



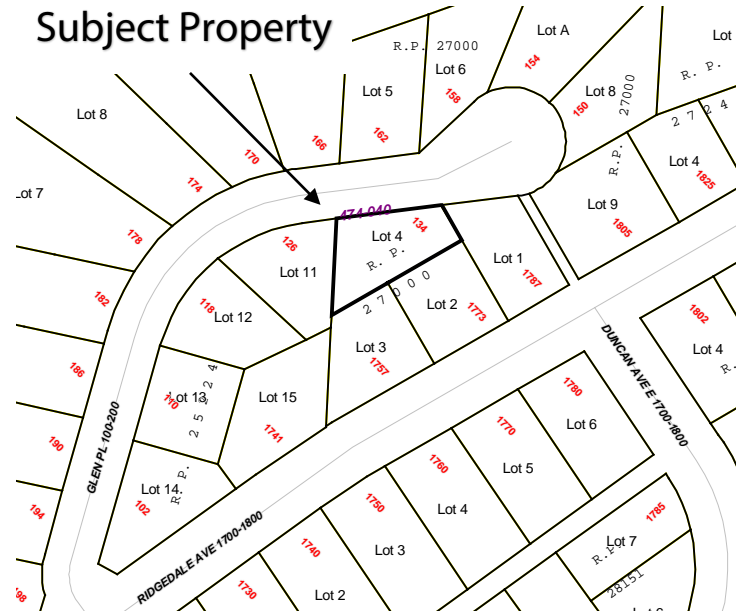
April 5, 2018

Subject Property:
134 Glen Place

Lot 4, District Lot 2710, Similkameen Division Yale District, Plan 27000

Application:
Development Variance Permit PL2018-8207

The applicant is proposing to construct a single storey carriage house located on the north east side of the property. Due to the odd shape of the lot, and there being no lane access, the applicant is requesting a Development Variance Permit to vary the following sections of Zoning Bylaw No. 2017-08:



- Section 8.2.3.5: to permit a carriage house, in the R1 (Large Lot Residential) zone, to be located closer to the front lot line than the principal dwelling; and
- Section 10.1.2.5: to reduce the front yard setback from 6.0 m to 4.67 m.

Information:

The staff report to Council and Development Variance Permit PL2018-8207 will be available for public inspection from **Friday, April 6, 2018 to Tuesday, April 17, 2018** at the following locations during hours of operation:

- Penticton City Hall, 171 Main Street
- Penticton Library, 785 Main Street
- Penticton Community Centre, 325 Power Street

You can also find this information on the City's website at www.penticton.ca/publicnotice.

Please contact the Planning Department at (250) 490-2501 with any questions.

Council Consideration:

Council will consider this application at its Regular Council Meeting scheduled for **6:00 pm, Tuesday, April 17, 2018** in Council Chambers at Penticton City Hall, 171 Main Street.

Public Comments:

You may appear in person, or by agent, the evening of the Council meeting, or submit a petition or written comments by mail or email no later than **9:30 am, Tuesday, April 17, 2018** to:

Attention: Corporate Officer, City of Penticton
171 Main Street, Penticton, B.C. V2A 5A9
Email: publichearings@penticton.ca.

No letter, report or representation from the public will be received by Council after the conclusion of the April 17, 2018 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.

Blake Laven, RPP, MCIP
Manager of Planning

Date: April 17, 2018
To: Peter Weeber, Chief Administrative Officer
From: Nicole Capewell, Planner 1
Address: 134 Glen Place
Subject: DVP PL2018-8207

File No: PRJ2018-072

Staff Recommendation

THAT Council approve "Development Variance Permit PL2018-8207" for Lot 4, District Lot 2710, Similkameen Division Yale District, Plan 27000, located at 134 Glen Place, a permit to vary the following sections of Zoning Bylaw No. 2017-08:

- Section 8.2.3.5: to permit a carriage house, in the R1 (Large Lot Residential) zone, to be located closer to the front lot line than the principal dwelling; and
- Section 10.1.2.5: to reduce the front yard setback from 6.0 m to 4.67 m.

AND THAT staff be directed to issue "DVP PL2018-8207".

Strategic Objective

The subject application demonstrates that it is aligned with the Council Priorities of Community Building and Economic Vitality. The application represents smart growth by increasing density in areas where existing services are in place. This proposal is a form of urban infill, which is aligned with the City's Official Community Plan.

Background

The subject property (Attachment 'B') is zoned R1 (Large Lot Residential) and is designated in the City's Official Community Plan as LR (Low Density Residential). Photos of the site are included as Attachment 'D'. The subject property is approximately 607 m² (6,537 sq. ft.) in area. The existing house was constructed in approximately 1979.

Proposal

The applicant is proposing to construct a single storey carriage house that is 78m² (841 sq. ft). The carriage house will be located on the north east side of the property. Due to the odd shape of the lot, and there being no lane access, the applicant is requesting a Development Variance Permit to vary the following sections of Zoning Bylaw No. 2017-08:

- Section 8.2.3.5: to permit a carriage house, in the R1 (Large Lot Residential) zone, to be located closer to the front lot line than the principal dwelling; and
- Section 10.1.2.5: to reduce the front yard setback from 6.0 m to 4.67 m.

Financial Implication

This application does not pose any financial implications to the City. Development costs are the responsibility of the developer.

Technical Review

This application was reviewed by the City's Technical Planning Committee. No significant issues arose in the process. Servicing and building code requirements have been identified and will be addressed as part of the building permit process. It is the property owner's responsibility to provide services and/or upgrade existing services for the carriage house.

Development Statistics

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

	Requirement Carriage House R1 Zone	Provided on Plans
Minimum Lot Area for Carriage House:	370 m ²	607 m ²
Maximum Lot Coverage:	90 m ²	78 m ²
Vehicle Parking:	3	3
Required Setbacks		
Front Yard (Glen Place):	6.0 m	4.67 m– Variance Requested
Side Yard (east):	1.5 m	1.5 m
Side Yard (west):	1.5 m	30.5 m
Rear Yard:	1.5 m	1.5 m
Maximum Building Height	7 m	4.15 m
Other Information:	Applicant is also requesting a variance for: <ul style="list-style-type: none">Section 8.2.3.5: to permit a carriage house, in the R1 (Large Lot Residential) zone, to be located closer to the front lot line than the principal dwelling.	

Analysis

Development Variance Permit

Approve Development Variance Permit

When considering a variance to a City bylaw, staff encourages Council to consider there is a hardship on the property that makes following the bylaw difficult or impossible, whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable.

The proposed variances and staff's comments on each are as follows:

1. *Section 8.2.3.5: to permit a carriage house, in the R1 (Large Lot Residential) zone, to be located closer to the front lot line than the principal dwelling.*

Due to the unusual shape of the subject property, the property owner is restricted by where they can place a carriage house on their property, while meeting all required setbacks. Staff notes that the applicant is proposing a carriage house that is smaller than the maximum size of 90m² that is

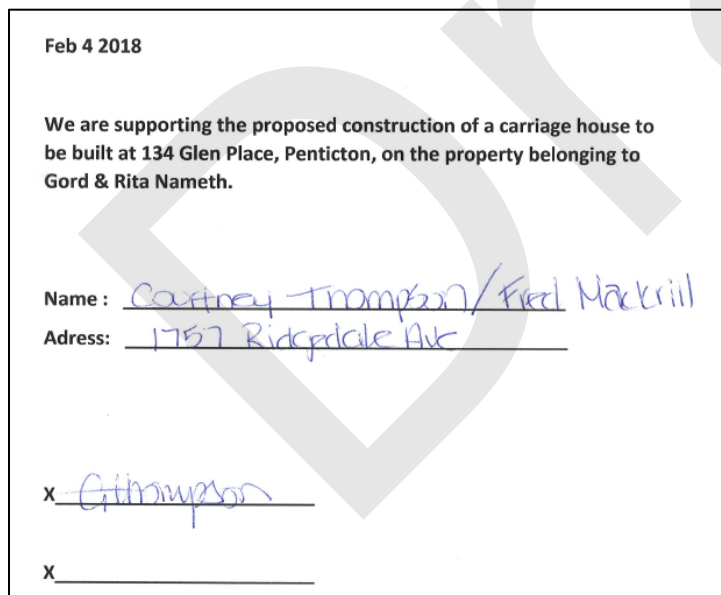
permitted on the property. The applicant is constructing a single storey carriage house with a height of 4.15 m, which is less than the maximum 7.0 m permitted, which will significantly reduce the impact to neighbouring properties. The applicant has also located the carriage house as close to the rear property line as the Zoning Bylaw No. 2017-08 allows (1.5 m).

2. *Section 10.1.2.5: to reduce the minimum front yard from 6.0m to 4.67m.*

The applicants are requesting to reduce the required minimum front yard from 6.0m to 4.67 m. As previously mentioned, the height of the proposed building (4.15m) is much less than the 7.0 m permitted, thus significantly reducing the impact on neighbouring properties. The property has a large boulevard (~2.5 m) between the property line and the back of the curb on Glen Place, which can provide additional buffer space between the street and the proposed dwelling.

The applicants were able to provide staff with a number of signed letters of support when they submitted their application for variances to staff. This displays that the applicant has discussed and consulted with their neighbourhood to address any concerns ahead of time. The letters were prepared by the applicant and signed by the neighbours. A sample of the letter can be viewed below (Figure 1). The applicants submitted a total of 11 letters of support from neighbours directly adjacent, or in close proximity to their property from the following addresses (Attachment 'E'):

- 126 Glen Place (directly adjacent)
- 150 Glen Place
- 154 Glen Place
- 158 Glen Place
- 162 Glen Place
- 166 Glen Place
- 170 Glen Place
- 1757 Ridgedale Avenue (directly adjacent)
- 1773 Ridgedale Avenue (directly adjacent)
- 1787 Ridgedale Avenue (directly adjacent)
- 1805 Ridgedale Avenue



Feb 4 2018

We are supporting the proposed construction of a carriage house to be built at 134 Glen Place, Penticton, on the property belonging to Gord & Rita Nameth.

Name : Courtney Thompson / Fred MacCrill

Address : 1757 Ridgedale Ave

X C. Thompson

X _____

Figure 1: Sample Letter of Support

Given the above, staff find the variance request reasonable and recommend that Council support the application.

Deny Development Variance Permit

Council may consider that the proposed variance will negatively affect the neighbourhood, in particular, the adjacent neighbours. Council may decide that the applicant should relocate and reduce the size of the carriage house to meet the setbacks. If this is the case, Council should deny the variance.

Alternate Recommendations

1. THAT Council support “Development Variance Permit 2018-8207” with conditions.
2. THAT “Development Variance Permit 2018-8207” be referred back to staff.

Attachments

- Attachment A: Subject Property Location Map
- Attachment B: Zoning Map of Subject Property
- Attachment C: Official Community Plan Map of Subject Property
- Attachment D: Images of Subject Property
- Attachment E: Letter of Intent
- Attachment F: Map of Properties that Submitted Letter of Support
- Attachment G: Draft Development Variance Permit (DVP)

Respectfully submitted

Nicole Capewell
Planner 1

Approvals

Acting Director Development Services <i>BJ</i>	Chief Administrative Officer
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Attachment A – Subject Property Location Map



Figure 2 – Subject Property Highlighted in Red

Attachment B – Zoning Map of Subject Property

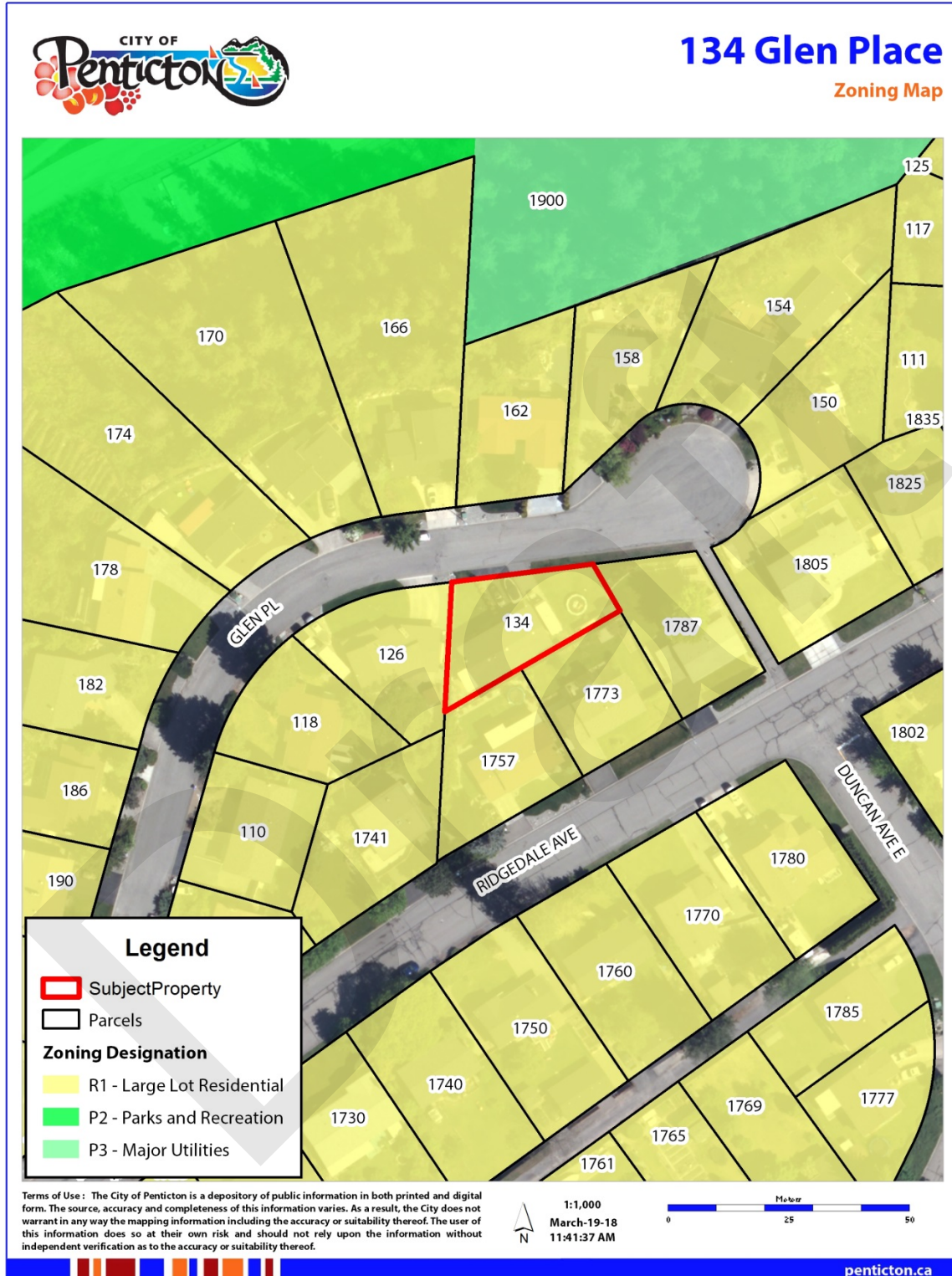


Figure 3 – Subject Property Currently Zoned R1 (Large Lot Residential)

Attachment D – Images of Subject Property

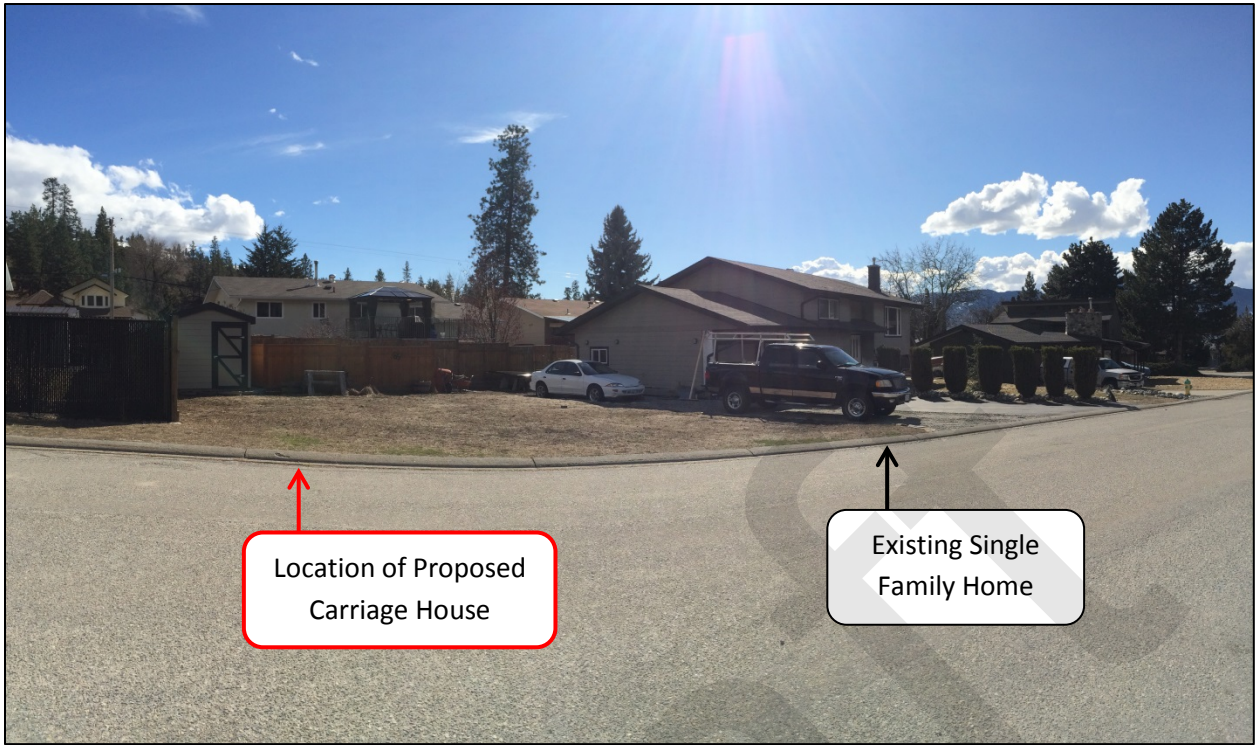


Figure 5 – Looking toward front of 134 Glen Place from Glen Place

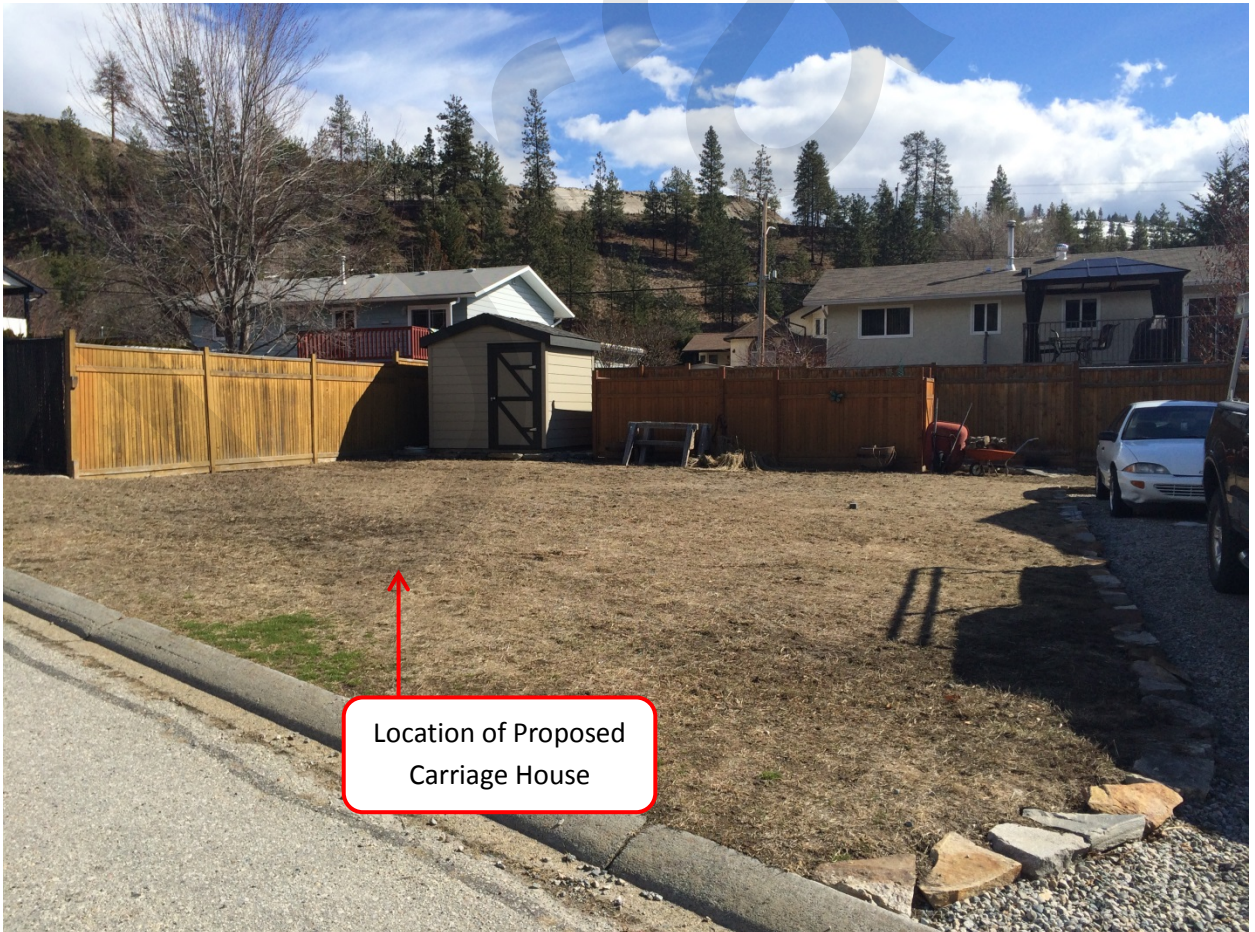


Figure 6 – Looking toward front of 134 Glen Place from Glen Place



Figure 7 – View of north eastern property boundary; where proposed carriage house will directly border

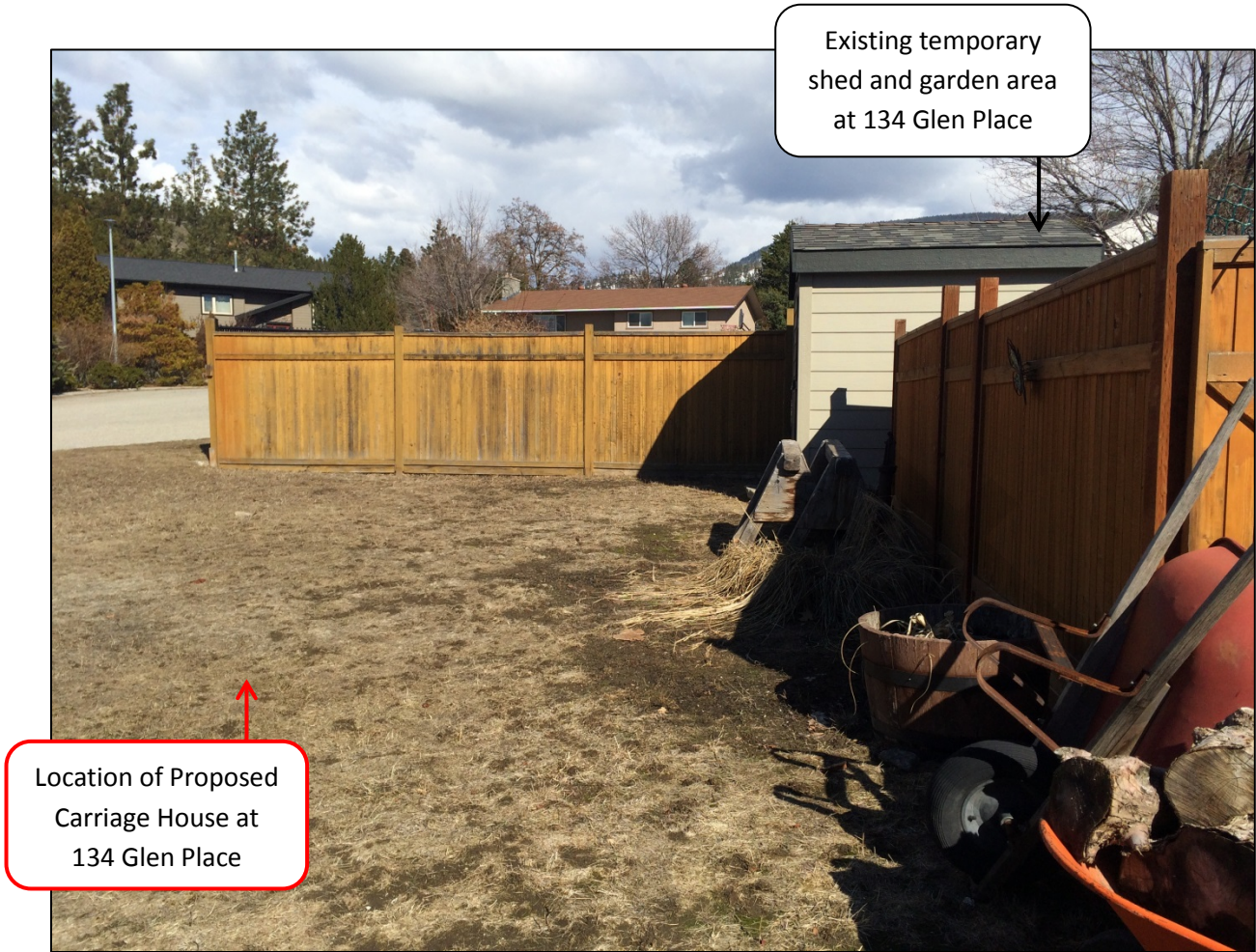


Figure 8 – Looking north at 134 Glen Place where proposed carriage house will be located

March 3/2018

Gordon Nameth & Rita Nameth, propose to build a carriage house on our property located at 134 Glen Place, Penticton B.C.

The carriage house is intended for family, our daughter who is recovering from a devastating no fault car accident 2½ yrs ago. A living space to get her on her own but still living close. When she moves on it will be rented.

Our large side yard has remained mostly unused since several trees were removed quite a few years ago, due to decay. It is unsightly and consumed by weeds in summer as we were not sure of our vision for the land.

We believe we have an aesthetically pleasing design that would be a good use of unused, empty side yard. The design will not change the character of the neighborhood and all surrounding neighbors are in favor and many think it will be an improvement to Glen Pl.

Due to an irregular lot shape we are setting the house as far back as possible. The house is set back from the main dwelling, but becomes closer to the front lot lines, as the lot narrows. Due to the narrow end we are asking council to consider varying section 10.1.2.5: to reduce the minimum front setback from 6.0m to 4.67m and section 8.2.3.5: to allow a carriage house to be located closer to the front lot line than the principle dwelling.

As there is a boulevard between the lot line and the curb the proposed carriage house will appear farther back. No aspect of this house will infringe on any neighbor's property.

Thanks for your consideration.

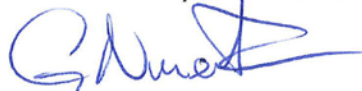


Figure 9 – Letter of Intent (Page 1/2)

Gordon & Rita Nameth 134 Glen Place Penticton B.C.

Variations we are asking for;

Section 10.1.2.5: to reduce to minimum front setback from 6.0m to 4.67m

Section 8.2.3.5: to allow a carriage house to be located closer to the front lot line than the principle dwelling.

Draft

Figure 10 – Letter of Intent (Page 2/2)

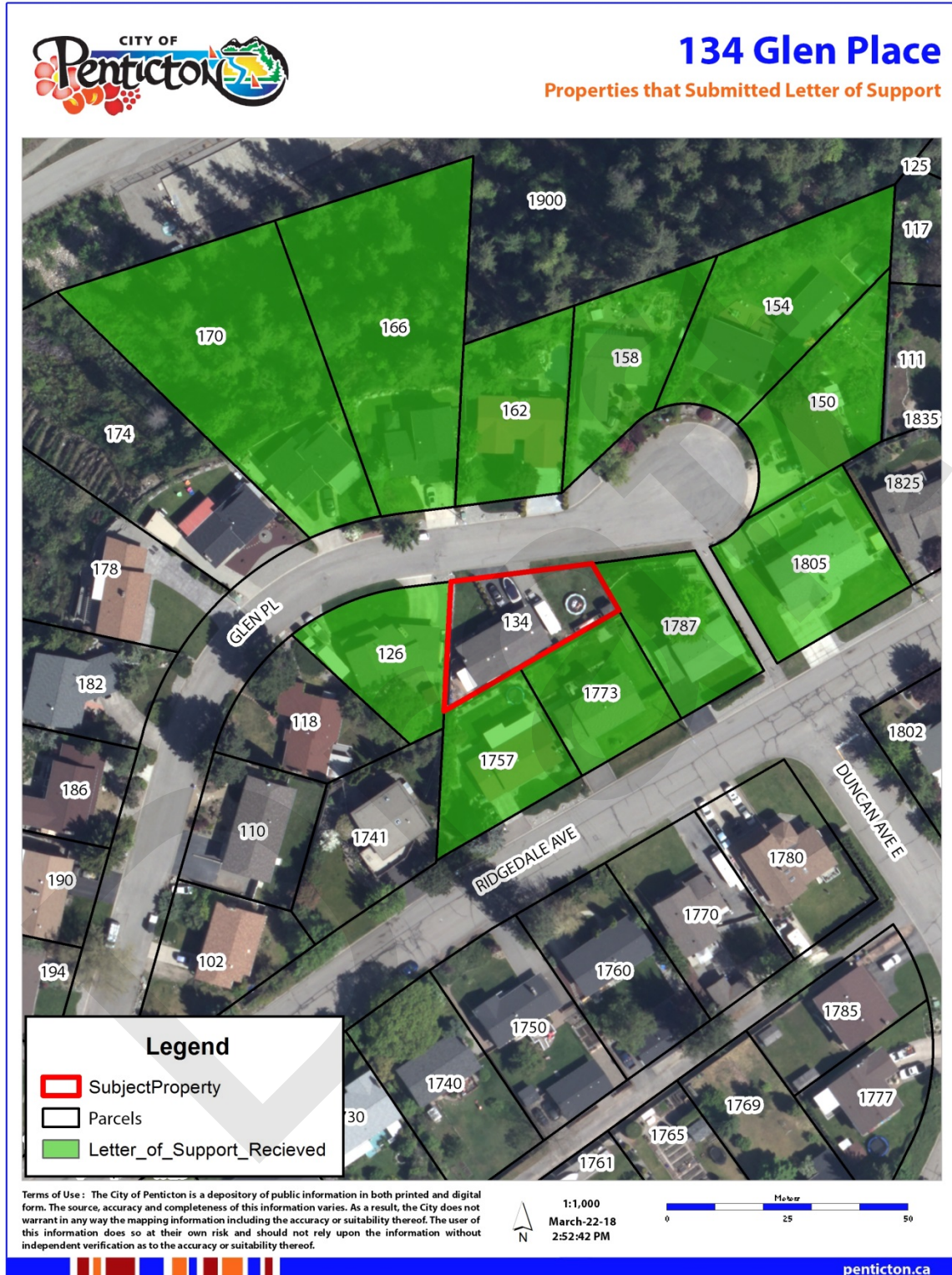


Figure 11 – Map displaying the Properties that Signed Letters of Support



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

Development Variance Permit

Permit Number: DVP PL2018-8207

Name
Address I
Address II

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 4 District Lot 2710 Similkameen Division Yale District Plan 27000
Civic: 134 Glen Place
PID: 004-931-165
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary Section the following sections of Zoning Bylaw 2017-08:
 - a. Section 8.2.3.5: to permit a carriage house, in the R1 (Large Lot Residential) zone, to be located closer to the front property line than the principal dwelling; and
 - b. Section 10.1.2.5: to reduce the front yard setback from 6.0m to 4.67m.

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 _____ day of _____, 2018

Development Variance Permit PL
Issued this _____ day of _____, 2018

Dana Schmidt,
Corporate Officer

DRAFT

