

**Public Hearing**  
to be held at  
**City of Penticton Council Chambers**  
**171 Main Street, Penticton, B.C.**

**Monday, May 16, 2016**  
**at 6:00 p.m.**

1. Mayor Calls Public Hearing to Order for **"Zoning Amendment Bylaw No. 2016-23"** 1-17
- CO Reads Opening Statement and Introduction of Bylaws  
  
"Zoning Amendment Bylaw No. 2016-23" (469 Edmonton Avenue)  
  
Purpose: To amend Zoning Bylaw No. 2011-23 as follows:  
  
Rezone Lot 1, District Lot 202, Similkameen Division Yale District, Plan 4125, located at 469 Edmonton Avenue, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).  
  
The applicant is proposing to construct two front-to-back duplexes.  
  
Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, May 6, 2016 and Wednesday, May 11, 2016 (pursuant to the *Local Government Act*).
- CO No Correspondence received regarding the Zoning Amendment (as of noon Wednesday, May 11, 2016)
- Mayor Requests the Director of Development Services describe the proposed amendments
- Mayor Invitation to applicant for comment or elaboration on the application
- Mayor Invites those in attendance to present their views
- Mayor Invites Council members to ask questions
- Mayor Invites applicants to respond to questions and those in attendance may provide new additional information

PUBLIC HEARING for "Zoning Amendment Bylaw No. 2016-23" is terminated and no new information can be received on this matter.



- 1 -

**Regular Council Meeting**  
**held at City of Penticton Council Chambers**  
**171 Main Street, Penticton, B.C.**

**Monday, May 2, 2016**  
**Following the Public Hearing at 6:00 p.m.**

## Resolutions

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- 9.7     Zoning Amendment Bylaw No. 2016-23  
          Re: 469 Edmonton Avenue

201/2016

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No.2016-23", to amend Zoning Bylaw 2011-23 to rezone Lot 1, District Lot 202, Similkameen Division Yale District, Plan 4125, located at 469 Edmonton Avenue, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forward to the May 16, 2016 Public Hearing;

THAT Council support "Development Permit PL2016-7620" for Lot 1, District Lot 202, Similkameen Division Yale District, Plan 4125, located at 469 Edmonton Avenue, a permit to approve the construction of cluster housing in the form of two front-to-back duplexes with one side facing Edmonton Avenue and the other facing the lane.

AND THAT staff are directed to issue "DP PL2016-7620", subject to adoption of "Zoning Amendment Bylaw No.2016-23".

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** May 2, 2016  
**To:** Eric Sorensen, Chief Administrative Officer  
**From:** Lindsey Fraser, Planner I

**File No:** RZ PL2016-7619; DP PL2016-7620

**Address:** 469 Edmonton Avenue

**Subject:** Zoning Amendment Bylaw 2016-23; and  
Development Permit PL2016-7620

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## Staff Recommendation

### *Zoning Amendment*

THAT "Zoning Amendment Bylaw No.2016-23", to amend Zoning Bylaw 2011-23 to rezone Lot 1, District Lot 202, Similkameen Division Yale District, Plan 4125, located at 469 Edmonton Avenue, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forward to the May 16, 2016 Public Hearing;

### *Development Permit*

THAT Council support "Development Permit PL2016-7620" for Lot 1, District Lot 202, Similkameen Division Yale District, Plan 4125, located at 469 Edmonton Avenue, a permit to approve the construction of cluster housing in the form of two front-to-back duplexes with one side facing Edmonton Avenue and the other facing the lane.

AND THAT staff are directed to issue "DP PL2016-7620", subject to adoption of "Zoning Amendment Bylaw No.2016-23".

## Background

The subject property (Attachment 'A') is zoned R2 and is designated in the City's Official Community Plan as MR (Medium Density Residential). The property owner intends to rezone the property in-line with the OCP designation and construct a two-duplex development, providing four three-bedroom units in total. The land is currently occupied by a small older residential dwelling. The area is a mix of single family homes and medium density housing styles, with a number of low-rise apartment buildings and townhouses further west on Edmonton Avenue. This section of Edmonton Avenue, between Manitoba Street and Government Street, is typified by single-family dwellings.

The lot is of a regular shape and measures approximately 0.21 acres. Given the size of the lot, the lane access and its proximity to other multi-family developments, the subject property has strong redevelopment potential. The property is also in a Development Permit Area and a development permit will be required to

be issued prior to construction if the zoning amendment is successful. The property is in the General Multiple Family Development Permit Area.

**Proposal**

The applicant is requesting that the subject property be rezoned from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) and is also requesting that the Development Permit for the site be approved in order to move ahead with construction of the project.

**Financial Implication**

N/A

**Technical Review**

This application was forwarded to the City’s Technical Planning Committee (TPC) and reviewed by various departments within the City. No irregular conditions or restrictions were observed through this process. Preliminary cost estimates have been communicated to the applicant.

**Development Statistics**

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

Item	Requirement RM2 Zone	Provided on Plans
<b>Minimum Lot Width:</b>	18 m	21.7 m
<b>Minimum Lot Area:</b>	670 m <sup>2</sup>	853 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40 %	34%
<b>Maximum Density:</b>	0.75 FAR	0.70 FAR
<b>Vehicle Parking:</b>	4 regular and 1 visitor	4 regular and 2 visitor
<b>Required Setbacks</b> Front yard (Winnipeg St): Side yard (north): Side yard (south): Rear yard:	3.0m 3.0m 3.0m 6.0m	5.0m 3.0m 3.0m 11.0m
<b>Maximum Building Height:</b>	12.0m	7.0m
<b>Other Information:</b>	➤ Property is in the 'General Multiple' Development Permit Area and a Development Permit (DP) will be required.	

## **Analysis – Zoning Amendment**

### Support Zoning Amendment

Staff considers that rezoning the lot from Single Family Residential to Low Density Multiple Housing represents the highest and best use for the land for the following reasons:

- The Official Community Plan designates 469 Edmonton Avenue for Multiple Family Residential development.
- The property has a lot area large enough to accommodate higher density development as proposed with this application.
- The OCP provides that infill residential development is an appropriate method of maximizing the use of land and increasing housing choice.
- Intensification and increased densities should be encouraged along transit routes. The subject property is approximately 100m from popular transit routes.
- The neighbourhood is characterized by numerous townhouse and apartment buildings. The built form proposed by this development provides an appropriate increase in density, does not impose an adverse impact on the low-density residential forms of the area and provides greater housing choice for Penticton residents.
- The proximity to downtown and nearby services encourages more walking and active forms of transportation.

The form of development proposed falls under the relatively new 'Cluster Housing' use. A similar development was recently completed on Ontario Street and the results have been favorable in terms of fit with the neighbourhood and no adverse impact on neighbouring properties.

Given the above, staff recommends that Council support Zoning Amendment Bylaw 2016-23 and forward the application to the May 16, 2016 Public Hearing for comment from the public.

### Deny

Council may consider that this form of development is not appropriate for the lot or that the neighbouring residents will be negatively impacted by the proposal. If this is the case, Council should deny first reading of the amendment bylaw.

## **Analysis – Development Permit**

### Support Development Permit

The development permit that is being requested is staff-issuable, but is included in this report to streamline the approvals process. During the deliberation phase of a Development Permit, staff examines the form, character and community impact of developments. This analysis is cross-referenced with guidelines laid out in the Official Community Plan.

Staff considers that the design of this two-duplex development is in keeping with the OCP. It meets a number of criteria laid out in the development permit guidelines, including: a varied building shape; creating an interesting and activated frontage for pedestrians; and ensuring all parking comes from the lane. Additionally, the applicant has provided a suitable landscaping plan.

With such close proximity to downtown, the redevelopment of this site in the form of multi-unit duplex housing shows a positive contribution to the core area’s growing density. Staff considers that the plans submitted meet the intent of the Development Permit Area guidelines and conform to the Zoning Bylaw (for example, no variances to the Bylaw will be required as a consequence of this development). As such, staff recommends that Council approve the permit application and direct issuing of the permit.

Deny/refer

Council may consider that the design could be reworked in a way that better responds to the lot’s site-specific context. If this is the case, Council should deny the application.

**Alternate recommendations**

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2016-23” and deny support to “DP PL2016-7620”.
2. THAT Council give first reading to “Zoning Amendment Bylaw No.2016-23” but deny support to “DP PL2016-7620”.
3. THAT Council give first reading to “Zoning Amendment Bylaw No.2016-23” and support “DP PL2016-7620” with conditions that Council feels are appropriate.

**Attachments**

- Attachment A: Subject property location map
- Attachment B: Zoning map of neighbourhood
- Attachment C: OCP map of neighbourhood
- Attachment D: Images of subject property
- Attachment E: Letter of intent
- Attachment F: Draft DP, including site plan and elevation drawings

Respectfully submitted,

Lindsey Fraser  
Planner I

Approvals

Director  JGH	CAO  ES
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Attachment A – Subject Property Location Map

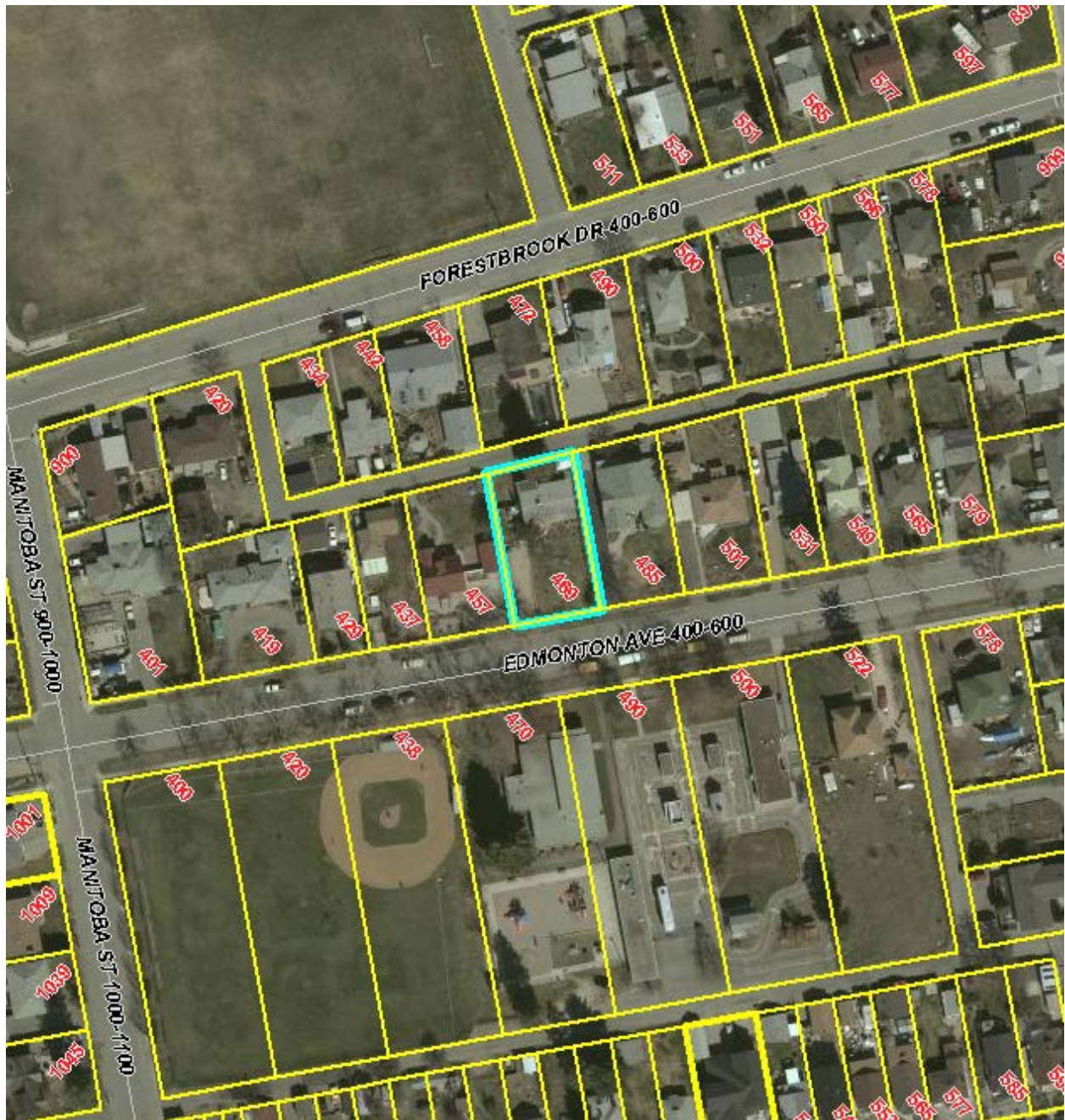


Figure 1: Subject property highlighted in blue

Attachment B – Zoning Map of Neighbourhood



Figure 2: Subject property zoned R2 (Small Lot Residential)



Attachment 'D' – Images of Subject Property



Figure 4: Looking north at subject property from Edmonton Avenue



Figure 5: Looking south from alley at home to be removed

Attachment E – Letter of Intent



**Brentview Estates Ltd.**  
**Brentview Developments Ltd.**  
Suite 232, 113-437 Martin Street  
Penticton, BC V2A 5L1  
Email: rod@brentview.ca  
Website: www.brentview.ca  
Phone (250) 490-1119

Feb 29, 2016

City of Penticton

RE: 469 Edmonton Ave.

Plans have been submitted to develop this property, which we are asking for your support and approval.

In designing these plans, the following things were considered.

The surrounding neighborhood is currently a mix of multi family and single family residential. We wanted to maintain this look and feel for our proposed development. We feel that we have retained a good mix of both and feel that this proposed development is a great fit to the neighborhood.

A varied design for the streetscape has been created, while retaining a current design theme. The street appearance provides for a variation of color and shape, which compliments the neighborhood. It was important to us to provide a single family look while still achieving the multi-family density.

Each unit has its own parking space, as well as space for their guests to park within the property, so as not to create a 'parking lot' effect, and to further load the on-street parking.

We are proposing to add density in an area that according to the OCP, the City wants density. We are in compliance with the current OCP with our application.

We believe strongly that our proposed duplexes will be a huge upgrade to the neighborhood from the existing home.

Based on the above we ask that your approval be given for this project.

Thank You  


Sincerely Yours  
**Rod Ferguson**



Attachment F – Draft DP



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

### Development Permit

Permit Number: DP PL2016-7620

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 1, District Lot 202, Similkameen Division Yale District, Plan 4125  
Civic: 469 Edmonton Avenue  
PID: 010-516-336
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of two duplexes as shown in the plans attached in Schedule A.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$6310.00 must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502(2.1) of the *Local Government Act*, to undertake works or other activities required to:
  - a. correct an unsafe condition that has resulted from a contravention of this permit,
  - b. satisfy the landscaping requirements of this permit as shown in Schedule A or otherwise required by this permit, or
  - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 5 only if:
  - a. the permit has lapsed as described under Condition 8, or
  - b. a completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.
6. Upon completion of the development authorized by this permit, an application for release of securities, provided in Schedule B, must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security as follows:

1 <sup>st</sup> Inspection	No fee
2 <sup>nd</sup> Inspection	\$50
3 <sup>rd</sup> Inspection	\$100
4 <sup>th</sup> Inspection or additional inspections	\$200

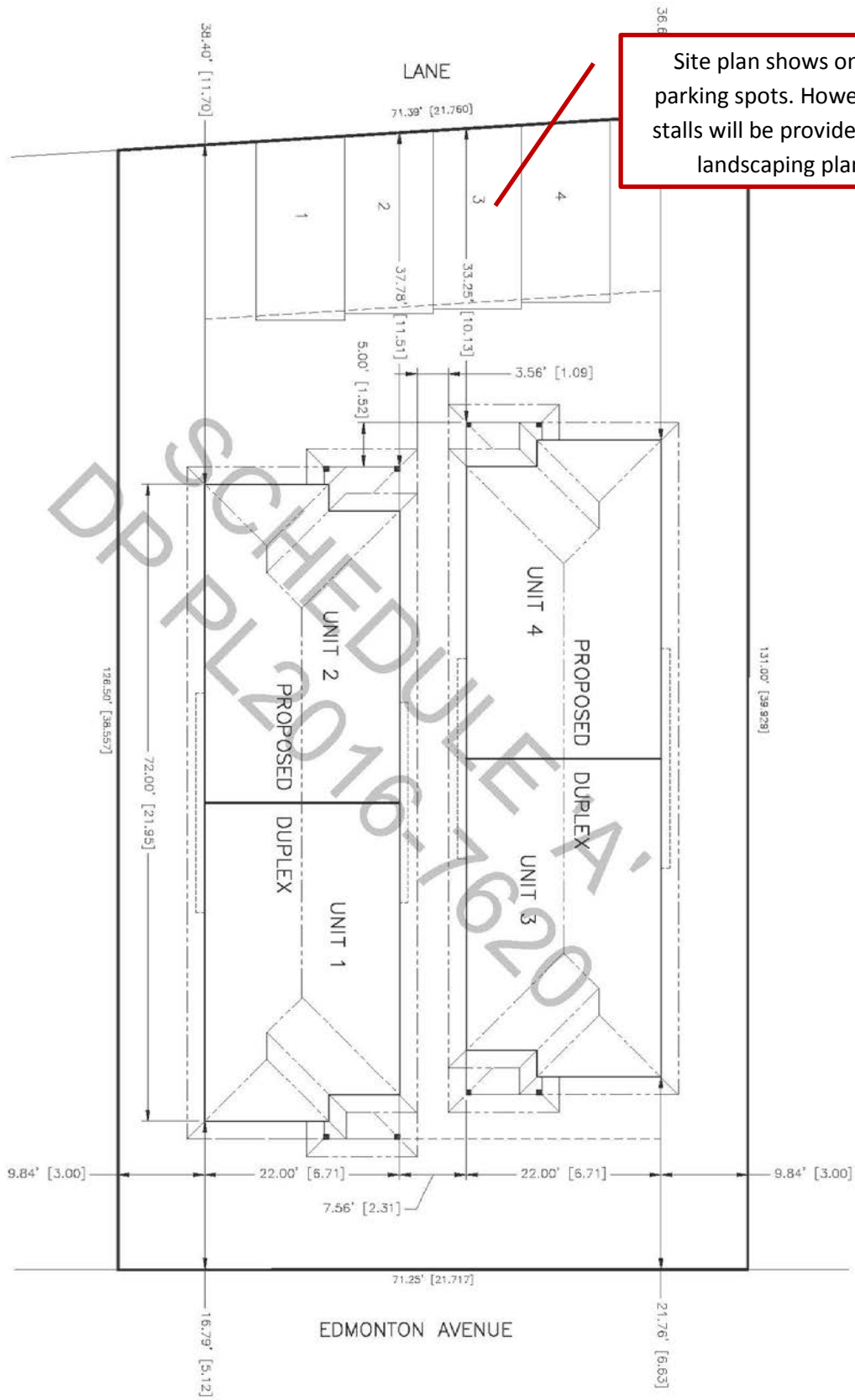
**General Conditions**

7. 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.
8. 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.
9. 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.
10. 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.
11. 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 \_\_\_\_\_, 2016

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Dana Schmidt,  
Corporate Officer



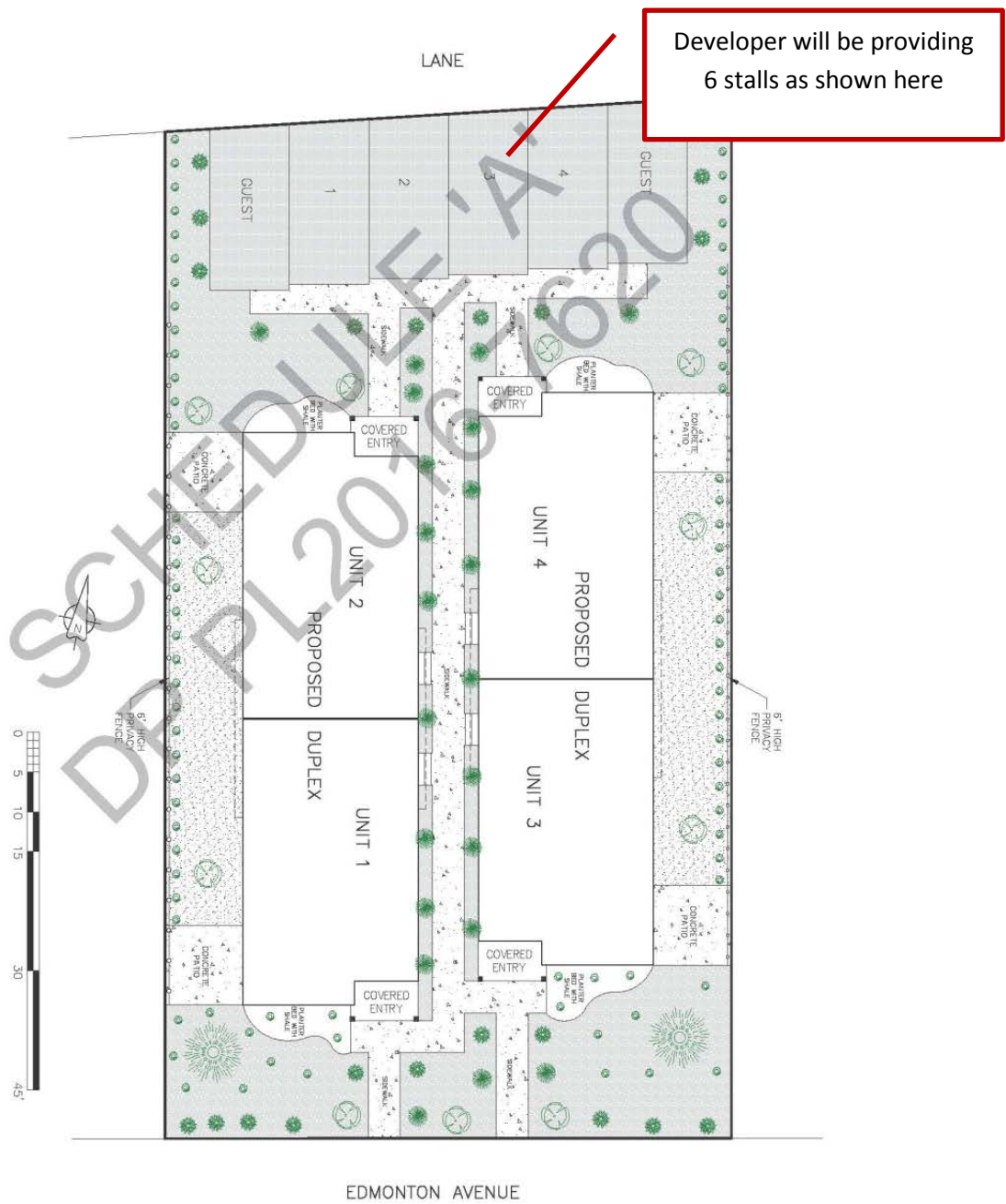
Site plan shows only 4 parking spots. However, 6 stalls will be provided (see landscaping plan)

PLANTING LEGEND

SYMBOL	QUANTITY	DESCRIPTION
	83	No 2 Pointed Shrub - Spaced at 1m
	21	Bushy Grass
	22	Low Lying Grass
	11	Small Ornamental Tree (Min 1.5m)
	2	Red Japanese Maple

	Lawn
	River Rock
	Concrete
	Pavement
	Compacted Crusher Fines





SOUTH ELEVATION



**Bylaw No. 2016-23**

*A Bylaw to Amend Zoning Bylaw 2011-23*

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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 2011-23;

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. 2016-23".

2. **Amendment:**

2.1 Zoning Bylaw 2011-23 is hereby amended as follows:

Rezone Lot 1, District Lot 202, Similkameen Division Yale District, Plan 4125, located at 469 Edmonton Avenue, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	2	day of	May, 2016
A PUBLIC HEARING was held this	16	day of	May, 2016
READ A SECOND time this		day of	, 2016
READ A THIRD time this		day of	, 2016
ADOPTED this		day of	, 2016

Notice of intention to proceed with this bylaw was published on the 6 day of May, 2016 and the 11 day of May, 2016 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

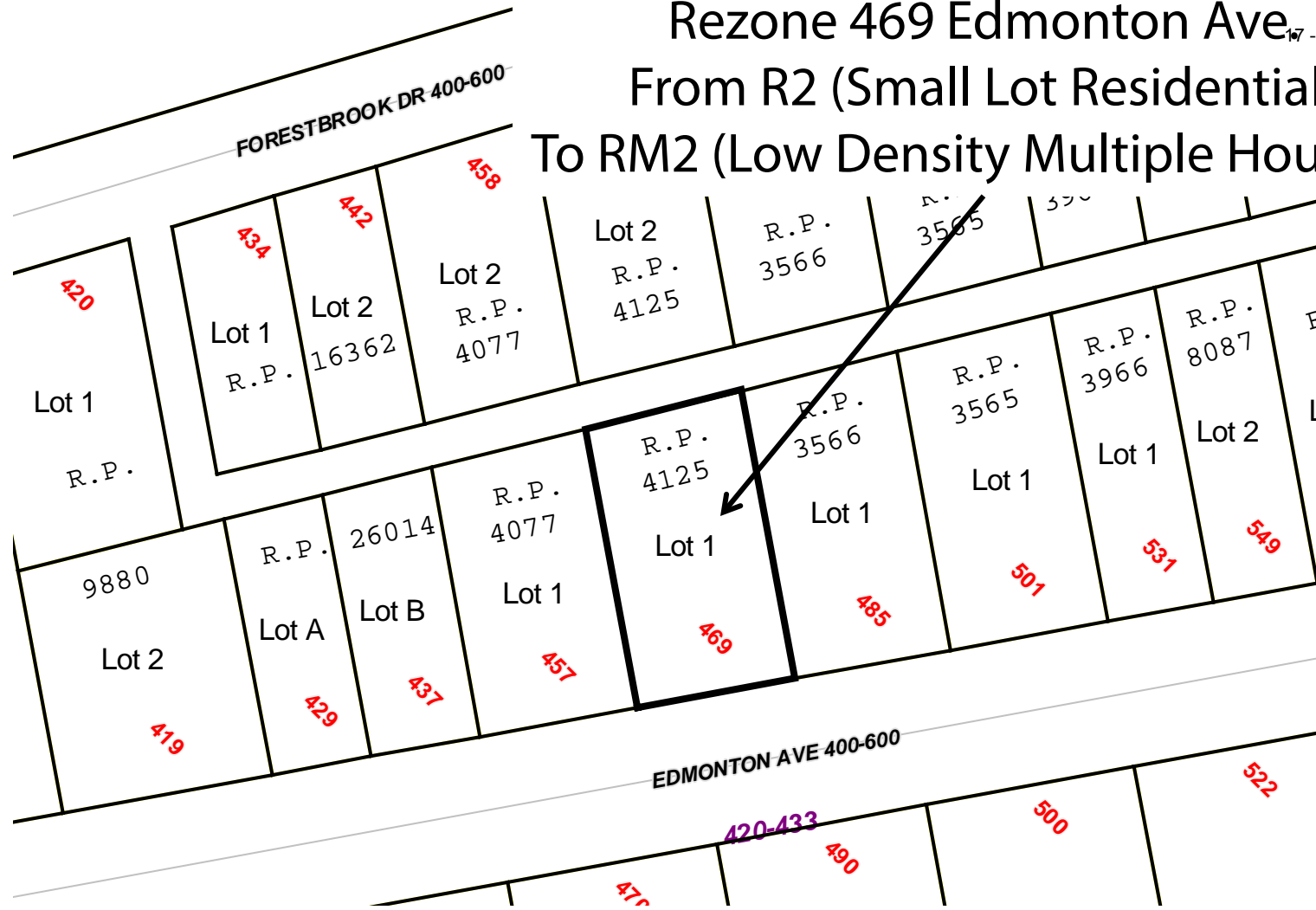
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Andrew Jakubeit, Mayor

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Dana Schmidt, Corporate Officer

Rezone 469 Edmonton Ave.  
From R2 (Small Lot Residential)  
To RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-23

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

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**Regular Council Meeting**  
**held at City of Penticton Council Chambers**  
**171 Main Street, Penticton, B.C.**

**Monday, May 2, 2016**  
**Following the Public Hearing at 6:00 p.m.**

## Resolutions

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- 9.8     Zoning Amendment Bylaw No. 2016-24  
          Re: 223 Conklin Avenue

202/2016

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2016-24", a bylaw to amend Zoning Bylaw 2011-23 for Lot 11, District Lot 1, Group 7, Similkameen Division Yale (formerly Yale-Lytton), District Plan 2518, located at 223 Conklin Avenue, from R1 (Large Lot Residential) to R2 (Small Lot Residential), be given first reading and forwarded to the May 16, 2016 Public Hearing; AND THAT delegations and submissions are heard for Development Variance Permit PL2016-7630, for Lot 11, District Lot 1, Group 7, Similkameen Division Yale (formerly Yale-Lytton), District Plan 2518, located at 223 Conklin Avenue, a permit to reduce the minimum lot width of an R2 lot from 13m to 9.1m to allow for a two lot subdivision, during the May16, 2016 Public Hearing; AND THAT Development Variance Permit PL2016-7630 be considered only after adoption of Zoning Amendment Bylaw No. 2016-24.

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** May 2, 2016 **File No:** RZ PL2016-7629; DVP PL2016-7630  
**To:** Eric Sorensen, Chief Administrative Officer  
**From:** Lindsey Fraser, Planner I  
**Address:** 223 Conklin Avenue  
**Subject:** Zoning Amendment Bylaw No. 2016-24  
Development Variance Permit PL2016-7630

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## Staff Recommendation

### *Zoning Amendment*

THAT "Zoning Amendment Bylaw No. 2016-24", a bylaw to amend Zoning Bylaw 2011-23 for Lot 11, District Lot 1, Group 7, Similkameen Division Yale (formerly Yale-Lytton), District Plan 2518, located at 223 Conklin Avenue, from R1 (Large Lot Residential) to R2 (Small Lot Residential), be given first reading and forwarded to the May 16, 2016 Public Hearing;

### *Development Variance Permit*

AND THAT delegations and submissions are heard for Development Variance Permit PL2016-7630, for Lot 11, District Lot 1, Group 7, Similkameen Division Yale (formerly Yale-Lytton), District Plan 2518, located at 223 Conklin Avenue, a permit to reduce the minimum lot width of an R2 lot from 13m to 9.1m to allow for a two lot subdivision, during the May 16, 2016 Public Hearing;

AND THAT Development Variance Permit PL2016-7630 be considered only after adoption of Zoning Amendment Bylaw No. 2016-24.

## Background

The subject property (Attachment 'A') is zoned R1 (Large Lot Residential) and is designated in the City's Official Community Plan as LR (Low Density Residential). Currently the lot contains a small, older house. It is the intention of the applicant to demolish the house, subdivide the property into two lots and construct a single family house and carriage house on each of the new parcels.

The area is dominated by single family homes and is known for its large lots, notably in terms of their depth. The subject property is 0.26 acres in size. The 'LR' designation envisages future development to be a mix of single family and duplex styles of development. Infill opportunities are presented by these large lots, and the applicant has elected to pursue a style of development that, whilst common in other municipalities, is new to Penticton comprising a smaller single family house with a one story carriage house at the rear of the lot.

The developer could apply for a variance to the lot width of the currently zoned R1 property and create two new R1 parcels in the process. However, infill development is relatively new in this neighbourhood and the proposed form is more consistent with the R2 zone is a better reflection of what is intended for the property. For that reason and to provide a more transparent approach to development, the re-zoning application is appropriate in this instance.

### Proposal

The applicant is requesting that the subject property be rezoned from R1 (Large Lot Residential) to R2 (Small Lot Residential). The applicant is also requesting a Development Variance Permit to vary the following section of Zoning Bylaw 2011-23, to accommodate subdivision of the lot:

- Section 10.2.2.1: Reduce minimum lot width from 13m to 9.1m

### Financial Implication N/A

### Technical Review

This application was reviewed by the City’s Technical Planning Committee; no significant issues arose in the process. The buildings will be required to meet the BC Building Code; and the City’s Subdivision and Development Bylaw will be enforced during the subdivision process, should the application for rezoning and variance prove successful.

### Development Statistics

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

Item	Requirement of R1 Zone (current)	Requirement of R2 Zone	Provided on Plans
<b>Minimum Lot Width:</b>	16 m	13m	9.1m (variance required)
<b>Minimum Lot Area:</b>	560m <sup>2</sup>	390 m <sup>2</sup>	523m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40 %	40%	37%
<b>Vehicle Parking:</b>	3 spaces	3 spaces	5
<b>Required Setbacks</b>			
Front yard (Churchill Avenue):	4.5m	4.5m	7.5m
Side yard (east):	1.5m	1.5m	1.5m
Side yard (west):	1.5m	1.5m	1.5m
Rear yard (lane) to carriage house:	1.5m	1.5m	7.5m
<b>Maximum Building Height:</b>	10.5m (principle) 7.0m (carriage)	10.5m 7.0m	7.0m 4.0m
<b>Other Information:</b>	Subject property is not within a development permit area.		

## **Analysis**

### Approve

The subject property is 0.26 acres (1048 m<sup>2</sup>) in size. This is significantly larger than the majority of single family lots in Penticton which tend to be between 0.09 and 0.16 acres (364m<sup>2</sup> and 647m<sup>2</sup>). In terms of infill development, lots of this size are recognized as having strong redevelopment potential. In relation to rezoning a property it is important to be aware of the OCP policies. In this case, the zoning amendment meets the built form guidelines (single family house) in addition to the following objectives:

- Encourage an intensification of residential land use and density in areas where existing services can accommodate higher density; and
- Encourage a diversified range of housing types.

With respect to the variance application, staff notes that new-build development often requires variances when occurring on existing lots. The proposed densification is considered by staff to be sensitive to the existing neighbourhood and modest in scale.

The variance in lot width from 13m to 9.1m will create lots of a width that are commonly seen in residential neighbourhoods closer to the downtown core. The lot depth of the subject property ensures that the newly created parcels are still appropriate to the relative size of other single family parcels in Penticton (at 523m<sup>2</sup>) and still in keeping with the scale of the neighbourhood.

Staff recognizes that this will be a new form of development for the area, but do not consider there will be any impacts on the residential amenity of neighbouring properties. For this reason and those outlined above, staff considers the request reasonable and recommends that Council support the application for variance and the first reading of Zoning Amendment Bylaw No.2016-24.

### Deny

Council may consider the rezoning and variance application to be inappropriate for the neighbourhood. If this is the case, Council should deny support to the variance application and the first reading of the zoning amendment bylaw.

## **Alternate recommendations**

1. THAT Council give first reading to "Zoning Amendment Bylaw No.2016-24" and deny support for "DVP PL2016-7630".
2. THAT Council give first reading to "Zoning Amendment Bylaw No.2016-24", and support DVP PL2016-7630 with conditions that Council feels are appropriate.

**Attachments**

- Attachment A: Subject property location map
- Attachment B: Zoning map of neighbourhood
- Attachment C: OCP map of subject property
- Attachment D: Images of subject property
- Attachment E: Letter of intent
- Attachment F: Draft DVP, including site plan and elevation drawings

Respectfully submitted,

Lindsey Fraser  
Planner I

Approvals

Director <i>JGH</i>	CAO <i>ES</i>
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Attachment A – Subject Property Location Map

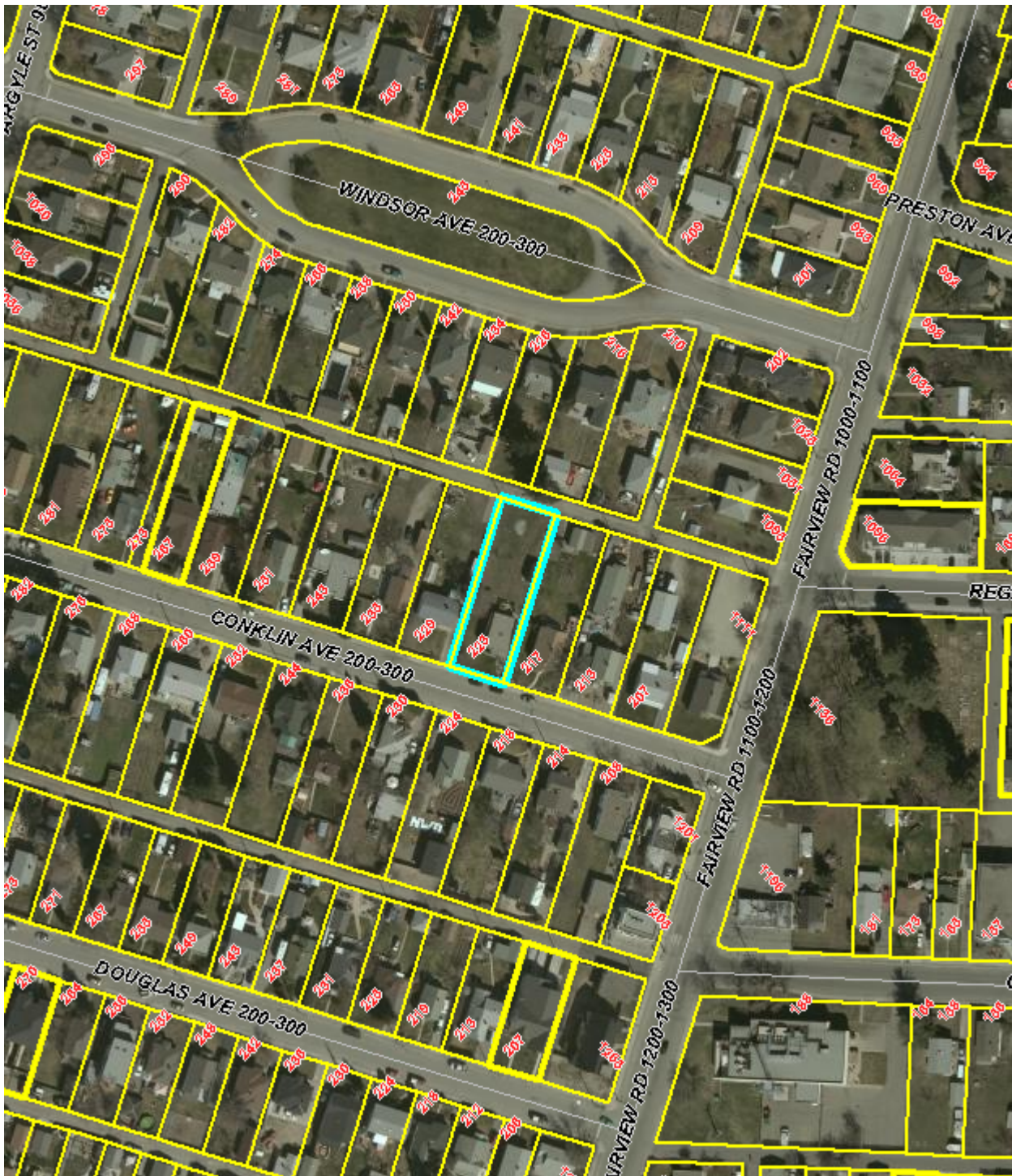


Figure 1: Subject property highlighted in blue

### Attachment B – Zoning Map of Neighbourhood



Figure 2: Subject property zoned R1 (Large Lot Residential)

Attachment C – OCP Map of Neighbourhood



Figure 3: OCP designation 'LR' (Low Density Residential)

Attachment D – Images of the Subject Property



Figure 4: Looking north at subject property from Conklin Street



Figure 5: Looking south from rear of property (lane)

Attachment E – Letter of Intent



RPO 24096 Government St.  
Penticton, BC V2A 8L9  
Ph: 250-488-4367 fax: 250-492-0831

March 8<sup>th</sup>, 2015

Letter of Intent

Attn: City of Penticton, Staff and Council

Re: 223 Conklin

We submit this letter to inform Council and Staff that we would like to purchase the land and home at 223 Conklin, with intent to subdivide the property and rezone.

The proposed rezone would be from R1 large lot residential to R2 small lot residential.

With R2 zoning we would require a variance to reduce the minimum lot width from 13 metres to 9.13 metres.

We have designed two single family homes with carriage houses off the laneway. The houses are three bedroom, two story with attached single car garage and the carriage houses are one story, two bedroom with laneway parking. It is our hope that this model of housing will help accommodate the shortage of rental properties in the city and provide rental income for the home owners to defray mortgage costs.

Respectfully yours

Scott Mayhew



Attachment F – Draft DVP



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

### Development Variance Permit

Permit Number: DVP PL2016-7630

Name  
Address I

#### 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 11, District Lot 1, Group 7, Similkameen Division Yale (Formerly Yale-Lytton)  
District, Plan 2518  
Civic: 223 Conklin Avenue  
PID: 010-997-806
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary Section 10.2.2.1 of Zoning Bylaw 2011-23 to reduce the minimum lot width from 13m to 9.1m, as is shown in the plans attached in Schedule A.

#### General Conditions

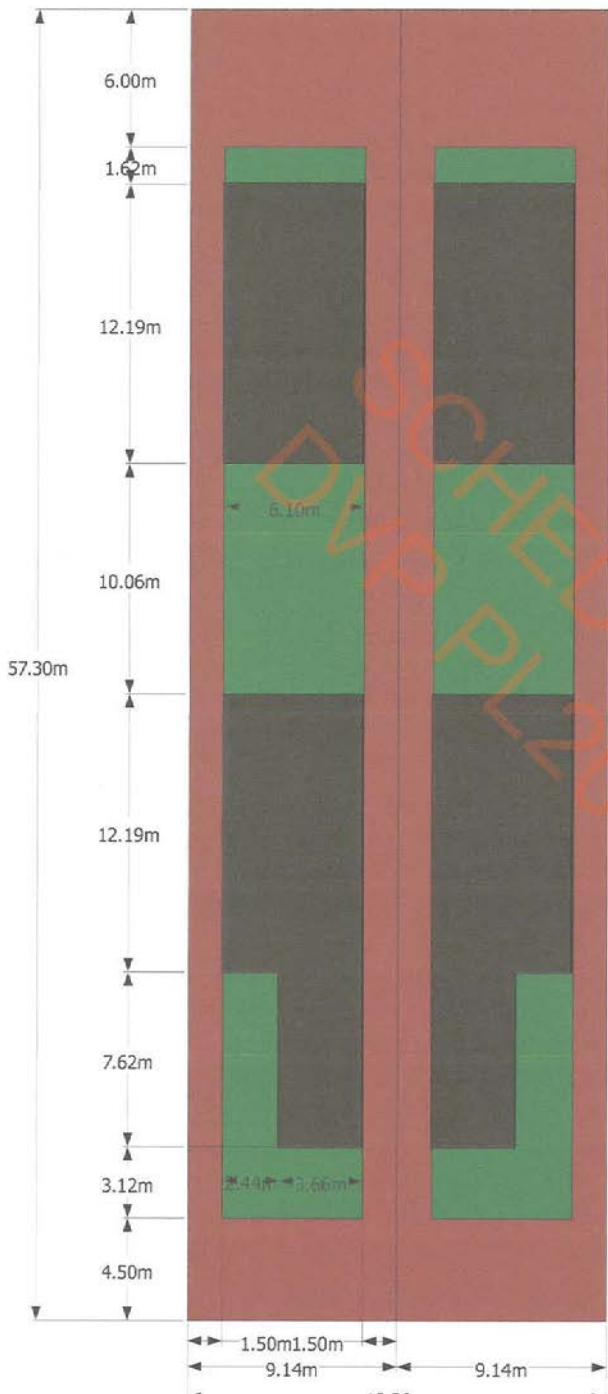
4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence 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 \_\_\_\_\_, 2016

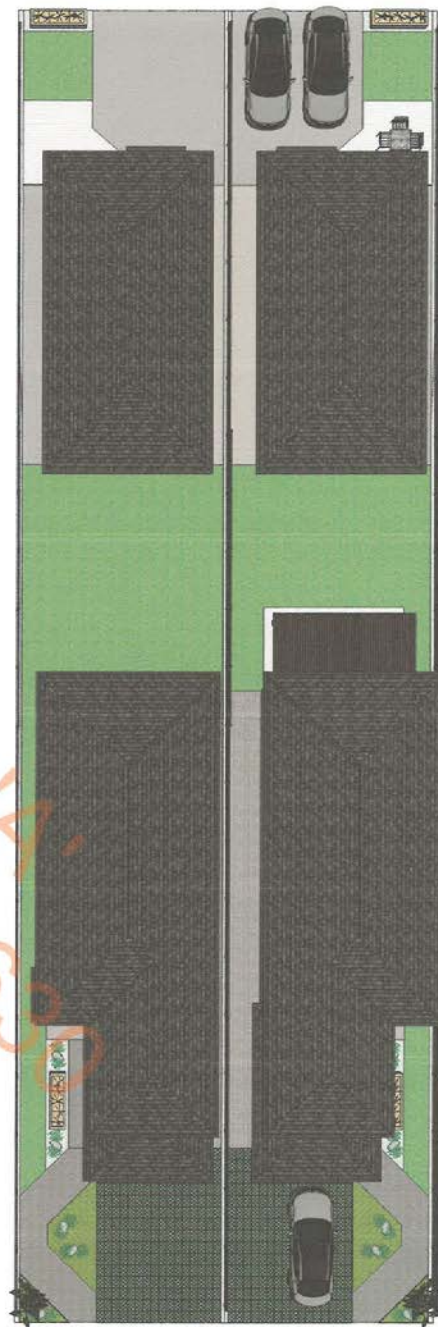
Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Dana Schmidt,  
Corporate Officer

Page 2 of 2



**SUBDIVIDED LOT AREA = 523.97 SQM**  
**PRIMARY RESIDENCE & CARRIAGE HOME LOT COVERAGE = 193.71SQM**





**Bylaw No. 2016-24**

*A Bylaw to Amend Zoning Bylaw 2011-23*

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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 2011-23;

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. 2016-24".

2. **Amendment:**

2.1 Zoning Bylaw 2011-23 is hereby amended as follows:

Rezone Lot 11, District Lot 1, Group 7, Similkameen Division Yale (formerly Yale-Lytton), District Plan 2518, located at 223 Conklin Avenue, from R1 (Large Lot Residential) to R2 (Small Lot Residential).

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

READ A FIRST time this	2	day of	May, 2016
A PUBLIC HEARING was held this	16	day of	May, 2016
READ A SECOND time this		day of	, 2016
READ A THIRD time this		day of	, 2016
ADOPTED this		day of	, 2016

Notice of intention to proceed with this bylaw was published on the 6 day of May, 2016 and the 11 day of May, 2016 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

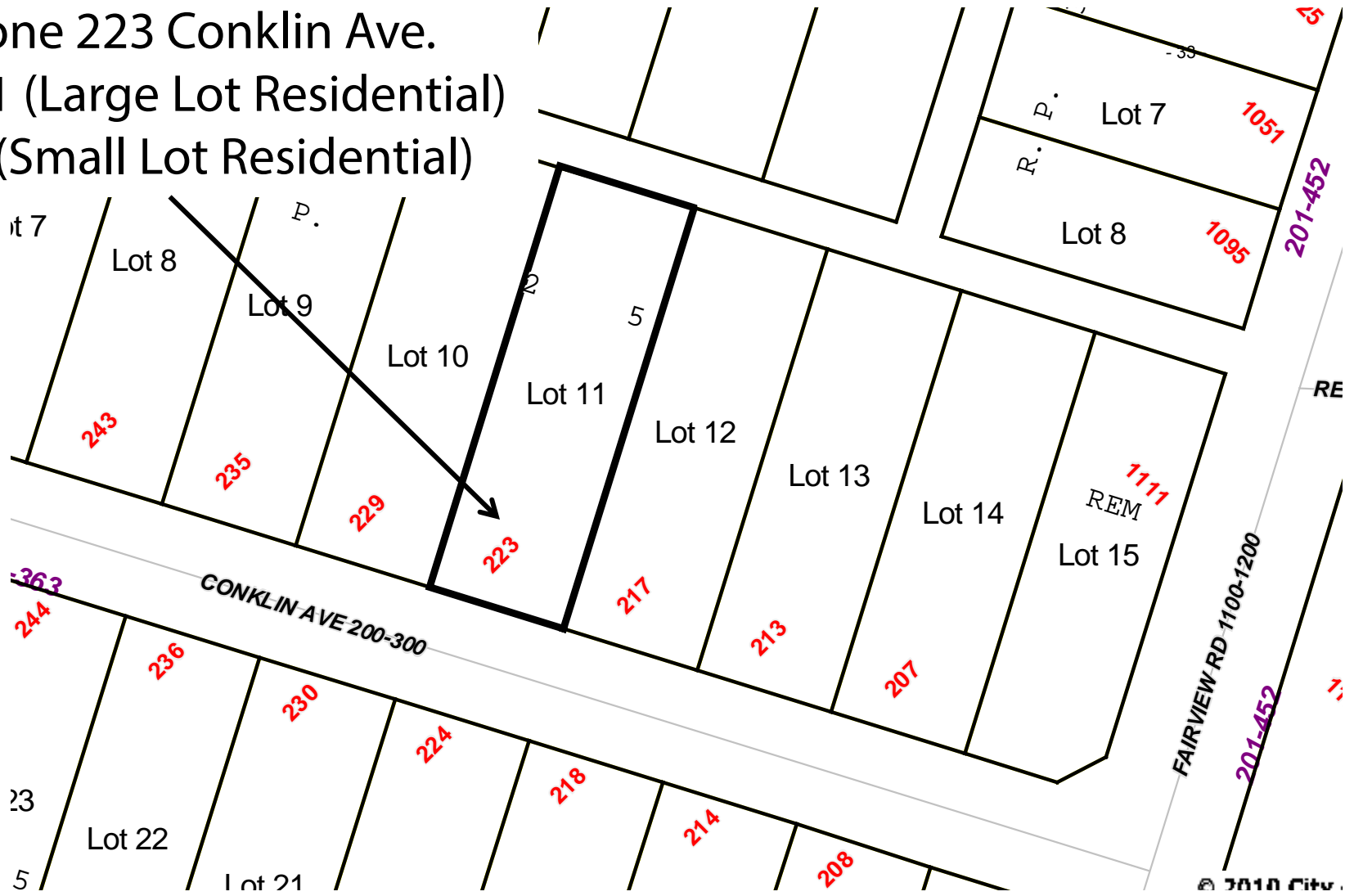
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Andrew Jakubeit, Mayor

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Dana Schmidt, Corporate Officer

Rezone 223 Conklin Ave.  
From R1 (Large Lot Residential)  
To R2 (Small Lot Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-24

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_