

## 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](http://www.penticton.ca)

**Tuesday, April 5, 2022**  
**at 6:00 p.m.**

- |       |   |      |
|-------|---|------|
| 1.    | Mayor Calls Public Hearing to Order for <b>“Zoning Amendment Bylaw No. 2022-14”</b>   | 1-29 |
| CO    | Reads Opening Statement and Introduction of Bylaw   |      |
|       | “Zoning Amendment Bylaw No. 2022-14”  |      |
|       | Purpose: To amend Zoning Bylaw No. 2021-01 as follows:  |      |
|       | Rezone Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, from the RD1 (Duplex Housing) zone to the RM2 (Low Density Multiple Housing) zone. |      |
|       | The applicant intends to rezone the property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) with the intent of constructing an 8-unit cluster housing development.   |      |
|       | Notice: The Public Hearing was advertised in the Penticton Herald Newspaper on Friday, March 25, 2022 and Wednesday, March 30, 2022 (pursuant to the <i>Local Government Act</i> ).   |      |
| CO    | No correspondence has received regarding the Zoning Amendment Bylaw (as of noon Wednesday, March 30, 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. 2022-14” 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 15, 2022**  
**at 1:00 p.m.**

## **Resolutions**

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- 8.7 Zoning Amendment Bylaw No. 2022-14  
Development Permit PL2021-9222  
Re: 273 Scott Avenue

87/2022

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-14", a bylaw to rezone Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, from the RD1 (Duplex Housing) zone to the RM2 (Low Density Multiple Housing) zone;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-14" to the April 5, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-14", require the applicant to pay \$9,500 for the cost of a new fire hydrant to meet multifamily development spacing requirements;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-14", approve "Development Permit PL2021-9222" for Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, a permit to approve the form and character of a proposed 8-unit cluster housing development on the subject property.

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** March 15, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Steven Collyer, Planner II  
**Address:** 273 Scott Avenue

File No: RMS/273 Scott Ave

**Subject: Zoning Amendment Bylaw No. 2022-14  
Development Permit PL2021-9222**

## Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-14", a bylaw to rezone Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, from the RD1 (Duplex Housing) zone to the RM2 (Low Density Multiple Housing) zone;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-14" to the April 5, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-14", require the applicant to pay \$9,500 for the cost of a new fire hydrant to meet multifamily development spacing requirements;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-14", approve "Development Permit PL2021-9222" for Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, a permit to approve the form and character of a proposed 8-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 rezone the property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) with the intent of constructing an 8-unit cluster housing development. The plans show four (4) duplex buildings (Figure 1). The proposed multifamily use is considered within the Multifamily Development Permit Area. The applicant has submitted a development permit application for Council's consideration in conjunction with their rezoning application.



Figure 1 - Renderings of proposed development

### Background

The subject property is located on the north side of Scott Avenue, east of Argyle Street (Figure 2). The property contains a single detached dwelling constructed in 1940. Surrounding land uses are residential in nature, consisting of a mix of single detached dwellings, duplexes, townhomes, and apartment buildings on this block of Scott Avenue. The property is located within walking distance of the downtown core, nearby schools, and close to the new Lake-to-Lake bike route.

The subject property is currently zoned RD1 (Duplex Housing) and is designated 'Ground Oriented Residential' by the Official Community Plan (OCP).

There have been previous development proposals on this property. In 2011, a development application package was submitted for a four-storey, 16 unit apartment building which Council denied in 2014 after three public hearings. In 2016, a similar development application package was resubmitted for a four-storey, 16 unit apartment building which Council denied in 2016 after one public hearing. In 2018, a development application package was submitted for a three-storey, 8 unit apartment building, however that file was closed prior to Council consideration due to that applicant deciding not to proceed at that time. The current proposal offers a building type not previously proposed (cluster housing).



Figure 2 - Property location map

### Technical Review

This current development application package was reviewed by the City's Technical Planning Committee (TPC). The TPC identified the need for a new fire hydrant on Scott Avenue as a result of the proposed multifamily development. The City's spacing standards between fire hydrants would not meet minimum

requirements if the multifamily development proceeds. Therefore, staff are recommending that prior to adoption of the Zoning Amendment Bylaw, Council require the applicant to pay a \$9,500 flat fee for a new fire hydrant. The new fire hydrant will eliminate the multifamily spacing issue between the existing fire hydrants resulting from this multifamily development. The applicant has revised the plans based on the information and details requested by the Committee. In addition, comments related to the future building permit application have been provided to the applicant.

### Development Statistics

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

	RM2 Zone Requirement	Provided on Plans
<b>Minimum Lot Width*:</b>	18 m	22.86 m
<b>Minimum Lot Area*:</b>	540 m <sup>2</sup>	1,449 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40%	37.3%
<b>Maximum Density:</b>	0.8 Floor Area Ratio (FAR)	0.78 FAR
<b>Vehicle Parking:</b>	1 space per unit 1 visitors space per 4 units <b>Required: 10 parking spaces</b>	8 parking spaces 2 visitor parking spaces <b>Total: 10 parking spaces provided</b>
<b>Bicycle Parking:</b>	0.5 Class I spaces per unit 0.1 Class II spaces per unit	Garages provided for each dwelling unit, no Class I required ** 1 Class II bike rack provided
<b>Required Setbacks</b>		
Front Yard (Scott Ave):	3.0 m	3.0 m
Side Yard (west):	3.0 m	3.0 m
Side Yard (east):	3.0 m	8.2 m
Rear Yard (north):	6.0 m	6.0 m
<b>Maximum Building Height:</b>	12 m	9.6 m
<b>Amenity Space:</b>	20m <sup>2</sup> per unit Total = 160 m <sup>2</sup>	9.2 m <sup>2</sup> deck per unit 17 m <sup>2</sup> to 21 m <sup>2</sup> fenced yard per unit 44 m <sup>2</sup> common amenity space Total: 280 m <sup>2</sup>
<b>Other Information:</b>	*Lot width and area are only applicable for subdivision applications. ** Section 6.4.3.5 of the Zoning Bylaw states that where multifamily developments are designed with each unit having its own garage, no Class I bicycle parking is required because the garage itself would provide secure bike storage	

### Analysis

#### Rezoning

The property is designation 'Ground Oriented Residential' by the OCP. This land use designation supports cluster housing, fourplexes, higher-density rowhouses, townhouses and bareland strata developments

(Figure 3). The proposed 8-unit cluster housing development is a consistent use with the 'Ground Oriented Residential' designation.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
	<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"> <li>• Duplexes with suites</li> <li>• Cluster housing</li> <li>• Fourplexes higher-density rowhouses</li> <li>• Townhouses and stacked townhouses</li> <li>• Bareland strata developments</li> </ul>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Limited Service/ Retail</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 3 ½ storeys</li> </ul>	<ul style="list-style-type: none"> <li>• RM2</li> <li>• RM5</li> <li>• C2</li> </ul>

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

Staff consider that the proposed rezoning to the RM2 zone will allow for development that conforms to the following OCP Policies:

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
  - The property is located in an existing developed area with municipal services.
- Policy 4.1.1.4 Ensure all new developments fully cover the cost of the required infrastructure and services they require, including roads, water, sewer, storm water, and provision of parks, schools, and emergency services.
  - The developer is responsible to cover development costs including any required infrastructure upgrades, including the recommended payment for the additional fire hydrant. The developer will also pay Development Cost Charges (DCC's) at the building permit stage to help offset the increased demand on municipal infrastructure.
- 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.
  - There are several multifamily developments located along this block of Scott Avenue. The property is located within a block of the Lake-to-Lake bike route, a bus route, and is close to schools and the downtown. The submitted development permit application demonstrates the applicable Development Permit Area Guidelines in the OCP are met.
- Policy 4.1.3.4 Encourage developments that include one-bedroom and two-bedroom units in suitable neighbourhoods to enable people to downsize as they age and to provide entry-level housing for those people entering the housing market. At the same time, provide 3-bedroom units, or larger, to accommodate families.
  - All 8 units are proposed to have 3-bedrooms with a den, and 2 full bathrooms. These units provide an accommodation option for families.
- 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.
  - The subject property is located near the Lake-to-Lake bike route and a bus route on Winnipeg Street. It is located within a ten minute walk to Penticton Secondary School, KVR Middle School, King's Park, and stores and restaurants in the downtown.

- 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.
- The applicant has submitted a Development Permit application in conjunction with the rezoning request for Council’s consideration. Attachments ‘D’ and ‘E’ show how the proposed development meets the applicable OCP design guidelines. The design consists of four duplex buildings, which is a shift from the previous apartment proposals and this design change may address some concerns raised during previous public hearings for development on the subject property.
- 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).
- This property is located at the edge of a primarily single detached neighbourhood to the west, but this block of Scott Avenue already contains several older and newer multifamily housing developments in the form of apartments and townhomes. This block of Scott Avenue is designated by the OCP for more intensive, ground oriented residential development in the future (Attachment ‘B’). Staff have worked with the applicant to implement the Development Permit Area guidelines.

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.

Given that there is adequate policy through the OCP to support the development, staff recommend that Council give first reading to “Zoning Amendment Bylaw No. 2022-14” and forward it to the April 5, 2022 Public Hearing to allow citizens to give their comments and feedback on the proposal.

#### *Development Permit*

The proposed development is included in the Multifamily Residential Development Permit Area, which is established in the OCP to enhance neighbourhoods and create sensitive transitions in scale and density of new multifamily developments by addressing issues such as privacy, landscape retention, and neighbourliness. The applicant has provided a letter of intent and development permit analysis with their submission (Attachment ‘D’). Staff have also completed a development permit analysis (Attachment ‘E’) that shows how the development conforms to the applicable design guidelines.

The OCP allows for minor variances through a development permit, rather than a standalone development variance permit application. The applicant is proposing a reduced landscape buffer width along the east property line (Figure 4). Section 5.1.4 of the Official Community Plan allows variances to landscape buffers in cases where “the proposed building locations make establishment of a buffer difficult or impossible or where the trees will not thrive...in cases where the buffer is reduced, compensatory planting elsewhere on site or in the adjacent public realm is required.” In this instance, the east landscape buffer is reduced in width on these plans from 3.0m to 1.8m, as a result of the driveway providing access into each garage. The west landscape buffer remains at the 3.0m required width. Staff are supporting the variance through the development permit because the landscape plan shows that the required number of trees and shrubs will be planted along the reduced buffer, at the ratios required by the Zoning Bylaw: 1 tree per 10m and 1 shrub per 1m. As a result, no additional plantings elsewhere on site or public realm are required. This reduced

buffer allows vehicle access into the garages of each unit and maintains some landscaping along this side of the property adjacent to the neighbouring duplex. Staff also note that the driveway itself increases the setback between the proposed buildings and the eastern neighbour to provide more physical separation, an additional form of buffering.

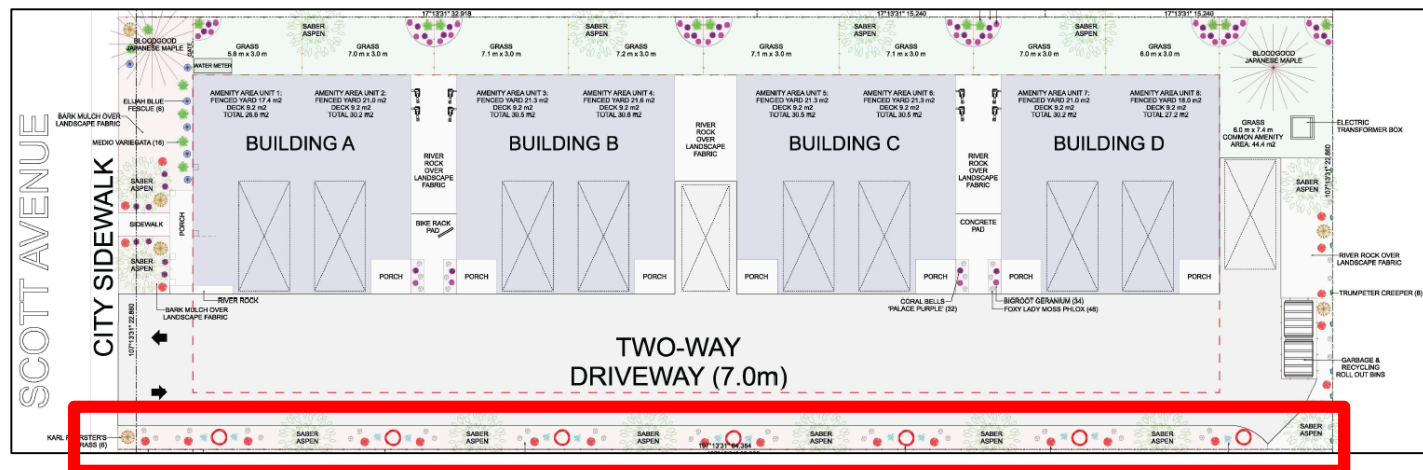


Figure 4 - Landscape buffer reduced to 1.8m (outlined in red)

The proposed development has been designed with the OCP policies in mind and with due consideration of impacts on neighbouring properties. As such, staff recommend that Council consider approving the Development Permit, subject to the adoption of the Zoning Amendment Bylaw.

**Alternate Recommendations**

Council may consider the proposed rezoning is not suitable for this property. If this is the case, Council should close and abandon the application. Staff are recommending against this option, as the proposed rezoning conforms to the future land use designation as set out in the OCP. Staff note that the public may be interested in reviewing the revised plans as the current design is a substantial change from previous development proposals on this property.

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2022-14”.

**Attachments**

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Images of Subject Property
- Attachment D – Letter of Intent and Development Permit Analysis (applicant)
- Attachment E – Development Permit Analysis (staff)
- Attachment F – Zoning Amendment Bylaw No. 2022-14
- Attachment G – Draft Development Permit PL2021-9222

Respectfully submitted,

Steven Collyer, RPP, MCIP  
Planner II

Concurrence

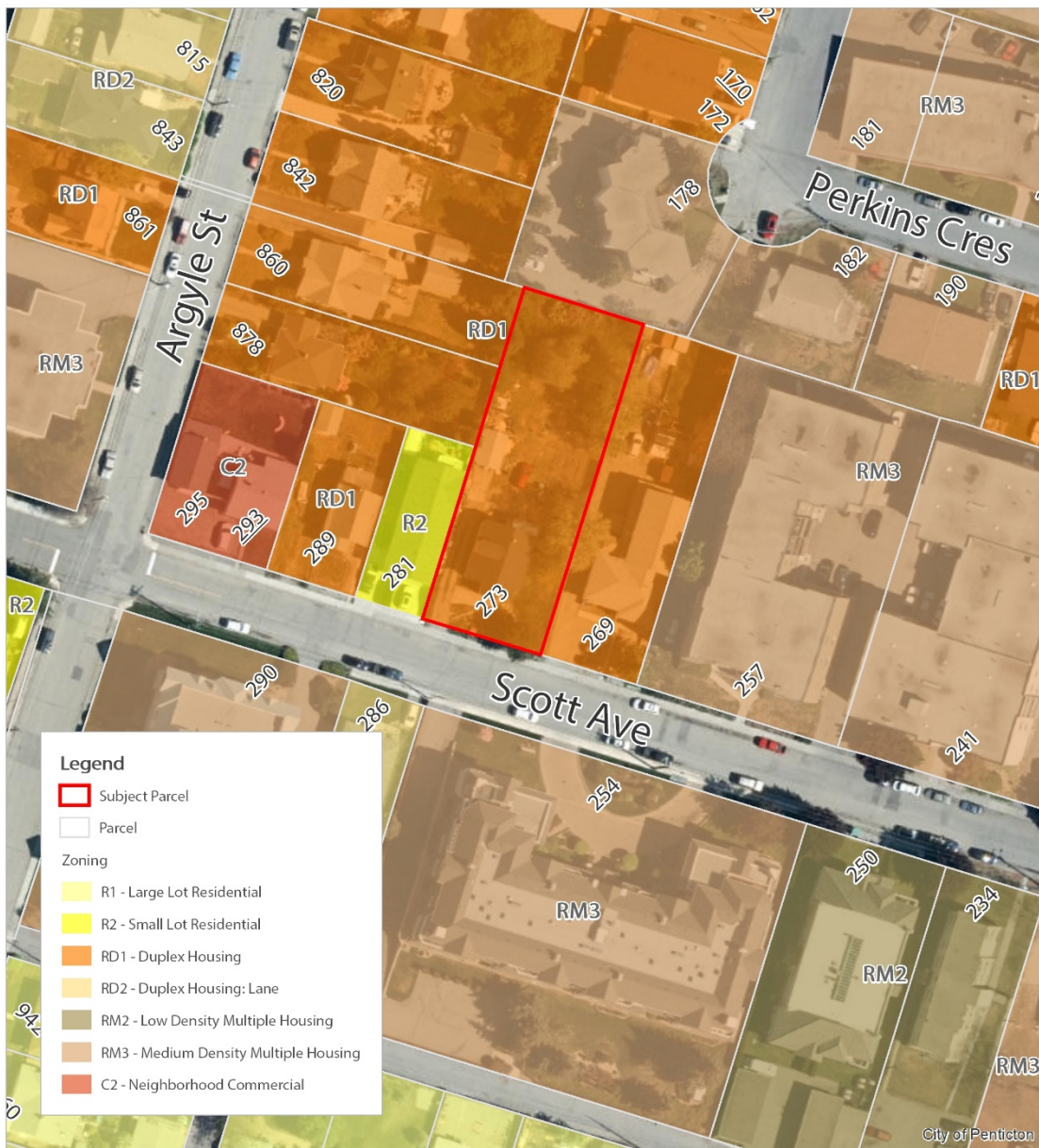
Director of Development Services  <i>BL</i>	Chief Administrative Officer  <b>DyD</b>
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Attachment A – Zoning Map



# 273 Scott Avenue

Zoning Map



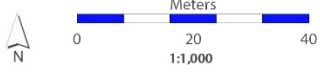
**Legend**

- Subject Parcel
- Parcel

Zoning

- R1 - Large Lot Residential
- R2 - Small Lot Residential
- RD1 - Duplex Housing
- RD2 - Duplex Housing: Lane
- RM2 - Low Density Multiple Housing
- RM3 - Medium Density Multiple Housing
- C2 - Neighborhood Commercial

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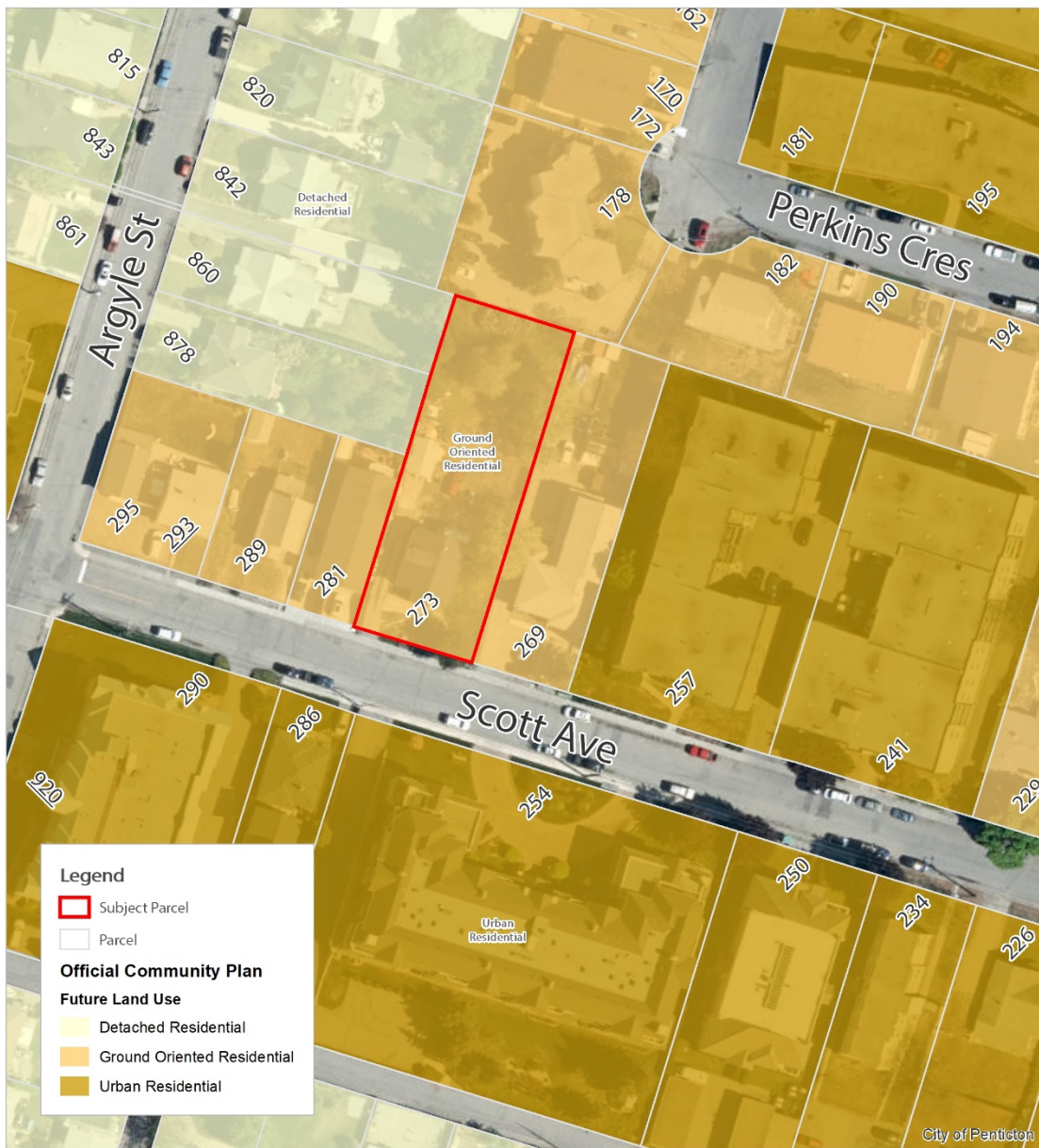
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Attachment B – Official Community Plan Map



# 273 Scott Avenue

Official Community Plan Map



**Legend**

- Subject Parcel
- Parcel

**Official Community Plan**

**Future Land Use**

- Detached Residential
- Ground Oriented Residential
- Urban Residential

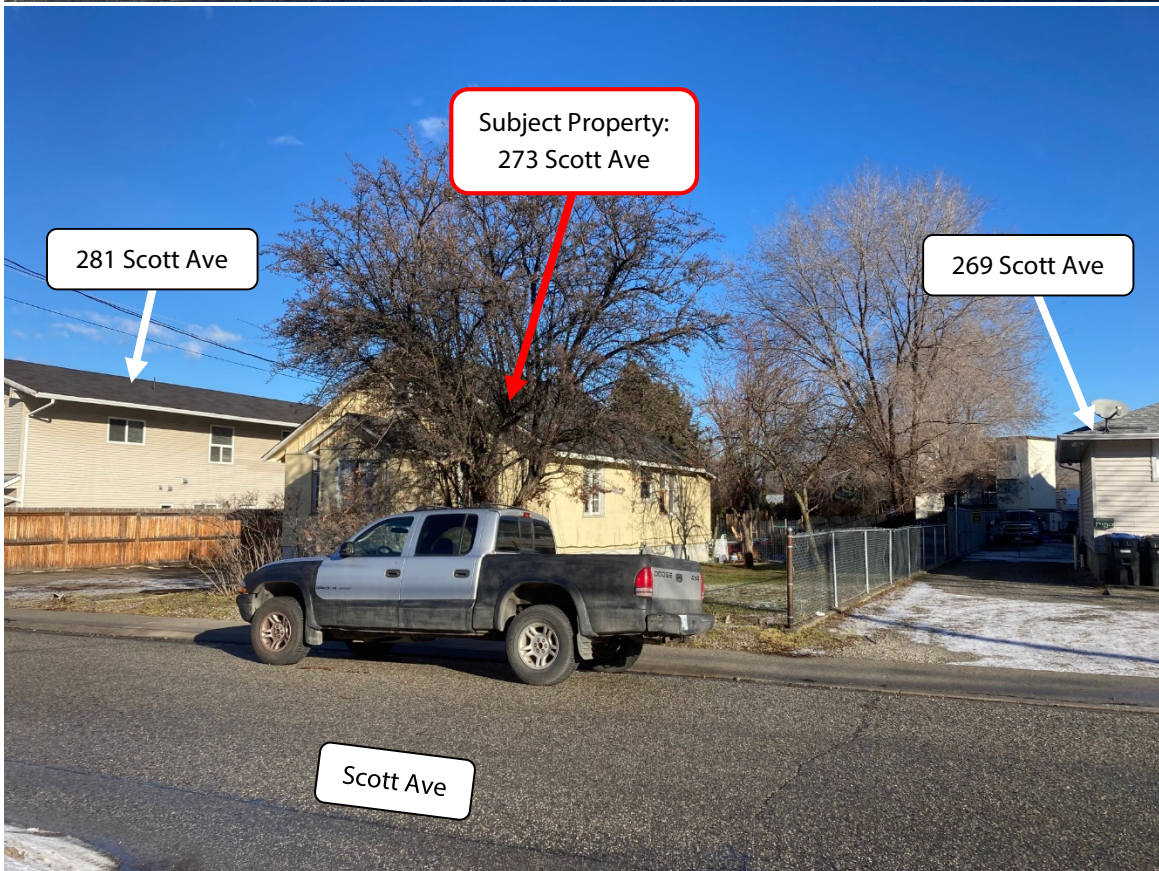
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Attachment C – Images of Subject Property



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



December 3rd, 2021

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

City of Penticton  
273 Scott Ave.  
Penticton, BC V2A 2J5

Re: 273 Scott Ave. Subdivision, Rezoning & Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposed rezoning and development of the property located at 273 Scott Avenue. The property is currently zoned RD1 (Duplex Housing) and currently houses an older single-family home which is suited for demolition.

The proposal is to rezone the property to RM2 (Low Density Multiple Housing) and build four duplexes for a total of eight units. Access to the development is from Scott Avenue where a two-way 7 m wide drive aisle provides access to garage parking with two additional guest parking spots on site. The three-storey duplexes will be modest in size and will provide much needed family housing close to schools, parks, and shopping. The proposal fits within the City of Penticton's Official Community Plan as the area is designated for Ground Oriented Residential development which allows for multiple duplexes.

The property currently fronts Scott Avenue. 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 a mix of single-family homes, duplexes and townhouses as well as commercial.

Thank you for considering our proposal.

Best regards,

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

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

**273 SCOTT AVE: DEVELOPMENT PERMIT ANALYSIS**

**PEDESTRIAN CONNECTIVITY**

The development is on a road with pedestrian sidewalks and within walking and biking distance to the downtown business core and shopping. The location is central to parks and schools. City Bus stops are also located nearby, allowing easy access to transit.

**PARKING**

Each duplex has garage parking spots accessed from a drive lane coming from Scott Avenue with two additional visitor parking spots. No variances are required for parking as the required number of spaces are met.

**DESIGN FOR CLIMATE**

The building will meet the requirements of Step 3 of the BC Building Code. Trees to be planted on the east and west property lines are deciduous trees which will provide shade during the summer and sunlight during the winter as the leaves fall. Each property has its own private rear yard to allow for outdoor living.

**ORIENTATION & MASSING**

Each unit has its own entry door, the entry door of the unit closest to Scott Ave faces the street with a covered porch to improve street appeal. The entry doors of the other units face the drive aisle along the interior side yard with a covered porch for each door. The duplexes are three storey buildings and will nicely suit the neighbourhood which is comprised of duplexes, homes, and town houses. At 9.58 meters tall the building is under the maximum height allowance. The style of the building is Modern style which will fit nicely in this neighbourhood. Neighbourhood meeting was held at the City Hall in Penticton prior to design to hear potential concerns of neighbours and to address the needs of the community. Feedback was considered in the design of the units.

**LANDSCAPING (ENHANCING THE URBAN FOREST)**

The landscaping plan for the development includes one tree at the front of the property along Scott Ave, trees along the drive aisle and additional trees along rear yards of the development for a total of 16 trees which is a significant increase to the property. At the entrance of each duplex there is a modest planting bed with plantings and additional planter beds with plantings along Scott Ave creating a pleasing aesthetic and curb appeal for the development and a pleasant environment for occupants. Plantings are also located along the full length of the drive aisle. To provide a clean easily maintained space along the interior side yards river rock is used for landscaping. Grass common areas are planned along the North, South and West property lines in addition to the 3 m landscape buffer. Grass rear yards creating pleasant private areas.

**WASTE MANAGEMENT**

Garbage and recycling collection is provided by dumpsters at the north end of the drive aisle in a compound surrounded by a wood screen fence and placed on a concrete pad.

**FENCES**

6' high wood privacy fences will be installed along the full length of the north, east and west property lines except in the front yard where they are 4' high. 6' privacy fence will also be installed between each of the duplex rear yards.

We believe that the rezoning and development of this property is good use of the land and will provide much needed family housing for the city.

Thank you for considering our proposal.

Best regards,



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

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 west and second floor balconies face towards the east, both of which allow 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 3.0m setback. Staff note that the closest unit to the street is designed to face the street in a positive way, with a covered porch and sidewalk leading from the public sidewalk to the main unit entry.
- 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 driveway at the side of the property with windows and main entries facing this area, as well as towards Scott Avenue. 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. Two outdoor visitor parking spaces are located on-site, one near the middle of the development and one at the back of the property.
- 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 minor projections, roof overhangs, and other design elements to make the facades more visually appealing. 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 south façade facing Scott Avenue is designed with the main entry to the unit facing the street, with a covered patio, multiple façade materials, and minor projections all providing interesting architectural features. A path connects this unit entry directly to the public sidewalk. Large windows also face towards the street in a positive way, rather than having this most visible unit facing the side driveway.
- Guideline G26 Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.*
- The three storey design is similar to the built form of other multifamily developments on this block of Scott Avenue, which generally range between 3 and 4 floors. The upper level balconies face towards the driveway, rather than facing west where they would look over the three neighbouring residential properties on that side and have a more negative impact on privacy. The at-grade amenity lawns on this side of the buildings will be screened by fencing and landscaping which reduces outdoor amenity overlook.
- 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 side driveway. The unit adjacent to the street has a main entrance facing Scott Avenue in a positive way. This design provides visual overlook onto the public realm.
- Guideline G35 Tree planting...*
- The landscaping plan shows three trees planted along the front yard, and six trees along each side yard. 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. The west landscape buffer meets the required tree and shrub planting ratios, as well as the required 3m width. The east landscape buffer also meets the tree and shrub ratios, however it is proposed at 1.8m rather than 3.0m due to the driveway providing access to each unit. Staff are recommending that the landscape buffer width along the east property line be reduced through the development permit, as allowed for by the OCP. 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 storage bins will be stored at the rear of the property in a screened enclosure. This location will not impede vehicle access and located the bins in an easily serviced location.

*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 and a second floor deck. These amenity spaces, in addition to a common amenity lawn, provide both semi-private and shared outdoor spaces on the property 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.

The Corporation of the City of Penticton

Bylaw No. 2022-14

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. 2022-14".

2. Amendment:

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

2.1 Rezone Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this 15 day of March, 2022
A PUBLIC HEARING was held this 5 day of April, 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 March, 2022 and the 30 day of March, 2022 in the Penticton newspaper, pursuant to Section 94 of the Community Charter.

John Vassilaki, Mayor

Approved pursuant to section 52(3)(a) of the Transportation Act
this \_\_\_\_ day of \_\_\_\_\_, 2022
for Minister of Transportation & Infrastructure

Angie Collison, Corporate Officer



# Schedule A: Zoning Amendment Bylaw 2022-14

Date:

Signature:

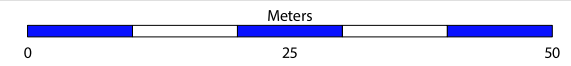


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1:720

March 9, 2022 8:48:40 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

## Development Permit

Permit Number: DP PL2021-9222

Owner Name  
Owner Address

### Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
  - Legal: Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161
  - Civic: 273 Scott Avenue
  - PID: 003-928-772
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of an eight-unit cluster housing development as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 489 of the *Local Government Act*, the following provisions of the City of Penticton Zoning Bylaw No. 2021-01 are varied by this permit:
  - a. Table 5.1: to reduce the landscape buffer width along the east property line from 3.0m to 1.8m.
5. 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.
6. The holder of this permit shall be eligible for a refund of the security described under Condition 5 only if:
  - a. The permit has lapsed as described under Condition 9, 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.

7. 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

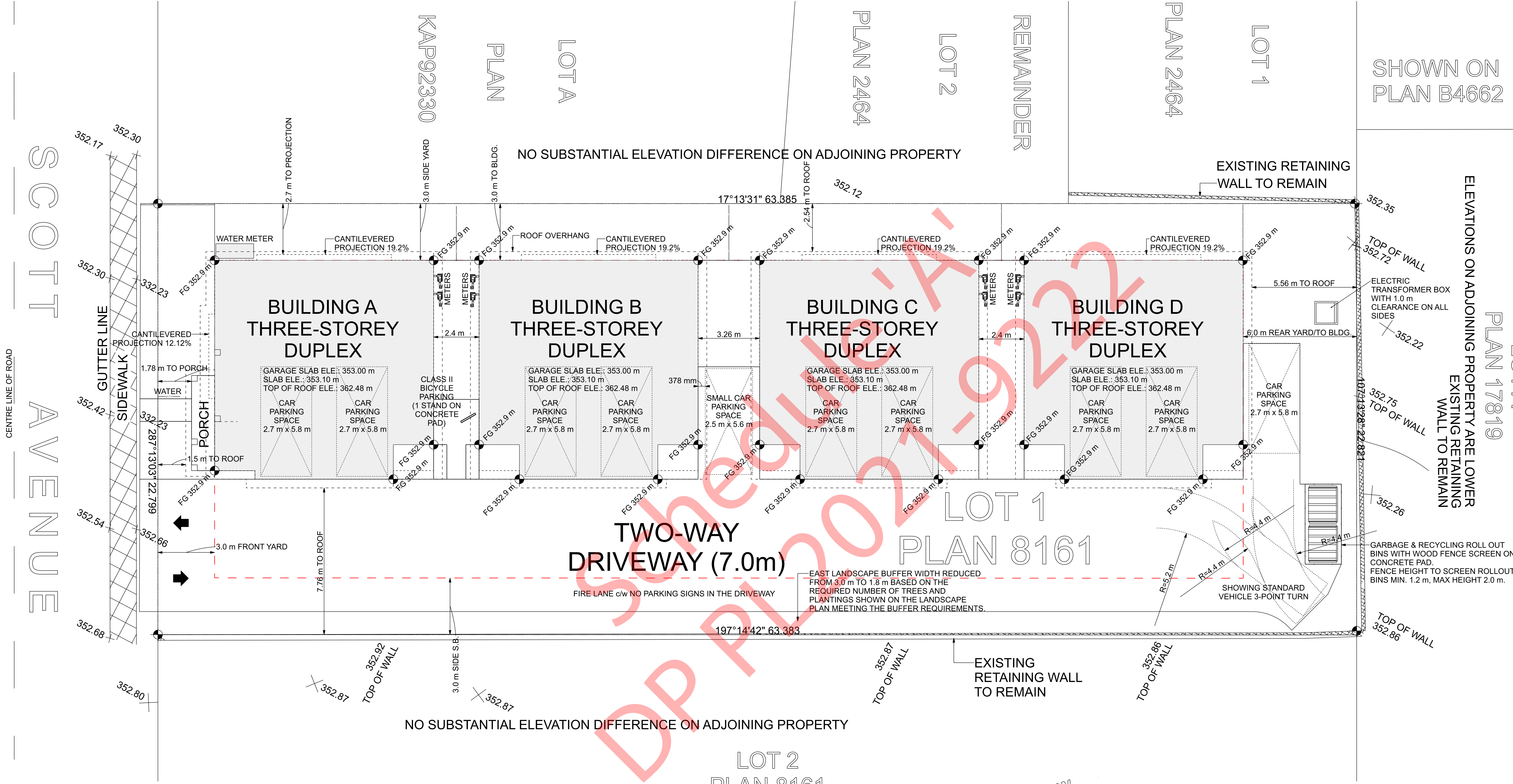
8. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
9. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
10. **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.**
11. 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.
12. 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.

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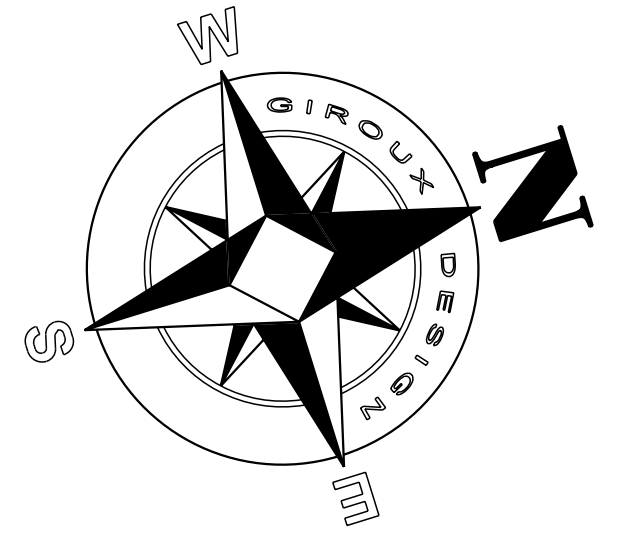
Angela Collison  
Corporate Officer



### SITE PLAN

SCALE: 1:100  
 CIVIC ADDRESS: 273 SCOTT AVENUE, PENTICTON, BC  
 LEGAL DESCRIPTION: LOT 1, PLAN 8161, DL 202 & 250 and DL 1 & 4, Grp 7, SDY(YL)D  
 PID: 003-928-772

BASED UPON A FIELD SURVEY COMPLETED 2 MARCH 2020.  
 ELEVATIONS ARE GEODETIC AND REFERRED TO CITY OF PENTICTON  
 INTEGRATED MONUMENT #4306  
 STEVEN J. BUZIKIEVICH PROFESSIONAL LAND SURVEYOR FILE. 20-006



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Site Plan

SINGLA BROTHERS CONSTRUCTION  
 273 SCOTT AVENUE  
 PENTICTON, BC  
 DESIGN BY: AJG DATE: 1/31/22  
 DRAWN BY: AJG REVISED:

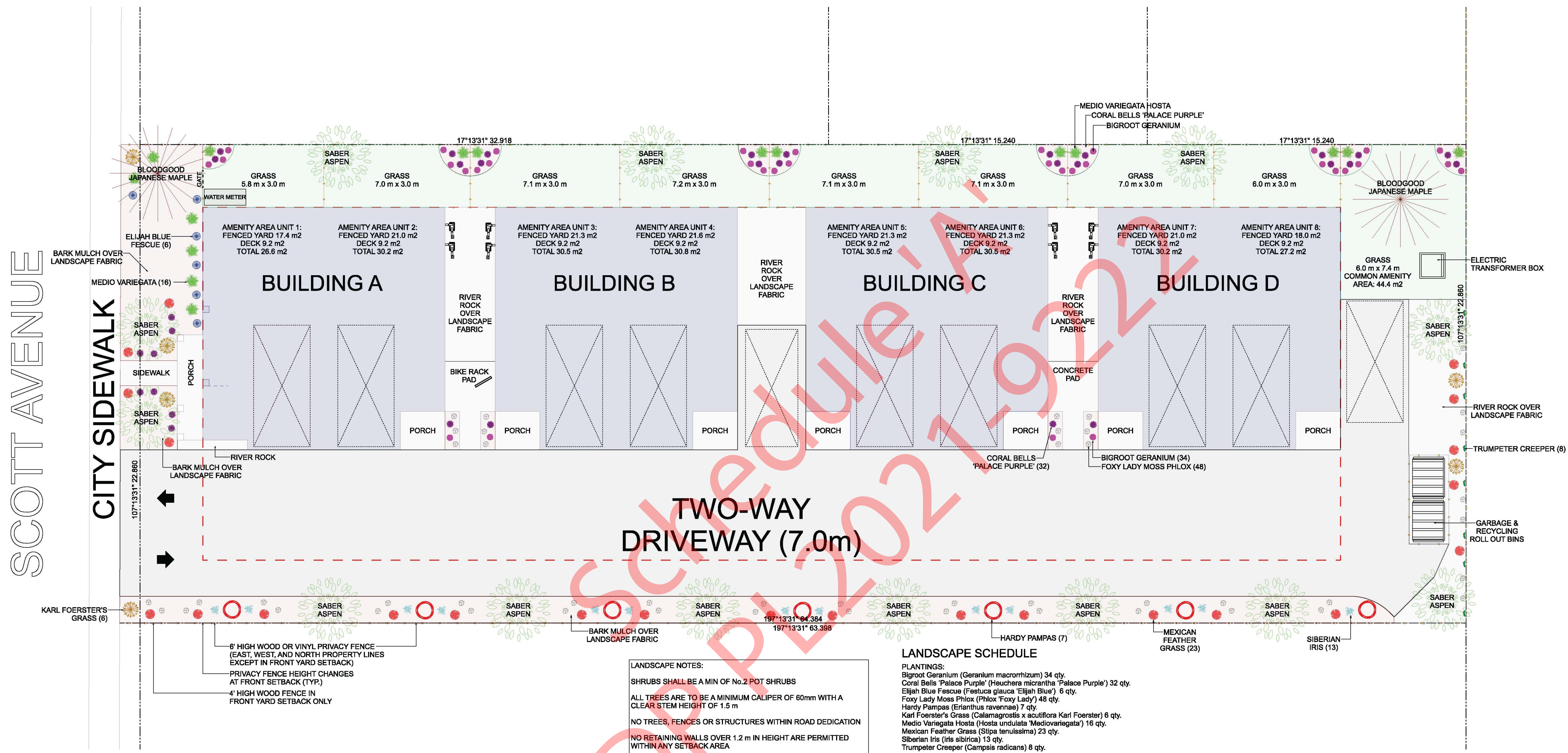
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PLAN NO.  
**WP-5619**  
 SLAB  
 SHEET NO.  
**A2**

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**LANDSCAPE PLAN**  
SCALE: 1:100

**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 SCHEDULE**

- PLANTINGS:**
- Bigroot Geranium (*Geranium macrorrhizum*) 34 qty.
  - Coral Bells 'Palace Purple' (*Heuchera micrantha* 'Palace Purple') 32 qty.
  - Elijah Blue Fescue (*Festuca glauca* 'Elijah Blue') 6 qty.
  - Foxy Lady Moss Phlox (*Phlox* 'Foxy Lady') 48 qty.
  - Hardy Pampas (*Erianthus ravennae*) 7 qty.
  - Karl Foerster's Grass (*Calamagrostis x acutiflora* Karl Foerster) 6 qty.
  - Medio Variegata Hosta (*Hosta undulata* 'Mediovariegata') 16 qty.
  - Mexican Feather Grass (*Stipa tenuissima*) 23 qty.
  - Siberian Iris (*Iris sibirica*) 13 qty.
  - Trumpeter Creeper (*Campsis radicans*) 8 qty.
- TREES:**
- Bloodgood Japanese Maple (*Acer palmatum* var. *atropurpureum* 'Bloodgood') 2 qty.
  - Saber Aspen (*Populus grandidentata* 'Saber') 14 qty.
- GARBAGE DISPOSAL:**
- Roll-out Garbage Dumpster 1 qty.
  - Roll-out Recycling Dumpster 1 qty.
- GROUND COVER/HARD SURFACES:**
- Property Area (15,600 sq.ft.)
  - Asphalt (5,105 sq.ft.)
  - Grass (2,045 sq.ft.)
  - Planting Beds-Bark Mulch (1,604 sq.ft.)
  - River Rock-2" Rainbow (961 sq.ft.)
  - Landscape Fabric (2,565 sq.ft.)
  - Sidewalks/Patios (646 sq.ft.)
- FENCING:**
- 4' High Wood Fence (26 lin.ft.)
  - 6' High 'Good Neighbour' Privacy Fence (601 lin.ft.)
  - Bike Ring Stand 2 qty.

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Landscape Plans

SINGLA BROTHERS CONSTRUCTION  
273 SCOTT AVENUE  
PENTICTON, BC  
DESIGN BY: AJG DATE: 1/31/22  
DRAWN BY: AJG REVISED:

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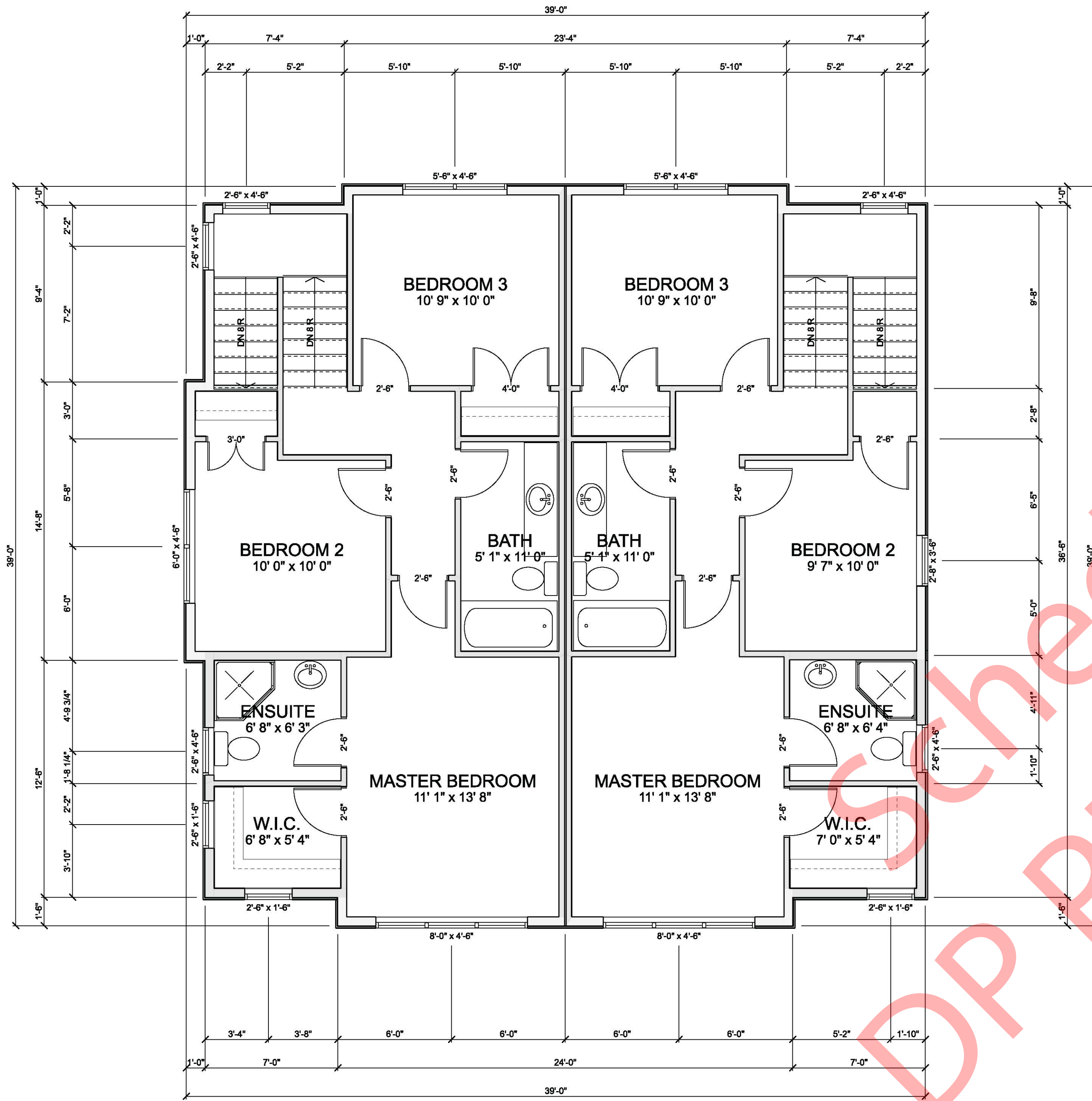
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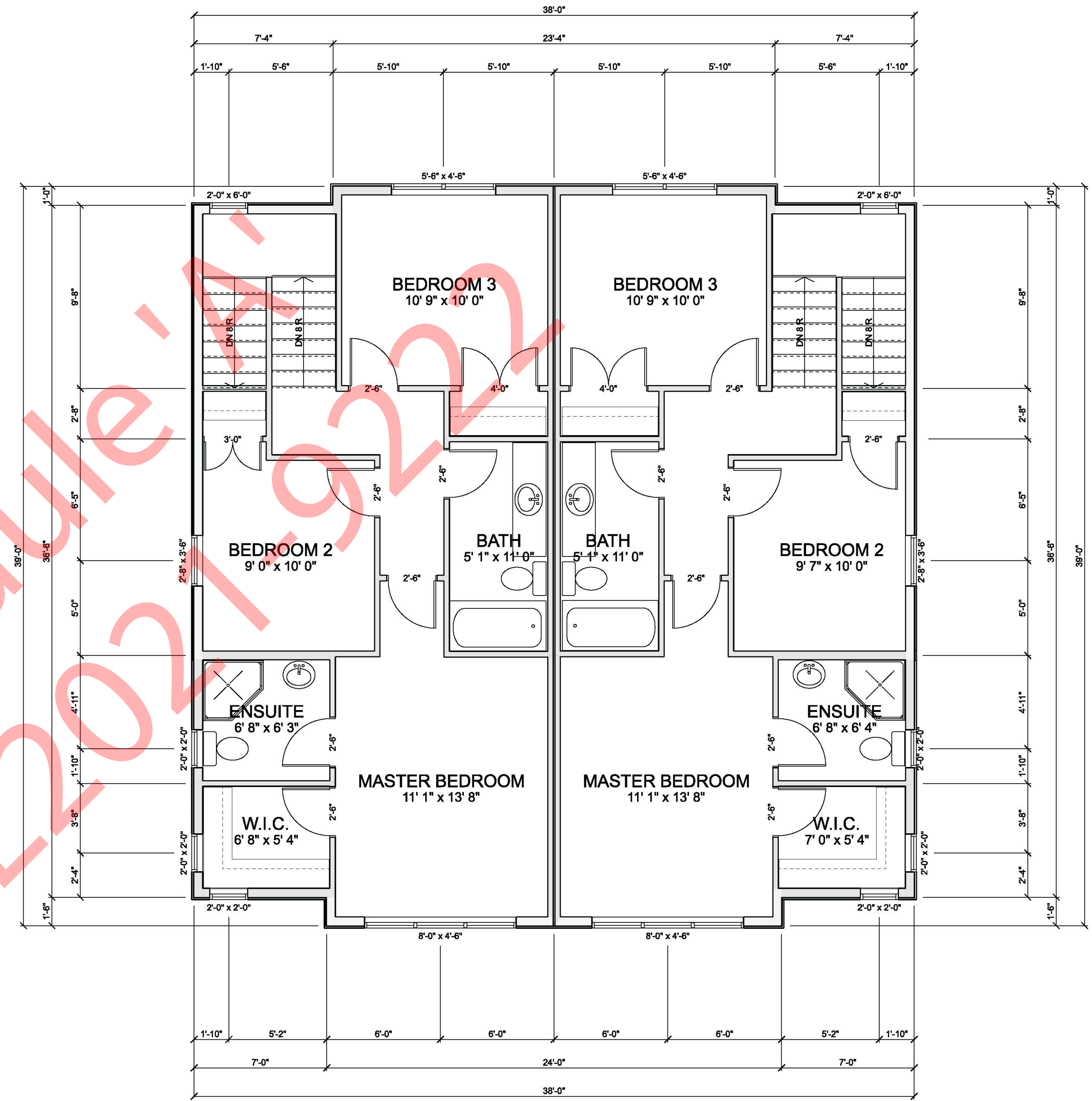
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UPPER FLOOR PLAN (BUILDING A)  
 SCALE: 1/4" = 1'-0"  
 UPPER FLOOR LIVING AREA: 1332.7 sq. ft.



UPPER FLOOR PLAN (BUILDINGS B-D)  
 SCALE: 1/4" = 1'-0"  
 SECOND FLOOR LIVING AREA: 1318.0 sq. ft.

SINGLA BROTHERS CONSTRUCTION  
 273 SCOTT AVENUE  
 PENTICTON, BC  
 DESIGN BY: AJG DATE: 1/31/22  
 DRAWN BY: AJG REVISED:

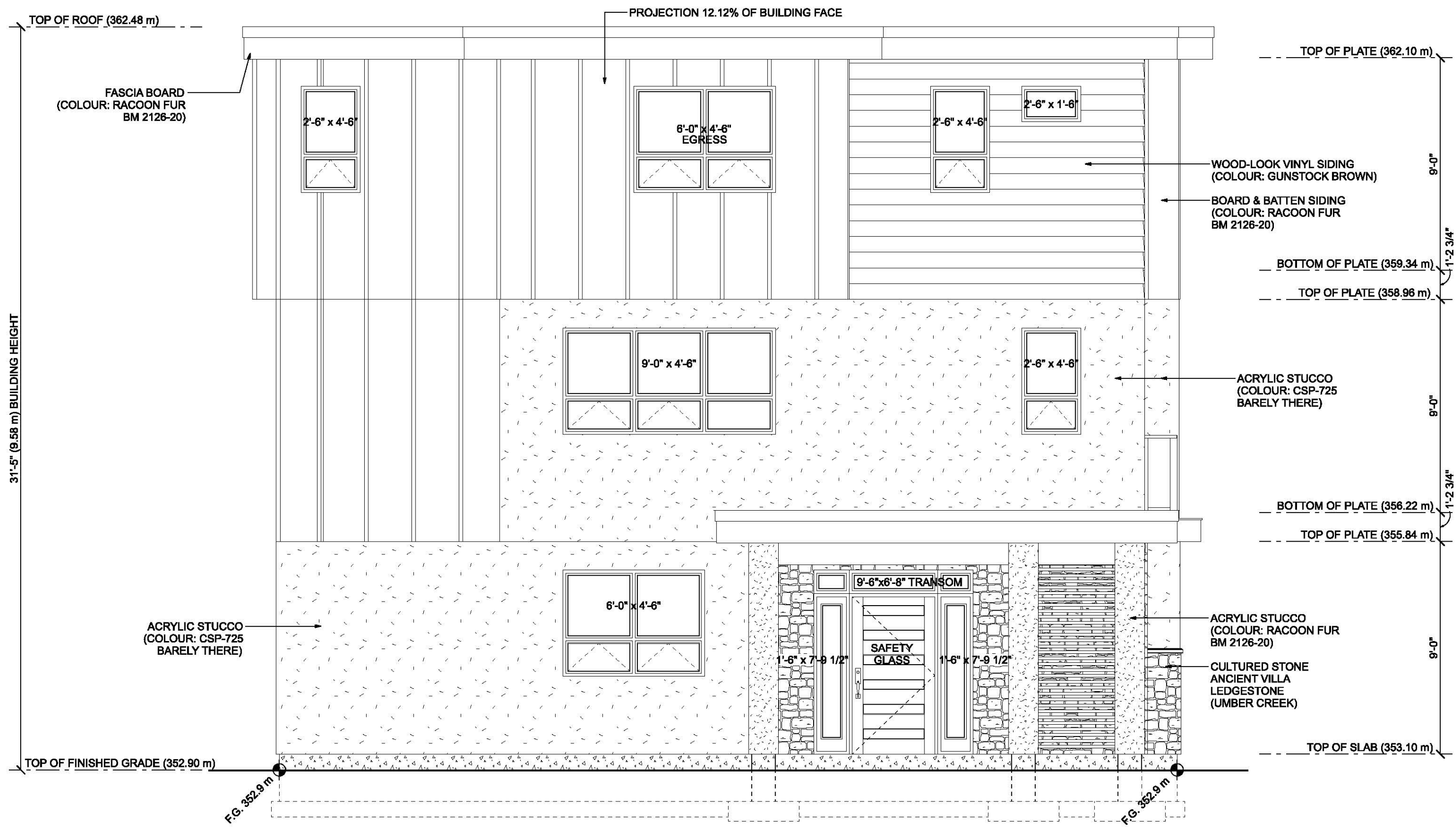
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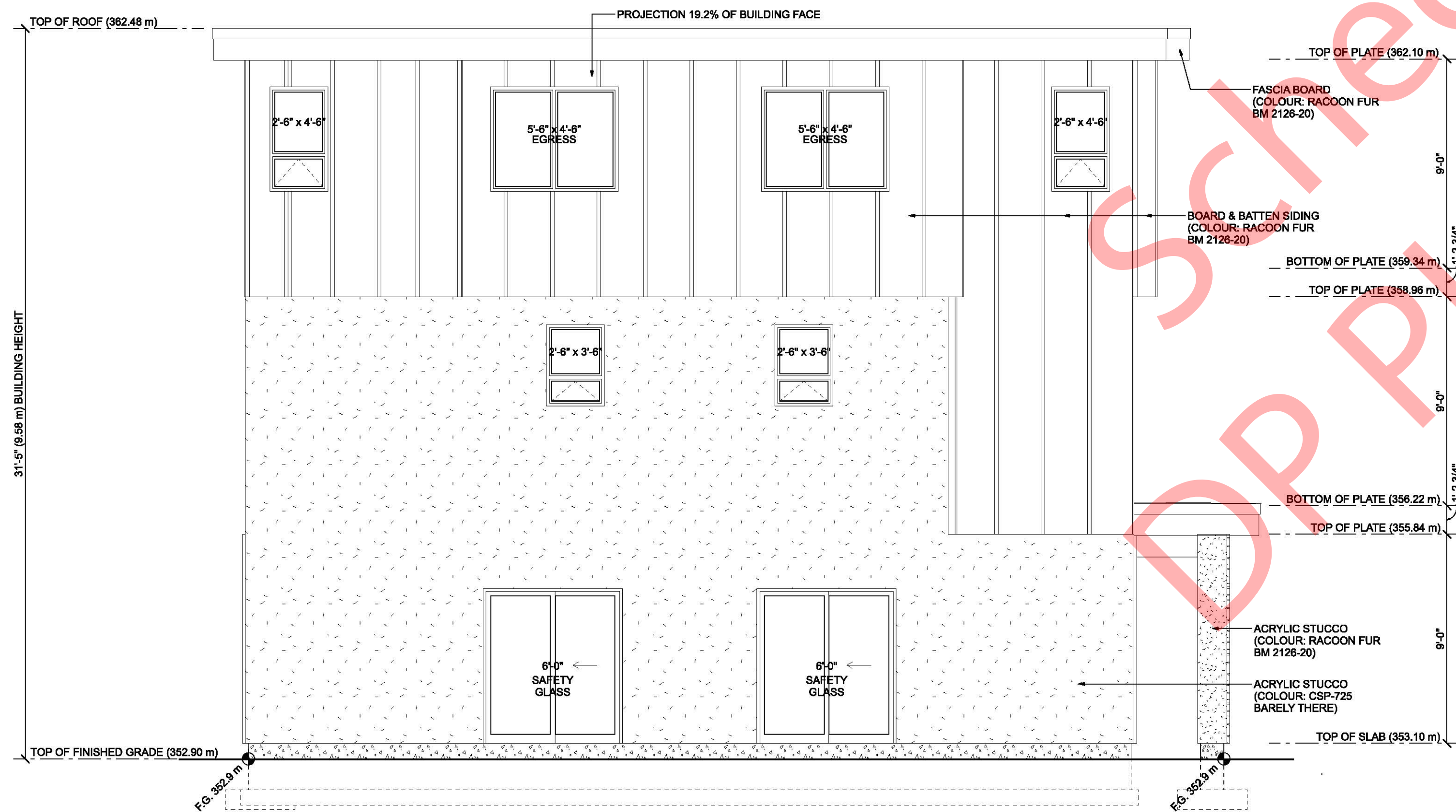
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 Upper Floor Plans



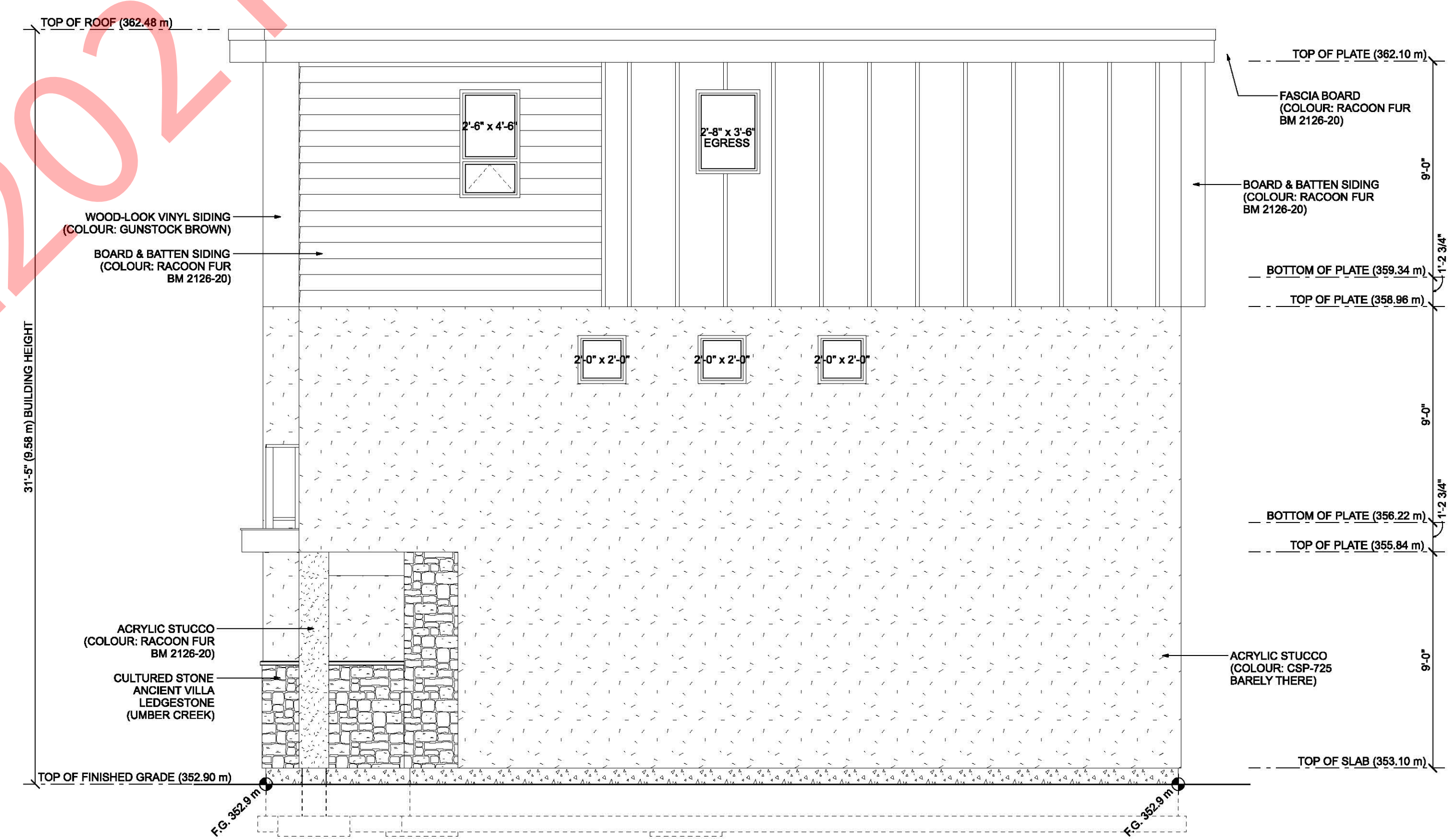
**BUILDING A- SOUTH ELEVATION (FACING SCOTT AVE)**  
SCALE: 1/4" = 1'-0"



**BUILDING A- EAST ELEVATION (FACING DRIVE LANE)**  
SCALE: 1/4" = 1'-0"



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



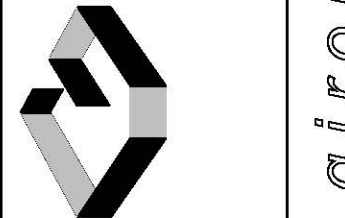
**BUILDING A- NORTH ELEVATION (FACING BLDG B)**  
SCALE: 1/4" = 1'-0"

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273 SCOTT AVENUE  
PENTICTON, BC  
DESIGN BY: AJG DATE: 1/31/22  
DRAWN BY: AJG REVISED:

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BUILDING 1  
FRONT ELEVATION (FACING SOUTH TO SCOTT AVENUE)  
SCALE: 1/8" = 1'-0"



BUILDING 4  
REAR ELEVATION (NORTH FACING)  
SCALE: 1/8" = 1'-0"



BUILDING 1  
RIGHT ELEVATION (EAST FACING)  
SCALE: 1/8" = 1'-0"

BUILDING 2

BUILDING 3

BUILDING 4

SCOTT AVENUE



BUILDING 4  
LEFT ELEVATION (WEST FACING)  
SCALE: 1/8" = 1'-0"

BUILDING 3

BUILDING 2

BUILDING 1

SCOTT AVENUE

SINGLA BROTHERS CONSTRUCTION  
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PENTICTON, BC

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Color Exterior Elevations



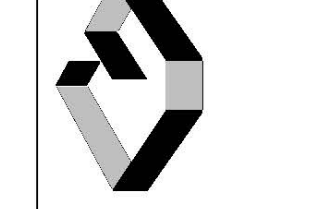
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2022

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