

Address & Legal Description:

378 Windsor Avenue

Lot 26 District Lot 1 Group 7 Similkameen Division
Yale (Formerly Yale-Lytton) District Plan 4576

Subject & Proposal

Development Variance Permit PL2024-9842

The applicant is proposing to construct two side by side duplexes (4 units) with access from the rear lane and the street. In the R4-L Zone, where a rear lane is provided, vehicular access must be from the rear lane.

As such, the following variance to Zoning Bylaw 2024-22 has been requested:

- Vary Section 10.1.3.1 to allow vehicular access from a street

Council Consideration:

Council will consider the Development Variance Permit at its Regular Council Meeting scheduled for **1:00 pm, September 10, 2024** in Council Chambers at Penticton City Hall, 171 Main St.

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

Information:

You can find the staff report to Council and Development Variance Permit PL2024-9842 on the City's website at www.penticton.ca/publicnotice or scan the QR code on the right.



Questions?

Please contact Yvonne Mitchell at 250-490-2529 or yvonne.mitchell@penticton.ca with any questions.



Written Submissions:

Any person whose interest may be affected by the proposed Development Variance Permit, may submit written comments by mail or email no later than **9:30 am, Tuesday, September 10, 2024**, to:

Attention: Corporate Officer, City of Penticton

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

Email: corpadmin@penticton.ca

Please ensure the following is included in your correspondence:

Subject: 378 Windsor Avenue

No letter, report or representation from the public will be received by Council after the conclusion of the September 10, 2024 Council Meeting.

Please note that all correspondence submitted to the City of Penticton in response to this Notice must include your name and address and will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's name and address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.

Audrey Tanguay

Planning & Licencing Manager

Date: September 10, 2024
To: Anthony Haddad, City Manager
From: Yvonne Mitchell, Planner II
Address: 378 Windsor Avenue
Subject: Development Variance Permit – PL2024-9842
 Development Permit – PL2024-9844

File No: RMS/378 Windsor Avenue

Staff Recommendation

Development Variance Permit

THAT Council deny “Development Variance Permit PL2024-9842”, for Lot 26 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 4576, located at 378 Windsor Avenue, a permit to vary Section 10.1.3.1 of the Zoning Bylaw No. 2024-22: allow vehicular access from a street;

Development Permit

AND THAT Council, deny “Development Permit PL2024-9844”, for Lot 26 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 4576, located at 378 Windsor Avenue, a permit to construct two side by side duplexes (4 units).

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 two side by side duplexes (4 units) with access from the rear lane and the street. In the R4-L Zone, where a rear lane is provided, vehicular access must be from the rear lane. As such, a development variance permit has been requested. The application also requires a Development Permit, which has been included for Council’s consideration of denial.

Background

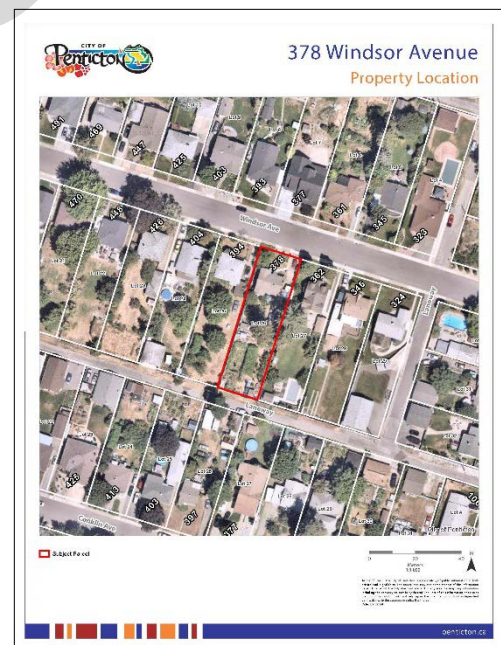


Figure 1 - Property Location Map

Property Information

The property is located on the south side of Windsor Avenue, three blocks west of Windsor Park (Figure 1). The property is 0.29 acres in size and currently contains a single detached dwelling. The property is zoned R4-L – Small-Scale Multi-Unit Residential: Large Lot in the Zoning Bylaw, and designated Low Density Residential in the Official Community Plan. The surrounding area consists largely of single detached dwellings, with other properties also zoned R4-L and designated Low Density Residential.

Financial Implication

The applicant is responsible for all development costs, including any service upgrades and the payment of Development Cost Charges (DCC's) to help offset the added demand on City services from the proposed development.

Climate Impact

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

- **Electrify Passenger Transport:** Enable charging at home and work
 - o The proposal includes one EV ready stall for each dwelling unit.

Technical Review

The application was reviewed by the City's Technical Planning Committee (TPC). Requirements for building permit, the payment of Development Cost Charges (DCC's), and required works and services, such as upgrading the full width of the lane adjacent to the property, were identified and communicated to the applicant.

Development Statistics

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

	Zone Requirement (R4-L - Small-Scale Multi-Unit Residential: Large Lot)	Provided on Plans
Minimum Lot Width*:	16 m	18.28 m
Minimum Lot Area*:	560 m ²	1169.06 m ²
Maximum Lot Coverage:	40%	37.9%
Maximum Density:	4 dwelling units	4 dwelling units
Maximum Height:	11.0 m, 3 storeys	6.92 m, 2 storeys
Vehicle Parking:	Total Vehicle Spaces Required: 1 per dwelling unit (4 total)	Total Vehicle Spaces Provided: 4 garage, 2 rear driveway, 1 lane (7 total)
Level 2 Electric Vehicle (EV) Ready Stalls:	Total EV Ready Required:	Total EV Reading Provided:

	1 per dwelling unit (4 EV Ready total)	4 EV Reading Stalls (1 per dwelling unit)
Bicycle Parking:	Total Class 1 Spaces Required: 0.5 (none if garage space provided) Total Class 2 Spaces Required: 0.1 per dwelling unit (None)	Total Class 1 Provided: None (garage space provided) Total Class 2 Provided: None
Required Setbacks Front Yard: Side Yard (east): Side Yard (west): Rear Yard (lane):	4.5 m 1.5 m 1.5 m 6.0 m	4.8 m 1.8 m 1.8 m 6.11 m
Vehicular Access:	Where rear lane is provided, vehicular access must be from the rear lane.	Access from rear lane and street. Variance requested.
Pedestrian Access:	1.2m path from front of lot to main entry of each dwelling unit.	1.2m path from front of lot to main entry of each dwelling unit.
Amenity Space:	20m ² per dwelling unit.	59m ² per dwelling unit.
Tree Planting:	1 tree per unit. Minimum 1 tree in front yard.	1 tree per unit. 2 trees in front yard.
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Development Variance Permit

The applicant has requested a variance to Section 10.1.3.1 of the Zoning Bylaw No. 2024-22 to allow vehicular access from a street. Staff have reviewed the requested variance and are recommending denial for the following reasons:

1. Adequate space for required parking accessed from rear lane

The Zoning Bylaw requires one parking space per duplex unit, for a total of four parking spaces. Where a rear lane is provided, vehicular access must be from the lane. The property has a width of 18.28 m along the lane. This provides adequate space for the 10.8 m width required for four standard 5.8mx2.7m parking spaces. The transformer, currently proposed off the lane, can also be moved to a landscaped area in the front yard to provide more space for parking.

2. Impact to on-street parking, landscaping, and pedestrian circulation

Vehicular access from rear lanes where provided allows efficient use of the laneway while leaving the street available for on-street public parking. The proposed driveway crossovers on Windsor Avenue will remove on-street public parking in front of the property.

Vehicular access from rear lanes helps limit hard surfacing in front yards and allows more room for landscaping and recreational space for residents of the property. Vehicular access from rear lanes also has less impact on pedestrians. Driveway crossovers from a street interrupt sidewalk connection and introduce potential pedestrian vehicle conflicts.

3. Not in accordance with Official Community Plan

The OCP contains the following relevant policies and guidelines that are not met for the requested variance:

OCP Policy 4.2.2.5	Require that vehicle access to parking in residential areas is from the laneway in neighbourhoods where laneways exist.
OCP Guideline G16	Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space: Off-street parking and servicing access should be provided from the rear lane (where one exists) to free the street for uninterrupted pedestrian circulation and boulevard landscaping.
OCP Guideline G17	On-site parking location and design should minimize visual impact and provide safe connections for pedestrians: Parking between the front of buildings and the street is not permitted. Parking should be located at the rear of buildings/sites.

Deny Development Variance Permit

Adequate space exists to accommodate the required parking on the site accessed from the lane. The requested variance does not meet the intent of the Zoning Bylaw and is not in accordance with the Official Community Plan. Staff recommend that Council deny the requested variance, and the applicant redesign the proposal to meet the bylaw.

It is recommended that Council allow the applicant to speak on behalf of the proposed variance if Council is considering denying the application.

Development Permit

The property is located within the Intensive Residential Development Permit Area in the Official Community Plan. Staff have completed a development permit analysis (Attachment 'D'). The applicant has also provided an analysis with their letter of intent (Attachment 'E').

Deny Development Permit

If Council is to deny the Development Variance Permit, Council should also deny the Development Permit. The applicant would need to redesign the proposal to ensure vehicular access meets the Zoning Bylaw (lane only), before a Development Permit can be approved.

Alternate Recommendations

Council may consider that the proposed vehicular access is appropriate. If this is the case, Council may choose the alternative recommendation:

1. THAT Council approve “Development Variance Permit PL2024-9842”, for Lot 26 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 4576, located at 378 Windsor Avenue, a permit to vary Section 10.1.3.1 of the Zoning Bylaw No. 2024-22: allow vehicular access from a street;

AND THAT Council, subject to approval of “Development Variance Permit PL2024-9842”, approve “Development Permit PL2024-9844”, for Lot 26 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 4576, located at 378 Windsor Avenue, to allow the construction of two side-by-side duplexes (4 units).

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)

Attachment F – Draft Development Variance Permit PL2024-9842

Attachment G – Draft Development Permit PL2024-9844

Respectfully submitted,

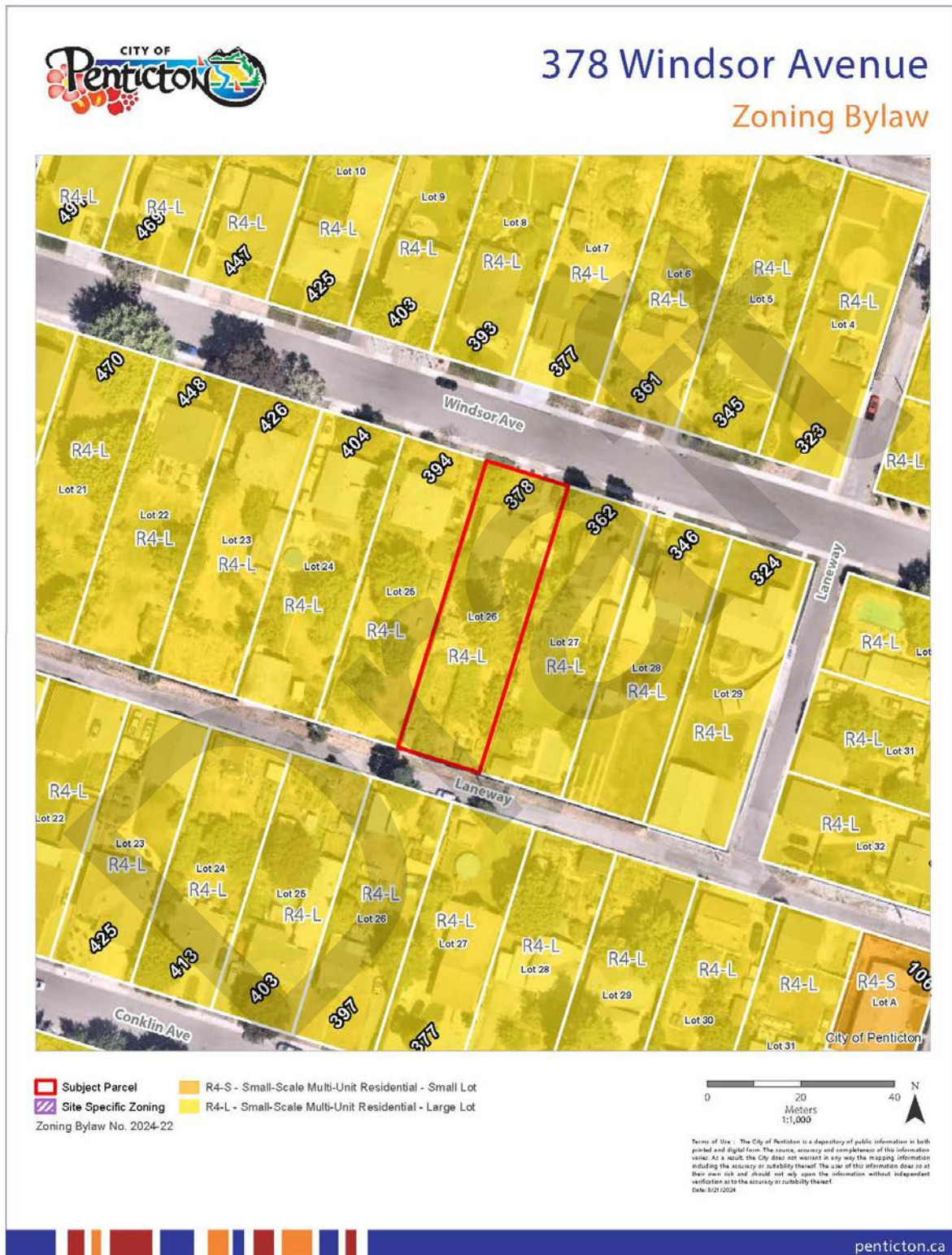
Yvonne Mitchell

Planner II

Concurrence

Acting Director of Development Services	GM of Infrastructure	City Manager
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Attachment A – Zoning Map



Attachment B – Official Community Plan Map



Attachment C – Photos of Property



Development Permit Analysis

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

- Guideline G16 Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space:*
- *Off-street parking and servicing access should be provided from the rear lane (where one exists) to free the street for uninterrupted pedestrian circulation and boulevard landscaping.*
 - *Where possible, shared automobile accesses should be considered to optimize land use, and to reduce impermeable surface coverage and sidewalk crossings.*
 - *Parking is provided from both the street and the rear lane.*
- Guideline G17 On-site parking location and design should minimize visual impact and provide safe connections for pedestrians:*
- *Parking between the front of buildings and the street is not permitted.*
 - *Parking should be located at the rear of buildings/sites.*
 - *Shared parking (where varying uses have parking demands that peak at different times of the day) is encouraged to reduce parking requirements.*
 - *Outdoor surface parking areas should incorporate pathways that provide safe, accessible and comfortable pedestrian connections to entries/destinations.*
 - *Parking has been located between the front of buildings and the street and at the rear. Safe pedestrian connections are provided from parking areas to front doors.*
- Guideline G18 Attached parking structures, their access and associated components (doorways, ramps, etc.) should be architecturally integrated into the building so as to minimize visual impact to the public realm.*
- *Garages are located on the main building face closest to the street. Architectural features such as awnings above the garages and a building projection between the garages are provided.*
- Guideline G21 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).*
- *Front doors for the duplex units face both Windsor Avenue and the lane.*
- Guideline 23 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 breaking up massing while promoting overlook and/or weather protection.*
- *Building elements such as the recessed and covered front entries and wood awnings above the garages add articulation to the building mass.*
- Guideline G26 Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.*
- *The building is setback from neighbouring properties further than the zoning bylaw requires and limited windows and no balconies face neighboring properties.*

- Guideline G54 Mechanical/Utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building.*
- The proposed transformer is located at the rear of the property along the lane.
- Guideline G58/G59/G60 Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic. Garbage and recycling bins should be contained within screened enclosures that are coordinated with the overall design. Clear access to refuse/recycling areas must be provided.*
- Space is provided in the garages for garbage/recycling. Clear access to refuse/recycling is provided without conflict with proposed vehicle parking.
- Guideline G61/G62/G63 Fencing located along a street edge should be low and/or not create a solid barrier (i.e. it should be visually transparent). Fencing along the street edge should be supplemented with low profile landscape plantings. All plans should show intended fencing.*
- No fencing is proposed in the front yard. All intended fencing is shown on plans.
- Guideline IR1 Building siting*
- *Front and rear yard setbacks should relate to those of existing neighbouring buildings. (see Figure 5-13).*
 - *The primary building's front setback should be no greater than 6.0m so that homes engage with the street.*
 - The main building face is setback 5.49 m from the property line, further than the minimum 4.5 m required setback. Adjacent homes are setback approx. 6.5 m. The proposed setback relates to the existing neighbourhood without exceeding 6.0 m.

Letter of Intent for 378 Windsor Avenue

Elizabeth and I moved to Penticton in 1990 and have three adult children that are currently living and working here in the city. We became grandparents for the first time last December with another grandchild on the way this summer. With the housing market as it is, our kids have not been able to get into the real estate market. We purchased 378 Windsor Avenue with the intent to develop two side by side duplexes, one fronting onto Windsor Avenue and the second fronting onto the rear lane. Our goal in doing this is for each one of our children to live in their own unit and we will either sell or rent the fourth unit.

Each of these semi-detached two storey homes will be approximately 2100sf with three bedrooms, 2-1/2 bathrooms plus a built-in garage. They will all have a private rear yard and a covered patio. It is our goal to obtain Energy Step Code 5 on these buildings. Exterior walls will be double framed and 9.5" thick and the common walls will be ICF. We will be using triple pane windows and a high efficiency, dual fuel heating/cooling systems. A flat roof was chosen to reduce the height of the homes and to optimize future solar panel placement in order make these homes net zero for energy consumption. High quality exterior finishing and low maintenance/ low water use landscaping will give these homes strong and lasting curb appeal. All of the setbacks are well with-in the City of Penticton's zoning requirements, thereby reducing the impact on neighbouring properties and the neighbourhood in general.

In order for this development to proceed as drawn we are asking the city of Penticton for a variance that will allow for a single wide driveway on each of the two front units. The driveway will allow for a single car garage and additional off-street parking for each of the front units. 10.1.3 of the Cities R4-L-Small -Scale Multi-Unit Residential: Large Lot zoning states that where a rear lane is provided, vehicular access must be from the rear lane. We would like the City of Penticton to consider the following points when deciding on this variance.

- Of the twenty existing homes on this block of Windsor Avenue, seventeen of them have a driveway in their front yard. The other three have side lanes that they use for driveway access. The home at 378 Windsor Avenue has an existing driveway in the front yard. These lots all have a depth of approximately 210'. Parking off of the rear lane and walking to the main entrance of one of the front units is the equivalent of parking three of four houses down the street. For families with young children or anybody with mobility issues, this would be quite onerous and would lead to the homeowner parking on the street, causing congestion.
- The R4-L zoning requires a total of four parking stalls. The plans as drawn will provide a total of ten off street parking stalls.
- Owner/Occupants will also benefit from the security of having a built-in garage.
- Not having all four units using the rear lane for parking also reduces the possibility of conflict between homeowners (family or not).

- There are three recently built multifamily developments within close proximity to our property that have been allowed driveway access from the street. They are 330, 379 and 385 Douglas Ave.

Windsor Avenue and the surrounding streets primarily consist of older homes on large lots that include single wide rear lanes. There has been some newer multi-family construction on Conklin Avenue and Douglas Avenue, both to the south. With the recent changes to the zoning allowing for up to four units per lot, it is safe to assume that this neighbourhood is going to see a substantial amount of multifamily redevelopment in the immediate future. The rear lane that 378 Windsor Avenue backs onto is shared with more than 25 other properties, each now having development potential of up to four units. Requiring all vehicle access and parking to be off of the rear lane will result in the lane network being overwhelmed as more development takes place. Allowing for driveways and parking from the street will lessen the demand on the rear lanes and more evenly distribute the vehicular traffic throughout the neighbourhood as its population increases.

Not obtaining this variance would greatly diminish the livability of each of these four homes. The layout of these units is functional for anyone, but it has been designed with a young family in mind. Although it is located in a very desirable neighbourhood, no area in town is immune to the increased level of criminal activity that Penticton is experiencing. Having a built-in garage gives the occupants, regardless of their demographic, an increased level of security and safety. Plus, there is the convenience of having additional vehicular parking that is just steps away from the front entrance.

We know that Windsor Avenue and the surrounding streets has long been considered one of the most popular neighbourhoods in Penticton. It's easy to see why with its sidewalks, Windsor Park, and its central location. The pride of ownership is evident in many of our neighbouring properties. This is why we purchased on Windsor Avenue. We want these four homes to be a positive addition to the street and a place where families can live comfortably and grow. We also hope that this development will be viewed as an example of how increased density can coexist and even enhance an established neighbourhood.

Thank you for considering our variance application.

Sincerely,

David and Elizabeth Tribe

378 Windsor Ave.

Development Permit Analysis

June 25, 2024

Gabe Tamminga

Development Services
City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Please see the City of Penticton OCP general and intensive residential guidelines in *italics* with explanation of how the guideline was considered in the design.

G2. Applications shall include a comprehensive site plan – considering adjacent context for building and landscape architectural design and neighborhood character analysis – to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbors.

- *All site / landscape plans should incorporate the boulevard.*

The attached application includes a site plan for the two proposed duplexes. At 1.8m the side yard setback is slightly larger than the minimum of 1.5m. This allows for additional landscaping adjacent to the buildings.

G5. Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighboring building setbacks.

The front duplex is proposed to be located 6.1m from front property line. This is further from the street than the minimum permitted setback of 4.5m. This setback together with the public boulevard creates a distance from the sidewalk to the front of the building of approximately 7.75m. The result is a building that will not feel overbearing from the street or sidewalk. The building's placement also creates a longer and more functional driveway that will prevent vehicles parked in the driveway from impeding on the sidewalk.

G9. Pedestrian connectivity to adjacent properties is encouraged. With the exception of private yards, open spaces shall be designed for public access and connectivity to adjacent public areas (and publicly accessible private spaces).

The proposed project will enhance the pedestrian experience along Windsor Ave. The front yards will be landscaped with lawn, shrubs and shade trees. There will be no fencing in this area, creating an open feel similar to neighboring properties.

G11. Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.

The project is proposed to be constructed all at one elevation, with no steps or obstructions of any kind to any residential entrance. The rear yards of each of the units will be fenced to create privacy.

G16. Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space:

- *Off-street parking and servicing access should be provided from the rear lane (where one exists) to free the street for uninterrupted pedestrian circulation and boulevard landscaping (see Figure 5-4).*
- *Where possible, shared automobile accesses should be considered to optimize land use, and to reduce impermeable surface coverage and sidewalk crossings.*

This Development Application includes a variance allowing for driveway access to built-in garages in the front duplex. Our reasoning for this has been outlined in the Letter of Intent.

G17. On-site parking location and design should minimize visual impact and provide safe connections for pedestrians:

- *Parking between the front of buildings and the street is not permitted.*
- *Parking should be located at the rear of buildings/sites.*
- *Shared parking (where varying uses have parking demands that peak at different times of the day) is encouraged to reduce parking requirements.*
- *Outdoor surface parking areas should incorporate pathways that provide safe, accessible and comfortable pedestrian connections to entries/destinations.*

The vast majority of existing homes on Windsor Ave. have driveways in the front yard including the newly constructed home located directly across the street from the proposed development, which has an oversized double driveway.

G21. 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).

Main entryways are provided facing Windsor Ave. and the laneway.

G29. Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas (see Figure 5-7).

Main views are over Windsor Ave. and the laneway with large windows and covered entrances facing the public space. The rear of the units have large windows that face their own private rear yards.

G34. Tree retention

- *New development should retain, where possible, existing mature and native trees and protect their root systems;*
- *Pre- and post-development tree surveys are required must be undertaken.*

The subject site was in a very neglected state when purchased in April of 2024. The elderly owner had amassed an extensive collection of artifacts. Approximately 30,000 pounds of refuse was removed and taken to the landfill. A large portion of the rear yard and some of the front had been used for gardening in previous years. The remainder of the rear yard and the front yard has landscaping that was overgrown and neglected. The proposed development will include professionally designed and installed landscaping that will enhance the neighborhood and reduce water usage.

G61. Fencing located along a street edge should be low and/or not create a solid barrier (i.e. it should be visually transparent).

There is no fencing being proposed along the street edge or in the front yards of the units along Windsor Ave.

IR1. Building siting

- *Front and rear yard setbacks should relate to those of existing neighboring buildings. (see Figure 5-13).*
- *The primary building's front setback should be no greater than 6.0m so that homes engage with the street*

The neighborhood consists primarily of older homes located on large lots. Some of these properties have recently built carriage homes with minimal setbacks from the back lane. The front setback of 6.1m brings the building slightly closer to the street than the neighboring homes but will not make the structure feel intrusive. The rear setback of 6.1m also moves the building back from the laneway and allows for parking.



Development Variance Permit

Permit Number: DVP PL2024-9842

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 26 District Lot 1 Group 7 Similkameen Division Yale (Formally Yale-Lytton)
District Plan 4576
 - Civic: 378 Windsor Avenue
 - PID: 002-178-516
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2024-22 to allow for the construction of two side-by-side duplexes (4 units), as shown in the plans attached in Schedule 'A':
 - a. Section 10.1.3.1: to allow vehicular access from a street.

General Conditions

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

Authorized by City Council, the 10th day of September, 2024.

Issued this Day day of _____, 2024.

Angela Collison
Corporate Officer

DRAFT



DRAWING INDEX

A1	INDEX SHEET
A2	SITE PLAN
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A7	FLOOR PLANS - BUILDING B
A8	ELEVATIONS N/W - BUILDING A
A9	ELEVATIONS S/E - BUILDING A
A10	ELEVATIONS N/W - BUILDING B
A11	ELEVATIONS S/E - BUILDING B
A12	RENDERINGS

CIVIC ADDRESS: 378 WINDSOR AVE, PENTICTON BC

LEGAL DESCRIPTION: LOT 26 DISTRICT LOT 1 GROUP 7 SIMILKAMEEN DIVISION YALE (FORMERLY YALE- LYTTON) DISTRICT PLAN 4576

PID: 002-178-516

NOT FOR CONSTRUCTION

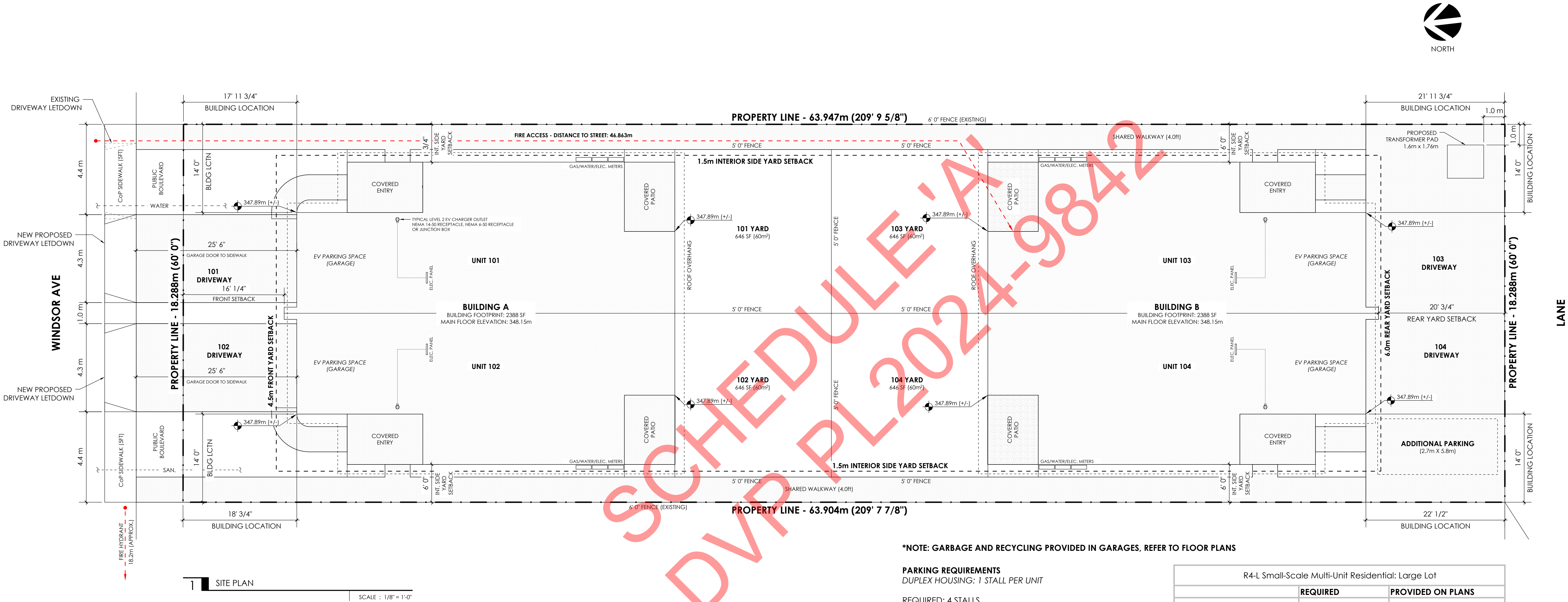
Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

DOCUMENT DATE:
August 15, 2024

SCALE:
AS NOTED

NO.	DATE	ISSUE
01	17.04.24	ISSUE FOR DVP
02	31.07.24	ISSUE FOR DVP (REV 1)
03	15.08.24	ISSUE FOR DVP (REV 2)



*NOTE: GARBAGE AND RECYCLING PROVIDED IN GARAGES, REFER TO FLOOR PLANS

PARKING REQUIREMENTS

DUPLEX HOUSING: 1 STALL PER UNIT

REQUIRED: 4 STALLS
PROVIDED: 9 STALLS (4 - GARAGE, 4- DRIVEWAY, 1 - LANE)

BIKE PARKING REQUIRED: 2 - CLASS 2
BIKE PARKING PROVIDED: 4 - CLASS 2 (IN GARAGES)

R4-L Small-Scale Multi-Unit Residential: Large Lot		
	REQUIRED	PROVIDED ON PLANS
MINIMUM LOT WIDTH	16.0 m (52.49ft)	18.288m (60.0 ft)
MINIMUM LOT AREA	560 sqm (6027.79 SF)	1169.06 sqm (12583.71 SF)
MAXIMUM LOT COVERAGE	40%	37.9% (4776 SF)
MAXIMUM DENSITY	4 DWELLING UNITS	4 DWELLING UNITS
MAXIMUM HEIGHT	11.0m (36.09ft)	6.92m (22.69 ft)
SETBACKS:		
MINIMUM FRONT YARD	4.5m (14.76ft)	6.10m (20.02 ft)
MINIMUM INTERIOR SIDE YARD	1.5m (4.92ft)	1.8m (6.0 ft)
MINIMUM EXTERIOR SIDE YARD	3.0m (9.84ft)	N/A
MINIMUM REAR YARD	6.0m (19.69ft)	6.10m (20.02 ft)
AMENITY SPACE	20 m² PER UNIT	> 20 m² (REFER TO PLAN)

NOTE: COVERED ENTRY AND PATIO'S UNDER 23 SQM THEREFORE NOT INCLUDED IN LOT COVERAGE

Windsor Ave - Duplexes

378 Windsor Ave, Penticton BC

OWNER:

David Tribe
2510 Pinetree Place
Penticton, BC

DOCUMENT DATE:

August 15, 2024

SCALE:

AS NOTED

NO.	DATE:	ISSUE:
01	17.04.24	ISSUE FOR DVP
02	31.07.24	ISSUE FOR DVP (REV 1)
03	15.08.24	ISSUE FOR DVP (REV 2)

NOT FOR CONSTRUCTION

A2

SITE PLAN



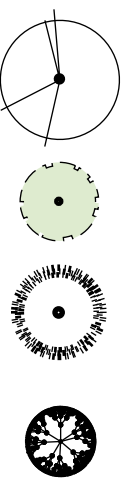
NOTE: ALL PLANTERS/LANDSCAPE BUFFERS TO BE SERVICED BY AN AUTOMATED IRRIGATION SYSTEM

1 LANDSCAPING PLAN
SCALE : 1/8" = 1'-0"

LEGEND

- CONCRETE
- LANDSCAPE ROCK
- GRASS
- ASPHALT

SYMBOL



TYPE

- AMUR MAPLE
- COLUMNAR HORNBEAM
- GOLD JAPANESE FOREST GRASS
- SAPPHIRE BLUE OAT GRASS

QUANTITY

- 2
- 2
- 44
- 22

Windsor Ave - Duplexes

378 Windsor Ave, Penticton BC

OWNER:

David Tribe
2510 Pinetree Place
Penticton, BC

DOCUMENT DATE:

August 15, 2024

SCALE:

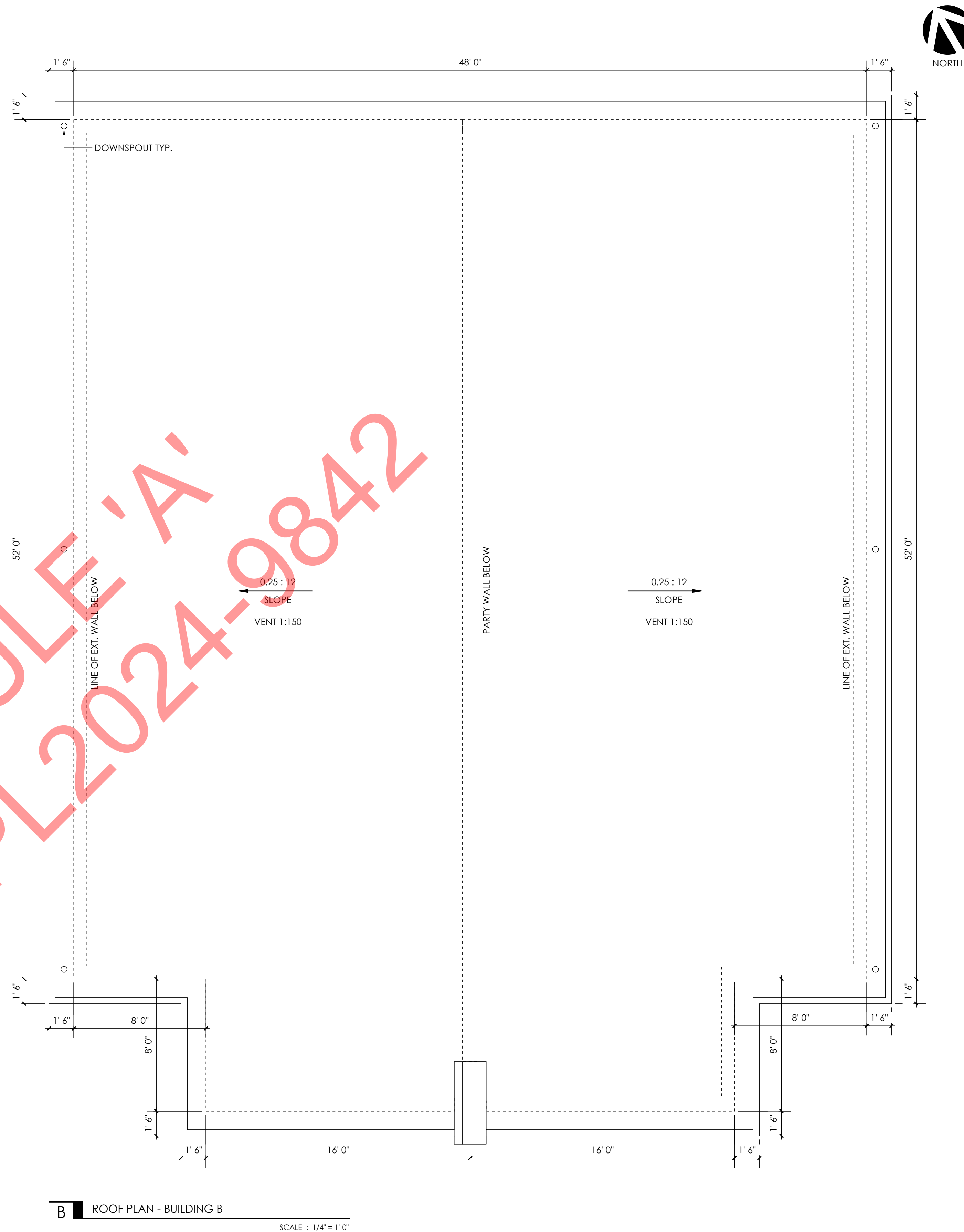
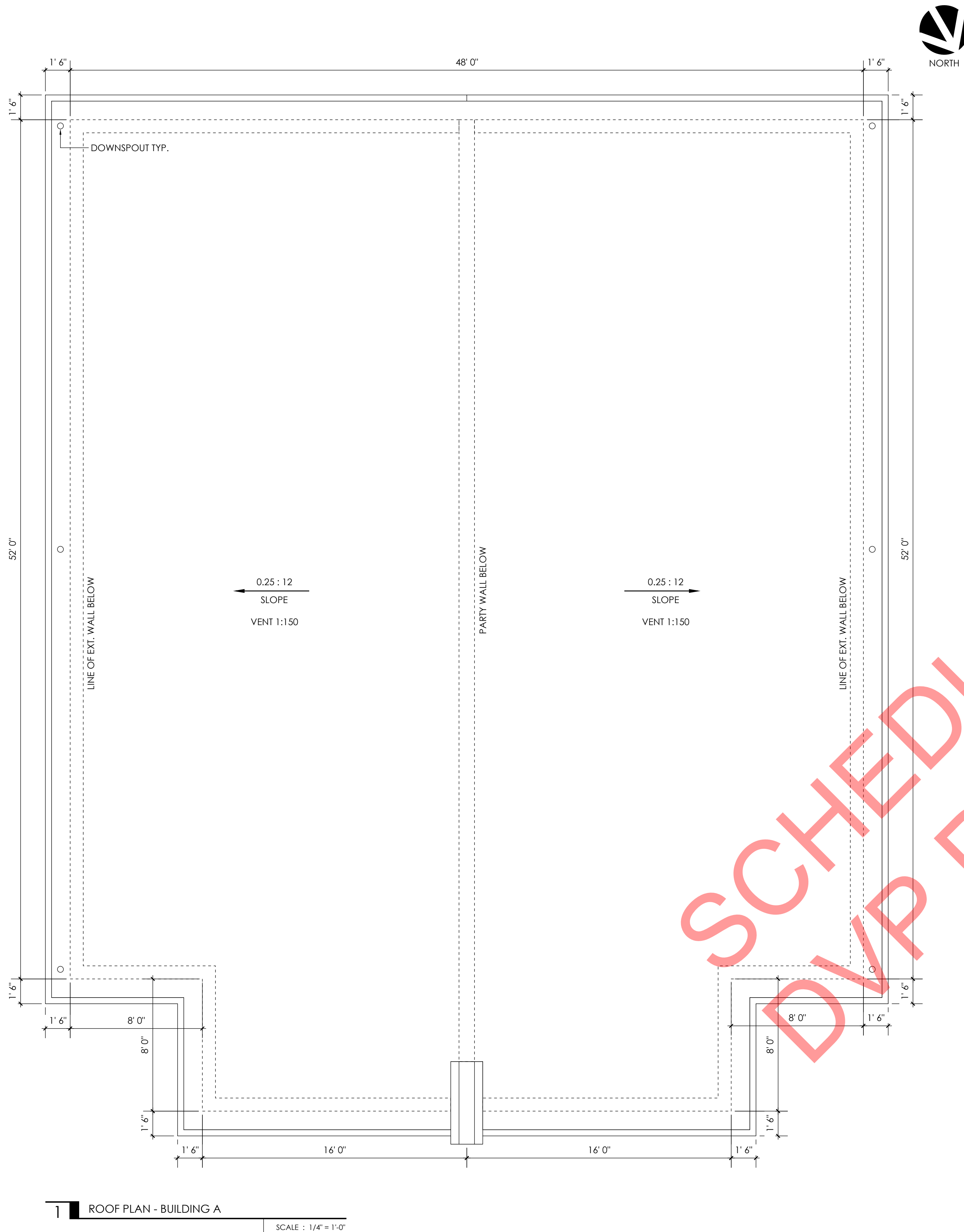
AS NOTED

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NOT FOR CONSTRUCTION

A3

LANDSCAPING PLAN



Windsor Ave - Duplexes

378 Windsor Ave, Penticton BC

OWNER:

David Tribe
2510 Pinetree Place
Penticton, BC

DOCUMENT DATE:

August 15, 2024

SCALE:

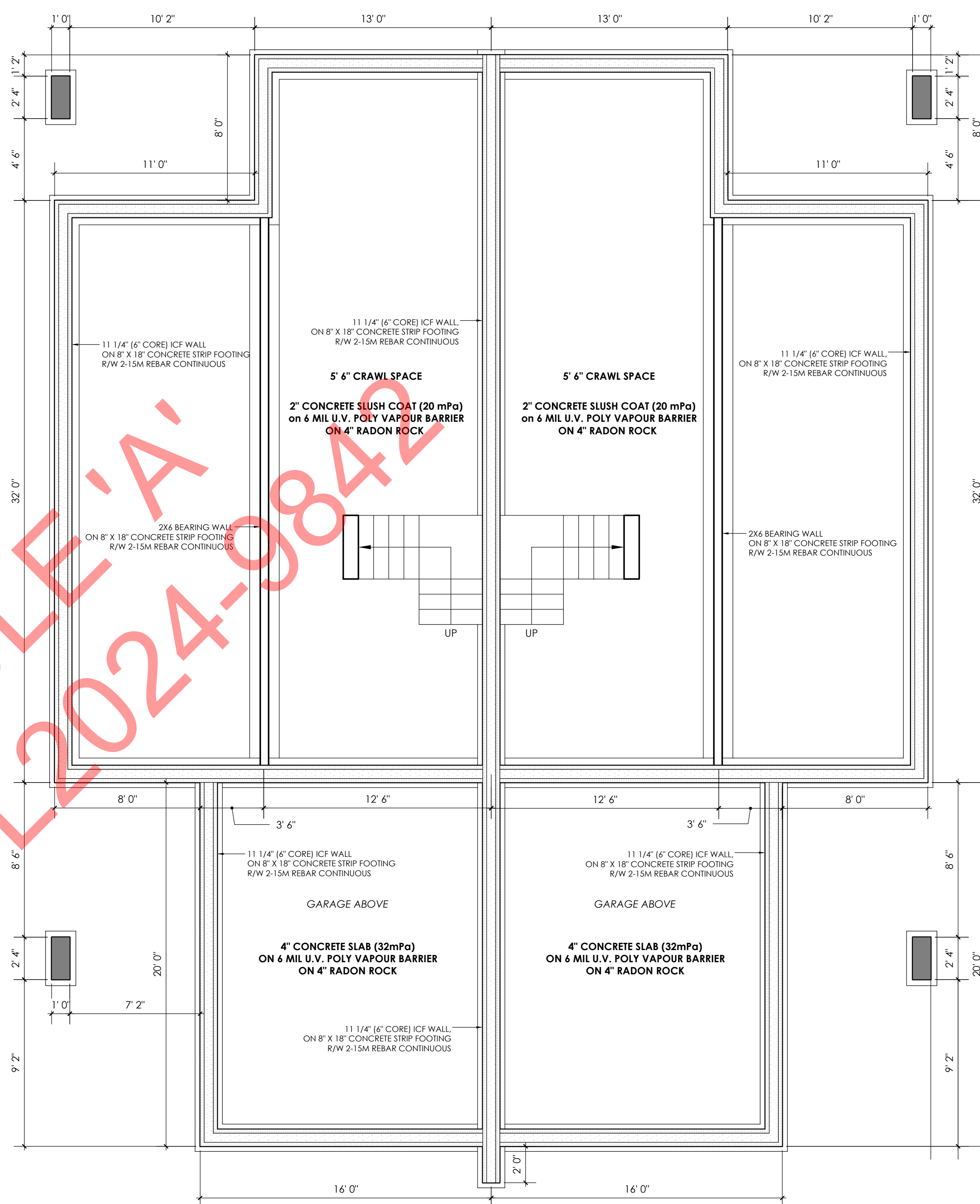
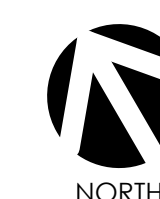
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NOT FOR CONSTRUCTION

A4

ROOF PLANS

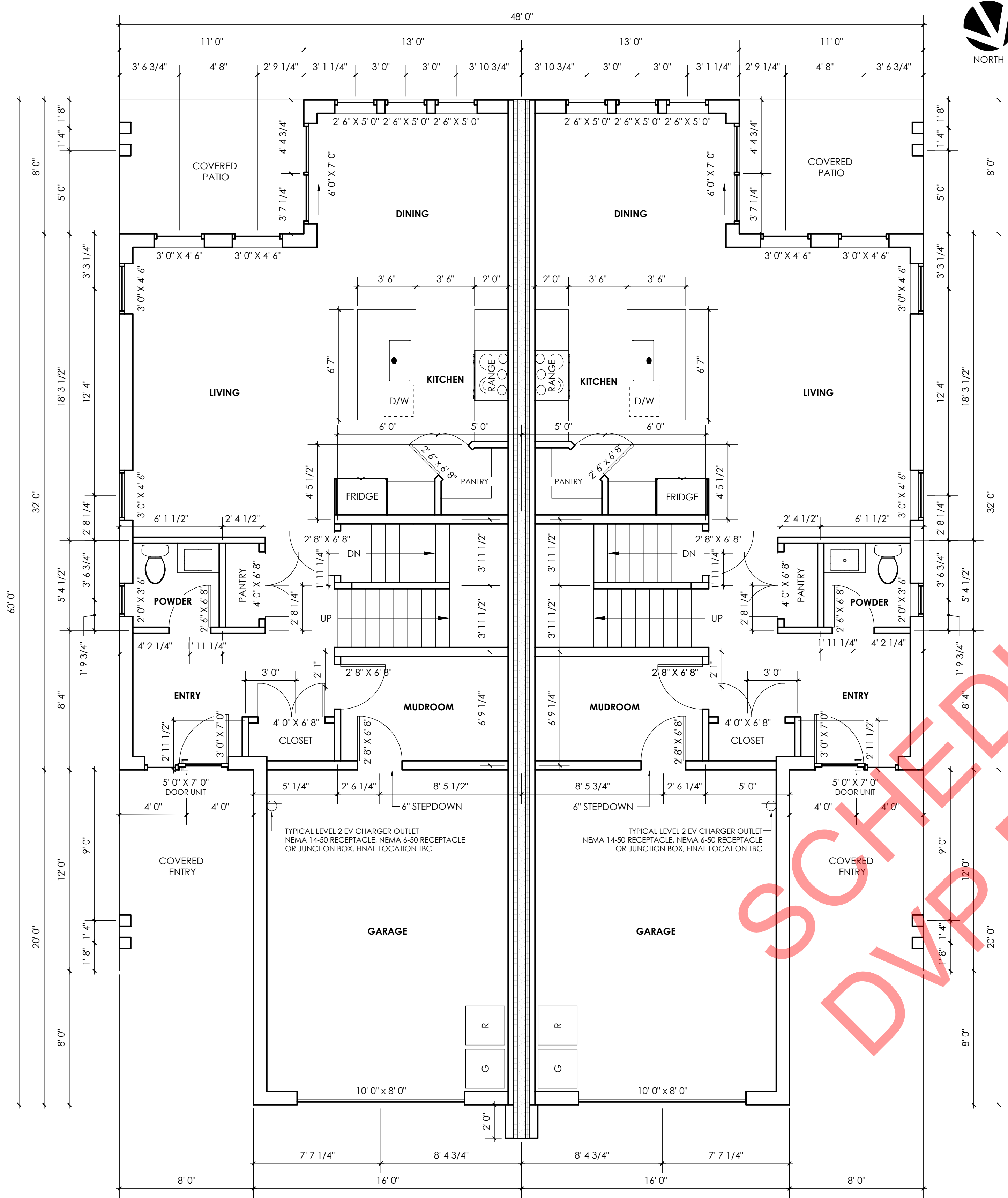


B FOUNDATION PLAN - BUILDING B

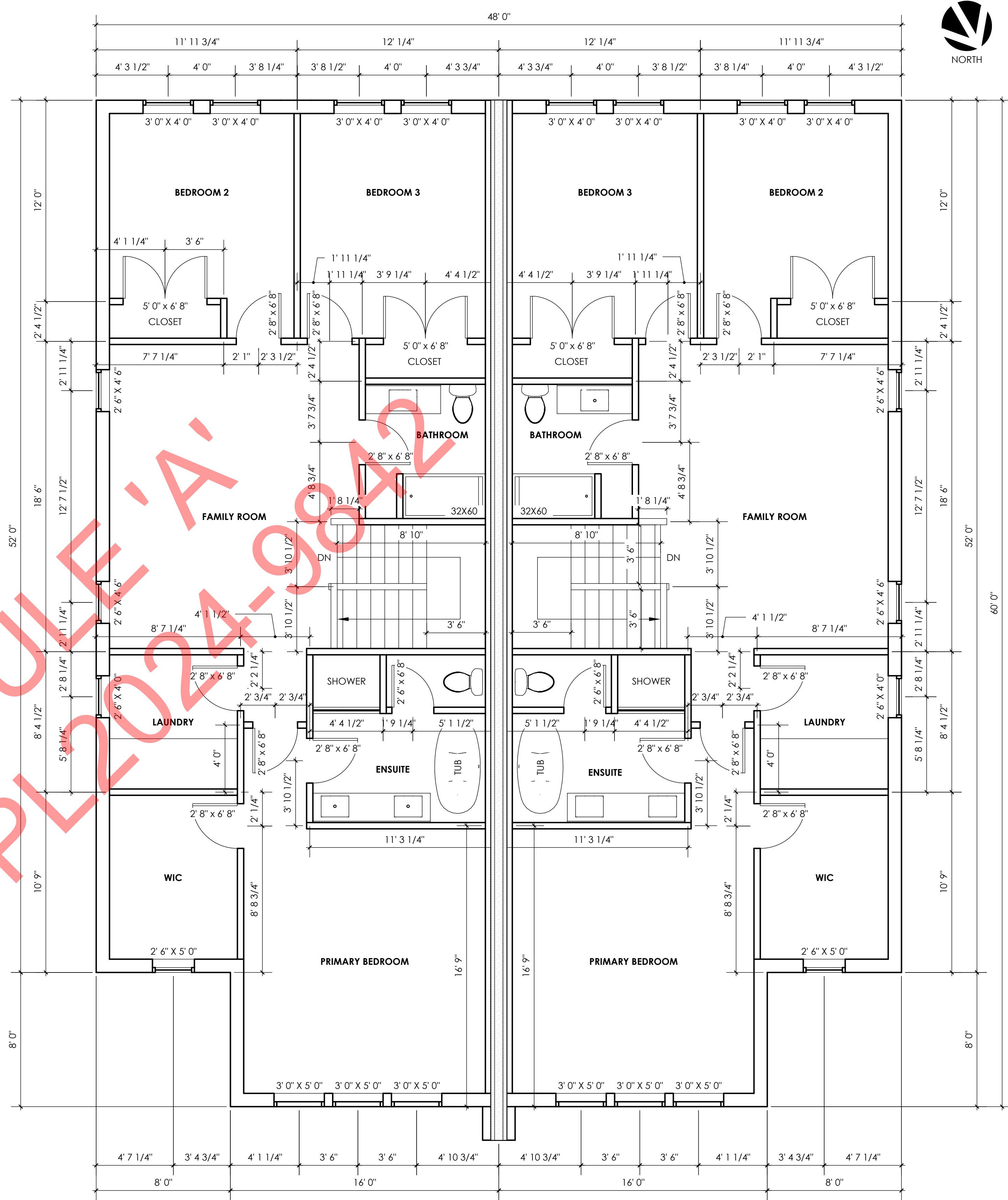
SCALE : 1/4" = 1'-0"

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FOUNDATION PLANS



1 MAIN FLOOR PLAN - BUILDING A
HOUSE - 853 SQ.FT (PER UNIT)
GARAGE - 311 SQ.FT (PER UNIT)
9'0" CEILING HEIGHTS
SCALE : 1/4" = 1'-0"



2 UPPER FLOOR PLAN - BUILDING A
1283 SQ.FT (PER UNIT)
9'0" CEILING HEIGHTS
SCALE : 1/4" = 1'-0"

Windsor Ave - Duplexes

378 Windsor Ave, Penticton BC

OWNER:

David Tribe
2510 Pinetree Place
Penticton, BC

DOCUMENT DATE:

August 15, 2024

SCALE:

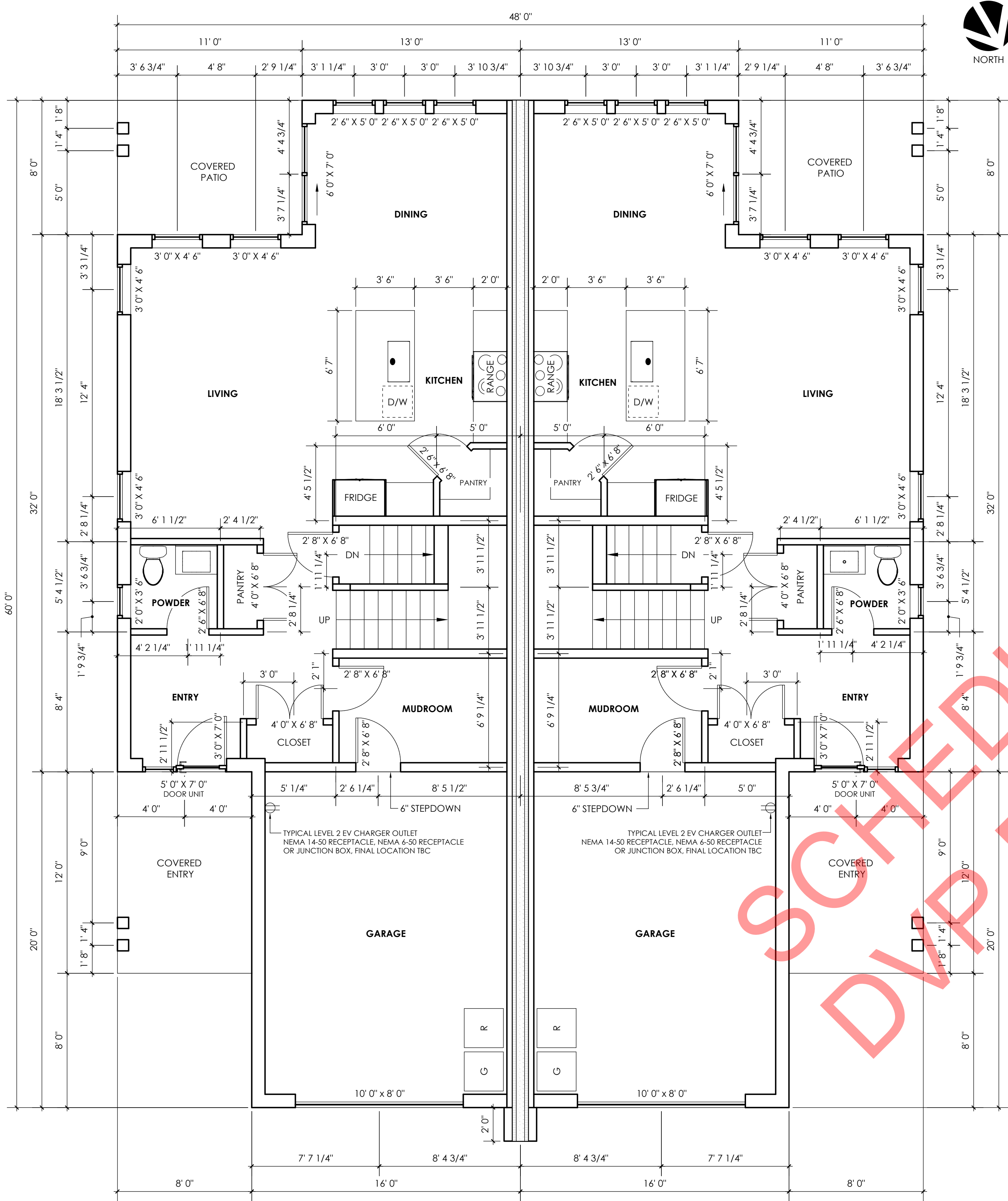
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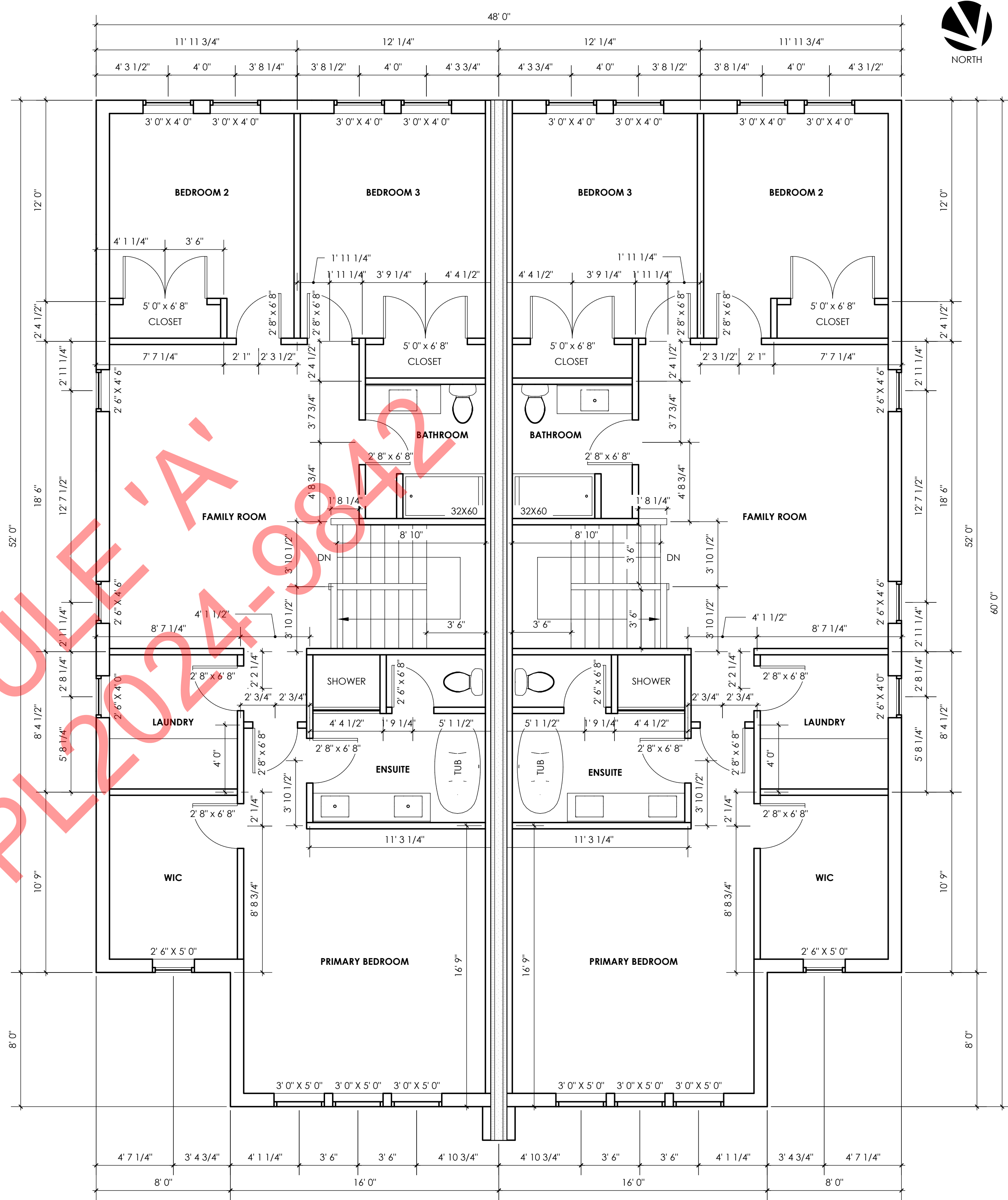
NOT FOR CONSTRUCTION

A6

FLOOR PLANS
BUILDING A



1 MAIN FLOOR PLAN - BUILDING B
HOUSE - 853 SQ.FT (PER UNIT)
GARAGE - 311 SQ.FT (PER UNIT)
9'0" CEILING HEIGHTS
SCALE : 1/4" = 1'-0"



2 UPPER FLOOR PLAN - BUILDING B
1283 SQ.FT (PER UNIT)
9'0" CEILING HEIGHTS
SCALE : 1/4" = 1'-0"

Windsor Ave - Duplexes

OWNER: David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

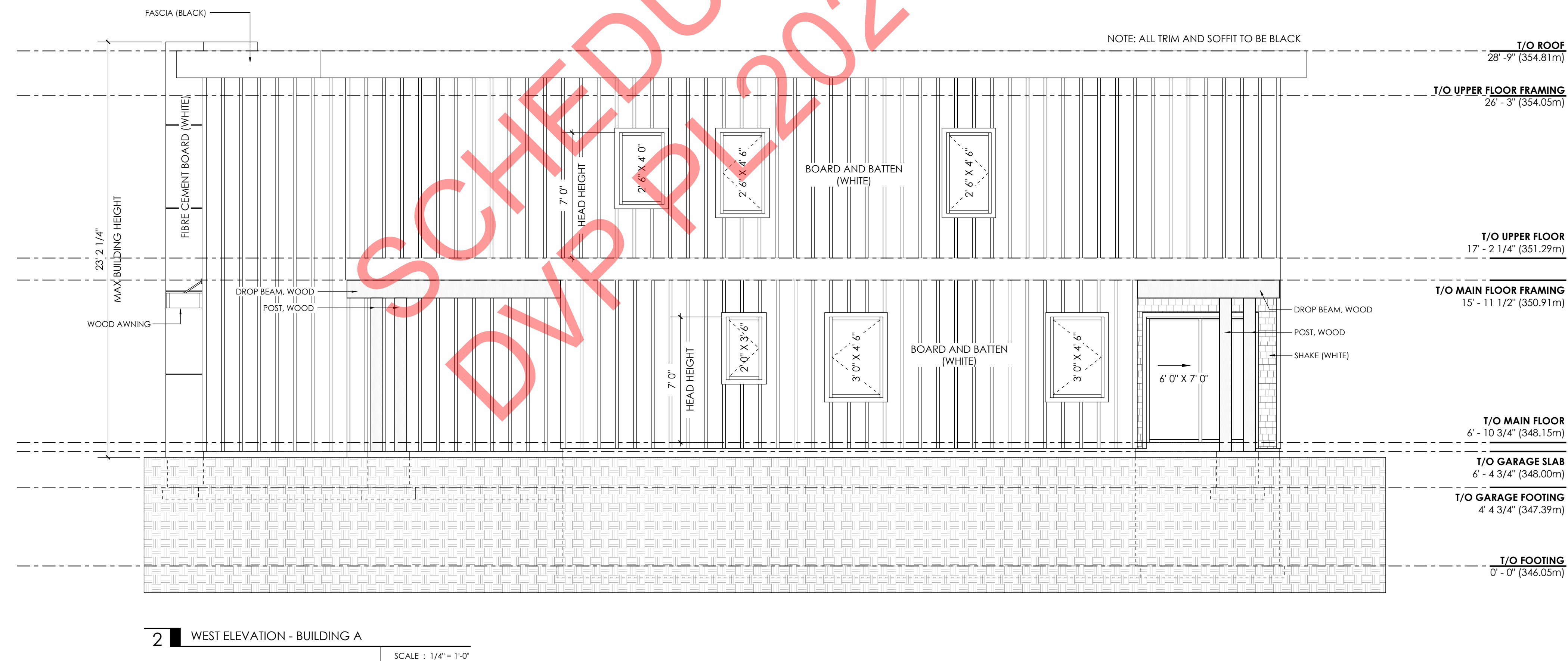
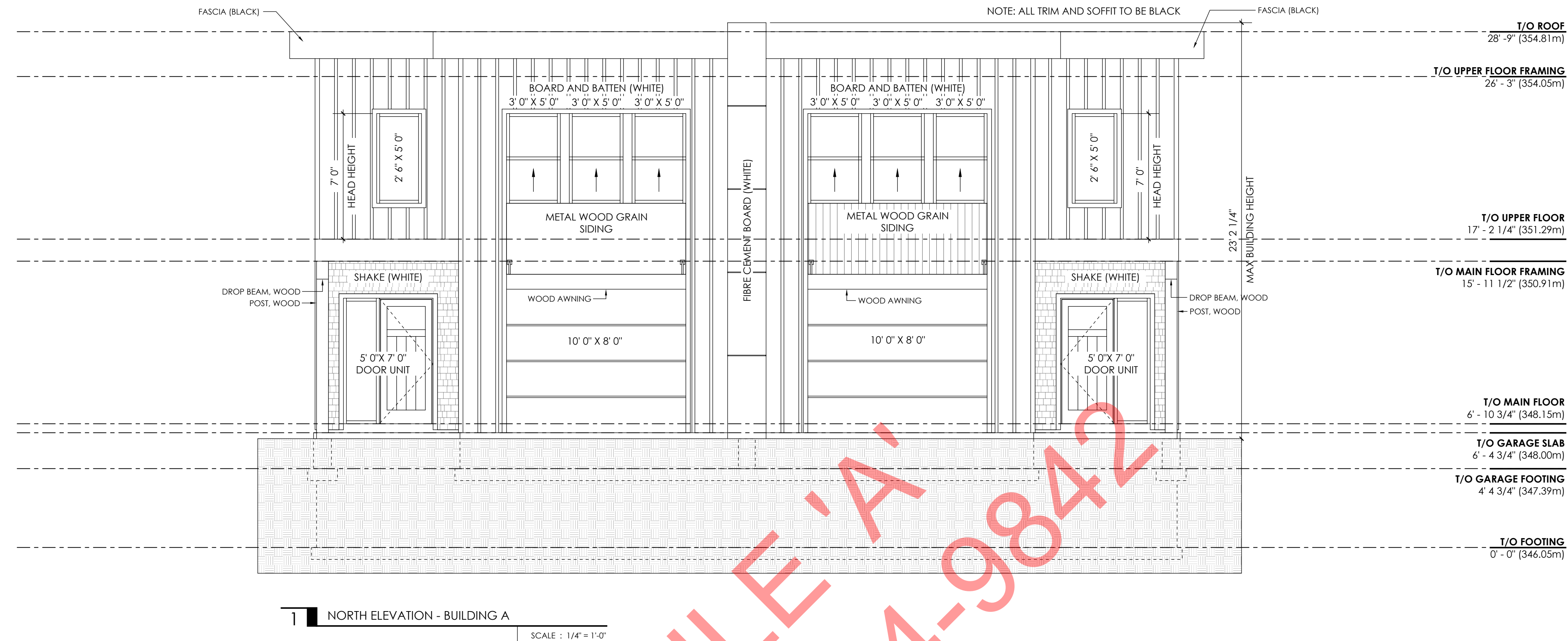
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NOT FOR CONSTRUCTION

A7

FLOOR PLANS
BUILDING B



Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

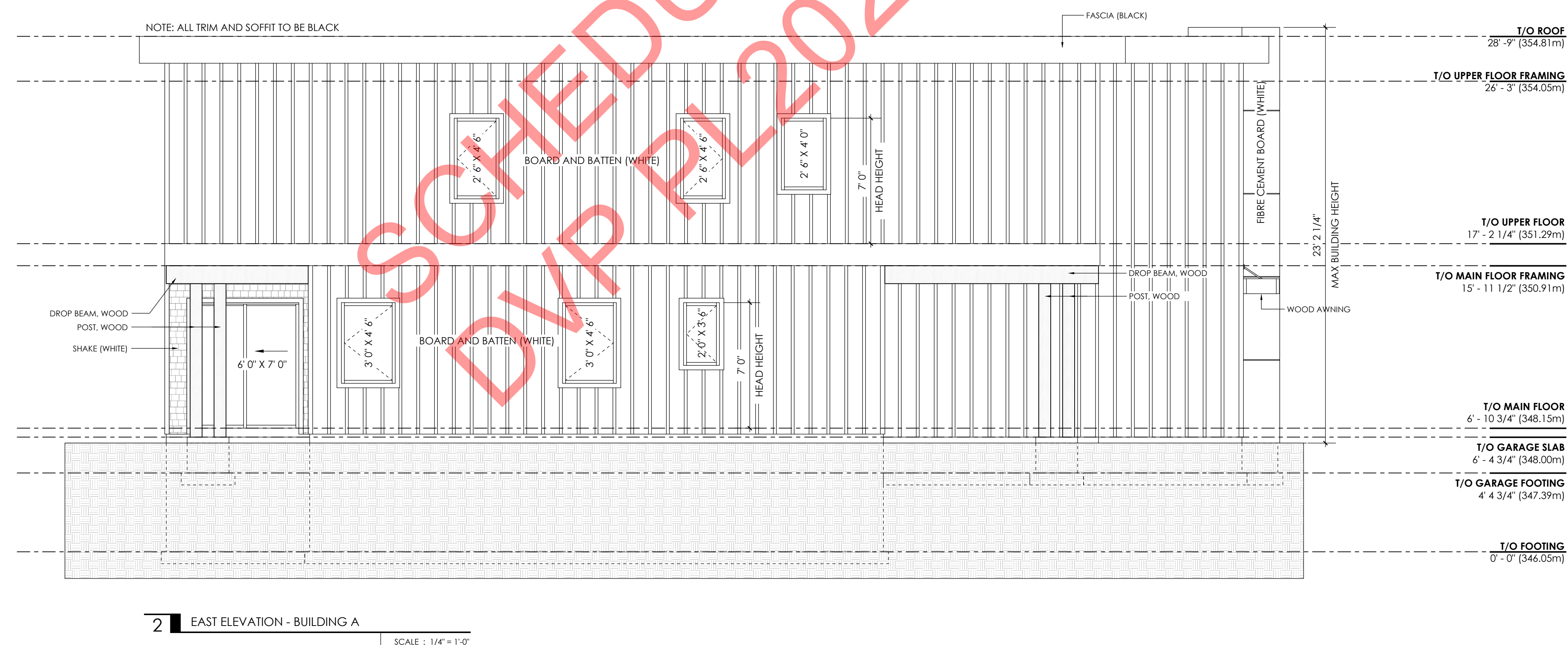
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NOT FOR CONSTRUCTION

A8

ELEVATIONS N/W -
BUILDING A



Windsor Ave - Duplexes

378 Windsor Ave, Penticton BC

OWNER:
David Tribo

David Tribe
2510 Pinetree Place
Penticton, BC

DOCUMENT DATE:
August 15, 2024

SCALE:

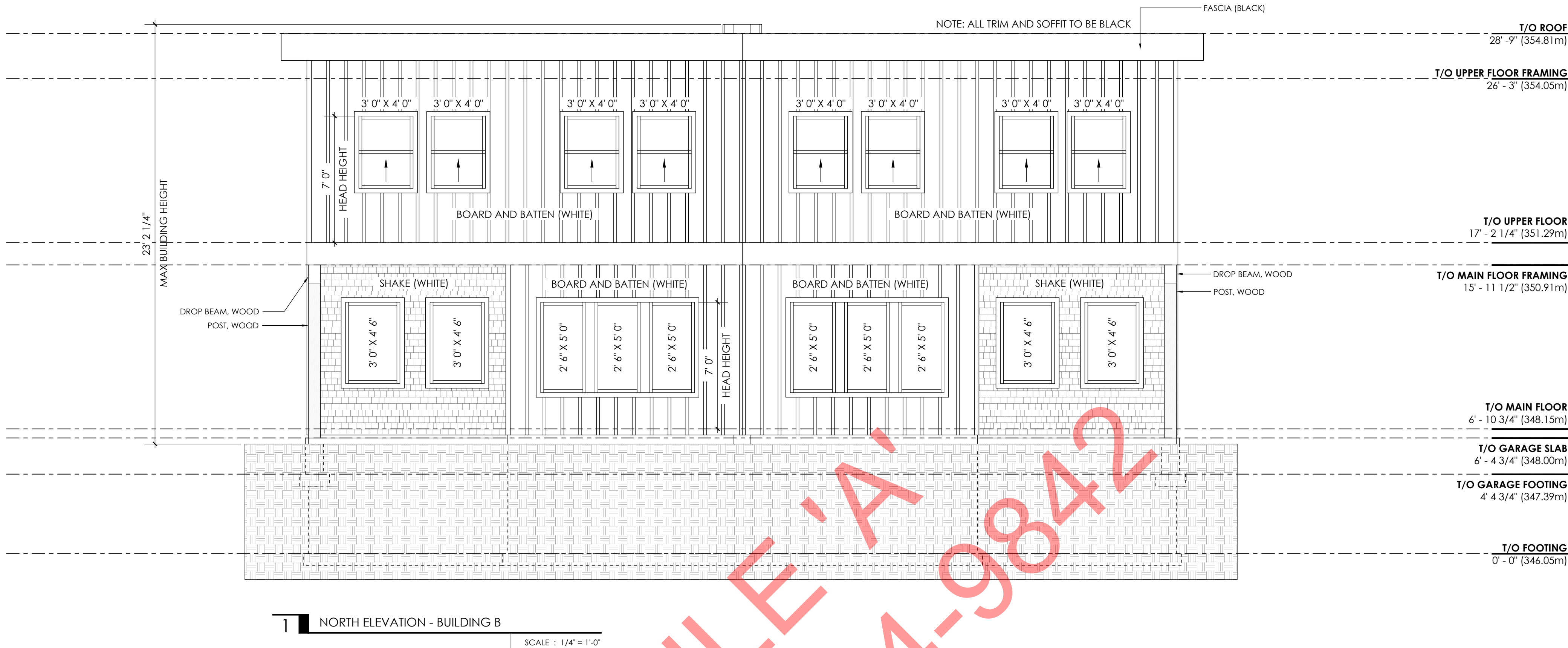
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NOT FOR CONSTRUCTION

A9

**ELEVATIONS S/E -
BUILDING A**



Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

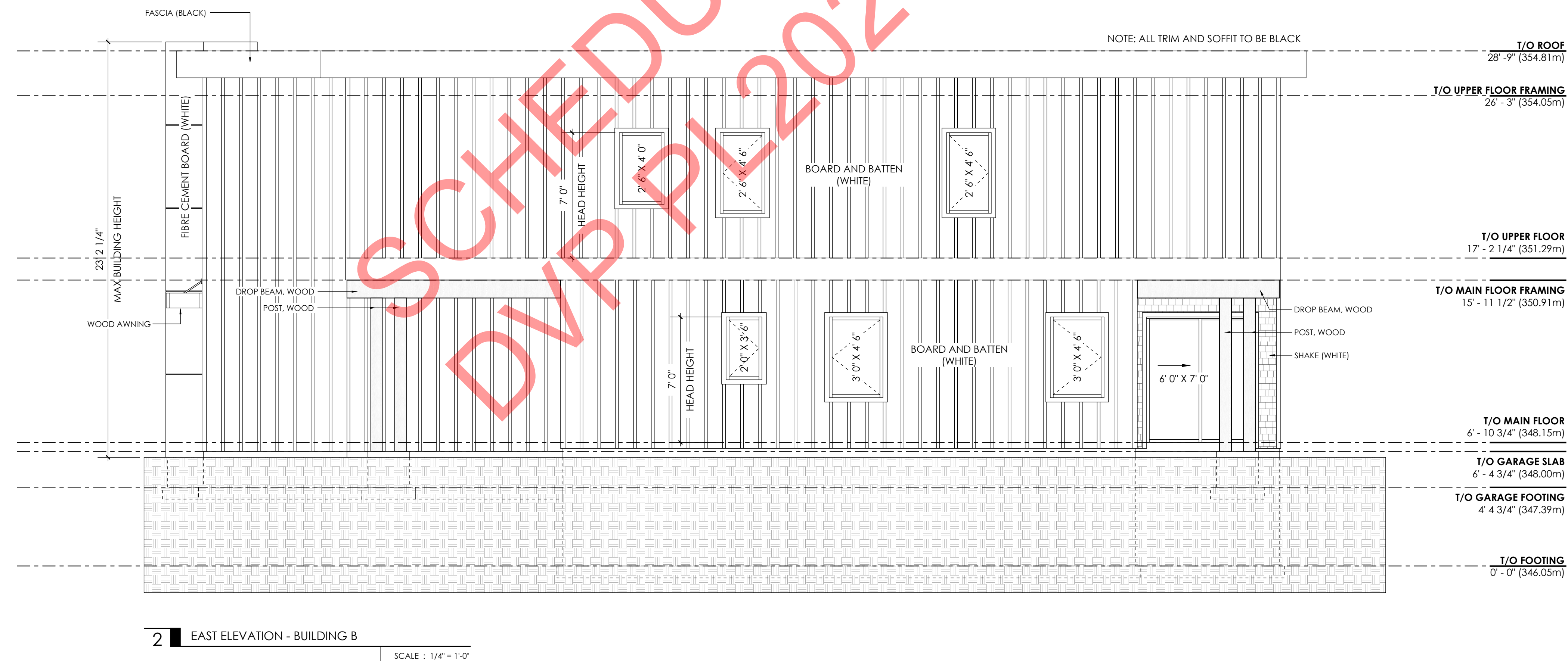
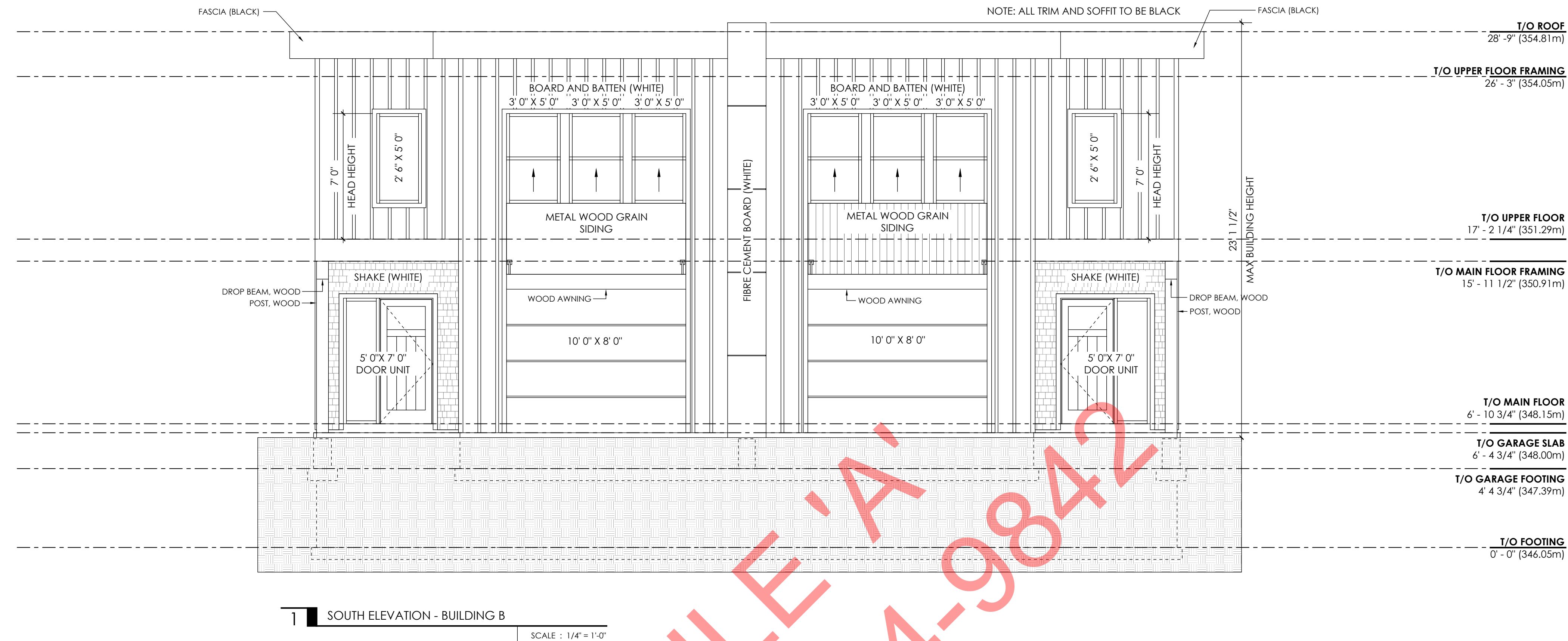
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NOT FOR CONSTRUCTION

A10

ELEVATIONS N/W -
BUILDING B



Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

DOCUMENT DATE:
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NOT FOR CONSTRUCTION

A11

ELEVATIONS S/E -
BUILDING B



1 RENDERING - WINDSOR AVE (EAST)
SCALE : NTS



2 RENDERING - WINDSOR AVE (WEST)
SCALE : NTS



3 RENDERING - LANE
SCALE : NTS



4 RENDERING - BIRD'S EYE
SCALE : NTS

Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

DOCUMENT DATE:
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NOT FOR CONSTRUCTION



Development Permit

Permit Number: DP PL2024-9844

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 26 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton)
District Plan 4576
 - Civic: 378 Windsor Avenue
 - PID: 002-178-516
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a two side-by-side duplexes (4 units) 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 \$_____ must be deposited prior to beginning works 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).

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 10th day of September, 2024.

Issued this ____ day of _____, 2024.

Angela Collison
Corporate Officer



DRAWING INDEX

A1	INDEX SHEET
A2	SITE PLAN
A3	LANDSCAPING PLAN
A4	ROOF PLAN
A5	FOUNDATION PLAN
A6	FLOOR PLANS - BUILDING A
A7	FLOOR PLANS - BUILDING B
A8	ELEVATIONS N/W - BUILDING A
A9	ELEVATIONS S/E - BUILDING A
A10	ELEVATIONS N/W - BUILDING B
A11	ELEVATIONS S/E - BUILDING B
A12	RENDERINGS

CIVIC ADDRESS: 378 WINDSOR AVE, PENTICTON BC
LEGAL DESCRIPTION: LOT 26 DISTRICT LOT 1 GROUP 7 SIMILKAMEEN DIVISION YALE (FORMERLY YALE- LYTTON) DISTRICT PLAN 4576
PID: 002-178-516

Windsor Ave - Duplexes

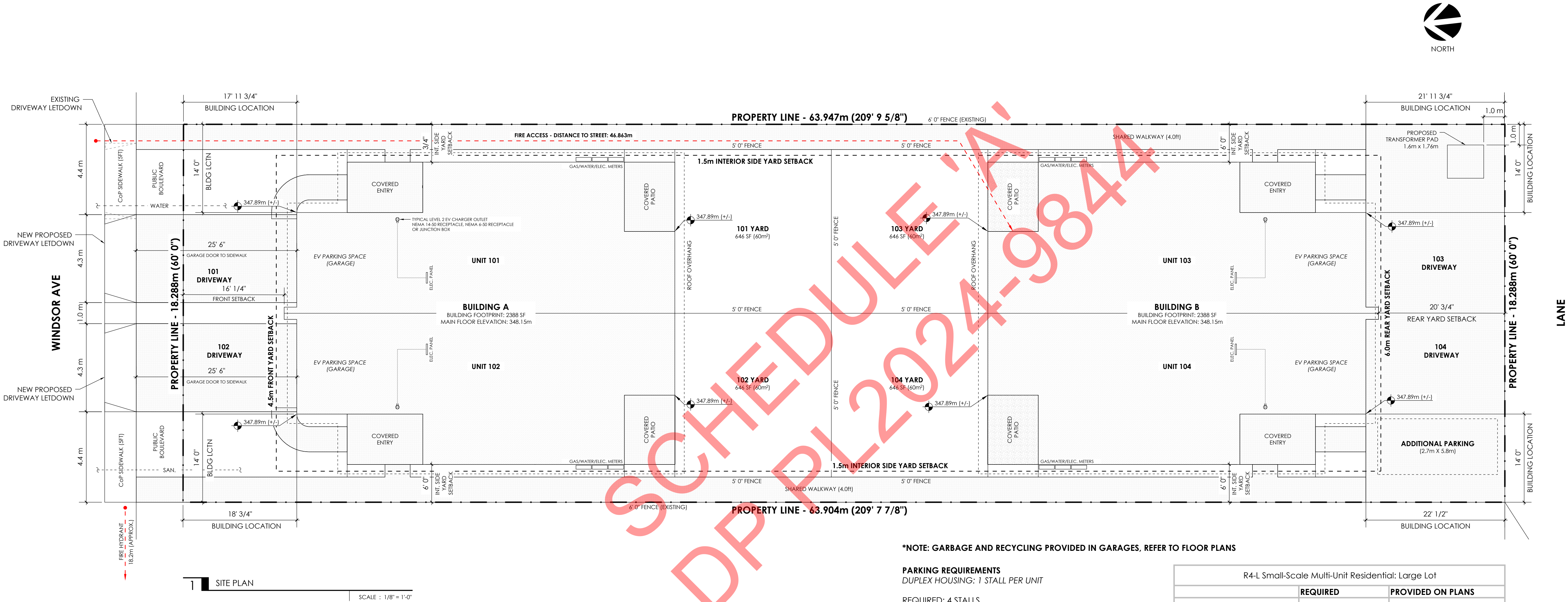
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David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

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*NOTE: GARBAGE AND RECYCLING PROVIDED IN GARAGES, REFER TO FLOOR PLANS

PARKING REQUIREMENTS

DUPLEX HOUSING: 1 STALL PER UNIT

REQUIRED: 4 STALLS
PROVIDED: 9 STALLS (4 - GARAGE, 4- DRIVEWAY, 1 - LANE)

BIKE PARKING REQUIRED: 2 - CLASS 2
BIKE PARKING PROVIDED: 4 - CLASS 2 (IN GARAGES)

R4-L Small-Scale Multi-Unit Residential: Large Lot		
	REQUIRED	PROVIDED ON PLANS
MINIMUM LOT WIDTH	16.0 m (52.49ft)	18.288m (60.0 ft)
MINIMUM LOT AREA	560 sqm (6027.79 SF)	1169.06 sqm (12583.71 SF)
MAXIMUM LOT COVERAGE	40%	37.9% (4776 SF)
MAXIMUM DENSITY	4 DWELLING UNITS	4 DWELLING UNITS
MAXIMUM HEIGHT	11.0m (36.09ft)	6.92m (22.69 ft)
SETBACKS:		
MINIMUM FRONT YARD	4.5m (14.76ft)	6.10m (20.02 ft)
MINIMUM INTERIOR SIDE YARD	1.5m (4.92ft)	1.8m (6.0 ft)
MINIMUM EXTERIOR SIDE YARD	3.0m (9.84ft)	N/A
MINIMUM REAR YARD	6.0m (19.69ft)	6.10m (20.02 ft)
AMENITY SPACE	20 m² PER UNIT	> 20 m² (REFER TO PLAN)

NOTE: COVERED ENTRY AND PATIO'S UNDER 23 SQM THEREFORE NOT INCLUDED IN LOT COVERAGE

Windsor Ave - Duplexes

378 Windsor Ave, Penticton BC

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David Tribe
2510 Pinetree Place
Penticton, BC

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A2

SITE PLAN



Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

DOCUMENT DATE:

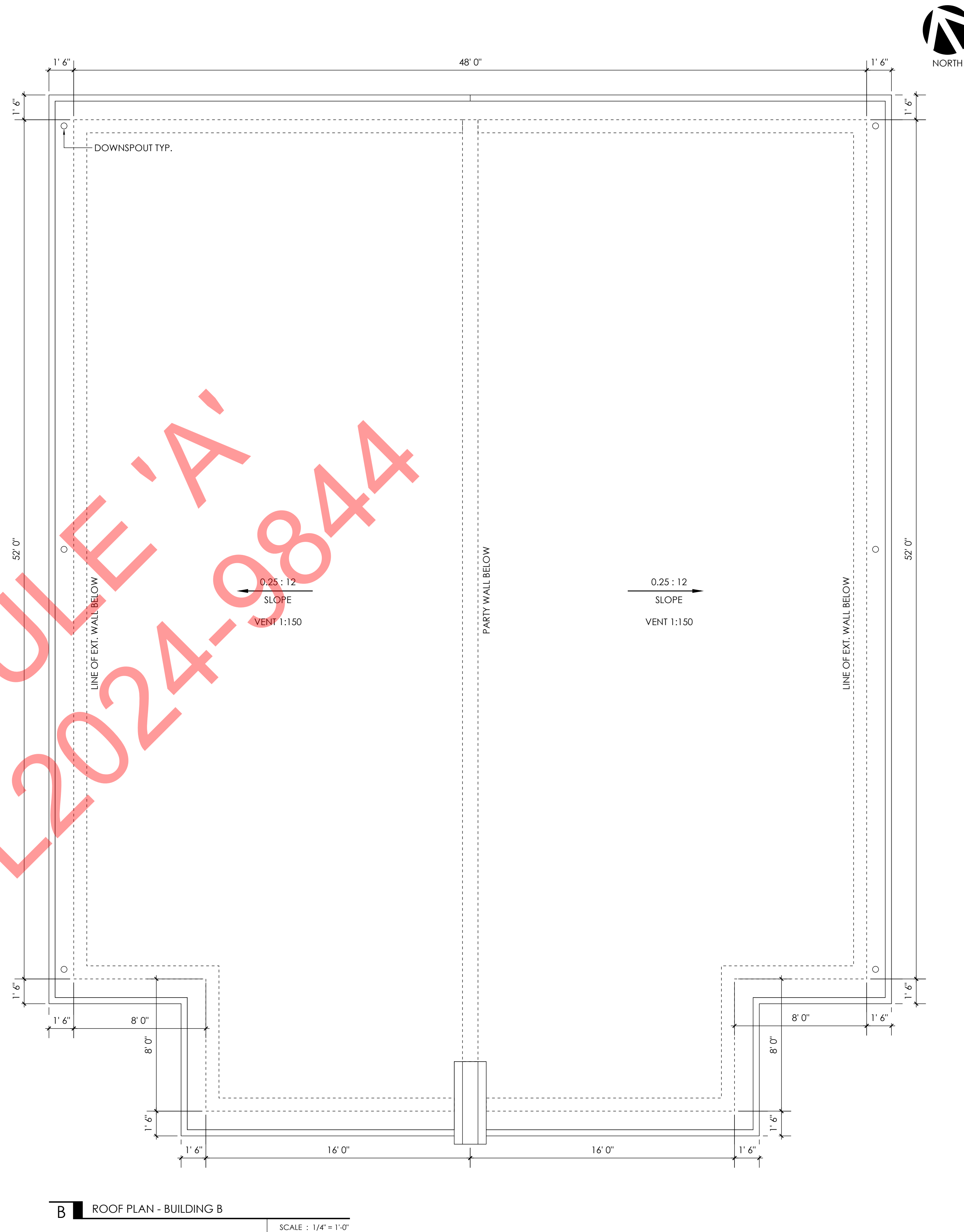
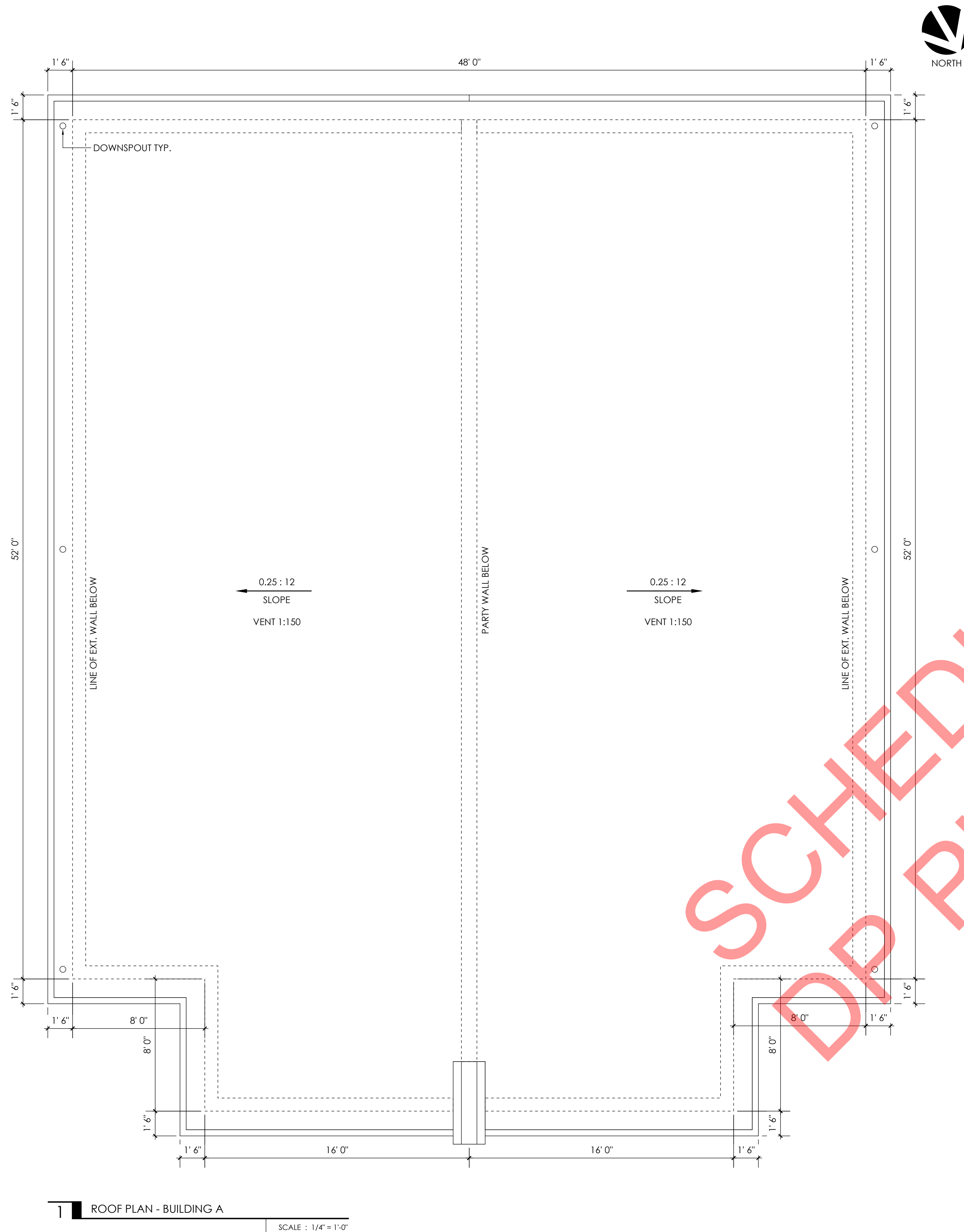
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Windsor Ave - Duplexes

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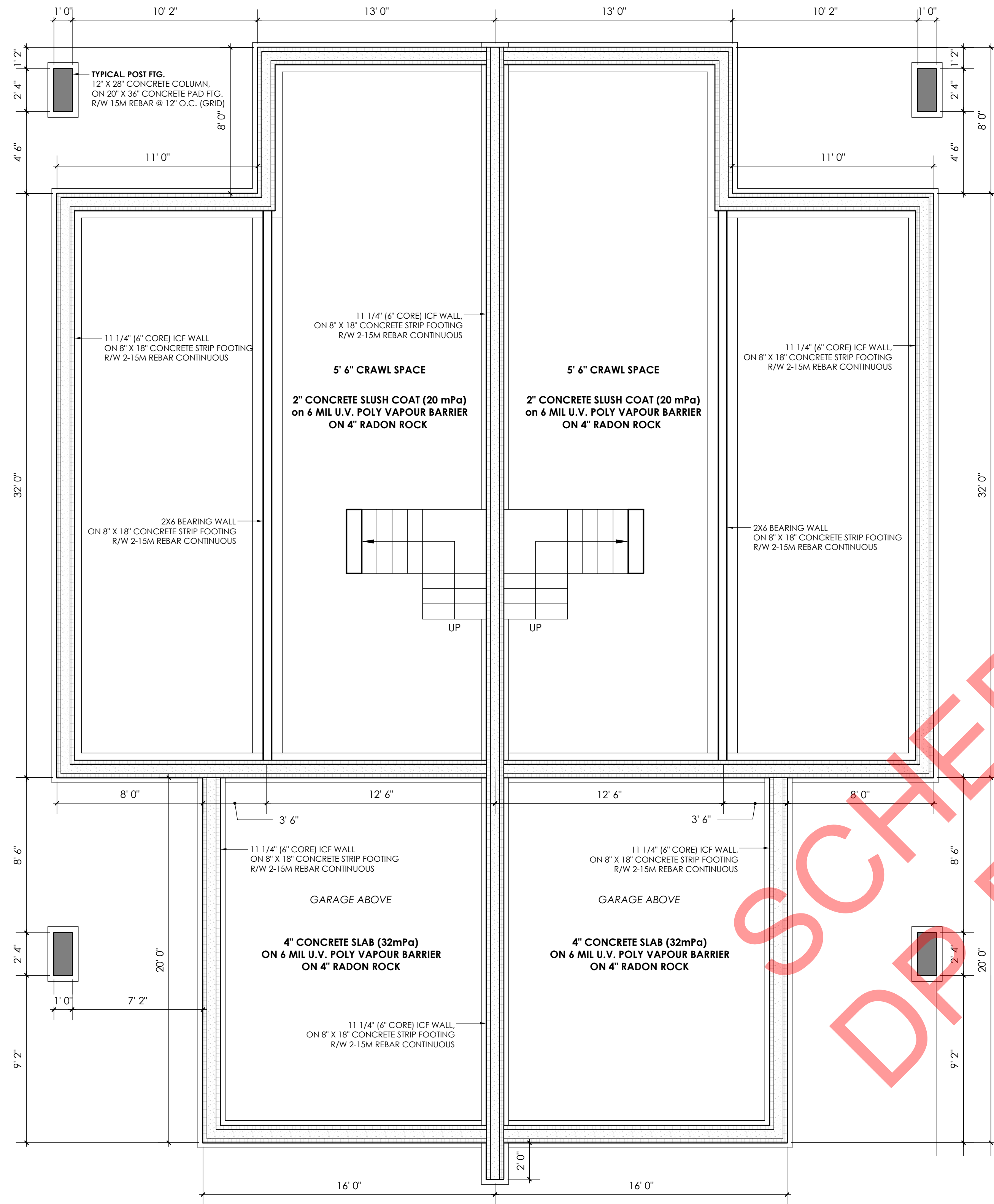
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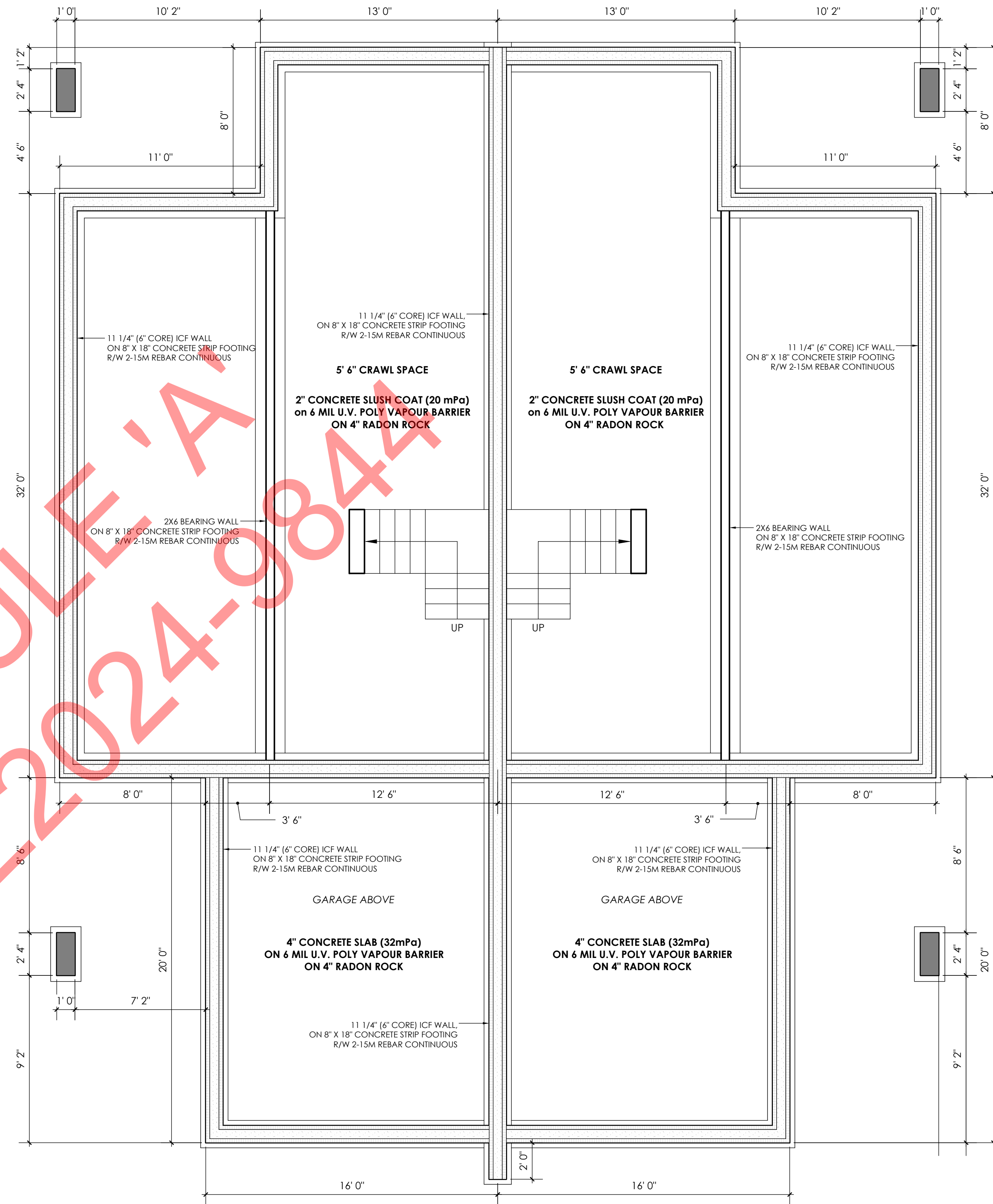
NOT FOR CONSTRUCTION

A4

ROOF PLANS



1 FOUNDATION PLAN - BUILDING A
SCALE : 1/4" = 1'-0"



B FOUNDATION PLAN - BUILDING B
SCALE : 1/4" = 1'-0"

Windsor Ave - Duplexes

378 Windsor Ave, Penticton BC

OWNER:
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2510 Pinetree Place
Penticton, BC

DOCUMENT DATE:
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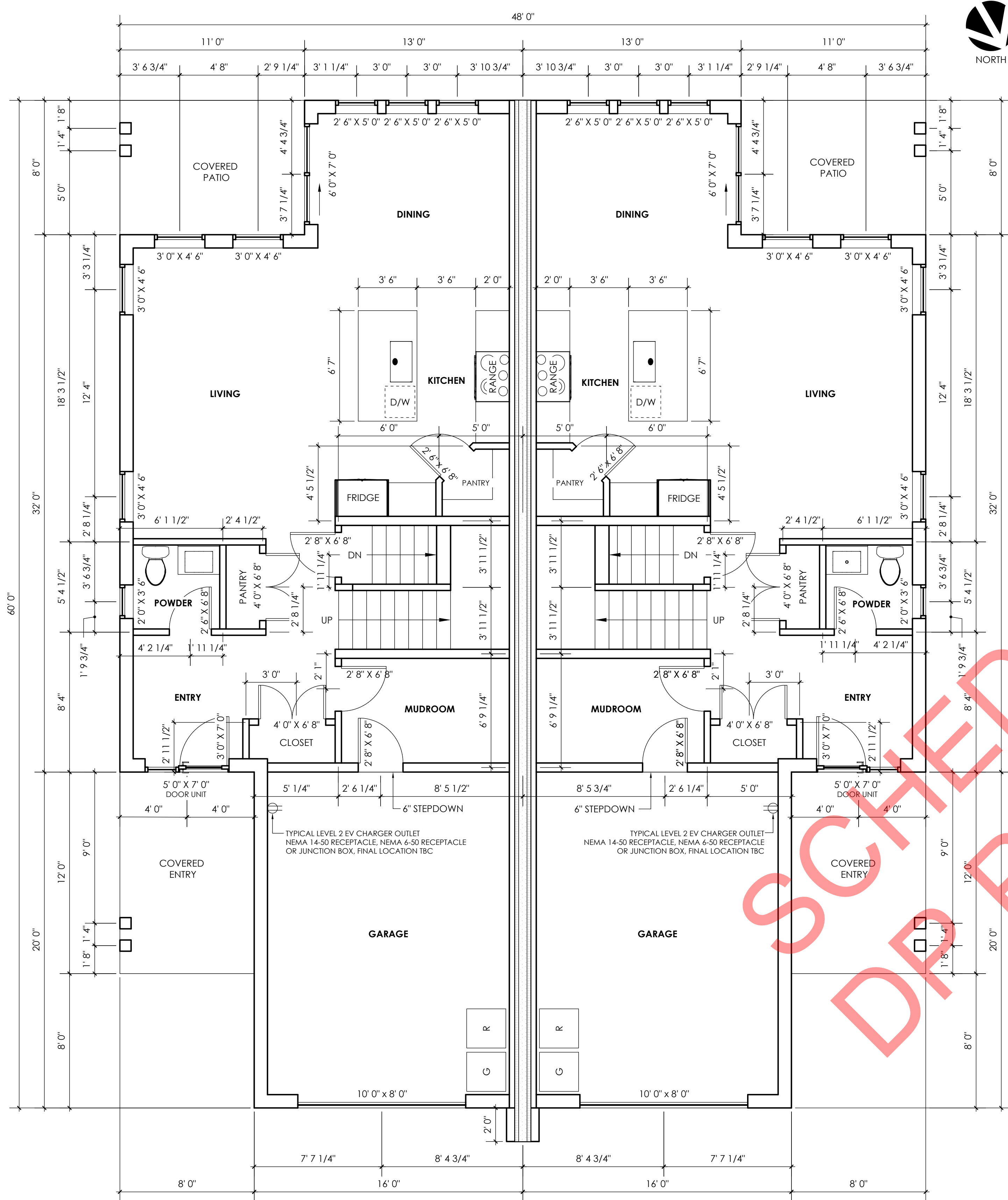
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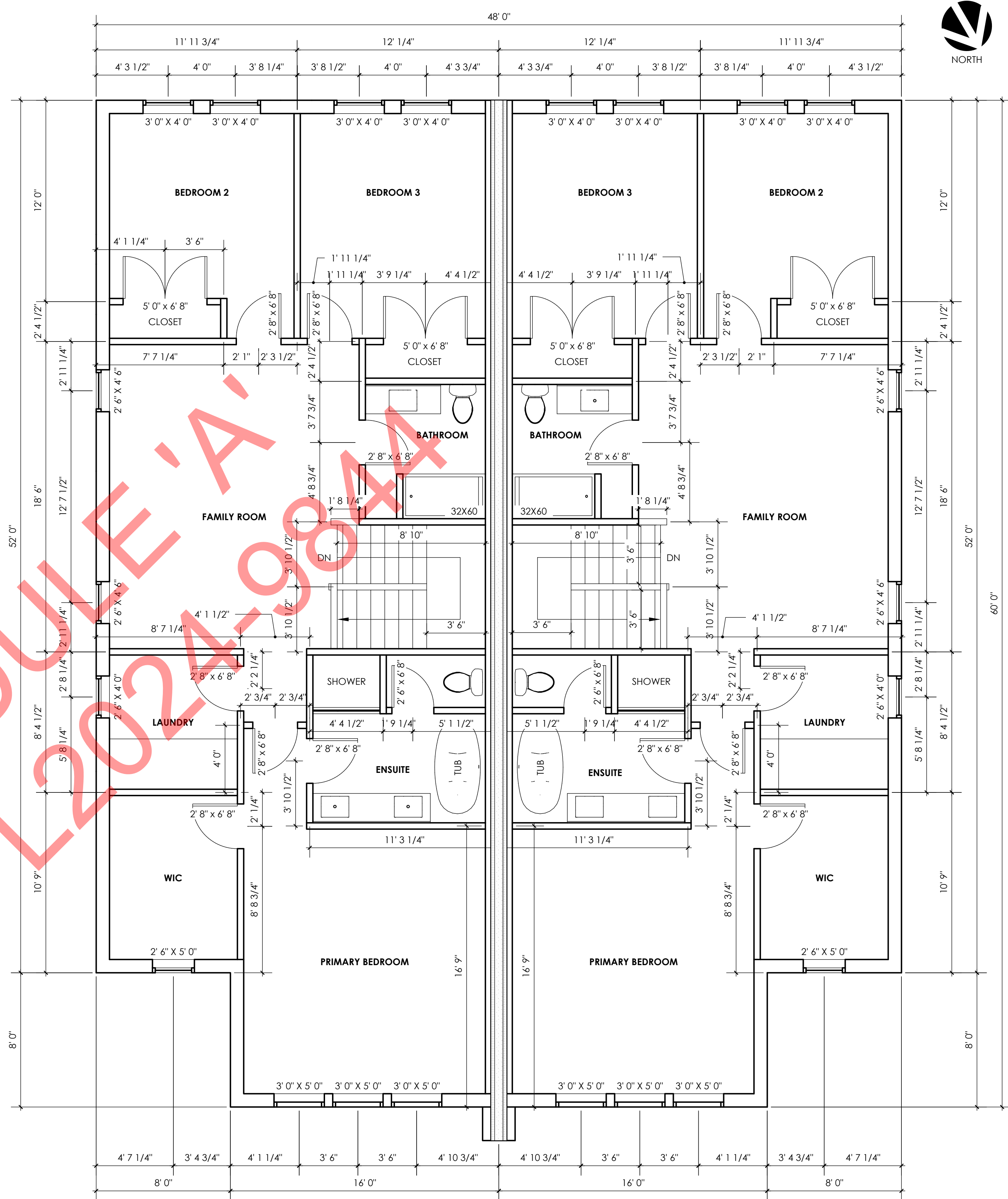
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A5

FOUNDATION PLANS



1 MAIN FLOOR PLAN - BUILDING A
HOUSE - 853 SQ.FT (PER UNIT)
GARAGE - 311 SQ.FT (PER UNIT)
9'0" CEILING HEIGHTS
SCALE : 1/4" = 1'-0"



2 UPPER FLOOR PLAN - BUILDING A
1283 SQ.FT (PER UNIT)
9'0" CEILING HEIGHTS
SCALE : 1/4" = 1'-0"

Windsor Ave - Duplexes

378 Windsor Ave, Penticton BC

OWNER:

David Tribe
2510 Pinetree Place
Penticton, BC

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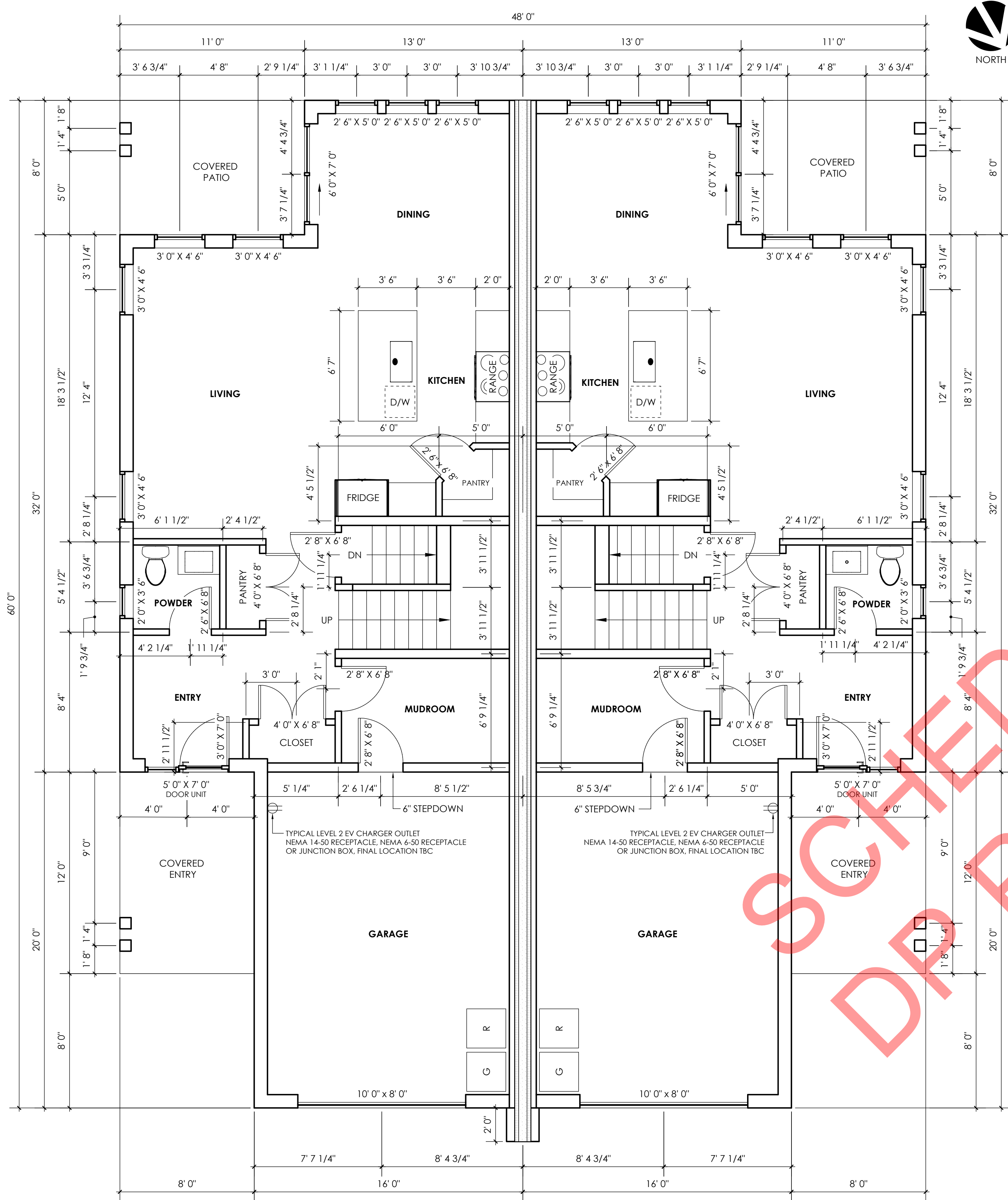
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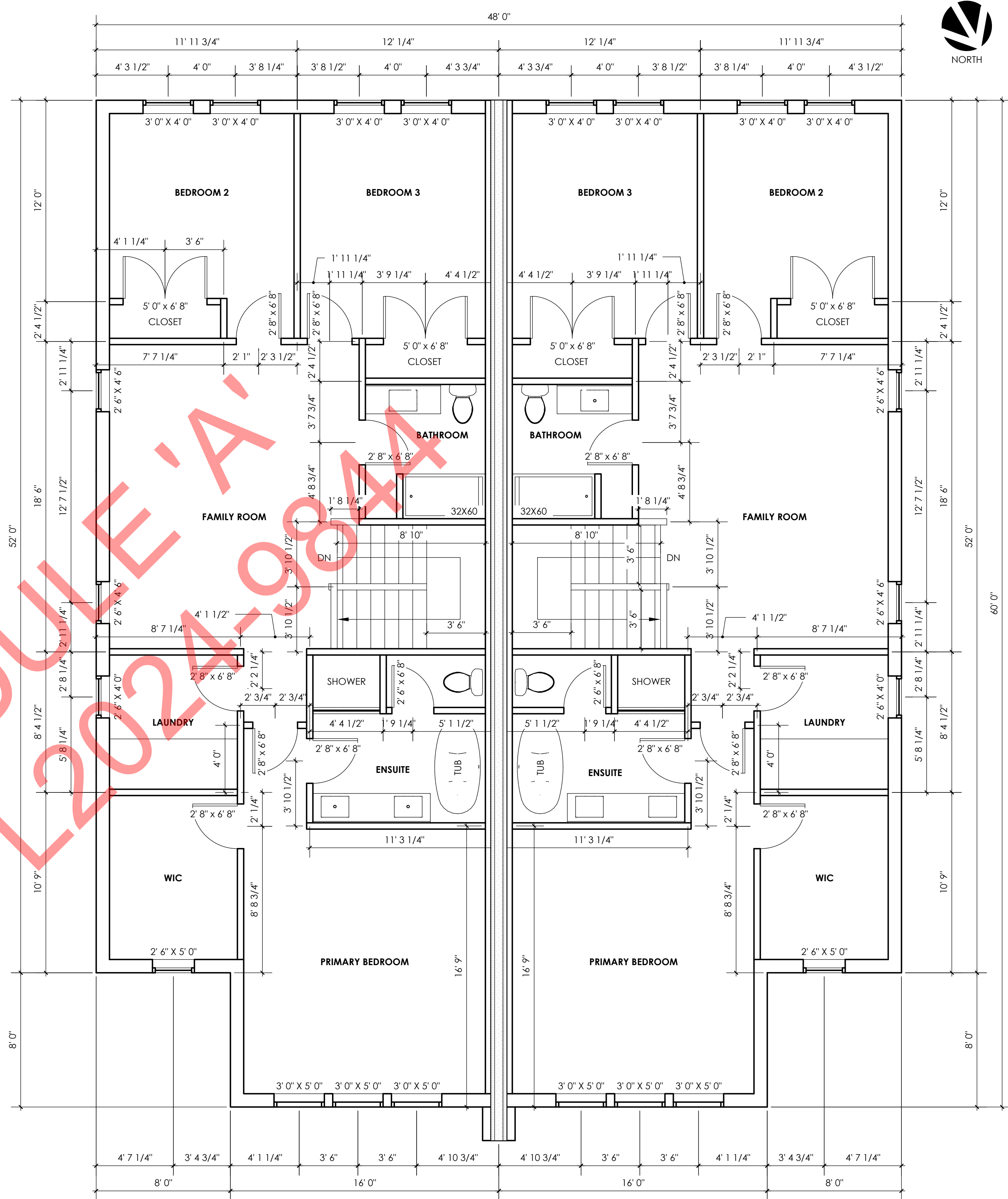
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A6

FLOOR PLANS
BUILDING A



1 MAIN FLOOR PLAN - BUILDING B
HOUSE - 853 SQ.FT (PER UNIT)
GARAGE - 311 SQ.FT (PER UNIT)
9'0" CEILING HEIGHTS
SCALE : 1/4" = 1'-0"



2 UPPER FLOOR PLAN - BUILDING B
1283 SQ.FT (PER UNIT)
9'0" CEILING HEIGHTS
SCALE : 1/4" = 1'-0"

Windsor Ave - Duplexes

378 Windsor Ave, Penticton BC

OWNER:

David Tribe
2510 Pinetree Place
Penticton, BC

DOCUMENT DATE:

August 15, 2024

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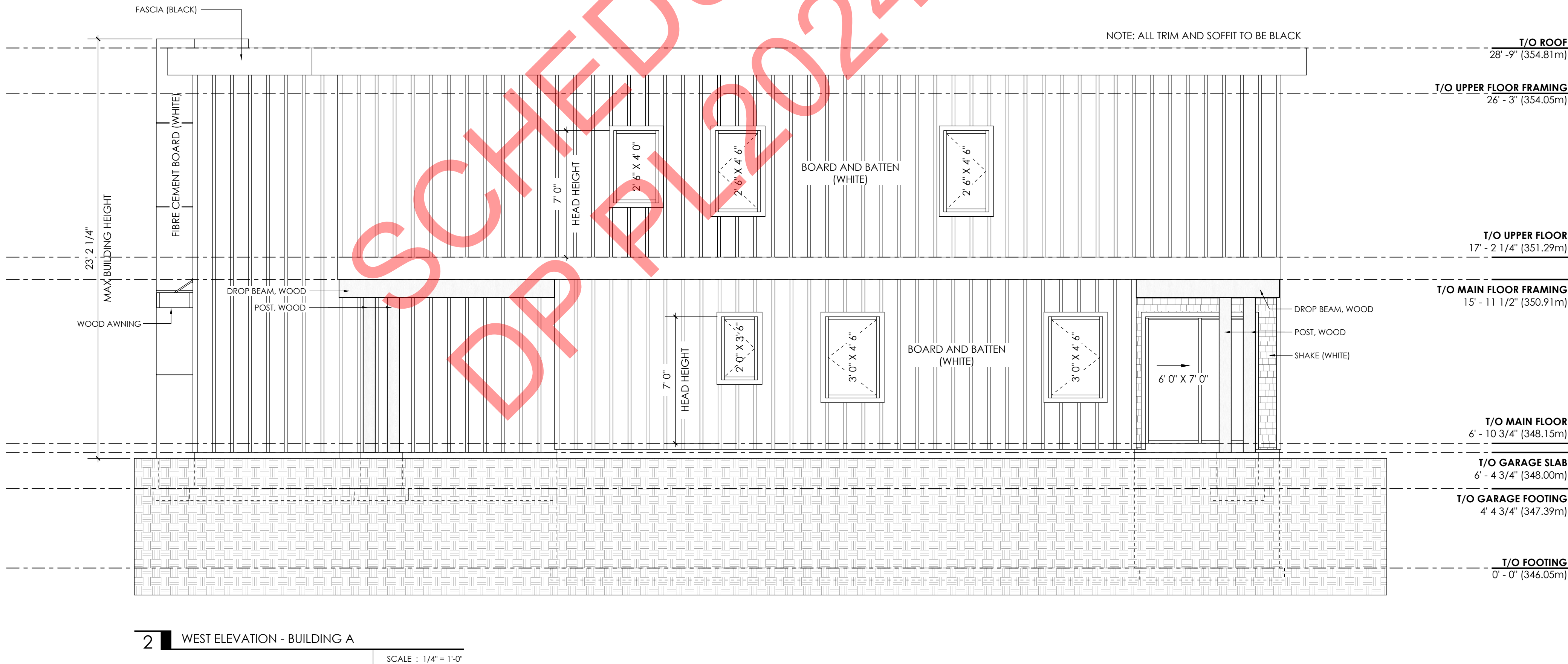
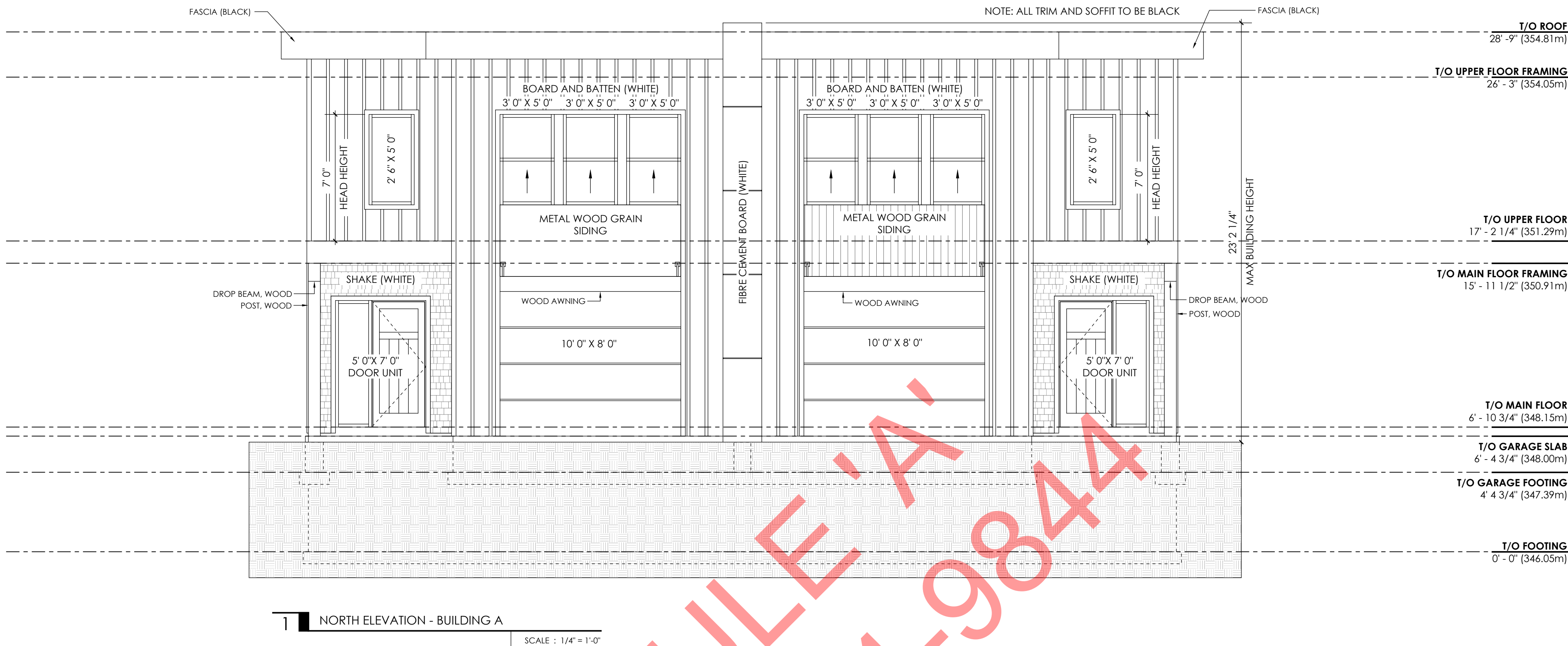
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A7

FLOOR PLANS
BUILDING B



Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

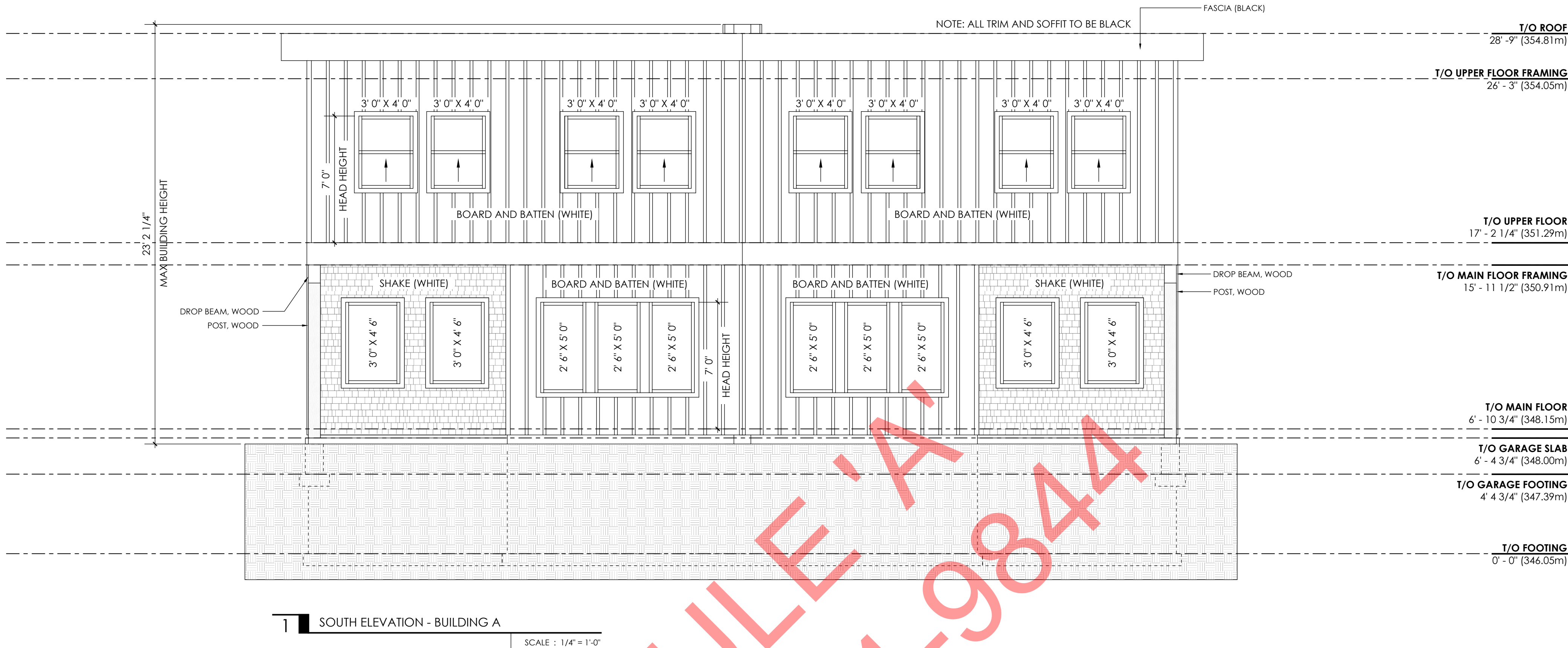
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A8

ELEVATIONS N/W -
BUILDING A



Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

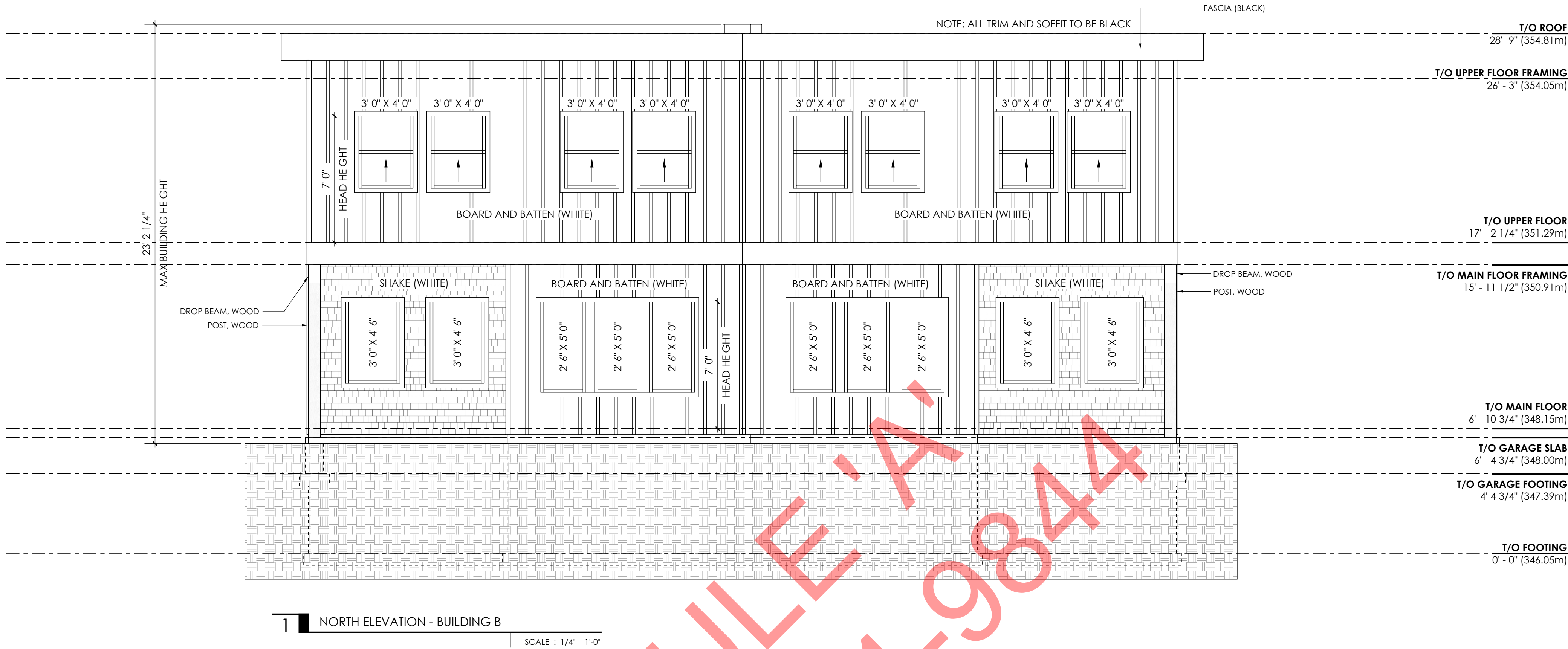
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A9

ELEVATIONS S/E -
BUILDING A



Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

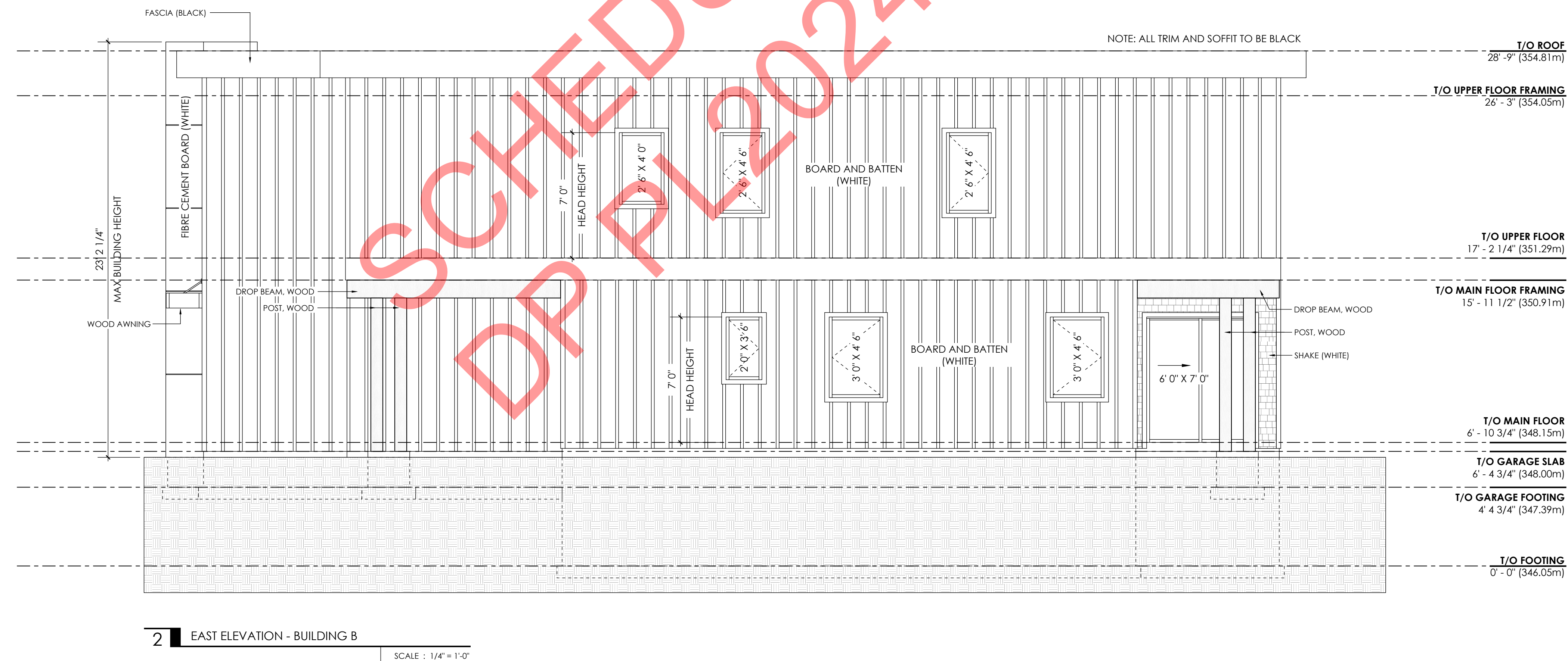
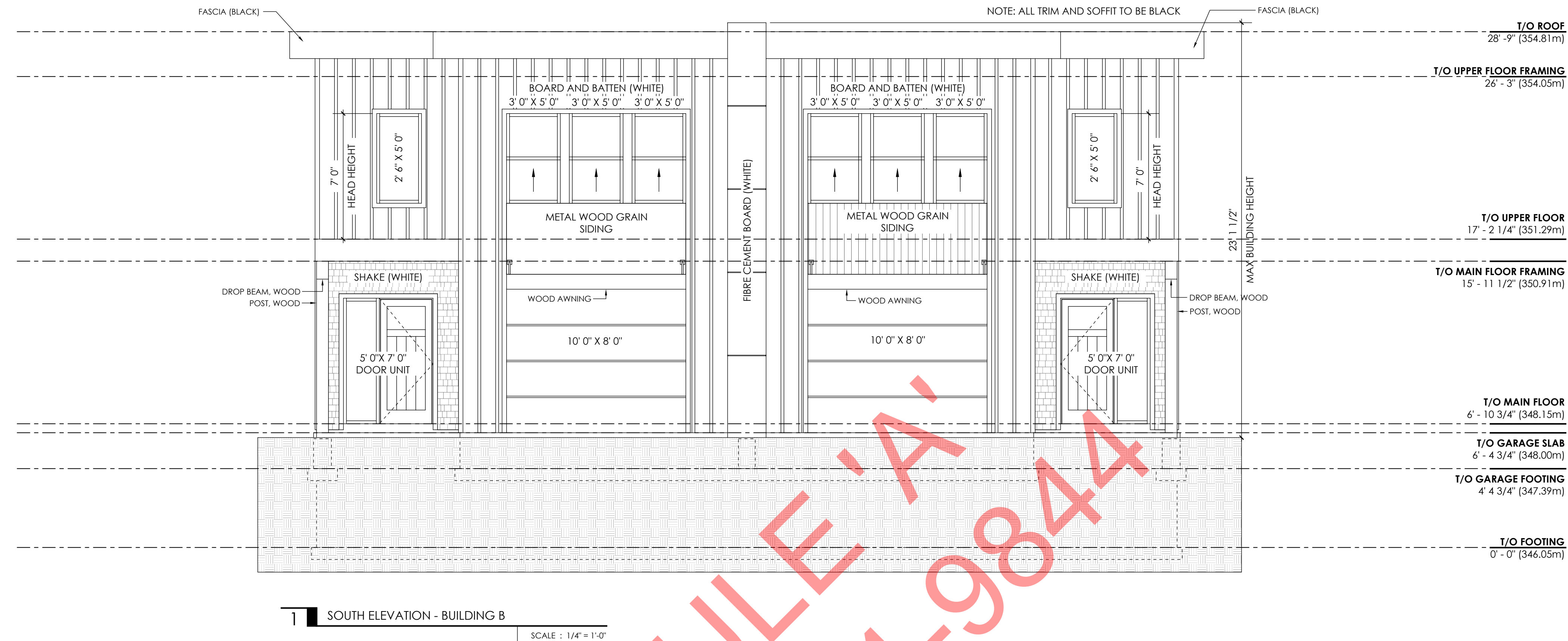
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A10

ELEVATIONS N/W -
BUILDING B



Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

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A11

ELEVATIONS S/E -
BUILDING B



1 RENDERING - WINDSOR AVE (EAST)
SCALE : NTS



2 RENDERING - WINDSOR AVE (WEST)
SCALE : NTS



3 RENDERING - LANE
SCALE : NTS



4 RENDERING - BIRD'S EYE
SCALE : NTS

Windsor Ave - Duplexes

OWNER:
David Tribe
2510 Pinetree Place
Penticton, BC

378 Windsor Ave, Penticton BC

DOCUMENT DATE:
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SCALE:
AS NOTED

NO.	DATE:	ISSUE:
01	17.04.24	ISSUE FOR DVP
02	31.07.24	ISSUE FOR DVP (REV 1)
03	15.08.24	ISSUE FOR DVP (REV 2)

NOT FOR CONSTRUCTION