

Public Notice

penticton.ca

March 24, 2022

Address & Legal Description:

3917 Lakeside Road

Lot A, District Lot 190, Similkameen Division Yale District, Plan KAP72460

Subject & Proposal

Development Variance Permit PL2022-9269

The applicant is proposing to construct a single family dwelling and carriage house at 3917



Lakeside Road. The proposed design of the carriage house exceeds the regulations of the City's Zoning Bylaw, and therefore the applicant has requested a variance to the following sections of Zoning Bylaw No. 2021-01:

- 1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 zone from 90m² to 97 m²; and
- 2. Section 8.2.3.5: to increase the maximum carriage house building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.

Information:

You can find the staff report to Council and Development Variance Permit PL2022-9269 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, Tuesday, April 5, 2022 in Council Chambers at Penticton City Hall, 171 Main St.

All meetings will be live streamed via the City's website at: www.penticton.ca/city-hall/city-council/council-meetings. Select the 'Watch Live' button.

Public Comments:

Any person whose interest may be affected by the proposed Development Variance Permit, may submit a petition or written comments by mail or email no later than 9:30 am, Tuesday, April 5, 2022, to:

Attention: Corporate Officer, City of Penticton 171 Main Street, Penticton, B.C. V2A 5A9

Email: corpadmin@penticton.ca

Please ensure the following is included in your correspondence:

Subject: DVP PL2022-9269; 3917 Lakeside Road

No letter, report or representation from the public will be received by Council after the conclusion of the April 5, 2022 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



Council Report

penticton.ca

Date: April 5, 2022 File No: RMS/3917 Lakeside Rd

To: Donny van Dyk, Chief Administrative Officer

From: Nicole Capewell, Planner II

Address: 3917 Lakeside Road

Subject: Development Variance Permit PL2022-9269

Staff Recommendation

THAT Council approve "Development Variance Permit PL2022-9269", for Lot A District Lot 190 Similkameen Division Yale District Plan KAP72460, located at 3917 Lakeside Road, a permit to vary the following sections of Zoning Bylaw No. 2021-01:

- 1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 zone from 90m² to 97 m²; and
- 2. Section 8.2.3.5: to increase the maximum carriage house building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.

AND THAT staff be directed to issue "Development Variance Permit PL2022-9269".

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 single family dwelling and carriage house on the subject property at 3917 Lakeside Road. The proposed design of the carriage house exceeds the regulations of the City's Zoning Bylaw, and therefore the applicant has requested a variance to the following sections of Zoning Bylaw No. 2021-01:

- 1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 zone from 90m² to 97 m²; and
- 2. Section 8.2.3.5: to increase the maximum carriage house building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.



Figure 1 - Property Location Map

The carriage house will also require Development Permit approval of its form and character. The applicant has applied for the Development Permit, which will be processed and issued by staff should Council approve the requested variances.

Background

The subject property (Figure 1) is located along Lakeside Road, directly south of the Skaha Lake Marina, at the southern end of Penticton. The property is a remainder portion of a larger panhandle lot (subdivided in ~2002). The property is currently zoned R1 (Large Lot Residential) and is designed as 'Detached Residential' (Figure 2) by the City's Official Community Plan. The surrounding neighbourhood consists of R1 (Large Lot Residential) properties to the south along Skaha Lake Road, and P2 (Parks and Recreation) in Skaha Lake Park to the north (Attachment 'A').

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)	
Detached Residential	Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single- detached bareland stratas	Single detached houses with secondary suites or carriage houses Duplexes Small-scale neighbourhood commercial building (e.g., corner store, coffee shop) Manufactured homes	Residential Limited retail/ service	• 1 or 2 units per lot • Generally up to 2 ½ storeys to reflect 30' maximum in Zoning Bylaw	• R1 • R2 • R3 • RD1 • RSM • C2	
	Site-Specific Detached Residential Policy Statement: 375 Smythe Drive: a maximum of 27 detached single-family houses are permitted on this site. Houses may include secondary suites but not carriage houses.					

Figure 2 - Future Land Use Designation

Council approved a Temporary Use Permit (TUP) on the subject property in 2019 to allow the use 'outdoor storage' to occur for an 18-month period. The purpose was to allow for the owners of 3919 Lakeside Road (the adjacent property) to store building materials at 3917 Lakeside Road, while they reconstructed their house, which was destroyed in a fire. The two properties were owned by the same party, which continues to own both properties today.

In 2019, Council approved a variance permit was issued for the construction of a carriage house at 3919 Lakeside Road, directly west of the subject property. The variance allowed for the carriage house to be 7.0m and two floors in height, where a lane did not exist, and also allowed the carriage house to be located closer to the street than the principal residence (Attachment 'C').

Technical Review

This application was forwarded to the City's Technical Planning Committee. Servicing and building code requirements have been identified and will be addressed as part of the building permit process. It is the property owner's responsibility to provide services and/or upgrade existing services as required for the carriage house.

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Development Statistics

The following table outlines the proposed development statistics on the plans submitted with the development application:

	Carriage House Requirement R1 Zone	Provided on Plans	
Minimum Lot Width*:	16 m	19 m	
Minimum Lot Area*:	560 m ²	732 m ²	
Minimum Lot Area for	370 m ²	732 m ²	
Carriage House	370111	732111	
Maximum Lot Coverage:	40%	38.15%	
Maximum Building Footprint:	90 m ²	97 m ² – variance requested	
Maximum Carriage	135 m²	130 m ²	
House Floor Area			
Vehicle Parking:	Total 3 required 2 – single family dwelling 1 – carriage house	6+ There is ample parking provided onsite through surface and inside the garages proposed.	
Required Setbacks			
Front Yard (east):	6.0 m and behind the principal house	24.0m – behind house	
Side Yard (north):	1.5 m	2.57 m	
Side Yard (south):	1.5 m	6.5 m	
Rear Yard (west):	1.5 m	1.51 m	
Maximum Building Height	5.0 m and one floor	7.0m and two floors – variance requested	
Other Information:	*Lot width and lot area are only applicable at time of subdivision.		

Analysis

When considering a variance to a City bylaw, staff encourage 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 variances and are recommending support for the following reasons:

- 1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 zone from $90m^2$ to $97 m^2$.
 - a. The request to increase the maximum building footprint allows for a total increase of 7 m 2 (or \sim 75 sq. ft.).
 - b. The increase of building footprint can be primarily attributed to the covered porch at the main entrance of the carriage house.
 - c. The additional building footprint has not resulted in additional internal floor area that would result in a larger carriage house.

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- d. The covered porch is an extension on the first storey of the carriage house (Figure 3) and provides a covered location for accessing the carriage house. This can assist in providing a protected point of access to the unit, allowing occupants to be covered from the elements of rain, snow or other weather.
- e. The covered porch also serves as an architectural feature of the building, which is desirable to create variation and interest, and helps break up the massing of the building.



Figure 3 - Proposed Rendering of Front of Carriage House

- 2. Section 8.2.3.5: to increase the maximum carriage house building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.
 - a. In providing a second storey, the carriage house is able to accommodate adequate parking on the property, providing a garage under the suite, which helps to alleviate any concerns regarding potential of on-street parking.
 - b. The carriage house is within the maximum carriage house floor area size of 135m², and the design proposed allows for a 3 bedroom, 2 bathroom carriage house. 1 bedroom and 1 bathroom are included on the main floor, which assists with accessibility of future tenants or occupants of the carriage house. Providing a living space and washroom on ground levels are helpful for those with mobility challenges who may not be able to access the second floor.
 - c. The property that may be most impacted by a two-storey carriage house is 3919 Lakeside Road. The owner has prepared a letter of support for the application. Given that it is the same owner, staff are confident that the owner(s) has designed the property to not impact their neighbouring property at 3919 Lakeside Road.
 - d. As previously mentioned, the property directly west (3919 Lakeside Road) received a variance in 2019 that allowed for a two-storey carriage house where a lane did not exist. There were minimal concerns at the time, as both properties (3919 and 3917 Lakeside Road) were and still are owned by the same owner(s).
 - e. The property directly to the north is a parking lot associated with the Skaha Lake Marina. Providing a unit that overlooks this property, including a deck that looks towards the parking lot, helps to provide casual surveillance to an area that is often unoccupied after hours. This can help to increase natural security of the area.

In addition to the justification provided above, staff also consider the following OCP Goals and Policies applicable to support the proposed development:

OCP Goal	Ensure a range of housing types, sizes, tenures and forms exist throughout the city to		
4.1.3	provide housing options for all ages, household types, and incomes.		
	The proposed development adds another form of housing for either long or		
	short term rentals.		
OCP Policy	Increase housing options in low-density single family areas through development of		
4.1.3.2	secondary suites and carriage houses, and ensure carriage houses are sensitively		

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	integrated and designed according to the Intensive Residential Development Permit					
	Area Guidelines.					
	 The proposed carriage house would add a unit to an existing low-density single family area of the City. The carriage house has been designed at the same time as 					
	the main house on the subject property, and with consideration of the direct					
	neighbouring property of 3919 Lakeside Road.					
OCP Policy	Encourage developments that include one-bedroom and two-bedroom units in suitable					
4.1.2.4	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 carriage house provides 3 bedrooms that could potentially be able					
	to accommodate families or households of this size.					

Given the reasons above as well as the OCP Policy support, staff consider the variance requests are reasonable in this instance. As such, staff are recommending that Council approve the variances and direct staff to issue the permit.

Should Council approve the variance, staff would proceed with processing the required Development Permit prior to construction occurring.

Alternate Recommendations

Council may consider that the requested variances are unreasonable in this instance and may negatively impact the surrounding neighbourhood. If this is the case, Council may choose to deny the variance requests. Staff are not recommending this option.

1. THAT Council deny "Development Variance Permit PL2022-9269".

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Photos of Property

Attachment D – Letter of Intent

Attachment E – Letter of Support (3919 Lakeside Road)

Attachment F – Draft Development Variance Permit

Respectfully submitted,

Nicole Capewell, RPP, MCIP Planner II

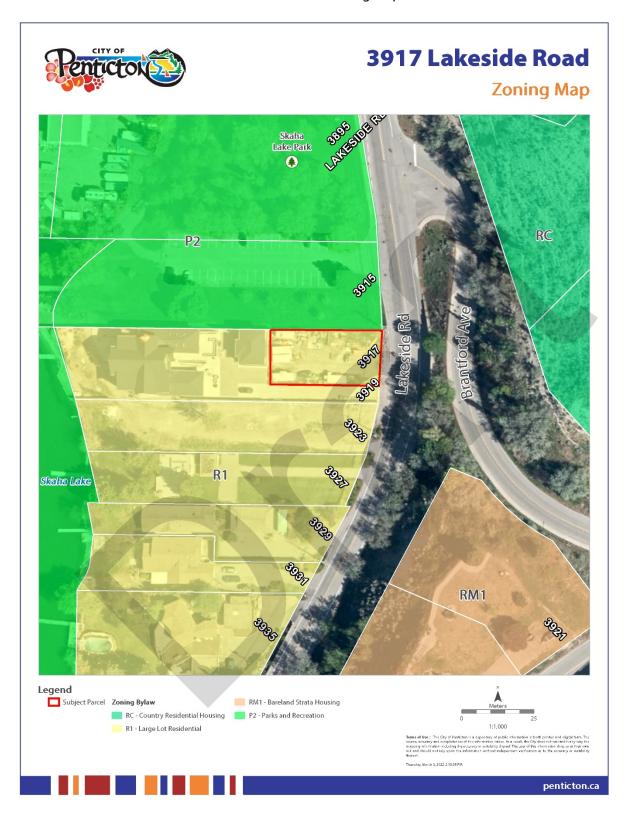
Concurrence

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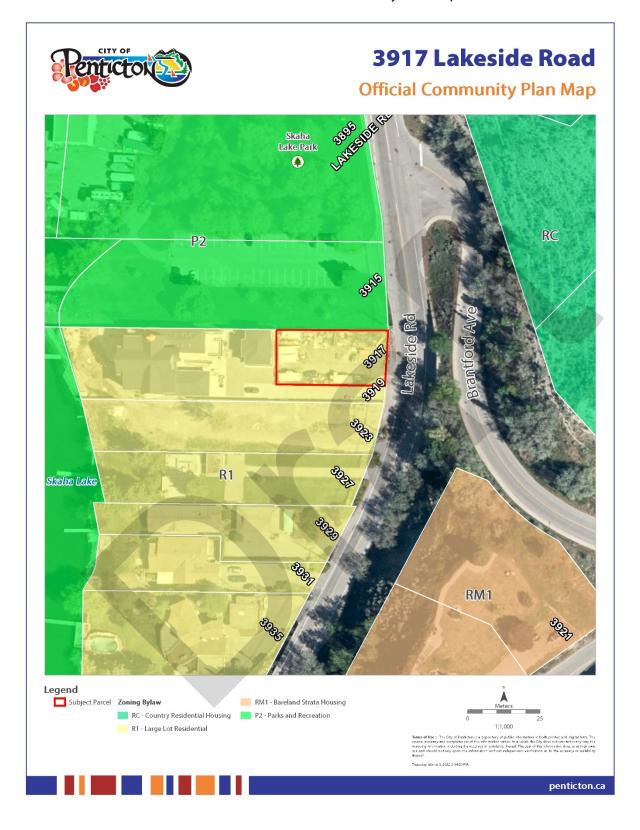
Director of Development Services	Chief Administrative Officer
201010	J



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Attachment C – Photos of Property



Looking toward subject property from Lakeside Road



Looking toward subject property from Lakeside Road

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Letter of Intent

Re: 3917 Lakeside Road

Dear Recipient,

Hague Construction Inc. is proposing to develop new structures to create increased housing opportunities at the above address. Our goal with this application is to have the current zoning height increased to allow for a two-storey carriage home on the lot. As well as increase the building footprint to 97m2 to allow for a covered entrance.

Objective

Increase the current zoning of (ONE STOREY ALLOWANCE) to (TWO STOREY ALLOWANCE). This will increase total square footage of the building and create a more functional living space.

To raise the building footprint, it allows us to construct a better covered front entrance, with a 6' overhang instead of the 2' allowance to stay within the maximum footprint. This roof is designed to help keep rain and snow away from the front door for obvious reasons.

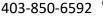
Impacts on Neighboring lots

Currently the lot is undeveloped. It is being maintained by the owner to keep the weeds and dust down. The proposed new structures will compliment surrounding properties by creating an even sightline and have been carefully designed to match the aesthetic of the surrounding homes. There is plenty of room on the lot for adequate parking along with carefully chosen landscaping to tie in the adjoining properties. The two-storey structure will not obstruct any views of surrounding properties as there are no homes built on the north, east or south of the lot.

Neither of these will impact the immediate neighbor on the west as both properties are owned by the same person. 3917 and 3919

Contribution to the Community

This project will create more available housing in Penticton along with creating a better tax space for the CoP. This project will also add to the aesthetic of the Skaha Lake Park area as the property shares a border with the parking lot adjoining the Skaha Marina.







Letter of Intent

Thank you for your consideration,

Steven Hague

Hague Construction Inc.



March 10, 2022

To whom it may concern,

I currently own the properties: 3919 Lakeside Road and 3917 Lakeside Road. The new construction that is proposed at 3917 Lakeside Road will have no adverse affects on the property at 3919 Lakeside Road.

The planned new structures at 3917 Lakeside Road are complimentary to the area and were designed to uplift the neighbourhood and raise its value.

Regards,

Al Mansfield

De Manskeld



Development Variance Permit

Permit Number: DVP PL2022-9269

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 A District Lot 190 Similkameen Division Yale District Plan KAP72460

Civic: 3917 Lakeside Road

PID: 025-558-692

- 3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2021-01 to allow for the construction of carriage house, as shown in the plans attached in Schedule 'A':
 - a. Section 8.2.3.3: to increase the maximum building footprint in the R1 zone from 90m2 to 97 m2; and
 - b. Section 8.2.3.5: to increase the maximum building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.

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.

OPANOZZ.OZZ.

Authorized by City Council, the ____ day of April, 2022.

Issued this ____ day of April, 2022.

Angela Collison Corporate Officer PROJECT ADDRESS: 3917 LAKESIDE ROAD, PENTICTON, BC

LEGAL DESCRIPTION: LOT A DISTRICT LOT 190 SIMILKAMEEN DIV YALE DISTRICT PLAN KAP72460

ZONING: R1 (RM2)

SITE AREA: 0.181 ACRES (7,884 SQFT)

FOOTPRINTS:

PRINCIPAL DWELLING: 1,963 - SQFT (182.4M²)

CARRIAGE HOUSE: 1,045 - SQFT (97.1M²)

NOTES***

Builder is to confirm building locations with owner prior to construction & confirm existing conditions Roof drainage system splash pads required for roof rain water leaders as per geotech. No vented soffiting an any overhang that is within 1.2m of property line. If soffit is vented within 1.2m fire blocking at eaves is required.

PROPOSED CARRAIGE HOUSE ELEVATIONS

GARAGE - 340.838

LOWER FLOOR - 341.143

UPPER FLOOR - 344.191

DECK - 344.089

MID POINT OF ROOF - 347.300

TOP OF ROOF - 347.960

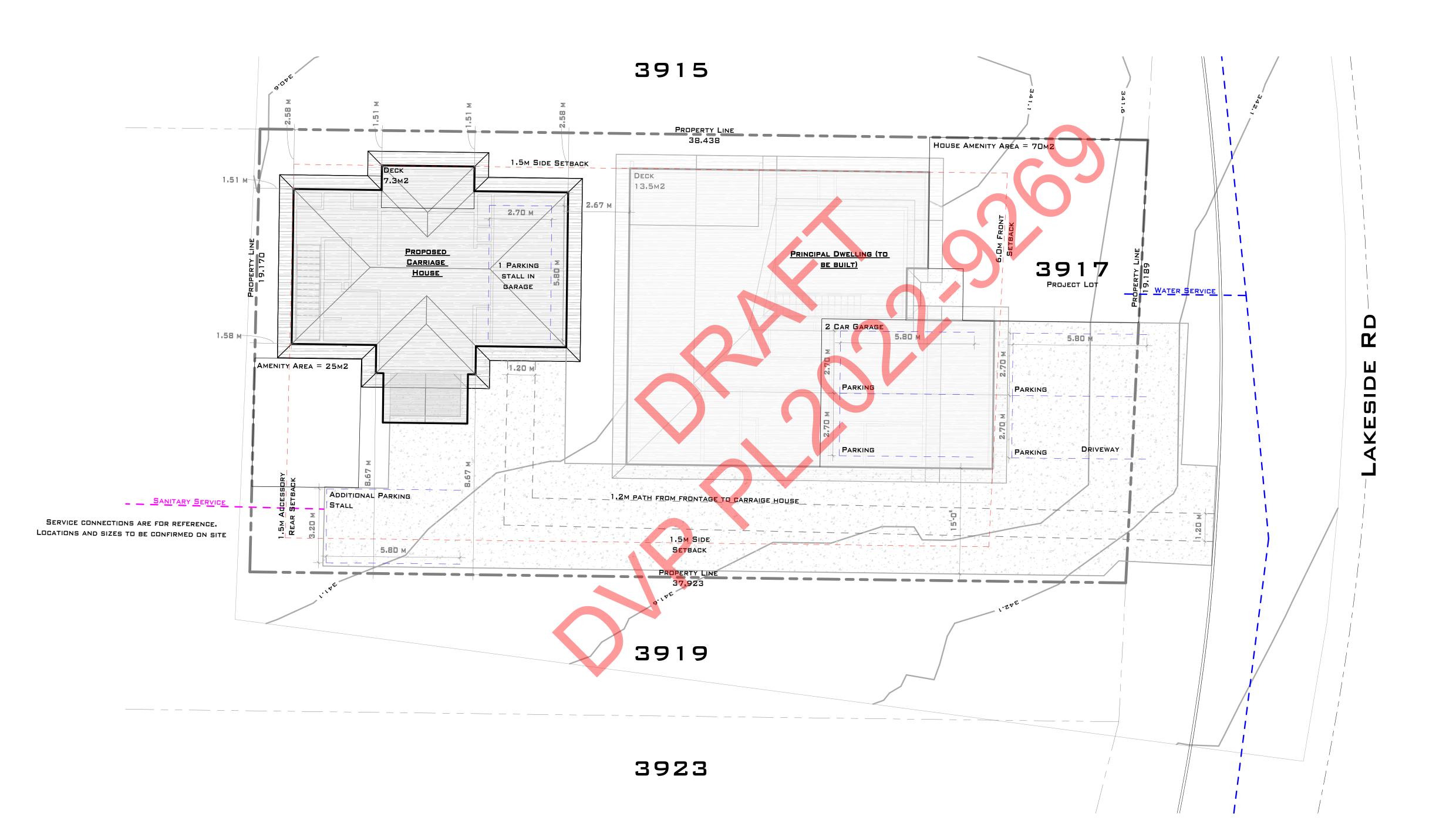
PENTICTON BYLAW REQUIREMENTS FOR CARRIAGE HOUSES IN R1:		PROJECT BYLAW SUMMARY:		
MINIMUM LOT AREA:	560M²	LOT AREA:	732.48 ²	
MINIMUM LOT WIDTH:	16м	Lot width:	19.170м	
MAXIMUM LOT COVERAGE:	40% (292.98m²)	LOT COVERAGE:	279.5m² (38.15%)	
MAXIMUM HEIGHT:	5.OM & 1 STOREY	Неіднт:	6.46M & 2 STOREYS (VARIAN	
MAXIMUM FOOTPRINT:	90м²	FOOTPRINT:	97.1 M ² (VARIANCE)	
MAXIMUM FLOOR AREA:	135m²	FLOOR AREA:	130.3м	
Setbacks:		Setbacks:		
FRONT YARD:	6.0м	FRONT YARD:	24.95м	
REAR YARD:	1.5м	REAR YARD:	1.51 м	
INTERIOR SIDE YARD:	1.5м	INTERIOR SIDE YARD:	1.51м	
EXTERIOR SIDE YARD:	3.OM	EXTERIOR SIDE YARD:	N/A	
MINIMUM AMENITY SPACE:	15м²	AMENITY SPACE:	27m²	

PROVIDED PARKING STALLS

6 STALLS

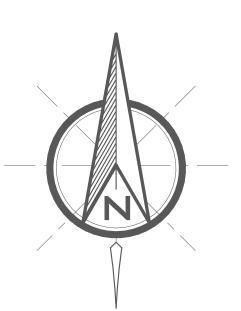
3 STALLS

REQUIRED PARKING





GARTNER'S CUSTOM HOUSE DESIGNS
168 - 1458 PENTICTON AVE
PENTICTON, BC | V2A 8L3
(250) 487 8278
WWW.GARTNERSDESIGNS.COM
GARTNERSDESIGN@GMAIL.COM



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CONTRACTORS ARE RESPONSIBLE FOR THE VERIFICATION OF ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO ANY CONSTRUCTION OR FABRICATION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE DEVELOPER

ONE OF GCHD'S GOALS IS TO IMPROVE THESE DRAWINGS.
FEEDBACK IS IMPORTANT. THERE MAY BE ADDITIONAL INFORMATION NEEDED OR THERE MIGHT BE A BETTER WAY TO BUILD. GCHD WOULD LIKE TO HEAR ABOUT IT.
LET US KNOW IF THESE DRAWINGS CAN BE MADE

No. DATE REVISION

1 02/02/2022 Issue for Variance

DATE MARCH 09, 2022
JOB NO. 211106

PROJECT TITLE

SCALE

BETTER FOR YOU.

MANSFIELD

CARRIAGE HOUSE

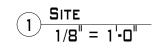
AS INDICATED

SHEET NUMBER

A101

DRAWING TITLE

SITE PLAN & SITE INFORMATION

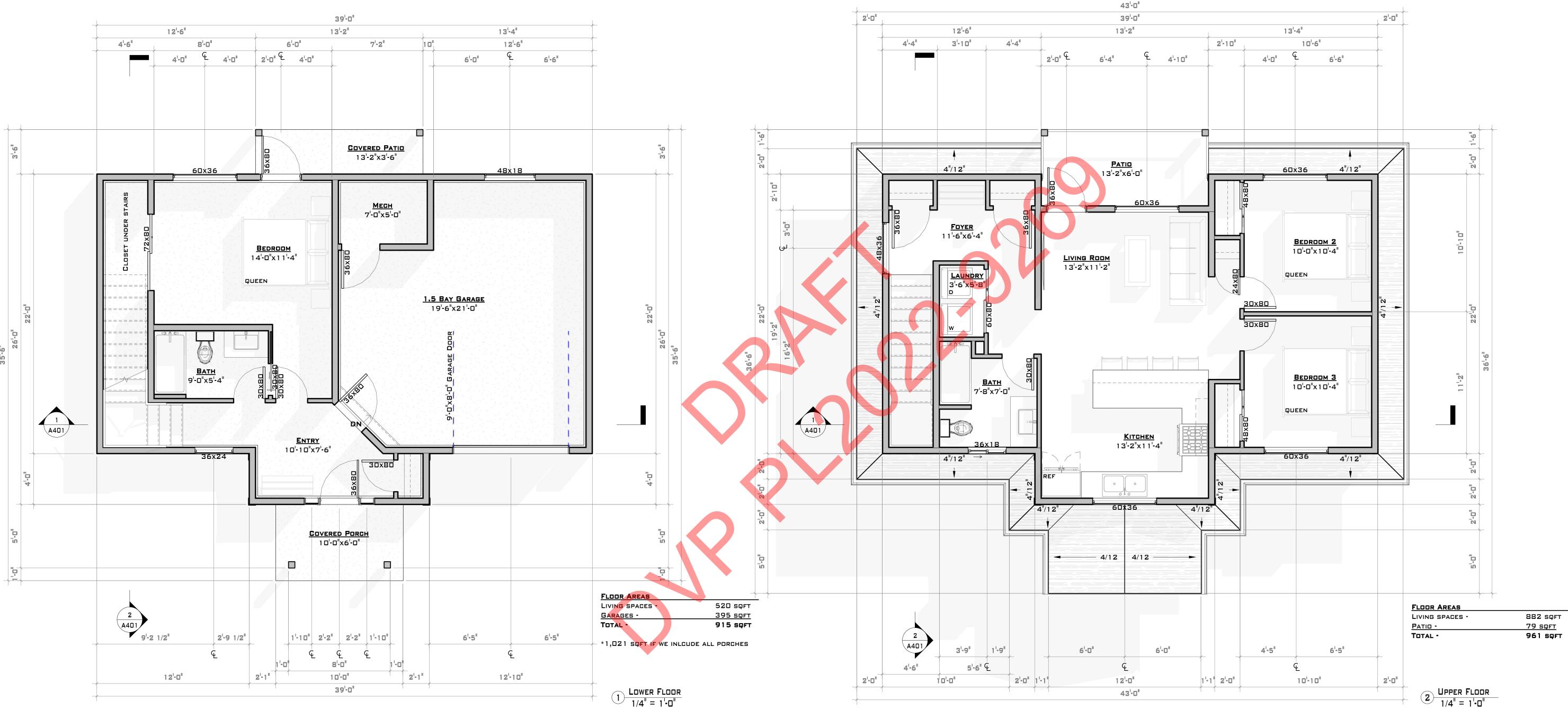


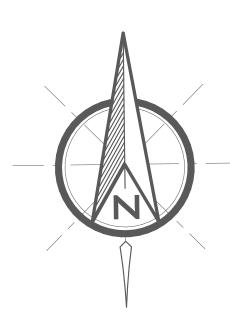
FLOOR PLAN NOTES

- 1. ALL WINDOW AND DOOR ROUGH OPENING SIZES TO BE SHOWN IN INCHES (30x80) FIRST DIMENSION BEING WIDTH, SECOND DIMENSION BEING HEIGHT.
- 2. Top of windows are assumed to be 6'-8" above subfloor except where indicated on elevations.

 3. If any elements shown on these plans conflict with structural notes or specifications, structural
- 3. If any elements shown on these plans conflict with structural notes or specifications, structural takes precedence.
- 4. ALL SMOKE ALARMS AND CO DETECTORS TO BE HARD WIRED & INTERCONNECTED.
- 5. ROOF TRUSSES ABOVE ARE TO PROVIDE FLAT CEILINGS UNLESS OTHERWISE NOTED UNDER ROOM TAG.







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No. DATE REVISION

1 02/02/2022 Issue for Variance

DATE MARCH 09, 2022
JOB NO. 211106

PROJECT TITLE

SCALE

BETTER FOR YOU.

MANSFIELD

CARRIAGE HOUSE

AS INDICATED

SHEET NUMBER

A201

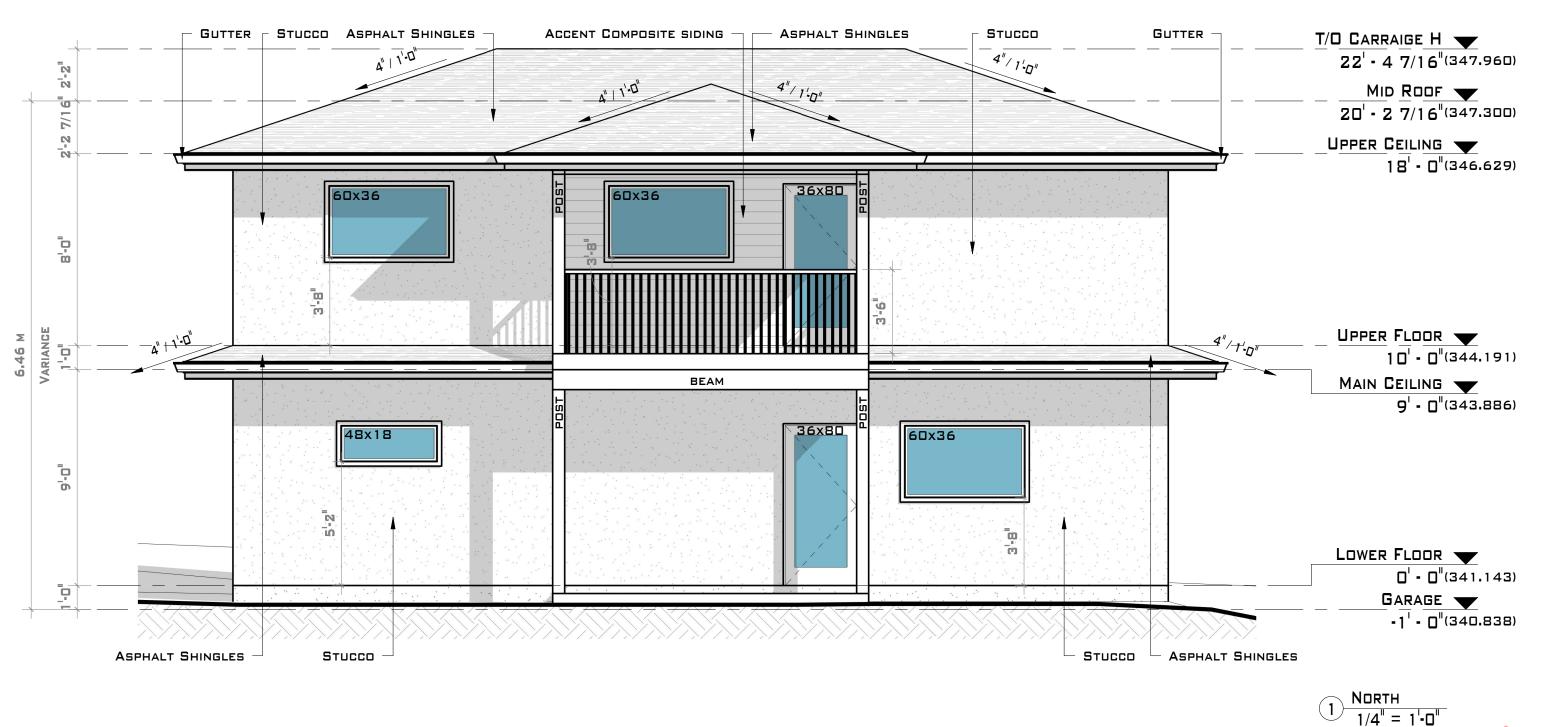
DRAWING TITLE

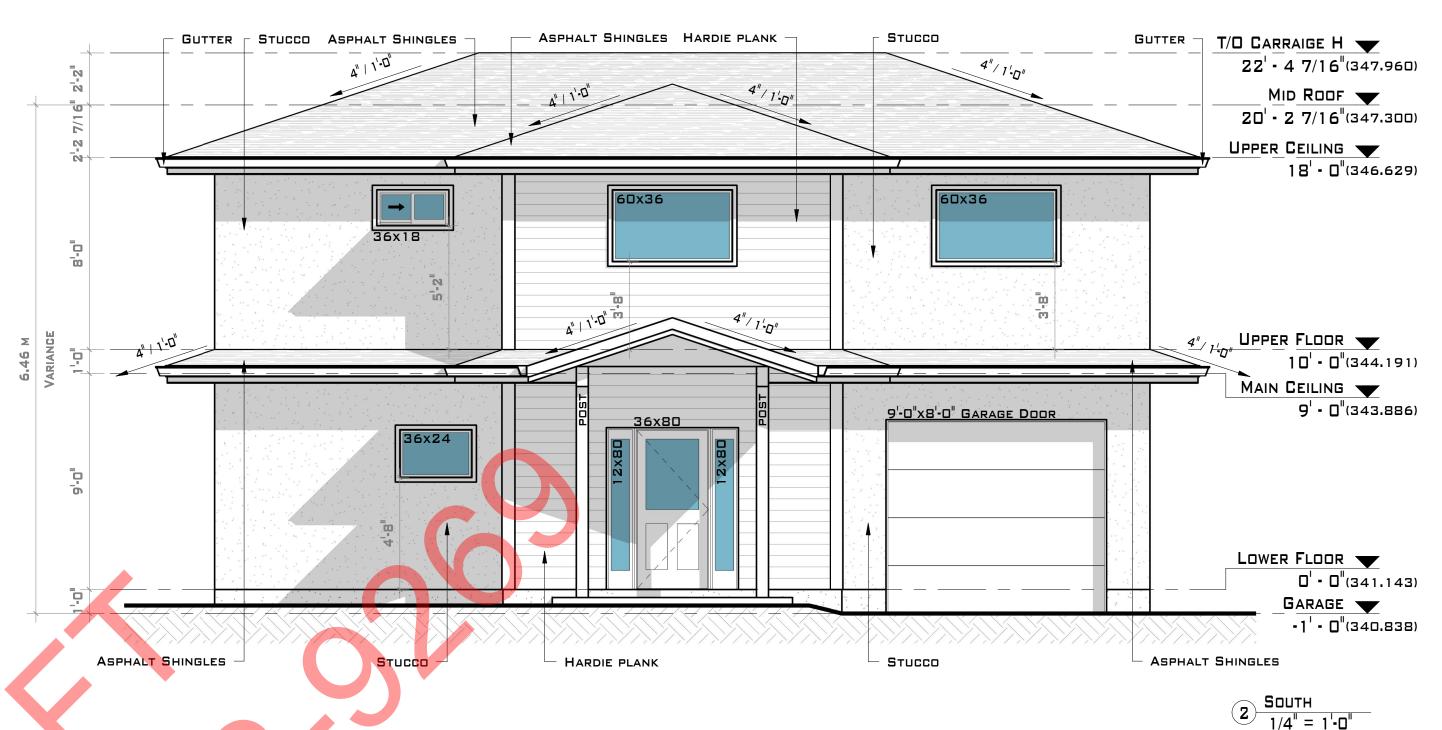
FLOOR PLANS

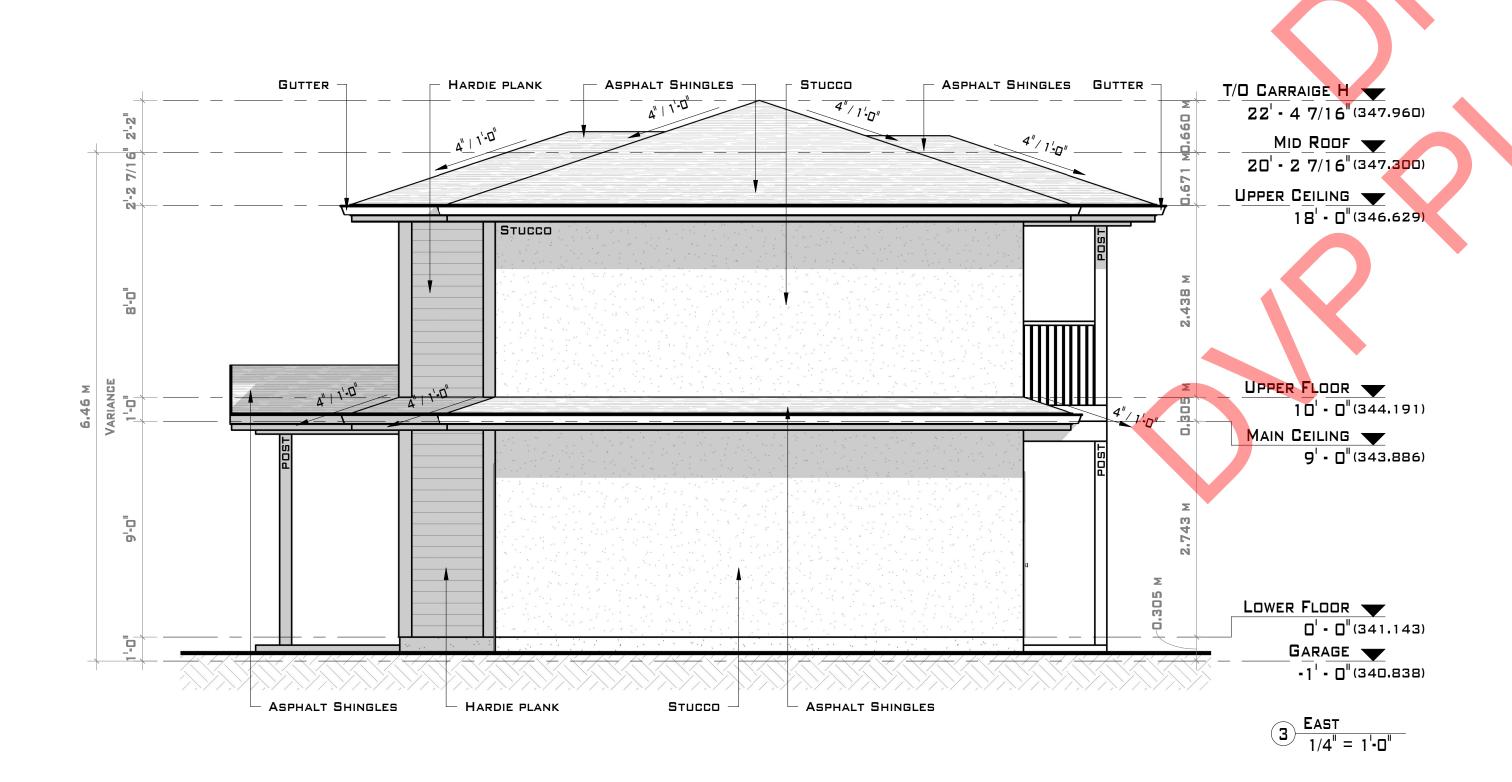
ELEVATION & EXTERIOR NOTES

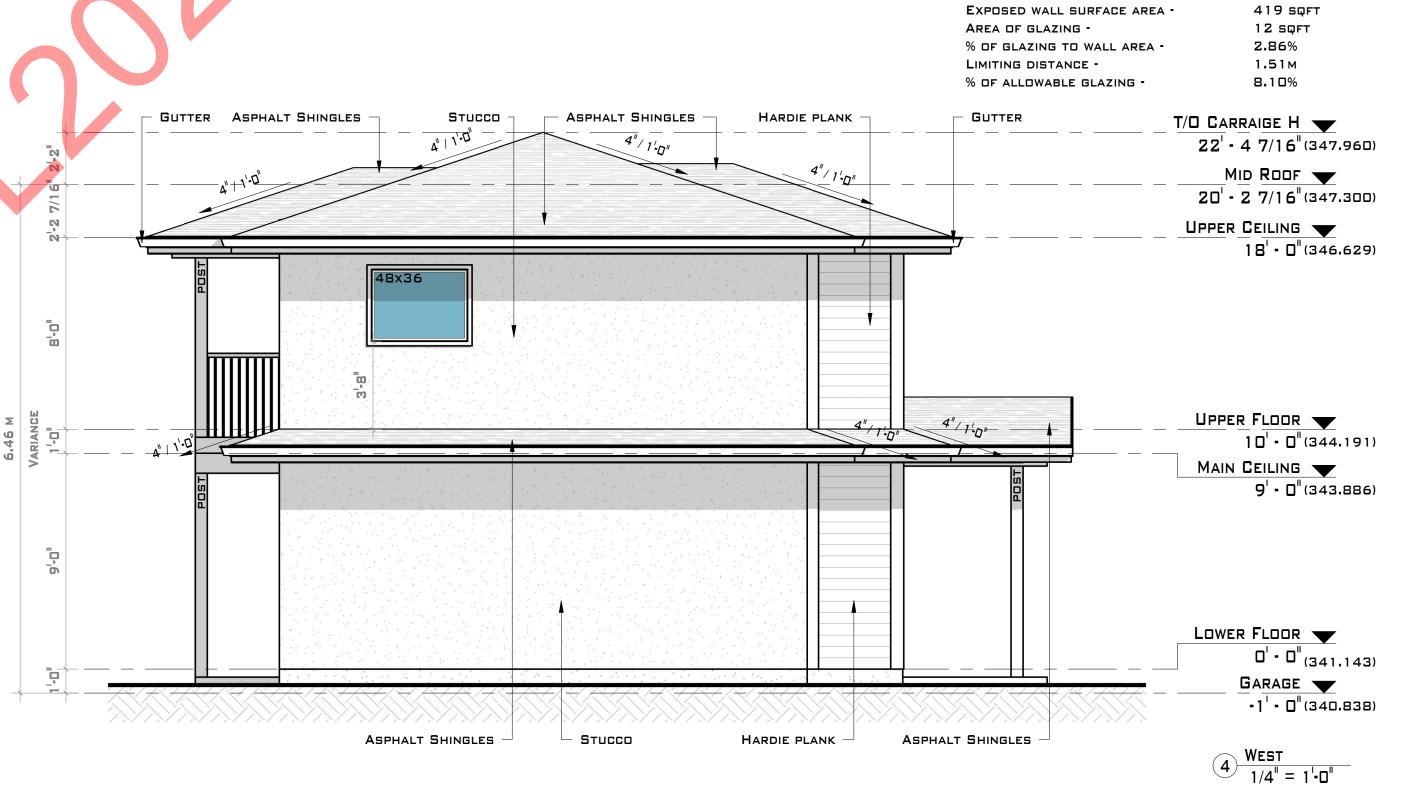
- 1. ALL WINDOWS & DOORS SHALL CONFORM TO BCBC 9.7.
- 2. Top of windows are assumed to be 6'-8'' above subfloor except where indicated.
- 3. Resistance to forced entry required for windows within 2.0m of finished grade
- 4. FLASHING REQUIRED ABOVE & BELOW ALL UNPROTECTED OPENINGS & HORIZONTAL TRANSITIONS 5. NO SOFFIT MAY BE VENTED WITHIN 1.2M OF INTERIOR SIDE LOT LINES
- 6. STRUCTURAL WOOD ELEMENTS WITHIN 1'- 6" OF FINISHED GRADE MUST BE PRESSURE TREATED
- 7. CONCRETE SHALL NOT BE PLACED AGAINST WOOD FRAMING
- 8. ALL GRADES TO SLOPE AWAY FROM PROJECT











EXPOSED NORTH FACE:

168 - 1458 PENTICTON AVE PENTICTON, BC | V2A 8L3 (250) 487 8278 WWW.GARTNERSDESIGNS.COM GARTNERSDESIGN@GMAIL.COM

GARTNER'S CUSTOM HOUSE DESIGNS

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1 02/02/2022 Issue for Variance

MARCH 09, 2022 JOB NO. 211106 SCALE 1/4" = 1'-0"

PROJECT TITLE

No. DATE

MANSFIELD CARRIAGE HOUSE

SHEET NUMBER

A301

DRAWING TITLE

ELEVATIONS