



Public Notice

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April 23, 2020

Subject Property:

130 and 152 Greenwood Drive

Lots 19 and 20, District Lot 251, Similkameen Division Yale
District, Plan 32668

Application:

Rezone PL2020-8724

The applicant is proposing to subdivide the two subject properties into four lots. The applicant has applied to rezone the subject properties from R1 (Large Lot Residential) to R2 (Small Lot Residential) to accommodate the smaller lot widths of the proposed lots.



Information:

You can find the staff report to Council and Zoning Amendment Bylaw 2020-12 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 2020-12 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

Date: April 21, 2020
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner 1
Address: 130 and 152 Greenwood Drive
Subject: Zoning Amendment Bylaw No. 2020-12

File No: RMS/130 Greenwood Drive

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2020-12", a bylaw to rezone Lots 19 and 20, District Lot 251, Similkameen Division Yale District, Plan 32668, located at 130 Greenwood Drive and 152 Greenwood Drive, from R1 (Large Lot Residential) zone to R2 (Small Lot Residential) 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 2020-12, as the bylaw is consistent with the Official Community Plan.

Strategic Priority Objective

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 is proposing to subdivide the two subject properties into four lots. The applicant has applied to rezone the subject properties from R1 to R2 zone to accommodate the smaller lot widths of the proposed lots.

Background

The subject properties are located on the south side of Greenwood Drive, with Green Avenue East running along the rear (Figure 1). The properties are currently zoned R1 (Large Lot Residential) and are designated 'Detached Residential' by the Official Community Plan (OCP). The lands are currently vacant after a single detached dwelling was demolished in 2015 due to extensive fire damage. The surrounding residential neighbourhood primarily consists of

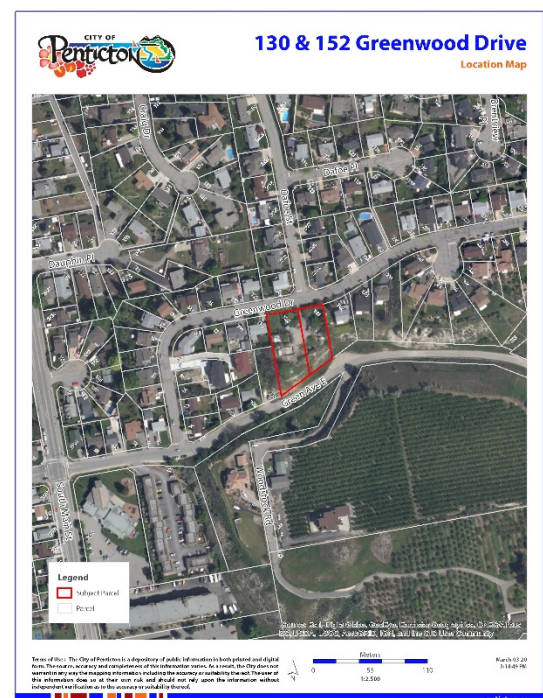


Figure 1 - Property Location Map

single detached dwellings, with agricultural uses across Green Avenue East to the south.

The subject properties are located on a substantial slope, rising from west to east and with a steep drop down to Green Avenue East. This is a known geotechnical hazard area. Existing geotechnical covenants on the properties would be kept, and perhaps updated, on the proposed lots to ensure long-term slope stability once developed. These covenants require that certain geotechnical and slope stability hazards in the area be addressed at the building permit stage, prior to permits being issued.

Financial Implication

This application does not pose any significant financial implications to the City. Development costs are the responsibility of the developer.

Technical Review

This application was reviewed by the City's Technical Planning Committee. Comments and conditions related to the subdivision stage were provided to the applicant, including the requirement for a geotechnical study prior to proceeding with subdivision. Although there are no detailed building plans at this time, relevant information for the future building permit stage was also sent to the applicant. Staff will work with the applicant through the subdivision approval process should the subject rezoning application be approved.

Development Statistics

The following table outlines the proposed development statistics on the survey plan submitted with the rezoning application:

	R2 Zone Requirement	Provided on Plans
Minimum Lot Width	13 m	13.68 m
Minimum Lot Area	390 m ²	761 m ² to 1033 m ²
Maximum Lot Coverage	40%	No building plans at this time. Future development shall meet these development regulations.
Maximum Building Height	10.5 m	
Vehicle Parking	2 spaces per single detached dwelling	
Required Setbacks		
Front Yard (Greenwood Drive)	4.5 m *	
Side Yard (east)	1.5 m	
Side Yard (west)	1.5 m	
Rear Yard	6.0 m	
Other Information	* Garage doors and carports must be setback a minimum of 6m from the back of the curb or sidewalk, as per Section 4.2.5 of the Zoning Bylaw.	

Analysis

When considering a zoning amendment bylaw application, staff encourages Council to consider the OCP policies as well as the potential impacts on neighbouring property owners.

Staff consider that the proposed rezoning and subdivision conforms to the following OCP Policies:

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
- Policy 4.1.3.5 Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
- Policy 4.1.4.1 Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
- Policy 4.1.5.1 Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).

The subject property is designated 'Detached Residential' by the OCP. The 'Detached Residential' designation envisions lower-density neighbourhoods consisting of single detached houses and/or duplexes. The proposed rezoning will allow for one single detached dwelling on each lot (among other uses/structures), which is consistent with the uses envisioned in the 'Detached Residential' designation.

The R2 (Small Lot Residential) zone is one of the corresponding zones within the 'Detached Residential' designation. The proposed rezoning allows for single detached dwellings, which is consistent with the detached residential character of the neighbourhood. Certain regulations are different between the R1 (Large Lot Residential) and R2 (Small Lot Residential) zones, including those related to lot area and lot width as shown in the table below.

	R1 Zone Requirement	R2 Zone Requirement
Minimum Lot Width	16 m	13 m
Minimum Lot Area	560 m ²	390 m ²
Maximum Lot Coverage	40%	40%
Maximum Building Height	10.5 m	10.5 m
Required Setbacks		
Front Yard	6.0 m	4.5 m *
Side Yard	1.5 m	1.5 m
Rear Yard	6.0 m	6.0m
Other Information	* Garage doors and carports must be setback a minimum of 6m from the back of the curb or sidewalk, as per Section 4.2.5 of the Zoning Bylaw.	

The proposed rezoning and future subdivision is not anticipated to negatively impact surrounding neighbours. The lands are currently zoned for single detached dwellings, and will continue to be zoned for this use. The proposed development makes efficient use of existing infrastructure and allows moderately increased density while maintaining consistency with the housing form in the area. The four proposed lots comply with the R2 zone lot area and lot width requirements without requiring variances. Should variances be requested for future buildings on any of the four lots, a new application would come before Council and neighbours would have the opportunity to comment at that time.

The proposed development is consistent with the detached residential character of the neighbourhood. No variances to the Zoning Bylaw regulations are requested at this time. Future buildings on the proposed lots will be required to comply with the R2 zone provisions, or a new planning application will come before Council which will provide the opportunity for public input. Given these reasons, staff are recommending that Council give first reading to the Zoning Amendment Bylaw.

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.

Alternate Recommendations

Council may consider that the proposed development results in too high of a density for the detached residential area, or that the proposal is otherwise undesirable. If this is the case, Council should deny first reading of the Zoning Amendment Bylaw. 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.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2020-12".
2. THAT Council give first reading to "Zoning Amendment Bylaw No. 2020-12", and that further readings be postponed until such time as a public hearing is possible.

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Letter of Intent

Attachment D – Proposed Subdivision Plan

Attachment E – Zoning Amendment Bylaw No. 2020-12

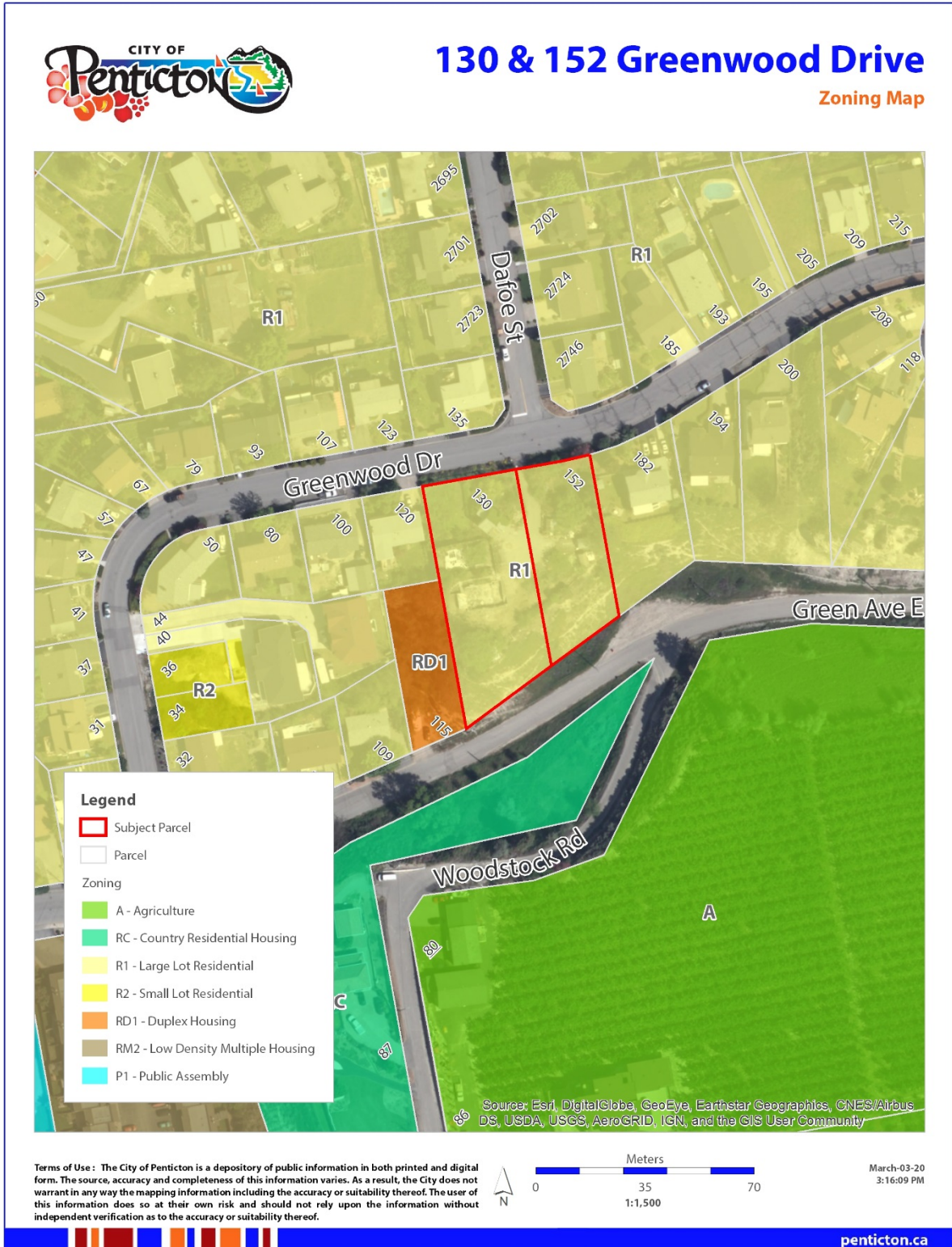
Respectfully submitted,

Steven Collyer
Planner 1

Concurrence

Director Development Services <i>BL</i>	Chief Administrative Officer DvD
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Attachment A – Zoning Map



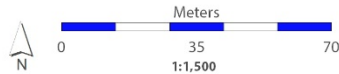


130 & 152 Greenwood Drive

Official Community Plan Map



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March-03-20
3:17:02 PM

penticton.ca

Attachment C – Letter of Intent

Dear Mayor, Council and City staff:

Fretz Construction is proposing to rezone 130 and 152 Greenwood Drive from an R1 zoning to an R2 zoning to allow for a four lot subdivision of the current two properties.

The four lots created would be of substantial area from 761 square meters to 1033 square meters and have a width of 13.68 meters per lot.

We feel that having a slightly narrower lot helps to increase density in the area while sensitively integrating single family homes into an existing neighbourhood.

This strategy will mean a lower price point on a per lot basis making them more attractive to a first time home buyer, senior or young family looking to build a home in a desirable area.

The close proximity to two schools, both Wiltse Elementary and Princess Margaret Secondary make for an easy walk to both schools for families.

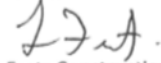
The impact to neighbouring properties with this proposal are very minimal. Both parent properties have front and rear yard road frontage, and side yard setbacks that would be the same in the current zoning or with the proposed zoning. This proposal would allow one additional lot to be created in the middle of the property causing the least possible disturbance to existing neighbouring homes.

The benefit to the city with our proposal is additional densification on existing infrastructure as opposed to urban sprawl as well as an increased tax base on an additional home.

Fretz Construction works diligently with the City of Penticton to create building lots which are appealing, conforming and competitively priced for all citizens to enjoy.

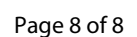
Thank you,

Lowell Fretz



Fretz Construction Ltd.





The Corporation of the City of Penticton

Bylaw No. 2020-12

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. 2020-12".

2. **Amendment:**

2.1 Zoning Bylaw No. 2017-08 is hereby amended as follows:

Rezone Lots 19 and 20, District Lot 251, Similkameen Division Yale District, Plan 32668, located at 130 Greenwood Drive and 152 Greenwood Drive, from R1 (Large Lot Residential) zone to R2 (Small Lot Residential) zone.

2.2 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

Rezone
130 & 152 Greenwood Dr.

From from R1 (Large Lot
Residential) to R2 (Small
Lot Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2020-12

Date: _____

Corporate Officer: _____