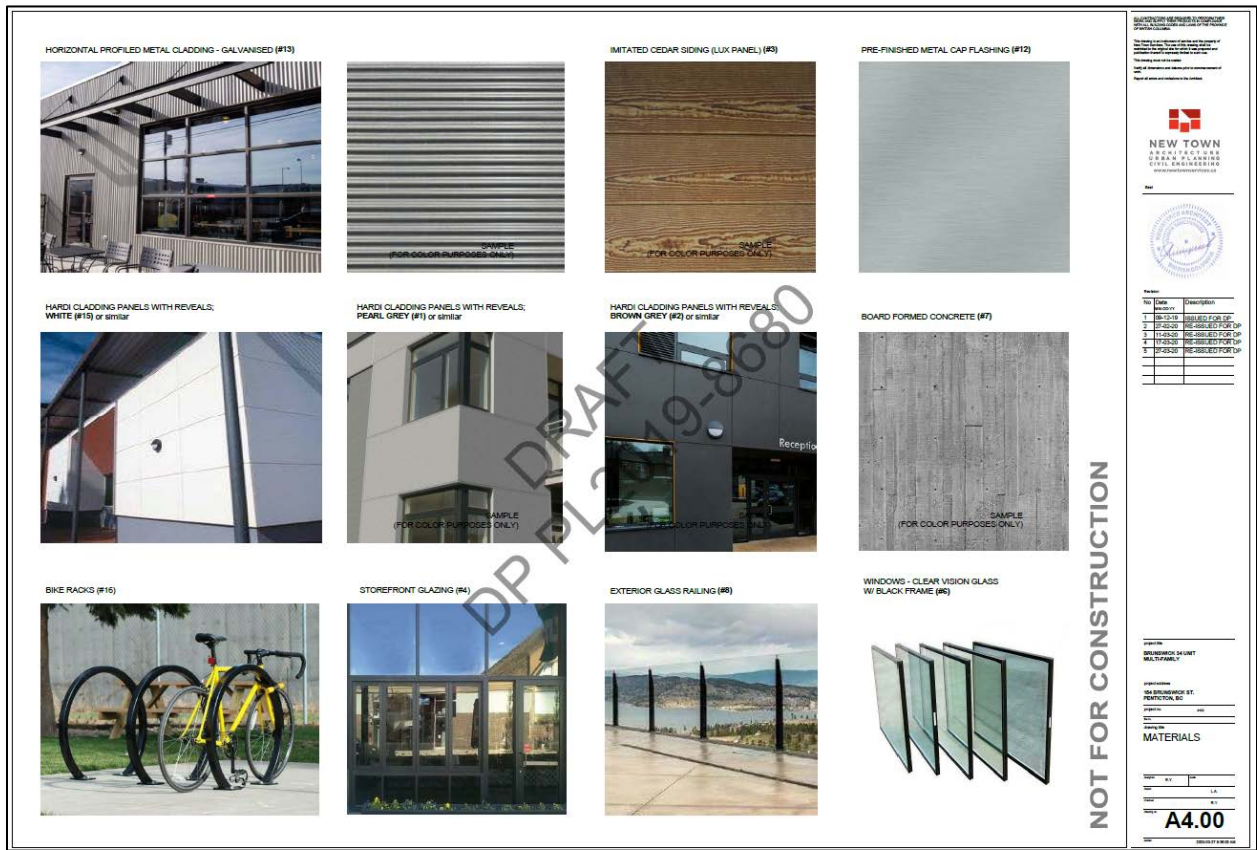
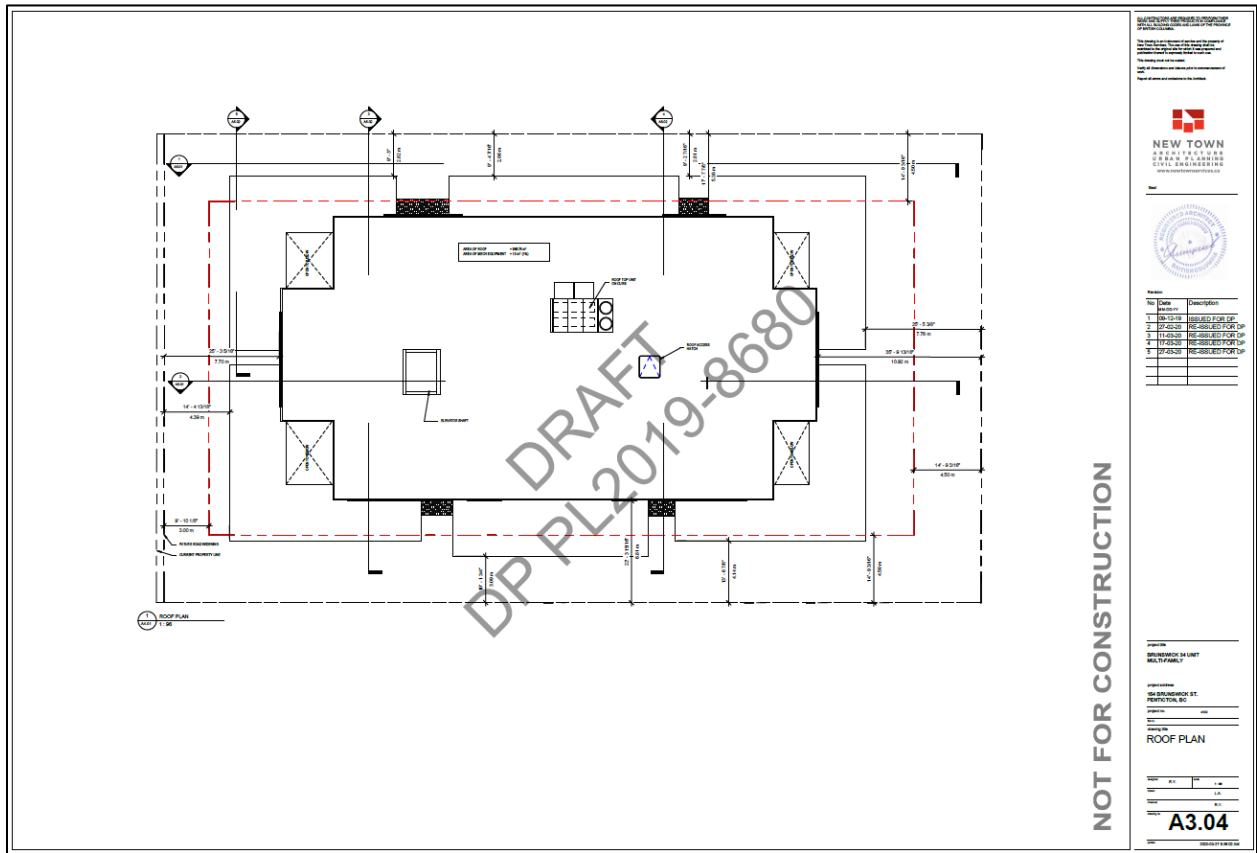
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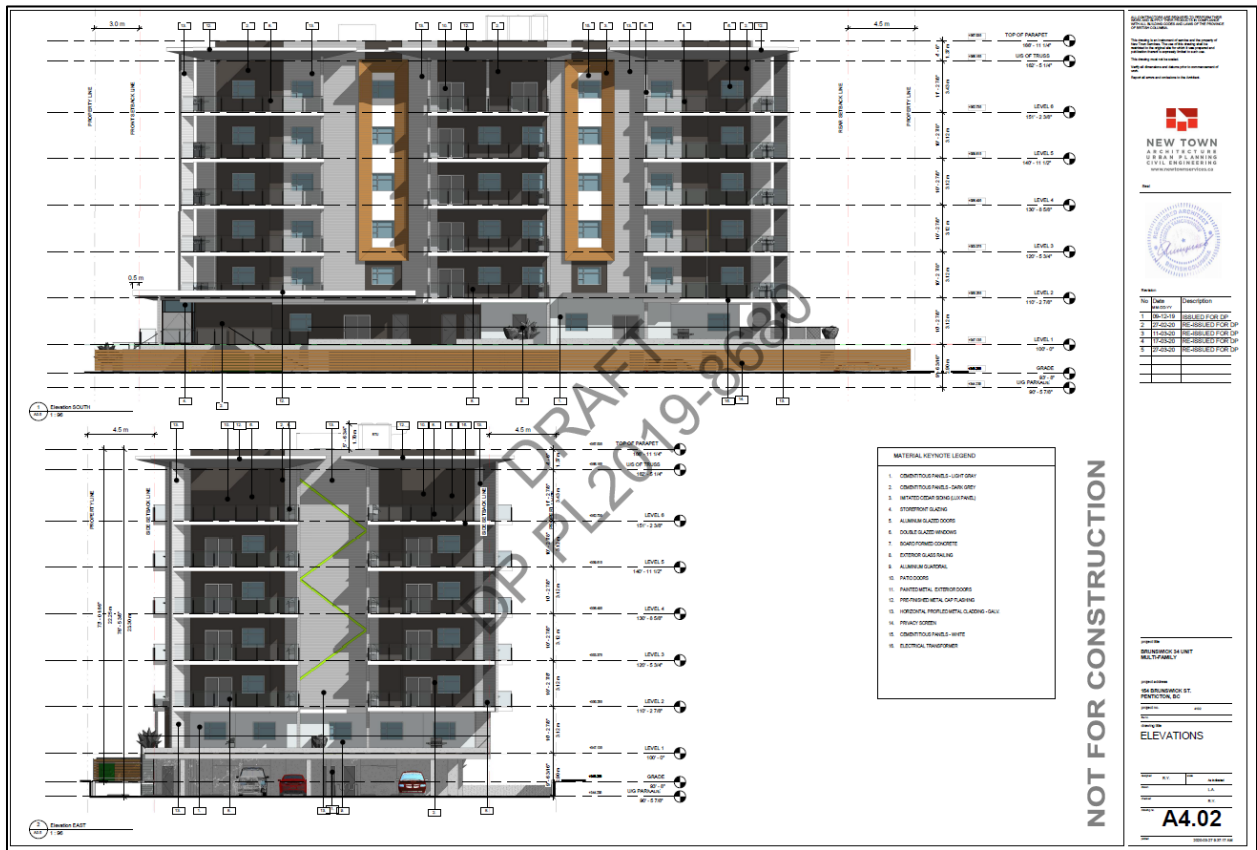
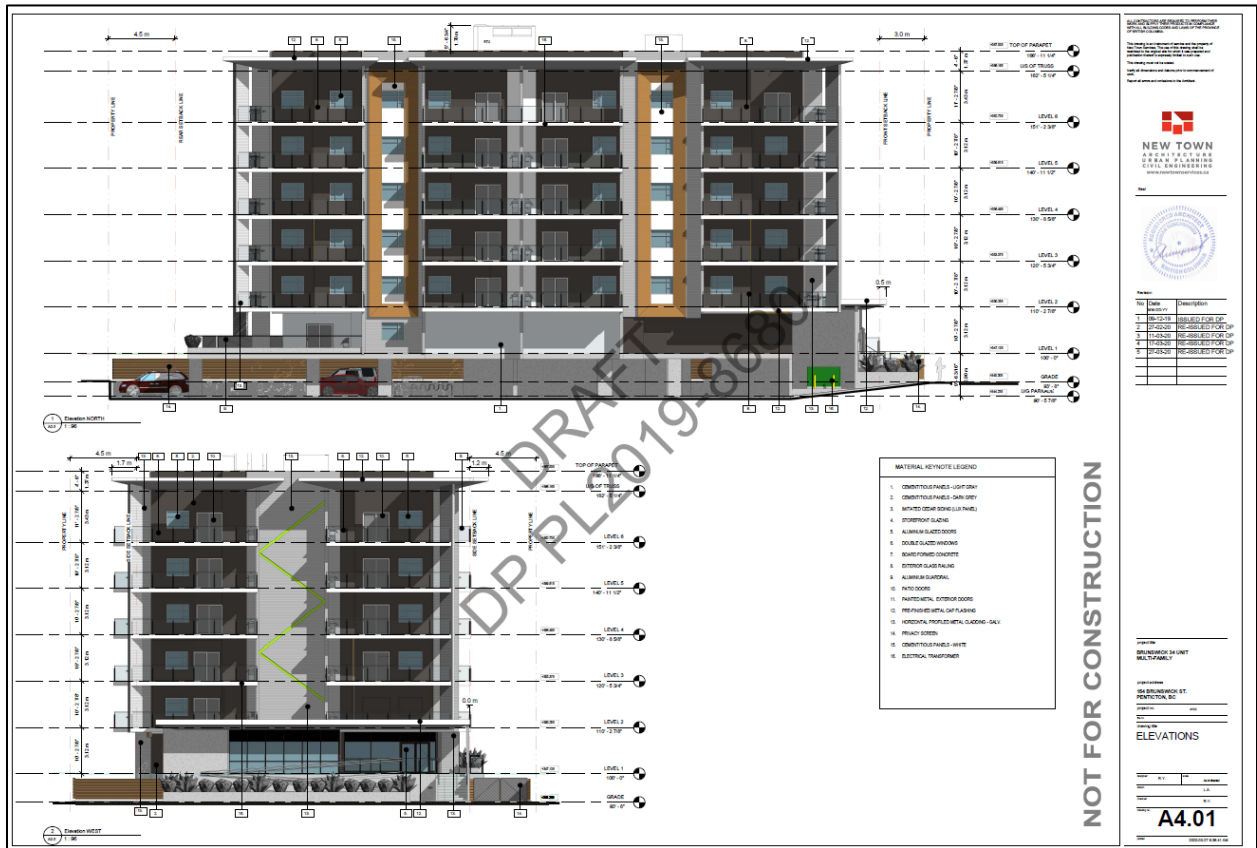
Angela Collison
Corporate Officer

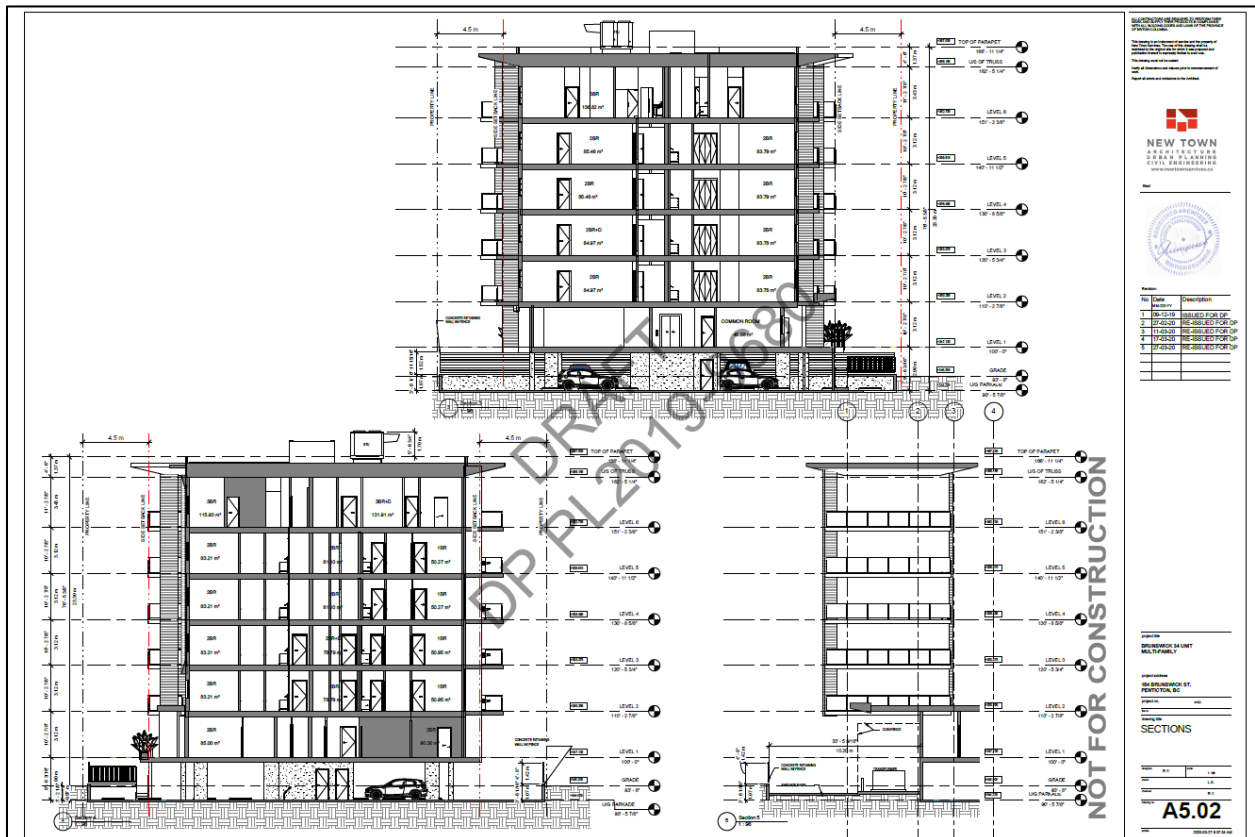
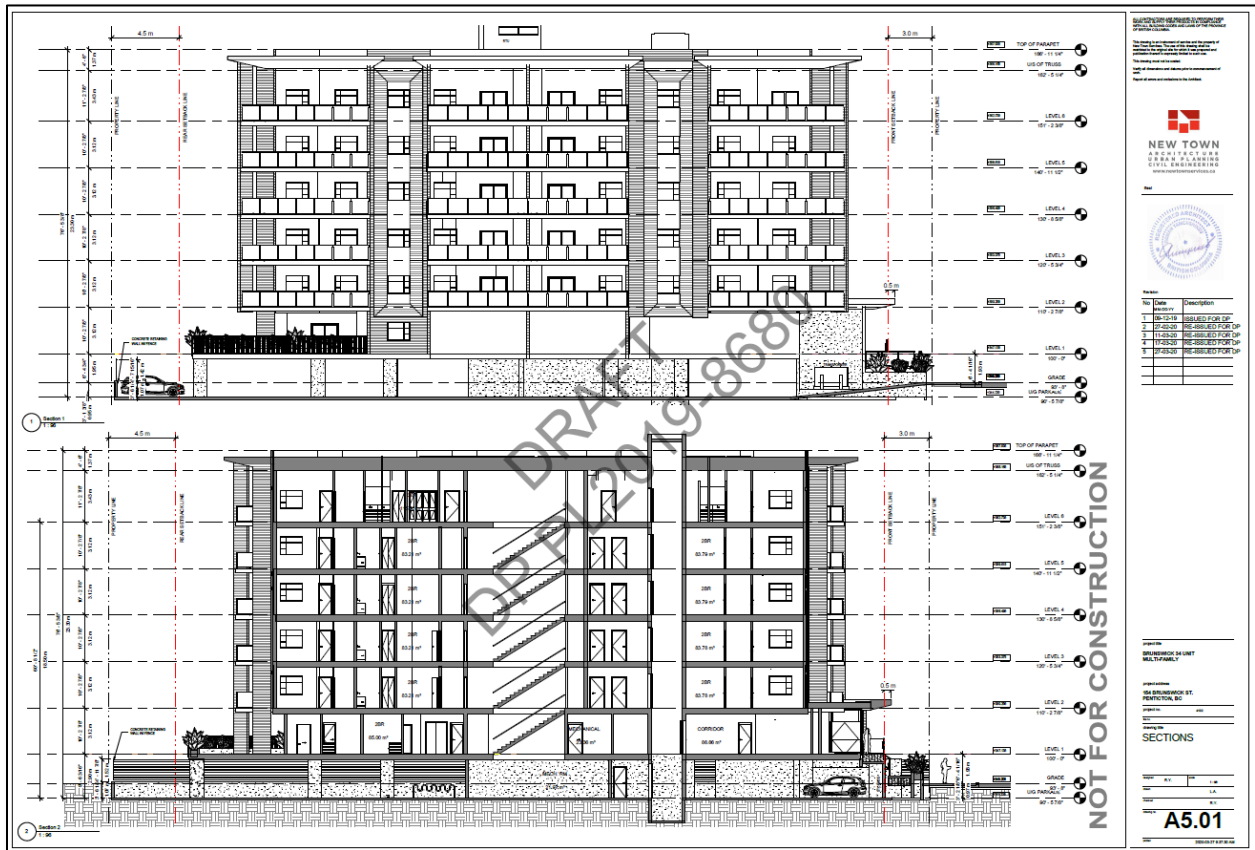


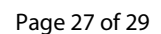












14.7 CD7 – Comprehensive Development (154 Brunswick Street)**14.7.1 PURPOSE**

This *zone* provides for the comprehensive development of a residential site for *Lot 1, DL 4, SDYD (Formerly Yale Lytton), Plan KAP49946*, located at 154 Brunswick Street.

14.7.2 PERMITTED USES

The *permitted uses* in this *zone* are:

- .1 *accessory use, building or structure*
- .2 *apartment*
- .3 *minor home occupation* (subject to specific use regulation 7.3)
- .4 *office*
- .5 *vacation rental* (subject to specific use regulation 7.6)

14.7.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

- .1 Minimum *lot width*: 31.0 m
- .2 Minimum *lot area*: 1,700 m²
- .3 Maximum *lot coverage*: 65%
- .4 Maximum *density*: 2.0 FAR
- .5 Maximum *height*:
 - i. *principal building* 23.0 m
 - ii. *accessory building or structure* 4.5 m
- .6 Minimum *front yard*: 3.0 m
- .7 Minimum *interior side yard*:
 - i. *principal building* 4.5 m
 - ii. *accessory building or structure* 1.5 m
- .8 Minimum *rear yard*:
 - iii. *principal building* 4.5 m
 - iv. *accessory building or structure* 1.5 m

14.7.4 AMENITY SPACE

- .1 *Amenity space* shall be provided at the rate of 20.0 m² for each *dwelling unit*.

14.7.5 OTHER REGULATIONS

- .1 A landscaping buffer to be provided along property lines abutting a residential zone and highway shall not apply.
- .2 An *office* shall not exceed a maximum *gross floor area* of 100 m².

14.7.6 ALLOWABLE PROJECTIONS

- .1 In addition to the projections permitted in Section 4.9.1 (Table 4.1), the following projections apply:

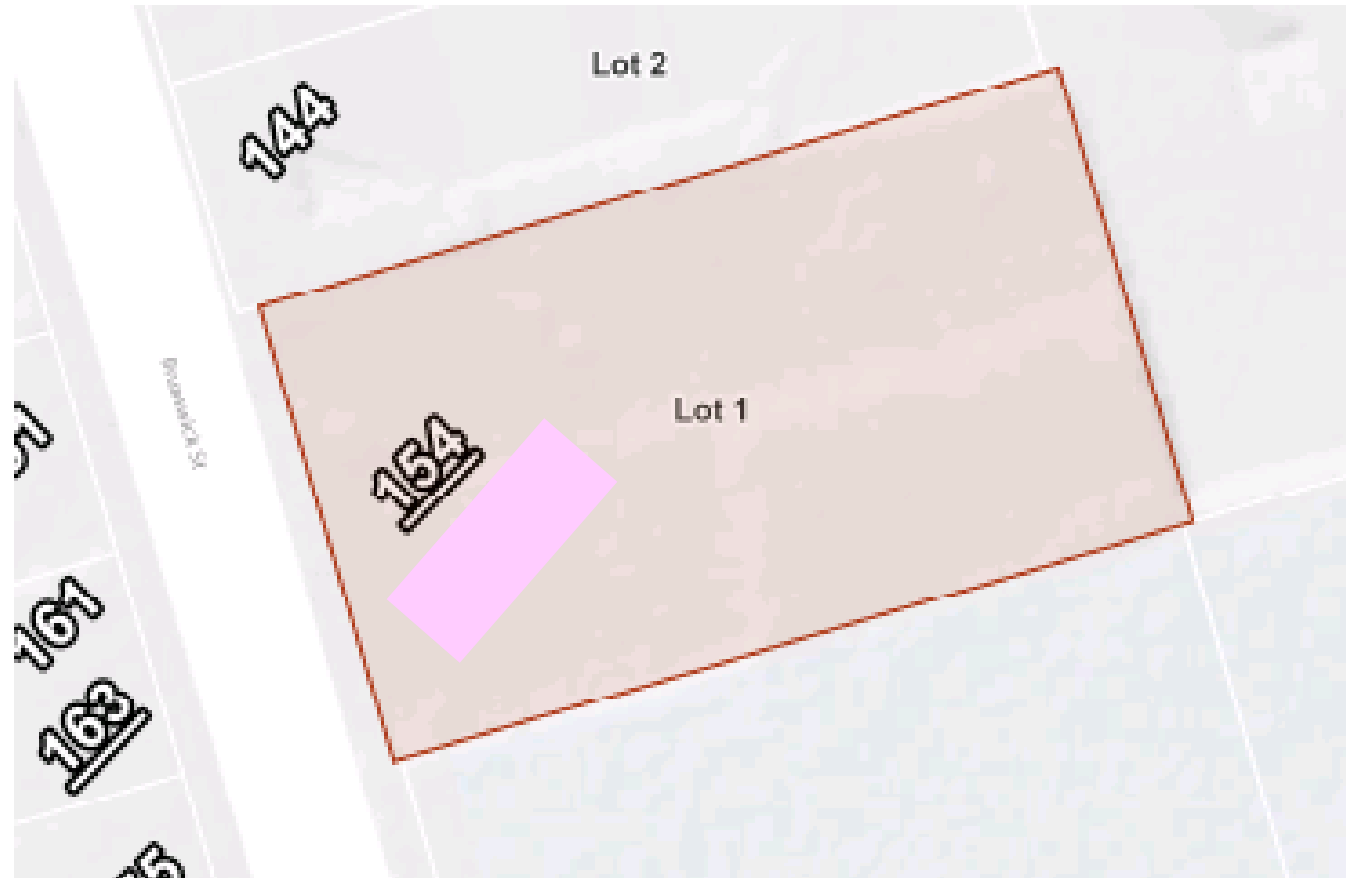
Feature	Maximum projection in to Require Yards
Roof features including roof projection, eaves, eave-troughs and gutters	1.7 m <i>interior side yard</i> 0.5 m <i>front yard</i>
Open stairways, landings, steps	1.2 m <i>interior side yard</i> , provided that 1.5 m is still maintained between the feature and the property line 1.5 m <i>front yard</i>
Covered or uncovered <i>balcony</i> , porch, and <i>deck</i>	1.6 m <i>interior side yard (northern)</i> 0.8 m <i>interior side yard (southern)</i>

14.7.7 PARKING REGULATIONS

- .1 Off-street vehicle parking shall comply with the standards and regulations established in Section 6 of this Bylaw.
- .2 Notwithstanding Section 14.7.7.1, up to 44% of the required off-street parking spaces may be designed as small car parking spaces, in accordance with Table 6.3 of this Bylaw. Such spaces shall be clearly marked with "small car".
- .3 Cash-in-lieu: In lieu of providing the required number of off-street vehicular parking spaces, the property owner may provide the City with a sum of money equal to the number of parking spaces not provided multiplied by the applicable cash-in-lieu amount as identified in Table 6.1 of this Bylaw. The sum of money will be deposited in the Off-Street Parking Reserve and Alternative Transportation Infrastructure Reserve at the rate of 75% to the Off-Street Parking Reserve and 25% to the Alternative Transportation Infrastructure Reserve.

Rezone
154 Brunswick Street

From RM3 (Medium
Density Multiple
Housing) to CD7-
Comprehensive
Development Zone
(154 Brunswick St)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2020-14

Date: _____

Corporate Officer: _____

The Corporation of the City of Penticton

Bylaw No. 2020-14

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. 2020-14”.

2. **Amendment:**

- 2.1 Zoning Bylaw No. 2017-08 is hereby amended by adding the following to Chapter 14 – Comprehensive Development:

14.7 CD7 – Comprehensive Development (154 Brunswick Street)

14.7.1 PURPOSE

This **zone** provides for the comprehensive development of a residential site for *Lot 1, DL 4, SDYD (Formerly Yale Lytton), Plan KAP49946*, located at 154 Brunswick Street.

14.7.2 PERMITTED USES

The **permitted uses** in this **zone** are:

- .1 ***accessory use, building or structure***
- .2 ***apartment***
- .3 ***minor home occupation*** (subject to specific use regulation 7.3)
- .4 ***office***
- .5 ***vacation rental*** (subject to specific use regulation 7.6)

14.7.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

- | | | |
|----|---|-----------------------|
| .1 | Minimum <i>lot width:</i> | 31.0 m |
| .2 | Minimum <i>lot area:</i> | 1,700 m ² |
| .3 | Maximum <i>lot coverage:</i> | 65% |
| .4 | Maximum <i>density:</i> | 2.0 <i>FAR</i> |
| .5 | Maximum <i>height:</i> | |
| | i. <i>principal building</i> | 23.0 m |
| | ii. <i>accessory building or structure</i> | 4.5 m |
| .6 | Minimum <i>front yard:</i> | 3.0 m |
| .7 | Minimum <i>interior side yard:</i> | |
| | i. <i>principal building</i> | 4.5 m |
| | ii. <i>accessory building or structure</i> | 1.5 m |
| .8 | Minimum <i>rear yard:</i> | |
| | iii. <i>principal building</i> | 4.5 m |

14.7.4 AMENITY SPACE

- .1 *Amenity space* shall be provided at the rate of 20.0 m² for each *dwelling unit*.

14.7.5 OTHER REGULATIONS

- .1 A landscaping buffer to be provided along property lines abutting a residential zone and highway shall not apply.
- .2 An *office* shall not exceed a maximum *gross floor area* of 100 m².

14.7.6 ALLOWABLE PROJECTIONS

- .1 In addition to the projections permitted in Section 4.9.1 (Table 4.1), the following projections apply:

Feature	Maximum projection in to Require Yards
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14.7.7 PARKING REGULATIONS

- .1 Off-street vehicle parking shall comply with the standards and regulations established in Section 6 of this Bylaw.
- .2 Notwithstanding Section 14.7.7.1, up to 44% of the required off-street parking spaces may be designed as small car parking spaces, in accordance with Table 6.3 of this Bylaw. Such spaces shall be clearly marked with "small car".
- .3 Cash-in-lieu: in lieu of providing the required number of off-street vehicular parking spaces, the property owner may provide the City with a sum of money equal to the number of parking spaces not provided multiplied by the applicable cash-in-lieu amount as identified in Table 6.1 of this Bylaw. The sum of money will be deposited in the Off-Street Parking Reserve and Alternative Transportation Infrastructure Reserve at the rate of 75% to the Off-Street Parking Reserve and 25% to the Alternative Transportation Infrastructure Reserve.

- 2.2 Update Schedule 'A' Zoning Bylaw Text Table of Contents and Schedule 'B' Zoning Bylaw Map to include CD7 – Comprehensive Development (154 Brunswick Street).

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

Rezone Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP 49946 (154 Brunswick Street), from RM3 (Medium Density Multiple Housing) to CD7 (Comprehensive Development Zone).

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

READ A FIRST time this	21	day of	April, 2020
READ A SECOND time this		day of	, 2020
READ A THIRD time this		day of	, 2020
ADOPTED this		day of	, 2020

Council resolved to waive the public hearing on April 21, 2020 and notice of intention to waive public hearing for this bylaw was published on the __ day of ____, 2020 and the __ day of ____, 2020 in the Penticton Herald newspaper, pursuant to Section 467 of the *Local Government Act*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer