

April 8, 2021

Subject Property:
1444 Wellington Street

Lot 3, District Lot 2710, Similkameen Division Yale
District, Plan 10614

Application:
Development Variance Permit PL2021-8969

The applicant is proposing to construct a 25 m² (269 ft²) addition onto the rear of the existing home. The proposed addition extends into the required rear yard setback. In order to proceed with the proposed addition, the applicants are requesting to reduce the required rear yard setback on this property from 6.0m to 3.0m (Section 10.1.2.7.i of Zoning Bylaw 2017-08).



Information:

You can find the staff report to Council and Development Variance Permit PL2021-8969 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:

Council will consider the Development Variance Permit at its Regular Council Meeting scheduled for **1:00 pm, April 20, 2021** at Penticton City Hall, 171 Main St.

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, April 20, 2021** to:

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

No letter, report or representation from the public will be received by Council after the conclusion of the April 20, 2021 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: April 20, 2021
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 1444 Wellington Street
Subject: Development Variance Permit PL2021-8969

File No: RMS/1444 Wellington St

Staff Recommendation

THAT Council approve "Development Variance Permit PL2021-8969" for Lot 3 District Lot 2710 Similkameen Division Yale District Plan 10614, located at 1444 Wellington Street, a permit to vary Section 10.1.2.7.i of Zoning Bylaw 2017-08 to reduce the minimum required rear yard setback for a principal building from 6.0m to 3.0m, to facilitate an addition onto the existing single detached dwelling;

AND THAT Council direct staff to issue "Development Variance Permit PL2021-8969".

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 25 m² (269 ft²) addition onto the rear of the existing home. The proposed addition extends into the required rear yard setback. In order to proceed with the proposed addition, the applicants are requesting to reduce the required rear yard setback on this property from 6.0m to 3.0m.

Background

The subject property is located at the corner of Wellington St and Duncan Avenue East (Figure 1). The property contains a single detached dwelling which was constructed in 1966. Surrounding properties are residential in nature, primarily consisting of single detached dwellings.



Figure 1 - Property location map

The subject property is designated Detached Residential by the Official Community Plan (OCP) and is zoned R1 (Large Lot Residential) in the Zoning Bylaw.

Technical Review

This application was reviewed by the City's Technical Planning Committee. The committee had no comments regarding the requested variance. Comments related to the future building permit stage were provided to the applicant in order to expedite the future building permit process.

Development Statistics

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

	R1 Zone Requirement	Provided on Plans
Maximum Lot Coverage:	40%	18.5%
Vehicle Parking:	Minimum 2 parking spaces per single detached dwelling	2+ parking spaces provided
Required Setbacks		
Front Yard (Wellington St):	6.0 m	6.0 m (no change)
Side Yard (Duncan Ave E):	3.0 m	6.4 m
Side Yard (lane):	1.5 m	7 m (no change)
Rear Yard (west):	6.0 m	3.34 m – Variance Requested
Maximum Building Height	10.5 m	< 10.5 m (no change)

Analysis

When considering a variance to a City bylaw, staff encourages Council to consider whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. Staff have reviewed the requested variance and are recommending support for the following reasons:

1. The applicants have provided letters of support from the two immediate neighbours for the proposed addition.

The applicants have reached out to the two immediate neighbours of the subject property (Figure 2). Each neighbouring property owner has signed a letter in support of the proposed addition (Attachment 'E'). Negative impacts on neighbours are not anticipated as a result of granting the requested variance based on the letters of support received.

2. The small footprint of the proposed addition maintains rear yard amenity space on the property.



Figure 2 - Letters of support submitted from owners of two properties (yellow).

The addition is small in scale, and does not extend across the width of the house. This maintains sufficient private rear yard amenity space for the current owners, as well as future residents.

Given the reasons above, staff support the application to reduce the minimum rear yard setback from 6.0m to 3.0m. Staff recommend that Council approve the development variance permit and direct staff to issue the permit.

Alternate Recommendations

Council may consider the requested variance unnecessary and require the applicant to build within the Zoning Bylaw regulations. If this is the case, Council should deny the Development Variance Permit. Staff recommend against this option, as in staff's opinion the reduced rear yard setback is justified in this instance and the letters of support from neighbours indicate there will be minimal impacts on surrounding properties.

1. THAT Council deny "Development Variance Permit PL2021-8969".

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Photos of Property

Attachment D – Letter of Intent

Attachment E – Letters of Support from Neighbours

Attachment F – Draft Development Variance Permit PL2021-8969

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

Director of Development Services	Chief Administrative Officer
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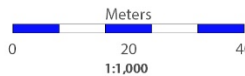


1444 Wellington Street

Zoning Map



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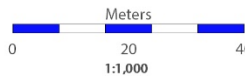


1444 Wellington Street

Official Community Plan Map



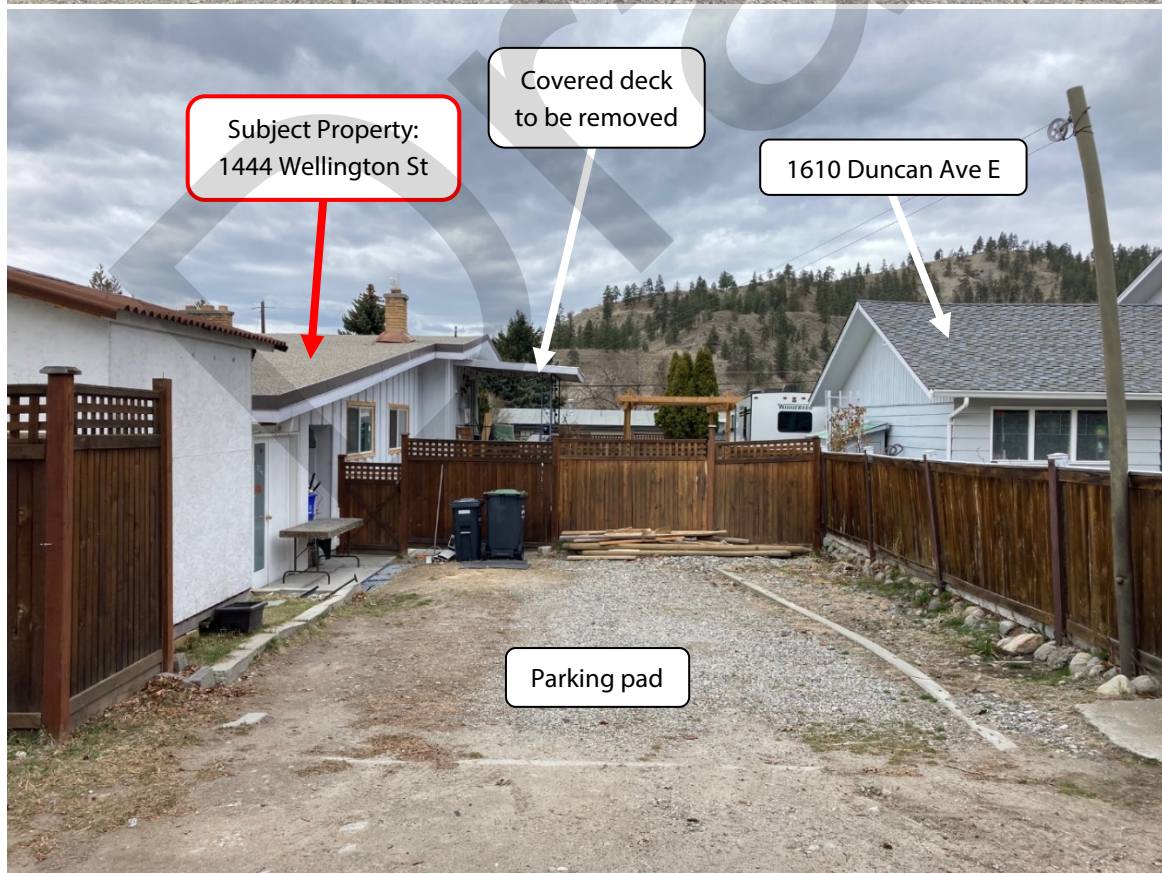
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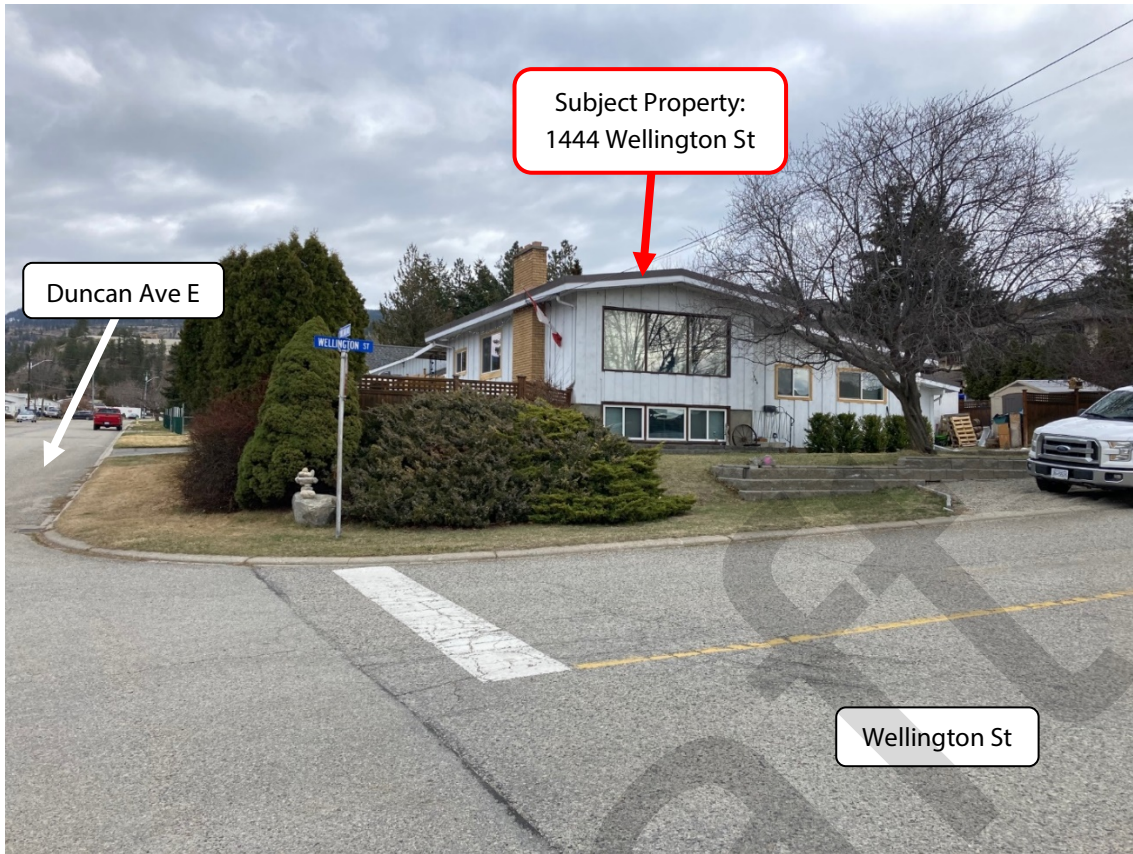


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Attachment C – Photos of Property





Letter of Intent

We are looking to improve the quality of our home by adding more room to it, ie another bedroom with a bathroom and more storage (basement). This will give us more square footage (living space) and increase the value of our home and property.

At this point we are asking for a variance from one of the R1 zone provisions.

There should not be any impact on the neighboring properties, all work will be done on our property and entrance to our back yard will be done by our driveway off the alley. We have spoken to our neighbors directly behind and beside us, explained what we are planning, showed them the area the addition would come out to and they are fine with it (see attached letters).

This should up the property value of our home and hopefully the neighboring homes.

Sincerely

To Whom it may Concern:

We Doug and Debbie Bailey who
reside at 1610 Duncan Ave. E.

have been informed by Brian and Kristine Preece, owners of 1444 Wellington St.,
Penticton, BC, that they are requesting from the City of Penticton a building
permit to build an addition to the back of their home.

We Doug and Debbie Bailey have
no issues with them doing so.

Signed: DBailey

Date: Mar. 2, 2021

DBailey

Date: Mar 2, 2021

To Whom it may Concern:

We Ron & Judy McLean who
reside at 1484 Wellington St

have been informed by Brian and Kristine Preece, owners of 1444 Wellington St.,
Penticton, BC, that they are requesting from the City of Penticton a building
permit to build an addition to the back of their home.

We Ron & Judy McLean have
no issues with them doing so.

Signed: R McLean Date: March 3/2021

Date:



Development Variance Permit

Permit Number: DVP PL2021-8969

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 3 District 2710 Simlkameen Division Yale District Plan 10614
 - Civic: 1444 Wellington Street
 - PID: 009-549-366
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 an addition onto the existing single detached dwelling, as shown in the plans attached in Schedule 'A':
 - a. Section 10.1.2.7.i to reduce rear yard setback for a principal building from 6.0m to 3.0m.

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 _____, 2021.

Issued this ____ day of _____, 2021.

Angela Collison
Corporate Officer

DRAFT

addition:
18ft x 13ft
5.48m x 3.96m

street fence

