

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, June 7, 2022
at 6:00 p.m.

- | | | |
|-------|---|------|
| 1. | Mayor Calls Public Hearing to Order for “Zoning Amendment Bylaw No. 2022-25” | 1-51 |
| CO | Reads Opening Statement and Introduction of Bylaw | |
| | “Zoning Amendment Bylaw No. 2022-25” | |
| | Purpose: To amend Zoning Bylaw No. 2021-01 as follows: | |
| | Rezone | |
| | 1. Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979; | |
| | 2. Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979, and | |
| | 3. Parcel A (KK20280) District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3979, | |
| | located at 713, 737, and 795 Westminster Avenue West, from the CT1 (Tourist Commercial) and R2 (Small Lot Residential) zones to the CD8 (Comprehensive Development Zone – 795 Westminster Avenue West), to facilitate the construction of a 3-storey mixed use development. | |
| | The applicant is proposing to construct a mixed-use (commercial and residential) development on the consolidation of three lots located on the northeast corner of Westminster Avenue and Power Street. The development consists of two three-storey buildings. | |
| | Notice: The Public Hearing was advertised in the Penticton Herald Newspaper on Friday, May 27, 2022 and Wednesday, June 1, 2022 (pursuant to the <i>Local Government Act</i>). | |
| CO | No correspondence has been received regarding the Zoning Amendment Bylaw (as of noon Wednesday, June 1, 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. 2022-25" 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 17, 2022
at 1:00 p.m.

Resolutions

- 8.10 Zoning Amendment Bylaw No. 2022-25
Development Permit PL2022-9281
Re: 713, 737 and 795 Westminster Avenue West

182/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-25", for:

1. Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979;
2. Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979, and
3. Parcel A (KK20280) District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3979,

Located at 713, 737, and 795 Westminster Avenue West, a bylaw to rezone the subject properties from the CT1 (Tourist Commercial) and R2 (Small Lot Residential) zones to the CD8 (Comprehensive Development Zone – 795 Westminster Avenue West), to facilitate the construction of a 3-storey mixed use development;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-25" to the June 7, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendments Bylaw No. 2022-25", require the following conditions be met:

- A 0.9m road dedication along the Westminster Avenue West frontage be registered with the Land Title Office,
- An 8.5m by 8.5m corner cut at the southwest corner of the property, at the intersection of Westminster Avenue West and Power Street, be registered with the Land Title Office, and
- A 3.5m by 3.5m corner cut at the northeast corner of the property, at the intersection of the lanes, be registered with the Land Title Office;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-25", approve "Development Permit PL2022-9281" to approve the form and character of the proposed three-storey mixed use development on the consolidated property.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: May 17, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 713, 737 and 795 Westminster Avenue West

File No: RMS/795 Westminster Ave W

**Subject: Zoning Amendment Bylaw No. 2022-25
Development Permit PL2022-9281**

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-25", for:

1. Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979;
2. Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979, and
3. Parcel A (KK20280) District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3979,

Located at 713, 737, and 795 Westminster Avenue West, a bylaw to rezone the subject properties from the CT1 (Tourist Commercial) and R2 (Small Lot Residential) zones to the CD8 (Comprehensive Development Zone – 795 Westminster Avenue West), to facilitate the construction of a 3-storey mixed use development;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-25" to the June 7, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendments Bylaw No. 2022-25", require the following conditions be met:

- A 0.9m road dedication along the Westminster Avenue West frontage be registered with the Land Title Office,
- An 8.5m by 8.5m corner cut at the southwest corner of the property, at the intersection of Westminster Avenue West and Power Street, be registered with the Land Title Office, and
- A 3.5m by 3.5m corner cut at the northeast corner of the property, at the intersection of the lanes, be registered with the Land Title Office;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-25", approve "Development Permit PL2022-9281" to approve the form and character of the proposed three-storey mixed use development on the consolidated property.

Strategic Priority Objective

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

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

Proposal

The applicants are proposing to construct a mixed-use (commercial and residential) development on the consolidation of three lots located on the northeast corner of Westminster Avenue and Power Street (Figure 1). The development consists of two, three-storey buildings. One building contains a 183m² (1,970ft²) commercial space and 11 live work townhouse units fronting onto Westminster Ave W. Live work units allow for residents to live and carry out their business operations in the same, connected unit, similar to a home occupation. The second building contains 11 townhouse units fronting onto the rear (north) lane. Each residential unit has its own 2-car garage accessed from an internal driveway. Four visitor parking spaces and three commercial parking spaces are provided on-site. The applicant submitted a Letter of Intent which explains the proposal in further detail (Attachment 'D').

To facilitate this development, the applicant is requesting to rezone the properties from CT1 (Tourist Commercial) and R2 (Small Lot Residential) to CD8 – Comprehensive Development Zone (795 Westminster Avenue West), a zone developed specifically for the proposed mixed-use development on the subject properties, which will be consolidated into one lot. A Development Permit is also required for the form and character of the development, which has been included for Council’s consideration.





Figure 1 - Renderings of proposed development

Background

The subject site consists of three separate properties; 713, 737 and 795 Westminster Ave West (referred to as 795 Westminster Ave W or the subject site) - totaling approximately 0.8 acres (3,213m²) (Figure 2). The lands are currently zoned CT1 (Tourist Commercial) and R2 (Small lot Residential) and are designated by the City's Official Community Plan (OCP) as 'Mixed Use' and 'Ground Oriented Residential'. The lands currently contain a restaurant and two single detached dwellings.

The site is prominently located at the intersection of Westminster Avenue West and Power Street, within walking distance of Okanagan Lake Beach, Lakawanna Park, the Trade and Convention Centre, Community Centre, and Riverside Plaza. The surrounding neighbourhood contains a diverse mix of zones including commercial uses in the nearby Riverside Plaza, motor vehicle sales and service along the Westminster Ave corridor, and several parks and public assembly uses. The mix of residential zones in the area ranges from R2 (Small Lot Residential) to RM4 (High Density Multiple Housing), including single-family homes, carriage homes, duplexes, fourplexes, apartments and townhouses. The site is located across Power Street from the El Rancho site which is currently going through the development approvals process for a higher density project. Across the laneway to the north is a development with 15 townhomes constructed in 2016.



Figure 2 - Location map

North Gateway Redevelopment and Investment Strategy

The site is located in the North Gateway area. To ensure an orderly, strategic and investment ready environment within this area of the City, the 'North Gateway Redevelopment and Investment Strategy' ensures a coordinated approach will be taken to land use, infrastructure needs and economic investment opportunities. The process is currently underway and the emerging vision that the community has identified is one that seeks to create the North Gateway as a welcoming and attractive neighbourhood, supportive of increased varieties of residential densities, tourist accommodation and commercial activity.

While the draft plan is still under development, the concepts created so far through the process seek additional residential density of approximately 2,000 residential units, approximately 30,000 sq. ft. of new commercial/retail space and the addition of approximately 350 new hotel rooms.

The areas of policy that are being drafted focus around Land Use and Density, Experience & Atmosphere and Mobility and Connections. Based on the proposal submitted, staff have provided a response to each of these focus areas and how the proposal aligns with the emerging North Gateway vision:

- *Land Use & Density:* The proposal is for a mixed-use development, providing 1,965ft² of commercial/retail space and an additional 22 units, 11 of which allow for live work opportunities. The scale of the proposed buildings exceeds what currently exists on the site while remaining compatible with surrounding development at the edge of the North Gateway plan area.
- *The Experience:* The building design and site layout provides for an active façade and improved boulevard treatments along Westminster Ave W and Power St. An at-grade outdoor patio is proposed adjacent to the commercial unit in a high-visibility location at the Westminster Ave W and Power St intersection.
- *Mobility & Connections:* The development will provide boulevard landscaping improvements along the Westminster Ave W and Power St frontages, helping activate and enhance pedestrian movement through the area.

The future of the Westminster Ave W corridor is also a major focus of the North Gateway Plan, and the proposal will support the vision by placing a commercial use prominently at the Westminster Ave W and Power St intersection, and provide improved boulevard landscaping and strong street definition along both frontages.

Financial Implication

The City is responsible for the surveyor and legal fees associated with the recommended road dedications. There is a 0.9m road dedication identified along Westminster Ave W, an 8.5m by 8.5m corner cut at the intersection of Westminster Ave W and Power Street, and a 3.5m by 3.5m corner cut at the intersection of the lanes. As a condition of zoning, the road dedications will be required to be registered with the Land Title Office.

Technical Review

This application was reviewed by the City's Technical Planning Committee, a group of internal City staff who review development applications. Servicing and building code requirements have been identified to the

applicant and will be addressed as part of the building permit processes. It is the property owner's responsibility to provide services and/or upgrade existing services as required.

Staff identified road dedications and these are proposed to be taken as a condition of rezoning. The road dedications are shown in Figure 3 below:

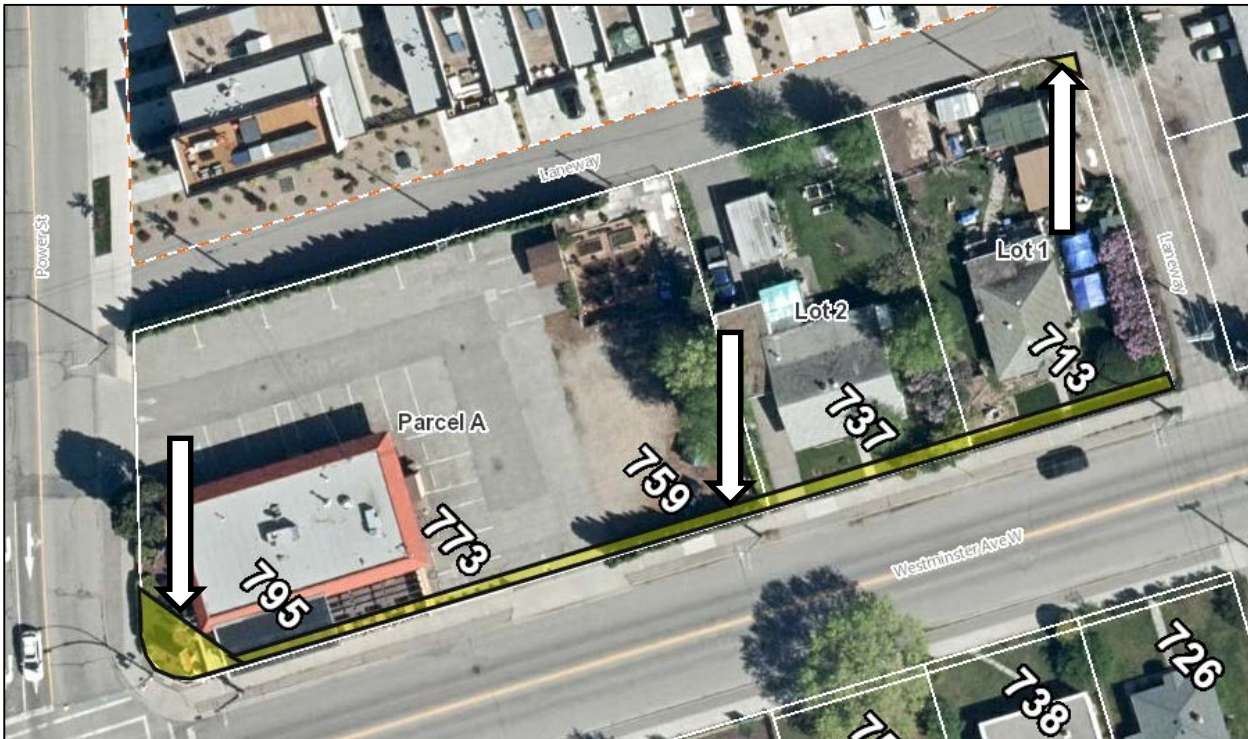


Figure 3 – Recommended road dedications (yellow)

The road dedications will help achieve the desired boulevard width along Westminster Ave W, and ensure visibility at the intersections. The applicant is aware of these conditions and has designed the development with those dedications in mind.

Staff also identified the site is subject to a latecomers agreement as a result of the 2016 townhouse development to the north at 166 Power St. That development was required to upgrade the full width of both laneways providing access to townhouse units. The subject development shares one lane with the 166 Power St development, therefore the City will coordinate the payment from this developer for the amount they benefit from the already upgraded lane, and provide that money to the original developer of 166 Power St who had paid for the full lane width upgrade. The applicant is aware of this requirement which applies at the future building permit stage.

Development Statistics

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

	CD8 Zone Requirement	Provided on Plans
Minimum Lot Width*:	90 m	97 m
Minimum Lot Area*:	3,200 m ²	3,213 m ²

Maximum Lot Coverage:	56%	56%
Maximum Density:	1.1 Floor Area Ratio (FAR)	1.1 FAR
Vehicle Parking:	Minimum 44 spaces (residential) Minimum 4 spaces (visitor) Minimum 3 spaces (commercial)	44 residential spaces 4 visitor spaces 3 commercial spaces
Required Setbacks		
Front Yard (Westminster Ave W):	1.5 m	1.5 m
Interior Side Yard (east):	3.0 m	3.0 m
Exterior Side Yard (Power St):	1.5 m	1.5 m
Rear Yard (lane):	2.5 m	2.5 m
Maximum Building Height	13 m	12.8 m
Minimum Amenity Space	10m ² per dwelling unit (total: 220m ²)	984.5 m ² (residential units total) 167.4 m ² (commercial unit)
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Zoning Amendment

The OCP designation for the subject properties is ‘Mixed Use’ and ‘Ground Oriented Residential’. As shown on the OCP Map (Attachment ‘B’), the Mixed Use designation is located near the intersection with Power St, and the Ground Oriented Residential designation is located further east on the site along Westminster Ave W. To achieve the desired OCP land use, recognizing both designations on the site, the applicant has applied for a rezoning to a comprehensive development zone. Comprehensive development zones give the ability to look at a site on a ‘site-specific’ level and create a new zone allowing a unique mix of uses and site-specific development regulations. The applicant has designed the proposed development to reflect the intent of both future land use designations on the site, by providing a commercial unit featuring prominently at the southwest corner, live work units along the Westminster Ave W frontage, and residential townhouse units. Strong street definition is provided in the CD zone by incorporating minimal setbacks along the street frontages (1.5m) and slightly larger setbacks from the adjacent lanes (2.5m and 3.0m). The entire development is three storeys in height, with one building having rooftop patios. The development across the consolidated lots is considered to achieve the building forms and uses intended by the ‘Mixed Use’ and ‘Ground Oriented Residential’ OCP designations (Figure 4).


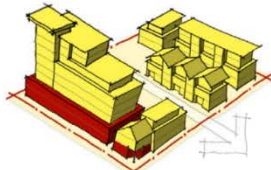
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Ground Oriented Residential</p>	<p>Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.</p>	<ul style="list-style-type: none"> • Duplexes with suites • Cluster housing • Fourplexes higher-density rowhouses • Townhouses and stacked townhouses • Bareland strata developments 	<ul style="list-style-type: none"> • Residential • Limited Service/ Retail 	<ul style="list-style-type: none"> • Up to 3 ½ storeys 	<ul style="list-style-type: none"> • RM2 • RM5 • C2
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Mixed Use</p>	<p>A mixed-use area allowing for intensive development with active and vibrant retail or service uses at ground level and multi-family residential and/or office uses.</p>	<ul style="list-style-type: none"> • Higher-density mixed-use buildings 	<ul style="list-style-type: none"> • Commercial (retail, service, office) • Residential 	<ul style="list-style-type: none"> • Up to 10 storeys 	<ul style="list-style-type: none"> • C3 • C5

Figure 4 - Excerpts from OCP Future Land Use Designations table

Staff consider that the creation of a Comprehensive Development (CD) zone is suitable for the proposed development. Due to the uniqueness of having two OCP designations on the site and the proposed mix of uses in a low height form, situated close to the public sidewalk and pedestrian realm, a CD zone was selected to be utilized. This property is also located at the prominent corner of Westminster Ave W and Power St, and as such, the CD zone has been drafted to include a variety of small commercial uses that could utilize the proposed 1,965 sq. ft. of commercial space located at the corner of the property and live work units.

OCP Goal Managing Residential Growth

- 4.1.1 Ensure that Penticton retains its compact 'footprint' to help protect natural areas and environmental values and agricultural lands, avoid excessive infrastructure costs and hazard lands, and help create conditions that support transit and active modes of transportation.
- The proposed development is located within the built-up core of Penticton and will provide more units than are currently on the site. The proposal would utilize existing infrastructure and not require the extension of any City services.
 - The proposed development is also in an area of the City that is conducive to active transportation which provides future residents and visitors with alternative modes of transportation to get around.

OCP Policy Focus new residential development in or adjacent to existing developed areas.

- 4.1.1.1
- The proposed development consolidates three smaller properties into one larger parcel within the existing footprint of the City. The proposal would utilize existing infrastructure and not require the extension of any City services.

OCP Policy 4.1.1.2	Avoid development in environmentally-sensitive areas, geological hazard and flood hazard areas, on steep slopes, in agricultural areas and in areas not readily served by transit. <ul style="list-style-type: none">• The site is within the existing footprint of the City and not in an environmentally-sensitive or flood hazard area.• The site is located on a transit route and within 100m of two bus stops
OCP Goal 4.1.3	Housing Diversity Ensure a range of housing types, sizes, tenures and forms exist throughout the city to provide housing options for all ages, household types and incomes. <ul style="list-style-type: none">• The proposed development provides townhouse units of different sizes, half of which have a live work option. These units would be suitable for different ages and households, as well as compatible commercial uses.
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. <ul style="list-style-type: none">• The site is located within an existing area of the City, in proximity of the downtown, and shops and services. The proposed infill development would better utilize the land while being designed sensitively to the surrounding residential development, which generally ranges from two-to three-storeys in height.
OCP Policy 4.1.3.6	Require amenity areas in all multifamily and mixed-use projects through regulations in the Zoning Bylaw <ul style="list-style-type: none">• The proposed development has provided amenity space for each unit, through balconies and rooftop patios on some units. The north building provides 10m² of outdoor amenity space per unit, and the south building provides 80m² per unit.• The development is within walking distance of many public amenities for future residents, including Okanagan Lake, Lakawanna Park, and the Community Centre.• In addition to an at-grade patio, a 167m² rooftop patio is also proposed above the commercial unit.
OCP Policy 4.2.3.8	Require adequate levels of secure bike parking in new multi-family, mixed-use and commercial development. <ul style="list-style-type: none">• Each unit has its own double-car garage which can provide secure bicycle storage. In addition, bicycle racks have been provided in three different locations on the site, for use by visitors.
OCP Goal 4.3.1	Strategic Investment Areas Focus economic development priorities and infrastructure investment in strategic areas to support existing public infrastructure and assets, and to encourage private investment.
OCP Policy 4.3.1.1	Target Civic Investment in: The Northern Gateway to intensify development around the SOEC/Community Centre/Memorial Arena campus and City parkland/beaches, to enhance the entryway to the city and the Downtown, to support the established

Lakeshore/Riverside tourist commercial precinct and to create opportunities for walking and cycling.

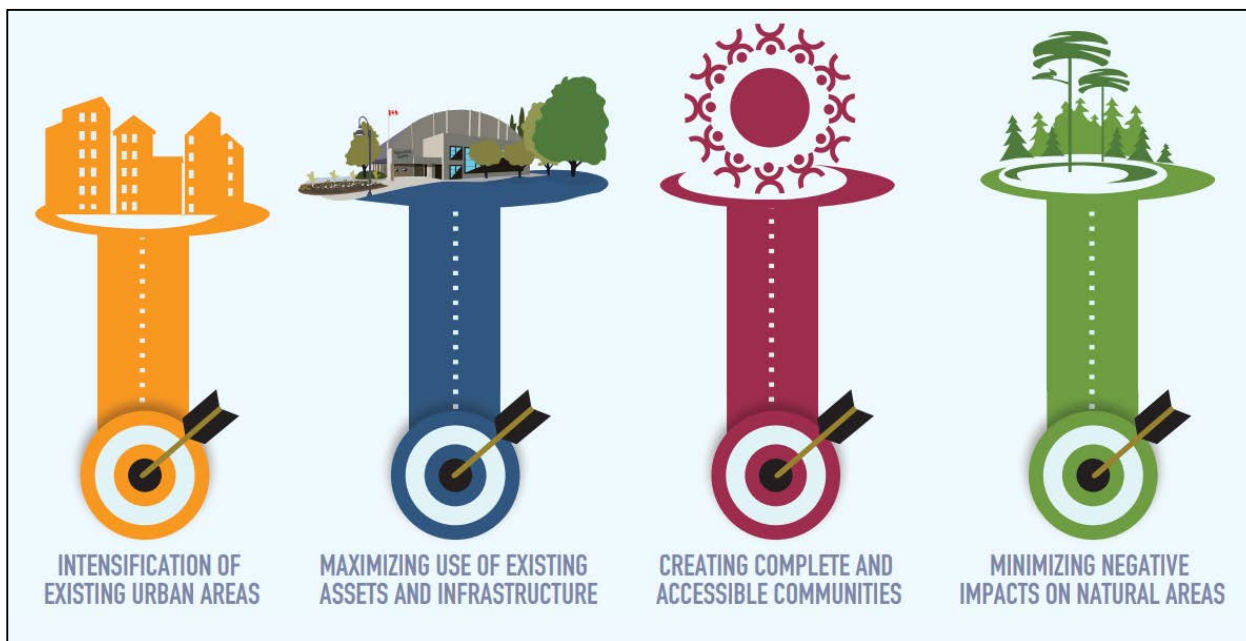
- The proposed development is located at a prominent intersection within the North Gateway area. The City has prioritized the North Gateway area for investment by undergoing a strategic planning initiative.
- This development represents significant investment on a key site in this area, providing new residential units and commercial space. This development also activates the corner at Westminster Ave W and Power St further, to encourage more pedestrian traffic and activity in a compatible built form with the surrounding area.

OCP Policy
4.3.6.3

Recognize that business growth is reliant on adequate housing availability, and work to develop policies that encourage housing development.

- The development provides live work units, which allow people an option to operate their business from a street-level frontage and live in space above.
- The proposed development would add residential dwelling units to an area of the City where employment exists.

Further to these OCP Goals and Policies, the OCP outlines a growth plan for the City which emphasizes strategic and sensitive use of Penticton’s limited land base. It recognizes that we must make the most efficient use of available land and existing infrastructure while also protecting the natural environment that many residents value. Penticton’s Growth Plan (OCP, Page 43) indicates 4 key methods to achieve this growth plan:



The proposed development demonstrates strong conformance with the City’s OCP Goals, Policies and growth plan. Given that there is adequate policy through the OCP to support the proposal to rezone the subject property from CT1 (Tourist Commercial) and R2 (Small Lot Residential) to CD8 – Comprehensive Development Zone (795 Westminster Avenue West), staff recommend that Council give first reading to

“Zoning Amendment Bylaw No. 2022-25”, and forward the bylaw to the June 7, 2022 Public Hearing to gather comments and feedback from the public.

Development Permit

The proposed development is included in the Commercial & Mixed Use Development Permit Area (DPA) outlined by the OCP. The Commercial & Mixed Use DPA is established to encourage a wide range of developments that can support both commercial-only use and mixed-use (e.g., retail, office, residential), preserving affordable forms of commercial development and allowing for people to move into higher-amenity neighbourhoods. The applicant has submitted a development permit analysis with their application package which outlines conformance with the OCP design guidelines (Attachment ‘E’). Staff have also completed a development permit analysis (Attachment ‘F’) that shows how the development conforms to the applicable 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, while being courteous in scale and built form to the surrounding neighbours. As such, staff recommend that Council, subject to adoption of Zoning Amendment Bylaw No. 2022-25”, approve “Development Permit PL2022-9281” and direct staff to issue the permit.

Alternate Recommendations

Council may consider that a Comprehensive Development zone is not appropriate for the subject properties, or that the proposed development is not suitable for the area. If this is the case, Council may choose to not proceed with the Zoning Amendment as proposed and select the alternate recommendation. Staff are not recommending this option, as in staff’s opinion, the proposed development is well-aligned with the two OCP designations on the site, and is a compatible infill development in a high amenity area of the City.

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2022-25”.

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent
- Attachment E – Development Permit Analysis (applicant)
- Attachment F – Development Permit Analysis (staff)
- Attachment G – Draft CD8 Zone
- Attachment H – Draft Development Permit PL2022-9281
- Attachment I – Zoning Amendment Bylaw No. 2022-25

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

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



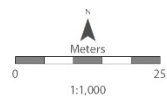
795 Westminster Ave W

Zoning Map



Legend

- Subject Parcel
- R2 - Small Lot Residential
- C3 - Mixed Use Commercial
- RD2 - Duplex Housing: Lane
- C8 - Vehicle Service Station
- CT1 - Tourist Commercial
- RM2 - Low Density Multiple Housing
- P1 - Public Assembly
- RM3 - Medium Density Multiple Housing



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April 27, 2022 7:57:21 AM

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Attachment B – Official Community Plan Map



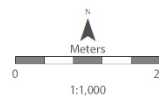
795 Westminster Ave W

Official Community Plan Map



Legend

- Subject Parcel
- Future Land Use
- Ground Oriented Residential
- Institutional and Civic
- Urban Residential
- Mixed Use
- Infill Residential



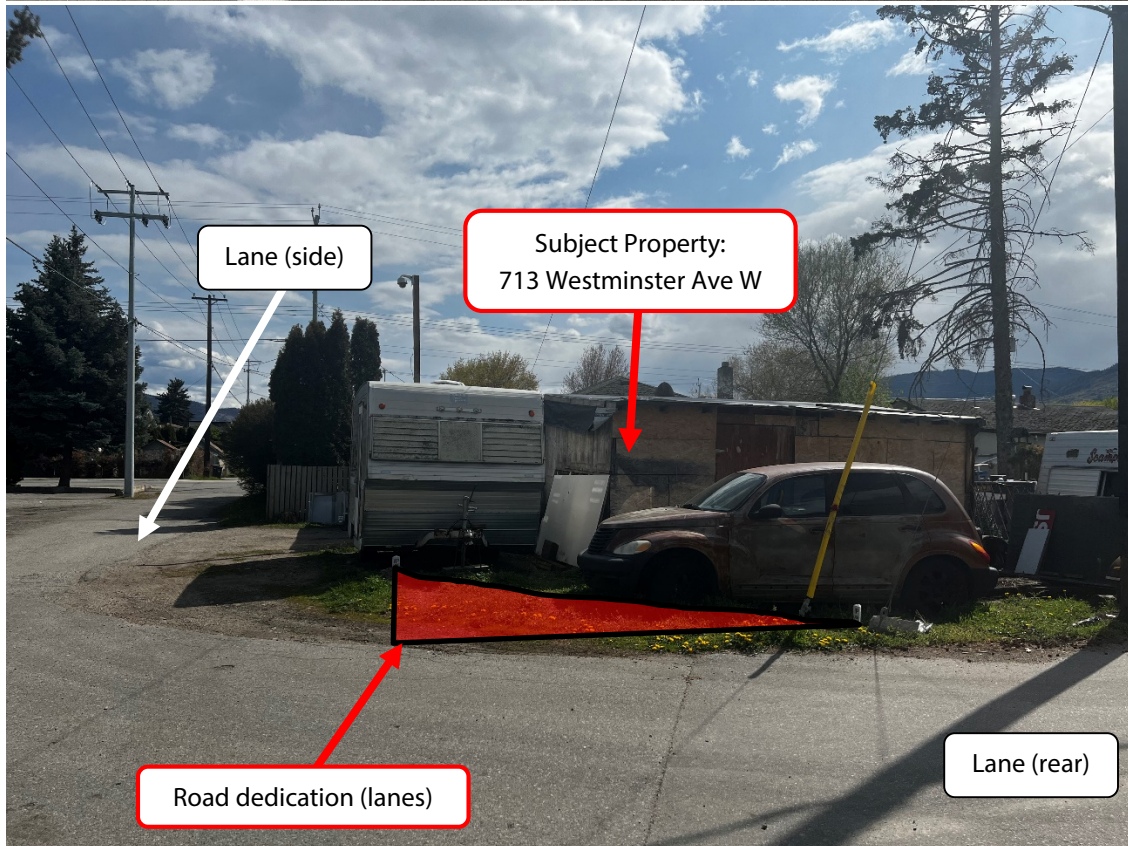
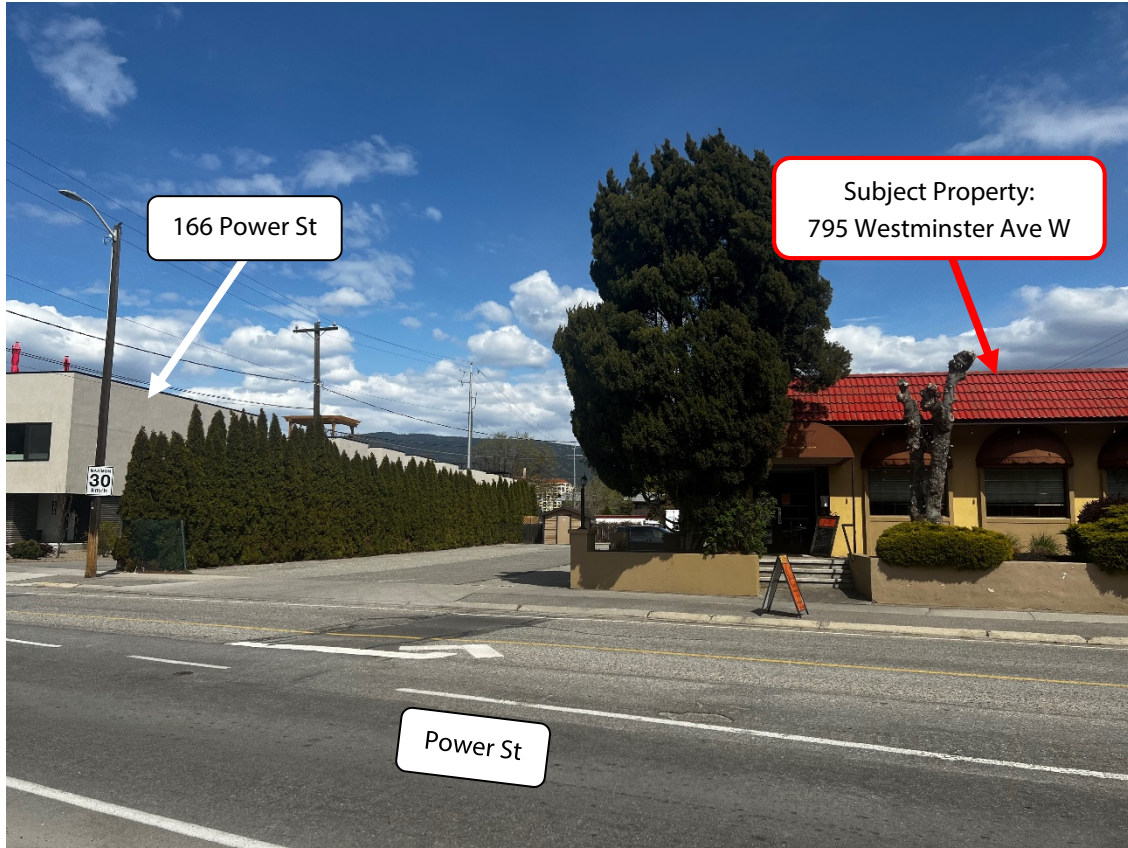
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April 27, 2022 7:50:38 AM

penticton.ca

Attachment C – Photos of Property





2022-04-20
City of Penticton
171 Main Street, Penticton,
BC V2A 5A9
Attention: Steven Collyer

Dear Steven,

MQN Architects has been engaged to assist with a development situated on Westminster Ave West and Power St. in Penticton. In accordance with the Penticton Official Community Plan guidelines, the proposed properties (713, 737, & 795 Westminster Ave) will also seek a comprehensive development zone. This will be achieved through a rezoning from the current CT1 – Tourist Commercial and R2 – Small Lot Residential zoning. In addition, MQN has worked with the client to design a mixed-use development to align with the OCP guidelines and to integrate within the surrounding community in the Northern Gateway.

This project is proposed as a ground oriented mixed-use development with live work townhomes along Westminster Ave, townhomes flanking the Laneway to the north and we have oriented a larger commercial unit that engages an active pedestrian relationship at the southwest corner of Westminster Ave and Power St.

The vertical unit configuration of the development allows for ground-oriented units that may accommodate residential townhomes, live-work townhomes, and commercial unit(s). We feel this allows for the most diverse mix-use application on site. Surface parking is proposed for commercial use and residential visitors with rough in for future EV charging stations. Both the laneway units and units fronting Westminster Ave will have parking access through an interior drive isle to private double car garages (22 in total). Short term bike parking is also provided at three locations with a total of 14 stalls. We have made allowances in our design for the corner cut and future road widening dedications along Westminster Ave, Power St, and the required east lane upgrade (S-R12a).

The development is proposed with a combination of commercial, retail, and residential. The site coverage ratio is proposed at 56% while maintaining a low-rise massing of 13 meter (3-Storey) maximum height. We feel this approach will provide a more diverse residential mix while respectfully increasing the density within the surrounding area.

The site is currently zoned as CT1 – Tourist Commercial and R2 – Small Lot Residential and the client is seeking the support of the City to rezone to a CD zoning. The proposed mixed-use development along Westminster Ave. and Power St adheres to the OCP guidelines and complements the Northern Gateway growth strategy while meeting the needs of the client. We trust that this rezoning is in character with the Penticton OCP guidelines and aligns with the overall growth strategy of the city of Penticton

Yours truly,



Brian Quiring
Partner
MQN Architects

2022-04-20
City of Penticton
171 Main Street, Penticton,
BC V2A 5A9
Attention: Steven Collyer

Development Permit Analysis 713,737,795 Westminster Ave W, Penticton

5.2.2 General Guidelines

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.)

- Extensive design development was undertaken and reviewed with the planning department throughout the initial design phase to maximize the functional program of the proposed buildings on site.

G2. Applications shall include a comprehensive site plan

– considering adjacent context for building and landscape architectural design and neighborhood character analysis

- Consideration of adjacent developments, buildings, lane ways, and roadways informed our approach. Ground oriented residential and commercial units are proposed.

– to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbors.

- Ground oriented residential cluster housing / townhomes face the existing townhome development at the north laneway. Westminster Ave and Power St corner has ground oriented commercial and Along Westminster Ave ground oriented Live Work Townhomes are proposed to create a varied mix and activated streetscape.
- All site / landscape plans should incorporate the boulevard.
 - We are looking forward to receiving more detail of the city road dedication and how our development may complement these future plans details. Our proposal is positioned well to incorporate various applications such as street parking, widened pedestrian walkways, bike paths, and public transit stops.

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

- The residential units facing Westminster Ave have south facing balconies and rooftop patios to maximize the southern exposure. The Laneway units also take advantage from the drive isle separation to allow this solar access to reach deep into the upper two floors. The commercial unit on the corner is southwest facing and is proposed with a rooftop patio.

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

- We were very conscious of our proximity to the lake and have positioned our units to not only activate the streetscape but also take advantage of the lake views offered by the rooftop patios on the residential and commercial buildings/units.

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

- We chose to activate the street with mixed use units fronting Westminster and commercial at the corner of Power St. This maintains a continuity of the streetscape along the development while anticipating the future road dedication implications. Along the north property line, we maintained a similar residential townhouse mix facing the neighboring townhomes across the lane.

G6. Building placement and orientation should respect significant public water, mountain, and ridgeline views.

- We strived to maintain all view cones within the context our site and proposed buildings

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.

- We have carefully considered the CEPTED principals within our proposal. Interior private drive isle has consistent sightlines from neighboring units and all public realms will be well lit and visible.

G8. Secondary buildings should create comfortable and social, semi-public, and semi-private spaces within interior courtyards and/or side-yards.

- N/A

G9. Pedestrian connectivity to adjacent properties is encouraged. With the exception of private yards, open spaces shall be designed for public access and connectivity to adjacent public areas (and publicly accessible private spaces).

- Pedestrian connectivity is reinforced around the entire property with walkways encircling the site and connecting the private and public mixed-use development.

G10. Development of larger parcels should provide pedestrian connections to adjacent public areas and create an effective street-fronting block scale of 60m-190m.

- We have proposed an engaged pedestrian street front along Westminster Ave and Power St. Looking forward to more detail and integration of the read dedication.

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

- Barrier free pedestrian walkways surround the entire development.

G12. Where feasible, indicate pedestrian ways with continuity of paving treatments/paving materials.

- Continuous concrete walkways surround the entire development

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.

- All residential, commercial, and live work units are ground oriented at grade access

G14. The outdoor space of a residential unit should be raised no more than 1.2m (3.9 ft.) above adjacent public sidewalks and a "front stair" pedestrian connection shall be provided.

- At grade outdoor entries are treated with planting along adjacent sidewalks. The future road dedication made it necessary to locate all residential outdoor space on the second floor.

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

- N/A

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.

- Off street commercial parking access from north lane. Residential private and visitor parking accessed by internal drive isle from east lane.

• Where possible, shared automobile accesses should be considered to optimize land use, and to reduce impermeable surface coverage and sidewalk crossings.

- Shared residential automobile access through internal drive isle at east laneway

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.

- N/A

• Parking should be located at the rear of buildings/sites.

- Parking at rear and internal to site

• Shared parking (where varying uses have parking demands that peak at different times of the day) is encouraged to reduce parking requirements.

- N/A

• Outdoor surface parking areas should incorporate pathways that provide safe, accessible and comfortable pedestrian connections to entries/destinations.

- Pedestrian access from all surface parking proposed

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.

- N/A

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.).

- Numerous bike parking racks and locations proposed all residential units as well have private double garages for storage of bikes, scooters, mobility equipment, etc.

• Provision of electric vehicle charging stations.

- Proposed rough in for EV charging to service all parking stalls

• Internal circulation and/or upgrades to adjacent rights-of-way to accommodate alternative transportation (e.g., multi-use pathways, separated bike lanes, etc.).

- Anticipating city direction on these upgrades within the road dedication as directed by planning department

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.

- We have considered and applied many of the strategies outlined in the guidelines to leverage passive solar efficiencies. Proposed high quality windows to maximize thermal performance in winter and minimize solar gain in summer. Deciduous tree planting to shade in the summer months and filter daylight through in the winter. Positioned windows at opposite façades to generate cross ventilation. Increased thermal performance through highly insulated wall and roof assemblies will lower active heating and cooling loads.

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).

- Proposed ground oriented live work units facing Westminster Ave, commercial at the corner of Westminster Ave & Power St, and townhomes along the North Laneway.

G22. Massing of larger buildings should be composed of multiple volumes to reduce visual impact on the pedestrian realm.

- N/A

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.

- Horizontal stepbacks proposed at the second story of live work townhomes along Westminster Ave. Inset doorways are proposed at ground level with awnings and balconies above providing 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.

- Proposed: entries, patios, landscape elements along public and semi-public walkways.

G25. Where appropriate, stepped massing should be utilized to transition and improve the relationship between developments of differing scale. In areas where there is an OCP Land Use Designation change, adjacent building heights should not be greater than one-and-a-half storeys higher than existing adjacent development with additional storeys terraced back with a minimum stepback of 3.0 metres.

- N/A

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

- Screening at private open spaces proposed between units

G27. Development should activate the public realm (e.g., sidewalks) and shared open spaces by placing active uses at street-level.

- Proposed walkways and pedestrian access to live work and commercial units along Westminster Ave and Power St (Future road dedication TBC)

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

- Proposed entries to private residential, live work, and commercial all separated and visually defined at grade through stepbacks and exterior materials (i.e., Commercial brick façade)

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 proposed all balconies, patios, and rooftop patios oriented to the public realm, and street front.

G30. Extensive blank walls (over 5m in length and including retaining walls) along the street should be avoided.

- N/A

G31. Provide screening (e.g., varied materials/textures, murals, green walls, or vines) on solid walls that exist as a function of an internal program (e.g., for privacy, merchandising, etc.).

- N/A

G32. Stream and Riparian Protection (see [Riparian DPA section](#))

• Sites adjacent to creeks, lakes and wetlands should retain or enhance fish and/or riparian habitat, through:

»» Retention, enhancement and restoration of trees and shrubs that shade streams and stabilize soil, with a preference for native species.

»» Management of post-development total yearly flow, magnitude (in individual events), and duration to mimic pre-development conditions; and,

»» Management/restriction of access to protect stream banks and meet Riparian Area Regulations (RAR)

- N/A

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

• Employ [xeriscaping](#) principles (see Glossary) in landscape design that reduce the need for supplemental water from irrigation.

• Employ strategies such as stormwater management reuse (including rain gardens and water reclamation) to minimize impact on infrastructure and the use of potable water.

• Encourage landscaping using native drought-tolerant plant species rather than water-hungry varieties.

• All trees and vegetated landscaping should be irrigated using a sub-surface irrigation system, programmed to maximize efficient water use (e.g., drip irrigation).

• Where appropriate, increased depth of topsoil is recommended as a means to retain water and ensure more drought-tolerant landscapes.

• Trees should be planted to provide shading for shrubs and grasses and south and west faces of buildings.

• Where appropriate, mulching may further reduce irrigation demand by retaining soil moisture.

- See DP Landscape plan for detail

G34. Tree retention

• New development should retain, where possible, existing mature and native trees and protect their root systems.

- N/A

• Pre- and post-development tree surveys are required must be undertaken.

- N/A

G35. Tree planting

• Where space permits, landscaped areas, boulevards and setback areas adjacent to streets should be planted with trees with appropriate soil volumes to ensure longevity.

• All areas with planted trees must be irrigated

• 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.

• The planting of additional trees is strongly encouraged, particularly if existing trees cannot be preserved, in order to maintain and expand the urban forest canopy.

- See DP Landscape plan for detail

G36. Habitat: designs should provide for and/or enhance habitat value (e.g., birds, pollinators, etc.) through the use of selected plant material (food & nutrients) and/or structural/grading improvements (e.g., hibernacula, pools, etc.).

- See DP Landscape plan for detail

G37. Stormwater management: mitigate impacts of runoff by diverting stormwater to infiltration galleries or other appropriate green infrastructure.

- See DP Landscape plan for detail

G38. Screening & Buffering

- Where appropriate (and in consideration of FireSmart principles and native ecosystems), screen walls and/ or landscape buffers (e.g., berms, shrub beds, hedges and/or trees) should be used to manage transitions and/or conflict between incompatible uses (e.g., industrial uses and/or parking);
- Buffer design should complement neighborhood character and landscape setting (refer to “Materials Selection – Hardscapes and Softscapes”)
- Notwithstanding the screening regulations in the Zoning Bylaw , landscape buffers should be utilized to reduce the visual impact of service areas and surface parking, including:

- See DP Landscape plan for detail
- All service areas screened from direct public view

G39. Defining the Public- and Private Realms

- Clearly signaled transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkways, ramp, stair), semi-private (e.g., stoop, balcony) and private (e.g., entry) realms shall be clearly defined to enhance both the privacy of residences and the pedestrian experience, and may include:

»» Landscape terracing (e.g., grading, retaining);

»» Structures (e.g., fences, pergolas, trellises),

»» Planting (e.g., low hedges) and/or

»» Changes in surfacing materials.

- Private open space at second floor
- Ground oriented entries landscaped with low hedges/planting
- Future road dedication TBC

G40. Energy

- Landscape designs should support shading strategies (passive cooling) with deciduous plantings that allow increased solar gain in winter months;

- Proposed deciduous plantings (See DP Landscape plan)

- Landscape designs should accommodate windbreaks (perpendicular to the direction of winter prevailing winds) to reduce heat loss in winter.

- N/A

G41. Softscapes

- Plant materials (size) and planting densities should be designed to meet and exceed the British Columbia Landscape and Nursery Association (BCLNA) Standards;

- See DP Landscape plan for detail

- Landscape designs should consider opportunities for seasonal interest (e.g., colourful foliage and/or flowering at various times of the year).

- See DP Landscape plan for detail

- Structural diversity in plant palette composition – including combinations of groundcovers, shrubs of various heights and trees – is encouraged.
 - See DP Landscape plan for detail
- Landscape design shall consider aesthetic qualities, plant suitability and soil volumes to ensure “right plant, right place” and to maximize growth to maturity of plants and trees.
 - See DP Landscape plan for detail
- Plant selection should emphasize local/native plants and/or similarly hardy/well-adapted plants to Penticton’s desert climate.
 - See DP Landscape plan for detail
- Invasive species are prohibited.
 - See DP Landscape plan for detail
- Synthetic turf is prohibited.
 - See DP Landscape plan for detail

G42. Hardscapes

- Material selection should reflect an extension of overall functional design and should emphasize local, natural, climate appropriate materials.
 - Proposed broom finish concrete for walkways and asphalt paving for parking and drive isle
- Landscape construction should prioritize robust, durable and easily-maintained materials.
 - Proposed broom finish concrete for walkways and asphalt paving for parking and drive isle
- Retaining walls should use natural-looking textures and natural colours.
 - N/A
- Colours should complement Penticton’s natural setting and associated palette.
 - See DP Landscape plan for detail
- Minimize the use of impervious surfaces and/or incorporate rainwater management strategies where surface runoff is captured.
 - Proposed management strategies will be further explored through BP/Working drawing stage with civil consultant and landscape coordination.
- Where feasible, minimize the use of low albedo (heat-absorbing) surfacing materials to reduce heat island effect (i.e., use lighter-coloured, more reflective materials).
 - Interior drive isle will be well shaded in summer months

G43. Address both fronting streets in a pedestrian-friendly way, preferably with pedestrian entrances and/or windows on both facades;

- All units front streets and have pedestrian access and entries. Numerous windows on both front and rear facades to provide natural light and cross ventilation

G44. Support wayfinding by framing views (or open space) and/or utilizing landmark architectural elements (if appropriate);

- Continuous wrapped glazing façade at Westminster Ave and Power St allow for natural wayfinding at the commercial corner to activate the public realm.

G45. Utilize corner entrances, angled facades at intersections, and stepped designs in areas of higher pedestrian traffic and commercial uses. Where open space is proposed for a corner lot, amenities like seating, drinking fountains, and garbage receptacles should be incorporated into open space designs.

- **Corner storefront glazing wrapping the commercial building at Westminster Ave and Power St**

G46. Opportunities for the inclusion of public art should be explored in public and semi-public open spaces, especially plazas.

- **N/A**

G47. Historical references should be carefully and collaboratively chosen.

- **N/A**

G48. Lighting shall be provided for all building entrances, walkways, driveways, parking areas and loading areas and should be sufficient to provide clear orientation, personal safety and site security, including allowing for overlook from adjacent buildings.

- The scale and intensity of lighting should be adapted to its setting and application;
- Lighting design shall prioritize pedestrian-scaled lighting while ensuring vehicular access and parking is sufficiently lit for safe maneuvering;
- Light fixtures should utilize “cut-off” (zero intensity at or above an angle of 90°) luminaires to minimize glare;
- Warmer light sources (<4000k) are strongly encouraged.
- **Lighting will be carefully and deliberately considered**

G49. Minimize light pollution through the use of full cut-off lighting, avoiding light reflectance, and directing lighting downwards. Exceptions may be made for signage and architectural lighting (e.g., enhancing special features or aesthetic qualities).

- **Lighting will be carefully and deliberately considered**

G50. Avoid lighting that illuminates streams, wetlands, lakes and other natural areas.

- **N/A**

G51. Avoid negative light impacts on neighbors.

- **Lighting will be carefully and deliberately considered**

G52. Signage should complement overall form and character as an extension of associated building and landscape designs.

- **Signage is incorporated into the form and character and will be further defined at BP stage**

G53. All signage shall comply to the City of Penticton’s Sign Bylaw, (which regulates the number, size, type, form, appearance, and location of signs).

- **Signage is incorporated into the form and character and will be further defined at BP stage**

G54. Mechanical/Utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building.

- **Proposed PMT located at rear (Northeast corner) of the property**

G55. Where this is unachievable, units may be located at the edge of the front yard and must be incorporated into landscaped areas and screened from the street.

- N/A

G56. Units shall not obstruct private views onto public space that might otherwise provide safety through passive surveillance.

- Open views for passive surveillance from all units

G57. Units shall not be installed in riparian setbacks (SPEA) and Environmental Protection areas

- N/A

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,

- Waste and recycle areas strategically placed to minimize view and noise impacts.

G59. Garbage and recycling bins should be contained within screened enclosures that are coordinated with the overall design.

- Proposed bins screened per bylaw 4.10

G60. Clear access to refuse/recycling areas must be provided.

- Clear access provided

G61. Fencing located along a street edge should be low and/or not create a solid barrier (i.e. it should be visually transparent).

- N/A

G62. Fencing along the street edge should be supplemented with low profile landscape plantings.

- N/A

G63. All plans should show intended fencing.

- N/A

5.3.3.7 Commercial & Mixed Use Guidelines

Notwithstanding the following Commercial & Mixed-Use Guidelines, Development Permit Applications must also adhere to the **General Guidelines (Section 5.2.2)**.

CM1. Retail building frontages:

- shall meet the sidewalk at grade;
 - Frontages meet sidewalk at grade
- are encouraged to be built to the property line so that a continuous commercial street frontage is maintained;
 - Intent to maintain continuous mixed use street frontage (Future road dedication TBC)
- may be set back at a maximum of 4.0m from the property line to allow for an active outdoor use such as a courtyard or patio, or to respond to a building setback from an adjacent property, where necessary
 - N/A
- may feature outdoor displays and patios provided a minimum 2.0m wide clear pedestrian zone within the public sidewalk is maintained.
 - Future road dedication TBC as public sidewalk is anticipated to be realigned

CM2. Plazas Outdoor eating areas and street-side plazas are encouraged and should:

- be located adjacent and connected to a public sidewalk and at centers of activity, such as transit exchanges, intersections of important streets and retail streets, thus providing a focal point for these areas.
 - Intent to connect with public sidewalk (Future road dedication TBC)

- be framed by buildings on a minimum of two sides to create well defined edges. The buildings should have active uses facing the plaza such as shop entrances, food/beverage, or recreation/community.

- N/A

- account for user comfort in their design by incorporating: »» protection from wind and excessive sun through appropriate siting and use of suitable plants and landscape structures (e.g., layered plantings, screen walls / trellises etc.). »» comfortable and functional furnishings such as lighting, seating, trash receptacles and restrooms in high-traffic locations.

- N/A

CM3. Mixed-use developments require thoughtful consideration to create synergies in mix and placement of uses.

- Mixed-use buildings should be designed with compatible uses, with more public uses (e.g., retail, commercial) on the ground floors fronting high pedestrian traffic areas and more private uses (e.g., residential, office) on upper floors or along quieter streets.

- Mix use – Commercial retail and live work units ground oriented. All living areas within residential units are at second and third levels including private open space.

- Mixed-use developments should be ground-oriented and should address, activate and, where setbacks allow, expand the public realm.

- Proposed ground oriented mixed use. Public realm TBC with future road dedication.

- Mixed-use developments require additional consideration for resident amenity spaces within and/or adjacent to buildings

- Each residential unit has at least one private open space

CM4. Locate parking areas to the rear or interior of a site rather than between the street and building.

- Parking located off rear laneway and interior private garages

CM5. Support a “Park Once” approach by locating and connecting parking to the greater pedestrian network.

- All surface parking connected to pedestrian walkways

CM6. Provide off-street parking access from secondary streets if lane access is not possible

- Off street parking accessed off rear laneway

CM7. Small Frontages: retail bays shall be no wider than 15 metres in order to create or maintain a fine grained pattern of shops. A maximum spacing of 10 metres for entrances is desired along the key pedestrian-oriented high streets.

- Proposed two retail tenants max (TBC)

- A larger retailer may combine bays internally; however, the external bay articulation should be maintained

- N/A

CM8. Building Projections: building projections that do not incorporate living space (e.g., roof overhangs, cornices and entry features) may encroach up to 1.25 metres into street right of way, provided that they are no less than 2.75 metres above the sidewalk.

- N/A

CM9. Clearly signed and generously sized entries to indicate primary pedestrian access.

- Careful consideration and visual delineation of primary pedestrian access proposed

CM10. Visual connection to the store interior maintained through at least 75% glazing along the primary store frontage. Windows shall be transparent and clear of obstructions (e.g., posters, decorative decals, reflective and highly tinted glass, etc.) looking onto display materials and/or active uses.

- Majority proposed transparent storefront glazing wrapping around commercial unit at corner of Westminster Ave and Power St.

CM11. Outdoor spaces that serve to complement the street realm (e.g., street-side plazas, outdoor eating and cafe seating areas);

- Proposed use agreement along Power St as patio space for commercial retail unit.
Future road dedication TBC

CM12. Blank walls should be no greater than 20% of the storefront along the primary store façade; secondary façades should be no greater than 50% blank.

- N/A

• Where blank walls exist as a function of a building's internal program (e.g., merchandising and/or "back of house"), opportunities for creating interest shall be explored, including: murals, architectural design features, etc.

- Back of house articulates and will function as mechanical/utility equipment and screening as proposed at the north or the commercial unit.

CM13. Awnings and canopies are encouraged on all buildings with street-oriented retail at grade to form a sheltered environment for pedestrians. Other commercial, light industrial and multifamily apartment residential uses shall have awnings overtop of main entrances.

- Awnings over doorways and inset entries are proposed on both commercial retail and residential entrances.

CM14. Design awnings and canopies as an extension of the architectural expression of the building façade.

- All overhangs and awnings are integral to the architectural form and massing of the façade.

CM15. Canopies should have a minimum vertical clearance of 2.75m measured from the sidewalk. Canopies should preferably extend out over the sidewalk by at least 1.8m while maintaining a minimum 0.6 m setback from the outer face of the curb.

- Canopies are designed integral to the massing and functional program therefore they do not extend at the suggested minimum. However, they serve functionally while anticipating the future road dedication and its possible impacts to the public realm.

CM16. Placement of awnings and canopies should balance weather protection with daylight penetration. Avoid opaque canopies that run the full length of façades.

- Canopies and overhangs are balanced well to provide weather protection while not interfering with daylighting. Articulation is incorporated by alternating units along the façade.

CM17. Notwithstanding the City of Penticton's Sign Regulations Bylaw, the following are preferred or acceptable types of commercial signage:

- Projecting two-dimensional or blade signs suspended from canopies and awnings, maintaining minimum clearances from sidewalks and driveways for safety and to reduce vandalism.
- Flush-mounted fascia signs
- Externally lit signs
- Small vertical banners and projecting signs
- Cut-out or silhouette letter signs mounted on storefronts.
 - Signage is incorporated into the form and character and will be further defined at BP stage

CM18. Notwithstanding the City of Penticton's Sign Regulations Bylaw, the following the following are strongly discouraged types of commercial signage:

- Internally lit plastic box signs
- Large signage on awnings
- Pylon (stand alone) signs
- Rooftop signs
 - Signage is incorporated into the form and character and will be further defined at BP stage

CM19. Signage on commercial buildings shall clearly identify uses and business name and be pedestrian oriented (e.g., installed along the business's primary pedestrian corridor and access).

- Signage is incorporated into the form and character and will be further defined at BP stage

CM20. Signage directing traffic to parking shall be provided and visible from the street.

- Signage is incorporated into the form and character and will be further defined at BP stage

CM21. A signage and lighting program for commercial developments should be designed, with signs, lighting, and weather protection architecturally integrated from the outset. The signage and lighting plan should be provided with the Development Permit application.

- Signage is incorporated into the form and character and will be further defined at BP stage

CM22. Building Interface - live/work units may serve as gallery or retail space for residents. In such instances, the "work" portion of the unit should front the street.

- Proposed live work residential units have "work" portion fronting the street at ground level.

CM23. Flexible Space - live/work units should have a minimum floor to floor height at-grade of 4.0m in order to provide workspaces that offer flexibility for such diverse uses as retail operations, graphic and visual arts, or small-scale manufacturing.

- Proposed live work residential units have at grade floor to floor height of 3.3m

CM24. Buildings containing live/work uses should be identifiable by the design of frontages, for instance by:

- differentiating the living zones from the working zones architecturally through façade design and colour, e.g., with canopies and upper storey step backs
- reflecting its uses through variation in materials, roof lines, building articulation and/or fenestration pattern.

- Proposed work zone and residential have differing façade material, colour and step backs

Attachment F - Development Permit Analysis (staff)

Development Permit Analysis

The proposed development is located within the Commercial & Mixed Use Development Permit Area. The following analysis demonstrates how the proposal is aligned with the applicable design guidelines.

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

- Prior to site design, the applicant accounted for the two OCP designations on the site and has prepared a design that is aligned with both designations. The commercial unit is located at the southwest corner of the property near the intersection, where the Mixed Use designation is located, and live work units along the Westminster Ave W façade. The scale of the development was kept at three-storeys to keep it in character with surrounding built forms on this side of Power St. The rooftop patios are located along the street-facing building, away from residential neighbours to the north.

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

- The buildings are three-storeys in height, which is a similar scale as surrounding buildings and preserves views towards the mountains west of the development.

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

- The design provides strong street definition with a minimum 1.5m setback on both street frontages and front doors to live work units along the Westminster Ave W frontage.
- The site is surrounded by streets and lanes on all sides, providing a physical buffer between the proposed development and all its neighbours.
- The commercial unit is located prominently at the Westminster Ave W and Power St intersection with a large patio space, which is well-integrated into the improved boulevard and public sidewalks.

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.

- Each unit has a secure double-car garage for vehicles and other personal belongings. The design provides casual surveillance over the streets and rear lane by having unit entries and large windows on all sides looking over 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.

- The main entries to each unit are designed at grade, reinforcing the ground-oriented nature of the development and providing a strong connection to the streets and lane.

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

- The street-facing live work units have direct sidewalk connections to the public sidewalk along Westminster Ave W. The lane-facing building has a new sidewalk proposed to connect the townhouse unit entries to both Power St and around to Westminster Ave W. Each residential unit has its own garage, accessed from the internal driveway. A sidewalk is proposed to connect commercial parking spaces to the commercial unit. These pedestrian connections help separate pedestrian and vehicle traffic and minimizes potential conflicts on-site.

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

- The on-site parking is located internally on the site along a driveway from the east lane. This limits the visibility of garage. Each unit's main entry faces either the street or lane, instead of this internal driveway.

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

- The property is located within 100m of two bus stops. Each unit has its own garage in which bicycles could be stored, and bike racks are provided in three different locations on the site.
- The site is located close to the Okanagan Lake promenade and is within walking distance of the downtown, Community Centre, and other commercial areas which helps reduce car dependency.

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 development is designed so that both buildings face either the street or lane in a positive way. This provides an engaging streetscape along Westminster Ave W and mirrors the existing lane-facing townhouse units at 166 Power St to the north of the development site. This proposal is for a ground-oriented housing type in keeping with the predominant building type and scale in the area.

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

- The street-facing building is designed with projecting balconies to help break up the building façade and provide overlook onto the public realm. The design also includes minor building projections and setbacks, as well as varying façade materials and colours, to help create visual interest along the building.

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.*

- The building designs include minor projections, balconies, and landscaping to create a transition from the public realm to private realm.

Guideline G27 *Development should activate the public realm (e.g., sidewalks) and shared open spaces by placing active uses at street-level.*

- The proposed development activates the public realm but siting the building close to the street, providing connections to each fronting unit's main entries ("live" and "work"), and providing architectural interest with the commercial unit near the intersection with an at-grade patio which is integrated into the improved boulevard on both street frontages.

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

- The design provides main entries for 11 live work units directly facing Westminster Ave W. In addition, the commercial unit main entrance will be clearly visible from Westminster Ave W near the intersection. This enhances the streetscape and connects the development to the public realm.

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, balconies, and main unit entries of eleven live work units face Westminster Ave W and provide for visual overlook onto the public realm. The other building is designed with similar features facing the rear lane, which will help mirror the townhouse development form on the opposite side of the north lane. This design provides for casual overlook onto the street, lane, and internal driveway.

Guideline G35 Tree planting...

- The landscaping plan shows nine new boulevard trees along the Westminster Ave W frontage and two new boulevard trees along the Power Street frontage. These trees are part of boulevard improvements resulting from the proposed development, enhancing the streetscape, which currently has no boulevard trees in this location. These new trees help extend the mature boulevard trees already present along Westminster Ave W, west of the development site.

Guideline G54 Mechanical/utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building.

- A padmount transformer is proposed at the northeast corner of the site, on the opposite side from the prominent Westminster Ave W and Power St intersection and at the furthest point from both fronting streets, at the rear of the site. Utility meters are located at the sides of the buildings and not along the street or lane frontages to mitigate their visual impact.

Guidelines G58/G59 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. Garbage and recycling bins should be contained within screened structure that are coordinated with the overall design.

- Two garbage/recycling bin screened storage enclosures are proposed on the site. One is adjacent to the commercial unit, and the other is adjacent to the lane facing townhouse building. These screened enclosures help reduce visual impact while also being located in areas which are easily serviceable. The bins are located such that they do not impede pedestrian or vehicle traffic.

Guideline CM2 Outdoor eating areas and street-side plazas are encouraged and should be located adjacent and connected to a public sidewalk and at centres of activity, such as transit exchanges, intersections of important streets and retail streets, thus providing a focal point for these areas; and should be framed by buildings on a minimum of two sides to create well-defined edges. The buildings should have active uses facing the plaza such as shop entrances, food/beverage, or recreation/community; account for user comfort in their design by incorporating protection from wind and excessive sun through appropriate siting and use of suitable plants and landscape structures; and comfortable and functional furnishings such as lighting, seating, trash receptacles and restrooms in high-traffic locations.

- The patio/plaza in front of the commercial unit is integrated into the pedestrian network and located prominently at the Power/Westminster intersection. This patio is framed by the building which can provide shade on this area in addition to the new boulevard trees to be planted adjacent to the patio.

Guideline CM3 Mixed-use developments require thoughtful consideration to create synergies in mix and placement of uses. Mixed-use buildings should be designed with compatible uses, with more public uses (e.g., retail, commercial) on the ground floors fronting high pedestrian traffic areas and more private uses (e.g., residential, office) on upper floors or along quieter streets. Mixed-use developments should be ground-oriented and should address, activate and, where setbacks allow, expand the public realm. Mixed-use developments require additional consideration for resident amenity spaces within and/or adjacent to buildings.

- The commercial unit is located near the intersection and the residential units are located with frontages along Westminster Ave W and the north lane. The living spaces are mostly above grade, with the units along Westminster having the option of a live work arrangement on the first or second floor. This design appropriately integrates the mix of uses proposed on the site. Each unit has its own outdoor amenity space.

Guideline CM4 Locate parking areas to the rear or interior of a site rather than between the street and building.

- Each unit has a double-car garage accessed from an internal driveway. Visitor parking for the residential units is accessed from this same driveway. The parking for the commercial unit is located off the north lane near Power St. The design provides all parking at the rear and interior of the site, keeping the building frontages active and pedestrian-oriented.

Guideline CM6 Provide off-street parking access from secondary streets if lane access is not possible.

- Off-street parking is provided from the two lanes which serve the site.

Guideline CM7 Small frontages: retail bays shall be no wider than 15 metres in order to create or maintain a fine-grained pattern of shops. A maximum spacing of 10 metres for entrances is desired along the key pedestrian-oriented high streets.

- Each live work unit has a frontage width of approximately 6m, which meets the intent of this guideline by providing a fine-grained pattern of shops along the facade. The commercial unit at the corner of the site has a main frontage on Westminster of approximately 9m, and is highly visible from both streets.

*Guideline
CM10 Commercial frontages should serve a range of functions that enliven the pedestrian realm through visual connection to the store interior maintained through at least 75% glazing along the primary store frontage. Windows shall be transparent and clear of obstructions (e.g., posters, decorative decals, reflective and highly tinted glass, etc.) looking onto display materials and/or active uses.*

- The commercial unit at the corner has a substantial amount of glass windows along the Westminster and Power sides, over 75%. This provides plenty of visual connection from the street into this space, which could be an active use such as a restaurant or display of retail items. Each live work unit has a commercial style façade at grade with separate entrance into the “work” space of each unit from the main residential front door.

*Guideline
CM11 Commercial frontages should serve a range of functions that enliven the pedestrian realm through outdoor spaces that serve to complement the street realm (e.g., street-side plazas, outdoor eating and café seating areas).*

- The commercial unit features a street-side patio which is integrated into the pedestrian network and is highly visible from the Westminster Ave W and Power St intersection. In addition, the plans show a 167m² rooftop patio above the commercial unit. These two spaces can help activate the public realm and provide visual interest at this major intersection in the North Gateway.

*Guideline
CM22 Live/work units may serve as gallery or retail space for residents. In such instances, the “work” portion of the unit should front the street.*

- The design provides two main entries for each live work unit, which allows their flexible use for permitted commercial uses while keeping a separate designated entry for the residential unit. The design provides plenty of glass along the Westminster façade for high visibility into the potential work space of each live work unit.

*Guideline
CM23 Buildings containing live/work uses should be identifiable by the design of frontages, for instance by: differentiating the living zones from the working zones architecturally through façade design and colour (e.g., with canopies and upper storey step backs), and by reflecting its uses through variation in materials, roof lines, building articulation and/or fenestration pattern.*

- The design provides commercial-style frontages along Westminster Ave W with glass windows and doors which signal the commercial uses allowed in these “work” spaces of each live work unit. A more subtle and opaque residential-style front door is provided facing the street as well, which provides access into the “live” portion of the live work unit.

14.8 CD8 – Comprehensive Development (795 Westminster Ave W)

14.8.1 PURPOSE

This *zone* provides for the comprehensive development of a medium-density, 3 storey, mixed-use development site for *Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979*, located at 713 Westminister Ave W, *Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979*, located at 737 Westminister Ave W, and *Parcel A (KK20280) District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3979*, located at 795 Westminister Ave W.

14.8.2 PERMITTED USES

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

- .1 *accessory use, building or structure*
- .2 *apartment*
- .3 *artisan crafts*
- .4 *bakery*
- .5 *business support service*
- .6 *cannabis retail store*
- .7 *craft brewery/distillery*
- .8 *day care centre, major*
- .9 *dwelling unit*
- .10 *financial service*
- .11 *flex unit*
- .12 *health service*
- .13 *indoor animal daycare and grooming*
- .14 *indoor amusement, entertainment and recreation*
- .15 *liquor primary licensed premise*
- .16 *live work unit* (subject to specific use regulation 7.8)
- .17 *minor home occupation* (subject to specific use regulation 7.3)
- .18 *office*
- .19 *on-site beer/wine making*
- .20 *personal service establishment*
- .21 *recreation equipment sale, service and rentals*
- .22 *restaurant*
- .23 *retail store*
- .24 *townhouse*
- .25 *vacation rental* (subject to specific use regulation 7.6)

14.8.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

- | | | |
|----|-------------------------------------|----------------------|
| .1 | Minimum <i>lot width</i> : | 90.0 m |
| .2 | Minimum <i>lot area</i> : | 3,200 m ² |
| .3 | Maximum <i>lot coverage</i> : | 56% |
| .4 | Maximum <i>density</i> : | 1.1 <i>FAR</i> |
| .5 | Maximum <i>height</i> : | 13.0 m |
| .6 | Minimum <i>front yard</i> : | 1.5 m |
| .7 | Minimum <i>interior side yard</i> : | 3.0 m |
| .8 | Minimum <i>exterior side yard</i> : | 1.5 m |

.9 Minimum *rear yard*: 2.5 m

14.8.4 AMENITY SPACE

- .1 *Amenity space* shall be provided at the rate of 10.0 m² for each *dwelling unit*.
- .2 All *amenity space* may be provided above *approved grade*.

14.8.5 OTHER REGULATIONS

- .1 Commercial *uses* shall be limited to the *first storey* of the *buildings*.
- .2 In addition to the regulations in Section 7.8, *live work units* shall be limited to the first two *storeys* of the *buildings*.

14.8.6 PARKING REGULATIONS

- .1 Notwithstanding Table 6.6, the minimum number of *parking spaces* for *uses* shall be as follows:
 - a. Minimum 44 *parking spaces* for *dwelling units* and *live-work units*;
 - b. Minimum 4 *parking spaces* for visitor parking; and
 - c. Minimum 3 *parking spaces* for commercial *uses*.

Development Permit

Permit Number: DP PL2022-9281

Owner Name
Owner Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.

2. This permit applies to:

Legal: Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton)
District Plan 3979

Civic: 713 Westminster Avenue West

PID: 004-679-431

Legal: Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton)
District Plan 3979

Civic: 737 Westminster Avenue West

PID: 004-321-758

Legal: Parcel A (KK20280) District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3979

Civic: 795 Westminster Avenue West

PID: 023-421-053

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a mixed use development including 22 townhouse and live-work units 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

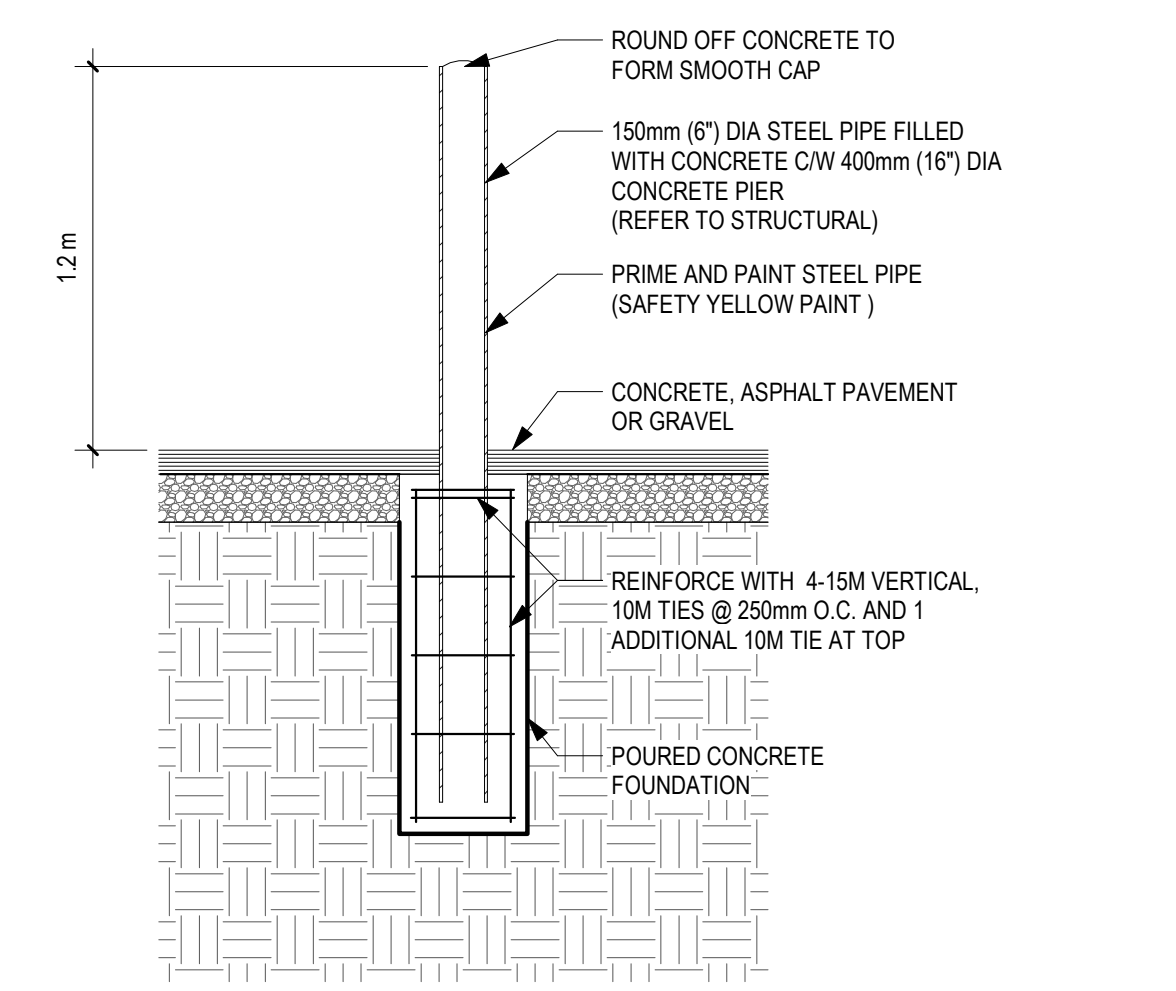
21624 CANTIRO DEVELOPMENT PROPOSAL

ADDRESS
713-737-795 WESTMINSTER AVENUE WEST, PENTICTON, BC

ZONING
CD-ZONE (MIXED USE COMMERCIAL & GROUND ORIENTED RESIDENTIAL)

ITEM	REQUIRED	PROVIDED
HEIGHT (MAX)		13.0 m
LOT AREA (GROSS)		3213 m ²
LOT AREA (NET)		3213 m ²
FLOOR SPACE RATIO		
BUILDING SITE COVERAGE		1764.5 m ²
1. SETBACKS		
FRONT YARD (SOUTH)		1.5 m
SIDE YARD (EAST)		3.0 m
SIDE YARD (WEST)		1.5 m
REAR YARD (NORTH)		2.5 m
3. FLOOR SPACE RATIO		
TOTAL FLOOR AREA		3,657.4 m ²
LOT AREA (NET)		3,213 m ²
FLOOR AREA RATIO		1.1
4. BUILDING SITE COVERAGE		
TOTAL BUILDING COVERAGE		1764.5 m ²
LOT AREA (NET)		3213 m ²
SITE COVERAGE RATIO		56%
5. PARKING		
USE 1 RESIDENTIAL (1 / LIVE WORK - 1.25 / TOWNHOME)	24.75	25
USE 2 COMMERCIAL (1 / 50m ² - ROUND DOWN)	3.84	3
VISITOR PARKING (DEDICATED-11x0.25)	2.75	4
TOTAL PARKING	29	32
HANDICAP PARKING (DEDICATED)	1	1
SMALL CAR PARKING	25%	N/A
6. LOADING		
CLASSIFICATION	1	1
TOTAL LOADING SPACES (MIN 28 m ²)	1	1
7. BICYCLE PARKING		
CLASSIFICATION (CLASS I) LOCKER/GARAGE	N/A	22
CLASSIFICATION (CLASS II) RACK	13	14
TOTAL BICYCLE PARKING	13	36
8. DENSITY		
UNIT TYPE 1 - TOWNHOME / LIVE WORK		11
UNIT TYPE 1 - TOWNHOME		11
TOTAL DWELLING UNITS		22

CD ZONE MIX USE STAS	MAIN LEVEL TYP. NET AREA	2ND LEVEL TYP. NET AREA	3RD LEVEL TYP. NET AREA	TOTAL TYP. NET AREA / UNIT	TOTAL UNITS
MIX-1 COM. / RET.	182.6 m ² / 1,965.5 sf (COM.)	N/A (ROOFTOP PATIO 167.5 m ² / 1,803 sf)	N/A	182.6 m ² / 1,965.5 sf	1 - 2
MIX-2 LIVE WORK TOWNHOME	31.3 m ² / 337 sf (LW / RES.) + DOUBLE GARAGE	65.6 m ² / 706 sf (RES.)	76.5 m ² / 823 sf (RES.) + ROOFTOP PATIO	173.4 m ² / 1,866 sf	11
MIX-3 TOWNHOME	17.2 m ² / 185 sf (RES.) + DOUBLE GARAGE	60.8 m ² / 654 sf (RES.)	63.5 m ² / 684 sf (RES.)	141.5 m ² / 1,523 sf	11



3 BOLLARD DETAIL - METRIC
SCALE: 1:24

SITE LEGEND

- MIX-1
- MIX-2
- MIX-3
- GREENWAY

ARCHITECTURAL LEVEL
GEODETTIC ELEVATION

WORK POINT

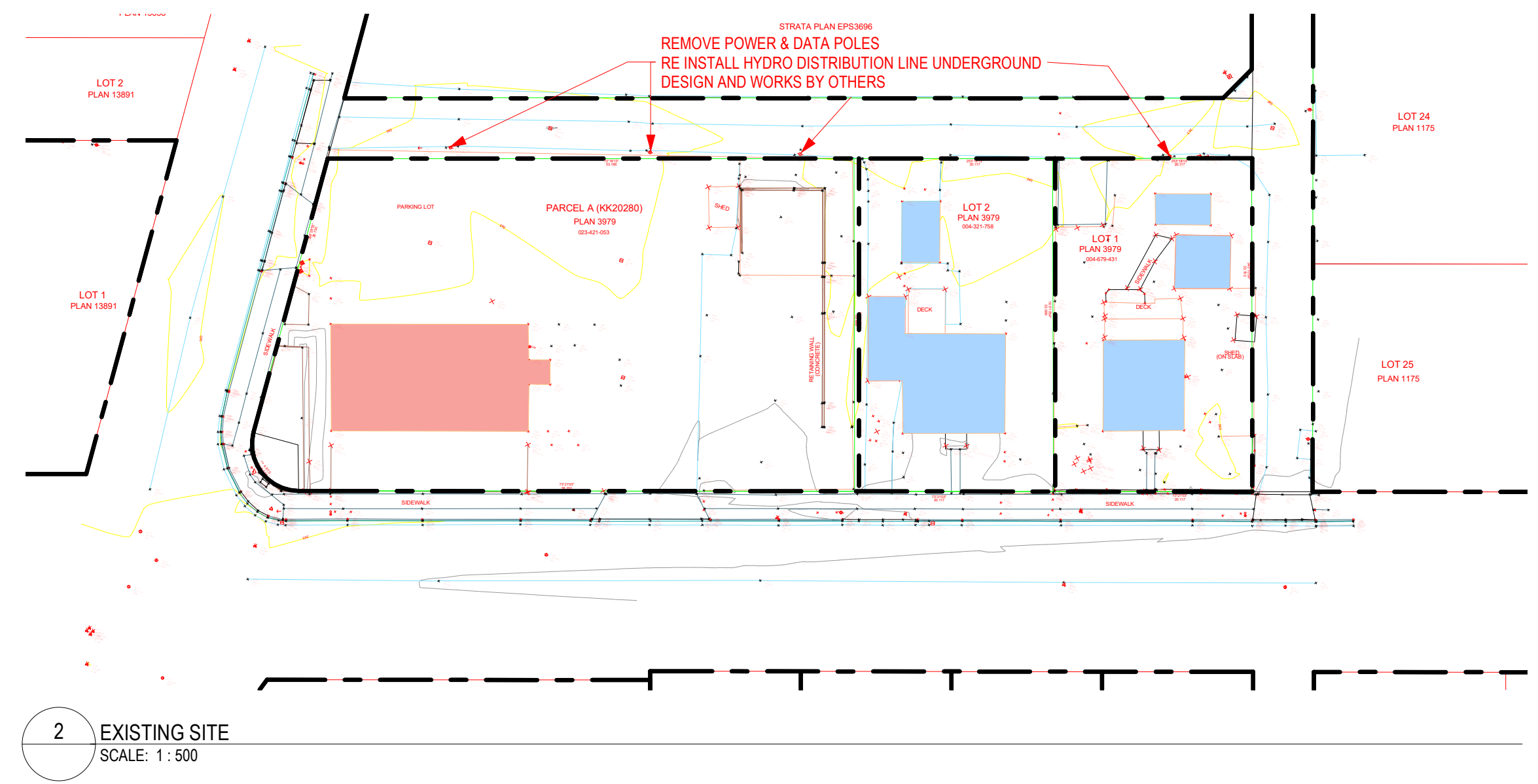
BOLLARD SEE DETAIL THIS SHEET

GENERAL NOTES

1. REFER TO CIVIL, MECHANICAL & ELECTRICAL DRAWINGS FOR SITE DETAILS. COORDINATE AS REQUIRED
2. CONFIRM ALL FINAL GRADES ON SITE. REFER TO CIVIL DRAWINGS.
3. PROVIDE IRRIGATION TO ALL LANDSCAPED AREAS. REFER TO MECHANICAL.
4. REFER TO LANDSCAPE DRAWINGS FOR LANDSCAPE DETAILS. COORDINATE AS REQUIRED

CONSTRUCTION NOTES

- 1 HOSE BIB, REFER TO MECHANICAL.
- 2 GAS METER C/W 2 BOLLARDS, REFER TO DETAIL.
- 3 SIAMSESE CONNECTION, REFER TO MECHANICAL.



DEVELOPMENT STATS

CANTIRO PENTICTON DEVELOPMENT
713-737-795 WESTMINSTER AVENUE WEST, PENTICTON

DRAWING: D100

PROJECT: 21624
SCALE: As indicated



1 MAIN LEVEL
SCALE: 1:200

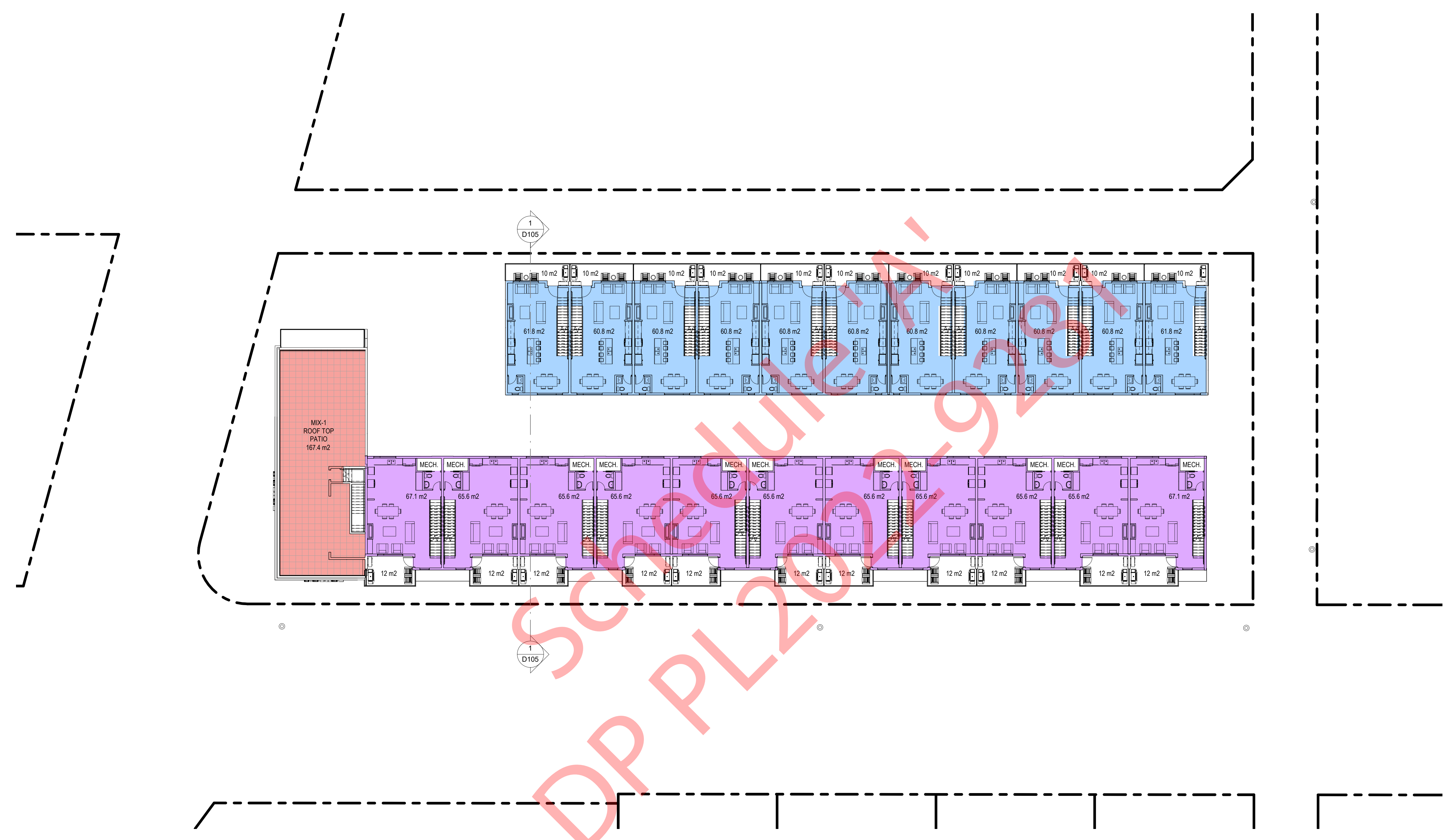


MAIN LEVEL

CANTIRO PENTICTON DEVELOPMENT
713-737-795 WESTMINSTER AVENUE WEST, PENTICTON

DRAWING: D101

PROJECT: 21624
SCALE: 1:200

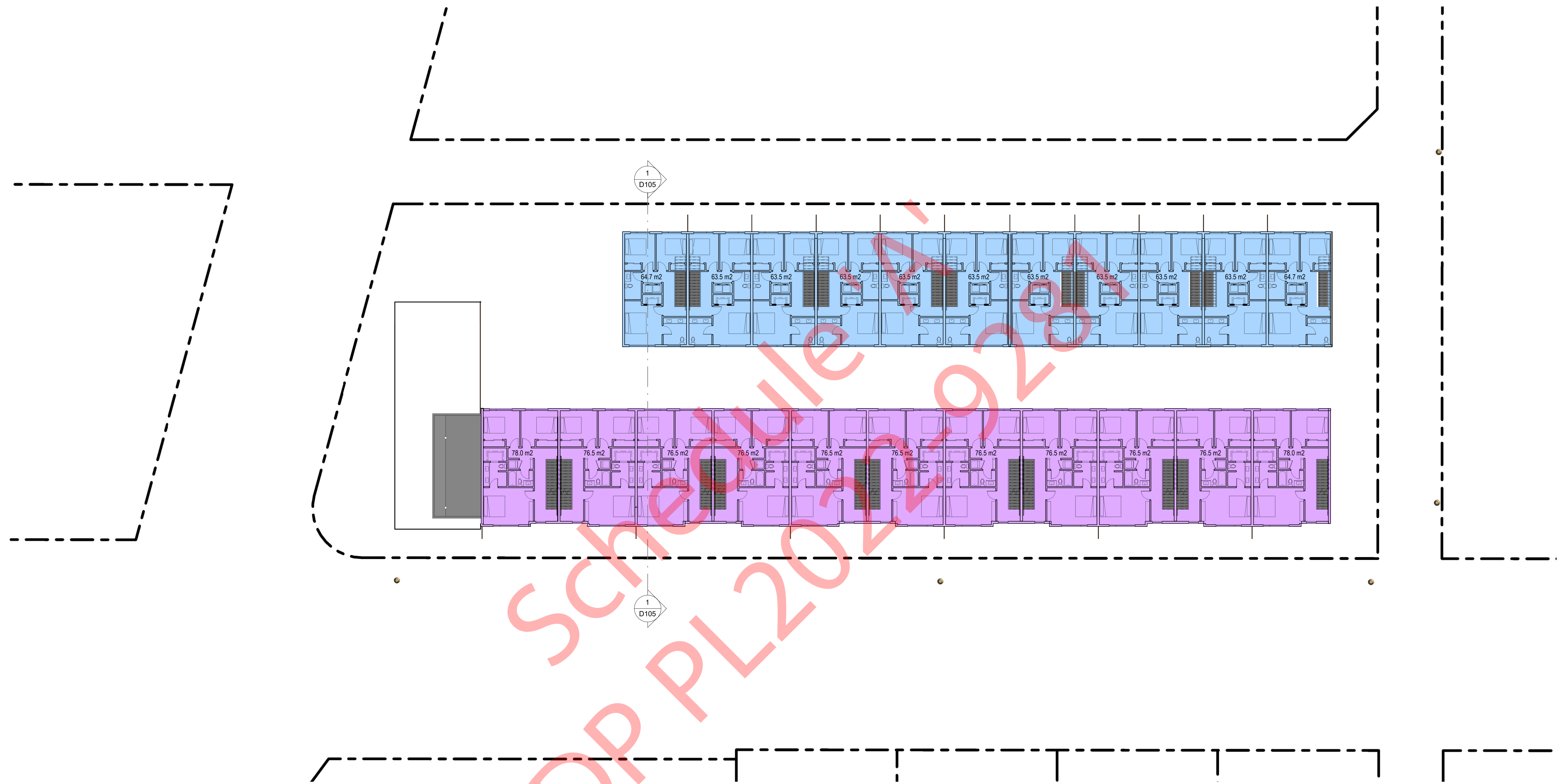


1 SECOND LEVEL
SCALE: 1 : 200



SECOND LEVEL
CANTIRO PENTICTON DEVELOPMENT
713-737-795 WESTMINSTER AVENUE WEST, PENTICTON

DRAWING: D102
PROJECT: 21624
SCALE: 1 : 200



Schedule
 DP PL 2022-9281

1 THIRD LEVEL
SCALE: 1 : 200

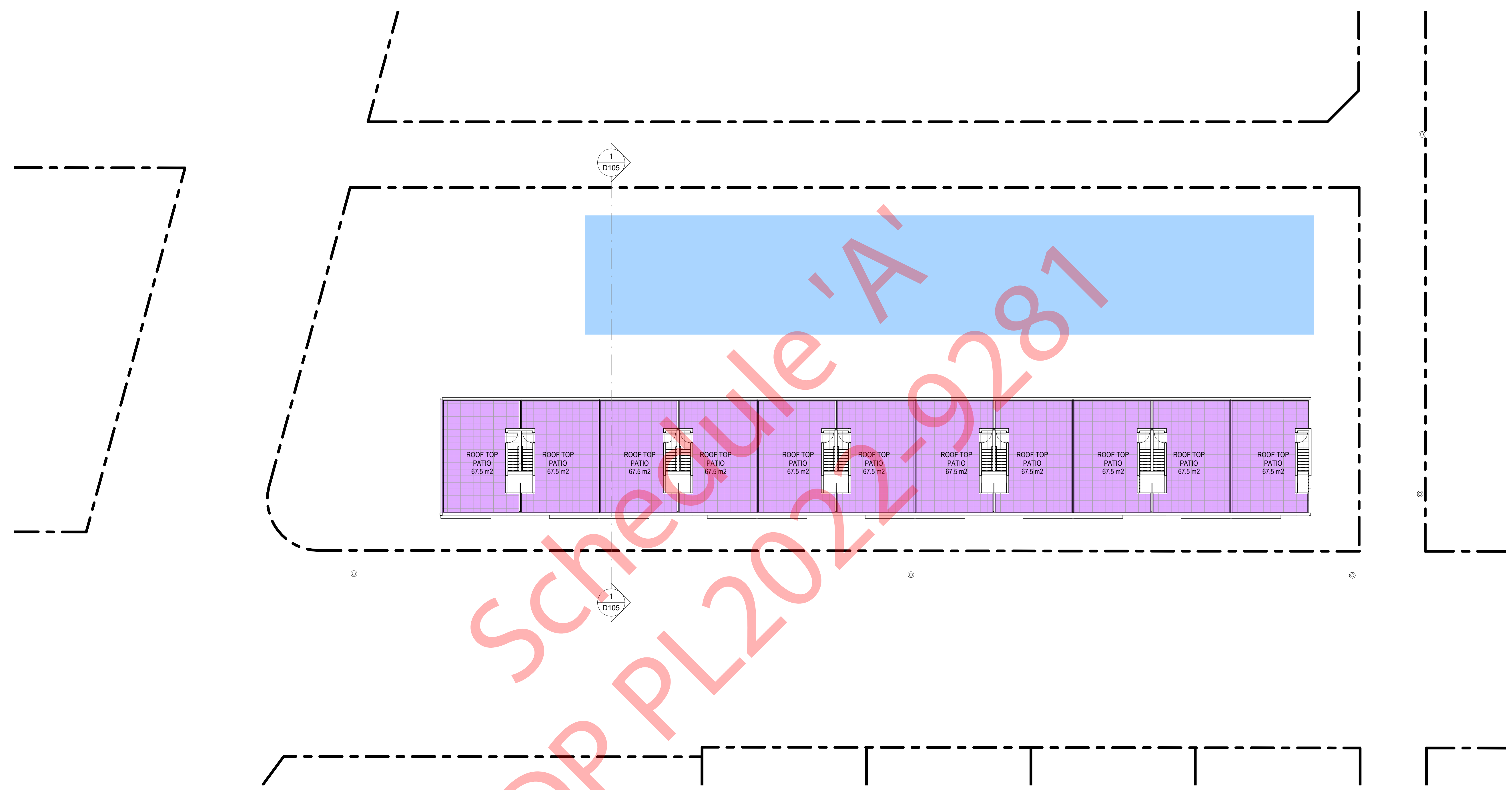


THIRD LEVEL

CANTIRO PENTICTON DEVELOPMENT
713-737-795 WESTMINSTER AVENUE WEST, PENTICTON

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PROJECT: 21624
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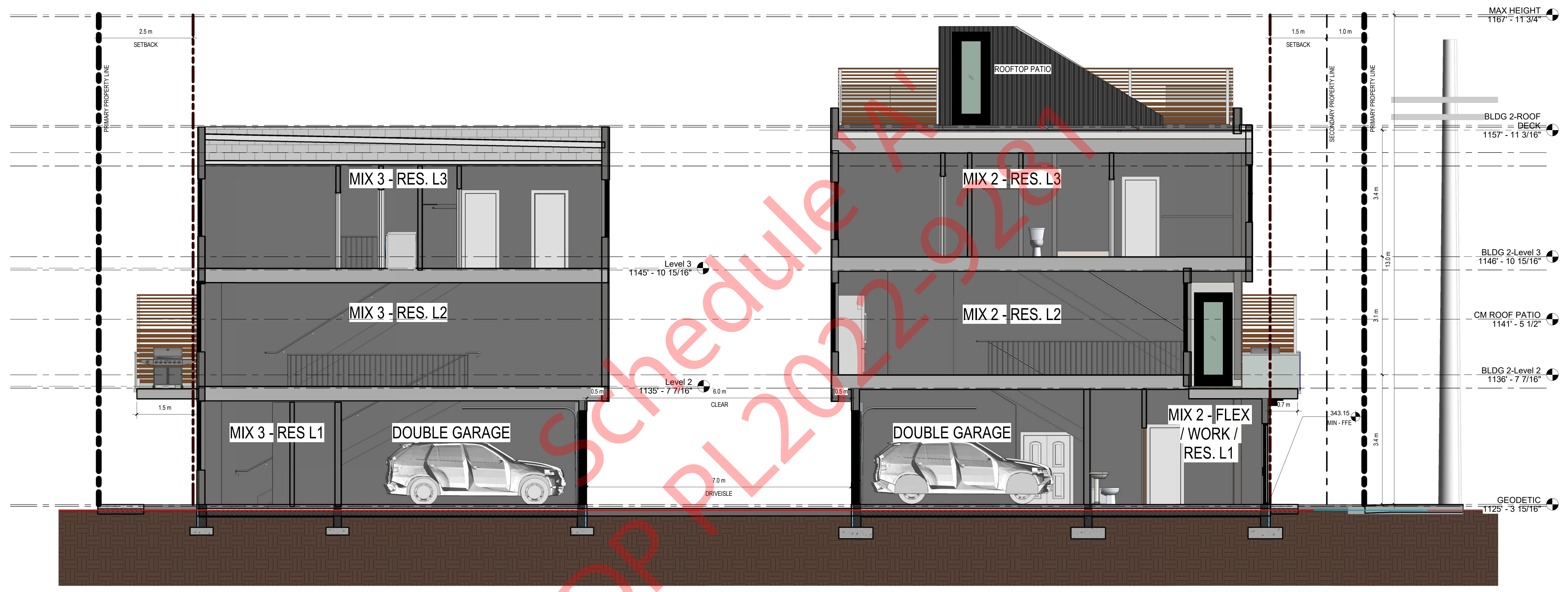


1 ROOF
SCALE: 1 : 200



ROOF
CANTIRO PENTICTON DEVELOPMENT
713-737-795 WESTMINSTER AVENUE WEST, PENTICTON

DRAWING: D104
PROJECT: 21624
SCALE: 1 : 200

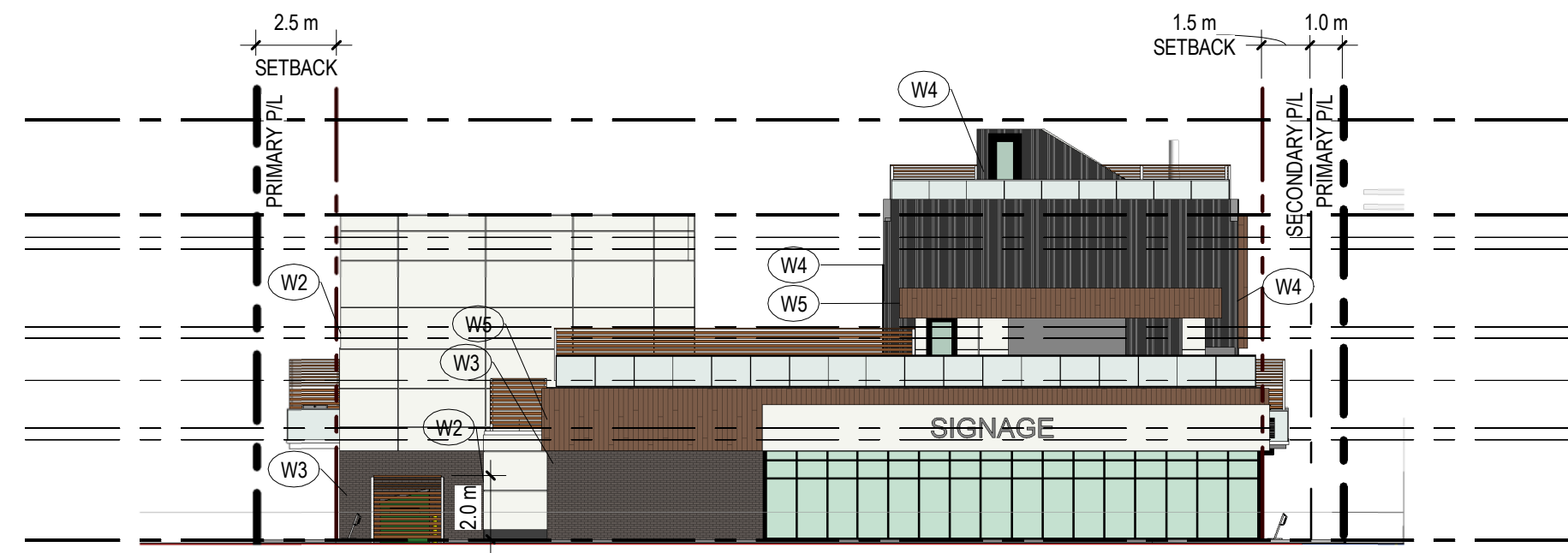


1 Section 1
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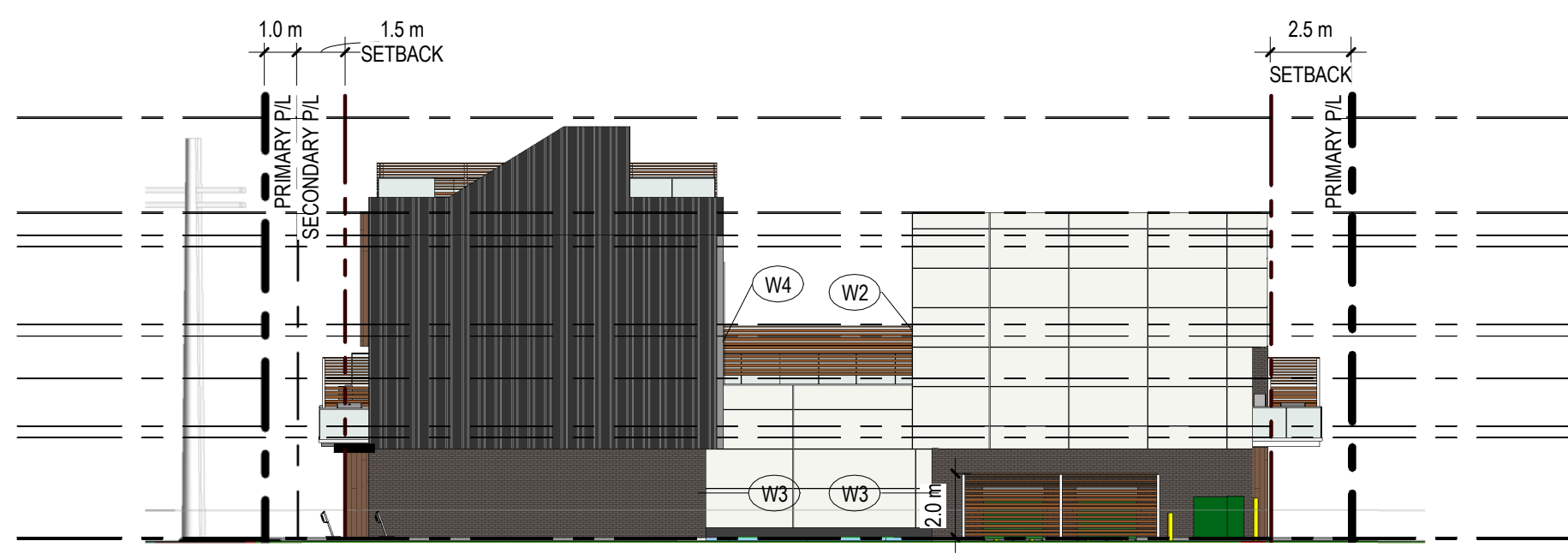


SECTION
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713-737-795 WESTMINSTER AVENUE WEST, PENTICTON

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PROJECT: 21624
SCALE: 1:50



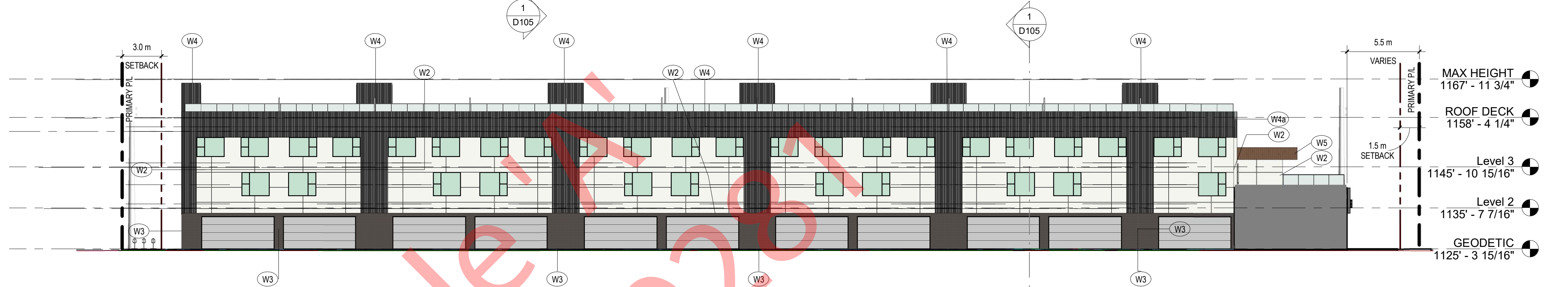
4 WEST ELEVATION
SCALE: 1:200



3 EAST ELEVATION
SCALE: 1:200



2 SOUTH ELEVATION
SCALE: 1:200



6 MIX 3 NORTH ELEVATION
SCALE: 1:200







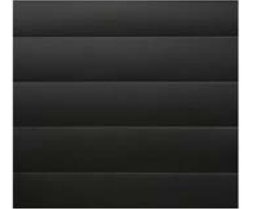


1 NORTH ELEVATION
SCALE: 1:200



5 MIX 2 SOUTH ELEVATION
SCALE: 1:200

EXTERIOR FINISHES LEGEND

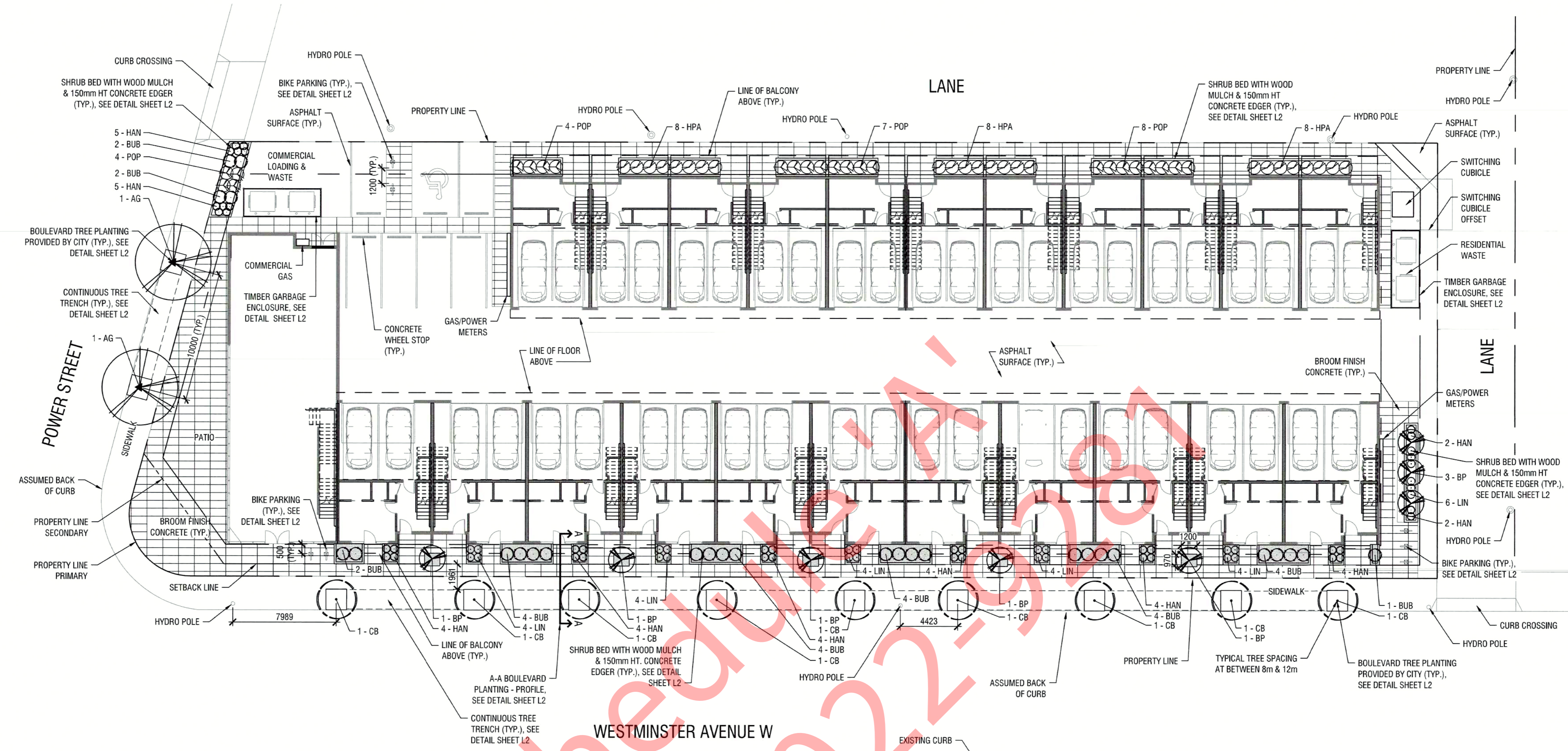
	1		3
NEWTECH PANEL (BRAZILIAN IPE)		ONDURA CORRUGATED PANEL (BLK 956)	
	2		4
CEMENTITIOUS PANELS (HARDI ARTIC WHITE)		BRICK VINEER	
			
CONCRETE		ROOFING - LIGHT GREY SBS	
			5
		BLACK METAL FLASHING / SOFFIT	



ELEVATIONS
 CANTIRO PENTICTON DEVELOPMENT
 713-737-795 WESTMINSTER AVENUE WEST, PENTICTON

DRAWING: **D106**
 PROJECT: 21624
 SCALE: 1:200

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LANDSCAPE PLAN
SCALE 1:200

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT TREATMENT
AG	2	Acer glabrum	Rocky Mountain Maple	80mm Cal Min	Full and Uniform
BP	8	Betula platyphylla 'Jefpark' TM	Parkland Pillar Asian White Birch	60mm Cal Min	Full and Uniform
CB	9	Carpinus betulus 'Frans Fontaine'	Frans Fontaine Hornbeam	60mm Cal Min	Full and Uniform
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT TREATMENT
BUB	27	Buddleja x 'Blue Chip' TM	Lo & Behold Blue Chip Butterfly Bush	400mm Ht Min	Full and Uniform
HPA	24	Hydrangea paniculata 'Bombshell'	Bombshell Panicle Hydrangea	400mm Ht Min	Full and Uniform
POP	24	Physocarpus opulifolius 'Donna May' TM	Little Devil Dwarf Ninebark	400mm Ht Min	Full and Uniform
PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT TREATMENT
HAN	38	Hemerocallis x 'Anzac'	Anzac Red Daylily	400mm Ht Min	Full and Uniform
LIN	26	Lavandula x intermedia 'Grosso'	Grosso Lavender	400mm Ht Min	Full and Uniform

LEGEND

- PROPERTY LINE
- DECIDUOUS TREE
- SHRUB PLANTING

GENERAL NOTES

- IRRIGATION TO BE PROVIDED FOR ALL LANDSCAPED AREAS AND BOULEVARD PLANTING FROM PRIVATE PROPERTY.

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NO.	DESCRIPTION	DATE
9	-	-
8	-	-
7	-	-
6	AS BUILT	-
5	APPROVED FOR CONSTRUCTION	-
4	TENDERED	-
3	FINAL REVIEW	2022-05-10
2	SECOND SUBMISSION	-
1	FIRST SUBMISSION	2022-02-25



NO.	DATE	DESCRIPTION	BY	APPROVED
1	YYYY MM DD	-	-	-

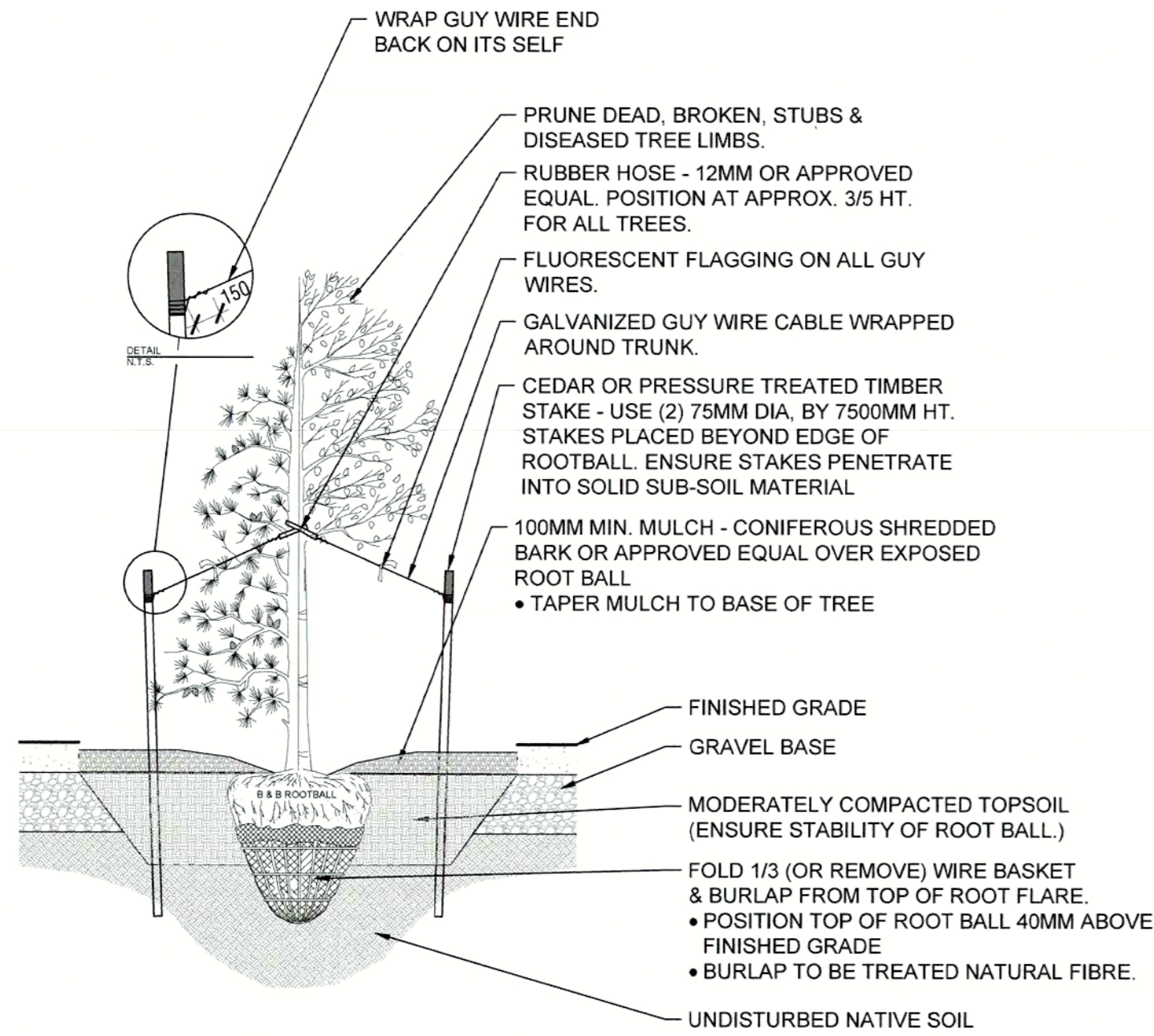


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300 - 10830 Jasper Avenue
Edmonton AB T5J 2B3 Canada
tel 780 428 4000 fax 780 426 3256
ibigroup.com

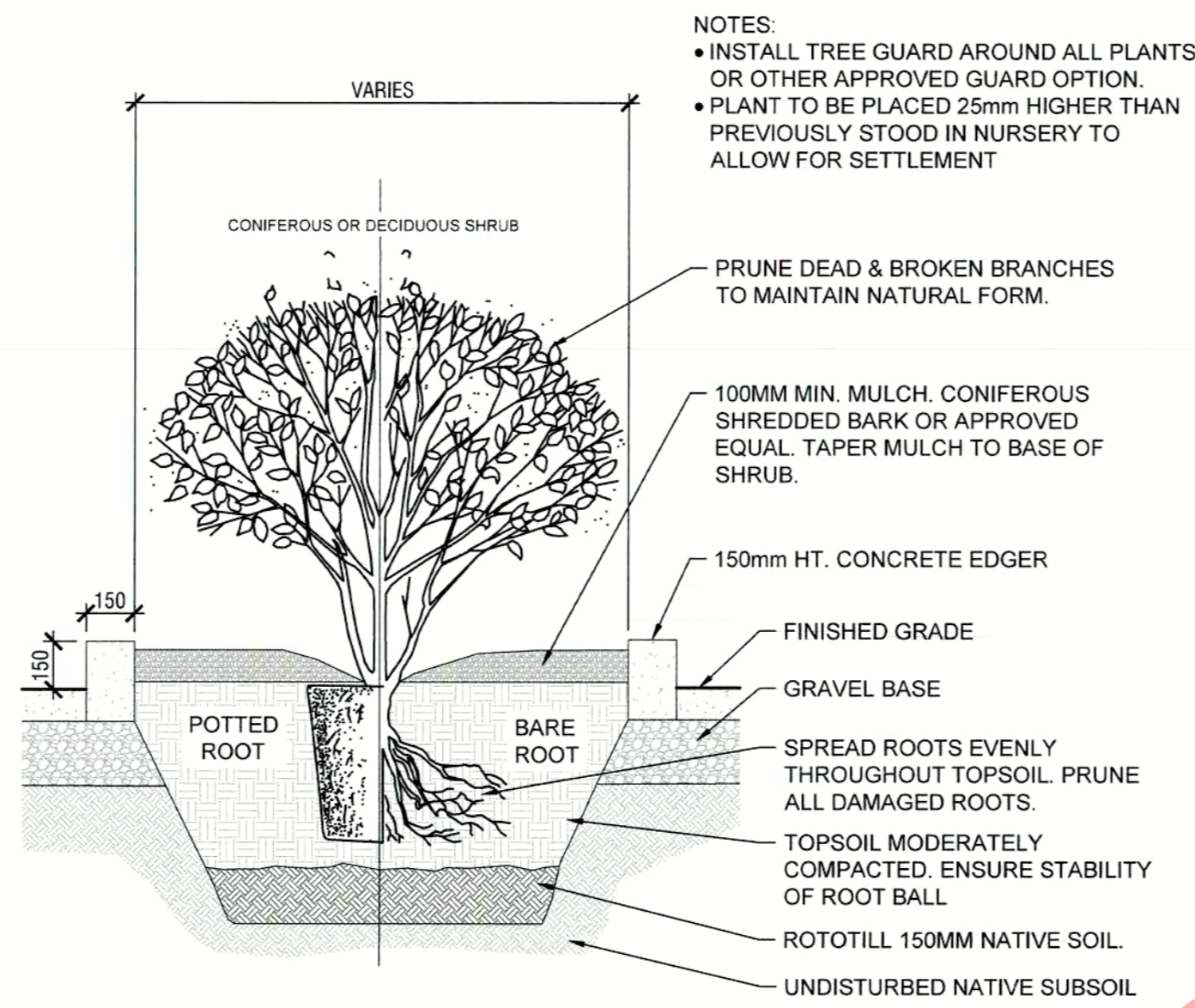
DATE	FEBRUARY, 2022
DESIGNED BY	LJD
DRAWN BY	AAC
CHECKED BY	MDN
SCALE	AS SHOWN

PENTICTON	
WESTMINSTER AVENUE MULTI FAMILY	
DEVELOPMENT PERMIT LANDSCAPE PLAN	

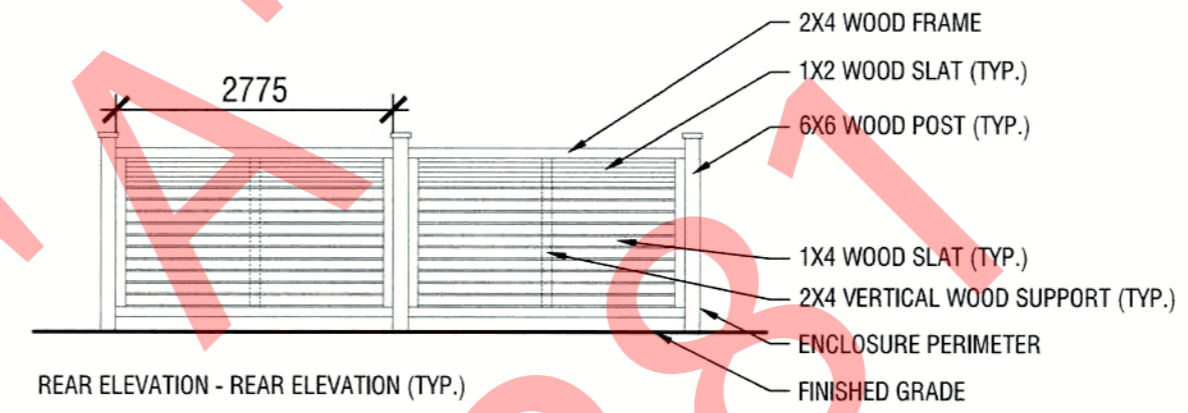
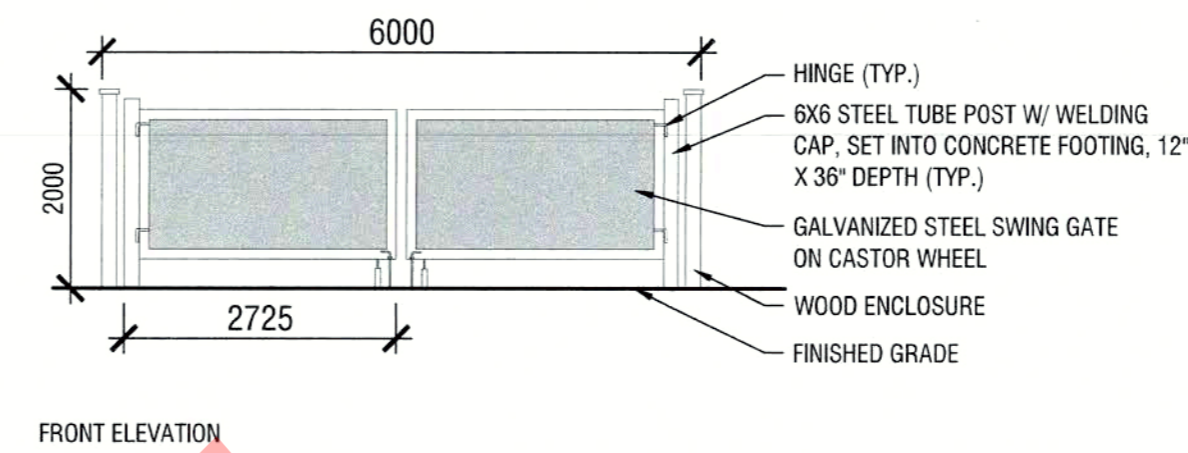
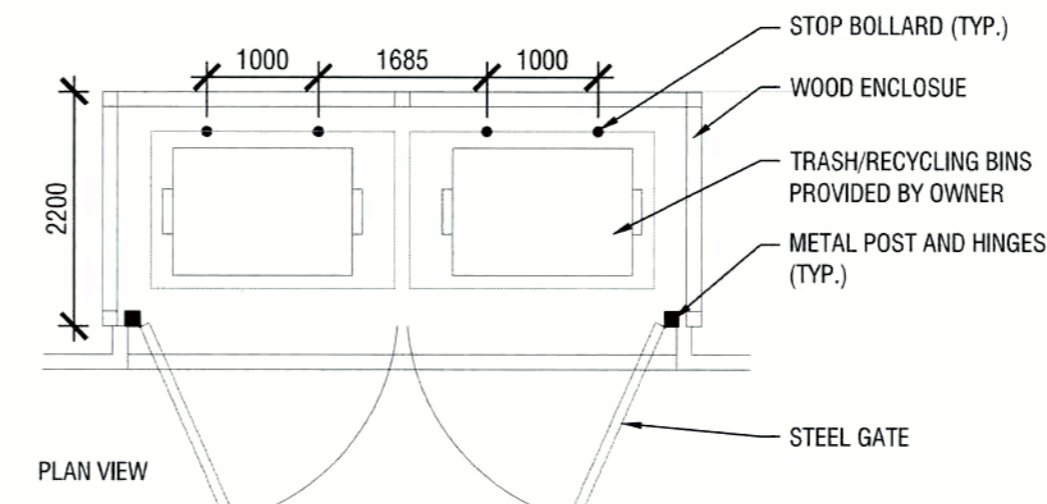
APPROVED	FILE NO. EO-137097
DRAWING NO. 137097-L1	SHEET L1 OF L2



TREE PLANTING - SECTION
SCALE 1:20



SHRUB PLANTING - SECTION
SCALE 1:20

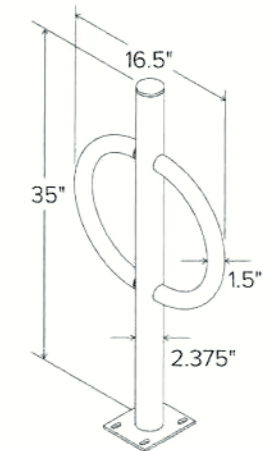


NOTE: ALL METAL COMPONENTS TO HAVE GALVANIZED FINISH. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR APPROVAL PRIOR TO FABRICATION

WOOD GARBAGE ENCLOSURE WITH STEEL GATE - DETAIL
SCALE 1:75



Submittal Sheet

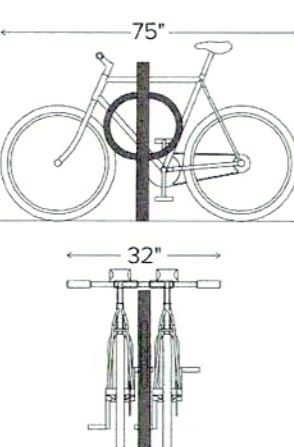


CAPACITY 2 Bikes

MATERIALS Centerbeam: 2" schedule 40 pipe (2.375" OD)
Ring: 1.5" OD 11 gauge tube

FINISHES

- Galvanized
An after fabrication hot dipped galvanized finish is our standard option.
- Powder Coat
Our powder coat finish assures a high level of adhesion and durability by following these steps:
1. Sandblast
2. Epoxy primer electrostatically applied
3. Final thick TGIC polyester powder coat.
- Stainless
Stainless Steel: 304 grade stainless steel material finished in either a high polished shine or a satin finish.



MOUNT OPTIONS

- Surface
Foot Mount has a 5' x 6' x 25" foot with four anchors per foot. Specify foot mount for this option. Tamper-resistant fasteners available upon request.
- In-Ground
In-ground mount is embedded into concrete base. Specify in-ground mount for this option.

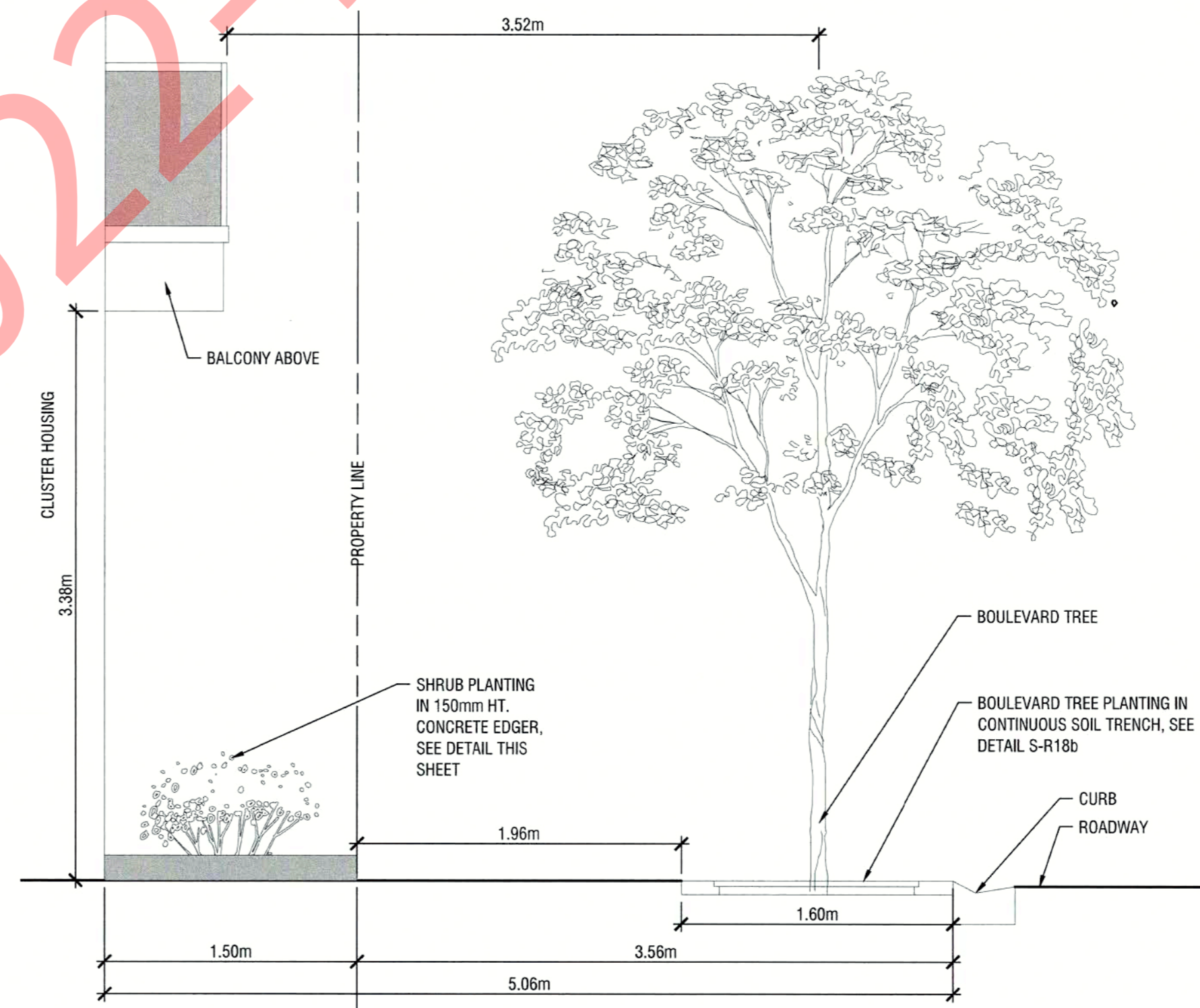
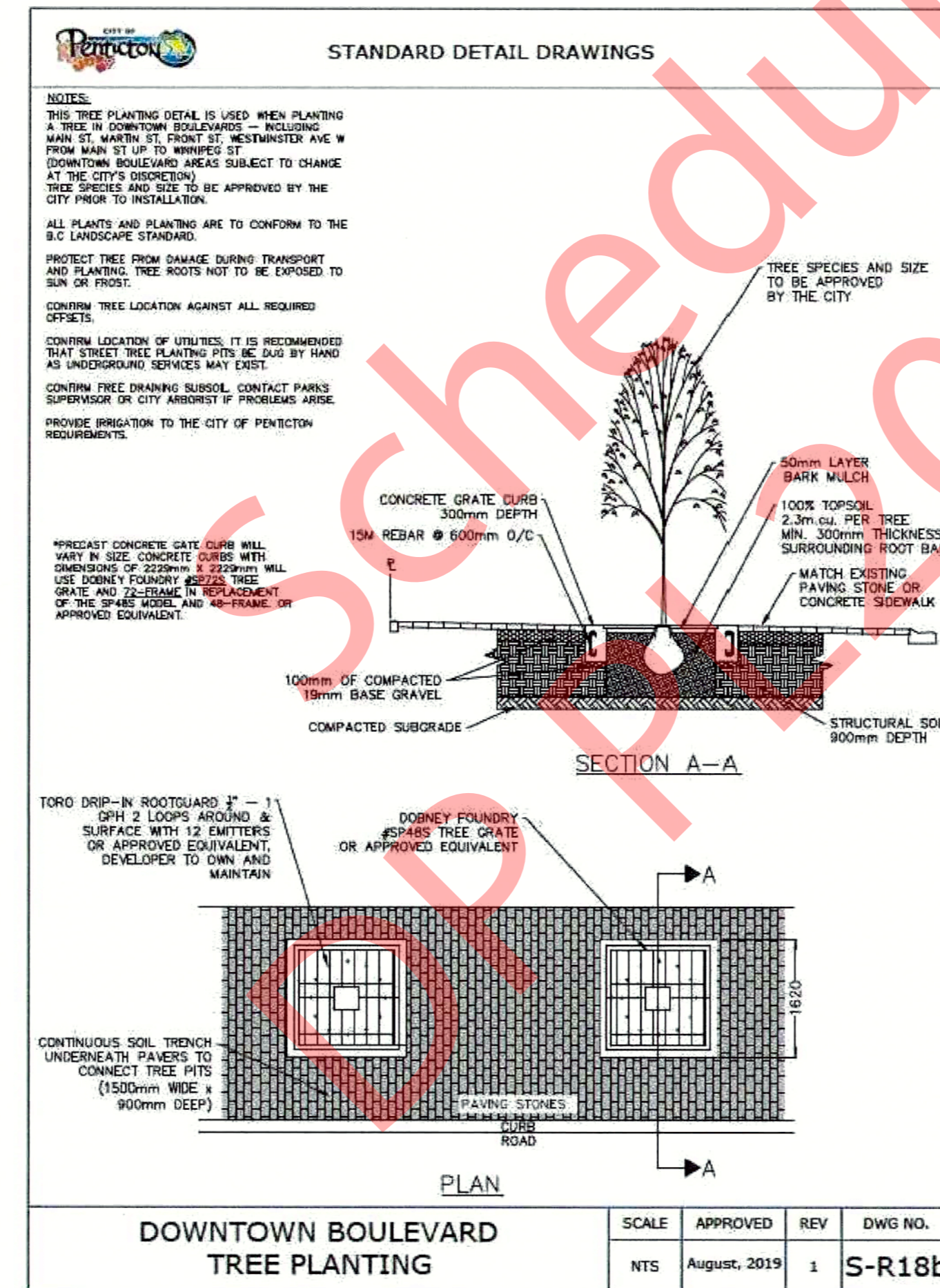
IN-GROUND MOUNT

12"
18"
24"
(or standard 4" sidewalk slot)

SURFACE MOUNT

18"
48"
10"

BIKE PARKING - DETAIL
SCALE N.T.S.

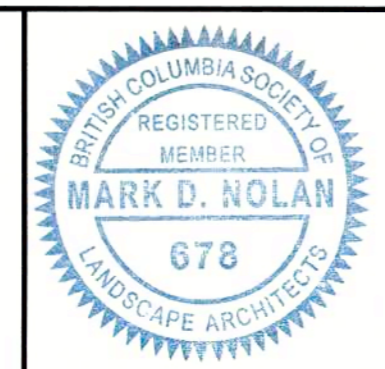


A-A - BOULEVARD PLANTING - PROFILE
SCALE 1:30

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NO.	DESCRIPTION	DATE
9	-	-
8	-	-
7	-	-
6	AS BUILT	-
5	APPROVED FOR CONSTRUCTION	-
4	TENDERED	-
3	FINAL REVIEW	2022-05-10
2	SECOND SUBMISSION	-
1	FIRST SUBMISSION	2022-02-25

ISSUE DATES (YYYY-MM-DD)



NO.	DATE	DESCRIPTION	BY	APPROVED
1	YYYY MM DD	-	-	-

REVISIONS TO APPROVED DRAWINGS

IBI

IBI GROUP PROFESSIONAL SERVICES (CANADA) INC
300 - 10830 Jasper Avenue
Edmonton AB T5J 2B3 Canada
tel 780 428 4000 fax 780 426 3256
ibigroup.com

DATE
DECEMBER, 2021
DESIGNED BY
LID
DRAWN BY
AAC
CHECKED BY
MDN
SCALE
AS SHOWN

PENTICTON

WESTMINSTER AVENUE
MULTI FAMILY

DETAILS

APPROVED
FILE NO. EO-137097-600
DRAWING NO. 137097-L2
SHEET L2 OF L2

The Corporation of the City of Penticton

Bylaw No. 2022-25

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. 2022-25".

2. **Amendment:**

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

2.1 Update the Table of Contents and add the following to Chapter 14 – Comprehensive Development:

14.8 CD8 – Comprehensive Development (795 Westminster Ave W)

14.8.1 PURPOSE

This *zone* provides for the comprehensive development of a medium-density, 3 storey, mixed-use development site for *Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979*, located at 713 Westminster Ave W, *Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979*, located at 737 Westminster Ave W, and *Parcel A (KK20280) District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3979*, located at 795 Westminster Ave W.

14.8.2 PERMITTED USES

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

- .1 *accessory use, building or structure*
- .2 *apartment*
- .3 *artisan crafts*
- .4 *bakery*
- .5 *business support service*
- .6 *cannabis retail store*
- .7 *craft brewery/distillery*
- .8 *day care centre, major*
- .9 *dwelling unit*
- .10 *financial service*
- .11 *flex unit*

- .12 *health service*
- .13 *indoor animal daycare and grooming*
- .14 *indoor amusement, entertainment and recreation*
- .15 *liquor primary licensed premise*
- .16 *live work unit* (subject to specific use regulation 7.8)
- .17 *minor home occupation* (subject to specific use regulation 7.3)
- .18 *office*
- .19 *on-site beer/wine making*
- .20 *personal service establishment*
- .21 *recreation equipment sale, service and rentals*
- .22 *restaurant*
- .23 *retail store*
- .24 *townhouse*
- .25 *vacation rental* (subject to specific use regulation 7.6)

14.8.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

- .1 Minimum *lot width*: 90.0 m
- .2 Minimum *lot area*: 3,200 m²
- .3 Maximum *lot coverage*: 56%
- .4 Maximum *density*: 1.1 *FAR*
- .5 Maximum *height*: 13.0 m
- .6 Minimum *front yard*: 1.5 m
- .7 Minimum *interior side yard*: 3.0 m
- .8 Minimum *exterior side yard*: 1.5 m
- .9 Minimum *rear yard*: 2.5 m

14.8.4 AMENITY SPACE

- .1 *Amenity space* shall be provided at the rate of 10.0 m² for each *dwelling unit*.
- .2 All *amenity space* may be provided above *approved grade*.

14.8.5 OTHER REGULATIONS

- .1 Commercial *uses* shall be limited to the *first storey* of the *buildings*.
- .2 In addition to the regulations in Section 7.8, *live work units* shall be limited to the first two *storeys* of the *buildings*.

14.8.6 PARKING REGULATIONS

- .1 Notwithstanding Table 6.6, the minimum number of *parking spaces* for *uses* shall be as follows:
 - a. Minimum 44 *parking spaces* for *dwelling units* and *live-work units*;
 - b. Minimum 4 *parking spaces* for visitor parking; and
 - c. Minimum 3 *parking spaces* for commercial *uses*.

2.2 Rezone the following properties from CT1 (Tourist Commercial) and R2 (Small Lot Residential) to CD8 (Comprehensive Development Zone – 795 Westminster Avenue West) as shown on Schedule 'A'.

1. Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979, located at 713 Westminster Avenue West, and
2. Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979, located at 737 Westminster Avenue West, and
3. Parcel A (KK20280) District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3979, located at 795 Westminster Avenue West.

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

READ A FIRST time this	17	day of	May, 2022
A PUBLIC HEARING was held this	7	day of	June, 2022
READ A SECOND time this		day of	, 2022
READ A THIRD time this		day of	, 2022
RECEIVED the approval of the Ministry of Transportation on the		day of	, 2022
ADOPTED this		day of	, 2022

Notice of intention to proceed with this bylaw was published on the 27 day of May, 2022 and the 1 day of June, 2022 in the Penticton 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 & Infrastructure</p>

John Vassilaki, Mayor

Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2022-25

Date:

Corporate Officer:

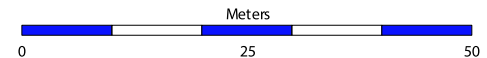


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1:840

May 12, 2022 9:08:50 AM



Coordinate System: NAD 1983 CSRSUTM Zone 11N

**Public Hearing - LATE SUBMISSION - 713, 737 and 795
Westminster Avenue West**

Subject: Zoning Amendment Bylaw 2022-25; 795, 737, and 713 Westminster Ave. W

Attention: Corporate Officer, City of Penticton
171 Main Street, Penticton, B.C. V2A 5A9
Email: publichearings@penticton.ca

Greetings City of Penticton,

This letter is being written on behalf of the Strata Plan EPS 3696, Beechwood Estates, located at 166 Power Street representing 15 homeowners with regards to the development planning and rezoning of 795, 737, and 713 Westminster Avenue West. This letter is in direct response to the public hearing to be held on June 7, 2022 at 6 pm in Council Chambers at City Hall.

Our Strata council is in favour of moving forward with rezoning and development planning with the property based on adherence and careful consideration by the City of Penticton and City Council of the following:

- The Corporation of the City of Penticton Official Community Plan 2045 per Bylaw No. 2019-08
- The Corporation of the City of Penticton Zoning Bylaw No. 2021-01
- The North Gateway Redevelopment and Investment Strategy – this is at stage 5 of review and feedback

We have several items that we would like the City of Penticton, Council, and the developer to consider as they move forward with the current and future review and approval process for this development:

- Clarification of the ownership of the lane running East-West that runs parallel to Westminster Avenue, this lane will border Strata Plan EPS 3696 and the new development. Currently, the lane is the responsibility of Strata Plan EPS 3696. This would include snow removal, pavement/surface maintenance, and more.
- Clarification of the ownership of the fire hydrant located on Strata Plan EPS 3696, if the intent is to leverage the current fire hydrant for the new development.
- Lane Size to the east side of 713 Westminster Ave West – based on the submitted building diagrams this laneway looks to be the main entrance and exit to the onsite parking for residential and commercial parking. With 22 proposed dwellings plus mixed commercial space, this will increase traffic in this laneway considerably. Suggest that the lane size needs to be reviewed by the city and developer as there will be a need for two-way traffic from the complex opening to Westminster Avenue West.
- Opportunity for the City and partners (i.e., data providers) to move power and data poles along Westminster avenue underground as part of the North Gateway vision of the corridor; note that the proposal is already planning to move the power and data poles in the East-West laneway behind the development to underground.

- Further consideration and discussion of commercial parking needs in this development and the surrounding neighborhood. Based on the size of the commercial space proposed and the possibility of some type of restaurant/bar in the large space with the outdoor patio then there is very limited on-site commercial parking. The City and Council need to explore the larger item of street parking in this neighborhood. For example, perhaps some of the city-owned land along Westminster Avenue by the Penticton’s Visitor Centre can be examined for use for angled street (metered) parking to accommodate the increase in commercial space in this area.
- We would like to remind the City and the Council of our position from the May 17, 2022 public hearing meeting on the surrounding developments in this area need to be considered as a functioning neighborhood, not as single independent entities. This speaks directly to the density, height, and scale feedback provided by residents of this area regarding public hearing Zoning Amendment Bylaw No. 2022-21.

We are pleased to see that the developer’s proposal is adhering to the policy and spirit of the Official Community Plan especially the items listed below.

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 or housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines
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 4.1.5.2	The City will undertake or require neighbourhood redevelopment plans in areas undergoing – or proposed to undergo – transition in the context of the directions in this OCP to ensure: <ul style="list-style-type: none"> a) sustainable mix of land uses, b) an appropriate scale and design, and c) design that considers transportation options.

OCP Policy 5.2.2 – G4	Views through to the mountains and the lakes should be carefully considered and incorporated into the design of new development.
OCP Policy 5.2.2 – G6	Building placement and orientation should respect significant public water, mountain and ridgeline views.
OCP Policy 5.2.2 – G25	Where appropriate, stepped massing should be utilized to transition and improve the relationship between developments of differing scale. In areas where there is an OCP Land Use Designation change, adjacent building heights should not be greater than one-and-a-half storeys higher than existing adjacent development with additional storeys terraced back with a minimum setback of 3.0 metres.
OCP Policy 5.2.2 – G25	Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.
OCP Policy 5.3.1.4	<p>New development should recognize and respect local scale and patterns of development with the following objectives:</p> <ol style="list-style-type: none"> 1. Introduce new housing that fits with and relates to its context. 2. Accommodate diverse and eclectic form and scale while ensuring a clear hierarchy of primary and secondary buildings on a site 3. Ensure transition of scale with smaller forms to protect privacy and “right to light” (sun exposure for livability) 4. Ensure “friendly faces” along residential frontages and secondary edges (where applicable) with comfortable relationship to the street.
OCP Policy 5.3.2.3	Guidelines for multifamily housing are a means to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness.

If you have any questions, need any clarification, or wish to further engage with us please contact us.

Sincerely,

Bert Sandie on behalf of
Strata Plan EPS 3696 Beechwood Estates
166 Power Street, Penticton, BC