

June 7, 2018

Subject Properties:

157 Abbott Street

*Lot A, District Lot 202, Similkameen
Division Yale District, Plan KAP81594*

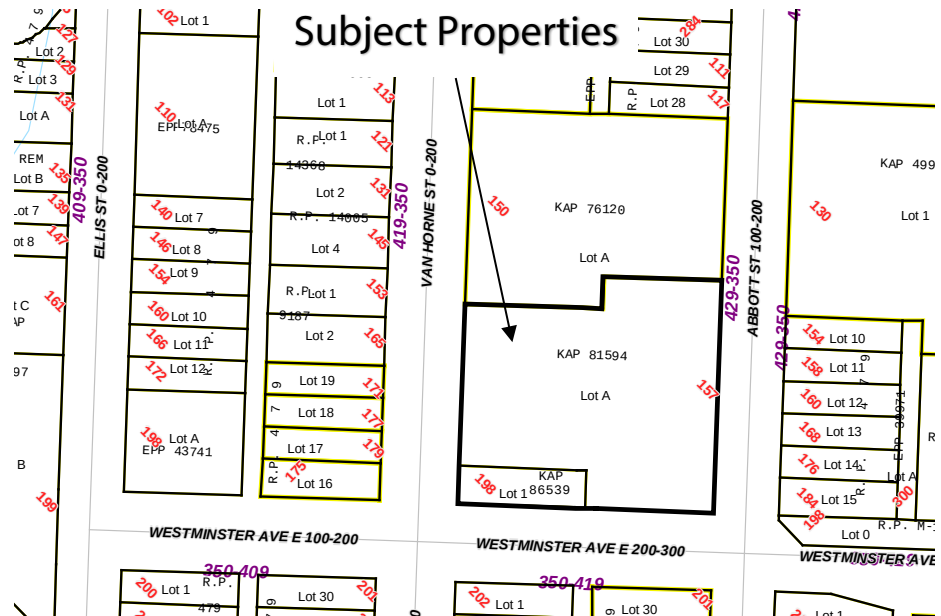
198 Van Horne Street

*Lot 1, District Lot 202, Similkameen
Division Yale District, Plan KAP86539*

Applications:

Rezone PL2018-9213

OCP Amendment PL2018-8214



The applicant intends to subdivide 157 Abbott Street into 11 lots with the intention of developing up to 3 dwelling units per lot comprised of either a single detached dwelling or a duplex with a secondary suite and/or a carriage house. The maximum number of dwelling units on the development site is 33 units. The following bylaw amendments are being considered:

Official Community Plan Amendment Bylaw 2018-38: Change the OCP designation of 157 Abbott St. and 198 Van Horne St. from HR (High Density Residential) to MR (Medium Density Residential) and amend Schedule 'H' Development Permit Area to include the properties in the General Multiple Family Development Permit Area.

Zoning Amendment Bylaw 2018-39: Amend the zoning for 157 Abbott St. and 198 Van Horne St. from RM4 (Medium Density Multiple Housing) to RD3 (Residential Infill).

Information:

The staff report to Council, Official Community Plan Amendment Bylaw 2018-38 and Zoning Amendment Bylaw 2018-39 will be available for public inspection from **Friday, June 8, 2018 to Tuesday, June 19, 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:

A Public Hearing has been scheduled for **6:00 pm, Tuesday, June 19, 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, June 19, 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 June 19, 2018 Public Hearing.

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

Blake Laven, RPP, MCIP
Manager of Planning



Council Report

penticton.ca

Date: June 5, 2018
To: Peter Weeber, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 157 Abbott Street and 198 Van Horne Street
Subject: OCP Amendment Bylaw 2018-38
Zoning Amendment Bylaw No. 2018-39

File No: 2018 PRJ-081

Staff Recommendation

OCP Amendment Bylaw

THAT prior to consideration of "OCP Amendment Bylaw No. 2018-38" and in accordance with Section 475 of *Local Government Act*, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

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

AND THAT it is determined that the public consultation completed to date and the Public Hearing is sufficient consultation;

AND THAT "OCP Bylaw No. 2002-20", be amended by changing the OCP designation on Lot A, District Lot 202, Similkameen Division Yale District, Plan KAP81594, located at 157 Abbott Street and Lot 1, District Lot 202, Similkameen Division Yale District, Plan KAP86539 located at 198 Van Horne Street from HR (High Density Residential) to MR (Medium Density Residential), and amends Schedule 'H' of the bylaw, including the subject lands in the General Multiple Family Development Permit Area;

AND THAT "Official Community Plan Amendment Bylaw No. 2018-38" be introduced, read a first time and forwarded to the June 19, 2018 Public Hearing.

Zoning Amendment Bylaw

THAT "Zoning Amendment Bylaw No. 2018-39", a bylaw to rezone Lot A, District Lot 202, Similkameen Division Yale District, Plan KAP81594, located at 157 Abbott Street and Lot 1, District Lot 202, Similkameen Division Yale District, Plan KAP86539 located at 198 Van Horne Street be rezoned from RM4 (Medium

Density Multiple Housing) to RD3 (Residential Infill), be given first reading and be forwarded to the June 19, 2018 Public Hearing.

Excess or Extended Service

THAT, in accordance with section 507 of the *Local Government Act*, Council require the developer, at the time of subdivision of 157 Abbott Street, include the frontage of 198 Van Horne Street as part of the required frontage improvements, as an 'excess or extended service'.

Strategic priority objective

The subject application is aligned with the Council Priorities of Community Building, Economic Vitality and Environmental Sustainability. The project represents smart growth by increasing density in areas where existing services already exist and in areas close to transit, commercial and employment centers.

Background

The subject properties (Attachment 'A') represent a large parcel of land and a small corner lot, which are currently designated by Official Community Plan 2002-20 (OCP) as HR (High Density Residential). The larger parcel (157 Abbot Street) is zoned RM4 (High Density Multiple Housing) and the corner lot (198 Van Horne Street) is zoned RD2 (Duplex: lane) by City of Penticton Zoning Bylaw No. 2017-08. This subject properties are bordered by an apartment building to the north, the Westminster Electric Substation to the east and a mix of single family and duplexes to the south and west. The lands are located one block east of the Ellis Street commercial corridor.

The larger parcel was rezoned in 2006 to RM4 to provide for a multiple family development comprised of 2 - 7 storey apartment buildings and townhomes with a total of 76 units. Prior to 2006, the site comprised six single family home properties, which were consolidated to accommodate the multifamily project. All the houses except one were demolished in preparation for the multifamily development.

The property is located within the High Density Development Permit area. The High Density DPA is intended for multi-story multiple dwelling unit developments.

The developer intends to subdivide the larger parcel into 11 lots to allow a maximum of three dwelling units on each subdivided lot. The applicant proposes a mixture of either single detached dwellings and or duplexes with secondary suites and or carriage houses, with a potential total of three units per lot. The maximum number of dwelling units on the development site is 33 units.

Proposal

To accommodate the proposal the applicant is proposing the following amendment to the Official Community Plan Bylaw 2002-20:

`Schedule B: Future Land Use Map` to change the OCP designation of the subject lands from HR (High Density Residential) to MR (Medium Density Residential) and to amend 'Schedule H:

Development Permit Area Map' including the property in the General Multiple Family Development Permit Area.

And secondly, the proponents are requesting the subject lands be rezoned from RM4 (Medium Density Multiple Housing) to RD3 (Infill Housing) zone. This would represent the first opportunity to employ this new zoning, which is intended to deliver infill housing in areas that are well-suited to densification in a form that is sensitive to lower-density residential contexts and areas in transition.

Consultation

Staff had requested that the applicant meet with the adjacent neighbourhood prior to this application and a public information meeting was held at the Cannery Brewery, 198 Ellis Street, on April 26, 2018. The consultation session was well attended with over 40 attendees from the community. Encouraging commentaries were conveyed regarding the proposed development, the reduced density, the location and the quality of the proposal.

Financial implication

The redevelopment of these lands will provide the City with approximately \$145,882 worth of development cost charges going to City wide City infrastructure projects and parks. The developer is also, at their expense and above and beyond the bylaw requirement, undergrounding the electrical infrastructure fronting the subject property, estimated at over \$116,000. The development will also be installing sidewalk, street trees and parking, improving the overall feel of the neighbourhood.

Technical Review

This proposal was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. The Engineering Department has reviewed this application and notes a number of servicing requirements to be addressed at the subdivision stage, including new water and sanitary connections, and construction of sidewalks on Van Horne Street, Westminster Avenue and Abbott Street.

Given that only 157 Abbott Street will be subdivided, there would be no requirement to continue the sidewalk along the frontage of 198 Van Horne Street. As this would leave a noticeable gap, the developer has agreed at their expense to finish this work. Staff are suggesting that Council pass an excess or extended service resolution requirement that this be done at the time of subdivision. Passing this resolution will allow the developer to recoup latecomer funds for the works done around 198 Van Horne Street, if the property redevelops anytime in the next 15 years.

Project specifications

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

Item	Proposed RD3 Zone	Existing Zoning RM4
Lot width Maximum Lot Coverage: Maximum Density:	9.1m 55% 1.0 FAR	30m 75% 2.0 FAR
Vehicle Parking per unit:	2 per single family dwellings 1 per secondary suite /carriage house	1 per dwelling 9
Required Setbacks Front yard : Rear yard: Interior side yard Exterior side yard	3.5m 6m 1.2 3m	3m 6m 4.5m 6m
Maximum Building Height:	10.5m (3 STOREY)	27m (8 Storey)
Other Information:	Subject properties are located within the High Density Development Permit Area, but staff are suggesting that the lands be changed to the General Multiple Family DPA.	

Analysis

Support OCP and Zoning amendment

Currently, the City's Official Community Plan (OCP) has the subject lands included in the HR (High Density Residential) designation. This designation encourages a higher density, multi storey housing product and is in conflict with the single and two family neighbourhood village that the proponents are proposing. To achieve the desired density, a 'down zoning' of the OCP designation from the HR designation to MR (Medium Density Residential) is required.

The OCP provides a list of criteria when considering re-designating areas to Medium Density Residential. The OCP states that it will support the MR designation on a parcel where the proposed development will be compatible in character and scale with the adjoining uses. In this case, the subject neighbourhood features a mix of single family homes, duplexes, townhouses and apartments. This application encourages a mixed range of housing, types, tenures and densities.

Furthermore, the OCP finds it appropriate to utilize the MR designation in areas near parks, commercial activities and/or public/ institutional facilities. This development is located in the residential transition area of the downtown, a block away from Ellis Street, one of the main downtown commercial streets and an area undergoing revitalization with the new construction of the Cannery Brewery, Mile Zero Wine Bar, Hoodoo Adventures business and SOTA Industries. Although this project is less dense than the original proposal, it will still increase the residential offerings adjacent to the downtown area and encourage greater use of the Downtown amenities and businesses. The proximity to the lake, downtown and nearby services encourages more walking and active forms of transportation.

The proposal adds to the already varied range of housing, types, tenures and densities in the area. The proposal, with the reduction in density, provides for the type of buffering from high-density development to the north to the low-density development to the south.

A lane is being proposed at the rear of the lots. For single detached dwellings, vehicular access would range from the front of the property or to the rear depending on the proposed design. In the case of duplex development, vehicular access must be from the lane. All the units will have pedestrian access to the street and maintain a positive relationship with the street.

Parking for the proposed development will need to comply with the City's Zoning Bylaw, which would require the following:

- Single Family dwelling: 2 spaces
- Duplex: 1 space per unit
- Secondary Suite: 1 space
- Carriage House: 1 space

Rear land access will accommodate access to the majority of on-site parking, however for those single-family dwellings that provide access from the street, existing on-street parking would be removed.

The proposed application is reflective of good planning process, with the developer seeking public input prior to finalizing plans. The development will be facilitating the provision of a variety of housing types, tenures and densities that will respond to the diverse needs, including income levels of individuals and families in Penticton at varying stages of their life. The RD3 Zoning will encourage new forms of development in proximity of the downtown.

Overall, staff considers that the proposal is fitting and consistent with the up-to-date medium density development in the area. The proposal is considered to provide an appropriate level of density and will provide a desirable building form in a desirable area of the city. This proposal reflects the consistent theme of mid-scale density that has been occurring around the periphery of the downtown.

For these reasons listed above staff are recommending that Council supports the land use designation change, as provided in this report and refers the application to the June 5 , 2018 Public Hearing.

Deny/Refer

This project represents a reduction in density from close to 70 units of apartment housing to a potential of 33 ground oriented units. Council may feel that although the higher density product may not be viable at this time, that these lands should be preserved for higher density uses in the future. The City has limited area for growth and these lands are already designated for more density. If this is the case, Council should deny the bylaw amendment.

Alternate Recommendations

1. THAT Council deny first reading of "OCP Bylaw No. 2018-38 and Zoning Amendment Bylaw No. 2018-39".
2. THAT Council send the application back to staff to work with the proponents on changes to the development scheme as directed by Council.

Attachments

Attachment A: Subject Property Location Map
Attachment B: Zoning Map
Attachment C: OCP Map
Attachment D: Photos of Subject Property
Attachment E: Subdivision Plan and Renderings
Attachment F: Letter of Intent
Attachment G: OCP Amendment Bylaw No. 2018-38
Attachment H: Zoning Amendment Bylaw No. 2018-39

Respectfully submitted,

Audrey Tanguay
Senior Planner

Approvals

DDS 	CAO PW
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Attachment A- Subject Property Location Map



Figure 1: Subject Property Location Map

Attachment B – Zoning Map

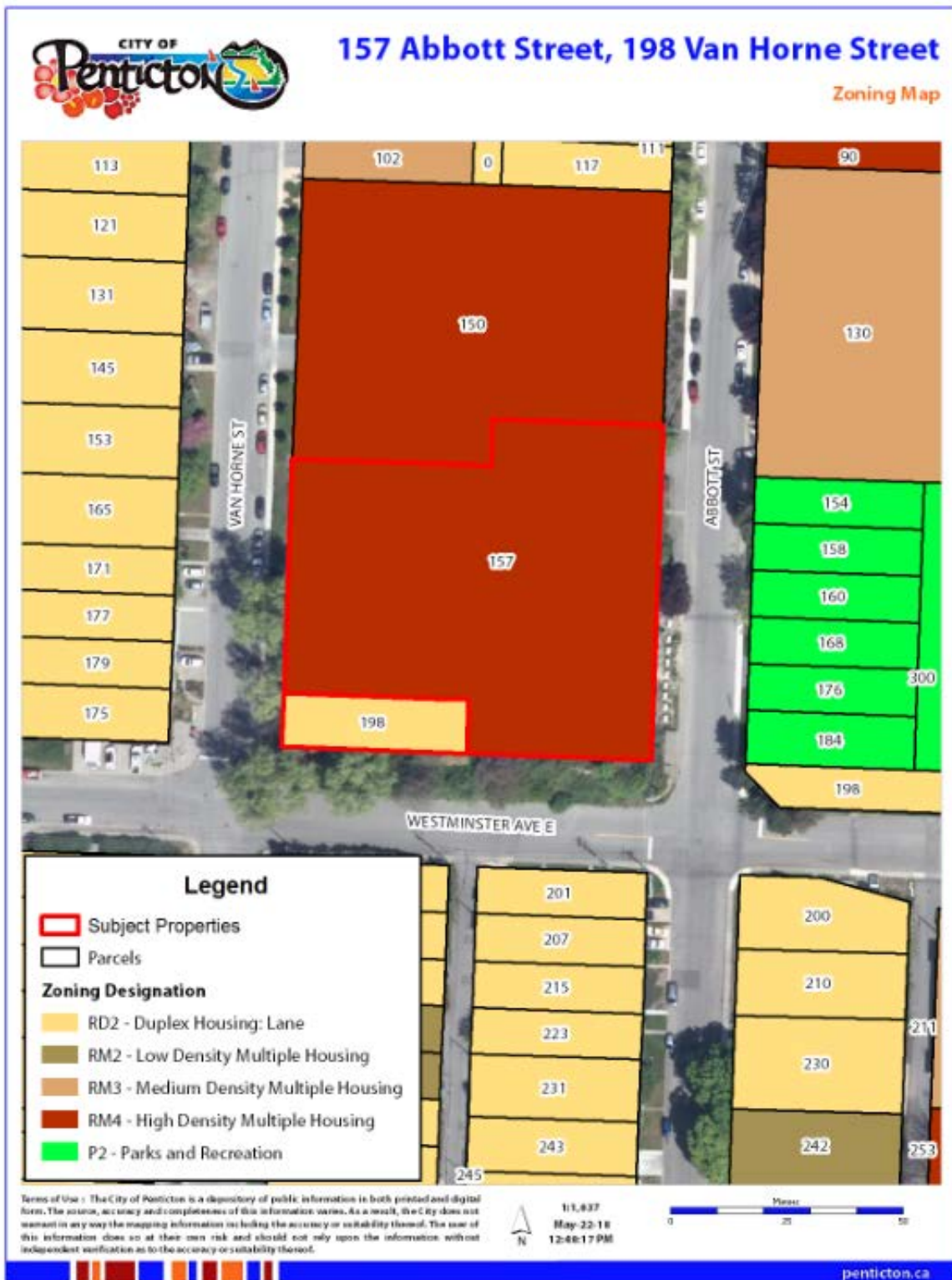


Figure 2: Zoning Map

Attachment C- OCP Map



Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: View on Van Horne Street looking South



Figure 5: View at the corner of Westminster and Van Horne Street



Figure 6: View on Abbott Street



Figure 7: View at the corner of Westminster Avenue and Abbott Street, as part of the project the overhead lines would be undergrounded at the cost of the developer.

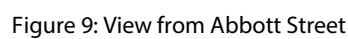
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Figure 10: View from Van Horne Street



Figure 11: View at the corner of Westminster Avenue and Abbott street

157 ABBOTT STREET LANE PERSPECTIVES



April 3, 2018

Project Location | 157 ABBOTT STREET

Figure 12: Lane perspective

157 Abbott- Letter of Intent

Re-zoning, Development permit, OCP Amendment and Subdivision application.

March 16, 2018

Blake Laven, Planning Manager
City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Dear Blake Laven:

RE: Rezoning/Development Permit/OCP Amendment/Subdivision Application for 157 Abbott Street, Penticton.

Van Abbott Holdings Inc. is pleased to submit a formal Rezoning/Development Permit/OCP Amendment/Subdivision Application to the City of Penticton for the property located at 157 Abbott Street, Penticton. Van Abbott Holdings Inc. is proposing to subdivide this property into eleven fully serviced lots with rear lane at 157 Abbott Street.

The submission seeks to rezone the site from RM4 to RD2 (Duplex Housing: Lane) with site specific provision stating: In the case of 157 Abbott Street, a secondary suite and/or carriage house shall be permitted to be located on the same property (up to three dwelling units) and that Section 10.6.3 shall not apply.

Site specific zoning requests for consideration are as follows:

- 9.1m lot widths
- 55% lot coverage
- 1.25 FAR
- 4.5m front yard setback, 1.2m side yard setbacks

From our understanding this will require an OCP Amendment due the rezoning request, moving from High Density Residential to Multi Family Medium Density Residential.

The rationale for the rezone is multi-faceted. Historically this site was planned for approximately 70 units, however we are proposing a plan that will house closer to approximately 25-30 units, dependent on what buyers choose to build on these lots. The intent is to build more desirable family oriented units in a downtown location. These lots will be a community within our community, designed like no other subdivision in Penticton. Our vision is to keep with the character of the neighbourhood, while gently modernizing it. According to Small Business BC, 25-44 year olds are increasing, +15%, and 25-29 year olds specifically +24% in the next 5 years, representing 533 consumers, we would like to market to these people. Small Business BC also indicates an +18.2% increase in the 60-74-year-old population, and because of this, we will gear some lot designs facing on Abbott Street to appeal to this group as well. Penticton also has a shortage of rental inventory, so by adding the option of ground floor rental suites and carriage houses to units will function as potential mortgage helpers for the owner and also provide additional rental opportunities in the city.

Human scale is important to us. Human scale can refer to how people perceive a city. Architecture affects emotions, studies have shown that mega-structures can stress people, the term “Architecture of Place”, does the opposite, and that’s what we intend to create with these lots, bringing balance to the north ends of Abbott and VanHorne streets respectfully.

We believe that the plan for this property will make it more marketable, providing something that currently does not exist in the inventory while supporting the existing neighbourhood.

In conclusion, please accept the enclosed application package for 157 Abbott Street. We believe this is a suitable and desirable plan for this location. We would greatly appreciate your consideration in granting the request to rezone this property.

Your truly,
Van Abbott Holding Inc.

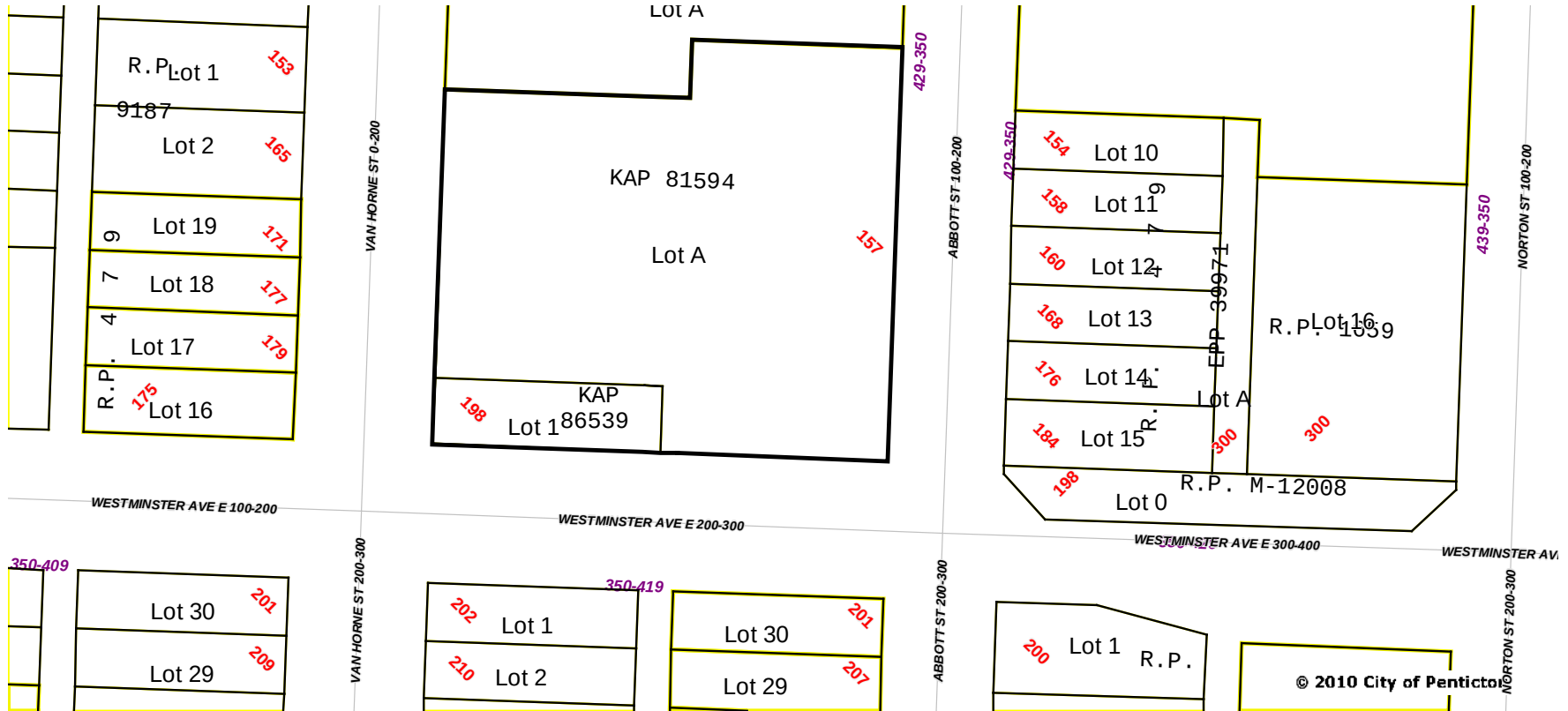
Figure 14: Letter of Intent

Bylaw No. 2018-38

Page 1 of 1

157 Abbott Street and 198 Van Horne Street-OCP Amendment

- Change the OCP designation from HR (High Density Residential) to MR (Medium Density Residential); and
- Amend Schedule 'H' Development Permit Area Map to include the properties in the General Multiple Family Development Permit Area



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2018-38

Date: _____

Corporate Officer: _____

The Corporation of the City of Penticton

Bylaw No. 2018-39

A Bylaw to Amend Zoning Bylaw 2017-08

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2017-08;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2018-39".

2. **Amendment:**

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone Lot A, District Lot 202, Similkameen Division Yale District, Plan KAP81594, located at 157 Abbott Street and Lot 1, District Lot 202, Similkameen Division Yale District, Plan KAP86539, located at 198 Van Horne Street, from RM4 (Medium Density Multiple Housing) to RD3 (Residential Infill).

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

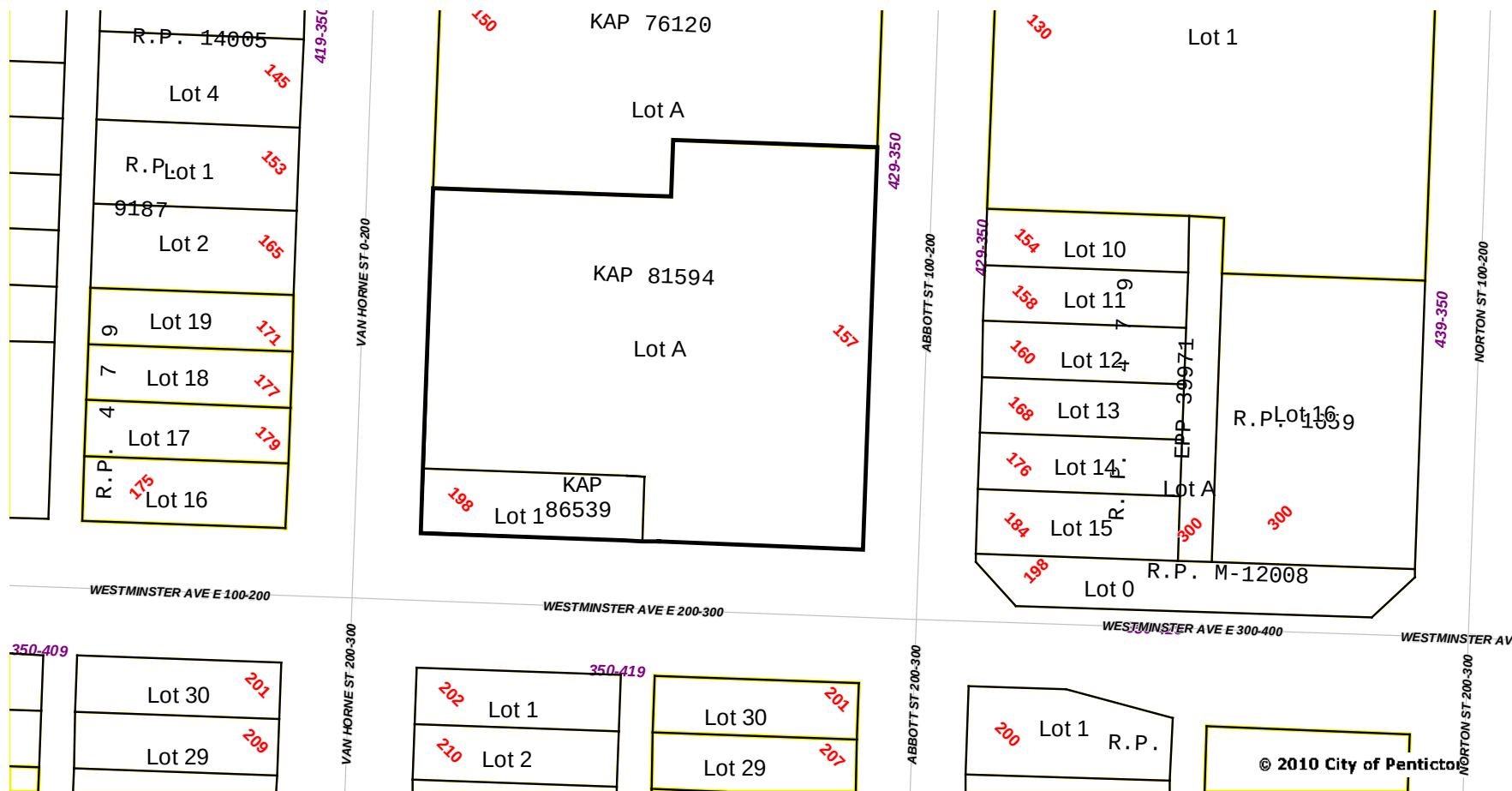
READ A FIRST time this	day of	, 2018
A PUBLIC HEARING was held this	day of	, 2018
READ A SECOND time this	day of	, 2018
READ A THIRD time this	day of	, 2018
ADOPTED this	day of	, 2018

Notice of intention to proceed with this bylaw was published on the ___ day of ___, 2018 and the ___ day of ___, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

157 Abbott Street & 198 Van Horne Street – Rezone From RM4 (Medium Density Multiple Housing) to RD3 (Residential Infill)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-39

Date: _____

Corporate Officer: _____