

January 24, 2019

Subject Property:

1760 Carmi Avenue

Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850

Application:

The applicant is proposing to create a 6 lot bareland strata. The following application is being considered:

Rezone PL2018-8301

Rezone a portion of 1760 Carmi Ave. from RC (Country Residential Housing) to RM1 (Bareland Strata Housing) and include a site specific provision to the RM1 zone prohibiting townhouses on this property.

Information:

The staff report to Council and Zoning Amendment Bylaw 2019-02 will be available for public inspection from **Friday, January 25, 2019 to Tuesday, February 5, 2019** 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.

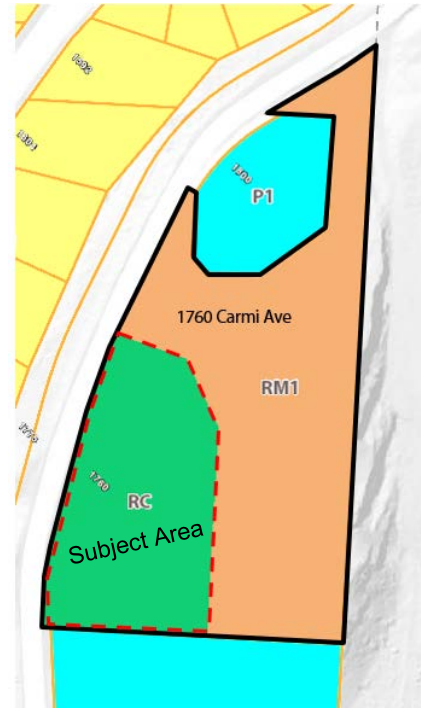
Council Consideration:

A Public Hearing has been scheduled for **6:00 pm, Tuesday, February 5, 2019** 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, February 5, 2019** 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 February 5, 2019 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: January 22, 2019
To: Peter Weeber, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 1760 Carmi Avenue
Subject: Zoning Amendment Bylaw No. 2019-02

File No: RZ PL2018-7301

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2019-02", a bylaw that rezones "Proposed Strata Lot 1" of the subdivision of "Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850" (1760 Carmi Avenue), as shown on Schedule 'A' of the bylaw, from RC (Country Residential Housing) to RM1 (Bareland Strata Housing) and includes a site specific provision to the RM1 zone prohibiting townhouses on the subject property, be given first reading and be forwarded to the February 5, 2019 Public Hearing.

Strategic priority objective

This application is aligned with the *Council Priorities* of Community Building and Economic Vitality, creating five new single family housing sites.

Background

City Council, in late 2017, supported the rezoning of the subject property to allow a, five (5) lot, bareland strata subdivision on portion of the lot (9,000 m²). At that time, the existing single family house was not included in the original rezoning application. The intent of the property owner is now to carry on with the bareland strata on the entire parcel, incorporating the existing house. This will allow the owner to create six strata lots. The existing house will remain on the property and would be serviced with water and sanitary services from the proposed bareland strata. At present, the single family dwelling has City water service only.

The subject property (Attachment 'A') is split zoned RM1 (Bareland Strata Housing) and RC (Country Residential Housing). The property is also designated in the City's Official Community Plan (OCP) as LR (Low Density Residential). The site is 4.06 acres in area and is characterized by rocky outcrops and relatively steep topography. The subject property is located on the east side of Carmi Road at the city's limit with the Regional District Okanagan Similkameen (RDOS) and comprises one single family dwelling and two accessory structures.

Proposal

The applicant is requesting that Zoning Bylaw 2017-08 be amended to change the zoning of the newly created lot, "Proposed Strata Lot 1" of the subdivision of "Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850", from RC (Country Residential Housing) to RM1 (Bareland Strata Housing). The remainder parcel already has the RM1 designation.

The bylaw will also include a site specific provision as follows:

Replace Section 10.7.3 Site Specific Provisions with:

.1 In the case of Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850", townhouses are not permitted.

Technical Review

This application was reviewed by the City's Technical Planning Committee. This is a complex development given that the subject land is serviced with City water only and not sanitary sewer. Additionally, the presence of bedrock and irregular topography make providing adequate access to the proposed strata lots challenging. Nevertheless, the applicant consulting engineers has worked through the majority of the servicing issues to the satisfaction of City staff. A road dedication is identified along Carmi Avenue. The dedication will occur as part of the subdivision process.

Financial implications

If approved, the development anticipated by this application will create in total 5 new development sites for the construction of single family housing, hence contributing to an increase in the City's tax base. As part of the subdivision process, a small land exchange will take place and provide the city with land to access its adjacent water reservoir at minimal cost.

Draft Official Community Plan – Future Land Use Designation

While the current OCP identifies this area as LR (Low Density Residential), the draft OCP that is currently under development and anticipated to be adopted early in 2019, identifies this area for 'Ground Oriented Residential'. The proposed rezoning would be in line with the proposed designation.

Analysis

When considering a zoning amendment application, staff and Council look toward the Official Community Plan's future land use map and designation for guidance, including all relevant planning policy. As indicated by the Future Land Use Map (Attachment 'C'), this property is identified for low density residential (LR) development and future development is envisioned to support single family and duplex development as well as limited commercial and institutional use. The City's draft Official Community Plan (anticipated to be adopted in early 2019) identifies the future land use of this property as Ground Oriented Residential, which is defined as medium-density residential areas where each unit has an exterior door and construction is primarily wood frame, or bareland strata. The proposal for the site provides single detached housing, at an acceptable scale for the current area. The existing house on the property zoned RC (Country Residential Housing), represents less development density than is contemplated by the existing or new OCP. The proposed RM1 zone, which is the zone that is specifically designed for bareland strata development, would allow for the proposed 6-lot bareland strata subdivision therefore meets the intent of the future Ground Oriented Designation.

Nevertheless, the RM1 zone allows townhouses, which are not a use contemplated in the low density residential of the current OCP land use designation. Even though the new OCP anticipates ground oriented residential on the site and include townhouses, staff are recommending that if Council supports the zoning change that a site specific amendment be included in the zoning bylaw prohibiting townhouse development on the subject land. All the other uses of the RM1 zone (single detached housing, duplex housing, home based business etc.) are uses that are envisioned in the low density residential land use designation.

The proposed zoning amendment will generate five new development strata lots in a desirable area of the city and is in keeping with the intent of the OCP. As such staff are recommending that Council give first reading to the bylaw and forward it to the February 5, 2019 Public Hearing for comment from the public.

Alternate recommendations

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2019-02".
2. THAT Council refer the application back to staff for further discussions with the applicants.

Attachments

Attachment A – Location Map

Attachment B – OCP Map

Attachment C – Zoning Map

Attachment D – Images of Subject Property

Attachment E – Site and Subdivision Plan

Attachment F – Letter of Intent

Attachment G – Proposed Road Widening

Attachment H – Zoning Amendment Bylaw No. 2019-02

Respectfully submitted

Audrey Tanguay

Senior Planner

Director Development Services <i>AT</i>	Acting Chief Administrative Officer AH
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Attachment A – Location Map

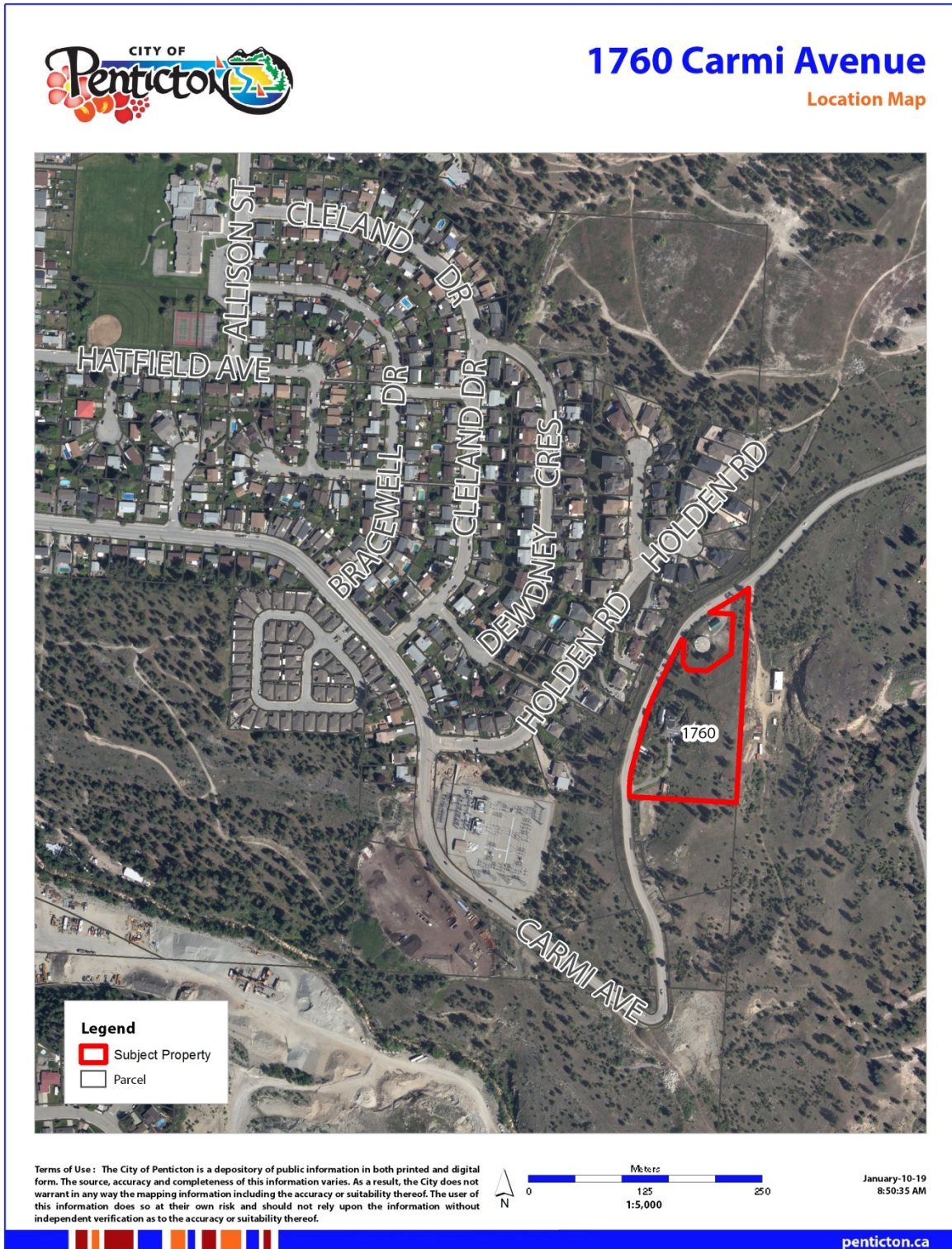


Figure 1: Location Map

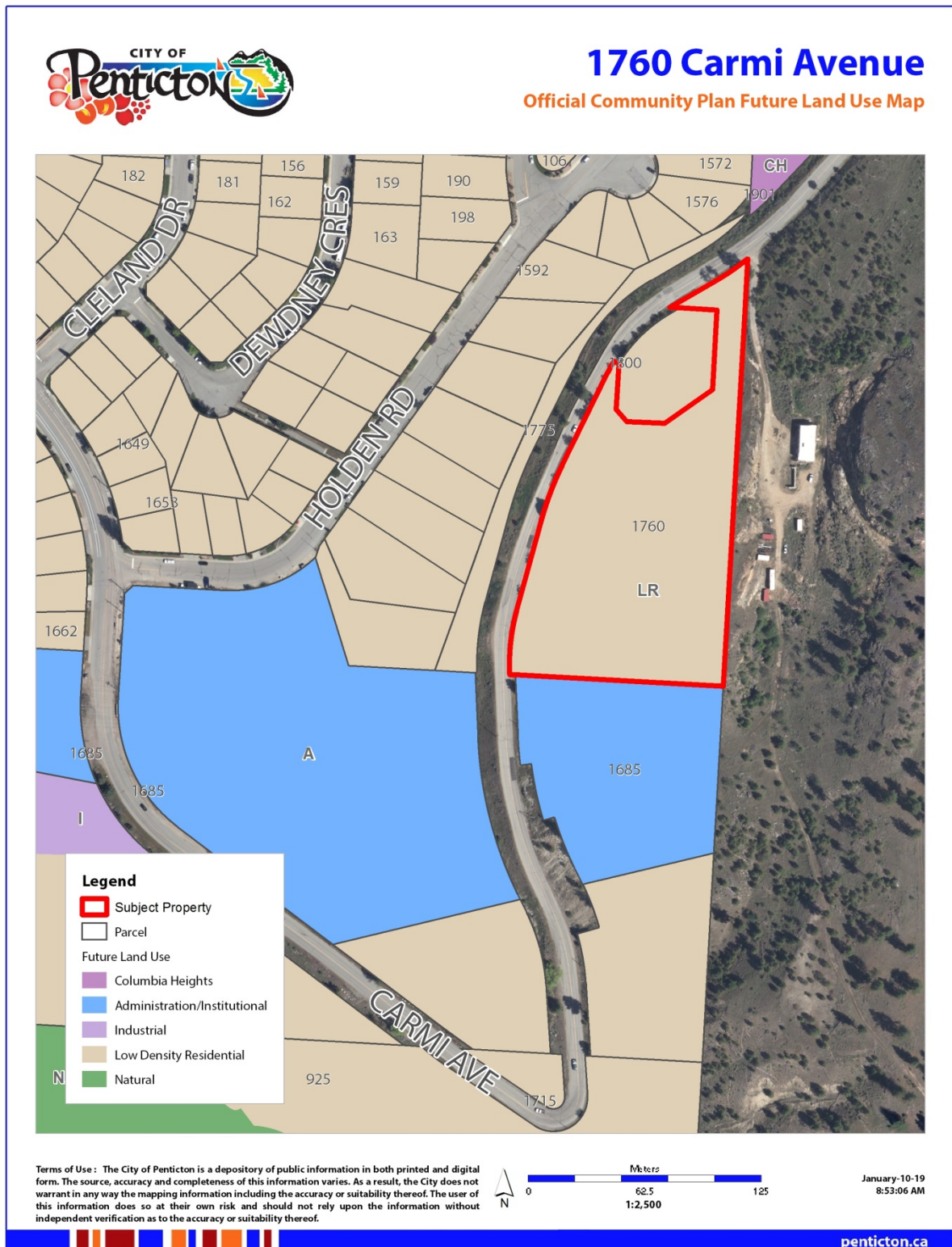


Figure 2: OCP Map

Attachment C – Zoning Map

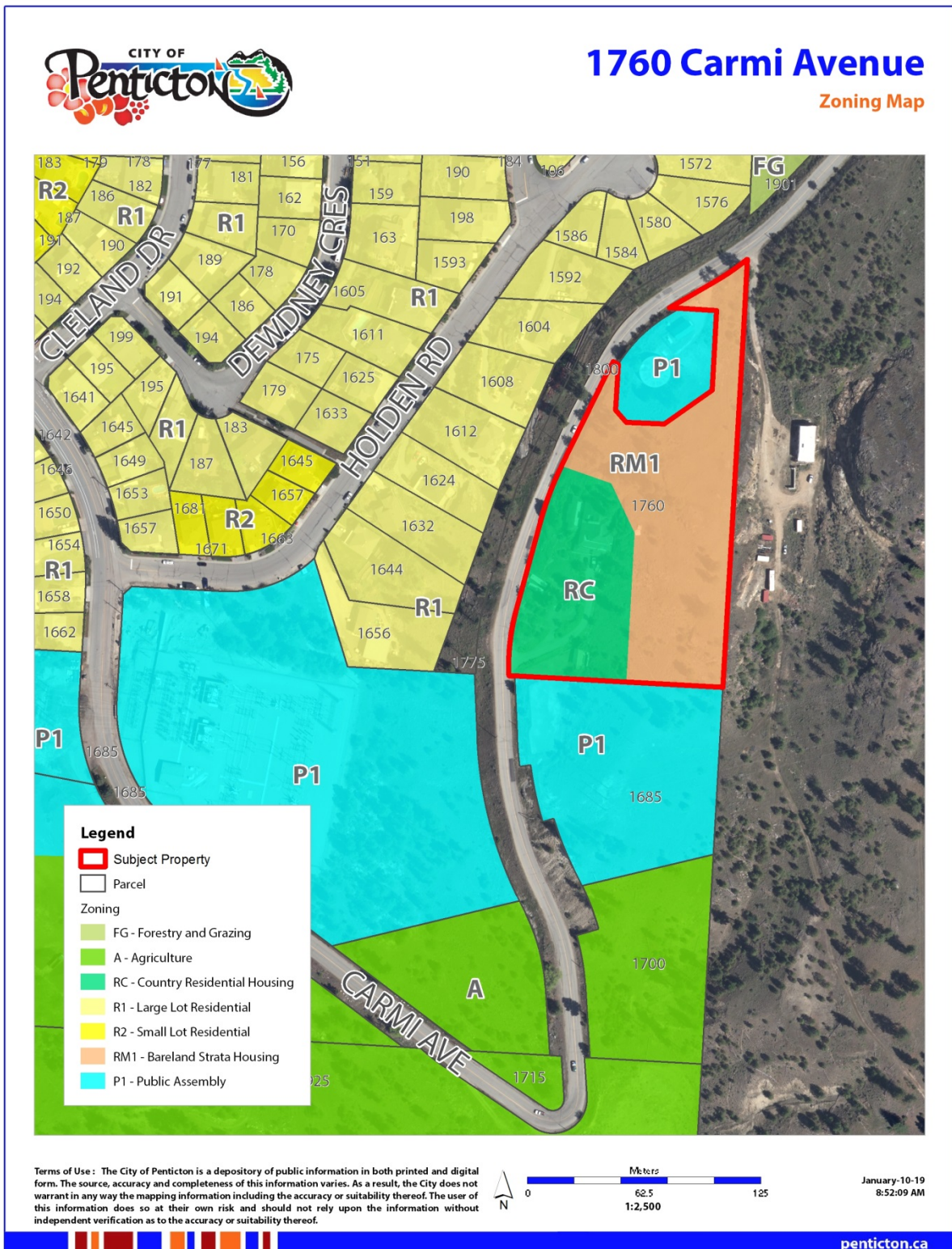


Figure 3: Zoning Map

Attachment D - Images of Subject Property



Figure 4: Image of subject lands from Carmi Avenue looking east, with current driveway shown



Figure 5: Image of subject land from Carmi Avenue looking east



Figure 6: Looking west with water pump house in mid-ground



Figure 7: Looking towards downtown Penticton over pump house and reservoir

[illegible]

Council Report

Attachment F - Letter of Intent



June 21, 2018

Ecora File No.: CP-17-208-ODC

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

Attention: Blake Laven, Planning Manager

Reference: Letter of Intent – 1760 Carmi Avenue- Rezone Application

Please accept this Letter of Intent for the proposed Rezoning and Subdivision Application for the property at 1760 Carmi Avenue. The owners of the noted property would like to rezone the existing house from Country Residential Housing (RC) to Low Density Cluster Housing (RM1). The proposed amendment to rezone the entire property to RM1 will include the existing house in the development which will now have six strata lots. The rezoning is desired for the following reasons:

1. The existing house is only serviced by the City of Penticton's water utility. The owners would like the existing house to be serviced by all of the City of Penticton utilities.
2. The existing house can be serviced with sanitary sewer from the strata subdivision which will enable the owners to decommission their old septic system; and
3. During the design development for the originally Proposed 4 – Lot Strata Subdivision on only the RM1 zoned portion of the property, it was determined that the servicing costs for subdivision exceeded the recoverable costs from the sale of lots. The servicing costs are high due to the presence of bedrock which has to be mechanically hammered rather than blasted due to the proximity to reservoir.

We trust this information meets your present requirements. If you have any questions or comments, please contact the undersigned.

Sincerely

Ecora Engineering & Resource Group Ltd.



Kelly Mercer, ASCT
Penticton Branch Manager
kelly.mercer@ecora.ca



501 Winnipeg Street Street, Penticton, BC V2A 5M8 P: 250.492.2227 | F: 250.492.2135 | www.ecora.ca

Attachment G - Road Dedication Map

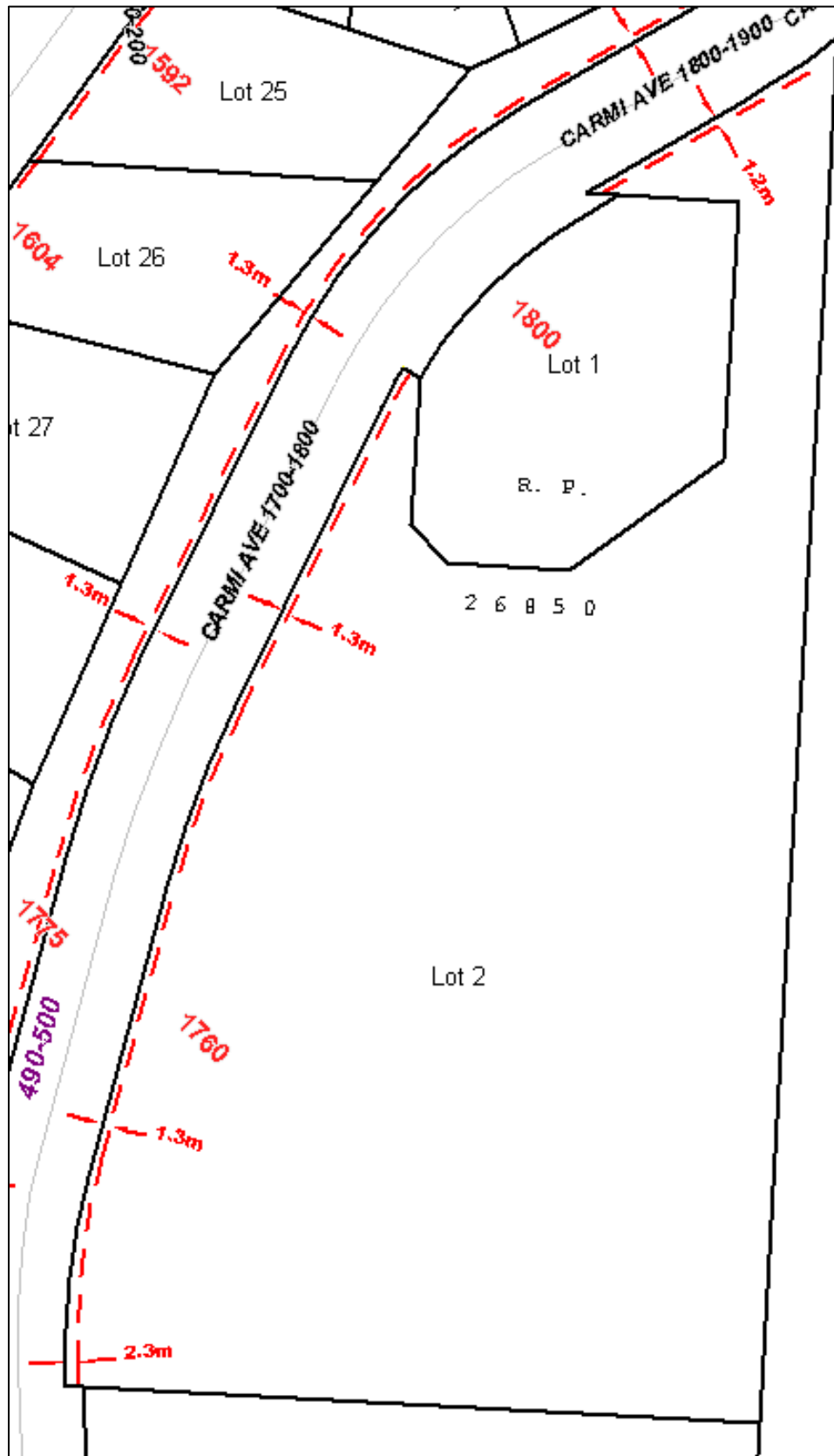
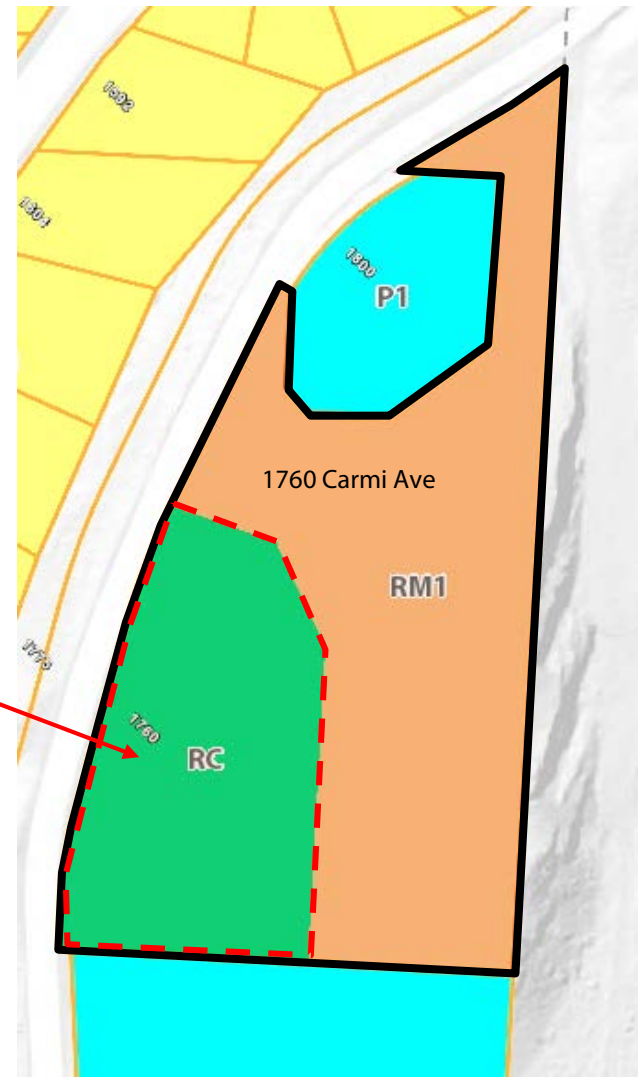


Figure 9: Road Dedication

1760 Carmi Avenue

- Rezone the portion of 1760 Carmi Avenue currently zoned as RC (Country Residential) to RM1 (Bareland Strata Housing).
- Add a site specific provision to the RM1 Zone prohibiting townhomes on the property



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2019-02

Date: _____

Corporate Officer: _____