

July 5, 2018

Subject Properties:

201, 203, 225 and 247 Vancouver Ave (236 Marina Way)

That part of Lot 1 shown on Plan B5470, DL 202, SDYD, Plan 3218 (201 Vancouver Ave)

Lot 3, DL 202, SDYD, Plan 3219 (203 Vancouver Ave)

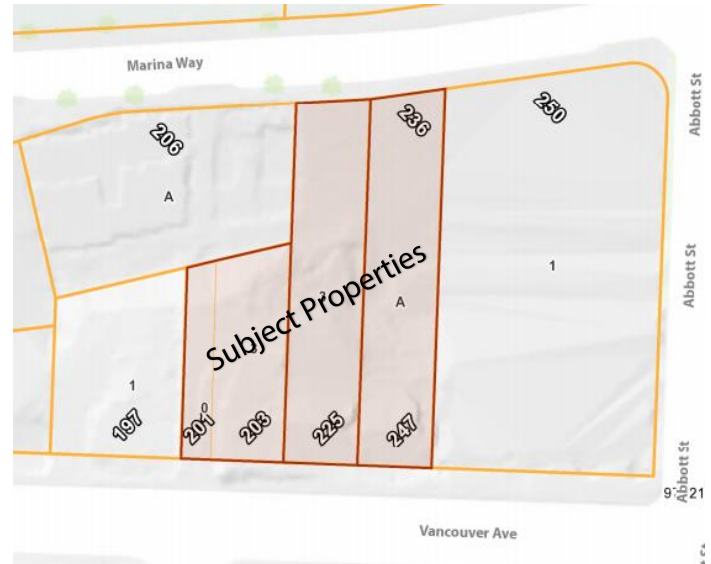
Lot 3, DL 202, SDYD, Plan KAP79185 (225 Vancouver Ave)

Lot A, DL 202, SDYD, Plan KAP85185 (247 Vancouver Ave)

Application:

The applicant is proposing to subdivide the properties (See illustration on Page 2) to create a lot fronting Marina Way with the intent of constructing a 7 storey, 13 unit apartment building.

The remainder lots on Vancouver Avenue are not under development application at this time. The following applications are being considered:



Rezoning PL2016-7755

- Rezone 201 and 203 Vancouver Ave from RD2 (Duplex Housing: Lane) to C9 (Marina Way Commercial);
- Rezone 247 Vancouver Ave (236 Marina Way) from CT1 (Tourist Commercial) and RD2 (Duplex Housing: Lane) to C9 (Marina Way Commercial)
- Site specific zoning amendment (C9 Zone) to permit single detached housing at 203, 225 and 247 Vancouver Ave (Proposed Lots 2, 3 and 4 of the subdivision – See illustration on Page 2)

Development Variance Permit PL2018-8297

- Vary Section 11.9.2.2 of Zoning Bylaw 2017-08 to reduce the minimum lot area from 550m² to 400m² for 225 and 247 Vancouver Avenue (Proposed Lots 3 and 4 – See illustration on Page 2)

Information:

The staff report to Council, Zoning Amendment Bylaw 2018-49 and Development Variance Permit PL2018-8297 will be available for public inspection from **Friday, July 6, 2018 to Tuesday, July 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:

A Public Hearing has been scheduled for **6:00 pm, Tuesday, July 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, July 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 July 17, 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



Illustration: Subdivision Proposal



Council Report

penticton.ca

Date: July 3, 2018 File No: MP PL2016-191
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager
Address: 201, 203, 225 and 247 Vancouver Avenue (236 Marina Way)
Subject: **Zoning Amendment Bylaw No. 2018-49, Development Permit PL2016-7756, Development Variance Permit PL2018-8297**

Staff Recommendation

"Zoning Amendment Bylaw 2018-49"

THAT "Zoning Amendment Bylaw No. 2018-49", a bylaw that rezones the following properties to C9 (Marina Way Commercial):

- That Part of Lot 1, Shown on Plan B5470, District Lot 202, Similkameen Division Yale District, Plan 3218 (201 Vancouver Avenue);
- Lot 3, District Lot 202, Similkameen Division Yale District, Plan 3219 (203 Vancouver Avenue);
- Lot A, District Lot 202, Similkameen Division Yale District, Plan KAP85185 (247 Vancouver Avenue)

And includes as site specific section Section 11.9.4.1 In the case in the case of Proposed Lots 2, 3 and 4 (203, 225 and 247 Vancouver Avenue), single detached housing is a permitted use;

be read a first time and be forwarded to the July 17, 2018 Public Hearing for comment from the public.

"Development Permit PL2016-7756"

THAT Council support "Development Permit PL2016-7756" for Proposed Lot 1 of the lot consolidation and subdivision of 201, 203, 225 and 247 Vancouver Avenue, a permit supporting development of a 13 unit, seven storey apartment building;

AND THAT "Development Permit PL2016-7756" issuance be subject to adoption of "Zoning Amendment Bylaw No. 2018-49"; creation of the subject lot through deposit of the subdivision plan with the Land Title Office; and, a detailed landscape plan, prepared by a landscape architect showing all landscape materials, planting instructions and irrigation detail.

"Development Variance Permit PL2018-8297"

THAT Council receive delegations and submissions for "Development Variance Permit PL2018-8297", a permit to allow for reduced lot areas, from a minimum lot area of 550m² to a minimum lot area of 400m², for Proposed Lot 3 and Proposed Lot 4, at the July 17, 2018 Public Hearing;

AND THAT staff are directed to issue the permit upon adoption of “Zoning Amendment Bylaw No. 2018-49”.

Strategic priority objective

This application meets Council’s strategic priorities of community building and economic vitality, by proposing development in-line with the City’s Official Community Plan and in a strategically important part of the city.

Background

The subject development lands are made up of four (4) separate legal parcels, which have frontage on both Marina Way and Vancouver Avenue. There are three single detached houses located on the lands, which all front onto Vancouver Avenue and are of older building stock. The lands along Marina Way are currently free of development.

The applicant is proposing to re-configure the subject legal lot lines, creating a development site fronting Marina Way, to accommodate a seven storey, 13 unit apartment building. The lot reconfiguration will result in three lots fronting Vancouver Avenue, accomodating the three houses that currently exist there. At a future date, these three lots may be consolidated for a townhouse project, or redeveloped independently.

Currently the lands feature a mix of zoning designations with a small north east corner of the lands zoned as CT1 (Tourist Commerical) and the remainder of the lots zoned as RD2 (Duplex Housing: Lane) and C9 (Marina Way Commercial). Surrounding properties are similarly zoned as C9, RD2 and CT1. Land uses in the surrounding area include single and two family housing, a mixed use apartment building with ground floor commercial directly to the east (Lakeside Terraces) and a vacant lot to the west.

To construct the proposed building an amendment to the zoning bylaw is required. The applicants are proposing to rezone all of the development lands as C9 (Marina Way Commercial) which allows for the apartment use on Marina Way and will allow for redevelopment of the Vancouver Avenue properties at a future time. As part of the zoning amendment a site specific provision will allow for the single family housing to remain.

Proposal

To accommodate the above, the proponents are proposing the following:

- An amendment to Zoning Bylaw 2017-08, rezoning the subject properties from RD2 (Duplex Housing: Lane) and CT1 (Tourist Commercial) to C9 (Marina Way Commercial);
- Development permit approval for a 13 unit, seven storey apartment building; and,
- Development Variance Permit approval to allow for two of the lots to be undersized.

Technical Review

This application was forwarded to the City’s Technical Planning Committee (TPC) for review at the October 29, 2016 meeting and again at the May 3, 2018 meeting. That review did not identify any major servicing deficiencies. Marina Way was redeveloped in 2005, through a Development Works Agreement and servicing for the type of use proposed was established at that time.

All provisions of the BC Building Code will need to be satisfied at the time of building permit approval.

Financial implication

The property owner has already contributed their share of the frontage upgrade works done in 2005. That contribution totaled \$96,656.52 (with the interest that accumulated since 2005). All other costs to do with servicing of the project will be the responsibility of the developer. The project will bring in an additional \$72,124 in Development Cost Charges (DCCs) and approximately \$79,000 in permitting fees.

Analysis

"Zoning Amendment Bylaw No. 2018-49"

The development lands are in an area that is identified as being within the (OW) Okanagan Lake Waterfront land use designation. This was a designation included in the 2002 Official Community Plan that dealt with the redevelopment of Front Street into Marina Way, leading to significant investment in the public realm in this area of the city. These public realm improvements included the installation of the round-about at the bottom of Vancouver Avenue, the development of Marina Way Park and the installation of sidewalk pavers, lighting and street trees – among other investments.

Initially private development followed the public realm investment, starting with the Lakeshore Terraces in 2003 and the start of construction of a 9 suite mixed use development at 206 Marina Way (directly to the west of the development lands). The 9 unit development was never realized after stalling during the 2008 real estate downturn. Since that time there has been no development in this area.

The C9 (Marina Way Commercial) zone was established for lands affected by the OW designation. The C9 zone is very permissive allowing for a wide variety of uses including apartment buildings that can be constructed to a height of 24m (6-7 storeys). The following table outlines how the project will meet the development regulations of the C9 zone:

Item	Required by C9 zone	Provided on Plans	Notes
Use	Apartment	Apartment	
Lot width	30m	Proposed Lot 1: 38 m Proposed Lot 2: 21 m Proposed Lot 3: 15 m Proposed Lot 4: 15m	Preexisting width Preexisting width Preexisting width
Lot area	550m ²	Proposed Lot 1: 1,700 m ² Proposed Lot 2: 400 m ² Proposed Lot 3: 423 m ² Proposed Lot 4: 631 m ²	Included in variance permit
Density	1.75 FAR	1.6 FAR	
Lot coverage	60% Maximum	47%	
Siting	Front: 1.0m Side: 0m Rear: 0m	3.0m 0m east, 0m west 0m	
Height	24m	25.5m	Included in development permit

Support for the application meets the following City policies:

- Creating a mixed use vibrant *people place* on Marina Way
- Encouraging quality residential development on the hillside lands between Vancouver Avenue and Marina Way
- Encourage intensification in and around the downtown and in areas where infrastructure is in place to accommodate higher density development
- Support a diversified range of housing types, including high-end residential housing

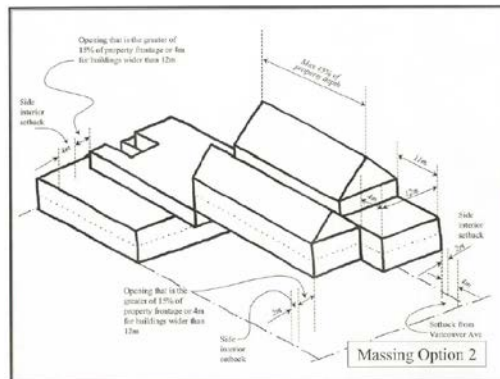
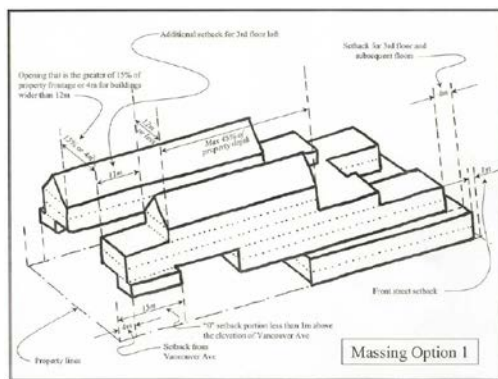
"Development Permit DP2016-PL7756"

When reviewing applications for development permit, staff and Council are obliged to review plans against the guidelines located in the Official Community Plan for the DP area that the property is located. In this case the property is located in the Okanagan Lake Waterfront Development Permit Area (DPA). The Okanagan Lake Waterfront DPA was created specifically for this area and has as an objective: the blending of commercial and residential development into a people place with a downtown feel and high quality of design.

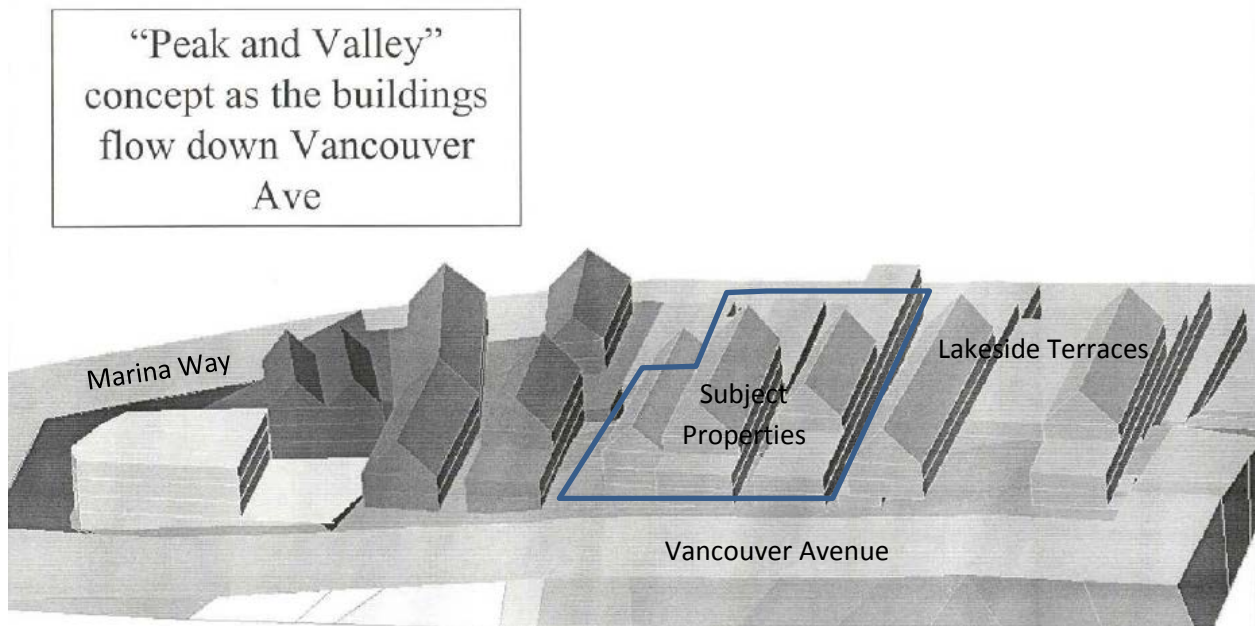
The guidelines are broken up into the following categories which staff will provide comment on:

1. *Building and structures*

For the built form envisioned in this area the guidelines outline some very specific massing along Marina Way. The massing is based off the Lakeside Terraces building and desires building to be stepped back after two storeys and follow the topography of the lot from Marina Way to Vancouver Avenue. The guidelines provide some illustrations that designers are intended to follow:



The guidelines also show the building stepping in from side lot lines, which are 0m at the ground and second floors. A 'peak and valley' design along Vancouver Avenue is desired, with buildings designed in narrower segments to allow for views between the buildings.



The plans submitted show a building that deviates from the massing options encouraged in the guidelines. Rather than stepping the building back through terraces that lead up to Vancouver Avenue, the developer is proposing two separate building sites. The building site on Marina Way does not provide for the opportunity to terrace the way envisioned by the massing diagrams. There is no proposal for the Vancouver Avenue properties at this time as the houses are intended to remain through the short term.

The subject building is constructed on a one storey parking structure, with one residential unit and a lobby located at the sidewalk level to provide activation at the street level. After the first storey parkade structure, the building is set back from the street and then built to its full height (7 storeys) on its floor plate, without any terracing as envisioned by the guidelines. The building though, only takes up a small amount of the parkade area, with a floor plate roughly 5500 sq feet, representing only 30% of the lot area. The point tower is placed to the far west of the property to preserve as much of a view for the Lakeside Terrace residents as possible. If the design guidelines were followed, the views to the lake from the Lakeside Terraces building would be much more impacted.

This design does represent a significant change from the design desired by the Okanagan Lake Waterfront Development Permit Area design guidelines. In discussion with the architect there are some legitimate reasons for this change, including construction practices, which make buildings like the Lakeside Terrace complex to build. Also, given the design of the Terraces, with their west facing windows the intent was to try to preserve as much of a view as possible by pulling the building away from the side of the lot. This resulted in a smaller footprint and the need for the point building as opposed to the terraced building.

The guidelines also stress the importance of the ground floor interface between the building and the public realm, with a pedestrian oriented character (human scale, transparent, interesting). The guidelines speak to a variety of materials textures and articulation to break up large wall faces. A focus on taking advantage of the lake views is also encouraged. The plans submitted in support of the development permit show a building with high architectural quality, units with large windows and balconies and a mixture of concrete glass and metal cladding.

The building design features a clerestory band at the centre of the roof. This band allows for light to come into the building and provides visual interest to the building. The clerestory band makes the building higher than what is permitted by the Zoning Bylaw. The Development Permit Area guidelines, however, do allow for minor variances to height (under 2.0m) as part of development permit approval in cases where the height variance is for architectural purposes, such as articulated roof lines and turrets. Staff feel that the clerestory band meets this intent.

2. Parking and Access

The Guidelines encourage that parking required by the zoning bylaw be accommodated within and under any proposed buildings and out of view. Given that there are no rear lanes behind the development lands, hiding parking entirely is difficult. The plans submitted show a large garage door onto Marina Way and all of the parking is accommodated in an enclosed parking structure accessed from the garage. The parking is screened from view. All parking required by the zoning bylaw, and more, is being provided. No variances to the parking are being requested.

3. Screening and Landscaping

With regard to landscaping, the guidelines seem to acknowledge the fact that there would be minimal ability to landscape given the reduced setbacks desired. As such they encourage the use of planters and baskets to compliment the trees that are planted in the public realm. The designer has incorporated a large planter in the front elevation along Marina Way. The plans submitted also show extensive landscaping on the top of the parkade building, which will be visible from the neighbouring building as well as residents looking down on the parking structure.

A detailed landscape plan was not submitted in support of the development permit application. Staff are recommending that if Council were to support the development permit, that a detailed landscape plan created by a landscape artist showing landscape species, planting instructions and irrigation details be submitted prior to development permit issuance. The development permit will also require submission of a landscape bond prior to issuance of a building permit.

While the architect has deviated from the development permit area guidelines in some areas, staff consider that the general intent of the guidelines to provide development that works together with neighbouring properties, creates strong edge definition at the street level and is of a high design quality are being met. There are some legitimate reasons provided by the architect for deviating from the terracing as spoken to above.

For the reasons listed above, staff are recommending that Council support the development permit, subject to adoption of Zoning Bylaw No. 2018-49 and the creation of the subject lot (Proposed Lot 1).

“Development Variance Permit PL2018-8297”

In the creation of the development parcel remainder lots will result fronting Vancouver Avenue. It is the intent of the property owner to eventually redevelop these lots. In the meantime, however, the existing houses will continue to be rented out. Two of the three remainder lots are proposed to be undersized. The minimum lot area in the C9 zone is 550m2, whereas Proposed Lot 3 will only be 423m2 and Proposed Lot 4 will only be 400m2. To allow for the subdivision, a variance to the minimum lot area is required. Even though two lots will be undersized, the required rear setbacks are being accommodated.

The alternative to having the reduced lot widths, would be for the property owner to combine the two lots. This would require the re-servicing of the lots. Given that the houses will remain on the lands for the time being, re-servicing the properties is premature at this time.

As the houses are intended to remain for the foreseeable future, approval of the variance permit will have no effect on neighbouring development. For this reason, staff are recommending support for the variance.

Alternate recommendations

- 1. THAT Council deny support to the project and deny first reading of “Zoning Amendment Bylaw 2018-49”
- 2. THAT Council refer application MP PL2016-191 back to staff to work with the applicant on revising the plans.

Attachments

- Attachment A – Subject property location map
- Attachment B – Images of subject lands
- Attachment C – OCP and Zoning Maps
- Attachment D – Subdivision (lot line adjustment) Plan
- Attachment E – Draft Development Permit
- Attachment F – Draft Development Variance Permit
- Attachment G – Zoning Amendment Bylaw No. 2018-49

Respectfully submitted,

Blake Laven, MCIP, RPP
Planning Manager

Approvals

Director	Chief Administrative Officer
	PW

Attachment A
Subject Property Location Map



Attachment B
Images of Subject Property

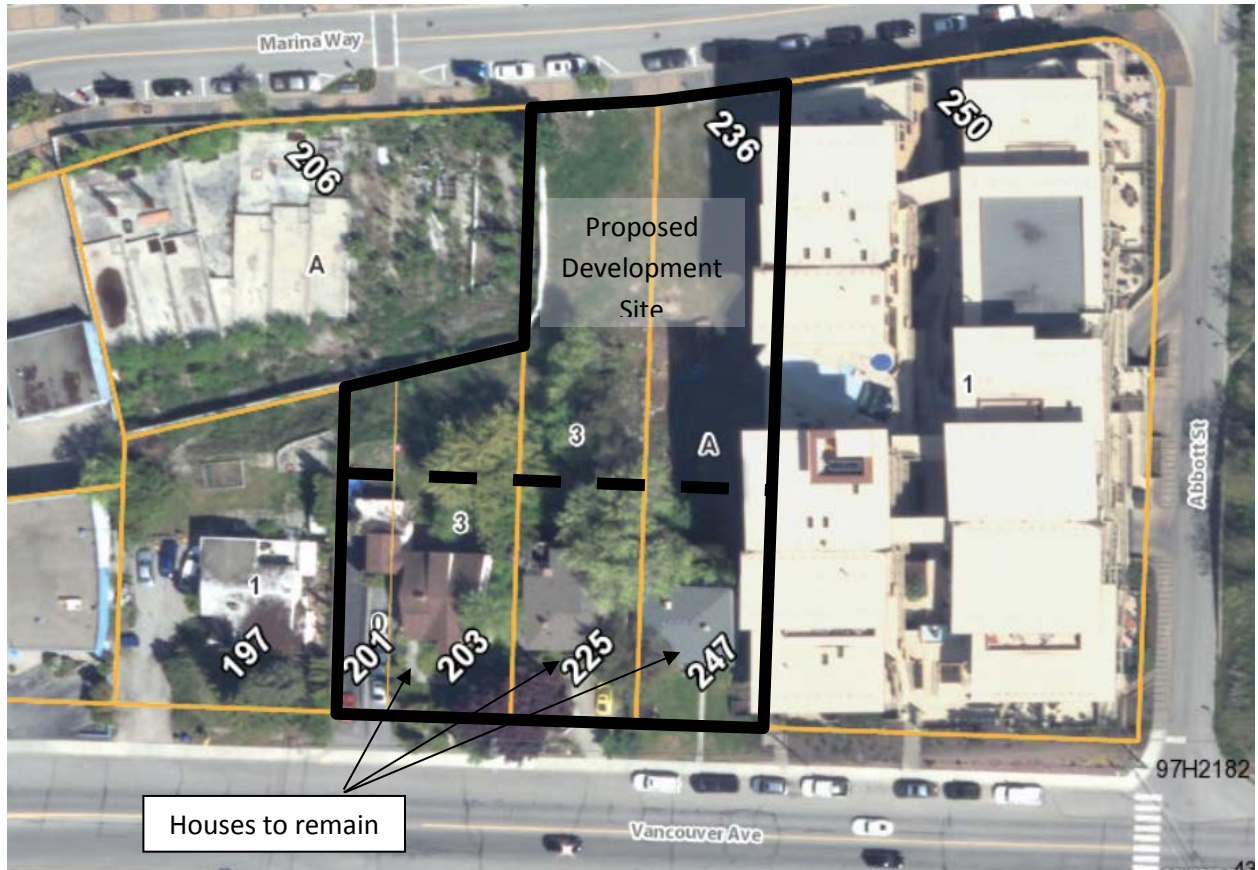


Figure 1: Aerial image of subject development lands (Spring 2017)



Figure 2: Photograph of development lands from Marina Way looking south (June 2018)



Figure 3: Photograph of development lands from Marina Way looking south west (June 2018)



Figure 4: Development lands with the remaining houses in the mid ground



Figure 5: Image of remainder lands on Vancouver Avenue (three houses to remain)



Figure 6: Image of Vancouver Avenue property that will be consolidated as part of the lot assembly



Figure 7: Image of remainder properties (houses to remain)

Attachment C
OCP and Zoning Maps



Figure 8: OCP Map: OW (Okanagan Waterfront) designation

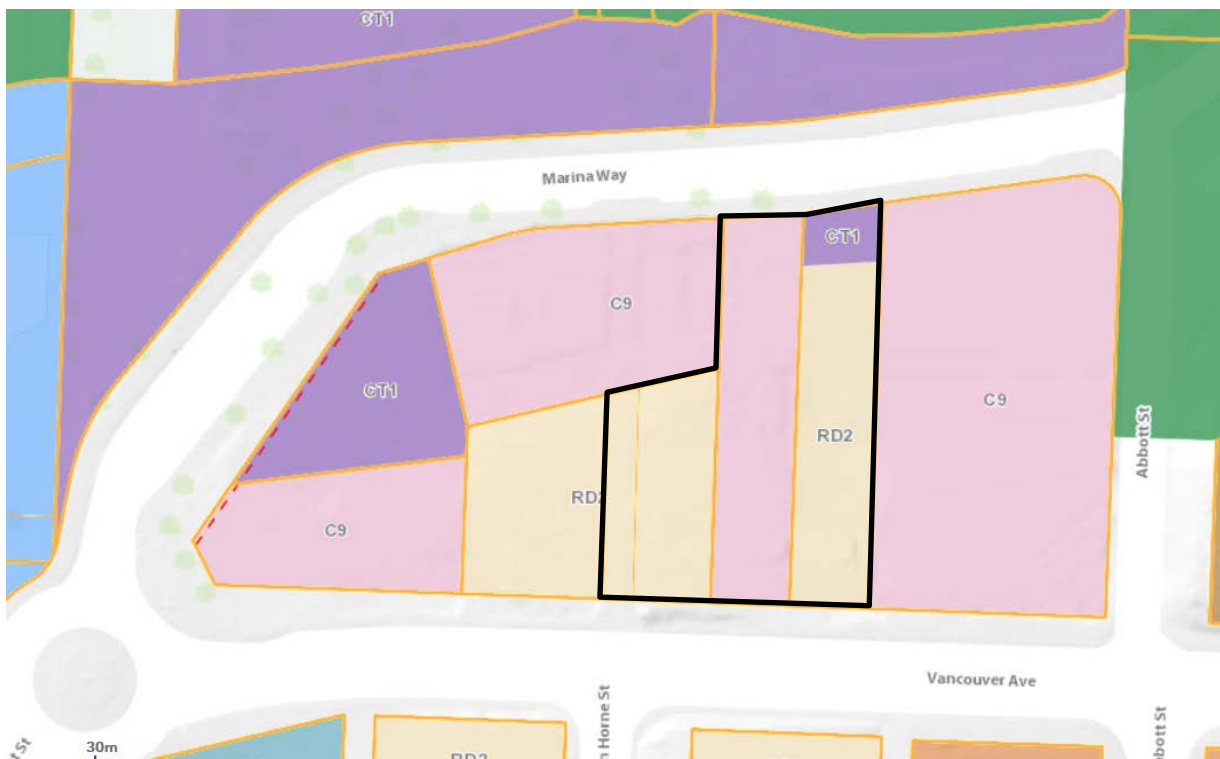
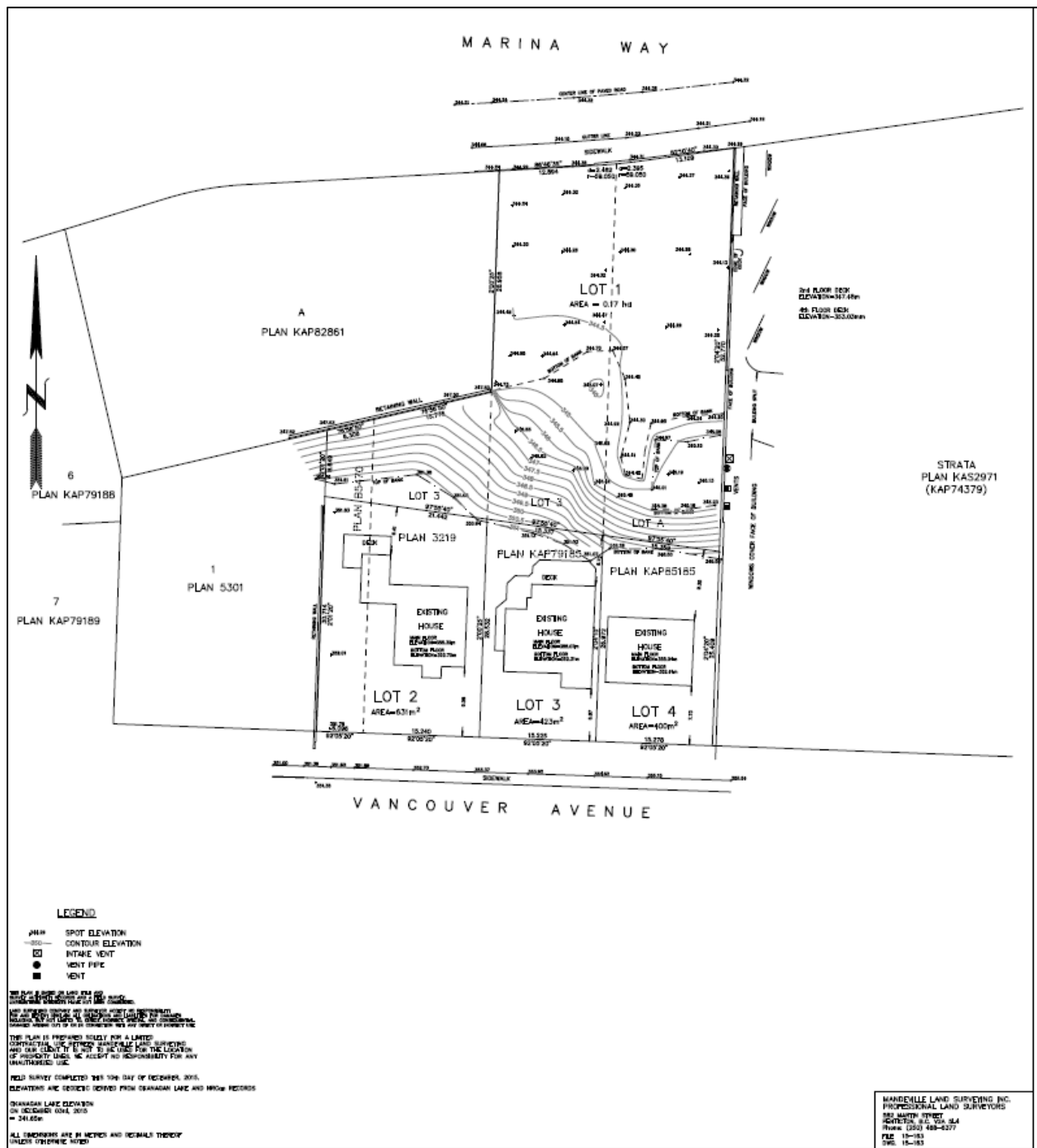


Figure 9: Zoning Map: Mixed zones showing C9, RD2 and CT1 zones

Attachment D Subdivision Sketch Plan (Lot Line Adjustment)



Attachment E
Draft Development Permit



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

Development Permit

Permit Number: PL2016-7756

Owner Name
Owner Address
Owner Email 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: Proposed Lot 1
Civic: tbd
PID: tbd
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a 7 storey, 13 unit apartment building as shown in the plans attached in Schedule A.
4. In accordance with Section 490 of the *Local Government Act*, the following provisions the City of Penticton Zoning Bylaw No. 2017-08 are varied by this permit:
 - a. Section 11.9.2.5: height increased from a maximum height of 24m to a maximum height of 25.5m to accommodate a clerestory architectural feature.
5. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of 100% of the estimated cost of all landscaping materials and labour, must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502(2.1) 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.
6. 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.

7. Upon completion of the development authorized by this permit, an application for release of securities, provided in Schedule B, 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 as follows:

1 st Inspection	No fee
2 nd Inspection	\$50
3 rd Inspection	\$100
4 th Inspection or additional inspections	\$200

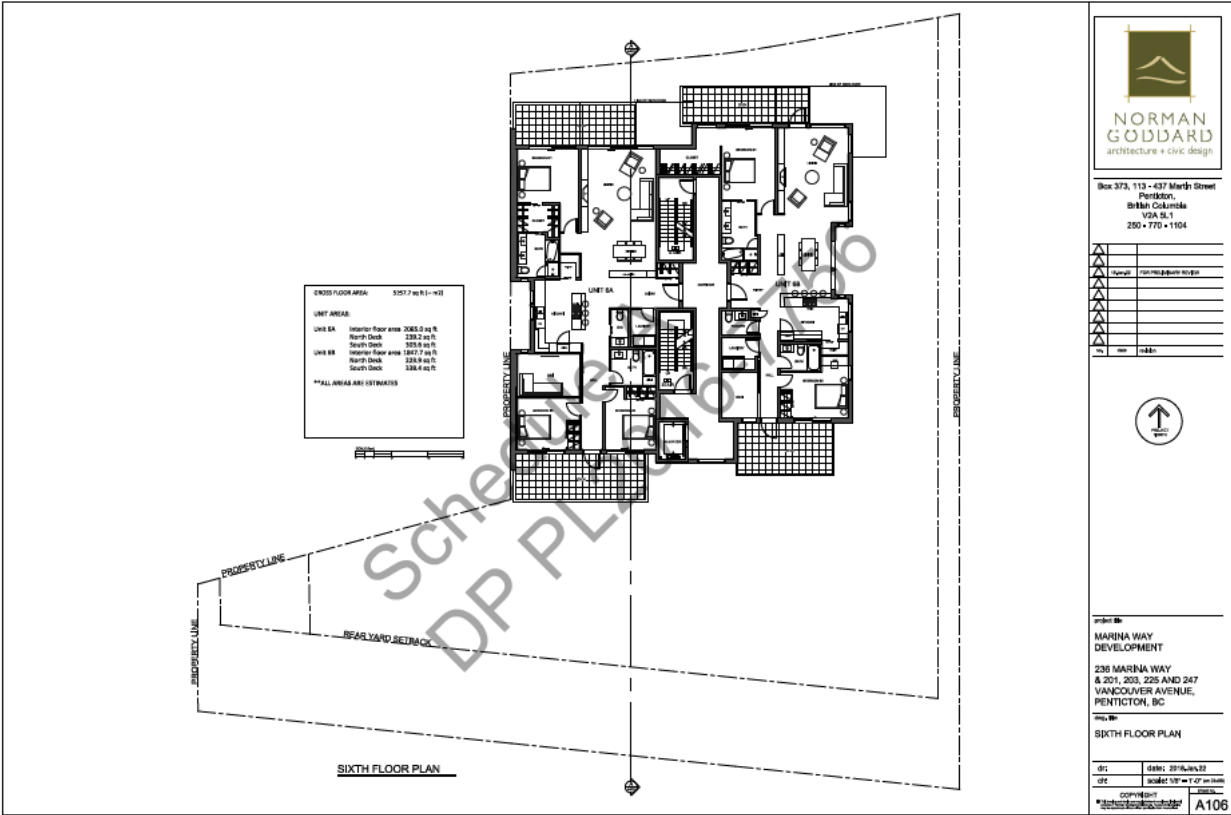
General Conditions

8. 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.
9. 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.
10. 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.
11. 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.
12. 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 _____, 20

Issued this _____ day of _____, 20

Dana Schmidt,
Corporate Officer



NORMAN GODDARD
architecture + civic design

Box 373, 113 - 437 North Street
Penticton,
British Columbia
V2A 5L1
250 • 770 • 1104

DATE	DESCRIPTION
2016/06/23	REVISED

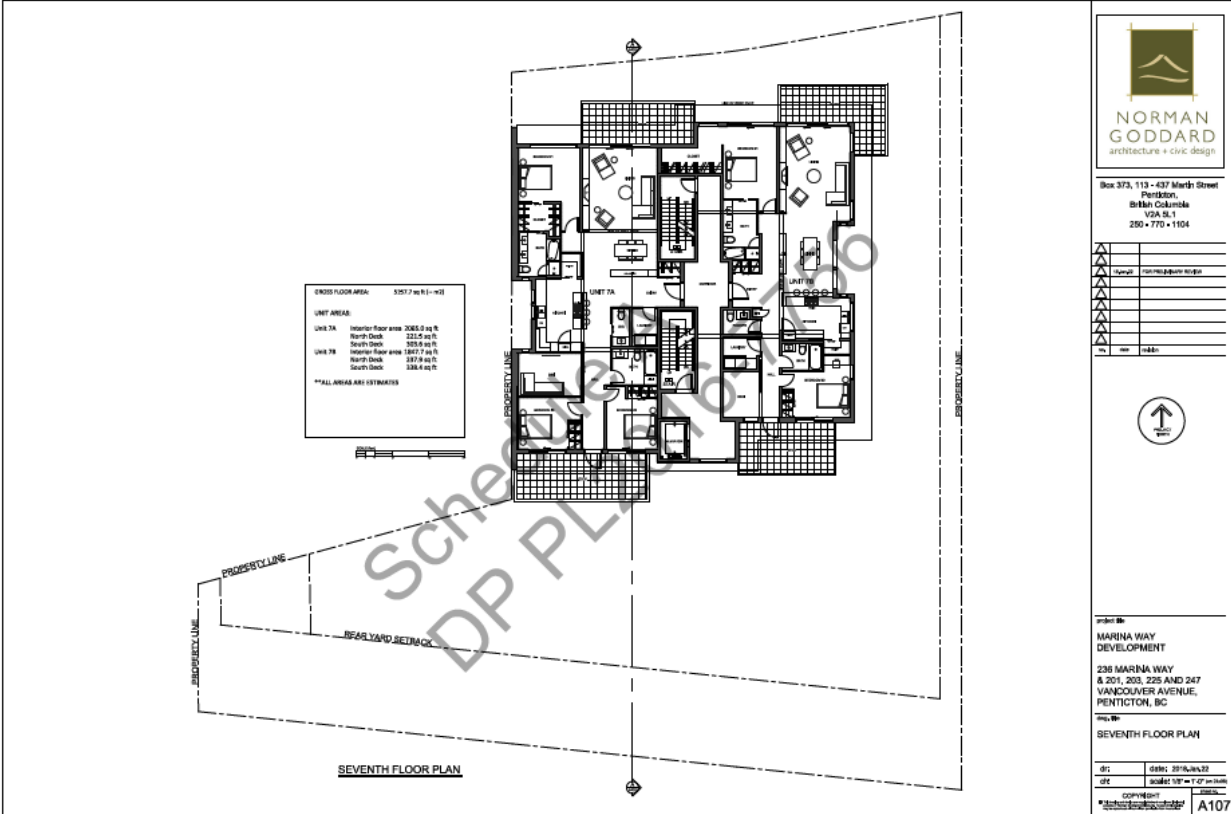
Project No: MARINA WAY DEVELOPMENT
238 MARINA WAY
201, 203, 225 AND 247
VANCOUVER AVENUE,
PENTICTON, BC

Sheet No: SIXTH FLOOR PLAN

DR: [Signature] DATE: 2016/06/23
CPE: [Signature] SCALE: 1/8" = 1'-0" (as built)

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A106



NORMAN GODDARD
architecture + civic design

Box 373, 113 - 437 North Street
Penticton,
British Columbia
V2A 5L1
250 • 770 • 1104

DATE	DESCRIPTION
2016/06/23	REVISED

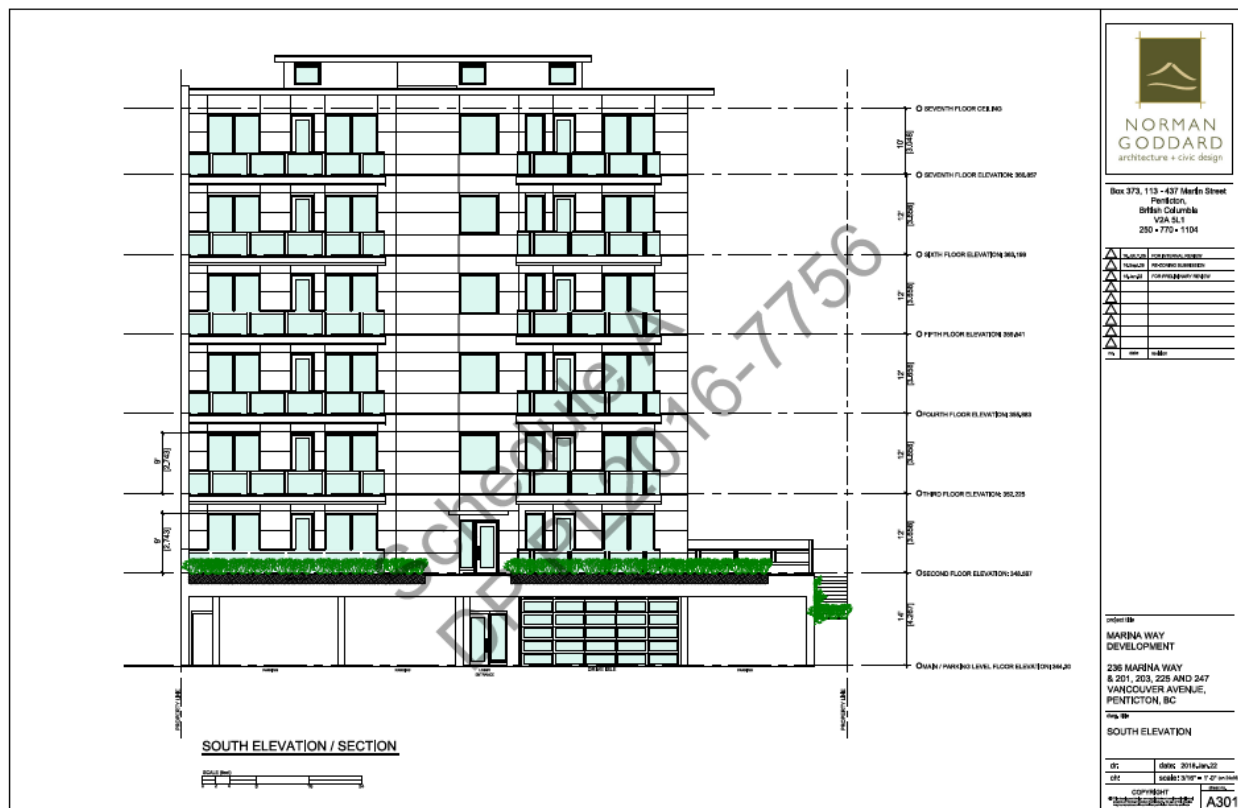
Project No: MARINA WAY DEVELOPMENT
238 MARINA WAY
201, 203, 225 AND 247
VANCOUVER AVENUE,
PENTICTON, BC

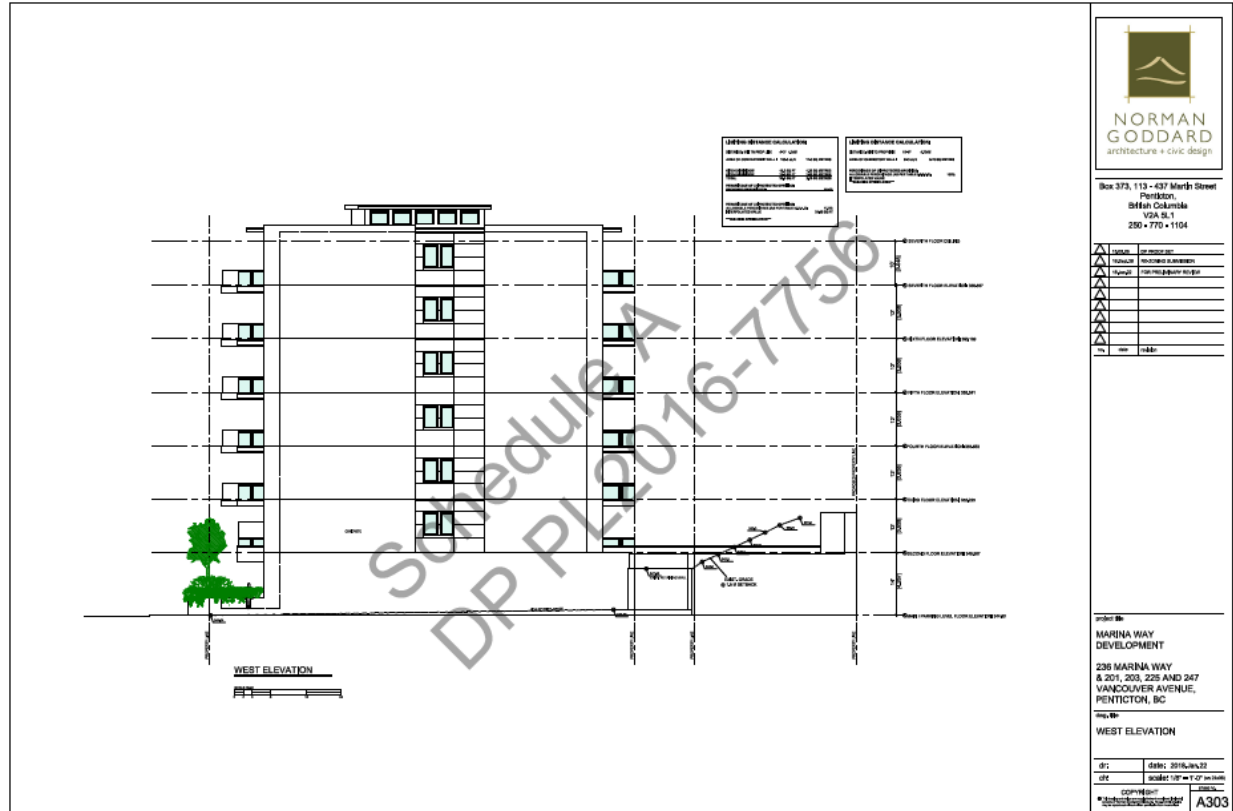
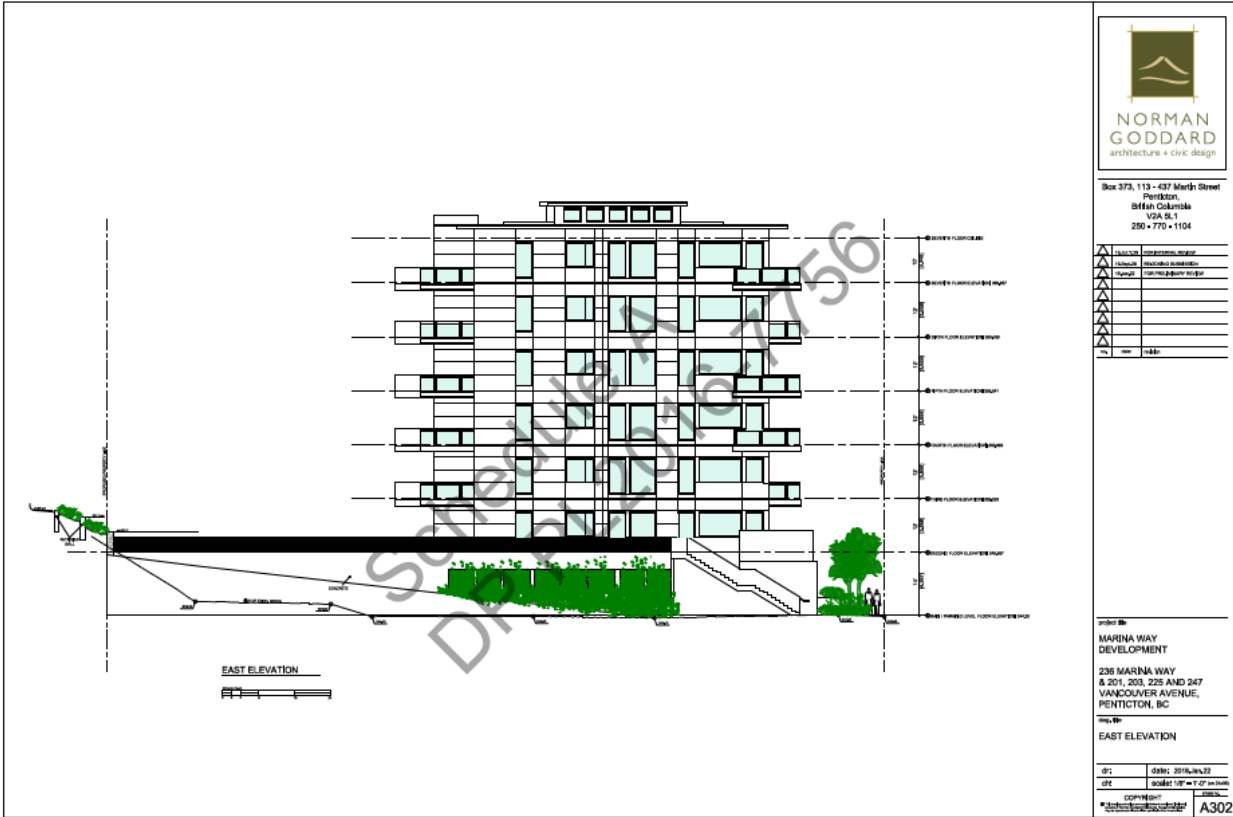
Sheet No: SEVENTH FLOOR PLAN

DR: [Signature] DATE: 2016/06/23
CPE: [Signature] SCALE: 1/8" = 1'-0" (as built)

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A107





Attachment F
Draft Development Variance Permit



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

Development Variance Permit

Permit Number:

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: tbd
Civic: 225 and 247 Vancouver Avenue
PID: tbd
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary Section 11.9.2.2 of Zoning Bylaw 2017-08 reducing the permitted lot area of Proposed Lots 3 and 4 from a minimum lot area of 550m² to a minimum lot area of 400m², as shown in the plans attached in Schedule A.

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

Page 2 of 2

The Corporation of the City of Penticton

Bylaw No. 2018-49

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. 2018-49".

2. **Amendment:**

Zoning Bylaw 2017-08 is hereby amended as follows:

2.1 Rezone That Part of Lot 1, Shown on Plan B5470, District Lot 202, Similkameen Division Yale District, Plan 3218, located at 201 Vancouver Avenue, as shown on Schedule 'A' of this bylaw from RD2 (Duplex Housing: Lane) to C9 (Marina Way Commercial).

2.2 Rezone Lot 3, District Lot 202, Similkameen Division Yale District, Plan 3219, located at 203 Vancouver Avenue, as shown on Schedule 'A' of this bylaw from RD2 (Duplex Housing: Lane) to C9 (Marina Way Commercial).

2.3 Rezone Lot A, District Lot 202, Similkameen Division Yale District, Plan KAP85185, located at 247 Vancouver Avenue and 236 Marina Way, as shown on Schedule 'A' of this bylaw from CT1 (Tourist Commercial) and RD2 (Duplex Housing: Lane) to C9 (Marina Way Commercial).

2.4 Zoning Bylaw 2017-08 is hereby amended by adding the following site specific provisions to section 11.9.4:

.1 In the case of Proposed Lots 2, 3 and 4 located at 203, 225 and 247 Vancouver Avenue, single detached housing is a permitted use as identified on Schedule 'B' of this bylaw.

2.5 Schedule 'A' and Schedule 'B' attached hereto forms part of this bylaw.

READ A FIRST time this 3 day of July, 2018

A PUBLIC HEARING was held this 17 day of July, 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 6 day of July, 2018 and the 11 day of July, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone **201 Vancouver Avenue** From
RD2 (Duplex Housing: Lane) to C9
(Marina Way Commercial)

Rezone **203 Vancouver Avenue** from
RD2 (Duplex Housing: Lane) to C9
(Marina Way Commercial)

Rezone **247 Vancouver Avenue (236
Marina Way)** from CT1 (Tourist
Commercial) and RD2 (Duplex Housing:
Lane) to C9 (Marina Way Commercial)



City of Penticton – Schedule 'A'

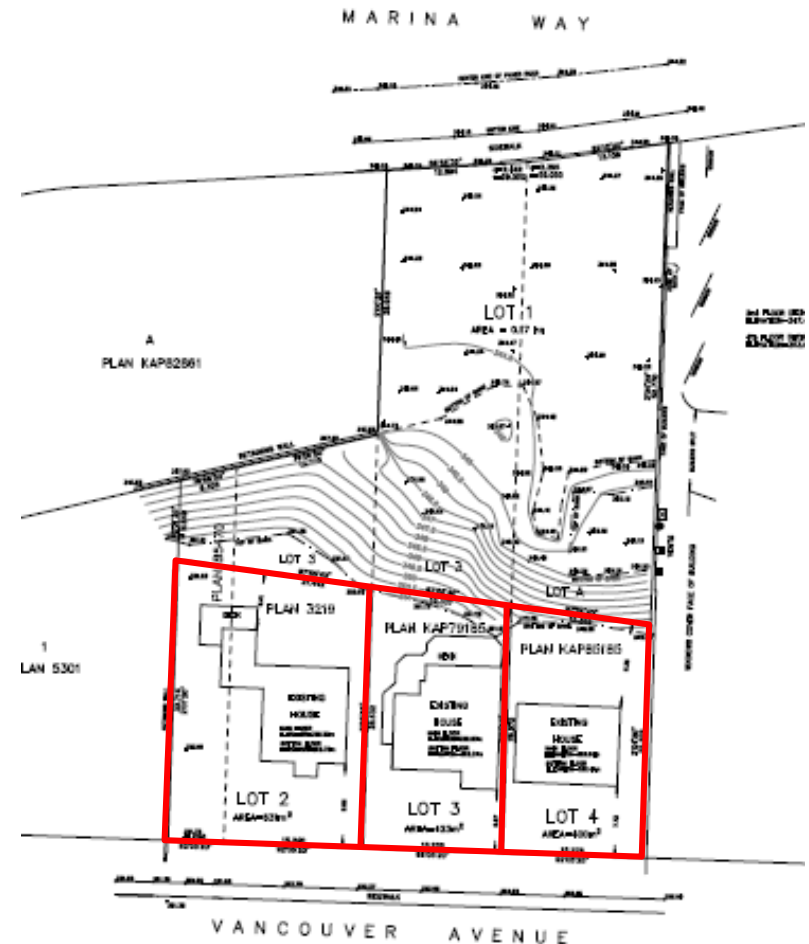
Zoning Amendment Bylaw No. 2018-49

Date: _____

Corporate Officer: _____

Site Specific Zoning Amendment (C9-Marina Way Commercial)

To permit a single detached house as a
permitted use on:
203 Vancouver Ave (Proposed Lot 2),
225 Vancouver Ave (Proposed Lot 3), and
247 Vancouver Ave (Proposed Lot 4)



City of Penticton – Schedule 'B'

Zoning Amendment Bylaw No. 2018-49

Date: _____

Corporate Officer: _____