

Electronic Public Hearing
to be held electronically
171 Main Street, Penticton, B.C.
To view the Public Hearing, visit www.penticton.ca

Tuesday, February 1, 2022
at 6:15 p.m.

- | | | |
|-------|--|------|
| 1. | Mayor Calls Public Hearing to Order for “Zoning Amendment Bylaw No. 2022-04” | 1-35 |
| CO | <p>Reads Opening Statement and Introduction of Bylaw</p> <p>“Zoning Amendment Bylaw No. 2022-04”</p> <p>Purpose: To amend Zoning Bylaw No. 2021-01 as follows:</p> <p style="padding-left: 40px;">Rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, from R1 (Large Lot Residential) zone to RD3 (Residential Infill) zone.</p> <p style="padding-left: 40px;">The applicant intends to subdivide the subject property to create two duplex lots.</p> <p>Notice: The Public Hearing was advertised in the Penticton Herald Newspaper on Tuesday, January 25, 2022 and Wednesday, January 26, 2022 (pursuant to the <i>Local Government Act</i>).</p> | |
| CO | No correspondence received regarding the Zoning Amendment Bylaw (as of noon Wednesday, January 26, 2022). | |
| Mayor | Requests Development Services staff describe the proposed bylaw | |
| Mayor | Invitation to applicant for comment or elaboration on the application | |
| Mayor | Invitation to electronic and in person participants to present their views | |
| Mayor | Invites Council members to ask questions | |
| Mayor | Invites applicants to respond to questions and participants may provide new additional information | |

PUBLIC HEARING for “Zoning Amendment Bylaw No. 2022-04” is terminated and no new information can be received on this matter.

Electronic Regular Council Meeting
held via Zoom at City of Penticton
171 Main Street, Penticton, B.C.

Tuesday, January 18, 2022
at 1:00 p.m.

Resolutions

- 10.6 Zoning Amendment Bylaw No. 2022-04
Development Variance Permit PL2021-9169
Development Permit PL2021-9170
Re: 79 Okanagan Avenue West

09/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-04", a bylaw to rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, from R1 (Large Lot Residential) zone to RD3 (Residential Infill) zone; AND THAT Council forward "Zoning Amendment Bylaw No. 2022-04" to the February 1, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-04" and final subdivision registration of the two lots, approve "Development Permit PL2021-9169" and "Development Permit PL2021-9170" for Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, permits which allow the construction of a duplex with one duplex suite on each lot.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: January 18, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 79 Okanagan Avenue West

File No: RMS/79 Okanagan Ave W

**Subject: Zoning Amendment Bylaw No. 2022-04
Development Permit PL2021-9169
Development Permit PL2021-9170**

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-04", a bylaw to rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, from R1 (Large Lot Residential) zone to RD3 (Residential Infill) zone;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-04" to the February 1, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-04" and final subdivision registration of the two lots, approve "Development Permit PL2021-9169" and "Development Permit PL2021-9170" for Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, permits which allow the construction of a duplex with one duplex suite on each lot.

Strategic Priority Objective

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Proposal

The applicant is proposing to rezone and subdivide the subject property to create two duplex lots (Figure 1). The applicant intends to have one duplex suite in each duplex building, for a total of three units per proposed lot. In order to proceed, the applicant is requesting to rezone the subject property from R1 (Large Lot Residential) zone to the RD3 (Residential Infill) zone. The applicant has also submitted two development permit applications for Council’s consideration as part of the rezoning request. The development permits will not be issued until the rezoning is adopted and the subdivision is registered with the Land Title Office.



Figure 1 - Rendering of proposed development

Background

The subject property is 675m² in size and is located on the north side of Okanagan Avenue West (Figure 2). The subject property contains a single detached dwelling constructed in 1957. The surrounding area is primarily residential consisting of single detached homes along Okanagan Avenue West and multifamily residential uses along Atkinson Street to the west. The subject property is within walking distance of the Main Street commercial corridor one block away to the east.

The subject property is designated ‘Ground Oriented Residential’ by the Official Community Plan (OCP), and is currently zoned ‘R1 (Large Lot Residential)’ in the Zoning Bylaw.

Technical Review

This application was reviewed by the Technical Planning Committee (TPC), a group of internal staff who review planning applications. Additional details were requested on the development permit plans regarding landscaping, and those details were received. Future subdivision requirements such as water and sanitary connections, and fees to be paid such as Development Cost Charges (DCC’s) were identified to the applicant. Typical frontage upgrades and servicing requirements have been identified for the subsequent subdivision and building permit processes. These items have been communicated to the applicant.

Development Statistics

The following table outlines how the proposed development meets the applicable Zoning Bylaw regulations:



Figure 2 - Property location map

	RD3 Zone Requirement	Proposed Lot A	Proposed Lot B
Minimum Lot Width:	9.1 m	11.08 m	11.08 m
Minimum Lot Area:	275 m ²	337 m ²	337 m ²
Maximum Lot Coverage:	55%	50%	50%
Maximum Density:	1.0 Floor Area Ratio (FAR)	0.77 FAR	0.77 FAR
Vehicle Parking:	1 per duplex unit 1 per duplex suite 3 spaces per lot	3 spaces provided	3 spaces provided
Required Setbacks			
Front Yard (Okanagan Ave W):	4.5 m	5.4 m	5.4 m
Side Yard (east):	1.2 m	1.2 m	1.2 m
Side Yard (west):	1.2 m	1.3 m	1.3 m
Rear Yard (lane):	6.0 m	9.8 m	9.8 m
Maximum Building Height	10.5 m	7.8 m	7.8 m
Other Information:	All vehicle access is provided from the rear lane.		

Analysis

The Official Community Plan (OCP) designation for the subject property is 'Ground Oriented Residential', which supports medium-density residential areas with multifamily developments where each unit has an exterior door (Figure 3). Duplexes with suites is one of the building types envisioned in this designation. The applicant is proposing to subdivide the property into two parcels, which will allow for a duplex with one duplex suite to be constructed on each lot. The proposed development is a consistent building form with the 'Ground Oriented Residential' OCP designation.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Ground Oriented Residential</p>	<p>Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.</p>	<ul style="list-style-type: none"> • Duplexes with suites • Cluster housing • Fourplexes higher-density rowhouses • Townhouses and stacked townhouses • Bareland strata developments 	<ul style="list-style-type: none"> • Residential • Limited Service/ Retail 	<ul style="list-style-type: none"> • Up to 3 ½ storeys 	<ul style="list-style-type: none"> • RM2 • RM5 • C2

Figure 3 - OCP Future Land Use Designation

Staff consider that the proposed zoning amendment will allow for development that is supported through the following OCP Goals and Policies:

- OCP Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
- OCP 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.
- OCP 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.
- OCP Policy 4.1.4.1 Work with the development community – architects, designers and buildings – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
- OCP Policy 4.1.5.1 Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).
- OCP Policy 4.2.5.2 Encourage land use planning that results in neighbourhoods that can be easily serviced by transit.

Staff consider that the application proposes an appropriately-scaled development in an area of the community that has been identified for increased residential density by the OCP. The proposed rezoning to RD3 to allow 3 units per property is consistent with the increased density and building forms envisioned by the Ground Oriented Residential designation.

The OCP policies encourage infill development in areas close to services and shops to encourage walkability and active transportation. Staff note this property is within walking distance of shops and services along Main Street and is located adjacent to the lake-to-lake bike route.

The applicant has not requested any variances from the Zoning Bylaw requirements for the proposed development.

Given that there is adequate policy through the OCP to support the proposal, staff recommend Council give first reading to “Zoning Amendment Bylaw No. 2022-04”, and forward the bylaw to the February 1, 2022 Public Hearing to gather comments and feedback from the public.

Subdivision

The applicant has applied for subdivision of the subject property, as shown in Figure 4, however, Council is not the approval authority for subdivisions. Should the rezoning ultimately be adopted, staff will work with the applicant on all subdivision requirements to be completed by the applicant in order to register the subdivision with the Land Title Office, and legally divide the subject property into two parcels.

Development Permits

The proposed duplex developments are considered within the Intensive Residential Development Permit Area per the OCP, which is established to manage form and character that strengthens livability, neighbourliness, and visual interest.

The proposed development has been designed with the OCP design guidelines in mind. The development proposes a density that is aligned with the OCP designation, and provides a design that meets all Zoning Bylaw regulations for setbacks, parking and is well within the allowable building heights.

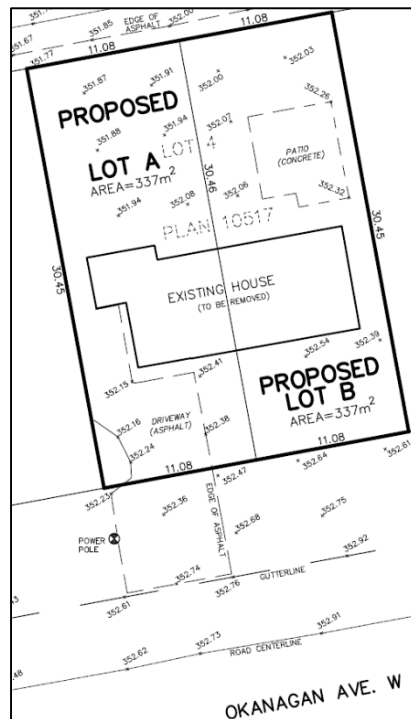


Figure 4 - Proposed subdivision sketch

Staff have completed a development permit analysis (Attachment 'D') that shows how the development conforms to the applicable design guidelines. The applicant has also provided an analysis with their submission (Attachment 'F'), which outlines the project and its conformance to the OCP design guidelines. As such, staff recommend that Council consider approving the Development Permits after considering adoption of the Zoning Amendment Bylaw, with the permits issued after the subdivision is completed.

Alternate Recommendations

Council may consider that the proposed rezoning is not suitable for this site. If this is the case, Council should deny the bylaw amendment. Staff are not recommending this option, as the proposal is well aligned with the OCP designation for the property, gently increasing density in a high-amenity area of the City.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2022-04".

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Development Permit Analysis (staff)
- Attachment E – Letter of Intent (applicant)
- Attachment F – Development Permit Analysis (applicant)
- Attachment G – Draft Development Permit PL2021-9169 (Proposed Lot 1)
- Attachment H – Draft Development Permit PL2021-9170 (Proposed Lot 2)
- Attachment I – Zoning Amendment Bylaw No. 2022-04

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

Director of Development Services <i>BL</i>	Chief Administrative Officer DyD
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Attachment A – Zoning Map

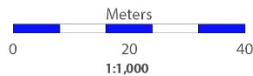


79 Okanagan Ave W

Zoning Map



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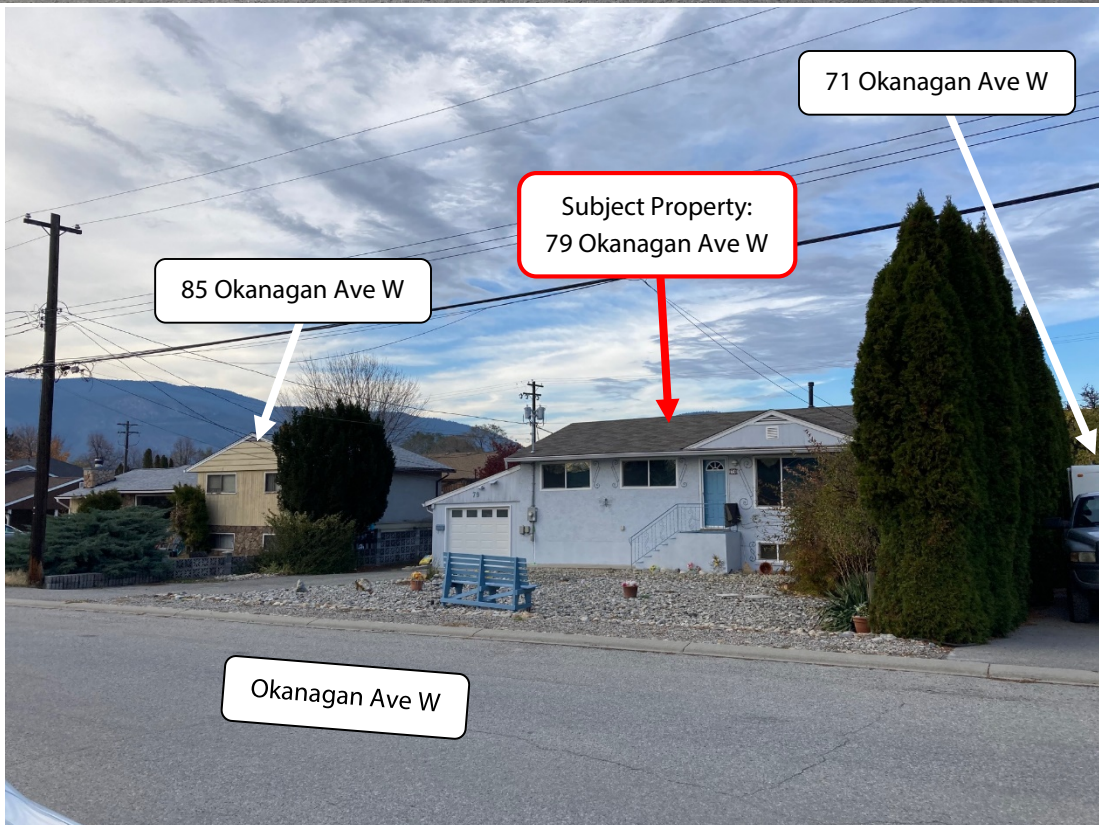
October 27, 2021
9:11:17 AM

penticton.ca

Attachment B – Official Community Plan Map



Attachment C – Photos of Property



Attachment D – Development Permit Analysis (staff)

Development Permit Analysis

The proposed development is located within the Intensive Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with the applicable design guidelines.

Guideline G1 Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.).

- The duplexes were designed with the Zoning Bylaw requirements in mind. All parking has been provided from the lane.

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

- The proposed duplexes are designed at a 5.4m front yard setback, which exceeds the minimum requirement of 4.5m in the RD3 zone. There is a substantial boulevard area (approximately 7.5m or 25 feet) between the front property line and the street curb, which will be landscaped and maintained by the abutting private properties. The large boulevard area increases the visual setback from the new buildings to the road.

Guideline G7 All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.

- The front-to-back duplex design provides visual overlook onto the lane and parking area at the rear of the property, as well as towards the street.

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

- A barrier-free pedestrian walkway is provided on each proposed lot to provide access between the parking area off the lane, leading past each duplex and suite entrance to the street.

Guideline G13 Entry to ground-level residential units should be no more than 1.8m above the grade of adjacent public sidewalks and walkways.

- Entrances to each unit in the duplex are approximately 1.0m above the grade of the street and lane.

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

- The parking area for the proposed development is accessed from the rear lane while the primary pedestrian entrance is at the front, accessed from the street. One sidewalk on each proposed lot connects the rear parking area to each unit and the street, which reduces conflict between vehicles and pedestrians on the site.

Guideline G23 Articulation of building mass should include horizontal (minor) setbacks and stepbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience. Balconies and/or cantilever upper floors may be considered as a means to breaking up massing while promoting overlook and/or weather protection.

- The proposed duplex design includes covered patios facing the street and lane. These features provide interesting architectural features which help break up the mass of the 2-storey building faces.

Guideline G24 Street-facing units should utilize a layering of elements – including but not limited to street-facing entries, stairs, stoops, porches, patios and landscape elements – to create transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkway, ramp, stair), semi-private (e.g., stoop, balcony) and private areas.

- As shown on the development plans, the entries to the units are about 3-4 steps above grade, leading to a covered deck amenity area. The roof overhanging this area breaks up the building face and provides an improved transition between the street, semi-private covered deck, and the interior space of the dwelling unit. The duplex suite on each property has its own patio amenity space located at the unit entrances.

Guideline G26 Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.

- Windows facing towards neighbouring properties on the east and west facades of the duplexes are smaller than those facing north, towards the lane, and south, towards the street. This design choice, and by not having any outdoor 2nd floor amenity spaces, assist with maintaining privacy of neighbouring properties.

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.

- Large windows, main unit entries, sliding doors, and covered patios on the duplex buildings face towards lane and street to provide visual overlook onto the public realm.

Guideline G35 Tree planting...

- The landscaping plan shows two trees in the front yard of each proposed lot. One tree per property is also proposed in the rear yard. These trees are in addition to other plantings, as shown on the landscaping plan.

Guideline G38 Screening & Buffering...

- Fences ranging from 1.2m to 1.8m in height are proposed along each side property line which will assist with screening the property and maintaining privacy between neighbours.

Guideline G58 Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic.

- The garbage/recycling bins will be stored at the rear of the properties, screened from adjacent properties by fencing.

Guideline IR1 Building Siting: Front and rear yard setbacks should relate to those of existing neighbouring buildings. The primary building's front setback should be no greater than 6.0m so that homes engage with the street.

- The proposed duplexes are 5.4m from the front property line. The front porches extend towards the street to a setback of 3.6m from property lines (a permitted projection). Neighbouring homes on either side of the development are setback approximately 7m from the front property line. The proposed development achieves this guideline while placing the new buildings within 6.0m of the front property line to engage with the street, while at the same time not being designed to have the building face at the minimum 4.5m setback permitted in the RD3 zone.

Attachment E – Letter of Intent (applicant)



October 19, 2021

Giroux Design Group Inc.
23216 Garnet Valley Rd.
Summerland, BC V0H 1Z3

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

Re: 79 Okanagan Ave W Rezoning & Development Permit Re-Application

To City of Penticton Planning Department,

This letter is regarding the proposed rezoning and development of the property located at 79 Okanagan Ave W. The property is currently zoned R1 (Large Lot Residential) with a single family dwelling on the property.

The proposal is to subdivide the property into two lots and rezone them to RD3 (Residential Infill) and build one duplex with one basement suite on each lot, for a total of three units on each lot. The two-storey duplexes will be modest in size with outdoor parking along the lane and will provide much needed family housing close to parks and shopping. The proposal fits within the City of Penticton's Official Community Plan as the area is designated for Infill Residential development which includes RD3 zoning.

The property has lane access at the rear with the lane connecting to Main Street to the East and Atkinson Street to the West. Across the lane is a condominium complex and commercial properties. The proposed development requires no variances to the zoning bylaw, and we believe it meets the intent of providing modest densification to an area of town that has underutilized land with large lots currently devoted to older single family homes. The style of the duplexes is modern craftsman and will fit into the neighbourhood which is a mix of architectural styles and commercial buildings. There is no outstanding character to the existing neighborhood, nor any heritage homes, so the style of building proposed will fit well.

Thank you for considering our proposal.

Best regards,

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

Tony Giroux **ASTTBC, CTech, RBD, BCABD**
Owner/Registered Building Designer
Giroux Design Group Inc.

Attachment F – Development Permit Analysis (applicant)

79 OKANAGAN AVE W: DEVELOPMENT PERMIT ANALYSIS

PEDESTRIAN CONNECTIVITY

The development is less than one block away from Main Street and has a pedestrian. The location allows for easy walking or cycling to the nearby shopping, parks and schools. City Bus stops are also located in close proximity to allow easy transit use.

PARKING

Each lot will have three parking spaces directly on to the lane with uncovered parking. No variances are required for parking as the required number of spaces meets the number required by the City. All parking spaces are located with access from the lane.

DESIGN FOR CLIMATE

The building will meet the requirements of Step 3 of the BC Building Code. Trees planted in the front yards deciduous trees which will provide shade during the summer and sunlight during the winter as the leaves fall. Covered porches also give an outdoor area for each unit to enjoy outdoor living, the basement suite has a covered patio well.

ORIENTATION & MASSING

The proposed duplexes are designed so that one unit will face Okanagan Avenue and the unit with the basement suite will face the lane. The duplexes are two storeys in height and will not impose on the neighbouring properties. Front and rear porches also add character and soften the façade.

LANDSCAPING (ENHANCING THE URBAN FOREST)

The proposed number of plants and trees meet the requirements set forth by the City of Penticton. Deciduous trees are planted in the front yard along with a variety of flowers and shrubs around the yard.

WASTE MANAGEMENT

Garbage and recycling will be collection is provided by individual roll out bins, these are stored in screened enclosures and will be rolled out on collection day.

FENCES

6' high wood privacy fences will be placed along the west and east property lines, with the exception of the front yard where a 4' high wood fence will be constructed.

We believe this development will provide much needed family housing in a very practical way and in a great location. This property as well as other properties on Okanagan Avenue are excellent candidates for rezoning and densification and this will increase the value of the other properties on the street.

Thank you for considering our proposal.

Best regards,



Tony Giroux **ASTTBC.CTech, RBD, BCABD**
Owner/Registered Building Designer
Giroux Design Group Inc.

Development Permit

Permit Number: DP PL2021-9169

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: Proposed Lot A (Legal to be updated after subdivision)
 - Civic: Proposed Lot A of 79 Okanagan Avenue West (civic to be updated after subdivision)
 - PID: Proposed Lot A (PID to be updated after subdivision)
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a duplex with one duplex suite 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 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 in accordance with the City of Penticton Fees and Charges Bylaw (as amended from time to time).

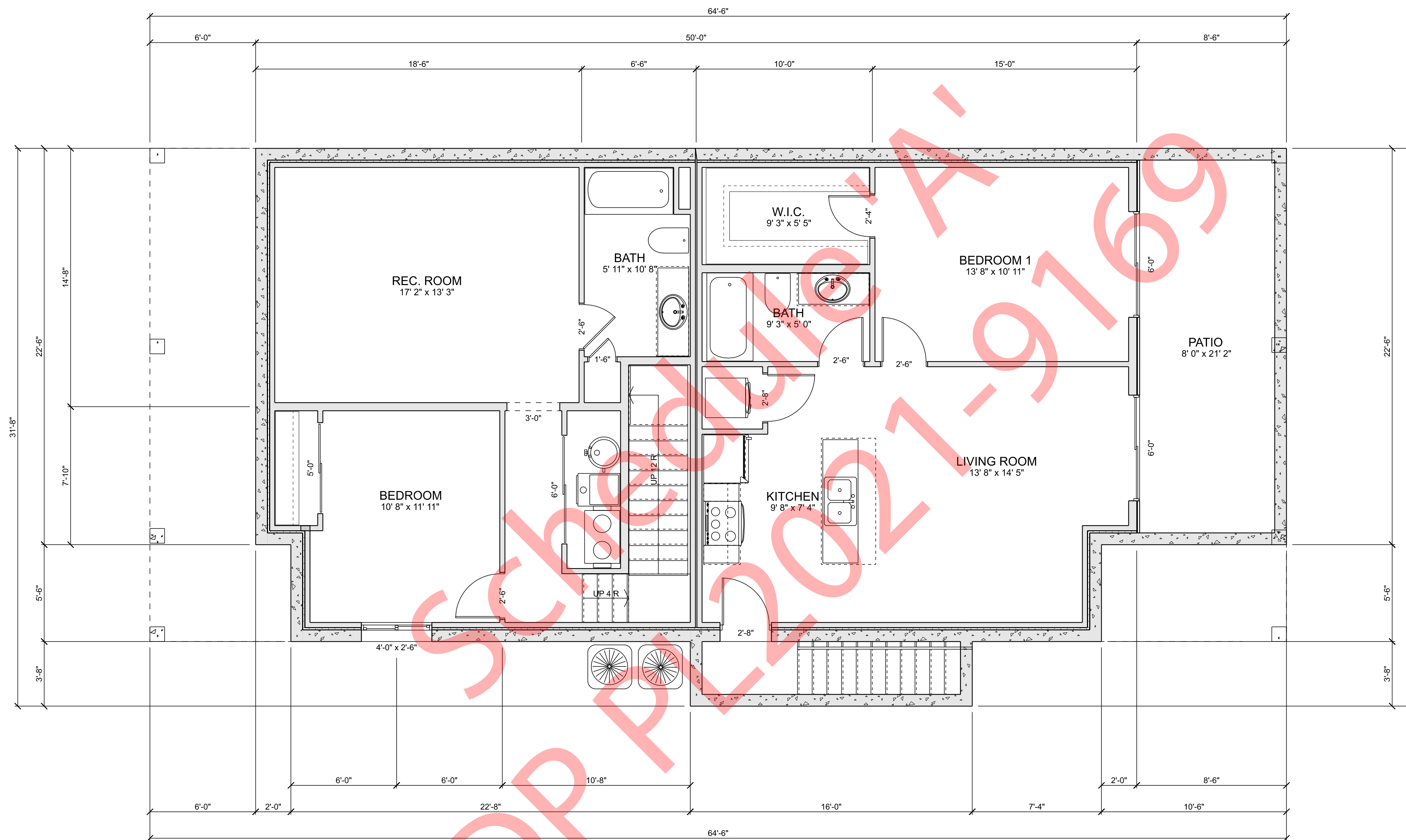
General Conditions

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 _____, 2022.

Issued this ____ day of _____, 2022.

Angela Collison
Corporate Officer



BASEMENT FOUNDATION PLAN
 SCALE: 1/4" = 1'-0"
 BASEMENT AREA: 689 sq ft.
 SECONDARY SUITE AREA: 689 sq ft.
 SECONDARY SUITE PATIO AREA: 166 sq ft.

HARMAN JOHAL
 79 OKANAGAN AVENUE W.
 PENTICTON, BC

DESIGN BY: AJG DATE: 11/19/21
 DRAWN BY: AJG REVISED:

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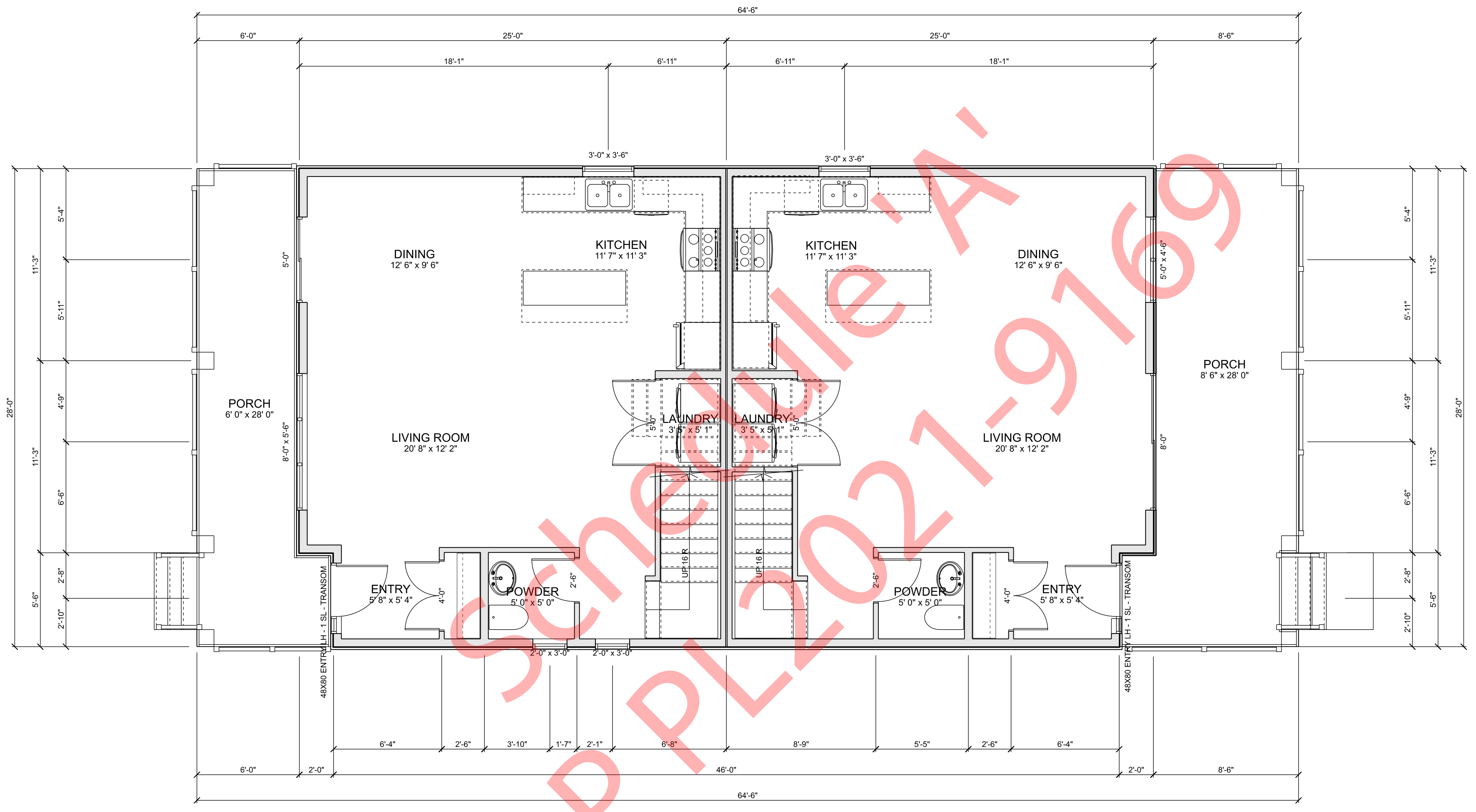
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 web: www.girouxdesigngroup.com

PLAN NO.
WP-5708
 SLAB
 SHEET NO.
A3

www.girouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

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Basement Floor Plan



MAIN FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 MAIN FLOOR LIVING AREA: 1378 sq ft.
 (LIVING AREAS EXCLUDE STAIRS)

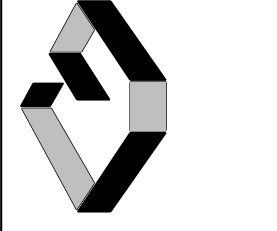
DRP PL 2021-9169

HARMAN JOHAL
 79 OKANAGAN AVENUE W.
 PENTICTON, BC
 DESIGN BY: AJG DATE: 11/19/21
 DRAWN BY: AJG REVISED:

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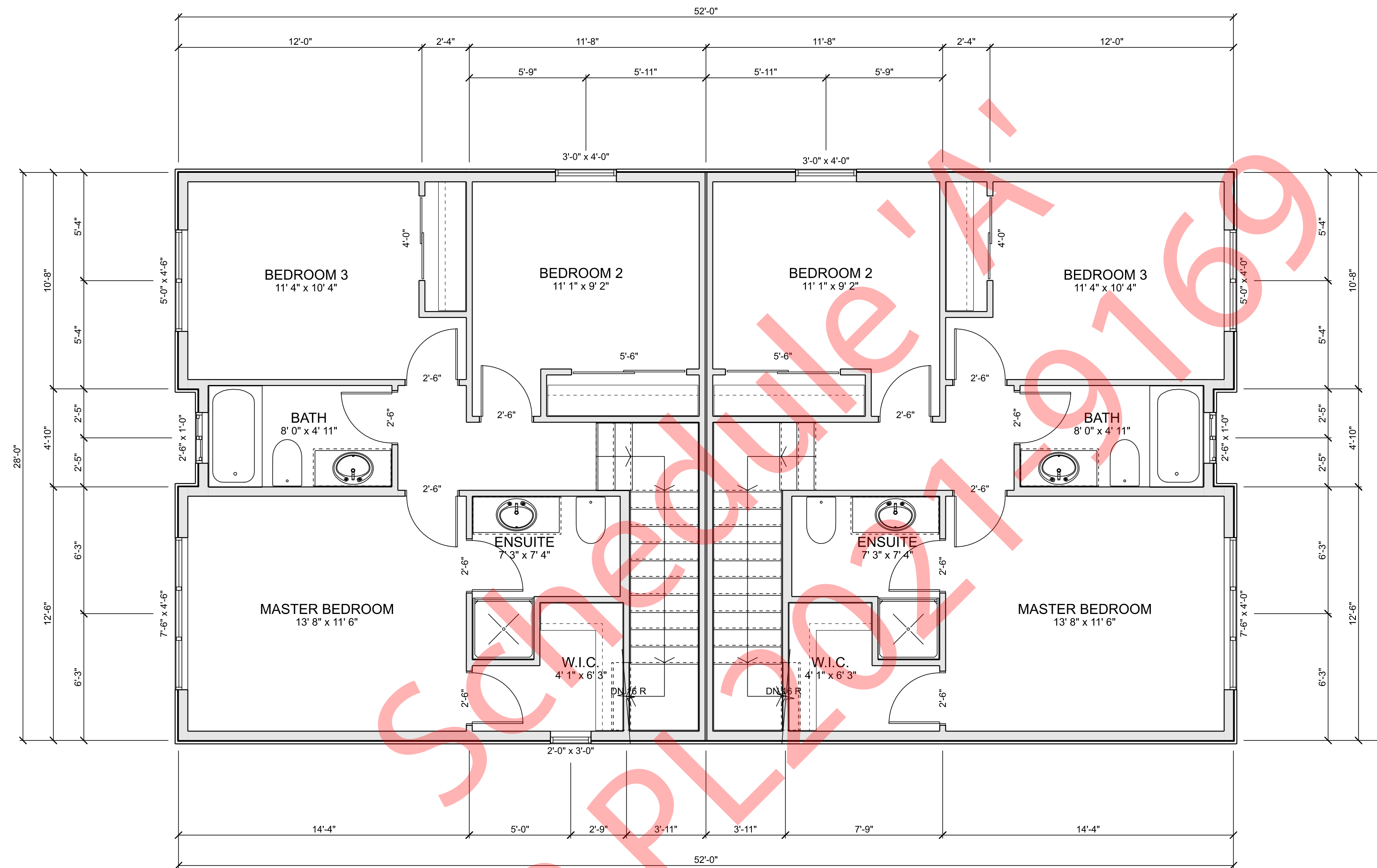


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Main Floor Plan

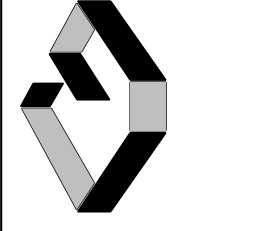


SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 SECOND FLOOR LIVING AREA: 1332 sq. ft.
 (LIVING AREAS EXCLUDE STAIRS)

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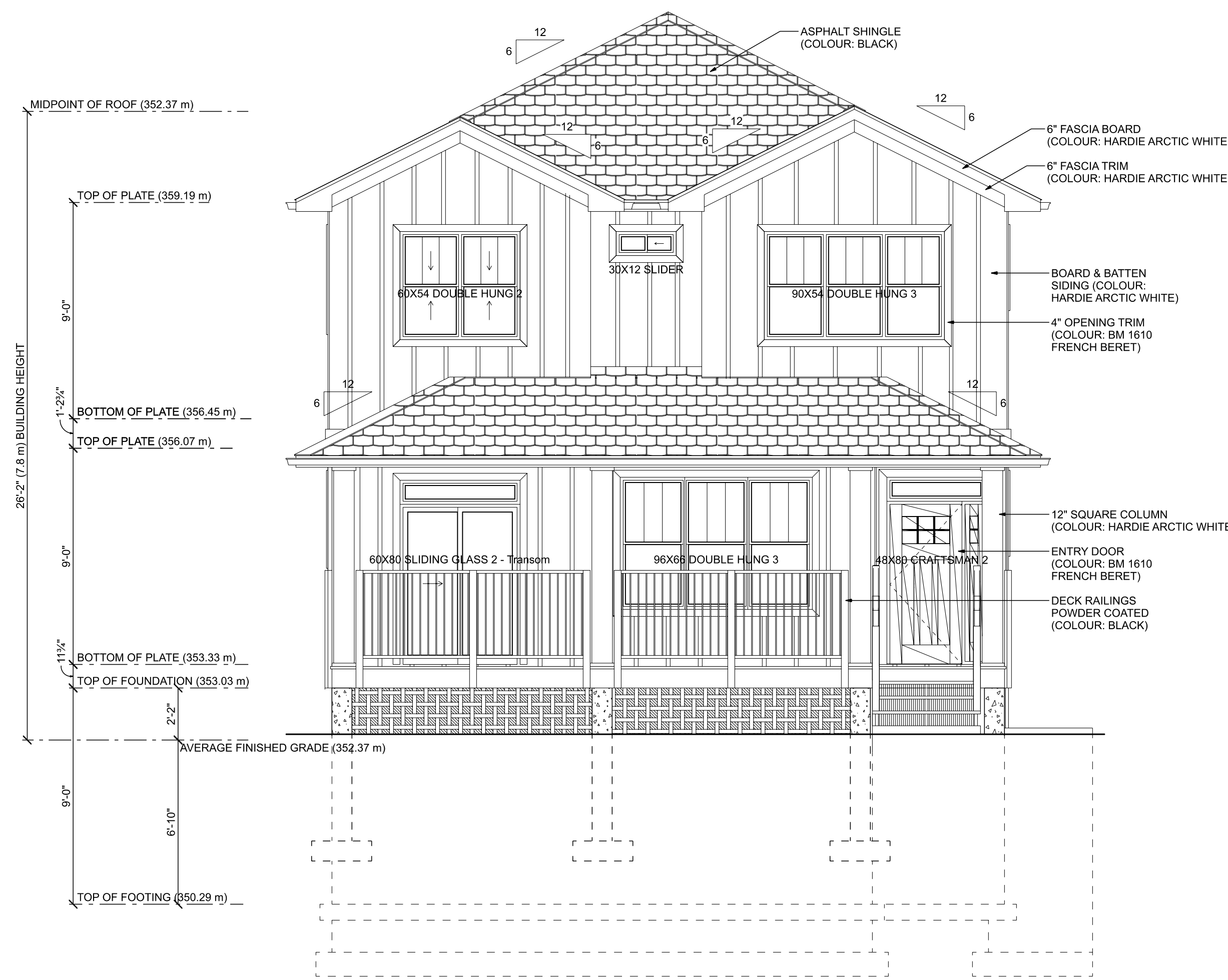
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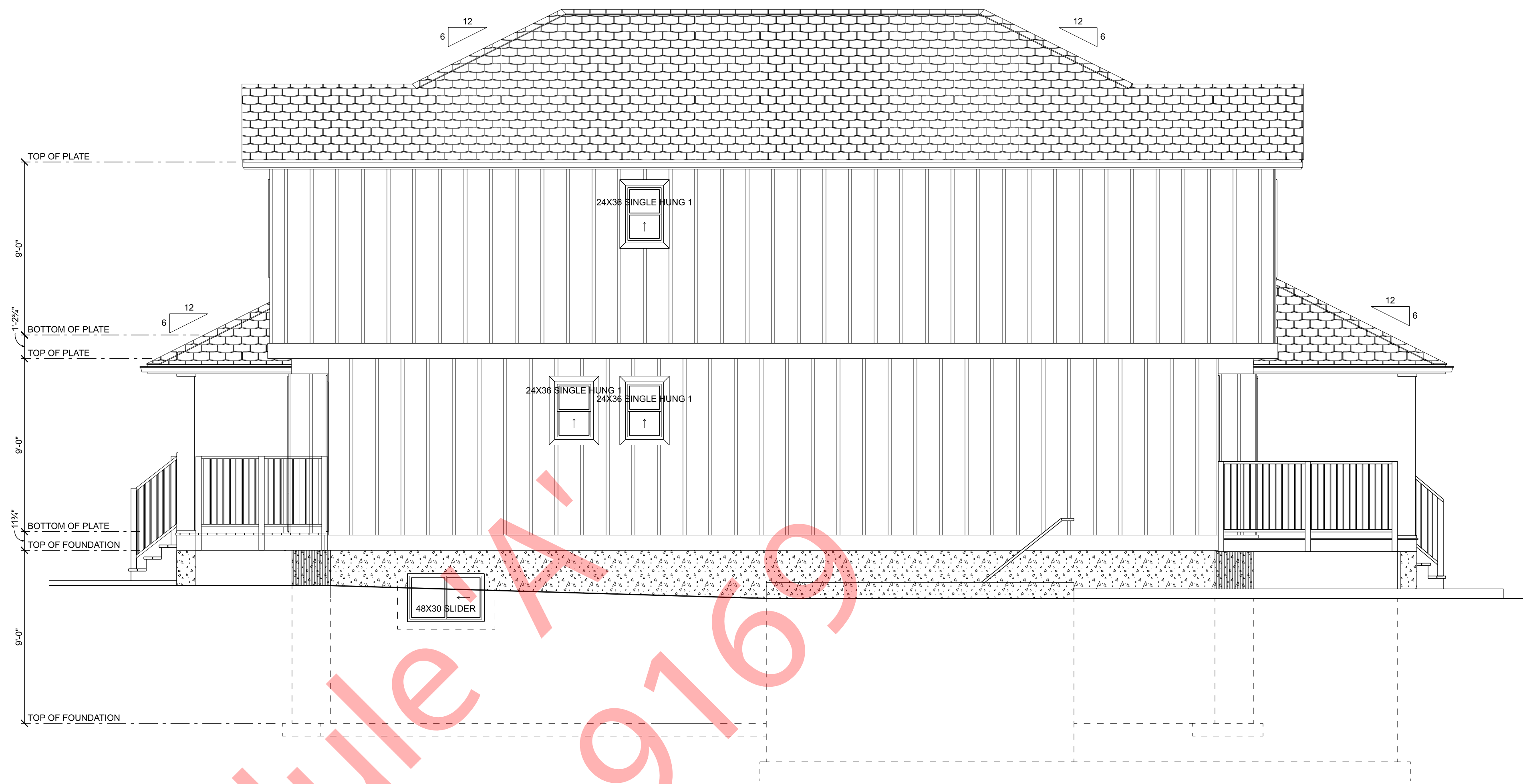
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 PENTICTON, BC
 DESIGN BY: AJG DATE: 11/19/21
 DRAWN BY: AJG REVISED:

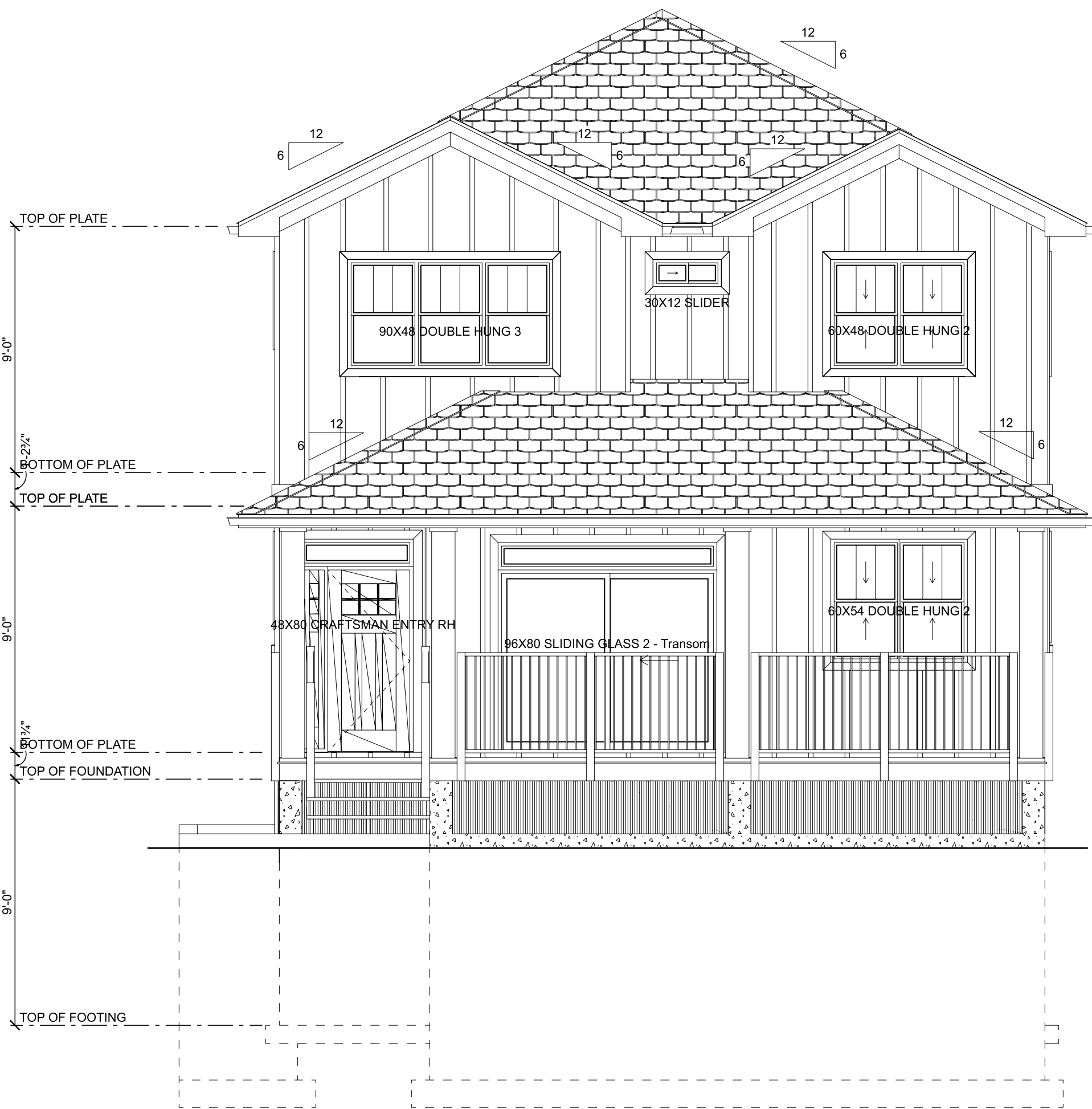
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 Second Floor Plan



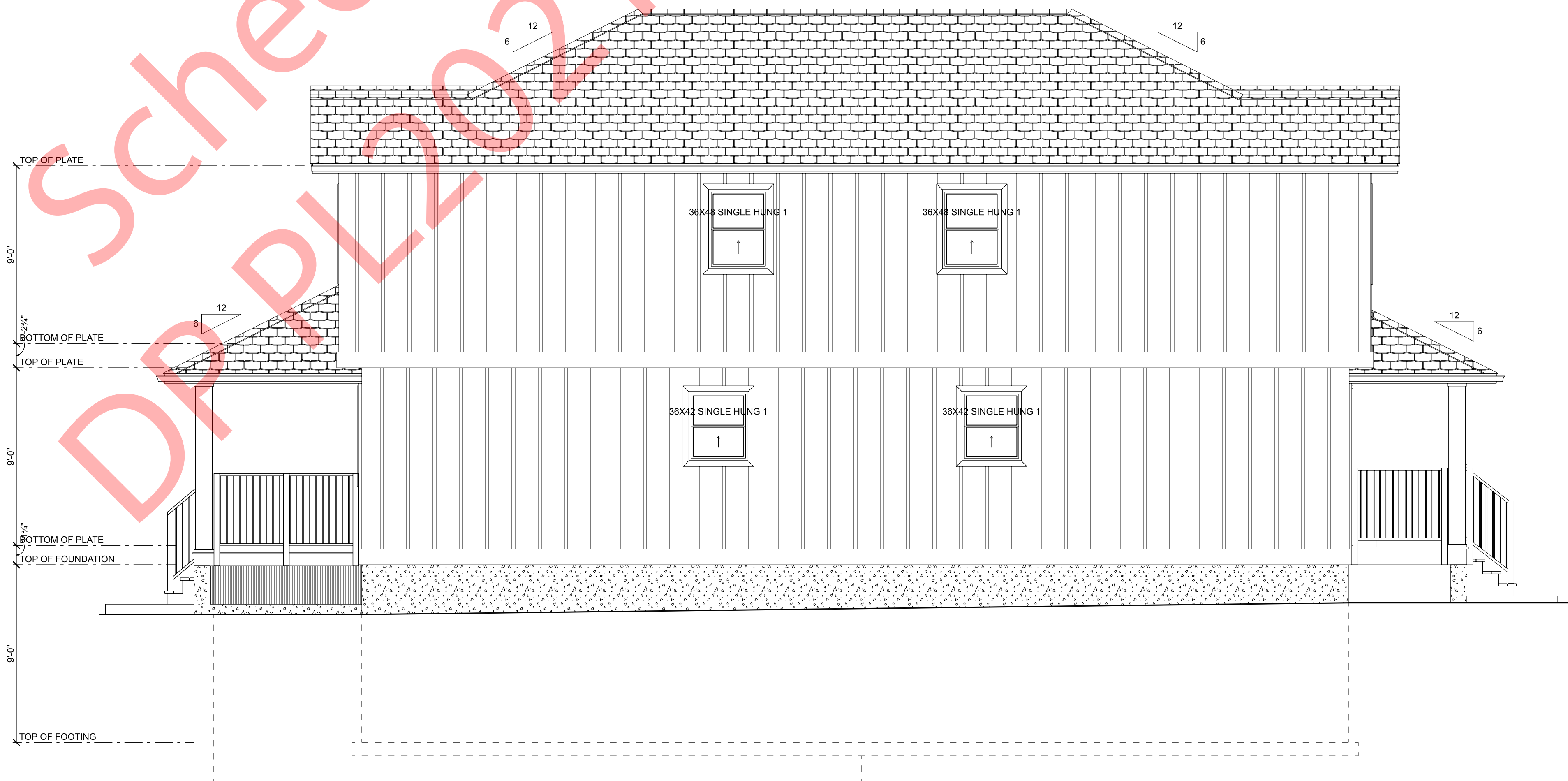
FRONT ELEVATION (WEST LOT)
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"

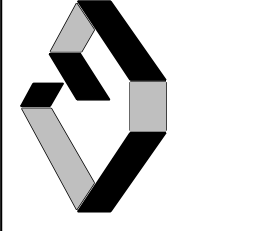


WEST ELEVATION
SCALE: 1/4" = 1'-0"

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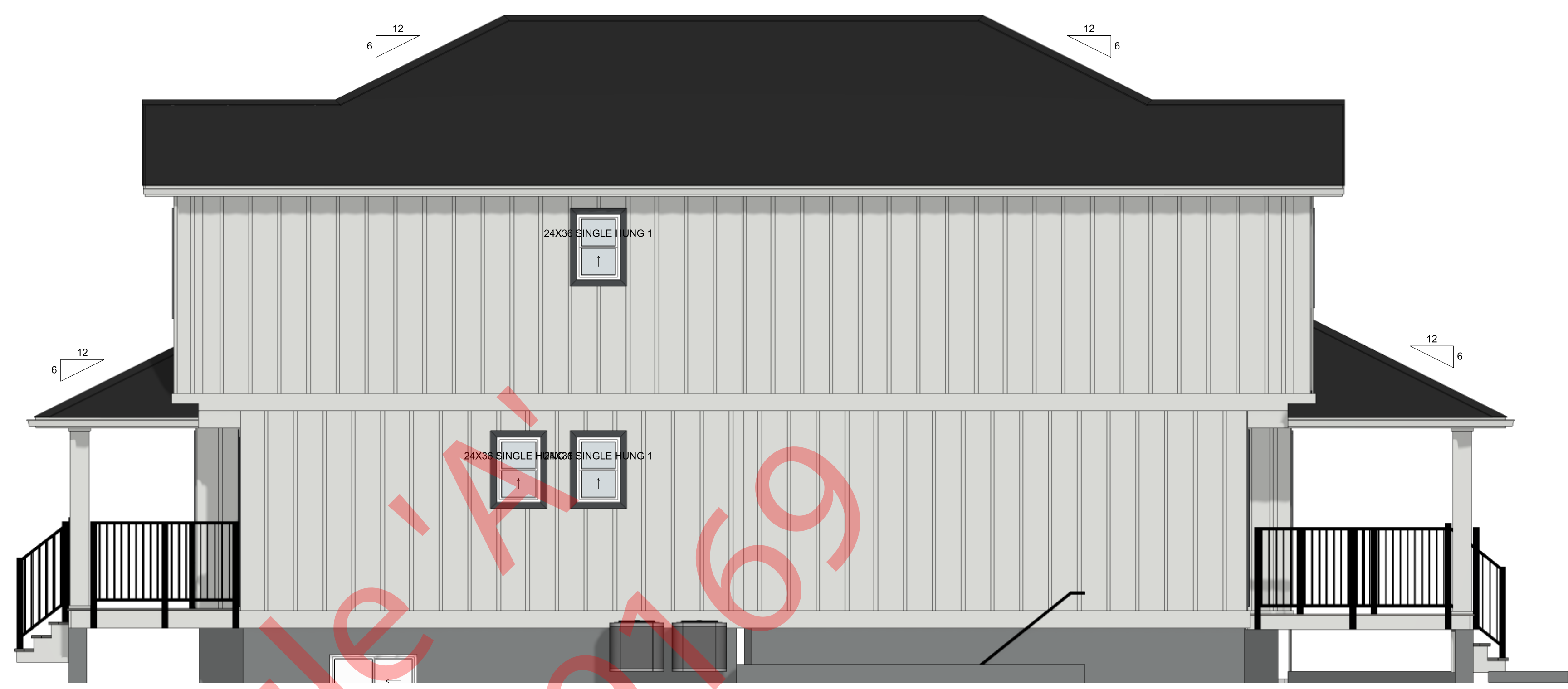
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 Exterior Elevations (West Lot)



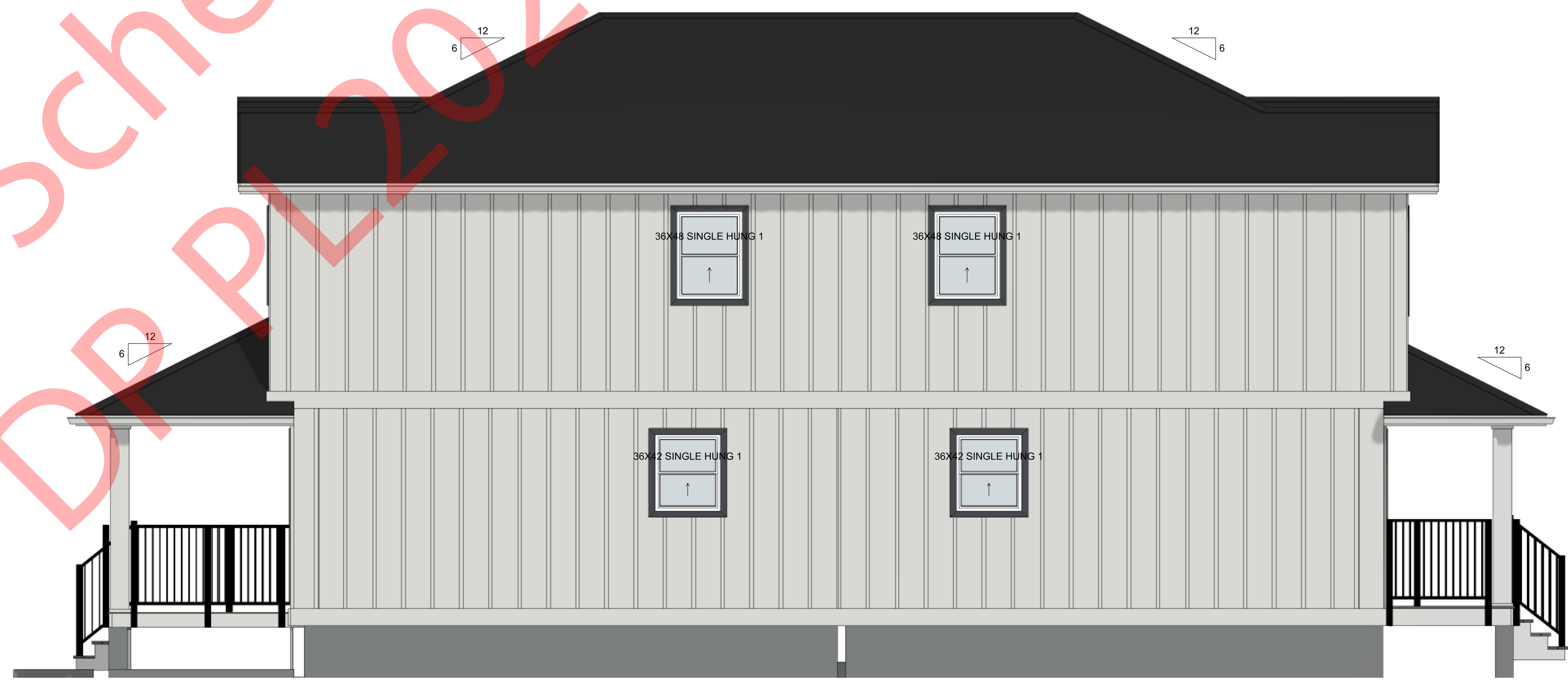
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

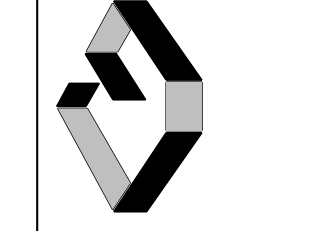
Draft Schedule 2021-9169

HARMAN JOHAL
79 OKANAGAN AVENUE W.
PENTICTON, BC

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Colour Exterior Elevations

Development Permit

Permit Number: DP PL2021-9170

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: Proposed Lot B (Legal to be updated after subdivision)
 - Civic: Proposed Lot B of 79 Okanagan Avenue West (civic to be updated after subdivision)
 - PID: Proposed Lot B (PID to be updated after subdivision)
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a duplex with one duplex suite 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 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 in accordance with the City of Penticton Fees and Charges Bylaw (as amended from time to time).

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 _____, 2022.

Issued this ____ day of _____, 2022.

Angela Collison
Corporate Officer

ZONING COMPLIANCE TABLE (RD3-INFILL RESIDENTIAL)			
REGULATION	CURRENT/REQUIRED	PROVIDED ON PLANS	AMENDMENT REQUIRED
OCF	GOR	GOR	NO
ZONING	R1	RD3	NO
LOT AREA	275 m2	675.09 m2 (337.5 m2 EACH)	N/A
MAXIMUM LOT COVERAGE	55%	49% (165 m2)	NO
MAXIMUM DENSITY	1.0 FAR	0.75 FAR (503.5 m2)	NO
MAXIMUM HEIGHT	10.5 m	7.8 m	NO
MINIMUM FRONT YARD (SOUTH)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD (EAST & WEST)	1.2 m	1.2 m	NO
MINIMUM EXTERIOR SIDE YARD	3.0 m	N/A	N/A
MINIMUM REAR YARD (NORTH)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	3	3 EACH LOT	NO
SECONDARY SUITE AMENITY AREA (15 m2 PER UNIT)	15 m2	15.7 m2 EACH SUITE	NO

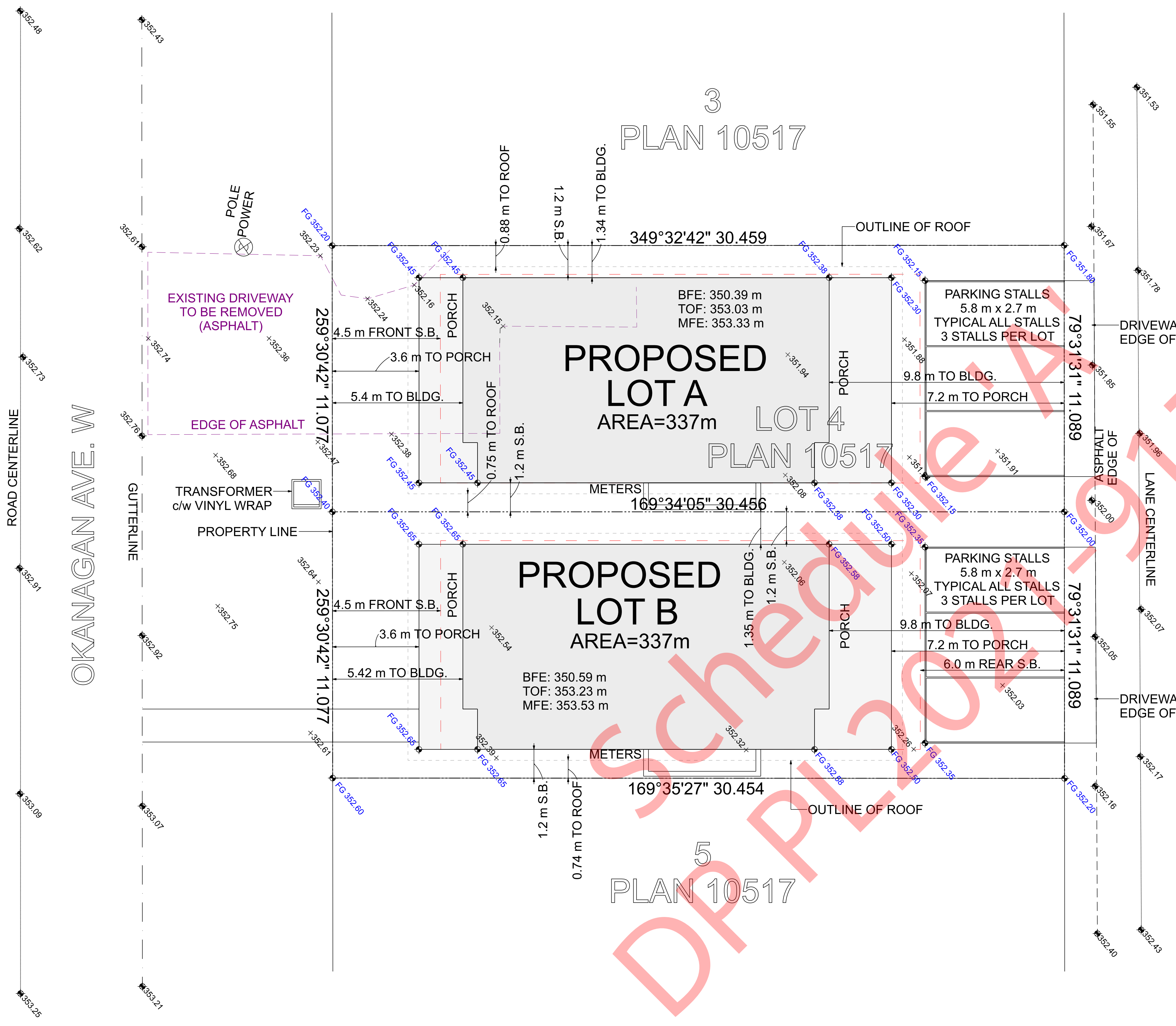
HARMAN JOHAL
 79 OKANAGAN AVENUE W.
 PENTICTON, BC
 DESIGN BY: AJG DATE: 11/19/21
 DRAWN BY: AJG REVISED:

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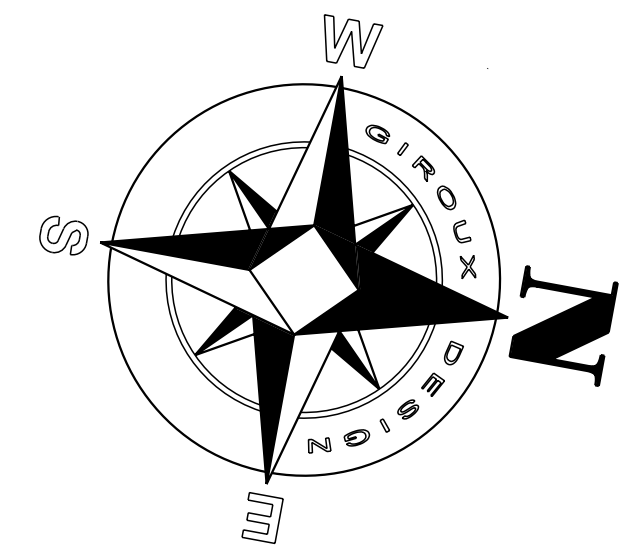
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LEGEND
 +352.36 - SPOT ELEVATION



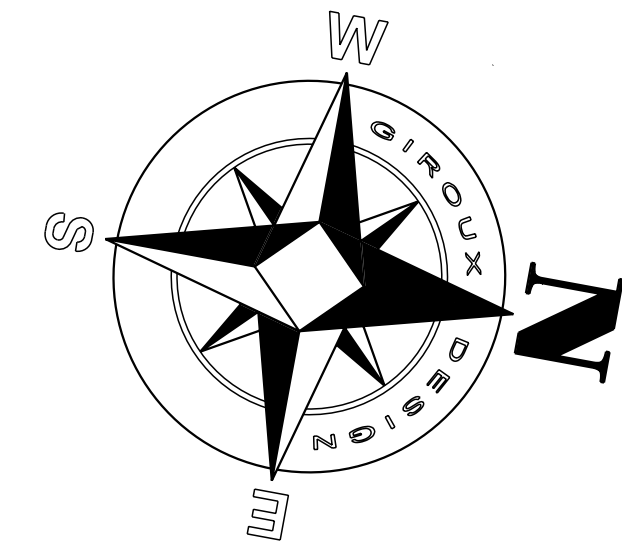
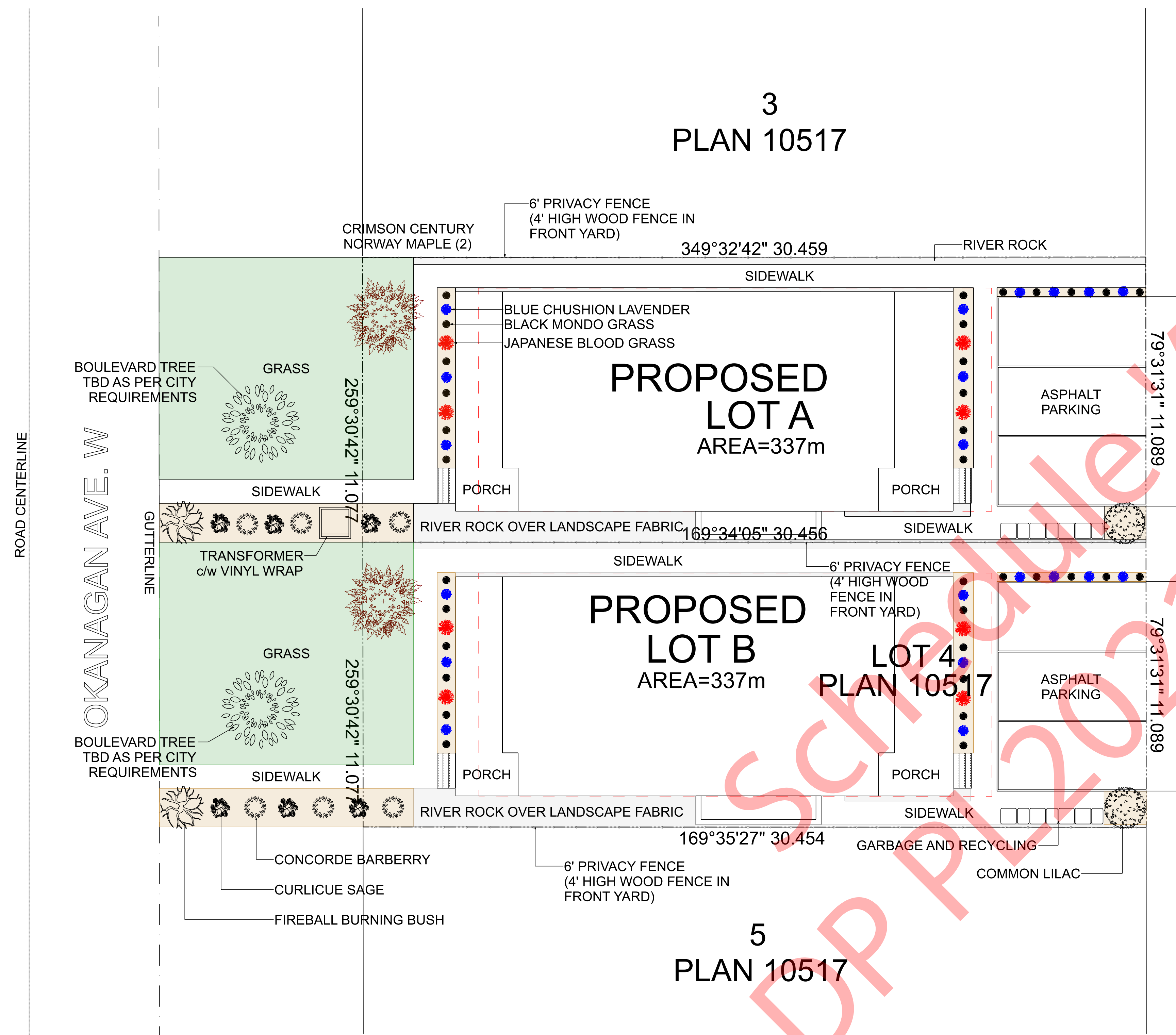
MANDEVILLE LAND SURVEYING INC.
 PROFESSIONAL B.C. AND CANADA LAND SURVEYORS
 FILE: 21-188
 FIELD SURVEY COMPLETED THIS 30th DAY OF JUNE, 2021
 ELEVATIONS ARE GEODETIC (ORTHOMETRIC HTv2.0) DERIVED FROM
 GNSS OBSERVATION AND PRECISE POINT POSITIONING (PPP)

SITE PLAN
 SCALE: 1:100
 CIVIC ADDRESS: 79 OKANAGAN AVENUE WEST, PENTICTON, B.C.
 LEGAL DESCRIPTION: LOT 4, DL 115, SDYD, PLAN 10517
 PID: 007-839-413

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Site Plan

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LANDSCAPE LEGEND

PLANTINGS:
 BLACK MONDO GRASS (*Ophiopogon planiscapus* 'Nigrescens') 34 qty.
 BLUE CUSHION LAVENDER (*Lavandula angustifolia* 'Blue Cushion') 20 qty.
 CONCORDE BARBERRY (*Berberis thunbergii* 'Concorde') 6 qty.
 CURLICUE SAGE (*Artemisia versicolor* 'Seafoam') 6 qty.
 FIRE BALL BURNING BUSH (*Euonymus alatus* 'Fire Ball') 2 qty.
 JAPANESE BLOOD GRASS (*Imperata cylindrica* 'Red Baron') 8 qty.

TREES:
 CRIMSON CENTURY NORWAY MAPLE: (2 qty.)
 COMMON LILAC (2 qty.)
 BOULEVARD TREES (2 qty.)

GROUND COVER/HARD SURFACES:
 ASPHALT (1243 sq.ft.)
 DRIVEWAY BASE (1243 sq.ft.)
 GRASS (1845 sq.ft.)
 PLANTING BEDS (638 sq.ft.)
 RIVER ROCK (956 sq.ft.)
 LANDSCAPE FABRIC (1593 sq.ft.)
 SIDEWALKS/PATIOS (1307 sq.ft.)

FENCING:
 4' HIGH WOOD FENCE (30 lin.ft.)
 6' HIGH WOOD PRIVACY FENCE (333 lin.ft.)

LANDSCAPE NOTES:
 SHRUBS SHALL BE A MIN OF No.2 POT SHRUBS

ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m

NO TREES, FENCES OR STRUCTURES WITHIN ROAD DEDICATION

NO RETAINING WALLS OVER 1.2 m IN HEIGHT ARE PERMITTED WITHIN ANY SETBACK AREA

LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS & TIMERS.

LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, ASPHALT. (INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)

DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

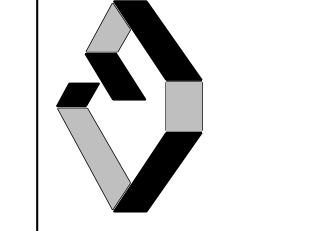
LANDSCAPE PLAN

SCALE: 1:100
 CIVIC ADDRESS: 79 OKANAGAN AVENUE WEST, PENTICTON, B.C.
 LEGAL DESCRIPTION: LOT 4, DL 115, SDYD, PLAN 10517
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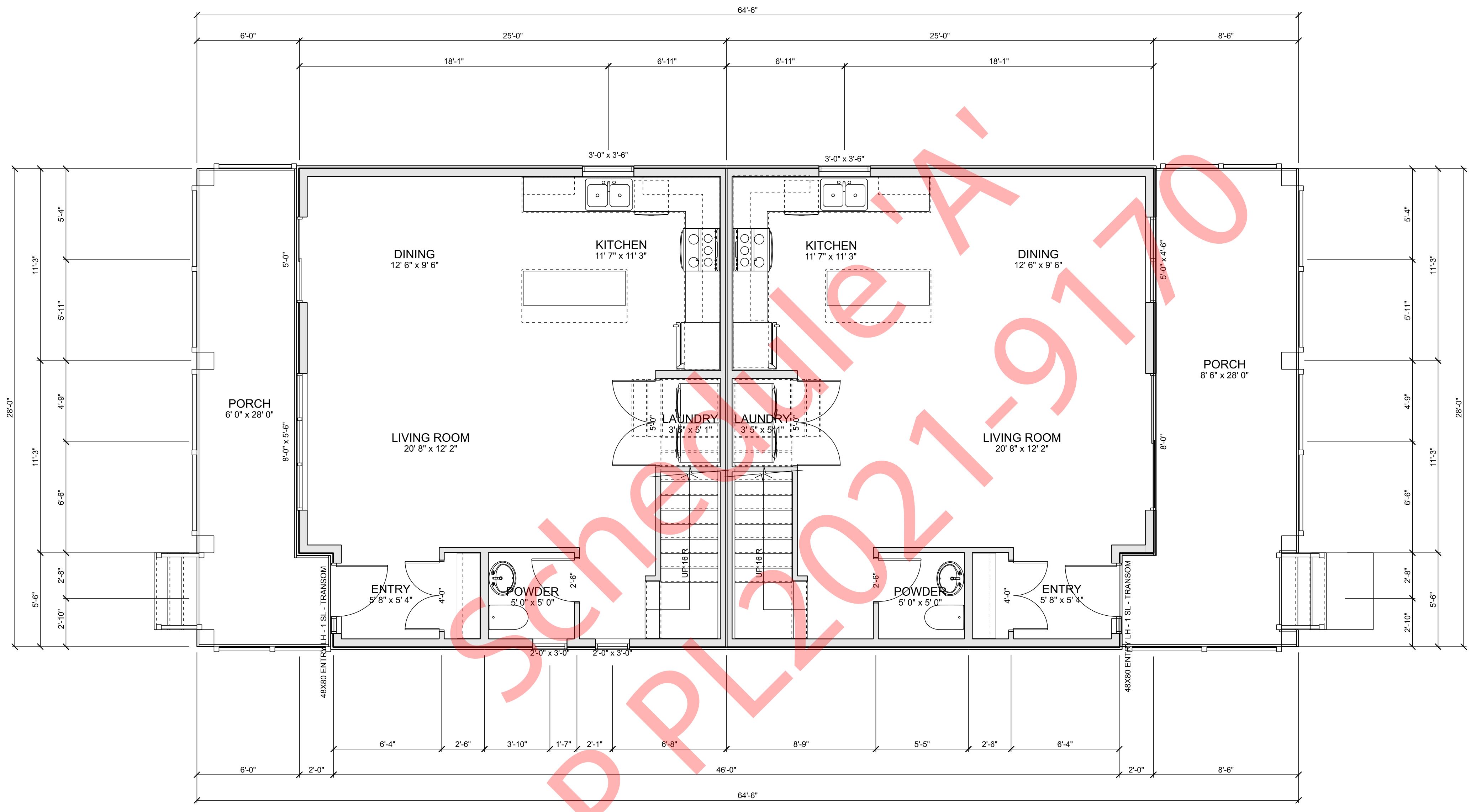
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HARMAN JOHAL
 79 OKANAGAN AVENUE W.
 PENTICTON, BC
 DESIGN BY: AJG DATE: 11/19/21
 DRAWN BY: AJG REVISED:



MAIN FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 MAIN FLOOR LIVING AREA: 1378 sq ft.
 (LIVING AREAS EXCLUDE STAIRS)

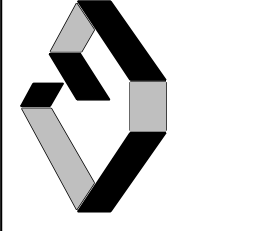
DRP PL 2021-9170

HARMAN JOHAL
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 unless they are approved by the local authority having jurisdiction. The drawings
 are not to be used for any other purpose without the written consent of Giroux Design
 Group Inc. The purchaser of these drawings shall be deemed to have accepted the drawings
 and to warrant to the builder with license to construct more than one dwelling unit.

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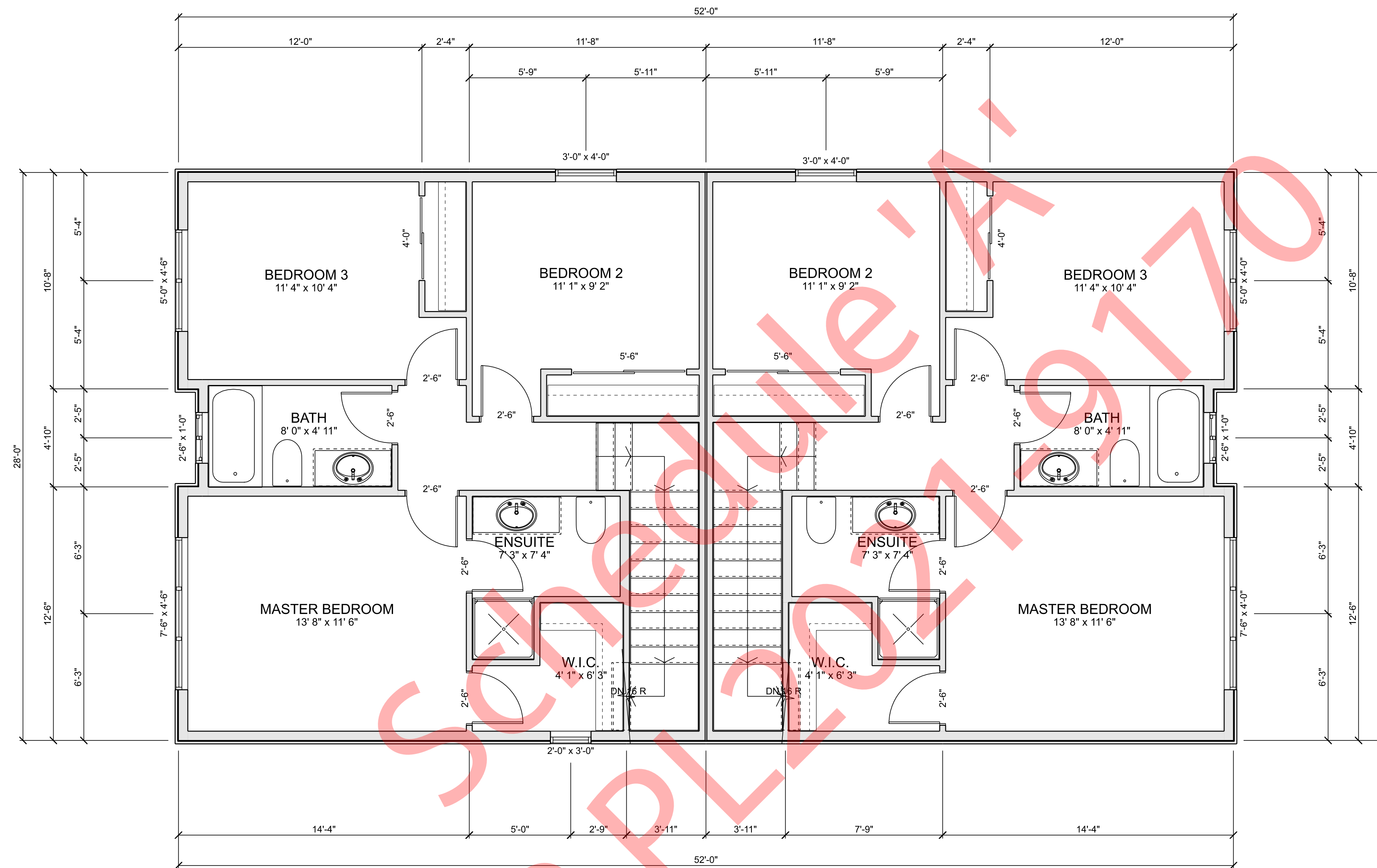


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Main Floor Plan

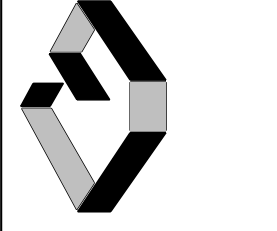


SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 SECOND FLOOR LIVING AREA: 1332 sq. ft.
 (LIVING AREAS EXCLUDE STAIRS)

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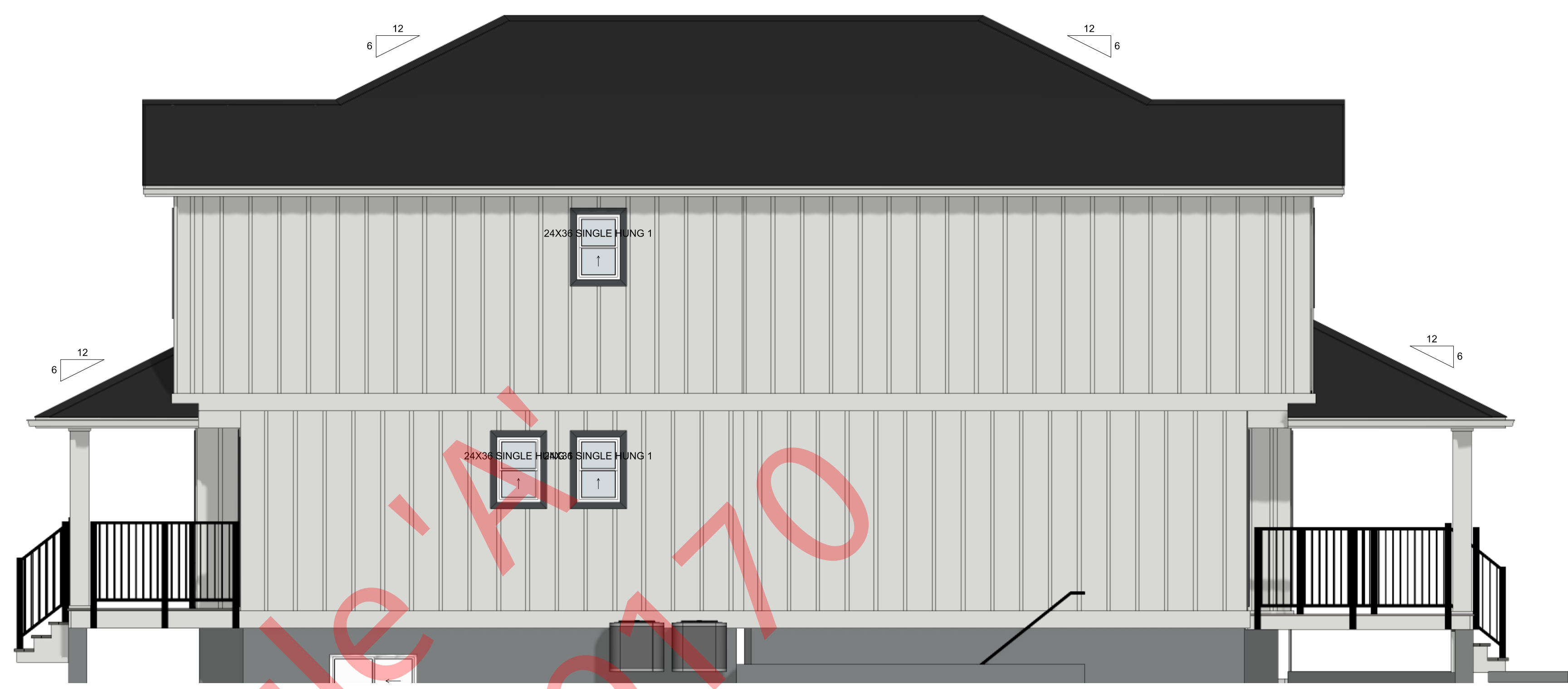


PLAN NO.
WP-5708
 SLAB
 SHEET NO.
A5

HARMAN JOHAL
 79 OKANAGAN AVENUE W.
 PENTICTON, BC
 DESIGN BY: AJG DATE: 11/19/21
 DRAWN BY: AJG REVISED:



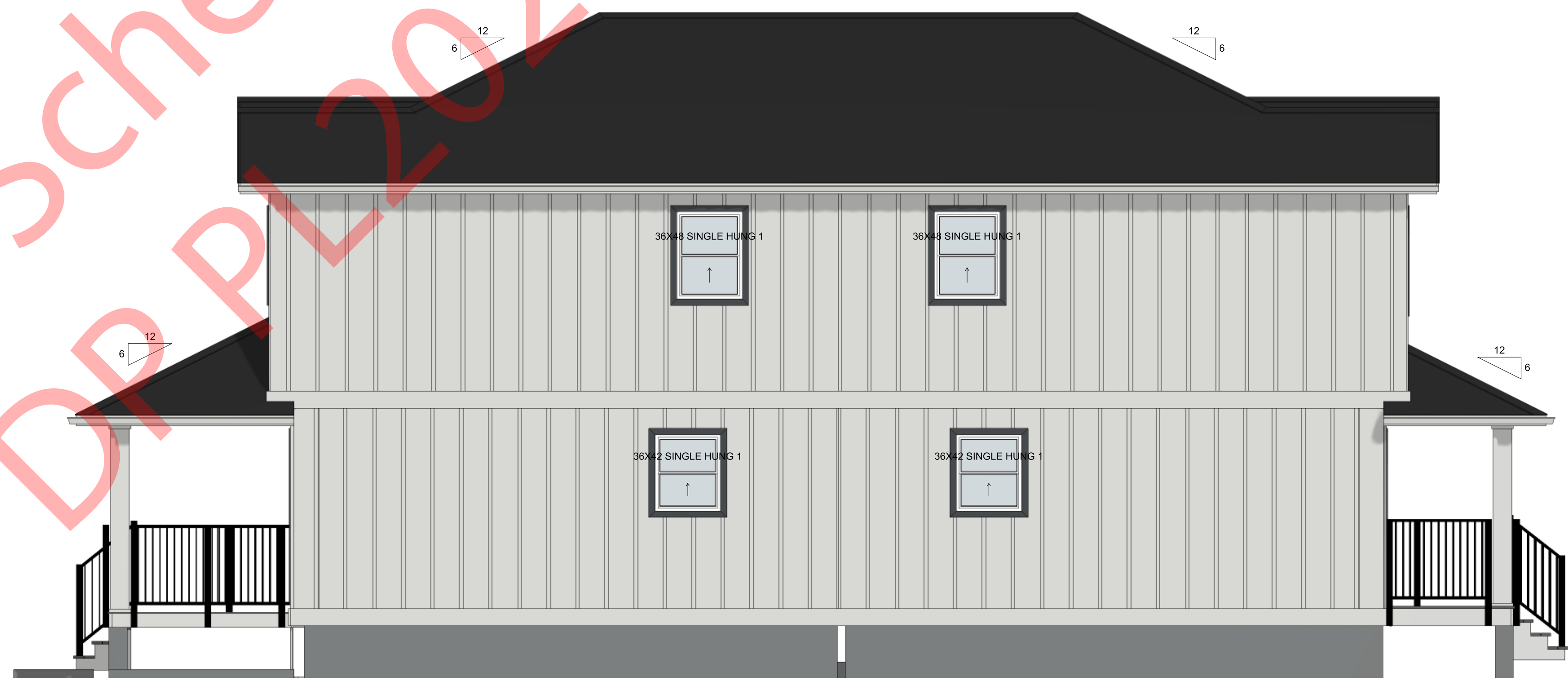
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"

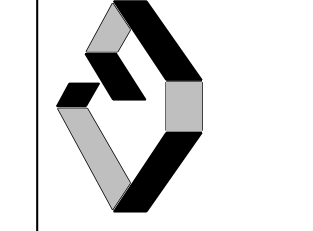
Draft Schedule 2021-9170

HARMAN JOHAL
79 OKANAGAN AVENUE W.
PENTICTON, BC

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PLAN NO.
WP-5708
SLAB
SHEET NO.
A8

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Colour Exterior Elevations

The Corporation of the City of Penticton

Bylaw No. 2022-04

A Bylaw to Amend Zoning Bylaw 2021-01

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 No. 2021-01;

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. 2022-04".

2. Amendment:

2.1 Zoning Bylaw No. 2021-01 is hereby amended as follows:

Rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, from R1 (Large Lot Residential) to RD3 (Residential Infill).

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

READ A FIRST time this	18	day of	January, 2022
A PUBLIC HEARING was held this	1	day of	February, 2022
READ A SECOND time this		day of	, 2022
READ A THIRD time this		day of	, 2022
RECEIVED the approval of the		day of	, 2022
Ministry of Transportation on the			
ADOPTED this		day of	, 2022

Notice of intention to proceed with this bylaw was published on the 25 day of January, 2022 and the 26 day of January, 2022 in the Penticton newspaper, pursuant to Section 94 of the Community Charter.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i> this _____ day of _____, 2022</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure</p>
--

Rezone
79 Okanagan Ave W
From R1 (Large Lot Residential)
To RD3 (Residential Infill)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2022-04

Date: _____

Corporate Officer: _____

Officer

Zoning Amendment Bylaw 2022-04
Subject & Proposal: For 79 Okanagan
Ave West. Lot 4 District Lot 115
Similkameen Division Yale District Plan
10517,

Where not against the two duplex lots
but with 2 suites that's ^{alot} of street parking
with only 6 parking space in the alley.
There is a group home at 66 Okanagan Ave
West & they park on the street & alot of people
coming and going & plus the people who
live here.

If they don't put off street parking out
front it makes the street ^{will be} narrower so
hard to get in & out of driveways. This
a very busy street all the time people going
up to KFC & Shades they go fast.

If we sell are place in the future next
say five to seven years. Who ever buys it
will also want to subdivide and they will
have to have off street parking so we think
that it's fair, to look to the future
& look at the land around each street
not only here but all of Penticton.

Henry & Brenda Janzen
80 Okanagan Ave West
Penticton B.C
V2A 3K9

RECEIVED

JAN 28 2022

EXTERNAL
DROP

**Public Hearing - LATE SUBMISSION -
79 Okanagan Avenue West**

From: bill ross
Sent: Monday, January 31, 2022 11:34 PM
To: Public Hearings
Subject: Opposition to proposed zoning amendment bylaw 2022-04; 79 Okanagan Ave. W.

Attention Corporate Officer, City of Penticton.

Dear sir;

Please present on my behalf to the public hearing on the matter of the request to re-zone 79 Okanagan Ave. W., , this correspondence.

Yours

William A (Bill) Ross.

Joint owner, with my wife Dinora Torres, of 85 Okanagan Ave. W.

Residing at 35406 Veterans Memorial Highway, Alberta.

Box 387, Castor Alberta T0C 0X0

Please do not include my phone number nor my email address in the public record.

Thank you

Yours

Bill Ross

Submission:

City Council of the City of Penticton;

Respectfully;

In regards to an application to re-zone and subdivide the lot at 79 Okanagan Avenue West.

I must oppose this application for a number of reasons:

1. I have not been informed of nor am I aware of any advantage to myself, to the neighbourhood or to the City as a result of this proposal.

2. I am opposed to spot zoning or re-zoning. While there may be exceptions to my opposition, I do not accept the desires and anticipated financial gain of a developer as a valid reason for an exception.

3. I note the City of Penticton has adopted an Official Community Plan:

Official Community Plan Bylaw

No. 2019-08

3. Purpose:

The purpose of the Official Community Plan is to provide a framework of goals and policies to guide decisions on planning and land use within the City of Penticton boundaries. All pertinent bylaws and works undertaken by Council will be consistent with the Official Community Plan."

I submit that spot re-zoning is contrary to both the intent and to the spirit of the Official Community Plan.

I further note that one of the stated directions of the Official Community Plan Bylaw is; "All pertinent bylaws and works undertaken by Council will be consistent with the Official Community Plan."

The proposed re-zoning is contrary to and inconsistent with the stated direction of the Official Community Plan.

4. The proposal has a very real potential to negatively impact the character of the area and has the potential to negatively affect the property values of nearby properties.

It is unlikely that any gain in the value of the subject property will equal the loss of value of nearby properties.

In any event, while any gain in value will be enjoyed by the owner of the subject property, the loss in value of nearby properties will be borne by other owners.

I pray that council will abide by the existing Bylaws and reject this proposed re-zoning and subdivision.

Yours Respectfully

Bill Ross

Co-Owner of 85 Okanagan Avenue West, Penticton BC.