

Public Hearing
to be held at the City of Penticton Council Chambers
171 Main Street, Penticton, B.C.
To view the Council Meeting, visit www.penticton.ca

Tuesday, March 15, 2022
at 6:00 p.m.

- | | | |
|-------|---|------|
| 1. | Mayor Calls Public Hearing to Order for “Zoning Amendment Bylaw No. 2022-11” | 1-28 |
| CO | <p>Reads Opening Statement and Introduction of Bylaw</p> <p>“Zoning Amendment Bylaw No. 2022-11”</p> <p>Purpose: To amend Zoning Bylaw No. 2021-01 as follows:</p> <p style="padding-left: 40px;">Rezone Lot 14 District Lot 250 Similkameen Division Yale District Plan 910, located at 220 Nelson Avenue, from R2 (Small Lot Residential) zone to RD4 (Low Density Cluster Housing) zone.</p> <p style="padding-left: 40px;">The applicant intends to build a four-unit cluster housing development.</p> <p>Notice: The Public Hearing was advertised in the Penticton Herald Newspaper on Tuesday, March 8, 2022 and Wednesday, March 9, 2022 (pursuant to the <i>Local Government Act</i>).</p> | |
| CO | No correspondence has received regarding the Zoning Amendment Bylaw (as of noon Wednesday, March 9, 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. 2022-11” is terminated and no new information can be received on this matter.

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

Tuesday, March 1, 2022
at 1:00 p.m.

Resolutions

- 10.6 Zoning Amendment Bylaw No. 2022-11
Development Variance Permit PL2021-9160
Development Permit PL2021-9161
Re: 220 Nelson Avenue

63/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-11", a bylaw to rezone Lot 14 District Lot 250 Similkameen Division Yale District Plan 910, located at 220 Nelson Avenue, from R2 (Small Lot Residential) zone to RD4 (Low Density Cluster Housing) zone;
AND THAT Council forward "Zoning Amendment Bylaw No. 2022-11" to the March 15, 2022 Public Hearing;
AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-11", consider "Development Variance Permit PL2021-9160" for Lot 14 District Lot 250 Similkameen Division Yale District Plan 910, located at 220 Nelson Avenue, a permit to vary Section 10.7.2.3 of Zoning Bylaw 2021-01 to increase the maximum lot coverage from 40% to 51%;
AND THAT Council, subject to approval of "Development Variance Permit PL2021-9160", approve "Development Permit PL2021-9161" for Lot 14 District Lot 250 Similkameen Division Yale District Plan 910, located at 220 Nelson Avenue, a permit to approve the form and character of a four-unit cluster housing development on the subject property.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: March 1, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 220 Nelson Avenue

File No: RMS/220 Nelson Ave

**Subject: Zoning Amendment Bylaw No. 2022-11
Development Variance Permit PL2021-9160
Development Permit PL2021-9161**

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-11", a bylaw to rezone Lot 14 District Lot 250 Similkameen Division Yale District Plan 910, located at 220 Nelson Avenue, from R2 (Small Lot Residential) zone to RD4 (Low Density Cluster Housing) zone;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-11" to the March 15, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-11", consider "Development Variance Permit PL2021-9160" for Lot 14 District Lot 250 Similkameen Division Yale District Plan 910, located at 220 Nelson Avenue, a permit to vary Section 10.7.2.3 of Zoning Bylaw 2021-01 to increase the maximum lot coverage from 40% to 51%;

AND THAT Council, subject to approval of "Development Variance Permit PL2021-9160", approve "Development Permit PL2021-9161" for Lot 14 District Lot 250 Similkameen Division Yale District Plan 910, located at 220 Nelson Avenue, a permit to approve the form and character of a four-unit cluster housing development on the subject property.

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 build a four unit cluster housing development on the subject property. The development plans show two side-by-side duplexes (Figure 1). In order to proceed with the proposed development, the applicant is proposing to rezone the property from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing). In addition, the applicant has submitted a Development Variance Permit application to request an increased lot coverage from 40% to 51%.

The proposed development falls within the Multifamily Residential Development Permit Area, and the applicant has submitted a Development Permit application for Council’s approval of the form and character of the proposed development. The three applications are being presented to Council concurrently for their consideration.



Figure 1 - Rendering of proposed development

Background

The subject property is located on the south side of Nelson Avenue, east of Main Street (Figure 1). The property contains a single detached dwelling and is located in a residential neighbourhood primarily consisting of single detached dwellings with some duplexes. The property is within walking distance of the Main Street commercial corridor, Safeway Plaza, KVR trail, and the downtown.

The property is currently zoned R2 (Small Lot Residential) in the Zoning Bylaw and is designated 'Infill Residential' by the Official Community Plan (OCP).

Technical Review

This proposed development was reviewed by the Technical Planning Committee (TPC), a group of internal staff who review planning applications. The applicant updated the plans to show the information and details staff had requested. The applicant is responsible for any servicing upgrades to the development. Development Cost Charges (DCC’s) will be paid at the building permit stage to help offset the increased demand on municipal infrastructure and services. Other future building permit requirements were sent to the applicant.



Figure 2 - Property location map

Development Statistics

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

	RD4 Zone Requirement	Provided on Plans
Minimum Lot Width:	18 m	24.3 m
Minimum Lot Area:	540 m ²	754 m ²
Maximum Lot Coverage:	40%	51% - Variance Requested
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.8 FAR
Vehicle Parking:	1 parking space per unit 0.25 visitor parking spaces per unit Total: 5 spaces required	4 parking spaces in garages 4 parking spaces in driveways Total: 8 parking spaces provided
Required Setbacks		
Front Yard (Nelson Ave):	4.5 m *	4.5 m
Side Yard (east):	1.5 m	1.5 m
Side Yard (west):	1.5 m	1.5 m
Rear Yard:	6.0 m	6.0 m
Maximum Building Height	10.5 m	7.2 m
Amenity Space	20 m ² per unit Total: 80 m ² required	36 m ² rear yard per unit Total: 144 m ² provided
Other Information:	* Minimum 6 m setback required from the back of sidewalk to the garage door in order to accommodate a vehicle parking in front of the garage door (Section 4.2.5). The plans meet this requirement.	

Analysis

Zoning Amendment

The OCP designation for the property is 'Infill Residential' which supports lower-height residential areas with new housing types compatible with existing single detached houses in character but providing more units per lot (Figure 3). Typical building types in the Infill Residential designation include duplexes, triplexes, and

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Infill Residential</p>	Transitional lower-height residential areas with new housing types compatible with existing single detached houses in character and scale but providing more units per lot.	<ul style="list-style-type: none"> • Single detached houses with or without secondary suites and/or carriage houses • Duplexes with or without suites • Triplexes • Lower-density rowhouses • Small-scale neighbourhood commercial building (e.g., corner store, coffee shop). 	<ul style="list-style-type: none"> • Residential • Limited retail/service 	<ul style="list-style-type: none"> • 1 to 4 units per single lot • Consolidation of lots possible for lower scale multifamily developments • Generally up to 2 ½ storeys 	<ul style="list-style-type: none"> • R1 • R2 • R3 • RD1 • RD2 • RD3 • C2

Figure 3 - Excerpt from Land Use Designations table (OCP)

lower-density rowhouses with up to 4 units per single lot. The proposed development of two duplexes is consistent with the OCP vision for the neighbourhood.

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

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
- 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 4.2.1.7 Promote walking, cycling and transit use through strategic land use planning that facilitates denser, attractive, mixed-use communities that are rich in amenities.
- 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.

Staff consider that the application proposes an appropriately scaled development in an area of the community that has been identified for increased density within the OCP. The proposed 2-storey building height is considered compatible with the surrounding neighbourhood. The RD4 zone allows for a maximum of 4 dwelling units per property, which is aligned with the Infill Residential designation (Figure 3).

Given that there is adequate policy through the OCP to support the proposal, staff recommend Council give first reading to “Zoning Amendment Bylaw No. 2022-11”, and forward the bylaw to the March 15, 2022 Public Hearing to hear comments and feedback from the public.

Development Variance Permit

When considering a variance to a City bylaw, staff encourages Council to consider whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. Staff have reviewed the requested variance and are recommending support for the following reasons:

1. Section 10.7.2.3: to increase the maximum lot coverage from 40% to 51%.
 - a. The property is 557m² (6,000ft²) in area. 40% lot coverage allows a maximum total building envelope of 301.5m² (3,245ft²)
 - b. The development has been designed at two stories, while three storeys is permitted. This building scale is expected to suit the street better than a three storey development because of the lower height homes surrounding this property. A three storey design could have met

- the lot coverage allowance while providing a similar size living space in each unit, but could have negatively impacted neighbours' privacy.
- c. The lot coverage calculation includes a 2nd floor cantilever and covered balcony designed over the driveway at the front of the property (Figure 4). The Zoning Bylaw requires that these cantilevered floor areas be counted towards lot coverage, even when the space below is open.
- d. The increased lot coverage still allows 39% of the site for open, uncovered space including landscaping, yards and parking.



Figure 4 - Side view of proposed cantilever over driveways

Given the reasons above, staff support the variance request to increase the maximum lot coverage from 40% to 51% to facilitate the construction of two side-by-side duplexes on the subject property. Staff recommend that Council, subject to adoption of Zoning Amendment Bylaw No. 2022-11, consider this development variance permit.

Development Permit

The proposed development is included in the Multifamily Residential Development Permit Area (DPA) outlined by the OCP. The Multifamily Residential DPA is established to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention, and neighbourliness. The applicant has submitted a development permit analysis with their submission which outlines conformance with the OCP design guidelines (Attachment 'D'). Staff have also completed a development permit analysis (Attachment 'E') that shows how the development conforms to the DPA guidelines.

The proposed development has been designed with the OCP policies and guidelines in mind and is a project aimed at achieving the desired density for this area of the City with up to four units per lot, while being courteous in scale to the surrounding neighbours. As such, staff recommend that Council, subject to adoption of Zoning Amendment Bylaw No. 2022-11" and approval of "Development Variance Permit PL2021-9160", approve "Development Permit PL2021-9161" and direct staff to issue the permits.

Alternate Recommendations

Council may consider that the proposed Zoning Amendment Bylaw is not suitable or desirable for this site. If this is the case, Council should deny first reading of the Zoning Amendment Bylaw.

- 1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2022-11".

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent and Development Permit Analysis (applicant)

- Attachment E – Development Permit Analysis (staff)
- Attachment F – Draft Development Variance Permit PL2021-9160
- Attachment G – Draft Development Permit PL2021-9161
- Attachment H – Zoning Amendment Bylaw No. 2022-11

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

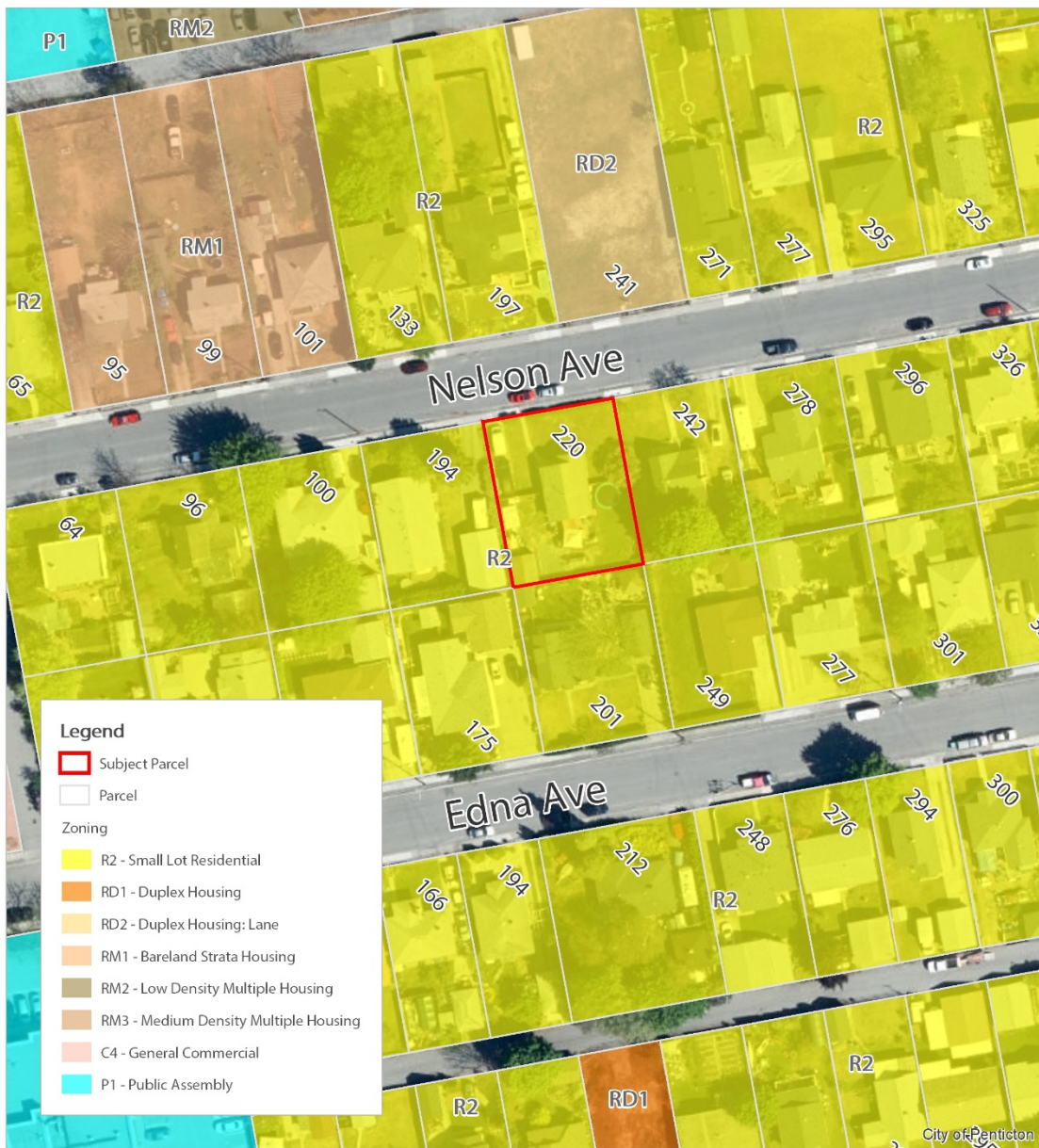
Director of Development Services <i>BL</i>	Chief Administrative Officer DyD
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Attachment A – Zoning Map

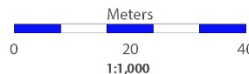


220 Nelson Avenue

Zoning Map



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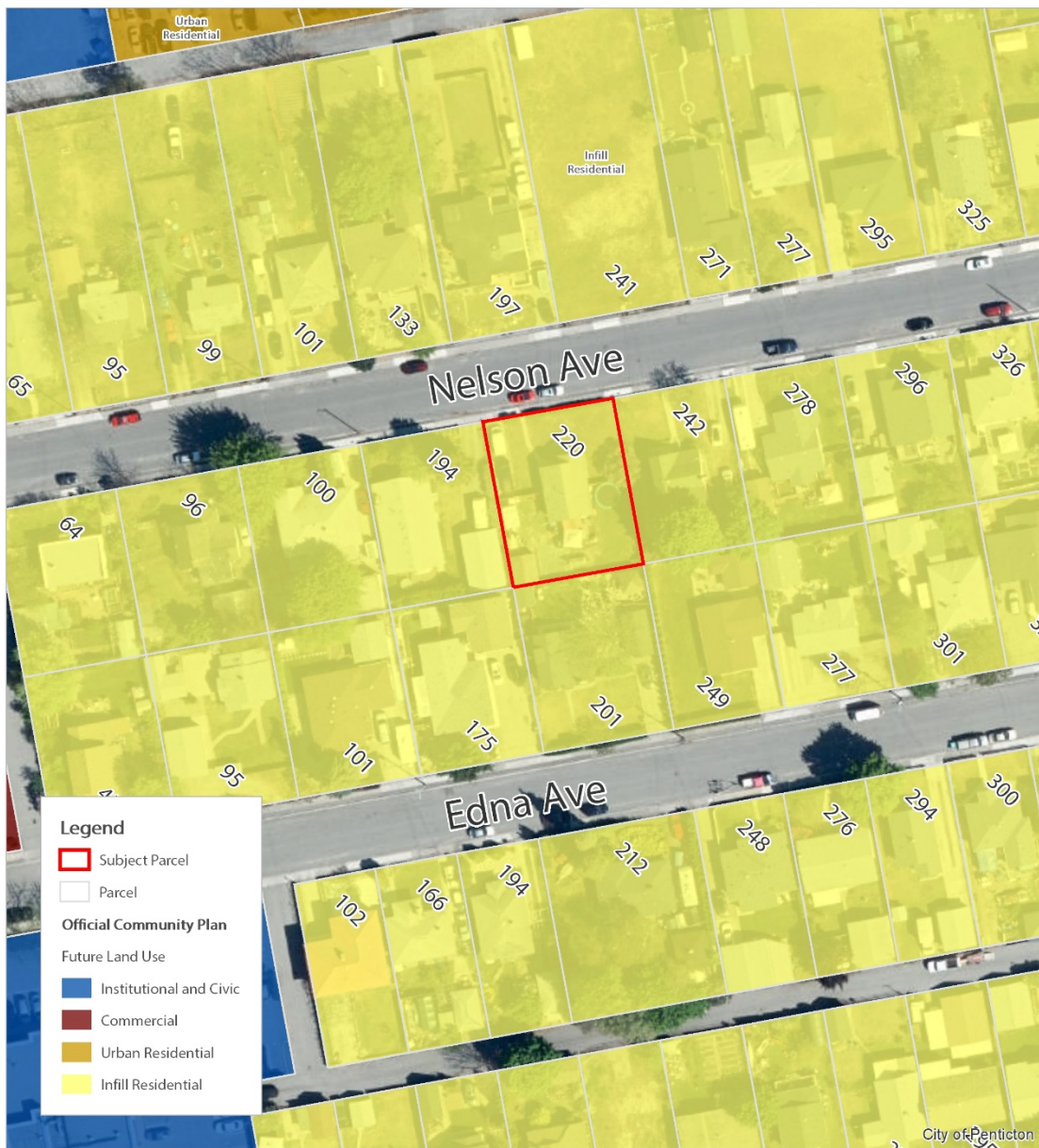
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Attachment B – Official Community Plan Map

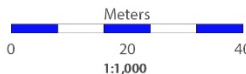


220 Nelson Avenue

Official Community Plan Map



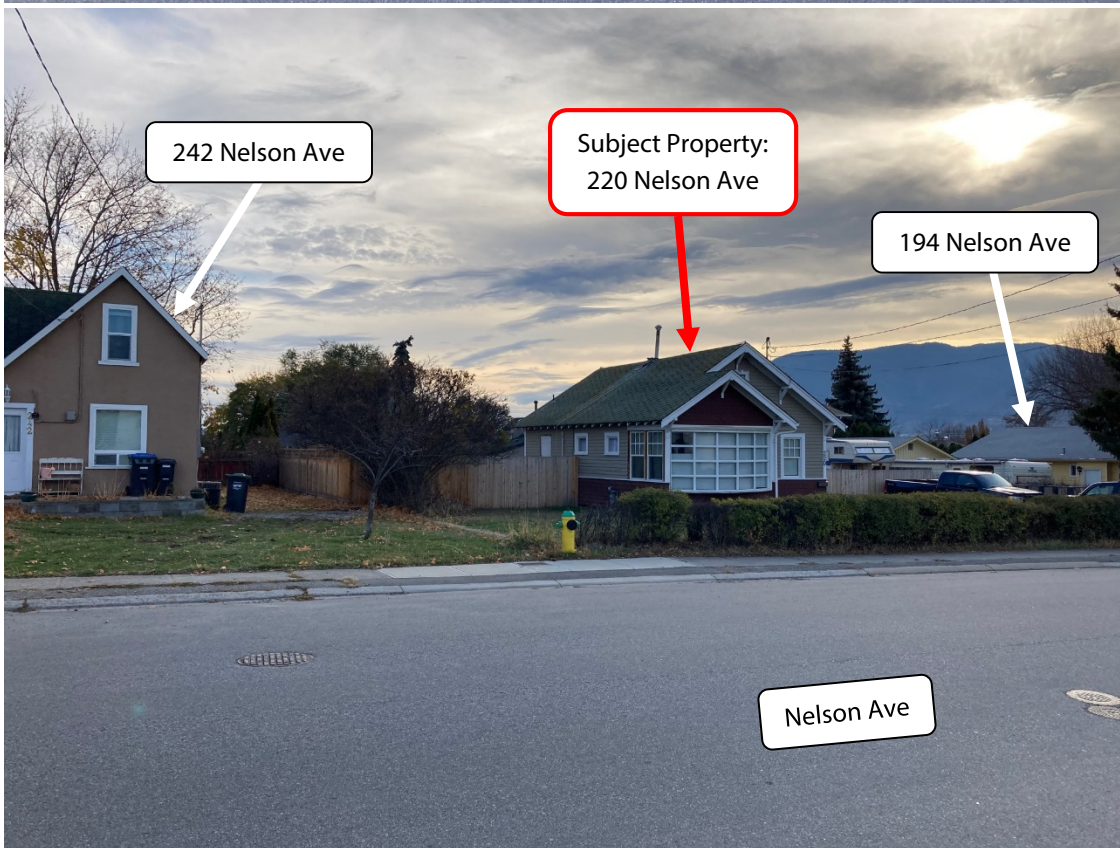
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Attachment C – Photos of Property



Attachment D – Letter of Intent and Development Permit Analysis (applicant)



People plus Space: Planning and Design
10124 Main Street
Summerland, BC V0H 1Z0
250-486-1481
heather@peopleplusspace.ca

December 22, 2021

City of Penticton - Planning Department
Attn: Ms. Audrey Tanguay
171 Main Street
Penticton, BC V2A 5A9

Re: Rezoning/Development Variance Permit letter for 220 Nelson Avenue Penticton

On behalf of the property owner of 220 Nelson Avenue, we are respectfully providing supporting documentation for rezoning of the subject property. In addition to the rezoning application we are providing an application for a Development Variance Permit and Development Permit.

As per the Official Community Plan (OCP), the subject property's future land use is for Infill Residential. The property is currently zoned R2, Small Lot Residential. The owner would like to rezone the property to RD4, Low Density Cluster Housing. In this application it would allow for four dwelling units on a single lot. The owner is proposing to construct two duplex units on the property.

The supporting documents demonstrate the intent of the property and proposed layouts for the development. Regarding the zoning review, the two duplex units would meet the requirements for property line setbacks, floor area ratio (FAR) and building height. The variance requested would be for the lot coverage. With the design of the duplex units the owner would like to provide garage parking for each unit. As such, this would increase the lot coverage. We believe that the variance would be warranted given the additional indoor parking space and storage, while still accommodating the requirements of each unit. The request is for variance from 40% lot coverage to 51% lot coverage.

Regarding the Development Permit, the site analysis is outlined below.

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 site topography is relatively flat which provides ease of development with a side-by-side duplex with enclosed parking off Nelson Avenue.

G3. Private and semi-private open spaces should be designed to optimize solar access (see Figure G3).

G4. Views through to the mountains and the lakes should be carefully considered and incorporated into the design of new development.

- The site has exterior amenity space for the occupants on the ground floor as well as a second floor patio. Access is provided on the north and south of the property with some covered and uncovered amenity space.

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

- The building is sited to provide a reduced front yard area in order to support the strong street definition guideline, as well as a front door that is visible from the street.

G13. Entry to ground-level residential units should be no more than 1.8m (6.0 ft.) above the grade of adjacent public sidewalks and walkways (see Figure G14).

- The main floor building elevation is at grade.

G16. Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space. • Off-street parking and servicing access should be provided from the rear lane (where one exists) to free the street for uninterrupted pedestrian circulation and boulevard landscaping (see Figure 5-4).

G18. Attached parking structures, their access and associated components (doorways, ramps, etc.) should be architecturally integrated into the building so as to minimize visual impact to the public realm.

G19. All multifamily developments should accommodate sustainable modes of transportation through: • Provision of bike parking and/or safe storage of alternative transportation/ mobility equipment (bikes, mobility scooters, etc.).

- All off street parking is provided off of Nelson Avenue as there is not a laneway located at this site. However, the owner is proposing to provide an enclosed parking space for each of the duplex units. This not only provides concealed parking but also additional storage for the units. This storage can easily be used by residents for alternative modes of transportation, such as bicycle storage.
- As noted in the renderings provided, the residence front door and garage door have a similar aesthetics that tie into the overall building scheme.

G20. Designs should respond to Penticton's setting and climate through use of:

- passive solar strategies;
- optimized placement of windows to maximize natural light;
- energy-efficient building design;
- passive solar principles;
- landscape design and plantings that provide cooling through shade in summer months;
- selecting roof materials to minimize heat loading and increase reflectivity.; and,
- strategies for cross-ventilation.
- An Energy Advisor will be engaged on the project to provide documentation and advised on the construction of the duplex.
- The landscape design includes plantings that are native to the Penticton climate; including, trees that will provide shade to the building.

G21. Orientation of buildings should face public spaces (e.g., street and lane) with a preference for ground-oriented types (e.g., a front door for everyone or every business).

- Each duplex unit has their own ground-oriented private door that fronts Nelson Avenue

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 cantilevered upper floors may be considered as a means to breaking up massing while promoting overlook and/or weather protection.

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.

G28. Entries should be visible and clearly identifiable from the fronting public street.

- Each duplex building has a cantilevered front balcony with a setback garage and front door. Additional the exterior wall faces (at the side yard setbacks) have a second floor cantilever in order to break up the massing on both faces.

G35. Tree planting

- All development fronting a public street shall plant a landscaped area fronting the public road with regularly spaced street trees no further than 10 metres apart, and at least 2.5 meters tall at the time of planting.
- As noted on the landscape plan there are two trees planted in the front yard as well as an additional two trees planted in the rear yard.

p + s people plus space
planning and design

If you have any questions or require additional information, please contact my office.

Regards,



Heather Shedden
MPI, BAAID

Attachment E – Development Permit Analysis (staff)

Development Permit Analysis

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

- Guideline G3* Private and semi-private open spaces should be designed to optimize solar access.
- The yard amenity spaces for each unit face south, allowing solar access onto the amenity spaces and into the buildings themselves.
- Guideline G5* *Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.*
- The street-facing building is at the minimum 4.5m setback. An upper floor covered balcony is designed to project 1.5m further forward towards the street, an allowable projection under the Zoning Bylaw.
- 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 development design provides visual overlook onto the street with windows and main entries facing north. This provides for 'eyes on the street', naturally providing added security to these areas.
- 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 are approximately 0.3m from grade.
- Guideline G16* *Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space...*
- Each unit has its own garage space for one vehicle. One additional outdoor parking space is located in front of each garage. Sidewalks of a different material provide direct connections from the public sidewalk to each unit entrance.
- 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 design features covered balconies facing towards the street, which provide visual interest to the development. Covered entrances are an attractive design feature and also provide weather protection.
- 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 front facades of the buildings are designed with projecting balconies on the second floor, a cantilever over the driveway, and

various façade materials. These design features provide a layering of elements between the public realm (street) and private realm (unit space).

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

- The development is two-stories high which is consistent with the one and two storey buildings along the street. This change helps maintain neighbour privacy by reducing the number of windows and angle of overlook onto neighbouring properties. In general, lower building heights lead to less potential for privacy impacts on adjacent properties. The upper level balconies face the street as opposed to neighbours, and rear lawns are at grade to maintain neighbour privacy.

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, and main unit entries on the buildings face towards the street. This design provides visual overlook onto the public realm.

Guideline G35 Tree planting...

- The landscaping plan shows three trees planted along the front yard, four trees along the rear property line, and three trees down each side of the property. Additional plantings are provided on the landscaping plan.

Guideline G38 Screening & Buffering...

- Landscape buffers are shown on the landscaping plan along both side property lines. Both sides meet the required tree and shrub planting ratios, at the required 1.5m width based on the setbacks of the RD4 zone. Fences are proposed along each side property line, and combined with the landscape buffers this 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.

- As shown on the plans, the garbage/recycling bins will be stored beside each unit, behind fencing to screen them from public view when not placed out at the street for collection.

Guideline MF1 All multifamily development 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.

- Each unit will have a private yard space. These at-grade amenity spaces provide semi-private outdoor space for future residents.

Guideline MF2 In an effort to promote community and social sustainability, multifamily developments should exhibit a preference for courtyard forms with views into them from ground-oriented ground floor units.

- The amenity areas will be framed by the proposed buildings and are dedicated for each unit, with views onto them from the units.

Development Variance Permit

Permit Number: DVP PL2021-9160

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 14 District Lot 250 Similkameen Division Yale District Plan 910
 - Civic: 220 Nelson Avenue
 - PID: 011-969-784
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2021-01 to allow for the construction of a four unit cluster housing development, as shown in the plans attached in Schedule 'A':
 - a. Section 10.7.3.2: to increase the maximum lot coverage from 40% to 51%.

General Conditions

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

Authorized by City Council, the ____ day of _____, 2022.

Issued this ____ day of _____, 2022.

Angela Collison
Corporate Officer

RD4 LOW DENSITY CLUSTER HOUSING

LOT AREA: 8105.1 SQ.FT.

TOTAL LIVING AREA PER BUILDING: 3238 SQ.FT.

COVERED AREA: 4122 SQ.FT.

MAXIMUM LOT COVERAGE: 40 %
PROVIDED LOT COVERAGE: 51.0 %

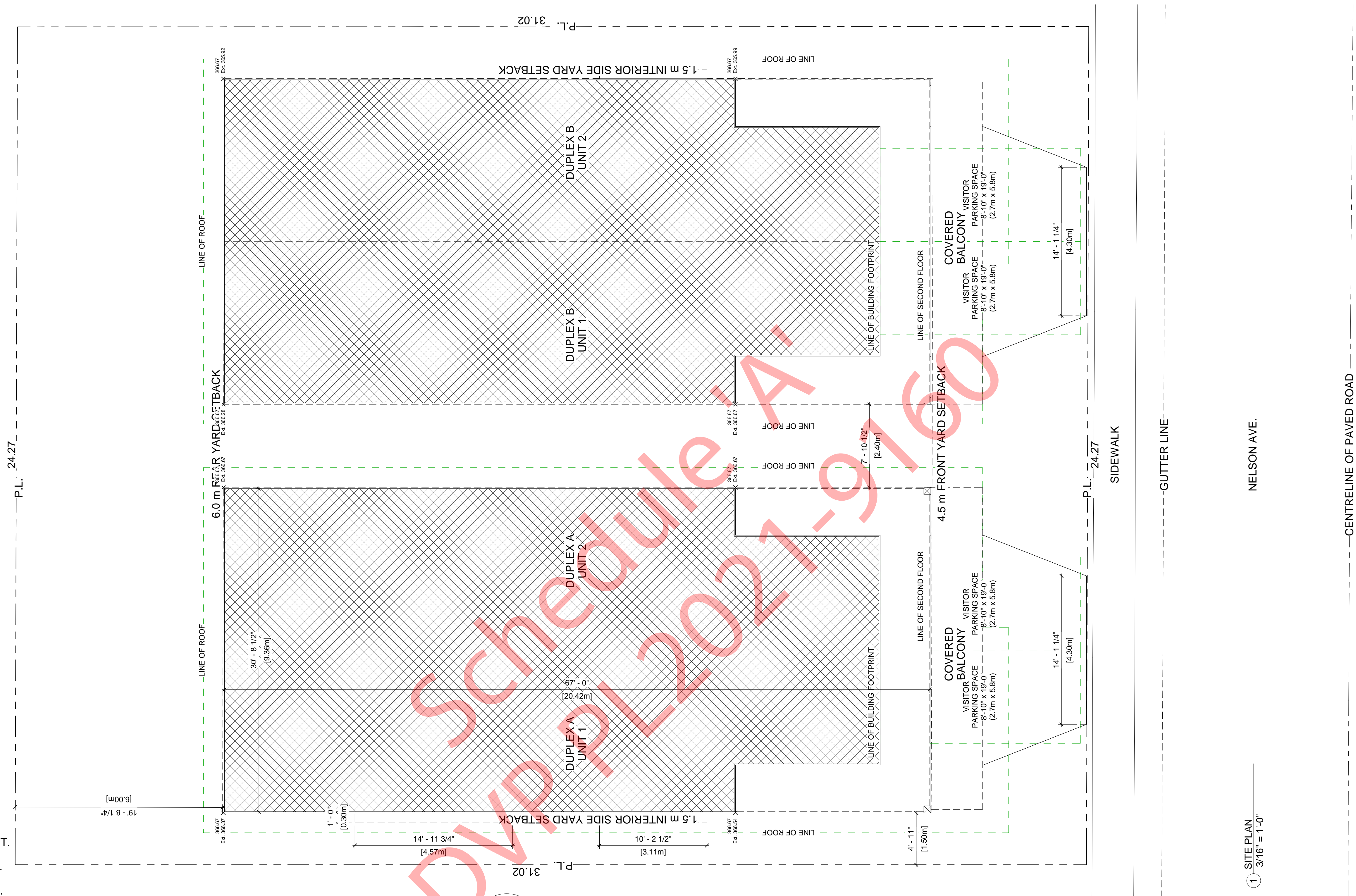
MINIMUM FAR: 0.8
PROVIDED FAR: 0.8

MAXIMUM BUILDING HEIGHT: 10.5 m
PROPOSED BUILDING HEIGHT: 7.2 m

REQUIRED FRONT YARD SETBACK: 4.5 m
PROVIDED FRONT YARD SETBACK: 4.5 m

REQUIRED INTERIOR SIDE YARD SETBACK: 1.5 m
PROVIDED INTERIOR SIDE YARD SETBACK: 1.5 m
DUPLEX A (WEST): 1.5 m
PROVIDED INTERIOR SIDE YARD SETBACK: 1.5 m
DUPLEX B (EAST): 1.5 m

REQUIRED REAR YARD SETBACK: 6.0 m
PROVIDED REAR YARD SETBACK: 6.0 m



1 SITE PLAN
3/16" = 1'-0"

NOTE:

1. ALL ROOF DRAINAGE TO BE DIRECTED TO ON-SITE APPROVED HOLDING TANK.
 2. ALL ON-SITE RUN-OFF AND SURFACE DRAINAGE TO BE CONTROLLED ON-SITE. APPROVED ABSORBENT LANDSCAPING MATERIAL.
 3. STORM WATER CALCULATIONS TO BE COMPLETED BY ENGINEER AS REQUIRED.
 4. ROCK PIT AND/OR HOLDING TANK SIZES TO BE PROVIDED BY ENGINEER AS REQUIRED.
 5. PROVIDE DRAINAGE AWAY FROM THE BUILDING FOUNDATION.
 6. MIN. SLOPE AWAY FROM BUILDING FOR AT LEAST 5'-0": 5% (APPROX. 3/4" PER 12")
- IF ROOF OVERHANG PROJECTS WITHIN 1.2 m OF PROPERTY LINE PROTECT SOFFIT (NON-VENTING SOFFIT) AS PER 9.10.15.5.(10) OF THE BCBC GRADE ELEVATIONS TO BE CONFIRMED ON SITE BY CONTRACTOR; ELEVATIONS HAVE NOT BEEN VERIFIED ON-SITE BY PEOPLE PLUS SPACE. FOUNDATION WALL HEIGHTS MAY REQUIRE ADJUSTMENT TO SUIT SITE CONDITIONS AND MANUFACTURER SPECIFICATIONS.

No.	Description	Date
1	ISSUED FOR REVIEW	2021-07-22
2	ISSUED FOR REVIEW	2021-08-05
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4	ISSUED FOR DP	2021-09-23
5	ISSUED FOR DP	2021-12-09
6	ISSUED FOR DP	2021-12-13
7	ISSUED FOR DP	2021-12-28

Nelson Duplex Units
220 Nelson Avenue, Penticton BC

SITE PLAN

Project number	Project Number
Date	2021-07-16
Drawn by	Author

ID-101

Scale	3/16" = 1'-0"
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Development Permit

Permit Number: DP PL2021-9161

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 14 District Lot 250 Similkameen Division Yale District Plan 910
 - Civic: 220 Nelson Avenue
 - PID: 011-969-784
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a four unit cluster housing development as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$_____ 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.

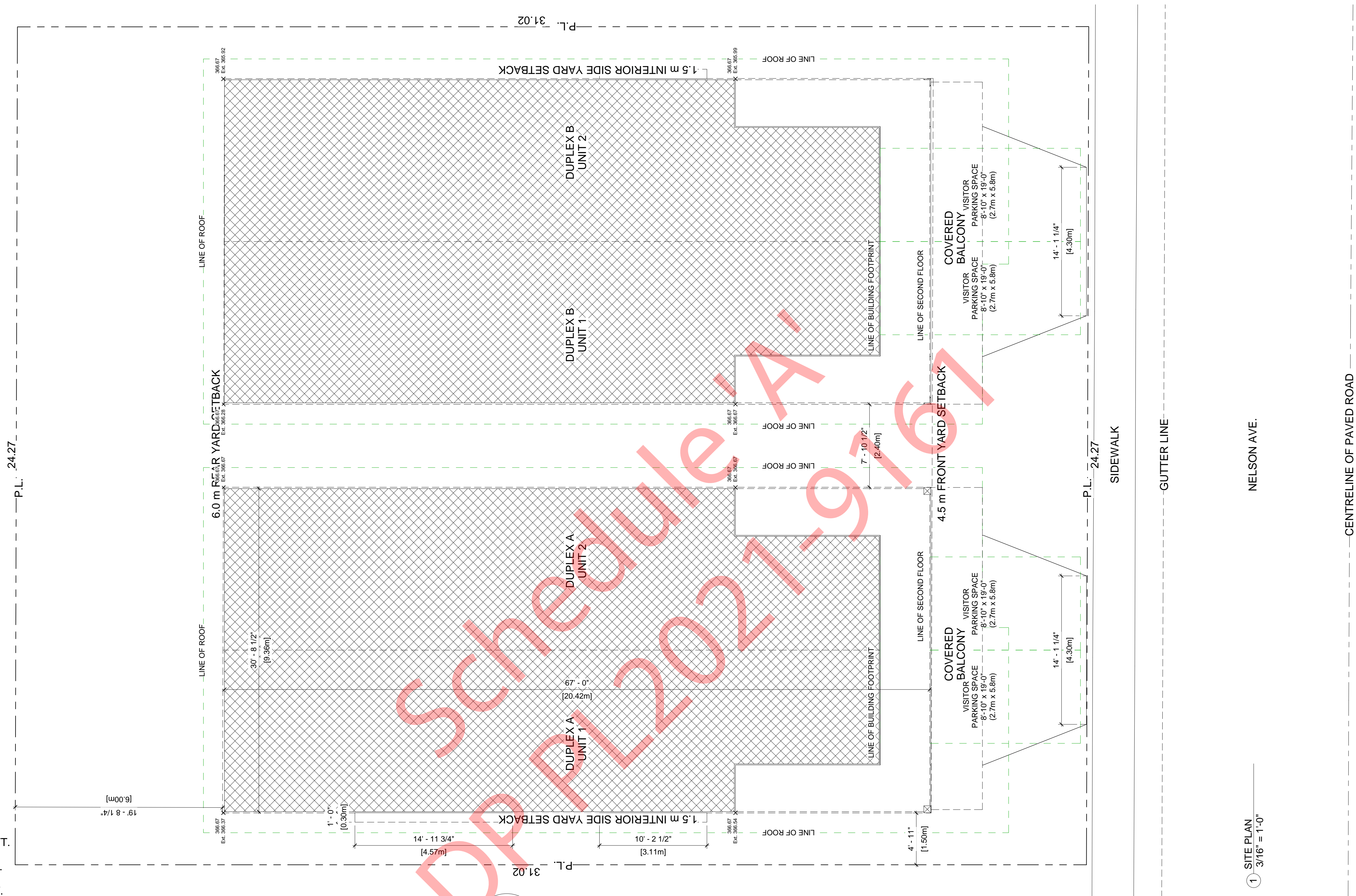
Authorized by City Council, the ____ day of _____, 2022.

Issued this ____ day of _____, 2022.

Angela Collison
Corporate Officer

RD4 LOW DENSITY CLUSTER HOUSING

LOT AREA:	8105.1 SQ.FT.
TOTAL LIVING AREA PER BUILDING:	3238 SQ.FT.
COVERED AREA:	4122 SQ.FT.
MAXIMUM LOT COVERAGE:	40 %
PROVIDED LOT COVERAGE:	51.0 %
MINIMUM FAR	0.8
PROVIDED FAR	0.8
MAXIMUM BUILDING HEIGHT:	10.5 m
PROPOSED BUILDING HEIGHT:	7.2 m
REQUIRED FRONT YARD SETBACK:	4.5 m
PROVIDED FRONT YARD SETBACK:	4.5 m
REQUIRED INTERIOR SIDE YARD SETBACK:	1.5 m
PROVIDED INTERIOR SIDE YARD SETBACK	
DUPLEX A (WEST):	1.5 m
PROVIDED INTERIOR SIDE YARD SETBACK	
DUPLEX B (EAST):	1.5 m
REQUIRED REAR YARD SETBACK:	6.0 m
PROVIDED REAR YARD SETBACK:	6.0 m



1 SITE PLAN
3/16" = 1'-0"

NOTE:

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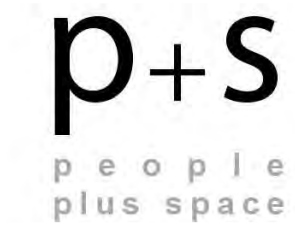
Nelson Duplex Units
220 Nelson Avenue, Penticton BC

SITE PLAN

Project number	Project Number
Date	2021-07-16
Drawn by	Author

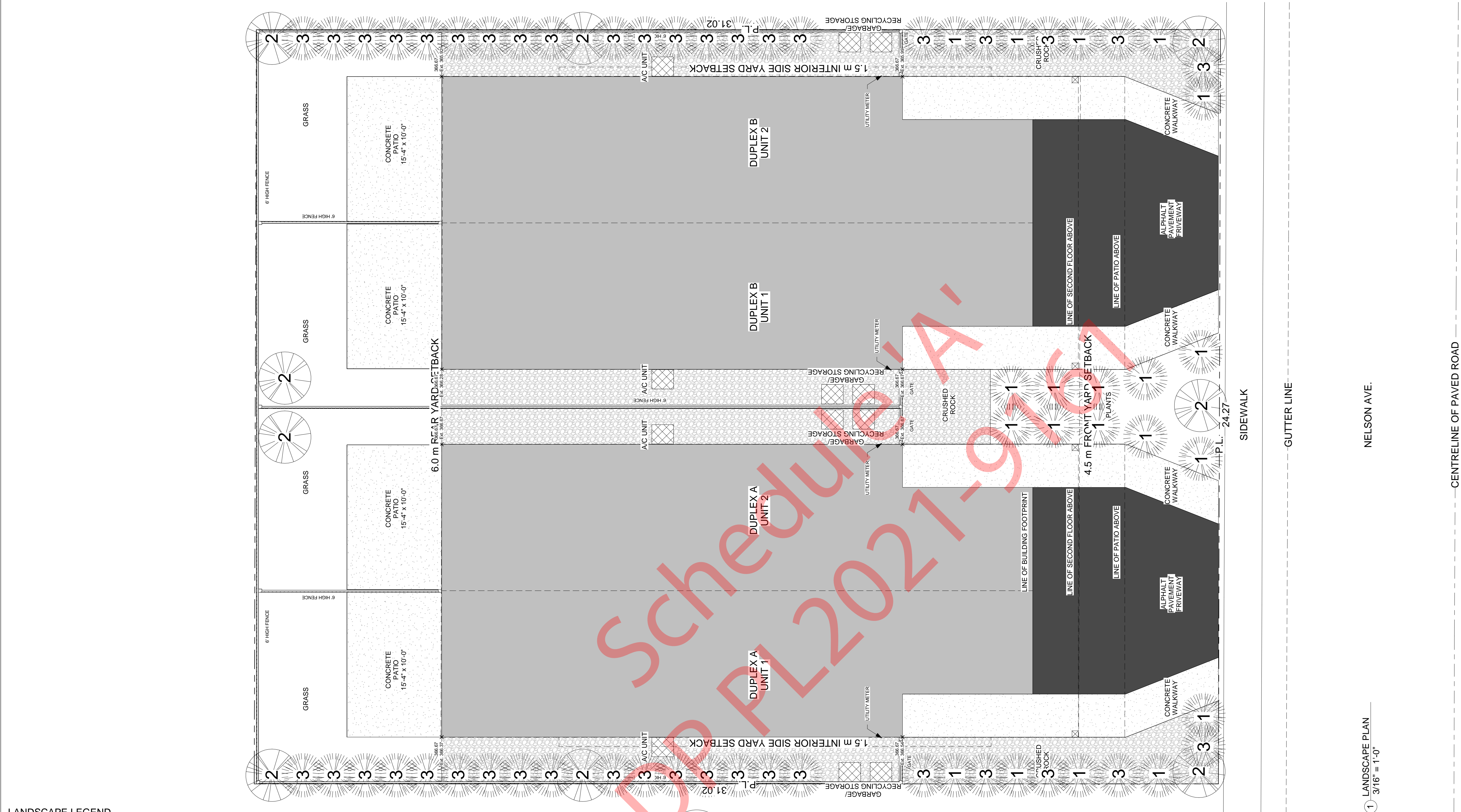
ID-101

Scale	3/16" = 1'-0"
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planning and design

People plus Space: Planning and Design
 10124 Main Street
 Summerland BC V0H 1Z0
 250-486-1481
 heather@peopleplusspace.ca



LANDSCAPE LEGEND

ITEM NO.	DESCRIPTION:	QUANTITY
01	GOLD JAPANESE FOREST GRASS	12
02	AMUR MAPLE	9
03	KARL FORESTER	42

- LANDSCAPE NOTES:**
1. ALL LANDSCAPED AREAS TO HAVE UNDERGROUND IRRIGATION C/W WATER SENSORS AND TIMER.
 2. COVER PLANTER BEDS WITH LANDSCAPE FABRIC AND MULCH
 3. LANDSCAPE FABRIC UNDER RIVER ROCK
 4. Trees in front shall be either a deciduous tree with a minimum caliper of 60mm and a clear stem height of 1.5m or a coniferous tree with a minimum height of 2.5m.

- NOTE:**
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1 LANDSCAPE PLAN
 3/16" = 1'-0"

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Nelson Duplex Units
 220 Nelson Avenue, Penticton BC

LANDSCAPE PLAN

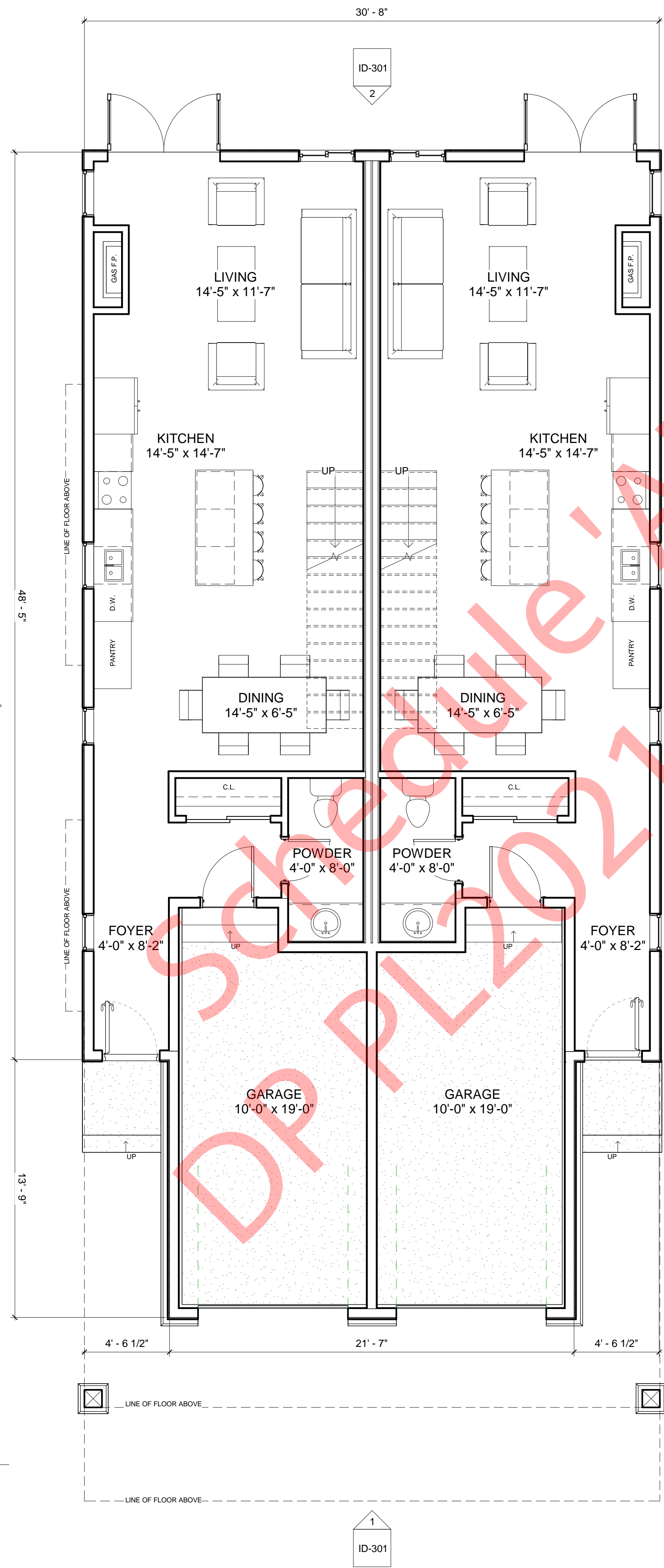
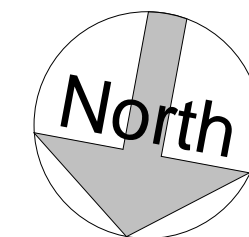
Project number	Project Number
Date	2021-07-16
Drawn by	Author

ID-102

Scale	3/16" = 1'-0"
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TOTAL FLOOR AREA LEFT UNIT: 1,631.5 SQ.FT.
MAIN FLOOR: 618.5 SQ.FT.
SECOND FLOOR: 1013 SQ.FT.

TOTAL FLOOR AREA RIGHT UNIT: 1,606.5 SQ.FT.
MAIN FLOOR: 618.5 SQ.FT.
SECOND FLOOR: 988 SQ.FT.



1 MAIN FLOOR
1/4" = 1'-0"

DRP PL 2021-9161

No.	Description	Date
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7	ISSUED FOR DP	2021-12-28

Nelson Duplex Units

220 Nelson Avenue, Pentiction BC

MAIN FLOOR PLAN

Project number	Project Number
Date	2021-07-16
Drawn by	J.P.F.

ID-200

Scale 1/4" = 1'-0"



No.	Description	Date
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Nelson Duplex Units
220 Nelson Avenue, Penticton BC

**NORTH & SOUTH
ELEVATIONS**

Project number	Project Number
Date	2021-07-16
Drawn by	J.P.F.

ID-301

Scale 1/4" = 1'-0"

People plus Space: Planning and Design
10124 Main Street
Summerland BC V0H 1Z0
250-486-1481
heather@peopleplusspace.ca



① West
1/4" = 1'-0"

UNPROTECTED OPENING CALCS
BUILDING FACE: 108.8 SQ.M.
UNPROTECTED OPENINGS: 7.25 SQ.M.
LIMITING DISTANCE: 1.2 M
MAXIMUM PERCENTAGE: 7 %
ACTUAL PERCENTAGE: 6.7 %



② East
1/4" = 1'-0"

UNPROTECTED OPENING CALCS FOR BUMPOUT
BUILDING FACE: 24.7 SQ.M.
UNPROTECTED OPENINGS: 1.7 SQ.M.
LIMITING DISTANCE: 1.2 M
MAXIMUM PERCENTAGE: 7 %
ACTUAL PERCENTAGE: 7.0 %

UNPROTECTED OPENING CALCS
BUILDING FACE: 80.8 SQ.M.
UNPROTECTED OPENINGS: 5.4 SQ.M.
LIMITING DISTANCE: 1.5 M
MAXIMUM PERCENTAGE: 8 %
ACTUAL PERCENTAGE: 6.7 %

APPROX ARCHITECTURAL PROJECTION 23.4%

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Nelson Duplex Units
220 Nelson Avenue, Penticton BC

EAST & WEST
ELEVATIONS

Project number	Project Number
Date	2021-07-16
Drawn by	J.P.F.

ID-302

Scale 1/4" = 1'-0"

The Corporation of the City of Penticton

Bylaw No. 2022-11

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. 2022-11".

2. **Amendment:**

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

Rezone Lot 14 District Lot 250 Similkameen Division Yale District Plan 910, located at 220 Nelson Avenue, from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing).

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

READ A FIRST time this	1	day of	March, 2022
A PUBLIC HEARING was held this	15	day of	March, 2022
READ A SECOND time this		day of	, 2022
READ A THIRD time this		day of	, 2022
ADOPTED this		day of	, 2022

Notice of intention to proceed with this bylaw was published on the 8 day of March, 2022 and the 9 day of March, 2022 in the Penticton newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2022-11

Date:

Corporate Officer:

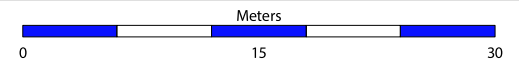


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1:480

February 24, 2022 10:06:58 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N