Public Hearing Notice

January 25, 2024

penticton.ca

Property:
460 Conklin Ave

Lot 13 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3867

Subject & Proposal
Official Community Plan Amendment Bylaw 2024-01
Zoning Amendment Bylaw 2024-02

The applicant is proposing to construct two triplexes (total of 6 units) at 460 Conklin Ave. (Figure 1) and has applied:

- To amend the future land use designation on the subject property from 'Detached Residential' to 'Ground Oriented Residential', and
- To amend the zoning at 460 Conklin Avenue from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing).

Figure 1 – Conceptual Rendering of Proposed Development

Information:
You can find the staff report to Council, Official Community Plan Amendment Bylaw 2024-01 and Zoning Amendment Bylaw 2024-02 on the City's website at www.penticton.ca/publicnotice or scan the QR code to the right.

Council Consideration:
A Public Hearing has been scheduled for **6:00 pm, Tuesday, February 6, 2024** in Council Chambers, Penticton City Hall, 171 Main St.

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

Questions?
Please contact **Jordan Hallam** at **250-490-2429** or jordan.hallam@penticton.ca with any questions.

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Public Comments:
Any person whose interest may be affected by the proposed bylaw(s):

1. May participate at the Public Hearing via Zoom or telephone. Please visit www.penticton.ca/publichearings for details and the Zoom link.

2. May appear in person.

3. Submit written comments by mail or email no later than 9:30 am, Tuesday, February 6, 2024, 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: 460 Conklin Ave.

No letter, report or representation from the public will be received by Council after the conclusion of the February 6, 2024 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 & Licencing Manager

Council Report

penticton.ca

Date: January 16, 2024 File No: RMS/460 Conklin Ave
To: Anthony Haddad, City Manager
From: Jordan Hallam, Planner II
Address: 460 Conklin Avenue

Subject: **Official Community Plan Amendment Bylaw No. 2024-01**
Zoning Amendment Bylaw No. 2024-02
Development Permit PL2023-9621

Staff Recommendation

1. Official Community Plan

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2024-01", and in accordance with Section 475 of the *Local Government Act*, Council consider whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67;
5. The provincial or federal government and their agencies.

AND THAT it is determined that the community engagement period carried out from October 18, 2023 to November 19, 2023 is sufficient;

AND THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2024-01", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw No. 2019-08, by amending the future land use designation for Lot 13 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3867, located at 460 Conklin Avenue, from 'Detached Residential' to 'Ground Oriented Residential'.

2. Zoning Amendment

THAT Council give first reading to "Zoning Amendment Bylaw No. 2024-02", Lot 13 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3867, located at 460 Conklin Avenue, a bylaw to rezone the subject property from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing);

AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2024-01" and "Zoning Amendment Bylaw No. 2024-02" to the February 6, 2024 Public Hearing.

AND THAT prior to adoption of "Official Community Plan Amendment Bylaw No. 2024-01" and "Zoning Amendment Bylaw No. 2024-02", Council require the following condition to be met:

1. A 0.5 m wide road dedication along the frontage of 460 Conklin Avenue be registered with the Land Title Office.

3. Development Permit

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2024-02", approve "Development Permit PL2023-9621", a permit to approve the form and character of the proposed 6-unit townhouse, consisting of two, 2-storey buildings.

Strategic Priority Objective

Livable and Accessible: Proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Proposal

The applicant is proposing to construct a 6-unit townhouse, consisting of two triplexes at 460 Conklin Ave (Figure 1). The applicant has submitted a Letter of Intent, which outlines their proposal in more detail (Attachment 'E').

Required Applications

The proposal is to allow for a townhouse development on the subject property. The applicants have applied for the following applications: Official Community Plan (OCP) Amendment, Zoning Amendment, and Development Permit. The following table outlines the planning applications that are required for the proposed development to proceed (prior to any building permits being issued):

Application Required	Description	Approval Authority
Official Community Plan Amendment Bylaw	To amend the future land use designation on the subject property from 'Detached Residential' to 'Ground Oriented Residential'	Council with community engagement. Public Hearing required.
Zoning Amendment Bylaw	To amend the zoning at 460 Conklin Avenue from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing)	Council. Public Hearing required.
Development Permit	To approve the form and character of the mixed-use development	Council/staff delegated.

Figure 1 – Conceptual Rendering of Proposed Development

In order to facilitate the proposed development, the applicant is requesting the following:

1. To amend the Official Community Plan (OCP) future land use designation on the property from 'Detached Residential' to 'Ground Oriented Residential'.
2. To amend the zoning on the property of 460 Conklin Ave from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing).

The applicant has submitted a Development Permit application for the form and character of the proposed development, which has been included for Council's consideration. This report also presents the engagement summary from the public engagement period that occurred between October 18, 2023 to November 19, 2023 for the proposed development.

Background

Official Community Plan

Official Community Plan Bylaw No. 2019-08 was adopted in August 2019, establishing a vision for Penticton's growth over the next 30 years and beyond. It provides strategic policies and direction for meeting that vision. The plan, however, is not meant to be a static document; it includes a process, through meaningful community consultation, where amendments to the plan may be considered as long as the vision and intent of the OCP remains intact. In 2021, Council adopted the *Community Engagement for OCP Amendments Procedure*, which outlines how public engagement for Official Community Plan amendments should occur. At the October 17, 2023 Council meeting, Council directed staff to begin engagement following this procedure for the proposed development of an 8-unit townhouse, consisting of two 3-storey buildings on the subject property. The purpose of the engagement was to share information and gather public feedback on the proposal. Following Council's direction, the engagement period was carried out from October 18, 2023 to November 19, 2023. A summary of this engagement is included in this report (Attachment 'F').

Based on the feedback received during the engagement period, the applicants have amended their designs to lower both the height (three storeys to two storeys) and density (8 units to 6 units) for the development.

Property Description

The development consists of a property located on the south side of Conklin Ave, east of Moosejaw St (Figure 2). The property is currently vacant and does not have any buildings on it. A fire broke out on the property in June 2022, damaging the single family dwelling that was on the property which was later demolished. There are a variety of land uses in the area including commercial, and institutional. The property is within walking distance of Okanagan College, and fronts directly onto a transit route along Conklin Ave.

The property is currently designated 'Detached Residential' by the Official Community Plan, and is zoned R1 (Large Lot Residential).

Figure 2 – Property Location Map

Climate Impact

Council adopted the Community Climate Action Plan (CCAP) in 2021. The proposed development is consistent with the following aspects of the CCAP:

- **Shift Beyond the Car:** Encourage active & accessible transportation and transit
  - Six Class 1 bicycle parking spaces provided, meeting the minimum required as per the Zoning Bylaw.
  - A transit route runs along Conklin Ave with a transit stop almost directly in front of the subject property.
  - The Lake-to-Lake Cycling route runs along Fairview Rd, two blocks away from the subject property.
- **Step up New Buildings:** All new buildings will be required to meet the BC Energy Step Code requirements at the time of construction.
- **Electrify Passenger Transport:** Every dwelling unit is required to have 1 (6 total) Level 2 – Electric Vehicle Ready Charger.

Technical Review

The original application package (8-unit townhouse, 3-storeys in height) was reviewed by the Technical Planning Committee, a group of internal staff who review development applications. Comments related to the future building permit application were provided to the applicant in the case that the land use applications are successful. The 0.5 m road dedication in front of 460 Conklin Ave is to allow for two boulevard trees.

After redesigning to propose a 6 unit townhouse, 2-storeys in height on the subject property, the comments related to the future building permit application still apply from the Technical Planning Committee. Additionally, the 0.5 m road dedication in front of 460 Conklin Ave to allow for two boulevard trees is still required.

Development Statistics

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

	RM2 Zone Requirement 6 Residential Dwelling Units	Provided on Plans
Minimum Lot Width*:	18.0 m	17.9 m
Minimum Lot Area*:	540 m^2	1031.9 m^2
Maximum Lot Coverage:	40%	36.4%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.64 FAR
Vehicle Parking:	Total Required: 1 per dwelling unit plus 0.25 spaces/unit for visitors **Total Required: 6 spaces** **Total Visitor Required: 2**	**Total Per Dwelling: 6 spaces** **Total Visitor: 6 spaces** **Total Provided: 12 spaces**
Level 2 Electric Vehicle (EV) Ready Chargers:	Total Required: 1 per dwelling unit **Total Required: 6 chargers**	**Total EV Ready Chargers Provided: 6 chargers**
Bicycle Parking:	Class 1 required: 0.5 per unit OR noted inside garage/storage area **Total Class 1 Required: 3**	**Class 1 provided: 6 spaces (1 in each storage area)**
Landscape Buffer (east):	Total Required: Minimum 3.0 m wide and one tree for every 10.0 m buffer area. One shrub for every meter of buffer area. **Total Required: Minimum 3.0 m wide, 5 trees, and 57 shrubs.**	**Total Provided: 3.0 m wide, 4 trees, and 112 shrubs (Variance to trees through Development Permit).**
Landscape Buffer (north):	Total Required: Minimum 3.0 m wide and one tree for every 10.0 m buffer area. One shrub for every meter of buffer area. **Total Required: Minimum 3.0 m wide, 2 trees, and 17 shrubs.**	**Total Provided: 3.0 m wide, 3 trees, and 65 shrubs.**
Required Setbacks Front Yard (Conklin Ave): Side Yard (east):	 3.0 m 1.5 m	 3.0 m 1.5 m

	RM2 Zone Requirement 6 Residential Dwelling Units	Provided on Plans
Side Yard (west lane): Rear Yard (lane):	1.5 m 6.0 m	5.86 m 6.71 m
Maximum Building Height	12 m	7.0 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Community Engagement Summary

Staff notified and involved the community in accordance with the *Community Engagement Procedure for OCP Amendments*. The engagement program was intended to gather feedback on the proposed land use change to allow an 8-unit townhouse, consisting of two 3-storey buildings at this location. The engagement program launched October 18, 2023 and ran through to November 19, with a total of 113 feedback forms received by the deadline.

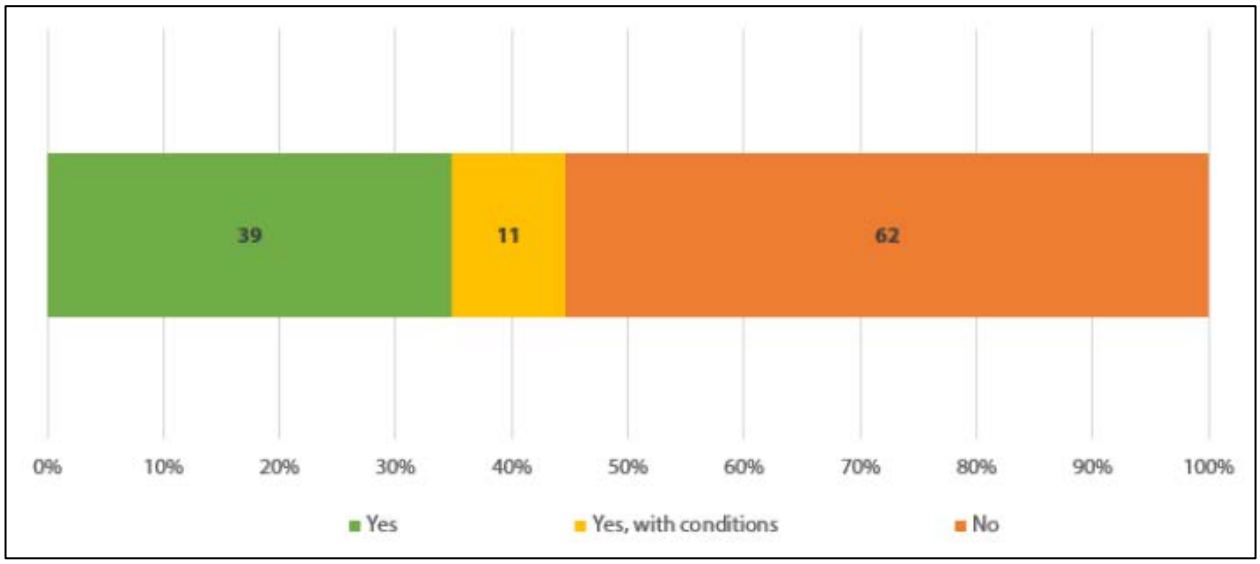
To notify the community and the opportunity to share feedback, staff completed the following:

Date	Activity
Oct. 18 – Nov. 19	Project information and feedback form on www.shapeyourcitypenticton.ca
Oct. 18	Kiosk available at library
Oct. 18	Press Release
Oct. 18	Shapeyourcitypenticton.ca Eblast
Oct. 18	Referral to stakeholders - Feedback received from RDOS, that they are unaffected by the proposal - Feedback received from BC Transit, that they are supportive of the proposed development
Oct. 20	Mailed notices to property owners and tenants within 100m of the subject property
Oct. 20	Posted sign (1) on the subject property
Oct. 25	Social media post
Oct. 25	Newspaper ad – Penticton Western
Oct. 27	Newspaper ad – Penticton Herald
Oct. 30	Newspaper ad – Penticton Herald
Oct. 30	Social media post
Oct. 31	Shapeyourcitypenticton.ca Eblast
Nov. 1	Newspaper ad – Penticton Western
Nov. 1	Online information session
Nov. 6	In person information session – Penticton Trade and Convention Centre
Nov. 15	Social media post
Nov. 19	Deadline for feedback forms

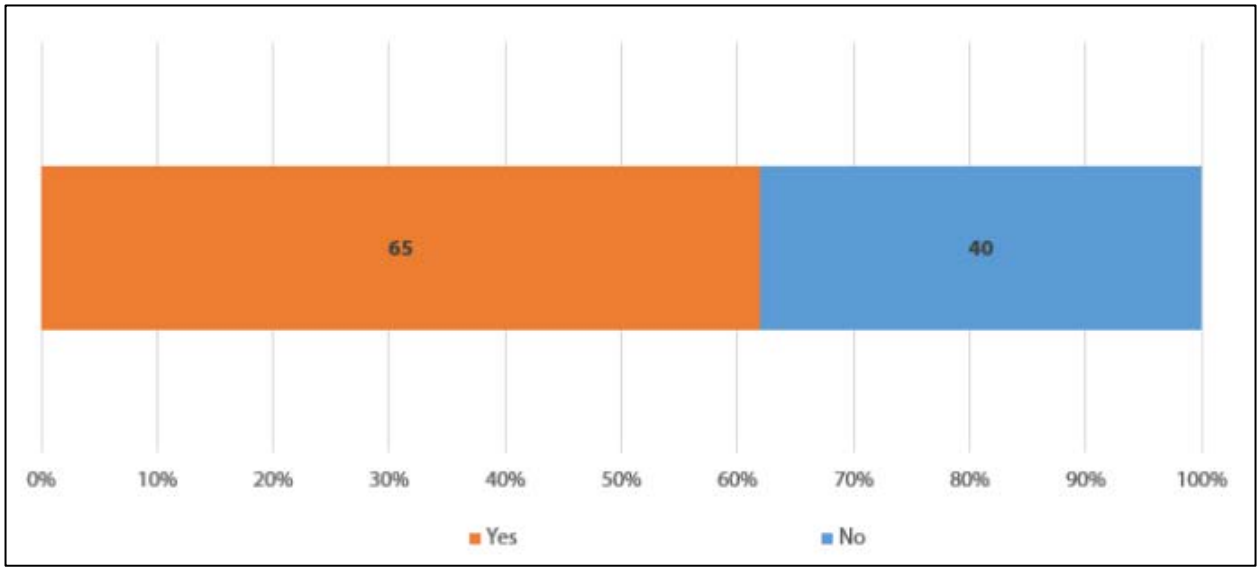
The intent of the information sessions were to inform community members about the application, share accurate information on the proposal and the process, and indicate how and where community members can share their comments, concerns and feedback on the proposal. The online information session saw a total of 15 attendees, and the open house had a total of 48 attendees. The engagement report, which includes the results from the engagement period has been included as Attachment 'F'.

The key findings from the feedback forms collected during the engagement period found that 54.9% of respondents do not support the land use change from Detached Residential to Ground Oriented Residential. Another 9.7% support the change with conditions largely related to building size, parking, potential for precedent setting, and lack of green space. A portion of respondents (34.5%) are in favour of changing the land use.

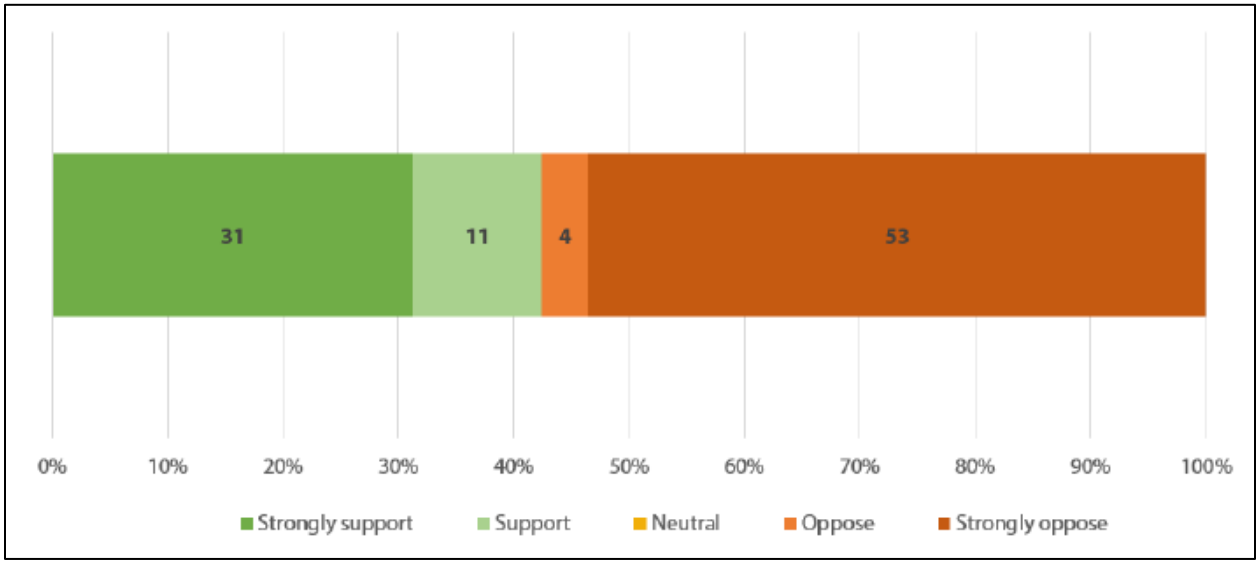
The following chart shows the feedback forms results to the questions "**Do you agree with changing the land use on this site from Detached Residential to Ground Oriented Residential?"**:



Additionally, the following chart demonstrates that more than half of respondents have concerns with changing the future land use designation on the site, when asked: **"Based on the information provided, would you have any concerns about what is being considered for this site?"**:



Participants were asked **"Rate your level of support for the development that is being proposed for this site"**. The following chart shows that less than half of respondents either support or strongly support the proposed townhouse, while more than half either oppose or strongly oppose the proposed townhouse development.



Through the engagement period, the Planning Department and Communications and Engagement Department heard the following main concerns about the proposed land use change to allow an 8-unit townhouse, 3-storeys in height:

- The proposal is too tall in height, and does not meet the character of the neighbourhood.
- Keep height to 2 storeys and maintain green space.
- Ensure sufficient off-street parking.
- The proposed development is too dense for the property. Two to four units would be better suitable.
- The proposal does not include enough green space, trees, or landscaping on the property.
- The building closest to Conklin Avenue is too close to the street, and should be setback further.

- Privacy concerns for the neighbour most directly impacted to the east of the property.
- The amount of variances required to construct this development is too much, and does not consider the neighbours.

The engagement period was led by Planning Department staff with assistance from the Communications and Engagement Department. Staff listened through the engagement period, to ensure that they heard a fair representation of comments and concerns from the community and nearby neighbours. Once the engagement period closed, staff shared the results to the public (via Shape Your City) and the applicant.

After the closing of the engagement period, staff sent the applicant the engagement results and also met with the applicant to discuss the results and how they wished to proceed. The original application submitted included an 8-unit townhouse, consisting of two 3-storey buildings. The applicant also applied for site-specific zoning to accommodate the increased density on the subject property. Additionally, the original application required four variances to increase lot coverage, reduce setbacks, and for balconies to project closer to property line that what the Zoning Bylaw permits.

As a result of the engagement results and working with staff, the applicant came back with new plans. The new plans were changed to reflect the following:

- Reduced the number of units from 8 to 6.
- The building height was lowered from 3-storeys to 2-storeys in height.
- The new plans doubled the number of off-street parking spaces from 1 per dwelling unit to 2 per dwelling unit.
- Site-specific zoning for increased density is no longer required as the applicant reduced the number of units.
- The proposed buildings are aligned with the Zoning Bylaw, and no variances for setbacks, height, or projections are required.

The applicant has submitted a letter regarding the changes as a result of the engagement which has been included as Attachment 'G'.

Analysis

Official Community Plan Amendment

Recognizing that the Official Community Plan (OCP) is a "living document", amendments to the OCP are to be expected from time to time. While the OCP guides land use decisions up to 2045, it is likely that over that timeframe, changing trends or unexpected events will require the City and community to consider amendments to the plan. Proposals to amend the OCP that respect the overall vision and values of the OCP, but also allow for innovation and adaption as new opportunities arise, are considered by City Council, with the following considerations:

1. Alignment with broad OCP visions and goals
2. Provision of demonstrable social, economic and environmental benefits to the community
3. Assessment of cost and other implications for infrastructure – parks, roads, utilities, water, sanitary and storm sewer, public facilities
4. Suitability to context – form, character and design

5. All proposed amendments will be accompanied by meaningful public engagement, in addition to the required notification, and a formal Public Hearing.

The applicant is proposing to amend the Future Land Use designation on the subject property from 'Detached Residential' to 'Ground Oriented Residential'. Explanations on what each designation means and what land use each supports are provided below.

The Official Community Plan (OCP) Housing Task Force was formed in May 2023 and was envisioned to determine a set of recommendations for Council's consideration for the future of housing in the City. This would lead to OCP amendments 'addressing housing needs and deliberate growth' as part of the Housing Needs Assessment. At the December 12, 2023 Council meeting, Council was presented with 18 recommendations from the OCP Housing Task Force. The below table outlines some of the recommendations and how the proposed development meets the recommendations.

Recommendation	Future Land Use Designation Recommendations
Recommendation #2	Consolidate the 'infill residential' and 'detached residential' designations – allowing up to 4 or 6 residential units on all currently single-and two-family designated lands.
Staff's Comments	The subject property is currently designated 'detached residential'. The application is to amend the OCP and zoning to allow 6 residential units on the property, which only currently allows 2 units. The proposal meets the recommendations by amending the OCP to allow 6 residential units.
Recommendation #3	Designate lands in areas close to parks, services and employment to support densities greater than 4 to 6 units per lot.
Staff's Comments	The proposed development is within close proximity of Okanagan College, Kings Park, Cannery Building, and Fairview Plaza. The subject property is centrally located within the City of Penticton to access a variety of amenities and services.
Recommendation #9	Support streamlined and efficient reviews of Development Permit applications, with appropriate design guidelines in place to support densification through quality design.
Staff's Comments	The proposed development and Development Permit application have been designed with appropriate design guidelines in mind. The proposal is two-storeys in height, which is similar to existing buildings in the area. Additionally, no variances are required for the proposal. Attachment 'D' goes into further detail about these guidelines.

Detached Residential Land Use Designation

The OCP future land use designation on the subject property is currently 'Detached Residential' (Attachment 'B'). The 'Detached Residential' land use designation is described in the OCP as lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods. This includes building types such as single detached houses with secondary suites or carriage houses, duplexes, small-scale neighbourhood commercial building, or manufactured homes (Figure 3).

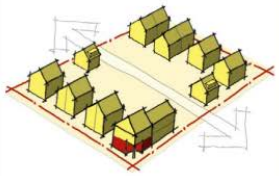
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Detached Residential 	Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas	• Single detached houses with secondary suites or carriage houses • 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 3 – Detached Residential Land Use Designation

Ground Oriented Residential Land Use Designation

The designation that is being requested is the 'Ground Oriented Residential' designation to allow for a 6-unit townhouse development. This designation envisions medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas (Figure 4). This change would allow for the rezoning of 460 Conklin Avenue to RM2 (Low Density Multiple Housing) to support the proposed development.

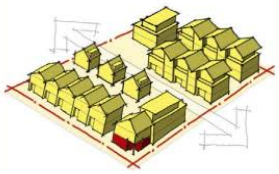
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Ground Oriented Residential 	Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.	• Duplexes with suites • Cluster housing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

Figure 4 – Ground Oriented Residential Future Land Use Designation

Staff's Analysis

The applicant is requesting to amend the OCP land use designation for the property from 'Detached Residential' to 'Ground Oriented Residential', in order to facilitate the construction of a 6-unit townhouse development. While the proposal is in conflict with the existing OCP land use designation, the proposal shows consistency with many goals and objectives of the OCP and staff consider it is aligned with the OCP's vision for the future.

Staff consider that there is sufficient policy in the Official Community Plan to support the requested land use change from 'Detached Residential' to 'Ground Oriented Residential'. The following summary identifies specific OCP Policy intended to guide sustainable planning practices:

OCP Reference	Policy
OCP Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
Staff's Comments	The subject property is located within a well-developed area, and doesn't require the construction or extension of City services in order to proceed.
OCP Goal 4.1.3	Housing Diversity Ensure a range of housing types, sizes, tenures and forms exist throughout the City to provide housing options for all ages, household types, and incomes.
Staff's Comments	The development proposes 6-unit townhouse within an established area in the City. Each unit will include: - Amenity space for each unit - 2 parking spaces per residential unit, with an EV charger These features help to provide desirable units that could be suited for a variety of future occupants.
OCP 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 from Development Permit Area Guidelines.
Staff's Comments	The subject property is located in an established residential neighbourhood. There is adequate opportunity for residents to access services and amenities near the proposed development due to its central location.
OCP 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.
Staff Comments:	The proposed development includes 3 bedrooms on the second storey, and large living rooms on the first floor to suit a variety of users.
OCP 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.

OCP Reference	Policy
Staff Comments:	The proposed change of land use, through the OCP future land use designation and zoning changes proposed, helps to ensure more intensive forms of housing are provided close to many amenities and services such as Okanagan College, Kings Park, Cannery Building, and Fairview Plaza.
OCP Policy 4.1.3.6	Require amenity areas in all multifamily and mixed-use projects through regulations in the Zoning Bylaw.
Staff Comments:	The proposed development has 155 m^2 of amenity area provided for residents.
OCP Goal 4.1.4	Housing Quality Ensure that new housing is attractive and sensitively designed, is water and energy efficient and that all housing is properly maintained.
Staff Comments:	The proposed development would introduce 6 new residential units to this area of the City. The building has been designed to fit into the area, and is similar in scale to the existing single family dwellings and duplexes within close proximity. The applicant has demonstrated many initiatives that are to be integrated into the development to ensure it is efficient (see climate action section).
OCP Policy 4.1.4.1	Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context
Staff Comments:	Staff consider that the building has been redesigned to fit into the area, and is similar in height to existing dwellings within close proximity. The development proposes an attractive new building, with a variation of materials and to create an interesting frontage.
OCP Goal 4.1.6	Provide opportunities to live, work and play in all of Penticton's neighbourhoods.
Staff Comments:	The proposed development introduces 6 residential units on Conklin Ave within an existing neighbourhood, close to various amenities, parks, and uses. This allows opportunities to live and work within close proximity of each other.
OCP Policy 4.2.1.7	Promote walking, cycling and transit use through strategic land use planning that facilitates denser, attractive, mixed-use communities that are rich in amenities.
Staff Comments:	The proposed development is located directly on a transit route on Conklin Ave, with a transit stop almost directly in front of the property. The proposed development is also within blocks of the lake-to-lake cycling route, taking advantage of the ability to use alternative forms of transportation to access the community. This allows the potential for workers, residents, tenants or visitors to use alternative transportation to access the proposed development or other areas of the community.

Given the support from a variety of OCP Goals and Policies, staff recommend that Council support the OCP land use designation change from 'Detached Residential' to 'Ground Oriented Residential'.

Zoning Bylaw Amendment

In addition to an OCP Amendment, the applicant has also applied for a Zoning Bylaw amendment for 460 Conklin Avenue from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing). This change in zoning is not aligned with the current OCP designation on the property, which is why this proposal has come forward as an OCP and Zoning Amendment package.

Should Council consider that amending the OCP designation on the property is appropriate, they may also consider that the proposed RM2 (Low Density Multiple Housing) zone is appropriate given the requested OCP designation of 'Ground Oriented Residential'. The 'Ground Oriented Residential' designation envisions medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas. This designation supports the development of higher density, mixed-use developments.

The subject property is considered an appropriate location for increased density due to its proximity to amenities and services nearby, including Okanagan College, the Cannery Building, Penticton Plaza, Duncan Ave W, Fairview Rd, and many other public amenities. There are also adequate pedestrian and cycling connections for alternative modes of transportation, including the lake-to-lake cycling route on Fairview Rd. Further, the OCP policies that are referenced to support the OCP land use change also support the proposal to rezone 460 Conklin Ave from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing).

Staff also acknowledge the recent provincial direction on increasing housing in traditionally single and two family zoned areas. While the province envisions 4 units as a base minimum density in these areas, staff consider that the upzoning to allow for 6 units is aligned with the spirit of the provincial direction.

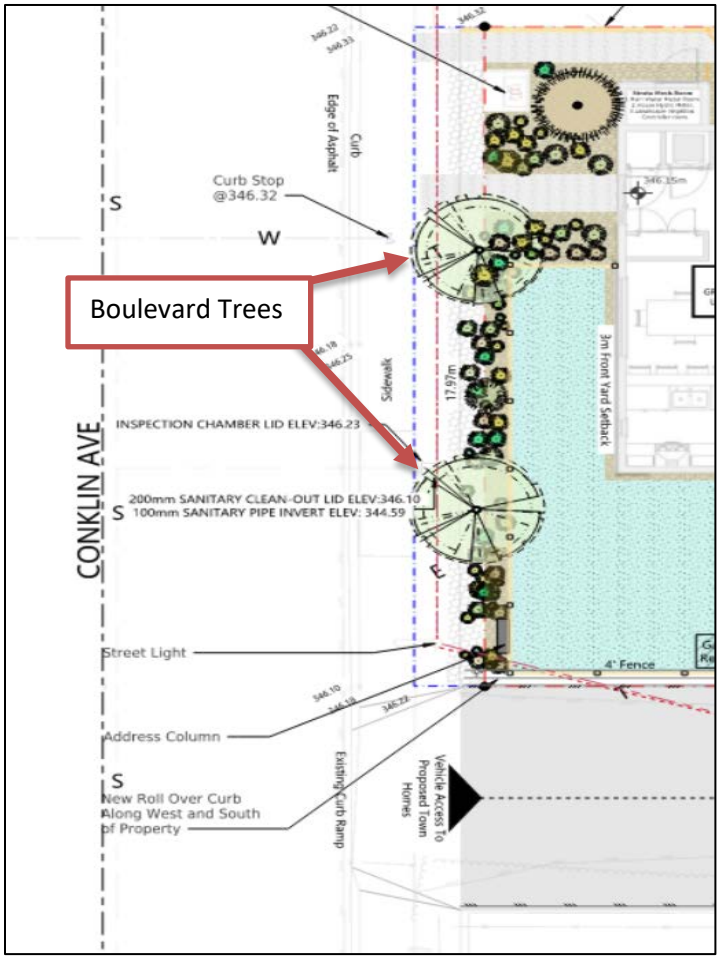


Figure 5 – Proposed Boulevard Trees

Given the above information, staff recommend that Council support the zoning amendment from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing) for 460 Conklin Ave and the 0.5 m wide road

dedication that is required for two boulevard trees. Figure 5 shows the proposed boulevard trees and landscaping fronting Conklin Ave.

As such, staff recommend that Council, subject to adoption of the Zoning Amendment, direct staff to issue the permits, such to the following conditions:

1. A 0.5 m wide road dedication in front of 460 Conklin Avenue is registered with the Land Title Office.

OCP Variance

The OCP Section 5.1.4 allows for minor variances through a development permit in certain instances. The applicant is proposing a reducing the required number of trees from five to four along the west property line (Figure 4). Section 5.1.4 of the OCP allows for variances to landscaping buffers in cases where "the proposed building locations make establishment of a buffer difficult or impossible or where trees will not thrive. In cases where the buffer is reduced, compensatory planning elsewhere on the site or in adjacent public realm is required". In this instance, the east landscape buffer tree requirement is reduced from five to four as a result of the access pathway to the rear units. Staff are supporting this variance, as the landscaping plan still provides more than the required number of shrubs along all the west property line. Compensatory plantings have also been provided in other areas of the subject property that are not within the require landscape buffer.

Landscaping buffers assist with providing a natural buffer between properties and uses. They also help to increase the urban forest inventory throughout the City. In this instance, the fence, landscape buffer, and pathway between the proposed buildings and neighbouring property which reduces the overlook into the western property. Staff considers that the added distancing between the properties and the proposed buildings, as well as the proposed landscaping plan, which incorporates adequate plantings and species, make this a suitable variance through the Development Permit.

Development Permit

The proposed development is considered within the Multifamily Residential Development Permit Area, which is established to encourage housing means to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. The proposed development has been designed with the OCP design guidelines in mind. The development proposes a density that is aligned with the 'Ground Oriented Residential' designation and provides a design that meets the Zoning Bylaw regulations for RM2 (Low Density Multiple Housing) without the need for variances.

The applicant has provided a development permit analysis with their submission which describes the project and its conformance with the applicable OCP design guidelines (Attachment 'E'). Staff have also completed a development permit analysis (Attachment 'D') that shows how the development conforms to the applicable design guidelines.

The proposed development has been redesigned with the OCP policies and guidelines in mind and is a project providing a mixed-use development within a desirable area of the city for increased density.

Alternate Recommendations

Council may consider the proposed development to be undesirable at this location, or not in keeping with the goals and policies of the Official Community Plan. If this is the case, Council should deny first reading of the Official Community Plan Amendment and Zoning Bylaw Amendment. Staff are not recommending this option, as staff consider the proposal to be supported by the general direction of the Official Community Plan, including the many goals and policies referenced within the Analysis section of this report.

1. THAT Council deny first reading of "Official Community Plan Amendment Bylaw No. 2024-01" and "Zoning Amendment Bylaw No. 2024-02".

Attachments

Attachment A – Zoning Map
Attachment B – Official Community Plan Map
Attachment C – Photos of Property
Attachment D – Development Permit Analysis (staff)
Attachment E – Letter of Intent and Development Permit Analysis (Applicant Submitted)
Attachment F – 460 Conklin Avenue Engagement Report
Attachment G – Letter from Application Regarding Engagement Results
Attachment H – Draft Development Permit PL2023-9621
Attachment I – Official Community Plan Amendment Bylaw No. 2024-01
Attachment J – Zoning Amendment Bylaw No. 2024-02

Respectfully submitted,

Jordan Hallam
Planner II

Concurrence

Director of Development Services	GM of Infrastructure	City Manager
BL	*KD*	*AK*

460 Conklin Ave

Zoning Map

Legend

- Subject Parcel
- R1 - Large Lot Residential
- R2 - Small Lot Residential
- RD2 - Duplex Housing: Lane
- RM2 - Low Density Multiple Housing
- P1 - Public Assembly

N

Meters

0 25 50

1:1,500

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Monday, September 11, 2023 11:43:38 AM

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CITY OF Penticton

460 Conklin Ave

OCP Map

Legend

Subject Parcel **Future Land Use**

- Detached Residential
- Ground Oriented Residential
- Institutional and Civic

N

Meters

0 25 50

1:1,500

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Monday, September 11, 2023 11:44:30 AM

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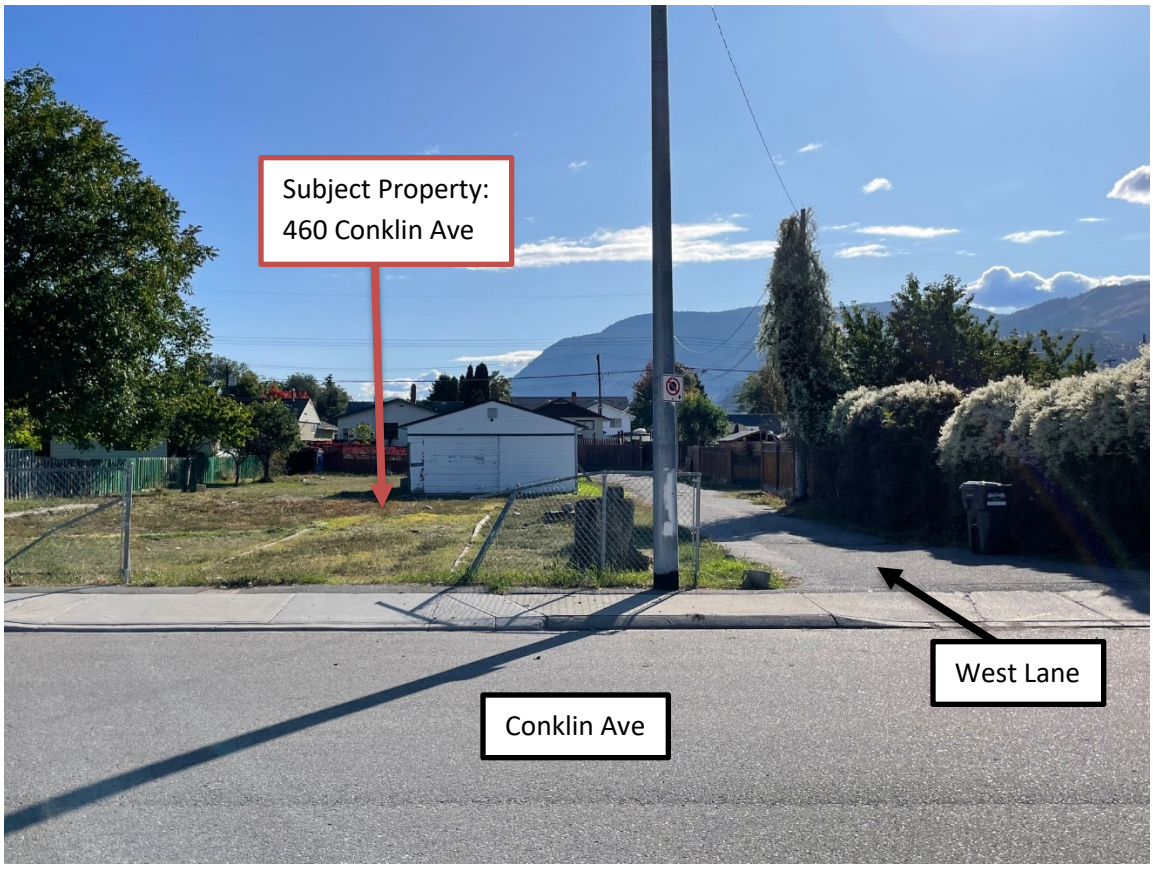
Attachment C – Photos of Property




Subject Property:
460 Conklin Ave
West Lane
Conklin Ave


Subject Property:
460 Conklin Ave
West Lane


Subject Property:
460 Conklin Ave
448 Conklin Ave
South Lane


Subject Property:
460 Conklin Ave
448 Conklin Ave

Development Permit Analysis

The proposed development is located within the Commercial and Mixed-Use Development Permit Area. The following analysis demonstrates how the proposal is aligned with the applicable design guidelines.

Guideline G1	*Applications shall include a comprehensive site plan – considering adjacent context for building and landscape architectural design and neighbourhood character analysis - to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbours.*
	• The applicant has provided a comprehensive site plan and considered the neighbourhood context in their redesign. The applicant has demonstrated that the massing was designed to be complementary to the area.
Guideline G5	*Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.*
	• The applicant has located the proposed buildings at the minimum required 3.0m front yard setback, which helps to maintain a strong connection with the street.
Guideline G7 *Guideline G29*	*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 proposed development introduces a development with units fronting onto the street, west lane and south lane. This provides 'eyes-on-the-street' security to the street and surrounding lanes.
Guideline G11 *Guideline G14*	*Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.*
	• The development is designed to tie into the existing sidewalk along Conklin Avenue seamlessly, and allow pedestrian to walk into the development from the sidewalk.
Guideline G16 *Guideline G17* *Guideline G18*	*Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space.*
	• The proposed development prioritizes pedestrian movement, by having pedestrian access as the main method of accessing the development from the street. • The lake-to-lake cycling route is also located blocks away on Fairview Rd, providing another alternative way of accessing the development.
Guideline G19	*All multifamily developments should accommodate sustainable modes of transportation through…*
	• The proposed development will include Class 1 (secure resident) bicycle parking on site. • The development also includes the installation of electric vehicle ready chargers for each vehicle parking space, providing one for each residential unit.
Guideline G20	*Designs should respond to Penticton's setting and climate through use of…* • *Optimized placement of windows to maximize natural light;*

	• *Energy-efficient building design;* • *Landscape design and plantings that provide cooling through shade in summer months*
	• The proposed development is designed to consider the climate of Penticton. The Climate Section of this report provides this detail as well.
Guideline G21 *Guideline G28*	*Orientation of buildings should face public spaces (e.g., street and lane) with a preference for ground-oriented types (e.g., a front door for everyone or every business).*
	• The proposed development faces towards Conklin Avenue. • The development has sidewalks to access the sidewalk along Conklin Avenue and the lake-to-lake cycling route on Fairview Rd.
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 cantilevered upper floors may be considered as a means to break up massing while promoting overlook and/or weather protection.*
	• The building includes variation to the design to include setbacks and stepbacks on several levels of the building, which help to break up the massing of the structures. • The design also incorporates a variety of materials and colours to create an appealing and interesting building.
Guideline G35	*Tree planting…*
	• The proposal will introduce 2 boulevard trees directly in front of the development. This will help to provide shading to the existing sidewalk area and beautify the street.
	• The proposed development includes a landscaping plan that provides adequate buffering along all property lines.
Guideline MF1	*All multifamily developments 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*
	• The proposed development will provide residents with 155 m^2 of both private and common amenity space.
Guideline MF3	*Amenity spaces should incorporate vegetation for the purposes of active and passive recreation and/or visual interest, and incorporate safe play areas in interior courtyards.*
	• The proposed development has been designed with green space and vegetation around the entire subject property.
Guideline MF4	*Visitor parking should be:* • *In public view,* • *Easily accessible near the main entry to the site, and* • *Clearly indicated by pavement markings and/or signs*
	• The proposed development has parking accessed off of the west lane and south lane. Six visitor parking stalls are provided on site in addition to the required six stalls provided for residents.
Guideline MF5	*Electric vehicle charging stations should be provided in larger developments.*
	• The proposed development provides 1 EV Ready Level 2 Charger per dwelling unit (6 total).

Guideline MF7	*Minimize shadowing on adjacent parks, public and private open spaces and priority pedestrian facilities*
	• The proposed development has been redesigned with the surrounding neighbourhood in mind. The updated development is two-storeys in height, which is similar to the form and character of existing buildings within the neighbourhood.

Attachment 'E'

Our File: 24522-0404400

August 27, 2023

Letter of Intent

OCP AMENDMENT, REZONING WITH SITE-SPECIFIC PROVISIONS, DEVELOPMENT VARIANCES PERMIT, AND DEVELOPMENT PERMIT APPLICATIONS

GROUND-ORIENTED 8-UNIT TOWNHOUSE DEVELOPMENT | 460 CONKLIN AVE, PENTICTON, BC

1. BACKGROUND AND INTORDUCTION

McElhanney Ltd. (McElhanney) has been retained by Azura Management (the applicant) to prepare a letter of intent to support their proposed development on the property located at 460 Conklin Ave, Penticton, legally described as LOT 13 DISTRICT LOT 1 GROUP 7 SIMILKAMEEN YALE-LYTTON.

1.1. Site Description

The subject property spans an estimated 0.255 acres. It's bordered by Conklin Ave to the north, a laneway on its west, another laneway to its south, and a neighboring single-family home to the east. Presently, only a garage occupies this site. While the immediate vicinity is predominantly made up of detached single-family homes, it's significant to highlight the existence of high-density housing developments, including apartments and townhouses, on Hastings Ave — a mere 450 meters to the south of the property.

1.2. Application Status

The Client has embarked on a simultaneous application process with the City of Penticton for the proposed development, encompassing an Official Community Plan (OCP) Amendment, Zoning Amendment, Development Variance Permit, and a Development Permit application. Following this, on July 20, 2023, the Client received a technical review letter from the City (see Attachment A). This letter, stemming from the City's Technical Planning Committee, lists specific requirements termed "Items to be Addressed." These items are crucial for moving the application forward for further review.

1.3. Purpose of the Memo

The purpose of this memo is to address the following items outlined in the City's review letter:

> *1.1.a. Proper letter of intent required, addressed to City Council outlining the project and the requested variances with justification. Include OCP references to policies and goals, to justify how you consider the proposal aligns with the vision of the OCP.*
>
> *1.1.b. Need a proper DP analysis with specific references to the DP guidelines found in the OCP.*

1.4. Limitations

It should be noted that this exercise does not include the preparation of any technical documents, nor does it undertake any preliminary site design work. Additionally, it should be noted that amendments to Official Community Plans (OCP), Zoning Bylaws, and Development Variances are discretionary approvals – meaning that there is inherent uncertainty in these types of development applications.\

2. DEVELOPMENT PROPOSAL

The client has set forth a comprehensive plan to transform the vacant site into a contemporary townhouse residential development, consisting of two ground-oriented townhouse buildings. Each of these buildings, spread across three storeys, will house four ground-oriented residential units, bringing the total to eight townhomes.

These townhouse units have been meticulously designed to maximize both comfort and functionality. They are spacious, averaging 1,800 square feet, not including the garage area. Residents of the development will have the luxury of choosing between single or double car garages based on their preferences and needs. The interiors boast a modern layout featuring three cozy bedrooms, three well-appointed bathrooms, a spacious living room to host and entertain, a state-of-the-art kitchen to cater to culinary delights, and a versatile flex room on the ground level that can adapt to the ever-changing needs of its residents, be it an office, playroom, or a personal gym.

A thoughtfully conceived site plan ensures seamless access and movement. The garage and driveway are intelligently positioned off the west laneway to avoid any inconvenience. Meanwhile, the main entrances to the units exude an inviting charm as they face the east property line. These are further enhanced by a 1.2-metre wide pedestrian walkway that graciously connects residents to the Conklin Ave sidewalk, ensuring easy ingress and egress.

Recognizing the importance of outdoor spaces for relaxation and recreation, provisions have been made for dedicated on-site outdoor amenity zones where residents can unwind and enjoy outdoor. To accommodate visitors, the design also thoughtfully includes two guest parking spaces situated conveniently on the property's southern end, right next to the southern laneway. This entire development proposal is not just about buildings and spaces; it's about creating a cohesive, convenient, and relatively affordable housing option for City of Penticton's residents.

3. PROPOSED APPLICATIONS & RATIONALE

In order to realize the envisioned development on the subject site, amendments to the City's Official Community Plan (OCP), Zoning Bylaw, and specific development variances are required. This section delineates the proposed applications and provides a comprehensive analytical rationale to support these applications.

3.1. OCP Land Use Amendment

The subject site is currently designated as "Detached Residential" in the City's OCP, which supports single detached houses with secondary suites or carriage houses, duplexes, and small-scale neighbourhood commercial building. The OCP signals limited change in traditional single-family neighbourhoods, as these neighbourhoods are less suitable for infill and multifamily development.

To enable the proposed zoning and the townhouse development on the subject site, the applicant is proposing to change the land use designation to "Ground Oriented Residential". As shown in Figure X, the ground oriented residential is envisioned for medium-density residential areas with multi-family development where each unit has an exterior door. This land use designation supports townhouses, stacked townhouses, low-rise and mid-rise apartment buildings (Figure X). The proposed townhouse development is a consistent use with the Ground Oriented Residential designation.

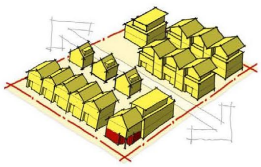
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Ground Oriented Residential 	Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.	• Duplexes with suites • Cluster housing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

Figure 1. Ground Oriented Residential, OCP

Compliance with OCP objectives and policies

The following table outlines how the proposed townhouse development conforms to the City's OCP objectives and policies.

Table 1. OCP Amendment Rationale

No.	Rationale	Compliance with OCP Policies
1.	The property is located in an existing developed area with municipal services.	**Policy 4.1.1.1**
2.	The subject property is not within the OCP's Hillside DP Area, the Riparian DP Area, the Environmental DP Area. It is also not in agricultural areas. Transit stations are located within 30 metres on Conklin Ave. Nearby transit stations on Moosejaw St are within walking distances.	**Policy 4.1.1.2**
3.	The developer is responsible to cover development costs including any required infrastructure upgrades. The City covers the surveying and registration costs of the required 0.5 m Conklin road dedication (if required). The developer will pay DCC's at the building permit stage to help account for the increased demand on municipal infrastructure.	**Policy 4.1.1.4**
4.	Nearby existing multifamily developments including townhouse and apartments are located along Fairview Road and Hastings Ave. The property is located along an urban local residential road, and bus routes. The Okanagan College Penticton Campus is only three lots west from the subject site, and is approximately 8 minutes of walking distance. The commercial areas along Fairview Road and Duncan Ave W are 10 mins walking distance to the subject site. The development meets the applicable Development Permit Area Guidelines in the OCP (see Section 2.4).	**Policy 4.1.3.1**
5.	All 8 units are proposed to have 3-bedrooms and 2 full bathrooms. This provides an accommodation option for families, including ownerships and renters.	**Policy 4.1.3.4**
6.	The property is within walking distance to bus stops, shops, the King's park, the Okanagan College Penticton Campus, restaurants, and other amenities.	**Policy 4.1.3.5**

7.	The applicant has submitted a Development Permit application in conjunction with the OCP amendment, Rezoning, Development Variances requests for Council's consideration. Section 2.4 show how the proposed development meets the applicable OCP design guidelines.	**Policy 4.1.4.1**

3.2. Zoning Amendment – Rezoning

The subject property is zoned as "R1 – Large Lot Residential". The purpose of the R1 zone is for single detached dwelling housing on serviced urban lots.

The current R1 zone does not allow the proposed ground-oriented townhouse use. To accommodate the development, the site needs to be rezoned to "RM2 – Low Density Multiple Housing". The purpose of RM2 is for low density multiple housing up to three (3) storeys above grade on urban services.

The proposed RM2 zone is a supported zone in the proposed Ground Oriented Residential OCP land use designation. The proposed 8-unit, three-storey townhouse building meets the purpose and intent of the RM2 zone.

3.3. Development Statistics

Table 2 below lists the proposed development statistics with comparisons to the requirements in the RM2 zone.

Table 2. Development Statistics

	RM2 Requirements	Provided on Plans
Minimum Lot Width	18 m	17.97 m
Minimum Lot Area	540 m^2	1,015.5 m^2
Maximum Lot Coverage	40%	50% - variance requested
Maximum Density	0.8	1.27 – site specific amendment is requested
Vehicle Parking	1 parking space per dwelling unit 0.25 visitor parking spaces per dwelling unit **Total: 10 parking spaces required**	8 resident parking 2 visitor parking **Total: 10 parking spaces provided**

Bicycle Parking	Class I: 0.5 spaces per dwelling unit Class II: 0.1 spaces per dwelling unit	Class I: each unit has a garage. Section 6.4.3.5 allows unit garages to count as secure bicycle parking when each unit has access to its own garage space. Class II: 2 bicycle racks provided
Required Setbacks Front Yard (**Conklin** Rd): Side Yard (**east**): Side Yard (**west**): Rear Yard (**south**):	 3 m 3 m 3 m 6 m	 2.56 m – variance requested 3 m - balcony projection variance 2.17 m –Variance Requested 6.25 m
Maximum Building Height	12 m	10.71 – 11.07 m
Amenity Space	20 m2 for each dwelling unit 25% of the required amenity space must be provided at the ground floor level	44 m2 for each dwelling unit provided 34 m2 for each dwelling unit are provided at the ground floor level

3.4. Development Variances

The OCP Section 5.1.4 states that variances to zoning standards may be considered as a component of a Development Permit Application subject to Section 490(1)(a) of the Local Government Act, provided that the resultant built form of the proposed building is consistent with the General OCP Development Permit Area Guidelines and the overall intent of the Zoning Bylaw:

The proposed townhouse development meets the overall intent of the RM2 zone. Section 2.5 outlines how the proposed development aligns with the General OCP DP Guidelines. The applicant is proposing a increased site coverage and reduced front yard setback and side yard setbacks. Each variance is proposed in response to the unique characteristics of the site and the design intent of the proposed townhouse development. Table 3 is a further breakdown of each proposed variance along with the rationale behind the variance request:

Table 3. Variances and Rationale

Proposed Variances and Rationale	
Variance #1	*Section 10.8.2.3 To increase the lot coverage from maximum required 40% to 50%.*
Rationale	The proposed adjustment in lot coverage ensures optimal utilization of the site to accommodate the proposed development. This increment aids in harmonizing the design, facilitating sufficient parking areas, and retaining space for landscaping and outdoor amenities.
Variance #2	*Section 10.8.2.6 To reduce the minimum required front yard setback from 3 metres to 2.56 metres.*
Rationale	This minor reduction of the front yard setback will provide sufficient space for perpendicular visitor parking spaces at the back of the lot against the south property line.
Variance #3	*Section 4.9.1 To allow balconies to project 1.53 metres from the east side of the two buildings into the east side yard.*
Rationale	The OCP allows development variance to accommodate desirable architectural criteria, such as balconies. The building face on the east side still meets the minimum required interior side yard setback. The proposed balcony projection adds architectural interest to the building façade and provides additional outdoor amenity space for the residents, enhancing livability. The projection does not significantly impact the adjacent properties, as it still maintains a respectful distance and ensures privacy.
Variance #4	*Section 10.8.2.7 To reduce the minimum required interior west side yard setback from 3 metres to 2.17 metres.*
Rationale	The proposed minor reduction of the side yard setback from the west property line is to accommodate the unit layout design and provide sufficient spaces for the car garages, including spaces for bicycle parking. While the design harnesses space more effectively, the subject lot and the west side lane continues to offer a considerate spatial buffer to neighboring properties, ensuring their peace and privacy remain undisturbed.

3.5. Site-specific Amendment to RM2 Zone

Section 490 (3) of the Local Government Act (LGA) does not allow a development permit to vary the use or density of the land from that permitted in the bylaw. The proposed development requires a higher density than currently allowed in the RM2 zone. Thus, a site-specific amendment will be required to accommodate the proposal.

The purpose of this site-specific amendment to RM2 zone is to change the maximum Floor Area Ratio (FAR) requirement for the specific site, allowing an increase in the maximum FAR from 0.8 to 1.27.

The following site specific provision is proposed to be added to the RM2 zone:

10.8.4.5 In the case of LOT 13 DISTRICT LOT 1 GROUP 7 SIMILKAMEEN YALE-LYTTON, located at 460 Conklin Avenue, the following regulations shall apply:

- **Maximum Floor Area Ratio (FAR): 1.27.**

Given the unique characteristics of the site, its location, and the anticipated benefits of the proposed family-oriented townhouse development, the site is well positioned to accommodate a higher density.

3.6. Development Permit

Sections 5.2 – Development Permit General Guidelines and 5.3.2-Multifamily Residential Development Permit Area in the OCP guides the development of the subject site and address built form and character and consider site planning, building architecture, landscape architecture and other special conditions. Table x below outlines how the proposed development is in compliance with the design guidelines.

No.	Rationale	Compliance with OCP DP Guidelines
Section 5.2 – General Guidelines		
1.	The proposal conducted a detailed site analysis, evaluating landscape characteristics, existing site conditions, and topography. A holistic site plan was developed, aligning with adjacent buildings and the neighborhood's context. The buildings are east-west facing and have large windows. The building design maximizes solar access for private and semi-private spaces, ensuring natural lighting for residents. The modern design enhances the natural beauty for residents and neighbors.	**Designing in Context: G1 – G4**

2.	The townhouse proposal highlights a prominent and unique street presence, complemented by an inviting sidewalk, and thoughtfully designed outdoor spaces. It seamlessly melds with the existing neighbourhood, ensuring a cohesive community feel. The building's orientation has been carefully selected to minimize any potential disturbances to neighboring properties. Prioritizing safety, the design incorporates features like expansive windows, a new paved sidewalk, and both ground-level and elevated outdoor amenities. This careful balance ensures a harmonious blend of safety, aesthetic appeal, and community interactions.	**Framing Space: G5 – G8**
3.	The development introduces a new sidewalk within the premises, directly in front of the unit entrances, ensuring a seamless connection to neighboring public spaces. Despite the townhouse's compact footprint, it prioritizes fluid pedestrian access. The pedestrian pathway, from city sidewalks to building entrances and outdoor amenity spaces, is designed to be barrier-free, featuring consistent paving for a harmonized look. The ground-level unit entrances comply with height guidelines, fostering effortless access and integration with the broader public realm. Furthermore, the proposed 6 ft high wood panel fences along the eastern property line are intentionally designed to be low and semi-transparent, promoting both a sense of openness and clear visibility.	**Prioritizing Pedestrians: G9 – G15**
4.	The proposal accentuates a pedestrian-centric design while ensuring efficient vehicle circulation. By allocating the rear of the site for visitor parking, it maximizes pedestrian areas elsewhere. The driveway and garage are strategically positioned adjacent to the west side laneway, ensuring they don't interfere with the main entrances. Furthermore, the design incorporates generous bike storage in the garage and integrated electric vehicle chargers, catering to diverse transportation needs.	**Cars and Parking: G16 – G19**
5.	The design maximizes natural light with window placement, and focuses on energy efficiency. Landscaping provides summer shade, reflective roof materials reduce heat absorption, and cross-ventilation strategies ensure effective airflow.	**Architecture/Design for Our Climate: G20**

6.	The design ensures visual appeal, smooth density transitions, and prioritizes the privacy of neighboring properties.	**Friendly Faces, Friendly Neighbours (Orientation & Massing): G21 – G26**
7.	The development emphasizes street-level engagement by offering outdoor amenity spaces for each unit and a pedestrian pathway that seamlessly connects to the city's sidewalk. All building entrances are strategically positioned to be easily visible from the streets, complemented by windows and balconies facing west to encourage passive surveillance. The design eschews large blank walls on street-facing sides, ensuring visual interest. Fundamentally, the architecture adheres to city guidelines, masterfully blending aesthetics, functionality, and harmonious community integration.	**Eyes on the Street: G27 – G31**
8.	The development's landscape design priorities native drought-resistant plants. Underground irrigation system is designed and drip irrigation ensures water efficiency. Enhanced topsoil, strategic tree planting, and mulching further promote moisture conservation.	**Design with Nature; G32 – G33**
9.	The development includes tree planting in landscaped areas and the Conklin Ave boulevards. Trees are spaced as per guideline recommendations. All trees will be irrigated, and additional trees will be planted, especially where older ones couldn't be retained.	**Enhance the Urban Forest: G35**
10.	The development boosts habitat for birds and pollinators through strategic plant choices. Clear boundaries are set using landscaping, structures, and material changes.	**Functional Use of Landscapes: G36 – G40**
11.	The landscape design follows BCLNA Standards, focusing on local/native plants fit for Penticton's desert climate, avoiding invasive species and synthetic turf. The hardscaping uses durable, climate-suited local materials. The design have minimized impervious areas, adopted rainwater strategies, and avoided heat-absorbing materials to combat the heat island effect.	**Materials Selection – Softscapes & Hardscapes: G41 – G42**
12.	Architectural lighting is used sparingly, and the design has taken measures to prevent disturbances to neighboring properties.	**Lighting: G48 – G51**

13.	Water metres and utility units will be positioned between the two buildings, and they'll be integrated into landscaping and hidden from street view.	**Utilities, Mechanical Services and Servicing: G54 – G57**
14.	Garbage and recycling collections will be arranged through private companies. No on-site garbage and recycling bins will be provided.	**Waste Management: G58 – 60**
15.	The fencing along the west property line, standing at a height of 6 ft, ensures there are no obstructions to views. This fencing will be further enhanced by the addition of low-growing plants in the neighboring outdoor amenity space, elevating the area's aesthetics.	**Fences: G61 - 63**
Section 5.3.2 Multifamily Residential Development Permit Area		
16.	By incorporating ground outdoor amenity spaces that cater to the recreational needs of all age groups, the site design promotes inclusivity and holistic living. Understanding that multifamily developments house a diverse range of residents, from children to seniors, it is imperative that the design addresses the varied needs of these age brackets. For children, play areas encourage physical activity and cognitive development. For adults and seniors, recreational spaces provide opportunities for relaxation, exercise, and social engagement, thereby fostering a sense of community and ensuring well-rounded wellness for all.	**MF1**
17.	The development thoughtfully offers potential opportunities for vegetation in its outdoor amenity spaces, offering a multitude of advantages. Green spaces, with their therapeutic qualities, act as sanctuaries that alleviate stress and elevate well-being. The design encourages both active interactions, such as gardening and walking, and passive engagements like relaxation, enriching the residents' overall living experience. Beyond well-being, the lush vegetation enhances the aesthetic charm of the space, making it both inviting and visually delightful. Prioritizing safety, the development have strategically located play areas at the building's front, distanced from the garage and driveways. This placement not only ensures children are shielded from vehicular traffic but also positions them within easy sightlines of entry points and fellow residents, fostering a vigilant and secure environment.	**MF3**

18.	Visitor parking is strategically located adjacent to the rear (south side) laneway, ensuring convenient access. To soften the visual impact of this parking area, a generously landscaped space is situated directly to its south, enhancing the surroundings with greenery and aesthetic appeal.	**MF4**

4. CLOSING

In conclusion, McElhanney trusts that the professional options and advice presented in this letter of design rationale are sufficient for the City of Penticton staff to review the policy compliance of the proposal.

The proposed townhouse design reflects a modern architectural ethos, merging practicality with beauty and individual desires with a collective sense of belonging. Every facet of this design, from the overarching site arrangement to the nuanced intricacies of indoor spaces, is shaped by a comprehensive vision that prioritizes the wellness of its inhabitants, the integrity of the neighboring locale, and the sustainability of the community. The applicant envisions this townhouse as a nexus where community thrives and evolves.

The proposed townhouse development aligns with the OCP's community growth directions and policies, meets the intent of the RM2 zone and regulations, and conforms to the OCP Development Permit guidelines.

Considering the rationale mentioned above and the overall community and economic benefit that the proposed development would provide, McElhanney trusts that the City staff and Council will support the proposed OCP amendment, rezoning with site-specific provisions, Development Variances, and Development Permit applications.

Should you have questions, don't hesitate to contact the undersigned.

Sincerely,

Ruibin Li, Planner
McElhanney
rmli@mcelhanney.com
250-258-7497

460 Conklin Avenue Engagement Report

November 29, 2023

1.0 Overview

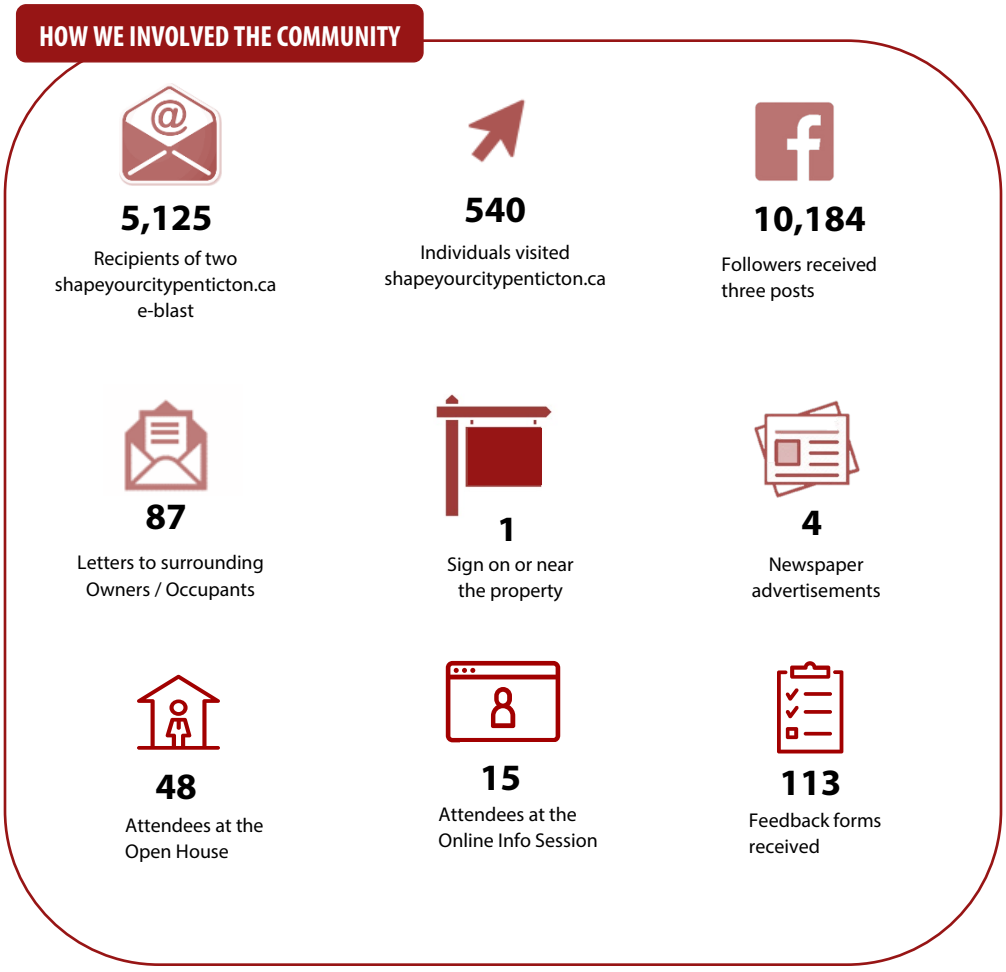
The City received an application for 460 Conklin Avenue consisting of an 8-unit development featuring two, 3-storey buildings that would require an amendment to the City's Official Community Plan to change the 'future land use' designation on the property from Detached Residential to Ground Oriented Residential.

The proposed development consists of 8 townhouse units. The initial plans show private garages for each townhouse unit, which include bicycle parking and Electric Vehicle (EV) ready spaces. The development plans include landscaping buffers on all sides of the property with trees and shrubs.

Before considering the amendments, Council directed staff to gather feedback from the community about changing the 'future land use' of this property. The following document summarizes the activities completed and the findings from the process.

2.0 How We Involved the Community

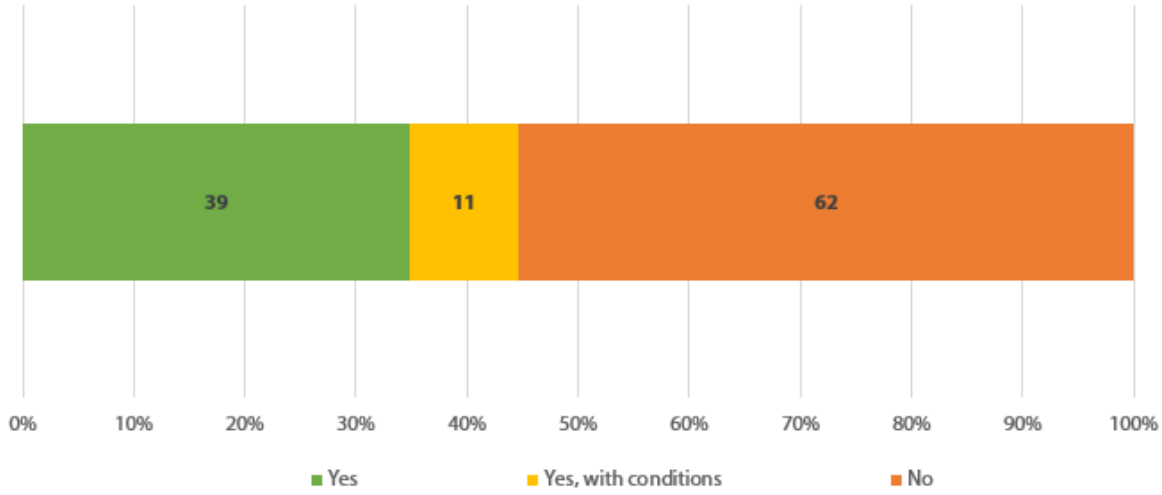
Staff followed the *Community Engagement Procedure for OCP Amendments* to ensure adequate and meaningful consultation with the community. The engagement program was conducted between October 18 and November 19. The following diagram shows how we involved the community. A detailed timeline of engagement activities is provided in Appendix A.



3.0 Feedback Form Results

One of the primary ways the City gathers formal feedback is through the use of feedback forms. The focus of the feedback forms was to gather feedback on the proposed change to the future land use. Residents were invited to review the information about the proposal and complete a feedback form before Sunday, November 19, 2023. In total, **113 feedback forms** were received. Please note that the key findings from the feedback forms are presented in this report. Complete results including full comments, are available at shapeyourcitypenticton.ca.

1. Do you agree with changing the land use on this site from Detached Residential to Ground Oriented Residential?



Participants who answered 'No' or 'Yes, with conditions' were invited to explain their response. A summary of the themes/comments is provided below:

Size

- Keep height to 2 storeys and maintain green space
- Proposed development is far too big for the lot. Maybe two buildings with two units each
- Reduce project to 4 units and ensure sufficient parking
- The Provincial Government guidelines of 4 units on single family lot makes much more sense. Eight units presents many challenges...parking, garbage collection, emergency response, lack of green space and doesn't add to affordable housing requirements.
- Way too dense
- Proposal will significantly alter the character of the neighbourhood and will impact privacy of neighbouring properties and degrade the area
    - Too overbuilt for the neighbourhood, I understand we need more housing but not at the cost of destroying a beautiful area
    - The proposal is an extremely dense and high application for this heritage area. The height of the buildings results is a stadium seating view of 3 private lots to the west and 1 lot to the east and 2 lots to the south, destroying those lots privacy

Parking

- Adequate off-street parking [should be] included in plan
- Too dense for the lot and alley. Parking and driving in the area would be even more difficult. 2 homes like the rest of the neighbourhood or at max 4 would fit. 4 potentially brings 4-8 extra cars which would still be a potential concern.

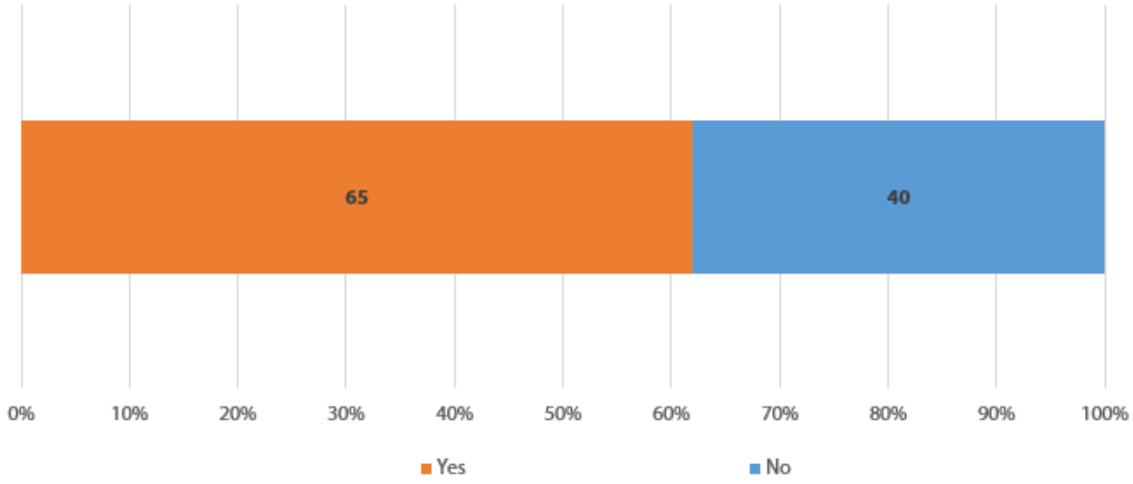
Precedent

- It will be the start of destroying an already well established and highly desirable neighbourhood. While I see your assumption for more housing, a major draw to any town or city is having different neighbourhoods, including lot sizes and dwelling types
- This community is single family zoned. Why is council contemplating changing this designation. Please oh please respect the community's wishes to retain the dignity of this neighbourhood.

Other suggestions

- Useable green space space not uninspired wall-to-wall pavement monstrosity
- Less density, more planning for adequate parking and green space like large mature trees, increased setbacks, should be clear guidelines how and why lots are converted to ground oriented residential
- This is too much density for this block and will greatly alter the character of the neighbourhood. It will result in a loss in green space, greater traffic congestion. A 4-unit townhouse would be more appropriate
- Cherryland can be densified with carriage suites. This proposal requires variances in order to 'overfill' the lot size, eliminating the possibility of any type of a yard space and canopy trees.

2. Based on the information provided, would you have any concerns about what is being considered for this site?

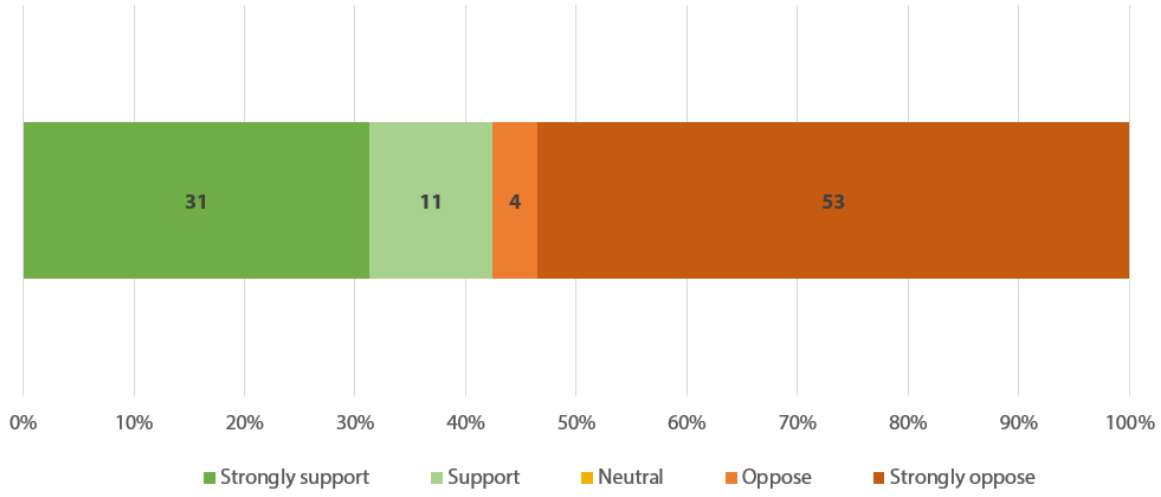


Participants who said 'yes' were invited to explain their response. A summary of the themes/comments is provided below:

- Density, parking, precedent setting
- These units give no outdoor space, only pavement. No greenspace or gardens, too large for the lot and surrounding homes

- Too crowded, too little green space, setbacks too small, doesn't conform with character of neighbourhood, fire hazard and traffic challenges
- Height will be much greater than anything currently in the area, very little greenspace, increased traffic on a street where people drive very fast due to the width
- Destruction of privacy on all neighbors lots, a 3 story slab wall against the east neighbor. Room for only 2 guest parking. Nonexistent landscaping. 8 AC units discharging noise into neighbors back yard. And more
- Parking 8-16 additional cars, alley use for neighbours compromised, too high density for neighbourhood. Alley already has issues this would compound them
- Not enough parking, too many units
- Too many units – effects on parking, traffic, green space (lack of) – a 4 unit development would be more appropriate

3. Rate your level of support for the development that is being proposed for this site.



4.0 Information Session and Open House

4.1 Online Information Session

An Online Information Session was held on November 1 between 6 pm and 7:30 pm with 15 attendees. A summary of the discussion is provided below.

- Concern for how proposal will fit with existing character of community, how can the developer be held accountable to ensure a good fit?
    - Staff reminded participants that the question is whether the community wants to see townhomes in the neighbourhood, not the design aesthetics at this phase.
- Concern for how parking will be addressed and how it will be managed. Community feels that parking requirements are too little in zoning bylaw and that cars will protrude into streets, laneways and sidewalks. Driveways appear to be much too narrow. Parking is the least of the concerns to discuss tonight but feel this piece will be a disaster.
    - Staff clarified that the lanes are set to City standards at 6m and that the intent is for occupants to park in their garages, though the City cannot enforce it. The City can address inappropriate parking (on sidewalks, etc.) through bylaw services.
- Discussion focused heavily on the community's ability to say no to the proposal.

    - Staff explained the OCP Engagement Process is the first round for the public share their feedback on the proposal, whether the community would consider the land use designation change (townhomes) in the area.
    - Staff explained that the feedback collected during this phase will be shared with the developer, staff and Council. The developer has the opportunity after feedback has been collected to adjust their proposal based on the input received and should the developer want to move forward, the application would be submitted to Council. Council will consider the application including the OCP amendment feedback collected in this phase, any adjustments the developer has made base don this feedback, and should Council choose to move forward, the next phase for residents to provide further feedback is during the Public Hearing process.
    - Staff explained the Public Hearing process is an opportunity to speak with Council directly to voice concerns and then the decision would be with Council whether to approve the proposal or not.
- Concern that the design does not include any landscaping or green space, this does not fit in the neighbourhood that values mature trees, green spaces and the boulevard park.
- Concern for the height of the development. Units would greatly impact existing views of mountains and lakes from various streets (Conklin, Moosejaw) and does not fit with community of residential homes.
- Concern for density of the proposed unit and whether it can be restricted. Staff noted there are options to go that route but reminded participants that the question is about whether the community supports the concept of townhomes in the area, not specifically the design proposal.
- Concern that if approved, this would set a precedent in the community. This development is not wanted in the community.
    - Staff confirmed that this feedback has been noted and will be shared with the developer, staff and Council.
- Comment that the community is not specifically opposed to change, a duplex or residence with a carriage home or secondary suite with green spaces adequate parking would be a considerably better fit.
- Concern that units won't address affordability concerns and question about whether the units will be stratified or rented.
    - Staff clarified that it is too soon in the process for the developer to determine unit costs and ownership.
- Question whether the developer will be investing in any laneway upgrades.
    - Staff confirmed that the developer would be responsible for upgrades on both lanes including electrical and other required utilities.
- Concern that units would be used for short term rentals.
    - Staff noted that the Province is bringing in new legislation that would likely indicate these units would not be available for short term rental. Once the provincinal regulations are set, the City will be reviewing its bylaws to determine if certain zones currently allowing short term rentals would need to be adjusted.

4.2 Open House

The City hosted an open house for interested residents with questions about the proposal for 460 Conklin Avenue. The open house was held on November 6 between 5 pm and 7 pm at the Penticton Trade and Convention Centre. The event was attended by 48 residents and five staff. The following is a summary of the discussions at the open house.

- Some participants were 'shocked' that an application like this can come forward believing the five variances are excessive.
    - Staff explained that they are required by legislation to present applications for consideration and that should the applicant proceed, the application will be accompanied by a staff report that will make a recommendation based on an analysis compared to the Official Community Plan and other regulations.
- Some participants feel that City efforts to communicate housing needs are being used to justify higher density developments that are not a good fit for the neighbourhood or in keeping with the character of the neighbourhood and put undo hardship on neighbours.
    - Staff explained that residents have many questions about housing need and planned developments and the materials support answering these questions.
- Some participants feel the developer is 'playing games' – proposing eight units and planning for less in an effort to 'look like a hero'.
- Some participants inquired about the outcome of the Neighbourhood Charm project as they understood there was interest in protecting the character of the area. They expressed frustration that these protections are not in place and are fearful for continued applications should this one be approved.
- While most participants support some density (two to four units, or even four to six), they are opposing the entire proposal for fear it will be precedent setting.
- Some participants attended to show their support for the proposal in its entirety.
    - They indicated that they have adult children in desperate need for housing and are confident increased inventory is critical to affordability.
    - Others expressed their support as they would like to do something similar with their properties.
    - Some thought there may be benefits for the college.
- Some participants were really disappointed that the developer would submit a proposal that would negatively impact neighbours. They recall when the fire happened and how the community rallied to support the displaced residents and don't believe this proposal respects the spirit of community in the neighbourhood.
- Some participants don't support the proposal as they don't believe it will be affordable.
- Participants expressed concerns about features of the proposal. Staff explained that the proposal is provided for context to support residents forming an opinion on the proposed land use change. Examples of features of the proposal that residents identified as creating undo hardship for the neighbourhood include:
    - Eight units back onto a single lot. Each have air conditioners which combined, will create considerable noise for the adjacent property. Would also like to see heat pumps used as an alternative to air conditioners.
    - Lot coverage is excessive and do not support variance. A similar development on Argyle is on a double lot and was able to provide frontage that is consistent with the neighbourhood.
    - Fronting on the lane will change the flow of the neighbourhood and obstructs interactions with the neighbours. Questioned whether the City would provide snow clearing for properties fronting the lane.

  - The proposed three storey height will overwhelm the existing neighbourhood and obstruct the neighbours' privacy and their enjoyment of their property.
  - Frontage is inadequate. Would like to see it set back further.
  - Not enough amenity space and landscaping – questions around accountability of the developer to ensure that landscaping survives after it is planted.
  - Driveways are not big enough for vehicles, worries of safety as residents may still park in driveways even if they are not permitted. Also indicated that bus stops on either side of Conklin already remove street parking (about eight spaces) further increasing on-street parking pressures.
  - Street parking will become an issue and an increase in traffic for the neighbourhood
- Some participants don't believe the proposal fits with the OCP or other policy and legislation. Staff indicated that planners will conduct a review of the proposal and provide an analysis and recommendation to Council.
- Some participants are concerned about the growth planned for the City without consideration for amenities and specifically parks. Nearby King's Park can only be used for soccer and is not a real community park.
- Some participants had questions around the fire safety of this development. They did not realize the building code fire safety requirements and did not know it is something that is already in place and being used in other developments in Penticton
- Some participants are very disappointed that they will be painted as 'nimbys' when they are seeking sensible densification that fits with the form and character of their neighbourhood. They believe 'a clever developer should be able to work within the limits of the land use without constantly trying to push the boundaries.'
- Participants had questions about short-term rentals and enforcement.
  - Staff reiterated what they know about the province's plans to regulate short-term rentals and how it might impact this proposal.

5.0 Other

The City also received additional correspondence and a petition opposing the development. These items are included in Appendix B and Appendix C respectively.

6.0 Conclusions

The main goal of this process was to gather feedback on the proposed amendment to the future land use designation for this property in the Official Community Plan and to understand if the proposed development aligns with the community's vision for the area.

Through this process, staff learned the majority of survey respondents (55.4%) do not support the land use change from Detached Residential to Ground Oriented Residential. Another 9.8% support the change with conditions largely related to ensuring the size is reduced and green space is added. Concerns expressed against the proposal focus on the height and density of the project, lack of green space within the property and traffic impacts.

Survey respondents indicated 57.5% somewhat or strongly oppose the proposed the development, with 42.4% somewhat or strongly supporting the proposed development.

Through the engagement process a petition was received with 73 signatures in opposition to:

1) Amending the City of Penticton Official Community Plan to change the future land use designation at 460 Conklin Ave from detached residential to ground oriented residential, and
2) Rezoning the property from R1 (Large lot residential) to RM2 (Low Density Multiple Housing), and
3) A development application to build an 8-unit townhouse building (2 buildings, 3 storeys high each)

The petition was conducted within the Cherryland Neighbourhood between October 20 and November 5, 2023 and is included in its entirety as Appendix B. Additional correspondence received through the engagement process is also provided and attached as Appendix C.

It is unknown whether petition signees and the writers of the additional correspondence also completed a feedback form or not.

Next Steps

The feedback gathered through the engagement program is to be provided to the applicant to consider and determine how they would like to proceed. It will also be shared with Council and the community-at-large.

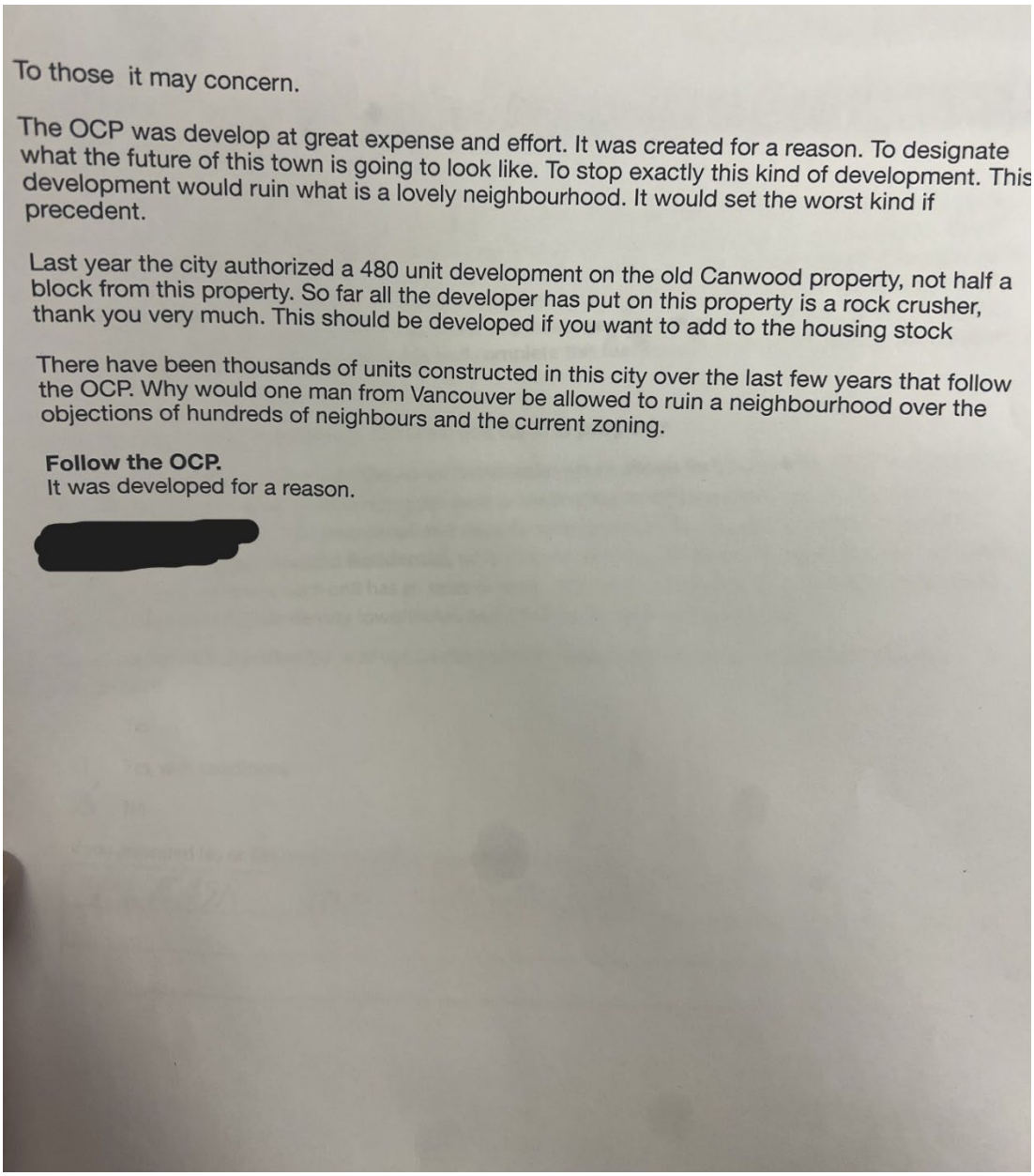
Appendix A - Engagement Timeline

In accordance with the *Community Engagement for OCP Amendments Procedure* and *Community Engagement Policy and Framework* the following list summarizes the main methods that were used to raise awareness about the application and the opportunities for residents to provide feedback through the community engagement period that took place between Oct. 18 and Nov. 19, 2023:

Date	**Activity**
Oct. 18	Project information and feedback form on www.shapeyourcitypenticton.ca
Oct. 18	Kiosk available at Library
Oct. 18	Press Release
Oct. 18	Eblast
Oct. 25	Social post
Oct. 25	Newspaper ad – Western
Oct. 27	Newspaper ad – Herald
Oct. 30	Newspaper ad – Hereald
Oct. 30	Social post

Oct. 31	Eblast
Nov. 1	Newspaper ad – Western
Nov. 1	Online Info Session
Nov. 6	Open House
Nov. 15	Social post
Nov. 19	Engagement ends

Appendix B – Additional Correspondence



To those it may concern.

The OCP was develop at great expense and effort. It was created for a reason. To designate what the future of this town is going to look like. To stop exactly this kind of development. This development would ruin what is a lovely neighbourhood. It would set the worst kind if precedent.

Last year the city authorized a 480 unit development on the old Canwood property, not half a block from this property. So far all the developer has put on this property is a rock crusher, thank you very much. This should be developed if you want to add to the housing stock

There have been thousands of units constructed in this city over the last few years that follow the OCP. Why would one man from Vancouver be allowed to ruin a neighbourhood over the objections of hundreds of neighbours and the current zoning.

Follow the OCP.
It was developed for a reason.

[redacted]

Andrea Rendall

From:
Sent: Wednesday, November 1, 2023 12:30 PM
To: Andrea Rendall
Cc: JoAnne Kleb
Subject: 460 Conklin Ave
Attachments: 2023-10-20 FINAL Feedback Form.pdf

Caution! This message was sent from outside your organization. Allow sender | Block sender

Dear Council and Planning,
I have concerns about the development proposal at 460 Conklin Ave. I live in Penticton but not near the address, although I used to.

I agree with changing the use to Ground Oriented Residential but the size should be limited to a 4-plex. I oppose this particular design.

This proposal is much too large for the neighbourhood. Development is definitely needed in Penticton, but this is not the correct place for an 8 unit proposal.
Densifying areas that are commercial (building above up to 4 or 5 floors), creating community in areas of high traffic for convenience, and doing more 4-plex and apartment buildings with mixed sizes of units is far better for Penticton residents and safe, equitable city development.

This plan will block sun and impede privacy for neighbours on all sides. The space for green canopy/plants is much too small.

A 4-plex on this site with community shared garden space is what the community needs. Reduce parking requirements, require EV Charging INSTALLED (not ready), require a solar **PV** ready roof (not hot water), and proper shade trees.

Limlәmt- Thank you

Andrea Rendall

From: [redacted]
Sent: Saturday, November 4, 2023 4:30 PM
To: Public Hearings

Caution! This message was sent from outside your organization. Allow sender | Block sender

Dear Council and Planning, I have concerns about the development proposal at 460 Conklin Ave. I live in Penticton and very near the address. I can agree with changing the use to Ground Oriented Residential but the size should be limited to a 4-plex. I oppose this particular design. This proposal is much too large in area and height for the neighbourhood. Development is definitely needed in Penticton, but this is not the correct place for an 8 unit proposal. Densifying areas that are commercial (building above up to 4 or 5 floors), creating community in areas of high traffic for convenience, and doing more 4-plex and apartment buildings with mixed sizes of units is far better for Penticton residents and safe, equitable city development. This plan will block sun and impede privacy for neighbours on all sides. The space for green canopy/plants is much too small. A 4-plex on this site with community shared garden space is what the community needs. Reduce parking requirements, require EV Charging INSTALLED (not ready), require a solar PV ready roof (not hot water), and proper shade trees.

Thank you,
[redacted]

Andrea Rendall

From:
Sent: Monday, November 6, 2023 2:43 PM
To: Public Hearings
Subject: Regarding 460 Conklin

Caution! This message was sent from outside your organization. Allow sender | Block sender

As a neighbor,

We prefer the project to be limited to a plex. The sun will be blocked with the height of this structure. Also the height provides no privacy for neighbours.

In case of a fire on the far side of the block, how will the builder ensure that fire dept can get to it? If not, we prefer the structure to be built closer to the main Street side where fire trucks can access it.

How will you guarantee that these won't turn into air bnbs, when the city is saying that they are looking to increase affordable rentals, long term rentals not September to May.

Can the city assure the public that these units will not be allowed to be turned into vacation rentals? If not, they should NOT allow the zoning change.

It's a provision that has not been brought up. Without something like that, these units will not be long term rentals.

Well they be strata fied?

Who will insure a building that fire trucks can't get to ?

Without these items in place, approving this project all just do a dis-service to the community, the neighbors and actually work against the ocp with providing more long term rentals. Regardless affordable or not, if these units turn into air bnbs it's hypocritical of the city and the council to let that happen.

It's not right, even 2 blocks down will be the Timmins project with much more appropriate space.

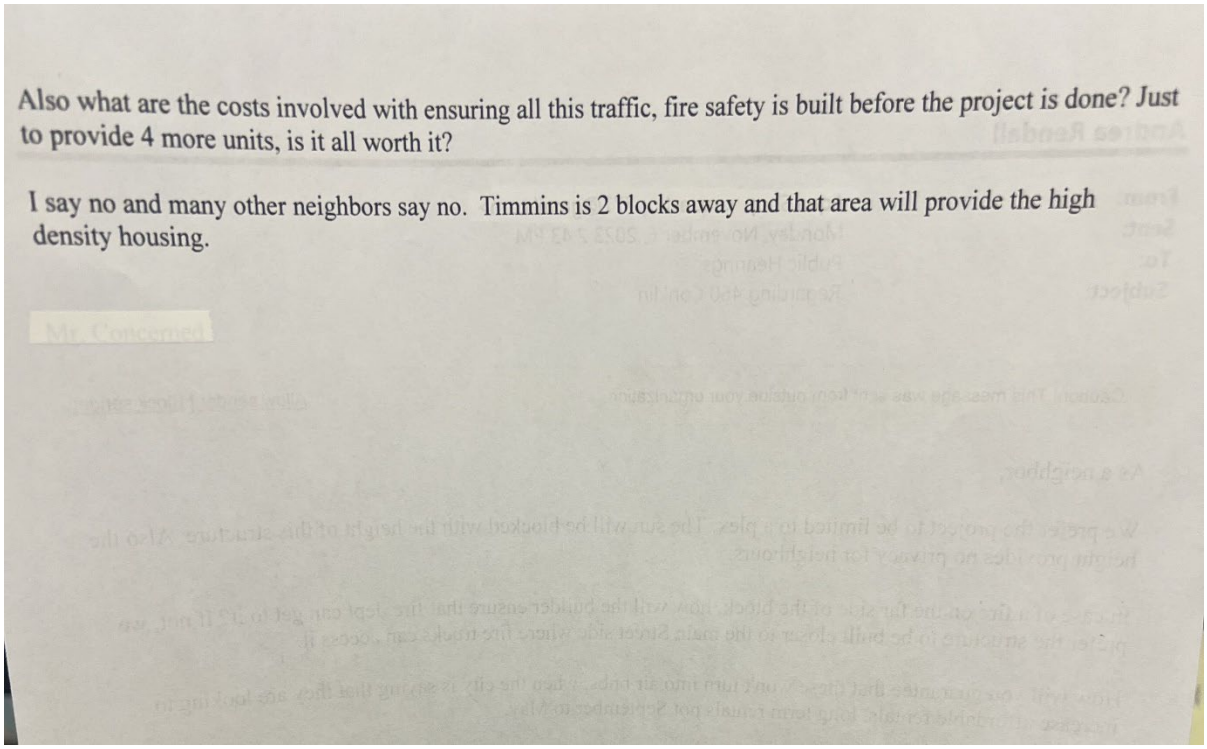
There's also a concern for traffic safety around that area, what all the city did to improve traffic flow in these narrow, one car lane at a time alley ways?

If there is increased crime in the area, what has the city planned to do with the rcmp to plan for this? There are also parts on Moosejaw that have no street lamp. Like Douglas st.

Will they also build garbage bins for the bus stop, and building? Who will collect that, will there be an in house property manager, if not who takes care of the grounds?

Does the city get any increased tax revenue from having 8 units on this lot vs a duplex with a carriage home?

1



Also what are the costs involved with ensuring all this traffic, fire safety is built before the project is done? Just to provide 4 more units, is it all worth it?

I say no and many other neighbors say no. Timmins is 2 blocks away and that area will provide the high density housing.

Mr. Concerned

Appendix C – Petition (see next page)

November 6, 2023

Ms. JoAnne Kleb
Communications and Engagement Manager
City of Penticton

Dear Joanne,

As promised in an earlier email, attached is a copy of the petition conducted in Cherryland Neighbourhood between October 20 and November 5, 2023.

You will see that 73 citizens have signed the petition which states:

We, the undersigned, DO NOT SUPPORT

1. Amending the City of Penticton Official Community Plan to change the future land use designation at 460 Conklin Ave from detached residential to ground oriented residential, and
2. Rezoning the property from R1 (Large lot residential) to RM2 (Low Density Multiple Housing), and
3. A development application to build an 8-unit townhouse building (2 buildings, 3 stories high each).

We have retained the original petition for submission to the public hearing, via the Corporate Officer, should that be necessary. The originals are available for your inspection by contacting me.

Would you please respond acknowledging receipt of the petition and the number of signatories.

Thanks Joanne

Robin

Robin Robertson
412 Conklin Ave
Penticton, BC
V2A 2T4

Proposed Development at 460 Conklin Ave. Penticton, BC

We, the undersigned, DO NOT SUPPORT

1. **Amending the City of Penticton Official Community Plan to change the future land use designation at 460 Conklin Ave from detached residential to ground oriented residential.**
   and
2. **Rezoning the property from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing)**
   and
3. **A development application to build an 8-unit townhouse building (2 buildings, 3 stories high each).**

Name	Address	Signature
JENNFER HUNT	403 CONKLIN AVE	
DEAN SCHELLENBERG	327 CONKLIN	
Dan Patterson	325 CONKLIN	
Bonnie Harrison	307 Conklin	
M FARKINHA	289 CONKLIN	
Dean Erickson	281 Conklin	
AL JOHNSON	261 CONKLIN	
Kim Robertson	243 Conklin	
Mirle Waite	217 Conklin	
Del Nielson	201 Fairview	
[illegible]	213 Conklin	
Rachel Lachmuth	251 Conklin Ave	
[illegible]	298 Conklin	
MISTY Tait	312 Conklin	
Christine Wast	394 Conklin	
Bruce Wast	394 Conklin.	
TONY KOFOL	448 CONKLIN	
PROF RIDGEWAY	449 Conklin	
Wm Kenward	449 Conklin Ave	
DANNY SARASIN	437 CONKLIN AVE	
Renate Unger	437 Conklin Ave	
Robin C. Robertson	412 Conklin Ave.	
John Robertson	412 Conklin Ave	
Sabrina Benedetti	973 Moose Jaw St	
SUSAN HEMPSTED	361 CONKLIN AVE	

Proposed Development at 460 Conklin Ave. Penticton, BC

Proposed Development at 460 Conklin Ave. Penticton, BC

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   and
2. **Rezoning the property from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing)**
   and
3. **A development application to build an 8-unit townhouse building (2 buildings, 3 stories high each).**

Name	Address	Signature
Chani Welch	349 Conklin Ave	
Diane Lauritzen	360 Conklin Ave	
Bill LAURITZEN	360 CONKLIN AVE.	
Juliana Bultrahun	461 Conklin Ave	
Gillian Croft	461 Conklin Ave	
GLORIA WILLIAMS	1096 MOOSEJAW	
K CONOE	1095 MOOSEJAW	
E Neave	527 Conklin Ave	
Ali Burton	510 Conklin Ave	
Mathew Otteson	510 Conklin Ave	
Kenji Wong	1142 Nanaimo Ave	
Alan McCloskey	491 WINDSOR	
Marlene Jones	497 WINDSOR	
Geo McLEOD	470 WINDSOR	
Karen Johnson	469 Windsor Ave	
Melissa Thorsen	463 Windsor	
Amanda Byers	1029 Argyle	
FRED CATES	1038 ARGYLE ST	
	1019 ARGYLE	
J Otteson	1037 ARGYLE	JANE MACLEOD
Dave Henderson	1060 Argyle	
Gentry de Flumian	312 Conklin Ave	
GLEN BURLINGAME	1120 ARGYLE AVE	
Vicky Cobb	313 Conklin	
Karin Benedetti	413 CONKLIN AVE.	

Proposed Development at 460 Conklin Ave. Penticton, BC

Proposed Development at 460 Conklin Ave. Penticton, BC

We, the undersigned, DO NOT SUPPORT

1. **Amending the City of Penticton Official Community Plan to change the future land use designation at 460 Conklin Ave from detached residential to ground oriented residential.**
   and
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3. **A development application to build an 8-unit townhouse building (2 buildings, 3 stories high each).**

	Name	Address	Signature
1	ANGIE McCANN	1061 Argyle	Angie McCann
2	KAREN SINCLAIR	1001 ARGYLE	
3	Rosalita Neufeld	290 Windsor Ave	
4	WADE SANDAN	282 Windsor Ave	
5	Tina Hachy	226 Windsor Ave	
6	Sandra Webber	210 Windsor Ave	
7	CANCEE ROSS	202 WINDSOR AVE	
8	KONRAD DYCK	" "	
9	FRANK GAIR	209 WINDSOR AVE	
10	Hans Burkett	245 Windsor Ave	
11	Margaret Reuhaus	281 Windsor Ave	
12	AMANDA NEWCOMB	297 Windsor Ave.	
13	Joyce Geering	425 Conklin	
14	JOSH SEDDON	460 DOUGLAS AVE	

Proposed Development at 460 Conklin Ave. Penticton, BC

Proposed Development at 460 Conklin Ave. Penticton, BC

We, the undersigned, DO NOT SUPPORT

1. **Amending the City of Penticton Official Community Plan to change the future land use designation at 460 Conklin Ave from detached residential to ground oriented residential.**
   and
2. **Rezoning the property from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing)**
   and
3. **A development application to build an 8-unit townhouse building (2 buildings, 3 stories high each).**

	Name	Address	Signature
1	Chris McPherson	475 Douglas	
2	Jack McPherson	475 Douglas	
3	Helen McPherson	475 Douglas	
4	Sharon Hamilton	369 Douglas	
5	Jule Matsor	413 Douglas	
6	Alexa Ewin	315 Douglas	
7	MARLENE FIX	367 Douglas	
8	Samantha Oxbury	1160 Moosejaw St	
9	Ryan Oxbury	1160 Moosejaw St	

Attachment 'G'

604 536 7333 Ext 201 |cell 604.309.4154
800 – 15355 24 Avenue, Suite # 550, Surrey, BC V4A 2H9

December 15, 2023

Jordan Hallam, BA, Planner II
City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Dear Jordan,

The Public Engagement Process has been in my view a very successful process. As demonstrated in the very thorough final report, the neighbours all showed at the city sponsored Zoom meeting and at the in-person engagement a few days later. Attendance was from 40 to 70 people depending on format. We also arranged our own engagement process held two days after the city meeting. We distributed 300 invitations to our meeting, delivered to the Conklin postal code by Canada Post. We also posted a billboard on 460 Conklin inviting people to our meeting held at the Penticton Golf Club.

We prepared full scale-coloured drawings of our proposal for the meeting displayed on easels. Approximately 40 people attended the Golf Club meeting. The City Engagement Report results and our engagement results were very similar. Approximately 40% of attendees supported our proposal and 60% opposed the proposal. The city was asking for engagement on the OCP amendment to allow the density change. The public was 60% opposed to amending the density but at the same time expressed a full criticism of a host of other issues. It was almost impossible to keep people focused on the OCP amendment alone, so we made a list of the other criticisms. People also ignored the existing R 1 zoning and what was already allowed. The single biggest criticism was the height of the structure at 3 storeys, even though 3 storeys is allowed in the existing R1 zoning. The 8 units proposed met opposition with numerous suggestions that 4 to 6 units would be more in keeping with the density needs. Very few insisted on a single-family home as the only answer. Parking was the single biggest issue besides height. There is a real disconnect between what the zoning bylaws require and what the public believes is needed for parking. In our view, the zoning bylaw requirements reflect the reality of what is needed, based on intended occupancy. Based on the views expressed in the meetings people only use garages for storage and all park their cars on the street. And heaven forbid that someone has an Xmas party and there is no parking within 100 feet of the residence. Bottom line is it is clear there will never be enough parking on any application to satisfy public's perceived demand. My suggestion that people leave their cars at home and walk or use the bicycle lanes was not met with warm thoughts. Clearly there is a belief that drivers are entitled to have parking readily available whatever their destination. Obviously unrealistic. The variances applied for to accommodate the transition from an R1 zone to an RM2 zone created a certain amount of confusion but when explained in detail I would say the need for them was understood.

Based on the Public Engagement Process we decided to significantly amend our plans to address all the concerns we heard expressed. We have submitted a new set of drawings to your department that reflect our solutions to the public criticisms.

604 536 7333 Ext 201 |cell 604.309.4154
800 – 15355 24 Avenue, Suite # 550, Surrey, BC V4A 2H9

We have reduced the unit count from 8 units to 6 units. During the Engagement Process the Province tabled new province wide zoning legislation. We decided to align our application with the new legislation which we understand would allow 6 units of density on the Conklin site. In response to all the technical criticisms we decided to reduce the 3 storeys to 2 storeys and eliminate second floor decks. This resulted in eliminating all requirements for variances to setbacks. It also eliminated decks looking over neighbour's lots. It also resulted in available parking at twice the bylaw requirements and significant landscaped play areas. The net result is a project that meets the new provincial density standards and requires zero variances from the RM2 zoning bylaw. We ask that the Council consider the significant improvements to our application as quickly as possible as we are anxious to get on with building this project.

Thank you,

Ewen Stewart

Ewen Stewart

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Permit

Permit Number: DP PL2023-9621

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 13 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3867
Civic:	460 Conklin Avenue
PID:	010-704-230

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a 6-unit townhouse development as shown in the plans attached in Schedule 'A'.

4. In accordance with Section 502 of the Local Government Act a deposit or irrevocable letter of credit, in the amount of $30,000.00 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.

5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:
    a. The permit has lapsed as described under Condition 8, 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.

6. 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).

DRAFT

General Conditions

7. 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'.

8. 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.

9. **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.**

10. 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.

11. 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.

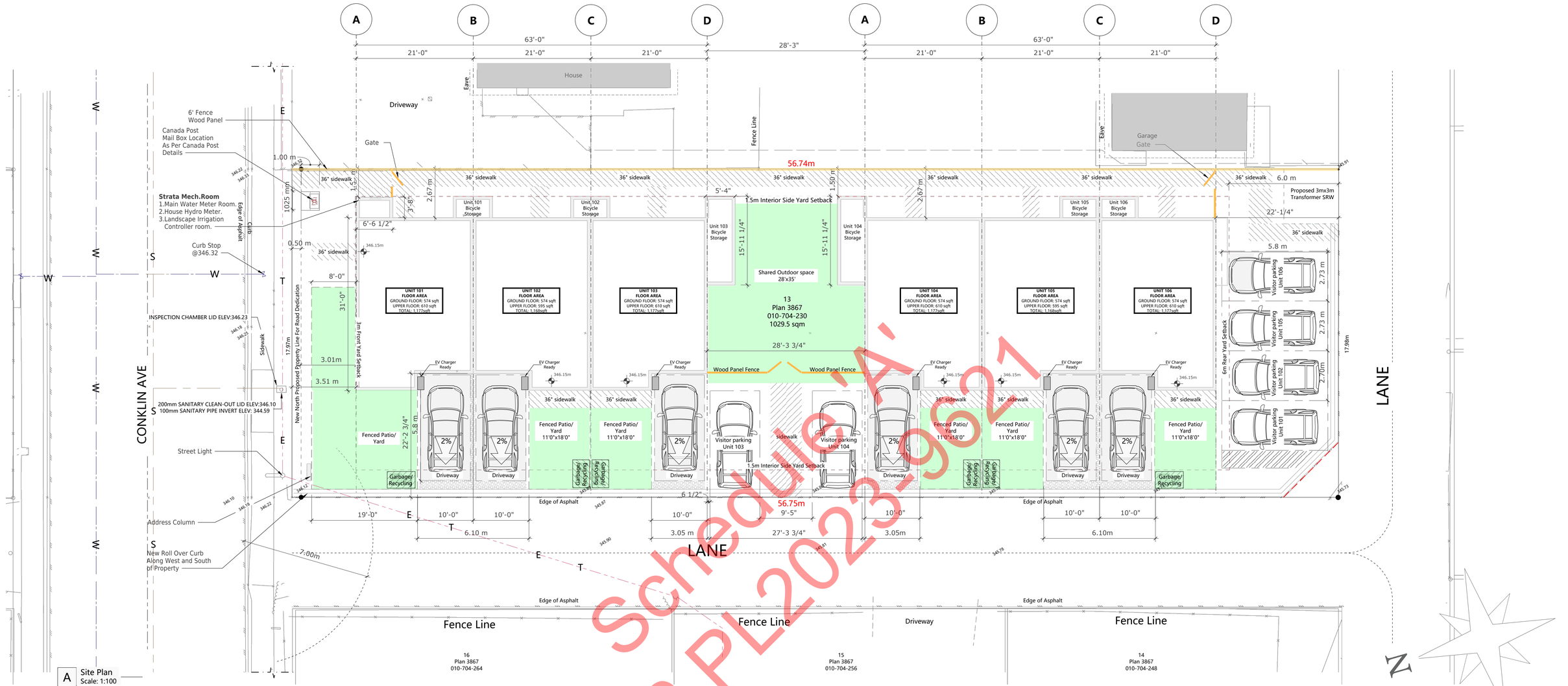
Authorized by City Council, the 6th day of February, 2024.

Issued this _____ day of February, 2024.

_____

Angela Collison
Corporate Officer

DRAFT



Schedule 'A'
DP PL2023-9621

SITE RECONCILIATION:

PROJECT DATA-CONKLIN AVE

CIVIC ADDRESS	460 CONKLIN AVE, PENTICTON,BC
PROPOSED USE	TOWN HOUSE (6 UNITS)
LOT SIZE	1029.5 sqm (11080.43 sqft)
BASIS OF DESIGN	BCBC, 2018
PROPOSED ZONING	RM2

DP APPLICATION TOWN HOUSES

	ZONE RM2	PRVIDED
LOT COVERAGE	40%	36.7%
F.A.R	0.8	0.64
PROPOSED STOREYS	n/a	2
PROPOSED HEIGHT	12m	7.02m
FRONT YARD SETBACK PRINCIPAL BUILDING NORTH	3m	3.01m
INTERIOR SIDE YARD SETBACK PRINCIPAL BUILDING EAST	1.5m ▲	1.55m
INTERIOR SIDE YARD SETBACK PRINCIPAL BUILDING WEST	1.5m ▲	5.86m
RAER YARD SETBACK PRINCIPAL BUILDING SOUTH	6m	6.71m

DP APPLICATION TOWN HOUSES

AREA CALCULATION-BREAKDOWN

	ZONE RM2	PROVIDED
LEVEL		
GARAGE (not included in net total)		n/a
GROUND FLOOR		3444 sqft
UPPER FLOOR		3600 sqft
ACCESSORY BUILDING		n/a
NET TOTAL		7044 sqft
FAR	0.8	0.64

AMENITY SPACE	ZONE RM2	PRVIDED
PER UNIT	20 sqm	44 sqm
AMENITY SPACE BREAKDOWN		
DECK/PATIO		6 sqm(14%)
INDOOR ALLOWANCE(not included in F.A.R)	20% max.	4 sqm(09%)
GROUND FLOOR	25% min.	34 sqm(77%)

DP APPLICATION TOWN HOUSES

PARKING	ZONE RM2	PRVIDED
RESIDENT PARKING	6	6
VISITOR PARKING (STANDERED SIZE, 25%of RESIDENT PARKING)	1.5	6

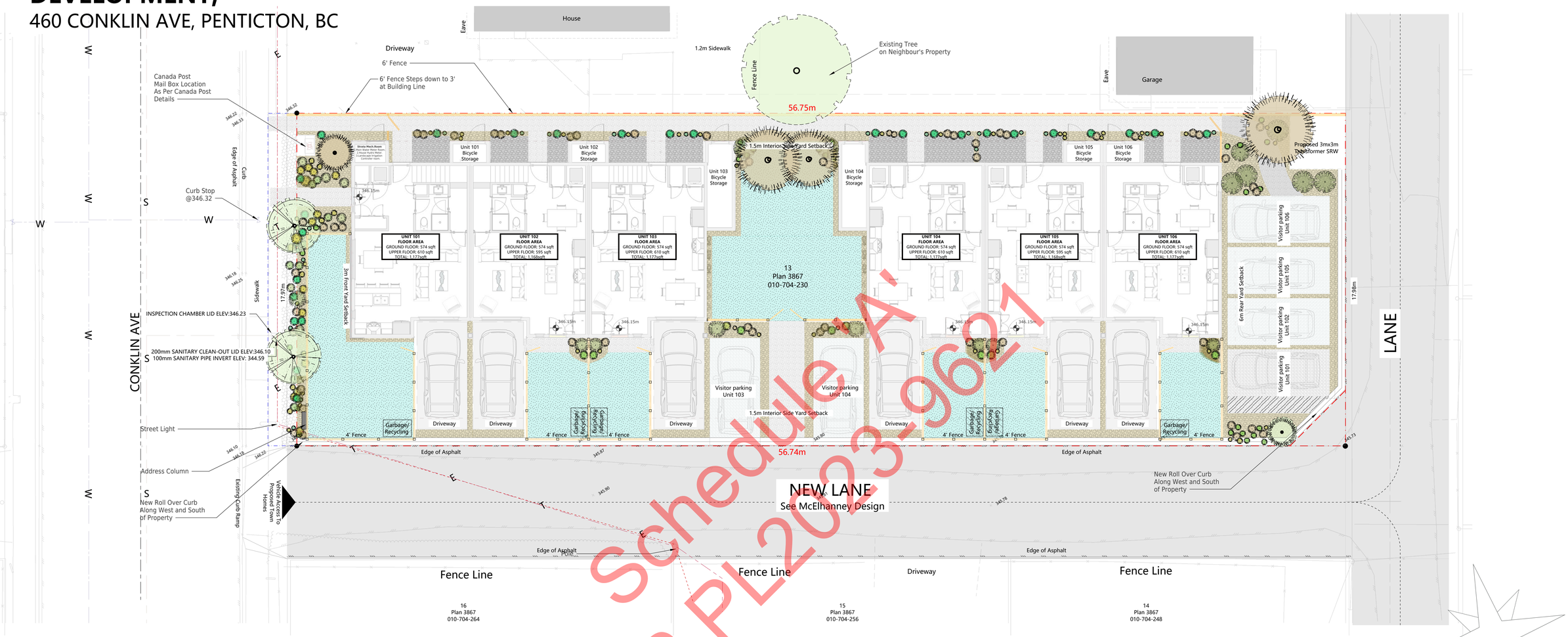
▲ When more than 8.0m in height and exceeding 2 storeys Setback is 3.0m

Craig Meadow :: 250-462-0420 :: December 11, 2023 ::

A0.2

PROPOSED CONKLIN TOWN HOUSE DEVELOPMENT,

460 CONKLIN AVE, PENTICTON, BC



A Site Plan (Landscape)

Scale: 1:100


Hemerocallis x 'Lemon Yellow'


Helictotrichon sempervirens


Helleborus orientalis red


Ornamental Grasses Maiden Grass


Euonymus Turkestan


Acer Ginnala Red Leaves Comb


Acer Buergerianum


Rock Landscape Ground Covering

Concrete Address Column

B Examples of Trees and Shrubs Proposed

Scale: N/A

All Plants and Trees to be serviced by Underground Irrigation

Schedule 'A'
DP PL2023-9621

MEADOW VIEW **DRAFTING AND DESIGN**

14211 Bristow Rd, Summerland, BC

Call: 250-462-0420

Email: craig@meadowviewdrafting.com

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Project:

AZURA TOWN HOUSE DEVELOPMENT

Client:

AZURA MANAGEMENT KELOWNA CORP.

Drawn By:

Craig Meadow

Scale: As Indicated

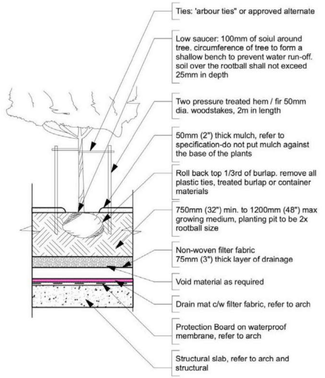
Pages: 1-18

Date: December 11, 2023

Revision #.	Date Issued.

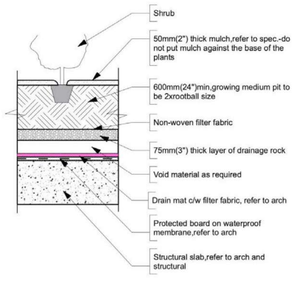
A4.1

Craig Meadow :: 250-462-0420 :: December 11, 2023 ::



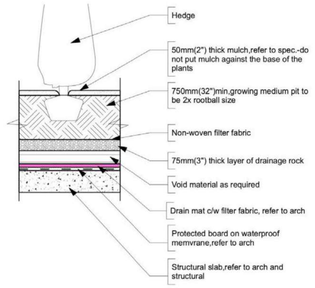
A DETAIL:TREE ON SLAB

Scale: NTS



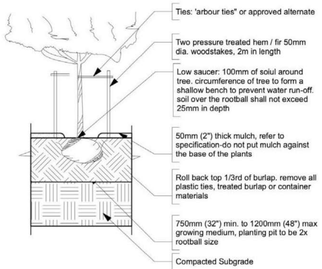
B DETAIL: SHRUB ON SLAB

Scale: NTS



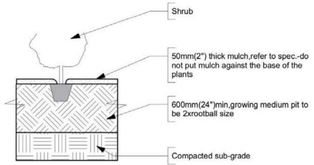
C DETAIL: HEDGE ON SLAB

Scale: NTS



D DETAIL: TREE AT GRADE

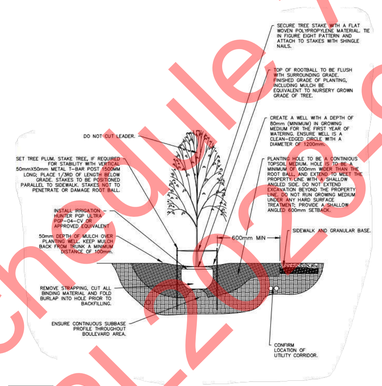
Scale: NTS



E DETAIL: SHRUB AT GRADE

Scale: NTS

	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	MATURE PLANTS SIZE (Ht.XWd.)	IRRIGATION TYPE
		Trees					
	2	Acer Buergerianum	Trident Maple	4" cal.	B&B	25'x25'	Drip (Medium Water Requirements)
	4	Acer Ginnala	Amur Maple	4" cal.	B&B	20'x20'	Drip (Medium Water Requirements)
		Shrubs					
	65	Hemeroca|lis x 'Lemon Yellow' or vars	Lemon Yellow Daylily	#1	Potted		Drip (low Water Requirements)
	43	Helictotrichon sempervirens	Blue Oat Grass	#1	Potted		Drip (low Water Requirements)
	5	Euonymus Turkestan	Turkestan	#3	Potted		Drip (low Water Requirements)
	7	Salix purpurea 'Nana'	Dwarf Arctic Blue Leaf Willow	#3	Potted		Drip (low Water Requirements)
	38	Berberis Thunbergii 'Sunsation'	Japanese Barberry	#2	Potted		Drip (low Water Requirements)
	41	Cornus sericea 'stolonifera'	Redosier Dogwood	#2	Potted		Drip (low Water Requirements)



F DETAIL:BOULIVARD "SOFT" LANDSCAPE

Scale: NTS AS PER City Detail

CITY OF PENTICTON

STANDARD DETAIL DRAWINGS

NOTES

THIS TREE PLANTING DETAIL IS USED WHEN PLANTING A TREE IN A SOFTSCAPE SITUATION. TREE SPECIES AND SIZE TO BE APPROVED BY THE CITY PRIOR TO INSTALLATION.

ALL PLANTS AND PLANTING ARE TO CONFORM TO THE B.C LANDSCAPE STANDARD.

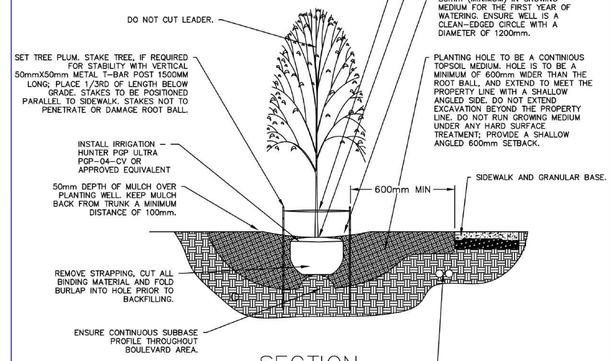
PROTECT TREE FROM DAMAGE DURING TRANSPORT AND PLANTING. TREE ROOTS NOT TO BE EXPOSED TO SUN OR FROST.

CONFIRM TREE LOCATION AGAINST ALL REQUIRED OFFSETS.

CONFIRM LOCATION OF UTILITIES; IT IS RECOMMENDED THAT STREET TREE PLANTING PITS BE DUG BY HAND AS UNDERGROUND SERVICES MAY EXIST.

CONFIRM FREE DRAINING SUBSOIL. CONTACT PARKS SUPERVISOR OR CITY ARBORIST IF PROBLEMS ARISE.

PROVIDE IRRIGATION TO THE CITY OF PENTICTON REQUIREMENTS.



SOFTSCAPE BOULEVARD TREE PLANTING	SCALE	APPROVED	REV	DWG NO.
	NTS	August, 2019	1	S-R18a

460 CONKLIN AVE, PENTICTON, BC

A4.2

Schedule 'A'
DP PL2023-9621

MEADOW VIEW **DRAFTING AND DESIGN**

14211 Bristow Rd, Summerland, BC

Call: 250-462-0420
Email: craig@meadowviewdrafting.com

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Project:
AZURA TOWN HOUSE DEVELOPMENT

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Drawn By:

Craig Meadow

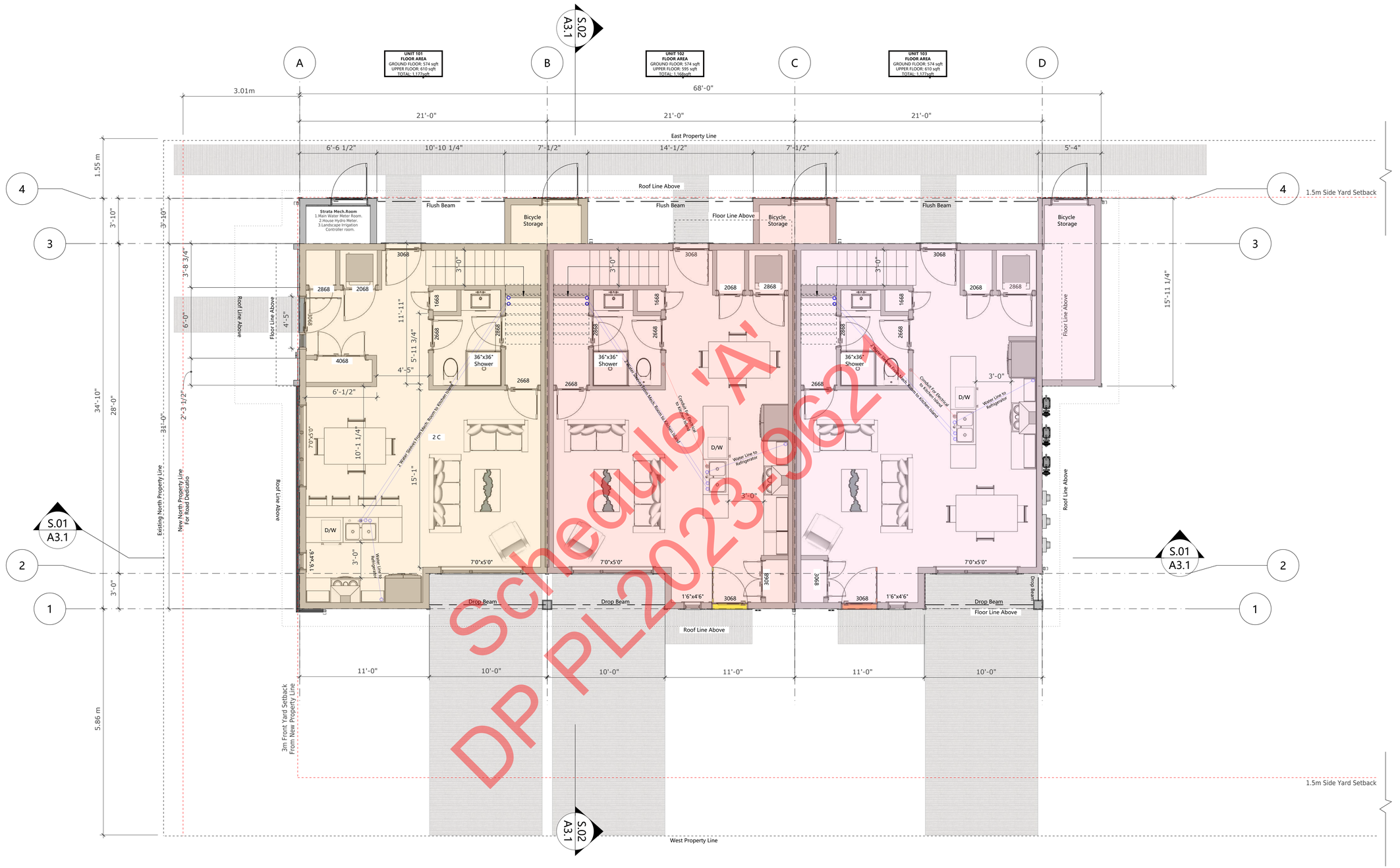
Scale: As Indicated

Pages: 1-18

Date: December 11, 2023

Revision #. Date Issued.

Craig Meadow :: 250-462-0420 :: December 11, 2023 ::



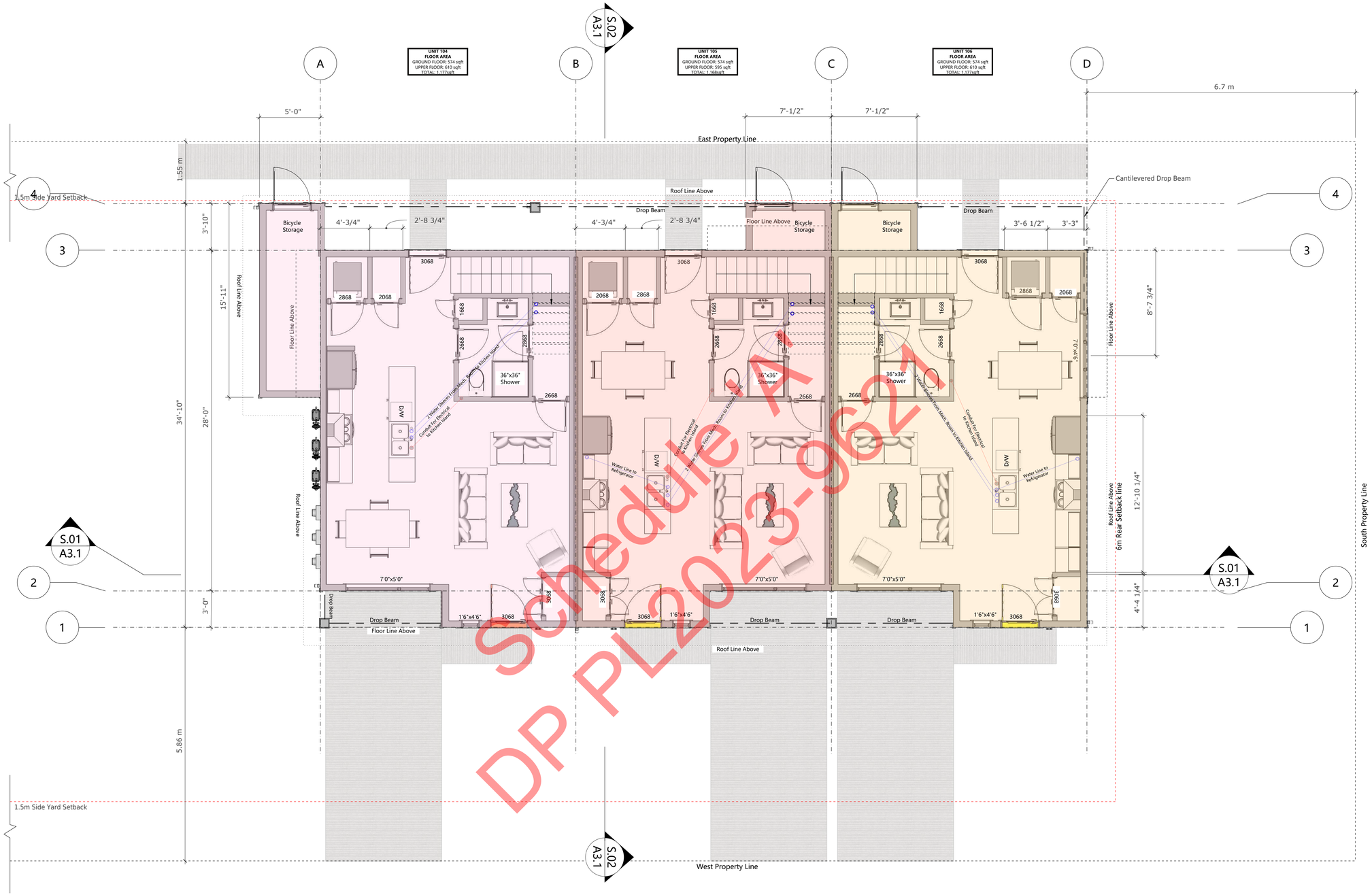
Schedule 'A'
DP PL2023-9621

B.1 Ground Floor Building 1

Scale: 1/4"=1' (1:48)

460 CONKLIN AVE, PENTICTON, BC

A1.3

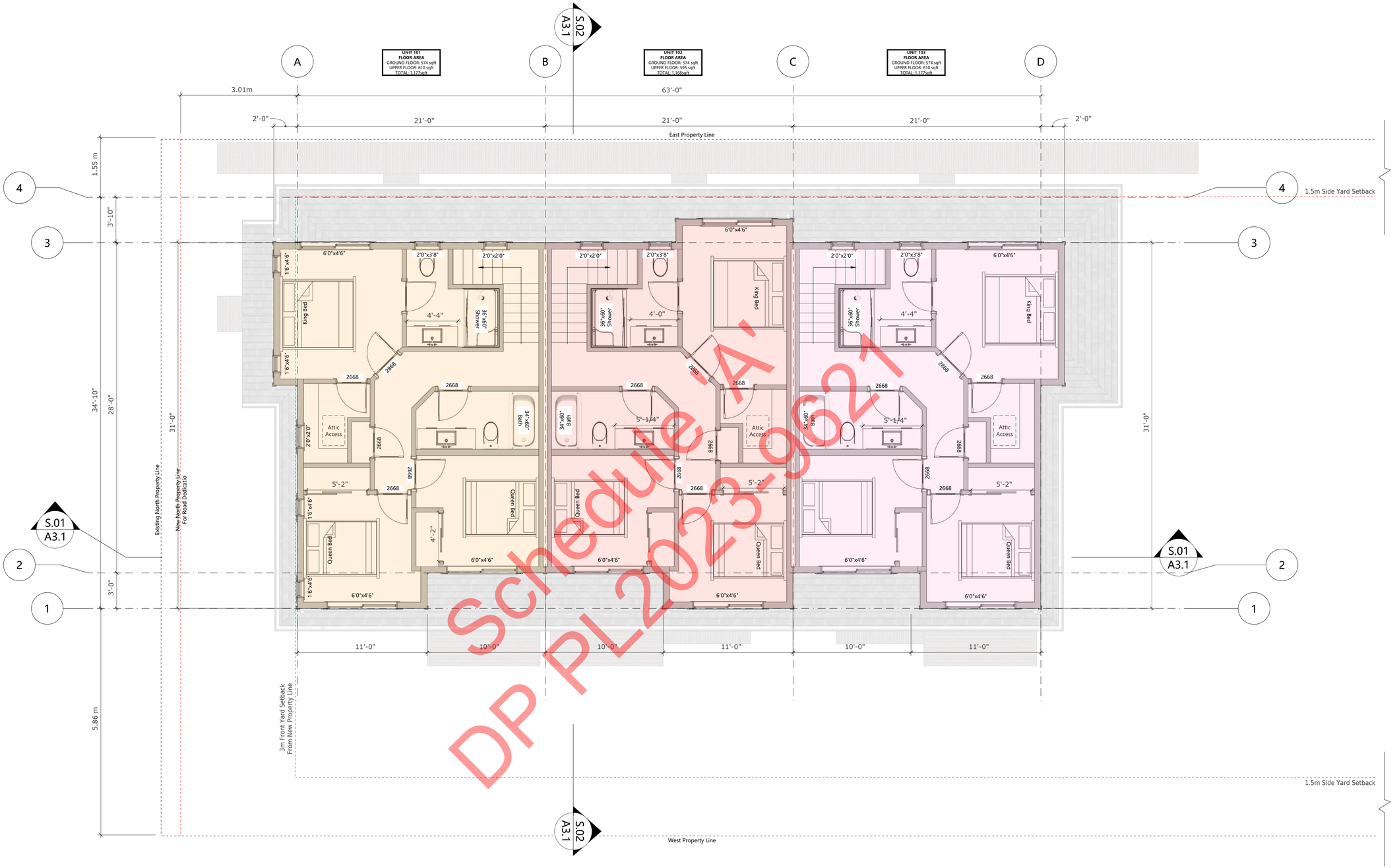


Schedule A
DP PL2023-9621

B.2 Ground Floor Building 2

Scale: 1/4"=1' (1:48)

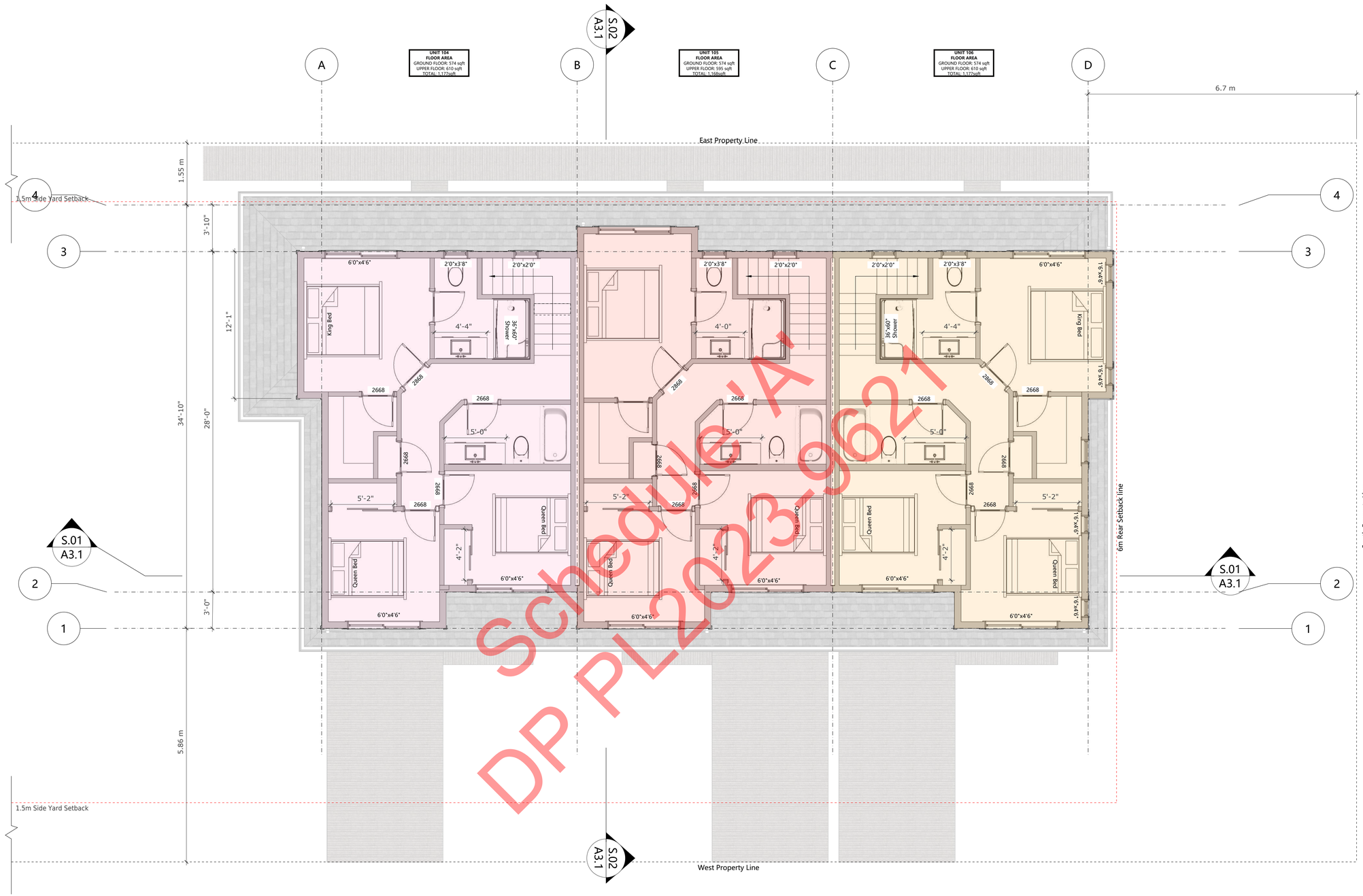
A1.4



Scheduled
DP PL2023-9621

C.1 Upper Floor Building 1

Scale: 1/4"=1' (1:48)



Scheduled 'A'
DP PL2023-9621

C.2 Upper Floor Building 2

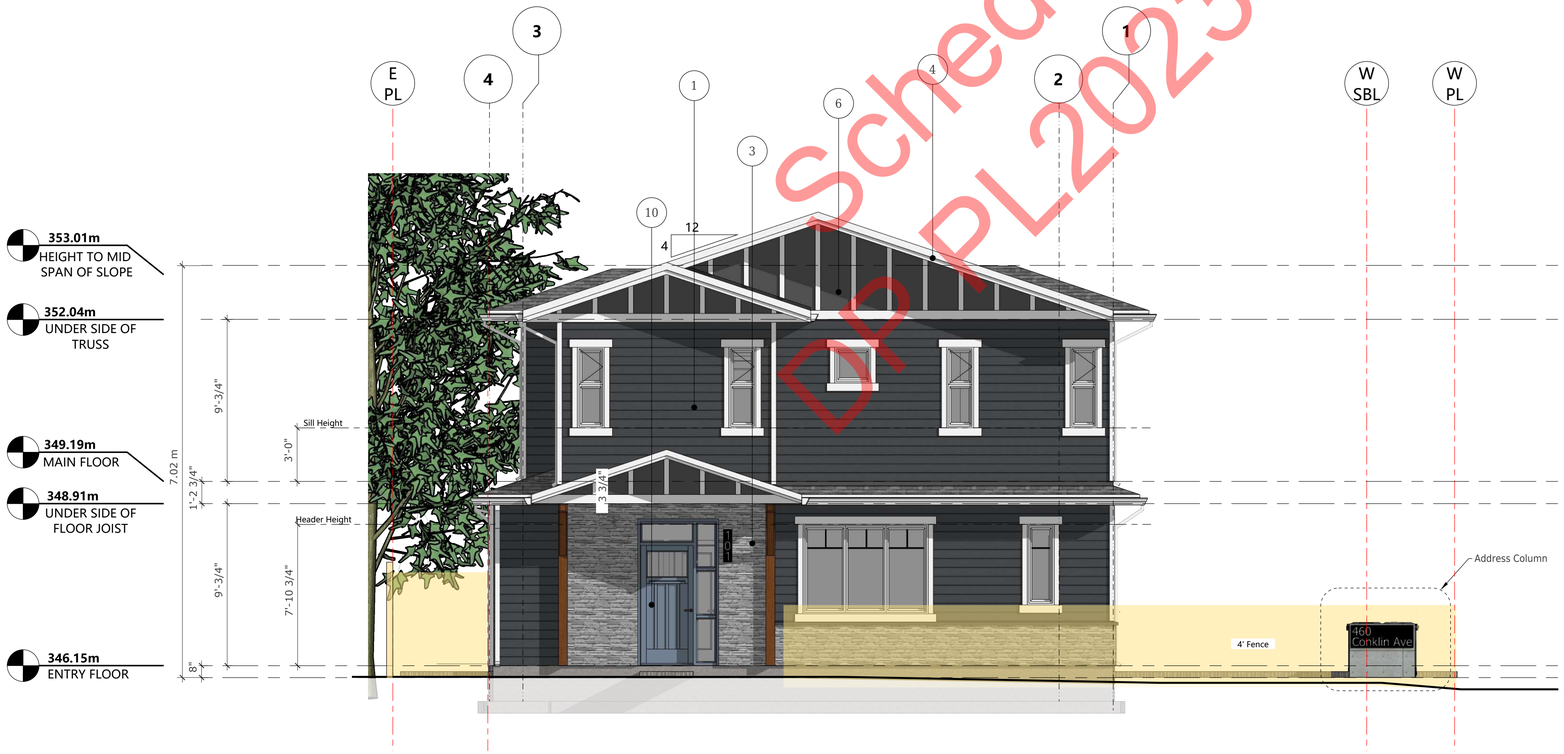
Scale: 1/4"=1' (1:48)

460 CONKLIN AVE, PENTICTON, BC

A1.6

A Elevation West (Building 1)

Scale: 1/4"=1' (1:48)



B Elevation North (Building 1)

Scale: 1/4"=1' (1:48)

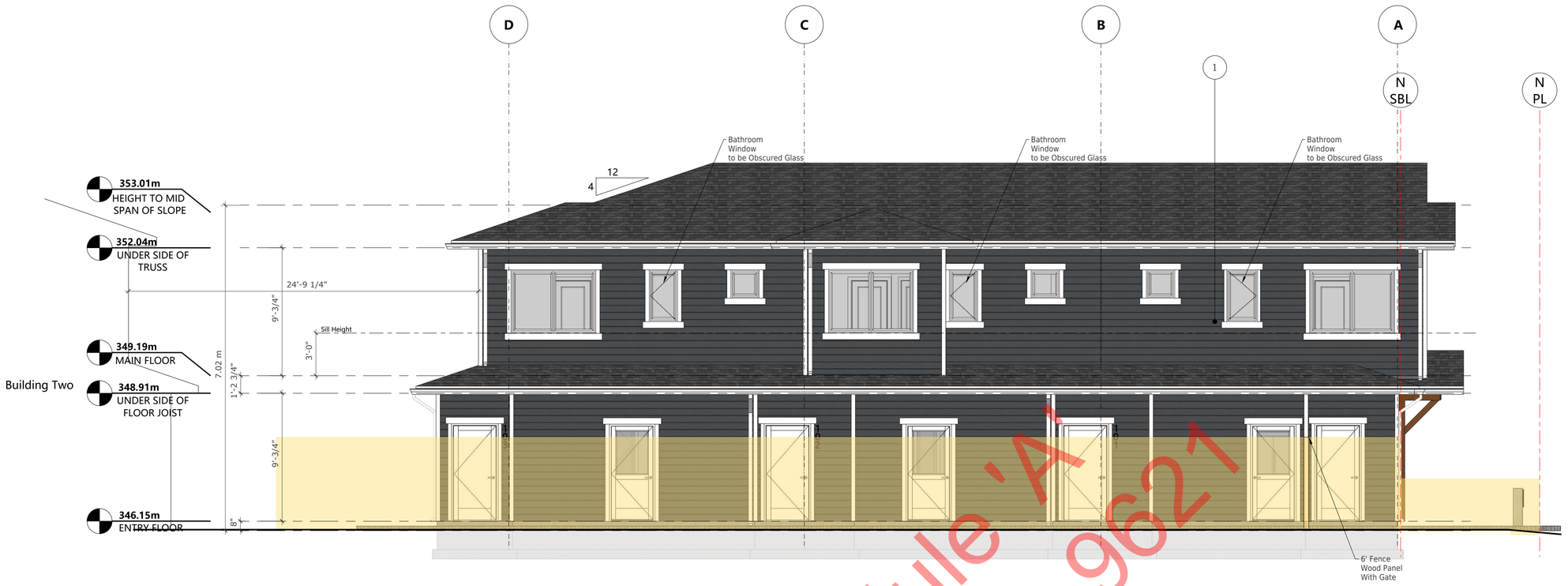
Concrete Address Column

EXTERIOR FINISH KEY

1. 7 1/4" Exposure Siding- Horizontally Oriented (Iron Grey)
2. Hardie Shakes (Iron Grey)
3. Cultured Stone
4. Allura Smart Trim (Vanilla White)
5. Ashphalt Shingle (Iko Dual Black)
6. Roof Fascia - 1x4 Over 2x8 Fascia (Painted White)
7. Eave Bracket / Timber Accents (Stained - Sikkens Cedar)
8. Rough Cut Fir Timber (Stained - Sikkens Cedar) [Re-Sawn Where Exposed]
9. Vinyl Windows With 6" Trim (Plygem Or Similar)
10. Craftsman Entry Paint Colour TBD (Plygem Or Similar)
11. Board & Baton (Iron Grey Or Vanilla White)
12. Over Head Door (White)

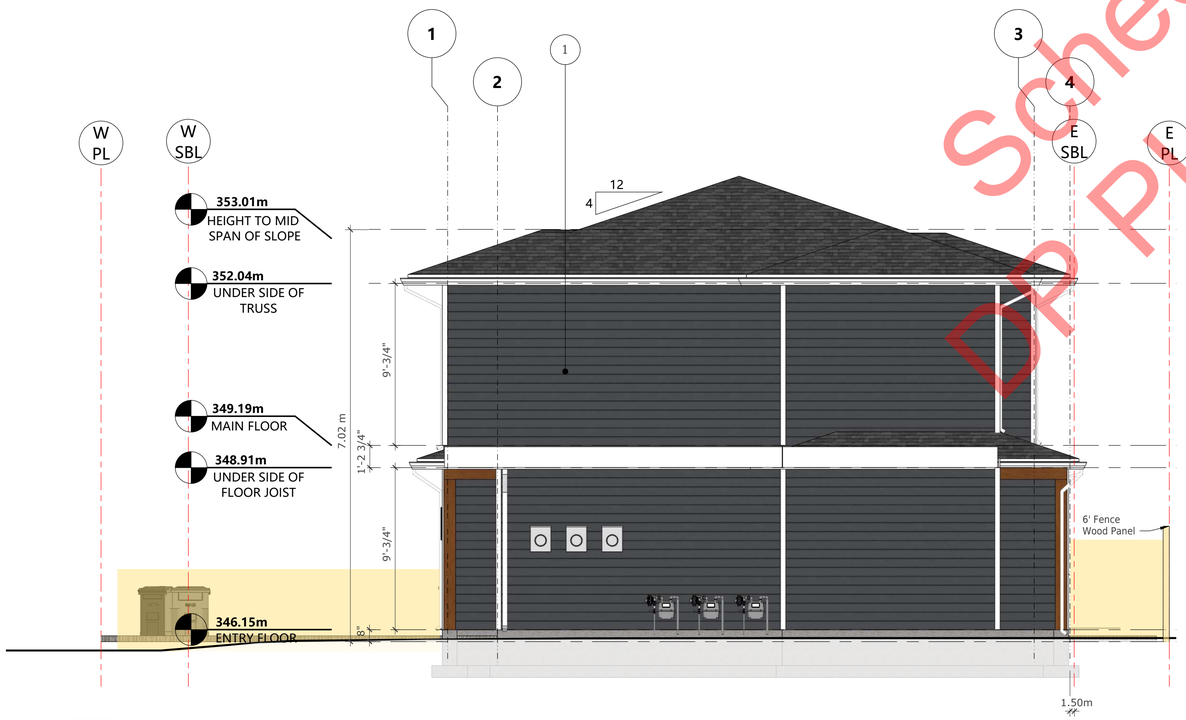
Schedule 'A'
DP PL2023-9621

A2.1



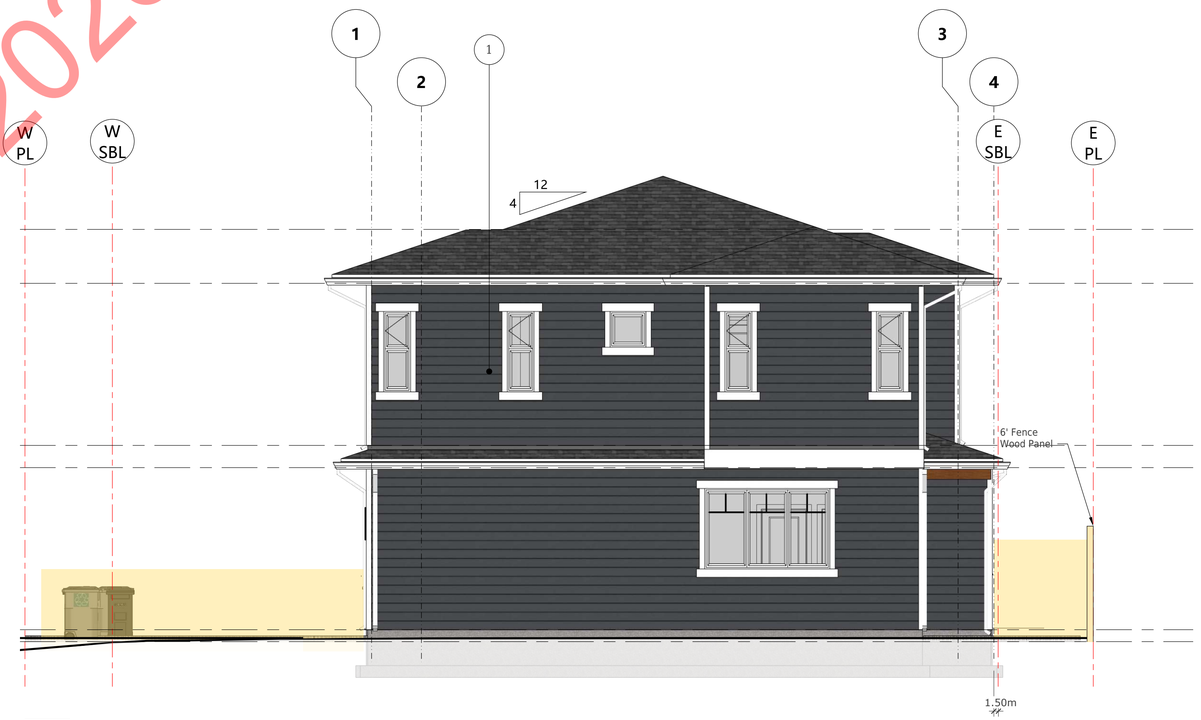
C Elevation East (Building 1)

Scale: 1/4"=1' (1:48)



D Elevation South (Building 1)

Scale: 1/4"=1' (1:48)



E Elevation South (Building 2)

Scale: 1/4"=1' (1:48)

EXTERIOR FINISH KEY

1. 7 1/4" Exposure Siding- Horizontally Oriented (Iron Grey)
2. Hardie Shakes (Iron Grey)
3. Cultured Stone
4. Allura Smart Trim (Vanilla White)
5. Ashphalt Shingle (Iko Dual Black)
6. Roof Fascia - 1x4 Over 2x8 Fascia (Painted White)
7. Eave Bracket / Timber Accents (Stained - Sikkens Cedar)
8. Rough Cut Fir Timber (Stained - Sikkens Cedar) [Re-Sawn Where Exposed]
9. Vinyl Windows With 6" Trim (Plygem Or Similar)
10. Craftsman Entry Paint Colour TBD (Plygem Or Similar)
11. Board & Baton (Iron Grey Or Vanilla White)
12. Over Head Door (White)

Schedule 'A'
DP PL2023-9621

A2.2

E West Elevation

Scale: 3/16"=1' (1:64)

F East Elevation

Scale: 3/16"=1' (1:64)

Schedule "A"
DP PL2023-9621

A2.3

The Corporation of the City of Penticton

Bylaw No. 2024-01

A Bylaw to Amend Official Community Plan Bylaw No. 2019-08

WHEREAS the Council of the City of Penticton has adopted an Official Community Plan Bylaw pursuant to the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend "Official Community Bylaw No. 2019-08";

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 "Official Community Plan Amendment Bylaw No. 2024-01."

2. **Amendment:**

"Official Community Plan Bylaw No. 2019-08" is hereby amended as follows:

2.1 To change the following designations as follows:

Amend Map 1: Future Land Use by changing the future land use designation for Lot 13 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3867, located at 460 Conklin Avenue, from "Detached Residential" to "Ground Oriented Residential" as shown on Schedule 'A'.

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

READ A FIRST time this	16	day of	January, 2024
A PUBLIC HEARING was held this	6	day of	February, 2024
READ A SECOND time this		day of	, 2024
READ A THIRD time this		day of	, 2024
ADOPTED this		day of	, 2024

Notice of intention to proceed with this bylaw was published on the 26th day of January, 2024 and the 31st day of January, 2024 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Schedule A: OCP Amendment Bylaw 2024-01

Date: Corporate Officer:

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Monday, January 8, 2024 11:59 AM

Meters

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Coordinate System: NAD 1983 CSRS UTM Zone 11N

The Corporation of the City of Penticton

Bylaw No. 2024-02

A Bylaw to Amend Zoning Bylaw 2023-08

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. 2023-08;

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. 2024-02".

2. **Amendment:**

2.1 Zoning Bylaw No. 2023-08 is hereby amended as follows:

Rezone Lot 13 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3867, located at 460 Conklin Avenue, from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing) as shown on Schedule 'A'.

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

READ A FIRST time this	16	day of	January, 2024
A PUBLIC HEARING was held this	6	day of	February, 2024
READ A SECOND time this		day of	, 2024
READ A THIRD time this		day of	, 2024
RECEIVED the approval of the Ministry of Transportation on the		day of	, 2024
ADOPTED this		day of	, 2024

Notice of intention to proceed with this bylaw was published on the 26th day of January, 2024 and the 31st day of January, 2024 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 2024

_____
for Minister of Transportation & Infrastructure

_____
Julius Bloomfield, Mayor

_____
Angie Collison, Corporate Officer

Schedule A: Zoning Amendment Bylaw 2024-02

Date:

Corporate Officer:

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Monday, January 8, 2024 12:01 PM

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