

February 21, 2019

Subject Property:

484 Eckhardt Ave W

Lot 8, Block B, District Lot 4, Group 7, Similkameen Division
Yale (Formerly Yale Lytton) District, Plan 930

Application:

The applicant is proposing to subdivide the property into two lots and construct a front to back duplex on each lot. To facilitate the proposal, the following are being considered:

- Rezone 484 Eckhardt Ave W from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)
- Amend Schedule 'H' Development Permit Area Map of Official Community Plan Bylaw 2002-20 to include the property in the Downtown Multiple Family Development Permit Area.



Information:

The staff report to Council, Zoning Amendment Bylaw 2019-05 and Official Community Plan Amendment Bylaw 2019-06 will be available for public inspection from **Friday, February 22, 2019 to Tuesday, March 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, March 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, March 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 March 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: February 19, 2019
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 484 Eckhardt Avenue West
Subject: Zoning Amendment Bylaw No. 2019-05
Official Community Plan Amendment Bylaw No. 2019-06

File No: 2019 PRJ-004

Staff Recommendation

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2019-05", a bylaw to rezone Lot 8 Block B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 930, located at 484 Eckhardt Avenue West from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)," be given first reading and forwarded to the March 5, 2019 Public Hearing.

Official Community Plan Amendment

THAT prior to consideration of "OCP Amendment Bylaw No. 2019-06" 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 conducted to date is sufficient;

AND THAT "Official Community Plan Amendment Bylaw No. 2019-06," a bylaw to amend Schedule 'H' Development Permit Area Map of the City's OCP, to include the subject property in the Downtown Multiple Family Development Permit Area; be introduced, given first reading and forwarded to the March 5, 2019 Public Hearing.

Background

The subject property (Attachment A) is zoned R2 (Small Lot Residential) and designated by the City's Official Community Plan (OCP) as LR (Low Density Residential). Photos of the site are included as Attachment D. The lot is 702m² (7,556ft²) in area and features an older single family dwelling which is intended to be demolished. Surrounding properties are primarily zoned for single and multi-family development. Surrounding properties are designated by the OCP as LR (Low Density Residential) and MFLD (Multi Family

Low Density). The site is in a central location, close to the Kings Park and the SOEC. The close proximity to commercial nodes, parks and several amenities creates the potential for more density.

Proposal

The proposed rezoning will facilitate a subdivision of the subject property into two lots. On each of those lots, the developer is proposing to construct a front to back duplex. To facilitate this use, a rezoning to RD2 (Duplex Housing: Lane) is required. The conceptual renderings illustrate a two and half storey duplex, with living space on the main level, one bedroom in the basement, two bedrooms upstairs and a rooftop patio. The exact design will be thoroughly reviewed by staff through the development permit process after the rezoning and subdivision process is complete. All required parking will be accessed from the rear lane and provided on-site.

Financial implication

The City will receive Development Cost Charges of \$13,262.00 from the developer for the creation of the new lot in addition to the building permit fees, based on the cost of construction.

Technical Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works departments. A new water and sewer connection will be required to service the additional lot as well as possible upgrades to existing services. Lane upgrade will be required as part of subdivision approval. A 2.5m road dedication will be obtained by the City through the subdivision process, which will help to achieve the desired 20.0m width of Eckhardt Avenue West. A demolition permit will be required for the existing structures on the property. As per City of Penticton Building Bylaw 2018-01 Section 14.4.i, storm water/drainage is to be maintained on site. If the request for the zoning amendment is supported, BC Building Code and City bylaw provisions, such as height restrictions, will apply.

New OCP

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 this spring, identifies this area for 'Detached Residential.' This designation allows single detached dwellings with suites, carriage houses or duplexes where zoning permits. The proposed zoning amendment is in line with this future designation.

Development Statistics

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

Item	Requirement RD2 zone	Proposed Lot A	Proposed Lot B
Maximum Lot Coverage:	40%	36%	32%
Minimum Lot Width:	9.1m	9.14m	9.14m
Minimum Lot Area:	275.0m ²	351m ²	351m ²
Maximum Density:	0.95 FAR	0.78 FAR	0.52 FAR
Vehicle Parking:	1 space per dwelling unit (2 per lot)	2 spaces	2 spaces

Required Setbacks			
Front yard (north, Eckhardt Ave W):	4.5m	6.32m	4.5m
Rear yard (south, lane):	6.0m	12.39m	11.63m
Interior yard (west):	1.5m	1.5m	1.5m
Interior yard (east):	1.5m	1.56m	1.56m
Maximum Building Height:	10.5m (three storeys)	10.4m	7.8m
Other Information:	- The subject property is not located in a Development Permit Area, but staff are recommending that the property be included in the Downtown Multiple Family DPA to ensure the form and character of the buildings and landscaping are of high quality.		

Analysis

Zoning Amendment

Support Zoning Amendment Bylaw No. 2019-05

The OCP states that “when reviewing applications to allow duplexes within the LR designation, Council and staff should consider overall neighbourhood character and locating duplexes in areas that meet the following guidelines:”

- areas with existing duplexes;
- areas in close proximity to multiple family, commercial or institutional uses.
- predominately in single family areas undergoing redevelopment.
- duplexes shall have a high aesthetic value and be consistent with the character of the recipient neighbourhood.

With those guidelines in mind, staff can provide the following points:

- The surrounding neighbourhood features several duplex and multi-family zoned properties. More specifically, two duplexes are being constructed on both 453 and 461 Eckhardt Avenue West.
- The proposed development is in close proximity to commercial zoned properties as well as King’s Park, and transit routes
- The proposal is in a neighbourhood of an older building stock, with some minor development occurring in the form of exterior renovations and duplex construction.
- The conceptual renderings submitted with the application are of high aesthetic value with hardi-board and large picture windows. The elevations feature multiple projections, adding visual interest to the building. The design will be controlled by the development permit process, ensuring a high quality product that will fit-in with the surrounding neighbourhood.

Furthermore, Staff considers this development to be an appropriate use of the land for the following reasons:

- According to the City’s OCP, residential development should be accommodated through infill development. Set in an area with a combination of single family homes, multiple family homes, and small scale commercial uses, this application encourages a mixed range of housing, types, tenures and densities;

The plan supports residential intensification near commercial activities and institutional facilities (for example, the SOEC and King's Park) and supports densification in areas where existing services can accommodate higher densities.

The proposed rezoning allows for two sizeable duplexes to be constructed with no variances to City bylaws. Under the current R2 (Small Lot Residential) zone, a new three-storey single family dwelling could be constructed with a footprint of 3000ft², and could include a secondary suite or a two-storey carriage house. The carriage house could be setback 1.5m from the rear lane, which would have a larger impact on the neighbours to the south than the 12.0m rear setback for the proposed duplexes. If the rezoning is approved and the developer does not decide to follow through with the development, the existing single-family dwelling will still conform to the bylaw.

Given the information presented above, staff recommends that Council support "Zoning Amendment Bylaw No. 2019-05" and forward the application to the March 5, 2019 Public Hearing for comments from the public.

Deny/Refer Zoning Amendment

Council may consider that the proposed amendment is not suitable for this site and that the zoning shall remain as single family in which a carriage house could be built. If this is the case, Council should deny the bylaw amendment. Staff do not recommend this approach, as City policy clearly supports the proposal.

Alternatively, Council may wish to refer the matter back to staff to work with the applicant with any direction that Council considers appropriate.

OCP Amendment

Support OCP Amendment Bylaw No. 2019-06

Including the property in a development permit (DP) area means that City staff can hold the developer to a high standard when it comes to landscaping and form and character (building material types, etc). Not including the property in a DP area could result in a re-design that maximizes the three full storey height, with vinyl siding and inadequate landscaping. Staff are recommending to include the property in the Downtown Multiple Family DP area to ensure the design is retained similarly as proposed and a professional landscape plan is submitted, along with a deposit for the landscape costs.

The Downtown Multiple Family Development Permit Area guidelines are intended to address the form and character of new multi-family buildings. The objective of these guidelines, according to the OCP, is to "ensure that the citing, form, character and landscaping of new multi-family development and exterior renovations and additions to existing buildings in the downtown area are compatible with the context of the traditional neighbourhood character in some downtown neighbourhoods."

Deny/Refer OCP Amendment

Council may feel that it is not necessary to include the subject property in a DP area. If this is the case, Council should deny the bylaw amendment.

Alternate Recommendations

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2019-05" and deny first reading of "OCP Amendment Bylaw No. 2019-06."
2. THAT Council support first reading of "Zoning Amendment Bylaw No. 2019-05," but deny first reading of "OCP Amendment Bylaw No. 2019-06."
3. THAT Council support first reading of the bylaws with conditions.
4. THAT Council refer the bylaws back to staff.

Attachments

Attachment A:	Subject Property Location Map
Attachment B:	Zoning Map
Attachment C:	OCP Map
Attachment D:	Photos of Subject Property
Attachment E:	Conceptual Site Plan
Attachment F:	Subdivision Plan
Attachment G:	Conceptual Elevations
Attachment H:	Conceptual Floor Plans
Attachment I:	Letter of Intent
Attachment J:	Zoning Amendment Bylaw No. 2019-05
Attachment K:	Official Community Plan Amendment Bylaw No. 2019-06

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS 	Acting CAO LD
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Figure 1: Subject Property Location Map



Figure 2: Zoning Map



Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: North view of subject property (from Eckhardt Avenue West)



Figure 5: North View showing western portion of property



Figure 6: North view showing neighbour to the east



Figure 7: South View (from the lane)

Attachment E – Conceptual Site Plan

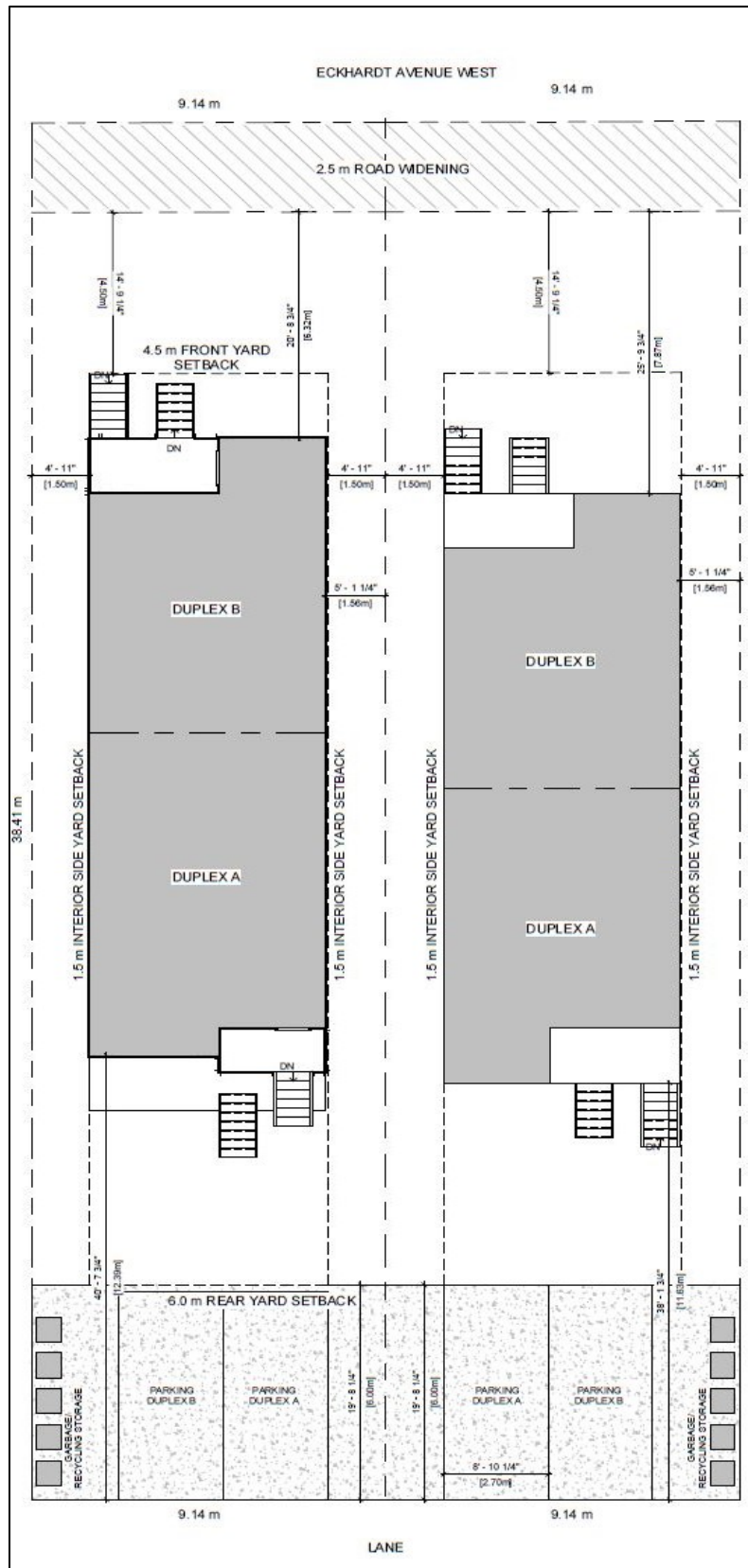


Figure 8: Conceptual Site Plan

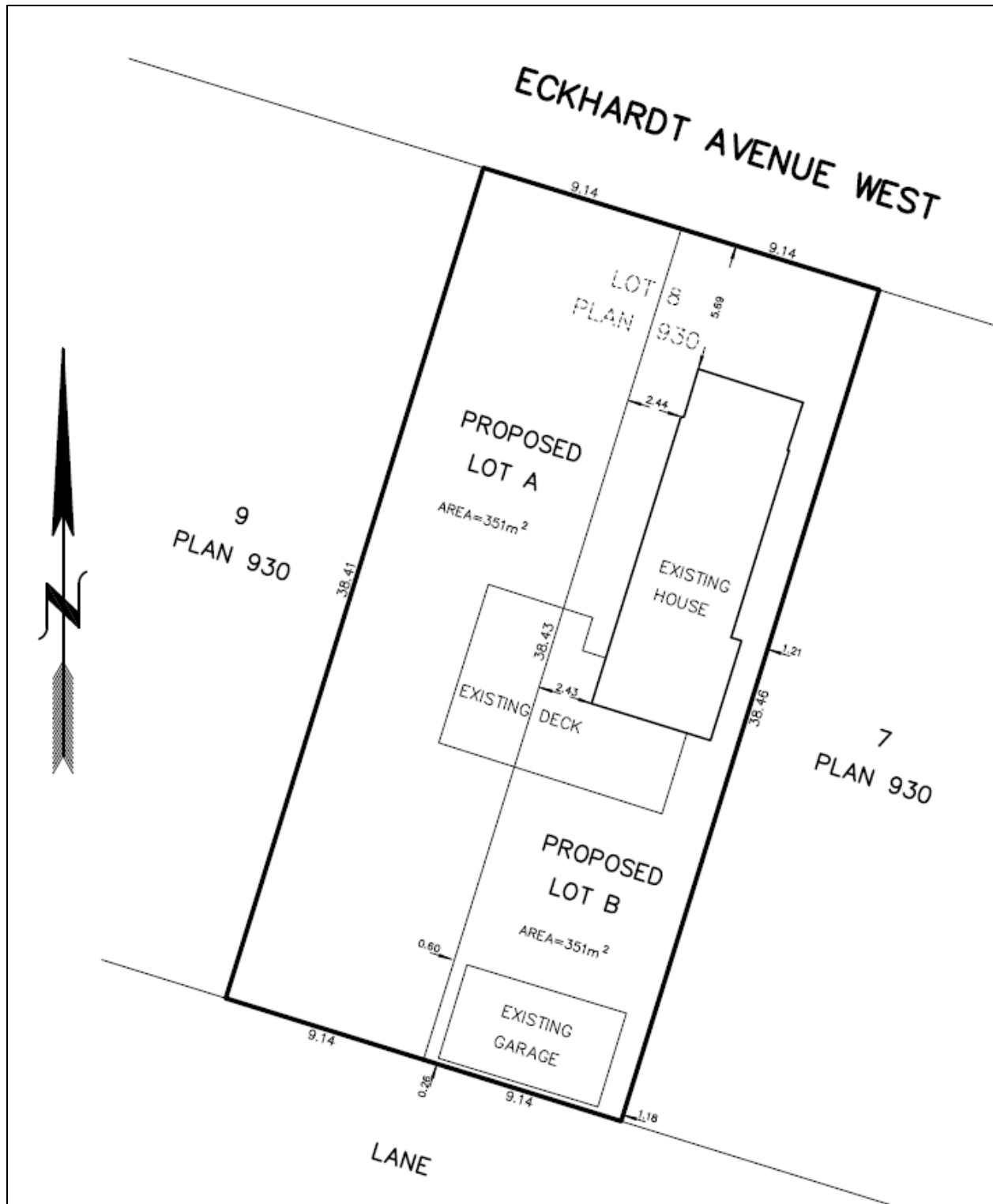


Figure 9: Subdivision Plan

Attachment G – Conceptual Elevations

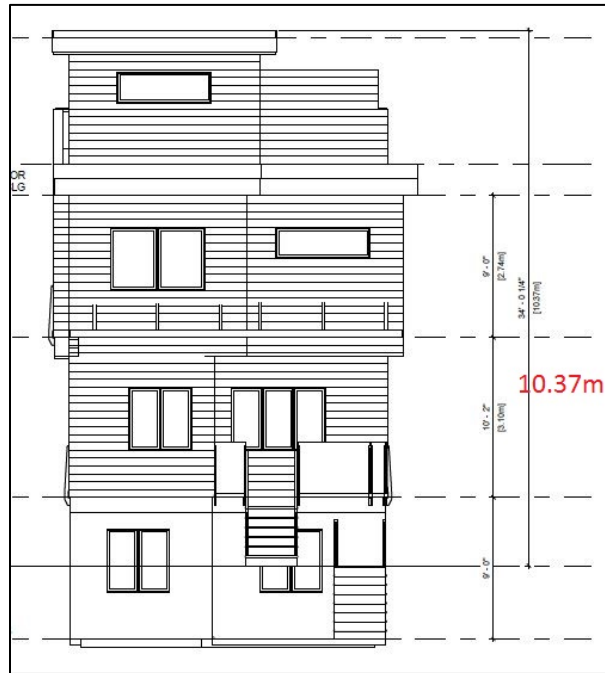


Figure 10: North Elevation (from Eckhardt Ave W)

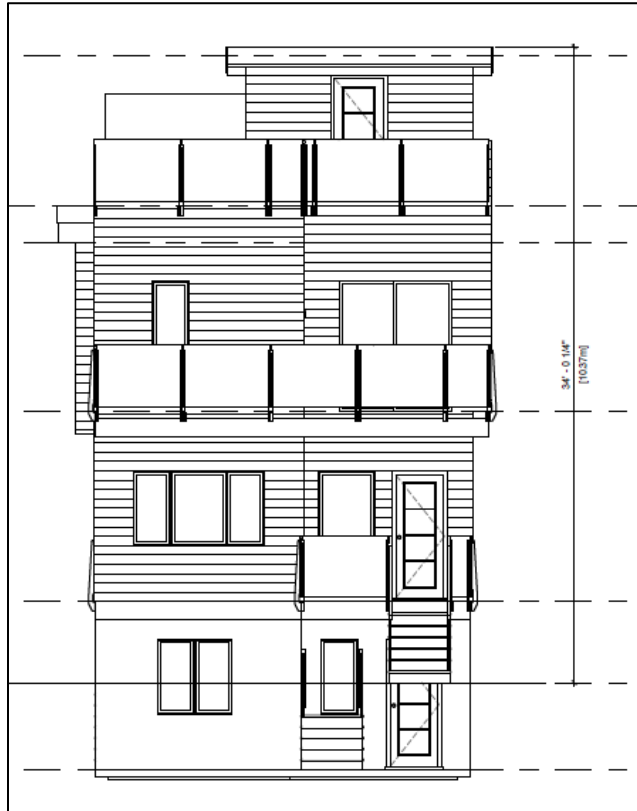


Figure 11: South Elevation (from the lane)

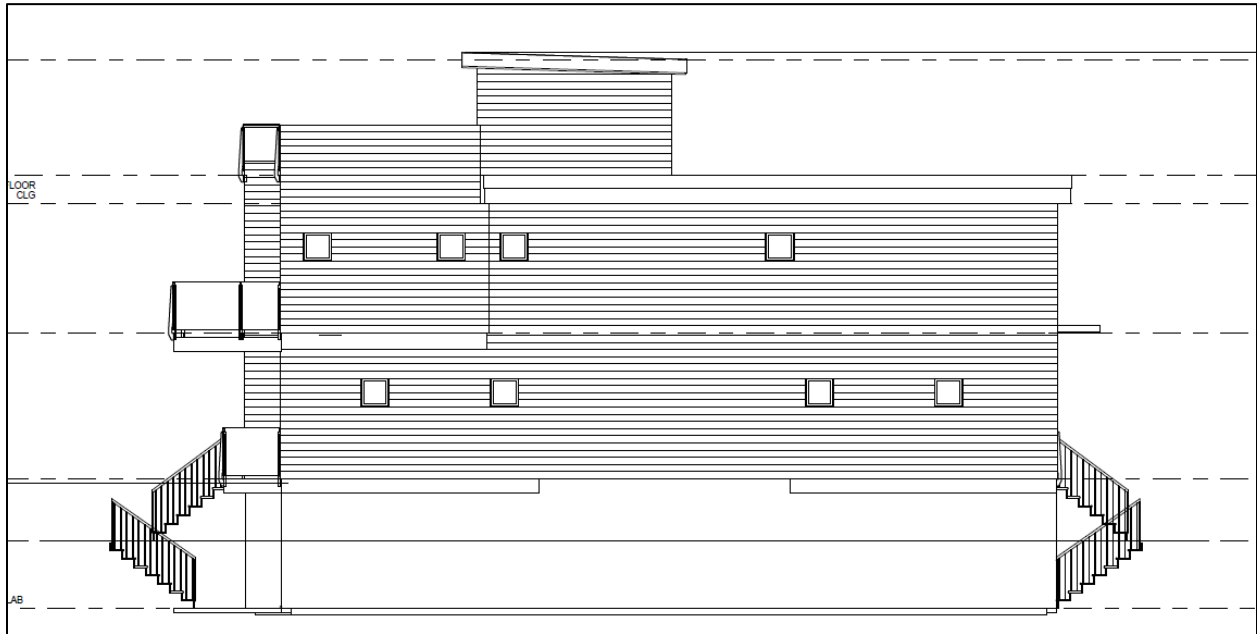


Figure 12: East elevation

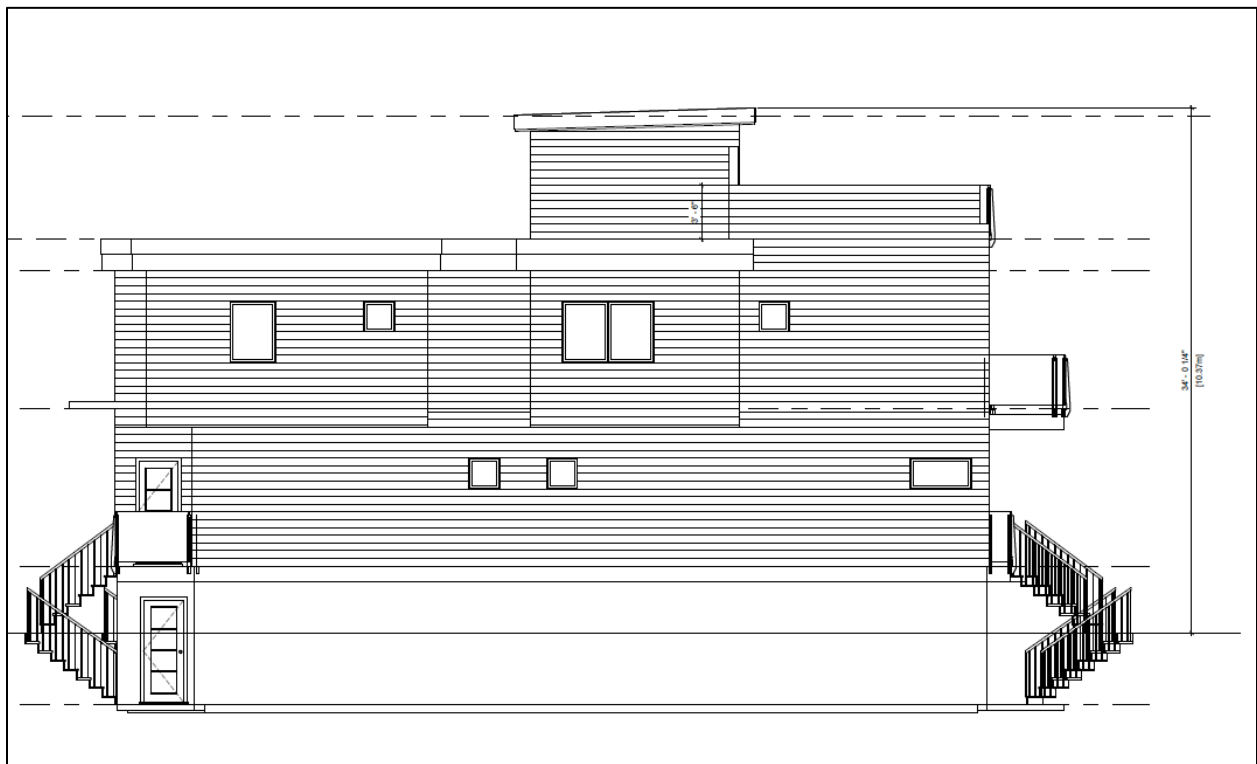


Figure 13: West Elevation

Attachment H – Conceptual Floor Plans

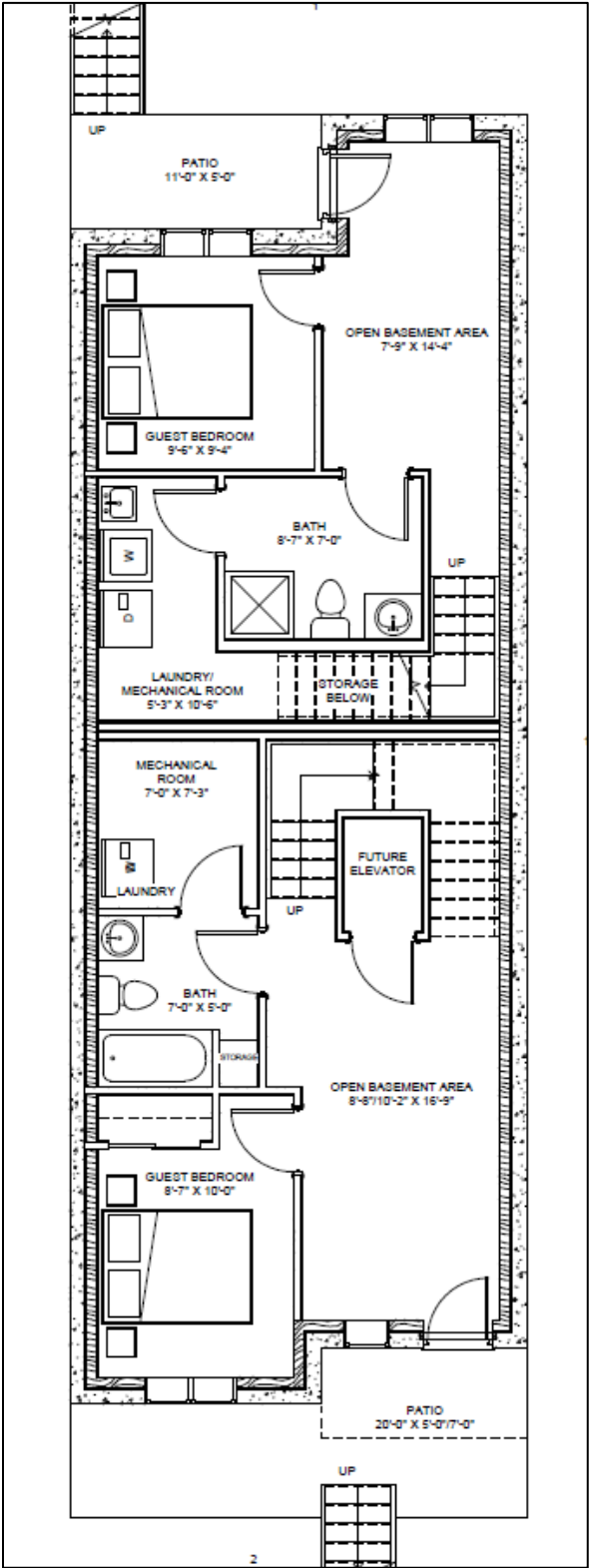


Figure 14: Basement Floor Plan

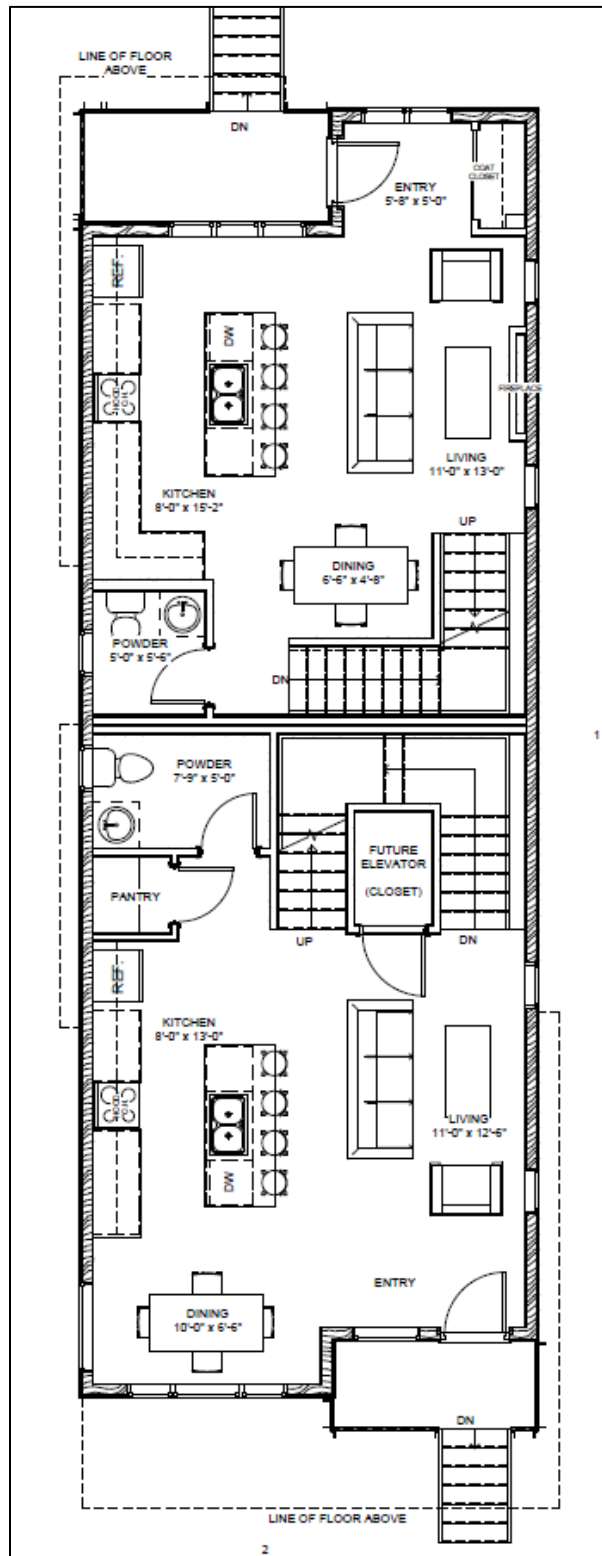


Figure 15: Main Floor Plan

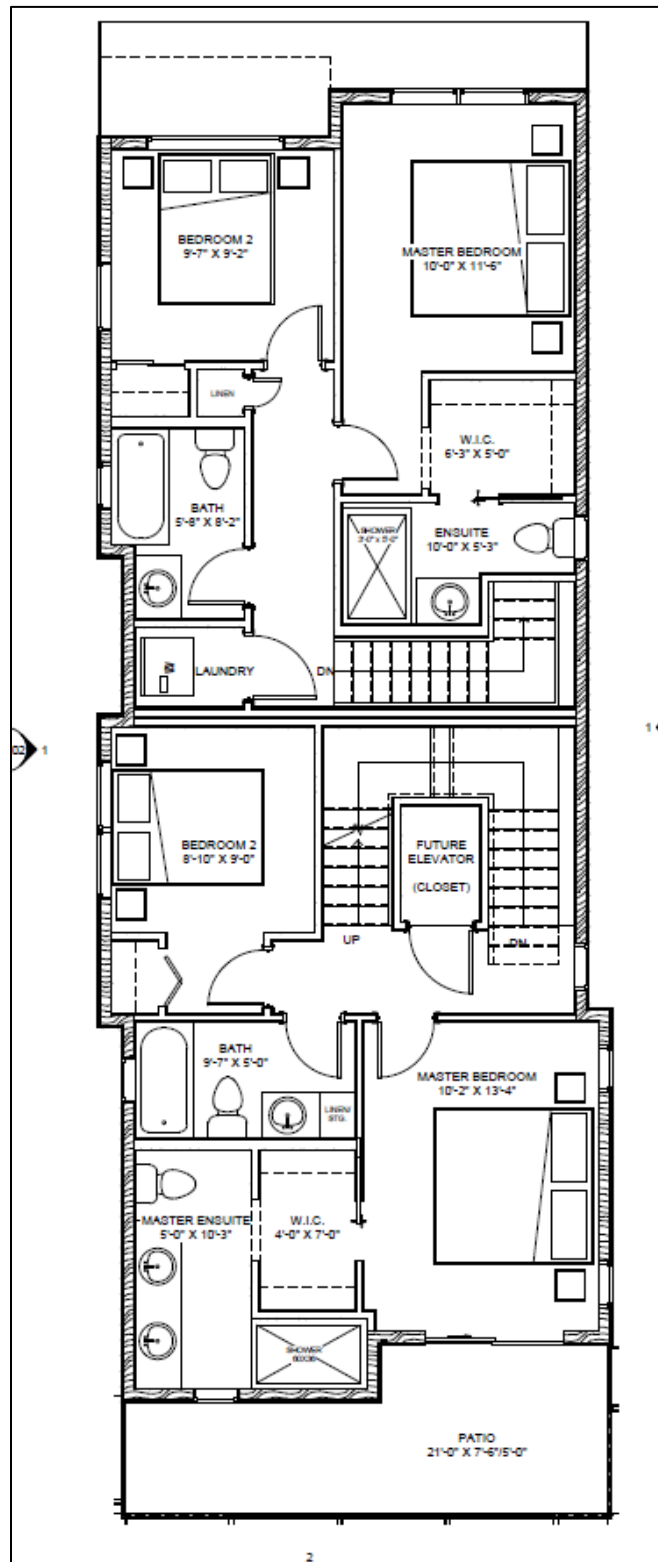


Figure 16: Second Storey Plan

Attachment I - Letter of Intent



December 21, 2018

City of Penticton Council
City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Re: Subdivision and Rezoning Application for 484 Eckhardt Ave W

On behalf of the owner of 484 Eckhardt Ave W, we are respectfully providing supporting documentation for the rezoning and subdivision of the property.

The property is currently zoned as R2 Small Lot Residential and classified as Low Density Residential in the Official Community Plan (OCP). The intent of the property is to rezone to RD2 Duplex Housing Lane and subdivide the property into two lots in order to build a duplex on each new lot. Our request to rezone to RD2 not only aligns with the intent of the OCP but we are also aware of the existing single family buildings adjacent to the property and have design the building height with this in mind.

As per the current design we are not requesting any variances and there is ample parking provided of the lane as well as yard space for the occupants.
We are also aware that the City will be requesting a 2.9 m road widening dedication along the Eckhardt Ave W frontage and is noted on the drawings accordingly.

If you have any questions or require additional information, please contact my office.

Regards,

A handwritten signature in dark ink, appearing to read 'H. Shedden'.

Heather Shedden
MCIP, RPP, BAAID
PO Box 1105
Summerland BC V0H 1Z0
250.486.1481
heather@pspace.ca

Figure 17: Letter of Intent

Rezone 484 Eckhardt Avenue West
From R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2019-05

Date: _____

Corporate Officer: _____

Bylaw No. 2019-06

484 Eckhardt Avenue West

To amend Schedule 'H' Development Permit Area Map of the City's OCP,
to include the subject property in the Downtown Multiple Family
Development Permit Area



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2019-06

Date: _____

Corporate Officer: _____