

November 7, 2019

Subject Property:

308 and 310 Abbott Street

Lot 3 and Lot 4, Block 30, District Lot 202, Similkameen
Division Yale District Plan 479

Application:

Development Variance Permit PL2019-8529

To facilitate the construction of a front-to-back duplex with suites on each property, the applicants have applied to vary the following sections of Zoning Bylaw 2017-08:

1. Section 10.6.2.3: Increase the maximum lot coverage from 40% to 42%; and
2. Section 6.5 (Table 6.5): Decrease the required number of parking spaces from 4 to 3.

Information:

The staff report to Council and Development Variance Permit PL2019-8529 will be available for public inspection from **Friday, November 8, 2019 to Tuesday, November 19, 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:

Council will consider this application at its Regular Council Meeting scheduled for **6:00 pm, Tuesday, November 19, 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, November 19, 2019** to:

Attention: Corporate Officer, City of Penticton

171 Main Street, Penticton, B.C. V2A 5A9

Email: corpadmin@penticton.ca

No letter, report or representation from the public will be received by Council after the conclusion of the November 19, 2019 Council Meeting.

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

Date: November 19, 2019
To: Donny van Dyk, Chief Administrative Officer
From: Nicole Capewell, Planner 1
Address: 308 and 310 Abbott Street

Subject: Development Variance Permit PL2019-8529
Development Permit PL2019-8530 (308 Abbott Street)
Development Permit PL2019-8531 (310 Abbott Street)

File No: PRJ 2019-081

Staff Recommendation

Development Variance Permit

THAT Council approve "Development Variance Permit PL2019-8529", for Lots 3 and 4, Block 30, District Lot 202, Similkameen Division Yale District, Plan 479, located at 308 and 310 Abbott Street, a permit to increase the maximum lot coverage from 40% to 42%, and to decrease the minimum number of required parking spaces from 4 to 3, to support a duplex development with suites.

AND THAT staff be directed to issue "Development Variance Permit PL2019-8529"

Development Permit

THAT Council, subject to issuance of "Development Variance Permit PL2019-8529", approve "Development Permit PL2019-8530", for 308 Abbott Street and "Development Permit PL2019-8531", for 310 Abbott Street, permits to allow for the construction of front-to-back duplexes with suites.

Strategic priority objective

Community Design: The City of Penticton will attract, promote and support sustainable growth and development congruent with the community's vision for the future.

Background

The subject properties (Figure 1 – Location Map) are zoned RD2 (Duplex Housing: Lane) and are designated in the City's Official Community Plan as 'Infill Residential'. 'Infill Residential' is described as "transitional lower-height residential areas with new housing types compatible with existing single detached houses in character and scale but providing more units per lot." Building types that are supported by this OCP

designation include single detached homes with or without suites and/or carriage houses, duplexes with or without suites, triplexes, low density rowhouses, and small scale neighbourhood commercial. Each of the subject properties are approximately 736 m² in area, and an older stock single family dwelling is currently built across both lots (straddling lot line). This area of the city is primarily made up of duplex and low density multifamily zoning, as indicated in Attachment 'A' – Zoning Map. This area of the City is within walking distance of the downtown, Okanagan Lake, and is located near the KVR Trail and Penticton Creek.

The applicant(s) intend to demolish the existing structure on the property and reconstruct two new duplexes. Applicable demolition and building permits will be required prior to any works occurring. The proposal for a duplex with suites is in line with the OCP designation of 'infill residential'.

Proposal

The applicant(s) are proposing to construct two new duplexes with suites at 308 and 310 Abbott Street. In order to do so, the applicant is requesting a Development Variance Permit to vary the following sections of Zoning Bylaw No. 2017-08:

1. Section 10.6.2.3: increase the maximum lot coverage from 40% to 42%; and
2. Section 6.5 (Table 6.5): decrease the required number of parking spaces from 4 to 3.

Secondly, the property is considered within the Intensive Residential Development Permit Area and requires approval for the form and character of the proposed development prior to construction. This has been included for Council's consideration.

Financial implication

This application does not pose any financial implications to the City. Development costs are the responsibility of the applicant.



Figure 1 - Location Map



Figure 2 - Front Rendering of Proposed Duplexes

Technical Review

This application was reviewed by the City's Technical Planning Committee. Servicing and building code requirements have been identified to the applicant(s) and will be addressed as part of the building permit process. It is the property owner(s) responsibility to provide services and/or upgrade existing services as required. Staff have reviewed the heritage value of the subject property and confirmed that it is not listed on any heritage lists.

It was noted that the subject properties contain several mature trees in the front yard. These trees were confirmed by the City to be located on private property. The applicant(s) submitted an arborist report, which recommended the removal of the trees prior to work commencing, as the development (demolition and construction) would impact the health of the trees and compromise the root system. The proposed site plan will include the new planting of trees within the front yard setback, in addition to a full landscape plan for the new development.

Development Statistics

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

	RD2 Zone	Provided on Plans
Maximum Lot Coverage:	40%	42 % – Variance Requested
Maximum Density:	0.95 Floor Area Ratio (FAR)	0.81 Floor Area Ratio (FAR)
Vehicle Parking:	4 (1 per unit, plus 1 per suite)	3 – Variance Requested
Required Setbacks Front Yard (Abbott Street): Interior Side Yard (north): Interior Side Yard (south): Rear Yard (east):	4.5 m 1.5 m 1.5 m 6.0 m	4.5 m 1.5 m 1.5 m 6.0 m
Maximum Building Height	10.5m	8.22 m

Analysis

Development Variance Permit

Approve Development Variance Permit

When considering a variance to a City bylaw, staff encourages Council to be mindful as to whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable.

The proposed variances and staff's analysis on each are as follows:

1. Section 10.6.2.3: to increase the maximum lot coverage from 40% to 42%.
 - The applicant is requesting a variance for the construction of a front-to-back duplex with suites. To accommodate the construction of the proposed plans, the maximum lot coverage is required to be varied.
 - The applicant has identified that the small increase to the lot coverage, from 40% to 42% results in approximately 42 sq. ft. of additional floor space, which is used to create a more practical third bedroom on the second floor. The increase results in a larger third floor and is cantilevered over the lower levels, not resulting in any reduction in yard space below.
 - The slight increase in lot coverage could be attributed to creating more desirable and functional units, while creating an appealing modern design presented towards the street.

Staff consider the request to increase the lot coverage from 40% to 42% is reasonable and results in more livable space by creating a third bedroom within the units. The result of the variance being approved would have no negative impacts on the surrounding area. As such, staff recommend that Council support the variance.

Should Council choose to deny this variance, the applicant would be required to redesign the building, which would likely result in the loss of the third bedroom.

2. Section 6.5 (Table 6.5): to decrease the required number of parking spaces from 4 to 3.

- Although the proposed development falls one parking space short of the required number, there is enough space for at four on-street parking spaces directly in front of the subject lots on Abbott Street (See Figure 3). On-street parking also exists along Nanaimo Avenue. This area is well served by on-street parking.
- The housing needs assessment, completed in 2017, recommends the development of smaller units to enhance the supply of affordable rental units.
- The proposed parking variance would reduce the requirement for parking for one of the suites in each of the duplexes. The proposed suites are one-bedroom units, which are desirable rental units within the downtown area of the City.
- The proposed development is within walking distance of the City's downtown core. Further, as detailed within the applicant's letter of rationale (Attachment 'E'), the development is located in an area well served by City transit and connected to the City's active transportation trail network, making it easy to live without a personal vehicle.



Figure 3 - On Street Parking

- The City's Official Community Plan provides policy support for encouraging development near existing amenities and services, and encouraging the use of alternative modes of transportation:
 - o OCP Policy 4.2.1.7 Promote walking, cycling and transit use through strategic land use planning that facilitates denser, attractive, mixed-use communities that are rich in amenities.
- Further to support the variance, the applicant(s) have created a design that includes scooter and bike parking at the rear of the development. Each unit will also have its own private yard space, which can also provide location for bicycle storage.
- The subject property is located on a dead end street, which does not have high levels of traffic. There are also limits on the installation of driveways onto the street (due to zoning) and lane access, which ensures there will be room for street parking as development occurs.
- Finally, there is precedent for this type of variance in this area of the City. Developments on both Van Horne Street and Papineau Street have been developed with similar variances.

Staff consider that the requested variance for parking is reasonable and justified by the location of the development and adequate amounts of on-street parking. As such, staff recommend that Council support the variance.

Should Council choose to deny this variance, the applicant would be required to redesign the building, which would result in the loss of a secondary suite in each of the buildings.

Development Permit

Support Development Permit

The proposed development is considered within the Intensive Residential Development Permit Area, which is established to manage form and character that strengthens livability, neighborliness, and visual interest. Staff have completed an in-depth analysis of how the proposed duplexes conform to the Development Permit Guidelines. As shown within the analysis, there is a strong alignment between the plans and the intent of the Intensive Residential Development Permit Area. The development permit analysis has been attached as Attachment 'D'.

In addition to the design guidelines, the City's OCP provides the following policies which support the proposed development:

- | | |
|----------------|---|
| Policy 4.1.1.1 | Focus new residential development in or adjacent to existing developed areas. |
| Policy 4.1.3.1 | Encourage more intensive "infill" residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines. |
| Policy 4.1.4.1 | Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context. |

Policy 4.4.4.5 Explore and support initiatives to produce renewable energy, such as photovoltaic/solar (solar gardens, large and small-scale installations), heat exchange, geothermal, and district energy systems.

The City's OCP provides an analysis of the type of housing units that will need to be provided, based on growth projections.

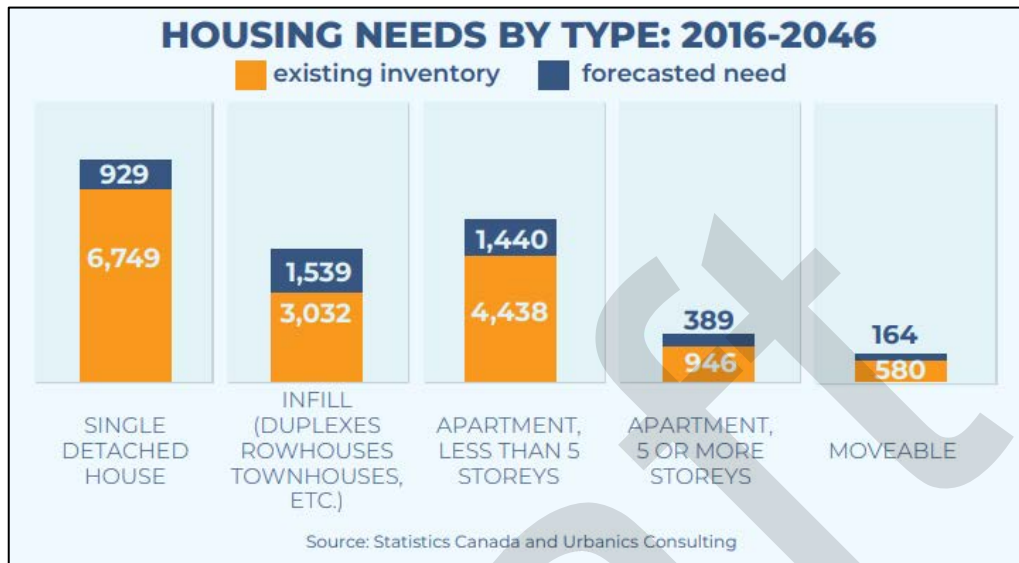


Figure 4 - Housing Needs by Type (from OCP Land Use Needs)

The OCP identifies that the greatest demand of housing type will be for duplexes and infill (rowhouses, townhouses).

The proposed development demonstrates conformance with the Intensive Residential Development Permit Area Guidelines. The proposed development is also strongly supported through OCP Policy. As such, staff recommend that Council approve the Development Permit.

Alternate recommendations

1. THAT Council direct staff to issue "Development Variance PL2019-8529" and approve "Development Permit PL2019-8530" and "Development Permit PL2019-8531" with conditions that Council feels are appropriate.
2. THAT Council direct staff to issue "Development Variance PL2019-8529" and deny "Development Permit PL2019-8530" and "Development Permit PL2019-8531".
3. THAT Council deny "Development Variance Permit PL2019-8529" and "Development Permit PL2019-8530" and "Development Permit PL2019-8531".

Attachments

Attachment A – Zoning Map of Subject Property
Attachment B – Official Community Plan Map of Subject Property
Attachment C – Images of Subject Property
Attachment D – Development Permit Analysis
Attachment E – Letter of Intent

Attachment F – Proposed Site Plan

Attachment G – Proposed Floor Plans

Attachment H – Proposed Building Elevations

Attachment I – Draft Development Variance Permit (DVP)

Attachment J – Draft Development Permit (DP)

Respectfully submitted,

Name

Title

Concurrence

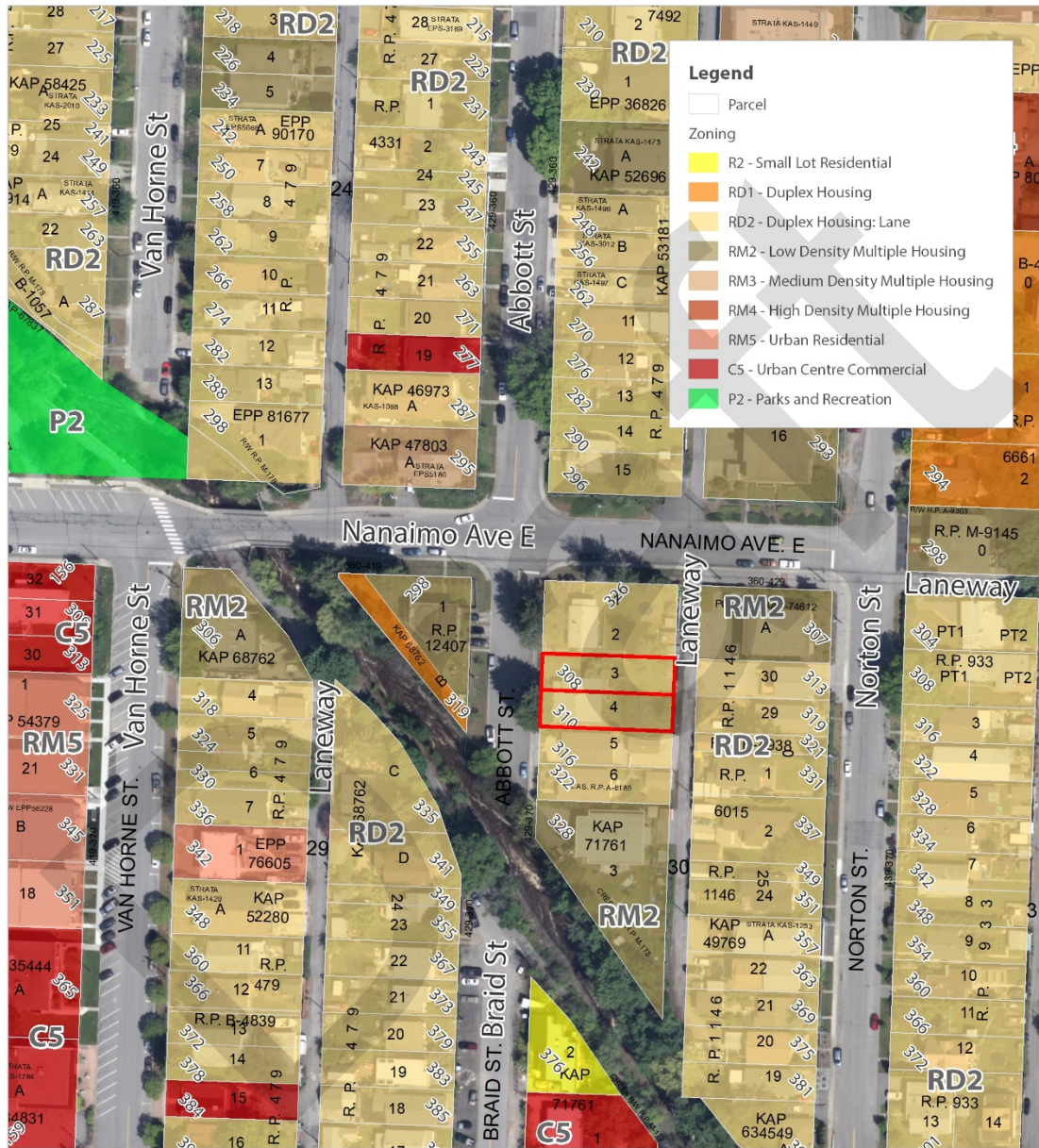
Director	Chief Administrative Officer
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Attachment A – Zoning Map of Subject Property

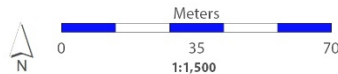


308 & 310 Abbott Street

Zoning Map



Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user of this information does so at their own risk and should not rely upon the information without independent verification as to the accuracy or suitability thereof.



Wednesday, October 9, 2019
10:31:53 AM

penticton.ca

Attachment B – Official Community Plan Map of Subject Property



308 & 310 Abbott Street

Official Community Plan Future Land Use Map



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Attachment C – Images of Subject Property





Figure 5 - Looking north along Abbott Street

Development Permit Analysis

The proposed duplexes are located within the Intensive Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with this development permit area.

- Guideline G1* Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.).
- The applicant(s) completed site analysis prior to their Development Permit submission. This would include the slopes of the subject property, which has been factored into the design of the building, as well as nearby riparian areas, and mature trees on the property.
- Guideline G5* Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.
- The proposed buildings have been designed with attractive facades facing towards the streetscape. The building has been proposed at the minimum front yard setback of 4.5m, and utilized some of the allowable projections permitted through the Zoning Bylaw. This results in an active frontage, engaging with the pedestrian scale of the public realm.
- Guideline G17* On-site parking location and design should minimize visual impact and provide safe connections for pedestrians...
- The proposed site plan has located all of the required parking to the rear of the buildings, utilizing the lane access available behind the development. This ensures safe pedestrian connections from the street to the units.
- Guideline G18* All multifamily developments should accommodate sustainable modes of transportation...
- The proposed design has provided scooter and bike parking at the rear of the property, alongside the vehicle parking spaces. Additionally, each unit is provided with private outdoor living space, which is large enough to also provide storage for bicycles.
- Guideline G23 and G24* Articulation of building mass should include horizontal (minor) setbacks and stepbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience. Balconies and/or cantilevered upper floors may be considered as a means to breaking up massing while promoting overlook and/or weather protection
- The proposed massing of the buildings includes cantilevers along the sides of the buildings (within Zoning Bylaw allowable projections), as well as a varied front façade. The front face of the building includes varying materials and stepbacks to increase visual interest.
- Guideline IR1* Building siting...should relate to those of existing neighbouring buildings.

- Currently, the existing house is situated closer to the street than neighbouring structures. The proposed duplexes would be situated at a similar distance to the neighbouring properties on either side of the subject properties.

Guideline IR2

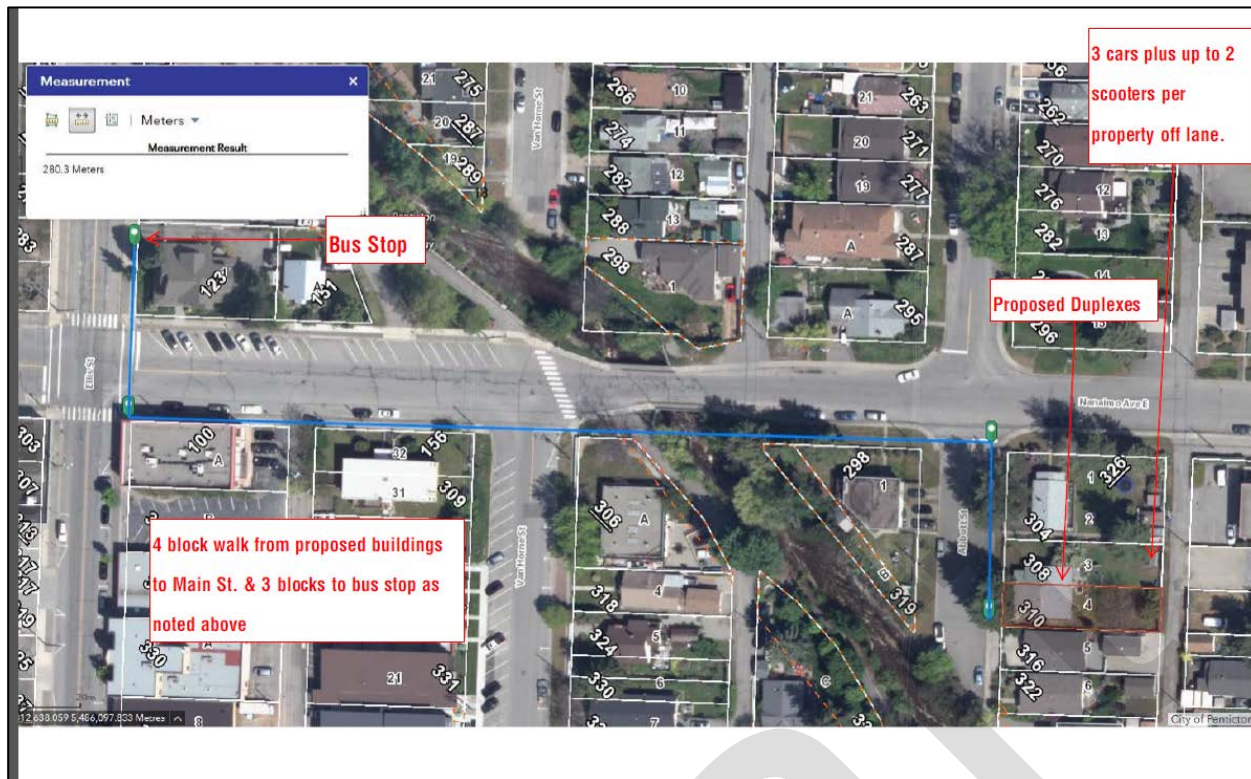
Intensive residential (infill) development should offer a diversity of housing to support objectives related to affordability and ageing in place.

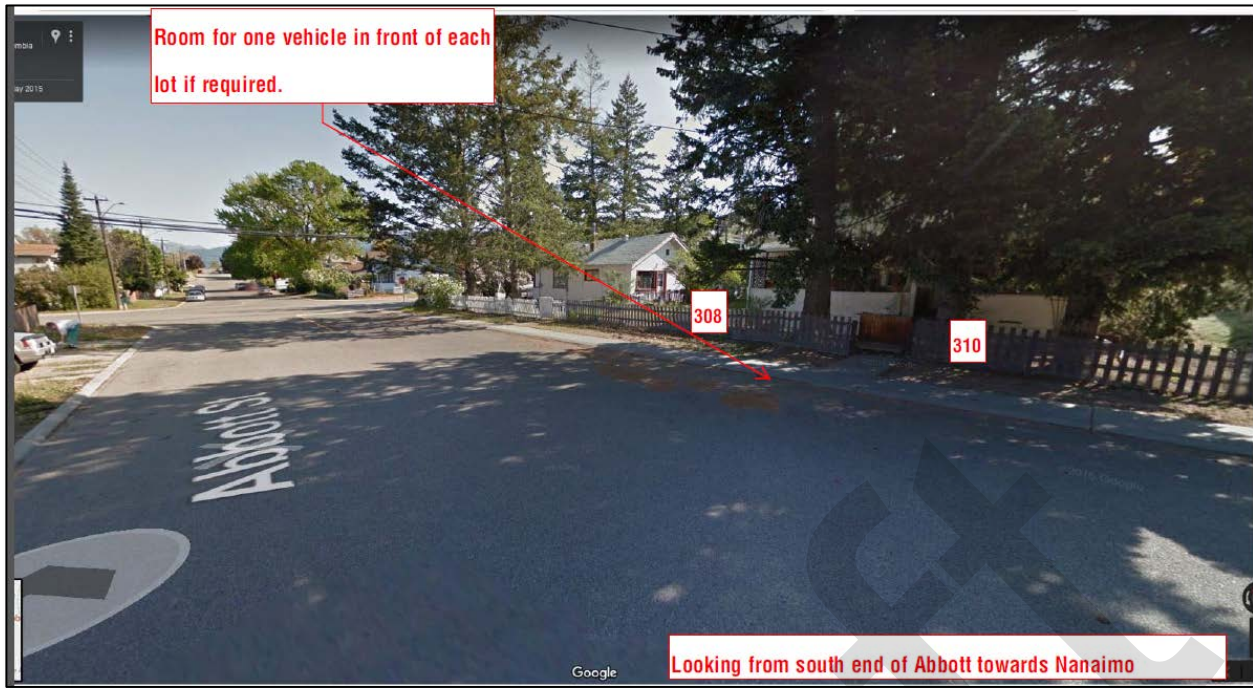
- The proposed development includes three-bedroom units within the main duplex units. The secondary suites proposed would provide one-bedroom units. Each of these units are desirable for different demographics within the City (working families, individuals, ageing in place, etc.)

Draft

Attachment E – Letter of Intent

 IRONWOOD RESIDENTIAL DESIGN	Rationale for Development Variance	
PO BOX 22024 Penticton, B.C. V2A 8L1 250-276-6440 GST # 85363 8997 RT0001	Physical Address: 203-69 Nanaimo Ave E., Penticton	Project # Date
		18-16 Oct 21 / 19
Development Variance Permit for 308 and 310 Abbott St, Penticton, B.C.		
This outline provides the supporting rationale for the attached development variance application. This rationale applies to both 308 and 310 Abbott St as the lots are identical size, side by side with the same building being constructed on each. (with the exception of them being a reversed layout to each other) Two variances are requested; one to waive the requirement for one parking stall for one of the secondary suites and the other to increase allowable site coverage by 2% (an increase of 42 square feet per duplex unit). My client is proposing to construct a front to back duplex on each of 308 and 310 Abbott St. Currently one single family home is straddling both of these single family lots. A two storey duplex will face Abbott street with basement suite and the same configuration will face the lane. The proposed duplexes will create 4 units on each lot, requiring one parking stall per unit, for a total of 4 The main duplex units (1500 sq.ft, 3 bedrooms) are intended to serve young families while the basement suite (566 sq.ft, 1 bedroom) will cater to a single professional. Three full sized stalls and a scooter / motorcycle sized stall are provided on the lane. Fenced yards are provided for secure bicycle storage as well. It is anticipated the bachelor sized suite would be rented by a single person working downtown who would not require a car as the proposed development is within 4 blocks of Main and Nanaimo. It is also just 3 blocks from the bus stop on Ellis as shown on the attached map. In the event they did have a vehicle, there is currently space for one car to park in front of the building on the street which is used by the occupants of the existing house. (3 cars in total can fit on the street in front of these two properties) Suite tenants will also have their own covered, lower level patios for locking bikes if required. Main level duplex units will have access to their own secure, fenced yards with ample space for bicycles storage. As seen the attached images, this dead end of Abbott is typically fairly quiet and the proposed home on Nanaimo and Abbott will not have it's driveway off Abbott St., still allowing parking beside it up to Nanaimo. By granting a variance to reduce the required parking by one stall, it will guarantee each duplex can have an income suite which will help greatly towards a mortgage payment. Without the variance, the suite would be lost. The requested small increase in site coverage is to allow for a third bedroom on the second floor. It is supported on a post and beam structure (does not take away yard space below) which adds flair to the architectural style of the building. It makes for a far more desirable / useable unit and it would require the removal of this bedroom if the variance were not granted. Thank you for your consideration of the application. Any questions or concerns can be directed to : Dave Sutton Building Designer 250-276-6440		
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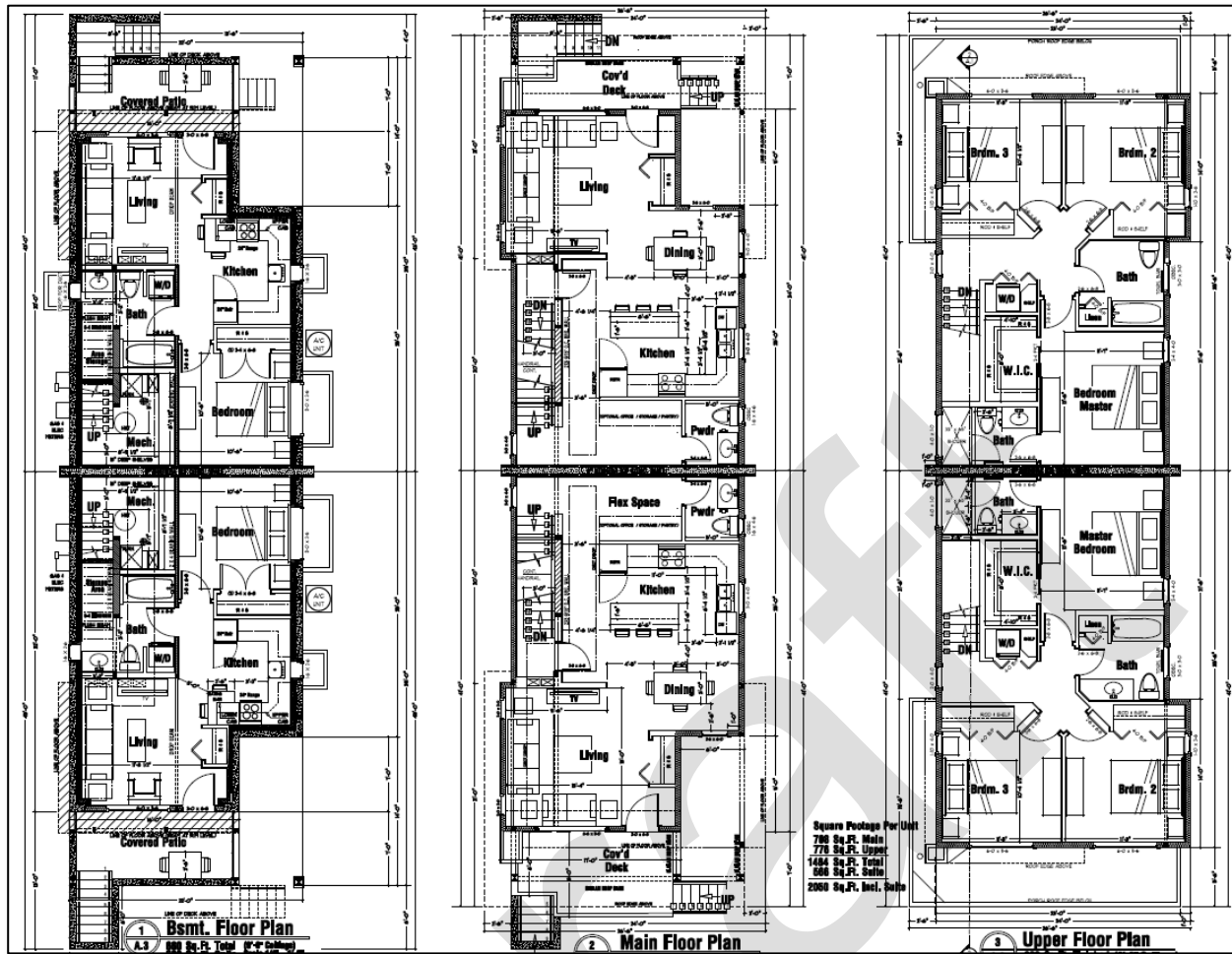




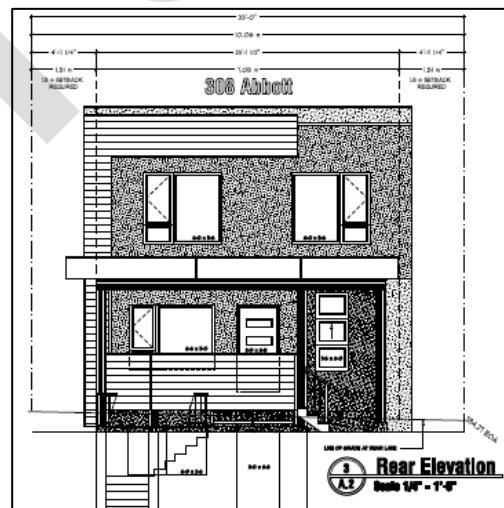
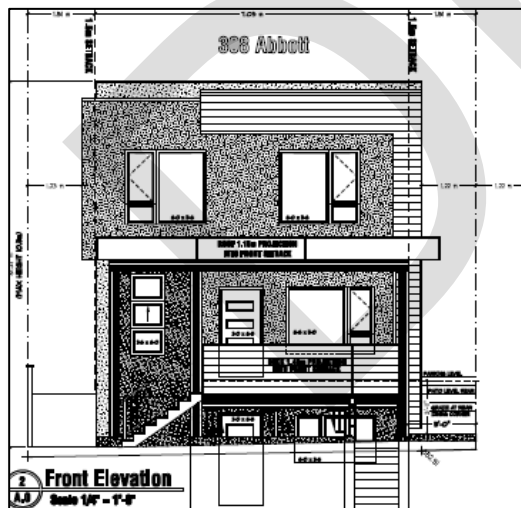
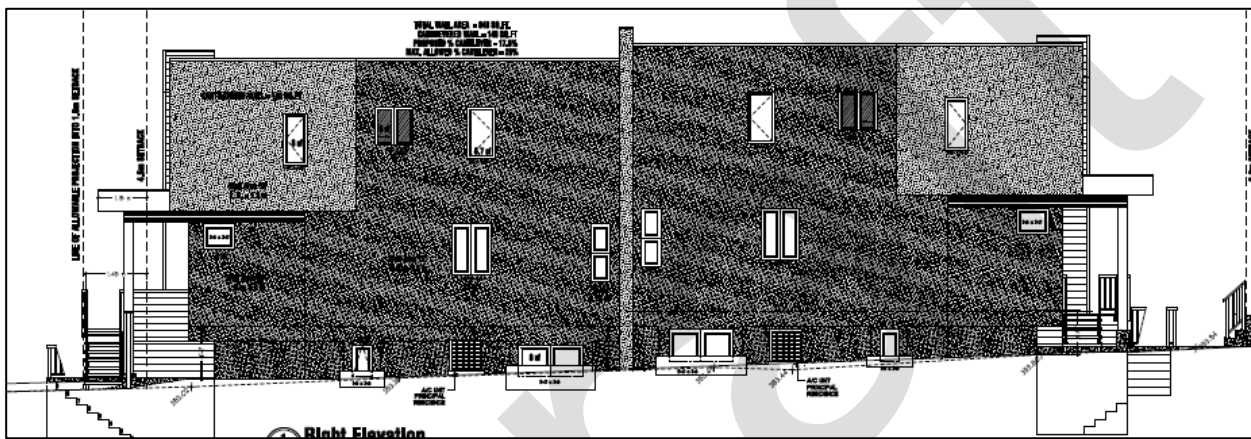
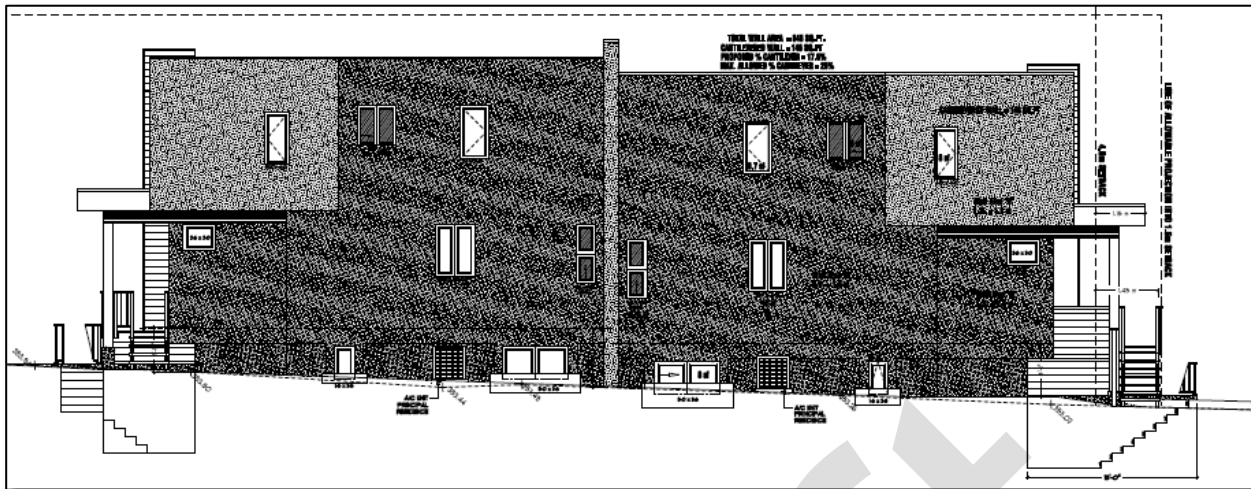
Attachment F – Proposed Site Plan



Attachment G – Proposed Floor Plans



Attachment H – Proposed Building Elevations





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

Development Variance Permit

Permit Number: DVP PL2019-8529

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: Lots 3 and 4 District Lot 202 Similkameen Division Yale District Plan 479
Civic: 308 and 310 Abbott Street
PID: 002-963-981
002-964-007
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 duplex with suites:
 1. Section 10.6.2.2: to increase the maximum lot coverage from 40% to 42%; and
 2. Section 6.5 (Table 6.5) to decrease the required number of parking spaces from 4 to 3.

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 _____, 2019.

Issued this _____ day of _____, 2019.

Angela Collison,
Corporate Officer

DRAFT



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

Development Permit

Permit Number: DP PL2019-8530

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 3 District Lot 202 Similkameen Division Yale District Plan 479
Civic: 308 Abbott Street
PID: 002-963-981
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a duplex with suites as shown in the plans attached in Schedule 'A'.

General Conditions

4. 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'.
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.**
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Authorized by City Council, the _____ day of _____, 2019.

Issued this ____ day of _____, 2019.

Angela Collison,
Corporate Officer

DRAFT