

January 20, 2021

Subject Property:

487 Churchill Avenue

Lot 14, District Lots 2 and 4, Group 7, Similkameen
Division Yale (Formerly Yale-Lytton) District, Plan
4075

Application:

Rezone PL2020-8890

The applicant is proposing to construct a new single detached dwelling on the subject property, with plans for a future carriage house. The current zoning is RM2 (Low Density Multiple Housing) which does not allow a single detached dwelling as a permitted use. As such, the applicant is proposing to have the property down-zoned from RM2 (Low Density Multiple Housing) to R2 (Small Lot Residential) in order to proceed with the proposed construction.



Information:

You can find the staff report to Council and Zoning Amendment Bylaw 2021-04 on the City's website at www.penticton.ca/publicnotice.

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

Council Consideration:

A Public Hearing has been scheduled for **7:00 pm, Monday, February 1, 2021** at Penticton City Hall, 171 Main St.

In response to COVID-19, the Public Hearing will be 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.

continued on Page 2

Public Comments:

Any person whose interest may be affected by the proposed bylaw:

1. May participate at the public hearing via Zoom. Please visit www.penticton.ca for details and the Zoom link.
2. May participate at the public hearing via telephone. Please visit www.penticton.ca for details and the telephone number.
3. Submit written comments by mail or email no later than 9:30 am, Monday, February 1, 2021 to

Attention: Corporate Officer, City of Penticton

171 Main Street, Penticton, B.C. V2A 5A9

Email: publichearings@penticton.ca

4. May appear in person (adapted to comply with physical distancing requirements).

No letter, report or representation from the public will be received by Council after the conclusion of the February 1, 2021 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.

Audrey Tanguay
Planning Manager



Council Report

penticton.ca

Date: January 19, 2021
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 487 Churchill Avenue

File No: RMS/487 Churchill Ave

Subject: Zoning Amendment Bylaw No. 2021-04

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-04" for Lot 14 District Lots 2 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 4075, located at 487 Churchill Avenue, a bylaw to rezone the subject property from RM2 (Low Density Multiple Housing) zone to R2 (Small Lot Residential) zone, in order to proceed with the construction of a single detached dwelling;

AND THAT Council forward "Zoning Amendment Bylaw No. 2021-04" to the February 1, 2020 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2021-04", a 1.5m road dedication be registered with the Land Titles Office.

Strategic Priority Objective

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Proposal

The applicant is proposing to construct a new single detached dwelling on the subject property, with plans for a future carriage house. The current zoning is RM2 (Low Density Multiple Housing) which does not allow a single detached dwelling as a permitted use. As such, the applicant is proposing to have the property down-zoned from RM2 (Low Density Multiple Housing) to R2 (Small Lot Residential) in order to proceed with the proposed construction.

Background

The subject property is located on the north side of Churchill Avenue in a primarily residential area (Figure 1). The property contains a single detached dwelling, which was built in 1945 and is proposed to be

demolished and replaced with a new single family house. The property is zoned RM2 (Low Density Multiple Housing) and is designated 'Infill Residential' by the Official Community Plan (OCP). The subject property was rezoned for a multifamily use in 1981, but since that rezoning the property was not redeveloped. The property to the west is vacant, and the property to the east contains a single detached dwelling. A number of recent developments along Churchill Avenue have added more multifamily residential uses on the street, including duplexes and other cluster housing developments. These trends are in keeping with the infill residential OCP designation.

The applicant is intending to construct a new single detached dwelling, in-ground pool, and carriage house on the subject property as outlined in the Letter of Intent (Attachment 'D'). The new single detached dwelling will feature a modern design (Attachment 'E'). The applicant has submitted preliminary building plans to demonstrate the proposed developments meets the applicable Zoning Bylaw regulations. Should the rezoning be successful, staff will work with the applicant on the Development Permit required for the future carriage house to ensure the design meets the applicable Zoning Bylaw regulations and OCP design guidelines. The development permit is only required for the carriage house, not for the single detached dwelling.

The applicant submitted seventeen (17) signatures in support of their application, six (6) of which are from people who reside on this block of Churchill Ave.

Technical Review

This application was reviewed by the City's Technical Planning Committee. Part of the review identified a 1.5m road right-of-way widening in this location on Churchill Avenue in order to facilitate future sidewalk construction. The committee recommends that Council require dedication of the road widening prior to adoption of the Zoning Amendment Bylaw. The applicant will be required to remove a hedge within the road widening area and is responsible for paying for a new boulevard tree in front of the property (\$480.00). Development permit requirements for the future carriage house have been provided to the applicant. The applicable Building Code requirements for the house and carriage house have been provided to the applicant to expedite future building permit applications, should Council approve the rezoning.

Development Statistics

The following table outlines how the proposed development meets the applicable Zoning Bylaw regulations:



Figure 1 - Location Map

	R2 Zone Requirement	Provided on Plans
Minimum Lot Width:	13 m	18.28 m
Minimum Lot Area:	390 m ²	686 m ²
Maximum Lot Coverage:	40%	39.2%
Vehicle Parking:	2 spaces for single detached dwelling	4 parking spaces provided
Required Setbacks		
Front Yard (Churchill Ave):	4.5 m	4.5 m (after road widening)
Side Yard (east):	1.5 m	1.7 m
Side Yard (west):	1.5 m	1.5 m
Rear Yard (lane):	6.0 m	10.1 m
Maximum Building Height	10.5 m	7.4 m
Other Information:	Zoning compliance for the carriage house will be reviewed by staff through a separate, staff-issuable development permit.	

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.

The subject property is designated 'Infill Residential' by the OCP. The Infill Residential designation envisions lower-height residential areas with new housing types compatible with single detached dwellings in character and scale, but providing more units per lot. The proposed R2 zoning will allow for one single detached dwelling and one carriage house on the property, which is consistent with the uses envisioned in the 'Infill Residential' designation.

Staff consider that the proposed rezoning is consistent with the following OCP Policies:

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
 - *Staff: The subject property is within a developed residential neighbourhood.*
- 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.
 - *Staff: The building designer has submitted plans for the carriage house which meet a number of the applicable OCP design guidelines. The development permit for the future carriage house will be staff-issuable.*
- 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).
 - *Staff: The development plan for a larger home and carriage house on the subject property will moderately increase density in the area, while maintaining a lower density residential character.*

Staff note that the proposed development is a single detached dwelling, which is the same as the current use on the subject property. The rezoning is only required because the current zoning is for a higher density

than desired by the applicant, as described in the Letter of Intent (Attachment 'D'). The property was rezoned to allow multifamily development in 1981, but was never developed for that use. Churchill Avenue features a range of residential densities, which contributes to the vibrancy of the street. The proximity to downtown shops and services, Lake Okanagan, and other amenities make this a desirable neighbourhood. The proposed construction is in keeping with the size and scale of development in the surrounding area.

The proposed carriage house falls under the Intensive Residential Development Permit Area in the OCP and requires a development permit, which is staff-issuable. Staff will work with the applicant to ensure the carriage house plans meet the applicable OCP design guidelines and Zoning Bylaw requirements, should the rezoning be approved by Council. The development permit process will assist with mitigating potential impacts on neighbours. A carriage house will provide a gentle increase in density while maintaining the single detached character of the property.

Given the reasons above, staff are recommending that Council give first reading to Zoning Amendment Bylaw No. 2021-04 and forward it to the February 1, 2021 Public Hearing.

Alternate Recommendations

Council may consider the request to down-zone the property is not in line with the OCP. If this is the case, Council should deny first reading of the rezoning. Staff are recommending against this option, as in staff's opinion the proposed rezoning is consistent with the OCP policies, the Infill Residential designation, and allows construction consistent with the housing form in the surrounding neighbourhood.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2021-04".

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 – Letter of Intent
Attachment E – Rendering
Attachment F – Zoning Amendment Bylaw No. 2021-04

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

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

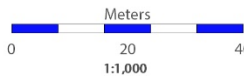


487 Churchill Avenue

Zoning Map



Terms of Use : The City of Penttictok 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.



January 7, 2021
9:21:46 AM

penttictok.ca

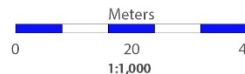


487 Churchill Avenue

Official Community Plan Map



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December 11, 2020
10:11:40 AM



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Attachment C – Images of Subject Property

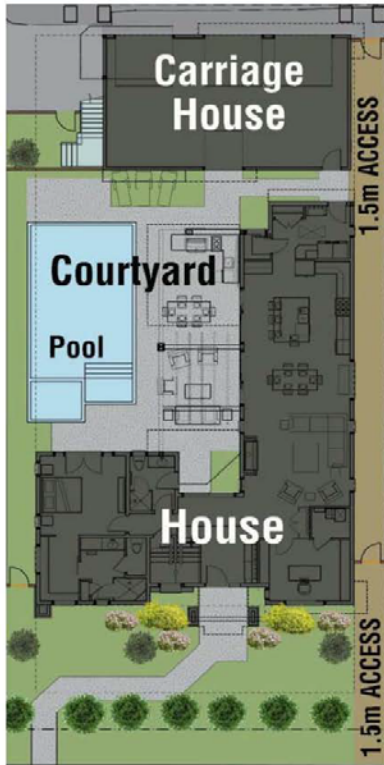


Attachment D – Letter of Intent

 IRONWOOD RESIDENTIAL DESIGN PO BOX 22024 Penticton, B.C. V2A 8L1 250-276-6440 GST # 85363 8997 RT0001	Physical Address: 203-69 Nanaimo Ave E., Penticton Project # 020-13 Date Nov6/19	
Rationale for Rezone from Low Density Multiple (RM2) to Small Lot Residential (R2) - 487 Churchill		
This outline provides the supporting rationale for the attached rezoning application from multi family to single family.		
<u>Design Background</u>		
The property at 487 Churchill currently has a one storey, single family home facing Churchill with detached garage at rear lane. My client purchased the property with the intent of removing these structures and constructing a similarly sized, two storey home and carriage home. Because, the lot is zoned RM2 and does not allow single family, we propose to rezone back to R2 (small lot residential). The OCP calls for "infill residential" in this area, so the addition of the carriage house is a perfect fit with the house.		
		
<u>Existing house viewed from Churchill</u>	<u>Existing house & garage viewed from lane</u>	
The existing one storey home (1730 SF), garage (530 SF) and shed (240 SF) currently cover 35% of the site, while the proposed home and detached garage (carriage house) will cover just under 40% and be two storeys. The proposed home (see below) is an "L" shape with large courtyard and pool, with the carriage home at rear, forming a barrier for privacy from the lane. Both buildings will meet site coverage, height, setback and garbage & recycle storage requirements and require no variances.		
		
PG 1 OF 2		

In simplest terms, the current use of the property will not change with the exception of the added suite above garage. Carriage house as noted, is allowed as per bylaw but will require a development permit prior to building permit submission. Construction drawings are near complete for an April 2021 construction start and the demo of existing home is slated for this November 2020.

The sketch belows shows the buildings on site in greater detail, along with a required 1.5m wide access path for emergency access to the carriage house from the street. We understand a 1.6m road widening will be taken off Churchill and have already accounted for it in the design. While no development permit is not required for the house, a conceptual rendering is shown below to give a feel for the project.



House - front elevation

Your consideration and support of this rezoning is greatly appreciated.

Sincerely,
Dave Sutton

020-13

PG 2 OF 2

Attachment E – Rendering



487 Churchill Avenue

Rezone from RM2 (Low Density
Multiple Housing) to R2 (Small Lot
Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2021-04

Date: _____

Corporate Officer: _____