

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

Tuesday, October 2, 2018
at 6:00 p.m.

- 1. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2018-69”** 1-26
- CO Reads Opening Statement and Introduction of Bylaws
- “Zoning Amendment Bylaw No. 2018-69” (1087 Dynes Avenue)
- Purpose: To amend Zoning Bylaw No. 2017-08 as follows:
 - Rezone Lot 14, District Lot 3, Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017, located at 1087 Dynes Avenue from CT1 (Tourist Commercial) 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, September 21, 2018 and Wednesday, September 26, 2018 (pursuant to the *Local Government Act*).
- CO No Correspondence received regarding the Zoning Amendment Bylaw (as of noon Wednesday, September 26, 2018)
- Mayor Requests the Director of Development Services describe the proposed bylaw
- 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. 2018-69” is terminated and no new information can be received on this matter.

2. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2018-70”** 27-47

CO Reads Opening Statement and Introduction of Bylaws

“Zoning Amendment Bylaw No. 2018-70” (481 Wade Avenue East)

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

Rezone Lot 16, District Lot 202 Similkameen Division Yale District Plan 933, located at 481 Wade Avenue East, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

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

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, September 21, 2018 and Wednesday, September 26, 2018 (pursuant to the *Local Government Act*).

CO No Correspondence received regarding the Zoning Amendment Bylaw (as of noon Wednesday, September 26, 2018)

Mayor Requests the Director of Development Services describe the proposed bylaw

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. 2018-70” is terminated and no new information can be received on this matter.

3. Mayor Calls Public Hearing to Order for “Zoning Amendment Bylaw No. 2018-71” 48-59

CO Reads Opening Statement and Introduction of Bylaws

“Zoning Amendment Bylaw No. 2018-71” (Carriage House Regulations)

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

Amend section 3.2 Definitions and add the following:

FLOOR AREA, CARRIAGE HOUSE (CHFA) means the total floor area in a carriage house, measured from the outside face of the exterior wall. CHFA does not include decks, balconies and covered patios or garages and other enclose or open parking areas.

Amend section 8.2.3.2 by changing the words ‘lot coverage’ to ‘lot area’.

Delete and replace section 8.2.3.3 with the following:

.3 Height: In FG, A and RC zones maximum height is 7.0m, In R1, R2, R3, RD1 and RD2 zones where a carriage house is accessed from a lane maximum height is 7.0m and two floors and where no lane exists maximum height is 5.0m and one floor.

Add section 8.2.3 Development Regulations

.9 Carriage House Floor Area (CHFA): Maximum CHFA in FG, A, RC zones is 150m², Maximum CHFA in R1, R2, R3, RD1 and RD2 zone is 135m².

Add section 8.2.3 Development Regulations

.10 Privacy: In the case of a carriage house having windows on a side yard within 1.5m of another property, all windows must be opaque.

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, September 21, 2018 and Wednesday, September 26, 2018 (pursuant to the *Local Government Act*).

CO Correspondence received regarding the Zoning Amendment Bylaw attached (as of noon Wednesday, September 26, 2018)

Mayor Requests the Director of Development Services describe the proposed bylaw

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. 2018-71” is terminated and no new information can be received on this matter.

4. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2018-72”** 60-84

CO Reads Opening Statement and Introduction of Bylaws

“Zoning Amendment Bylaw No. 2018-72” (Kendall Crescent/Ridgedale Avenue)

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

Add to 10.1.3 Site Specific Provisions:

.8 “In the case of all properties addressed from Kendall Crescent and 1299, 1309, 1331, 1337, 1343, 1353, 1365 and 1375 Ridgedale Avenue, as identified on Schedule ‘A’ of Zoning Amendment Bylaw No. 2018-72, carriage houses are not a permitted use”.

Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, September 21, 2018 and Wednesday, September 26, 2018 (pursuant to the *Local Government Act*).

CO Correspondence received regarding the Zoning Amendment Bylaw attached (as of noon Wednesday, September 26, 2018)

Mayor Requests the Director of Development Services describe the proposed bylaw

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. 2018-72” 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.

Tuesday, September 18, 2018
at 1:00 p.m.

Resolutions

11. Land Matters:

- 14.3 Zoning Amendment Bylaw No. 2018-69
Development Variance Permit PL2018-8356
Development Permit PL2018-8357
Re: 1087 Dynes Avenue

424/2018

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2018-69", a bylaw to rezone Lot 14 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017, located at 1087 Dynes Avenue from CT1 (Tourist Commercial) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the October 2, 2018 Public Hearing;
AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-69", a 3.0m x 3.0m northwest corner cut is registered with the Land Title Office.

THAT delegations and submissions for "Development Variance Permit PL2018-8356" for Lot 14 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017, located at 1087 Dynes Avenue, a permit to waive the one required visitor parking space and to decrease the minimum west interior side yard for a principal building from 3.0m to 1.5m, be heard at the October 2, 2018 Public Hearing.;

AND THAT Council consider "DVP PL2018-8356" following the adoption of "Zoning Amendment Bylaw No. 2018-69."

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2018-69" approve "Development Permit PL2018-8357" for Lot 14 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017, located at 1087 Dynes Avenue, a permit that allows for the construction of two duplexes.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: September 18, 2018
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 1087 Dynes Avenue

File No: 2018 PRJ-195

**Subject: Zoning Amendment Bylaw No. 2018-69
Development Variance Permit PL2018-8356
Development Permit PL2018-8357**

Staff Recommendation

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2018-69", a bylaw to rezone Lot 14 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017, located at 1087 Dynes Avenue from CT1 (Tourist Commercial) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the October 2, 2018 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-69", a 3.0m x 3.0m northwest corner cut is registered with the Land Title Office.

Development Variance Permit

THAT delegations and submissions for "Development Variance Permit PL2018-8356" for Lot 14 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017, located at 1087 Dynes Avenue, a permit to waive the one required visitor parking space and to decrease the minimum west interior side yard for a principal building from 3.0m to 1.5m, be heard at the October 2, 2018 Public Hearing;

AND THAT Council consider "DVP PL2018-8356" following the adoption of "Zoning Amendment Bylaw No. 2018-69."

Development Permit

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2018-69" approve "Development Permit PL2018-8357" for Lot 14 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017, located at 1087 Dynes Avenue, a permit that allows for the construction of two duplexes.

Background

The subject property (Attachment A) is zoned CT1 (Tourist Commercial) and designated by the City's Official Community Plan as MFMD (Multi-Family Medium Density). Photos of the sites are included as Attachment D.

The subject property is approximately 481.0m² (5,177ft²) in area and has been vacant since an older single family was demolished in 2013. The property is located in close proximity to the Okanagan Beach, Riverside Village and Loco Landing. A lane separates the property from the Bowmont hotel to the west. A single family dwelling borders the subject property to the east, with shrubs and hedges acting as a buffer between properties. The surrounding properties are primarily zoned for tourist commercial, single and multiple family. The OCP calls for more residential density on the subject property and the properties to the east.

Proposal

The applicant is proposing to construct two duplexes for a total of four new units on the site. Since multiple duplexes are not permitted in the CT1 (Tourist Commercial) zone, a rezoning to RM2 (Low Density Multiple Housing) is required.

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

- Section 6.5 (Table 6.5): to waive the one required visitor parking space.
- Section 10.8.2.7.i: to decrease the minimum west interior side yard for a principal building from 3.0m to 1.5m.

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

Financial implication

The City will receive Development Cost Charges from the developer at a rate of \$5,548 per dwelling unit for a total of \$22,192 in addition to servicing connection fees and building permit fees, based on the cost of construction.

Technical Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. As per City of Penticton Building Bylaw 94-95 section 7.1.5, storm water/drainage is to be maintained on site. Currently there are issues with storm water accumulating in the lane on the west side of the property. This issue will be addressed by a geotechnical engineer as part of the building permit application. A 3.0m x 3.0m corner cut in the northwest portion of the property will be obtained as part of the application to allow for enough space for a vehicle to turn the corner without driving on the subject property. Additionally, the developer will be required to upgrade the lane as part of the building permit application. The developer will also be responsible for street frontage upgrades which includes curb, gutter and sidewalk with an irrigated grass boulevard. The existing power pole in the SW corner of the property will be re-located at the developer's expense to accommodate two on-street parking spaces. A boulevard tree will be installed by the Parks department at a cost of approximately \$472.50 to the developer. Servicing upgrades will be required based on fixture counts. 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
Maximum Lot Coverage:	40%	39%
Maximum Density:	0.8 FAR	0.8
Minimum Lot Width:	18.0m	12.192m* (see below)
Minimum Lot Area:	540m ²	481m ² * (see below)
Vehicle Parking:	1 space per dwelling unit + 0.25 per unit for visitors (5 total)	4 spaces (variance required)
Required Setbacks		
Front yard (south, Dynes Avenue):	3.0m	3.0m
Rear yard (north, lane):	6.0m	6.0m
Interior yard (west, lane):	3.0m	1.5m (variance required)
Interior yard (east):	3.0m	3.0m
Maximum Building Height:	12.0m	7.0m
Amenity Area:	20m ² per unit (80m ² total)	20.0m ² +
Other Information:	<p>- The subject property is located within the Downtown Multiple Family Development Permit Area, thus a development permit is required.</p> <p>- *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.</p>	

Analysis

Zoning Amendment

Support "Zoning Amendment Bylaw No. 2018-69"

The OCP designation for this site is MFMD (Multi-Family Medium Density) which supports the proposed 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 the downtown, Okanagan beach, Riverside Village and other nearby services encourages more walking and active forms of transportation.

- The current proposal will convert an underutilized lot into four new dwelling units in a desirable location.

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 proposed rezoning is in line with the OCP designation for the property. Given the above, staff recommends that Council support "Zoning Amendment Bylaw No. 2018-69" and forward the application to the October 2, 2018 Public Hearing for comments from the public.

Deny/Refer Zoning Amendment

Council may consider that the proposed amendment is not suitable for this site and that the zoning shall remain for tourist commercial. 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 as to whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable.

Section 6.5 (Table 6.5): to waive the one required visitor parking space.

- In the preliminary drawings, a tandem visitor parking space was proposed. It was located behind a parking space for one of the units. Staff felt that it would be more appropriate to relocate the electrical pole on the street to allow for two on-street parking spaces to accommodate visitors. Additionally, this would allow for the developer to construct storage lockers in-between the units, to store bikes and garbage and recycling containers. Council has recently supported waiving visitor parking requirements.

Section 10.8.2.7.i: to decrease the minimum west interior side yard for a principal building from 3.0m to 1.5m.

- The required setback for an interior yard in the RM2 (Medium Density Residential) zone is 3.0m. The developer is proposing a variance to 1.5m along the west side. This will allow the developer to construct sizeable units while allowing a 3.0m buffer on the east side, adjacent to the single family dwelling. A lane acts as a buffer from the proposed development and the Bowmont Hotel. It is unlikely that reducing the setback will have any negative impacts on the neighbourhood. The proposed duplexes will be two storeys in height, which is smaller than the three storeys permitted in the RM2 zone. The reduced height will further limit the negative visual impacts that a building with a reduced setback will have on the lane.

For the reasons listed above, Staff feel that the variance request is reasonable, does not unreasonably impact the adjacent area and recommend that Council support the application.

Deny/Refer Variances

Council may consider that the proposed variances will negatively affect the adjacent properties. Council may consider requiring the developer to reduce the width of the buildings to meet the west interior yard setback or re-configure the parking spaces on the lot to accommodate the visitor space. If this is the case, Council should deny the variances.

Development Permit

Support Development Permit

The subject property is located within the Downtown Multiple Family Development Permit Area. As a consequence, a Development Permit is required. 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 citing, form, character and landscaping of new multi-family development and exterior renovations and additions to existing buildings in the downtown area are compatible with the context of the traditional neighbourhood character in some downtown neighbourhoods.” The proposed development meets the intent of the bylaw 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 cantilevered address block in the front elevation adds unique character to the development.
- The landscape plan features a variety of different plants, flowers and trees. The developer is proposing to add eight trees to an empty lot, including one in the City boulevard.
- Street frontage upgrades, including sidewalk, trees and a grass boulevard will improve the streetscape which benefits the neighbouring properties.
- Private amenity space is provided for each residence.
- Garbage and recycling areas will be screened.

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. 2018-69” and deny support for DVP PL2018-8356 & DP PL2018-8357.
2. THAT Council give first reading to “Zoning Amendment Bylaw No. 2018-69” but deny support for DVP PL2018-8356 & DP PL2018-8357.
3. THAT Council give first reading to “Zoning Amendment Bylaw No. 2018-69” and support DVP PL2018-8356 & DP PL2018-8357 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: Landscape Plan
- Attachment G: Elevations
- Attachment H: Proposed Renderings
- Attachment I: Floor Plans
- Attachment J: Letter of Intent
- Attachment K: Development Variance Permit PL2018-8356
- Attachment L: Development Permit PL2018-8357
- Attachment M: Zoning Amendment Bylaw No. 2018-69

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS <i>RH</i>	CAO LD for PW
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Attachment A – Subject Property Location Map



Figure 1: Subject Property Location Map

Attachment B – Zoning Map

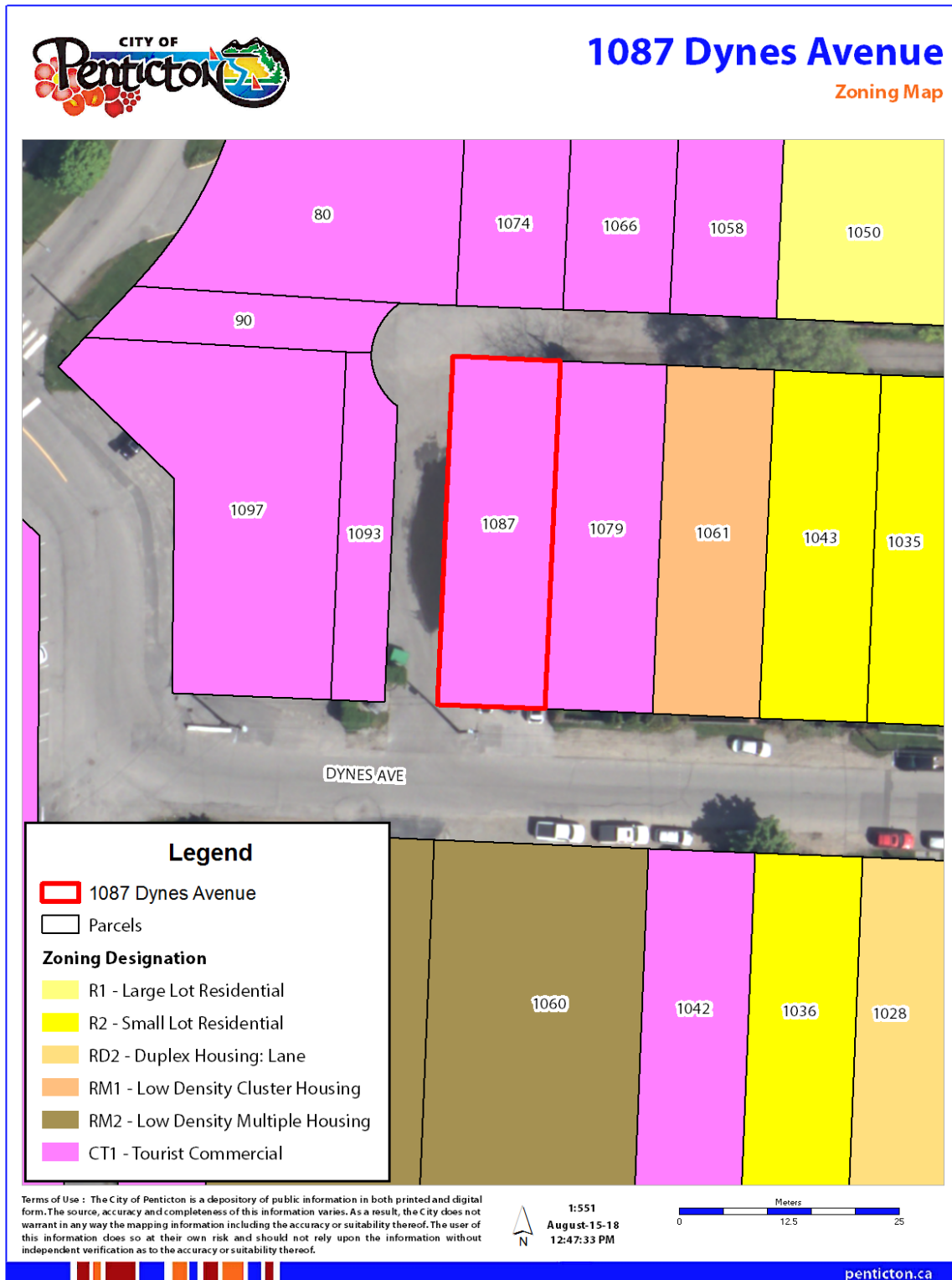


Figure 2: Zoning Map

Attachment C- OCP Map

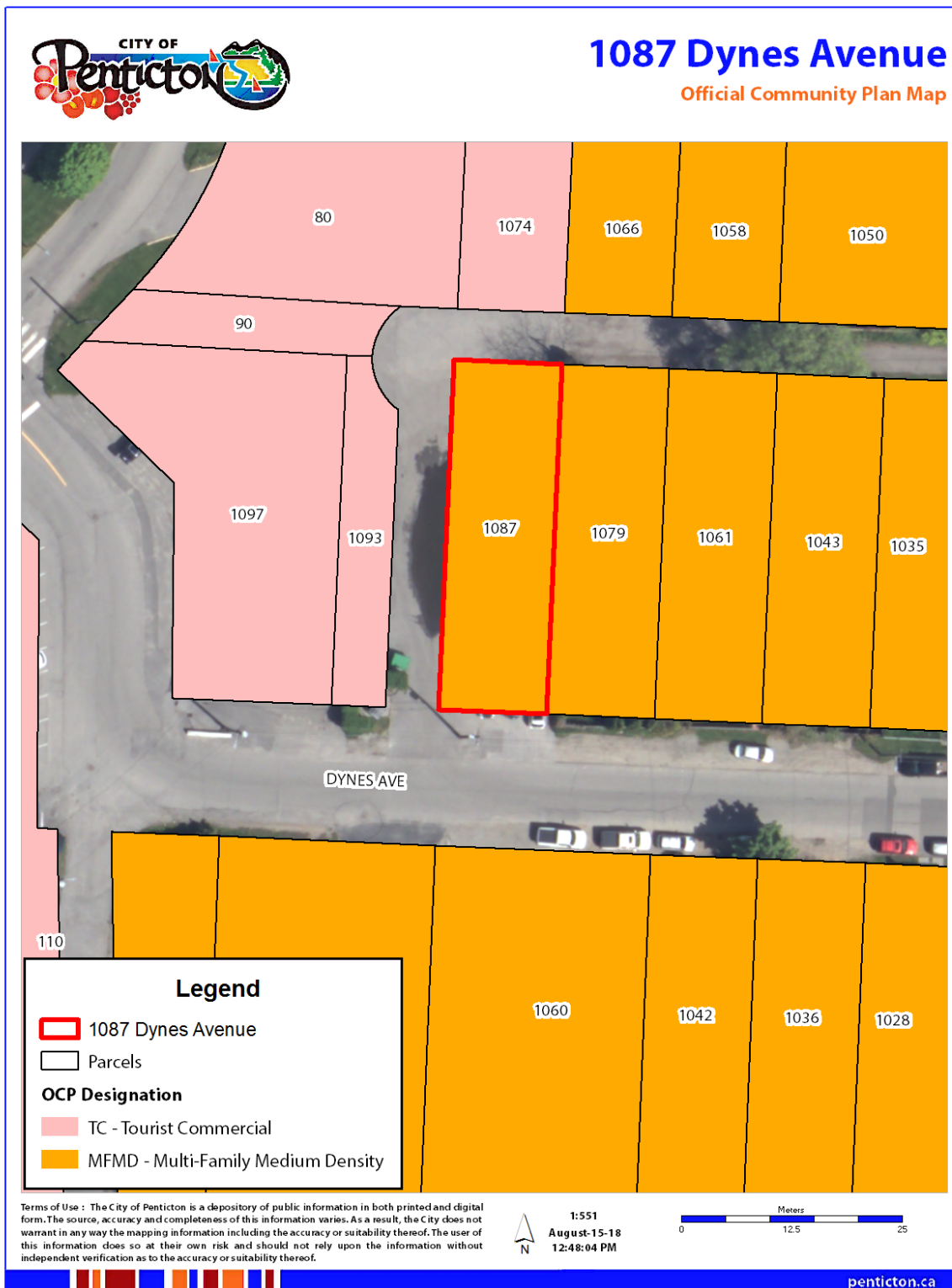


Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: South View of Subject Property (from Dynes Avenue)



Figure 5: South West View of Subject Property



Figure 6: West View of Subject Property



Figure 7: North View of Subject Property

Attachment E – Site Plan

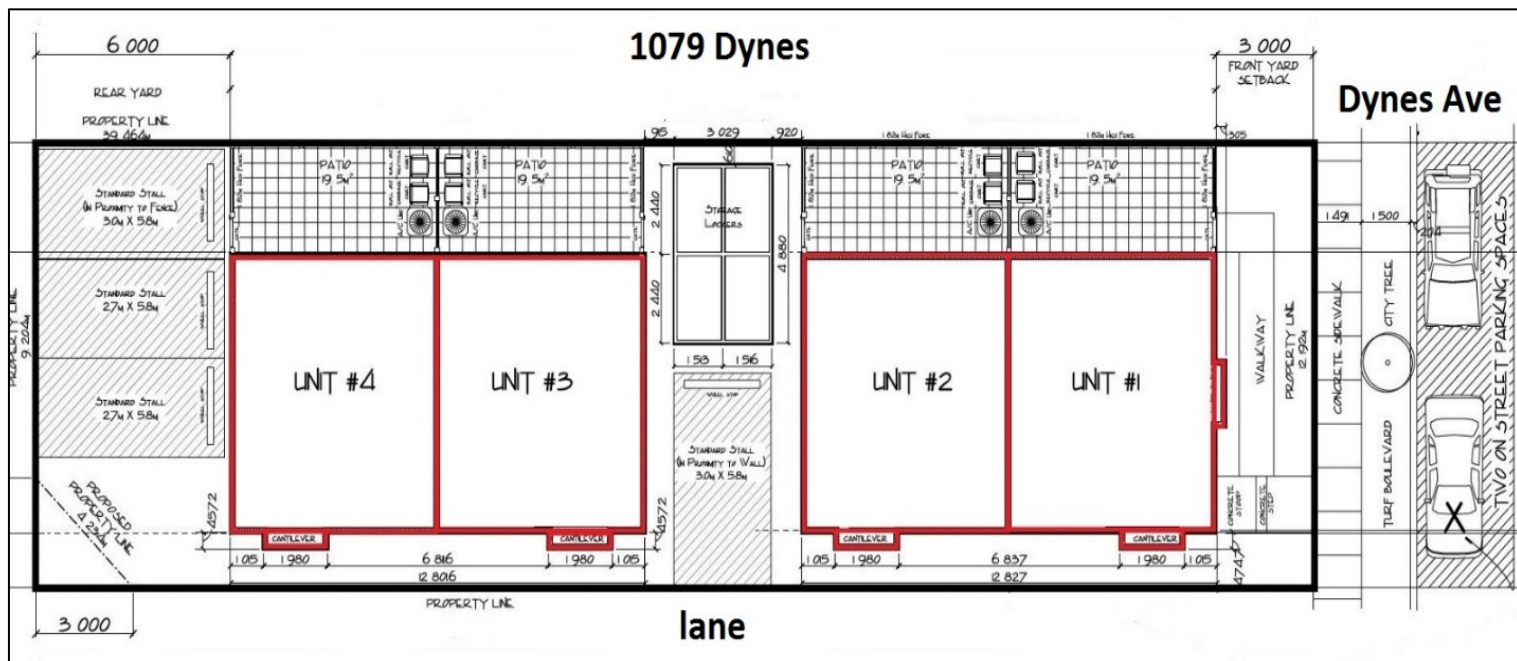


Figure 8: Site Plan

Attachment F – Landscape Plan

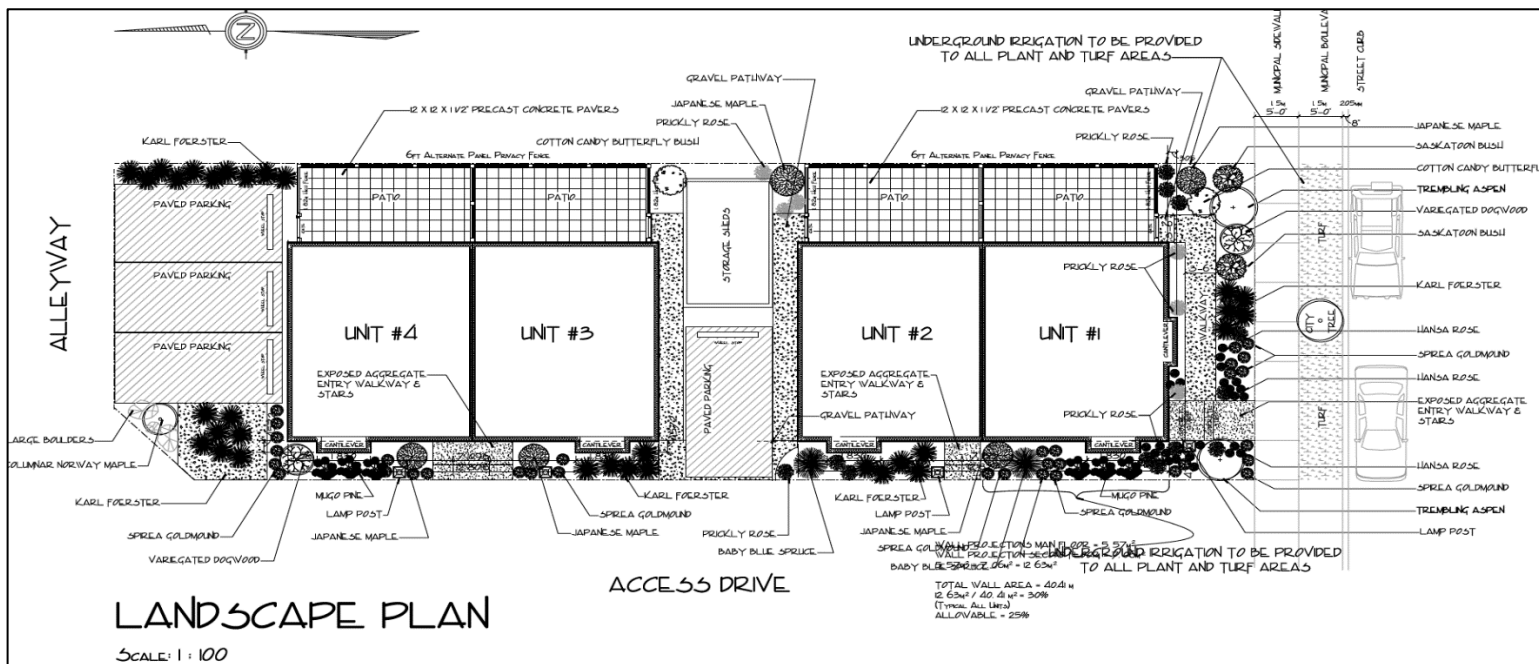


Figure 9: Landscape Plan

Attachment G – Elevations

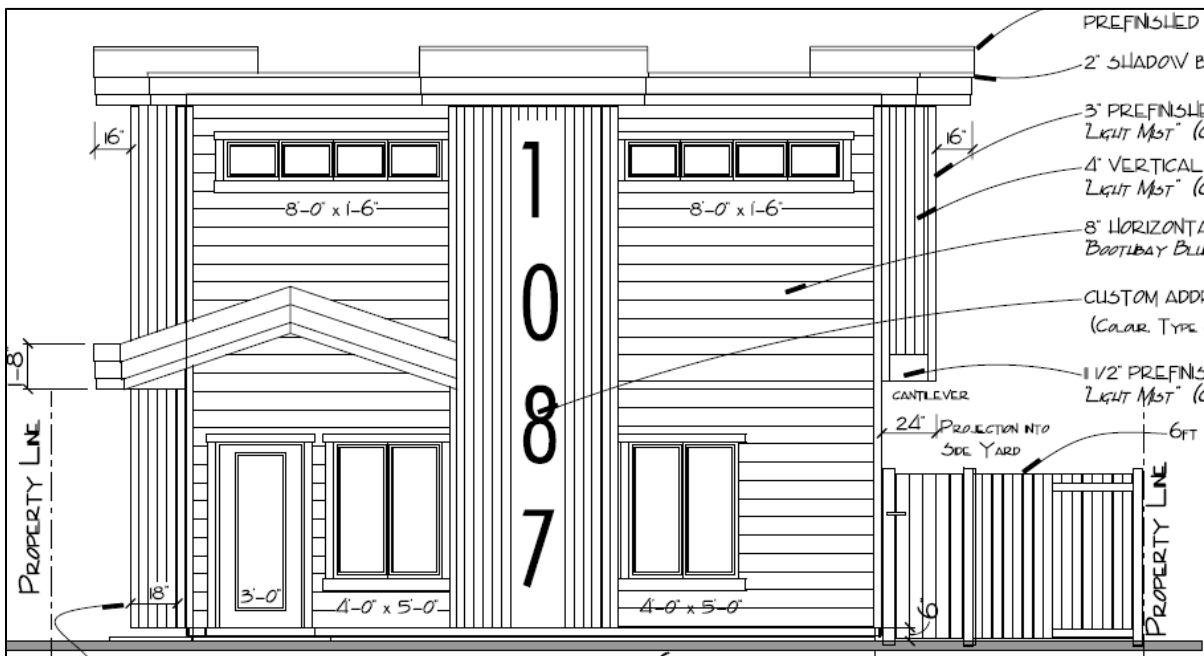


Figure 10: South Elevation (from Dynes Avenue)

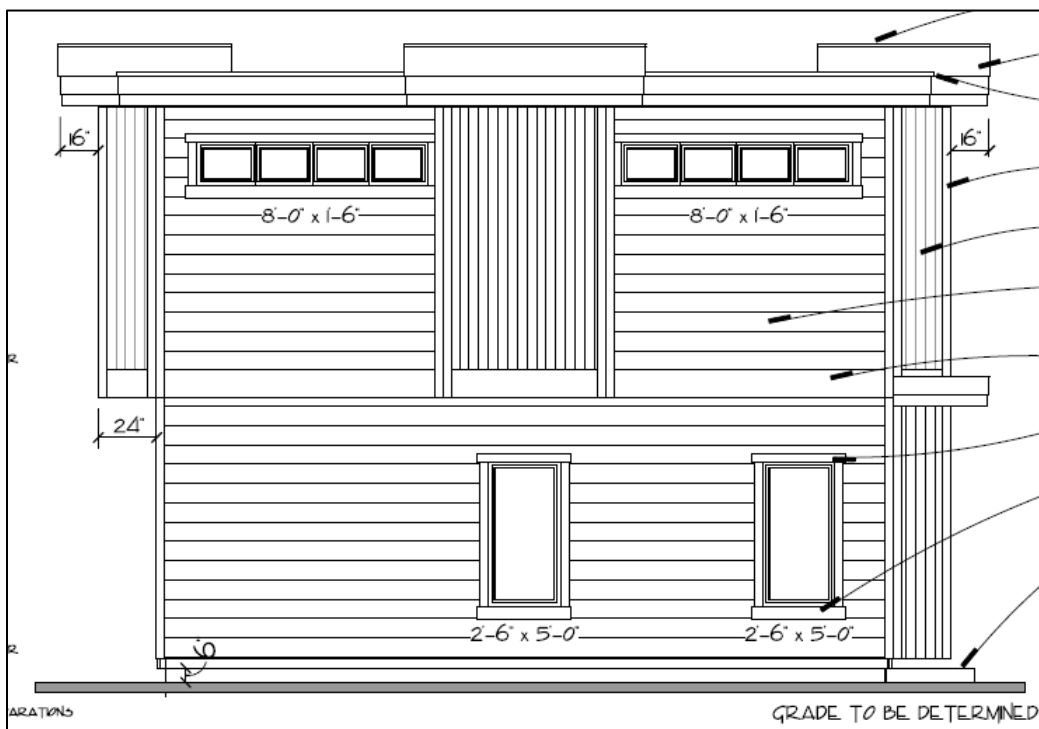


Figure 11: Rear Elevation (from the lane)



Figure 12: West Elevation (from the lane)

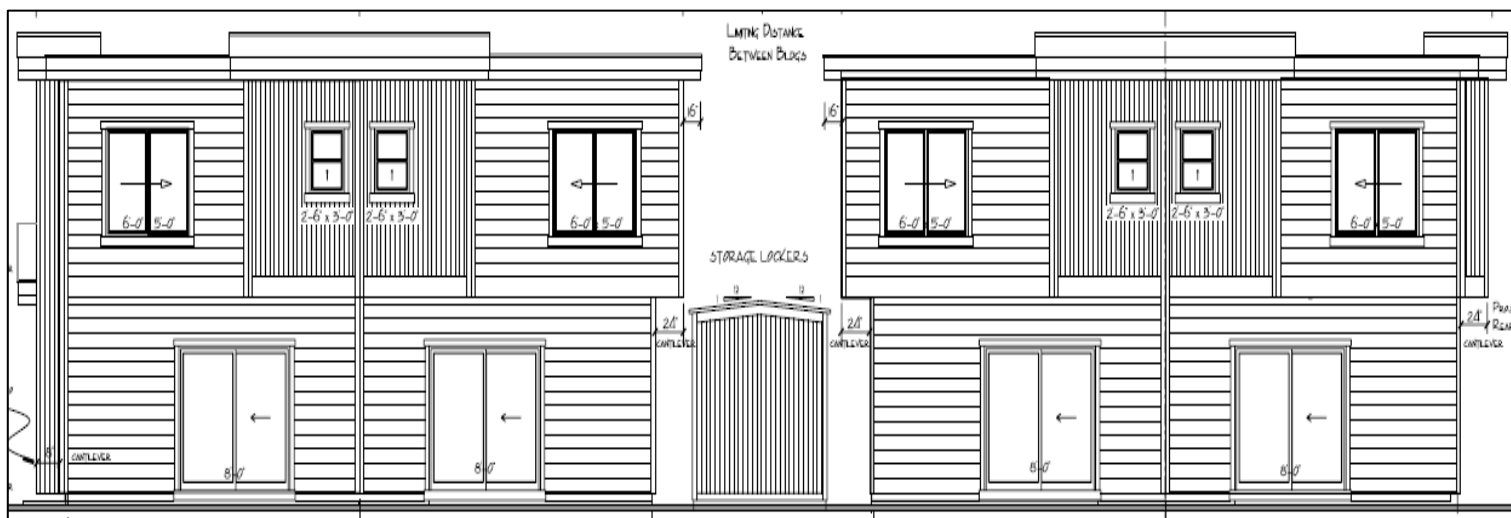


Figure 13: East Elevation (from neighbouring property)

Attachment H – Proposed Renderings



Figure 14: South Rendering (from Dynes Avenue)



Figure 15: Southwest Rendering



Figure 16: West Rendering

Attachment I - Floor Plans

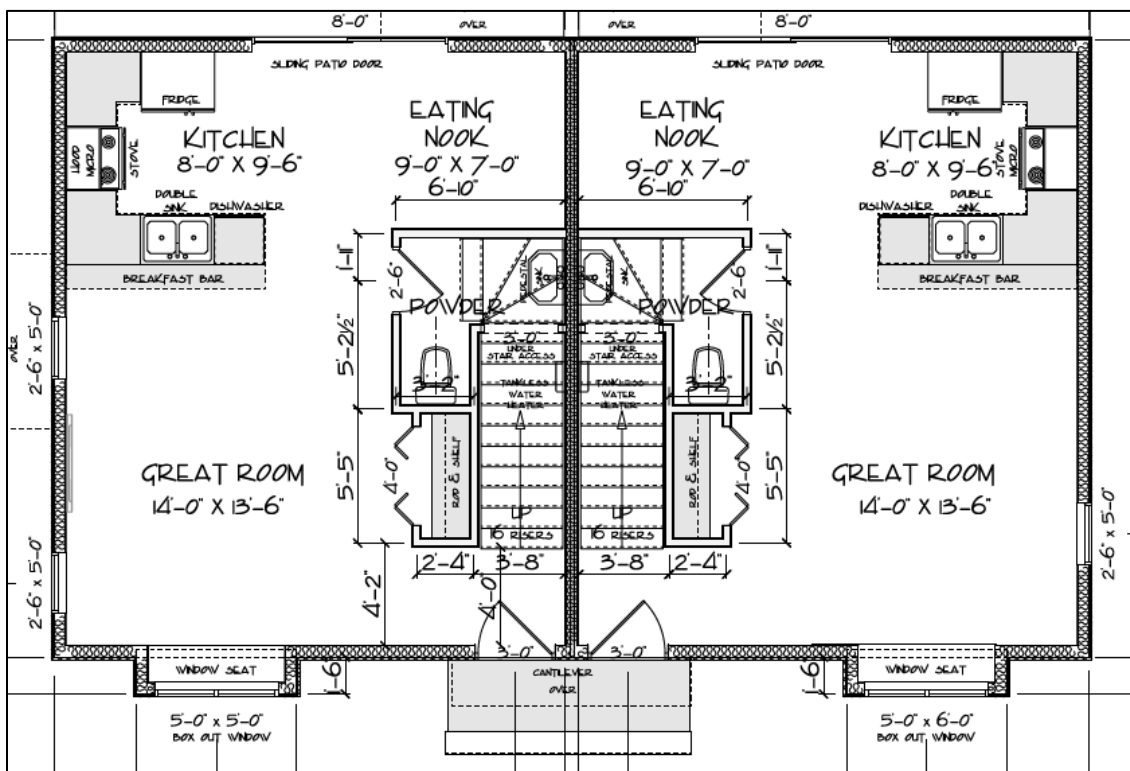


Figure 17: Typical Main Floor

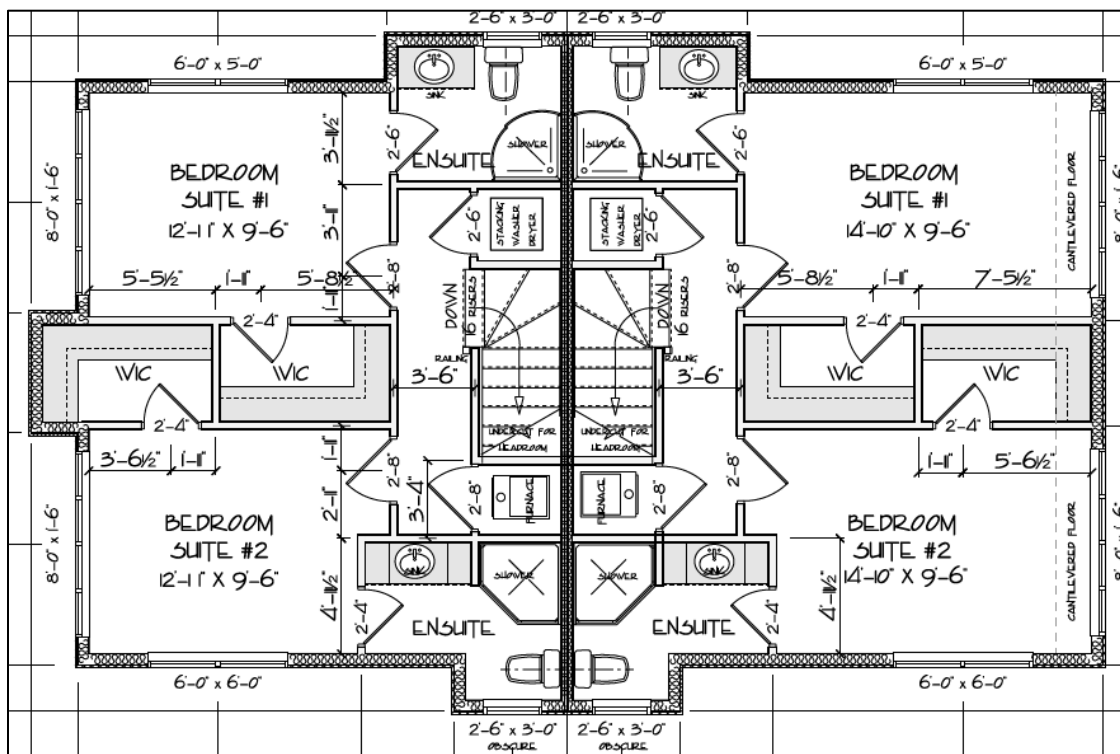


Figure 18: Typical Second Floor

Attachment J - Letter of Intent

Letter of Intent regarding subject property 1087 Dynes Ave, Penticton BC.

To whom it may concern.

The team at 1167378 BC Ltd. is extremely excited to put together this application for rezone and development. It marks the first project for us in Penticton, and we are grateful for the opportunity. We also feel a great responsibility to put together a project that benefits the neighbourhood, fits in the OCP, and leaves a positive impact that we can be proud to say we built.

We feel 1087 Dynes Avenue has amazing potential to be a benchmark project for the street as it gives us the ability to help transition the area from the Hotel into the Residential, set the tone for future development on the street, upgrade needed services, and obviously improve a site that desperately needs a face lift. It will be a positive impact on property values, and the overall appearance of the neighbourhood.

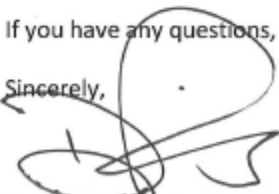
As the previous statement touched on, we would be looking for a rezone from CT1 to RM2 to help with that transition. This zoning would be a perfect fit for the lot, and obviously works within the structure of the remaining street given a mix of single family homes, apartment buildings, and other duplexes etc. This projected zoning also fits within the OCP, and would not require an amendment to the OCP.

To accommodate the 3m by 3m corner cut that engineering has asked for, we have run into a small parking challenge on the lot. We feel that we have provided ample parking on the lot, but need a small variance to accommodate a visitor spot, which would be on Dynes Ave, on the street in front of the 1st unit. Also a small request to help us achieve some extra square footage needed in the units, we have asked for a 1.5m variance on the interior lane. This would not affect the lane usage, but would be very nice to complete the design and look of the project, as well as get the FAR as close to .80 as possible.

My team would like to thank you for your time, and consideration of our applications, and look forward to working with you very soon.

If you have any questions, or concerns, please feel free to contact me.

Sincerely,



Darrell Richards, President

1167378 BC Ltd.

250.488.3900

Sold@DarrellRichards.ca

Figure 19: Letter of Intent

Attachment K - Development Variance Permit PL2018-8356



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

Development Variance Permit

Permit Number: DVP PL2018-8356

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 14 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1017
Civic: 1087 Dynes Avenue
PID: 002-548-658
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 two duplexes.
 - Section 6.5 (Table 6.5): to waive the one required visitor parking space.
 - Section 10.8.2.7.i: to decrease the minimum west interior side yard for a principal building from 3.0m to 1.5m.

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 _____, 2018.

Issued this ____ day of _____, 2018

Dana Schmidt,
Corporate Officer

Attachment L - Development Permit PL2018-8357



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

Development Permit

Permit Number: DP PL2018-8357

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 14 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1017
Civic: 1087 Dynes Avenue
PID: 002-548-658
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 \$6,213.00 must be deposited prior to, or in conjunction with, an application for a building permit for each phase 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 st Inspection	No fee
2 nd Inspection	\$50
3 rd Inspection	\$100
4 th 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 _____, 2018.

Issued this ____ day of _____, 2018

 Dana Schmidt,
 Corporate Officer

Bylaw No. 2018-69

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. 2018-69".

2. **Amendment:**

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

Rezone Lot 14, District Lot 3, Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017, located at 1087 Dynes Avenue from CT1 (Tourist Commercial) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	18	day of	September, 2018
A PUBLIC HEARING was held this	2	day of	October, 2018
READ A SECOND time this		day of	, 2018
READ A THIRD time this		day of	, 2018
RECEIVED the approval of the		day of	, 2018
Ministry of Transportation on the			
ADOPTED this		day of	, 2018

Notice of intention to proceed with this bylaw was published on the 21 day of September, 2018 and the 26 day of September, 2018 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 _____, 2018</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure</p>

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 1087 Dynes Ave From CT1
(Tourist Commercial) To RM2 (Low
Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-69

Date: _____

Corporate Officer: _____

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

Tuesday, September 18, 2018
at 1:00 p.m.

Resolutions

- 14.4 Zoning Amendment Bylaw No. 2018-70
Development Variance Permit PL2018-8359
Re: 481 Wade Avenue East

425/2018

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2018-70", a bylaw to rezone Lot 16 District Lot 202 Similkameen Division Yale District Plan 933, located at 481 Wade Avenue East, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and be forwarded to the October 2, 2018 Public Hearing;

THAT delegations and submissions for "Development Variance Permit PL2018-8359" for Lot 16 District Lot 202 Similkameen Division Yale District Plan 933, located at 481 Wade Avenue East, a permit to vary the following section(s) of Zoning Bylaw No. 2017-08:

1. Section 10.8.2.8.i: to reduce the minimum exterior side yard setback from 4.5m to 3.0m; and
2. Section 6.5 (Table 6.5): to waive the requirement for one (1) visitor parking space, be heard at the October 2, 2018 Public Hearing;

AND THAT Council consider "DVP PL2018-8359" following the adoption of "Zoning Amendment Bylaw No. 2018-70".

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: September 18, 2018
To: Peter Weeber, Chief Administrative Officer
From: Nicole Capewell, Planner 1
Address: 481 Wade Avenue East
Subject: **Zoning Amendment Bylaw No. 2018-70**
Development Variance Permit PL2018-8359

File No: PRJ2018-196

Staff Recommendation

Zoning Amendment Bylaw

THAT "Zoning Amendment Bylaw No. 2018-70", a bylaw to rezone Lot 16 District Lot 202 Similkameen Division Yale District Plan 933, located at 481 Wade Avenue East, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and be forwarded to the October 2, 2018 Public Hearing;

Development Variance Permit

THAT delegations and submissions for "Development Variance Permit PL2018-8359" for Lot 16 District Lot 202 Similkameen Division Yale District Plan 933, located at 481 Wade Avenue East, a permit to vary the following section(s) of Zoning Bylaw No. 2017-08:

1. Section 10.8.2.8.i: to reduce the minimum exterior side yard setback from 4.5m to 3.0m; and
2. Section 6.5 (Table 6.5): to waive the requirement for one (1) visitor parking space,

be heard at the October 2, 2018 Public Hearing;

AND THAT Council consider "DVP PL2018-8359" following the adoption of "Zoning Amendment Bylaw No. 2018-70".

Strategic Objective

The subject application demonstrates that it is aligned with the Council Priorities of Community Building and Economic Vitality. The application represents smart growth by increasing density in areas where existing services are in place, and in areas close to transit, commercial and employment centers.

Background

The applicant is requesting to rezone 481 Wade Avenue East from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing) to facilitate the development of a four-unit townhouse. The applicant has also requested a variance to reduce the exterior side yard along Townley Street to create a larger backyard space for the units, and to waive the requirement for one (1) visitor parking space.

The subject property is currently zoned RD2 (Duplex Housing: Lane), and is designated for MR (Medium Density Residential) by the City's Official Community Plan. The site currently has an older single family

dwelling, which was constructed in approximately 1951. Photos of the site are included as Attachment 'D'. The intent of the applicant will be to demolish the existing home prior to building the townhouse units. The property is located within the General Multiple Family Development Permit Area. The Developer will be required to attain a Development Permit prior to Building Permit issuance. The Development Permit will be issued by staff at a later date, should Council support the rezoning application.

The City's OCP designates much of this neighbourhood (Attachment 'C') as MR (Medium Density Residential), which supports transitioning this property to a higher density. This property is located within close proximity of the KVR trail, the downtown core, Penticton Creek pathway, Okanagan Lake and other desired amenities. The zoning map of the neighbourhood (Attachment 'B') indicates that there is currently a mix of zones within the neighbourhood including RM2 (Low Density Multiple Housing), RM3 (Medium Density Multiple Housing), and RD1 (Duplex Housing). As indicated in the Future Land Use map (Attachment 'C'), this neighbourhood is identified for medium and high density development.

Proposal

The applicant is proposing to construct a four-unit townhouse development at 481 Wade Avenue East. To facilitate this development, the applicant is requesting to rezone the property from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

The applicant is also requesting a variance to reduce the exterior side yard along Townley Street from 4.5m to 3.0m, and to waive the requirement to provide one (1) visitor parking space.

The applicant will be required to attain a Development Permit for the proposed development, as the property is located within the General Multiple Family Development Permit Area. This will be issued by staff at a later date, should Council support the rezoning application.

Technical Review

This application was reviewed by the City's Technical Planning Committee. No significant issues arose in the process. Typical frontage upgrades and servicing requirements have been identified for the Building Permit stage of the project, if rezoning and variance permit applications are supported by Council. The proposed building is required to conform to the BC Building Code. These items have been communicated to the applicant.

Financial Implication

The application does not pose any significant financial implications to the City. Development costs are the responsibility of the Developer.

Development Statistics

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

	Requirement RM2 Zone	Provided on Plans
Maximum Lot Coverage:	40%	39%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.79 Floor Area Ratio (FAR)

Vehicle Parking:	5 (1 per unit, plus 0.25/unit for visitor parking)	6
Required Setbacks		
Front Yard (Wade Ave E):	3.0 m	3.05 m
Interior Side Yard (west):	3.0 m	4.57 m
Exterior Side Yard (Townley St):	4.5 m	3.05 m
Rear Yard (north):	6.0 m	6.10 m
Maximum Building Height	12 m	10.9 m
Other Information:	<ul style="list-style-type: none"> The development will be required to attain a Development Permit, which will be reviewed and issued by Staff at a future date. 	

Analysis

Support Zoning Amendment Bylaw

The Official Community Plan designation for the subject property is MR (Medium Density Residential), which support townhouses, cluster housing, condominiums and other forms of increased density. The applicant is proposing to construct a four-unit townhouse development. Staff consider that the proposed zoning amendments will allow for a development that is supported through the following City Policies:

- OCP goal to facilitate the provision of a variety of housing types, tenures and densities that will continue to respond to the diverse needs, including income levels, of individuals and families in Penticton in varying stages of their life.
- OCP policy which promotes residential infill development as an appropriate method of maximizing the use of land and increasing housing choices for Penticton residents.
- The subject property is located within close proximity of the KVR trail, the downtown core, Penticton Creek pathway, Okanagan Lake and other desired amenities, which encourages more walking and active forms of transportation.

The plans submitted are conceptual in nature and an application for a development permit will be required prior to any approval for construction on the lands. The development permit drawings will have more details on the elevations, to include: building types, materials and colours. The development permit will also require a detailed landscaping plan from the applicant, which will allow staff to review the landscaping being proposed as part of the development. The subject property is located within the General Multiple Family Development Permit Area, and staff will review the plans to ensure conformance with these guidelines when reviewing for Development Permit issuance.

Given the above, there is adequate policy to support the proposal to rezone from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), and support is recommended for First Reading of "Zoning Amendment Bylaw No. 2018-70"

Deny Zoning Amendment Bylaw

Council may consider that the proposed development is not appropriate for the subject property. If this is the case, Council should deny First Reading of Zoning Amendment Bylaw No. 2018-70".

Development Variance Permit

Approve Development Variance Permit

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 to reduce the exterior side yard setback from 4.5m to 3.0m, and to waive the requirement to provide one (1) visitor parking space.



1. *Section 10.8.2.8.i: to reduce the minimum exterior side yard setback from 4.5m to 3.0m.*

- The applicant is requesting a variance to reduce the minimum exterior side yard setback (along Townley Street) from 4.5m to 3.0m.
- Larger exterior side yard setbacks are often required to accommodate front yards and green space between developments and the street. This can aid in creating a buffer between the street and the developments, which often accommodates landscaping. The boulevard space along Townley Street is already of significant width (5.6m wide), as shown in Attachment 'F'.
- In reducing the setback along Townley Street, the applicant has increased the interior setback along the western property line from the minimum 3.0m required to 4.5m.
- The requested variance is not increasing the size of building that could be built on the property, rather the variance would allow the building to be located farther from the west property line (where there is a directly adjacent neighbour) and closer to the eastern property line (where there is no direct neighbour).
- Given that there is a wide (5.6m) boulevard between the subject property and Townley Street, the impact of a lessened exterior side yard is significantly reduced.
- The applicant will be required to complete typical frontage improvements along both Wade Avenue East and Townley Street. These improvements will include landscaping to meet City standards, including boulevard trees, grass and shrubs.
- The proposed elevations of the development indicate there may be small balconies facing the western property (463 Wade Ave E). An increased side yard width along this property line will assist in minimizing the overlook into the neighbouring property. The Developer will be required to attain a Development Permit prior to construction of the development, and at this time landscaping will be reviewed.

In summary, a variance to the exterior side yard (to facilitate moving the building to the east) will have a positive impact on the western property by increasing the distance between the subject development and the property line. Should Council deny the variance request, the building would remain the same size, but would be built at only 3.0m from the west side yard, in order to accommodate the 4.5m exterior side yard along the eastern property line.

2. *Section 6.5 (Table 6.5): to waive the requirement for one (1) visitor parking space.*

- The applicant is also requesting a variance to waive the requirement to provide one (1) visitor parking space.

- The proposed site plan provides four townhouse units, each of which will have an attached garage (two double garages and two single garages) (Attachment 'G'). The garages will provide a total of six (6) parking spaces located within the garages.
- Visitor parking spaces are required to be clearly marked as 'Visitor Parking', and therefore cannot be tandem in front, or within a garage. As such, a variance is required.
- All required parking spaces must be located completely on the subject property. In front of the proposed garages, there is only 3.4m (11 ft.) to the property line, which does not meet the minimum length of 5.8m for a parking stall.
- The actual number of parking spaces available would be 12 spaces, due to the large boulevard area (5.6m), although the parking spaces in the driveways are partly within the boulevard.
- In the preliminary drawings, an additional visitor parking space was proposed along the northern property line, accessed from Townley Street. Staff felt this would be more appropriate to be utilized as green space, due to the large amount of space already used to accommodate driveways.

In summary (following the parking requirements within the Zoning Bylaw) there are only six (6) parking spaces located fully on the subject property. None of which meet the requirements for visitor parking spaces. Due to the actual number of spaces that will be available (total 12 spaces), there will be an adequate amount of parking available, and staff felt it would be more appropriate to maintain the green space along the northern property line.

In staff's opinion, the proposed variances will not have a negative impact on the neighbourhood. The requested variances will provide the benefit of larger green (yard) space to the end user of the townhouse development, and maintaining buffer space between neighbouring properties. The large boulevard area will also assist in maintaining a large amount of greenspace along the eastern edge of the property.

Given the above, staff find the variance requests reasonable and recommend that Council support the application.

Deny Development Variance Permit

Council may consider that the proposed variances will have a negative impact on the neighbourhood. Council may decide that the applicant should adjust the site plan to meet the required setbacks, and provide the required visitor parking space. If this is the case, Council should deny the variance.

Alternate Recommendations

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2018-70" and deny support for DVP PL2018-8359.
2. THAT Council give first reading to "Zoning Amendment Bylaw No. 2018- 70", but deny support for DVP PL2018-8359.
3. THAT Council give first reading to "Zoning Amendment Bylaw No. 2018- 70", and give support for DVP PL2018-8359 with conditions that Council feels are appropriate.

Attachments

- Attachment A: Subject Property Location Map
- Attachment B: Zoning Map of Subject Property
- Attachment C: Official Community Plan Map of Subject Property
- Attachment D: Images of Subject Property
- Attachment E: Letter of Intent
- Attachment F: Conceptual Site Plan
- Attachment G: Conceptual Elevations
- Attachment H: Draft Development Variance Permit (DVP)
- Attachment I: Zoning Amendment Bylaw No. 2018-70

Respectfully submitted

Nicole Capewell
Planner 1

Approvals

Director Development Services <i>AA</i>	Chief Administrative Officer LD for PW
--	--

Attachment A – Subject Property Location Map



Figure 1 – Subject Properties Highlighted in Red

Attachment B – Zoning Map of Subject Property

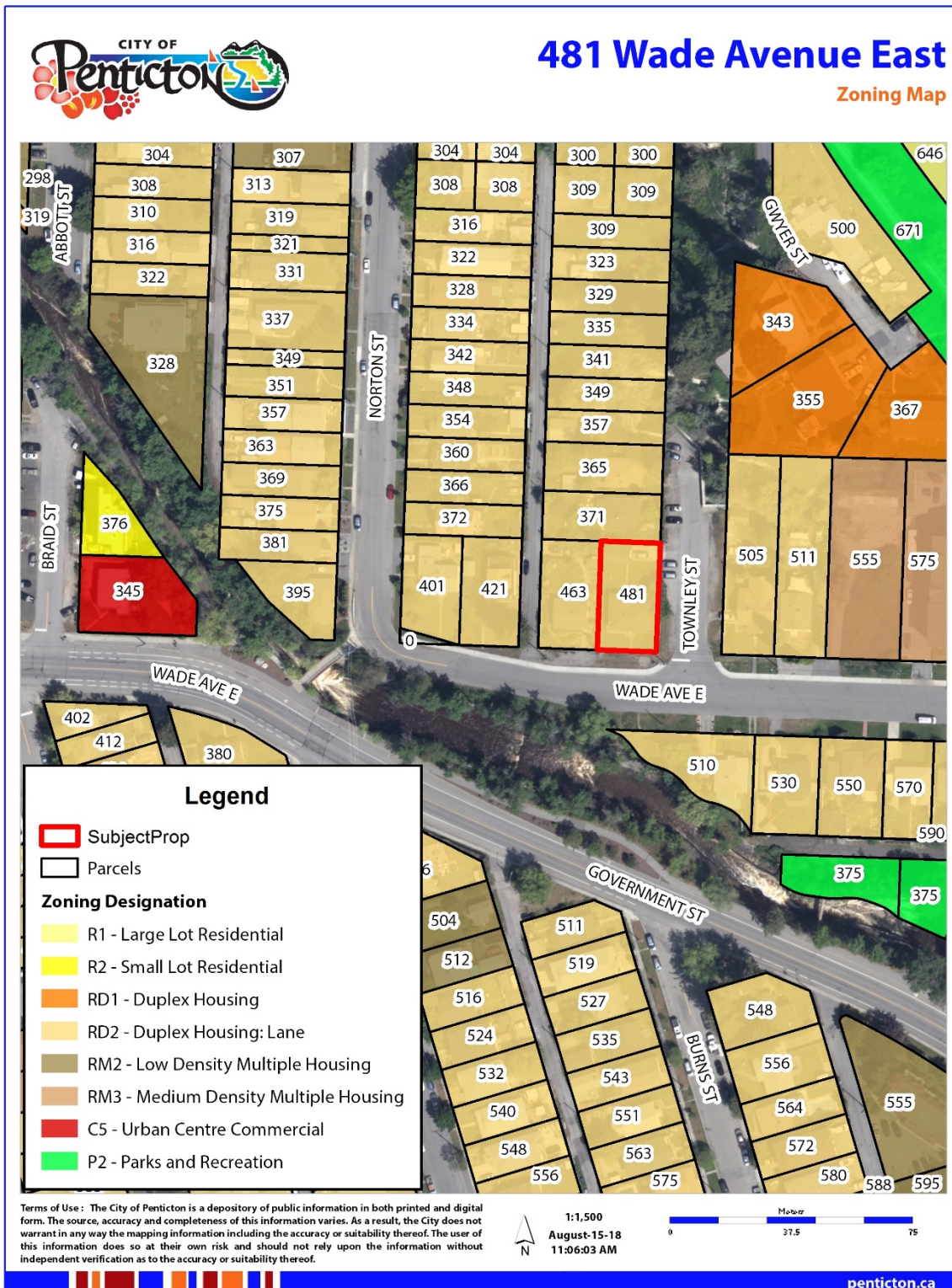


Figure 2 – Subject Properties Currently Zoned RD2 (Duplex Housing: Lane)

Attachment C – Official Community Plan Map of Subject Property



Figure 3 – Subject Properties Currently Designated as MR (Medium Density Residential) within Official Community Plan

Attachment D – Images of Subject Property



Figure 4 – Looking toward front of 481 Wade Avenue East from corner of Wade Ave and Townley Street



Figure 5 – Looking west from Townley Street



Figure 6 – Looking toward 481 Wade Ave E from Wade Ave E



Figure 7 – Looking at corner of 481 Wade Ave E from Wade Ave E and Townley St



Figure 8 – Looking at 481 Wade Ave E from Townley Street

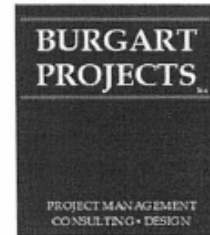


Figure 9 – Looking at 481 Wade Ave E from Townley Street

Attachment E – Letter of Intent

BURGART PROJECTS Inc.

SUITE 389
113 – 437 MARTIN STREET
PENTICTON, BC
V2A 5L1
778 931 2887
info@burgartprojects .com



481 Wade Avenue East

Rezoning Application

Letter of Intent

August 9 2018

Attention: City of Penticton – Planning Department

The intent of this project is to build a new 4 unit townhouse on the corner of Wade Avenue East and Townley Street. The building will be 3 stories tall with one unit main entrance facing Wade Avenue, two entrances facing Townley Street and one entrance facing the rear yard (north). There will be parking for 6 vehicles in garages; the garage doors will face Townley Street. The architecture of the building will be Transitional style with off-white stucco, bronze window frames and black metal accents (deck railings, gutters).

The project will feature irrigated 'xeriscape' landscaping and lawn. Plant species will be chosen to be colourful and the least attractive to deer. Each unit will have an enclosed/fenced yard.

We are requesting the property be rezoned from the existing RD2 to RM2. This is consistent with the MR designation as per the OCP. We are requesting two Zoning Bylaw variances:

- 1) The exterior side yard (east side / Townley Street) be relaxed from the required 4.5m to 3.0m. There is a large city boulevard from the east property line to the street (approximately 5.6m), so the building will still be set well back from the street. The 3.0m east side yard allows the building to be sited towards the east side of the property to create a generous, usable 4.5m interior side yard on the west side.
- 2) Visitor parking stall: There is room for the required visitor parking stall at the rear of the property. However, City of Penticton Planning staff have recommended this area be reserved for landscaping. Although the current proposal does not include the one required visitor stall as defined by the Zoning Bylaw, the project does include 6 parking stalls in 4 garages, parking for 6 more cars on the driveways and 44m of street frontage that could be used for visitor parking. The property owners feel these areas will fully meet the practical parking needs of the townhouse residents and visitors.

Figure 10 – Letter of Intent (1/2)

Although the economics of the proposed project is constrained by the typical factors – location, size and form, as the property owner, designer and builder our intention is build a high quality project. We believe the scale and style of the building are complimentary to the existing neighbourhood and works well as the neighbourhood transitions from older single family homes to a higher density community consistent with the long term vision of the Official Community Plan (OCP).

We are excited by the long term prospects for the city of Penticton and for the potential re-development of existing inner city properties. We look forward to proceeding with this project and the completion of many more in the future.

Regards,

A handwritten signature in black ink, appearing to read 'B. Burgart', with a horizontal line extending to the right.

Brendan Burgart

Burgart Projects Inc.

President

Figure 11 – Letter of Intent (2/2)

Attachment G – Conceptual Elevations



Figure 13 – Conceptual East Elevation (Facing Townley Street)



Figure 14 – Conceptual South Elevation



Figure 15 – Conceptual North Elevation



Figure 16 – Conceptual West Elevation

Attachment H – Draft Development Variance Permit (DVP)



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

Development Variance Permit

Permit Number: DVP PL2018-8359

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 16 District Lot 202 Similkameen Division Yale District Plan 933
Civic: 481 Wade Avenue East
PID: 011-895-462
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2017-08 to allow for the construction of a four-unit townhouse development:
 - a. Section 10.8.2.8.i: to reduce the minimum exterior sideyard setback from 4.5m to 3.0m; and
 - b. Section 6.5 (Table 6.5): to waive the requirement for one (1) visitor parking space.

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 _____, 2018

Issued this ____ day of _____, 2018

Dana Schmidt,
Corporate Officer

DRAFT

Bylaw No. 2018-70

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. 2018-70".

2. **Amendment:**

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

Rezone Lot 16, District Lot 202 Similkameen Division Yale District Plan 933, located at 481 Wade Avenue East, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	18	day of	September, 2018
A PUBLIC HEARING was held this	2	day of	October, 2018
READ A SECOND time this		day of	, 2018
READ A THIRD time this		day of	, 2018
ADOPTED this		day of	, 2018

Notice of intention to proceed with this bylaw was published on the 21 day of September, 2018 and the 26 day of September, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 481 Wade Ave E From
RD2 (Duplex Housing: Lane) To
RM2 (Low Density Multiple
Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-70

Date: _____

Corporate Officer: _____

- 48 -

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

Tuesday, September 18, 2018
at 1:00 p.m.

Resolutions

9.2 Carriage House Regulation Amendments

412/2018

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2018-71", a bylaw that makes changes to the City's carriage house regulations contained in Zoning Bylaw 2017-08, be given first reading and be forwarded to the October 2, 2018 Public Hearing for comment from the public;

AND THAT staff are directed, through the Official Community Plan update process, to investigate a city wide 'intensive residential development permit area' requiring a development permit for carriage houses, to address 'form and character' and 'neighbourhood fit'.

CARRIED UNANIMOUSLY

413/2018

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2018-72", a bylaw that adds as a site specific amendment to the R1 zone as follows: 'In the case of all properties addressed from Kendall Crescent and 1299, 1309, 1331, 1337, 1343, 1353, 1365 and 1375 Ridgedale Avenue, carriage houses are not a permitted use', be given first reading and be forwarded to the October 2, 2018 Public Hearing for comment from the public;

AND THAT notice of the Public Hearing be delivered to all affected properties (owners and residents), a minimum of 10 days prior to the Public Hearing.

CARRIED
Councillors Konanz and Martin, Opposed

Council Report

penticton.ca

Date: September 18, 2018
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager

File No: 6700-20

Subject: Carriage House Regulation Amendments

Staff Recommendation

Carriage House Regulatory Changes

THAT "Zoning Amendment Bylaw No. 2018-71", a bylaw that makes changes to the City's carriage house regulations contained in Zoning Bylaw 2017-08, be given first reading and be forwarded to the October 2, 2018 Public Hearing for comment from the public;

AND THAT staff are directed, through the Official Community Plan update process, to investigate a city wide 'intensive residential development permit area' requiring a development permit for carriage houses, to address 'form and character' and 'neighbourhood fit'.

Kendall Crescent Neighbourhood Request

THAT "Zoning Amendment Bylaw No. 2018-72", a bylaw that adds as a site specific amendment to the R1 zone as follows: 'In the case of all properties addressed from Kendall Crescent and 1299, 1309, 1331, 1337, 1343, 1353, 1365 and 1375 Ridgedale Avenue, carriage houses are not a permitted use', be given first reading and be forwarded to the October 2, 2018 Public Hearing for comment from the public;

AND THAT notice of the Public Hearing be delivered to all affected properties (owners and residents), a minimum of 10 days prior to the public hearing.

Strategic priority objective

Adjusting regulations to ensure development is happening in the interest of the existing community represents Council's strategic policy of Good Governance.

Background

Carriage houses in general

Carriage houses were introduced as a permitted use in all the single family residential zones in Penticton in 2010. Carriage houses followed the allowance of secondary suites as a way of gently densifying already

developed areas of the city in an attempt to provide needed affordable housing in the community. Carriage houses help with housing affordability in a number of ways. For one, they allow a property owner to afford a house that they may not be able to afford without the income generated by rental of the additional suite. The suite itself provides a modest dwelling unit that is generally less expensive than other forms of housing, allowing entry level housing for those entering the housing market or with lower incomes. Carriage houses, in some cases, also assist with family planning, by providing an independent dwelling unit on a property for an aging parent or parents to move into or the first step for a young adult to experience independent living.

The majority of communities in BC now have allowances for secondary suites, either more traditional within a house or detached in the form of a carriage house, laneway house or coach house. The carriage house regulations in Penticton are similar to those in other communities, which generally place limitations on the size, height and other requirements that help integrate the housing into existing neighbourhoods.

Over the past 8 years the Building Department has issued over 50 building permits for carriage houses with over 40 now constructed. This has given staff the ability to review, on the ground, how the regulations are being implemented. Through that review the following points are noted:

- Carriage houses are generally being integrated well into residential neighbourhoods.
- The regulations, as currently written, provide a better outcome on properties with lane access.
- The lack of a maximum square footage or restrictions on basements have resulted in larger carriage houses than intended or appropriate in certain situations.
- Not having design parameters or guidelines has resulted in carriage house designs that in some cases deviate drastically from the principal house design and that of neighbouring development.

Through this report staff are recommending some minor regulatory changes that will address situations where the outcome is less than desired.

Kendall Crescent application

In addition to staff's audit of carriage houses city wide, City Council has been presented with a petition from the Kendall Crescent neighbourhood requesting an amendment to the City's zoning bylaw creating an exclusion zone that would not permit carriage houses in that neighbourhood.

By way of background on the petition, at the Regular Meeting of Council on August 7, 2018, Council considered a development variance permit for a carriage house at 142 Kendall Crescent. The permit would have allowed a carriage house with three floors (two above ground and one below ground) and slightly taller and larger than permitted by the city's zoning bylaw. The permit included a variance to the maximum height of a carriage houses as well as an increase in total floor area. Based on opposition from neighbouring residents and lack of strong justification for the variances, Council ultimately denied the variance.

Coming out of the meeting, residents of the Kendal Crescent area submitted correspondence to the City outlining some concerns with the carriage house regulations as they currently exist, which ultimately led to the request for the exclusion zone. Of the 30 individual properties located in the area, the petition was endorsed by all but 6 property owners, representing 80% support for the zoning change.

Proposal

To address staff's noted deficiencies in the execution of carriage houses in the city, and the Kendall Crescent neighbourhoods request for an exclusion zone not permitting carriage houses in their neighbourhood, the following three actions are being proposed:

1. Zoning Bylaw Amendments

"Zoning Amendment Bylaw 2018-71", amends bylaw 2017-08 as follows:

Add Definition to Section 3.2: *FLOOR AREA, CARRIAGE HOUSE (CHFA)* means the total floor area in a carriage house, measured from the outside face of the exterior wall. CHFA does include decks, balconies and covered patios or garages and other enclosed or open parking areas.

Amend Section 8.2.3.2 changing 'lot coverage' to 'lot area'

Adds: Section 8.2.3.9: Carriage House Floor Area (CHFA): Maximum CHFA in FG, A, RC zones is 150m², Maximum CHFA in R1, R2, R3, RD1 and RD2 zone is 135m².

Amends Section 8.2.3.3:

From: Height: Maximum height of 7.0m

To: Height: In FG, A and RC zones maximum height is 7.0m, In R1, R2, R3, RD1 and RD2 zones where a carriage house is accessed from a lane maximum height is 7.0m and two floors and where no lane exists maximum height is 5.0m and one floor.

Add Section 8.2.3.10: Privacy In the case of a carriage house having windows on a side yard within 1.5m of another property, all windows must be opaque.

If Council were to support giving this bylaw first reading it would be sent to a Public Hearing for comment from the public and neighbourhood.

2. Requirement for a development permit

Creation of an "Intensive Residential Development Permit Area" which will encompass the entirety of the City of Penticton and require a development permit prior to the issuance of a building permit for carriage houses. It is intended that these requirements would be implemented through the Official Community Plan review that is currently underway.

3. Removal of Carriage as a permitted use on Kendall Crescent and those sections of Ridgedale included in the petition to Council

Under a separate Zoning Amendment Bylaw Council will consider whether to add a site specific provision to the R1 zone, stating that in the case of all properties addressed from Kendall Crescent and 1299, 1309, 1331, 1337, 1343, 1353, 1365 and 1375 Ridgedale Avenue, carriage houses are not a permitted use.

If Council were to support giving this bylaw first reading it would be sent to a Public Hearing for comment from the public and neighbourhood. Letters would be sent and delivered to all affected properties.

Financial implication

The requirement for development permits for carriage house construction will create additional work for City Planning Department staff. This work will partially be offset by the application fees associated with the permit.

Analysis

Regulatory changes

Carriage houses are an important part of the city's housing stock. Through staff's review, it is thought that with some minor changes to the existing zoning regulations and making a requirement for a 'form and character' development permit, dealing with items such as neighbourhood fit and the look and feel of the carriage house, the outcome will be construction that better integrates into the existing neighbourhoods that are accepting this increased density.

Given the above staff are recommending that Council give first reading to the regulatory bylaw change and refer the bylaw to the October 2, 2018 Public Hearing for comment from the public.

Kendall Crescent

In the case of the Kendall Crescent neighbourhood, Council has the option of supporting the request to disallow carriage houses in that area. This would represent a separate amendment to the City's Zoning Bylaw. That amendment would add a site specific notation to the R1 zone with respect to the properties identified.

The residents of Kendall Crescent in favour of the proposal, have provided rationale describing their area as unique in terms of its character, topography and larger lot size. The single family neighbourhood character that exists in this area is something that they majority of neighbours in the area feel strongly about retaining and in order to protect this have requested the exclusion of carriage houses from the area.

Council should be cognizant however that the request for this change has not been unanimous. There are six (6) properties in the affected area, including the applicant of the variance permit application denied by Council spoken to above, that have not endorsed the request. If Council were to support the request from the larger neighbourhood, these outlying properties could be in a situation where their zoning is affected against their wishes. If any of those properties did want to construct a carriage house in the future, they would be required to go through a zoning amendment process to undue the carriage house prohibition for their lot.

Staff are recommending that Council give first reading to the bylaw adding the site specific provisions disallowing carriage houses in the Kendall Crescent area and refer the bylaw to the October 2, 2018 Public Hearing for comment from the neighbourhood. Staff have not heard directly from the neighbours that have not signed the petition, but will ensure they receive notification of the public hearing date and time.

Because this zoning amendment involves more than 10 properties, notice is not required to be posted on the lands and notice of development is not required to be delivered to any neighbouring residents. In this case however, staff are recommending that notices be sent to all affected property owners so that they may be adequately informed of the change and provided the opportunity to add additional support or voice concern to the proposal.

Alternate recommendations

1. THAT Council support the proposed carriage house regulatory changes as presented, but not exclude Kendall Crescent
2. THAT Council defer any changes to the carriage house regulations until after adoption of the OCP and introduction of the development permit requirements.
3. THAT Council support other changes to the carriage house regulations that Council feels are appropriate.
4. THAT Council maintain the status quo approach to carriage houses.

Attachments

- Attachment A – Map showing properties subject to carriage house restrictions
- Attachment B – Zoning Amendment Bylaw No. 2018-71 (Carriage House Regulatory Changes)
- Attachment C – Zoning Amendment Bylaw No. 2018-72 (Removing carriage houses as a permitted use on Kendall Crescent)

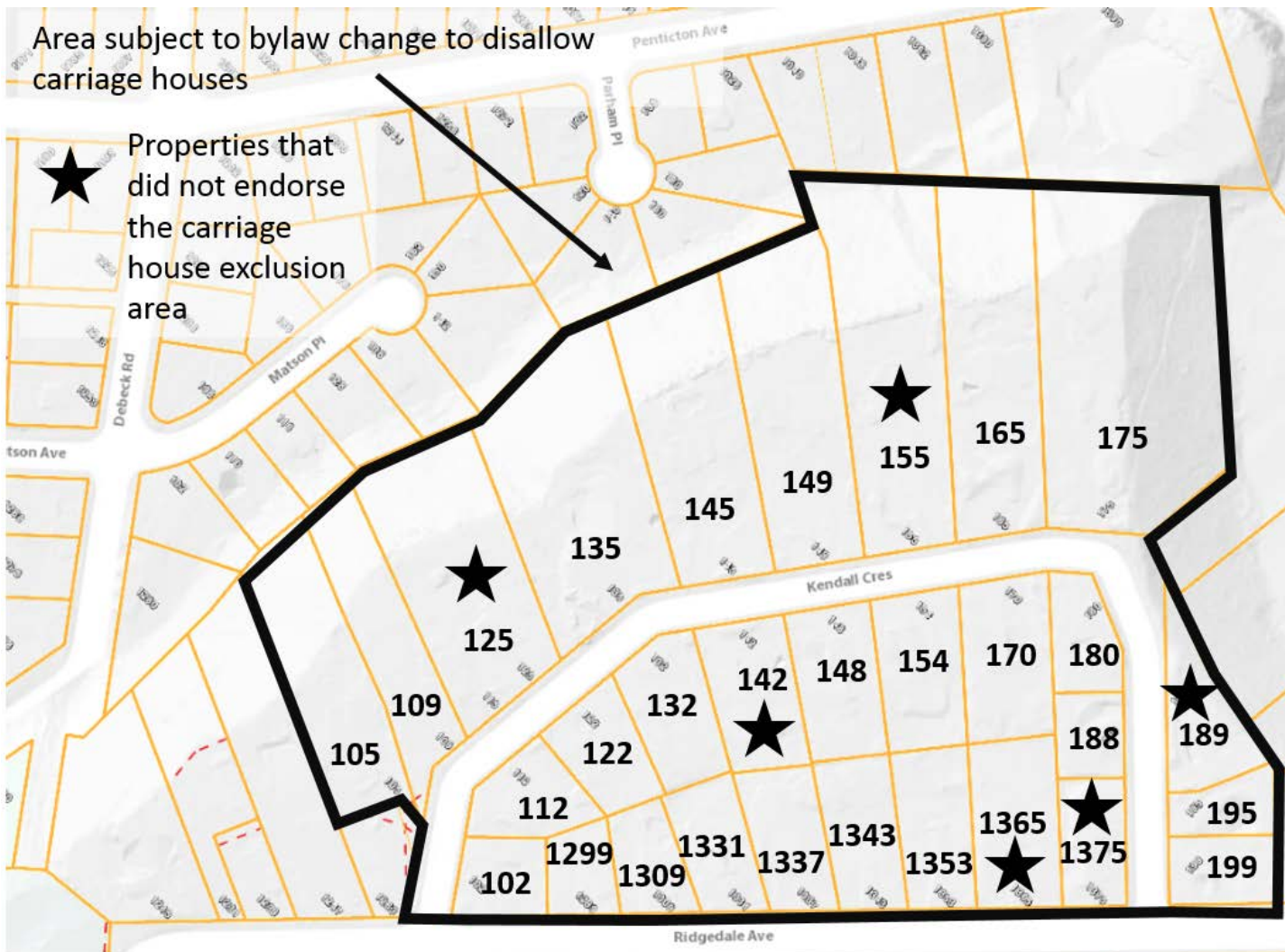
Respectfully submitted,

Blake Laven, MCIP, RPP
Planning Manager

Concurrence

Director <i>BL</i>	Chief Administrative Officer LD for PW
---------------------------	---

Attachment A



Bylaw No. 2018-71

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. 2018-71".

2. **Amendment:**

Zoning Bylaw 2017-08 is hereby amended as follows:

2.1 Amend section 3.2 Definitions and add with the following:

FLOOR AREA, CARRIAGE HOUSE (CHFA) means the total floor area in a carriage house, measured from the outside face of the exterior wall. CHFA does not include decks, balconies and covered patios or garages and other enclose or open parking areas.

2.2 Amend section 8.2.3.2 by changing the words 'lot coverage' to 'lot area'.

2.3 Delete and replace section 8.2.3.3 with the following:

.3 Height: In FG, A and RC zones maximum height is 7.0m, In R1, R2, R3, RD1 and RD2 zones where a carriage house is accessed from a lane maximum height is 7.0m and two floors and where no lane exists maximum height is 5.0m and one floor.

2.4 Add section 8.2.3 Development Regulations

.9 Carriage House Floor Area (CHFA): Maximum CHFA in FG, A, RC zones is 150m², Maximum CHFA in R1, R2, R3, RD1 and RD2 zone is 135m².

2.5 Add section 8.2.3 Development Regulations

.10 Privacy: In the case of a carriage house having windows on a side yard within 1.5m of another property, all windows must be opaque.

READ A FIRST time this	18	day of	September, 2018
A PUBLIC HEARING was held this	2	day of	October, 2018
READ A SECOND time this		day of	, 2018
READ A THIRD time this		day of	, 2018
RECEIVED the approval of the Ministry of Transportation on the		day of	, 2018
ADOPTED this		day of	, 2018

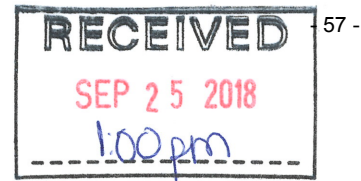
Notice of intention to proceed with this bylaw was published on the 21 day of September, 2018 and the 26 day of September, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 2018

for Minister of Transportation & Infrastructure

Dana Schmidt, Corporate Officer



Don & Anne Hector
180 Kendall Crescent
Penticton, B.C.
V2A 2S8

September 25, 2018

Attention: Corporate Officer City of Penticton
171 Main Street, Penticton B.C., V2A 5A9

Subject: Public Notice Zoning Bylaws – Kendall Crescent
The following comments are offered to help alleviate this C.H. regulation problem:

Zoning Amendment Bylaw 2018-71

Section 3.2 – agree with.

Section 8.2.3.2 – Not in agreement. The clause “15% lot area, not including the principal residence, whichever is less” should read “15% lot area, not including the principal residence and the area in front of the principal residence”. A dividing line is needed here to keep the size of the C.H. in proportion to the principal residence. To allow the C.H. regulation to include the area in front of the house in deciding the size of the C.H. Footprint, defeats the purpose of controlling C.H. size. (more in next section).

Section 8.2.3.9 – totally not in agreement. For your consideration, 135 m² is equal to 1,453 ft². This is a larger size than most of the homes in Kendall Crescent and Ridgedale. Carriage Houses are deemed to be smaller houses behind the principal residence. The original 90 m² (968 ft²) is still slightly larger, however, the mention of allowing a basement or crawl space, would more than offset the space requirement needed.

Section 8.2.3.3 – agree with, however, definition of LANE is required. Are we talking a Back Alley, a Driveway or a Constructed path to the C.H.?

Section 8.2.3.10 – agree with.

2. Requirement for a Development Permit Area – a C.H. application should be treated the same as a principal residence application. In addition, for issued development permits, a follow up inspection is required to ensure all compliances are met or exceeded.

3. Separate Zoning Amendment for Kendall Crescent and Ridgedale – Yes. I do not intend to build one and neither should my neighbours. There were no C.H.’s here when I came to Penticton (2001) and I selected and purchased in this location because of what I saw and liked. I do not like C.H.’s or support them. In my opinion, the only C.H.’s that should be allowed, would be those that are constructed on corner lots with road or lane access. There is a perfect example on the corner of Roy Ave and Atkinson Street.

Regards,

A handwritten signature in black ink, appearing to read "Don & Anne Hector".

Don & Anne Hector

From: Marta <
Sent: September-21-18 10:38 AM
To: Public Hearings
Subject: Carriage House Regulations Zoning Amendment Bylaw 2018-71

Hi

I am a Penticton resident who is planning to build a carriage house next year. I have been closely following the recent developments on carriage houses - largely prompted by the extremely large carriage house on Kendall.

I am in full support of the proposed changes and would like to thank the city staff on making the necessary adjustments to protect the idea that carriage house should be secondary dwelling and not a large house and also for not going too far the opposite way and restrict the size too much.

Job well done :)

Marta Telepjanova
361 Windsor Avenue
Penticton, BC

Sent from my iPhone

From: Toni Arthurs <
Sent: September-27-18 11:21 AM
To: Public Hearings
Subject: Re: Attention: Corporate Officer - Zoning Amendment Bylaw 2018-71

On Sep 27, 2018, at 11:17 AM, Toni Arthurs < > wrote:

Toni Arthurs
415 Tennis Street
Penticton, BC V2A 5R4

September 27, 2018

Dear Mayor and Councillors,

Re: Carriage House Zoning Amendment Bylaw 2018-71

I am unable to attend the Public Hearing on Tuesday, October 2, 2018 with regards to the above. As I only found out about the proposed amendment on September 24th while speaking to someone from the Planning Department, I'm writing to express my opposition to said amendment.

I have invested a lot of time, energy and money and am in the process of having plans drawn up to convert my existing garage into a two storey carriage house. My intention is to keep the main house as a long term rental and use the carriage house for myself and my family.

As I don't have lane access, under the proposed amendment I would not be able to build a full 2nd storey but be restricted to 5 meters in total height. Therefore, it would make it impossible to create a living space that would accommodate my family as the carriage house would be much too small for our own use.

As there are already several new and existing two storey duplexes and fourplexes on Tennis Street, I feel that a two storey carriage house on my property would not stand out or look out of place.

My hope is that City Council will either not pass this amendment or delay it for a period of time that allows those of us already in the planning process to build our carriage house under the existing bylaw #2017-08.

Thank you for your attention.

Sincerely,
Toni Arthurs

Bylaw No. 2018-72

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. 2018-72".

2. **Amendment:**

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

Add to 10.1.3 Site Specific Provisions:

.8 "In the case of all properties addressed from Kendall Crescent and 1299, 1309, 1331, 1337, 1343, 1353,1365 and 1375 Ridgedale Avenue, as identified on Schedule 'A' of Zoning Amendment Bylaw No. 2018-72, carriage houses are not a permitted use".

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

READ A FIRST time this	18	day of	September, 2018
A PUBLIC HEARING was held this	2	day of	October, 2018
READ A SECOND time this		day of	, 2018
READ A THIRD time this		day of	, 2018
ADOPTED this		day of	, 2018

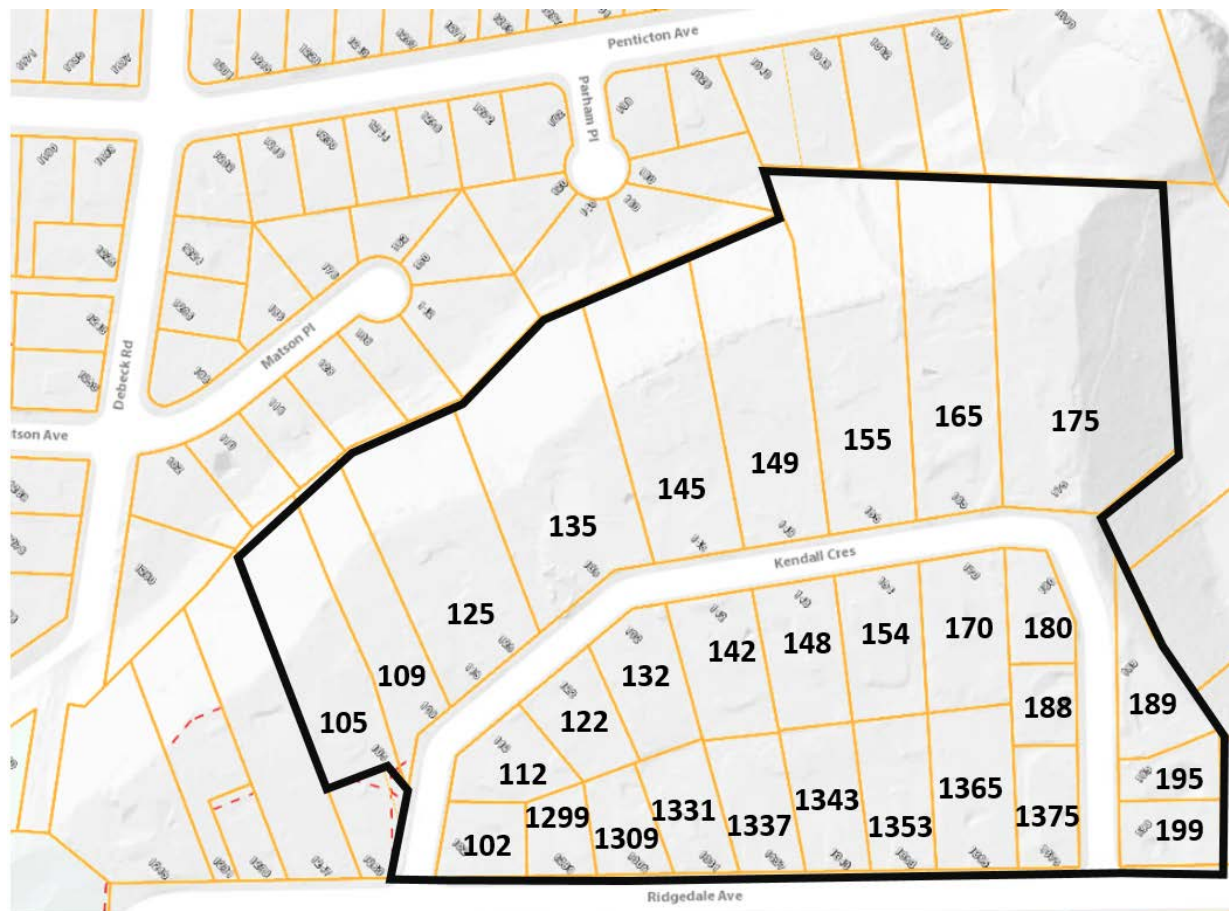
Notice of intention to proceed with this bylaw was published on the 21 day of September, 2018 and the 26 day of September, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

R1 (Large Lot Residential) Zone:
Site specific amendment
for properties, outlined
in heavy black, along
Kendall Crescent and
Ridgedale Avenue:

Carriage Houses are not
a permitted Use



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-72

Date: _____

Corporate Officer: _____

Ridgedale Avenue
Penticton, BC
V2A2S1

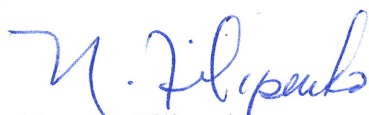
171 Main Street
Penticton, BC
V2A 5A9

Corporate City Officer:

RE: Proposed Zoning Amendment Bylaw 2018-72

Attached are the letters from five property owners living on Ridgedale Avenue (House Numbers 1331, 1337, 1343, 1353, and 1375) who are requesting that their properties be excluded from the Proposed Zoning Amendment Bylaw 2018-72. If necessary we would like the opportunity to speak to this exclusion.

On behalf of the above,



Norman Filipenko
1331 Ridgedale Avenue
Penticton, B.C.

Ridgedale Avenue
Penticton BC
V2A 2S1

ATTN: Corporate Officer, City of Penticton
171 Main Street
Penticton BC
V2A 5A9

RE: Proposed Zoning Amendment Bylaw 2018-72

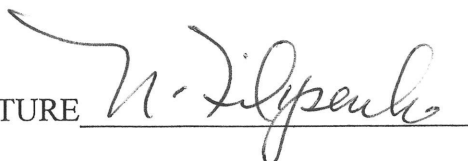
My name is Norman FILIPENKO and I am the owner of the property

at 1331 Ridgedale Avenue.

I am requesting that City Council exclude my property from the Proposed Zoning

Amendment Bylaw 2018-72.

NAME Norman FILIPENKO

SIGNATURE 

Ridgedale Avenue
Penticton BC
V2A 2S1

ATTN: Corporate Officer, City of Penticton
171 Main Street
Penticton BC
V2A 5A9

RE: Proposed Zoning Amendment Bylaw 2018-72

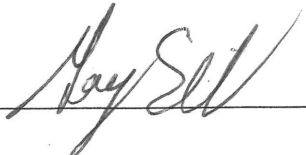
My name is GARY ELLIS and I am the owner of the property

at 1337 Ridgedale Avenue.

I am requesting that City Council exclude my property from the Proposed Zoning

Amendment Bylaw 2018-72.

NAME GARY D. P. ELLIS

SIGNATURE 

Ridgedale Avenue
Penticton BC
V2A 2S1

ATTN: Corporate Officer, City of Penticton
171 Main Street
Penticton BC
V2A 5A9

RE: Proposed Zoning Amendment Bylaw 2018-72

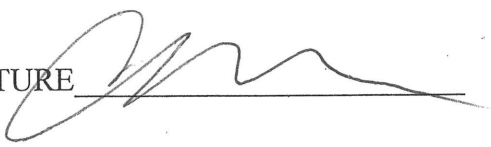
My name is ASHLEY TYNDAL and I am the owner of the property

at 1343 Ridgedale Avenue.

I am requesting that City Council exclude my property from the Proposed Zoning

Amendment Bylaw 2018-72.

NAME ASHLEY TYNDAL

SIGNATURE 

Ridgedale Avenue
Penticton BC
V2A 2S1

ATTN: Corporate Officer, City of Penticton
171 Main Street
Penticton BC
V2A 5A9

RE: Proposed Zoning Amendment Bylaw 2018-72

My name is PATRICIA JAGODIS and I am the owner of the property

at 1353 Ridgedale Avenue.

I am requesting that City Council exclude my property from the Proposed Zoning

Amendment Bylaw 2018-72.

NAME Pat Jagodis

SIGNATURE P. Jagodis

Ridgedale Avenue
Penticton BC
V2A 2S1

ATTN: Corporate Officer, City of Penticton
171 Main Street
Penticton BC
V2A 5A9

RE: Proposed Zoning Amendment Bylaw 2018-72

My name is Katherine Wiltse and I am the owner of the property
+ Mike Wiltse

at 1375 Ridgedale Avenue.

I am requesting that City Council exclude my property from the Proposed Zoning

Amendment Bylaw 2018-72.

NAME Katie Wiltse

SIGNATURE Katie Wiltse Sep 23/18

From: Lawrence and Eleanor <
Sent: September-26-18 9:35 PM
To: Public Hearings
Subject: Kendall Crescent cottage houses

In regard to the 'ban' on all carriage houses on Kendall Crescent. We do feel that a carriage house should be 500-700 sq. ft. on top of a garage. We did sign the petition thinking that it was a temporary ban on carriage houses until the new bylaws on carriage houses were in effect. We are against the total ban of carriage houses on Kendall Crescent. We have lived on Kendall Crescent since 1968.

Lawrence and Eleanor Patton
199 Kendall Crescent.



FREE Animations for your email [Click Here!](#)



September 27, 2018

Our File: 19-0011

Via Email: publichearings@penticton.ca

Attention: Corporate Officer
City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Dear Sir/Madam,

RE: Kendall Crescent Neighbourhood – Carriage Houses – File No: 6700-20

We are writing on behalf of our client, Bettyjean Walls who is the registered owner of the property located at 142 Kendall Crescent, Penticton, BC (the "Property"). This letter is written in opposition of the zoning amendments proposed in relation to the Kendall Crescent Neighbourhood (the "Neighbourhood"), and more specifically the following:

THAT "Zoning Amendment Bylaw No. 2018-72", a bylaw that adds as a site specific amendment to the R1 zone as follows: 'In the case of all properties addressed from Kendall Crescent and 1299, 1309, 1331, 1337, 1343, 1353, 1365 and 1375 Ridgedale Avenue, carriage houses are not a permitted use', be given first reading and be forwarded to the October 2, 2018 Public Hearing for comment from the public.

(the "Neighbourhood Amendment")

OCP, Current Zoning and Area:

The current OCP for Penticton seems to encourage both secondary suites and carriage houses throughout by referencing affordable housing, a variety of housing types and increasing density as important goals. This is confirmed in the following passages:

Affordable Housing Is Important! (page 45)

...

The City's residential development goals are as follows (page 47):

1. Facilitate the provision of a variety of housing types, tenures and densities that will continue to respond to the diverse needs, including income levels, of

individuals and families in Penticton at varying stages of their life.

...

5. Facilitate the development of affordable housing in Penticton.

...

Within Penticton there is an identified lack of affordable and safe housing... (page 143)

...

To facilitate or accommodate the above-state social goals, the City of Penticton will adhere to the following policies (page 145):

...

5. The City will undertake a review of the City's Zoning Bylaw to identify methods to increase housing affordability, through innovative methods of increasing densities such as permitting secondary suites.

The current zoning of the Neighbourhood and Property is R1, which is designated as Large Lot Residential. Under this zoning designation carriage houses are currently permitted under provision 10.1.1.2, subject to regulation 8.2. Provision 8.2 lays out the requirements that need to be met by an applicant proposing the addition of a carriage house to their property. These requirements seem to be fairly in line with those of other municipalities but are subject to some variations.

The larger lots in the Neighbourhood are clearly the types of lots that will be best suited to the construction of carriage homes due to the larger lot sizes and distance from neighbouring homes. Put another way, unless the City is proposing to prohibit carriage houses generally, it is difficult to identify lots better suited for carriage houses. The Neighbourhood is also surrounded by higher density properties. The zoning map attached as **Schedule "A"** shows the following:

1. The lots adjacent to and directly East of the Neighbourhood appear to be zoned:
 - a. RM1 – Bareland Strata Housing;
 - b. RM2 – Low Density Multiple Housing; and
 - c. RM3 – Medium Density Multiple Housing.
2. The lots adjacent to and directly North of the Neighbourhood appear to be zoned:
 - a. R2 – Small Lot Residential;
 - b. RM2 – Low Density Multiple Housing; and
 - c. RM4 – High Density Multiple Housing.

All of these adjacent uses are higher density, and the majority of them allow for much higher density than under R1.

Proposed Carriage House Amendments:

The Public Notice issued on September 20, 2018 recommends that the Zoning Bylaw be amended and that the City of Penticton staff are directed “to investigate a city wide ‘intensive residential development permit area’ requiring a development permit for carriage houses, to address ‘form and character’ and ‘neighbourhood fit’”. The Public Notice goes on to state that carriage houses help with housing affordability in a number of ways including:

1. Allow a property owner to afford a house that they may not be able to afford without the income generated by rental of the additional suite;
2. A carriage house provides a modest dwelling unit that is generally less expensive than other forms of housing, allowing entry level housing for those entering the housing market or with lower incomes; and
3. Assist with family planning, by providing an independent dwelling unit on a property for an aging parent or parents to move into or the first step for a young adult to experience independent living

The Public Notice also notes that carriage houses are an important part of the city’s housing stock.

Although the Public Notice noted a number of benefits of carriage houses it also noted that the City of Penticton staff recommended some regulatory changes that will address situations where the outcome is less than desired. These recommendations include amendments to the floor area and height restrictions and requiring a development permit application in relation to carriage houses (the “Recommended Amendments”). It also notes that the staff believe that the Recommended Amendments will result in construction that better integrates into existing neighbourhoods.

In addition, the Public Notice also notes the potential for an additional amendment in relation to the removal of carriage houses as a permitted use in the Neighbourhood as requested in the petition to council described above as the Neighbourhood Amendment. It also notes that the support from owners within the Neighbourhood is not unanimous and the proposed Neighbourhood Amendment could impact the zoning of properties against their wishes. The Public Notice also notes that if the zoning is changed, any parties that would like to construct a carriage house in the future would require rezoning of the property.

Arguments of Neighbourhood Petitioners:

We have reviewed the video of the Council Meeting of September 18, 2018, and as a result have the following comments in relation to the position taken by the Neighbourhood petitioners (the “Petitioners”). The Petitioners brought up their concerns about additional on street parking, however these concerns are dealt with by the parking requirements set out in the permitting

and inspection processes set out by the City of Penticton. There are also no limits to on street parking in the area, so these concerns should not influence the decision of the Council.

The Petitioners also confirmed both that the boundary that they have set out was arbitrary and that they did not have the support of the entire area. In the event that the Council determines that such a revision to the Zoning Bylaw is necessary, appropriate consultation should be required to determine the appropriate area to be impacted. It should also require the informed consultation of all parties involved once that area has been determined.

It was also noted during that meeting that this would not be setting a precedent within the community as other properties have specific zoning designations under the R2 zone. Those properties are individual properties that appear to have been rezoned at the request of the owners and with the proper consultation and approval. The request of the Petitioners differs in the fact that all owners are not on board with the proposed Neighbourhood Amendment, and would be subject to new zoning imposed upon them by their neighbours wishes and against their own wishes.

The Petitioners also noted that they were only concerned with their Neighbourhood and not with other Penticton neighbourhoods. It is difficult to imagine that there are not other neighbourhoods in Penticton with similar lot sizes that should also be considered if such a revision to the Zoning Bylaw is undertaken. It is apparent by their position that this is merely a group of owners concerned about their own interests and not the interests of Penticton as a whole.

Further the Petitioners mentioned that the City of Kelowna has put in similar neighbourhood specific limitations, which they suggested should support their proposed Neighbourhood Amendment. The neighbourhoods of Gallaghers Canyon and Eastwood were the exceptions noted in their submission. These exceptions to the carriage house and secondary suites bylaws of the City of Kelowna are distinguishable from the Neighbourhood in question. The Report to Council attached as Schedule "B" to this letter, notes that the reason for the prohibition in those areas is because a Hydrogeological Assessment was performed and the experts concluded that there are septic and sewer issues in the area that would need to be dealt with before the areas would be suitable for such development. There is no evidence that this is the case in relation to the proposed Neighbourhood Amendment.

The Petitioners are clearly displeased with not only Ms. Walls carriage house, but also the carriage house previously constructed by Ms. Sentes. However, as one Councilor noted during the Council Meeting of September 18, 2018, this likely should have been brought up either during the application process that Ms. Sentes went through or shortly after the construction of her carriage house.

Position of Ms. Walls:

Ms. Walls currently holds a permit to construct a carriage house on the Property and opposes the proposed Neighbourhood Amendment. She has complied with the Zoning Bylaw currently in place, and has spent considerable time and money to prepare for the construction of the carriage house. Ms. Walls intends to construct her carriage house as soon as practicable.

Her neighbour, Ms. Sentes has also gone through this process and currently has a carriage house constructed on her property within the Neighbourhood. These properties should not be converted to an existing non-conforming use by the Neighbourhood Amendment. Although the carriage houses can remain under an existing non-conforming use exemption, this does not endure forever. If the units are damaged by fire or require substantial renovations at a later date they could lose that designation and as a result the owners could lose the right to have carriage houses on their properties.

This additional risk and uncertainty bring with them increased insurance costs, as well as the potential of diminished property values for these owners. These factors should be considered when the Council makes its determination.

Ms. Wall would also like it noted that the current zoning fits within the community and current OCP. The allowance of carriage houses aligns with the community's need for affordable housing and increased density. The Neighbourhood is also surrounded by higher density development, so it is nothing new to the area and should not impact the surrounding properties.

Our client suggests that the Recommended Amendments to the carriage house bylaw and application process should be sufficient to protect homeowners from future development that does not fit their neighbourhood. These Recommended Amendments would be overseen by the City of Penticton's the planning department, who as the experts should remain the definitive authority on these matters. They can achieve the goals of the City of Penticton and the planning department without without the need to rezone specific areas of the City to the individual preferences of the owners within each neighbourhood.

Ms. Walls objects to the Neighbourhood Amendment noting that Council should not allow small neighbourhoods to dictate planning policy for themselves. Contrary to the opinions of the Petitioners this could set a dangerous precedent for other neighbourhoods to follow suit and bring petitions to amend their neighbourhood zoning. This petition has clearly not been brought for the betterment of Penticton, but merely for the betterment of a number of individual land owners within the Neighbourhood. These individuals should not be able to foist their views on other surrounding property owners.

At this time Ms. Walls supports maintaining the status quo in relation to carriage houses but does not object to the Recommended Amendments. In the event that the Neighbourhood Amendment is considered by Council, she urges that it should not impact the properties owned

by herself and Ms. Sentes as it exposes them to additional costs and risks that they could not have contemplated when they undertook the process of constructing carriage houses on their properties.

Yours truly,

PIHL LAW CORPORATION

Per:



Nathan R. MacDermott

NRM/

Enclosures

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SCHEDULE "A"



REPORT TO COUNCIL



Date: May 30, 2016
RIM. 1250-30
To: City Manager
From: Community Planning Department (AC)
Application: TA16-0004/Z16-0010
Subject: Secondary Suite Amendments within the CD6 and Related Zones

1.0 Recommendation

THAT Council receives, for information, the report from Community Planning Department dated May 30, 2016, with regards to a proposed text amendment that would permit secondary suites within single family dwellings throughout the City of Kelowna, eliminate the CD6 zone, and amend various secondary suite regulations;

AND THAT Council directs staff to report back at a PM Council Meeting with zoning amendments and a communication strategy as identified in the Report of the Community Planning Department Manager dated May 30, 2016;

AND THAT Council directs Staff to not enforce secondary suite 'land use' infractions on properties within the RU4, RU5, RH1, RH2, RH3, CD2, & CD6 zones until further notice;

AND FURTHER THAT Council considers allocating up to \$14,000 from Council Contingency to support this project.

2.0 Purpose

To provide Council with the implications of adding secondary suites to residential Comprehensive Development zones.

3.0 Community Planning

3.1 Options for proceeding with Bylaw Amendments

Council previously provided direction to Staff to investigate permitting secondary suites in single family homes and eliminating the CD6 zone.

This would result in approximately 1050 properties that would need to be rezoned. City policy and standard practice has always required a title search for every rezoning application. This has ensured the majority of the City's zoning boundaries follow legal lot lines. However, that current method is problematic in this case because the Land Titles Office requires approximately \$12 per title search which would result in a total cost of \$12,600 to the City. The other method is to rely on tax roll numbers and BC assessment data to derive the title information.

This amount has not been budgeted by Community Planning and in order to follow the standard method of rezoning applications, Council would need to authorize this cost through a contingency.

Further, Council needs to provide Staff with direction regarding public consultation. City Staff foresee three plausible options:

- 1) Follow the regular development notification process ~ \$500;
- 2) Send additional direct letters to homeowners ~ \$2,000;
- 3) Host public meetings in the affected neighbourhoods (Quail Ridge, Tower Ranch, and Kettle Valley) ~ \$5,000.

3.2 Background

COUNCIL RESOLUTION FROM THE TUESDAY, OCTOBER 20 REGULAR MEETING:

THAT staff report back to Council with a report on the implications of adding secondary suites to residential Comprehensive Development zones.

In September 2012, Council adopted a bylaw that “would permit secondary suites within single family dwellings throughout the City of Kelowna and to change the secondary suite zoning classifications.” However, the bylaw revisions left out the non-standard and Comprehensive Development zones which also permitted single family housing. These zones are:

- RU4 - Low Density Cluster Housing
- RU5 - Bareland Strata Housing
- RH1 / RH1(s) - Hillside Large Lot Residential (with secondary suite)
- RH2 - Hillside Two Dwelling Housing
- RH3 - Hillside Cluster Housing
- CD2 - Kettle Valley Comprehensive Residential Development
- CD6 - Comprehensive Residential Gold Resort

The City has a limited ability to influence the diversity of housing stock to address the needs of the community. However, the City can improve policy and zoning to support and to promote the provision of secondary suites across the City. Safe and legal secondary suites can provide many benefits to home owners including a revenue source to supplement income, assist a family member in need, and increase the value of the property.

By allowing the proposed changes the City can:

- help provide affordable housing in our community with minimal impact to neighbourhoods as no new infrastructure is required and the secondary suites are contained within existing single-family homes;
- continue to provide checks and balances for homeowners wanting to add a secondary suite to a single-family home. A building permit will still be required;
- clarify regulations for ease of implementation for Staff and the community; and
- apply consistent treatment of all single family properties across the City regardless of the specific zone.

3.3 CMHC’s Rental Market Report - Kelowna CMA

According to the results from Canada Mortgage and Housing Corporation’s (CMHC) 2015 Fall Rental Market Survey, rental vacancies in the Kelowna Census Metropolitan Area (CMA) reached their lowest point in 2014 with the Fall Rental Market Survey which showed an apartment vacancy rate of 1.0 per cent compared to 1.8 per cent in 2013 and 1.5 per cent in 2015.

Several local economic factors were supportive of rental demand across the Kelowna CMA in 2014, resulting in lower vacancy rates. Employment levels grew modestly over the first ten months of the year. Kelowna's younger age cohort, those aged 15 - 24 years, has had a modest but steady stream of part-time employment growth and more recently an increase in full-time jobs. Youth employment is a key driver of rental housing demand. Rising enrollment at the University of British Columbia Okanagan and positive migration into the Kelowna area also contributed to a growing number of renter households. A key supply side factor contributing to the lower vacancy rates and increasing rents in Kelowna was the addition of very few new rental units over the past two years. Faced with a limited selection of available purpose-built rental accommodations, a growing number of renters found suitable rental accommodations within the stock of available secondary rental units.

Accessory (Secondary) suites continue to be an attractive alternative housing arrangement for renters. There were an estimated 2,103 households living in accessory suites as of October 2014, up from 1,351 during the same period the year previous, and this number is expected to continue to grow¹. For example, the City of Kelowna approved building permits for 207 accessory suites in 2013 and an additional 220 building permits between January and October 2014.

3.4 Current Secondary Suite Process

A property owner requires a Building Permit and a Business Licence for the suite, which will take a total of approximately 2 - 4 weeks, depending on each individual site and the complexity of the retrofits.

Through the submission of concurrent Building Permit and Business Licence applications, it is determined if the secondary suite within a single family dwelling meets the requirements of Zoning Bylaw 8000 and BC Building code to obtain a Business Licence.

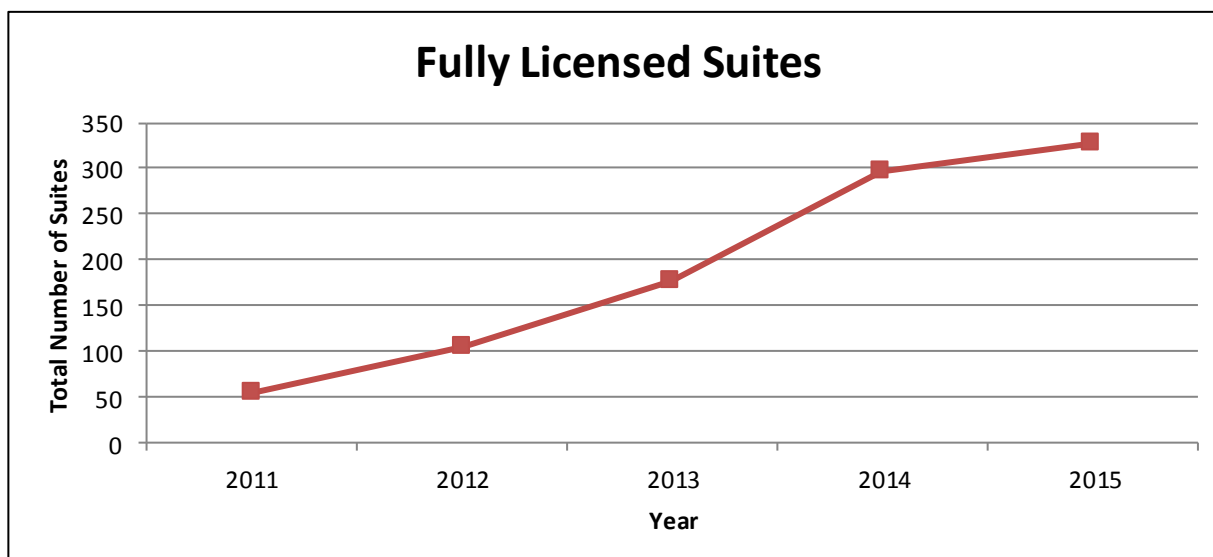
More specifically, the Building Permit application ensures that the suite within the single family dwelling complies with the requirements of the Zoning Bylaw such as parking, pathway, private open space and lighting, in addition to meeting the BC Building Code requirements. Once an Occupancy Permit has been issued, a Business Licence is then processed and issued.

Currently, if a suite does not have a Business Licence and a complaint is received, Bylaw Services initiates an investigation. A suite is not considered legal unless it has an active Business Licence. Business Licenses are required to be renewed annually.

3.5 Status of Secondary Suite Legalization

Prior to 2012 each property needed a rezoning (to the 's' designation) if a secondary suite was to be permitted. In 2011, Council reviewed 41 's' rezoning applications for suites within a single family dwelling and only 2 were not supported by Council. Since allowing secondary suites in most residential areas, the City of Kelowna has steadily seen an increase in the number of legal suites licensed each year.

¹ Housing Market Outlook Kelowna CMA, CMHC, Fall 2015



The number of enforcement files related to secondary suites has steadily increased as well (see table below). This data illustrates citizens that have gone through the entire enforcement process to compliance, meaning they have either decommissioned their suite or have legalized it.

Date From	Date To	2011	2012	2013	2014	2015
Jan 01	Dec 31	136	139	157	250	277

Further, based on the business licenses data and the British Columbia Assessment Authority (BCAA) data, there are 631 properties in Kelowna that have a business license for a suite and are also assessed as having a suite. However, there are 1,771 properties that are assessed as having a suite but do not have a current business license. There are 482 properties that have a current business license for a suite but as not assessed as having a suite.

3.6 Proposed Secondary Suite Changes

Business Licenses

The secondary suite and carriage house regulations within the Zoning Bylaw require ‘operators’ of a secondary suite or a carriage house to hold a valid business license. However, this has been interpreted that a secondary suite or a carriage house must have a business license to be legal whether the owner is renting the dwelling unit or not. There is no other use category in the Zoning Bylaw that requires a ‘type of use’ to hold a business license to be legal. The original purpose of this requirement may have been to more easily track secondary suites and carriage houses but the main purpose of business license bylaw is to:

- a. require an owner or operator of a business within the City of Kelowna to hold a valid and subsisting license (including imposing of fees for licenses) for the carrying on of such business; and
- b. it is also the purpose of the business license bylaw to regulate the carrying on of business within the City of Kelowna, to the extent not inconsistent with the intent of the bylaw, for the purpose of protecting the public or preventing or minimizing nuisances and misleading business practices, and establishing different regulations for different classes of business.

The applicability of the regulations in the Business License Bylaw is limited to businesses earning income. Therefore, if secondary suites and carriage houses are not earning income, Staff are recommending those properties not be required to have a business license.

However, Staff are recommending one step further which would eliminate the need for a business license. This would require an amendment to the business license bylaw. The business license bylaw does not require property owners who are renting single detached dwellings, duplexes, triplexes, fourplexes, or townhouses to obtain a business license. Therefore, Staff are recommending that secondary suites conform with similar housing typologies.

The original purpose for requiring business licenses with secondary suites was to track legal secondary suites and provide statistics on the legalization process. Community Planning have coordinated with the Information Technology Staff to replace and to transfer the business license data into a 'legal suite' system in order to provide the ability for Bylaw Enforcement to continue to track legal secondary suites and provide statistics. This system will work similar to the business license system. The only difference will be that One Window staff will enter all building permits for new secondary suite into the new 'legal suites' database instead of the "secondary suite - business license" database.

3.6.1 Zoning

Staff are recommending that Council consider permitting secondary suites in the RU4 and RU5 zones which are strata zones. Strata corporations can self-regulate and can voluntarily restrict secondary suites if they desire. Further, if a single family strata lot can provide the private open space and the additional parking stall, then providing this option to property owners to increase the availability of the rental housing stock meets the goals and vision outlined in Kelowna's Official Community Plan. This same logic applies to the hillside zones (RH2 and RH3).

The remaining zones that currently do not permit secondary suites are CD2 (Kettle Valley) and CD6 (Quail Ridge, Tower Ranch, Gallaghers Canyon). The CD2 has a complicated set of sub-areas with zoning rules that are not based upon standardized residential and commercial zones in Kelowna. It is staff's suggestion that the CD2 zone remain intact while adding secondary suites as an allowable secondary use. The CD2 zone also states the total maximum density shall not exceed 1028 units which is in accordance with the Southwest Okanagan Mission Neighbourhood One Area Structure Plan that was adopted as part of the Kelowna Official Community Plan. Therefore, it is further recommended that a clause be added in the CD2 zone stating secondary suites shall not be counted as a dwelling unit for the purposes of calculating the maximum total density in the area. Development Engineering Staff have confirmed adding suites only has a negligible impact on City sewer and water capacity and should not be a servicing issue.

The CD6 - Comprehensive Residential Golf Resort zone was intended to provide for the development of a residential golf resort which includes one or more land use designations as an integrated development unit based on an Area Structure Plan. The density within each area (Quail Ridge, Tower Ranch, and Gallaghers Canyon) is based on an averaging of all lands within the development. However, there are many problems associated with this zone. The first and largest anomaly is the principal use is "participant recreation services, outdoor" meaning each lot must have a golf course on it prior to any other use.

Further, the CD6 zoning interpretation has been compromised by a system of covenants registered on each title stating each sub-area within the CD-6 zone follow the future land use map. This system of covenants effectively represents various other standardized zones (RU1, RU4, RU5, RM3, etc.) and their associated development regulations. Within the development regulations of the CD-6 zone it states:

“lands are to be developed for residential use in accordance with one or more of the RU1/RU1h, RU2/RU2h, RU4/RU4h, RU5, RU6/RU6h, RM2, RM3, RM4, or RM5 zones. Commercial and hotel uses allowed in the CD6 zone shall be developed in accordance with the C2 or C9 zoning districts, and open space or public utility uses shall be developed in accordance with the P2, Ps, or P4 zoning districts.”

This means within the CD-6 area, any of those zones can exist as long as it is consistent with the plan identified in the Area Structure Plan. This had led to many interpretation conflicts. Further, the City’s legal counsel advised the zone needs to be eliminated or amended significantly in order to comply with the Local Government Act.

Staff’s recommendation is to eliminate the CD-6 zone and rezone each sub-area to be consistent with the Area Structure Plan for each Golf Course and the future land use map. Once this occurs the traditional zoning will allow for secondary suites in each area.

3.6.2 Zoning (Servicing - Secondary Suite and Carriage House Prohibition)

Due to hydrogeotechnical challenges with on-site disposal systems and the private wastewater treatment facility, Staff are recommending that secondary suites and carriage houses not be permitted in the Gallaghers Canyon area (See full diagram in attachments). The Gallaghers Canyon privately operated treatment facility is near capacity and even a negligible increase in capacity should not be permitted until sewer is extended to this area or capacity improvements to the system are installed. The City has no plans for sewer extension or upgrades in this area.

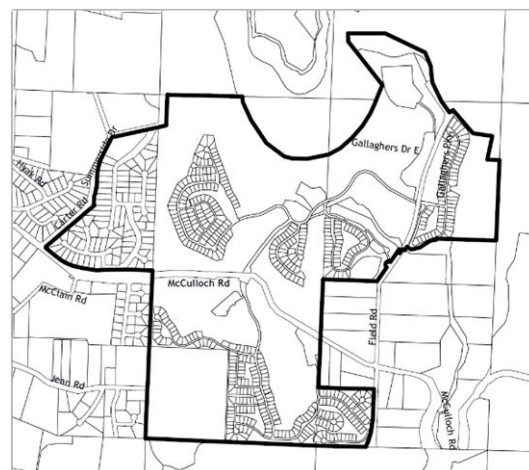


Figure 9.5

The Eastwood subdivision immediately west of Gallaghers Canyon is also included in the proposed suite prohibition as a Hydrogeological Assessment was performed by Golder Associates in March of 2010 and concluded there are septic problems in this area related to soil conditions.

3.6.3 Zoning (Parking)

Secondary suite Parking was amended in a recent zoning bylaw amendment. However, these rules have proved to be difficult to implement and Staff are recommending that the rules be simplified and clarified. Currently the suite parking reads:

One additional parking for a secondary suite is required which shall be:

- i. be designated as being solely for the **use of the secondary suite**
- ii. not be located within a private garage which is attached to and provides direct access to the principal **dwelling**;
- iii. not be provided in a tandem configuration;
- iv. be located within the required **front yard** setback area if the **parking space** does not block access to a required **parking space** utilized by the principal **dwelling** unit.

Providing a parking stall that has to be in the front yard setback but not block access to a required parking stall for the principal dwelling has proven ineffective. Staff are recommending this section be replaced with the following:

Secondary suite parking:

- i. shall be designated as being solely for the **use of the secondary suite**;
- ii. shall be accessed from a lane in circumstances where a rear or a side lane abuts the property;
- iii. shall be surfaced with permanent surface of asphalt, concrete or similar pavement.
- iv. shall be accessed from any *driveway* existing at the time the *secondary suite use* commences in circumstances where no rear or side lane abuts the property;
- v. can be located in the driveway and in tandem with the single detached dwelling parking as long as two additional off-street parking stalls provided for the principal dwelling.

4.0 Existing Policy:

4.1 Kelowna Official Community Plan (OCP)

Goals for a Sustainable Future²

Contain Urban Growth. Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Include Distinctive and Attractive Neighbourhoods. Develop distinctive and attractive neighbourhoods and urban centres with safe, accessible public spaces that enhance investment.

Future Land Use Designation

Single / Two Unit Residential³ Single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached buildings used for two dwelling units,

² OCP Chapter 1

³ Official Community Plan (OCP) - Chapter 4- Future land Uses

modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non-residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

Other Supporting Policies

Policy 5.2.3 Complete Suburbs.⁴ Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

Policy 5.3.2 Compact Urban Form.⁵ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centre's (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Policy 10.3 Policy 1 Housing Availability.⁶ Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional, age in place, emergency or shelter).

Objective 5.34 Policy 1 Secondary Suites.⁷ Encourage secondary suites on agricultural land to be located within a permitted principal dwelling.

4.2 Council priorities 2014-2018

Planning Excellence. Council wants to ensure a strong foundation is in place so the short- and long-term needs of the community are met. This will require a focus on long-term planning that is innovative, while based on best practices.

5.0 Technical Comments

For technical comments regarding suite implementation see TA12-0005/Z12-0035. See attachments for Development Engineering comments.

Report prepared by:

Adam Cseke, Planner

Reviewed by:



Terry Barton, Urban Planning Manager

⁴ OCP Objective 5.2- Develop sustainability

⁵ OCP Objective 5.3 -Focus development to designated growth areas.

⁶ OCP Objective 10.1- Support the creation of affordable and safe rental, non- market and /or special needs housing.

⁷ Official Community Plan Objective 5.34 -Preserve productive agricultural land

Approved for Inclusion: Ryan Smith, Community Planning Manager