

## 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, May 17, 2022**  
**at 6:00 p.m.**

- |       |   |      |
|-------|---|------|
| 1.    | Mayor Calls Public Hearing to Order for <b>“Zoning Amendment Bylaw No. 2022-20”</b>   | 1-31 |
| CO    | <p>Reads Opening Statement and Introduction of Bylaw</p> <p>“Zoning Amendment Bylaw No. 2022-20”</p> <p>Purpose: To amend Zoning Bylaw No. 2021-01 as follows:</p> <p style="padding-left: 40px;">Rezone Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing).</p> <p style="padding-left: 40px;">The applicant intends to construct a two-storey (plus basement) development with four dwelling units on the subject property.</p> <p>Notice: The Public Hearing was advertised in the Penticton Herald Newspaper on Friday, May 6, 2022 and Friday, May 13, 2022 (pursuant to the <i>Local Government Act</i>).</p> |      |
| CO    | No correspondence has received regarding the Zoning Amendment Bylaw (as of noon Wednesday, May 11, 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. 2022-20” 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, May 3, 2022**  
**at 1:00 p.m.**

## **Resolutions**

---

- 13.3 Zoning Amendment Bylaw No. 2022-20  
Development Variance Permit PL2021-9239  
Development Permit PL2021-9240  
Re: 145 Kinney Avenue

158/2022

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-20", for Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, a bylaw to rezone the subject property from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing);

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-20" to the May 17th, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-20", consider "Development Variance Permit PL2022-9239", for Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, a permit to vary the following section of Zoning Bylaw No. 2021-01:

1. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 51%.

AND THAT Council, subject to approval of "Development Variance Permit PL2021-9239", approve "Development Permit PL2021-9240", for Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, a permit to allow for the construction of a 4-plex.

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** May 3, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Nicole Capewell, Planner II  
**Address:** 145 Kinney Avenue

File No: RMS/145 Kinney Ave

**Subject:** **Zoning Amendment Bylaw No. 2022-20**  
**Development Variance Permit PL2021-9239**  
**Development Permit PL2021-9240**

## Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-20", for Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, a bylaw to rezone the subject property from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing);

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-20" to the May 17, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-20", consider "Development Variance Permit PL2022-9239", for Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, a permit to vary the following section of Zoning Bylaw No. 2021-01:

1. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 51%.

AND THAT Council, subject to approval of "Development Variance Permit PL2021-9239", approve "Development Permit PL2021-9240", for Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, a permit to allow for the construction of a 4-plex.

## 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 construct a two-storey (plus basement) development with four dwelling units on the subject property (Figure 1). In order to proceed with the proposed development, the applicant has requested to rezone the property from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing).

The applicant has also requested the following variances to Zoning Bylaw No. 2021-01 to facilitate the development:

1. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 51%.

Further, the applicant requires Development Permit approval for the form and character of the building, which has been included for Council’s consideration.



Figure 1 - Conceptual Rendering of Proposed Development

**Background**

The subject property is currently zoned R1 (Large Lot Residential) and is designated as ‘Ground Oriented Residential’ (Figure 2) by the Official Community Plan (OCP). The subject property contains a single family home that was constructed in the 1940’s.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Ground Oriented Residential 	Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.	<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 2 - OCP Land Use Designation

The surrounding area is a mixture of uses, including some single family dwellings directly adjacent, high density apartment buildings, infill development, parks and commercial developments. The property's proximity to the variety of uses make it an ideal location for increased density. The property is within walking distance of Parkway Elementary School and Lions Park, providing ample greenspace for future tenants and residents. The property is also located within close proximity (100m) of Cherry Lane Shopping Centre, which contains a number of desirable shops and services. This area is also well serviced by pedestrian, cycling and transit networks.

**Technical Review**

This application was reviewed by the City's Technical Planning Committee. Typical servicing requirements have been identified for the Building Permit stage of the project, if the rezoning and variance permit applications are supported by Council. These items have been communicated to the applicant.



Figure 3 - Property Location Map

**Development Statistics**

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

	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>	836 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40%	51% <b>Variance Requested</b>
<b>Maximum Density:</b>	0.8 Floor Area Ratio (FAR)	0.74 Floor Area Ratio (FAR)
<b>Vehicle Parking:</b>	Total Required = 5 spaces 1 per unit plus 0.25 per unit for visitor	Total provided: 5 spaces
<b>Required Setbacks</b>		
Front Yard (Kinney Ave):	3.0 m	3.0 m
Interior Side Yard (east):	1.5 m	3.07 m
Interior Side Yard (west):	1.5 m	6.98 m
Rear Yard (north):	6.0 m	6.58 m
<b>Maximum Building Height</b>	12 m	7.95 m
<b>Other Information:</b>	*Lot width and lot area are only applicable for subdivision applications.	

## Analysis

### *Zoning Amendment*

The Official Community Plan (OCP) designation for the subject property is ‘Ground Oriented Residential’, which supports medium density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas (Figure 1). Duplexes with suites, cluster housing and fourplexes are some of the building types envisioned in this designation. The applicant is proposing to construct a four-unit townhouse on the property. The development and density proposed on the property are aligned with the vision of properties designated within the ‘Ground Oriented Residential’ designation.

In addition to alignment with the future land use designation, staff consider that the proposed zoning amendment will also allow for a 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 city that has been identified for increased residential density by the OCP. The proposed rezoning to RM2 to allow a total of 4 dwelling units on the property is consistent with the increased density and building forms envisioned by the ‘Ground Oriented Residential’ designation.

Given that there is adequate policy through the OCP to support the proposed development, staff recommend that Council give first reading to “Zoning Amendment Bylaw No. 2022-20”, and forward the bylaw to the May 17, 2022 Public Hearing to gather comments and feedback from the public.

### *Support Development Variance Permit*

When considering a variance to a City bylaw, staff encourages Council to consider whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable. The applicant is requesting to increase the lot coverage on the property.

1. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 51 %.
  - The request to increase the maximum lot coverage on the property is attributed to the decks/balcony features proposed on the property.
  - Decks and balconies are included in lot coverage when they exceed 0.6m (2ft.) above grade.
  - The applicant has indicated that the deck/balcony features not only provide outdoor amenity space, but also provides a covered parking space underneath.
  - The deck/balcony features proposed provide significant benefits to the development, by providing private outdoor areas for each individual unit.
  - Larger balcony areas are more livable, compared to smaller, less usable ones, which encourages residents to be outside.
  - OCP Policy 4.1.3.6 – “require amenity areas in all multifamily and mixed-use projects through regulations in the Zoning Bylaw.”
  - A Multifamily Residential Development Permit Area objective is to “ensure social spaces and support for active living (through provision of amenity spaces and indoor-outdoor relationships)”.
  - The deck/balcony areas are looking west towards a parking lot associated with the neighbouring apartment buildings. This design limits privacy impacts on the neighbouring residence to the east.

For the reasons listed above, staff consider that the requested variance is reasonable in this instance. The development proposes units that have adequate, private outdoor living spaces, and represents additional density in an area of the City identified for increased growth. Staff recommend that Council consider the Development Variance Permit subject to adoption of the rezoning.

#### *Support Development Permit*

The proposed development is considered within the Multifamily Residential Development Permit Area of the OCP, which is established to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. The proposed development has been designed with the OCP design guidelines in mind. The development proposes a density that is aligned with the Ground Oriented Residential designation and provides a design that meets all Zoning Bylaw regulations for setbacks, parking and is well within the allowable building height.

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 within their letter of intent (Attachment 'E'), which outlines the project and its conformance to the OCP design guidelines.

As such, staff recommend that Council consider approving the Development Permit after adoption of the Zoning Amendment Bylaw and approval of the Development Variance Permit.

#### **Alternate Recommendations**

Council may consider that while the zoning amendment is aligned with the OCP by increasing density in a desirable area of the city, the development as proposed does not fit the character of the neighbourhood. If this is the case, Council may choose the alternate recommendation.

1. THAT Council deny first reading to “Zoning Amendment Bylaw No. 2022-20”.

**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 and Development Permit Analysis (applicant)
- Attachment F – Draft Development Variance Permit PL2022-9239
- Attachment G – Draft Development Permit PL2022-9240
- Attachment H – Zoning Amendment Bylaw No. 2022-20

Respectfully submitted,

Nicole Capewell, RPP, MCIP  
Planner II

Concurrence

Director of Development Services  <i>BL</i>	Acting Chief Administrative Officer  <b>KD</b>
--	---

Attachment A – Zoning Map



Attachment B – Official Community Plan Map

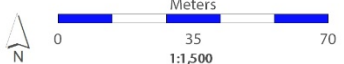


# 145 Kinney Ave

Official Community Plan Map



Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user of this information does so at their own risk and should not rely upon the information without independent verification as to the accuracy or suitability thereof.



Wednesday, February 2, 2022  
2:49:47 PM



penticton.ca

Attachment C – Photos of Property



*Looking east at subject property from laneway*



*Looking north at subject property from Kinney Avenue*

Attachment D – 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 G1 Applications shall include a comprehensive site plan – considering adjacent context for building and landscape architectural design and neighbourhood character analysis - to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbours.*

- The applicant has labelled geodetic elevations on the site plan, to show they have reviewed the topography of the property, which is relatively flat.

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

- The applicant has located the proposed building at the minimum required 3.0m front yard setback, which helps to maintain a connection with the street. They have proposed a front door on the unit closest to Kinney Avenue that faces the street to add a pedestrian scale to the development.

*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 proposed front yard fencing is limited to 1.2m (4ft.) in height, which is aligned with the Zoning Bylaw requirements and also helps to retain ‘eyes on the street’ by keeping sightlines open from private property to the public streetscape.

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

- The laneway on the west side of the development provides pedestrian access to the development.

*Guideline 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).*

- The proposed development provides each unit with a balcony that looks west towards the laneway. Across the laneway, there is a parking lot associated with Cherry Lane Towers. Having outdoor amenity areas overlooking parking lots helps to maintain security of these areas.

*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.*

- As noted above, the proposed development has overlook from the unit closest to Kinney Avenue over the street, as well as overlook west and north due to the location and orientation of the outdoor balconies.

*Guideline G33 Water Conservation and Plant Maintenance: Xeriscaping, Irrigation & Mulching*

- The proposed development includes a landscaping plan that provides adequate and appropriate designs.
- The plans indicate a fully automatic underground irrigation system, which helps to reduce overwatering and utilizes a drip system.

*Guideline G35 Tree planting...*

- Trees and shrubs have been provided at the front of the property as well along the east property line.



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

April 4, 2022

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

Re: Rezoning/Development Variance Permit letter for 145 Kinney Avenue Penticton

On behalf of the property owner of 145 Kinney 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 R1, Large Lot Residential. The owner would like to rezone the property to RM2, Low Density Multiple Housing. In this application it would allow for four dwelling units on a single lot. The owner is proposing to construct a fourplex on the property.

The property has large multi family developments to the north and north west as well as a parking lot to the west. The two storey fourplex would be a step down from the large developments to the single and multi family developments in the surrounding area.

The supporting documents demonstrate the intent of the property and proposed layouts for the development. Regarding the zoning review, the fourplex 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 fourplex, the owner would like to provide covered balconies and partially covered parking for each unit on the west side. As such, this would increase the lot coverage. We believe that the variance would be warranted given the covered balconies would act as a carport underneath, which will provide a partially covered off street parking space for each unit and act as a means to break up massing while promoting overlook and weather protection. The request is for variance from 40% lot coverage to 50.3% 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 fourplex unit with partially covered parking off the Laneway.

*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 east and west of the property with covered amenity space.

*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 0.51m (1'-8")

*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).*

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

- *Parking between the front of buildings and the street is not permitted.*
- *Parking should be located at the rear of buildings/sites.*
- *Shared parking (where varying uses have parking demands that peak at different times of the day) is encouraged to reduce parking requirements.*
- *Outdoor surface parking areas should incorporate pathways that provide safe, accessible and comfortable*
- All off street parking is provided off of the laneway to free the street for uninterrupted pedestrian circulation and boulevard landscaping.
- Parking off of the laneway optimizes land use and reduces impermeable surface coverage and sidewalk crossings.

*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 advise on the construction of the fourplex.
- 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 unit has their own ground-oriented private door that fronts the laneway.

*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 break 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 unit in the building has a cantilevered front balcony with a setback front door. Additionally the exterior wall faces (at the front and rear setbacks) have a second floor cantilever in order to break up the massing while promoting overlook and enrich the pedestrian experience.
- Pergolas at the rear of the building provide visual interest on the east facade. This also promotes ground floor use of outdoor space and no balconies off the second floor to maintain privacy for adjacent neighbours.

*G35. Tree planting*

**p + s** people plus space  
planning and design

- *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.

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

Regards,

A handwritten signature in black ink, appearing to read "H. Shedden".

Heather Shedden  
MPI, BAAID

## Development Variance Permit

Permit Number: DVP PL2022-9239

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 A District Lot 115 Similkameen Division Yale District Plan 8719
  - Civic: 145 Kinney Avenue
  - PID: 009-792-732
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 development as shown in the plans attached in Schedule 'A':
  - a. 10.9.2.3: 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.

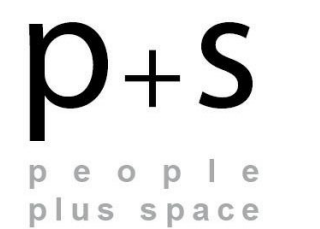
Authorized by City Council, the \_\_\_\_ day of \_\_\_\_\_, 2022.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2022.

---

Angela Collison  
Corporate Officer

DRAFT  
DVP PL2022-9239



planning and design

People plus Space: Planning and Design  
10124 Main Street  
Summerland BC V0H 1Z0  
250-488-1481  
heather@peopleplusspace.ca

KINNEY AVENUE

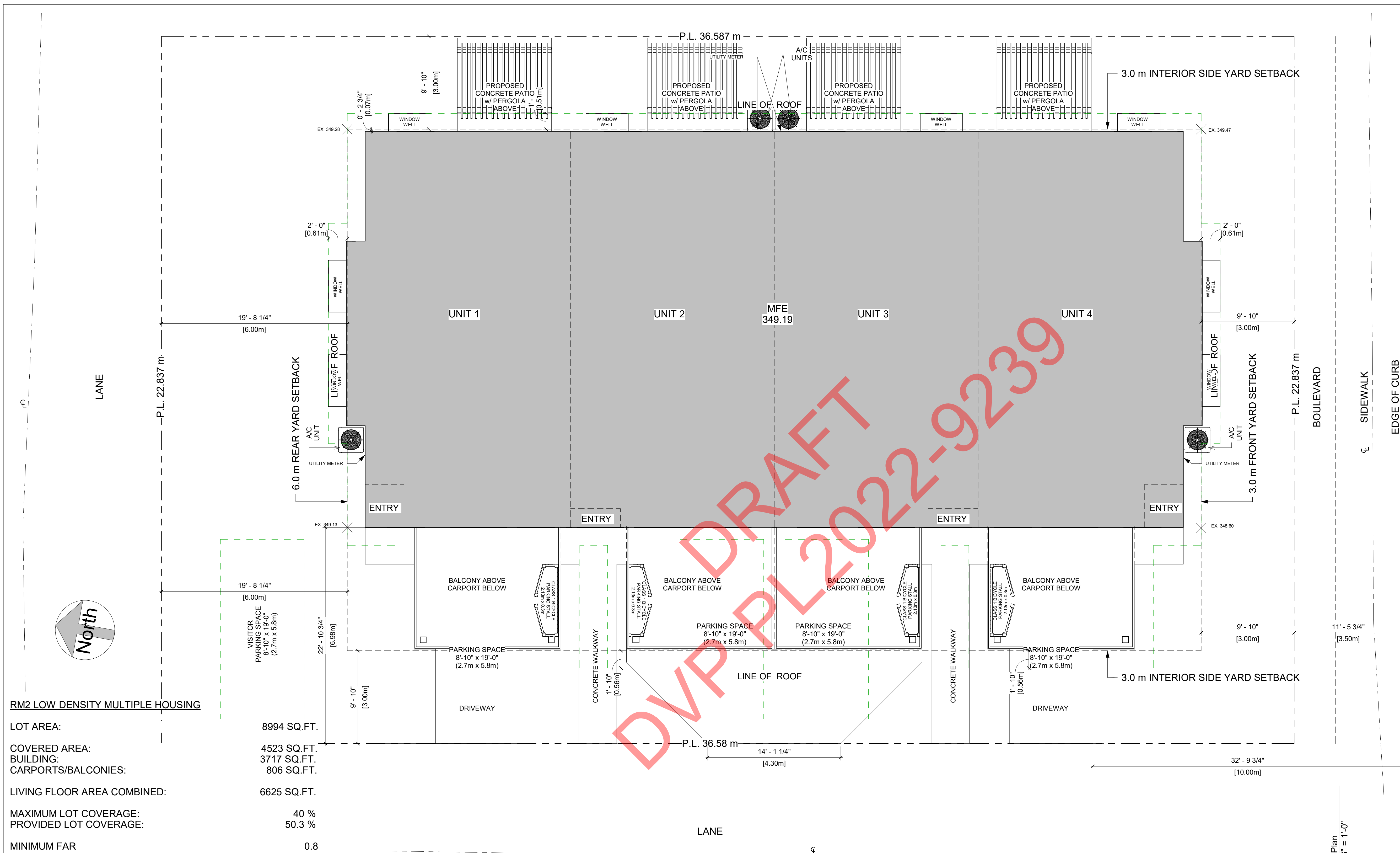
No.	Description	Date
1	ISSUED FOR REVIEW	2021-07-13
2	ISSUED FOR REVIEW	2021-09-03
3	ISSUED FOR REVIEW	2021-09-29
4	ISSUED FOR DP	2021-10-13
5	ISSUED FOR DP	2021-12-21
6	ISSUED FOR DP	2022-03-08
7	ISSUED FOR DP	2022-03-31

**Townhouse Units**  
145 KINNEY AVE, PENTICTON BC  
**SITE PLAN**

Project number	21-011
Date	2021-12-17
Drawn by	J.P.F.

**ID-101**

Scale 3/16" = 1'-0"



**RM2 LOW DENSITY MULTIPLE HOUSING**

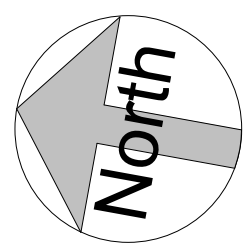
LOT AREA:	8994 SQ.FT.
COVERED AREA:	4523 SQ.FT.
BUILDING:	3717 SQ.FT.
CARPORTS/BALCONIES:	806 SQ.FT.
LIVING FLOOR AREA COMBINED:	6625 SQ.FT.
MAXIMUM LOT COVERAGE:	40 %
PROVIDED LOT COVERAGE:	50.3 %
MINIMUM FAR	0.8
PROVIDED FAR	0.74
MAXIMUM BUILDING HEIGHT:	12.0 m
PROPOSED BUILDING HEIGHT:	7.36 m
REQUIRED FRONT YARD SETBACK:	3.0 m
PROVIDED FRONT YARD SETBACK:	3.0 m
REQUIRED INTERIOR SIDE YARD SETBACK:	3.0 m
PROVIDED INTERIOR SIDE YARD SETBACK (WEST):	6.98 m
PROVIDED INTERIOR SIDE YARD SETBACK (EAST):	3.07 m
REQUIRED REAR YARD SETBACK:	6.0 m
PROVIDED REAR YARD SETBACK:	6.0 m

**LOT COVERAGE BREAKDOWN:**

BUILDING: 3,717 SQ.FT. = 345m <sup>2</sup>
+ CARPORTS/BALCONIES: 806 SQ.FT. = 75m <sup>2</sup>
<b>LOT AREA: 8,994 SQ.FT. = 836m<sup>2</sup></b>
<b>TOTAL LOT COVERAGE = 50.3%</b>

**FAR BREAKDOWN:**

FIRST FLOOR AREA EXCLUDING STAIRS AND LIFTS: 3237 SQ.FT. = 301m <sup>2</sup>
+ SECOND FLOOR AREA EXCLUDING STAIRS AND LIFTS: 3388 SQ.FT. = 315m <sup>2</sup>
<b>LOT AREA: 8,994 SQ.FT. = 836 m<sup>2</sup></b>
<b>TOTAL FAR = 0.74</b>



## Development Permit

Permit Number: DP PL2022-9240

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 A District Lot 115 Similkameen Division Yale District Plan 8719
  - Civic: 145 Kinney Avenue
  - PID: 009-792-732
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a four-unit 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.

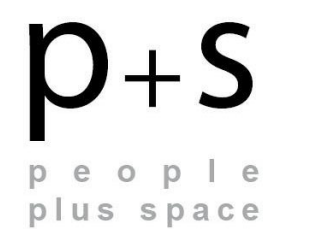
Authorized by City Council, the \_\_\_\_ day of \_\_\_\_\_, 2022.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2022.

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

DP PL2022-5190  
DRAFT





planning and design

People plus Space: Planning and Design  
 10124 Main Street  
 Summerland BC V0H 1Z0  
 250-468-1481  
 heather@peopleplusspace.ca

KINNEY AVENUE

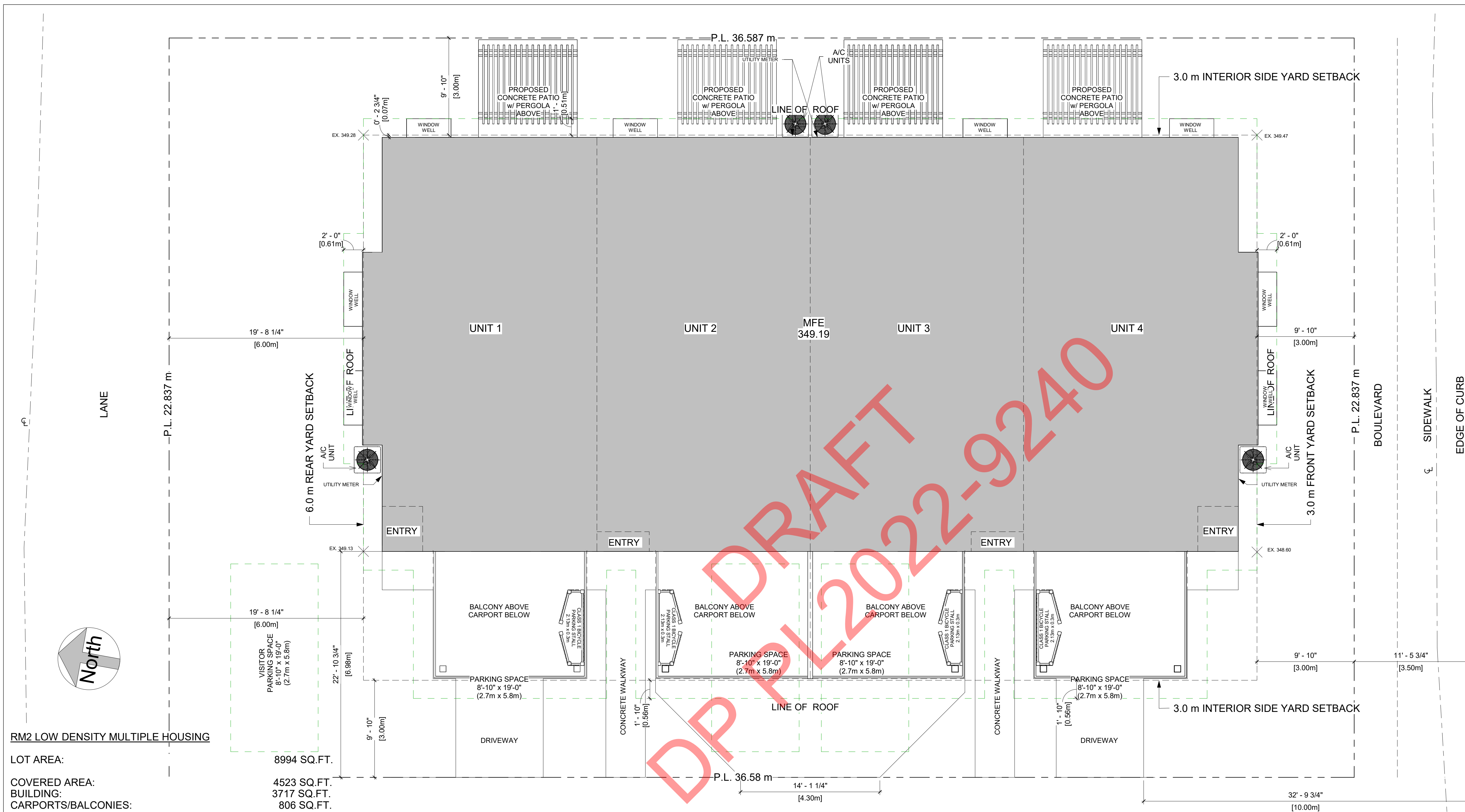
No.	Description	Date
1	ISSUED FOR REVIEW	2021-07-13
2	ISSUED FOR REVIEW	2021-09-03
3	ISSUED FOR REVIEW	2021-09-29
4	ISSUED FOR DP	2021-10-13
5	ISSUED FOR DP	2021-12-21
6	ISSUED FOR DP	2022-03-08
7	ISSUED FOR DP	2022-03-31

**Townhouse Units**  
 145 KINNEY AVE, PENTICTON BC  
**SITE PLAN**

Project number	21-011
Date	2021-12-17
Drawn by	J.P.F.

**ID-101**

Scale 3/16" = 1'-0"



**RM2 LOW DENSITY MULTIPLE HOUSING**

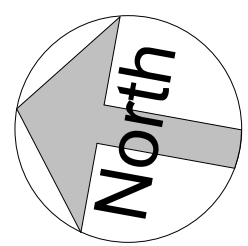
LOT AREA:	8994 SQ.FT.
COVERED AREA:	4523 SQ.FT.
BUILDING:	3717 SQ.FT.
CARPORTS/BALCONIES:	806 SQ.FT.
LIVING FLOOR AREA COMBINED:	6625 SQ.FT.
MAXIMUM LOT COVERAGE:	40 %
PROVIDED LOT COVERAGE:	50.3 %
MINIMUM FAR	0.8
PROVIDED FAR	0.74
MAXIMUM BUILDING HEIGHT:	12.0 m
PROPOSED BUILDING HEIGHT:	7.36 m
REQUIRED FRONT YARD SETBACK:	3.0 m
PROVIDED FRONT YARD SETBACK:	3.0 m
REQUIRED INTERIOR SIDE YARD SETBACK:	3.0 m
PROVIDED INTERIOR SIDE YARD SETBACK (WEST):	6.98 m
PROVIDED INTERIOR SIDE YARD SETBACK (EAST):	3.07 m
REQUIRED REAR YARD SETBACK:	6.0 m
PROVIDED REAR YARD SETBACK:	6.0 m

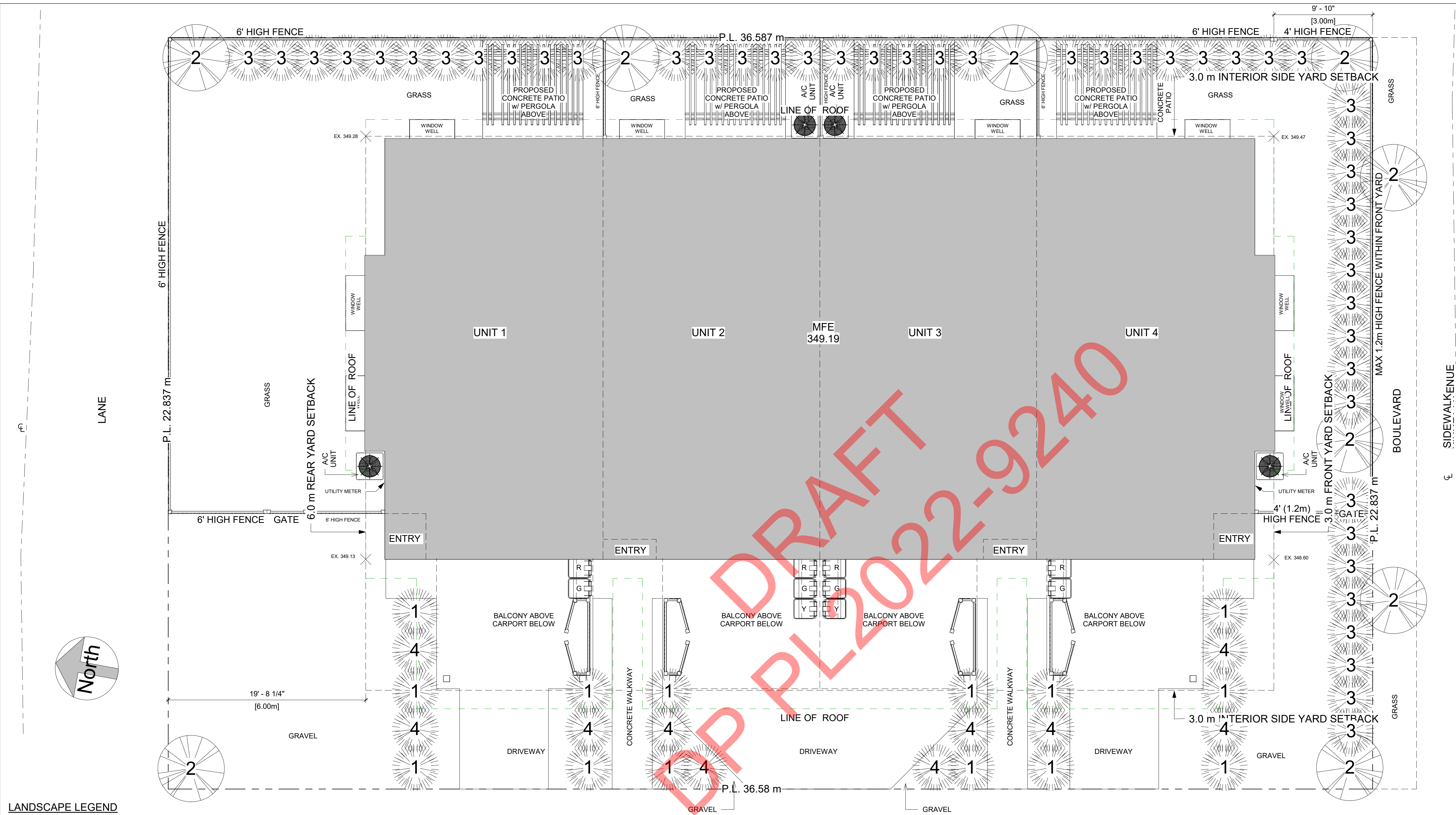
**LOT COVERAGE BREAKDOWN:**

BUILDING: 3,717 SQ.FT. = 345m <sup>2</sup>
+ CARPORTS/BALCONIES: 806 SQ.FT. = 75m <sup>2</sup>
<b>LOT AREA: 8,994 SQ.FT. = 836m<sup>2</sup></b>
<b>TOTAL LOT COVERAGE = 50.3%</b>

**FAR BREAKDOWN:**

FIRST FLOOR AREA EXCLUDING STAIRS AND LIFTS: 3237 SQ.FT. = 301m <sup>2</sup>
+ SECOND FLOOR AREA EXCLUDING STAIRS AND LIFTS: 3388 SQ.FT. = 315m <sup>2</sup>
<b>LOT AREA: 8,994 SQ.FT. = 836 m<sup>2</sup></b>
<b>TOTAL FAR = 0.74</b>





**LANDSCAPE LEGEND**

ITEM NO.	DESCRIPTION:	QUANTITY
01	GOLD JAPANESE FOREST GRASS	14
02	AMUR MAPLE	9
03	KARL FORESTER	47
04	LAVANDER	10

**LANDSCAPE NOTES:**

- ALL LANDSCAPED AREAS TO HAVE UNDERGROUND IRRIGATION C/W WATER SENSORS AND TIMER.
- COVER PLANTER BEDS WITH LANDSCAPE FABRIC AND MULCH
- LANDSCAPE FABRIC UNDER RIVER ROCK
- 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.

**p+s**  
people plus space

planning and design

People plus Space: Planning and Design  
10124 Main Street  
Summerland BC V0H 1Z0  
250-488-1481  
heather@peopleplusspace.ca

KINNEY AVENUE

No.	Description	Date
1	ISSUED FOR REVIEW	2021-07-13
2	ISSUED FOR REVIEW	2021-09-03
3	ISSUED FOR REVIEW	2021-09-29
4	ISSUED FOR DP	2021-10-13
5	ISSUED FOR DP	2021-12-21
6	ISSUED FOR DP	2022-03-08
7	ISSUED FOR DP	2022-03-31

**Townhouse Units**  
145 KINNEY AVE, PENTICTON BC

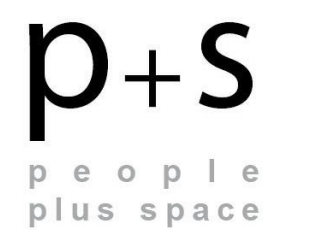
**LANDSCAPE PLAN**

Project number 21-011  
Date 2021-12-17  
Drawn by J.P.F.

**ID-102**

Scale 3/16" = 1'-0"

1 Landscape plan  
3/16" = 1'-0"



planning and design

People plus Space: Planning and Design  
10124 Main Street  
Summerland BC V0H 1Z0  
250-468-1481  
heather@peopleplusspace.ca

No.	Description	Date
1	ISSUED FOR REVIEW	2021-07-13
2	ISSUED FOR REVIEW	2021-09-03
3	ISSUED FOR REVIEW	2021-09-29
4	ISSUED FOR DP	2021-10-13
5	ISSUED FOR DP	2021-12-21
6	ISSUED FOR DP	2022-03-08
7	ISSUED FOR DP	2022-03-31

### Townhouse Units

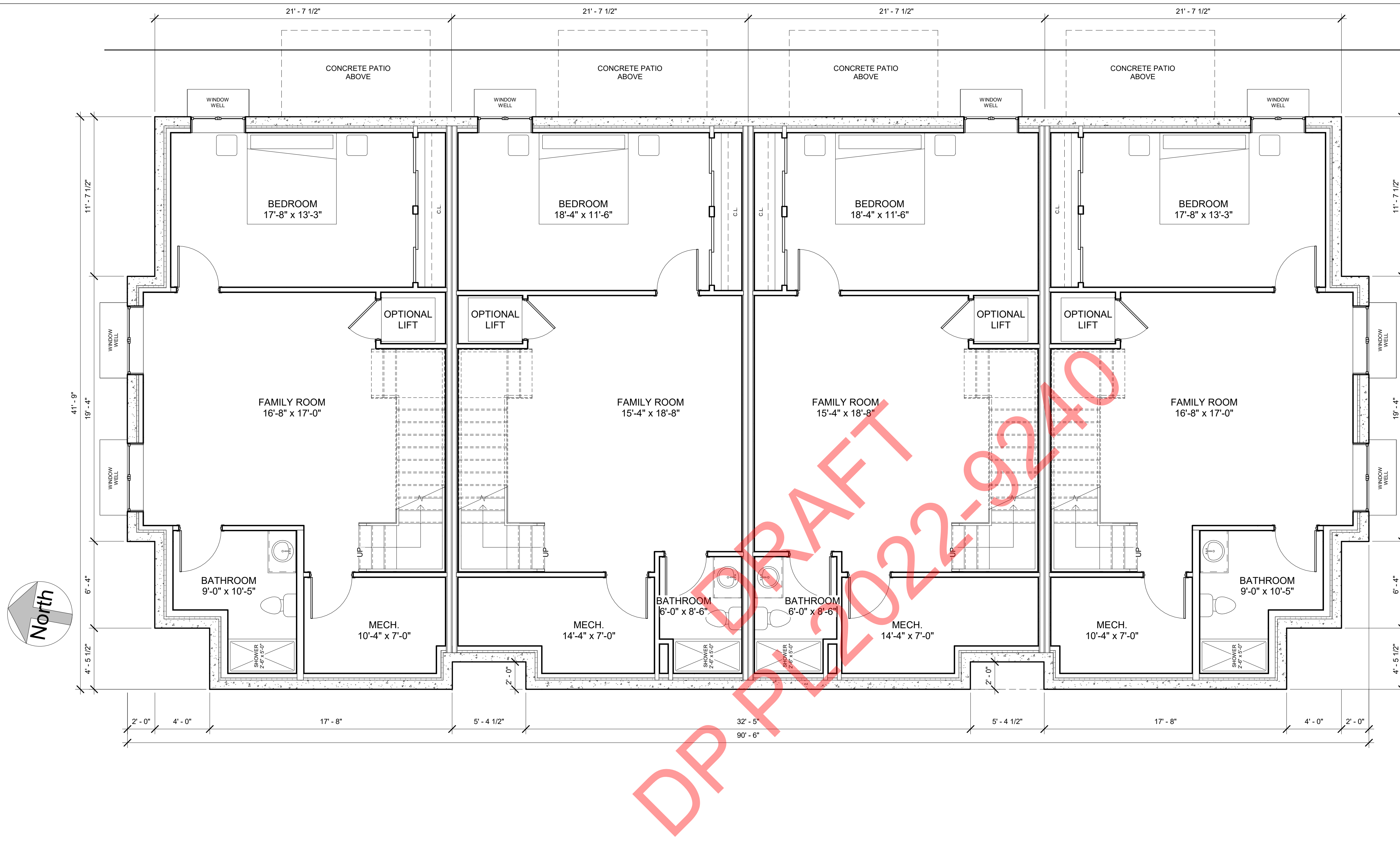
145 KINNEY AVE, PENTICTON BC

## BASEMENT PLAN

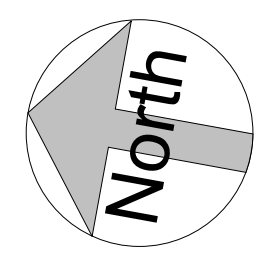
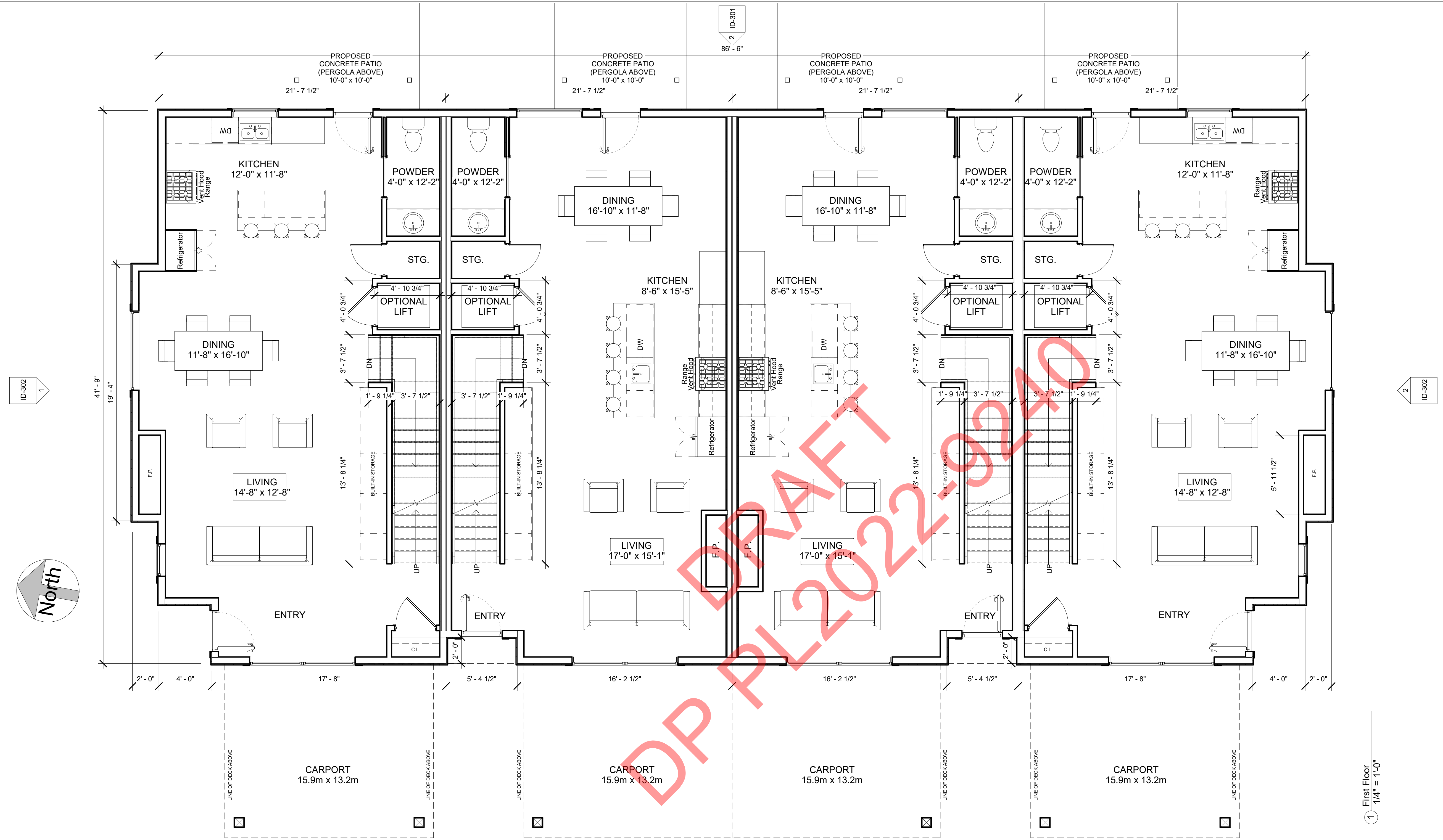
Project number 21-011  
Date 2021-12-17  
Drawn by J.P.F.

# ID-200

Scale 1/4" = 1'-0"



DRAFT 2022-9-24



TOTAL MAIN FLOOR AREA: 3,237 SQ.FT.  
 UNITS 1 & 4: 824 SQ.FT.  
 UNITS 2 & 3: 791 SQ.FT.  
 STAIRS & LIFTS PER UNIT: 198 SQ.FT.

TOTAL SECOND FLOOR AREA: 3,388 SQ.FT.  
 UNITS 1 & 4: 867 SQ.FT.  
 UNITS 2 & 3: 827 SQ.FT.  
 STAIRS & LIFTS PER UNIT: 151 SQ.FT.

No.	Description	Date
1	ISSUED FOR REVIEW	2021-07-13
2	ISSUED FOR REVIEW	2021-09-03
3	ISSUED FOR REVIEW	2021-09-29
4	ISSUED FOR DP	2021-10-13
5	ISSUED FOR DP	2021-12-21
6	ISSUED FOR DP	2022-03-08
7	ISSUED FOR DP	2022-03-31

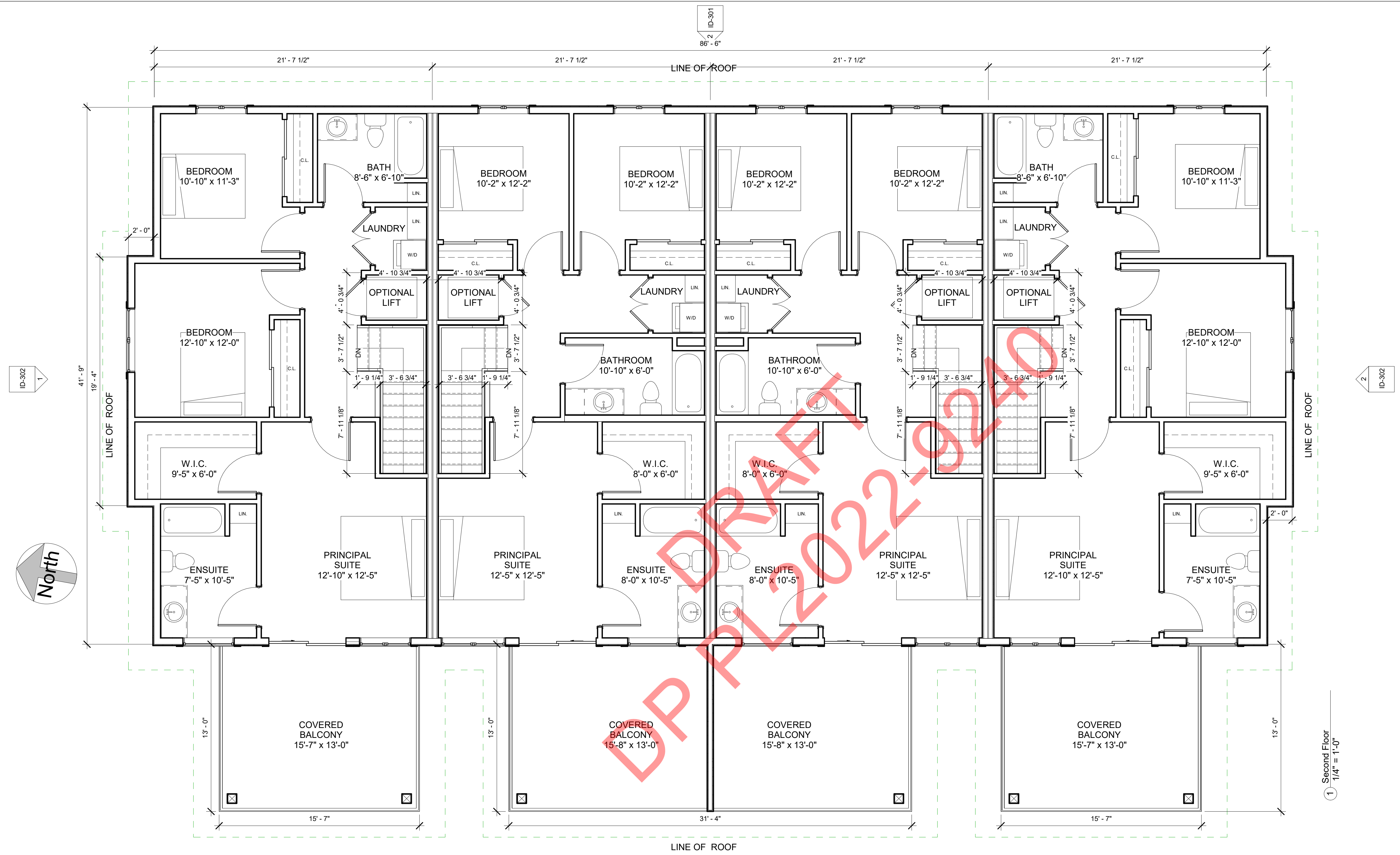
**Townhouse Units**  
 145 KINNEY AVE, PENTICTON BC  
**MAIN FLOOR PLAN**

Project number: 21-011  
 Date: 2021-12-17  
 Drawn by: J.P.F.

**ID-201**

Scale: 1/4" = 1'-0"

1 First Floor  
 1/4" = 1'-0"



<b>TOTAL MAIN FLOOR AREA:</b>	<b>3,237 SQ.FT.</b>
UNITS 1 & 4:	824 SQ.FT.
UNITS 2 & 3:	791 SQ.FT.
STAIRS & LIFTS PER UNIT:	198 SQ.FT.
<b>TOTAL SECOND FLOOR AREA:</b>	<b>3,388 SQ.FT.</b>
UNITS 1 & 4:	867 SQ.FT.
UNITS 2 & 3:	827 SQ.FT.
STAIRS & LIFTS PER UNIT:	151 SQ.FT.

No.	Description	Date
1	ISSUED FOR REVIEW	2021-07-13
2	ISSUED FOR REVIEW	2021-09-03
3	ISSUED FOR REVIEW	2021-09-29
4	ISSUED FOR DP	2021-10-13
5	ISSUED FOR DP	2021-12-21
6	ISSUED FOR DP	2022-03-08
7	ISSUED FOR DP	2022-03-31

**Townhouse Units**  
145 KINNEY AVE, PENTICTON BC  
**SECOND FLOOR PLAN**

Project number	21-011
Date	2021-12-17
Drawn by	J.P.F.

**ID-202**

Scale	1/4" = 1'-0"
-------	--------------

**p+s**  
people  
plus space

planning  
and design

People plus Space: Planning and Design  
10124 Main Street  
Summerland BC V0H 1Z0  
250-468-1481  
heather@peopleplusspace.ca

No.	Description	Date
1	ISSUED FOR REVIEW	2021-07-13
2	ISSUED FOR REVIEW	2021-09-03
3	ISSUED FOR REVIEW	2021-09-29
4	ISSUED FOR DP	2021-10-13
5	ISSUED FOR DP	2021-12-21
6	ISSUED FOR DP	2022-03-08
7	ISSUED FOR DP	2022-03-31

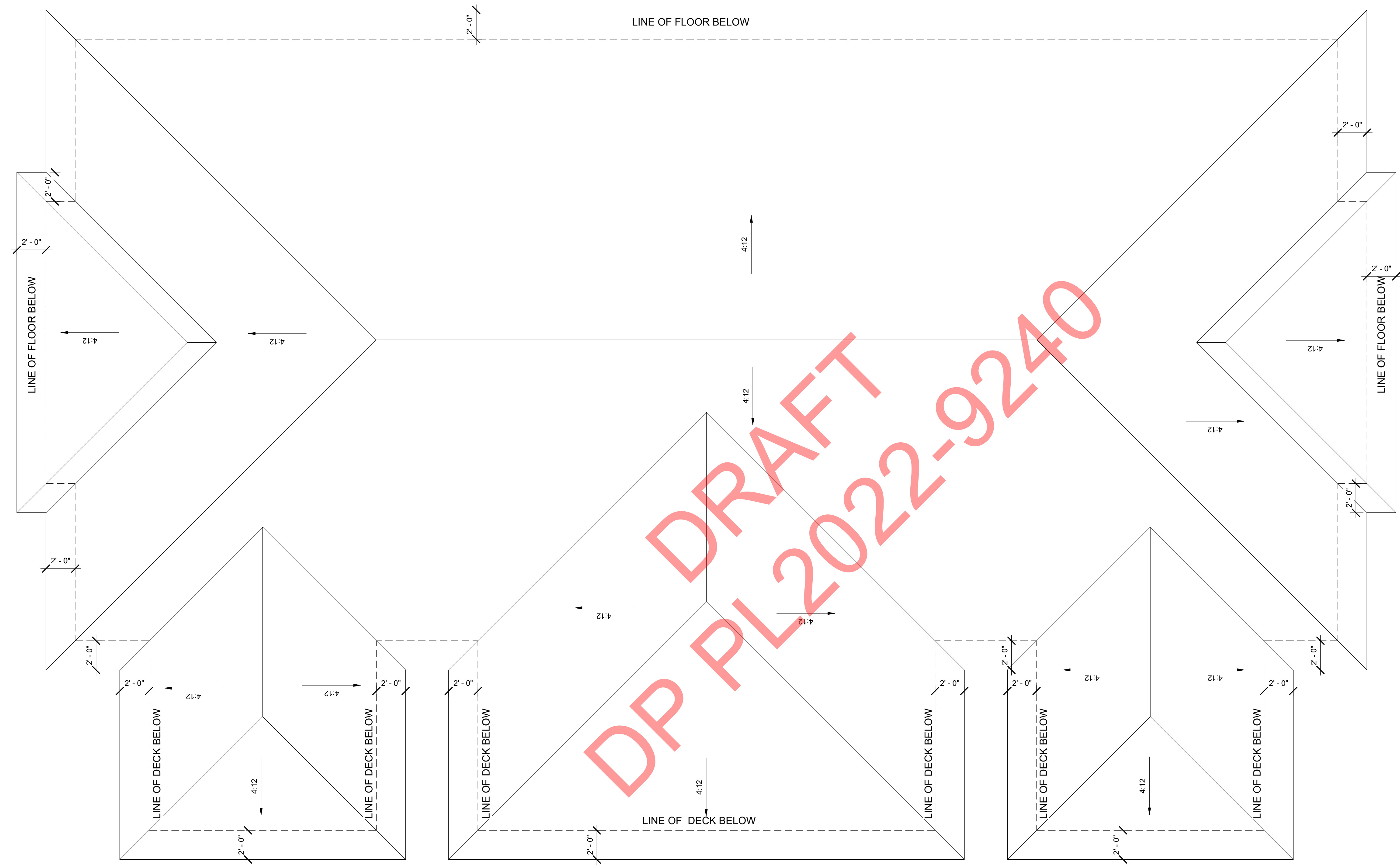
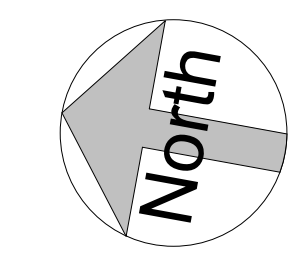
**Townhouse Units**  
145 KINNEY AVE, PENTICTON BC  
**ROOF PLAN**

Project number 21-011  
Date 2021-12-17  
Drawn by J.P.F.

**ID-203**

Scale 1/4" = 1'-0"

1 Roof Plan  
1/4" = 1'-0"





People plus Space: Planning and Design  
 10124 Main Street  
 Summerland BC V0H 1Z0  
 250-488-1481  
 heather@peopleplusspace.ca

**UNPROTECTED OPENING CALCS**  
 BUILDING FACE: 157.1 SQ.M.  
 UNPROTECTED OPENINGS: 43.3 SQ.M.  
 LIMITING DISTANCE: 10.75 M  
 MAXIMUM PERCENTAGE: 40 %  
 ACTUAL PERCENTAGE: 27.6 %

**UNPROTECTED OPENING CALCS**  
 BUILDING FACE: 169 SQ.M.  
 UNPROTECTED OPENINGS: 16.1 SQ.M.  
 LIMITING DISTANCE: 3.0 M  
 MAXIMUM PERCENTAGE: 10 %  
 ACTUAL PERCENTAGE: 9.5 %

No.	Description	Date
1	ISSUED FOR REVIEW	2021-07-13
2	ISSUED FOR REVIEW	2021-09-03
3	ISSUED FOR REVIEW	2021-09-29
4	ISSUED FOR DP	2021-10-13
5	ISSUED FOR DP	2021-12-21
6	ISSUED FOR DP	2022-03-08
7	ISSUED FOR DP	2022-03-31

**Townhouse Units**  
 145 KINNEY AVE, PENTICTON BC  
**EXTERIOR ELEVATIONS**

Project number 21-011  
 Date 2021-12-17  
 Drawn by J.P.F.

**ID-301**

Scale 1/4" = 1'-0"



① West  
 1/4" = 1'-0"

② East  
 1/4" = 1'-0"

DRAFT  
 DP PL 2022-9240



The Corporation of the City of Penticton

Bylaw No. 2022-20

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. 2022-20".

2. Amendment:

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

Rezone Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	3	day of	May, 2022
A PUBLIC HEARING was held this	17	day of	May, 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 6 day of May, 2022 and the 13 day of May, 2022 in the Penticton Herald newspaper, pursuant to Section 94 of the Community Charter.

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

John Vassilaki, Mayor

Angie Collison, Corporate Officer



# Schedule A: Zoning Amendment Bylaw 2022-20

Date:

Corporate Officer:

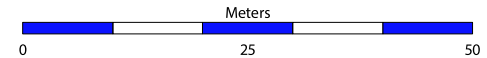


**Terms of Use:** The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user of this information does so at their own risk and should not rely upon the information without independent verification as to the accuracy or suitability thereof.



1:840

April 27, 2022 9:13:25 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N