

As part of the Provincial Government's Housing Action Plan and new legislation (s. 464 of the Local Government Act, effective November 30, 2023), the City is prohibited from holding a Public Hearing for Zoning Amendment Bylaws that facilitate residential development and are consistent with the Official Community Plan. As such, there is no opportunity to speak to Council in person.

A new residential development is being proposed in your neighbourhood:

Property:

95 Roy Avenue

Lot 9 District Lot 115 Similkameen Division Yale District Plan 7663

Proposal:

The applicant is proposing to construct eight townhouse units in two buildings. (Figure 1). The property is currently zoned R4-L (Small Scale Multi-Unit Residential: Large Lot) which does not permit eight units. In order to facilitate the proposed development, the applicants have applied to rezone the property to RM2 (Low Density Multiple Housing).

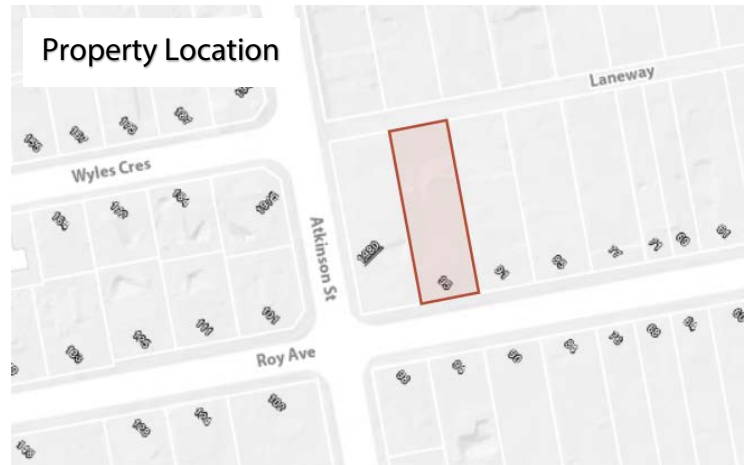


Figure 1: Renderings of Proposed Townhouse Development

Information:

You can find the staff report and Zoning Amendment Bylaw No. 2024-32 on the City's website at www.penticton.ca/publicnotice or scan the QR code to the right.



Questions?

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

Council Consideration:

Council will consider giving first reading to Zoning Amendment Bylaw No. 2024-32 at its Regular Council meeting scheduled for **1:00 pm, Tuesday, September 10, 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.

Written Submissions:

All submitted comments will be distributed to Council and must be received 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, BC V2A 5A9

Email: corpadmin@penticton.ca

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: 95 Roy Avenue

File No: RMS/95 Roy Avenue

Subject: Zoning Amendment Bylaw No. 2024-32
Development Permit PL2024-9831

Staff Recommendation

Zoning Amendment

THAT Council give first, second, and third reading to "Zoning Amendment Bylaw No. 2024-32", for Lot 9 District Lot 115 Similkameen Division Yale District Plan 7663, located at 95 Roy Avenue, a bylaw to rezone the subject property from R4-L (Small-Scale Multi-Unit Residential: Large Lot) to RM2 (Low Density Multiple Housing);

Development Permit

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2024-32", approve "Development Permit PL2024-9831", for Lot 9 District Lot 115 Similkameen Division Yale District Plan 7663, located at 95 Roy Avenue, a permit for a townhouse development (eight units);

AND THAT Council direct staff to issue "Development Permit PL2024-9831";

Excess and Extended Service

AND THAT Council, in accordance with Section 507 of the *Local Government Act*, require the following excess and extended services:

- Construction of a sidewalk and boulevard trees from the development to Atkinson Street

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 eight townhouse units in two buildings. Eight units are not permitted in the current R4-L zone, and a zoning bylaw amendment to the RM2 zone has been requested. The application also requires a Development Permit, which has been included for Council's consideration.

Background

Property Information

The property is located on the north side of Roy Avenue, two blocks from Cherry Lane Mall. The property is 0.28 acres in size and currently contains a single detached dwelling and detached garage. The property is zoned R4-L – Small-Scale Multi-Unit Residential: Large Lot in the Zoning Bylaw, designated High Density Residential in the Official Community Plan, and is within the Cherry Lane Mall Transit-Oriented Area. The surrounding area consists of properties with single detached dwellings and duplexes.

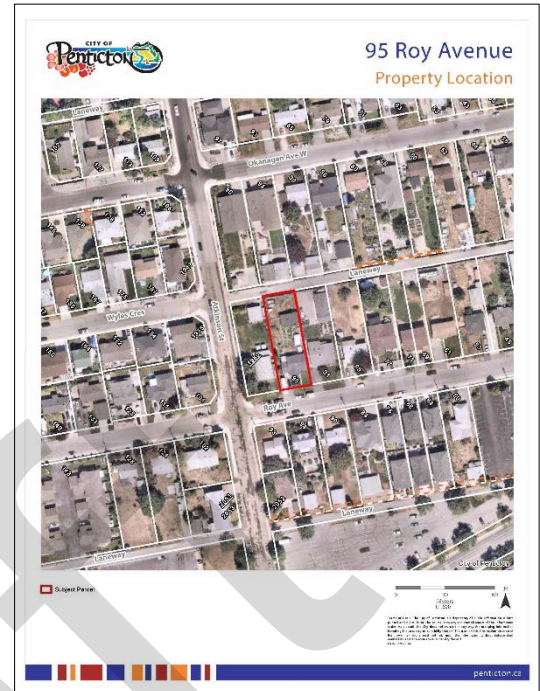


Figure 1 - Property Location Map

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:

- **Shift Beyond the Car:** Increase walking, cycling, and other forms of zero emission mobility
 - o The proposal includes both long term and short term bicycle parking. There is a protected bike lane on Atkinson Road and the property is within walking distance of Cherry Lane Mall. These features provide opportunities for future residents to choose zero emission mobility options.
- **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 the excess servicing request, were identified and communicated to the applicant.

Excess Service Request

The excess service request is to construct a sidewalk and boulevard trees from the subject property to Atkinson Street. That is, in addition to the improvements in front of 95 Roy Avenue, improvements in front of 1980 Atkinson Street are requested. The total estimated cost for the improvements is \$25,000 (assumes 37.5m of 1.8m sidewalk). A latecomer agreement would be established, and a portion of the costs returned to the applicant if the neighboring property develops during the lifespan of the agreement.

Development Statistics

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

	Zone Requirement (RM2 – Low Density Multiple Housing)	Provided on Plans
Minimum Lot Width*:	18 m	19.19 m
Minimum Lot Area*:	540 m ²	1116 m ²
Maximum Lot Coverage:	40%	40%
Maximum Density:	1.5 Floor Area Ratio (FAR)**	0.78 Floor Area Ratio (FAR)
Maximum Height:	4 storeys**	7.5 m, 2 storeys
Vehicle Parking:	Total Vehicle Spaces Required: No vehicle parking spaces**	Total Vehicle Spaces Provided: 8 vehicle parking stalls (1 per dwelling unit)
Level 2 Electric Vehicle (EV) Ready Stalls:	Total EV Ready Required: 1 per dwelling unit (8 EV Ready total)	Total EV Ready Provided: 8 EV Ready Stalls (1 per dwelling unit)
Bicycle Parking:	Total Class 1 Spaces Required: 0.5 per dwelling unit (4 spaces) Total Class 2 Spaces Required: 0.1 per dwelling unit (1 space)	Total Class 1 Provided: 4 spaces Total Class 2 Provided: 1 space
Required Setbacks: Front Yard: Side Yard (east): Side Yard (west): Rear Yard (lane):	3.0 m 1.5 m 1.5 m 6.0 m	9.0 m 3.0 m 3.0 m 9.0 m
Pedestrian Access:	1.2m path to dwelling units facing the back of the lot	1.2m path to dwelling units facing the back of the lot
Amenity Space:	20m ² for each dwelling unit	20m ² for each dwelling unit
Landscape Buffer: (east/west)	Required Landscape Buffer: 3.0 m wide buffer	Provided on Plans: 3.0 m wide buffer

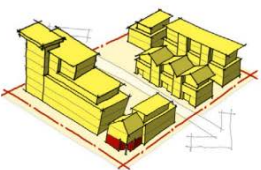
	1 tree for every 10.0 linear metres 1 shrub for every linear metre	12 trees 134 shrubs
Other Information:	*Lot width and lot area are only applicable at the time of subdivision. **Regulation due to location within a Transit-Oriented Area.	

Analysis

Zoning Bylaw Amendment

Official Community Plan

The property is designated 'High Density Residential' within the Official Community Plan (OCP) Future Land Use Map.

Land Use	Description	Building Type(s)	Uses	Height / Density
High Density Residential 	Higher-density multifamily residential neighbourhoods consisting of townhouses and apartments in higher-amenity areas	- Cluster housing - Townhouses - Low-rise and mid-rise apartment buildings - Small-scale neighbourhood commercial building (e.g., corner store, coffee shop, childcare)	- Residential - Limited retail/service	Up to 6 storeys
Site-Specific High Density Residential Policy Statement: 556 to 736 Lakeshore Drive West: Development up to a maximum of four storeys can be considered subject to assessment of urban design impacts on Lakeshore Drive and the waterfront, Lakawanna Park and neighbouring properties on Churchill Avenue.				

The OCP also includes the following policies, which are directly applicable to the zoning bylaw amendment:

- OCP Policy 4.1.1.1 Encourage new housing to be built in close proximity to the downtown, shopping centres, schools, parks, bus exchanges and along transit corridors. Specifically direct new housing in the downtown, North Gateway, South Gateway, near the college, hospital, and within designated transit-oriented areas.
- 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 by Development Permit Area Guidelines.
- 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.

Zoning Bylaw

The property is zoned R4-L – Small-Scale Multi-Unit Residential: Large Lot in the Zoning Bylaw. The R4-L zone permits townhouses, but to a maximum density of four dwelling units. The applicant has requested a zoning bylaw amendment to the RM2 Zone which permits townhouses, to a maximum density of 0.8 floor area ratio (FAR).

The property is also located within the Cherry Lane Mall Transit Oriented Area, Area 2 (200-400 m) which allows for a greater density of 1.5 FAR, a height of 4 storeys, and no parking space requirements except for accessible parking spaces.

Support Zoning Bylaw Amendment

The proposed rezoning to RM2 – Low Density Multiple Housing aligns with the OCP land use designation of High Density Residential. The rezoning also aligns with relevant OCP policies to add density close to transit and amenities. The property is located within a 10-minute walk of Cherry Lane Mall and Lion's Community Park and is serviced by the Cherry Lane Transit Exchange. In addition, a protected bike lane is located to the west of the property on Atkinson Street.

Development Permit

The property is located within the Multifamily 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').

Support Development Permit

The proposed development has been designed with the OCP design guidelines in mind. As such, staff recommend that Council consider approving the Development Permit after considering adoption of the Zoning Amendment Bylaw.

Excess Servicing Request

The excess servicing request is to require the developer to construct a sidewalk and boulevard trees from the development to Atkinson Street.

Support Excess Service Request

If granted, the request aligns with the following OCP policy:

- OCP Policy 4.2.2.2 Address gaps in the pedestrian network by providing sidewalks on at least one side of the street in residential neighbourhoods, and commercial and mixed-use areas, using excess street rights-of-way where possible or through land acquisition if necessary. Where possible, provide sidewalks by requiring their construction or upgrades from developers.

This request would address a gap in the pedestrian network between Atkinson Street and 95 Roy Avenue that would be created by only constructing a sidewalk in front of the property. The developer has indicated no objections to the excess service request.

Alternate Recommendations

Council may consider that the proposed rezoning is not suitable for this site. If this is the case, Council should deny the bylaw amendment. This is not recommended by staff, as the zoning bylaw amendment request is consistent with the Official Community Plan.

- 1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2024-32”.

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 & Development Permit Analysis (applicant)
- Attachment F – Draft Development Permit PL2024-9831
- Attachment G – Zoning Amendment Bylaw No. 2024-32

Respectfully submitted,

Yvonne Mitchell
Planner II

Concurrence

Director of Development Services	GM of Infrastructure	City Manager
<i>BL</i>		

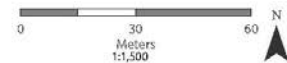
Attachment A – Zoning Map



95 Roy Avenue Zoning Bylaw



- Subject Parcel
- Site Specific Zoning
- Zoning Bylaw No. 2024-22
- R4-S - Small-Scale Multi-Unit Residential - Small Lot
- R4-L - Small-Scale Multi-Unit Residential - Large Lot
- RM1 - Bareland Strata Housing
- RM2 - Low Density Multiple Housing
- RM3 - Medium Density Multiple Housing
- C4 - General Commercial
- P1 - Public Assembly

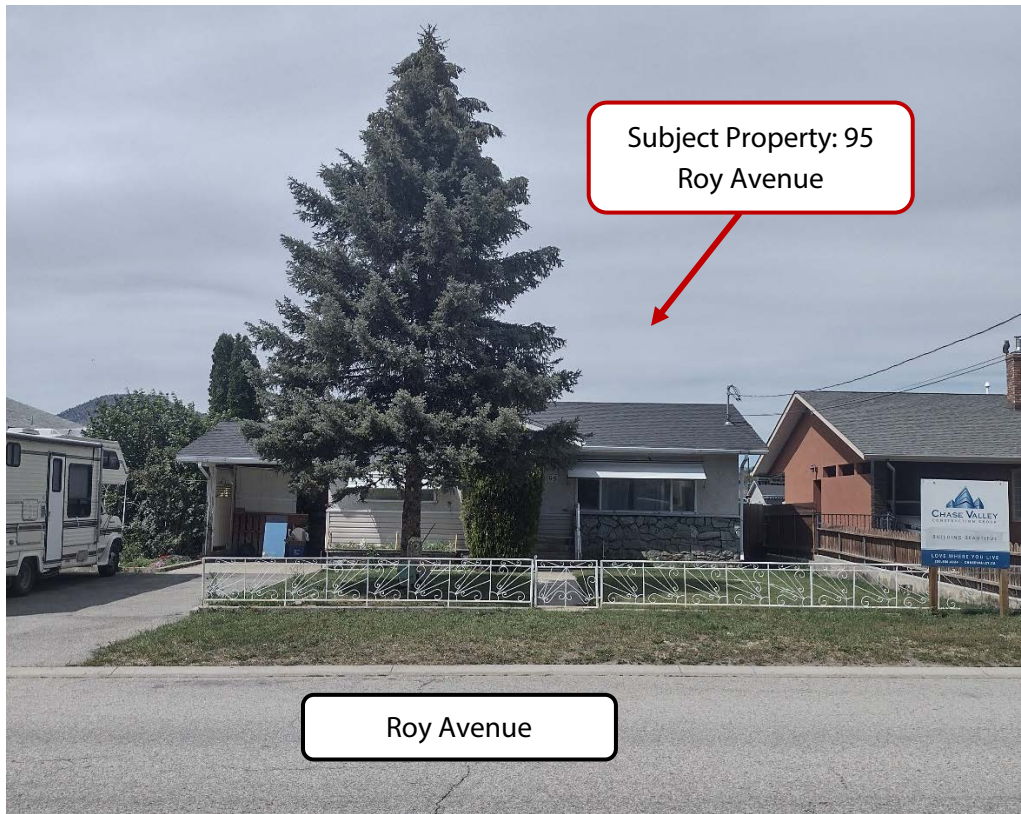


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Date: 9/21/2024

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Attachment C – Photos of Property



Attachment D - Development Permit Analysis (staff)

Development Permit Analysis

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

- 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.*
 - Where possible parking has been provided adjacent to the laneway. To provide a parking space for each dwelling unit some parking between the front of the buildings and the street was required. Visual impact has been minimized in the front yard using landscaping. Safe pedestrian connections are provided to all units.
- 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 townhouse units face both Roy Avenue and the lane.
- 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.
- Guideline G29 Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking Areas.*
- Units facing Roy Avenue and the laneway include front patios. Windows also face Roy Avenue and the laneway.
- Guideline G40 Landscape designs should support shading strategies (passive cooling) with deciduous plantings that allow increased solar gain in winter months;*
- The landscape design includes elements such as maple trees which help provide both shade and sun depending on the season.
- Guideline G42 Minimize the use of impervious surfaces and/or incorporate rainwater management strategies where surface runoff is captured.*
- Except for the required hard surfaces (walkways and parking) the site includes softscape areas such as lawns and gardens.
- Guideline G58 Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic.*
- Garbage and recycling will be collected from the laneway and stored in a screened compound separate from any pedestrian walkways on site.
- 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.*
- Vegetation is provided in all amenity spaces including shrubs, trees, and lawns. Safe play areas are provided in the interior of the site in the form of fenced yards.
- Guideline MF5 Electric vehicle charging stations should be provided in larger developments.*
- An EV ready stall has been provided for each dwelling unit.



August 7, 2024

Giroux Design Group Inc.

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

Re: 85 Roy Avenue Development Permit Application

To City of Penticton Planning Department,

We are proposing to redevelop the property at 85 Roy Avenue which would allow the construction of two fourplexes for 8 dwelling units total. The application requires a development permit for the form and character of the proposed development, and rezoning from 'R1 – Large Lot Residential' to 'RM2 – Low Density Multiple Housing'. The proposal falls within the 'Multifamily Residential Development Permit Area' of the Official Community Plan.

With the recent Provincial Government changes to allow more units per property, and the City of Penticton 'Focus on Housing' initiative, this development has been designed with those changes in mind. The new Official Community Plan (OCP) future land use designation is 'High Density Residential' compared to 'Infill Residential' today, and the new zoning on the property is R4-L (Small-Scale Multi-Unit Residential: Large Lot) which both support this development proposal. As well, the property is within the 200 m radius of the proposed 'Cherry Lane Transit Oriented Area'.

The development will provide two fourplexes at two-storeys in height, each with 3 bedrooms. A total of eight vehicle parking spaces with EV ready chargers has been provided both from Roy Ave, as well as the rear lane. Five bicycle parking spaces have been provided in various areas of the property. Landscaping is provided on all four sides of the proposed development. Multiple trees, shrubs, and green space is provided for the residents of every dwelling unit, including the required landscape buffer on the east and west side of the property to provide separation and privacy between properties.

The property is centrally located near Parkway Elementary, Cherry Lane Shopping Centre, Lion's Park, and Main St, and other amenity areas for recreational and employment opportunities. The property is located between Main St and Atkinson St which provides transit and an existing bike lane. The City of Penticton Engineering department is requesting that sidewalk improvements, including boulevard trees, be completed for 85 and 91 Roy Avenue, this will be presented to Council as an Excess Service Resolution along with the rezoning for this property.

We believe the project meets the intent of providing modest densification to an area of town that has a mix of townhouses, with similar development already approved along Roy Ave. This development will provide much needed family housing in a core area of the City of Penticton close to employment, amenities, and transit.

Thank you for considering our proposal.

Best regards,

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

Site Planning

Designing in Context

Contextual designs feel better because they ‘fit.’ In light of Penticton’s complex and unique landscape, views and urban patterns, it is important that designs reflect this character. Guidelines address site conditions and context, including: sensitivity to on-site features (e.g., terrain and sun angle), adjacencies (e.g., street interface and existing uses), potential impacts (e.g., overlook and shading) and other related opportunities (e.g., energy conservation).

G1. Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.)

An electrical transformer has been identified and provided on plans from Roy Ave. No road dedication has been identified in front of the property.

G3. Private and semi-private open spaces should be designed to optimize solar access (see Figure G3).

Private fenced yards have been provided in between each proposed building. This allows residents to enjoy sun throughout the warmer months. Having windows on the proposed buildings allows sunlight to enter the windows of each unit in the winter months of the year.

G4. Views through to the mountains and the lakes should be carefully considered and incorporated into the design of new development.

Each unit will have a view of the mountains either to the east or west from the proposed development that can be enjoyed from window view.

Framing Space

In consideration of Penticton’s relatively low-scale urban form, future intensification and development should explore how buildings actively frame space(s) as a means to expand and enhance the public realm. The following guidelines aim to promote positive interactions with particular care and attention to transitions between private and public spaces.

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

The proposed fourplex closest to Roy Avenue been designed to be close to the street as possible while also incorporating parking accessed from the street. This helps keep “eyes-on-the-street”, while also providing easy pedestrian access to every dwelling unit from Roy Avenue. Landscaping and two trees have been provided at the front of the property to create a sensitive transition from the road and sidewalk to the proposed development.

G7. All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.

A fence has been provided along the property lines, as well as between the proposed buildings for amenity space which aides in the reduction of crime and nuisance opportunities. Bicycle parking has been provided at the rear of the property, which is out of view from the street and sidewalk.

Prioritizing Pedestrians

A high-quality pedestrian environment is a central quality of any welcoming neighbourhood. Penticton is fortunate to have an extensive neighbourhood street network that links distinct areas in a reasonable walking distance. The following guidelines aim to optimize the quality and connectivity of pedestrian infrastructure and reduce conflict between pedestrians and vehicles.

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 development is within a well-established area of the City of Penticton. Main Street is within a short walking distance away, providing connectivity to amenity, and employment areas within the City. Parkway Elementary, Cherry Lane Shopping Centre, Lion's Park are also within a short walking distance of the development. A sidewalk connecting the public sidewalk to private entrances has been provided from Roy Avenue.

G12. Where feasible, indicate pedestrian ways with continuity of paving treatments/paving materials.

A 1.2 m wide sidewalk provides access to the units facing south. A path runs along either side of the property for pedestrian and emergency services access.

G13. Entry to ground-level residential units should be no more than 1.8m (6.0 ft.) above the grade of adjacent public sidewalks and walkways (see Figure G14).

Entrances to the buildings are either at the same level as the City street and sidewalk, and not more than 1.8 m in height.

Cars and Parking

The following guidelines are intended to reduce the impacts of automobile infrastructure – including access and parking – and to further support a high quality pedestrian realm. (see Figure 5-3 and Figure 5.4)

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.

The subject property is close to Main St and Atkinson St which both provide transit, and a bike lane on Atkinson St. The existing north lane provides vehicle access to the development from Atkinson St, without creating the need for additional vehicle access.

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 for the development has been provided from the existing lane.

Architecture

Design for Our Climate

In response to Penticton's semi-arid climate, design buildings and landscape architecture that reflect a love for indoor/outdoor living resulting from low annual rainfall and hot summer temperatures.

G20. Designs should respond to Penticton's setting and climate through use of:

- passive solar strategies;
- optimized placement of windows to maximize natural light;
- energy-efficient building design;
- passive solar principles;
- landscape design and plantings that provide cooling through shade in summer months;
- selecting roof materials to minimize heat loading and increase reflectivity.; and,
- strategies for cross-ventilation.

The units have windows facing all directions, allowing for solar gain throughout the year. Patios, and fenced yards have been provided giving the option for indoor/outdoor living. The new trees are deciduous providing shade in the summer and sun in the winter. Buildings are designed to Step 3 of the Energy Code.

Friendly Faces, Friendly Neighbours (Orientation & Massing)

Massing (the three-dimensional form) and articulation (how the parts fit together) of architecture are tools that can reduce the apparent size of large buildings and help ensure the sensitive transition to adjacent buildings and open spaces. It can also provide visual interest for pedestrians. New development should consider the scale of its neighbours and avoid abrupt transitions in height and massing between adjacent buildings.

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).

One building faces Roy Avenue, while the other faces the rear lane. The front door is at ground level, with a pathway provided to the City sidewalk for anyone to access the development. Landscaping has also been provided at the front of the property directly next to the sidewalk.

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 breaking up massing while promoting overlook and/or weather protection.

Each side of the development has been well thought out to provide visual interest and different massing with a variety of colours to break up massing.

Eyes on the Street

Create active and safe shared spaces through orientation of primary building entrances, windows, porches/ balconies to the public realm, sidewalks and other shared open spaces.

G28. Entries should be visible and clearly identifiable from the fronting public street.

The entrances to each building are at ground level, with a driveway for vehicle access running along the north and south side of the property. A sidewalk has been provided from the City sidewalk on Roy Avenue to the entrances of the southern units.

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).

Windows on all levels of the street facing units provide for visual overlook onto Roy Avenue and the public realm. All units have windows looking over the driveway and over the amenity yard areas on all sides of the buildings.

Landscape Architecture

Enhance the Urban Forest

Urban forests are recognized for the economic, social, and environmental benefits they provide. In addition to considerations for form & character, enhancement of Penticton's urban forest will support health and well-being for all.

G35. Tree planting

- Where space permits, landscaped areas, boulevards and setback areas adjacent to streets should be planted with trees with appropriate soil volumes to ensure longevity.
- All areas with planted trees must be irrigated
- All development fronting a public street shall plant a landscaped area fronting the public road with regularly spaced street trees no further than 10 metres apart, and at least 2.5 meters tall at the time of planting.
- The planting of additional trees is strongly encouraged, particularly if existing trees cannot be preserved, in order to maintain and expand the urban forest canopy.

Twelve new trees are proposed to be planted on the property along all side of the property lines, and in the middle amenity space area. These trees and other proposed landscaping provide buffering between the public realm and adjacent properties.

Utilities, Mechanical Services and Servicing

As essential components of the city's built infrastructure, these elements must be intentionally integrated in the overall design to mitigate impacts on form and character.

G54/55. Mechanical/Utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building. Where this is unachievable, units may be located at the edge of the front yard and must be incorporated into landscaped areas and screened from the street.

An electrical transformer is placed in the front yard on the southeast side of the development and will be wrapped with vinyl decorative wrap. The water meters are placed in the front yard on the west side of the property.

G58. Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic.

Waste and recycling containers have been provided at the rear of the property and are screened with landscaping during non-collection days.

G59. Garbage and recycling bins should be contained within screened enclosures that are coordinated with the overall design.

The storage of the waste and recycling containers have been provided at the rear of the property with a 4' high wood or vinyl fence enclosure to provide screening of the containers.

G60. Clear access to refuse/recycling areas must be provided.

Each unit will have it's own waste and recycling containers, with collection available along the existing north lane.

Fences

Notwithstanding the fencing regulations in the Zoning Bylaw, fencing design should provide a level of privacy to the development but not present an unfriendly solid wall to the public street.

G63. All plans should show intended fencing.

Fencing is shown on the landscape plans. Fencing has been provided along the property lines, and between each unit's private amenity space. The fencing meets the Zoning Bylaw requirement, and is less than 1.2 m (4 ft) within the front yard setback, and is not greater than 1.8 m (6 ft) outside of the front yard setback.

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.

Amenity space is provided with private fenced yards and green space in multiple areas of the property. Landscaping and a lawn provide for a suitable area for play or relaxing.

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 fenced private yards each have a landscaped section placed to maximize the usefulness of the yard as a play area for children or pets, or for outdoor enjoyment for all age groups.

MF5. Electric vehicle charging stations should be provided in larger developments.

Each dwelling unit of the proposed development has been provided an electric vehicle charger. This also complies with the EV charger requirements of the Zoning Bylaw.



Development Permit

Permit Number: DP PL2024-9813

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 11 District Lot 115 Similkameen Division Yale District Plan 7663
 - Civic: 85 Roy Avenue
 - PID: 009-949-151
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of an eight-unit townhouse development in two buildings 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).

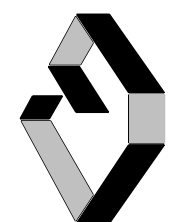
General Conditions

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 ____ day of _____, 2024.

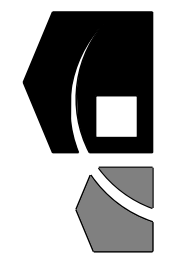
Issued this ____ day of _____, 2024.

Angela Collison
Corporate Officer



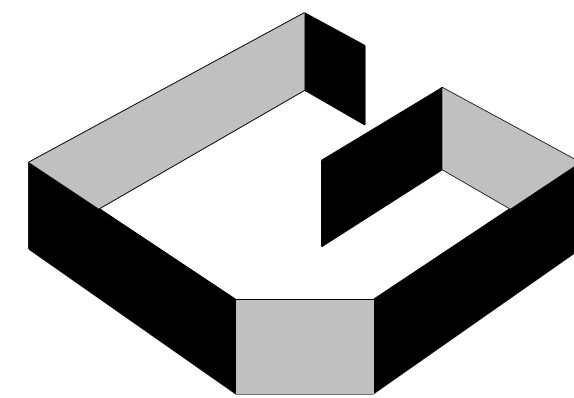
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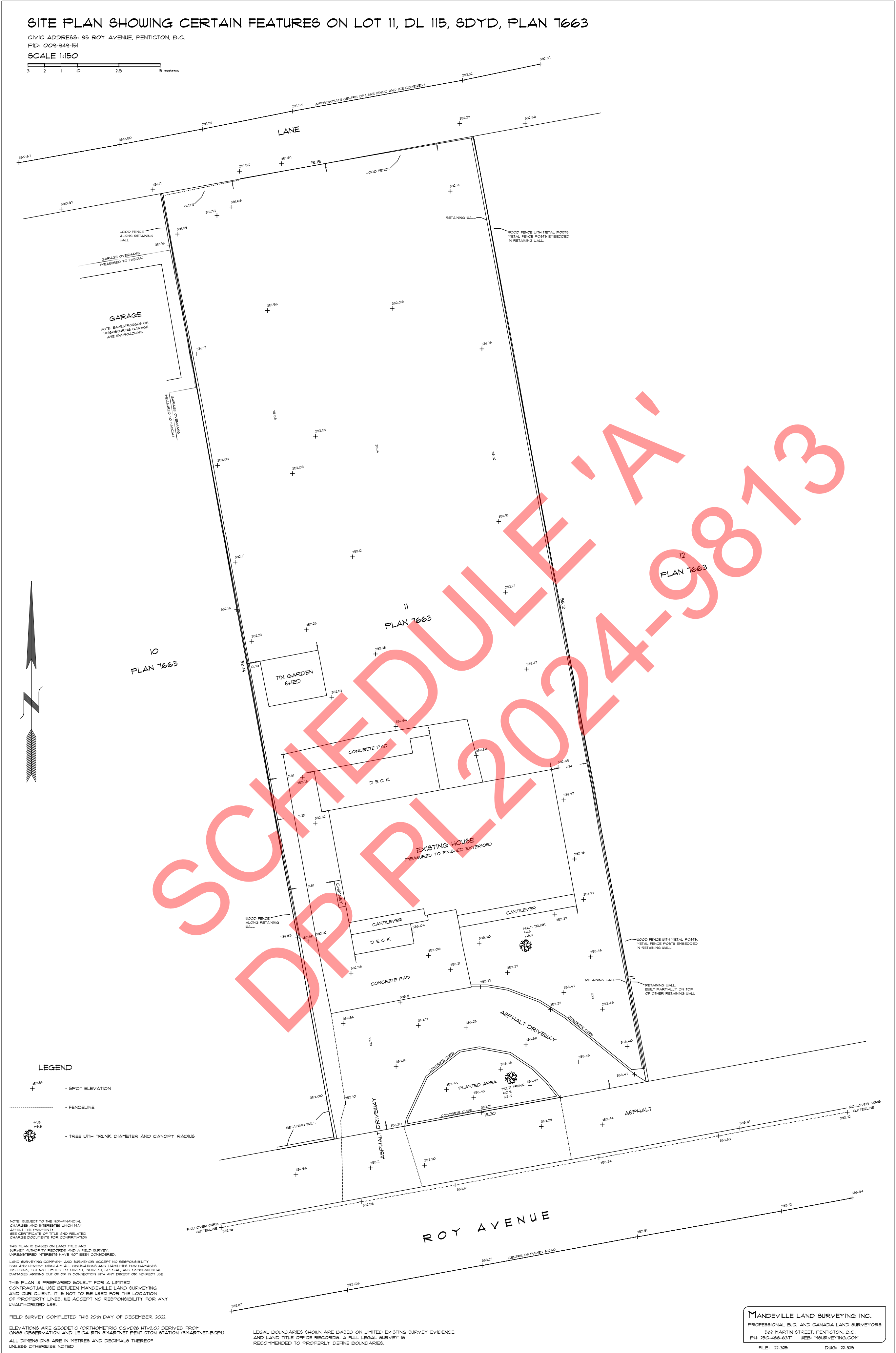
WP-5786

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Surveyors Site Plan

RAJ DHILLON

85 ROY AVE

PENTICTON

DESIGN BY: AJG

DATE: 2024-08-07

DRAWN BY: AJG

REVISED:

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MANDEVILLE LAND SURVEYING INC.

PROFESSIONAL B.C. AND CANADA LAND SURVEYORS

3802 MARTIN STREET, PENTICTON, B.C.

PH: 250-688-8371 WEB: PENTICTON.SURVEYORS.COM

FILE: 22-025 Dwg: 22-025

PLAN NO.

WP-5786

SLAB

SHEET NO.

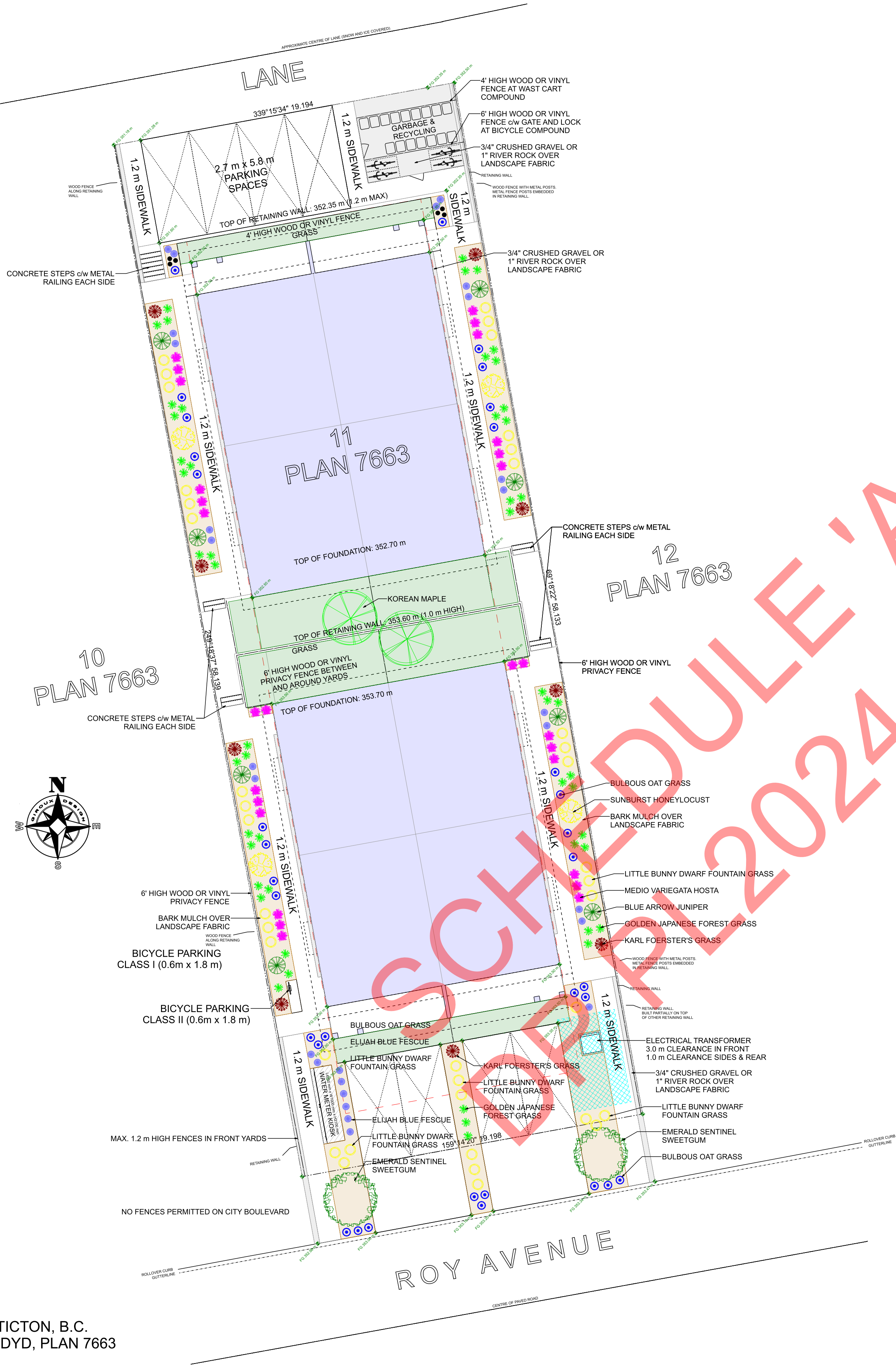
A2

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LANDSCAPE PLAN

SCALE: 1:150
CIVIC ADDRESS: 85 ROY AVENUE, PENTICTON, B.C.
LEGAL DESCRIPTION: LOT 11, DL 115, SDYD, PLAN 7663
PID: 009-949-151

MANDEVILLE LAND SURVEYING INC. PROFESSIONAL LAND SURVEYORS DWG. 22-325
FIELD SURVEY COMPLETED THIS 20th DAY OF DECEMBER, 2022.
ELEVATIONS ARE GEODETIC (ORTHOMETRIC CGVD28 HTv2.0) DERIVED FROM GNSS OBSERVATION AND LEICA RTN SMARTNET
PENTICTON STATION (SMARTNET-BCPI)



LANDSCAPE SCHEDULE

PLANTINGS:
Black Mondo Grass (Ophiopogon planiscapus 'Nigrescens') 6 qty.
Blue Arrow Juniper (Juniperus scopulorum 'Blue Arrow') 13 qty.
Bulbous Oat Grass (Arrhenatherum bulbosum 'Variegatum') 33 qty.
Elijah Blue Fescue (Festuca glauca 'Elijah Blue') 27 qty.
Japanese Forest Grass (Hakonechloa macra 'Fubuki') 8 qty.
Karl Foerster's Grass (Calamagrostis x acutiflora Karl Foerster) 9 qty.
Little Bunny Dwarf Fountain Grass (Pennisetum alopecuroides 'Little Bunny') 38 qty.
Medio Variegata Hosta (Stipa tenuissima) 28 qty.
Mexican Feather Grass (Stipa tenuissima) 6 qty.

TREES:
Blue Arrow Juniper (Juniperus scopulorum 'Blue Arrow') 8 qty.
Emerald Sentinel Sweetgum (Liquidambar styraciflua 'Clydesform') 2 qty.
Korean Maple (Acer pseudosieboldianum) 2 qty.
Sunburst Honeylocust (Gleditsia triacanthos 'Suncole') 4 qty.

GARBAGE DISPOSAL:
Garbage Container: 8 qty.
Recycling Container: 8 qty.
Yard Waste Container: 1 qty.

GROUND COVER/HARD SURFACES:
Property Area (12,013 sq.ft.)
Asphalt (1,798 sq.ft.)
Grass (1,357 sq.ft.)
Planting Beds/Bark Mulch (1,487 sq.ft.)
3/4\"/>

FENCING:
4' High Wood Fence (108 lin.ft.)
6' High 'Good Neighbour' Privacy Fence (440 lin.ft.)

LANDSCAPE NOTES:

SHRUBS SHALL BE A MIN OF No.2 POT SHRUBS

ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m

NO TREES, FENCES OR STRUCTURES WITHIN ROAD DEDICATION

NO RETAINING WALLS OVER 1.2 m IN HEIGHT ARE PERMITTED WITHIN ANY SETBACK AREA

LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS & TIMERS.

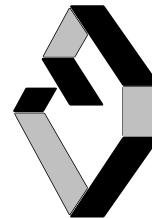
LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, ASPHALT, (INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)

DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

RAJ DHILLON	DATE: 2024-08-07
85 ROY AVE	DESIGN BY: AJG
PENTICTON	DRAWN BY: AJG
	REVISED:

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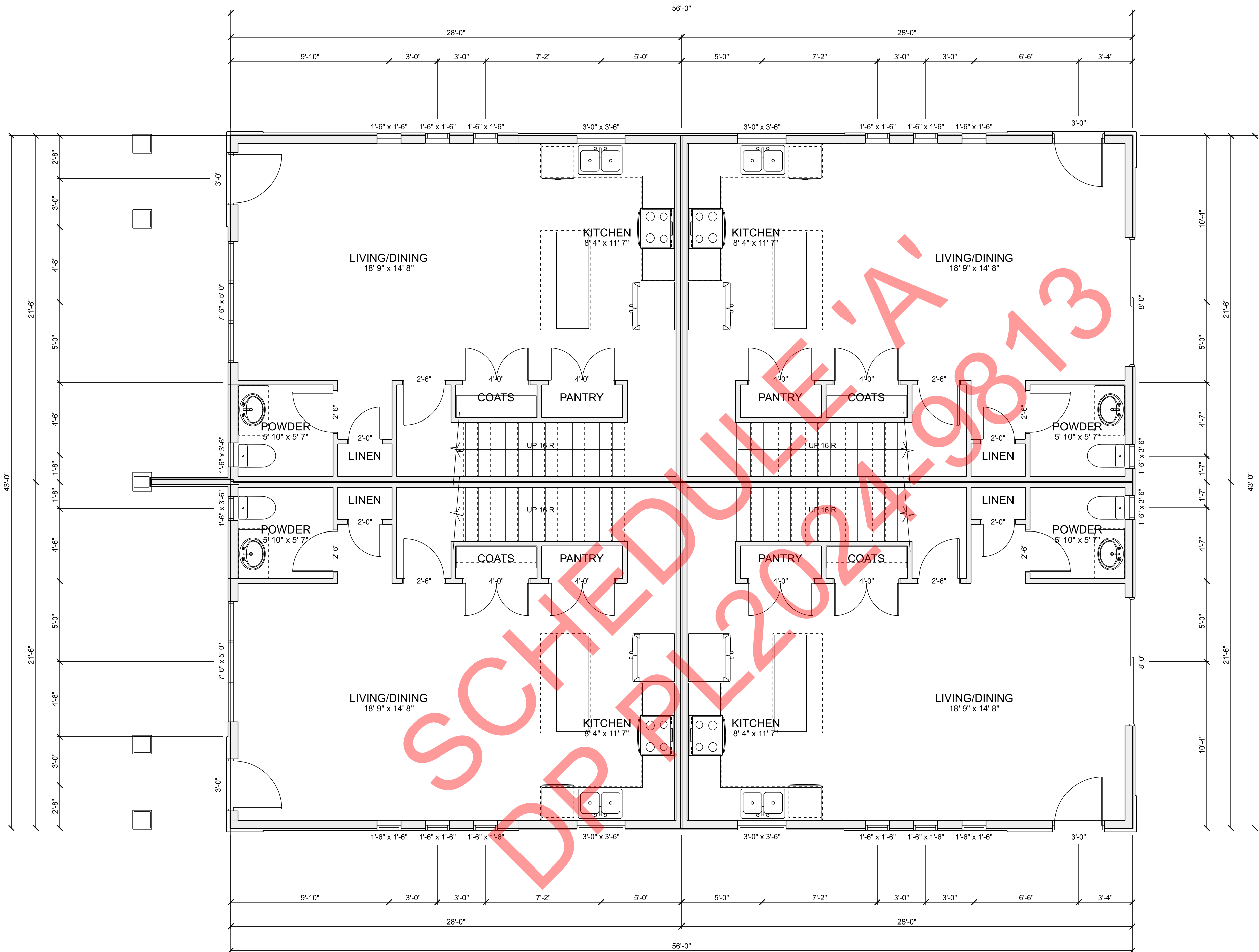
PLAN NO.
WP-5786

SLAB

SHEET NO.
A3

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Landscape Plan



BUILDING A-MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"
SECOND FLOOR AREA PER UNIT: 602 sq ft.
SECOND FLOOR TOTAL AREA: 2408 sq ft.

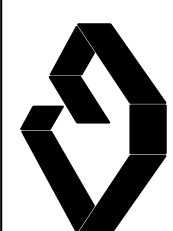
RAJ DHILLON
85 ROY AVE
PENTICTON

DESIGN BY: AJG
DRAWN BY: AJG

DATE: 2024-08-07
REVISED:

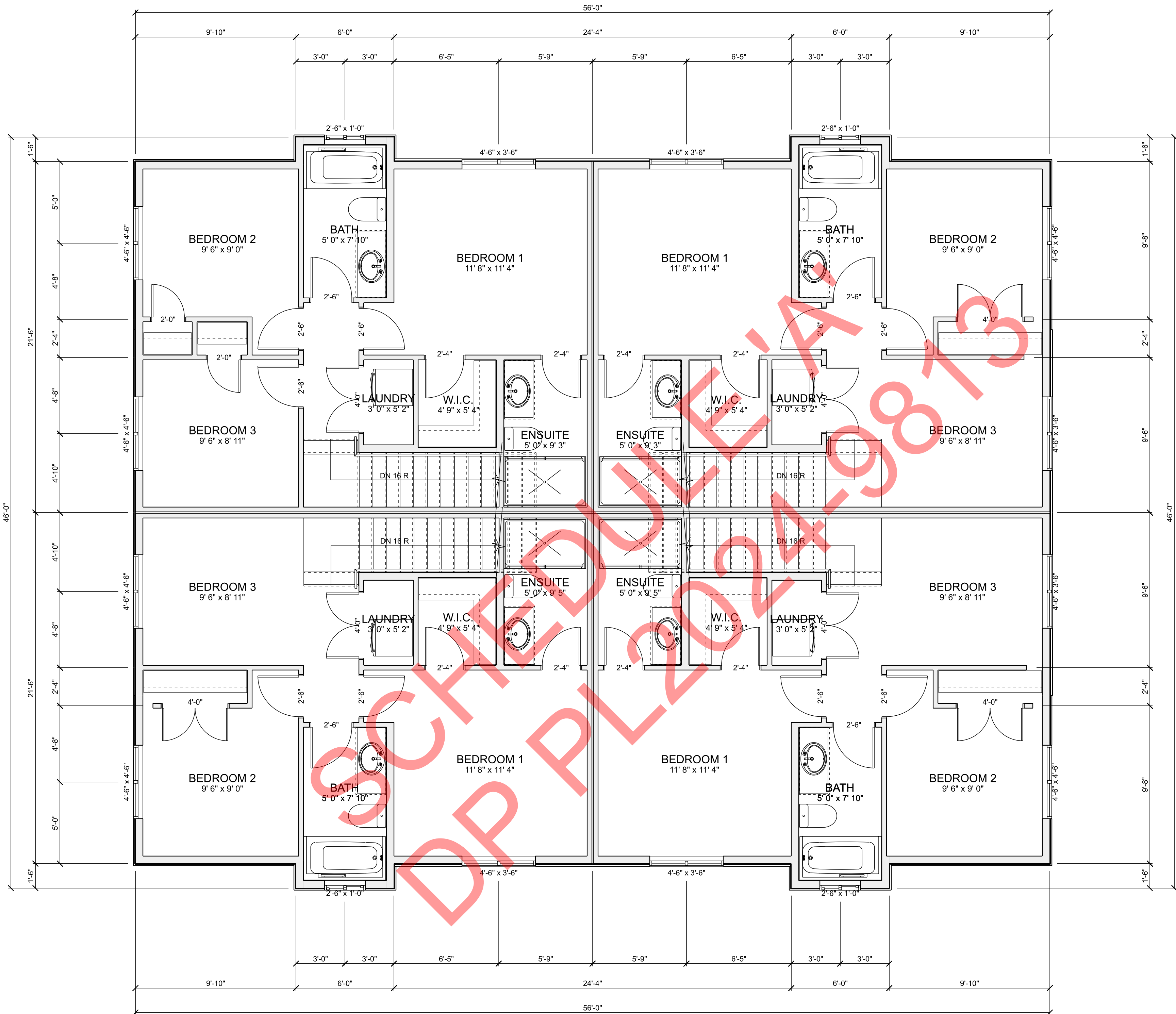
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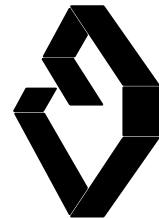
PLAN NO.	WP-5786
SHEET NO.	A4



BUILDING A-SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"
SECOND FLOOR AREA PER UNIT: 568 sq ft.
SECOND FLOOR TOTAL AREA: 2273 sq ft.

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Building A-Second Floor Plan



PLAN NO.
WP-5786

SLAB

SHEET NO.
A5

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RAJ DHILLON
85 ROY AVE
PENTICTON
DESIGN BY: AJG
DRAWN BY: AJG
DATE: 2024-08-07
REVISED:

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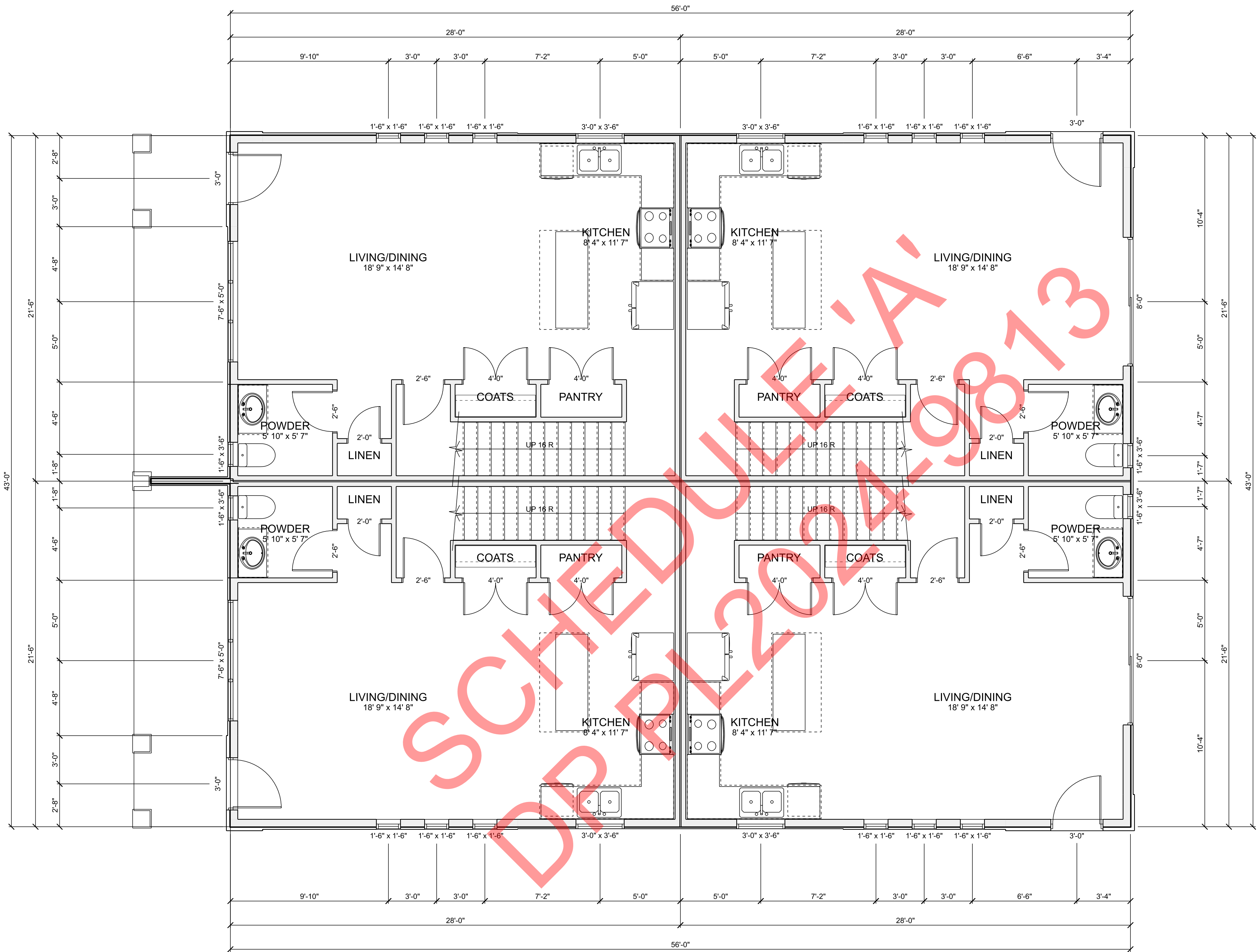
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WP-5786
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Building A-Exterior Elevations



BUILDING B-MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"
SECOND FLOOR AREA PER UNIT: 602 sq ft.
SECOND FLOOR TOTAL AREA: 2408 sq ft.

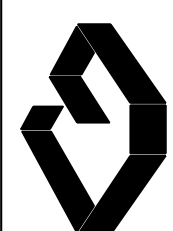
RAJ DHILLON
85 ROY AVE
PENTICTON

DESIGN BY: AJG
DRAWN BY: AJG

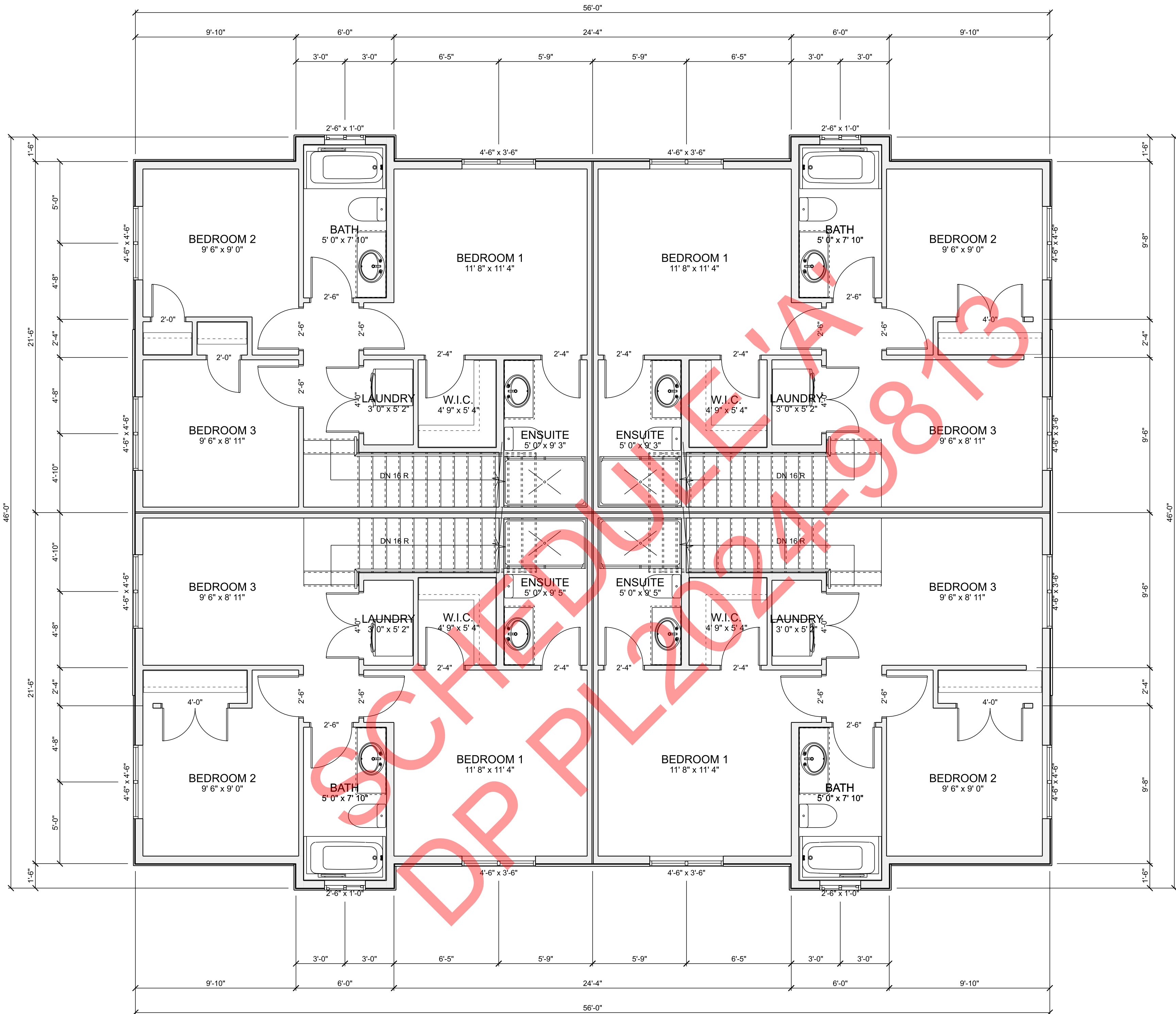
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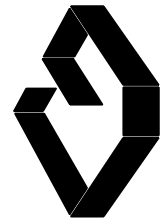
PLAN NO. WP-5786
SLAB
SHEET NO. A7



BUILDING B-SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"
SECOND FLOOR AREA PER UNIT: 568 sq ft.
SECOND FLOOR TOTAL AREA: 2273 sq ft.

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Building B-Second Floor Plan



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RAJ DHILLON
85 ROY AVE
PENTICTON
DESIGN BY: AJG
DRAWN BY: AJG
DATE: 2024-08-07
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BUILDING B-FRONT ELEVATION (FACING NORTH TO LANE)
SCALE: 1/4" = 1'-0"



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



BUILDING B-REAR ELEVATION (FACING SOUTH TO BUILDING A)
SCALE: 1/4" = 1'-0"



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

RAJ DHILLON
85 ROY AVE
PENTICTON

DESIGN BY: AJG
DRAWN BY: AJG

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Building B-Exterior Elevation



The Corporation of the City of Penticton

Bylaw No. 2024-32

A Bylaw to Amend Zoning Bylaw 2024-22

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. 2024-22;

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. 2024-32".

2. **Amendment:**

2.1 Zoning Bylaw No. 2024-22 is hereby amended as follows:

Rezone Lot 9 District Lot 115 Similkameen Division Yale District Plan 7663, located at 95 Roy Avenue, from R4-L (Small-Scale Multi-Unit Residential: Large Lot) 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 _____ day of _____, 2024

READ A SECOND time this _____ day of _____, 2024

READ A THIRD time this _____ day of _____, 2024

RECEIVED the approval of the _____ day of _____, 2024

Ministry of Transportation on the

ADOPTED this _____ day of _____, 2024

Notice of intention to proceed with this bylaw was published on the 30th day of August, 2024 and the 6th day of September, 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



Corporate Officer: _____