Public Notice

penticton.ca

March 5, 2020

Subject Properties:
1106, 1112, 1118, 1124 and 1130 Syer Road

Lots 126, 127, 128, 129 and 130, District Lot 2710, Similkameen Division, Yale District, Plan KAP92932

Applications:
The applicant is proposing to construct stacked duplexes on five (5) lots in the Sendero Canyon neighbourhood, for a total of 10 residential units.

To facilitate the proposal, the applicant has applied for the following:

Subject Property Map

1. **Rezone PL2019-8661**
   Rezone the above mentioned properties from R2 (Small Lot Residential) to RD1 (Duplex Housing).

2. **Development Variance Permit PL2020-8705**
   To vary the following sections of Zoning Bylaw 2017-08 to allow for the construction of an up-down duplex on each of the above mentioned properties.

   a. Section 10.5.2.7.i to reduce the minimum rear yard from 6.0m to 0.6m (1106, 1112, 1118, 1124 and 1130 Syer Road).

   b. Section 10.5.2.4.i to increase the maximum building height from 10.5m to 12.87m (1106 Syer Road).

   c. Section 10.5.2.4.i to increase the maximum building height from 10.5m to 11.02m (1130 Syer Road).

Information:
The staff report to Council, Zoning Amendment Bylaw 2020-06 and Development Variance Permit PL2020-8705 will be available for public inspection from **Friday, March 6, 2020 to Tuesday, March 17, 2020** at the following locations during hours of operation:

- Penticton City Hall, 171 Main Street (8:30 am to 4:30 pm, Mon. to Fri., excluding statutory holidays)
- Penticton Library, 785 Main Street
- Penticton Community Centre, 325 Power Street

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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 17, 2020** 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 17, 2020,** 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 17, 2020 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.

Audrey Tanguay
Manager of Planning

Council Report

penticton.ca

Date: March 3, 2020 File No: RMS/Address
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner 1
Address: 1106, 1112, 1118, 1124 and 1130 Syer Road

Subject: **Zoning Amendment Bylaw No. 2020-06 and Development Variance Permit PL2020-8705**

Staff Recommendations

THAT "Zoning Amendment Bylaw No. 2020-06", a bylaw to rezone Lots 126, 127, 128, 129 and 130, District Lot 2710, Similkameen Division, Yale District, Plan KAP92932, located at 1106, 1112, 1118, 1124 and 1130 Syer Road from R2 (Small Lot Residential) to RD1 (Duplex Housing), be given first reading and be forwarded to the March 17, 2020 Public Hearing;

AND THAT delegations and submissions for "Development Variance Permit PL2020-8705" for 1106, 1112, 1118, 1124 and 1130 Syer Road, a permit to reduce the minimum rear yard setback for all subject properties and to increase the maximum building height for two properties, be received and considered at the March 17, 2020 Public Hearing.

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.

Proposal

The applicant is proposing to construct stacked duplexes on five (5) lots in the Sendero Canyon neighbourhood, for a total of 10 residential units. The applicant has submitted rezoning, development variance permit, and development permit applications in order to proceed with the proposed development. The rezoning to RD1 (Duplex Housing) is to permit the proposed duplex use. The development variance permit is to amend two of the RD1 zoning regulations based on the topography of the lots and proposed building design.

Background

The subject properties are located on the east side of Syer Road near Carmi Avenue in the Sendero Canyon neighbourhood (Attachment 'A'). The lots are accessed from a rear lane. The grade changes substantially on these five lots, resulting in the lane being approximately 13 metres (42 feet) higher than Syer Road. The grading makes development of traditional single family buildings very challenging. Surrounding land uses are residential in nature, consisting of single detached dwellings (some with secondary suites) and a townhouse development to the west on Holden Road. The subject lots are the easternmost lots within the

Sendero Canyon neighborhood. The lots are currently zoned R2 (Small Lot Residential) and are designated Detached Residential by the Official Community Plan (OCP).

The applicants are proposing to build all five duplexes at the same time to minimize construction disturbance to the neighborhood. As per the letter of intent from the applicant (Attachment 'E'), the intent for building duplexes on these lots is to improve the affordability of the units on these lots and to increase the variety of housing types in the neighborhood.

Public Consultation

On January 28, 2020, the applicant hosted an open house at the Penticton Community Centre and invited area residents to provide their feedback on the proposal. Staff attended the open house to provide information on the development approvals process and to listen to concerns and opinions of attendees. Comments raised from attendees of the open house are summarized below:

- Residents are concerned with increased traffic on Syer Road and the laneway
    - Staff note the lots were envisioned for single detached dwellings with the opportunity for secondary suites. Traffic is not anticipated to substantially increase beyond what was anticipated to be developed on the subject properties.
- Residents are concerned with having multi-family (duplex) buildings on lots originally envisioned for single family homes
    - Staff note that the current zoning allows a single detached dwelling and a secondary suite on each property. The proposed number of dwelling units is not increased.
- Residents are concerned with changes to the overall character of the neighbourhood
    - Staff note that the applicant has designed the proposed duplexes in the same style as the surrounding neighbourhood. The buildings will not appear to contain two dwelling units from the street.
- Residents feel that many homes in the area have multiple vehicles, and that the proposed parking is inadequate
    - Staff note the applicant has provided two (2) parking spaces per duplex unit, for a total of four (4) parking spaces per property; double the Zoning Bylaw requirement of one (1) parking space per duplex unit.

Other comments were raised regarding vehicle speeding and street parking in the neighbourhood in general, issues that staff consider are beyond the scope of the subject application.

Financial implication

No financial implications to the City are anticipated through this application. All development costs are the responsibility of the developer.

Development Statistics

The following table outlines the proposed development statistics on the plans submitted with the rezoning and development variance permit applications:

	Requirement RD1 Zone	Provided on Plans
Minimum Lot Width:	15 m	16 m to 18 m *
Minimum Lot Area:	540 m^2	527 m^2 to 674m^2 *
Maximum Lot Coverage:	50%	43% to 50%
Vehicle Parking:	1 space per unit	2 spaces per unit
Required Setbacks		
Front Yard (Syer Road):	4.5 m	> 6.0 m
Side Yard (north):	1.5 m	1.5 m
Side Yard (south):	1.5 m	1.5m
Rear Yard (lane):	6.0 m	0.6 m – **Variance Requested**
Maximum Building Height	10.5 m	10.3 m to 12.87 m – **Variance Requested**
Other Information:	* The minimum parcel standards only apply to new lot creation, and do not apply in the case of existing lots.	

Analysis

Rezoning

The subject properties are currently zoned R2 (Small Lot Residential). The R2 Zone does not allow duplexes as a permitted use, however it does allow a single detached dwelling with one accessory suite (either secondary suite or carriage house). The applicant is requesting to rezone the subject properties to RD1 (Duplex Housing) to accommodate the proposed duplexes. Separate ownership titles can be issued in a duplex, whereas a house with an accessory suite cannot have separate ownership titles.

Staff refer to the OCP when reviewing a rezoning application. The OCP outlines various future land use designations which provide guidance for future development. The subject properties are designated Detached Residential by the OCP. The Detached Residential designation envisions lower-density areas of single detached houses and duplexes in primarily residential neighbourhoods, as described in Figure 2 below.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Detached Residential	Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas	• Single detached houses with secondary suites or carriage houses • Duplexes • Small-scale neighbourhood commercial building (e.g., corner store, coffee shop) • Manufactured homes	• Residential • Limited retail/ service	• 1 or 2 units per lot • Generally up to 2 ½ storeys to reflect 30' maximum in Zoning Bylaw	• R1 • R2 • R3 • RD1 • RSM • C2

Figure 1 - Excerpt from the OCP Land Use Designations table

The RD1 Zone is one of the corresponding zones with the Detached Residential designation. Properties in the Detached Residential designation are anticipated to have a maximum of two dwelling units; which may consist of a house with a secondary suite, a house with a carriage house, or two duplex units on the same property.

In addition to the land use designation, the following OCP policies support this development proposal:

Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
Policy 4.1.3.1	Encourage developments that include one-bedroom and two-bedroom units in suitable neighbourhoods to enable people to downsize as they age and to provide entry-level housing for those people entering the housing market. At the same time, provide 3-bedroom units, or larger, to accommodate families.
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 4.1.5.1	Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with neighbourhood character in scale and design, and are appropriately located (e.g. greater density closer to collector roads, services and amenities).
Policy 4.1.6.1	Ensure all neighbourhoods in Penticton provide a range of appropriately-scaled housing types and tenures, employment opportunities such as home-based businesses, transportation options like walking and cycling, social supports such as childcare facilities, and access to green space and parks.

The proposed rezoning of the subject properties to RD1 (Duplex Housing) is consistent with the Detached Residential designation and is supported by the OCP policies. As such, Staff support "Zoning Bylaw Amendment No. 2020-06".

Development Variance Permit

The applicant is requesting variances from two of the RD1 Zone provisions in order to proceed with the proposed development. The requested variances are summarized below:

Address	Zoning Provision	RD1 Zone Requirement	Requested Variance
1106 Syer Road	Rear Yard Setback	6.0m	0.6m
	Building Height	10.5m	12.87m
1112 Syer Road	Rear Yard Setback	6.0m	0.6m
1118 Syer Road	Rear Yard Setback	6.0m	0.6m
1124 Syer Road	Rear Yard Setback	6.0m	0.6m
1130 Syer Road	Rear Yard Setback	6.0m	0.6m
	Building Height	10.5m	11.02m

Staff support the requested variances as they are primarily required because of the grade of the subject lots. Justification for each requested variance is outlined below.

Rear Yard Setback: The lots are located on a slope resulting in the lane being higher than Syer Road by approximately 13 metres (42 feet). The proposed buildings are set close to the lane in order to provide level vehicle access into the garages and to avoid significant regrading or driveway slopes were the buildings to be set further from the lane. No development on the opposite side of the lane is anticipated in the near future because the lands are outside City limits. This reduces the likelihood of further development or additional traffic demand on the lane. The proposed 0.6m setback is minimal, but similar to the rear setback of a detached garage were one proposed (1.2m).

Building Height: Three of the proposed buildings are within the permitted 10.5m maximum building height, however a variance is requested for the permitted building height on two properties. Building height is measured from the average grade along the lowest side of the building to either the roof peak (in the case of a flat or sloped roof) or the roof midpoint (in the case of a peaked roof). Other properties along the east side of Syer Road have similar building heights as the proposed duplexes. The duplexes are designed to have two stories of living space which is considered an appropriate scale with the surrounding neighbourhood. The variance request is primarily driven by the grade of the lots.

Based on the information above, staff recommend that delegations and submissions for "Development Variance Permit PL2020-8705" be received and considered at the March 17, 2020 Public Hearing.

Alternate recommendations

Council may consider that the proposed Zoning Bylaw amendment is not suitable or desirable. If this is the case, Council should deny first reading of the Zoning Bylaw amendment.

Council may consider that the proposed Zoning Bylaw amendment is appropriate, but that the requested variances are undesirable. If this is the case, Council should deny the development variance permit.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2020-06" and deny "Development Variance Permit PL2020-8705".
2. THAT Council give first reading to "Zoning Amendment Bylaw No. 2020-06", but deny "Development Variance Permit PL2020-8705".

Attachments

Attachment A – Location Map
Attachment B – Zoning Map of Subject Properties
Attachment C – Official Community Plan Map of Subject Properties
Attachment D – Images of Subject Properties
Attachment E – Letter of Intent
Attachment F – Letter of Rationale
Attachment G – Proposed Renderings
Attachment H – Draft Development Variance Permit
Attachment I – Zoning Amendment Bylaw No. 2020-06

Respectfully submitted,

Steven Collyer
Planner

Concurrence:

Director	A/Chief Administrative Officer
BL	JWB

CITY OF Penticton

1106 - 1130 Syer Road

Location Map

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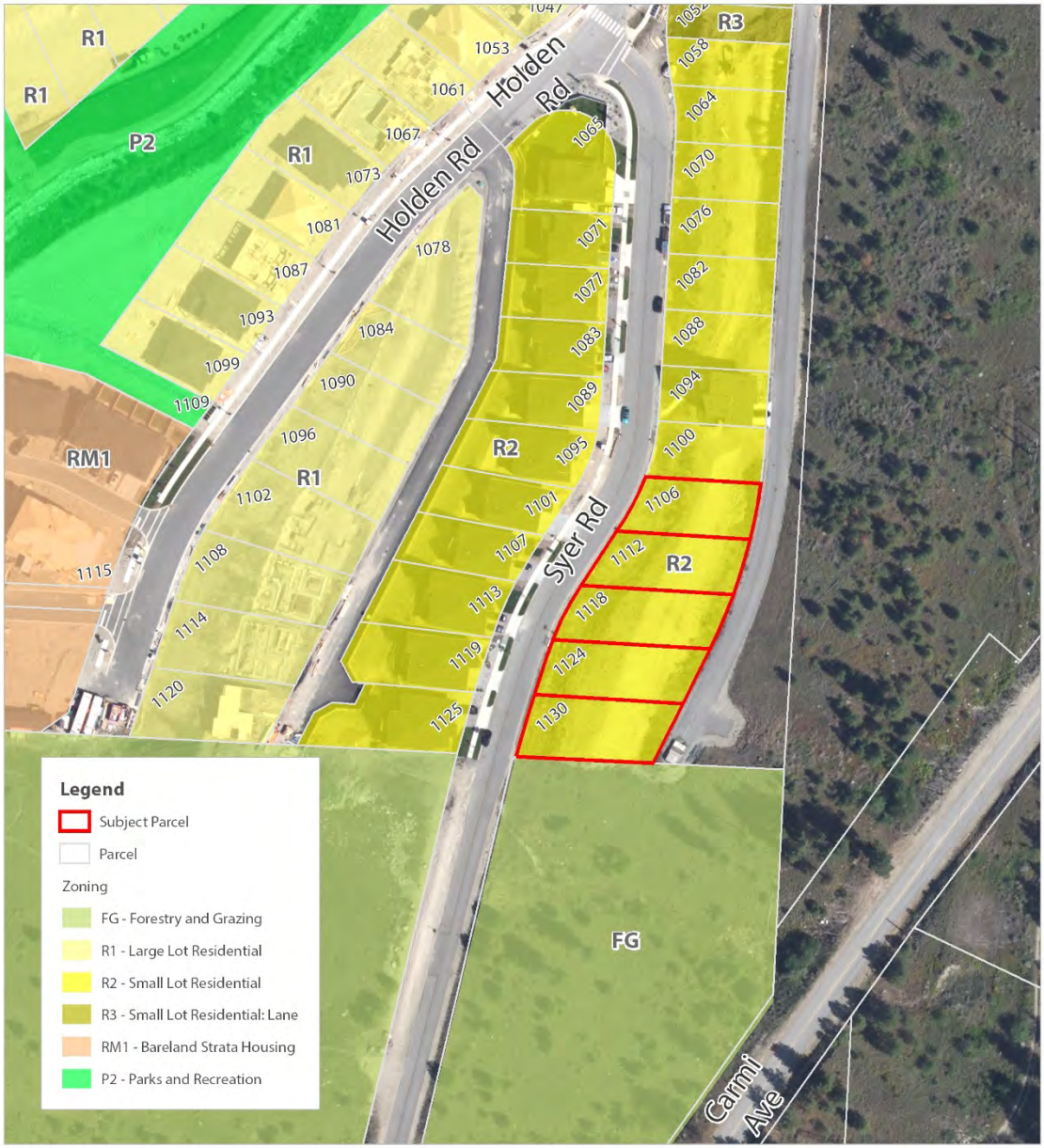
CITY OF Penticton

1106 - 1130 Syer Road

Zoning Map



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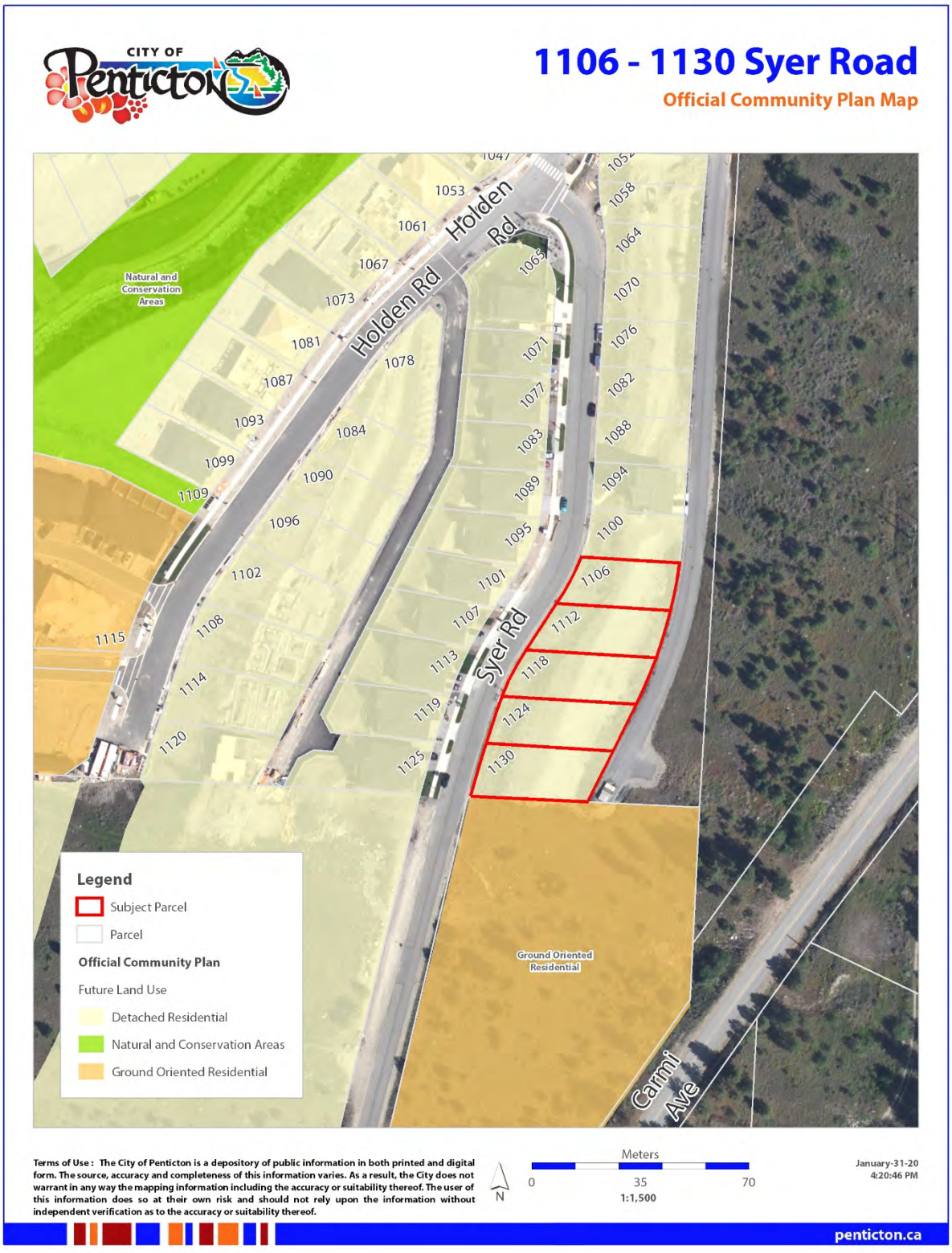
CITY OF Penticton
1106 - 1130 Syer Road
Official Community Plan Map
Holden Rd
Holden Rd
Syer Rd
Carmi Ave
Natural and Conservation Areas
Ground Oriented Residential
1047
1053
1061
1067
1073
1081
1087
1093
1099
1109
1115
1120
1125
1058
1064
1070
1076
1082
1088
1094
1100
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1112
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1124
1130
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1084
1090
1096
1102
1108
1114
1119
1107
1101
1095
1089
1083
1077
1071
1065
Legend
Subject Parcel
Parcel
Official Community Plan
Future Land Use
Detached Residential
Natural and Conservation Areas
Ground Oriented Residential
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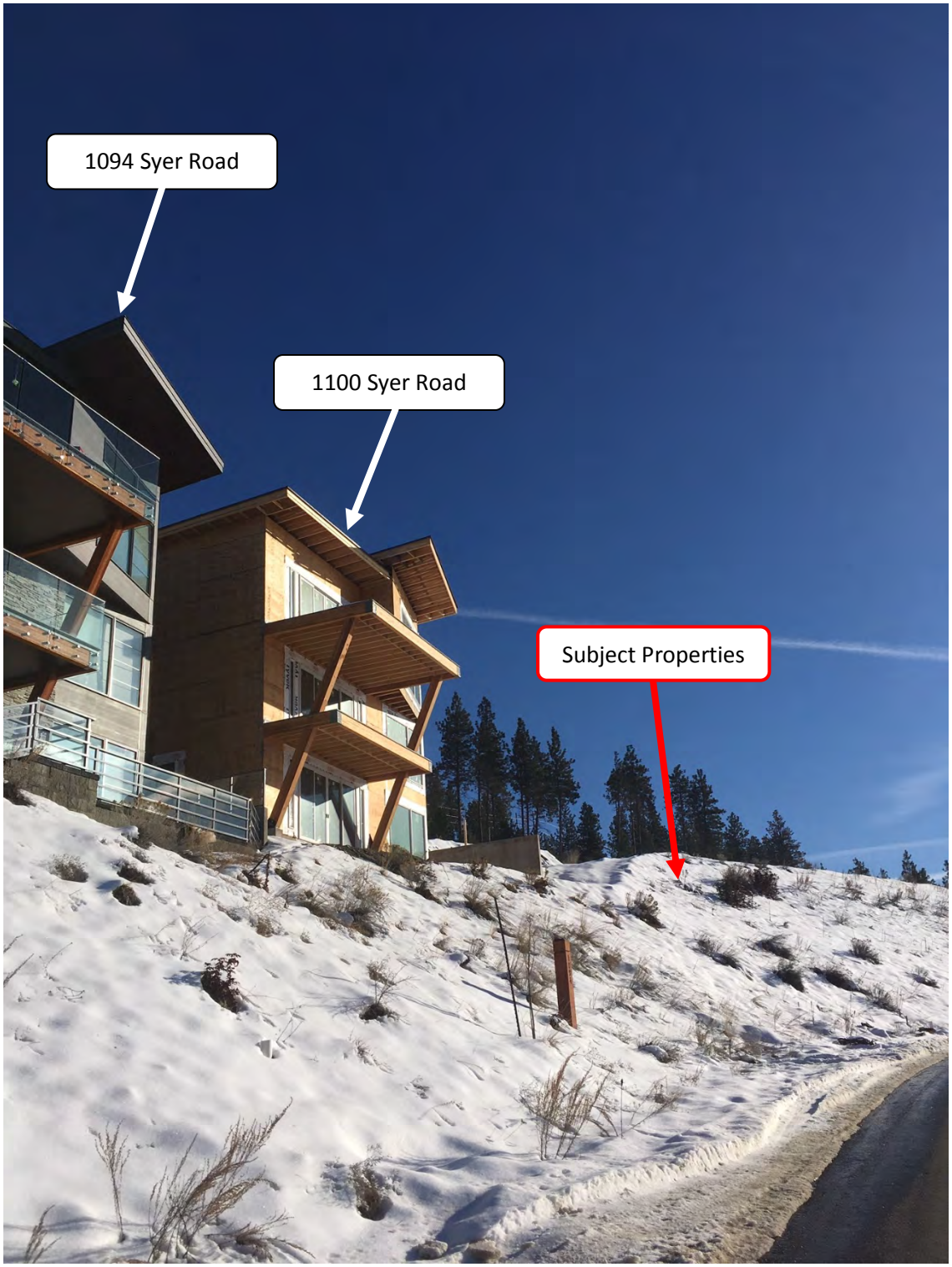
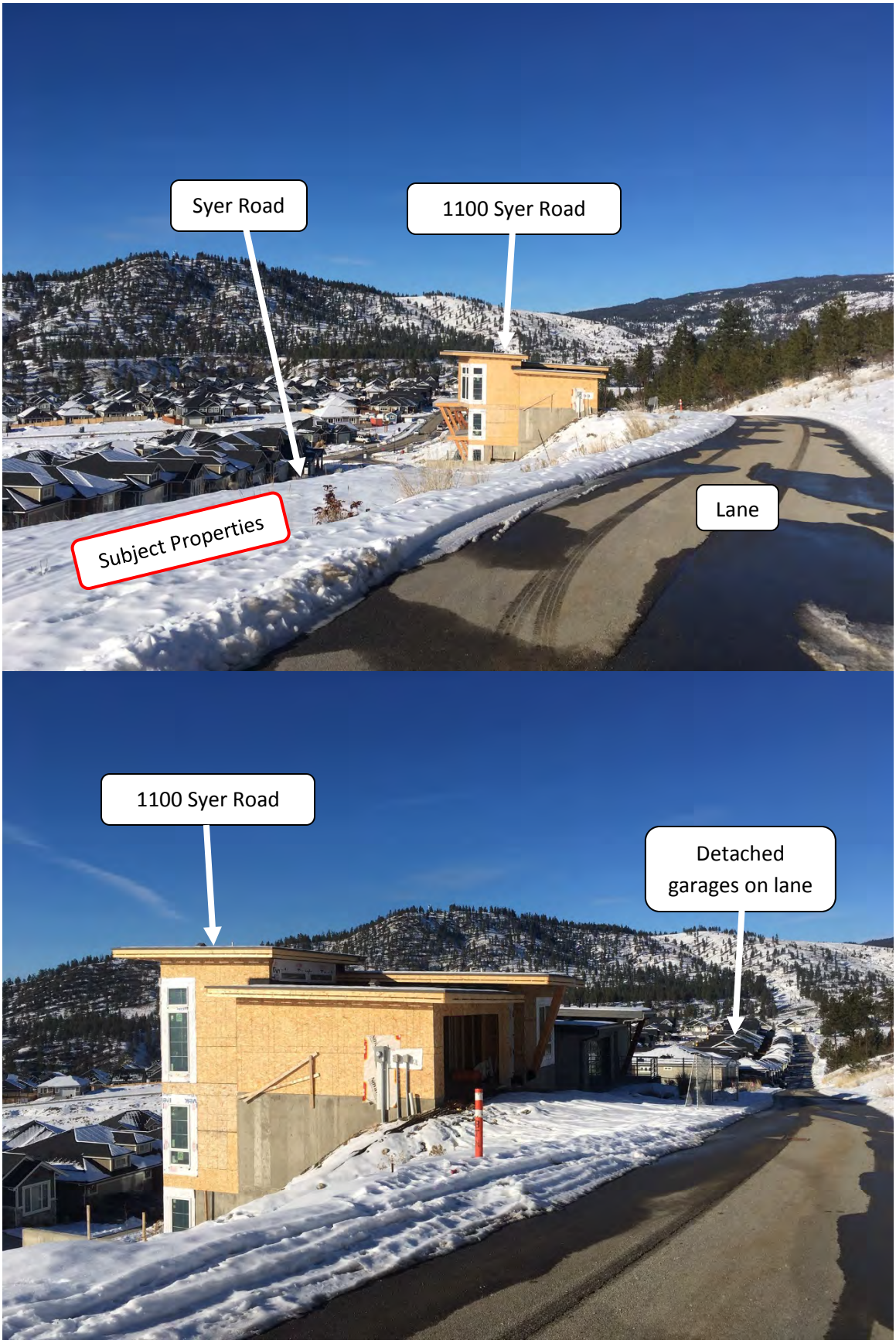
Attachment D – Images of Subject Properties


1094 Syer Road
1100 Syer Road
Subject Properties


Syer Road
1100 Syer Road
Subject Properties
Lane
1100 Syer Road
Detached garages on lane

Sendero Canyon Homes Ltd.
19055 34A Ave Unit 125B, Surrey, BC V3Z 0P6
Tel: 604-536-7333 Fax: 604-536-2130

October 8, 2019

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

Attention: Blake Laven

Re Lots 126-130 Sendero Canyon Subdivision

Dear Mr. Laven

It is our intention to rezone the above 5 lots from R 2 residential to RD-1 Duplex. The lots are all lane access and all allow for secondary suites.

We wish to rezone to duplex zoning so each unit can have a separate title to enable us to create a more affordable product.

The building size and site coverage is the same as allowed under the existing R 2 zoning.

We can comply with all parking requirements. The number of vehicles using the lane access will be the same as if we built each single family R 2 lot with a suite.

Upon rezoning we intend to put all 5 foundations in at the same time to minimize construction disturbance and complete this section of the Sendero Canyon subdivision.

Thanks

Ewen Stewart
President
Cell: [redacted]

IRONWOOD
RESIDENTIAL DESIGN

PO BOX 22024
Penticton, B.C. V2A 8L1
250 276 6440
GST # 85363 8997 RT0001

Variance Rationale

Physical Address: 205-69 Nanaimo Ave E., Penticton | Project # 019-19 | Date Feb 20/20

Development Permit Analysis for Rezone and Development Variance Application Lots 126 to 130 Syer Road, Penticton, B.C.

This outline provides the supporting rationale for the attached Rezoning and Development Variance Permit Application.

Letter of Intent for Rezoning and Development Permit

My client is proposing to construct a two storey, contemporary styled, stacked duplex on each of the lots 126 through 130 Syer Road. This highly functional, stylish, yet simple design provides all living on one level including attached garage at the end of a quiet laneway with spectacular views. Homes currently being constructed on similar lots (steep with small building footprint) require multiple levels, each with a small area, demanding the occupants travel up and down stairs a great deal during daily activities. While the construction (cost and complexity) of the proposed designs may be similar, the ability to live on just one floor will appeal to a broad audience, including those desiring to age in place, many of whom have previously expressed interest in this design at this location.

These residences will have lane level (upper) units accessed directly from garage level, while the lower level must of course be accessed by a set of stairs which suits a more mobile occupant (young family), allowing for a diverse range of ages in the development. The units' living areas rival those of single family homes (1650 sq.ft to 1850 sq.ft) with a heavy focus on exceptional quality of construction in finish, sound deadening and fire separations; not your conventional duplex.

Currently the lots are zoned R1 (large lot residential) and would require a rezone to RD1 (duplex housing) to meet the exisitng zoning bylaw. Of the five lots, all buildings would be two storey (walkout basement style) with the exception of lot 126 which is particularly steep, requiring it to be three levels (additional basement level). The adjacent homes on lots 124 and 125 are also three levels due to steepness of site grade and are very similar architectural style.

In working with, rather than against a steep site such as this, some building elements may not always fit within the suggested design criteria set forth in the zoning bylaw. As a result, we are requesting some variances which do not deviate from the intent of the bylaw but allow the development to be a success in both design and occupant access. These items are discussed following the development permit analysis below.

Development Permit Analysis

Zoning criteria (setbacks, site coverage, building height etc.) for RD1 (duplex) are the same as R1 (single family) with the exception of site coverage and parking. Coverage is 40% for single family vs. 50% for dupex and parking requirements are doubled (2 stalls per unit) for single family, however the proposed design follows single family standards of 2 vehicles per unit. Parking will be accomodated in enclosed, two car garages facing the laneway. As taken from the Penticton OCP (image below), the most needed type of housing over the next 25 years will be infill (includes duplex) of which 50 units per year (1539 total) will be required. **This design fits the bill for the future in a stylish and economical package.**

To maintain consistency with existing buildings on this part of Syer, the buildings have been designed with a similar roof & overall style. All will utilize the the same design with the exception of colour schemes. Privacy is of great importance, therefore we have chosen to feature full height walls on side yard patio faces which will greatly cut down on views from deck to deck. Our goal is to provide stylish accomodation which appeals to a broad audience (one level living) in a demanding market while does not deviate from the theme of adjacent structures.

5.3.1.4 Objectives

New development should recognize and respect local scale and patterns of development with the following objectives:

1. Introduce new housing that fits with and relates to its context
2. Accommodate diverse and eclectic form and scale while ensuring a clear hierarchy of primary and secondary buildings on a site
3. Ensure transition of scale with smaller forms to protect privacy and "right to light" (sun exposure for livability)
4. Ensure "friendly faces" along residential frontages and secondary edges (where applicable) with comfortable relationship to the street

While not all of the above objectives apply (2. no size "hierarchy" or 3. no "right to light" as these only apply with two buildings on one site), the style of housing fits the site and area. These are in many ways, separated from the homes on the lower level of the street & will therefore will not appear as large in scale as they would beside with one level homes. The front facing elevations are very "friendly" as they are wide open, covered decks where outdoor living will take place. In addition, each lot will have inviting stairs following grade level from Syer Rd to the laneway at garage level. All yards will be heavily landscaped with natural, low water, fire smart species to further enhance the friendly and inviting streetscape.

5.2.2 General Guidelines (from OCP)

Site Planning

Designing in Context - (creating a design that "fits in" with site features, street interface, existing uses) The structures have been designed to work with, rather than manipulate the site; footprint is proposed to be closer to lane setback to minimize height on hillside (walkout level), roof drainage will be directed away from hillside, landscaping is a mix of natural species covering the street side and views to mountains are maximized. Privacy from neighbours has been accommodated and deck cover aims to minimize solar gain (overheating) from west.

Framing Space - (promote positive interactions with particular attention to public and private spaces)
Buildings support strong street definition and do not dominate street as they are elevated on hill. Views are maximized and crime prevention principles / nuisance appourtunities are reduced due to building location above street (stairs to doors are in plain view from street access / stairs and direct access from lane is through overhead garage doors and not man door. (reduced appourtinity to enter)

Prioritizing Pedestrians- (optimize connectivity of pedestrian infrastructure and reduce conflict between pedestrians and vehicles)
Stairs connect each yard from street level to lane. Access to each unit is off this stair, allowing quick access to lower sidewalks without crossing a road. No fences are planned which would also allow adjacent lots to easily access stairs without having to walk up to lane or down to street (connectivity)

Cars and Parking - (reduice impacts of vehicles and support a pedestrian realm) Parking by default is accessed from lane, which encourages safe pedestrian access from street. Driveways are proposed to be greatly reduced in length which minimizes impermeable surface coverage and building height on walkout level. (brings building back from steep bank) Double the amount of required parking is accommodated in enclosed garages (two per unit proposed vs. one per unit required)

Architecture

Design for Our Climate - (design to reflect our love for indoor/outdoor living resulting from low rain and hot summer temps) Because we aim to reduce water usage and this is a fire smart community, only low water consuming species have been chosen. Due to steep slopes, the species cannot provide shade for buildings as per guidelines but will further enhance the natural landscape. The buildings themselves, with the exception of west facing windows will not experience extreme overheating in summer months due to a low window to wall ratio. Large, west facing windows are required for view but tend to overheat interior spaces. As a result, as much covered roof as is sensible has been extended beyond these windows. As a whole, the building has a relatively window to wall ratio which helps in energy use reduction. Deck spaces maximize natural, mountain views.

Friendly Faces, Friendly Neighbours - (orientaion and massing to reduce the apparent size of large buildings, provide visual interest for pedestrians, avoid abrupt height transitons) Front faces of buildings are stepped back in various depths from the edges of decks & privacy walls are used to reduce dominace of wall faces & provide shade for occupants. Deck edges are cantilevered at an angle out from to the building for visual interest and to provide cover for deck(s) below). Multiple roof forms, siding types and finishes are used to break up building face into separate areas defined with varied colours. Narrow pillars rather than privacy walls are used at levels below deck to minimize wall volumes.

Eyes on the Street- (create attractive & shared spaces through orientaion of entrances, windows, porches) While it is not possible for entrances from street, the street facing view is most detailed and inviting. Cascading, landscape (at grade) stairs are provided from street level to lane, with exceptional landscaping. Large expanses of blank wall space are eliminated & broken by mutiple decks and wall face depths.

Design with Nature (landscape should relfect the natural environment) While Conifers are most natural in this environment, they are not allowed as this community is designated as fire smart. Street trees have been placed based on the initial Trees Plan for the development which provides a consistent theme throughout. All species in front yards are low maintenance, unobtrusive and drought resistant.

Enhance the Urban Forest (protect and retain existing trees) We are not in an "urban forest" area in this development and have no existing trees on existing lots. (not applicable)

(continued next page)

Functional Use of Landscapes (designs prepared by professional with experience in high quality landscapes) Currently no vegatation exists on lots; All plantings will contribute to a vast overall improvment. Habitat will be enhanced with use of Russian Sage which is low-maintenance, drought tolerant, and is not eaten by deer or rabbits. At the same time, it is popular with all sorts of pollinators, including bees, butterflies, and hover flies. Feather reedd grass is not favoured by deer and requires little water and is chosen for it's future height and flowing look which also can provide privacy.

Bees are often very fond of the barberry flower and are often seen near them. Additionally, gardeners will spot a ladybug or praying mantis on their barberry. Again, these are beneficial insects that are most likely eating other harmful insects on the plant. Dogwood is chosen for looks, size but is not specifically beneficial to insects.

Fire smart principles have been adhered to and landscape buffers & fences are not required (or proposed), allowing each yard to flow to the next, appearing as natural as possible. Private and public spaces are clearly defined; only a single, natural winding walkway leads to street level. It is not possible to provide passive cooling through planting on this site due to steeply sloped, non-irrigated (not heavily irrigated) hillsides.

Materials Selection (material selection will enhance landscape preformance, character and positive, green image)

Softscapes - Size and species of plantings were chosen to be as natural as possible and fill all areas on this already natural hillside. Plants are divers and colourful, hardy and well adapted to the climate.

Hardscapes - Very little hardscaping is required and no retaining is proposed which contributes to the "green" aspect of the development. Colours complement and are simlar the surrounding structures on adjacent properties and lighter colours are used on the body of the buildings although no specifically relfective materials are proposed (ie-roofing)

Special Considerations

Corner Lots - (not applicable)

Public Art- (not applicable)

Lighting - minimal lighting will be used with the exception of standard lights above / beside overhead garage doors and pedestrian entrances - no lighting will be extreme in that it would be a concern to neighbours or create light pollution.

Signage (not applicable)

Utilities, Mechanical, Servicing mechanical closets would be proposed to be located as as not to have negative impact on form & character of each development. It is not anticipcated that closets would be required as these are similar to single family except are two units;, therfore two gas & water meters and two air handlers for A/C.

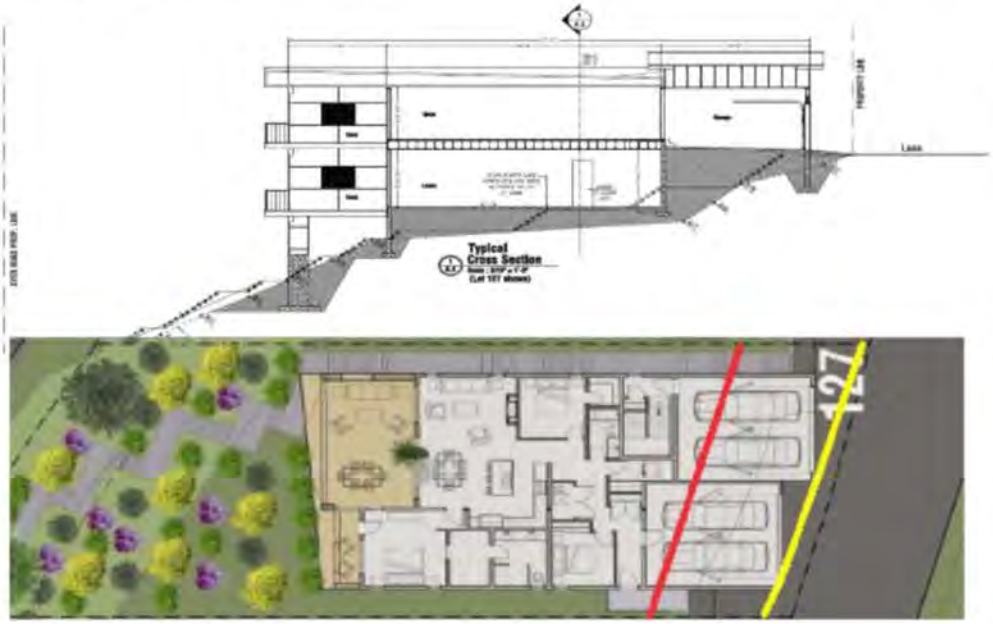
Waste Management (garbage should be integrated into the overall design) |Garbage and recycling containers will be kept inside garages or directly adjacent to entry doors between side yards. No single, large bins are proposed and units will be serviced as per single family standards (no common garbage area required.

Fencing (should provide a level of privacy but not an unfriendly solid wall) Currently no fences are proposed, although if any were required, would be at lane level or mid way between buildings and not seen directly from street.

Variance Requests

10.5.2.7 6.0m rear yard setback (reduce to 0.6m)

Because the sites are steep and our aim is to keep building height (as viewed from Syer) mimimized, we propose to reduce the rear setback at lane level to 0.6m. This will drastically reduce building height on the down slope side as well as nearly eliminate impermeable surfaces at grade, reducing runoff onto lane. While this seems quite small for a rear setback, it is not dissimilar to a detached garage which may be 1.5m from rear. Only one corner of each building would be at this distance from lane since the property line is angled away from building (see colour image below - YELLOW is proposed and RED is existing rear setback). Distance from overhead doors to lane edge ranges from 1.0m to 1.8m, which exceeds the existing setback to doors of all existing detached garages on this lane.



The property itself is quite large in area, lending itself particularly well to this design, yet still leaving a great deal of area heavily landscaped with natural elements. As seen in the colour image above, if the garage were to sit at the red line (existing setback) it would not be possible to construct this building on the property without steeering it back to a small footprint single family home, further reducuing stock of this highly sought after design.

(continued next page)

Variance Requests con't

4.9 Yards and Projections - Allow projection / stair landing exceeding 24" projection in interior setback (allow a stair above grade in interior side setback and stair platform to project to 1.2m from building face

Because we have both upper and lower unit side yard entrances accessed from the same point at rear, both a stair and entry platform (above grade and projecting more than 0.6m from bulding) are required in the interior setbacks. The purpose of the stair is of course lower unit access, but more importantly they provide access to the "at grade" stairs leading past the entire structure down to Syer Rd. This would allow safe and quick firefighter access rathen than a dirt slope (or solely through the overhead door at rear)

These stairs could possibly be turned into an "at grade " stair by backfilling the area between buildings however this is a cleaner, safer, economical alternative which also provides a flat area for mechanical equipment (A/C units) and occupant storage. I believe the intent of the bylaw is to not allow a building face or raised stair to obstruct free movement between structures and prevent fire spread at property lines. In this case we are only improving access and not increasing risk of fire spread. If required, stairs could be constructed of steel to eliminate the fire issue entirely.

Variance Requests con't

10.5.2.4 Maximum Building Height Allowed 10.5m increased to 12.87 m

Our request to increase building height is due to steepness of site grade and not from our desire to construct more height than necessary. Lots 124 & 125 (see below) were also faced with a similar issue and granted variances to exceed the maximum height. Height is measured from the highest point of sloping roof to lowest point of building grade (where building touches the ground - see second image) In our case we have a deck support pier / edge of deck on left side (down the hillside) that is causing the height increase. The intent is that we not far exceed height of neighbouring properties, which is evident in the image below, we do not. Our buildings are deeper and therefore ride out onto the sloped hillside vs. the buildings on 124 and 125 but in general, with the exception of 126 are all shorter in number of actual stories.

Without the allowed increase in height, this development would not be possible as we would need to push back to match Lot 124 &125 and lose our critical building footprint size.

Height is measured from highest to lowest average grade as shown below and are as follows:

Lot 124 = 11.24 m (already constructed - not part of this proposal)
Lot 125 = 11.24 m (already constructed - not part of this proposal)
Lot 126 = 12.87 m (VARIANCE)
Lot 130 = 11.02 m (VARIANCE)

Your consideration and support of these variances is greatly appreciated.

Sincerely,

Dave Sutton

Proposal # 019-19

PG 7 OF 7

Attachment G – Proposed Renderings

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

Development Variance Permit

Permit Number: DVP PL2020-8705

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	Civic	PID
Lot 126 District Lot 2710 Similkameen Division Yale District Plan KAP92932	1106 Syer Road	029-045-151
Lot 127 District Lot 2710 Similkameen Division Yale District Plan KAP92932	1112 Syer Road	029-045-169
Lot 128 District Lot 2710 Similkameen Division Yale District Plan KAP92932	1118 Syer Road	029-045-177
Lot 129 District Lot 2710 Similkameen Division Yale District Plan KAP92932	1124 Syer Road	029-045-185
Lot 130 District Lot 2710 Similkameen Division Yale District Plan KAP92932	1130 Syer Road	029-045-193

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 an up-down duplex on each of the above mentioned properties.
    a. Section 10.5.2.7.i to reduce the minimum rear yard from 6.0m to 0.6m (1106, 1112, 1118, 1124 and 1130 Syer Road, refer to Schedule 'A').
    b. Section 10.5.2.4.i to increase the maximum building height from 10.5m to 12.87m (1106 Syer Road, refer to Schedule 'B').
    c. Section 10.5.2.4.i to increase the maximum building height from 10.5m to 11.02m (1130 Syer Road, refer to Schedule 'B').

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.**

DRAFT

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 _____, 2020.

Issued this _____ day of _____, 2020.

_____

Angela Collison
Corporate Officer

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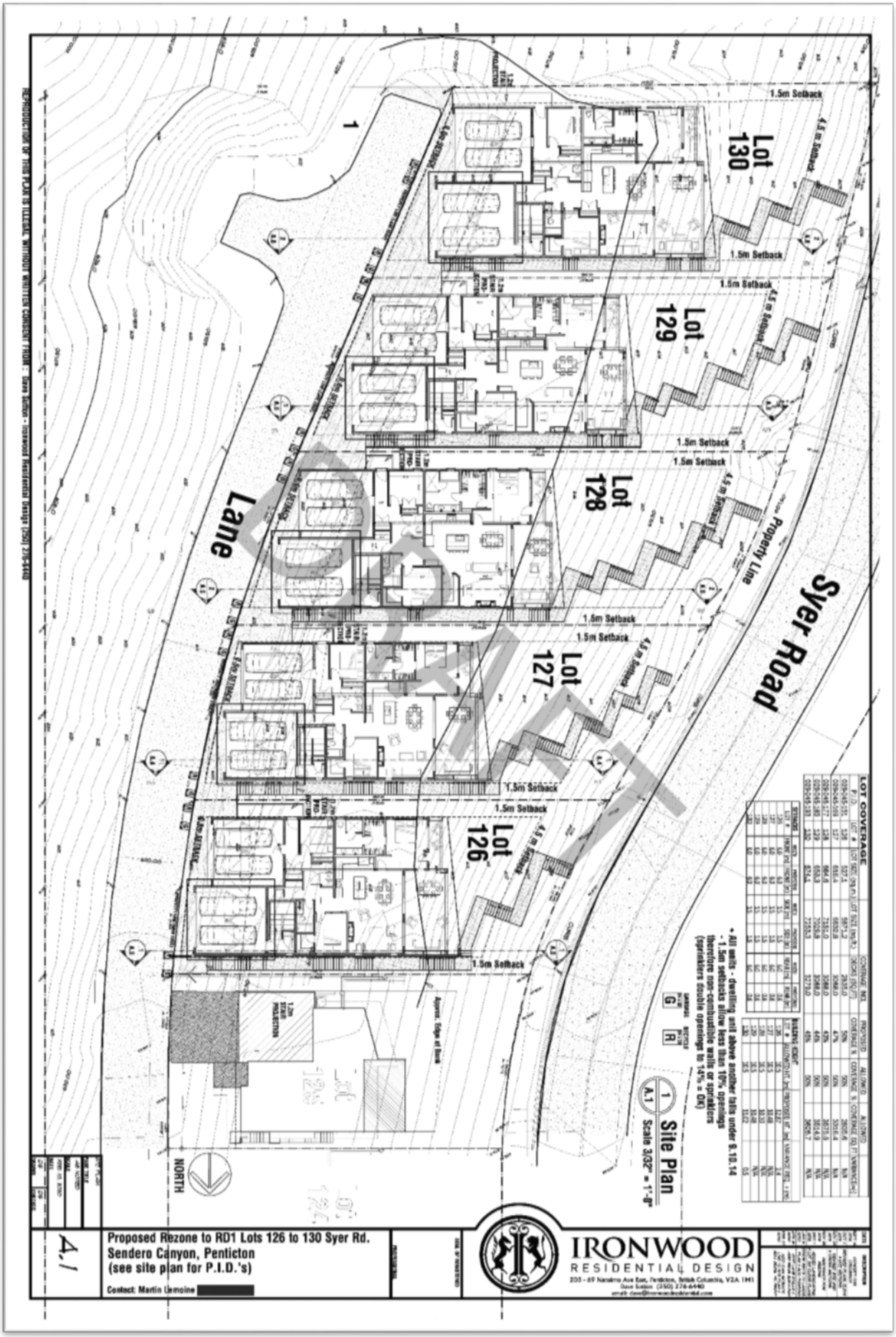
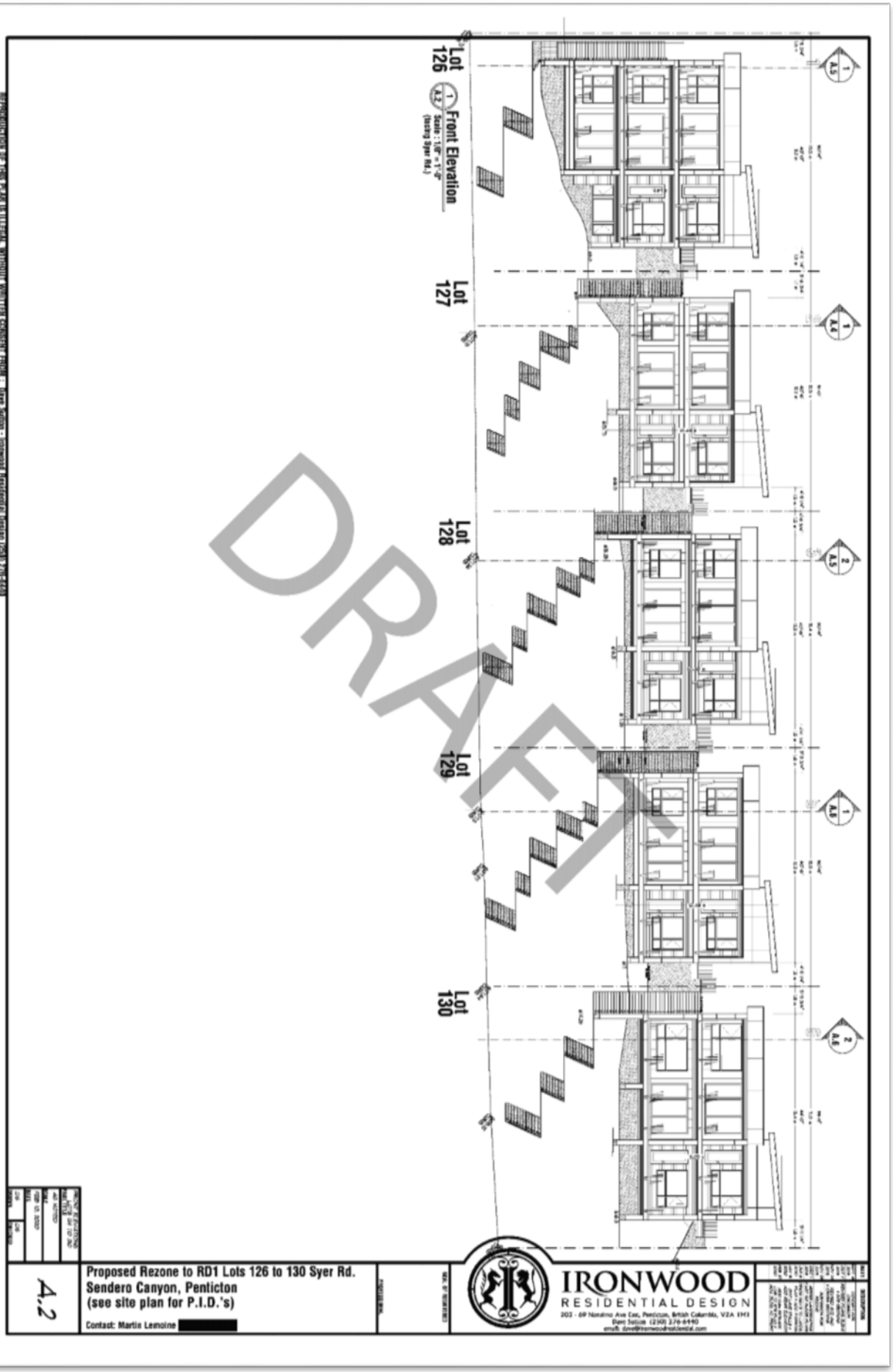

Lane
Syer Road
Lot 130
Lot 129
Lot 128
Lot 127
Lot 126
1.5m Setback
4.5 m Setback
NORTH
Site Plan
Scale 3/32" = 1'-0"
Proposed Rezone to RD1 Lots 126 to 130 Syer Rd.
Sendero Canyon, Penticton
(see site plan for P.I.D.'s)
IRONWOOD
RESIDENTIAL DESIGN
DRAFT


Lot 126
Front Elevation
Scale : 1/8" = 1'-0"
(facing Syer Rd.)
Lot 127
Lot 128
Lot 129
Lot 130
DRAFT
REPRODUCTION OF THIS PLAN IS ILLEGAL WITHOUT WRITTEN CONSENT FROM : Dave Sutton - Ironwood Residential Design (250) 276-6440
A.2
Proposed Rezone to RD1 Lots 126 to 130 Syer Rd.
Sendero Canyon, Penticton
(see site plan for P.I.D.'s)
Contact: Martin Lemoine
IRONWOOD
RESIDENTIAL DESIGN
203 - 69 Nanaimo Ave East, Penticton, British Columbia, V2A 1H1
Dave Sutton (250) 276-6440

The Corporation of the City of Penticton

Bylaw No. 2020-06

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. 2020-06".

2. **Amendment:**

2.1 Zoning Bylaw No. 2017-08 is hereby amended as follows:

Rezone Lots 126, 127, 128, 129 and 130, District Lot 2710, Similkameen Division, Yale District, Plan KAP92932, located at 1106, 1112, 1118, 1124 and 1130 Syer Road from R2 (Small Lot Residential) to RD1 (Duplex Housing).

2.2 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this	day of	, 2020
A PUBLIC HEARING was held this	day of	, 2020
READ A SECOND time this	day of	, 2020
READ A THIRD time this	day of	, 2020
ADOPTED this	day of	, 2020

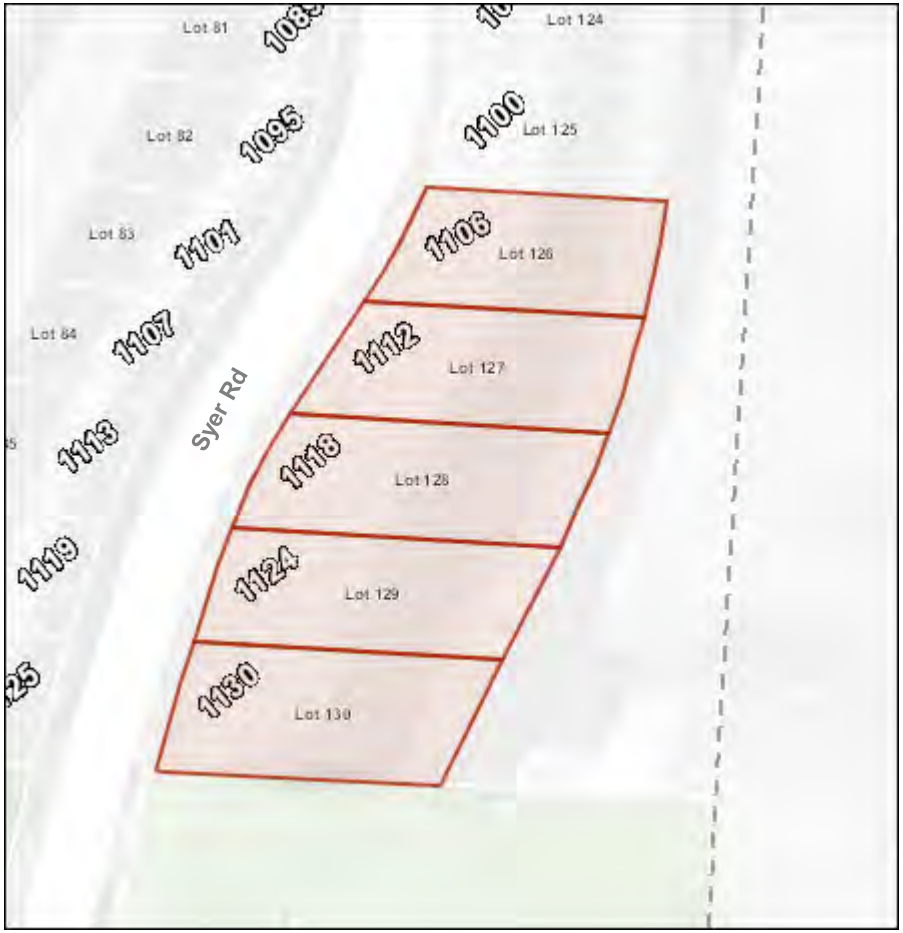
Notice of intention to proceed with this bylaw was published on the __ day of _____, 2020 and the __ day of _____, 2020 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

1106, 1112, 1118, 1124 & 1130 Syer Road

From R2 (Small Lot Residential) to RD1 (Duplex Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2020-06

Date: _____ **Corporate Officer:** _____