

September 9, 2021

Subject Property:
649 Burns Street

Common Property of Strata Plan K654

Application:
Rezone PL2021-9068

The applicant is proposing to subdivide the subject property into two lots and build one duplex on the vacant lot (refer to Figure 1).

In order to facilitate the proposed subdivision and duplex development, a rezoning application has been received to change the zoning on the portion of the property to be subdivided from 'RM2 Low Density Multiple Housing' to 'RD2 Duplex Housing: Lane'.

Subject Property

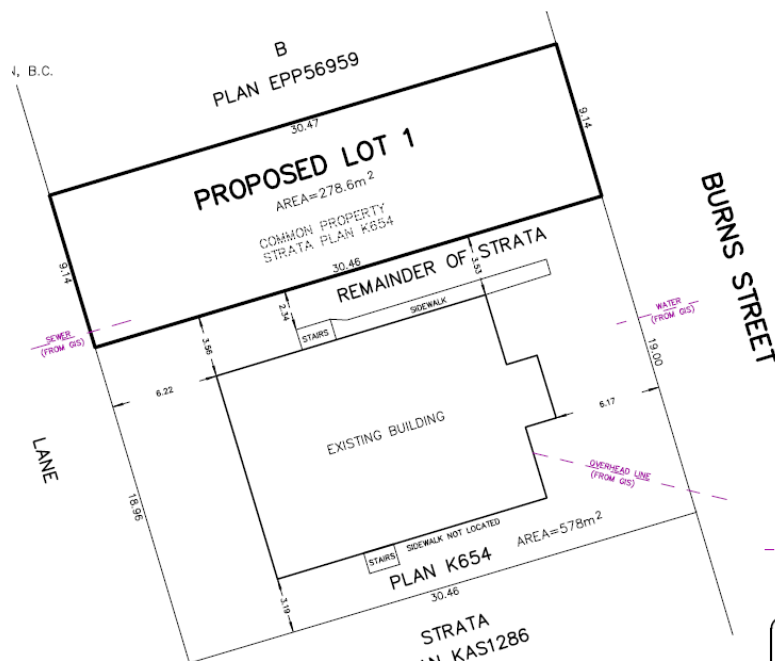


Figure 1: Proposed Subdivision

Information:

You can find the staff report to Council and Zoning Amendment Bylaw 2021-30 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 **6:00 pm, Tuesday, September 21, 2021** at the Penticton Trade and Convention Centre, 273 Power St., Penticton, B.C.

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 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, Tuesday, September 21, 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 Provincial/Interior Health Orders.)

No letter, report or representation from the public will be received by Council after the conclusion of the September 21, 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

Date: September 7, 2021
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 649 Burns Street
Subject: Zoning Amendment Bylaw No. 2021-30

File No: RMS/649 Burns St

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-30", a bylaw to rezone the north 9.14 m portion of Common Property District Lot 202 Similkameen Division Yale District Strata Plan K654, located at 649 Burns Street, from 'RM2 Low Density Multiple Housing' zone to 'RD2 Duplex Housing: Lane' zone, to facilitate a two-lot subdivision and future development of one duplex building;

AND THAT Council forward "Zoning Amendment Bylaw No. 2021-30" to the September 21, 2021 Public Hearing.

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 subdivide the subject property into two lots and build one duplex on the vacant lot. In order to facilitate the proposed subdivision and duplex development, a rezoning application has been received to change the zoning on the portion of the property to be subdivided from 'RM2 Low Density Multiple Housing' zone to 'RD2 Duplex Housing: Lane' zone. Should the rezoning be adopted by Council, a subdivision application is required to legally divide the subject property into two parcels. After the proposed lot is registered, a staff-issuable development permit is required for approval of the form and character of the proposed duplex.

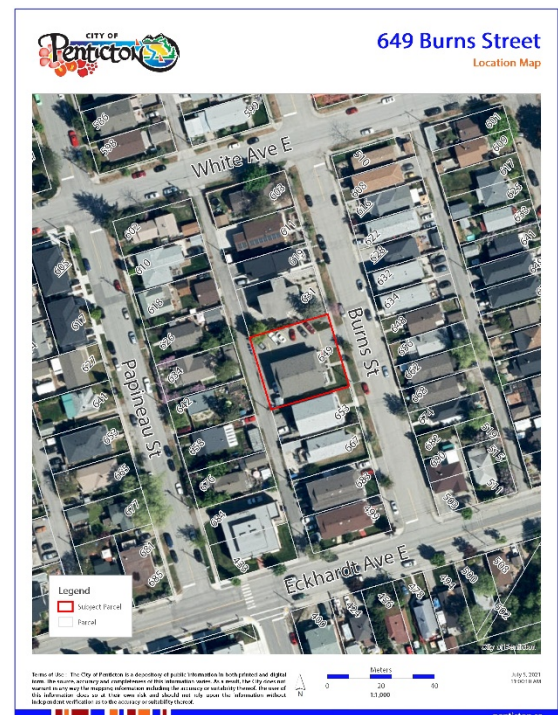


Figure 1 - Property location map

Background

The subject property is located on the west side of Burns Street, north of Eckhardt Avenue East (Figure 1). The property was rezoned for a multifamily development in 1986 and contains a fourplex strata development, which was constructed in 1987. The surrounding neighbourhood is residential in nature, consisting of a mix of single detached dwellings, duplexes, and ground oriented multifamily developments. The subject property provides parking for eight (8) vehicles on the north side of the fourplex.

The subject property is currently zoned RM2 Low Density Multiple Housing and is designated Infill Residential by the Official Community Plan (OCP).

The current application before Council is to rezone the subject property, and should the rezoning be adopted the applicant is planning to subdivide the property into two lots. Subdivisions involve many technical requirements which will require time for the applicants to complete. As a result of the required subdivision, the new lot may not be registered for some time. As a result of this, the development permit application for the proposed duplex will be submitted at a later date. In the meantime, the applicant has submitted a draft version of the plans for Council's consideration (Attachment 'F').

Financial Implication

The applicant is responsible for all associated development costs, including any service upgrades, frontage upgrades and development cost charges. The applicant will be required to provide new service connections to the proposed lot and cover the costs of removing the existing driveway letdown onto Burns Street.

Technical Review

This application was reviewed by the Technical Planning Committee, a group of internal staff from various City departments who review planning applications. The committee required a revised parking configuration for the remainder lot to ensure that adequate parking remains on site for the existing development, and a designated location for a new garbage/recycling storage area. Future servicing upgrades and required works at the subdivision stage were provided to the applicant. The committee will perform a detailed review of the development permit plans after registration of the subdivision.

Development Statistics

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

	RD2 Zone Requirement	Provided on Plans
Minimum Lot Width:	9.1 m	9.14 m
Minimum Lot Area:	275 m ²	278.6 m ²
Maximum Lot Coverage:	40%	Zoning compliance will be confirmed once development permit application has been submitted. The applicant has demonstrated a proposed duplex can be accommodated on the proposed lot. If a variance is
Maximum Density:	0.95 Floor Area Ratio (FAR)	
Vehicle Parking:	1 parking space per dwelling unit	
Required Setbacks		
Front Yard (Burns St):	4.5 m	
Side Yard (north):	1.5 m	
Side Yard (south):	1.5 m	
Rear Yard (lane):	6.0 m	

Maximum Building Height	10.5 m	requested in the future, it will be decided on by Council.
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Analysis

The OCP designation for the property is 'Infill Residential'. This land use designation supports lower-height residential areas with new housing types compatible with existing single detached houses in character and scale but providing more units per lot. The proposed rezoning to facilitate the construction of one duplex on the proposed lot results in a housing form consistent with the uses envisioned in the Infill Residential land use designation, and the uses already present in the surrounding neighbourhood.

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

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
 - The property is located in an existing developed neighbourhood with municipal services.
- Policy 4.1.1.4 Ensure all new developments fully cover the cost of the required infrastructure and services they require, including roads, water, sewer, storm water, and provision of parks, schools, and emergency services.
 - The owner will pay Development Cost Charges (DCC's) for the new lot at the subdivision stage. DCC's assist with offsetting the additional demands on municipal services from new development. The developer is responsible to cover development costs, including any infrastructure upgrades.
- Policy 4.1.3.1 Encourage more intensive "infill" residential development in areas close to the 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.
 - There are many duplexes on this block of Burns Street. The proposed development would be consistent with this existing built form on the street. The OCP requires that a Development Permit be issued prior to any intensive residential development, which includes duplexes. This ensures the Development Permit Area Guidelines are met.
- Policy 4.1.3.4 Encourage developments that include one-bedroom and two-bedroom units in suitable neighbourhoods to enable people to downsize as they age and to provide entry-level housing for those people entering the housing market. At the same time, provide 3-bedroom units, or larger, to accommodate families.
 - The proposed duplex will provide additional residential units to accommodate a range of potential occupants. Preliminary plans show 3-bedrooms in each duplex unit (Attachment 'F').
- 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.
 - The subject property is located in a high amenity area close to schools, trails, parks, shopping, services, and active transportation routes.

- 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 will continue to work with the developer to ensure the final design of the development meets the applicable Development Permit Area guidelines, should the rezoning be adopted and the subdivision completed.
- 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).
- This neighbourhood has several duplexes and small-scale multifamily developments. The proposed lot is where the existing parking is for the fourplex, and the parking will be relocated to the rear of the existing building. Subdivision and development on this portion of the lot improves the streetscape and removes an existing driveway letdown, which provides more landscaped area along the public realm.

Staff consider that the application proposes an appropriately scaled development in an area of the community that has been identified for infill development by the OCP. The applicant has demonstrated that duplex development can be accommodated on the proposed lot without the need for any variances to the applicable Zoning Bylaw regulations.

Given that there is adequate policy through the OCP to support the rezoning and future development, staff recommend Council give first reading to “Zoning Amendment Bylaw No. 2021-30” and forward it to the September 21, 2021 Public Hearing.

Alternate Recommendations

Council may consider the proposed rezoning to facilitate future subdivision and duplex development is not appropriate on the subject property. If this is the case, Council should deny first reading of the Zoning Amendment Bylaw. Staff are recommending against this option, as the proposed rezoning is consistent with the OCP.

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2021-30”.

Attachments

Attachment A – Zoning Map
Attachment B – Official Community Plan Map
Attachment C – Photos of Property
Attachment D – Letter of Intent
Attachment E – Site Plan
Attachment F – Draft Duplex Plans

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

Director of Development Services <i>BL</i>	Chief Administrative Officer DvD
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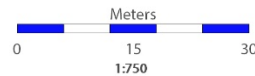


649 Burns Street

Zoning Map



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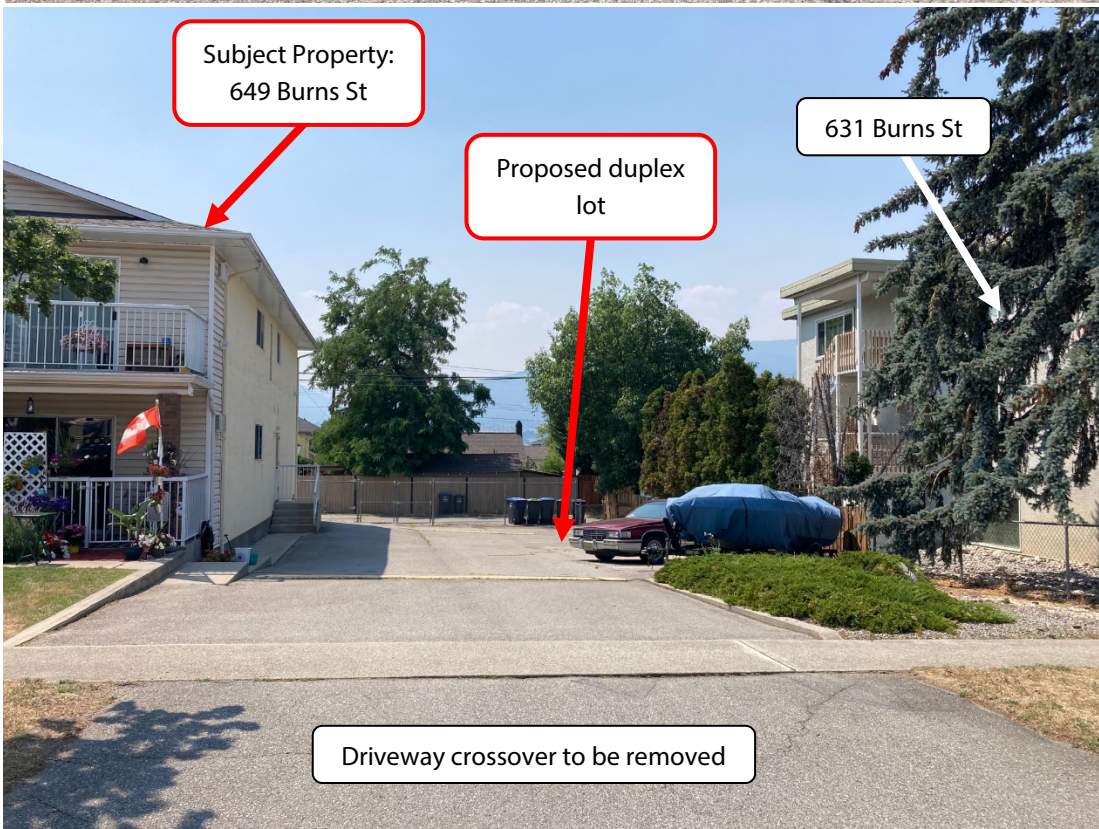


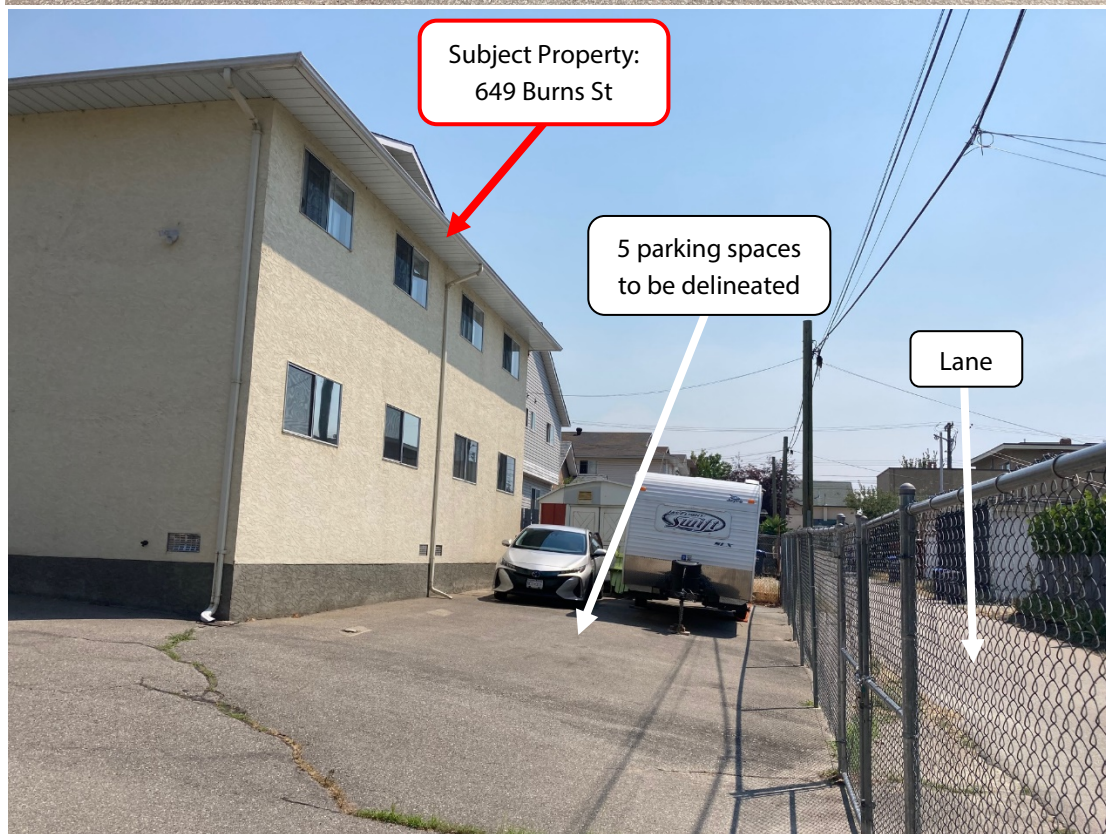
July 5, 2021
10:58:30 AM



penticton.ca

Attachment C – Photos of Property





Attachment D – Letter of Intent

SCHOENNEHOMES

210 Hastings ave, Penticton BC V2A 2V6
www.schoennehomes.com



Tel: 250-462-1250

June 28,2021

Attention Mayor and Council.

Re: 649 Burns street

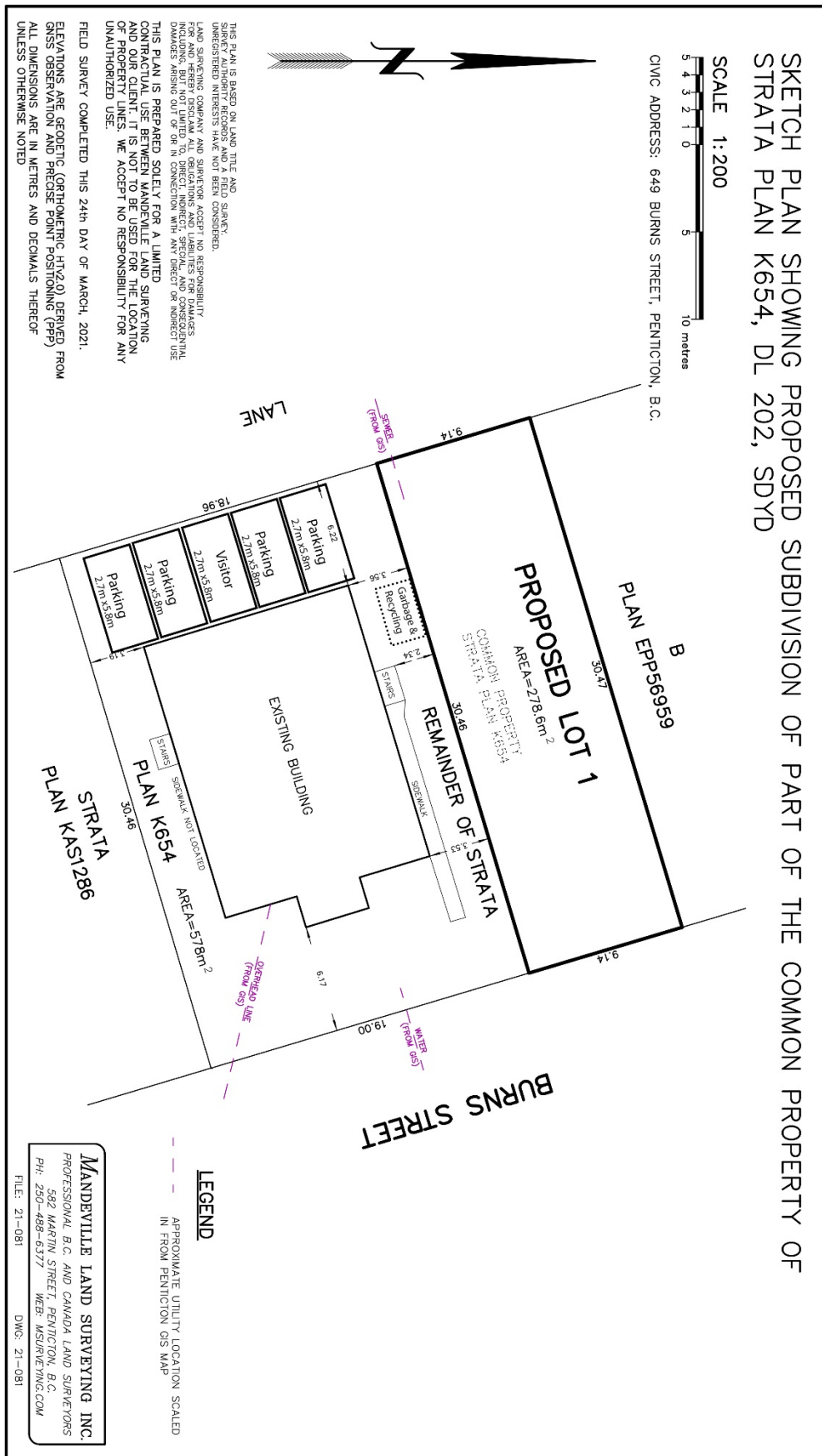
The property located at 649 Burns street in Penticton BC, is currently zoned RM2 and consists of a stacked fourplex with a parking lot on the north side of the building. Our intent is to rezone to RD2- Duplex housing lane and subdivide a 30 foot wide portion of the property to accommodate the construction of a single front to back duplex building.

We are not looking for any variances and feel that this project is in line with the current OCP designations for this area.

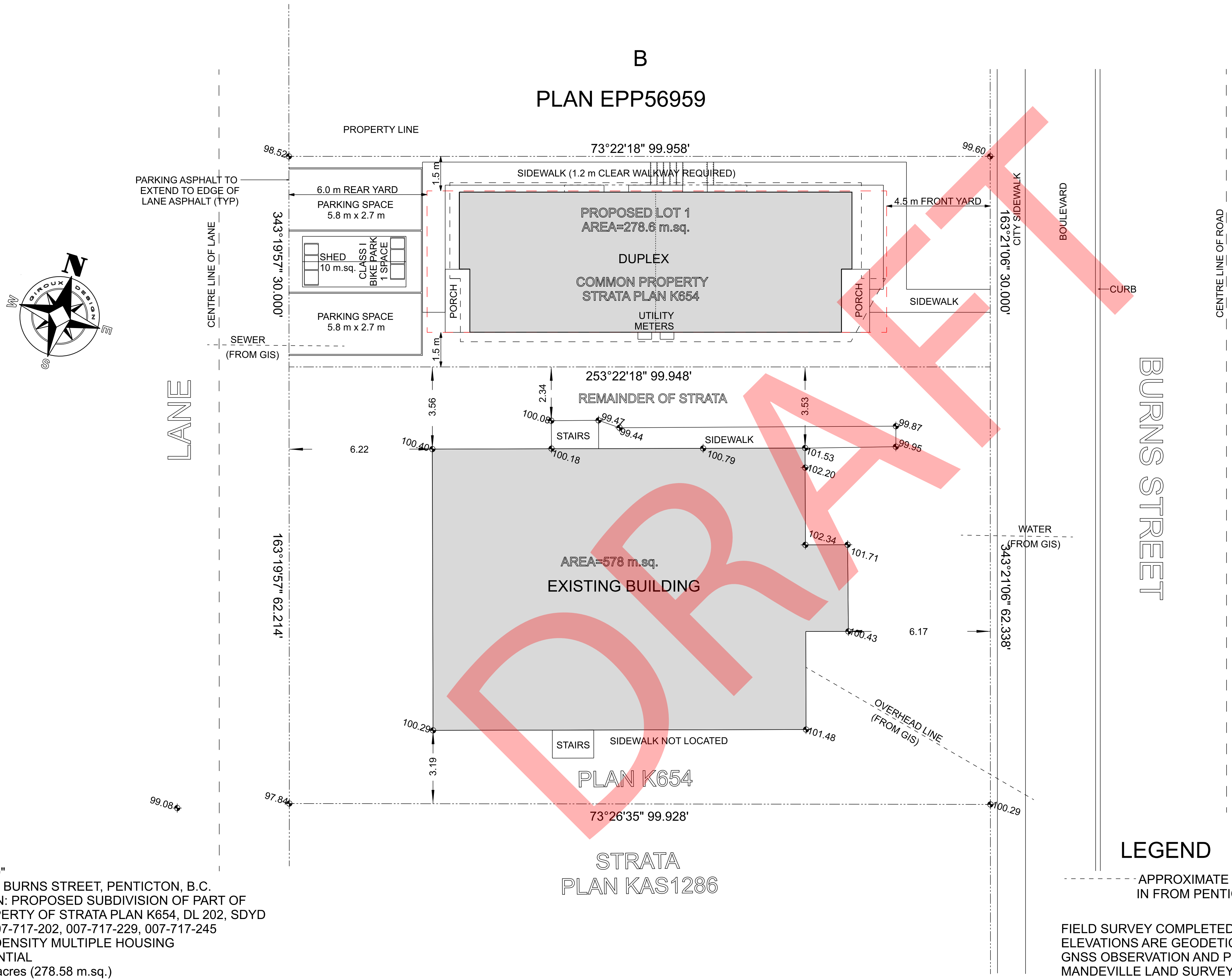
Regards,

Chris Schoenne
Schoenne Homes

Attachment E – Site Plan



Attachment F - Draft Duplex Plans



SITE PLAN
SCALE: 0.1200" = 1'-0"
CIVIC ADDRESS: 649 BURNS STREET, PENTICTON, B.C.
LEGAL DESCRIPTION: PROPOSED SUBDIVISION OF PART OF
THE COMMON PROPERTY OF STRATA PLAN K654, DL 202, SDYD
PIDs: 007-717-181, 007-717-202, 007-717-229, 007-717-245
ZONING: RM2 LOW DENSITY MULTIPLE HOUSING
OCP: INFILL RESIDENTIAL
PARCEL AREA: 0.21 acres (278.58 m.sq.)

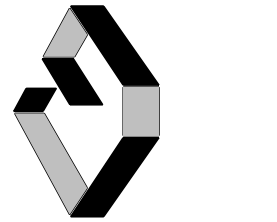
ZONING COMPLIANCE TABLE (PROPOSED ZONING RD2)			
REGULATION	REQUIRED	PROPOSED	VARIANCE REQUIRED
OCP DESIGNATION	IR	IR	N/A
LOT WIDTH	9.1	9.1 m	N/A
LOT AREA	275 m2	278.6 m2	N/A
LOT COVERAGE	40% (111.44 m.sq.)	37.3% (103.96 m2)	NO
DENSITY	0.95 FAR (264.7 m.sq.)	0.74 FAR (205.5 m2)	NO
BUILDING HEIGHT	10.5 m	8.0 m	NO
FRONT YARD (WEST)	4.5 m	4.5 m	NO
INTERIOR SIDE YARD (NORTH)	1.5 m	1.5 m	NO
INTERIOR SIDE YARD (SOUTH)	1.5 m	1.5 m	NO
REAR YARD (EAST)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	2	2	NO
CLASS I BICYCLE PARKING (0.5 PER UNIT)	1	1	NO

CHRIS SCHOENNE 649 BURNS STREET PENTICTON, BC		DATE: 6/08/21	REVISED:
DESIGN BY: AJG	DRAWN BY: AJG		

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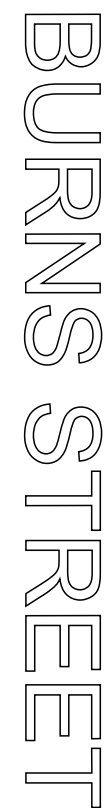
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PLAN NO.
WP-5713
SLAB
SHEET NO.
A1



SCALE: 0.1200" = 1'-0"
CIVIC ADDRESS: 649 BURNS STREET, PENTICTON, B.C.
LEGAL DESCRIPTION: PROPOSED SUBDIVISION OF PART OF
THE COMMON PROPERTY OF STRATA PLAN K654, DL 202, SDYD
PIDS: 007-717-181, 007-717-202, 007-717-229, 007-717-245
ZONING: RM2 LOW DENSITY MULTIPLE HOUSING
OCP: INFILL RESIDENTIAL
PARCEL AREA: 0.21 acres (278.58 m.sq.)



LANDSCAPE SCHEDULE

PLANTINGS:
Asiatic Lilies (Asiatic Hybrid Lilies) 5 qty.
Black Mondo Grass (Ophiopogon planifolius 'Nigrescens') 9 qty.
Blue Sedge (Carex flacca) 5 qty.
Bulbous Out Grass (Arrhenatherum bulbosum 'Variegatum') 15 qty.
Drift Mondo Grass (Ophiopogon japonicus 'Nanus') 16 qty.
Elijah Blue Fescue (Festuca glauca 'Elijah Blue') 2 qty.
Hardy Pampas (Eriochloris ravennae) 1 qty.
Indian Grass (Sorghum nutans 'Indian Steel') 1 qty.
Japanese Pampas Grass (Imperata cylindrica 'Red Baron') 3 qty.
Japanese Forest Grass (Hakonechloa macro 'Tubuki') 1 qty.
Karl Foerster Grass (Calamagrostis x acutiflora Karl Foerster) 2 qty.
Mexican Feather Grass (Stipa tenuissima) 12 qty.
Nippon Dwarf Maiden Grass (Miscanthus sinensis 'Nippon') 4 qty.

TREES:
Bloodgood Japanese Maple (Acer palmatum var. atropurpureum 'Bloodgood') 1 qty.

GARBAGE DISPOSAL:
Garbage & Recycling Containers 2 sets

GROUND COVER/HARD SURFACES:
Grass (2,388 sq. ft.)
Asphalt (509 sq ft.)
Grass (497 sq ft.)
Planting Beds-Bark Mulch (331 sq. ft.)
River Rock-2" Rainbow (104 sq. ft.)
Sidewalk/Steps (465 sq. ft.)

FENCING:
4" High Wood Fence (40 in. ft.)
6" High 'Good Neighbor' Privacy Fence (160 in. ft.)

LANDSCAPE NOTES:

SHRUBS SHALL BE A MIN OF 2" POT SHRUBS

ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m

NO RETAINING, FENCES OR STRUCTURES WITHIN ROAD DESIGNATION

NO TREES, WALLS OR WALLS UNDER 1.2 m IN HEIGHT ARE PERMITTED WITHIN SETBACK AREA

LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS & TIMERS.

LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, ASPHALT, (INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)

PLANTING BEDS ARE TO BE COVERED WITH LANDSCAPE FABRIC AND BARK MULCH. GRAVEL AREAS COMPLETE WITH LANDSCAPE FABRIC.

DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

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CHRIS SCHOENNE
649 BURNS STREET
PENTICTON, BC
DESIGN BY: AJG

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Exterior Elevations

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