

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

**Tuesday, September 5, 2017**  
**at 6:00 p.m.**

1. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2017-53”** 1-22
- CO Reads Opening Statement and Introduction of Bylaws  
“Zoning Amendment Bylaw No. 2017-53” (703 Forestbrook Drive)  
Purpose: To amend Zoning Bylaw No. 2017-08 as follows:  
  
Rezone Lot 16, District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).  
  
The applicant is proposing to construct two duplexes.  
  
Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, August 25, 2017 and Wednesday, August 30, 2017 (pursuant to the *Local Government Act*).
- CO No Correspondence received regarding the Zoning Amendment (as of noon Wednesday, August 30, 2017)
- 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. 2017-53” is terminated and no new information can be received on this matter.

2. Mayor Calls Public Hearing to Order for **“Official Community Plan Amendment Bylaw No. 2017-54”** 23-43

CO Reads Opening Statement and Introduction of Bylaws

“Official Community Plan Amendment Bylaw No. 2017-54” (161 Bassett Street)

Purpose: To amend Official Community Plan Bylaw No. 2002-20 as follows:

Amend Schedule ‘B’ Future Land Use designation for Lot 23, Block 124, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1175, located at 161 Bassett Street from LR (Low Density Residential) to MR (Medium Density Residential).

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, August 25, 2017 and Wednesday, August 30, 2017 (pursuant to the *Local Government Act*).

CO No Correspondence received regarding the OCP Amendment (as of noon Wednesday, August 30, 2017)

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 “Official Community Plan Amendment Bylaw No. 2017-54” is terminated and no new information can be received on this matter.

3. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2017-55”** 44-45

CO Reads Opening Statement and Introduction of Bylaw

“Zoning Amendment Bylaw No. 2017-55” (161 Bassett Street)

Purpose: To amend Zoning Bylaw No. 2017-08 as follows:

Rezone a portion (proposed Parcel B) of Lot 23, Block 124, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) and a portion (proposed Parcel A) from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

The applicant is proposing to subdivide 161 Bassett Street into two lots and construct a 4-unit complex on one lot and a duplex on the second lot.

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, August 25, 2017 and Wednesday, August 30, 2017 (pursuant to the *Local Government Act*).

CO No Correspondence received regarding the Zoning Amendment (as of noon Wednesday, August 30, 2017)

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. 2017-55” is terminated and no new information can be received on this matter.

4. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2017-56”**  
46-68

CO Reads Opening Statement and Introduction of Bylaw

“Zoning Amendment Bylaw No. 2017-56” (597 Ellis Street)

Purpose: To amend Zoning Bylaw No. 2017-08 as follows:

Rezone Lot 13, Block 19, District Lot 202, Similkameen Division Yale District, Plan 269 located at 597 Ellis Street from C3 (Mixed Use Commercial) to RM5 (Urban Residential).

The applicant is proposing to construct a 4-unit townhouse development.

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, August 25, 2017 and Wednesday, August 30, 2017 (pursuant to the *Local Government Act*).

CO No Correspondence received regarding the Zoning Amendment (as of noon Wednesday, August 30, 2017)

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. 2017-56” is terminated and no new information can be received on this matter.

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

**Tuesday, August 15, 2017**  
**at 1:00 p.m.**

## **Resolutions**

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**14. Land Matters**

- 14.1 Zoning Amendment Bylaw No. 2017-53  
Development Variance Permit PL2017-7989  
Development Permit PL2017-7990  
Re: 703 Forestbrook Drive

467/2017

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2017-53", a bylaw to rezone Lot 16 District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the September 5, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-53", a 2.2m road dedication along the south property line (Forestbrook Drive) is registered with the Land Title Office;

THAT delegations and submissions for "Development Variance Permit PL2017-7989" for Lot 16 District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive, a permit to reduce the minimum rear yard from 6.0m to 3.3m, be heard at the September 5, 2017 Public Hearing;

AND THAT Council consider "DVP PL2017-7989" following the adoption of "Zoning Amendment Bylaw No. 2017-53";

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-53", approve "Development Permit PL2017-7990" for Lot 16 District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive, a permit that allows for the construction of a multi-family development.

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** August 15, 2017  
**To:** Peter Weeber, Chief Administrative Officer  
**From:** Randy Houle, Planner I  
**Address:** 703 Forestbrook Drive  
**Subject:** **Zoning Amendment Bylaw No. 2017-53**  
**Development Variance Permit PL2017- 7989**  
**Development Permit PL2017-7990**

File Nos: RZ PL2017-7988  
DVP PL2017-7989  
& DP PL2017-7990

## Staff Recommendation

### *Zoning Amendment*

THAT "Zoning Amendment Bylaw No. 2017-53," a bylaw to rezone Lot 16 District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the September 5, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-53," a 2.2m road dedication along the south property line (Forestbrook Drive) is registered with the Land Title Office.

### *Development Variance Permit*

THAT delegations and submissions for "Development Variance Permit PL2017-7989" for Lot 16 District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive, a permit to reduce the minimum rear yard from 6.0m to 3.3m, be heard at the September 5, 2017 Public Hearing.

AND THAT Council consider "DVP PL2017-7989" following the adoption of "Zoning Amendment Bylaw No. 2017-53."

### *Development Permit*

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-53," approve "Development Permit PL2017-7990" for Lot 16 District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive, a permit that allows for the construction of a multi-family development.

## Background

The subject property (Attachment A) is zoned R2 (Small Lot Residential) and designated by the City's Official Community Plan as MR (Medium Density Residential). Photos of the sites are included as Attachment D. The subject property is 618m<sup>2</sup> (6,652ft<sup>2</sup>). The surrounding properties are primarily zoned R2 (Small Lot

Residential) and RM2 (Low Density Multiple Housing). Surrounding properties are designated by the OCP as LR (Low Density Residential) and MR (Medium Density Residential).

**Proposal**

The applicant is proposing to construct two duplexes for a total of four units. Since the proposed use is not permitted in the R2 (Small Lot Residential) zone, a rezoning to RM2 (Low Density Multiple Housing) is required.

Secondly, the applicant is requesting a Development Variance Permit to vary the following section of Zoning Bylaw No. 2017-08:

- Section 10.8.2.9: to reduce the minimum rear yard from 6.0m to 3.3m.

Lastly, the property is located within the General Multiple Family Development Permit area and requires approval for the form and character of the duplexes and to address landscaping requirements.

**Financial implication**

N/A

**Technical Review**

This application was forwarded to the City’s Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Through this process, it was determined that a 2.2m road dedication along the south property line will be obtained by the City as part of the rezoning process to achieve the desired 20.0m width of Forestbrook Drive. As per City of Penticton Building Bylaw 94-95 section 7.1.5, storm water/drainage is to be maintained on site. The lane and street frontage (curb, sidewalk) are in adequate condition and upgrade will not be required by the developer unless damage occurs during construction. If the requests for the zoning amendment, variances and development permit are supported, BC Building Code and City bylaw provisions, such as height restrictions, will apply.

**Development Statistics**

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

Item	Requirement RM2 zone	Proposed
<b>Maximum Lot Coverage:</b>	40%	32.5%
<b>Maximum Density:</b>	0.8 FAR	0.67 FAR
<b>Minimum Lot Width:</b>	18m	16.76m* ( <i>see below</i> )
<b>Minimum Lot Area:</b>	540m <sup>2</sup>	618m <sup>2</sup>
<b>Vehicle Parking:</b>	1 space per dwelling unit + 0.25 per unit for visitors (5 total)	5 spaces

<b>Required Setbacks</b>		
Front yard (south, Forestbrook Drive):	3.0m	3.0m
Rear yard (north):	6.0m	3.3m (variance required)
Interior yard (west, lane):	3.0m	4.6m
Interior yard (east):	3.0m	3.0m
<b>Maximum Building Height:</b>	12.0m	6.7m
<b>Amenity Area:</b>	20m <sup>2</sup> per unit (80m <sup>2</sup> total)	160m <sup>2</sup>
<b>Other Information:</b>	<p>- Subject property is located within the General Multiple Family Development Permit area, thus a development permit is required.</p> <p>- <i>*The minimum parcel standards (in terms of width and area) only apply when a new parcel is being created, not through rezoning of an existing parcel.</i></p>	

## Analysis

### Zoning Amendment

#### Support “Zoning Amendment Bylaw No. 2017-53”

The site is situated in an area experiencing some densification. The OCP designation for this site is MR (Medium Density Residential), which supports a four-unit multi-family development. Staff consider that the zoning amendment to allow for the proposed development represents best use of the land for the following reasons:

- The proposal is consistent with the OCP’s view that infill residential development is an appropriate method of maximizing the use of land and increasing housing choices for Penticton residents.
- The OCP encourages densification in areas where existing services can accommodate higher densities, which is the case here.
- The proximity to downtown, schools and nearby services encourages more walking and active forms of transportation.
- The current proposal will convert a single family dwelling into four units in a time with low vacancy rates.

Staff considers that the design is suitable and consistent with the redevelopment trends in the area. The location of the site and characteristics of the surrounding neighbourhood make it appropriate for residential densification. The number of parking spaces for the proposed development meets the requirements of the zoning bylaw. Two sizeable duplexes are able to fit on the subject property with adequate buffering from adjacent properties. Given the above, staff recommends that Council support “Zoning Amendment Bylaw No. 2017-53” and forward the application to the September 5, 2017 Public Hearing for comments from the public.

#### Deny/Refer Zoning Amendment

Council may consider that the proposed amendment is not suitable for this site. If this is the case, Council should deny the bylaw amendment. Alternatively, Council may wish to refer the matter back to staff to work with the applicant with any direction that Council considers appropriate.

### ***Development Variance Permit***

#### Support Variance

When considering a variance to a City bylaw, staff encourages Council to be mindful of any constraints on the property that makes following the bylaw difficult or impossible; whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable.

*Section 10.8.2.9: to reduce the minimum rear yard from 6.0m to 3.3m.*

- In the RM2 zone, the 6.0m minimum rear yard requirement is in place to accommodate vehicle parking off a rear lane. In the current proposal, the parking is accessed from the west lane. The proposed rear yard is adjacent to a townhouse development (*Figure 6*), which in itself is setback a fair distance from the property line with additional screening. Staff feel that a 3.3m rear yard in this case is adequate as there will be no vehicles parked in this area.

Staff consider that the variance requested will have little impact on the neighbourhood and recommend that Council, after hearing from any affected neighbours, support the application.

#### Deny/Refer Variance

Council may consider that the proposed variance will negatively affect the property to the north. Council may consider requiring the developer to push the buildings together to create a larger rear yard setback. If this is the case, Council should deny the variance.

### ***Development Permit***

#### Support Development Permit

The subject property is located within the General Multiple Family Development Permit Area. As a consequence, a Development Permit is required. Although this Development Permit can be staff-issued, it has been included in this report for Council's decision in order to streamline the approvals process. The Development Permit Area guidelines are intended to address the form and character of new multi-family buildings. The objective of these guidelines, according to the OCP, is to ensure that "the siting, form, character and landscaping of new development and exterior renovations and additions to existing buildings are compatible with the context of the surrounding neighbourhood and that site access, parking, storage and landscaping matters are satisfactorily resolved, and generally, development is of high aesthetic quality." Staff feel that the proposed development meets the intent of the DP Guidelines as explained below:

- The building shape, roof line and architectural features such as window and door detailing are sufficiently varied and create visual interest.
- The entrances have a street orientation, creating an aesthetically pleasing connection to the street.
- The landscape plan features a variety of different plants, flowers and trees.

- The garbage and parking areas are screened with fencing and landscaping.
- The developer has provided the adequate number of trees and shrubs in the landscape buffer area on the east side of the property.

Staff consider that the plans submitted meet the intent of the DPA guidelines and generally conform to the zoning bylaw. As such, staff recommend that Council approve the Development Permit application.

Deny/Refer Development Permit

Council may consider that the proposal does not reflect the current built form of the neighbourhood, or that the development should soften the impact on neighbouring properties. If this is the case, Council should deny the permit.

**Alternate Recommendations**

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2017-53" and deny support for DVP PL2017-7989 & DP PL2017-7990.
2. THAT Council give first reading to "Zoning Amendment Bylaw No. 2017-53" but deny support for DVP PL2017-7989 & DP PL2017-7990.
3. THAT Council give first reading to "Zoning Amendment Bylaw No. 2017-53" and support DVP PL2017-7989 & DP PL2017-7990 with conditions that Council feels are appropriate.

**Attachments**

- Attachment A: Subject Property Location Map
- Attachment B: Zoning Map
- Attachment C: OCP Map
- Attachment D: Photos of Subject Property
- Attachment E: Site Plan
- Attachment F: Elevations
- Attachment G: Landscape Plan
- Attachment H: Letter of Intent
- Attachment I: Development Variance Permit PL2017-7989
- Attachment J: Development Permit PL2017-7990
- Attachment K: Zoning Amendment Bylaw No. 2017-53

Respectfully submitted,

Randy Houle  
Planner I  
  
Approvals

DDS	CAO
<i>AH</i>	PW

Attachment A – Subject Property Location Map



Figure 1: Subject Property Location Map

Attachment B – Zoning Map

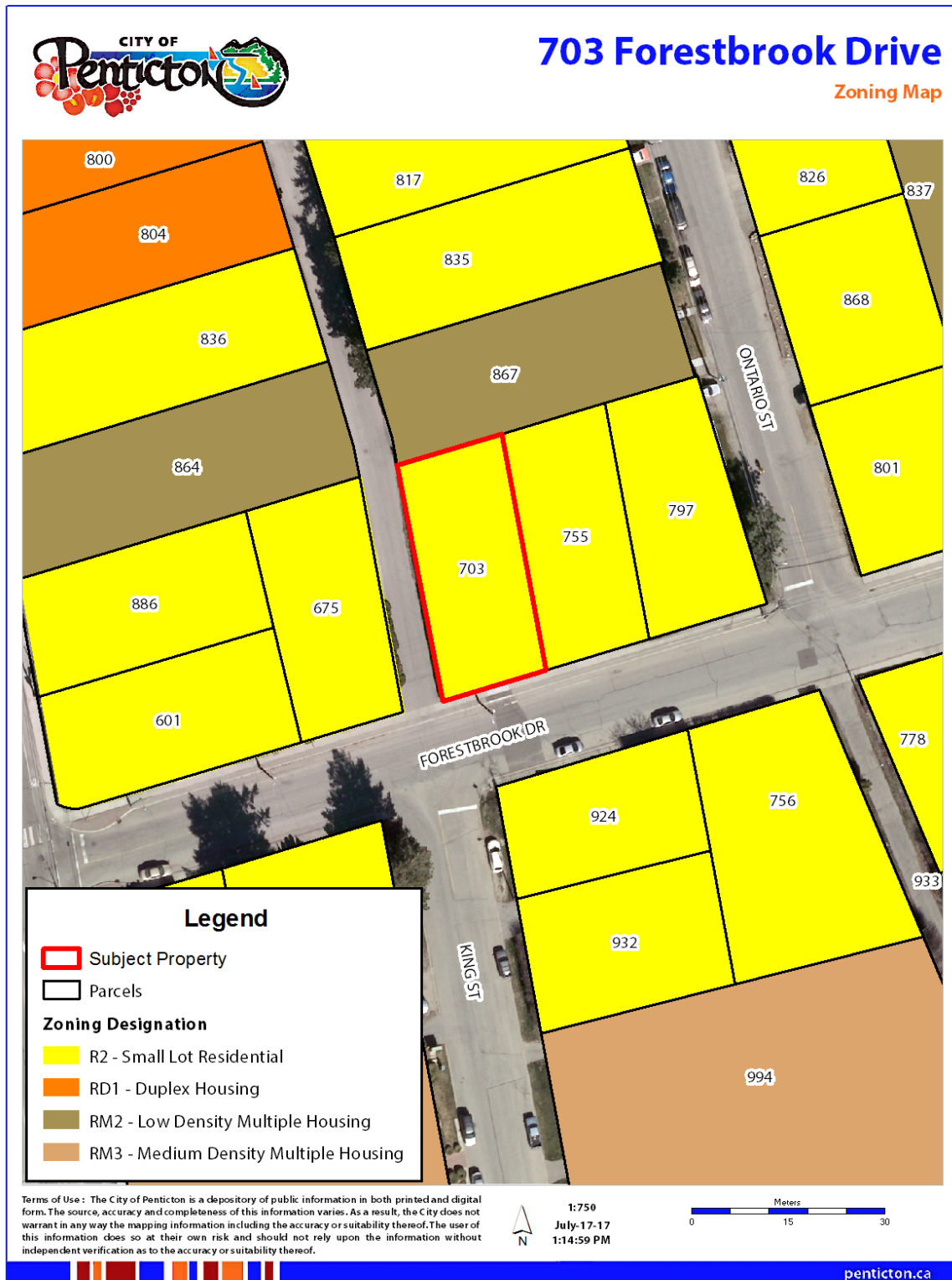


Figure 2: Zoning Map

Attachment C- OCP Map

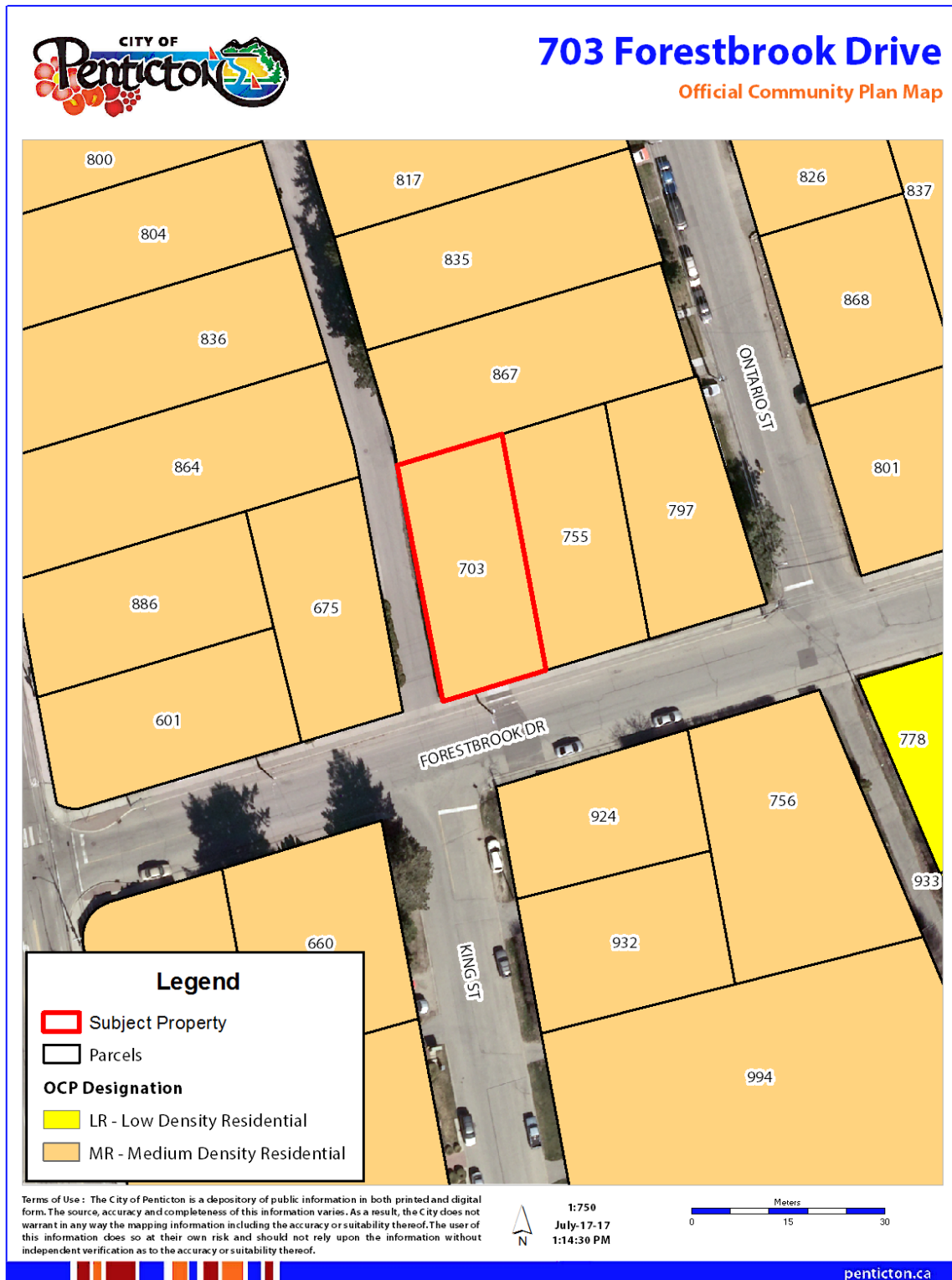


Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: South View (from Forestbrook Drive)



Figure 5: West View (from lane)



Figure 6: North View (from adjacent Multi Family Development)



Figure 7: Multi Family Development located north west of the proposed development

Attachment E - Site Plan

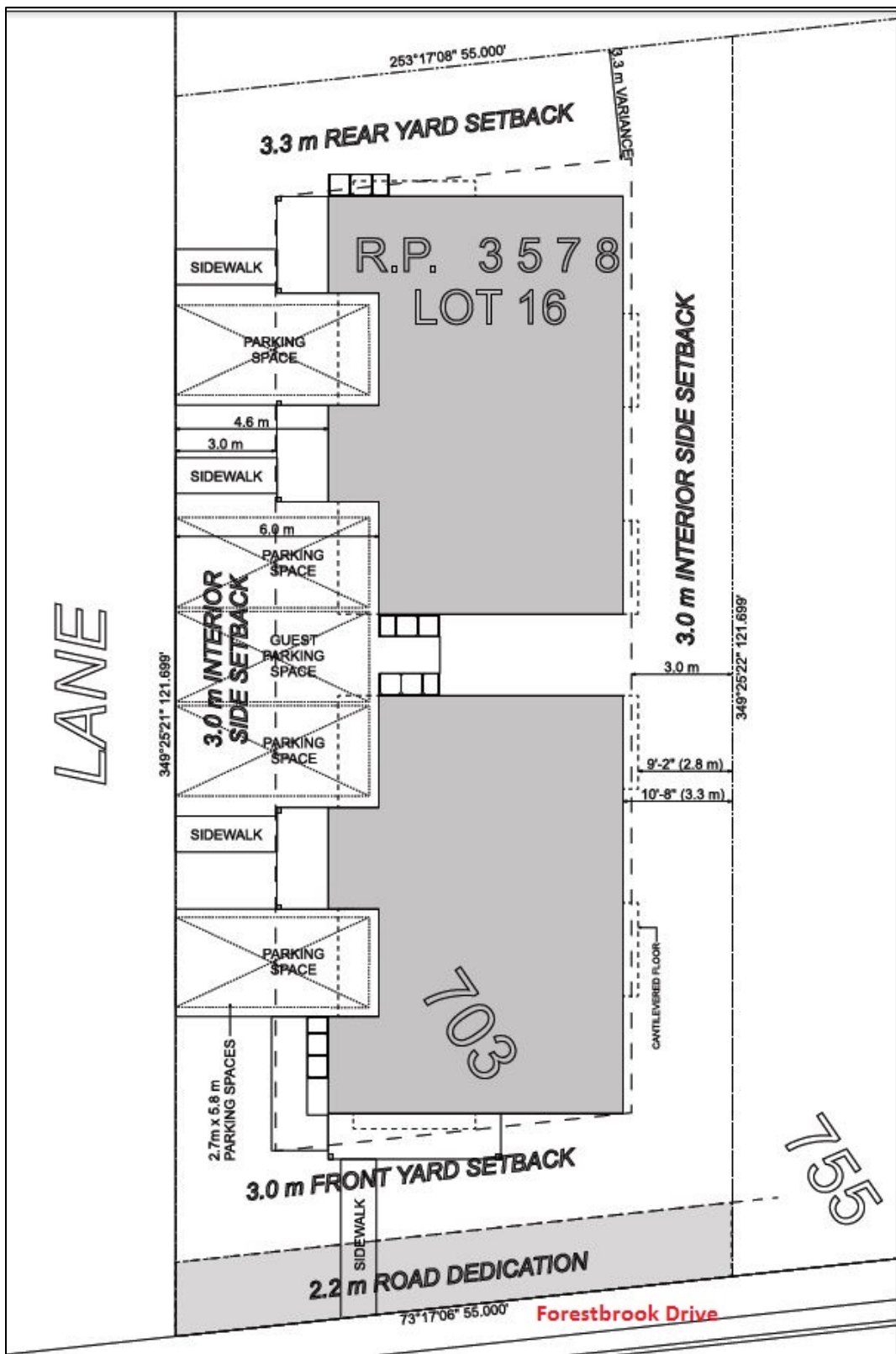


Figure 8: Site Plan

Attachment F – Elevations



Figure 9: South Elevation



Figure 10: North Elevation



Figure 11: West Elevation



Figure 12: East Elevation

Attachment G – Landscape Plan

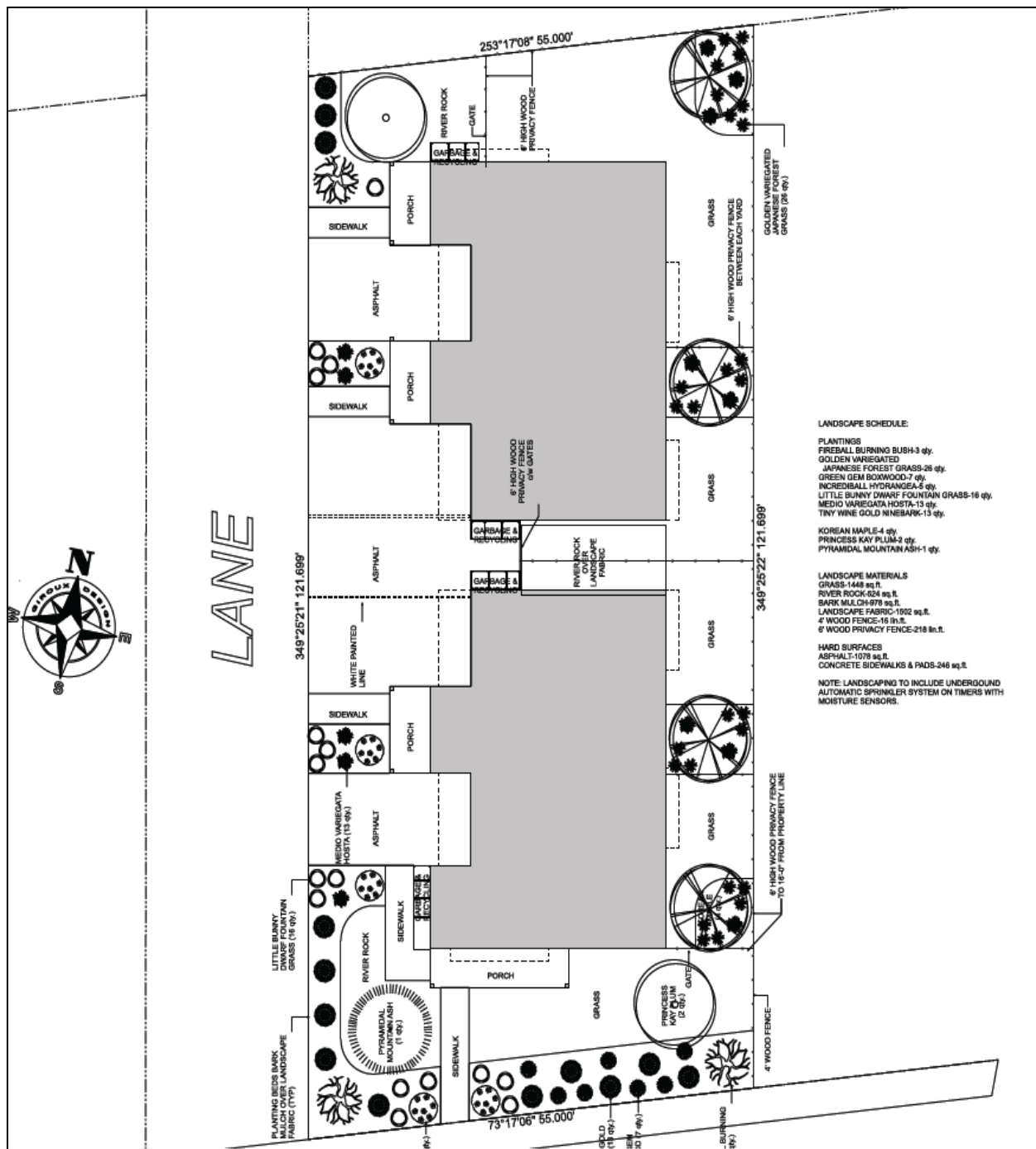


Figure 13: Landscape Plan

Attachment H- Letter of Intent

July 24, 2017

Giroux Design Group Inc.  
1405-160 Lakeshore Drive W.  
Penticton, BC V2A 9C2

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

Re: 703 Forestbrook Drive Development Permit Application

To City of Penticton Mayor, Council, and Planning Department,

This letter is regarding the proposed rezoning, and development of the property located at 703 Forestbrook Drive. The proposal is to take a large single-family lot with a single residence and rezone the property to allow for two duplex buildings. We believe this development will fit nicely with the existing single-family homes and townhouses already on the street. It also follows the existing Official Community Plan which is for Medium Density Residential (RM).

The project will require rezoning from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) and meets all the requirements for this in size and area.

One variance is required as follows:

- 1) **Reduce the rear setback from 6.0 m to 3.3 m.** This is largely due to a 2.2 m road widening on Forestbrook Drive which will push the building back on the property. Also, in this case the rear setback of the property will be fronted by the side exterior of one of the duplex buildings, so the privacy of the neighbors will not be impacted by the reduction. The alternate to this would be to join the two buildings into one larger four-unit townhouse, however we feel that this would have a negative impact on the neighbors, and that the two duplex options is less imposing,

In summary, we believe this project will provide more suitable family housing and fits into the OCP for the area. Thank you for considering our proposal.

Best regards,

Tony Giroux **BD.ASTTBC**  
Owner/Registered Building Designer  
Giroux Design Group Inc.

Figure 14: Letter of Intent

Attachment I - Development Variance Permit PL2017-7989



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

**Development Variance Permit**

**Permit Number: DVP PL2017-7989**

Name:  
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 16 District Lot 249 Similkameen Division Yale District Plan 3578  
Civic: 703 Forestbrook Drive  
PID: 010-843-400
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following section of Zoning Bylaw 2017-08 to allow for the construction of a multi-family development as shown in the plans attached as Schedule A.
  - Section 10.8.2.9: to reduce the minimum rear yard from 6.0m to 3.3m.

**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 October, 2017

Issued this \_\_\_\_ day of \_\_\_\_\_, 2017

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Dana Schmidt,  
Corporate Officer

Attachment J - Development Permit PL2017-7990



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

## Development Permit

**Permit Number: DP PL2017-7990**

Name:  
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 16 District Lot 249 Similkameen Division Yale District Plan 3578  
Civic: 703 Forestbrook Drive  
PID: 010-843-400
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a multi-family development, 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 \$7982.00 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 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 October, 2017

Issued this \_\_\_\_ day of \_\_\_\_\_, 2017

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

**Bylaw No. 2017-53**

*A Bylaw to Amend Zoning Bylaw 2017-08*

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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 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. 2017-53".

2. **Amendment:**

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone Lot 16, District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive 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	15	day of	August, 2017
A PUBLIC HEARING was held this	5	day of	September, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 25 day of August, 2017 and the 30 day of August, 2017 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



- 23 -

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

**Tuesday, August 15, 2017**  
**at 1:00 p.m.**

## Resolutions

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- 14.2 OCP Amendment Bylaw No. 2017-54  
Zoning Amendment Bylaw NO. 2017-55  
Development Variance Permit PL2017-7950  
Re: 161 Bassett Street

468/2017

**It was MOVED and SECONDED**

THAT prior to consideration of "OCP Amendment Bylaw No. 2017-54" and in accordance with Section 475 of *Local Government Act*, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67; and
5. The provincial or federal government and their agencies;

AND THAT it is determined that the public consultation completed to date and the Public Hearing is sufficient consultation;

AND THAT "OCP Bylaw No. 2002-20", be amended by changing the OCP designation on Lot 23, Block 124 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, from LR(Low Density Residential) to MR (Medium Density Residential);

AND THAT "Official Community Plan Amendment Bylaw No. 2017-54" be introduced, read a first time and forwarded to the September 5, 2017 Public Hearing;

THAT "Zoning Amendment Bylaw No. 2017-55", a bylaw to amend Zoning Bylaw 2017-08 to rezone a portion of Lot 23, Block 124, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) (Schedule G: Proposed Parcel B) and RD2 (Duplex Housing: Lane) (Schedule G: Proposed Parcel A), be given first reading and be forwarded to the September 5, 2017 Public Hearing;

THAT delegations and submissions for "Development Variance Permit PL2017-7950" include Lot 23, Block 124 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, a permit varying the following provisions of Zoning Bylaw 2017-08:

- Section 10.8.2.7: To vary the minimum interior side yard setback from 3m to 2.9m
- Section 10.8.2.1: To vary the minimum lot width from 18m to 16.9m

be heard at the September 5, 2017 Public Hearing;

AND THAT Council consider "DVP PL2017-7950" following the adoption of "Zoning Amendment Bylaw No. 2017-55".

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** August 15, 2017 File Nos: OCP PL7949 & RZ PL 7948 & DVP PL7950  
**To:** Peter Weeber, Chief Administrative Officer  
**From:** Audrey Tanguay, Senior Planner  
**Address:** 161 Bassett Street  
**Subject:** **OCP Amendment Bylaw No. 2017-54, Zoning Amendment Bylaw No. 2017-55  
Development Variance Permit PL2017-7950**

## Staff Recommendation

*OCP*

THAT prior to consideration of "OCP Amendment Bylaw No. 2017-54" and in accordance with Section 475 of *Local Government Act*, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67; and
5. The provincial or federal government and their agencies;

AND THAT it is determined that the public consultation completed to date and the Public Hearing is sufficient consultation;

AND THAT "OCP Bylaw No. 2002-20", be amended by changing the OCP designation on Lot 23, Block 124 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, from LR(Low Density Residential) to MR (Medium Density Residential);

AND THAT "Official Community Plan Amendment Bylaw No. 2017-54" be introduced, read a first time and forwarded to the September 5, 2017 Public Hearing;

## *Zoning Bylaw Amendment*

THAT "Zoning Amendment Bylaw No. 2017-55", a bylaw to amend Zoning Bylaw 2017-08 to rezone a portion of Lot 23, Block 124, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) (Schedule G: Proposed Parcel B) and RD2 (Duplex Housing: Lane) (Schedule G: Proposed Parcel A), be given first reading and be forwarded to the September 5, 2017 Public Hearing;

### *Development Variance Permit*

THAT delegations and submissions for "Development Variance Permit PL2017-7950" include Lot 23, Block 124 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, a permit varying the following provisions of Zoning Bylaw 2017-08:

- **Section 10.8.2.7** To vary the minimum interior side yard setback from 3m to 2.9m
- **Section 10.8.2.1** : To vary the minimum lot width from 18m to 16.9m

be heard at the September 5, 2017 Public Hearing;

AND THAT Council consider "DVP PL2017-7950" following the adoption of "Zoning Amendment Bylaw No. 2017-55".

### **Background**

The subject property (Attachment 'A') is currently designated in the Official Community Plan 2002-20 (OCP) as LR (Low Density Residential) and is zoned R2 (Low Density Multiple Housing) by Zoning Bylaw No. 2017-08 and features a single detached dwelling with an accessory structure. Photos of the site are included as Attachment 'E'. The site extends to 1,004m<sup>2</sup> (0.248 acres).

Housing in this neighbourhood is slowly being replaced with more dense forms of development. Other redevelopment in the immediate area features townhouses, duplexes and multi-family development, for example on Power Street and Westminster Avenue.

The developer intends to subdivide the lot and develop a 4 unit complex and a duplex. Each unit has an approximate floor area of 140 m<sup>2</sup> (1500sq.ft). Each dwelling comprises 3 bedrooms. The main vehicle access to this project is from the lane. Landscaping will be incorporated along Basset Street and throughout the site.

### **Proposal**

The applicant is proposing the following amendments to the Official Community Plan Bylaw 2002-20:

‘Schedule B: Future Land Use Map’ to change the OCP designation of the site (as identified on Attachment B of this report) from LR (Low Density Residential) to MR (Medium Density Residential).

The applicant is also requesting an amendment to the zoning of the property located at 161 Basset Street from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) and RD2 (Duplex Housing: Lane) as shown on Attachment "C". The rezoning will facilitate the subdivision of the lot into two lots; as identified in Zoning Bylaw 2017-08.

Additionally, the applicant is seeking a Development Variance Permit to vary the following sections of Zoning Bylaw 2017-08:

- **Section 10.8.2.7** To vary the minimum interior side yard setback from 3m to 2.9m
- **Section 10.8.2.1** : To vary the minimum lot width from 18m to 16.9m

**Project Specifications**

The following table outlines the proposed development statistics as indicated on the submitted plans:

**Compliance table for the proposed 4 plex**

Item	Requirement RM2 Zone	Provided on Plans
<b>Minimum Lot Width</b>	18m	16.9m
<b>Maximum Lot Coverage:</b>	40%	39.2%%
<b>Maximum Density:</b>	0.8 FAR	0.8 FAR
<b>Vehicle Parking:</b>	1 space per unit (4) 0.25 per unit visitor(1) <b>Total: 5 stalls</b>	<b>Total: 5 stalls</b>
<b>Required Setbacks Principal Building</b>		
Front yard	3.0m	3.0m
Rear yard	6.0m	6m
Interior Side yard(South)	3m	3m
Interior Side yard(North)	3m	2.9m(Variance Required)
<b>Maximum Building Height:</b>	12m	8.9m (2 storey)
<b>Amenity Space</b>	20m <sup>2</sup> per units	20m <sup>2</sup> per units
<b>Other Information:</b>	<ul style="list-style-type: none"> <li>• The property is located in a development permit area. A development permit will be required.</li> </ul>	

**Compliance table for the proposed duplex**

Item	Requirement RD2 Zone	Provided on Plans
<b>Minimum Lot Width</b>	9.1m	9.1m
<b>Maximum Lot Coverage:</b>	40%	40%
<b>Maximum Density:</b>	0.95 FAR	0.81 FAR
<b>Vehicle Parking:</b>	1 space per unit (2)	<b>Total: 2 stalls</b>

<b>Required Setbacks</b>		
<b>Principal Building</b>		
Front yard	4.5m	4.5m
Rear yard	6m	6m
Interior Side yard(South)	1.5m	1.5m
Interior Side yard(North)	1.5m	1.5m
<b>Maximum Building Height:</b>	12m	8.9m (2 storey)
<b>Other Information:</b>	<ul style="list-style-type: none"> <li>The property is located in a development permit area. A development permit will be required.</li> </ul>	

**Development Engineering Review**

This application was forwarded to the City’s Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Servicing requirements have been identified and will be included as part of the subdivision.

**Financial implication**

Approval of the subject proposal will allow for the increase in property value substantially, replacing an older single family house with 6 new strata units. This increase in land value will have a positive impact on the City’s tax base.

**Analysis**

**Support OCP and Zoning amendment**

The subject property is designated for Low Density Residential under OCP Bylaw 2002-20. The OCP provides a list of criteria when considering re-designating areas to Medium Density Residential. The guidelines and staff’s comments are as follows:

*The city will support rezoning to higher densities:*

- *On a parcel where the proposed development will be compatible in character and scale with the adjoining uses:*

The character of the neighborhood will not considerably change as this is an area that has seen development pressure recently. According to the City’s OCP, residential development should be accommodated through infill development. The neighbourhood that the subject property is located in features predominantly residential style development, including low-rise apartment buildings, motel, townhouses and houses. The proposal is located adjacent to existing medium density land use designation. The OCP designation on the lots directly behind from the proposal is Medium Density Residential. This application encourages a mixed range of housing, types, tenures and densities. This application also supports residential intensification near commercial activities, institutional facilities and in proximity to the downtown.

In order to respect the character of the adjacent lower density residential development, the proposal transitions from the high form of density with the four unit townhouse development on the southern edge to the duplex development further to the north. Staff consider that this transition is appropriate considering the form of development in the surrounding area.

- *Where separation can be achieved through adequate setback distances and buffers from existing or planned lower density housing;*

The developer has presented a design with high aesthetic appeal. The building has been set to respect the front setback and building lines of the existing house adjacent to this parcel. Appropriate fencing and landscaping will be triggered at the development permit stage. The proposal adds to the already varied range of housing, types, tenures and densities.

- *Near parks, commercial activities or public/institutional facilities;*

The OCP supports intensification of residential land use and density around the downtown core. The property is located directly adjacent to Okanagan Lake and is in proximity of the downtown commercial core as well as the Community Center. This development will increase the residential offer adjacent to the downtown area and encourage more use of the Downtown amenities. The proximity to the lake, downtown and nearby services encourages more walking and active forms of transportation.

- *On sites that afford direct and convenient vehicle access so as to avoid generating excessive traffic on local streets and;*

No driveway access is proposed on Basset Street. All the traffic will be directed to the lane where 7 vehicle spaces are being proposed. All the units have pedestrian access on Basset Street and maintain a positive relationship with the street. All of the properties in this section of Basset Street have vehicle access from a rear lane and the proposed development retains the character of the street through the provision of parking from the rear lane. The proposal provides adequate parking for the site and meets with Zoning Bylaw's parking requirements.

The development meets the following objectives of the OCP:

- Encourage residential intensification near commercial activities and institutional facilities
- Encourage densification in areas where existing services can accommodate higher densities.
- New development should be accommodated through infill development
- Encourage a wide range of Medium Density Residential housing, including fourplex and compact housing

Generally, staff considers that the design is fitting and consistent with the up-to-date medium density development in the area. The proposal is considered to provide an appropriate level of density and the proposed two storey height offers a smooth transition from the motel and the single family residential use. This proposal reflects the consistent theme of mid-scale density that has been occurring around the periphery of the downtown. Each of the units have a private patio but will benefit from the surrounding amenities and will enable efficient use of the adjacent resources. For these reasons staff is recommending that Council supports the land use designation change, as provided in this report and refers the application to the September 5, 2017 Public Hearing.

### Deny/Refer

Council may feel that the proposed amendments are not suitable for this site. If this is the case, Council should deny the bylaw amendments. If the OCP and zoning amendment do not go forward, the property will be restricted to a single family use. In that eventuality, Council should not support the OCP and zoning amendment. Alternatively, Council may wish to refer the matter back to staff to work with the applicant with direction that Council feels is appropriate.

### ***Support Variance***

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

The proposed variances are as follows:

#### **Section 10.8.2.7 of Zoning Bylaw 2017-08: To vary the minimum interior side yard setback from 3m to 2.9m**

The applicant is requesting a minimal reduction of the side yard setback to accommodate patios and pedestrian access through the lot. The proposed development maximizes the use on the site. Staff does not consider that, given the scale of the variance requested, there will be an adverse impact on nearby properties.

#### **Section 10.8.2.1: To vary the minimum lot width from 18m to 16.9m**

The applicant is requesting a minimum lot width reduction to facilitate the creation of two buildable lots in between a motel and a residential lot. In other neighborhoods in the downtown area, similar sized lots have been developed successfully with cluster housing. The applicant has shown that even with the reduced lot width, the applicant has been able to propose a well-designed four unit development. The reduction in lot width will not have a negative impact on the existing neighbourhood and is considered fit well within the existing streetscape.

Given the above, staff feels that the variances requested are reasonable and recommend that Council, after hearing from any other affected neighbours, support the application.

**Alternate Recommendations**

Council may consider that the proposed variances are not appropriate and have the option of not supporting the proposed Zoning and Official Community Plan amendments. Further work on the project design could be completed to reduce the need for variances and Council could provide direction for the applicant to work with staff to reduce or eliminate the variances proposed.

1. THAT Council give first reading to "Zoning Amendment Bylaw No. 2017-55" but deny support to "Development Variance Permit PL2017-7950".

**Attachments**

- Attachment A: Subject Property Location Map
- Attachment B: OCP Map
- Attachment C: Zoning Map
- Attachment D: Proposed Zoning
- Attachment E: Letter of Intent
- Attachment F: Images of Subject Property
- Attachment G: Elevations
- Attachment H: Site Plan
- Attachment I : DVP
- Attachment J : OCP Bylaw No. 2017-54
- Attachment K: Zoning Bylaw No. 2017-55

Respectfully submitted,

Audrey Tanguay, MCIP  
Senior Planner

Approvals

Director  <i>AT</i>	CAO  PW
---------------------------	---------------

Attachment A - Subject Property



Figure 1: Location Map

Attachment B - OCP Map

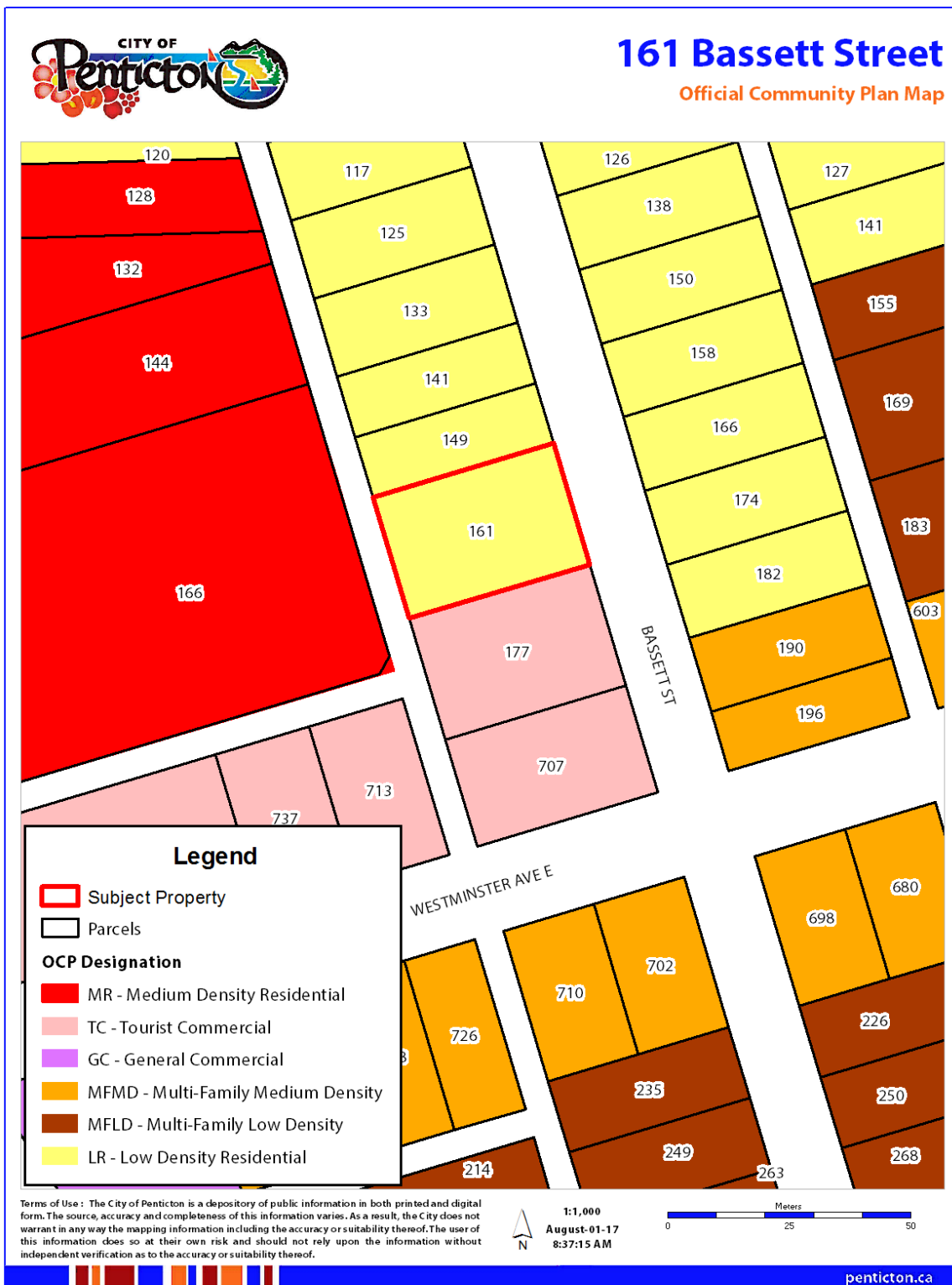


Figure 2: OCP Map

Attachment C - Zoning Map

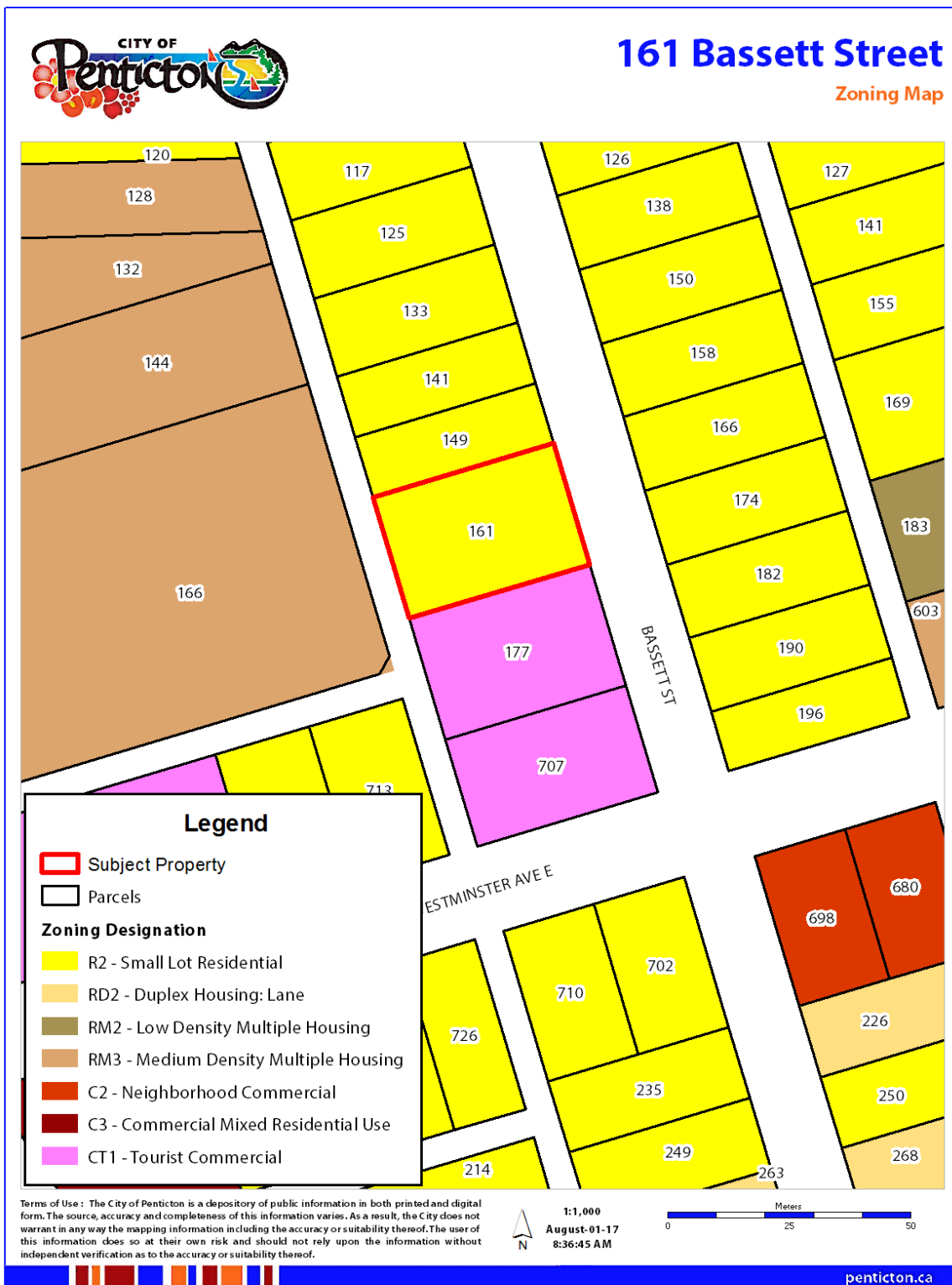


Figure 3: Zoning Map

### Attachment D – Proposed Rezoning

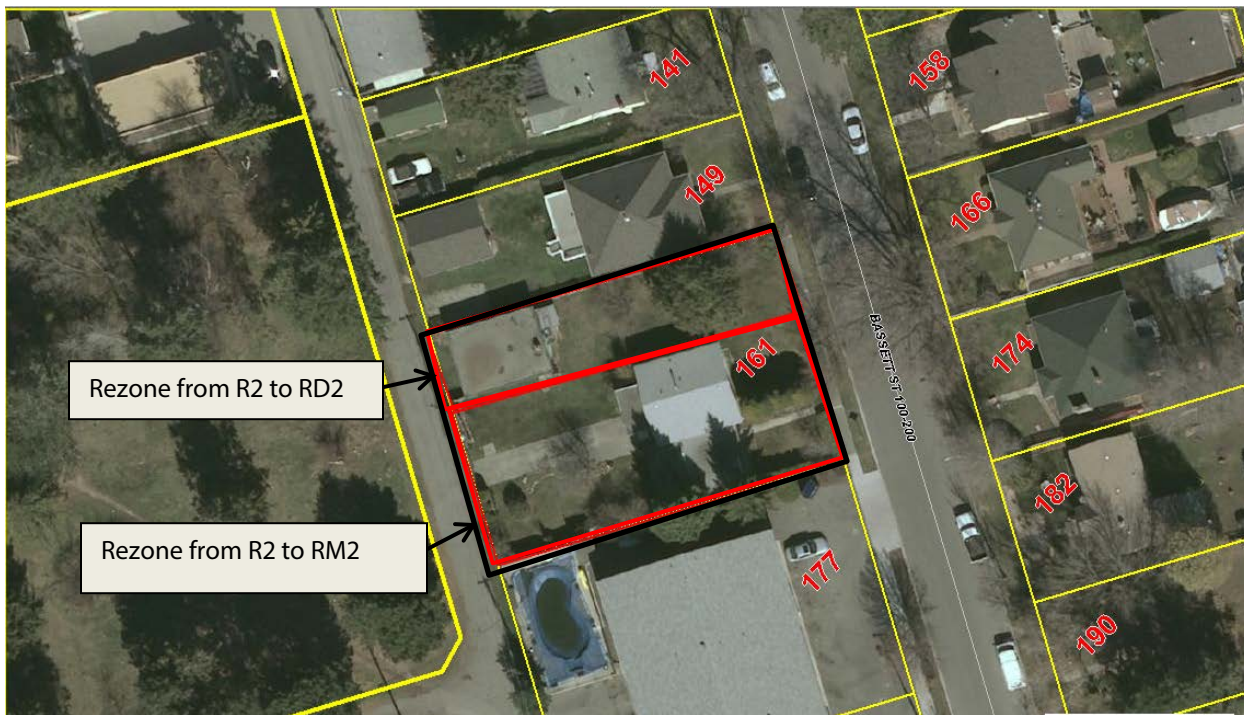


Figure 4: Proposed Zoning

Attachment E – Letter of Intent



May 15, 2017

Giroux Design Group Inc.  
1405-160 Lakeshore Drive W.  
Penticton, BC V2A 9C2

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

Re: 161 Bassett Street Development Permit Application

To City of Penticton Mayor, Council, and Planning Department,

This letter is regarding the proposed OCP amendment, subdivision, rezoning, and development of the property located at 161 Bassett Street. The proposal is to take a large single family lot with a single residence and subdivide the lot to allow for the construction of a four-unit townhouse and a duplex. We believe this is a good transition from the motel on the neighboring property and the large townhouse complex across the lane to the single-family homes in the neighborhood. Originally the intent was to subdivide the lot into three parcels to allow for three duplex buildings, however after consultation with the planning department it was felt that a subdivision into two lots with the current proposed development would be better for the neighborhood. Below is a breakdown of the two proposed parcels and the required variances and rezoning for each.

**Parcel A: Duplex Lot 30'x127.5' (9.1m x 38.9 m)**

Other than the rezoning to RD2 this lot will require no variances as all the variances required were put on to Parcel B. The OCP also currently allows duplexes without any amendments. This property is larger than most lots where narrow duplexes are placed, this allows for more amenities within the residence and will be more suited to a more established family situation.

**Parcel B: Fourplex Lot 55.6'x127.5' (16.9 m x 38.9 m)**

As mentioned previously, all the variances to make the development work were placed on this lot to simplify the application. 1) OCP Amendment-Currently the OCP is LR, this proposal requires a change to MR to allow for a four-unit townhouse. We believe this is reasonable as the neighboring property is a motel and across the lane is a new large townhouse complex. The proposed duplex will also provide a buffer between the single-family residences. The surrounding area is generally denser in development or is commercial our tourism based. 2) A rezoning is required to RM2 to allow the construction of the fourplex. With a heavy demand for more residences in our community, this type of in-fill development provides just that. 3) A variance is required to reduce the minimum lot width from 18.0 m to 16.9 m, the lot is 3.6 feet narrower than required which is not significant. 4) A variance is requested to reduce the North side interior setback from 3.0 m to 2.9 m. This is to allow the building to be 48'-0" wide rather than 47'-10" wide. The extra 2" width will save substantial costs during construction. No other variances are required for the property.

In summary, we feel confident that the proposed development will be a major improvement to the neighborhood and will in no way have a negative impact. Thank you for considering our proposal.

Best regards,

A handwritten signature in black ink, appearing to read 'Tony Giroux', is written over a light blue horizontal line.

Tony Giroux **BD.ASTTBC**  
Owner/Registered Building Designer  
Giroux Design Group Inc.

Attachment E - Images of the Subject Property



Figure 5: View from Basset Street



Figure 6: View from lane

Attachment F – Elevations



FRONT ELEVATION (FACING BASSETT STREET)  
SCALE: 1/4" = 1'-0"

Figure 7: Front Elevation on Bassett Street



REAR ELEVATION (FACING WEST TO LANE)  
SCALE: 1/4" = 1'-0"

Figure 8: Rear Elevation on the lane



LEFT ELEVATION (FACING SOUTH TO MOTEL)  
SCALE: 1/4" = 1'-0"

Figure 9: South Elevation



RIGHT ELEVATION (FACING NORTH TO NEIGHBORING HOUSE)  
SCALE: 1/4" = 1'-0"

Figure 10: North Elevation

Attachment G: Site Plan

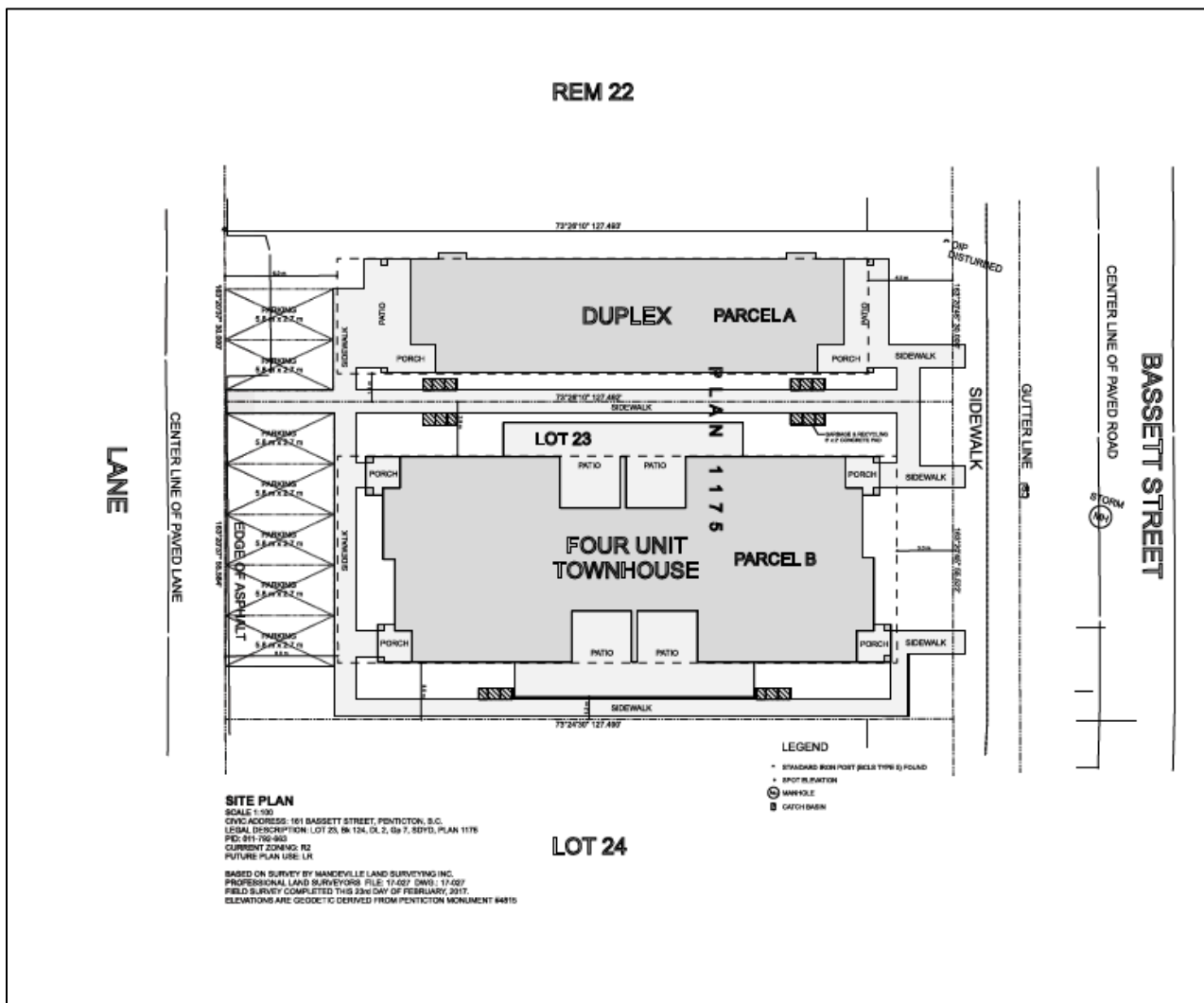


Figure 11: Site Plan

Attachment H: DVP



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

### Development Variance Permit

Permit Number: DVP PL2017-7950

#### 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 23, Block 124 District Lot 2, Group 7, Similkameen Division Yale  
(Formerly Yale Lytton) District Plan 1175  
**Civic:** 161 Basset Street  
**PID:** 011-792-663
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following section of Zoning Bylaw 2017-08 as shown in the plan attached in Schedule "A":

**Section 10.8.2.7** To vary the minimum interior side yard setback from 3m to 2.9m

**Section 10.8.2.1** : To vary the minimum lot width from 18m to 16.9m

#### 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   , 2017

Issued this \_\_\_\_ day of \_\_\_\_\_, 2017

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

**Bylaw No. 2017-54**

*A Bylaw to Amend Official Community Plan Bylaw 2002-20*

---

WHEREAS the Council of the City of Penticton has adopted an Official Community Plan Bylaw pursuant to the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Official Community Bylaw 2002-20;

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 "Official Community Plan Amendment Bylaw No. 2017-54."

2. **Amendment:**

"Official Community Plan Bylaw No. 2002-20" is hereby amended as follows:

- 2.1 Amend Schedule 'B' Future Land Use designation for Lot 23, Block 124, District Lot 2, Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1175, located at 161 Bassett Street, identified in Schedule A of this bylaw, from LR (Low Density Residential) to MR (Medium Density Residential).
- 2.2 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this	15	day of	August, 2017
A PUBLIC HEARING was held this	5	day of	September, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 25 of August, 2017 and the 30 of August, 2017 in the Penticton newspapers, pursuant to Section 94 of the *Community Charter*.

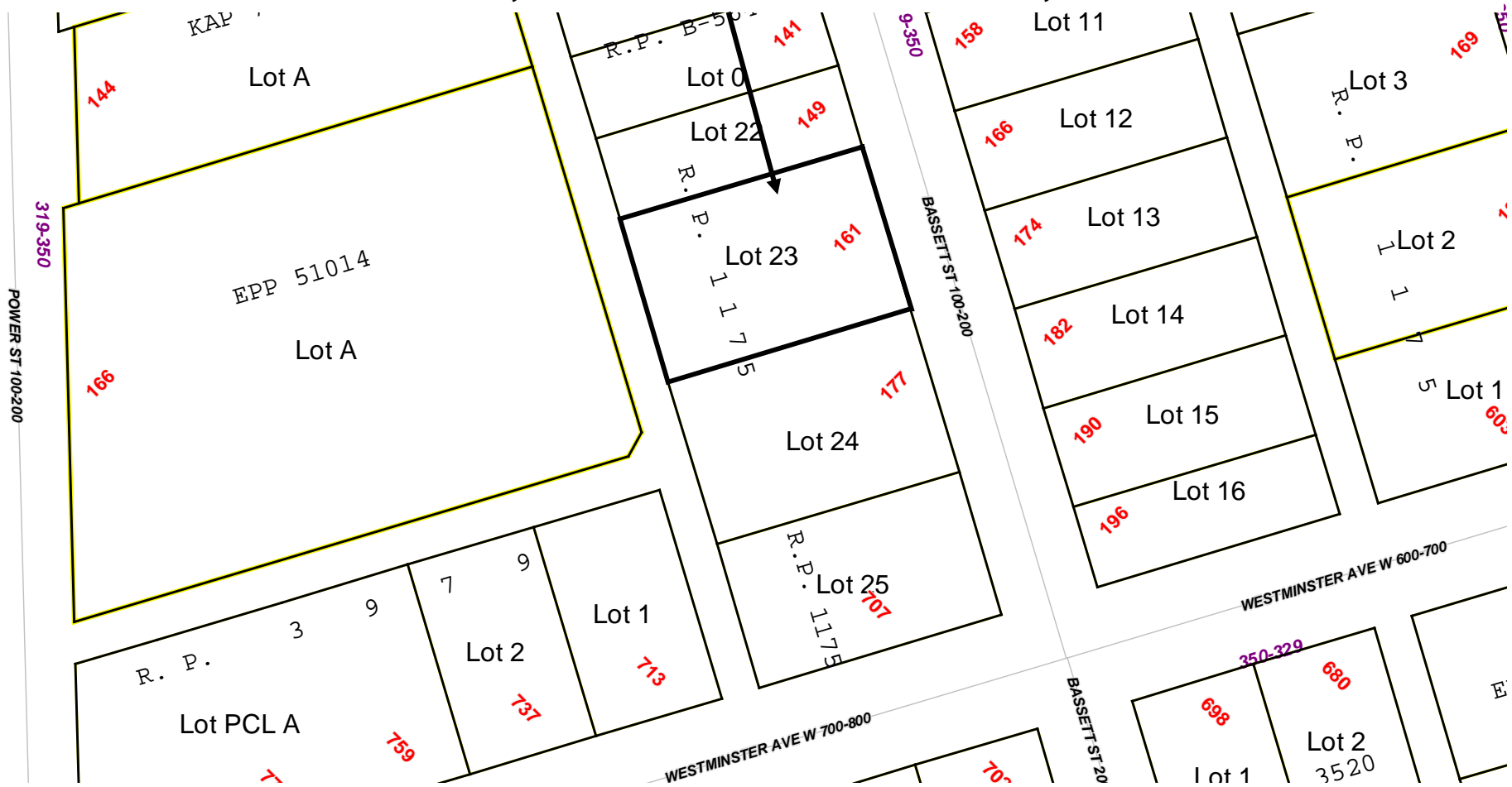
\_\_\_\_\_  
Andrew Jakubeit, Mayor

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

Amend Official Community Plan Bylaw 2002-20; Schedule B: Future Land Use Map

To change the OCP designation of 161 Bassett Street

From LR(Low Density Residential) to MR (Medium Density Residential)



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2017-54

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

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

Bylaw No. 2017-55

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. 2017-55".

2. Amendment:

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone a portion of Lot 23, Block 124, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) and a portion to RD2(Duplex Housing: Lane).

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

READ A FIRST time this	15	day of	August, 2017
A PUBLIC HEARING was held this	5	day of	September, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
RECEIVED the approval of the		day of	, 2017
Ministry of Transportation on the			
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 25 day of August, 2017 and the 30 day of August, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

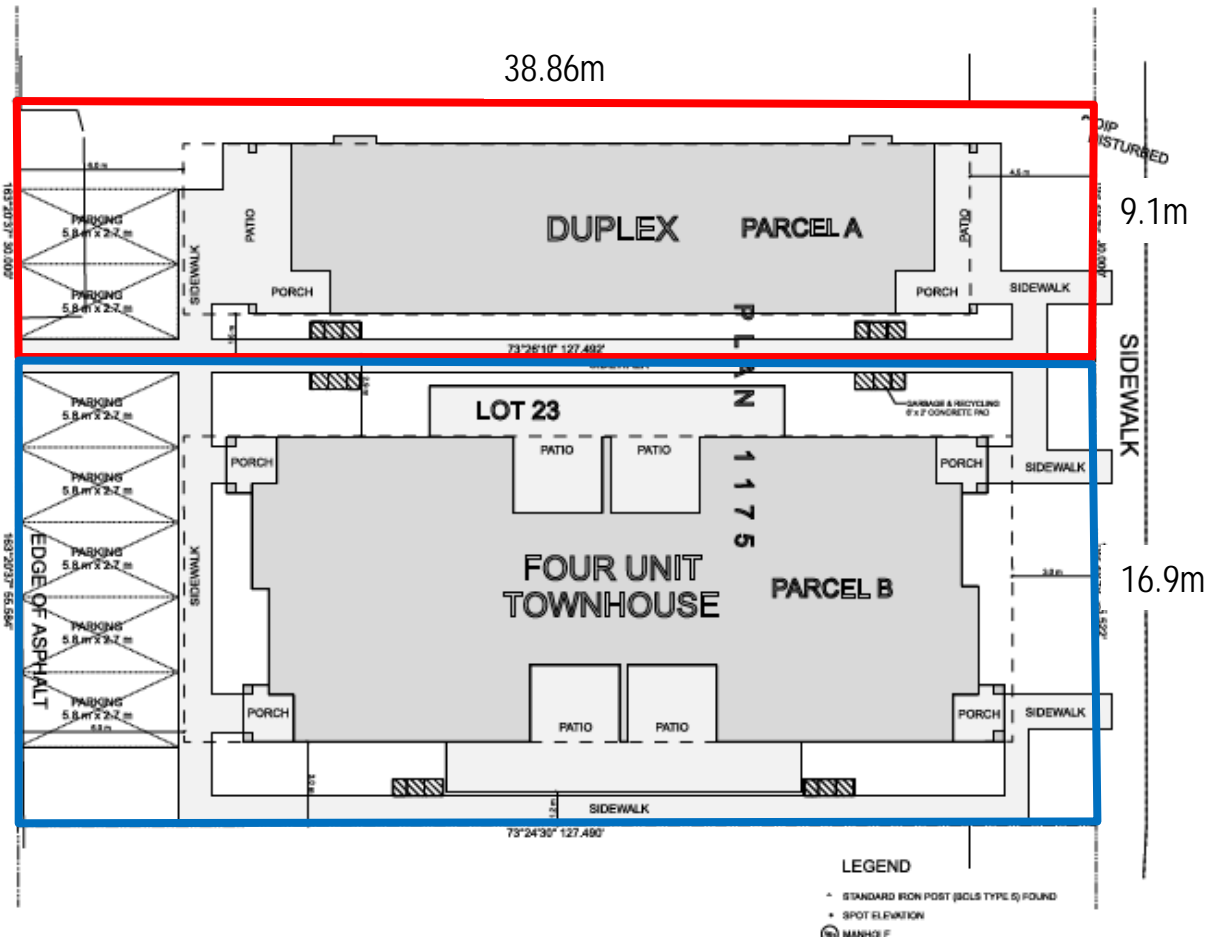
<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i>  this _____ day of _____, 2017</p> <p>_____</p> <p>for Minister of Transportation &amp; Infrastructure</p>
---

\_\_\_\_\_  
Andrew Jakubeit, Mayor

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

Rezone a portion of 161 Bassett Street – shown as **Parcel A** – from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)

Rezone a portion of 161 Bassett Street – shown as **Parcel B** – from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing)



**City of Penticton – Schedule 'A'**  
**Zoning Amendment Bylaw No. 2017-55**

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

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

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

**Tuesday, August 15, 2017**  
**at 1:00 p.m.**

## **Resolutions**

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- 14.3 Zoning Amendment Bylaw No. 2017-56  
Development Variance Permit PL2017-7971  
Development Permti PL2017-7972  
Re: 597 Ellis Street

469/2017

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2017-56", a bylaw to rezone Lot 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269, located at 597 Ellis Street, from C3 (Mixed Use Commercial) to RM5 (Urban Residential), be given first reading and forwarded to the September 5, 2017 Public Hearing;

THAT delegations and submissions for "Development Variance Permit PL2017-7971" for Lot 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269, located at 597 Ellis Street, a permit to reduce the minimum front yard from 2.5m to 0.9m and to vary Section 12.9 of the City of Penticton Subdivision and Development Bylaw No. 2004-81, to waive the requirement of a driveway to a corner lot being located a minimum of 10m from a flanking street to a minimum of 4.0m from a flanking street, be heard at the September 5, 2017 Public Hearing.

AND THAT Council consider "DVP PL2017-7971" following the adoption of "Zoning Amendment Bylaw No. 2017-56";

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-56", approve "Development Permit PL2017-7972" for Lot 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269, located at 597 Ellis Street, a permit that allows for the construction of a four-unit townhouse development.

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** August 15, 2017  
**To:** Peter Weeber, Chief Administrative Officer  
**From:** Randy Houle, Planner I  
**Address:** 597 Ellis Street

File No: RZ PL2017-7970  
DVP PL2017-7971  
& DP PL2017-7972

**Subject: Zoning Amendment Bylaw No. 2017-56  
Development Variance Permit PL2017- 7971  
Development Permit PL2017-7972**

---

## Staff Recommendation

### *Zoning Amendment*

THAT "Zoning Amendment Bylaw No. 2017-56," a bylaw to rezone Lot 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269, located at 597 Ellis Street, from C3 (Mixed Use Commercial) to RM5 (Urban Residential), be given first reading and forwarded to the September 5, 2017 Public Hearing;

### *Development Variance Permit*

THAT delegations and submissions for "Development Variance Permit PL2017-7971" for Lot 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269, located at 597 Ellis Street, a permit to reduce the minimum front yard from 2.5m to 0.9m and to vary Section 12.9 of the City of Penticton Subdivision and Development Bylaw No. 2004-81, to waive the requirement of a driveway to a corner lot being located a minimum of 10m from a flanking street to a minimum of 4.0m from a flanking street, be heard at the September 5, 2017 Public Hearing.

AND THAT Council consider "DVP PL2017-7971" following the adoption of "Zoning Amendment Bylaw No. 2017-56".

### *Development Permit*

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-56," approve "Development Permit PL2017-7972" for Lot 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269, located at 597 Ellis Street, a permit that allows for the construction of a four-unit townhouse development.

## Strategic priority objective

Approval of this project adds desired residential units in the downtown, in support of creating a sustainable and livable community.

## **Background**

The subject property (Attachment A) is zoned C3 (Mixed Use Commercial) and designated by the City's Official Community Plan as HR (High Density Residential). Photos of the sites are included as Attachment D. The subject property is 372m<sup>2</sup> (4004ft<sup>2</sup>). Surrounding properties are primarily zoned C1 (Commercial Transition), C2 (Neighbourhood Commercial), C5 (Urban Centre Commercial), RM3 (Medium Density Multiple Housing) and RM5 (Urban Residential). Surrounding properties are designated by the OCP as DC (Downtown Commercial) and HR (High Density Residential).

The property is currently vacant. A fire, in 2012, destroyed a rooming house that was located on the property.

## **Proposal**

The applicant is proposing to construct a four-unit townhouse development. Since the proposed use is not permitted in the C3 (Mixed Use Commercial) zone, a rezoning to RM5 (Urban Residential) is required.

Secondly, the applicant is requesting a Development Variance Permit to vary the following section of Zoning Bylaw No. 2017-08:

- Section 10.11.2.6: to reduce the minimum front yard from 2.5m to 0.9m.

Additionally, the applicant is applying to vary Section 12.9 of the City of Penticton Subdivision and Development Bylaw No. 2004-81, to vary the requirement of a driveway to a corner lot to be located a minimum of 10.0m from a flanking street to a minimum of 4.0m from a flanking street.

Lastly, the property is located within the High Density Development Permit area and requires approval for the form and character of the townhouse.

## **Financial implication**

## **Technical Review**

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Through this process, it was determined that no upgrades to the lane or street frontage will be required by the developer unless damages occur during construction. As per City of Penticton Building Bylaw 94-95 section 7.1.5, storm water/drainage is to be maintained on site. If the requests for the zoning amendment, variances and development permit are supported, BC Building Code and City bylaw provisions, such as height restrictions, will apply.

## **Development Statistics**

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

Item	Requirement RM2 zone	Proposed
<b>Maximum Lot Coverage:</b>	100%	47.6%
<b>Maximum Density:</b>	2.0 FAR	1.0 FAR
<b>Minimum Lot Width:</b>	10.0m	12.18m
<b>Minimum Lot Area:</b>	275m <sup>2</sup>	371.35m <sup>2</sup>
<b>Vehicle Parking:</b>	1 space per dwelling unit (4 total)	4 spaces
<b>Required Setbacks</b>		
Front yard (south, White Ave E):	2.5m	0.9 (variance required)
Rear yard (north)	0.0m	2.1m
Interior yard (west):	0.0m	7.19m
Exterior yard (east, Ellis St.):	2.5m	2.5m
<b>Maximum Building Height:</b>	15.0m	7.0m
<b>Other Information:</b>	Subject property is located within the High Density Development Permit Area, thus a development permit is required.	

## Analysis

### Zoning Amendment

#### Support "Zoning Amendment Bylaw No. 2017-56"

The site is situated in the downtown periphery which is experiencing some densification. The OCP designation for this site is HR (High Density Residential), which supports the proposed zoning amendment. Staff consider that the zoning amendment to allow for a four-unit townhouse represents best use of the land for the following reasons:

- The proposal is consistent with the OCP's view that infill residential development is an appropriate method of maximizing the use of land and increasing housing choices for Penticton residents.
- The OCP encourages densification in areas where existing services can accommodate higher densities, which is the case here.
- The proximity to downtown, schools and nearby services encourages more walking and active forms of transportation.
- The current proposal will convert an empty lot into four dwelling units in a time with low vacancy rates.

Staff considers that the design is suitable and consistent with the redevelopment trends in the area. The location of the site and characteristics of the surrounding neighbourhood make it appropriate for residential densification. Even though the current zoning requires a commercial component, the OCP vision is for residential only, which is consistent with the current proposal. The proposed lot coverage of 47.6% is much less than the 100% permitted in the RM5 zone, thus allowing for some outdoor living space and on-site parking. Additionally, the proposed Floor Area Ratio of 1.0 is less than the 2.0 FAR and the height of 7.0m is less than the 15.0m maximum which will give the development a less crowded appearance. Given the

above, staff recommends that Council support "Zoning Amendment Bylaw No. 2017-56" and forward the application to the September 5, 2017 Public Hearing for comments from the public.

### Deny/Refer Zoning Amendment

Council may consider that the proposed amendment is not suitable for this site. If this is the case, Council should deny the bylaw amendment. Alternatively, Council may wish to refer the matter back to staff to work with the applicant with any direction that Council considers appropriate.

### **Development Variance Permit**

#### Support Variances

When considering a variance to a City bylaw, staff encourages Council to be mindful of any constraints on the property that makes following the bylaw difficult or impossible; whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable.

*Section 10.11.2.6: to reduce the minimum front yard from 2.5m to 0.9m.*

- The proposed development will result in a 0.9m front yard (along White Avenue) which is less than the 2.5m minimum required. A 0.9m front yard will still allow for fencing and a small outdoor patio area to act as a buffer from the sidewalk. The 7.0m height of the building is much less than the 15.0m maximum which will reduce the visual impact of the building on the street. Reducing the front yard will result in a rear yard of 2.1m, more than the required 0.0m minimum. This will help in limiting the impacts on the adjacent neighbour.

*Section 12.9 of the City of Penticton Subdivision and Development Bylaw No. 2004-81, to vary the requirement of a driveway to a corner lot to be located a minimum of 10.0m from a flanking street to a minimum of 4.0m from a flanking street.*

- Subdivision and Development Bylaw 2004-81 requires that any driveway located on a corner lot be located a minimum of 7metres, or 10 metres, from the face of the curb to the adjoining street, based on the classification of the side street. In this case White Avenue is classified as a collector hence in accordance with the bylaw the minimum distance is 10 metres. The developer is looking to decrease the requirement from 10.0m to 4.0m. This requirement was developed to provide appropriate distance for vehicles turning corners to observe and react to vehicles using the driveways. It is the opinion of Staff that, as the lane in question is one-way traffic only, this requirement can be safely varied. The one-way access will prevent any vehicles from turning into the lane from White and conflicting with the driveway, making it unnecessary to have the 10m buffer distance. In consultation with the City Engineer the one-way lane has no foreseeable change of ever switching to a two-way, and will continue to function in its current design.

Supporting the variances listed above would help to maximize the living space of the townhouses while enabling an on-site parking space for each unit. Staff consider that the variances requested will have little impact on the neighbourhood and recommend that Council, after hearing from any affected neighbours, support the application.

### Deny/Refer Variances

Council may consider that the proposed variances will negatively affect the neighborhood due to the reduced front yard setback. If this is the case, Council should deny the variances.

### **Development Permit**

#### Support Development Permit

The subject property is located within the High Density Development Permit Area. As a consequence, a Development Permit is required. Although this Development Permits can be staff-issued, it has been included in this report for Council's decision in order to streamline the approvals process. The Development Permit Area guidelines are intended to address the form and character of new multi-family buildings. The objective of these guidelines, according to the OCP, is to "help enhance the character of the downtown and established urban villages as well as support high density development adjacent to the downtown." The proposed development meets the intent of the Development Permit Area as explained below:

- The architectural features such as window and door detailing are sufficiently varied and create visual interest.
- The proposed development provides a friendly, pedestrian-orientated interface with the street and enhances walkability to the downtown.
- The entrances have a street orientation with entrance gates through a fence, creating an aesthetically pleasing connection to the street.
- The landscape plan features a variety of different plants, flowers and trees.
- The garbage and parking areas are screened with landscaping and fencing.

Staff consider that the plans submitted meet the intent of the DPA guidelines and generally conform to the zoning bylaw. As such, staff recommend that Council approve the Development Permit application.

### Deny/Refer Development Permit

Council may consider that the proposal does not reflect the current built form of the neighbourhood, or that the development should soften the impact on neighbouring properties. If this is the case, Council should deny the permit.

### **Alternate Recommendations**

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2017-56" and deny support for DVP PL2017-7971 & DP PL2017-7972.
2. THAT Council give first reading to "Zoning Amendment Bylaw No. 2017-56" but deny support for DVP PL2017-7971 & DP PL2017-7972.
3. THAT Council give first reading to "Zoning Amendment Bylaw No. 2017-56" and support DVP PL2017-7971 & DP PL2017-7972 with conditions that Council feels are appropriate.

**Attachments**

- Attachment A: Subject Property Location Map
- Attachment B: Zoning Map
- Attachment C: OCP Map
- Attachment D: Photos of Subject Property
- Attachment E: Site Plan
- Attachment F: Elevations
- Attachment G: Landscape Plan
- Attachment H: Letter of Intent
- Attachment I: Development Variance Permit PL2017-7971
- Attachment J: Development Permit PL2017-7972
- Attachment K: Zoning Amendment Bylaw No. 2017-56

Respectfully submitted,

Randy Houle  
Planner I

Approvals

DDS	CAO
<i>BL</i>	PW

Attachment A – Subject Property Location Map



Figure 1: Subject Property Location Map

Attachment B – Zoning Map

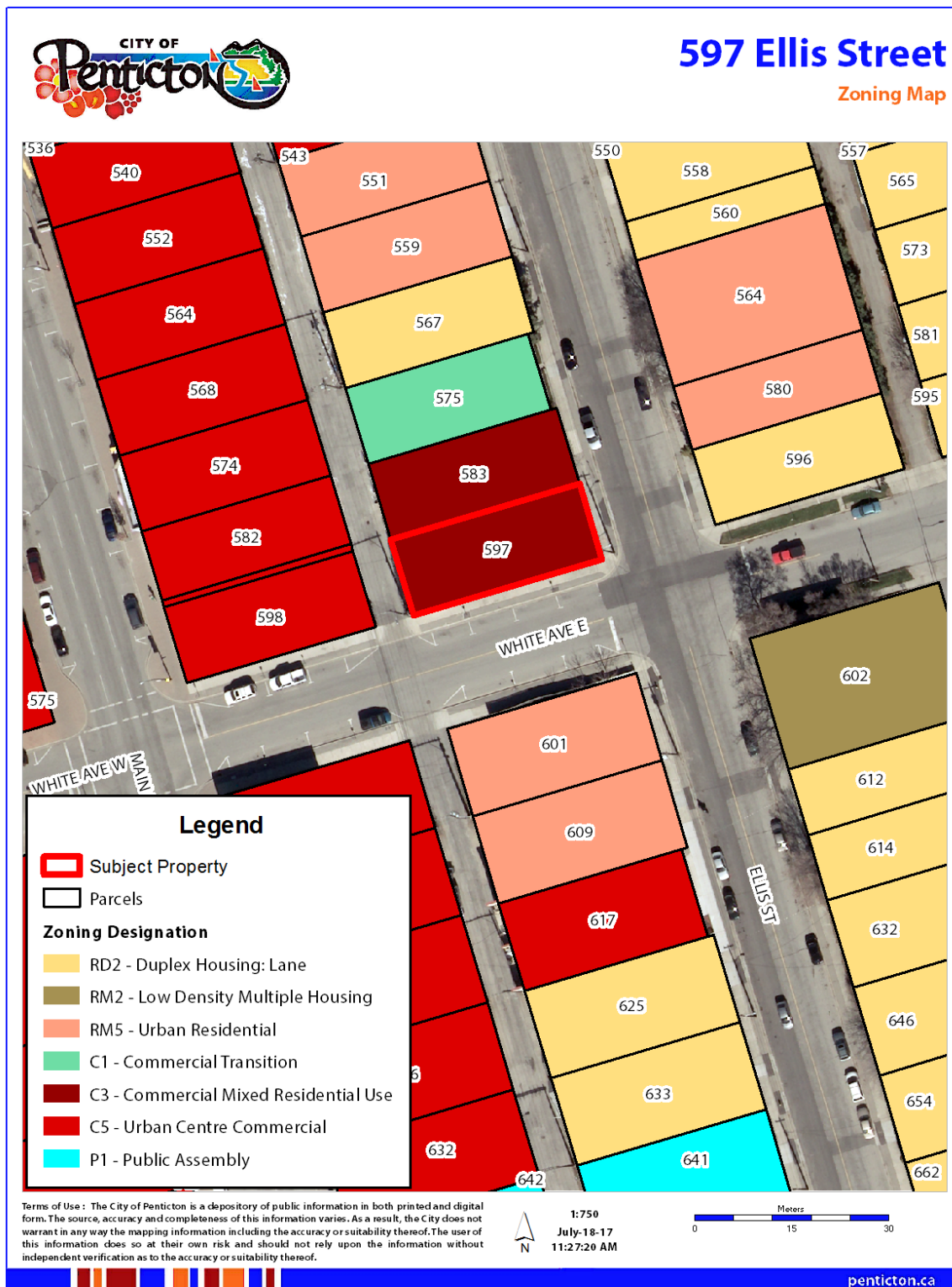


Figure 2: Zoning Map

Attachment C- OCP Map

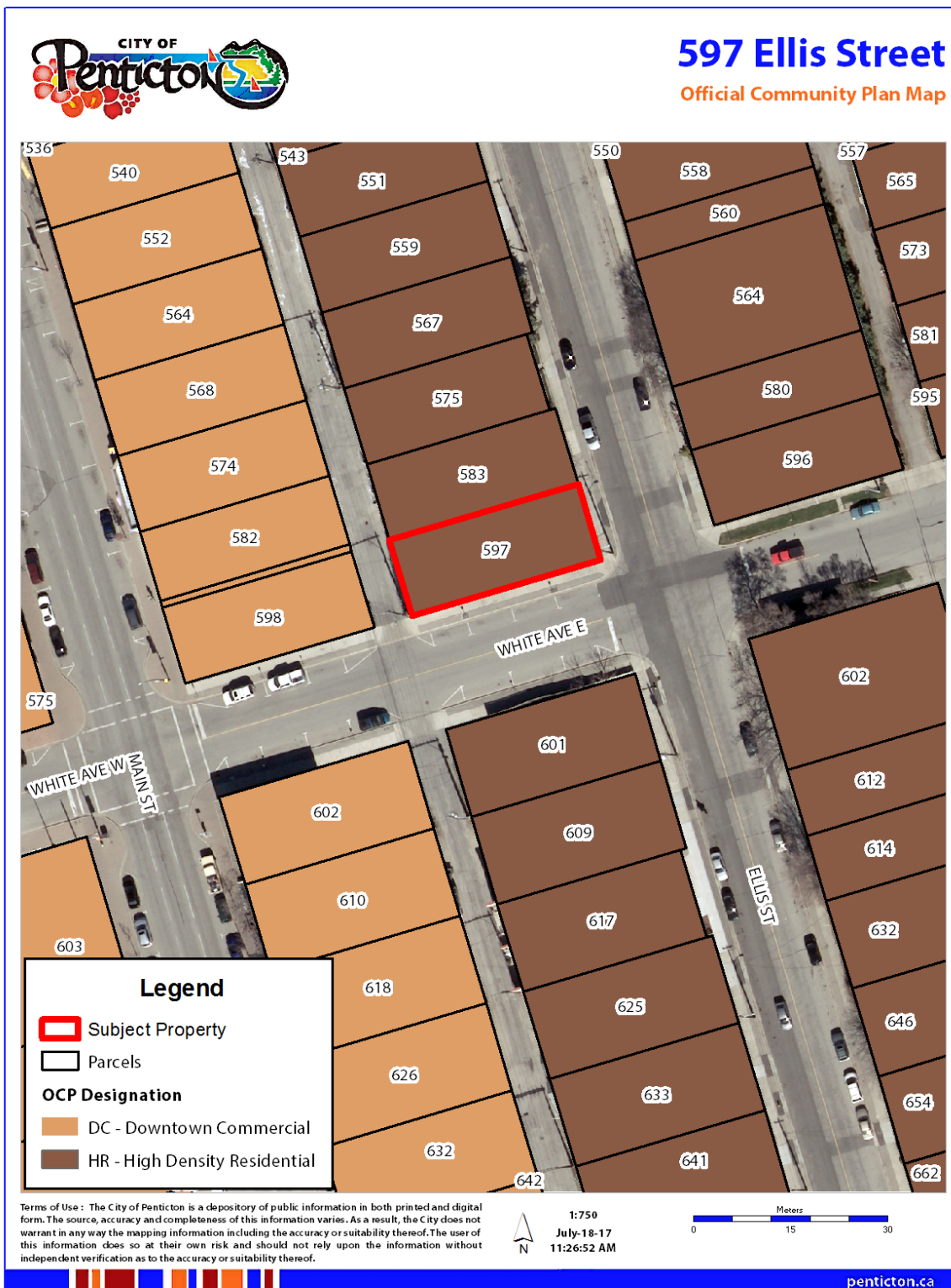


Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: South View (from White Ave E.)



Figure 5: East View (from Ellis St.)



Figure 6: West View (from Lane)

Attachment E - Site Plan

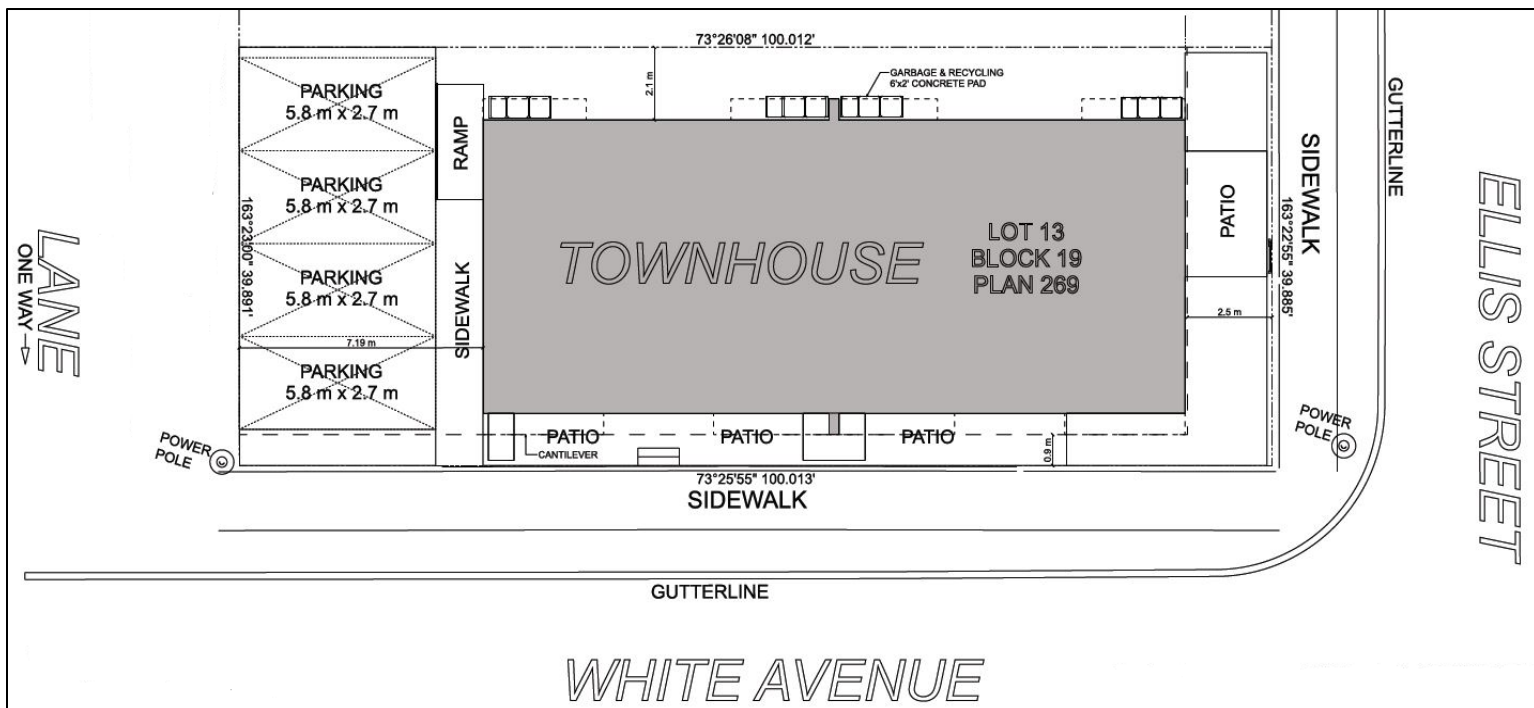


Figure 7: Site Plan

Attachment F – Elevations



Figure 8: South Elevation



Figure 9: East Elevation



Figure 10: North Elevation



Figure 11: West Elevation

Attachment G – Landscape Plan

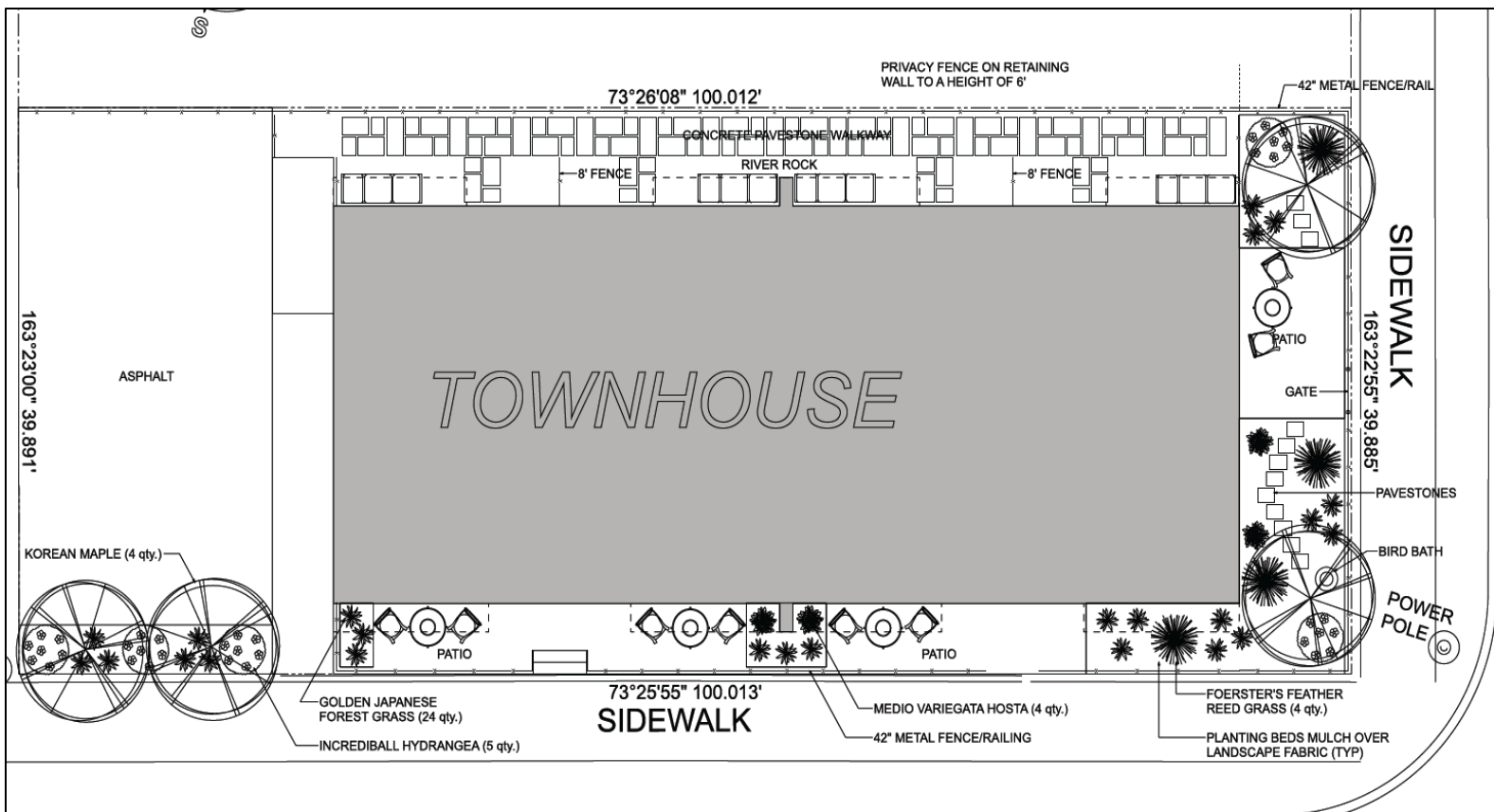


Figure 12: Landscape Plan

LANDSCAPE SCHEDULE	
<b>PLANTINGS/LANDSCAPE ITEMS</b>	
FOERSTER'S FEATHER REED GRASS:	4 qty.
GOLDEN JAPANESE FOREST GRASS:	24 qty.
INCREDIBALL HYDRANGEA:	5 qty.
KOREAN MAPLE:	4 qty.
MEDIO VARIEGATED HOSTA:	4 qty.
BIRD BATH:	1 qty.
<b>HARD SURFACES/BEDS</b>	
ASPHALT:	693 sq.ft.
PATIO:	311 sq.ft.
PLANTING BEDS:	376 sq.ft.
RIVER ROCK:	431 sq.ft.
SIDEWALKS:	200 sq.ft.
<b>FENCING</b>	
METAL FENCE/RAIL:	125 lin.ft.
WOOD PRIVACY FENCE:	90 lin.ft.

Attachment H- Letter of Intent



July 17, 2017

Giroux Design Group Inc.  
1405-160 Lakeshore Drive W.  
Penticton, BC V2A 9C2

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

Re: 597 Ellis Street Development Permit Application

To City of Penticton Mayor, Council, and Planning Department,

This letter is regarding the proposed rezoning, and development of the property located at 597 Ellis Street. We believe the proposed development is an excellent transition from the downtown commercial area to the residential on the neighboring streets. This works with the City's efforts to have more residences in the downtown core, and provides a fresh approach reminiscent of the brownstones flats in many larger urban centres.

There are only two variances as follows: 1) Reduce the front setback from 2.5 m to 0.9 m. The reason for this is that normally there would be no rear yard setback, however this development plans for a placement of the building 2.1 meters from the neighboring property to allow for windows, small yards, and bicycle or garbage bins. The bylaw allows for a 25% building face projection over the required exterior side yard setback, however to allow for adequate bedrooms this project has 40% projection. The 0.9 is measured to the projection, not the building itself which is actually at 1.5m; 2) Vary Subdivision Bylaw 12.7 to allow parking spaces closer than 10 meters from the curb to 4 meters. We discussed this with City Planning and Engineering staff and it was agreed that because the lane is a one-way traffic flow exiting on to White Avenue this was a reasonable variance and in no way would create any safety issues. It also allows parking on the property for two vehicles as the 10 meter restriction would eliminate the two spaces closest to White Ave, we believe this is important.

We trust that planning department staff and City Council will be able to see the vision and the need for these types of dwellings to keep our downtown vibrant.

Best regards,



Tony Giroux **BD.ASTTBC**  
Owner/Registered Building Designer  
Giroux Design Group Inc.

Figure 13: Letter of Intent

Attachment I - Development Variance Permit PL2017-7971



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

**Development Variance Permit**

**Permit Number: DVP PL2017-7971**

Name:  
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 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269  
Civic: 597 Ellis Street  
PID: 012-461-571
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 and Subdivision and Development Bylaw No. 2004-81 to allow for the construction of a four-unit townhouse as shown in the plans attached as Schedule A.

Zoning Bylaw No. 2017-08:

- Section 10.11.2.6: to decrease the minimum front yard from 2.5m to 0.9m.

Subdivision and Development Bylaw No. 2004-81:

- Section 12.9 of the City of Penticton Subdivision and Development Bylaw No. 2004-81, to vary the requirement of a driveway to a corner lot to be located a minimum of 10.0m from a flanking street to a minimum of 4.0m from a flanking street.

**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 September, 2017

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2017

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

Attachment J - Development Permit PL2017-7972



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

## Development Permit

**Permit Number: DP PL2017-7972**

Name:  
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 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269  
Civic: 597 Ellis Street  
PID: 012-461-571
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a four-unit townhouse, 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 \$4797.00 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 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 September 2017

Issued this \_\_\_\_ day of \_\_\_\_\_, 2017

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

**Bylaw No. 2017-56**

*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. 2017-56".

2. **Amendment:**

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone Lot 13, Block 19, District Lot 202, Similkameen Division Yale District Plan 269, located at 597 Ellis Street, from C3 (Mixed Use Commercial) to RM5 (Urban Residential).

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

READ A FIRST time this	15	day of	August, 2017
A PUBLIC HEARING was held this	5	day of	September, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 25 day of August, 2017 and the 30 day of August, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

---

Andrew Jakubeit, Mayor

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Dana Schmidt, Corporate Officer

# Rezone 597 Ellis Street

## From C3 (Mixed Use Commercial) to RM5 (Urban Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-56

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

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