

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

**Tuesday, November 5, 2019**  
**at 6:00 p.m.**

- |       |   |      |
|-------|---|------|
| 1.    | Mayor Calls Public Hearing to Order for <b>“Zoning Amendment Bylaw No. 2019-38”</b>   | 1-18 |
| CO    | Reads Opening Statement and Introduction of Bylaw   |      |
|       | “Zoning Amendment Bylaw No. 2019-38” (3790 South Main Street)   |      |
|       | Purpose: To amend Zoning Bylaw No. 2017-08 as follows:  |      |
|       | <p>Rezone Lots 1,2,3 and 4 of District Lots 197 and 587, Similkameen Division Yale District Plan 27190, located at 3790, 3700, 3650 and 3600 South Main Street, from CT2 (Campground Commercial) to RM3 (Medium Density Multiple Housing).</p> <p>The applicant is requesting to rezone 3790, 3700, 3650 and 3600 South Main Street from CT2 (Commercial Campground) to RM3 (Medium Density Multiple Housing). This rezoning will facilitate the consolidation of four parcels into one large parcel, which will allow for the construction of two 5 ½ storey apartment buildings, containing a total of 180-units.</p> |      |
|       | Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, October 25, 2019 and Wednesday, October 30, 2019 (pursuant to the <i>Local Government Act</i> ).  |      |
| CO    | No correspondence received regarding the Zoning Amendment Bylaw (as of noon Wednesday, October 30, 2019).   |      |
| Mayor | Requests the Planning Manager 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. 2019-38” is terminated and no new information can be received on this matter.

- 2.** Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2019-39”** 19-81
- CO Reads Opening Statement and Introduction of Bylaws
- “Zoning Amendment Bylaw No. 2019-39” (CD6 Zone– Comprehensive Development - 962 Churchill Avenue)
- Purpose: To amend Zoning Bylaw No. 2017-08 as follows:
- Add Section 14.6 CD6 - Comprehensive Development Zone (962 Churchill Avenue) and rezone 962 Churchill Avenue from R2 (Small Lot Residential) to CD 6 - Comprehensive Development Zone (962 Churchill Avenue).
- The applicant(s) are proposing to construct a six-storey, eight-unit apartment building.
- Notice: The Public Hearing was advertised in the Penticton Western Newspaper on Friday, October 25, 2019 and Wednesday, October 30, 2019 (pursuant to the *Local Government Act*).
- CO Correspondence received regarding the Zoning Amendment Bylaw (as of noon Wednesday, October 30, 2019).
- Mayor Requests the Planning Manager 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. 2019-39” is terminated and no new information can be received on this matter.

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

**Tuesday, October 1, 2019**  
**at 1:00 p.m.**

## **Resolutions**

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- 8.1 Zoning Amendment Bylaw No. 2019-38  
Re: 3790 South Main Street

425/2019

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2019-38", a bylaw to rezone Lots 1, 2, 3 and 4 of District Lots 197 and 587, Similkameen Division Yale District Plan 27190, located at 3790, 3700, 3650 and 3600 South Main Street, from CT2 (Campground Commercial) to RM3 (Medium Density Multiple Housing), be given first reading and be forwarded to the November 5, 2019 Public Hearing.

**CARRIED UNANIMOUSLY**



**Date:** October 1, 2019  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Nicole Capewell, Planner 1  
**Address:** 3790 South Main Street

File No: PRJ2019-090

**Subject: Zoning Amendment Bylaw No. 2019-38**

### Staff Recommendation

THAT “Zoning Amendment Bylaw No. 2019-38”, a bylaw to rezone Lots 1, 2, 3 and 4 of District Lots 197 and 587, Similkameen Division Yale District Plan 27190, located at 3790, 3700, 3650 and 3600 South Main Street, from CT2 (Campground Commercial) to RM3 (Medium Density Multiple Housing), be given first reading and be forwarded to the November 5, 2019 Public Hearing.

### Strategic priority objective

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

### Background

The applicant is requesting to rezone 3790, 3700, 3650 and 3600 South Main Street from CT2 (Commercial Campground) to RM3 (Medium Density Multiple Housing). This rezoning will facilitate the consolidation of four parcels into one large parcel, which will allow for the construction of 180 purpose built rental units. The proposal has been designed within the limitations of the RM3 zoning, and no variances are required to construct the development.

The subject property is currently zoned CT2 (Commercial Campground) and is designated for ‘urban residential’ within the Future Land Use Designation in the City’s Official Community Plan (OCP). ‘Urban Residential’ is described as “higher-density 3-6 storey apartment neighbourhoods in higher-amenity areas where building construction is primarily wood frame”. The subject property is approximately 1.78 ha (4.39 acres) in area and contains a campground. Photos of the property are included as Attachment ‘C’.

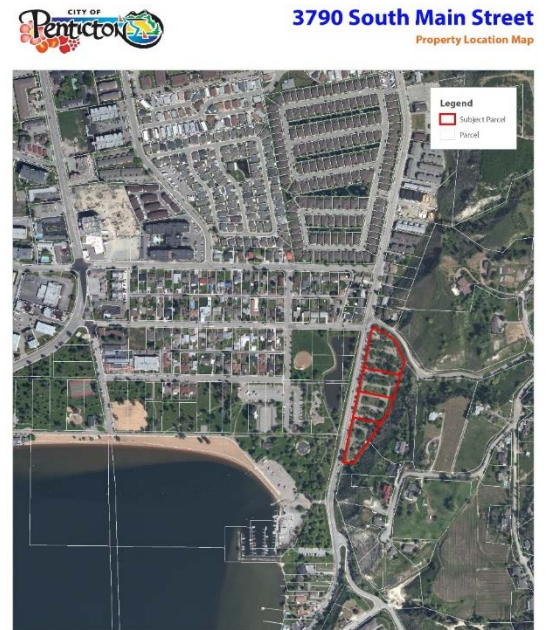


Figure 1 - Property Location Map

As indicated on the Zoning Map (Attachment 'A'), the surrounding neighbourhood currently contains a diverse mix of residential zones including RC (Country Residential), A (Agriculture), R1 (Large Lot Residential) and RM1 (Bareland Strata Housing). Of note, the subject property is directly across the street from Skaha Lake Park, with excellent access to plenty of green and amenity spaces. The subject property is considered a desirable location in the City.

In 2006, a rezoning application was submitted for the subject property which proposed 3 large buildings on the site. The buildings proposed were 10, 12 and 14 storeys high, which had raised concerns with some of the neighbours. The bylaw was eventually rescinded and abandoned by Council, and the property remained zoned as CT2 (Campground Commercial).

## **Proposal**

The applicant(s) are proposing to construct two five and a half-storey apartment buildings, containing a total of 180-units. To facilitate this development, the applicant is requesting to rezone the property from CT2 (Campground Commercial) to RM3 (Medium Density Multiple Housing).



*Figure 2 - Rendering of Proposed Buildings*

The applicant is required to attain a Development Permit for the form and character of the building, as the property is considered within the Multifamily Development Permit Area. Staff are continuing to work with the applicant(s) to prepare a design that successfully meets the intent of the development permit area. The Development Permit will be presented to Council for consideration at a future Council date.

## **Financial implication**

The application does not pose any significant implications to the City. All development costs are the responsibility of the applicant.

## **Technical Review**

The application has been reviewed by the City's Technical Planning Committee (TPC). While there are challenges with the site, the committee considers that the proposed density of the development can be accommodated into the City's various infrastructure systems. It is the property owner(s) responsibility to provide services and/or upgrade existing services as required.

All buildings are required to be constructed to BC Building Code healthy and safety standards. Building code requirements have been identified to the applicant and will be addressed as part of the building permit process. Staff have reviewed the heritage value of the subject property and confirmed that it is not listed on any heritage lists.

**Development Statistics**

The following table outlines the proposed development statistics of the project:

	RM3 Zone	Proposed in Plans
<b>Lot Area:</b>	1400 m <sup>2</sup>	17,973 m <sup>2</sup>
<b>Maximum Density:</b>	1.6 Floor Area Ratio	0.982 Floor Area Ratio
<b>Maximum Lot Coverage:</b>	50%	20.4%
<b>Maximum Hard Surfacing</b>	60%	58%
<b>Vehicle Parking:</b>	1 per unit + 0.25 visitor spaces = 225 required parking spaces	276 provided
<b>Maximum Height</b> Principal building:	24.0m	18.25 m
<b>Required Setbacks</b> Front Yard (South Main St): Interior Side Yard (south): Exterior Side Yard (north): Rear Yard (east)	3.0 m 4.5 m 4.5 m 6.0 m	4.0 m 82.72 m 16.34 m 28.09 m

**Analysis**

*Support Zoning Amendment Bylaw*

The City’s Official Community Plan (OCP) designation (Attachment ‘B’) for the subject property is ‘urban residential’, which supports townhouses and stacked townhouses, low-rise and mid-rise apartment/condo buildings up to 6-storeys. The proposed development is following the OCP vision for the subject properties, by providing more density on the properties in a housing type that is supported by the OCP.

Staff consider that the proposed zoning amendment will allow for development that is supported through the following City Policies (within OCP):

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
- Policy 4.1.1.4 Ensure all new developments fully cover the cost of the required infrastructure and services they require, including roads, water, sewer, storm water and provision of parks, schools, and emergency services.
- Policy 4.1.3.1 Encourage more intensive “infill” residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
- Policy 4.1.3.5 Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
  
- Policy 4.1.4.1 Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
- Policy 4.2.1.5 Create ‘complete streets’ (designed for everyone) in suitable areas that provide safe and comfortable mobility (i.e. allow for access, movement and crossing) for all users: pedestrian, cyclists, drivers, commercial vehicle operators and transit users.
- Policy 4.2.2.2 Address gaps in the pedestrian network by providing sidewalks on at least one side of the street in residential neighbourhoods, and commercial and mixed-use areas, using excess street rights-of-way where possible or through land acquisition if necessary. Where possible, provide sidewalks by requiring their construction or upgrades from developers
- Policy 4.2.2.4 Require that vehicle access to parking in residential areas is from the laneway in neighbourhoods where laneways exist.
- Policy 4.2.3.8 Require adequate levels of secure bike parking in new multi-family, mixed-use and commercial development.
- Policy 4.2.5.2 Encourage land use planning that results in neighbourhoods that can be easily serviced by transit.
- Policy 4.4.4.5 Explore and support initiatives to produce renewable energy, such as photovoltaic/solar (solar gardens, large and small-scale installations), heat exchange, geothermal, and district energy systems.
- Policy 4.5.3.2 Integrate urban agriculture opportunities into multi-family, mixed-use and commercial developments, available rights-of-way, boulevards, and civic facilities. These can include community gardens, intensive small-plot farming, edible landscaping, orchards, bee-keeping, pollinator gardens, and rooftop gardens.

The proposed development demonstrates conformance with the City’s OCP Policies. Staff consider that the proposed development is a strong application in a desired area of the community, that has been identified for increased density within the City’s OCP.

The subject properties are located within a development permit area, and will require approval prior to construction. Staff are continuing to work with the applicant(s) to create a design that successfully meets the intent of the development permit area guidelines. As such, the plans presented within this report are conceptual at this time and may receive minor alterations as the plans are finalized. Staff intend to bring the Development Permit back to Council for approval prior to adoption of the Zoning Amendment Bylaw.

Given that there is adequate policy through the OCP to support the proposal to rezone the subject property from CT2 (Campground Commercial) to RM3 (Medium Density Multiple Housing), support is recommended for First Reading of "Zoning Amendment Bylaw No. 2019-38".

*Deny/Refer Zoning Amendment Bylaw*

Council may consider that the applicant(s) can change the design to more accurately reflect the development permit guidelines. If this is the case, Council should refer the permit back to staff to work with the applicant(s) as directed by Council.

**Alternate recommendation**

THAT Council deny first reading of "Zoning Amendment Bylaw No. 2019-38".

**Attachments**

- Attachment A – Zoning Map of Subject Property
- Attachment B – Official Community Plan Map of Subject Property
- Attachment C – Images of Subject Property
- Attachment D – Letter of Intent
- Attachment E – Conceptual Site Plan
- Attachment F – Conceptual Building Elevations
- Attachment G – Conceptual Renderings
- Attachment H – Zoning Amendment Bylaw No. 2019-38

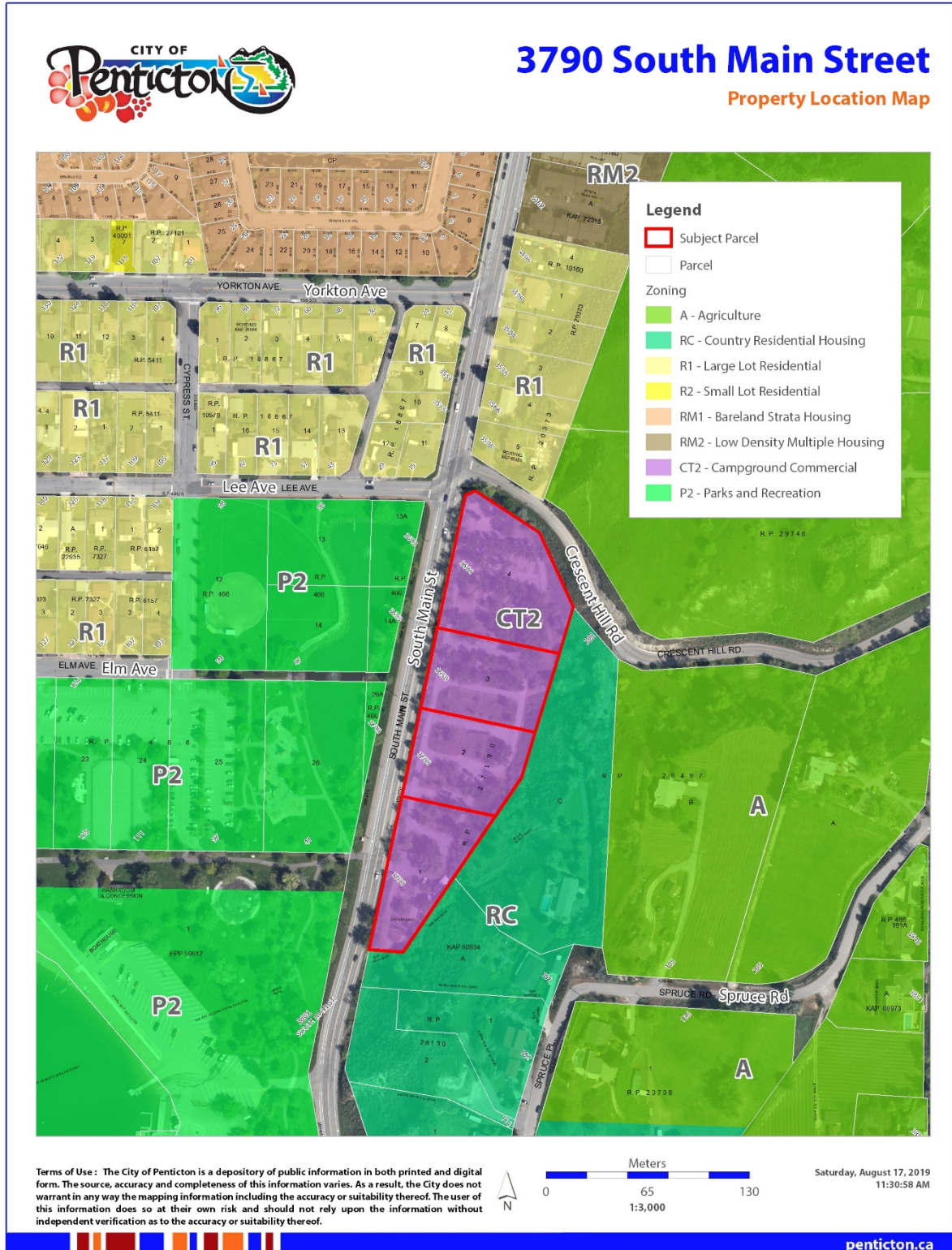
Respectfully submitted,

Nicole Capewell  
Planner

Concurrence

Acting DS Director  <i>KK</i>	Chief Administrative Officer  <b>DvD</b>
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Attachment A – Zoning Map of Subject Property



Attachment B – Official Community Plan Map of Subject Property



Attachment C – Images of Subject Property



Figure 3 - Looking north along South Main Street with subject property to the east



Figure 4 - Looking east towards subject property from South Main St

Attachment D – Letter of Intent



**Rezoning – Letter of Intent**

**Property:** 3790 South Main St,  
Penticton, BC

**Project Summary:**

Highstreet Ventures Inc is looking to rezone the existing campground property at 3790 S Main St, at the North/East corner of Lake Skaha, from CT2-Campground Commercial to RM3-Medium Density Residential. We are looking to build purpose-built rental suites and includes x2 90-unit buildings, each being 5 storeys and with underground parking. The unit mix will be x138 two bedroom and x42 one-bedroom suites. There will also be a Community Building, which will house amenity space for the apartment tenants. Included in this building will be an office with a full-time manager who helps manage the residents as well as acts as a liaison for the surrounding community, a common area with kitchen for larger social functions, a gym space, and an outdoor social space. Typically, we provide outdoor amenity space such as a dog run and community gardens, and we will determine what to include based on the market conditions. 275 parking spaces will be provided (no variance required), and of that 40% is below ground. No variances are currently being sought by this development.

**Community/Neighbourhood Benefit:**

This development application provides Penticton 180 well needed purpose-built market rental apartments and will provide the surrounding businesses with an added potential customer base year-round. Downtown is not far and can be accessed by transit on Route 5 – the Main Street bus, and the added population at our property would increase ridership. The site is also across from large park spaces and beach, while the highway and airport are close by making it a desirable location to live, appealing to a broad base of people.

There will also be a benefit to the community as it will have a minimal environmental impact. Highstreet is working towards net-zero project, meaning the buildings will produce as much energy use as it uses. To do this the buildings must use minimal amounts of energy so we're constantly improving our building envelope to reduce energy demands. To produce energy, PV panels are an integral part of the design. The building electrical system will be sized to produce as much power as the building load, and enough panels will be installed to produce power for the common spaces of the buildings.

The project will be built to high quality and standards. This will help ensure long lasting, visually appealing building and suites, benefitting the residents and surrounding community. We pride ourselves in developing condo-quality suites which includes quartz countertop, durable siding, super-insulated/air-tight building envelope, triple pane windows, LVT and high-quality fixtures.

**HIGHSTREET VENTURES INC**

📍 602 - 1708 DOLPHIN AVE, KELOWNA, BC, V1Y 9S4 🌐 HIGHSTREETVENTURES.CA  
✉️ INFO@HIGHSTREETVENTURES.CA 📞 778.946.6250 📠 778.946.6251

# HIGH STREET

RESPONSIBLY DEVELOPING SMARTER REAL ESTATE

We also build using Built Green Canada standards, that ensure high quality, environmentally friendly products. Our current targets are certified Platinum.

## OCP Review:

The site was chosen by Highstreet as this development is in line with the City of Penticton's view set out in their OCP. This includes:

- adding housing for population growth (Part 2.1)
- provide infill project, as developable land is limited (Part 2.1)
- provide livable community with low-rise structures, taking advantage of neighbouring amenities (Part 2.1)
- conforms with City's Residential Goals (Part 2.2): variety of housing types, densification of Main Street-Skaha Lake Rd, add to rental stock which will help with rising rental rates, add high quality housing, and develop neighbourhoods that are considerate of the environment
- conforms with City's General Residential Policies (Part 2.2): variety of housing types, infill developments within existing serviced areas, encourage intensification of residential land along Main St and Skaha Lake Road spine, medium density residential as per Schedule B of OCP, encourage energy efficient residential development

## Neighbouring Properties Impacts:

The site has a large hill in the back, which rises from about 340M above sea level to about 370M above sea level, a total of 30M (on the Southern half where other properties are located). The RM3 zoning bylaw allows for 24M, and the proposed building would be near 18-19M, therefore would not impact any views of the properties to the East. Due to the hill the properties across S Main St would not have any views impeded. The properties to the North, across Crescent Hill Rd would not have any views impacted as they face West, and have Crescent Hill Rd as a buffer. There are no properties to the South due to the slope direction of the hill behind the property.

To ensure the projects fits in to the surrounding area, landscaping will be used to soften areas as needed, and we will work with the City to ensure the streetscape is enhanced to ensure a 'neighbourhood feel' for the frontage along S Main St. Lastly, the development will not disturb the slope behind the property, and any of the associated ecosystem on it.

## HIGHSTREET VENTURES INC

📍 602 - 1708 DOLPHIN AVE, KELOWNA, BC, V1Y 9S4 🌐 HIGHSTREETVENTURES.CA  
✉️ INFO@HIGHSTREETVENTURES.CA 📞 778.946.6250 📠 778.946.6251



Attachment I – Conceptual Building Elevations

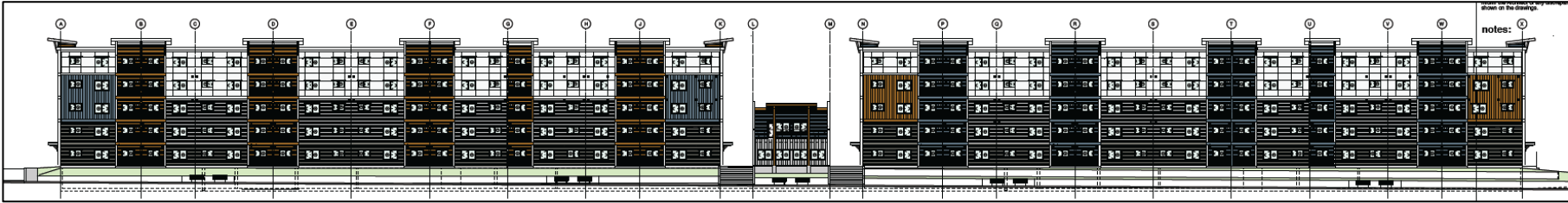


Figure 5 - West Elevation of Proposed Buildings (Facing South Main St)

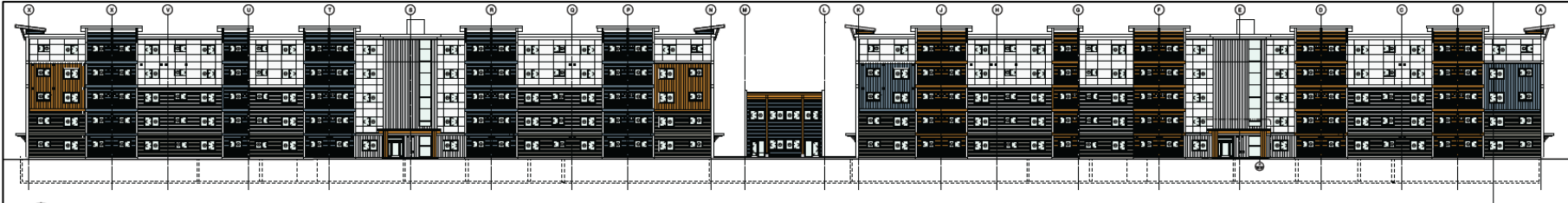


Figure 6 - East Elevation of Proposed Buildings (Facing Parking Lot at Rear of Property)

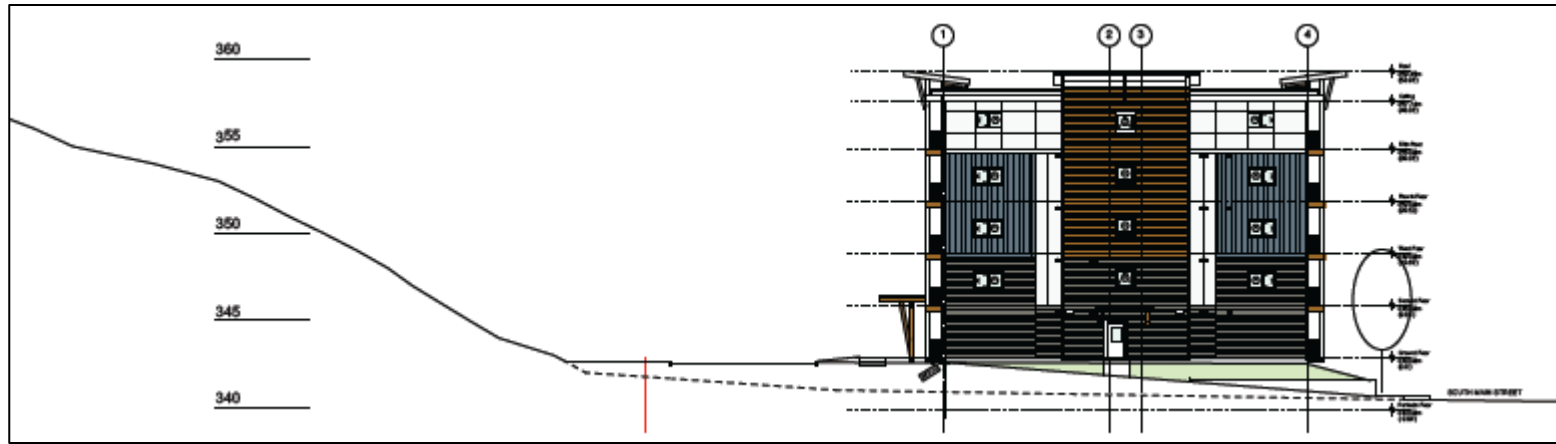


Figure 7 - Site Section from North End (Looking South)

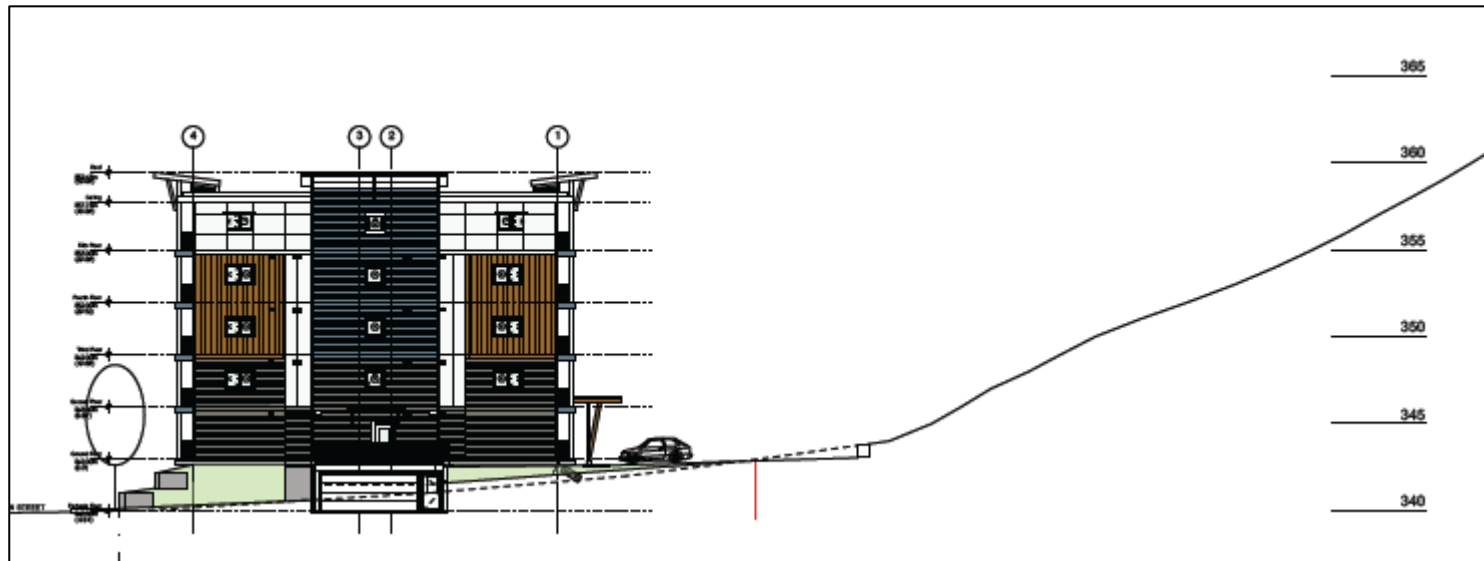


Figure 8 - Site Section from South End (Looking North)

Attachment G – Conceptual Renderings



*Figure 9 - Conceptual Rendering of South Main Street*



*Figure 10 - Conceptual Rendering of South Main Street*



*Figure 11 - Conceptual Rendering from Crescent Hill Road (Top of Bank)*

**Bylaw No. 2019-38**

*A Bylaw to Amend Zoning Bylaw 2017-08*

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WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2017-08;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2019-38".

2. **Amendment:**

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

Rezone Lots 1,2,3 and 4 of District Lots 197 and 587, Similkameen Division Yale District Plan 27190, located at 3790, 3700, 3650 and 3600 South Main Street, from CT2 (Campground Commercial) to RM3 (Medium Density Multiple Housing).

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

READ A FIRST time this	1	day of	October, 2019
A PUBLIC HEARING was held this	5	day of	November, 2019
READ A SECOND time this		day of	, 2019
READ A THIRD time this		day of	, 2019
ADOPTED this		day of	, 2019

Notice of intention to proceed with this bylaw was published on the 25 day of October, 2019 and the 30 day of October, 2019 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

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John Vassilaki, Mayor

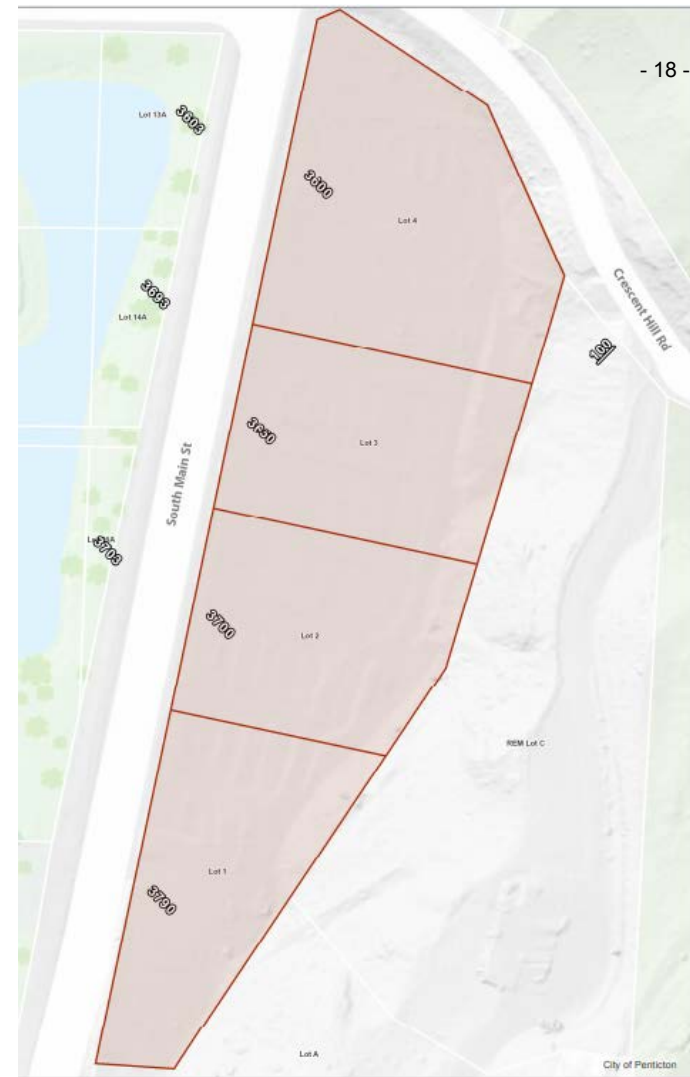
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Angie Collison, Corporate Officer

Rezone 3790, 3700, 3650 and 3600  
South Main St.

From CT2 (Campground Commercial)

To RM3 (Medium Density Multiple  
Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2019-38

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

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

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

**Tuesday, October 1, 2019**  
**at 1:00 p.m.**

## **Resolutions**

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Councillor Kimberley declared a conflict of interest and left the meeting at 1:15 p.m.

- 8.2     Zoning Amendment Bylaw No. 2019-39  
          Development Permit PL2019-8523  
          Re: 962 Churchill Avenue

426/2019

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2019-39" a bylaw to add Section 14.6 CD6 (Comprehensive Development Zone) to Zoning Bylaw 2017-08 and to rezone Lot 1 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 24763, located at 962 Churchill Avenue from R2 (Small Lot Residential) to CD6 (Comprehensive Development Zone), be given first reading and forwarded to the November 5, 2019 Public Hearing;

THAT Council, in accordance with Section 507 of the Local Government Act, require the following excess and extended services:

- Full construction of curb and sidewalk along the frontage of 962 Churchill Avenue and 66 Sydney Street, to create a more complete section of pedestrian infrastructure; and
- Full construction of the lane along the south of 962 Churchill Avenue and 66 Sydney Street to connect to Sydney Street.

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2019-39" approve "Development Permit PL2019-8523" for 962 Churchill Avenue, a permit that allows for the construction of an 8-unit apartment building.

**CARRIED UNANIMOUSLY**

Councillor Kimberley returned to the meeting at 1:23 p.m.

# Council Report

penticton.ca

**Date:** October 1, 2019  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Nicole Capewell, Planner 1  
**Address:** 962 Churchill Avenue

File No: 2019 PRJ-072

**Subject: Zoning Amendment Bylaw 2019-39  
Development Permit PL2019-8523**

## Staff Recommendation

### *Zoning Amendment*

THAT "Zoning Amendment Bylaw No. 2019-39" a bylaw to add Section 14.6 CD6 (Comprehensive Development Zone) to Zoning Bylaw 2017-08 and to rezone Lot 1 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 24763, located at 962 Churchill Avenue from R2 (Small Lot Residential) to CD6 (Comprehensive Development Zone), be given first reading and forwarded to the November 5, 2019 Public Hearing;

### *Excess and Extended Service*

THAT Council, in accordance with Section 507 of the *Local Government Act*, require the following excess and extended services:

- Full construction of curb and sidewalk along the frontage of 962 Churchill Avenue and 66 Sydney Street, to create a more complete section of pedestrian infrastructure; and
- Full construction of the lane along the south of 962 Churchill Avenue and 66 Sydney Street to connect to Sydney Street.

### *Development Permit*

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2019-39" approve "Development Permit PL2019-8523" for 962 Churchill Avenue, a permit that allows for the construction of an 8-unit apartment building.

## Strategic priority objective

- **Vision:** A vibrant, innovative, healthy waterfront city focused on sustainability, community and economic opportunity.

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

## Background

The applicant is requesting to rezone 962 Churchill Avenue from R2 (Small Lot Residential) to a Comprehensive Development zone. This rezoning will facilitate the construction of a six-storey, eight-unit apartment building, facing onto Churchill Avenue.

The subject property (Figure 1 – Location Map) is currently zoned R2 (Small Lot Residential) and is designated for ‘urban residential’ by the City’s Official Community Plan (OCP). ‘Urban Residential’ is described as “higher-density 3-6 storey apartment neighbourhoods in higher-amenity areas where building construction is primarily wood frame”. The subject property is approximately 730m<sup>2</sup> (7,860 sq. ft.) in area and contains an older, single family dwelling that was constructed in the 1940’s. Photos of the site are included as Attachment ‘C’.

As indicated in the Zoning Map (Attachment ‘A’), the surrounding neighbourhood currently contains a diverse mix of residential zones ranging from R2 (Small Lot Residential) to RM4 (High Density Residential). Housing types in the area include a mobile home park (to the south), single family homes, duplexes, townhouses, apartments, and tourist accommodations (hotels/motels). This area has slowly been transitioning from a low density neighbourhood to accommodate medium to high density units, as directed by the City’s OCP.

This is a desirable area of the City for infill development to occur as it is within walking distance of the downtown, Okanagan Lake, the South Okanagan Events Centre, and many other desired amenities and services. This area is well serviced for alternative methods of transportation, with adequate sidewalk connections for pedestrians, as well as transit stops located directly on Churchill Avenue.

## Proposal

The applicant(s) are proposing to construct a six-storey, eight-unit apartment building at 962 Churchill Avenue. To facilitate this development, the applicant is requesting to rezone the property from R2 (Small Lot Residential) to CD 6 - Comprehensive Development (962 Churchill Avenue).



Figure 1 - Property Location Map

The applicant is required to attain a Development Permit for the form and character of the building, as the property is considered within the Multifamily Development Permit Area. This has been included in this report for Council’s consideration.

### Financial Implication

The application does not pose any significant implications to the City. Development costs are the responsibility of the applicant. The applicant will be paying for the construction of the sidewalk in front of the development at 962 Churchill Avenue, and the extension to Sydney St to create a better pedestrian connection. The applicant will also be responsible for upgrading a portion of the lane, as this is proposed as the primary access for vehicle traffic to the property and has been identified as being in poor condition.

### Technical Review

Staff have been working with the applicant with regard to this site for the past year. The application has been reviewed by the City’s Technical Planning Committee (TPC). While there are challenges with the site, the TPC considers that the proposed density of the development can be accommodated into the City’s various infrastructure systems. It is the property owner(s) responsibility to provide services and/or upgrade existing services as required.

The TPC identified that the road works at the subject property were of a lower quality and there was an opportunity to have this improved during the development of this project. As such, the committee recommended that the applicant be required to construct upgrades to the road of Churchill Avenue directly in front of 962 Churchill Avenue, as well as in front of 66 Sydney Street. This upgrade includes the

construction of road, curb, gutter and the introduction of a sidewalk with boulevard trees. The lane behind the subject property, which is proposed as the primary point for vehicle access to the property, has been identified as being in poor condition. The committee recommended that the applicant be required to improve the lane. These infrastructure improvements are illustrated on ‘Figure 2 – Infrastructure improvements’.

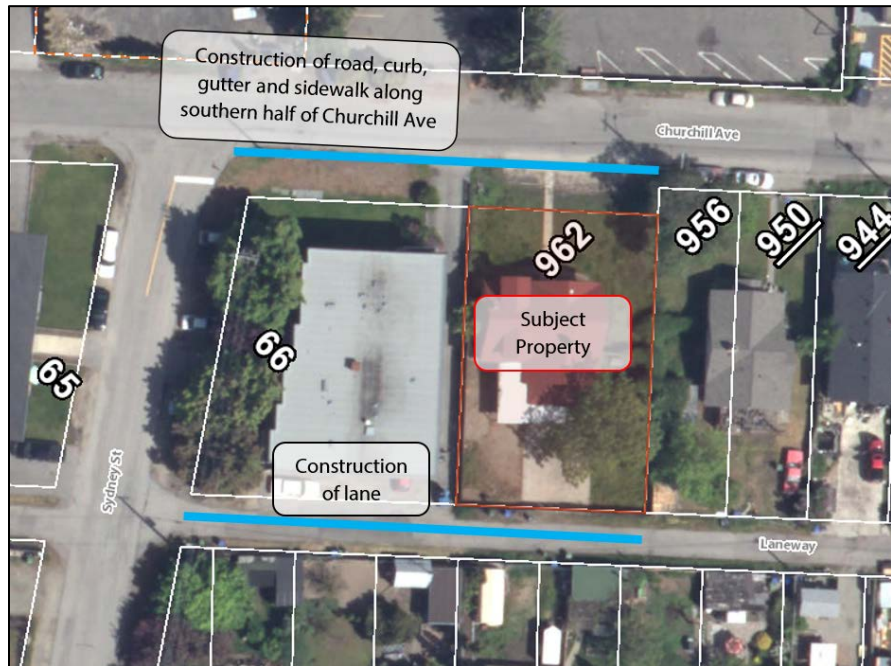


Figure 2 - Infrastructure Improvements

This scope of works is not within the authority of the Subdivision and Development Bylaw, which only requires infrastructure upgrades along the frontage of a property up to the center line of the road. The *Local Government Act*, however, does give Council the authority to require these works through the excess or extended service section of the legislation. When Council utilizes this power, a developer is eligible for

'latecomer' payments when a property that benefits from the works redevelops within a 15-year period. In this case, the benefiting property is 66 Sydney Street. If this lot were to redevelop, the City would be responsible for collecting funds from the developers and forwarding them back to the persons who completed the excess or extended services works. This has been communicated to the developer, who is in agreement with the proposal.

All buildings are required to be constructed to BC Building Code health and safety standards. Building code requirements have been identified to the applicant and will be addressed as part of the building permit process. Additionally, staff have reviewed the heritage value of the subject property and confirmed that it is not listed on any heritage lists.

### Development Statistics

	CD6 Zone	Proposed in Plans
<b>Lot Area:</b>	700 m <sup>2</sup>	728 m <sup>2</sup>
<b>Maximum Density:</b>	1.9 Floor Area Ratio	1.9 Floor Area Ratio
<b>Maximum Lot Coverage:</b>	55%	54%
<b>Vehicle Parking:</b>	1 per unit + 0.25 visitor spaces = 10 required parking spaces	10 provided
<b>Maximum Height</b> Principal building: Accessory building or structure:	19.0m 4.5m	18.6m None proposed
<b>Required Setbacks</b> Front Yard (Churchill Ave): Interior Side Yard (west): Interior Side Yard (east): Rear Yard – principal building (south) Rear Yard – accessory building (south)	2.0 m 2.3 m 2.3 m 6.0 m 1.5 m	2.0 m 2.55 m 2.55 m 7.2 m None proposed

### Analysis

#### *Support Zoning Amendment Bylaw*

The City's Official Community Plan (OCP) designation for the subject property is 'urban residential', which supports townhouses and stacked townhouses, low-rise and mid-rise apartment/condo buildings up to 6-storeys. The proposed development is following the OCP vision for the neighbourhood, of multi-family higher density. To achieve the desired OCP land use, the applicant has applied for a rezoning to a comprehensive development zone. Comprehensive development zones give the ability to look at a site on a 'site-specific' level and construct a zone that is reflective of the best way to develop that particular property. Rather than the applicant applying for a RM3 (Medium Density Residential) zoning, which would require several variances and site specific changes, the developer has elected to design a comprehensive

development zone for this project. There are currently 5 other properties in the city that are governed by comprehensive development zoning.

Staff consider that the proposed zoning amendment will allow for a development that is supported through the following City Policies (within OCP):

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
- Policy 4.1.1.4 Ensure all new developments fully cover the cost of the required infrastructure and services they require, including roads, water, sewer, storm water and provision of parks, schools, and emergency services.
- Policy 4.1.3.1 Encourage more intensive “infill” residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
- Policy 4.1.3.5 Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
- Policy 4.1.4.1 Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
- Policy 4.2.1.5 Create ‘complete streets’ (designed for everyone) in suitable areas that provide safe and comfortable mobility (i.e. allow for access, movement and crossing) for all users: pedestrian, cyclists, drivers, commercial vehicle operators and transit users.
- Policy 4.2.2.2 Address gaps in the pedestrian network by providing sidewalks on at least one side of the street in residential neighbourhoods, and commercial and mixed-use areas, using excess street rights-of-way where possible or through land acquisition if necessary. Where possible, provide sidewalks by requiring their construction or upgrades from developers
- Policy 4.2.2.4 Require that vehicle access to parking in residential areas is from the laneway in neighbourhoods where laneways exist.
- Policy 4.2.3.8 Require adequate levels of secure bike parking in new multi-family, mixed-use and commercial development.
- Policy 4.2.5.2 Encourage land use planning that results in neighbourhoods that can be easily serviced by transit.
- Policy 4.4.4.5 Explore and support initiatives to produce renewable energy, such as photovoltaic/solar (solar gardens, large and small-scale installations), heat exchange, geothermal, and district energy systems.
- Policy 4.5.3.2 Integrate urban agriculture opportunities into multi-family, mixed-use and commercial developments, available rights-of-way, boulevards, and civic facilities. These can include community gardens, intensive small-plot farming, edible landscaping, orchards, bee-keeping, pollinator gardens, and rooftop gardens.

The proposed development demonstrates strong conformance with the City's OCP Policies. Staff consider that the proposed development is a strong application in a desired area of the community, that has been identified for increased density within the City's OCP.

Given that there is adequate policy through the OCP to support the proposal to rezone the subject property from R2 (Small Lot Residential) to CD 6 – Comprehensive Development (962 Churchill Avenue), support is recommended for First Reading of "Zoning Amendment Bylaw No. 2019-39".

#### *Deny/Refer Zoning Amendment Bylaw*

Council may not feel that the plans submitted are appropriate for this property or that the CD zone created is not in the community's interest. If that is the case, Council should not support the zoning amendment. Alternatively, Council may wish to refer the application back to staff to work with the applicant with direction that Council feels is appropriate.

#### *Support Development Permit*

The subject property is considered within the Multifamily Development Permit Area, which is established to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. Staff have completed an in-depth analysis of how the proposed development conforms to the Development Permit Guidelines. As shown within the analysis, there is a strong alignment between the plans and the intent of the Multifamily Development Permit Area. The development permit analysis has been attached as Attachment 'D'.

The proposed development demonstrates a strong conformance with the Development Permit Guidelines. The proposed development has been designed with the OCP policies in mind and is a project aimed at achieving the desired density for this area of the City, while being courteous to the surrounding neighbours. As such, staff recommend that Council approve the Development Permit.

#### *Deny/Refer Development Permit*

Council may consider that the applicant(s) can change the design to more accurately reflect the development permit area guidelines. If this is the case, Council should refer the permit back to staff to work with the applicant(s) as directed by Council.

### **Neighbourhood Engagement**

The applicant(s) have actively engaged with the surrounding neighbourhood of the development throughout their design and application process. On December 20, 2018, an open house was hosted by the applicant(s) at the subject property and was available for the neighbourhood to attend. The applicant(s) had several poster boards with information of the proposed development and were available to talk with attendees about their development and vision for the property. Several local residents came through the open house and provided feedback to the applicant(s) at this time.

Further, the applicant(s) have provided 14 letters of support that they received from neighbours of the proposed development. The letters of support were received from properties within a close proximity of the subject property as shown in 'Figure 3 – Letters of Support Received'. The letters have been attached to staff's report for Council's consideration of the proposed development (Attachment 'M').

Staff consider that the applicant(s) have successfully engaged with the neighborhood throughout the design of the proposal by using open lines of communication early in the process. As noted, an open house was held early in the process to ensure the neighbourhood was aware of the proposal and development in advance of the City's Public Hearing notification process.



Figure 3 - Letters of Support Received

**Alternate recommendations**

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2019-39” and deny support for “Development Permit PL2019-8523”.
2. THAT Council give first reading to “Zoning Amendment Bylaw No. 2019-39”, but deny support for “Development Permit PL2019-8523”.

**Attachments**

- Attachment A – Zoning Map of Subject Property
- Attachment B – Official Community Plan Map of Subject Property
- Attachment C – Images of Subject Property
- Attachment D – Development Permit Analysis
- Attachment E – Letter of Intent
- Attachment F – Proposed Site Plan
- Attachment G – Proposed Landscape Plan
- Attachment H – Proposed Floor Plans
- Attachment I – Proposed Building Elevations
- Attachment J – Draft Development Permit (DP)
- Attachment K – Draft Zoning Amendment Bylaw No. 2019-39 “Proposed CD6 Zoning Regulations”
- Attachment L – Letters of Support Received
- Attachment M – Zoning Amendment Bylaw No. 2019-39

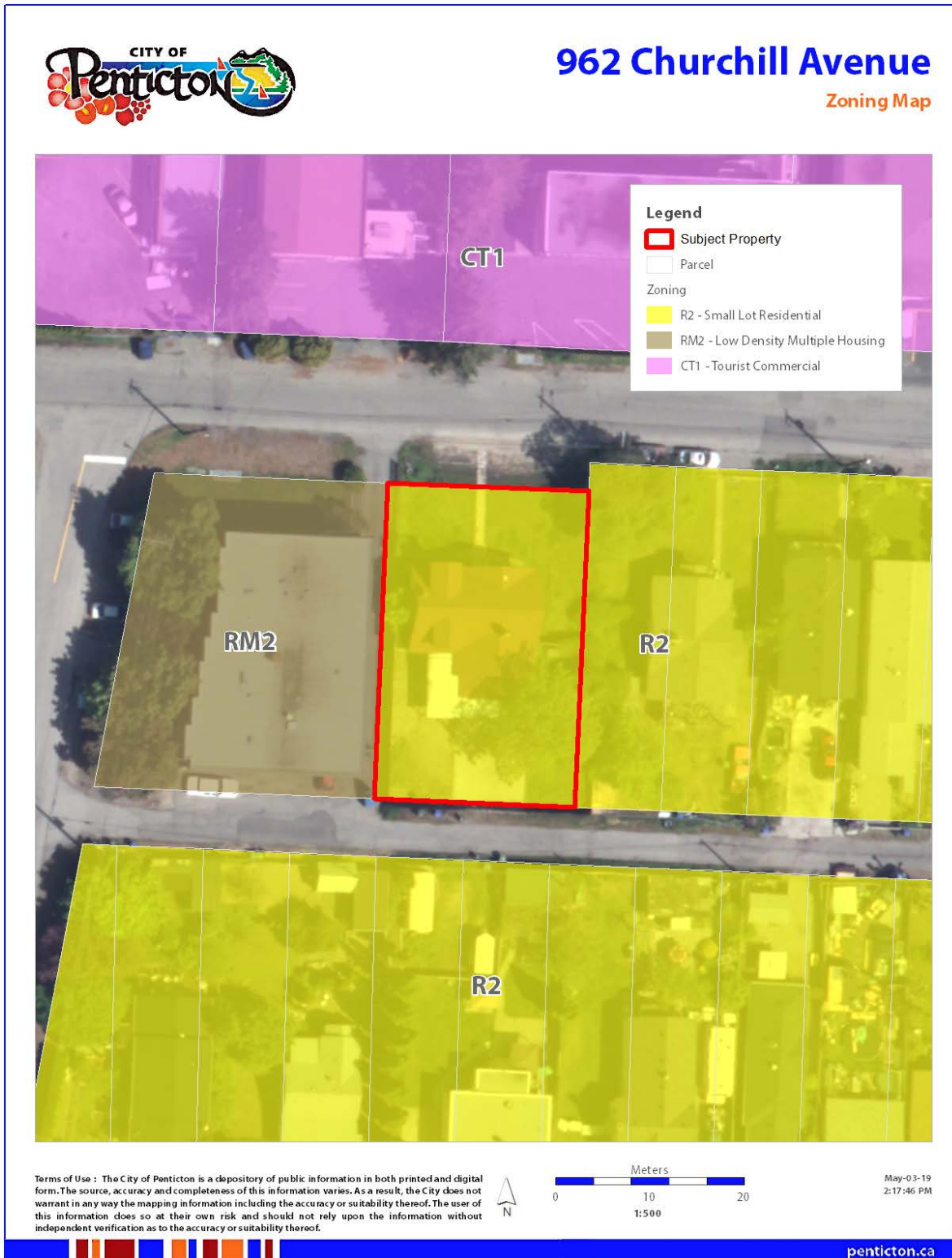
Respectfully submitted,

Nicole Capewell  
Planner 1

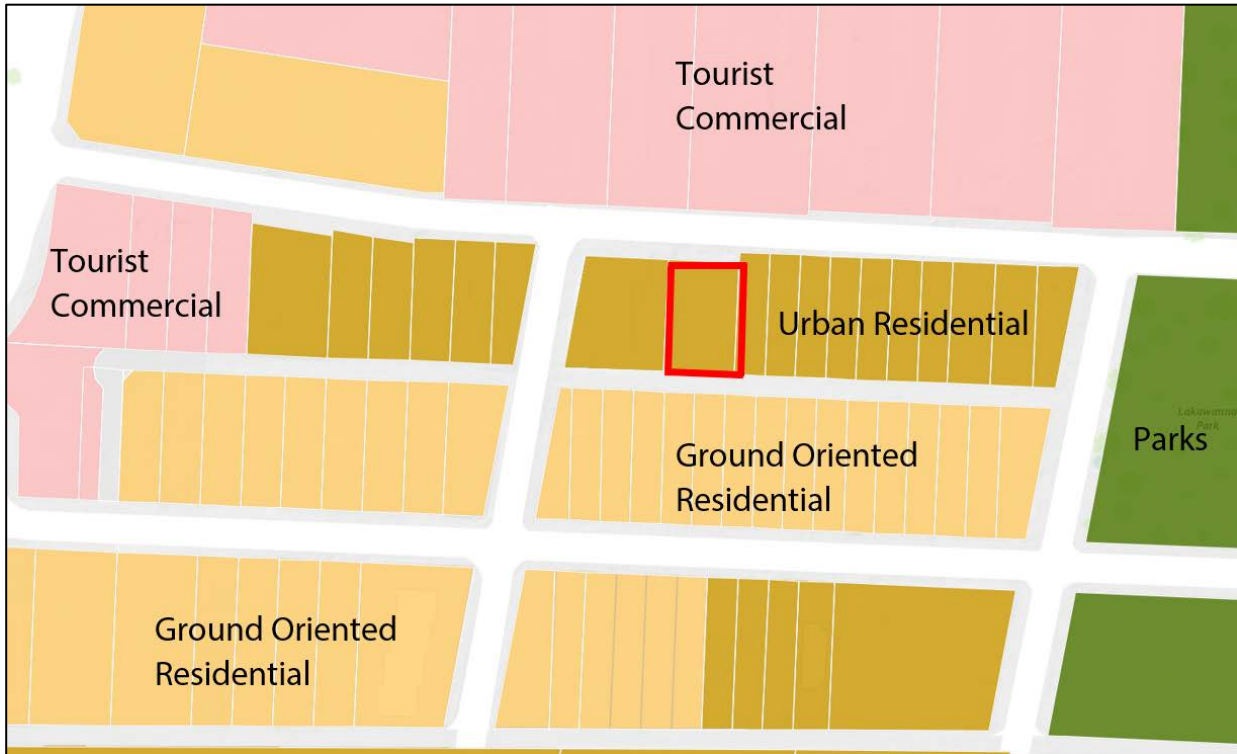
Concurrence

Acting Director of Development Services  <i>KK</i>	Chief Administrative Officer  <b>DyD</b>
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Attachment A – Zoning Map of Subject Property



Attachment B – Official Community Plan Map of Subject Property



Attachment C – Images of Subject Property



Figure 4 - Looking towards front of subject property from Churchill Avenue



Figure 5 - Looking along western property line of subject property from Churchill Avenue

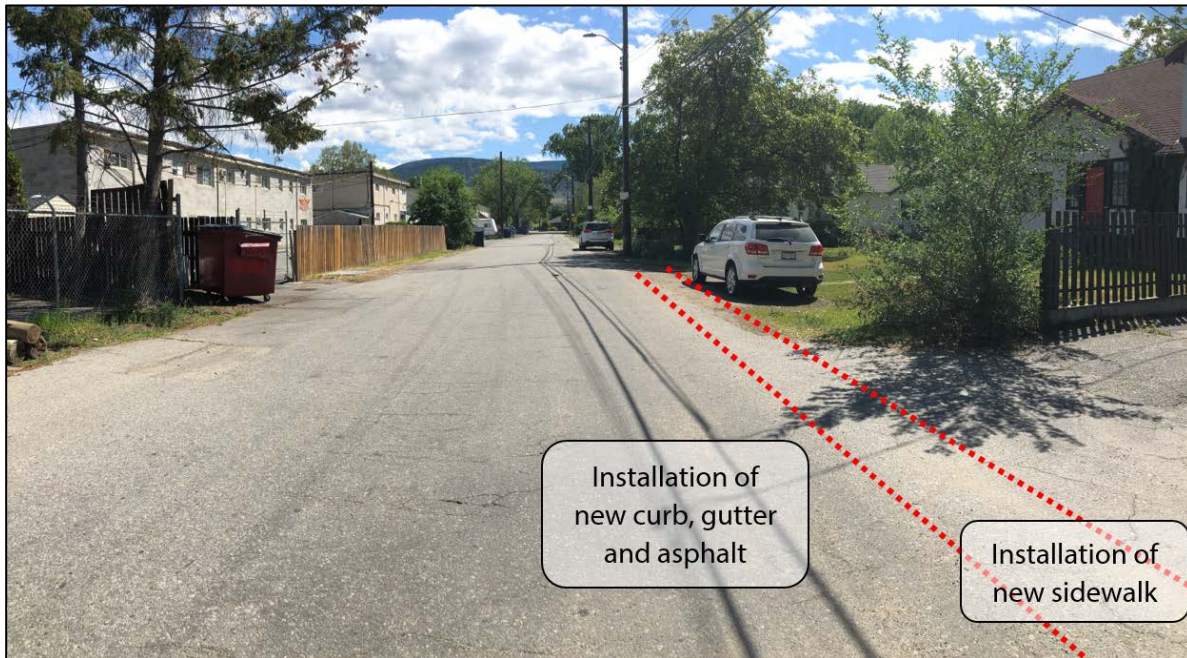


Figure 6 - Looking east along Churchill Avenue, which will receive new asphalt, curb, gutter and sidewalk on the south side of street

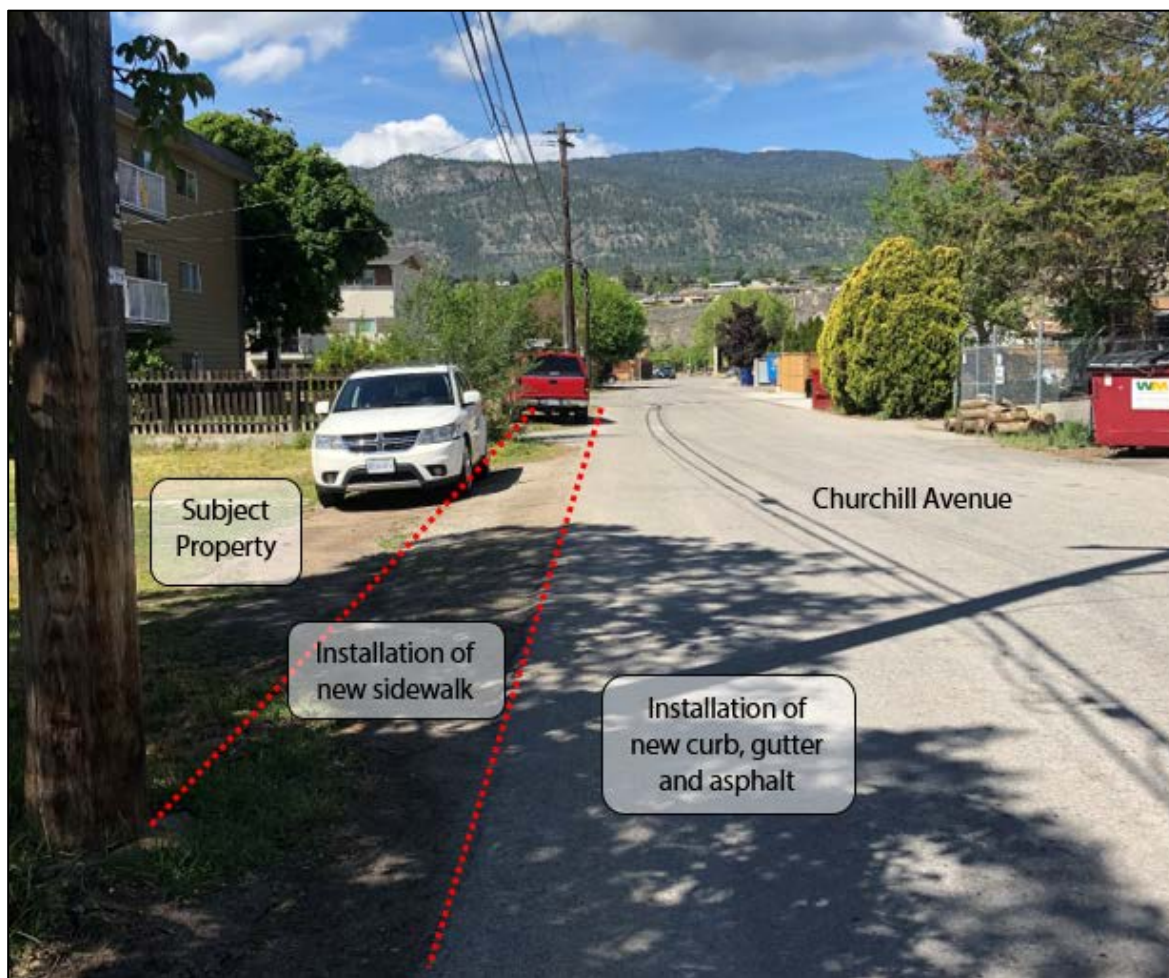


Figure 7 - Looking west along Churchill Avenue, which will receive new infrastructure as part of the development



Figure 8 - Looking north towards subject property from lane



Figure 9 - Looking north towards subject property from lane



*Figure 10 - Looking east down laneway behind development from Sydney Street. Laneway to be upgraded as part of development*

## Attachment D – Development Permit Analysis

### Development Permit Analysis

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

*Guideline G2 Applications shall include a comprehensive site plan – considering adjacent context for building and landscape architectural design and neighbourhood character analysis – to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbours.*

- The applicant has provided a review of neighbourhood context within their letter of intent, which considers the different land uses on both sides of the development.
- The applicant has consulted with many of the neighbours in the area, and has provided several letters of support for the development, showing that the developer has considered the neighbours in the design of the proposal.

*Guideline G5 Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.*

- The proposed site plan indicates a 2.0m front yard setback. This is a result of a desired 1.0m road widening by the City. Although this setback is less than other multi-family zones provide for, staff consider that the 2.0m setback will be successfully integrated due to the strong entranceway of the proposed building.
- The entranceway to the proposed structure has been designed to have a high transparency to the street level, by way of the wall being primarily glass to the lobby area. Accompanied by a well prepared landscaping plan for the front yard, this will successfully create an interesting and attractive front façade.

*Guideline G11 Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.*

- The proposed design includes an attractive building façade with a prominent entranceway from the street for pedestrian access. Although all vehicle access will be from the rear of the property from the lane, the applicant has created an interesting and varied front façade that attracts pedestrian interest.
- Walkways have also been provided through the site, allowing for easy access from parking areas, garbage and amenity areas.

*Guideline G15 Fencing facing an active public realm should be lowered and transparent or semi-transparent.*

- The proposed landscaping plan includes a 3' wood fence along the front yard of the property.
- The proposed fencing along the front property line is slightly lower than the maximum identified in the Zoning Bylaw, as the applicant has a strong desire to ensure the fence doesn't appear as a barrier between the public and private areas. Rather the fencing discretely defines the boundary of private property.

*Guideline G16 Site and building access must prioritize pedestrian movement, minimize conflict between various mode of transportation and optimize use of space...*

- Off-street parking has been provided from the rear lane to free the street for uninterrupted pedestrian circulation and boulevard landscaping.

*Guideline G17 On-site parking location and design should minimize visual impact and provide connections for pedestrians*

- Parking for the development is behind the building, and is not located between the building and the street.
- The proposed parking areas include pedestrian walkways to create safe and comfortable access for pedestrians from the building.

*Guideline G19 All multifamily developments should accommodate sustainable modes of transportation.*

- The proposed development has been designed to include safe interior storage for bicycles. This storage has been provided within the building for ensured security.

*Guideline G28 Entries should be visible and clearly identifiable form the fronting public street.*

- The front façade of the building has been designed with a prominent entranceway that is transparent to the public realm by way of a large glass wall.

*Guideline G29 Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas.*

- The proposal has balconies on several levels that orient towards Churchill Avenue, allowing for overlook of the street.

*Guideline G35 Tree planting: where space permits, landscaped areas, boulevards and setback areas adjacent to streets should be planted with trees with appropriate soil volumes to ensure longevity. All areas with planted trees must be irrigated.*

- The proposed development has been submitted with a comprehensive landscaping plan that meets all landscaping standards within the Zoning Bylaw. The plan identifies significant landscaping within the front yard setback of the property, as well along the eastern property line as a buffer between the existing single family dwelling on the neighbouring lot.

*Guideline G55 [Mechanical/Utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building]. Where this is unachievable, units may be located at the edge of the front yard and must be incorporated into landscaped areas and screened from the street.*

- The proposed landscaping plan identifies that the transformer is located towards the front of the lot. To mitigate the impact of this location, the landscaping plan has been designed to incorporate the utility within the landscaped area. Additionally, the transformer is proposed to have a decorative wrap to make the box more attractive.

*Guideline MF1* All multifamily developments should incorporate community amenity spaces that provide opportunity for recreation and play and address the needs of all age groups likely to reside within the development.

- The proposed development incorporates large deck spaces for the occupants of each unit, as well as a shared amenity space on the top floor of the building. The shared amenity space includes a common kitchen, open room for games or events and a garden area outdoors (see floor plans).

*Guideline MF6* Entrances to apartment lobbies should be connected to adjacent sidewalks and provide seating, as well as clear pedestrian-oriented signage. Public art is also encourage.

- The proposed development has a prominent entry way that connects with the sidewalk that the developer will be installing as part of this development.

## Attachment E – Letter of Intent

### 962 Churchill Avenue Development Proposal

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#### Intent, Proposal & Background

We are proposing to construct an 8-unit condominium building at 962 Churchill Avenue. The proposed project will require a rezoning to a Comprehensive Development Area Zone (CD Zone). As per the Official Community Plan a CD Zone is intended to facilitate and regulate the development of innovative or special projects that are consistent with the intent of the land use designation plan, but where specific features of the development necessitate site specific regulation. The bylaw elaborates further by specifying that the CD Zone should only be used where an existing zoning category cannot accommodate the proposed use.

The intent of the project is to deliver 8x three-bedroom family-oriented condominiums. The current property has an older deteriorating rental single-family home constructed in the 1940's. From our understanding, and what has been voiced from current public OCP engagement, Penticton needs more affordable infill projects such as this development to accommodate the forecast increase in population, and to help the younger generation get in the market. This project would fulfill these intentions in a desirable and amenity rich Penticton neighborhood.

As indicated in the Zoning Map (Attachment 'B'), the surrounding neighbourhood currently contains a diverse mix of residential zones, ranging from R2 (Small Lot Residential), to RM4 (High Density Residential). There are housing types including a mobile home park, single family homes, duplexes, townhouses, apartments, and tourist accommodations (hotels/motels). This area has been slowly transitioning from a low-density neighbourhood to accommodate medium to high density units, as directed by the OCP.

The lot is currently zoned as RS2 Small Lot Residential which we propose to re-zone to a *CD-Comprehensive Development* to allow for apartments. Under the Official Community Plan the lot is designated as *MR- Medium Density Residential*. The property also falls within the North Gateway Urban Village, where additional density should be considered as per the OCP. To make the project attractive to family and condominium buyers we are offering 10 parking stalls, which conforms to the off-street Parking Regulations of the comparable RM3 zoning. All off-street parking is accessed from the rear lane, providing an opportunity to offer neighbourhood leading curb appeal to the front of the building, adding ample landscaping and enhance street interaction. All units have their living space and one bedroom facing North to allow the building to encompass the northerly Okanagan Lake views, while providing a friendly and attractive streetscape from Churchill Ave due to the building "fronting" the street.

#### Rezoning

This project falls somewhere in between the RM3 and the RM5 medium density residential zones. Therefore, we ask that a bylaw be proposed to rezone 962 Churchill Avenue from RS2 to CD zone.

#### Services, Engineering & Technical Review

The proposal includes full construction of curb and sidewalk along the front of 962 Churchill Avenue, and joining asphalt to existing roadways

in the rear lane and at Churchill Avenue along the property frontage. The overhead electrical power lines will also be relocated underground from the west property line to the next power pole at the corner of Sydney Street and Churchill Avenue (approx. 150ft).

**Official Community Plan**

The New Official Community Plan classifies the subject property as Urban Residential.

**Financial Implications**

The application does not pose any significant financial implications to the City. Development costs are the responsibility of the developer. The developer will be paying for the works mentioned in the Services, Engineering & Technical Review. The developer will be paying approximately \$52,000 in Development Cost Charges.

The development will also significantly increase the City Tax revenues for the site. The existing state of the property (single family home) currently has an assessed value of \$588,000 which generates \$3,645 per year in taxes. When the proposed development is completed the total annual property taxes generated are estimated at \$27,686 per annum. This equates to an increase in \$24,041 in collected property taxes per year.

**Development Statistics**

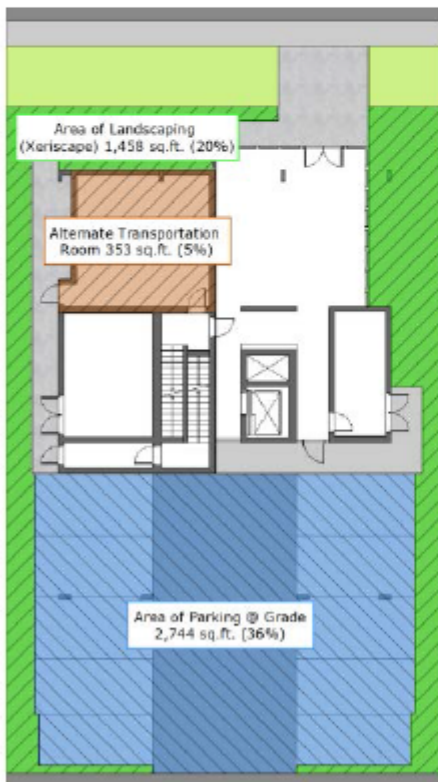
	Provided on Plans
Principal Use	Apartment
Lot Area	707m <sup>2</sup> (7,606ft <sup>2</sup> )
Lot Width	21.4m (70ft)
Maximum Density	1.83 FAR (excluding circulation & bike room on ground level)
Maximum Lot Coverage	0.51
Maximum Height	19.2m (63'-0")
Minimum Setbacks	
Front yard	2.0m (6.56ft)
Interior side yard	2.3m (7'-7") & 2.3m (7'-7")   Ground level 2.55m
Exterior side yard	n/a
Rear yard	7.2m (23'-8")
Amenity Space	500m <sup>2</sup> (5,382ft <sup>2</sup> )
25% at ground level	176.8m <sup>2</sup> (1,903ft <sup>2</sup> )
Parking Stalls	10
Other	
Grade hard surfacing	80%

**Comprehensive Development Regulations**

1. Lot Area & Lot Width – Lot Area 707m<sup>2</sup> (7,606ft<sup>2</sup>) & the Lot Width 21.4m (70ft)
  - a. As Penticton’s population continues to grow, while the amount of developable land remains the same, due to the fortunate circumstances of being surrounded by mountains and lakes, consolidating large sites is getting more difficult in developed areas. This is very applicable in the Churchill Ave West precinct, which is essentially an urban infill situation.

- b. The subject lot is one of the largest in the area and is ideal for higher density infill development in accordance with the City plans for the future development of the area.
2. *Floor Area Ratio ("FAR") – 1.83 FAR*
- a. Similar to the above, the FAR is slightly high for a medium density residential project because we are proposing a unique development that provides higher density family housing on a large lot for the area, but smaller than some other multi-family development parcels.
  - b. The higher FAR is partially a result of offering over and above amenity space to encourage use of the share this shared space and create a sense of community within the building and its occupants.
  - c. If we exclude the roof top patio amenity and lobby, the FAR drops to 1.65. This amenity space is over and above a typical development amenity space and transforms roof-top area that typically just goes unutilized.
  - d. The lobby space and entry are intended to create a much nicer streetscape and does not produce a significant net benefit to the building yet increases the FAR calculation.
  - e. Larger, 3-bedroom condominium dwellings are at the core of the building design, so the development is attractive to families wanting to move to this amenity filled neighborhood.
  - f. In previous years the City dedicated 3.0m from the north property line as public road to allow for road widening of Churchill Avenue, and this frontage appropriation effectively decreased the total lot area and is proposed to be landscaped boulevard. In addition to the 3.0m previously appropriated the City will be appropriating an additional 1.0m (21.4m<sup>2</sup>) during this rezoning exercise. This brings the total of land appropriated over the past 3 years to 1,037 sq.ft.
3. *Maximum Lot Coverage –0.51*
- a. If we consider just the ground floor lobby area, the lot coverage is only 32%, but the Zoning Bylaw calculates to the outside of the building envelope. The remaining ground floor area is parking space which will be open aired and bordered with landscaping and some screening.
  - b. The rooftop area also has over 550 square feet of open garden space for residents use. This includes a 4x8 planter box for each dwelling unit to grow vegetables, flowers, and other plants. Rain water (greywater) from the roof top will be collected and used for watering the planters and vegetation
  - c. See image on next page showing areas of space on the ground floor level
4. *Interior Side Yards – 2.3m (7'-7") | Ground Level Side Yards are 2.55m (8'-4")*
- a. The existing older apartment building to the west has approximately a 17' lane along the adjoining property line, meaning there will be over 25' between our proposed structure and the existing apartment structure.
  - b. The owner of the existing older rental house to the east has provided a letter supporting reduced side yard setbacks. (copy provided)
  - c. Landscaping buffers are a large reason for setback requirements, and a landscape buffer will be provided on all sides of the proposed development.

- d. The top floor steps back 5 ½ feet from the envelope of the building façade, increasing the side yard setbacks on the top floor to 4.0m (13'-1").



- e. *Maximum 80% of ground level area shall be covered with hard surfacing*
- f. All pathways and parking areas are hard surfaces (concrete) to reduce maintenance expenses, which drastically increase the hard surfaces of the site. These areas could be installed with permeable materials though the required maintenance and replacement may be more taxing on the environment in the long run.
- g. See image to the left, 36% of the hard surface coverage is due to off-street parking only.
- h. 20% of at grade level will be xeriscape landscaping consisting of underground drip lines and drought tolerant planting.
- i. 5% of the at grade ground coverage is due to the Alternate Transportation Room to accommodate the included 2 EBikes per condominium.

**Landscaping**

- a. 20% or 1,485 sq.ft. of the ground level will be landscaped with native Okanagan plants that require very little water (drought resistant).
- b. 550 sq. ft. of roof top area will be dedicated as community garden and plantings.

### **Parking**

Each dwelling is provided 1 parking stall per unit, plus 2 visitor stalls, for a total of 10 off-street parking stalls for the development. With no curb let down to Churchill it was possible to save 3 parallel, on-street parking stalls. Best practice may suggest that 3-bedroom condominiums may warrant 2 parking stalls per dwelling but at this very walkable, amenity rich location and taking into account the convenience of alternative means of transportation, a new standard of living has been considered and involves much less dependency on motor vehicles.

### **Conclusion**

The Comprehensive Development regulations are intended to encourage and facilitate unique and "outside-the-box" developments. The proposed boutique 8 condominium residences project is designed for families and will be a leading design project for this area. The 962 Churchill Avenue West subject site is in an area of Penticton that is dominated by commercial motels along Lakeshore and Riverside Drive, and older rental houses most of which are being held for planned redevelopment. As a historic small single-family housing area, the lots are generally smaller. The City future development plans call for higher density redevelopment of this area.

The proposed development is on one of the largest lots in the area, and we are proposing a family friendly building which represents smart infill development. The building is over 1 full storey (15'-8") shorter than permitted by RM3 zoning (63'-0" proposed compared to 78'-8" permitted). Furthermore, the very top floor has been recessed back from the exterior façade of the building to make the building appear like a 5 storey building from the street rather than the actual 6 storey or the permitted 7 storey of other similar medium density residential zones.

The development design has gone several steps further by creating the following unique features:

1. All homes are solar ready, with allotted space on the building's roof
2. 2 e-bikes per home (included in purchase) and at grade storage for alternative modes of transportation including charging stations
3. All parking stalls are electric car ready
4. Community garden plot for each home on roof top
5. Storm water retention onsite
6. Community gardens reuse rain water for irrigation
7. Climate protection wall for community gardens on roof top
8. 3-bedroom floor plan, allows for young families to enter a desirable neighborhood

We hope that with all the above information about our proposed project that the public can agree that this building is in line with the new Official Community Plan and it will be an example project for smart, characteristic infill development.

**Renders**



*Render 1: View from North East*



*Render 2: View from North West*



Render 3: View from South East

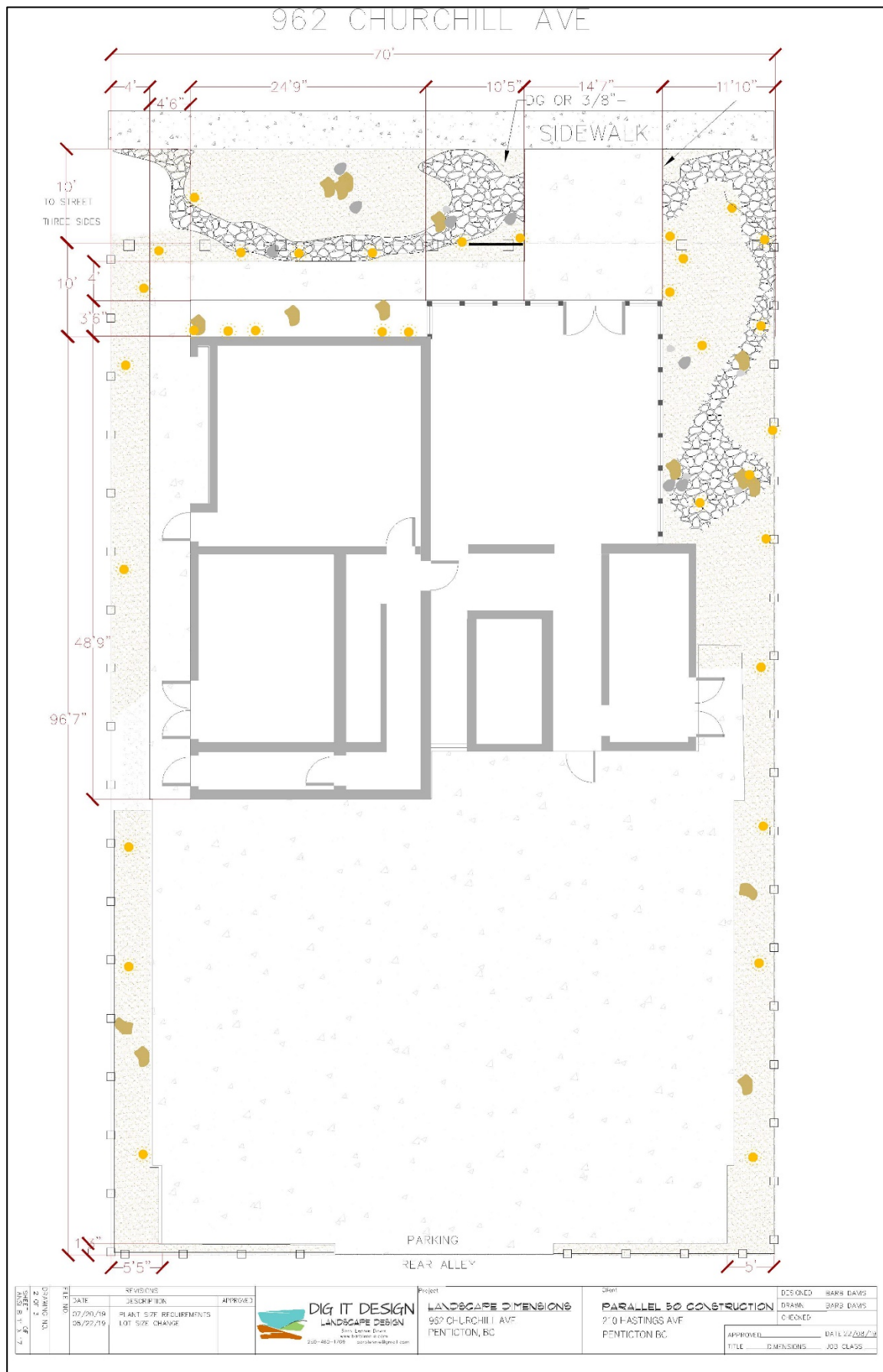


Render 4: View from Churchill Avenue

# Attachment F – Proposed Site Plan





















SHEET NO. 2 OF 2 DATE CHANGED 08/27/19	REVISIONS DATE DESCRIPTION APPROVED	DIG IT DESIGN LANDSCAPE DESIGN 200-882-1108 www.digitdesign.com	Project <b>LANDSCAPE DIMENSIONS</b> 962 CHURCHILL AVE PENTICTON, BC	Client <b>PARALLEL 30 CONSTRUCTION</b> 210 EASTINGS AVE PENTICTON BC	DESIGNED BARR DAVIS
	APPROVED DATE 08/27/19 TITLE DIMENSIONS JOB CLASS				DRAWN BARR DAVIS CHECKED

PLANT SCHEDULE

Plant	Botanical Name Common Name	Type	Bot. Size	Total
	IGNI JAKMOOP 1.6m			17
	Andropogon "Dancing Sky" Bluestem "Dancing Sky"	Grass, tall	#2	4
	Andropogon "Red October" Bluestem "Red October"	Grass, tall	#2	16
	Betula papyrifera "Fargo" Yellow Birch or Little King	Tree, columnar	2.5" Cal	4
	Hostelium spicata "Flaming Arrow" Blue Arrow Grass	Grass, tall	#2	40
	Chamaecyparis nictitans "Green Arrow" Green Arrow Weeping Alaska Cedar	Conifer, columnar	8" dia	2
	Euphorbia corollata "Purple" Purple Weed Saurau	Perennial	#2	21
	Isokarectus "Lucia" "Albostriata" Japanese Paras Grass	Grass, small	#2	33
	Ficus x "Patriot" Patriot Plantain Lily	Heronacea	#2	3
	Hydrangea paniculata "Panicum" Panicum Hydrangea	Shrub, med	#5	9
	Euphorbia albertina "Blonde" Blonde Euphorbia	Tree, columnar	2.5" Cal	6
	Palmetto muticum Western Sweet Fern	Perennial, med	#2	20
	Syringa reticulata "Very Blue" Tree Lilac	Tree, med	2.5" Cal	15
	Nyssa glauca Sourwood, arrow leaf juniper	Shrub, med	#2	4



FOR CONSTRUCTION 06/26/2019  
 FUNDING ISSUES 06/26/2019  
 DISTRIBUTION 05/26/2019

DATE RECEIVED DATE

**DIG IT DESIGN**  
 LANDSCAPE DESIGN  
 8000 LINDEN STREET  
 VANCOUVER, BC  
 250-465-1289 digitdesign@icloud.com

DATE

**PARALLEL 80 CONSTRUCTION**  
 2710 HASTINGS AVE  
 PENT CTOY BC

PROJECT

**LANDSCAPE PLAN**

DATE

**FRANCI MATERIA**  
 962 CHURCHILL AVE

DATE

BY: NIS ANSHI DATE: 06/22/19  
 CHECKED BY: [ ] DATE: [ ]  
 SCALE: 3/4" = 1' XX X

DO NOT SCALE, VERIFY BY DIMENSIONS ON THE GROUND OR VERIFY ON THE GROUND

### Attachment H – Proposed Floor Plans



Figure 11 - Ground Level Floor Plans

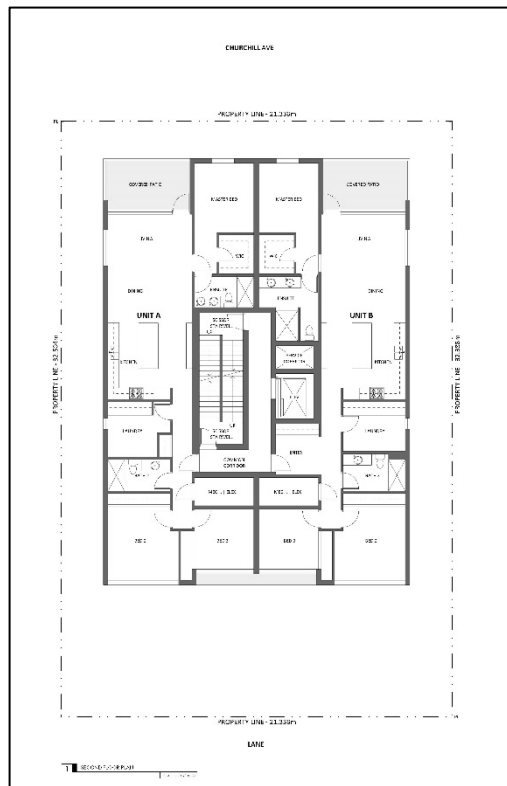


Figure 12 - Second Level Floor Plans

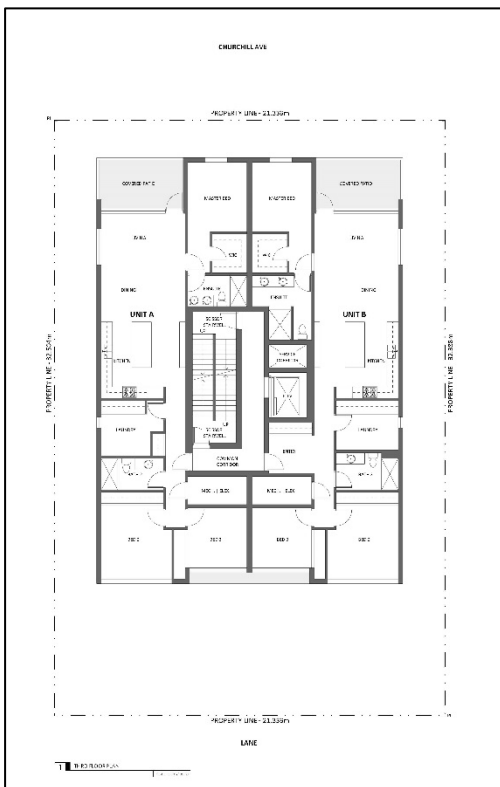


Figure 13 - Third Level Floor Plans

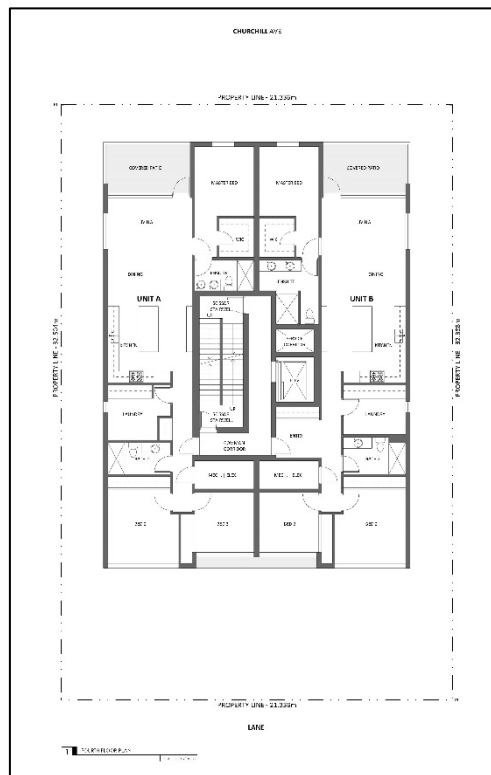


Figure 14 - Fourth Level Floor Plans

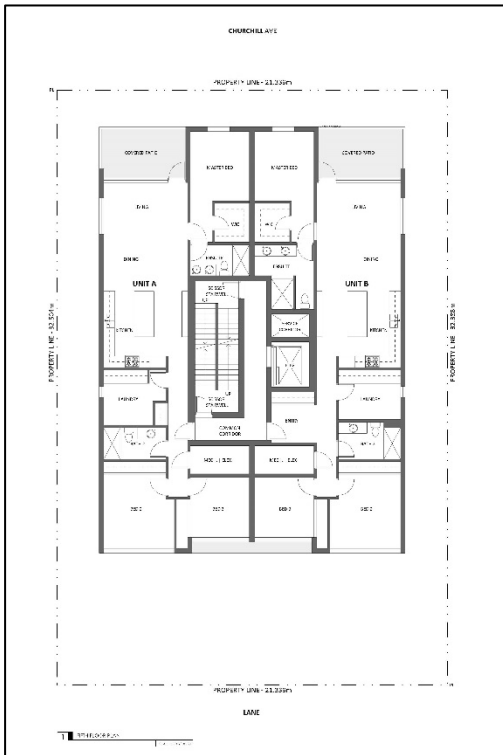


Figure 15 - Fifth Level Floor Plans

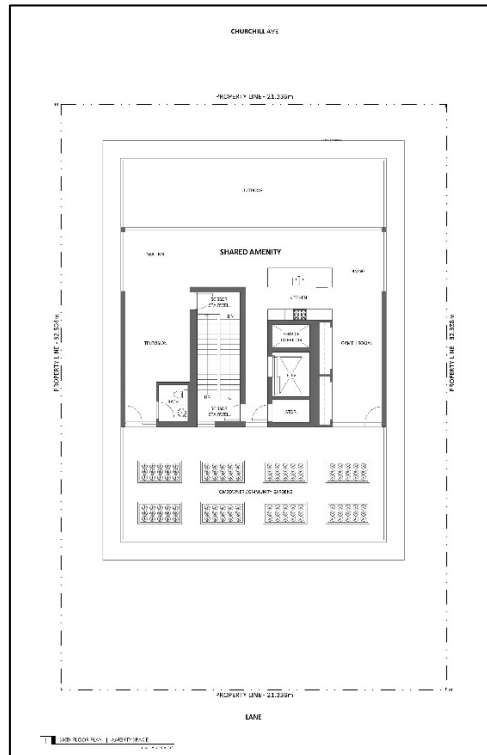


Figure 16 - Roof Level Floor Plan

### Attachment I – Proposed Building Elevations



Figure 17 - North Elevation



Figure 18 - East Elevation

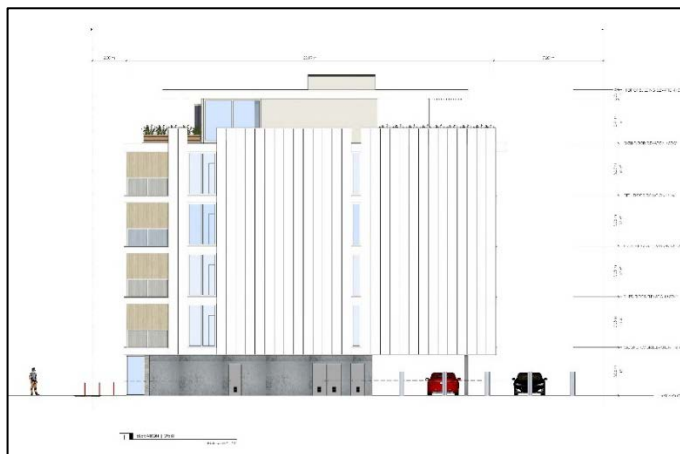


Figure 19 - West Elevation

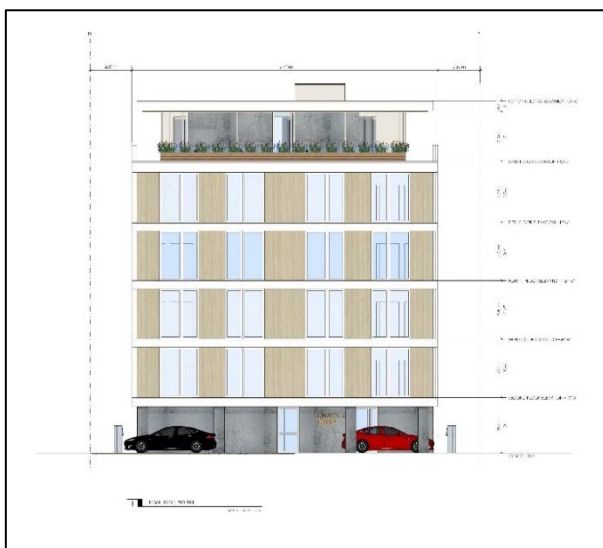


Figure 20 - South Elevation

Attachment J – Draft Development Permit (DP)



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

### Development Permit

**Permit Number: DP PL2019-8523**

Owner Name  
Owner Address

#### Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:  
Legal: Lot 1 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 24763  
Civic: 962 Churchill Avenue  
PID: 003-409-252
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of an apartment building 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 \$\_\_\_\_\_ must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502(2.1) of the *Local Government Act*, to undertake works or other activities required to:
  - a. correct an unsafe condition that has resulted from a contravention of this permit,
  - b. satisfy the landscaping requirements of this permit as shown in Schedule 'A' or otherwise required by this permit, or
  - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 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 (Landscape Inspection & Refund Request) must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security as follows:

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

**General Conditions**

- 7. In accordance with Section 501(2) of the *Local Government Act* the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
- 8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
- 9. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
- 10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
- 11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
 Angela Collison,  
 Corporate Officer

Attachment K – Proposed CD6 Zoning Regulations

**14.6 CD6 – Comprehensive Development (962 Churchill Avenue)**

**14.6.1 PURPOSE**

This **zone** provides for the comprehensive development of a residential site for Lot 1, DL 3, SDYD (Formerly Yale Lytton), Plan 24763, located at 962 Churchill Avenue.

**14.6.2 PERMITTED USES**

The **permitted uses** in this **zone** are:

- .1 **accessory use, building or structure**
- .2 **apartment**
- .3 **minor home occupation** (subject to specific use regulation 7.3)
- .4 **vacation rental** (subject to specific use regulation 7.6)

**14.6.3 SUBDIVISION AND DEVELOPMENT REGULATIONS**

- .1 Minimum **lot width:** 21.0 m
- .2 Minimum **lot area:** 700 m<sup>2</sup>
- .3 Maximum **lot coverage:** 55%
- .4 Maximum **density:** 1.9 **FAR**
- .5 Maximum **height:**
  - i. **principal building** 19.0 m
  - ii. **accessory building or structure** 4.5 m
- .6 Minimum **front yard:** 3.0 m
- .7 Minimum **interior side yard:**
  - i. **principal building** 2.5 m
  - ii. **accessory building or structure** 1.5 m
- .8 Minimum **rear yard:**
  - iii. **principal building** 6.0 m
  - iv. **accessory building or structure** 1.5 m

**14.6.4 AMENITY SPACE**

- .1 **Amenity space** shall be provided at the rate of 20.0 m<sup>2</sup> for each **dwelling unit**.

**14.6.5 SUBDIVISION AND DEVELOPMENT REGULATIONS**

- .1 In addition to the projections permitted in Section 4.9.1 (Table 4.1), the maximum projection into a required side yard for a deck is 0.2m.

**14.6.6 SUBDIVISION AND DEVELOPMENT REGULATIONS**

- .1 The minimum width of a landscape buffer abutting a residential zone shall be 2.0m.

Attachment L – Letters of Support Received

17 September 2019

**962 Churchill Ave – Proposed 8 Condominium Development**

**Perret Family Development Application**

**Letters of Support – Summary List**

The following is a list of local area letters of support for the Perret family proposed development at 962 Churchill Ave.

The Perret Family has engaged the local area and informed them about the proposed development, including hosting a neighbourhood Open House information session on 20 Dec 2018, doing several information letter drops in the area, and many individual meetings with local residents.

Several Penticton City Councillors attended the 20 December 2018 Neighbourhood Open House development information meeting that was held in the house at the development site.

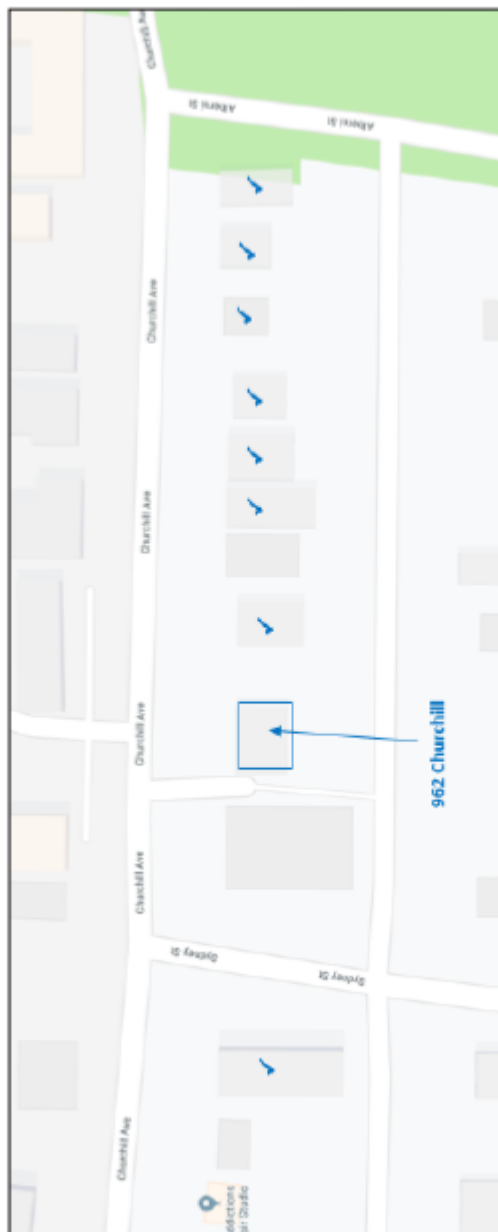
It is important to note that neither the Perret Family or the project designer Redbarne Developments have received any negative letters or feedback on the proposed development.

	From	Current Address	Date
1.	Don Diffen	950 Churchill owner – house next door. Letter of support for the development and for reduced setbacks	3 August 2018
2.	Jim Carter and Jan Janzen	938 Churchill Ave	13 Sept 2019
3.	Sunny Dennison	932 Churchill Ave	17 August 2019
4.	Heidi Setzer	914 Churchill Ave	6 September 19
5.	Sergio & Teresa Molina	908 Churchill Ave	27 August 2019
6.	F & D McCracken	902 Churchill Ave	20 December 18
7.	Garth Bathgate	602 Churchill Ave	2 January 2019
8.	Wendy From	915 Dynes Ave	20 December 2018
9.	Ryder Mann	102-940 Dynes Ave	January 2019
10.	Marc Tougas	65 Sydney St	06 September 19
11.	Sue Howard	565 Alexander St	January 2019
12.	Cheryl Watts	101 - 166 Power St	16 April 2019
13.	Richard Ante	101 - 166 Power St	16 April 2019
14.	Taylor Kenyon	107 - 166 Power St	23 August 2019
15.	Andrea & Ken Naylor	114 - 166 Power St	27 August 2019
16.	W & J Merritt	119 Maple St	2 January 2019
17.	Corina Meschersmidt	127 Maple St	January 2019
18.	Open House Feedback	29 attendees – 4 positive feedback forms completed (attached)	22 December 2018

### 962 Churchill Development – Block Support Map

The attached diagram shows the immediate neighbours who have provided letters of support for the proposed 8 Condominium development of 962 Churchill.

*Please note: all properties with Blue ticks have provided letters of support*



10 July 2018

The City of Penticton  
171 Main St,  
Penticton, BC V2A 5A9, Canada

Attn: Planning Department

Regarding the Development of 962 Churchill Ave, Penticton

Lot 1 Plan KAP24763 District Lot 3 Land District 7 Land District 54

I am the owner of the 2 property lots and house at 950 Churchill Ave, Penticton, Lot 10 Plan KAP929 District Lot 3 Land District 54 & Lot 11 Plan KAP929 District Lot 3 Land District 54.

I am aware of the proposal to develop an apartment building on the adjoining property at 962 Churchill Ave, and I support this development.

I also support a reduction in the side setback requirements to 2 meters from the boundary adjoining our properties.

Please contact me if you require any further details.

Sincerely,

  
Don Diffen

August 03, 2018  
Date

Contact Details

Don Diffen

[Redacted]

Address - 950 Churchill Ave, Penticton BC V2A 1E3

[Redacted]

September 13, 2019

City of Penticton  
Planning Department

To Whom it May Concern,

We are writing in support of the proposed new condominium building at 962 Churchill Avenue, Penticton.

We are co-owners of a residence of this block of Churchill and find this a wonderful area to live in Penticton. This development will provide additional desirable housing options for this section of the city & compliment the current mix.

The Perret's planned building has 8x3 bedroom condominiums with shared roof top leisure/games room, deck & BBQ area, and outdoor gardens. I believe this type of condo complex with such amenities would provide modern & appealing residential space for this area.

The condominiums are 3 bedrooms on one level which is an important point of difference as there are very few 3-bedroom, single level homes of this type in the area.

Churchill West is becoming a more attractive place to live because of the proximity to Okanagan Lake, the downtown core, river channel, and all the community amenities nearby.

The building design is very attractive and will really improve the area. Improvements such as this typically motivate a sense of pride & connectivity within the neighbourhood community, encouraging positive interaction & good stewardship amongst residents, which in turn enhances security & favourable environmental benefits for all.

We fully support this project and request council approve this proposed condominium development.

Yours truly,

Jim Carter & Jan Janzen, co-owners  
938 Churchill Avenue  
Penticton, BC

17 August 2019

To Whom It May Concern,

962 Churchill Proposed Development

We are writing to provide support for the Perret family 8 condominium development at 962 Churchill Avenue.

We think the building design is very good looking, and will really help improve that area of Churchill Avenue.

The building itself has some lovely features, with the roof top deck area forming a fantastic building amenity that will enable all residents to share their company and great views of Okanagan lake.

This design approach is much more community minded than simply putting private residences on the top floor.

The building is designed to complement the lifestyle that many people moving to that area want. Easy access to walk the lake, cycle the river channel, or head down to the farmers markets on a Saturday morning.

The area is changing with new developments all along Churchill, and more coming on Dynes avenue.

We think this development will set a good example for community design for this area, and we fully support approval and construction of this building.

Sincerely,

Sunny Denison



932 Churchill Ave  
Penticton, BC  
V2A 1E3

September 06, 2019

Penticton Planning Department

Dear Planners,

962 Churchill Development

As residents of Churchill, we are writing to support the new 8 condominium development at 962 Churchill Ave.

We currently rent a 3-bedroom home on Churchill and found it very difficult to find a place in this area. We love the area and would like to see more choice for larger 3-bedroom places that are suitable for families.

The design of the proposed building is excellent, with 3 bedrooms on one level making it attractive for families. Also, the common area roof top deck, solar panel capability, ecar parking, and EBikes all combine to provide the kind of lifestyle that suits the area.

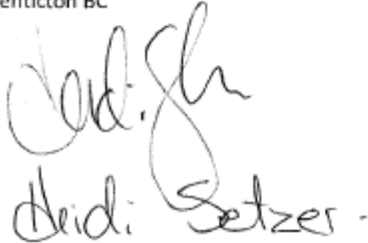
We would like to see this type of development in the Churchill area, and think this building will be a great addition to the neighbourhood.

Thanks, and we hope you approve the development of this building.

Yours Truly,

914 Churchill Ave

Penticton BC



Heidi Setzer

27 August 2019

City of Penticton  
Property Department

Dear City Council,

We are writing in support of the Perret family condominium development at 962 Churchill Avenue.

We live on West Churchill and love this area.

We have reviewed the plans for the development, and fully support approval by the City.

The proposed condominium development is a very attractive design that will greatly improve the street at that part of Churchill and will set a good standard for future developments.

The building design incorporates good environmental features such as car spaces, ebikes, and solar energy. The roof top deck gardens and leisure area are also a great design.

The larger 3-bedroom condominiums are great for families wanting to live in this area of Penticton.

As residents of this block of Churchill we support approval of the development.

Yours sincerely

Sergio and Teresa Molina  
908 Churchill Avenue  
Penticton BC



## 962 CHURCHILL AVE BUILDING DEVELOPMENT PROPOSAL

The Perret Family value our neighbours' opinions and feedback regarding our proposed building development at 962 Churchill Avenue, so for further information about this project please contact Rob Perret at [REDACTED] with your questions.

If you are in support of this project please sign the sheet below and leave it in your mailbox by Friday March 15<sup>th</sup>, 2019 for pick up. Or you can email your support to [REDACTED]

Thank you for your time,  
The Perret Family

We, the undersigned, reside in the vicinity of 962 Churchill Ave and support this environmentally conscience, family friendly building project which we believe would benefit and add value to this desirable neighbourhood as it continues to revitalize to meet our growing community.

Name	Address	Signature
Frank and Debra McCracken	902 Churchill Ave	[Handwritten Signature]

PLEASE FEEL FREE TO CONTACT US IF WE CAN BE OF ANY FURTHER SUPPORT  
FRANK & DEBRA MCCRAKEN  
[REDACTED]

Perret Boutique 8 Condominium Development

962 Churchill Avenue

Draft Letter of support

To: Penticton City Planning Department

I am a life long resident of the Churchill Ave area, and was raised at 602 Churchill Ave where I currently reside.

I spent my career in the property appraisal profession, and for many years have watched the redevelopment of the older areas of Penticton near Okanagan lake.

While there has been significant redevelopment of Churchill Ave and cross streets east of Power St, the neighbourhoods west of Power Street would really benefit from some new development.

I have reviewed the development plans for 962 Churchill Ave and encourage Council to approve this project.

The building design would set a new standard for development in the Churchill West precinct. The building has been designed to ensure all residents benefit from common area amenities, and the roof top deck and gardens. The building incorporates green and recycling features that represent best practice design.

Overall this building design would greatly improve the area, and the Churchill west street frontage.

I support this project and urge council approval.

Regards

Garth Bathgate



P.S. WOULD LIKE TO SEE THE SPEED LIMIT  
REDUCED TO 30 KM WHICH WOULD MATCH  
WINNIPEG ST, POWER ST, RIVERSIDE DR, LAKESHORE DR,  
PARTS OF ALEXANDER ST, AND DYNES AROUND THE  
PARK. THANKS GB

## 962 CHURCHILL AVE BUILDING DEVELOPMENT PROPOSAL


The Perret Family value our neighbours' opinions and feedback regarding our proposed building development at 962 Churchill Avenue, so for further information about this project please contact Rob Perret [REDACTED] [REDACTED] with your questions.

If you are in support of this project please sign the sheet below and leave it in your mailbox by Friday March 15<sup>th</sup>, 2019 for pick up. Or you can email your support to [REDACTED]

Thank you for your time,

The Perret Family

We, the undersigned, reside in the vicinity of 962 Churchill Ave and support this environmentally conscience, family friendly building project which we believe would benefit and add value to this desirable neighbourhood as it continues to revitalize to meet our growing community.

Name	Address	Signature
Wendy Fromm	915 Dykes Ave	

New development on Churchill

This letter is in support of the 8 units apartment that is proposed on Churchill. I was able to attend the open house in December of 2017 and am very impressed with the plans and concept.

The building incorporates some new stuff that we have not seen in the Penticton market that I would like to see more of.

The building sets a high standard of what the entire street might look like in 5-10 years, and hopefully even sooner. The City of Penticton needs more development with this kind of density that blends in seamlessly with the existing and future neighbourhoods.

I support this project.

Ryder Mann



102-940 Dynes Avenue

Penticton BC

06 September 2019

City of Penticton

Property Development Department

Mayor and Council,

This is a letter of support for the 8 unit condominium development at 962 Churchill Avenue. I own and manage property in the area and support the continued infill of that area.

We have reviewed the plans for the development, and fully support this concept and hope for approval by the City.

I feel this is a very attractive design and will be an immediate improvement to the area.

The area has become very attractive as it redevelops, and people recognize the convenience and lifestyle features of this part of town.

Our family has been in Penticton for many years and hope that this area continues to improve with infill developments such as these. This Part of Churchill has multifamily buildings and we feel that this development will fit right in.

Cheers,

Marc Tougas

65 Sydney street

Penticton BC

Perret Boutique 8 Condominium Development

962 Churchill Avenue

Draft Letter of support

As a long time, Penticton resident, I am writing to encourage council to approve the development of 962 Churchill Ave.

The planned building is an innovative and cutting-edge design that is both attractive and environmentally responsible. The green features and amenities will make it a really great building in which to live, and the common area roof-top deck will provide a really great interactive space for residents.

The Perret family and building designer have spent a lot of time working with council and getting feedback from local residents, and have incorporated many ideas to make the building better.

The building will be a great enhancement to the area and set an example for future development.

I encourage council to approve this development

Regards

 565 Alexander Jue

Cheryl Watts  
101-166 Power St  
Penticton BC  
V2A 5W9

16 April 2019

To: City of Penticton

Re: Perret Development, 962 Churchill Ave Penticton B.C.

I am writing to express my support for the Perret family development of the 8 Condominium building at 962 Churchill Ave.

As a local resident I am pleased to support progressive building design that improves the area and provides additional affordable modern housing. This area is perfect for medium density development and will allow more people to share the great recreational and lifestyle amenities in the area.

The rooftop deck and other planned building features will make this a very attractive lifestyle building.

I relocated to Power Street in the last couple of years and know many other people who like to relocate to this area. This building will provide a great opportunity.

I fully support the proposed development at 962 Churchill.

Sincerely,



Cheryl Watts

Richard Ante  
166 - 101 Power St  
Penticton BC  
V2A 1L1

16 April 2019

To: Penticton Planning Department

Re: 962 Churchill Ave – Proposed 8 Condominium Development

On Dec 22 I attended the open house for the proposed development of an 8-condominium building at 962 Churchill Ave. I am a resident of a new development on Power street and am very interested in the overall development of this older area of Penticton.

The open house included plans and renders for the new building and covered the key features and design. The building design would be a great improvement for that area of Churchill and will really improve the area.

The building design incorporates some really innovative features including environmentally friendly parking, solar energy, and ebikes. The roof top deck and residents game room and gardens are really good ways to use otherwise wasted roof space.

This development will also create jobs and help revitalise the western end of Churchill Ave.

I strongly support council approval and construction of this development.

Sincerely,



Richard Ante

101 - 166 POWER STREET  
Penticton BC  
V2A 5W9



23 August 2019

Penticton City Council

Penticton Planning Department

Dear Council and Planners,

I want to express my support for the new 8 condominium building being planned for 962 Churchill Avenue.

The building design is great and has a lot of good features that will make it an attractive place to live. The building amenities are really good - in particular the roof top common area patio and gardens which can be shared by all residents.

The development is in an increasingly attractive area of town where people want to live and a bit higher density is a good practice, like this building, because of the access to the lake, the city, and local schools and community recreation facilities.

This development would be good for this area, and I fully support council approval of the development.

Yours sincerely



Taylor Kenyon  
107-166 Power Street  
Penticton BC

City of Penticton  
Planning Department  
171 Main Street, Penticton V2A 5A9

August 27<sup>th</sup>, 2019

Dear Planning Department,

**Re: Proposed Condominium Development - 962 Churchill Avenue**

We would like to express our strong support for the proposed condominium development by the Perret family at 962 Churchill Ave in Penticton.

As long time local residents who currently reside on Power Street we believe this type of development is a positive rejuvenation to one of the older neighbourhoods in town. We have several friends and acquaintances that are looking to relocate to this area and this is the type of home they are considering.

We have reviewed the plans for the new building and are very impressed with the interesting modern design and believe with its attractive street appeal it would be a definite improvement to that vicinity of Churchill. The internal garbage/recycling room, bike storage and roof top garden terrace help to make it very desirable and environmentally friendly.

We encourage Council to approve this building and look forward to seeing it completed in the very near future.

Sincerely,



Andrea and Ken Naylor

114 - 166 Power St

Penticton BC

V2A 5W9

Perret Boutique 8 Condominium Development

962 Churchill Avenue

Draft Letter of support

To: Penticton City Planning Department

We are long time Penticton residents who recently relocated to this area of town from an orchard property.

We love the area and the great proximity to amenities, and particularly the Okanagan Lakeshore. We love the lifestyle in this area of town and have many friends who are also wanting to relocate to the area.

Most of the houses in the area are older rental properties being held for development. The existing apartments in the area are mostly older small rental apartments. The newer developments that have occurred along Power St, Dynes, and Churchill Ave have sold very quickly, and are really improving the area.

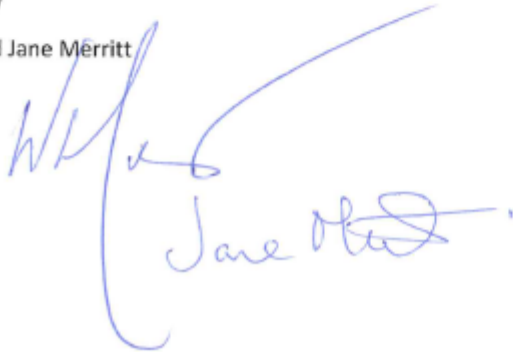
The proposed development at 962 Dynes Ave has great building features and amenities, and importantly provides family oriented 3-bedroom accommodation that is really needed in this area.

The proposed apartment will really improve the street front and set a high standard for future development in the Churchill west area.

We support Council approval of the proposed 8 condominium development.

Yours Truly

Walter and Jane Merritt

Handwritten signatures in blue ink. The first signature is 'Walter Merritt' and the second is 'Jane Merritt'. The signatures are written in a cursive style.

Perret Boutique 8 Condominium Development  
962 Churchill Avenue

Draft Letter of support

As a local resident who lives nearby I want to write in support of the proposed condominium development at 962 Churchill.

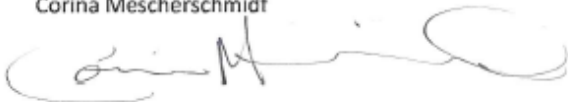
The building looks great and will really improve that end of Churchill. I like that the the building design is environmentally friendly and incorporates solar and electric car spaces, and ebikes.

We particularly like that the building will be family oriented in an area of town that has little decent quality family accommodation.

I fully support the development of this building, and think it will be great and set a new standard for the area.

Sincerely

Corina Mescherschmidt




**PROJECT:** 8-UNIT RESIDENTIAL DEVELOPMENT

**DATE:** DECEMBER 20, 2018

**ADDRESS:** 962 CHURCHILL AVENUE

**PUBLIC OPEN HOUSE**

**THE PERRET FAMILY** |  **Parallel 50 Construction**

**COMMENTS**


Interesting building concept for the neighbourhood. This type of ~~den~~ density is needed in this area.

PROJECT: 8-UNIT RESIDENTIAL DEVELOPMENT

DATE: DECEMBER 20, 2018

ADDRESS: 962 CHURCHILL AVENUE

PUBLIC OPEN HOUSE

THE PERRET FAMILY |  Parallel 50 Construction

COMMENTS

FANTASTIC Proposal.

Creates Jobs  
and a Better  
Quality of Life.


Dick Anto 166-100 Power  
STREET

PROJECT: 8-UNIT RESIDENTIAL DEVELOPMENT

DATE: DECEMBER 20, 2018

ADDRESS: 962 CHURCHILL AVENUE

PUBLIC OPEN HOUSE

THE PERRET FAMILY |  Parallel 50 Construction

COMMENTS

I think this would be a great improvement  
to the neighborhood, and not impact the existing  
housing negatively.


Rick Grandbois  
921 Dynes Ave.

PROJECT: 8-UNIT RESIDENTIAL DEVELOPMENT

DATE: DECEMBER 20, 2018

ADDRESS: 962 CHURCHILL AVENUE

PUBLIC OPEN HOUSE

THE PERRET FAMILY |  Parallel 50 Construction

COMMENTS

Great to clean up the street and create  
community presence (roof etc).  
provides well needed housing - keep affordable +  
implement green construction!

**Bylaw No. 2019-39**

*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. 2019-39".

2. **Amendment:**

2.1 Zoning Bylaw 2017-08 is hereby amended by adding the following to Chapter 14 – Comprehensive Development:

***14.6 CD6 – Comprehensive Development (962 Churchill Avenue)***

***14.6.1 PURPOSE***

This **zone** provides for the comprehensive development of a residential site for *Lot 1, DL 3, SDYD (Formerly Yale Lytton), Plan 24763*, located at 962 Churchill Avenue.

***14.6.2 PERMITTED USES***

The **permitted uses** in this **zone** are:

- .1 accessory use, building or structure***
- .2 apartment***
- .3 minor home occupation*** (subject to specific use regulation 7.3)
- .4 vacation rental*** (subject to specific use regulation 7.6)

***14.6.3 SUBDIVISION AND DEVELOPMENT REGULATIONS***

- .1 Minimum lot width:*** 21.0 m
- .2 Minimum lot area:*** 700 m<sup>2</sup>
- .3 Maximum lot coverage:*** 55%
- .4 Maximum density:*** 1.9 FAR
- .5 Maximum height:***
  - i. principal building*** 19.0 m
  - ii. accessory building or structure*** 4.5 m
- .6 Minimum front yard:*** 3.0 m

- .7 Minimum *interior side yard*:
  - i. *principal building* 2.5 m
  - ii. *accessory building or structure* 1.5 m
- .8 Minimum *rear yard*:
  - iii. *principal building* 6.0 m
  - iv. *accessory building or structure* 1.5 m

**14.6.4 AMENITY SPACE**

- .1 *Amenity space* shall be provided at the rate of 20.0 m<sup>2</sup> for each *dwelling unit*.

**14.6.5 SUBDIVISION AND DEVELOPMENT REGULATIONS**

- .1 In addition to the projections permitted in Section 4.9.1 (Table 4.1), the maximum projection into a required side yard for a deck is 0.2m.

**14.6.6 SUBDIVISION AND DEVELOPMENT REGULATIONS**

- .1 The minimum width of a landscape buffer abutting a residential zone shall be 2.0m.

2.2 Update Schedule 'A' Zoning Bylaw Text Table of Contents and Schedule 'B' Zoning Bylaw Map to include CD6 – Comprehensive Development (962 Churchill Avenue).

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

Rezone Lot 1 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 24763, located at 962 Churchill Avenue from R2 (Small Lot Residential) to CD6 Comprehensive Development (962 Churchill Avenue) as shown on Schedule 'A'.

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

READ A FIRST time this	1 day of	October, 2019
A PUBLIC HEARING was held this	5 day of	November, 2019
READ A SECOND time this	day of	, 2019
READ A THIRD time this	day of	, 2019
RECEIVED the approval of the	day of	, 2019
Ministry of Transportation on the		
ADOPTED this	day of	, 2019

Notice of intention to proceed with this bylaw was published on the 25 day of October, 2019 and the 30 day of October, 2019 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 _____, 2019</p> <p>_____</p> <p>for Minister of Transportation &amp; Infrastructure</p>
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\_\_\_\_\_  
John Vassilaki, Mayor

\_\_\_\_\_  
Angie Collison, Corporate Officer

Add Section 14.6 CD6  
(Comprehensive Development  
Zone) to Zoning Bylaw 2017-08

Rezone 962 Churchill Ave  
From R2 (Small Lot Residential)  
To CD6 (Comprehensive  
Development Zone)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2019-39

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

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

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**From:** Selena DeMelo  
**Sent:** October-31-19 8:07 PM  
**To:** Public Hearings  
**Subject:** Application: Rezone PL2019-8522  
**Attachments:** 962 Churchill.pdf

To City Council,

Thank you for this opportunity to share our thoughts regarding the above-reference zoning application. My husband, George DeMelo, and I are the owners of 66 Sydney Street, Penticton. This property is immediately adjacent on the west side of 962 Churchill Avenue where this development has been proposed.

For context, in March 2019, the attached flyer was distributed to the community and to the tenants of our 12-suite apartment building describing the proposed project at 962 Churchill Avenue and inviting residents to contact the owners with questions or comments. In response, we contacted Rob Perret by email and asked to set up a time for us to meet and discuss the scope and potential ramifications of this development. Unfortunately, Mr. Perret was unable to meet with us. When I reached out again via email, the address was no longer valid and we have been unable to contact Mr. Perret since.

This flyer (copy attached) outlines a project that will create eight (8) new condos at this site. The Council Report aligns with this, but does not reference the intent of the owners to retain three suites for their own use. Given this, an additional five suites will be offered for sale to address some of the density issues being experienced in this community.

Considering all of this, we would like to share some additional concerns with respect to this development as follows:

1. While the number of parking stalls meets the City's minimum requirements, we are extremely concerned that eight three-bedroom apartments/condos designed for families will result in multiple cars being parked offsite in this area. As the adjacent property and with parking along the rear lane, there is a very real probability that new residents and their guests will access stalls intended for our tenants and reducing the available parking for the overall community. There are already parking issues on this block with many staff members of the commercial buildings lining Lakeshore Drive W which is one block in front parking on these side roads. The additional loss of parking along Churchill Avenue in front of our building due to the installation of a new sidewalk will mean fewer parking options for all. Despite the offer of electric bikes, it is doubtful that many (if any) families with children has a single vehicle.
2. The Letter of Intent (Attachment E of the Council Report) references Penticton's need for "affordable infill projects such as this development to accommodate the forecast increase in population". While pricing is not available, this project is not anticipated to address the city's need for affordable housing. The size and specialization of the units and the proposed amenities will most certainly see high prices on these suites that will not meet the standard definition of affordability that uses 30% of monthly income for housing costs as the threshold.
3. With the proposal indicating a total of six floors, this development will overwhelm the landscape of this street; even with the top floor being inset. If 66 Sydney Street is considered to be three floors high (some would consider it 2.5 stories), it is twice the height. Two of our largest suites that are also designed for families face 962 Churchill Avenue and will be experience significant disruption during construction and then be facing a blank wall from their balconies. We expect that some may move as a result of this project. Reducing the new building's height will open up the area and create a more pleasant feeling for these suites. Perhaps a four storey building would be more appropriate for the neighbourhood.
4. The Council Report includes 14 Letters of Support with a few dating back to August and December 2018. A conversation with Don Diffen, owner of the home at 950 Churchill Avenue immediately to the east of the development site provided his support in August 2018 and now shares our concerns regarding the final design of the development. Our hope is that he will also submit an additional document indicating his concerns re: parking and the building's height. On a related note, I believe two of the families on Churchill Avenue have since sold their properties and the collective voice of the avenue is not represented. I hope to confirm this detail prior to the Council meeting.

5. The Council Report references the lot coverage as 32%. We are not questioning the accuracy of this calculation, but are concerned that this number is only possible because of the overhang of the second and higher floors that allows for ground level parking underneath. If you were to use the full exterior dimensions of this building to the ground level, the coverage would be much, much higher; likely over 60%.

6. The top floor is recessed to appear less overwhelming. There will likely be few people who will be looking at the property from the front since the other side of the street is largely comprised on low rise motels that face Lakeshore Drive and do not have rear driving exits to Churchill. The issue is more the sides that are flush to the building. From the viewpoint of our tenants, the full six stories will remain visible despite the recess. Further, there are side windows facing our building and I am unable to determine if or how they align to our two suites that face the building. I fear that the privacy of our tenants on the second and third floors will be compromised by these windows.

7. The proposal speaks to landscaping between the two properties, but does not appear to contain any details around retaining the integrity of the grade beam. This laneway entrance to parking at our building is lower than the grade of the development site and this question naturally causes some concern. There is also a reference to a variance for side yard clearance and my husband will be viewing the full drawings early next week to explore this potential concern.

Finally, Nicole Capewell (City of Penticton, Planning Department) is looking into some questions we have about the "latecomer" payments with respect to the potential cost and whether or not depreciation would be applied as the 15-year period progresses. She hopes to have answers to these questions before the Council meeting.

Again, thank you for this opportunity to share these concerns in advance of the Council Meeting on November 6th. I look forward to attending the meeting and speaking with you directly as well. Should you need to reach us in the meantime, please feel free to Reply to this email at your convenience.

Respectfully Submitted,

Selena & George DeMelo  
66 Sydney Street  
Penticton, BC  
V2A 6S2

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# 962 CHURCHILL AVE BUILDING DEVELOPMENT PROPOSAL

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## **Intent, Proposal & Background**

Long time Penticton Residents to construct an 8-unit condominium building at 962 Churchill Avenue, with 3 of the units to be occupied by the family and the remainder will be sold for owner occupation. Our family believes this new building will add value to this desirable neighbourhood which is currently going through a revitalization period. We are asking for our neighbours' feedback and/or support for this project.

Thank You, The Perret Family

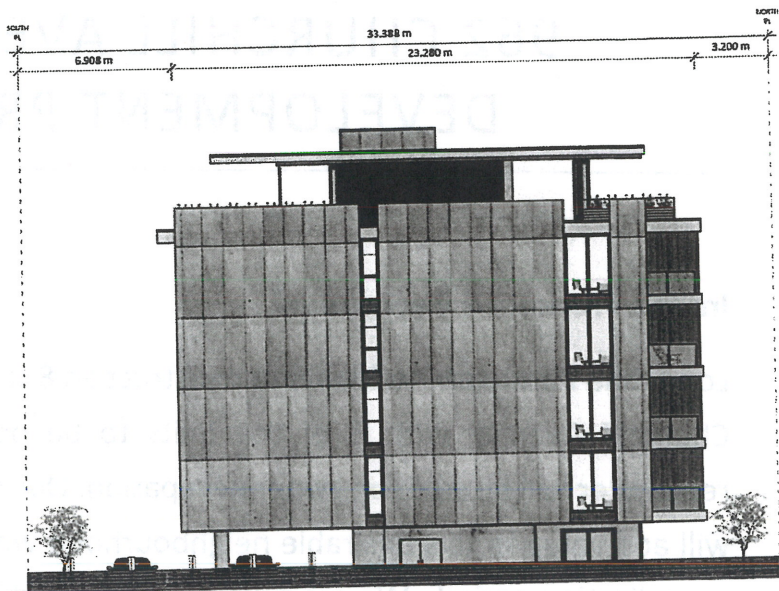
### **Key features:**

- Each unit is approximately 1500 sq. feet, and are all three-bedroom units
- Owner occupied units
- 3-bedroom floor plans to allow for young families to reside in a desirable neighbourhood
- On-site parking for all units eliminating on-street parking for residents
- Building will be equipped with on site garbage and recycling. No unsightly dumpsters and garbage bins on the street
- Parking stalls will be wired for electric cars
- A bicycle room in the parking garage is designated for bicycles, and equipped with charging stations. All units come with two E bikes
- Rain water will be retained on site and used for irrigation
- The roof top patio will have green space with shrubs and small trees and each unit will have a designated garden plot

### Elevations



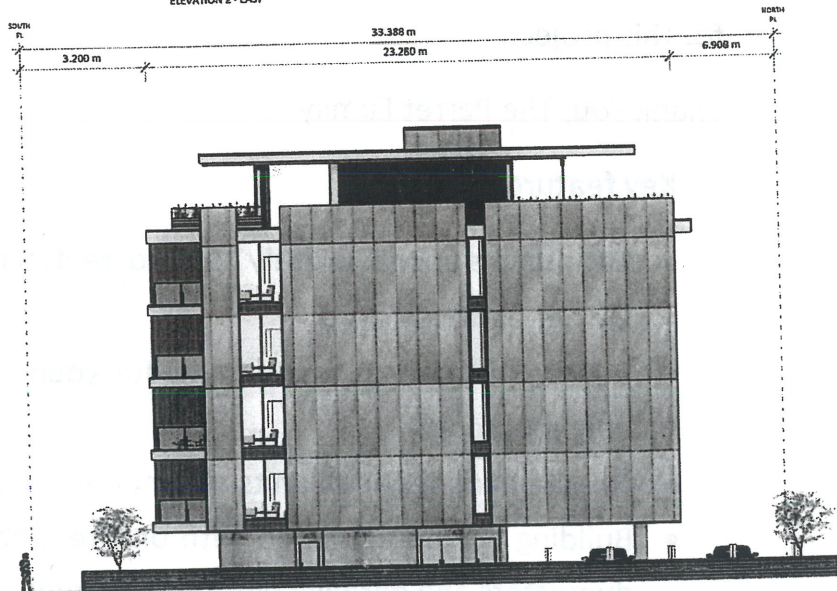
ELEVATION 1 - NORTH



ELEVATION 2 - EAST



ELEVATION 3 - SOUTH



ELEVATION 4 - WEST

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## 962 CHURCHILL AVE BUILDING DEVELOPMENT PROPOSAL

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The Perret Family value our neighbours' opinions and feedback regarding our proposed building development at 962 Churchill Avenue, so for further information about this project please contact Rob Perret at  
with your questions.

If you are in support of this project please sign the sheet below and leave it in your mailbox by Friday March 15<sup>th</sup>, 2019 for pick up. Or you can email your support to

Thank you for your time,

The Perret Family

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We, the undersigned, reside in the vicinity of 962 Churchill Ave and support this environmentally conscience, family friendly building project which we believe would benefit and add value to this desirable neighbourhood as it continues to revitalize to meet our growing community.

Name	Address	Signature