

March 24, 2022

Address & Legal Description

273 Scott Avenue

Lot 1, District Lots 202 and 250, Similkameen Division Yale District and of District Lots 1 and 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 8161

Subject & Proposal

Zoning Amendment Bylaw 2022-14

Property Location



The applicant is proposing to rezone the property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) with the intent of constructing an 8-unit cluster housing development consisting of 4 three-storey duplex buildings.

Information:

You can find the staff report to Council and Zoning Amendment Bylaw 2022-14 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, April 5, 2022** in Council Chambers, Penticton City Hall, 171 Main St.

In response to COVID-19, the Public Hearing is being held both in-person and electronically. All meetings and public hearings 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/publichearings for details and the Zoom link.
2. May participate at the Public Hearing via telephone. Please visit www.penticton.ca/publichearings for details and the telephone number.
3. Submit written comments by mail or email no later than 9:30 am, Tuesday, April 5, 2022, to:

Attention: Corporate Officer, City of Penticton

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

Email: publichearings@penticton.ca

Please ensure the following is included in your correspondence:

Subject: Zoning Amendment Bylaw 2022-14; 273 Scott Ave.

4. May appear in person.

No letter, report or representation from the public will be received by Council after the conclusion of the April 5, 2022 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: March 15, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 273 Scott Avenue

File No: RMS/273 Scott Ave

Subject: Zoning Amendment Bylaw No. 2022-14
Development Permit PL2021-9222

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-14", a bylaw to rezone Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, from the RD1 (Duplex Housing) zone to the RM2 (Low Density Multiple Housing) zone;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-14" to the April 5, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-14", require the applicant to pay \$9,500 for the cost of a new fire hydrant to meet multifamily development spacing requirements;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-14", approve "Development Permit PL2021-9222" for Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, a permit to approve the form and character of a proposed 8-unit cluster housing development on the subject property.

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 rezone the property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) with the intent of constructing an 8-unit cluster housing development. The plans show four (4) duplex buildings (Figure 1). The proposed multifamily use is considered within the Multifamily Development Permit Area. The applicant has submitted a development permit application for Council's consideration in conjunction with their rezoning application.



Figure 1 - Renderings of proposed development

Background

The subject property is located on the north side of Scott Avenue, east of Argyle Street (Figure 2). The property contains a single detached dwelling constructed in 1940. Surrounding land uses are residential in nature, consisting of a mix of single detached dwellings, duplexes, townhomes, and apartment buildings on this block of Scott Avenue. The property is located within walking distance of the downtown core, nearby schools, and close to the new Lake-to-Lake bike route.

The subject property is currently zoned RD1 (Duplex Housing) and is designated 'Ground Oriented Residential' by the Official Community Plan (OCP).

There have been previous development proposals on this property. In 2011, a development application package was submitted for a four-storey, 16 unit apartment building which Council denied in 2014 after three public hearings. In 2016, a similar development application package was resubmitted for a four-storey, 16 unit apartment building which Council denied in 2016 after one public hearing. In 2018, a development application package was submitted for a three-storey, 8 unit apartment building, however that file was closed prior to Council consideration due to that applicant deciding not to proceed at that time. The current proposal offers a building type not previously proposed (cluster housing).

Technical Review

This current development application package was reviewed by the City's Technical Planning Committee (TPC). The TPC identified the need for a new fire hydrant on Scott Avenue as a result of the proposed multifamily development. The City's spacing standards between fire hydrants would not meet minimum



Figure 2 - Property location map

requirements if the multifamily development proceeds. Therefore, staff are recommending that prior to adoption of the Zoning Amendment Bylaw, Council require the applicant to pay a \$9,500 flat fee for a new fire hydrant. The new fire hydrant will eliminate the multifamily spacing issue between the existing fire hydrants resulting from this multifamily development. The applicant has revised the plans based on the information and details requested by the Committee. In addition, comments related to the future building permit application have been provided to the applicant.

Development Statistics

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

	RM2 Zone Requirement	Provided on Plans
Minimum Lot Width*:	18 m	22.86 m
Minimum Lot Area*:	540 m ²	1,449 m ²
Maximum Lot Coverage:	40%	37.3%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.78 FAR
Vehicle Parking:	1 space per unit 1 visitors space per 4 units Required: 10 parking spaces	8 parking spaces 2 visitor parking spaces Total: 10 parking spaces provided
Bicycle Parking:	0.5 Class I spaces per unit 0.1 Class II spaces per unit	Garages provided for each dwelling unit, no Class I required ** 1 Class II bike rack provided
Required Setbacks		
Front Yard (Scott Ave):	3.0 m	3.0 m
Side Yard (west):	3.0 m	3.0 m
Side Yard (east):	3.0 m	8.2 m
Rear Yard (north):	6.0 m	6.0 m
Maximum Building Height:	12 m	9.6 m
Amenity Space:	20m ² per unit Total = 160 m ²	9.2 m ² deck per unit 17 m ² to 21 m ² fenced yard per unit 44 m ² common amenity space Total: 280 m ²
Other Information:	*Lot width and area are only applicable for subdivision applications. ** Section 6.4.3.5 of the Zoning Bylaw states that where multifamily developments are designed with each unit having its own garage, no Class I bicycle parking is required because the garage itself would provide secure bike storage	

Analysis

Rezoning

The property is designation 'Ground Oriented Residential' by the OCP. This land use designation supports cluster housing, fourplexes, higher-density rowhouses, townhouses and bareland strata developments

(Figure 3). The proposed 8-unit cluster housing development is a consistent use with the 'Ground Oriented Residential' designation.

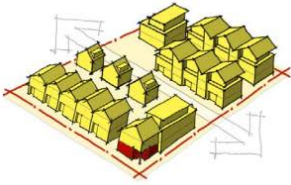
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Ground Oriented Residential 	Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.	• Duplexes with suites • Cluster housing • Fourplexes higher-density rowhouses • Townhouses and stacked townhouses • Bareland strata developments	• Residential • Limited Service/ Retail	• Up to 3 ½ storeys	• RM2 • RM5 • C2

Figure 3 - Excerpt from Land Use Designations table (OCP)

Staff consider that the proposed rezoning to the RM2 zone will allow for development that 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 area 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 developer is responsible to cover development costs including any required infrastructure upgrades, including the recommended payment for the additional fire hydrant. The developer will also pay Development Cost Charges (DCC's) at the building permit stage to help offset the increased demand on municipal infrastructure.
- 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 several multifamily developments located along this block of Scott Avenue. The property is located within a block of the Lake-to-Lake bike route, a bus route, and is close to schools and the downtown. The submitted development permit application demonstrates the applicable Development Permit Area Guidelines in the OCP 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.
- All 8 units are proposed to have 3-bedrooms with a den, and 2 full bathrooms. These units provide an accommodation option for families.
- 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 near the Lake-to-Lake bike route and a bus route on Winnipeg Street. It is located within a ten minute walk to Penticton Secondary School, KVR Middle School, King's Park, and stores and restaurants in the downtown.

- 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.
- The applicant has submitted a Development Permit application in conjunction with the rezoning request for Council’s consideration. Attachments ‘D’ and ‘E’ show how the proposed development meets the applicable OCP design guidelines. The design consists of four duplex buildings, which is a shift from the previous apartment proposals and this design change may address some concerns raised during previous public hearings for development on the subject property.
- 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 property is located at the edge of a primarily single detached neighbourhood to the west, but this block of Scott Avenue already contains several older and newer multifamily housing developments in the form of apartments and townhomes. This block of Scott Avenue is designated by the OCP for more intensive, ground oriented residential development in the future (Attachment ‘B’). Staff have worked with the applicant to implement the Development Permit Area guidelines.

Staff consider that the application proposes an appropriately scaled development in an area of the community that has been identified for increased density within the OCP.

Given that there is adequate policy through the OCP to support the development, staff recommend that Council give first reading to “Zoning Amendment Bylaw No. 2022-14” and forward it to the April 5, 2022 Public Hearing to allow citizens to give their comments and feedback on the proposal.

Development Permit

The proposed development is included in the Multifamily Residential Development Permit Area, which is established in the OCP to enhance neighbourhoods and create sensitive transitions in scale and density of new multifamily developments by addressing issues such as privacy, landscape retention, and neighbourliness. The applicant has provided a letter of intent and development permit analysis with their submission (Attachment ‘D’). Staff have also completed a development permit analysis (Attachment ‘E’) that shows how the development conforms to the applicable design guidelines.

The OCP allows for minor variances through a development permit, rather than a standalone development variance permit application. The applicant is proposing a reduced landscape buffer width along the east property line (Figure 4). Section 5.1.4 of the Official Community Plan allows variances to landscape buffers in cases where “the proposed building locations make establishment of a buffer difficult or impossible or where the trees will not thrive...in cases where the buffer is reduced, compensatory planting elsewhere on site or in the adjacent public realm is required.” In this instance, the east landscape buffer is reduced in width on these plans from 3.0m to 1.8m, as a result of the driveway providing access into each garage. The west landscape buffer remains at the 3.0m required width. Staff are supporting the variance through the development permit because the landscape plan shows that the required number of trees and shrubs will be planted along the reduced buffer, at the ratios required by the Zoning Bylaw: 1 tree per 10m and 1 shrub per 1m. As a result, no additional plantings elsewhere on site or public realm are required. This reduced

buffer allows vehicle access into the garages of each unit and maintains some landscaping along this side of the property adjacent to the neighbouring duplex. Staff also note that the driveway itself increases the setback between the proposed buildings and the eastern neighbour to provide more physical separation, an additional form of buffering.

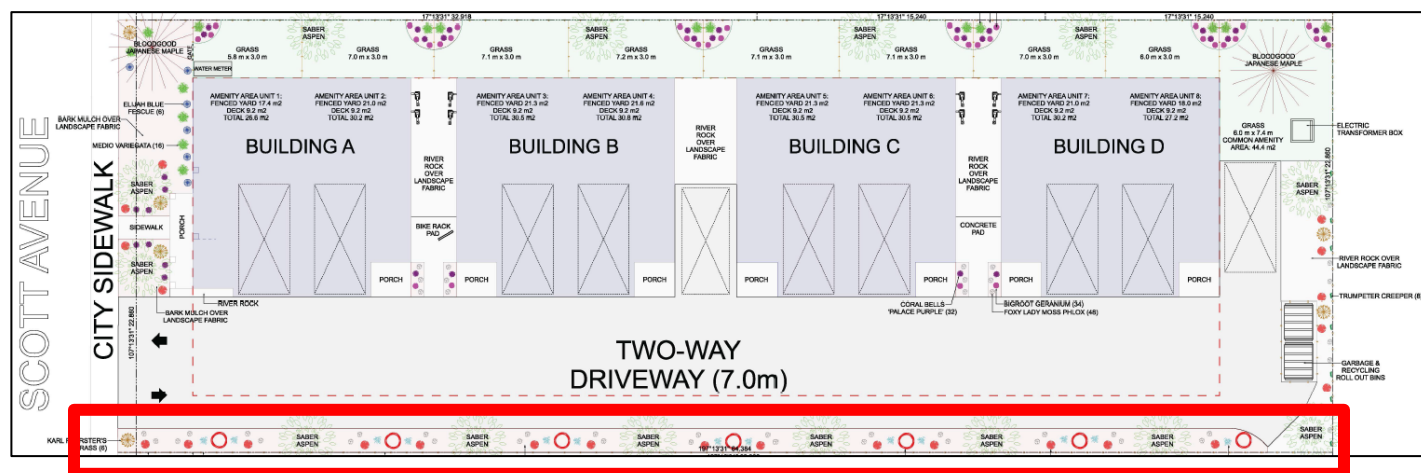


Figure 4 - Landscape buffer reduced to 1.8m (outlined in red)

The proposed development has been designed with the OCP policies in mind and with due consideration of impacts on neighbouring properties. As such, staff recommend that Council consider approving the Development Permit, subject to the adoption of the Zoning Amendment Bylaw.

Alternate Recommendations

Council may consider the proposed rezoning is not suitable for this property. If this is the case, Council should close and abandon the application. Staff are recommending against this option, as the proposed rezoning conforms to the future land use designation as set out in the OCP. Staff note that the public may be interested in reviewing the revised plans as the current design is a substantial change from previous development proposals on this property.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2022-14".

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Images of Subject Property
- Attachment D – Letter of Intent and Development Permit Analysis (applicant)
- Attachment E – Development Permit Analysis (staff)
- Attachment F – Zoning Amendment Bylaw No. 2022-14
- Attachment G – Draft Development Permit PL2021-9222

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

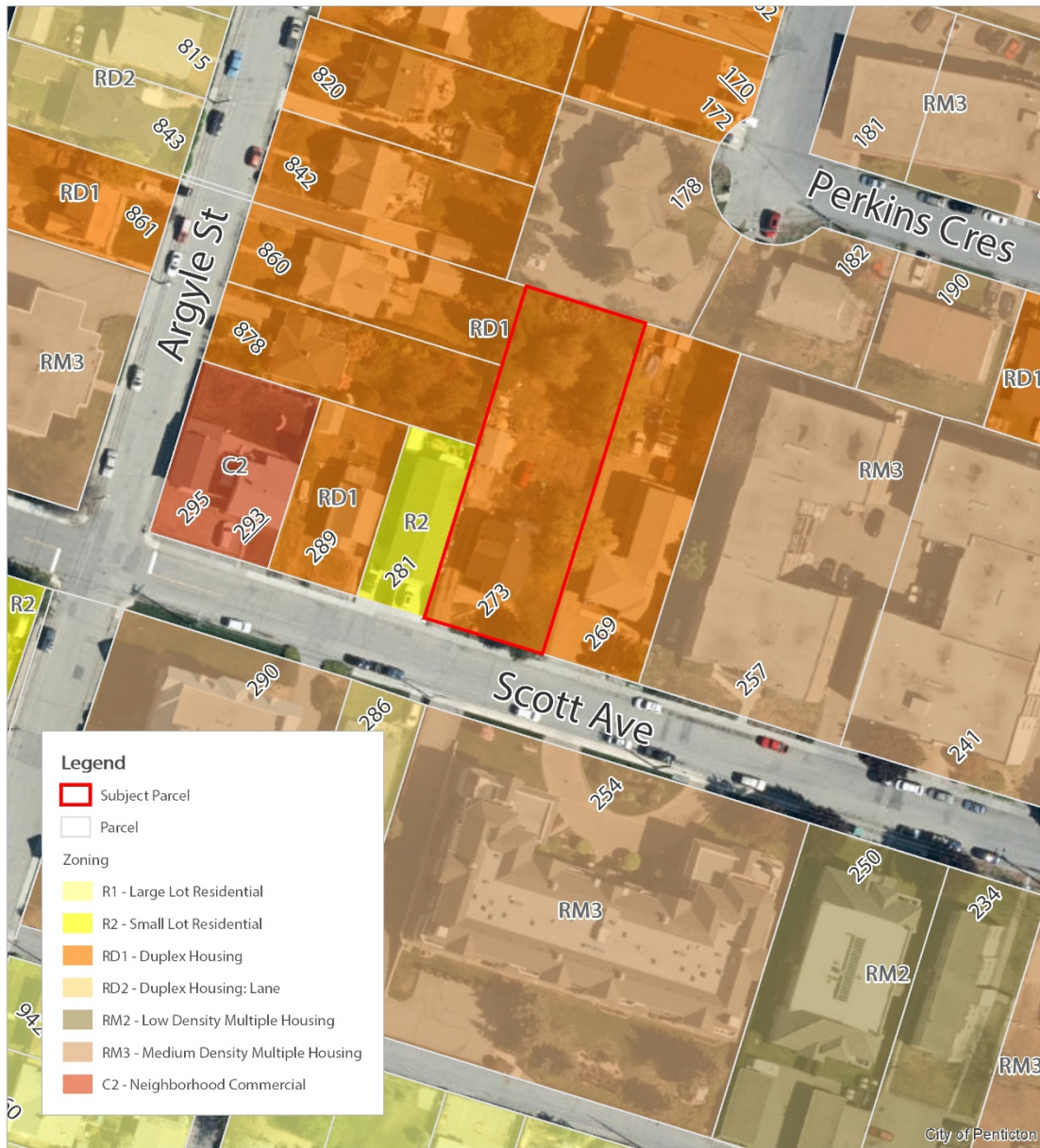
Director of Development Services <i>BL</i>	Chief Administrative Officer DyD
--	---

Attachment A – Zoning Map



273 Scott Avenue

Zoning Map



Terms of Use: The City of Penticton 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.



Meters
0 20 40
1:1,000

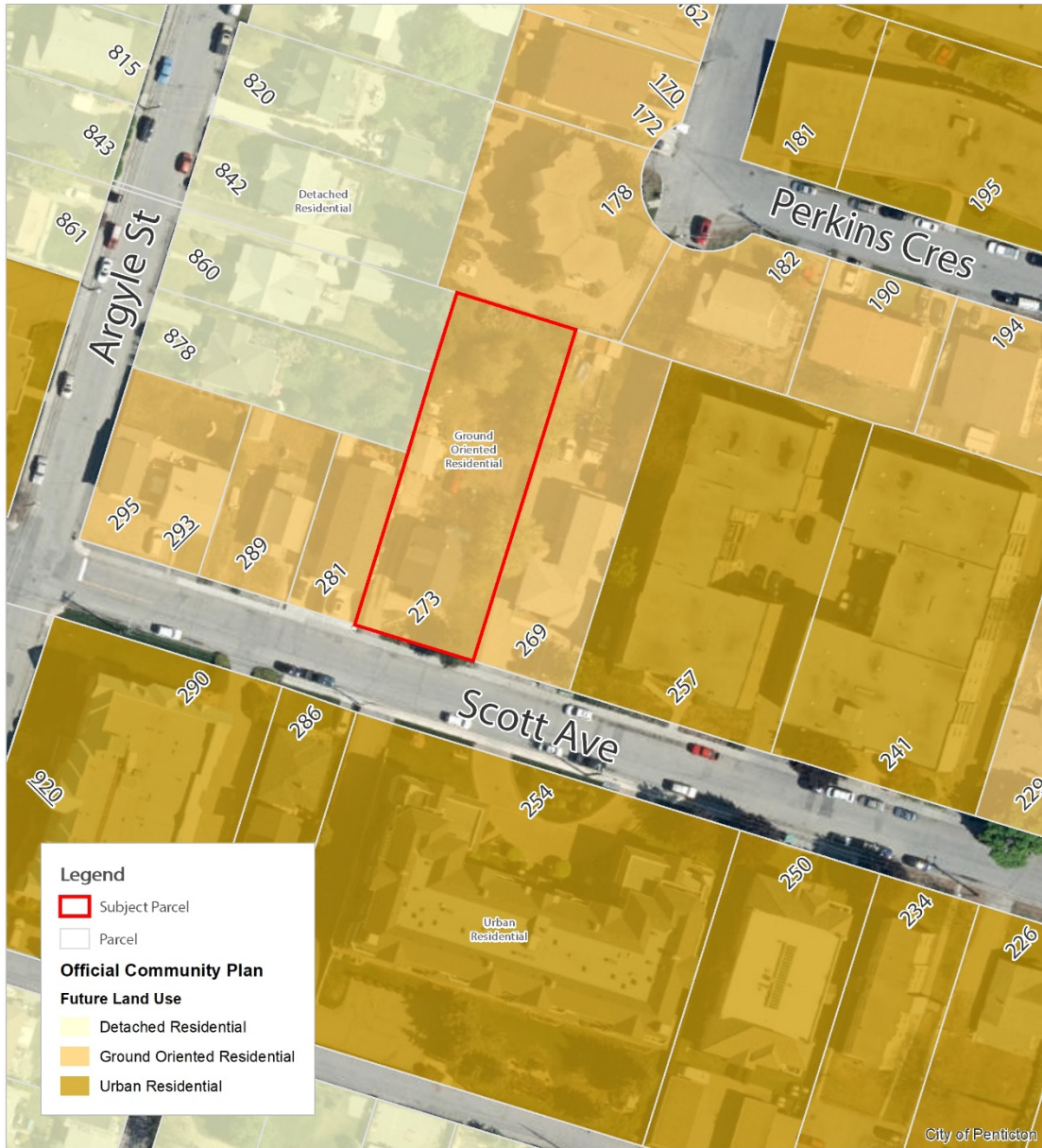
December 8, 2021
2:17:56 PM

penticton.ca



273 Scott Avenue

Official Community Plan Map



Terms of Use: The City of Penticton 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.

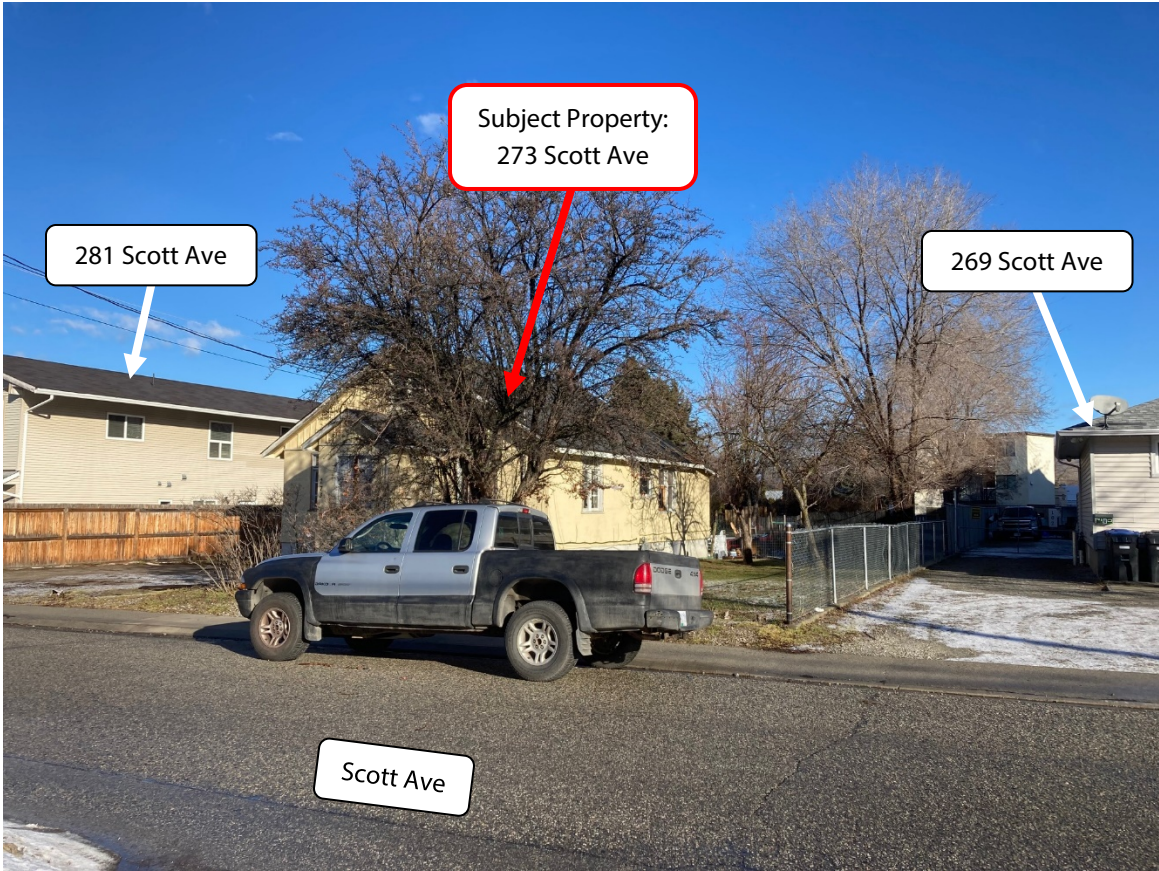


Meters
0 20 40
1:1,000

December 8, 2021
2:17:11 PM

penticton.ca

Attachment C – Images of Subject Property





December 3rd, 2021

Giroux Design Group Inc.
23216 Garnet Valley Rd.
Summerland, BC V0H 1Z3

City of Penticton
273 Scott Ave.
Penticton, BC V2A 2J5

Re: 273 Scott Ave. Subdivision, Rezoning & Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposed rezoning and development of the property located at 273 Scott Avenue. The property is currently zoned RD1 (Duplex Housing) and currently houses an older single-family home which is suited for demolition.

The proposal is to rezone the property to RM2 (Low Density Multiple Housing) and build four duplexes for a total of eight units. Access to the development is from Scott Avenue where a two-way 7 m wide drive aisle provides access to garage parking with two additional guest parking spots on site. The three-storey duplexes will be modest in size and will provide much needed family housing close to schools, parks, and shopping. The proposal fits within the City of Penticton's Official Community Plan as the area is designated for Ground Oriented Residential development which allows for multiple duplexes.

The property currently fronts Scott Avenue. The proposed development requires no variances to the zoning bylaw, and we believe it meets the intent of providing modest densification to an area of town that has a mix of single-family homes, duplexes and townhouses as well as commercial.

Thank you for considering our proposal.

Best regards,

A handwritten signature in black ink, appearing to read 'Tony Giroux', is written over a horizontal line.

Tony Giroux **ASTTBC.RBD**
Owner/Registered Building Designer
Giroux Design Group Inc.

273 SCOTT AVE: DEVELOPMENT PERMIT ANALYSIS

PEDESTRIAN CONNECTIVITY

The development is on a road with pedestrian sidewalks and within walking and biking distance to the downtown business core and shopping. The location is central to parks and schools. City Bus stops are also located nearby, allowing easy access to transit.

PARKING

Each duplex has garage parking spots accessed from a drive lane coming from Scott Avenue with two additional visitor parking spots. No variances are required for parking as the required number of spaces are met.

DESIGN FOR CLIMATE

The building will meet the requirements of Step 3 of the BC Building Code. Trees to be planted on the east and west property lines are deciduous trees which will provide shade during the summer and sunlight during the winter as the leaves fall. Each property has its own private rear yard to allow for outdoor living.

ORIENTATION & MASSING

Each unit has its own entry door, the entry door of the unit closest to Scott Ave faces the street with a covered porch to improve street appeal. The entry doors of the other units face the drive aisle along the interior side yard with a covered porch for each door. The duplexes are three storey buildings and will nicely suit the neighbourhood which is comprised of duplexes, homes, and town houses. At 9.58 meters tall the building is under the maximum height allowance. The style of the building is Modern style which will fit nicely in this neighbourhood. Neighbourhood meeting was held at the City Hall in Penticton prior to design to hear potential concerns of neighbours and to address the needs of the community. Feedback was considered in the design of the units.

LANDSCAPING (ENHANCING THE URBAN FOREST)

The landscaping plan for the development includes one tree at the front of the property along Scott Ave, trees along the drive aisle and additional trees along rear yards of the development for a total of 16 trees which is a significant increase to the property. At the entrance of each duplex there is a modest planting bed with plantings and additional planter beds with plantings along Scott Ave creating a pleasing aesthetic and curb appeal for the development and a pleasant environment for occupants. Plantings are also located along the full length of the drive aisle. To provide a clean easily maintained space along the interior side yards river rock is used for landscaping. Grass common areas are planned along the North, South and West property lines in addition to the 3 m landscape buffer. Grass rear yards creating pleasant private areas.

WASTE MANAGEMENT

Garbage and recycling collection is provided by dumpsters at the north end of the drive aisle in a compound surrounded by a wood screen fence and placed on a concrete pad.

FENCES

6' high wood privacy fences will be installed along the full length of the north, east and west property lines except in the front yard where they are 4' high. 6' privacy fence will also be installed between each of the duplex rear yards.

We believe that the rezoning and development of this property is good use of the land and will provide much needed family housing for the city.

Thank you for considering our proposal.

Best regards,



Tony Giroux **ASTTBC.RBD**
Owner/Registered Building Designer
Giroux Design Group Inc.

Development Permit Analysis

The proposed development is located within the Multifamily Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with the applicable design guidelines.

- Guideline G3* Private and semi-private open spaces should be designed to optimize solar access.
- The yard amenity spaces for each unit face west and second floor balconies face towards the east, both of which allow solar access onto the amenity spaces and into the buildings themselves.
- Guideline G5* *Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.*
- The street-facing building is at the minimum 3.0m setback. Staff note that the closest unit to the street is designed to face the street in a positive way, with a covered porch and sidewalk leading from the public sidewalk to the main unit entry.
- Guideline G7* *All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.*
- The development design provides visual overlook onto the driveway at the side of the property with windows and main entries facing this area, as well as towards Scott Avenue. This provides for 'eyes on the street', naturally providing added security to these areas.
- Guideline G13* *Entry to ground-level residential units should be no more than 1.8m above the grade of adjacent public sidewalks and walkways.*
- Entrances to each unit are approximately 0.3m from grade.
- Guideline G16* *Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space...*
- Each unit has its own garage space for one vehicle. Two outdoor visitor parking spaces are located on-site, one near the middle of the development and one at the back of the property.
- Guideline G23* *Articulation of building mass should include horizontal (minor) setbacks and stepbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience. Balconies and/or cantilever upper floors may be considered as a means to breaking up massing while promoting overlook and/or weather protection.*
- The proposed design features minor projections, roof overhangs, and other design elements to make the facades more visually appealing. Covered entrances are an attractive design feature and also provide weather protection.

- Guideline G24 Street-facing units should utilize a layering of elements – including but not limited to street-facing entries, stairs, stoops, porches, patios and landscape elements – to create transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkway, ramp, stair), semi-private (e.g., stoop, balcony) and private areas.*
- As shown on the development plans, the south façade facing Scott Avenue is designed with the main entry to the unit facing the street, with a covered patio, multiple façade materials, and minor projections all providing interesting architectural features. A path connects this unit entry directly to the public sidewalk. Large windows also face towards the street in a positive way, rather than having this most visible unit facing the side driveway.
- Guideline G26 Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.*
- The three storey design is similar to the built form of other multifamily developments on this block of Scott Avenue, which generally range between 3 and 4 floors. The upper level balconies face towards the driveway, rather than facing west where they would look over the three neighbouring residential properties on that side and have a more negative impact on privacy. The at-grade amenity lawns on this side of the buildings will be screened by fencing and landscaping which reduces outdoor amenity overlook.
- Guideline G29 Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas.*
- Large windows, and main unit entries on the buildings face towards the side driveway. The unit adjacent to the street has a main entrance facing Scott Avenue in a positive way. This design provides visual overlook onto the public realm.
- Guideline G35 Tree planting...*
- The landscaping plan shows three trees planted along the front yard, and six trees along each side yard. Additional plantings are provided on the landscaping plan.
- Guideline G38 Screening & Buffering...*
- Landscape buffers are shown on the landscaping plan along both side property lines. The west landscape buffer meets the required tree and shrub planting ratios, as well as the required 3m width. The east landscape buffer also meets the tree and shrub ratios, however it is proposed at 1.8m rather than 3.0m due to the driveway providing access to each unit. Staff are recommending that the landscape buffer width along the east property line be reduced through the development permit, as allowed for by the OCP. Fences are proposed along each side property line, and combined with the landscape buffers this will assist with screening the property and maintaining privacy between neighbours.
- Guideline G58 Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic.*
- As shown on the plans, the garbage/recycling storage bins will be stored at the rear of the property in a screened enclosure. This location will not impede vehicle access and located the bins in an easily serviced location.

Guideline MF1 All multifamily development should incorporate community amenity spaces that provide opportunity for recreation and play and address the needs of all age groups likely to reside within the development.

- Each unit will have a private yard space and a second floor deck. These amenity spaces, in addition to a common amenity lawn, provide both semi-private and shared outdoor spaces on the property for future residents.

Guideline MF2 In an effort to promote community and social sustainability, multifamily developments should exhibit a preference for courtyard forms with views into them from ground-oriented ground floor units.

- The amenity areas will be framed by the proposed buildings and are dedicated for each unit, with views onto them from the units.

The Corporation of the City of Penticton

Bylaw No. 2022-14

A Bylaw to Amend Zoning Bylaw 2021-01

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 No. 2021-01;

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. 2022-14".

2. **Amendment:**

Zoning Bylaw No. 2021-01 is hereby amended as follows:

2.1 Rezone Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).

2.2 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this 15 day of March, 2022

A PUBLIC HEARING was held this 5 day of April, 2022

READ A SECOND time this day of , 2022

READ A THIRD time this day of , 2022

RECEIVED the approval of the day of , 2022

Ministry of Transportation on the

ADOPTED this day of , 2022

Notice of intention to proceed with this bylaw was published on the __ day of ___, 2022 and the __ day of ___, 2022 in the Penticton newspaper, pursuant to Section 94 of the *Community Charter*.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 2022

for Minister of Transportation & Infrastructure

John Vassilaki, Mayor

Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2022-14

Date:

Signature:

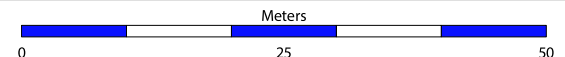


Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user 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.



1:720

March 9, 2022 8:48:40 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

penticton.ca

Development Permit

Permit Number: DP PL2021-9222

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 Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161
 - Civic: 273 Scott Avenue
 - PID: 003-928-772
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of an eight-unit cluster housing development as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 489 of the *Local Government Act*, the following provisions of the City of Penticton Zoning Bylaw No. 2021-01 are varied by this permit:
 - a. Table 5.1: to reduce the landscape buffer width along the east property line from 3.0m to 1.8m.
5. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$_____ must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502 of the *Local Government Act*, to undertake works or other activities required to:
 - a. correct an unsafe condition that has resulted from a contravention of this permit,
 - b. satisfy the landscaping requirements of this permit as shown in Schedule 'A' or otherwise required by this permit, or
 - c. repair damage to the natural environment that has resulted from a contravention of this permit.
6. The holder of this permit shall be eligible for a refund of the security described under Condition 5 only if:
 - a. The permit has lapsed as described under Condition 9, or
 - b. A completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.

7. Upon completion of the development authorized by this permit, an application for release of securities (Landscape Inspection & Refund Request) must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security in accordance with the City of Penticton Fees and Charges Bylaw (as amended from time to time).

General Conditions

8. In accordance with Section 501(2) 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'.
9. 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.
10. **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.**
11. 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.
12. 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 _____, 2022.

Issued this ____ day of _____, 2022.

Angela Collison
Corporate Officer

SCALE: 1:100
CIVIC ADDRESS: 273 SCOTT AVENUE, PENTICTON, BC
LEGAL DESCRIPTION: LOT 1, PLAN 8161, DL 202 & 250 and DL 1 & 4, Grp 7, SDY(YL)D
PID: 003-928-772

DP PL2021-9222

Site Plan

PLAN NO.
WP-5619

SLAB

SHEET NO.
A2

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the jurisdiction where the drawings are to be used. The drawings are not to be used as a guide for construction unless the builder has confirmed their suitability and until the drawings have been brought into conformity with all local requirements. Additionally, Groux Design Group is unable to accept any liability for the accuracy or overall integrity of these drawings in excess of their original purchase price. Therefore, the builder must carefully inspect all dimensions and details in these drawings and assume responsibility for the same.

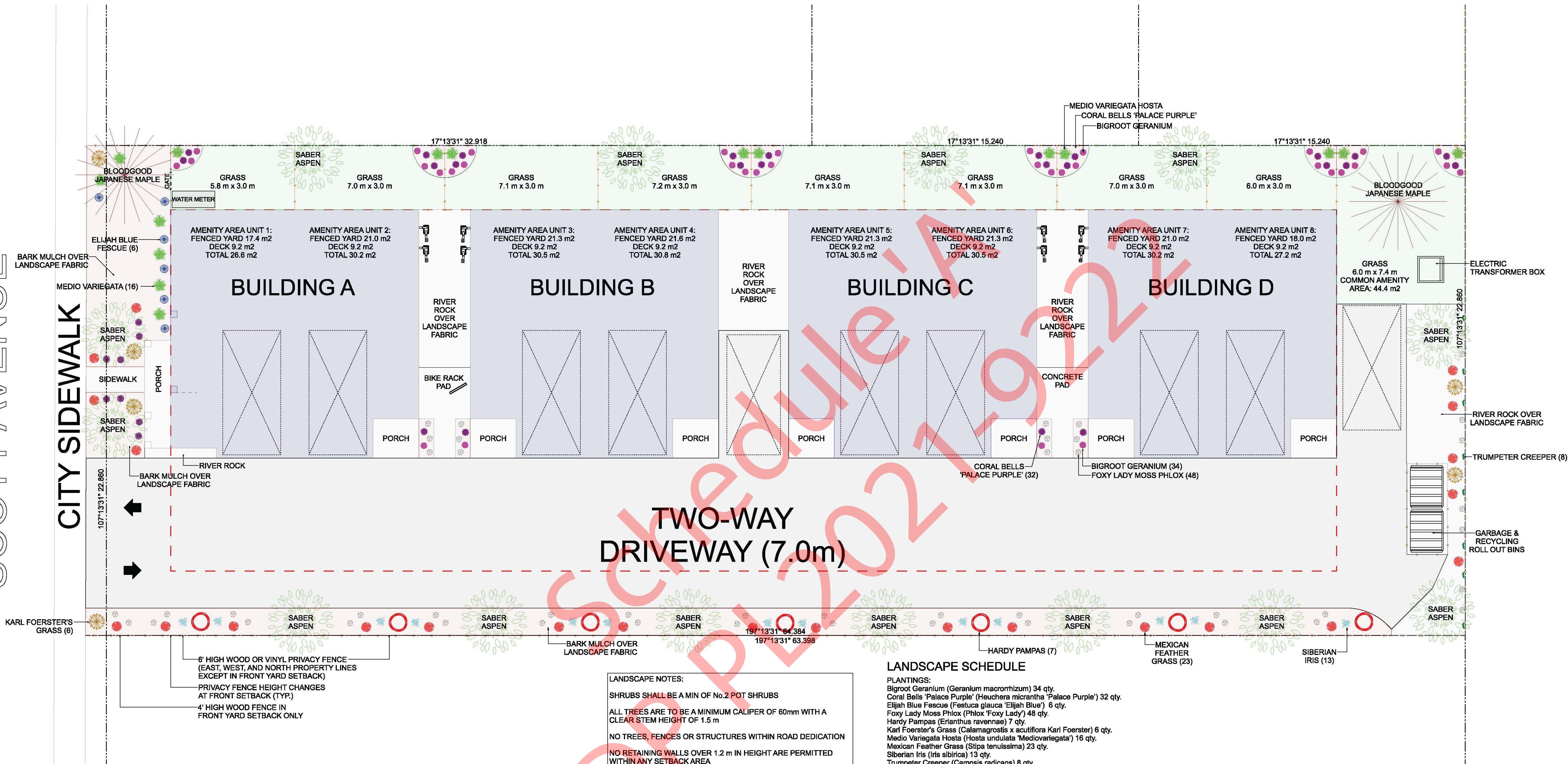
DESIGN BY: AJG	DATE: 1/31/12
DESIGNED BY: AJG	REVISED

				DRAWN BY: JWG	REVISED:
--	--	--	--	---------------	----------

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanhunters.com

SCOTT AVENUE

CITY SIDEWALK



LANDSCAPE PLAN
SCALE: 1:100

SINGLA BROTHERS CONSTRUCTION
273 SCOTT AVENUE
PENTICTON, BC

DESIGN BY: AJG
DRAWN BY: AJG

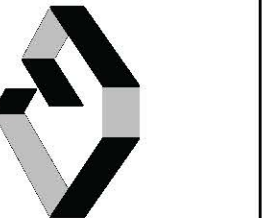
DATE: 1/31/22

REVISED:

© Giroux Design Group Inc. - MXXII All Rights Reserved
Reproduction of these drawings, in whole or in part, including any direct copying or reproduction of derivative works thereof, for any reason without prior written consent of Giroux Design Group Inc. is strictly prohibited. The drawings are the property of Giroux Design Group Inc. and shall remain the property of Giroux Design Group Inc. until the drawings are paid in full. The drawings are not to be used for any other purpose without the written consent of Giroux Design Group Inc. The drawings are not to be used for any other purpose without the written consent of Giroux Design Group Inc. The drawings are not to be used for any other purpose without the written consent of Giroux Design Group Inc.

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for any other purpose without the written consent of Giroux Design Group Inc. and until the drawings have been brought into conformity with all local requirements. Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy of the drawings. The drawings are not to be used for any other purpose without the written consent of Giroux Design Group Inc. The drawings are not to be used for any other purpose without the written consent of Giroux Design Group Inc. The drawings are not to be used for any other purpose without the written consent of Giroux Design Group Inc.

GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com

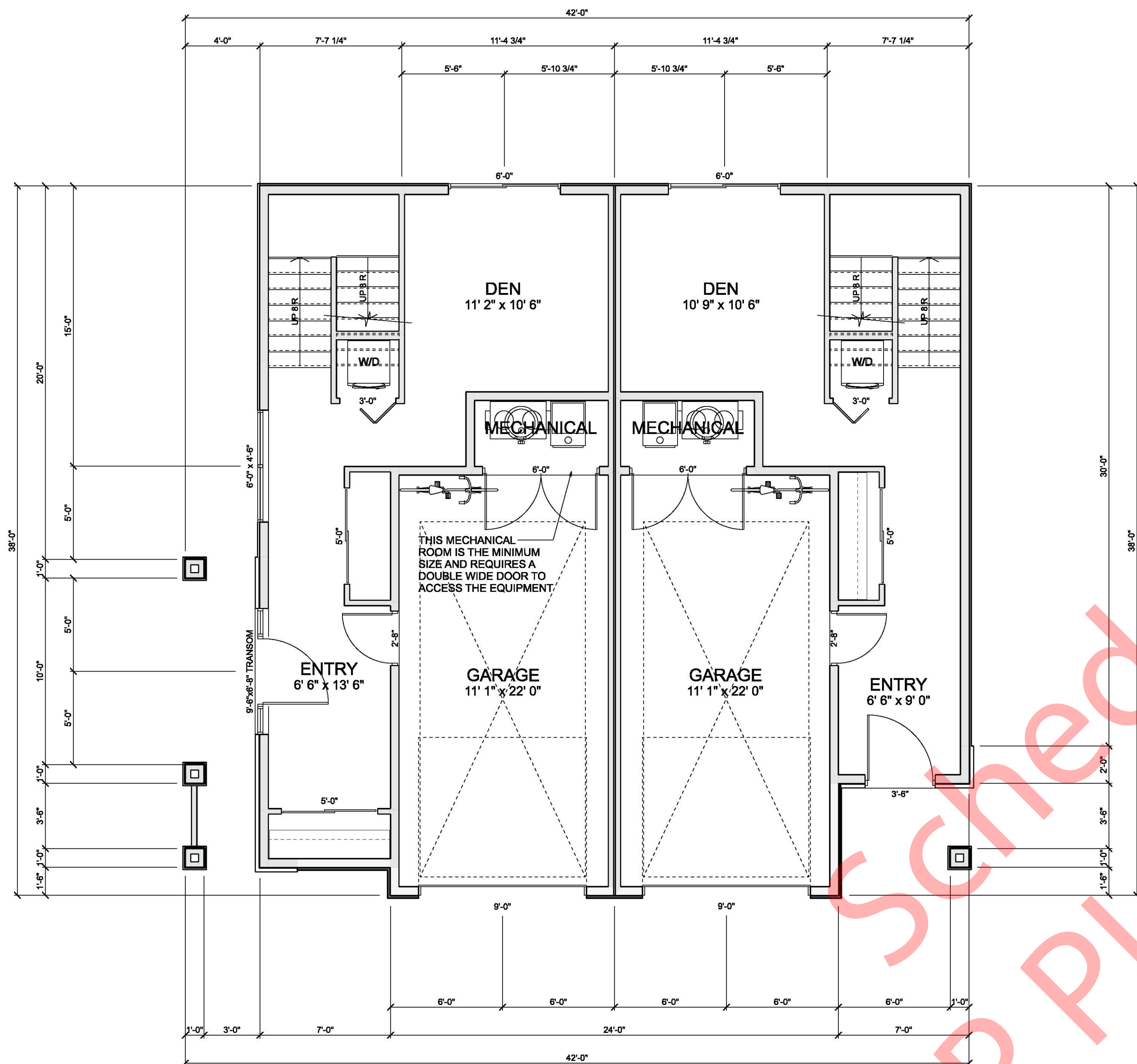


PLAN NO.
WP-5619
SLAB
SHEET NO.
A3

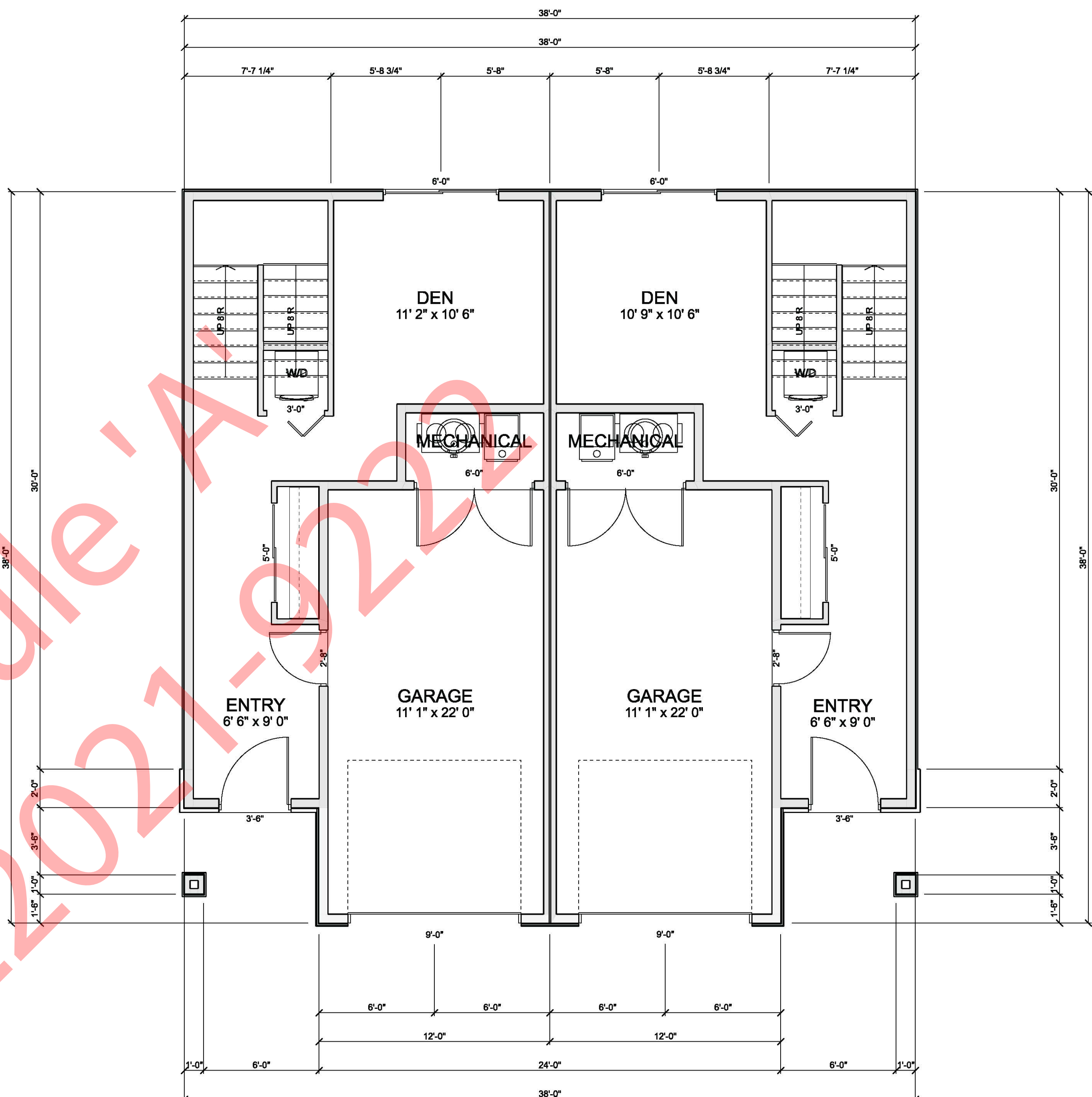
COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE

Landscape Plans

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com



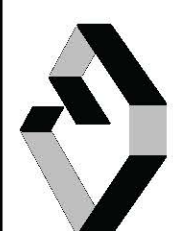
LOWER FLOOR PLAN (BUILDING A)
SCALE: 1/4" = 1'-0"
LOWER FLOOR LIVING AREA: 661.7 sq ft.
GARAGE AREA & MECHANICAL: 615.2 sq ft.



LOWER FLOOR PLAN (BUILDINGS B-D)
SCALE: 1/4" = 1'-0"
LOWER FLOOR LIVING AREA: 630.2 sq ft.
GARAGE AREA & MECHANICAL: 615.2 sq ft.

COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE

Lower Floor Plans



GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com

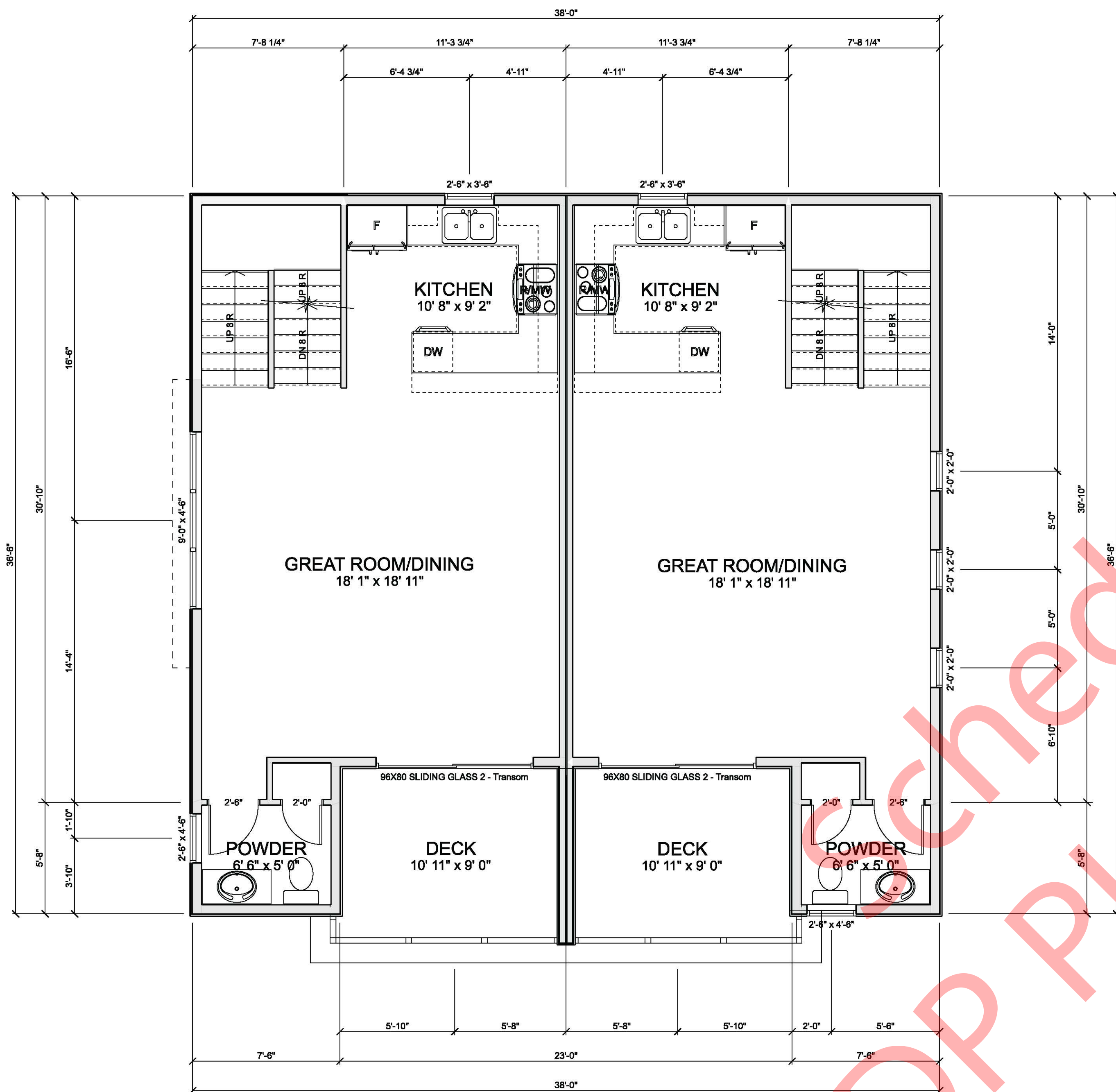
PLAN NO.
WP-5619
SLAB
SHEET NO.
A4

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for construction of a building in any locality other than that specifically stated on the drawings and until the drawings have been brought into conformity with all local requirements. Additionally, Giroux Design Group is unable to accept any liability for the accuracy of these drawings. The purchaser or reader of these drawings is responsible for obtaining all necessary permits and details in these drawings and assume responsibility for the same.

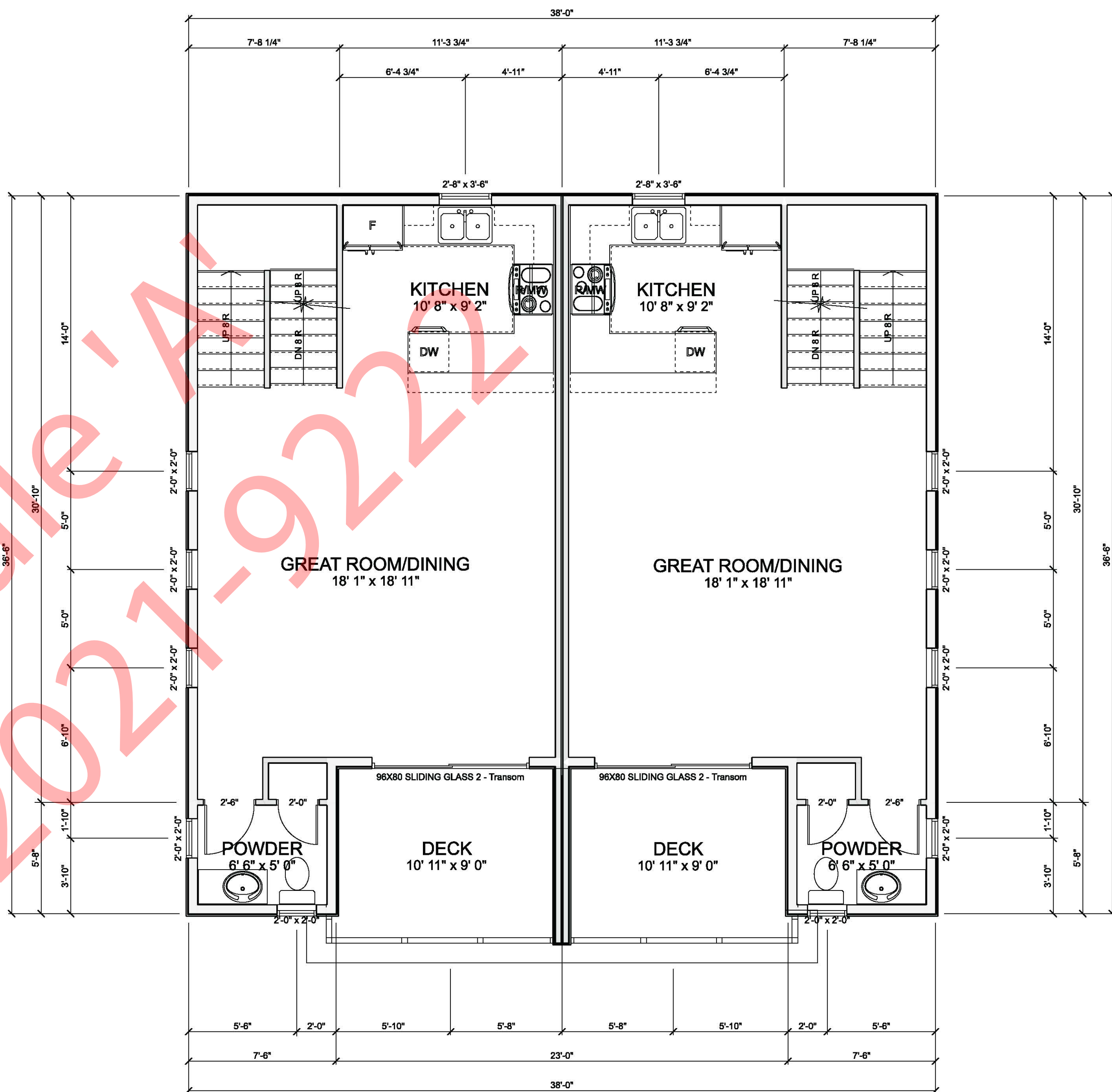
© Giroux Design Group Inc. MXXII All Rights Reserved
Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written permission of Giroux Design Group Inc. is prohibited. Any such reproduction, copying, distribution, sale, or use in any form, without the prior written consent of Giroux Design Group Inc. is prohibited. The purchaser or reader of these drawings is responsible for obtaining all necessary permits and details in these drawings and assume responsibility for the same.

SINGLA BROTHERS CONSTRUCTION
273 SCOTT AVENUE
PENTICTON, BC
DESIGN BY: AJG DATE: 1/31/22
DRAWN BY: AJG REVISED:

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanhunters.com



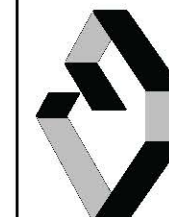
MAIN FLOOR PLAN (BUILDING A)
SCALE: 1/4" = 1'-0"
MAIN FLOOR LIVING AREA: 1084.7 sq ft.



MAIN FLOOR PLAN (BUILDINGS B-D)
SCALE: 1/4" = 1'-0"
MAIN FLOOR LIVING AREA: 1084.7 sq ft.

COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE

Main Floor Plans



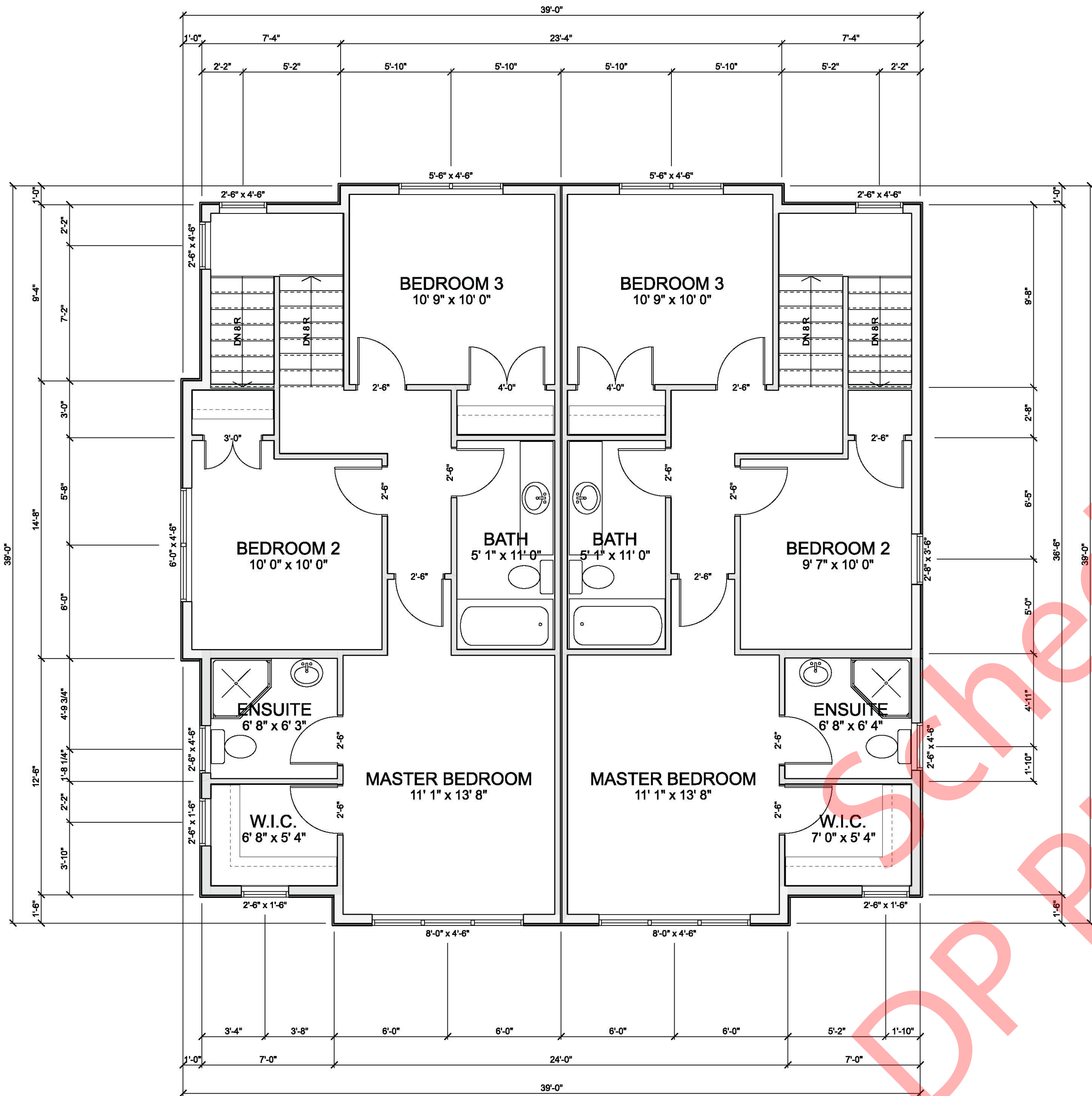
GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com

PLAN NO.
WP-5619
SLAB
SHEET NO.
A5

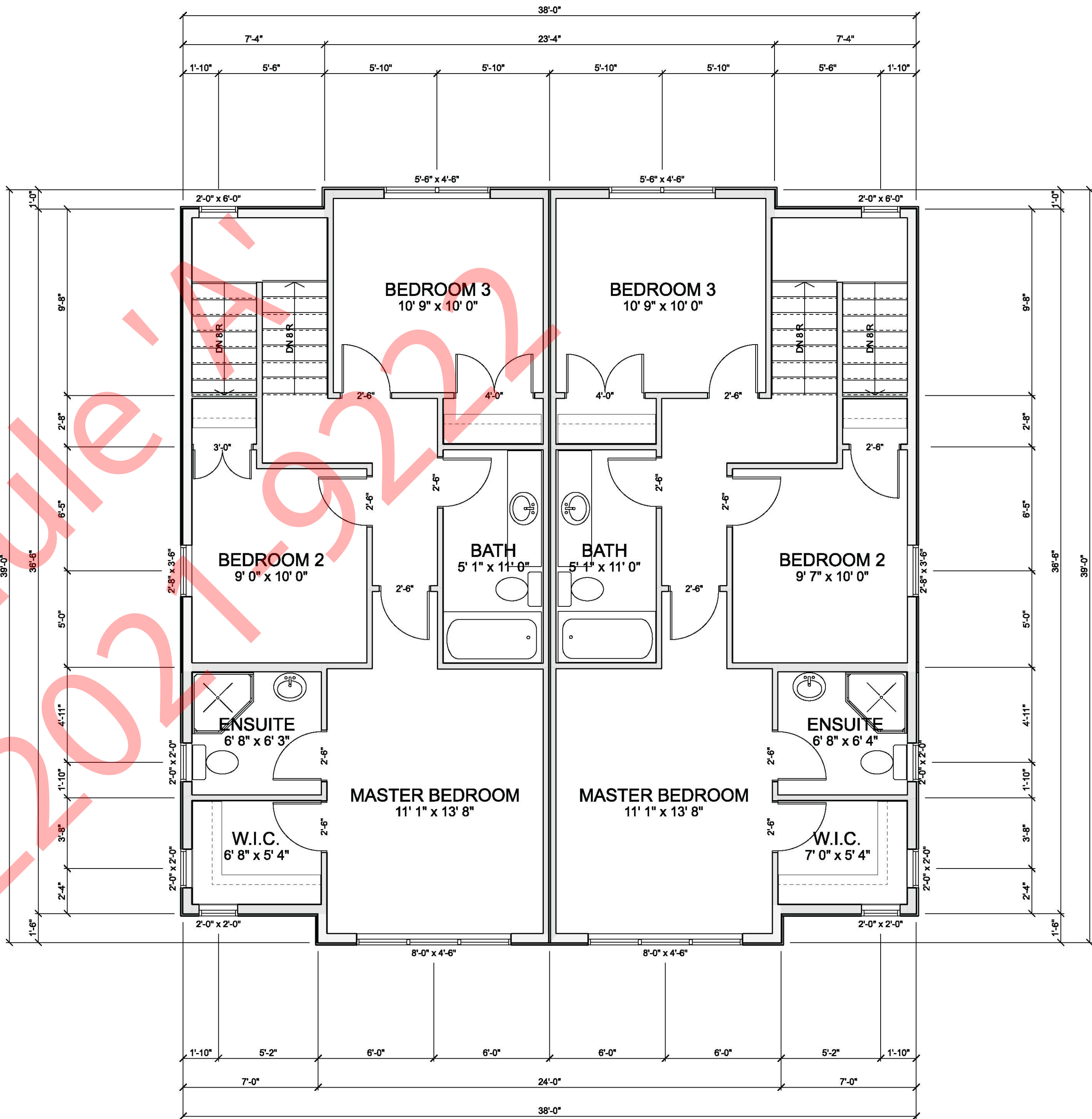
Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for construction in any locality other than that specifically intended, and until the drawings have been brought into conformity with all local requirements. Additionally, Giroux Design Group is unable to accept any liability for the accuracy of these drawings. The purchaser or recipient of these drawings is responsible for obtaining all necessary permits and for verifying the accuracy of these drawings. Therefore, the purchaser or recipient of these drawings must carefully inspect all dimensions and details in these drawings and assume responsibility for the same.

© Giroux Design Group Inc. MXXII All Rights Reserved
Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written permission of Giroux Design Group Inc. is prohibited. The drawings are the property of Giroux Design Group Inc. and shall remain the property of Giroux Design Group Inc. The drawings are not to be used for any other purpose than that specifically intended. The drawings are not to be used for any other purpose than that specifically intended. The drawings are not to be used for any other purpose than that specifically intended. The drawings are not to be used for any other purpose than that specifically intended.

SINGLA BROTHERS CONSTRUCTION
273 SCOTT AVENUE
PENTICTON, BC
DESIGN BY: AJG
DRAWN BY: AJG
DATE: 1/31/22
REVISED:



UPPER FLOOR PLAN (BUILDING A)
SCALE: 1/4" = 1'-0"
UPPER FLOOR LIVING AREA: 1332.7 sq. ft.



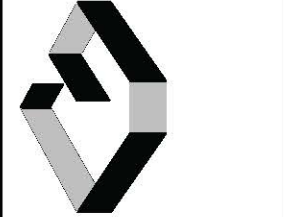
UPPER FLOOR PLAN (BUILDINGS B-D)
SCALE: 1/4" = 1'-0"
SECOND FLOOR LIVING AREA: 1318.0 sq. ft.

SINGLA BROTHERS CONSTRUCTION
273 SCOTT AVENUE
PENTICTON, BC
DESIGN BY: AJG
DRAWN BY: AJG
DATE: 1/31/22
REVISED:

© Giroux Design Group Inc. - MXXII All Rights Reserved
Reproduction of these drawings, in whole or in part, including any direct copying
and/or preparation of derivative works thereof, for any reason without prior written
permission of Giroux Design Group Inc. is prohibited. The drawings are the property
of Giroux Design Group Inc. and shall remain the property of Giroux Design Group Inc.
The drawings are to be used for the construction of the building only and shall not be
used for any other purpose. The drawings are to be used for the construction of the
building only and shall not be used for any other purpose. The drawings are to be
used for the construction of the building only and shall not be used for any other
purpose. The drawings are to be used for the construction of the building only and
shall not be used for any other purpose. The drawings are to be used for the
construction of the building only and shall not be used for any other purpose.

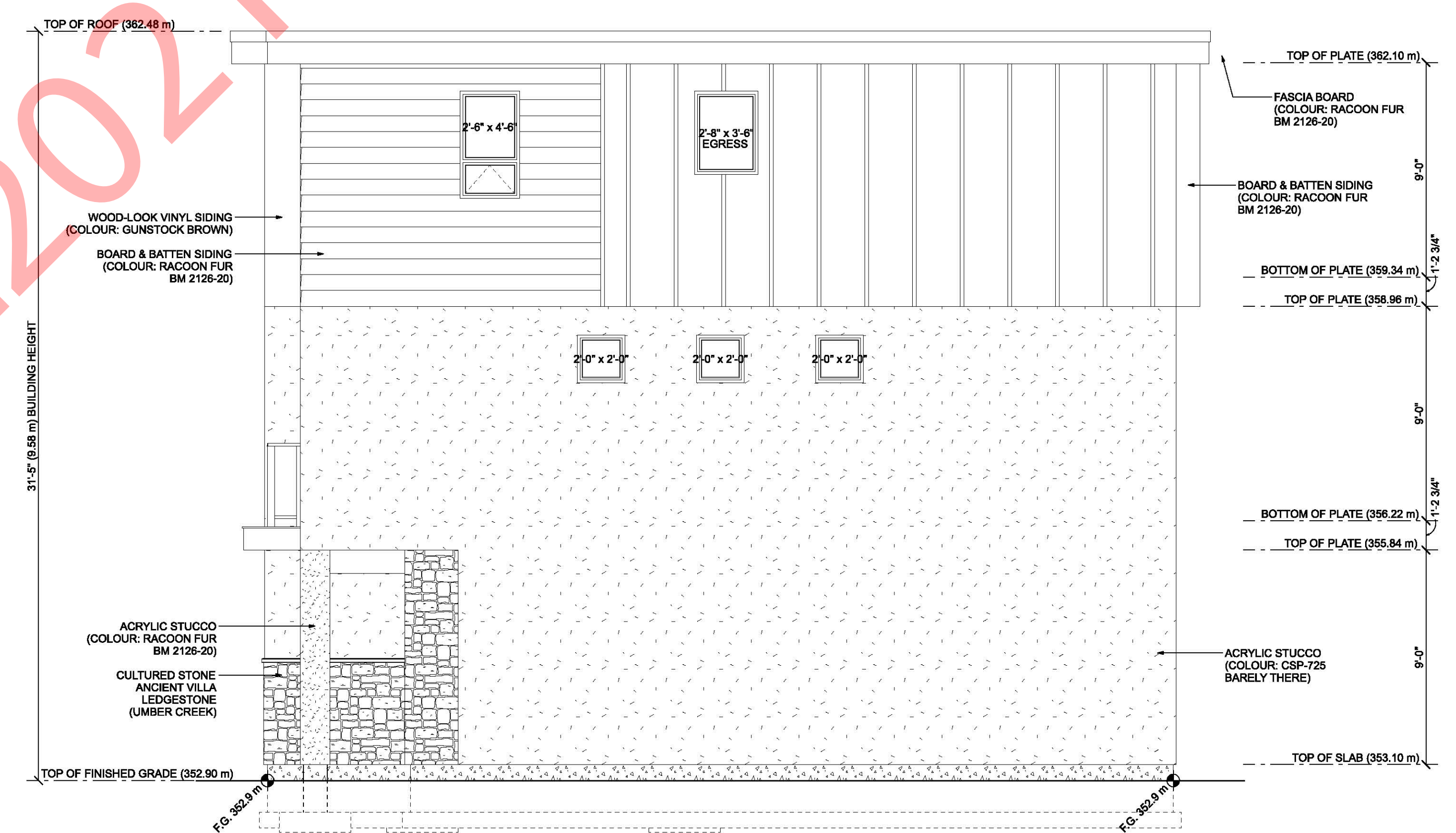
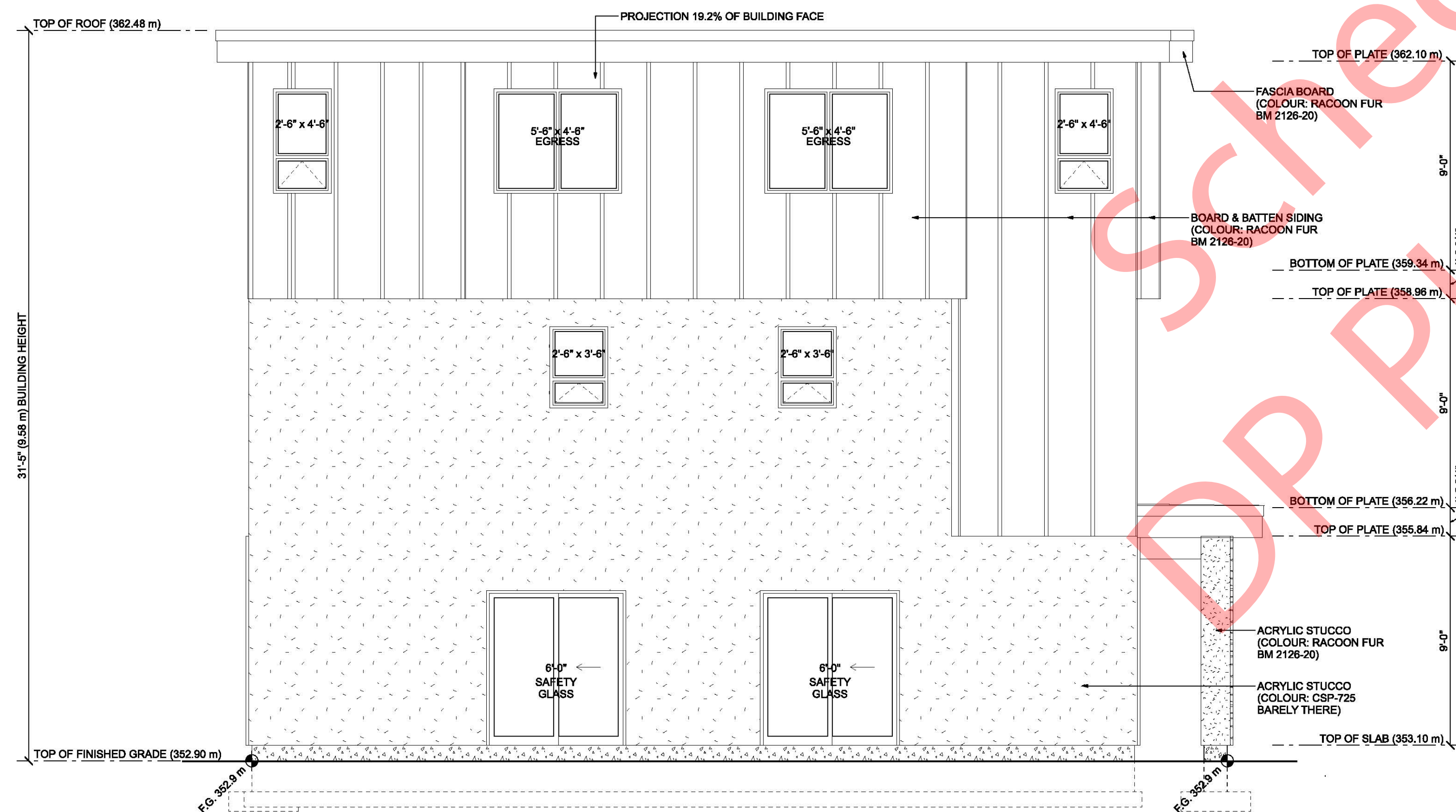
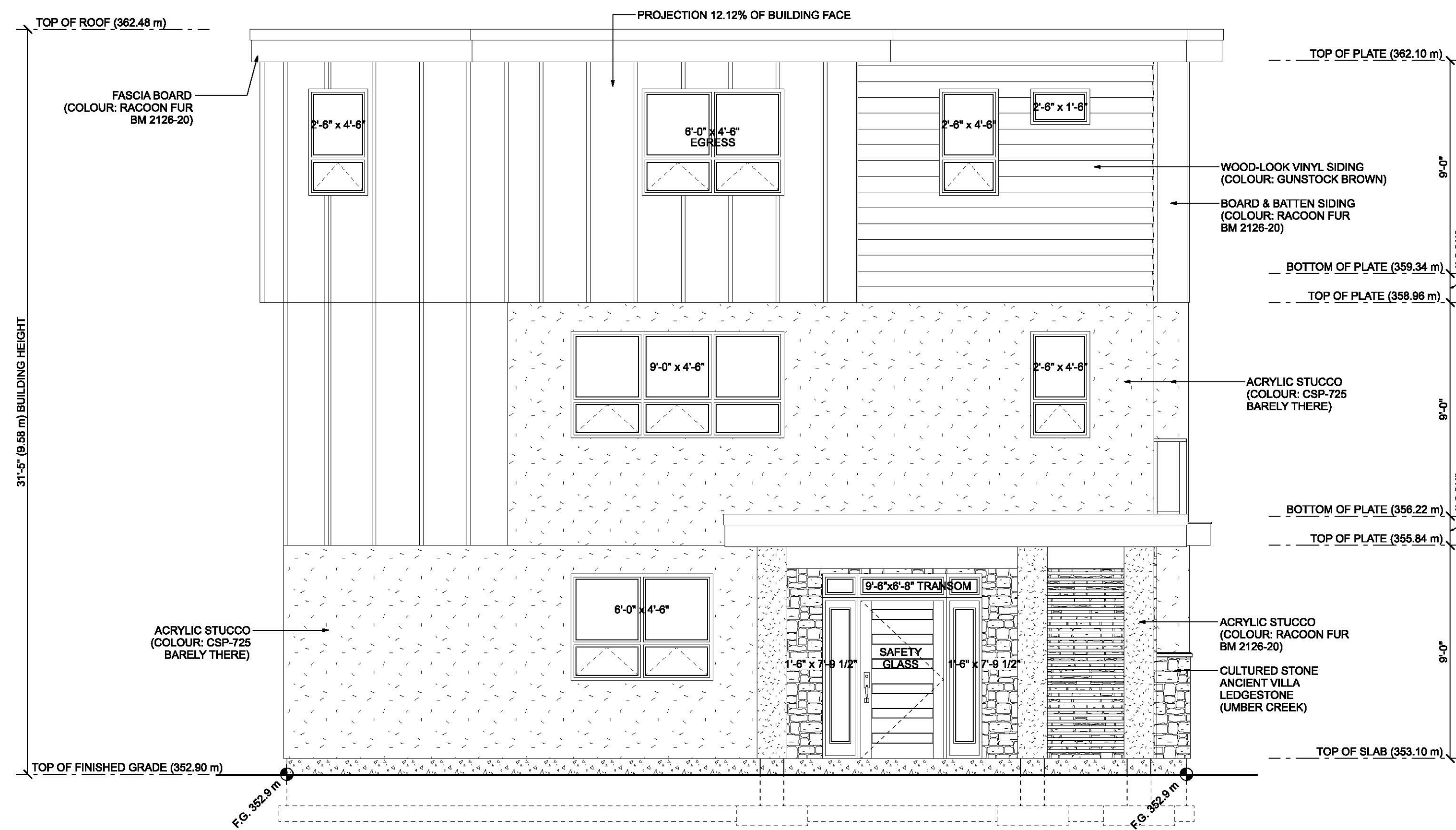
Due to local codes, regulations and building practices and/or because of specific
site conditions, these drawings may not be suitable or legal for use in the
construction of a building in all localities. Consequently, these drawings are not to
be used for the construction of a building in any locality other than that for which
they were prepared. The drawings are to be used for the construction of the building
only and shall not be used for any other purpose. The drawings are to be used for
the construction of the building only and shall not be used for any other purpose.
Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy
of the drawings. The drawings are to be used for the construction of the building
only and shall not be used for any other purpose. The drawings are to be used for
the construction of the building only and shall not be used for any other purpose.
Therefore, the reader must carefully inspect all dimensions and details in these
drawings and assume responsibility for the same.

GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com



PLAN NO.
WP-5619
SLAB
SHEET NO.
A6

COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE
Upper Floor Plans



**COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE**

Exterior Elevations Building A

SINGLA BROTHERS CONSULTING

273 SCOTT AVENUE
PENTICTON, BC

DESIGN BY: AJG	DATE: 1/31/77
DRAWN BY: AJG	REVISED:

1. Language for

© Group Design Group Inc. MMXXII All Rights Reserved

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used as a guide for construction unless the builder has confirmed their suitability and until the drawings have been brought into conformity with all local requirements. Additionally, Giroud Design Group is unable to accept any liability for the accuracy or overall integrity of these drawings in excess of their original purchase price. Therefore, the builder must carefully inspect all dimensions and details in these drawings and assume responsibility for the same.

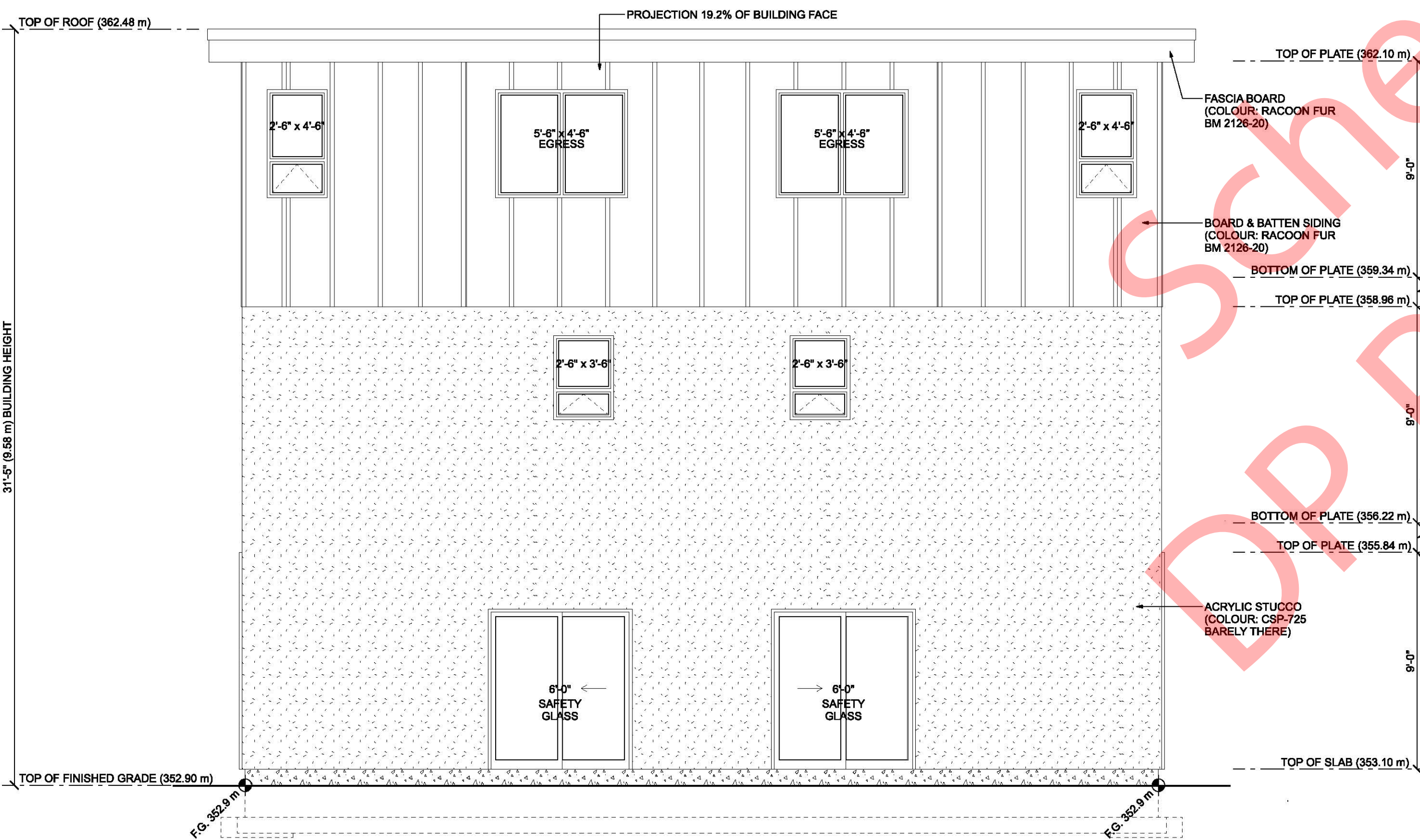
GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.

Giroux Design Group Inc.
Telephone: 250.278.4373
e-mail: contact@girouddesigngroup.com
web: www.girouddesigngroup.com

www.giouxdesigngroup.com - www.westhomeplanners.com - www.houseplanhunters.com



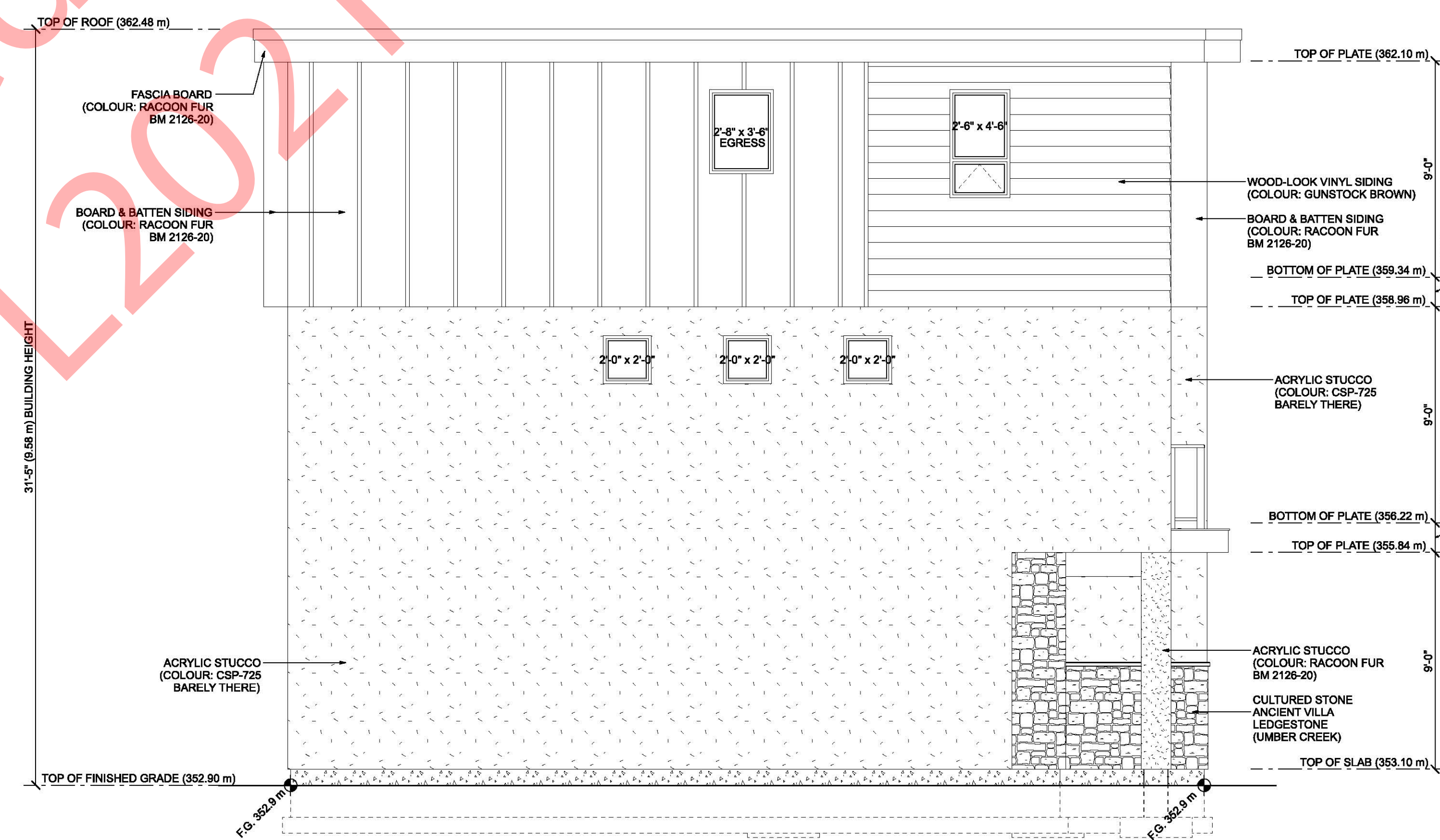
BUILDING B-D - EAST ELEVATION (FACING DRIVE LANE)
SCALE: 0.2400" = 1'-0"



BUILDING B-D - WEST ELEVATION
SCALE: 1/4" = 1'-0"



BUILDING B-D - NORTH ELEVATION
SCALE: 1/4" = 1'-0"



BUILDING B-D - SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

SINGLA BROTHERS CONSTRUCTION
273 SCOTT AVENUE
PENTICTON, BC
DESIGN BY: AJG DATE: 1/31/22
DRAWN BY: AJG REVISED:

© Giroux Design Group Inc. MXXII All Rights Reserved
Reproduction of these drawings, in whole or in part, including any direct copying and/or preparation of derivative works thereof, for any reason without prior written permission of Giroux Design Group Inc. is prohibited. The drawings are the property of Giroux Design Group Inc. and shall remain the property of Giroux Design Group Inc. The drawings are not to be used for any other project without the written consent of Giroux Design Group Inc. The drawings are not to be used for any other project without the written consent of Giroux Design Group Inc. The drawings are not to be used for any other project without the written consent of Giroux Design Group Inc.

Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for the construction of a building in any locality without the written consent of Giroux Design Group Inc. and until the drawings have been brought into conformity with all local requirements. Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy or completeness of these drawings. The purchaser of these drawings shall be responsible for obtaining all necessary permits and approvals. Therefore, the purchaser must carefully inspect all dimensions and details in these drawings and assume responsibility for the same.

GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com

PLAN NO.
WP-5619
SLAB
SHEET NO.
A8

Exterior Elevations Building B-D



BUILDING 1
FRONT ELEVATION (FACING SOUTH TO SCOTT AVENUE)
SCALE: 1/8" = 1'-0"



BUILDING 4
REAR ELEVATION (NORTH FACING)
SCALE: 1/8" = 1'-0"

SCOTT AVENUE

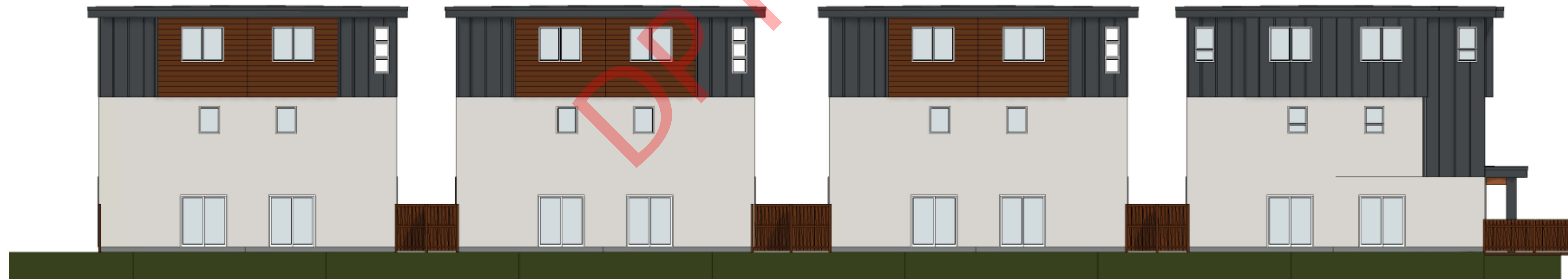


BUILDING 1
RIGHT ELEVATION (EAST FACING)
SCALE: 1/8" = 1'-0"

BUILDING 2

BUILDING 3

BUILDING 4



BUILDING 4
LEFT ELEVATION (WEST FACING)
SCALE: 1/8" = 1'-0"

BUILDING 3

BUILDING 2

BUILDING 1

SCOTT AVENUE

COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE

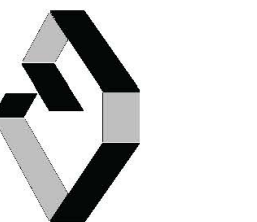
Color Exterior Elevations

SINGLA BROTHERS CONSTRUCTION 273 SCOTT AVENUE PENTICTON, BC	DESIGN BY: AJG	DATE: 12/1/22
	DRAWN BY: AJG	REVISED:

© Giroux Design Group Inc. - MXXII. All Rights Reserved
Reproduction of these drawings, in whole or in part, including any direct copying
and/or preparation of derivative works thereof, for any reason without prior written
consent of Giroux Design Group Inc. is prohibited. The drawings are the property of
Giroux Design Group Inc. and are to be used only for the project and site identified
therein. The drawings are not to be used for any other project or site without the
written consent of Giroux Design Group Inc. The purchase of these drawings
does not entitle the buyer with license to construct more than one dwelling unit.

Due to local codes, regulations and building practices and/or because of specific
site conditions, these drawings may not be suitable or legal for use in the
construction of a building in all localities. Consequently, these drawings are not to
be used for the construction of a building in any locality without the written
consent of Giroux Design Group Inc. and until the drawings have been brought into
conformity with all local requirements.
Additionally, Giroux Design Group Inc. is unable to accept any liability for the accuracy
of these drawings. The purchaser of these drawings must verify all dimensions and
details in these drawings and assume responsibility for the same.

GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com



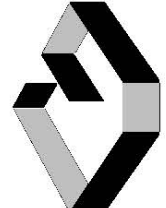
PLAN NO. WP-5619
SHEET NO. A9

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanhunters.com



COPYRIGHTED DOCUMENTS
ILLEGAL TO REPRODUCE

Renderings



GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.276.4373 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com

PLAN NO.
WP-5619

SHEET NO.
A10

© Giroux Design Group Inc. MXXII All Rights Reserved
Reproduction of these drawings, in whole or in part, including any direct copying
and/or preparation of derivative works thereof, for any reason without prior written
permission of Giroux Design Group Inc. is prohibited. The drawings are the property of
Giroux Design Group Inc. and are to be used only for the construction of the building
shown. The drawings are not to be used for any other purpose without the written
consent of Giroux Design Group Inc. The drawings are not to be used for the construction
of any other building. The drawings are not to be used for the construction of any other
building. The drawings are not to be used for the construction of any other building.
The drawings are not to be used for the construction of any other building.

Due to local codes, regulations and building practices and/or because of specific
site conditions, these drawings may not be suitable or legal for use in the
construction of a building in all localities. Consequently, these drawings are not to
be used for the construction of a building in any locality without the written
consent of Giroux Design Group Inc. and until the drawings have been brought into
conformity with all local requirements. Additionally, Giroux Design Group Inc. is
unable to accept any liability for the accuracy or completeness of the drawings.
Therefore, the builder must carefully inspect all dimensions and details in these
drawings and assume responsibility for the same.

SINGLA BROTHERS CONSTRUCTION
273 SCOTT AVENUE
PENTICTON, BC

DESIGN BY: AIG
DRAWN BY: AIG

DATE: 12/1/22
REVISED:

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanhunters.com