

June 8, 2023

Address & Legal Description:

285 Dawson Ave

Lot 8 District Lot 251 Similkameen Division Yale District Plan
11264 Except Plan KAP69961

Subject & Proposal

Development Variance Permit PL2023-9599

The applicant is proposing to construct an accessory building that is approximately 418 m² (4500 ft²) in size to use for vehicle storage. Due to the turning radius of fire department vehicles, the accessory building needs to be located at 0.0 m setback on the exterior (east) property line to allow entry and exit into the building.



In order to facilitate the construction of the accessory building, the applicant has requested a variance to the following section of Zoning Bylaw 2023-08:

- Section 12.1.2.6: To reduce the minimum exterior yard from 4.5 m to 0.0 m.

Council Consideration:

Council will consider the Development Variance Permit at its Regular Council Meeting scheduled for **1:00 pm, Tuesday, June 20, 2023** 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.

Information:

You can find the staff report to Council and Development Variance Permit PL2023-9599 on the City's website at www.penticton.ca/publicnotice or scan the QR code on the right.

Please contact the file manager Jordan Hallam at 250-490-2429 or jordan.hallam@penticton.ca with any questions.



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, June 20, 2023**, 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: 285 Dawson Ave.

No letter, report or representation from the public will be received by Council after the conclusion of the June 20, 2023 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 & Licencing Manager

Date: June 20, 2023
To: Donny van Dyk, Chief Administrative Officer
From: Jordan Hallam, Planner I
Address: 285 Dawson Avenue
Subject: Development Variance Permit PL2023-9599

File No: RMS/285 Dawson Ave

Staff Recommendation

THAT Council approve “Development Variance Permit PL2023-9599” for Lot 8 District Lot 251 Similkameen Division Yale District Plan 11264 Except Plan KAP69961, located at 285 Dawson Ave, a permit to vary Section 12.1.2.6 of Zoning Bylaw 2023-08, to reduce the minimum exterior yard from 4.5 m to 0.0 m, in order to facilitate the construction of an accessory building, intended to hold equipment for the Penticton Fire Department;

AND THAT Council direct staff to issue the “Development Variance Permit PL2023-9599”.

Strategic Priority Objective

Safe and Resilient: Enhance and protect the safety of all residents and visitors to Penticton.

Proposal

The applicant is proposing to construct an accessory building that is approximately 418 m² (4500 ft²) in size to use for vehicle storage space for the Penticton Fire Department. Due to the turning radius of fire department vehicles, the accessory building needs to be located at 0.0 m setback on the exterior (east) property line to allow entry and exit into the building. As such, the applicant has requested a variance to reduce the minimum exterior setback from 4.5 m to 0.0 m to allow for the construction of an accessory building.

Background

The subject property is located on the north side of Dawson Ave, in a primarily industrial and commercial area (Figure 1). The property is zoned ‘M1 – General Industrial’ by Zoning Bylaw 2023-



Figure 1 – Property Location Map

08. The Official Community Plan (OCP) designation is 'Institutional and Civic'. The subject property is the location of City of Penticton Fire Hall #202, and where the Fire Department conducts training.

Development Statistics

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

	M1 Zone Requirement	Provided on Plans
Minimum Lot Width*:	20.0 m	82.4 m
Minimum Lot Area*:	1000 m ²	14,006.2 m ²
Required Setbacks		
Front Yard (Dawson Ave):	6.0 m	> 10.0 m
Exterior Side Yard (east):	4.5 m	0.0 m – variance requested
Interior Side Yard (west):	6.0 m	> 10.0 m
Rear Yard (north):	0.0 m	> 3.0 m
Maximum Building Height	15 m	8.2 m – height of accessory building
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Development Variance Permit

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 variance to reduce the exterior (east) yard setback from 4.5 m to 0.0 m and are recommending support for the following reasons:

1. Location of subject property

The subject property is within the industrial area of the City of Penticton, and most properties in this area are zoned 'M1 – General Industrial' (Attachment A). The two properties most affected across Camrose St (300 Warren Ave and 2250 Camrose St) both operate as industrial businesses and they are large sites. As Camrose Street bisects those properties, staff consider that the requested variance to reduce the exterior side yard from 4.5 m to 0.0 m will not have a negative impact on neighbouring properties.

2. Exterior Setback

The proposed setback reduction is for an exterior setback, where a property line is immediately adjoining a street. If the proposed accessory building was on the other side of the property, and if the subject property was adjoining another industrial zoned property, the interior setback requirements would be 0.0 m as per the Zoning Bylaw. Additionally, the proposed accessory building will not be impeding the sightlines of traffic turning onto Camrose St from Warren Ave E, or

Dawson Ave. There will be no direct access from the street to the building. All access to the new building will come from on site, utilizing existing driveways.

Given the reasons above, staff consider the variance request is reasonable in this instance. As such, staff are recommending that Council approve the variance and direct staff to issue the permit.

Should Council approve the variance, staff would proceed with proceeding with the Building Permit.

Alternate Recommendations

Council may consider the requested variance is undesirable and that the applicants should build within the Zoning Bylaw regulations. If this is the case, Council should deny "Development Variance Permit PL2023-9599". If this decision is made, the applicant would need to update their plans and redesign to meet the Zoning Bylaw regulations. Staff are recommending against this option, as the requested variance is considered reasonable in this instance and the letter of intent indicates that there will be minimal impacts on surrounding properties.

1. THAT Council deny "Development Variance Permit PL2023-9599".

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Photos of Property

Attachment D – Draft Development Variance Permit PL2023-9599

Respectfully submitted,

Jordan Hallam
Planner I

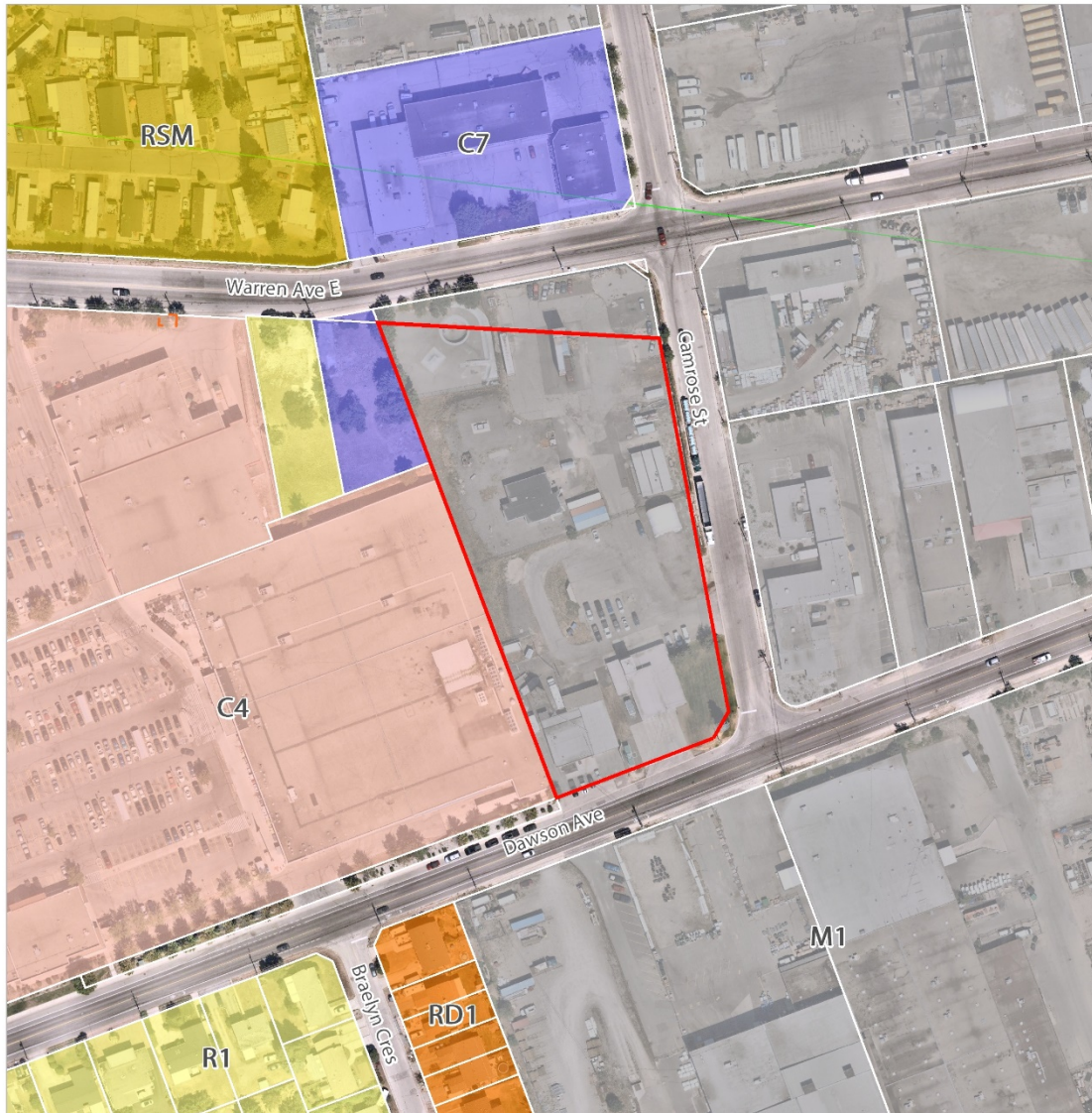
Concurrence

Director of Development Services	General Manager of Community Services	Chief Administrative Officer
<i>BL</i>	<i>JH</i>	

Attachment A – Zoning Map

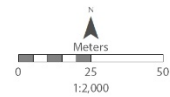


285 Dawson Ave Zoning Map



Legend

- | | | |
|--|--|---|
| Subject Parcel | R1 - Large Lot Residential | C4 - General Commercial |
| | RSM - Mobile Home Park Housing | C7 - Service Commercial |
| | RD1 - Duplex Housing | M1 - General Industrial |



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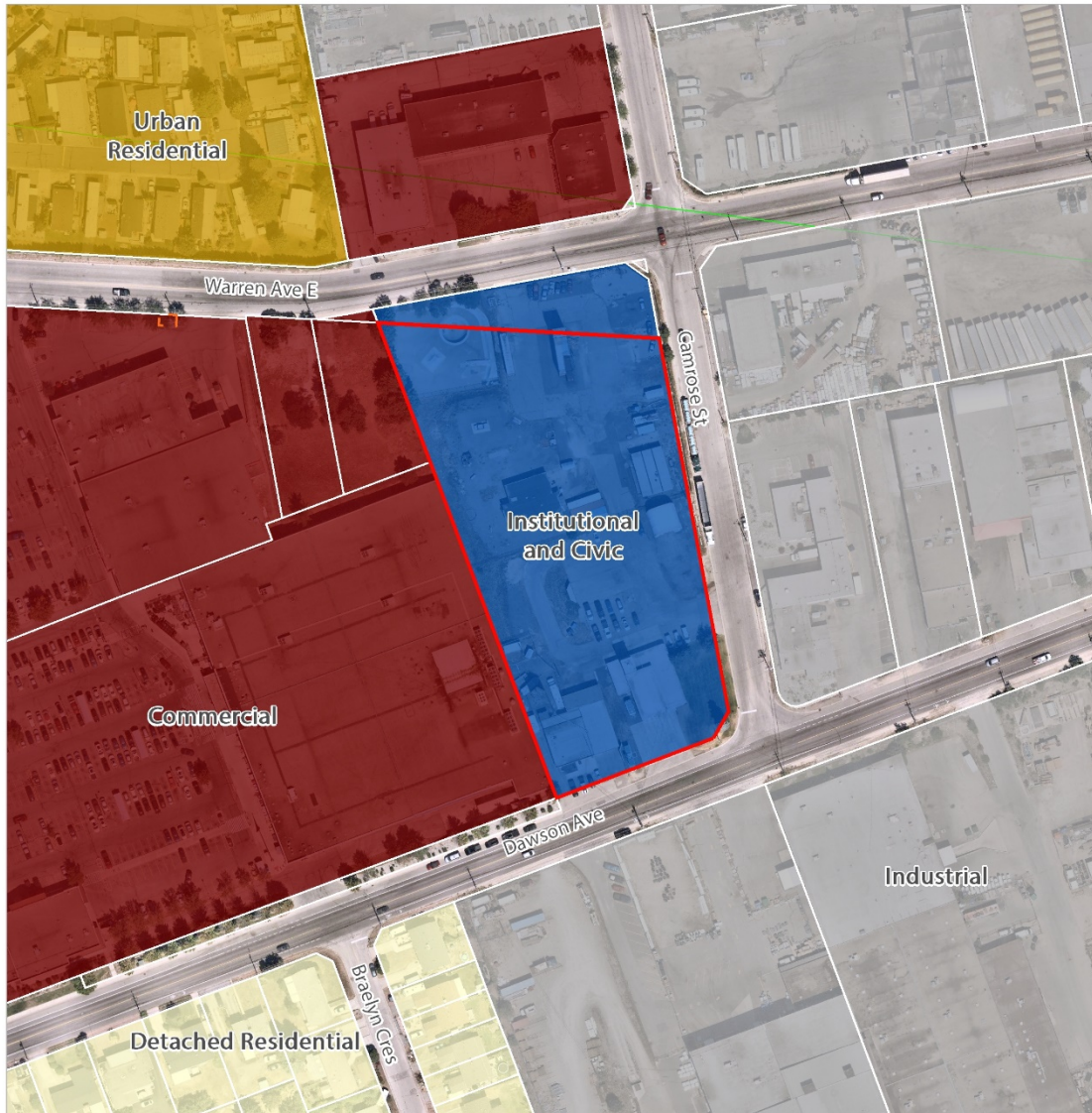
Monday, May 25, 2025 10:11:18 AM

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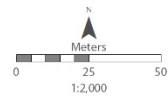
285 Dawson Ave

OCP Map



Legend

- | | |
|---|-------------------------|
| Subject Parcel | Future Land Use |
| | Detached Residential |
| | Institutional and Civic |
| | Commercial |
| | Urban Residential |
| | Industrial |

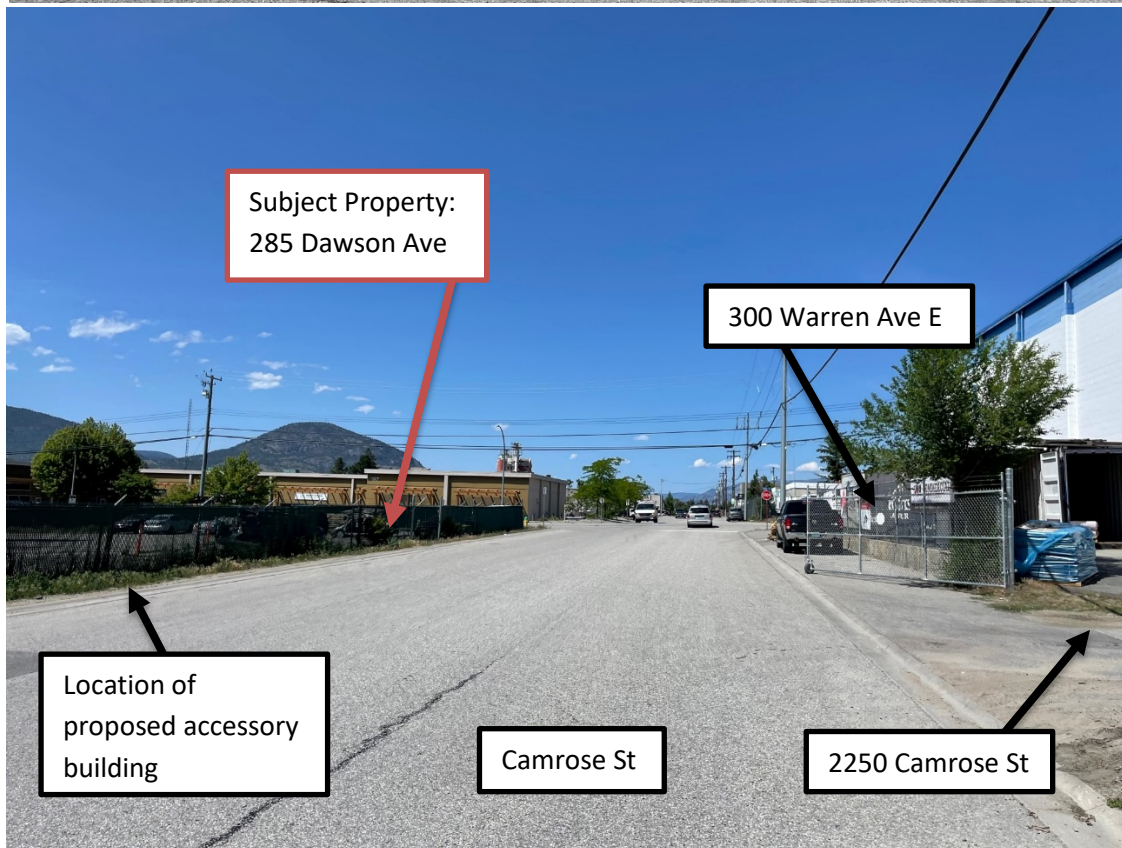


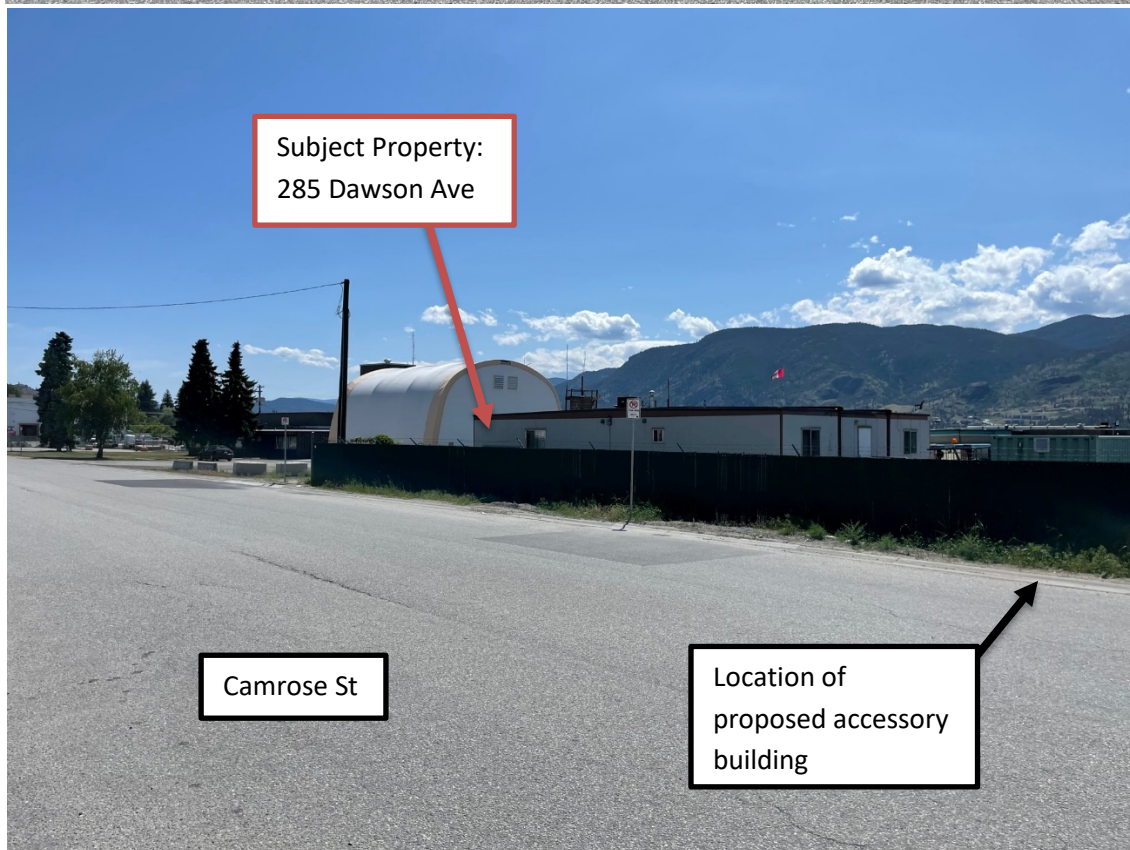
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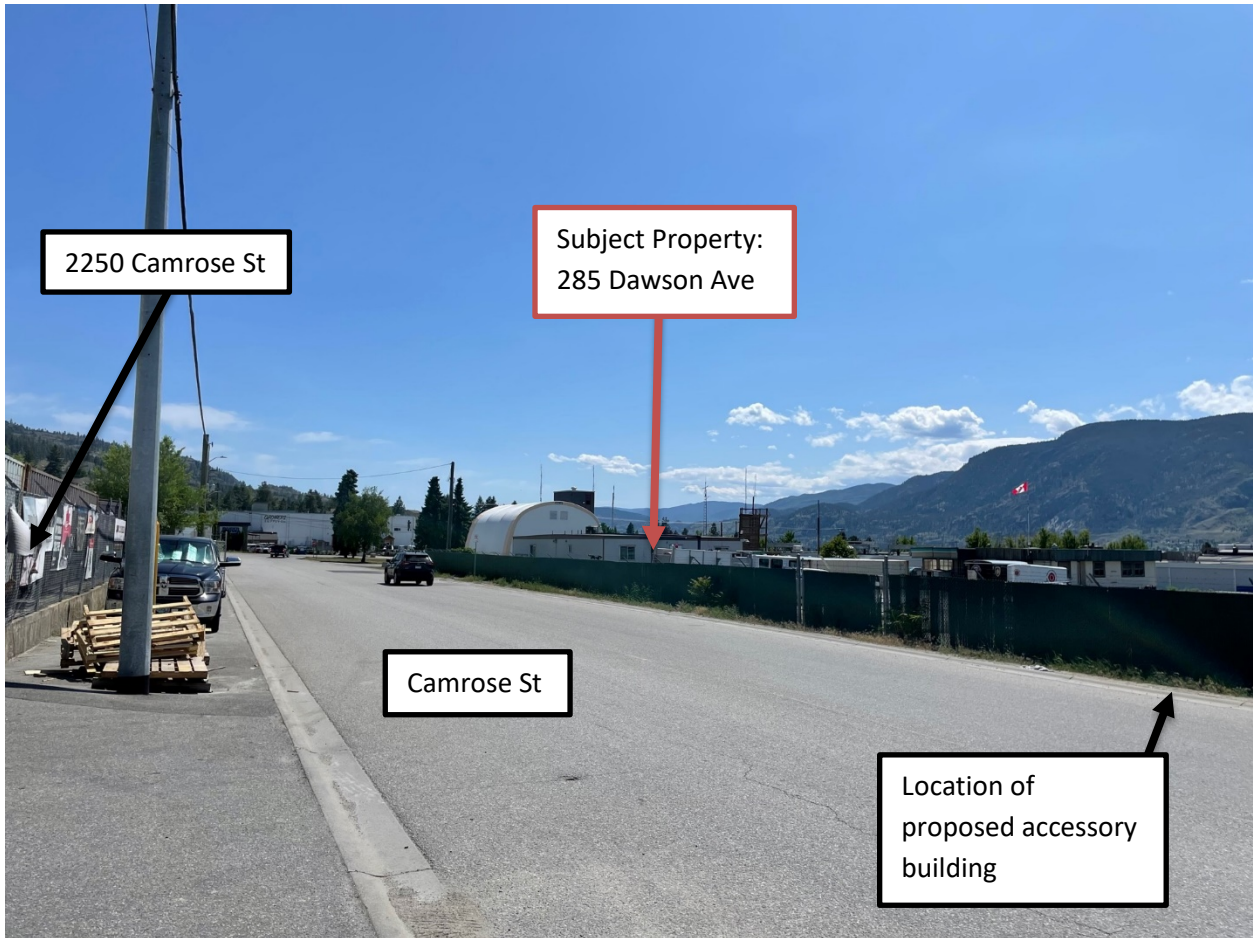
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Attachment C – Photos of Property







Development Variance Permit

Permit Number: DVP PL2023-9599

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 8 District Lot 251 Similkameen Division Yale District Plan 11264 Except Plan KAP69961
 - Civic: 285 Dawson Avenue
 - PID: 009-493-557
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2023-08 to allow for the construction of an accessory building, as shown in the plans attached in Schedule 'A':
 - a. Section 12.1.2.6: to reduce exterior side yard from 4.5 m to 0.0 m.

General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the 20th day of June, 2023.

Issued this ____ day of June, 2023.

Angela Collison
Corporate Officer

DRAFT

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No.	DATE	REVISION
01	2023.06.06	PROPOSED BUILDING LOCATION

PROJECT TITLE
602 LAKESHORE DRIVE
PENTICTON, BC

DRAWING NUMBER

A201

DRAWINGS ARE NOT TO BE SCALED.
ALL DIMENSIONS SHALL BE VERIFIED ON SITE

DRAWING TITLE

PROPOSED
BUILDING SITE
LOCATION

DATE	2023.06.06
JOB NO.	23.220
SCALE	AS NOTED
DRAWN	RJA
CHECKED	CM

NEW BUILDING
EDGE OF SLAB SETBACK 1'-0"
FROM PROPERTY LINE TO
ALLOW FOR BUILDING
OVERHANG CLEARANCE

85'-0"

1'-0"

GATE

NEW BUILDING
(45' X 100' = Exterior Dimensions)
(41' x 96' = Interior Dimensions)

CAMROSE STREET

WARREN AVENUE EAST

DAWSON AVENUE

3
PLAN 7180