



Public Notice

penticton.ca

September 24, 2020

Subject Property:

198 Fawn Court

Lot 1, District Lot 2710, Similkameen Division Yale
District, Plan EPP74844

Application:

Development Variance Permit PL2020-8828

The applicant is requesting to reduce the minimum front yard setback to accommodate the construction of a single family dwelling and has applied to vary the following section of Zoning Bylaw 2017-08:



Section 10.1.2.5: to reduce the minimum front yard setback from 6.0 m to 3.67 m.

Information:

You can find the staff report to Council and Development Variance Permit PL2020-8828 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 will consider the development variance permit at its Regular Council Meeting scheduled for **1:00 pm, Tuesday, October 6, 2020**.

In response to COVID-19, Regular 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.

Public Comments:

Any person whose interest may be affected by the proposed development variance permit, may submit a petition or written comments by mail or email no later than **9:30 am, Tuesday, October 6, 2020** to:

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

continued on Page 2

No letter, report or representation from the public will be received by Council after the conclusion of the October 6, 2020 Council Meeting.

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.

Audrey Tanguay
Planning Manager

Date: October 6, 2020
To: Donny van Dyk, Chief Administrative Officer
From: Nicole Capewell, Planner 1
Address: 198 Fawn Court
Subject: Development Variance Permit PL2020-8828

File No: RMS/198 Fawn Crt

Staff Recommendation

THAT Council approve "Development Variance Permit PL2020-8828" for Lot 1 District Lot 2710 Similkameen Division Yale District Plan EPP74844, located at 198 Fawn Court, a permit to vary Zoning Bylaw Section 10.1.2.5, to reduce the minimum front yard setback from 6.0 m to 3.67 m;

AND THAT Council direct staff to issue "Development Variance Permit PL2020-8828".

Proposal

The applicant is requesting to reduce the minimum front yard setback from 6.0 m to 3.67 m to accommodate the construction of a single family dwelling.

Background

The subject property is located at 198 Fawn Court, at the corner of Harris Drive and Fawn Court within 'The Ridge' neighbourhood (Figure 1). The property is zoned R1 (Large Lot Residential) and is designated in the Official Community Plan as 'Detached Residential'. The property is currently vacant.

The applicant has designed the proposed single family dwelling with a reduced front yard setback. The surrounding neighbourhood is primarily zoned R1 (Large Lot Residential) with some R2 (Small Lot Residential) and RM2 (Low Density Multiple Housing) zoned properties in the area.



Figure 1 - Location Map

Technical Review

The application was reviewed by the City's Technical Planning Committee. Servicing and building code requirements have been identified to the applicant and will be addressed as part of the building permit process. It is the property owner(s) responsibility to provide services and/or upgrade existing services as required.

Analysis

When considering a variance to a City bylaw, staff encourage Council to be mindful as to whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. The proposed variance and staff's analysis are as follows:

1. Section 10.1.2.5 to reduce the minimum front yard setback from 6.0 m to 3.67 m.
 - The subject property is a corner lot. Corner lots have increased setback requirements, as they have both a front yard setback (6.0m) and an exterior side yard setback (3.0m), which results in a smaller building envelope.
 - The single family dwelling has been designed with all vehicle access from the lane. Normally, an R1 property would have driveway access from the street, which is not the case for this property.
 - The applicant indicates within their Letter of Intent (Attachment 'C') that they will be constructing the homes on 166, 174, 182, 190 and 198 Fawn Court (total of 5 properties). Given that the subject property is the shallowest of these lots, reducing the front yard setback will help to maintain a consistent line of building facades (as shown in Figure 2).

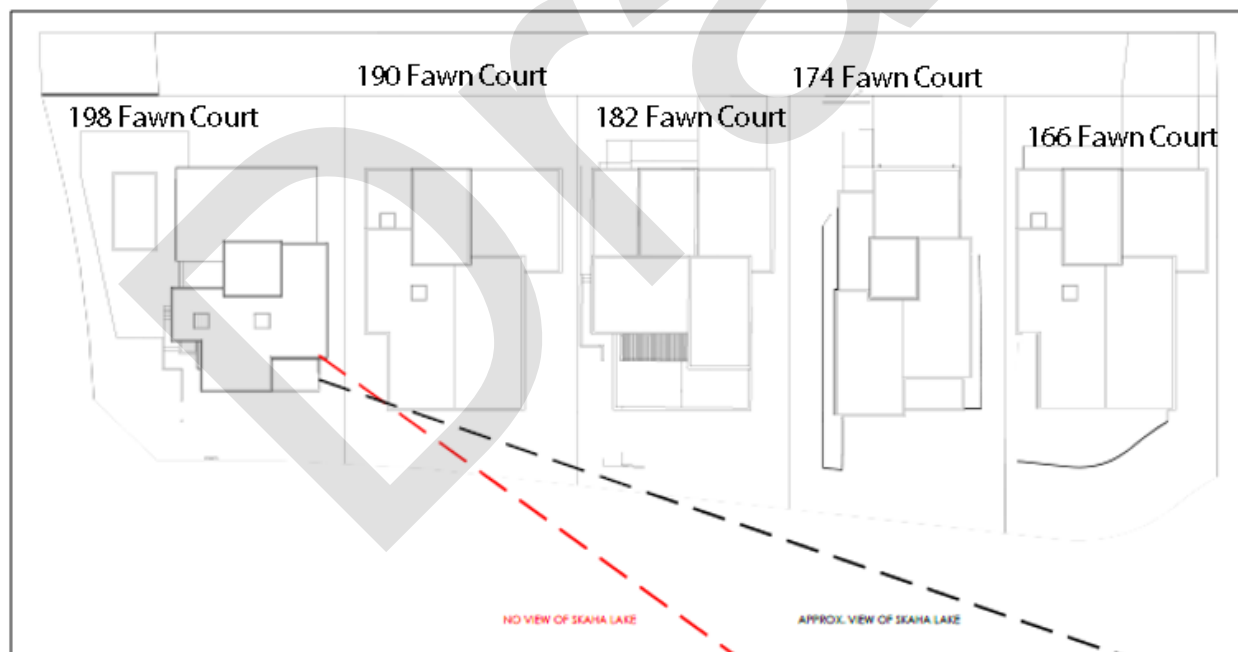


Figure 2 - Site Plan Showing Line of Building Facades on Street and Sightlines

- The subject property has been designed with a reduced setback in an effort to maintain the views towards Skaha Lake. If the building was to be designed to meet the front yard setback, the property would likely not be able to have views to Skaha Lake, as indicated in the applicant's Letter of Intent (Attachment 'C').

Staff consider the request to reduce the minimum front yard setback from 6.0 m to 3.67 m is reasonable in this instance and will not have a negative impact on any neighbouring properties. As such, staff recommend that Council should support the variance and direct staff to issue the permit.

Alternate recommendations

Council may consider that the requested variance would pose a negative impact on the surrounding neighbourhood and is not reasonable. If this is the case, Council should deny the variance request.

1. THAT Council deny "Development Variance Permit PL2020-8828".

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Letter of Intent

Attachment D – Photos of Subject Property

Attachment E – Draft "Development Variance Permit PL2020-8828"

Respectfully submitted,

Nicole Capewell
Planner 1

Concurrence

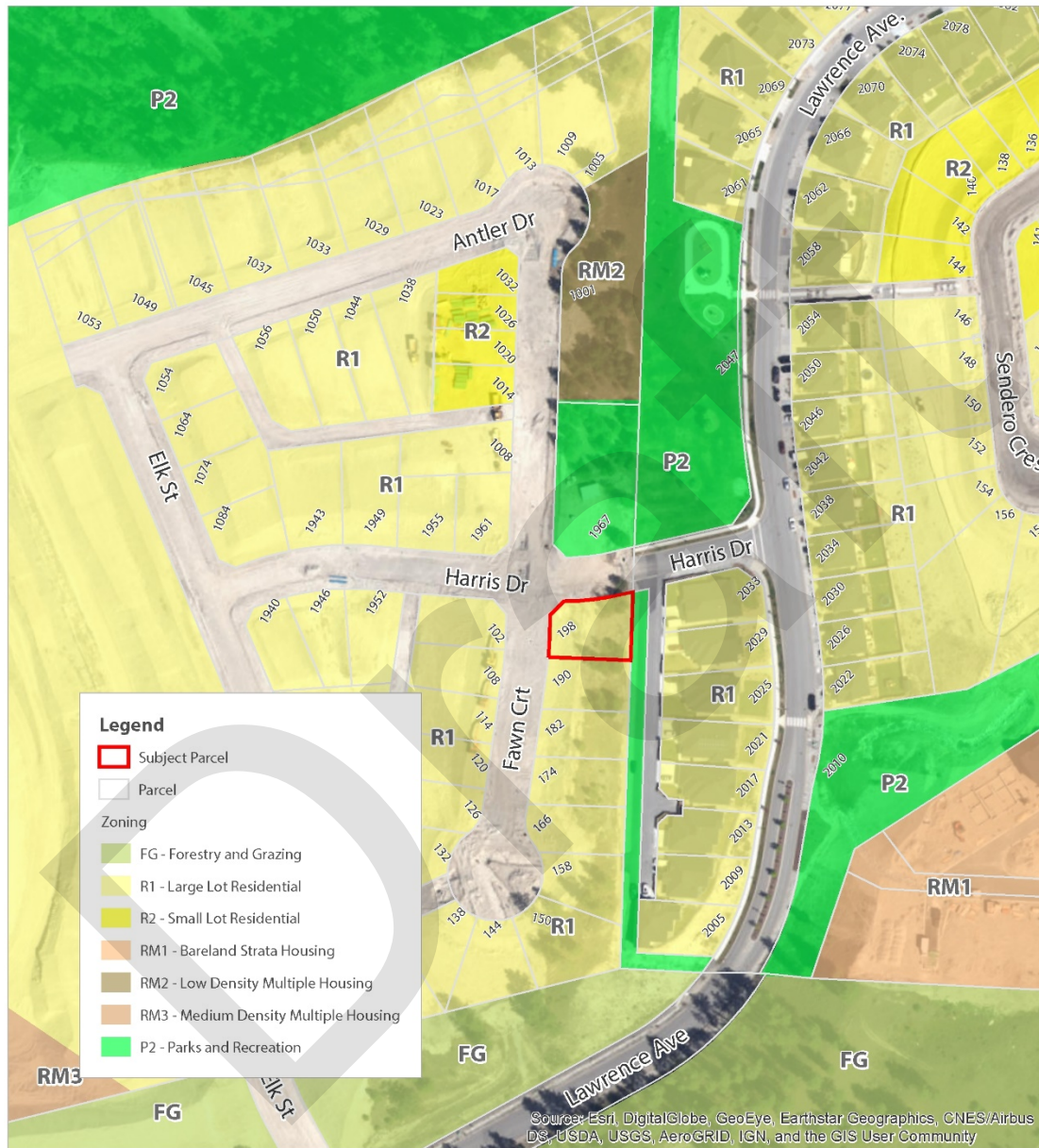
Director of Development Services <i>BL</i>	Chief Administrative Officer
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Attachment A – Zoning Map

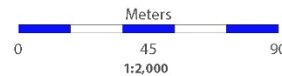


198 Fawn Court

Zoning Map



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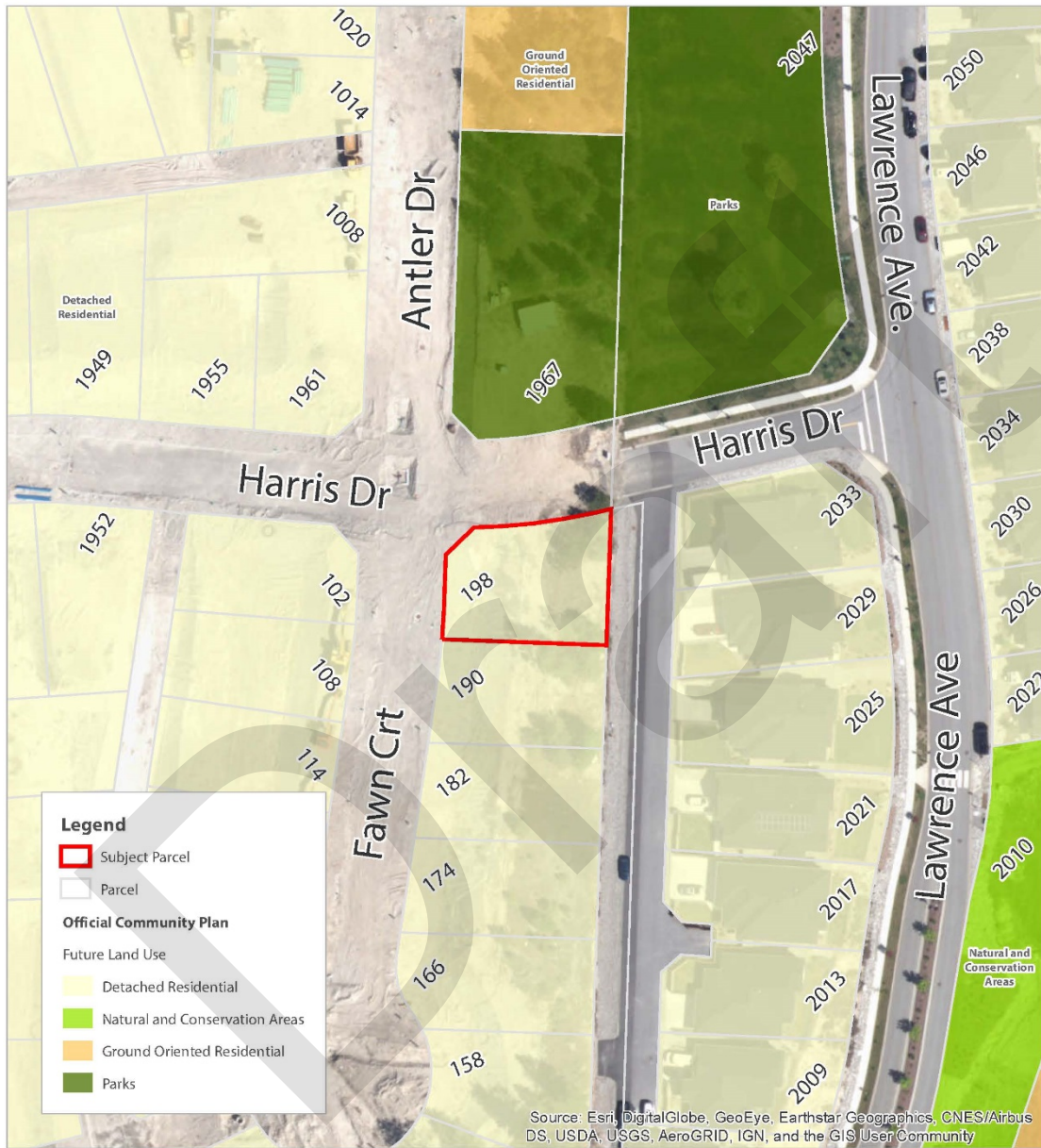
Monday, September 21, 2020
10:35:36 AM

penticton.ca

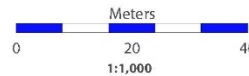
Attachment B – Official Community Plan Map



198 Fawn Court Official Community Plan Map



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September 21, 2020
2:09:26 PM



penticton.ca

198 Fawn Court

Development Variance Permit Application

August 4, 2020

Blake Laven
Planning Manager
City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Dear Blake Laven:

We are proposing to construct a single-family home at 198 Fawn Court at The Ridge. This home will be one of five builds by Parallel 50 Construction and is located on the lot the furthest North of the five. We are requesting a variance on the front lot line due to the property being slightly shorter in an east west direction than the adjacent parcels and help achieve more cohesive building frontages along Fawn Court.

The Ridge is a highly desirable subdivision that captures the Okanagan views and a luxury lifestyle. These homes have been designed around the panoramic view to the West. In order to create desirable homes and maintain the best possible views for each home along Fawn Court, we hope to create a smaller front yard setback to achieve a more cohesive set of building frontage and to maintain the views to the South-West from the property.

We plan to construct homes on five adjacent lots making up 166-198 Fawn Court. 198 Fawn Court is the furthest North of all the lots and is the shortest (east/west) of all the lots due to the shape of the surrounding roads. Adhering to the requirement of a 6-meter setback would result in homes further South being stepped out from the proposed home at 198 Fawn Court. This will negatively affect views and create a disconnect in the building scheme of the new homes.

Under the zoning bylaw, the 5 parcels are currently zoned as R1- Large Lot Residential, which requires 6-meter front yard setbacks. We are proposing a variance so that the front yard setback on 198 Fawn Court may be reduced to 4 meters.

The single-family dwelling will have rear lane access with an attached three car garage, there is the ability to park 3 more cars on the driveway apron. The front yard (west) on Fawn Court will be landscaped (xeriscaped) with no off-street parking, all parking will be tucked away on the east side of the home. The design also has a very large side yard along Harris Drive that will wrap around into the front yard, resulting in large amounts of yard space for the lot. The proposed plans show less than 30% lot coverage on the almost 7,000 square foot lot.

We hope that the City agrees that varying the 6-meter setback down to 4-meters will allow for more consistent and connected streetscape along Fawn Court while allowing the home itself to optimize it's yard space to the north of the property and maintain the Okanagan views from the property.

In summary, please accept the enclosed application package for 198 Fawn Court. We would greatly appreciate your consideration in granting the request to vary the front yard setback.

Sincerely,



Drew Barnes
Parallel 50 Construction Ltd.

Attachment D – Photos of Subject Property



Looking east towards front of subject property (taken from Harris Drive)



Looking west towards rear of property (taken from Harris Drive)



City of Penticton

171 Main St. | Penticton B.C. | V2A 5A9

www.penticton.ca | ask@penticton.ca

Development Variance Permit

Permit Number: DVP PL2020-8828

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 2710 Similkameen Division Tale District Plan EPP74844
 - Civic: 198 Fawn Court
 - PID: 030-380-839
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2017-08 to allow for the construction of a single family dwelling as shown in the plans attached in Schedule 'A':
 - a. Section 10.1.2.5: to reduce the minimum front yard setback from 6.0m to 3.67m.

General Conditions

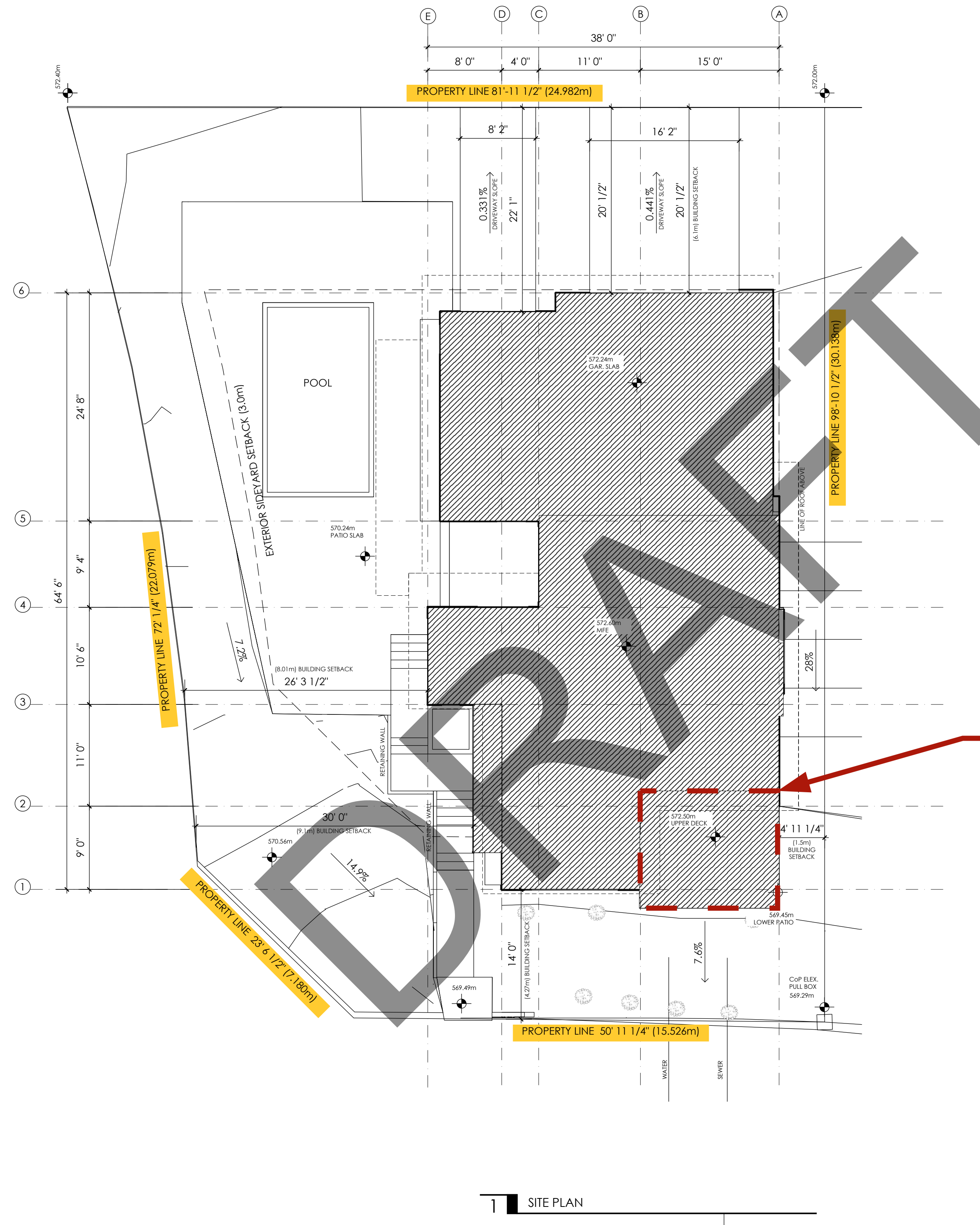
4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **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.**
7. 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.
8. 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.

Issued this ____ day of _____, 2020.

Angela Collison
Corporate Officer

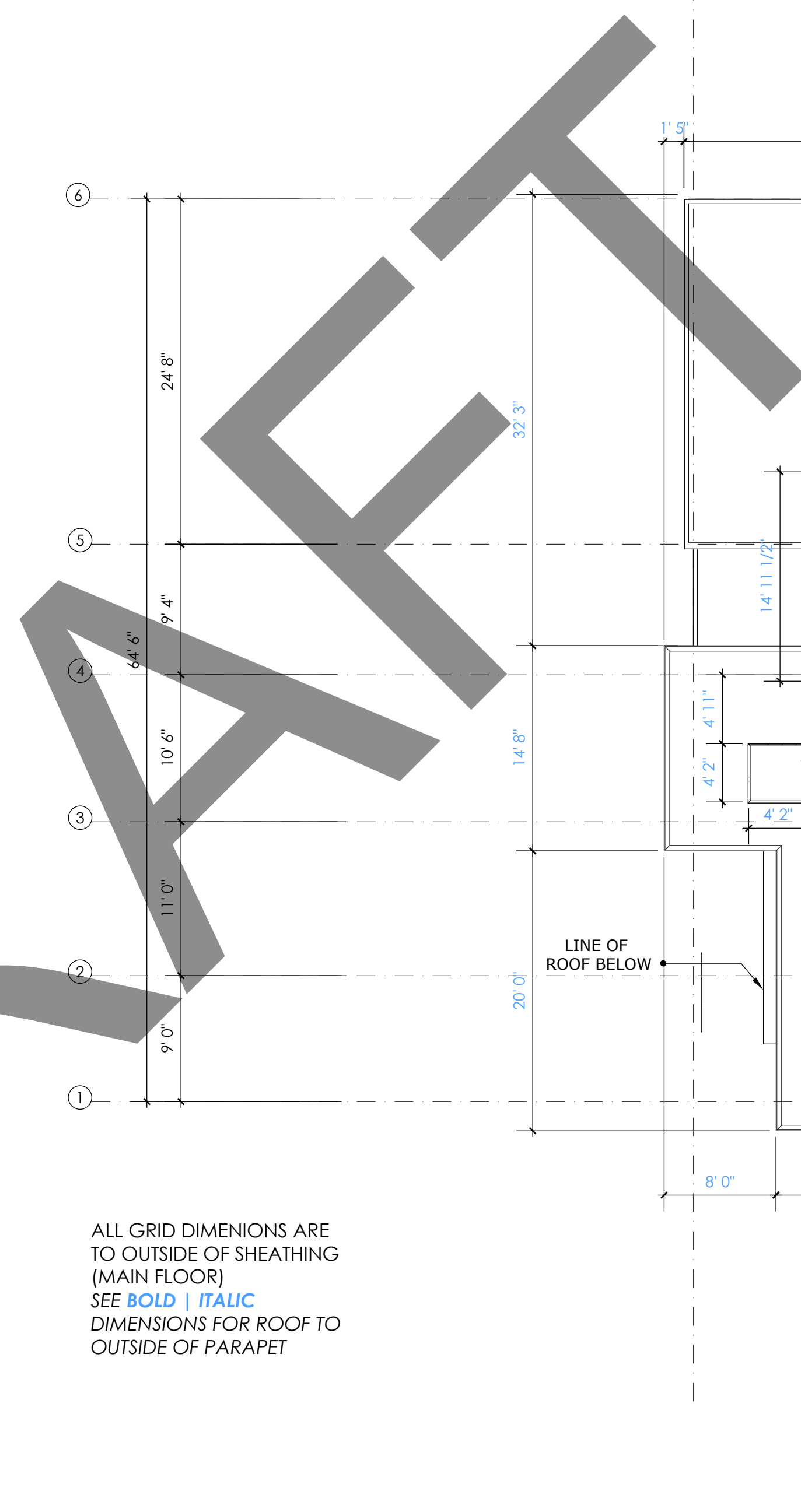
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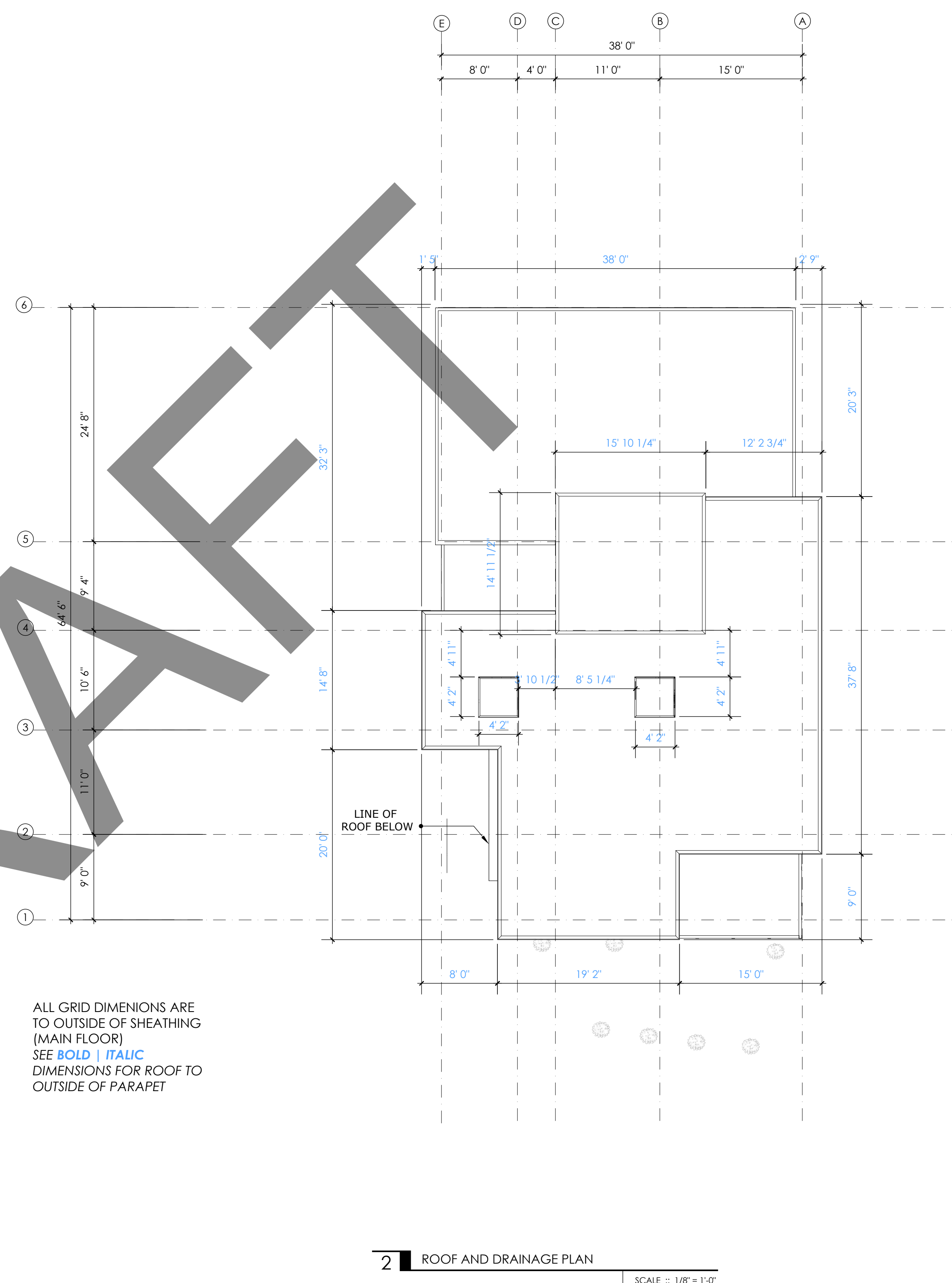
Patio @ grade
Balcony on upper two levels
0.6m projection with proposed variance



210 Hastings Avenue
Penticton, BC



ALL GRID DIMENSIONS ARE
TO OUTSIDE OF SHEATHING
(MAIN FLOOR)
SEE **BOLD | ITALIC**
DIMENSIONS FOR ROOF TO
OUTSIDE OF PARAPET



ZONING LARGE LOT RESIDENTIAL R1		
	REQUIRED	PROVIDED ON PLANS
MINIMUM LOT WIDTH	16.0m (52.5ft)	24.982m (81.96ft)
MINIMUM LOT AREA	560sqm (6027.8sqft)	649sqm (6990.08sqft)
MINIMUM LOT COVERAGE	40%	28.9%
MAXIMUM HEIGHT	10.5m (34.4ft)	9.6m (32.68ft)
SETBACKS:		
MINIMUM FRONT YARD	6.0m (19.7ft)	4.27m (14ft)
MINIMUM INTERIOR SIDE YARD	1.5m (4.92ft)	1.5m (4.92ft)
MINIMUM EXTERIOR SIDE YARD	3.0m (9.84ft)	8.01m (26.29ft)
MINIMUM REAR YARD	6.0m (19.7ft)	6.1m (20.13ft)

ALL OVERHANGS TO BE 2'1"

The Ridge House 1 (Mango)

OWNER:
Spec Home
198 Fawn Court
Penitenti, BC
p. 1.250.488.9122
drew@par50.com

Designer:
Par50, 50 Construction
Drew Barnes
210 Hastings Avenue
Penitenti, BC
p. 250.488.8230
drew@par50.co

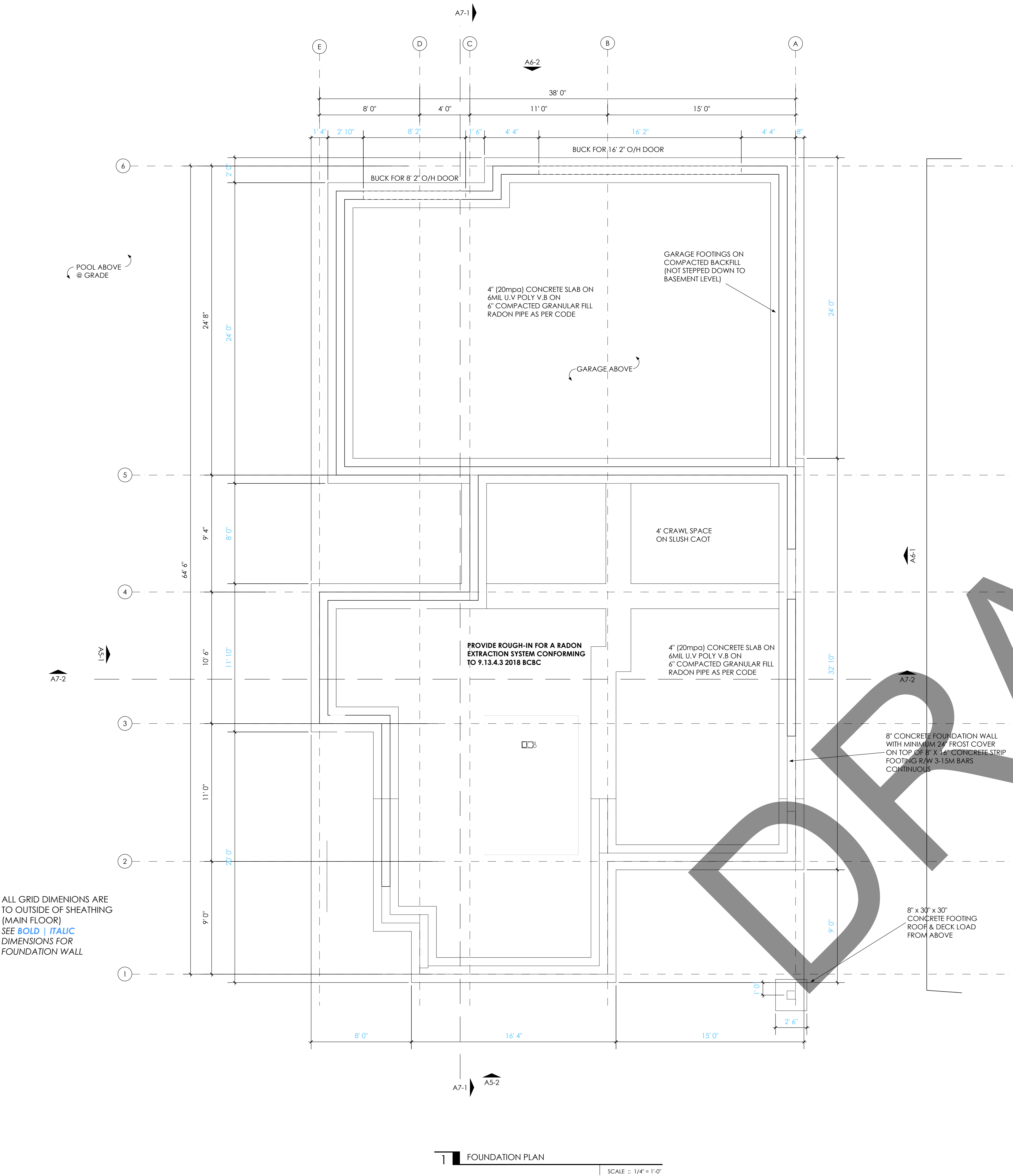
198 Fawn Ct. Penticton, BC

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CHECKED BY: BK
DOCUMENT DATE: August 14, 2020
SCALE: AS NOTED

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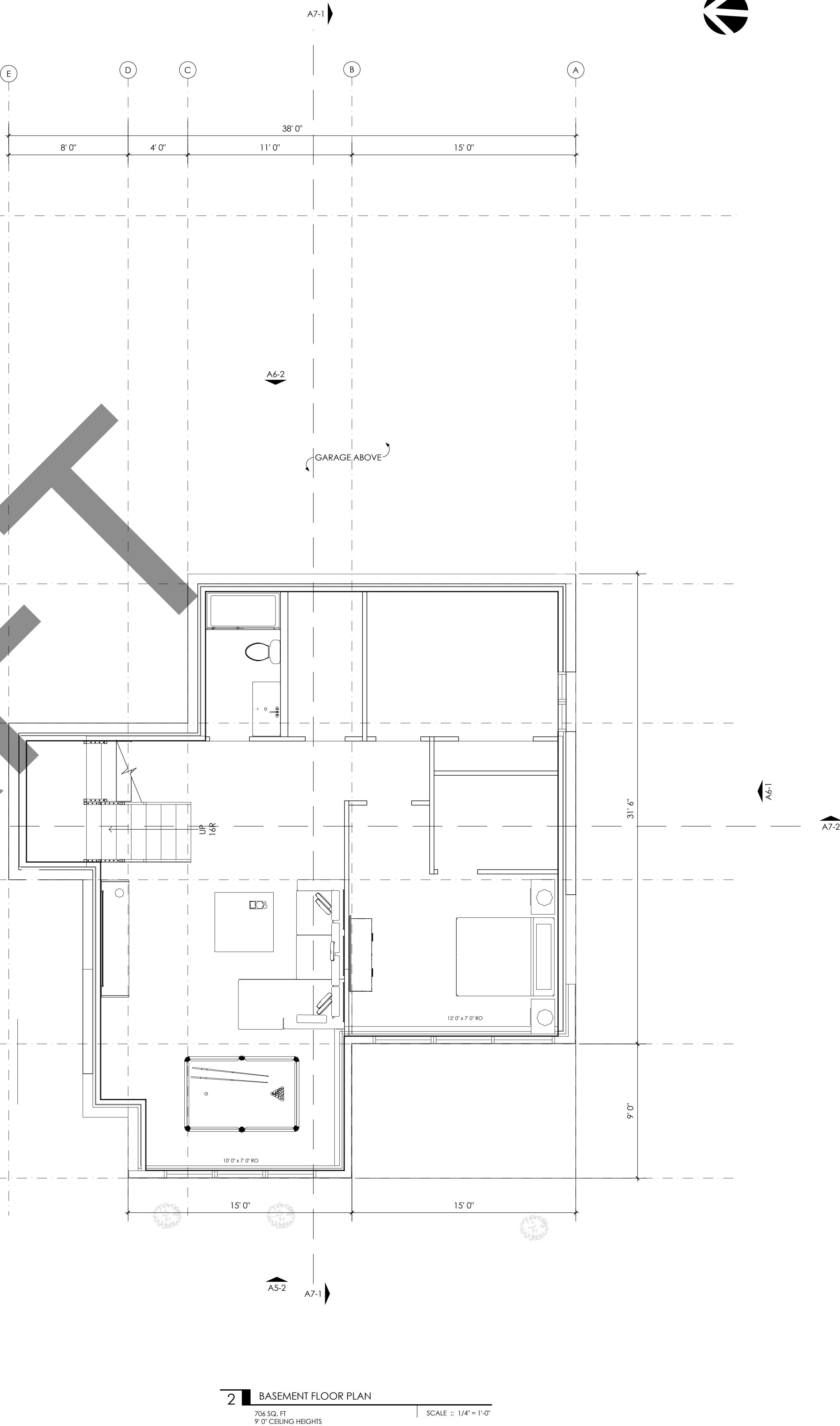
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SITE & ROOF DRAINAGE PLAN



FOUNDATION NOTES

1. FOOTINGS ARE TO BE PLACED ON UNDISTRIBUTED OR COMPACTED SOIL WITH AN ALLOWABLE BEARING PRESSURE OF 2000LBS/SQ.FT OR GREATER
2. PROVIDE DAMPROOFING, WATERPROOFING AND SOIL GAS CONTROL IN ACCORDANCE WITH THE BC BUILDING CODE 9.13 & 9.16.2
3. PROVIDE FIRE STOPS IN ACCORDANCE WITH BC BUILDING CODE 9.10.15 AND SMOKE ALARMS IN ACCORDANCE WITH 9.10.18
4. ALL GRADES TO SLOPE AWAY FROM FOUNDATION SO THAT WATER WILL NOT ACCUMULATE AT OR NEAR THE BUILDING.
5. ALL REINFORCING TO BE CONTINUOUS THROUGH STEPS IN FOOTINGS.
6. FOOTINGS ARE TO BE MIN.24" BELOW FINISH GRADE.
7. TO BE REVIEWED BY STRUCTURAL ENG. DESIGN FROM STRUCTURAL ENGINEER TO GOVERN.



FLOOR PLAN NOTES

1. INTERIOR WALLS ARE 2X4 @ 16" O.C UNLESS OTHERWISE NOTED.
2. ALL ENGINEERED WOOD BEAMS TO BE SIZED BY SUPPLIER OR P.ENG
3. ALL WINDOW HEAD HEIGHTS NOTED ON DRAWING.
4. ANY TJI JOISTS/TRUSSES SHOWN ARE TO BE CONFIRMED WITH JOIST/TRUSS SUPPLIER.
5. HEATING AND VENTILATION SYSTEMS TO BE DESIGNED, INSTALLED AND OPERATED IN ACCORDANCE TO SECTIONS 9.32 & 9.33 OF THE BCBC.
6. CONSULT PLUMBING AND MECHANICAL CONTRACTORS PRIOR TO FRAMING FOR PLUMBING WALL LOCATIONS.
7. ALL INTERIOR CLOSET DEPTHS 2'-0" UNLESS OTHERWISE NOTED.
8. FRAMING IS PROPOSED. PLANS FROM JOIST/TRUSS DESIGNER TO GOVERN.
9. DIMENSIONS TO EXTERIOR WALLS ARE TO OUTSIDE OF SHEATHING.
10. DIMENSIONS TO INTERIOR WALLS ARE TO CENTRE OF STUD.

The Ridge House 1 (Mango)

198 Fawn Ct. Penitction, BC

OWNER:
Spec Home
198 Fawn Court
Penitction, BC
p. 1.250.488.9122
drew@par50.com

DESIGNER:
Parallel 50 Construction
Drew Barnes
210 Hastings Avenue
Penitction, BC
p. 250.488.8230
drew@par50.co

DRAWN BY:
DB

CHECKED BY:
BK

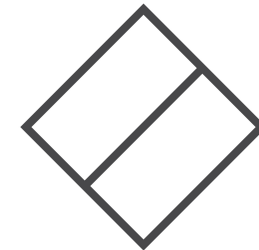
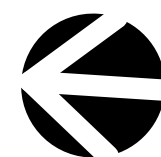
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August 14, 2020

SCALE:
AS NOTED

NO. 01 DATE: 20.08.14 ISSUE: DESIGN FOR DP

A3

BASEMENT PLAN



PARALLEL 50
CONSTRUCTION

Augmented 3D
Design & Construction

210 Hastings Avenue
Penticton, BC

Designer:
Parallel 50 Construction
Drew Barnes
210 Hastings Avenue
Penticton, BC
p. 250.488.8230
drew@par50.co

OWNER:
Spec Home
198 Fawn Court
Penticton, BC
p. 1.250.488.9122
drew@par50.com

DRAWN BY:
DB

CHECKED BY:
BK

DOCUMENT DATE:
August 14, 2020

SCALE:
AS NOTED

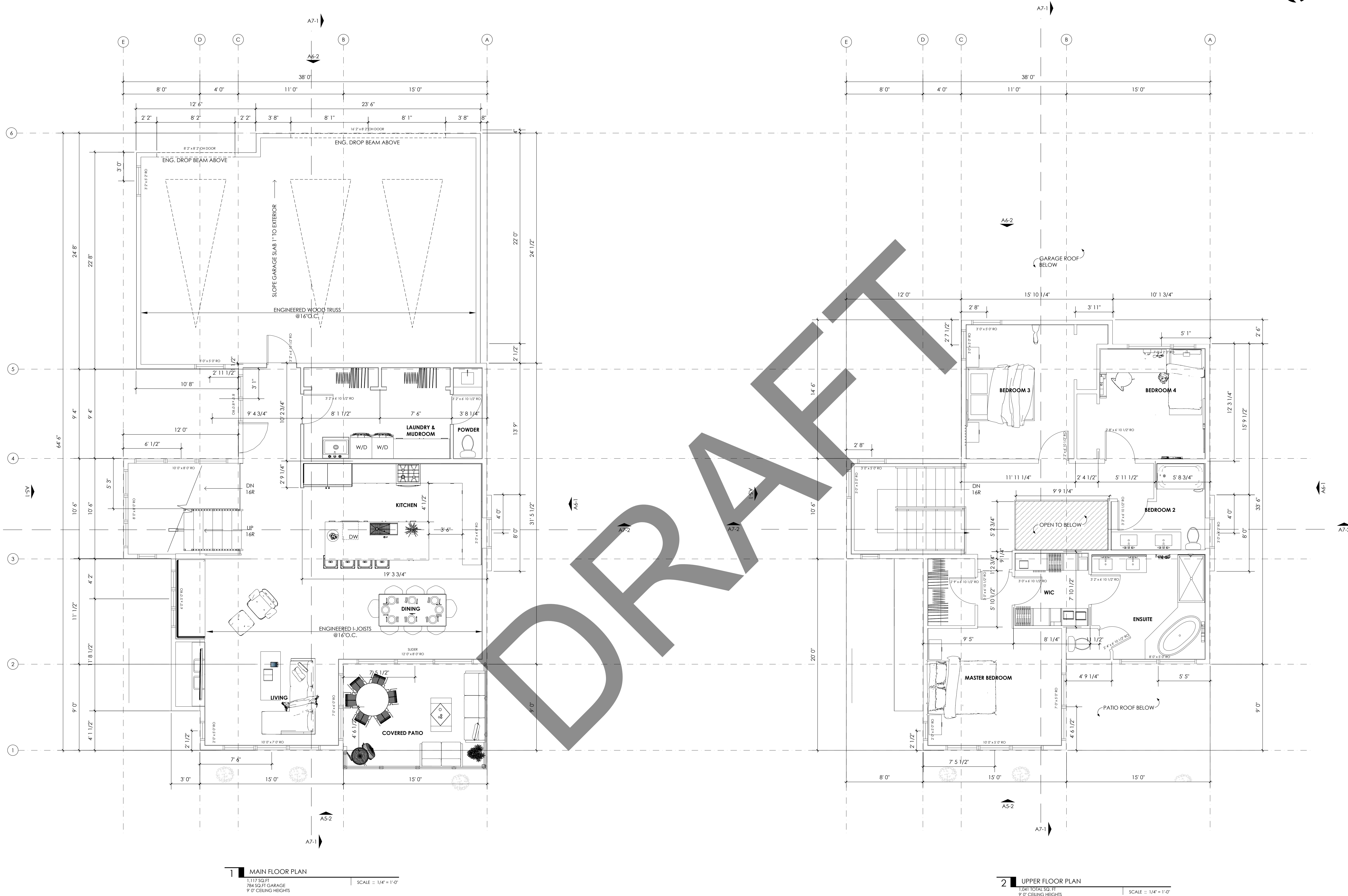
The Ridge House 1 (Mango)

198 Fawn Ct. Penticton, BC

NO. 01 DATE: 20.08.14 ISSUE: DESIGN FOR DP

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MAIN & UPPER FLOOR PLAN

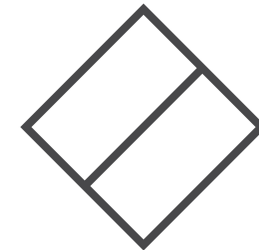


1 MAIN FLOOR PLAN
1,117 SQ. FT.
784 SQ. FT. GARAGE
9' 0" CEILING HEIGHTS
SCALE: 1/4" = 1'-0"

2 UPPER FLOOR PLAN
1,041 TOTAL SQ. FT.
9' 0" CEILING HEIGHTS
SCALE: 1/4" = 1'-0"

FLOOR PLAN NOTES

- INTERIOR WALLS ARE 2X4 @ 16" O.C. UNLESS OTHERWISE NOTED.
- ALL ENGINEERED WOOD BEAMS TO BE SIZED BY SUPPLIER OR P.ENG.
- ALL MAIN FLOOR WINDOW HEAD HEIGHTS TO BE CONFIRMED W/ WINDOW MANUFACTURER FOR ~8'-0" SLIDERS, UNLESS OTHERWISE NOTED.
- ALL UPPER FLOOR WINDOW HEAD HEIGHTS 7'-0" UNLESS OTHERWISE NOTED.
- ANY TJI JOISTS/TRUSSES SHOWN ARE TO BE CONFIRMED WITH JOIST/TRUSS SUPPLIER.
- HEATING AND VENTILATION SYSTEMS TO BE DESIGNED, INSTALLED AND OPERATED IN ACCORDANCE TO SECTIONS 9.32 & 9.33 OF THE BCBC.
- CONSULT PLUMBING AND MECHANICAL CONTRACTORS PRIOR TO FRAMING FOR PLUMBING WALL LOCATIONS.
- ALL INTERIOR CLOSET DEPTHS 2'-0" UNLESS OTHERWISE NOTED.
- FRAMING IS PROPOSED. PLANS FROM JOIST/TRUSS DESIGNER TO GOVERN.
- DIMENSIONS TO EXTERIOR WALLS ARE TO OUTSIDE OF SHEATHING.
- DIMENSIONS TO INTERIOR WALLS ARE TO CENTRE OF STUD.



PARALLEL 50
CONSTRUCTION

Augmented 3D
Design & Construction

210 Hastings Avenue
Penticton, BC

Designer:
Parallel 50 Construction
Drew Barnes
210 Hastings Avenue
Penticton, BC
p. 250.488.8230
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DOCUMENT DATE:
August 14, 2020

DRAWN BY:
DB

CHECKED BY:
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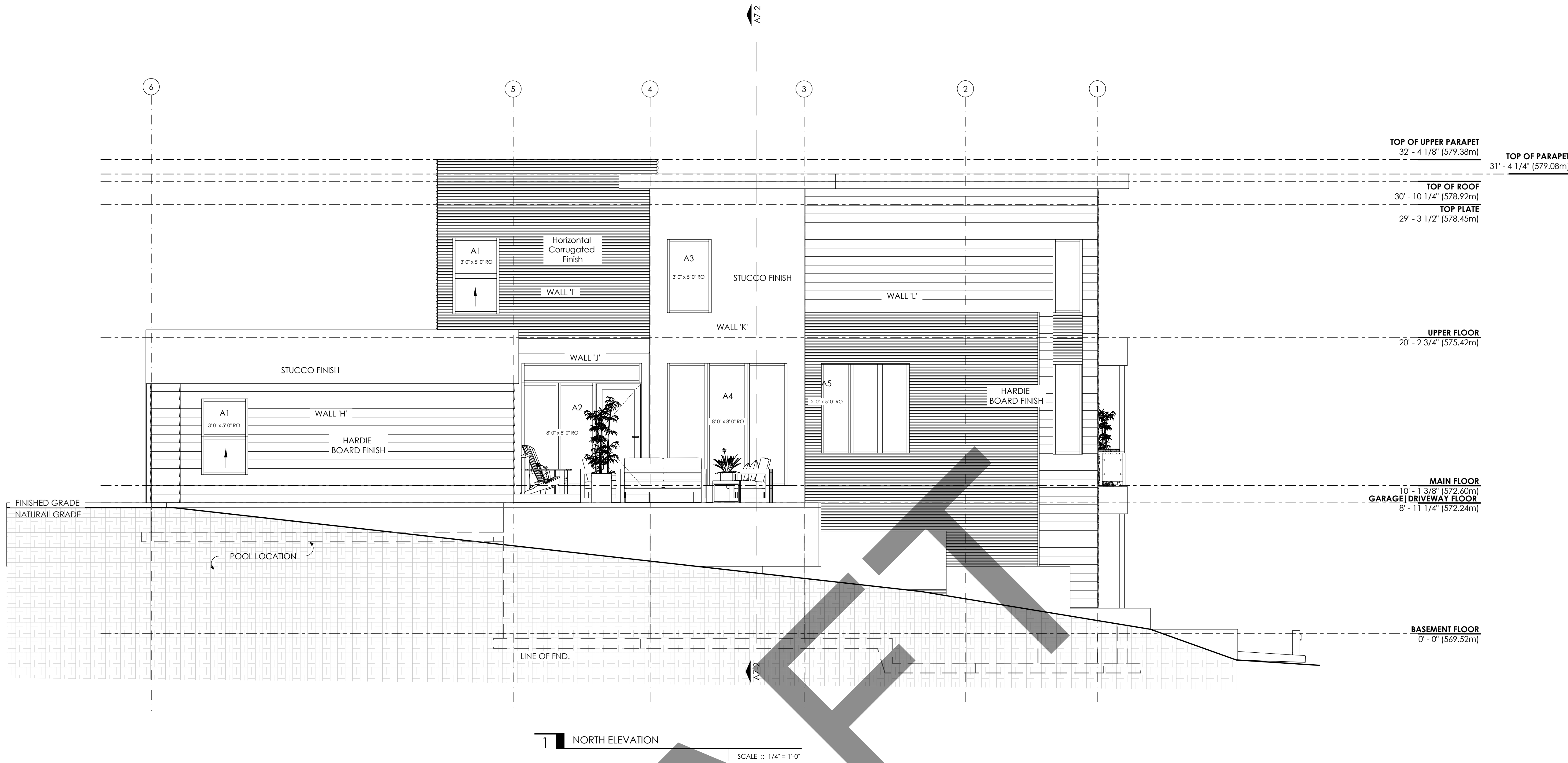
The Ridge House 1 (Mango)

198 Fawn Ct. Penticton, BC

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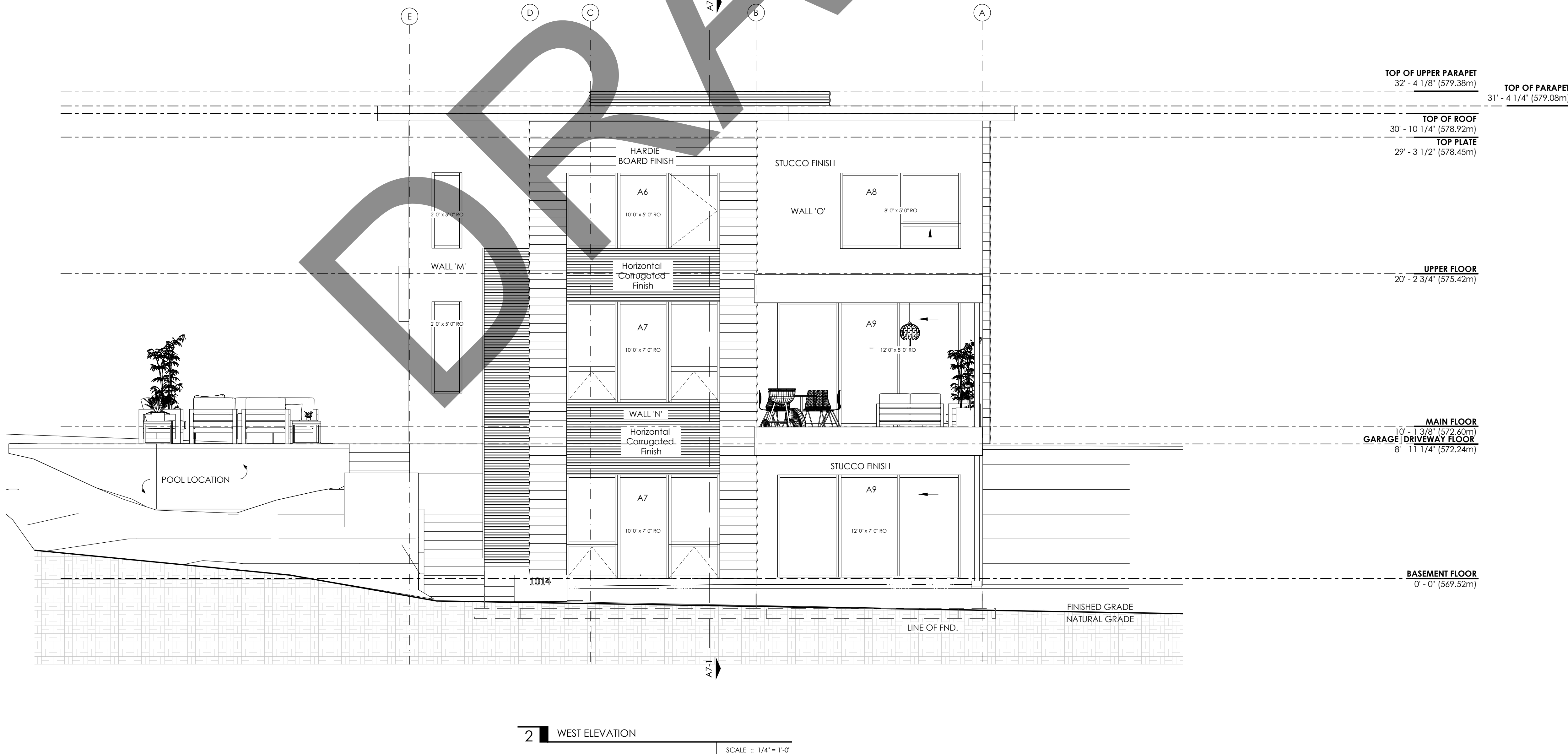
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ELEVATIONS | NORTH | WEST



NORTH ELEVATION MAX AREA UNPROTECTED OPENINGS 2018 BCBC TABLE 9.10.14.4.A

	AREA	LD
WALL 'H' AREA/LIMITING DISTANCE	70.5 sqm	13.61m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	70.5 sqm x 84% = 59.2 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	5.0 sqm	
	AREA	LD
WALL 'I' AREA/LIMITING DISTANCE	55.1 sqm	16.03m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	55.1 sqm x 100% = 55.1 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	5.0 sqm	
	AREA	LD
WALL 'J' AREA/LIMITING DISTANCE	27.6 sqm	19.58m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	27.6 sqm x 100% = 27.6 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	20.7 sqm	
	AREA	LD
WALL 'K' AREA/LIMITING DISTANCE	69.0 sqm	14.4m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	69.0 sqm x 100% = 69.01 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	25.3 sqm	
	AREA	LD
WALL 'L' AREA/LIMITING DISTANCE	164.9 sqm	15.62m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	164.9 sqm x 55% = 90.7 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	3.4 sqm	
	AREA	LD
WALL 'M' AREA/LIMITING DISTANCE	57.4 sqm	17.14m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	57.4 sqm x 100% = 57.4 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	.0 sqm	
	AREA	LD
WALL 'N' AREA/LIMITING DISTANCE	139.1 sqm	12.22m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	139.1 sqm x 55% = 76.5 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	57.5 sqm	
	AREA	LD
WALL 'O' AREA/LIMITING DISTANCE	139.4 sqm	15.01m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	139.4 sqm x 55% = 76.7 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	68.1 sqm	



NORTH ELEVATION MAX AREA UNPROTECTED OPENINGS 2018 BCBC TABLE 9.10.14.4.A

	AREA	LD
WALL 'A' AREA/LIMITING DISTANCE	351.0 sqm	7.52m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	351.0 sqm x 7% = 24.6 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	7.0 sqm	
	AREA	LD
WALL 'B' AREA/LIMITING DISTANCE	83.7 sqm	12.1m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	83.7 sqm x 100% = 83.7 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	23.5 sqm	
	AREA	LD
WALL 'C' AREA/LIMITING DISTANCE	60.2 sqm	11.81m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	60.2 sqm x 100% = 60.2 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	40.2 sqm	
	AREA	LD
WALL 'D' AREA/LIMITING DISTANCE	39.0 sqm	12.42m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	39.0 sqm x 100% = 39.01 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	20.3 sqm	
	AREA	LD
WALL 'E' AREA/LIMITING DISTANCE	34.1 sqm	18.62m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	34.1 sqm x 100% = 34.1 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	4.7 sqm	
	AREA	LD
WALL 'F' AREA/LIMITING DISTANCE	56.8 sqm	17.86m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	56.8 sqm x 100% = 56.8 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	5.0 sqm	
	AREA	LD
WALL 'G' AREA/LIMITING DISTANCE	37.6 sqm	17.86m
ALLOWABLE AREA OF UNPROTECTED OPENINGS	37.6 sqm x 100% = 37.6 sqm	
PROPOSED AREA OF UNPROTECTED OPENINGS	4.6 sqm	

