

September 6, 2018

Subject Property:
290 Bassett Street

Lot 9, Block 125, District Lot 2, Group 7,
Simlkameen Division Yale (Formerly
Yale-Lytton) District, Plan 1175, Except
Plan B4668

Application:

The applicant is proposing to construct a 5-unit townhouse development. The following applications are being considered:



- **Rezone PL2018-8210**
Rezone the subject property from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).
- **Development Variance Permit PL2018-8211:**
Vary Section 6.5, Table 6.5 of Zoning Bylaw 2017-08: To waive the requirement for one (1) visitor parking stall.

Information:

The staff report to Council, Zoning Amendment Bylaw 2018-65 and Development Variance Permit PL2018-8211 will be available for public inspection from **Friday, September 7, 2018 to Tuesday, September 18, 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, September 18, 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, September 18, 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 September 18, 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: September 4, 2018
To: Peter Weeber, Chief Administrative Officer
From: Nicole Capewell, Planner 1
Address: 290 Bassett Street
Subject: **Zoning Amendment Bylaw No. 2018-65**
Development Variance Permit PL2018-8211

File No: PRJ2018-076

Staff Recommendation

Zoning Amendment Bylaw

THAT "Zoning Amendment Bylaw No. 2018-65", a bylaw to rezone Lot 9, Block 125 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1175, Except Plan B4668, located at 290 Bassett Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and be forwarded to the September 18, 2018 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-65", a 3.0m x 3.0m corner cut for lane dedication at the south east corner of the property be registered with the Land Title Office;

Development Variance Permit

THAT delegations and submissions for "Development Variance Permit PL2018-8211" for Lot 9, Block 125 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1175, Except Plan B4668, located at 290 Bassett Street, a permit to waive the requirement to provide one (1) visitor parking space, be heard at the September 18, 2018 Public Hearing;

AND THAT Council consider "DVP PL2018-8211" following the adoption of "Zoning Amendment Bylaw No. 2018-65".

Excess and Extended Service

THAT Council, in accordance with Section 507 of the *Local Government Act*, require the full construction of the lane along the south and east sides of the property tying the works into Bassett Street, representing an excess and extended service.

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, and in areas close to transit, commercial and employment centers.

Background

The subject property (Attachment 'A') is currently zoned R2 (Small Lot Residential), and is designated for multi-family low density (MFLD) by the City's Official Community Plan. The site currently has a single family house which was constructed in approximately 1900. Photos of the site are included as Attachment 'D'. A

demolition permit was issued in June 2018 to remove the existing house in preparation for the proposed development.

The intention of the applicant is to demolish the existing single family dwelling and construct a five-unit townhouse. The proposed townhouse units will have a mix of two and three bedroom units and are approximately 1,000 sq. ft. units. The proposed building features a mix of building materials and large landscaping buffer areas along the north and west property lines.

The surrounding neighbourhood has a mix of housing types and residential zones including single family dwellings, duplexes, townhouses and small scale apartment buildings (Attachment 'B'). There is a mix of zoning currently in place to accommodate this mix of housing. This neighbourhood is desirable being close to an elementary school, the downtown core, Okanagan Lake, the Community Centre, the South Okanagan Events Centre, and is located on a local residential street, with sidewalks on both sides of the street.

Proposal

The applicant is proposing that the subject property be rezoned from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), to facilitate the development of a five-unit townhouse. The applicant is proposing to demolish the existing single family dwelling prior to beginning construction.

Secondly, the applicant is requesting a variance to waive the requirement to provide one (1) visitor parking space.

The applicant will be required to attain a Development Permit for the proposed development, as the property is located within the Downtown Multiple Family Development Permit Area. This will be issued by staff at a later date, should Council support the rezoning application.

Technical Review

This application was reviewed by the City's Technical Planning Committee. No significant issues arose in the process. Typical frontage upgrades and servicing requirements have been identified for the Building Permit stage of the project, if rezoning and variance permit applications are supported by Council. The proposed building is required to conform to the BC Building Code. These items have been communicated to the applicant.

Financial Implication

The application does not pose any significant financial implications to the City. Development costs are the responsibility of the developer. The developer will be paying for the upgrade of a City lane that is deemed to be in poor condition at their cost.

Development Statistics

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

	Requirement RM2 Zone	Provided on Plans
Maximum Lot Coverage:	40%	37%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.75 Floor Area Ratio (FAR)
Vehicle Parking:	6 (1 per unit, plus 0.25/unit for visitor parking)	5
Required Setbacks Front Yard (Bassett St): Side Yard (north): Side Yard (south): Rear Yard (east):	3.0 m 3.0 m 3.0 m 6.0 m	3.0 m 3.0 m 3.0 m 7.17 m
Maximum Building Height	12 m	9.27 m
Other Information:	<ul style="list-style-type: none"> The Development Permit will be issued by Staff 	

Analysis

Support Zoning Amendment Bylaw

The OCP designation for the subject property is MFLD (Multiple Family Low Density), which supports townhouse developments. Staff consider that the zoning amendment to allow for the proposed development represents best use of the land for the following reasons:

- The proposal is consistent with OCP policy that promotes infill residential development as an appropriate method of maximizing the use of land and increasing housing choices for Penticton residents.
- The OCP encourages densification in areas where existing services can accommodate higher densities.
- The subject property is within walking distance to the downtown, nearby schools, community center, South Okanagan Events Centre, Okanagan Lake beach and transit routes.
 - The close proximity to these services encourages more walking and other active forms of transportation
- The proposal would provide a mix of 2- and 3-bedroom townhouse units, which can serve a wide spectrum of potential home owners/occupants

The plans submitted are conceptual in nature and an application for a development permit will be required prior to any approval for construction on the lands. The development permit drawings will have more details on the elevations, to include: building types, materials, colours. The development permit will also require a

detailed landscaping plan from the applicant, which will review the landscaping on the property. The applicant has indicated that they will be developing the property should the rezoning and development variance permit be granted by Council. After which, the applicant will provide detailed drawings for the Development Permit, to be issued by Staff. The plans submitted show general conformance to Zoning Bylaw 2017-08.

Staff considers that the location of the site and characteristics of the surrounding neighbourhood make it appropriate for residential densification. Given the above, there is adequate policy to support the proposal to rezone from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) and support is recommended for First Reading of "Zoning Amendment Bylaw No. 2018-65".

Deny Zoning Amendment Bylaw

Council may consider that the proposed development is not appropriate for the subject property. If this is the case, Council should deny First Reading of Zoning Amendment Bylaw No. 2018-65".

Development Variance Permit

Approve Development Variance Permit

When considering a variance to a City bylaw, staff encourages Council to consider whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. The proposed variance is to waive the requirement to provide one visitor parking stall.

- The Zoning Bylaw requires one parking space per unit, plus 0.25 per unit for visitor parking. The proposed site plan only provides five parking spaces, which will meet the requirement for one parking space per unit, but does not provide the additional space for visitor parking. Therefore, a variance has been requested.
- The applicant has provided a design that includes a significant amount of landscaping and green space, which can be utilized and enjoyed by the occupant(s) of the units. Attempting to provide more parking on the site would take away from the proposed design and landscaping being proposed.
- Allowing larger greenspaces can be associated with the following benefits:
 - Regulating temperatures (dark heat-absorbing materials such as concrete and brick can increase city temperatures)
 - Manage water resources as green infrastructure can capture stormwater runoff, filter out pollutants and recharge groundwater supplies.
- There is parking located on the street in front of the property. The width of the subject property is 17m, which could provide up to 3 off-street parking spaces for visitors.
- Through the provision of parking adjacent to the laneway, there will be no loss of existing on-street public parking spaces.
- Due to the ideal location of the property in relation to services and amenities, the property will promote walking and more active methods of transportation.

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 adjust the site plan to provide an additional parking space for visitor parking. If this is the case, Council should deny the variance.

Alternate Recommendations

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2018-65” and deny support for DVP PL2018-8211.
2. THAT Council give first reading to “Zoning Amendment Bylaw No. 2018-65”, but deny support for DVP PL2018-8211.
3. THAT Council give first reading to “Zoning Amendment Bylaw No. 2018-65”, and give support for DVP PL2018-8211 with conditions that Council feels are appropriate.

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: Conceptual Site Plan
- Attachment G: Conceptual Elevations
- Attachment H: Draft Development Variance Permit (DVP)
- Attachment I: Zoning Amendment Bylaw No. 2018-65

Respectfully submitted

Nicole Capewell
Planner 1

Approvals

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

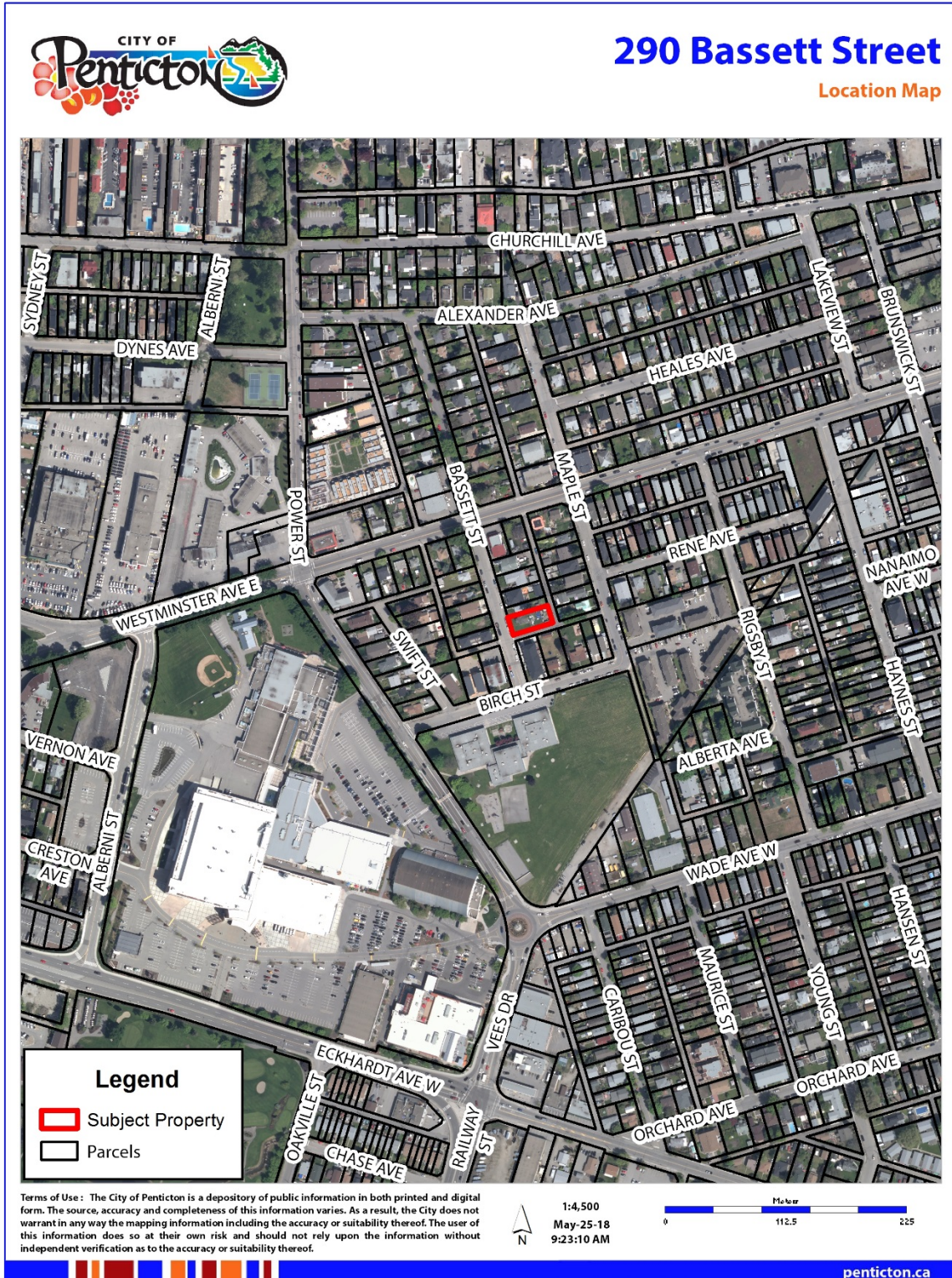


Figure 1 – Subject Properties Highlighted in Red

Attachment B – Zoning Map of Subject Property

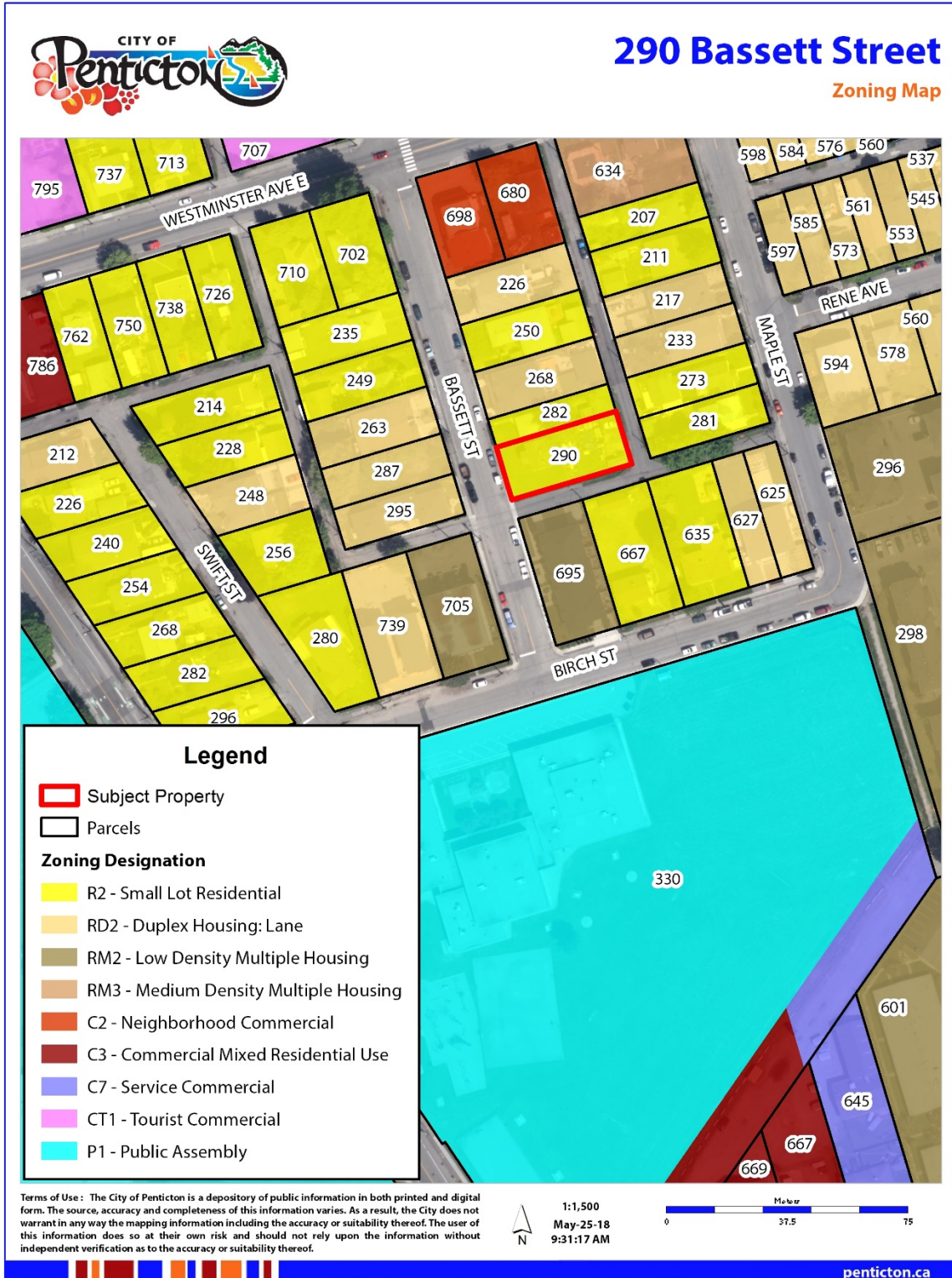


Figure 2 – Subject Properties Currently Zoned R2 (Small Lot Residential)

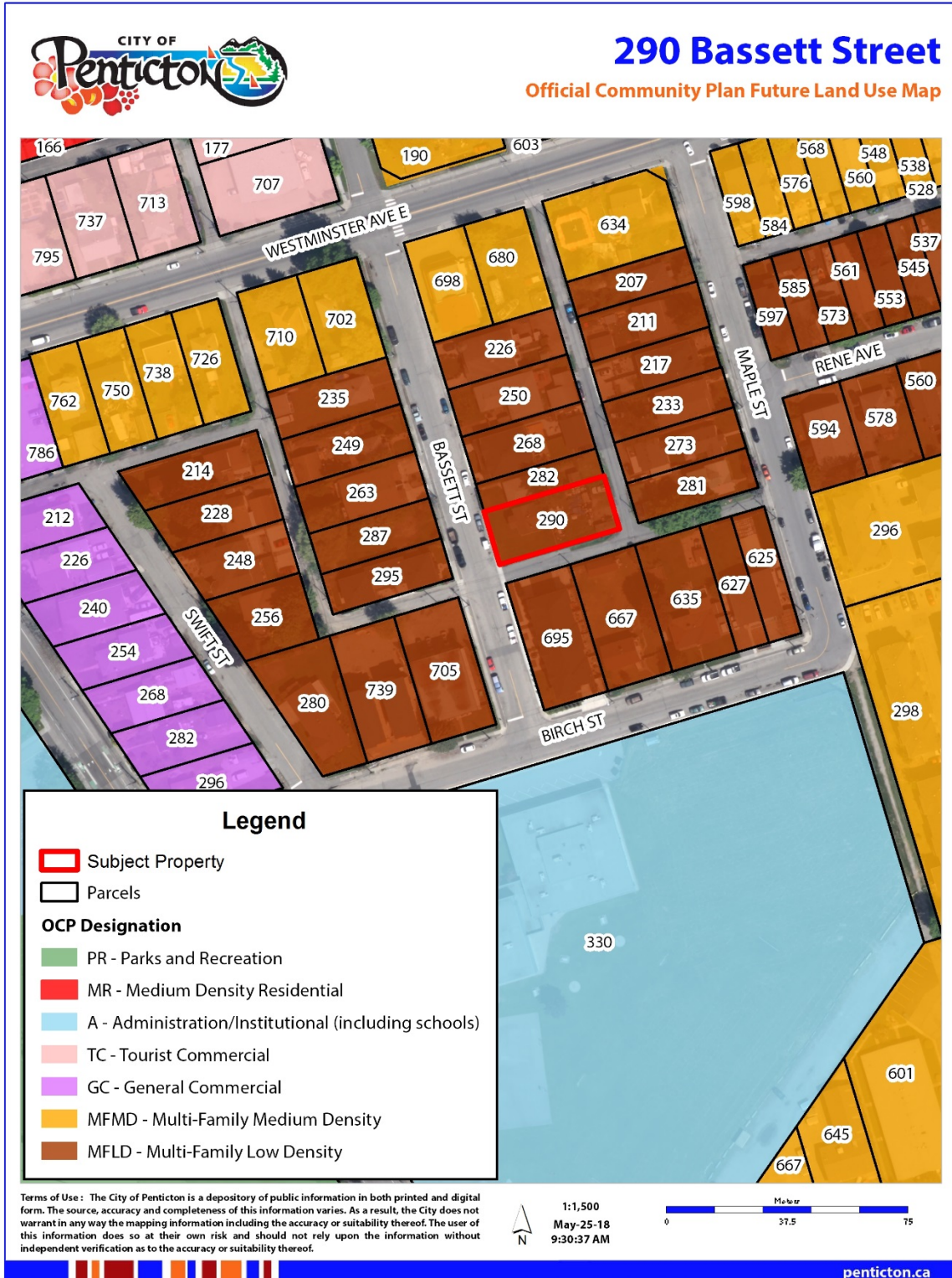


Figure 3 – Subject Properties Currently Designated as MFLD (Multi Family Low Density) within Official Community Plan

Attachment D – Images of Subject Property



Figure 4 – Looking toward front of 290 Bassett St from the south west corner of property



Figure 5 – Looking toward lane along south property line of 290 Bassett Street



Figure 6 – Looking toward 290 Bassett St from south property line (from lane)

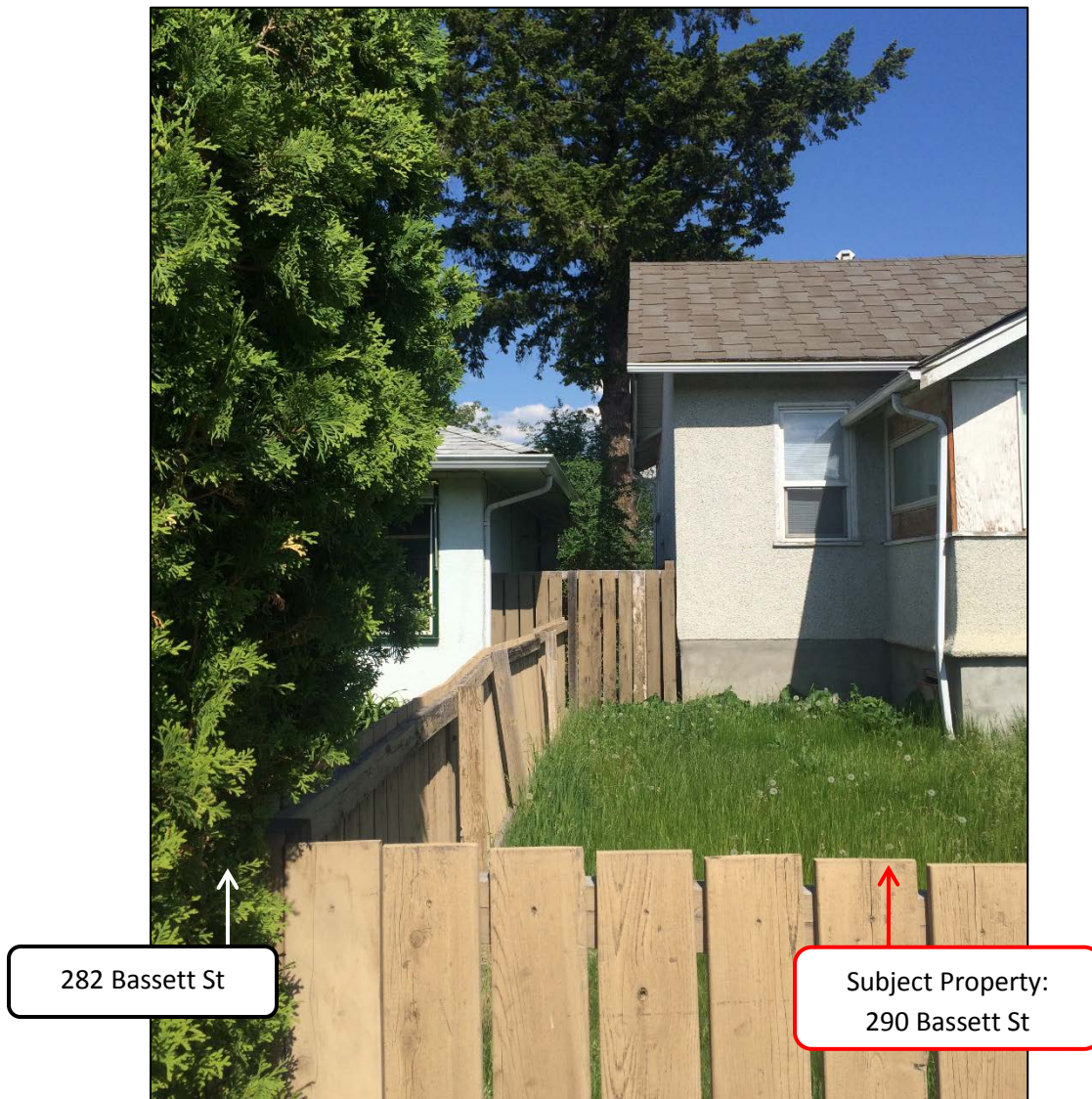


Figure 7 – Looking down the northern property line of 290 Bassett St from Bassett Street



Figure 8 – Looking at 290 Bassett St from Bassett Street

290 Bassett St.

Rezoning and development variance permit.

August 10, 2018

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

Dear Blake Laven,

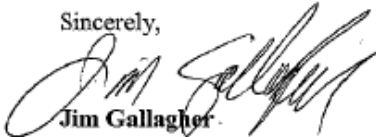
We are proposing to construct a five-unit townhouse development at 290 Bassett St. The proposed project will require a rezoning to allow for townhouses and variances to visitor parking requirements.

Our intent is to build 3x three-bedroom units and 2x two-bedroom units. The goal of the project is to provide affordable infill housing units for potentially young families or first time home-buyers. We believe this lot is an ideal location to attract the young buyer, due to the close proximity to schooling and downtown. Similarly, our project would fall under the lot designation in the Official Community Plan, which is *MFLD- Multi-Family Low Density*.

Under the zoning bylaw, the lot is currently designated as R2- Small Lots Residential, which we propose to rezone to *RM2- Low Density Multiple Housing* to allow for townhouses. We would also like to remove the requirement for visitor parking which is a total of one parking space. We are able to provide five parking spots, which meets the requirement of one parking spot per unit. With that said, we've managed to give each unit a private ground-level patio space, totaling 12m² for the two-bedroom units, and 16m² for the three-bedroom units. The development is also able to provide significant landscape buffers between the street, residential property to the north and lane to the south.

In conclusion, please accept the enclosed application package for 290 Bassett St. We would greatly appreciate your consideration in granting the request to rezone to RM2 and development variances for visitor parking.

Sincerely,



Jim Gallagher

Figure 9 – Letter of Intent

Attachment F – Conceptual Site Plan

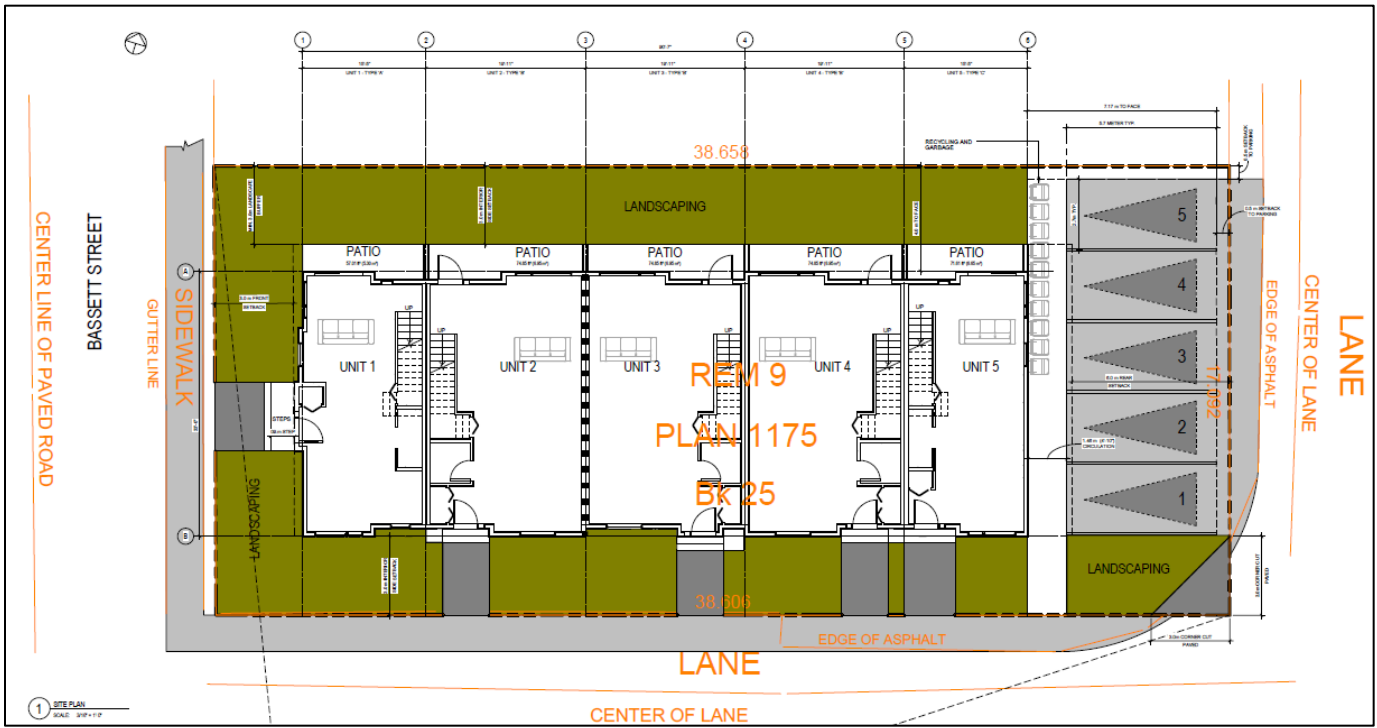


Figure 10 – Conceptual Site Plan

Attachment G – Conceptual Elevations



Figure 11 – Conceptual East Elevation



Figure 12 – Conceptual North Elevation



Figure 13 – Conceptual West Elevation



Figure 14 – Conceptual South Elevation



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

Development Variance Permit

Permit Number: DVP PL2018-8211

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 9, Block 125 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton)
District Plan 1175, Except Plan B4668
Civic: 290 Bassett Street
PID: 002-279-100
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2017-08 to allow for the construction of a five-unit townhouse
 - a. Section 6.5 (Table 6.5): to waive the requirement for one (1) visitor parking space.

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

Issued this ____ day of _____, 2018

Dana Schmidt,
Corporate Officer

DRAFT

The Corporation of the City of Penticton

Bylaw No. 2018-65

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. 2018-65".

2. Amendment:

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

Rezone Lot 9, Block 125 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1175, Except Plan B4668, located at 290 Bassett Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).

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
RECEIVED the approval of the	day of	, 2018
Ministry of Transportation on the		
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

<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i> this _____ day of _____, 2018</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure</p>
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Dana Schmidt, Corporate Officer

Rezone 290 Bassett St.
from R2 (Small Lot
Residential) to RM2 (Low
Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-65

Date: _____

Corporate Officer: _____