

## Public Hearing

to be held at the City of Penticton, Council Chambers  
171 Main Street, Penticton, B.C.

To view the Council Meeting, visit [www.penticton.ca](http://www.penticton.ca)

Tuesday, July 19, 2022  
at 6:00 p.m.

- |       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |      |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1.    | Mayor Calls Public Hearing to Order for <b>“Zoning Amendment Bylaw No. 2022-36”</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1-25 |
| CO    | Reads Opening Statement and Introduction of Bylaw<br><br>“Zoning Amendment Bylaw No. 2022-36”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      |
|       | <p>Purpose: To amend Zoning Bylaw No. 2021-01 as follows:</p> <p>Rezone Lot B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP119095, located at 169 Maple Street, from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing).</p> <p>The applicant is proposing to rezone the subject property to enable the construction of a four-unit cluster housing development. The proposal consists of two duplexes, one facing Maple Street and the other facing the rear lane. The buildings are two-storeys in height, with all parking off the rear lane.</p> <p>Notice: Pursuant to the <i>Local Government Act</i> the Public Hearing was advertised on Friday, July 8, 2022 and Wednesday, July 13, 2022 in an online news source and the newspaper.</p> |      |
| CO    | No letters have been received regarding the Zoning Amendment Bylaw (as of noon Wednesday, July 13, 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. 2022-36” 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, July 5, 2022**  
**at 1:00 p.m.**

## **Resolutions**

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- 8.10 Zoning Amendment Bylaw No. 2022-36  
Development Permit PL2022-9385  
Re: 169 Maple Street

250/2022

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-36", a bylaw to rezone Lot B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP119095, located at 169 Maple Street, from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing); AND THAT Council forward "Zoning Amendment Bylaw No. 2022-36" to the July 19, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-36", approve "Development Permit PL2022-9385" for 169 Maple Street, a permit to approve the form and character of a four-unit cluster housing development consisting of two side-by-side duplexes.

**CARRIED UNANIMOUSLY**



# Council Report

penticton.ca

**Date:** July 5, 2022  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Steven Collyer, Planner II  
**Address:** 169 Maple Street

File No: RMS/169 Maple St

**Subject: Zoning Amendment Bylaw No. 2022-36  
Development Permit PL2022-9385**

## Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-36", a bylaw to rezone Lot B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP119095, located at 169 Maple Street, from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing);

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-36" to the July 19, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-36", approve "Development Permit PL2022-9385" for 169 Maple Street, a permit to approve the form and character of a four-unit cluster housing development consisting of two side-by-side duplexes.

## Strategic Priority Objective

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

## Proposal

The applicant is proposing to rezone the subject property from the R2 (Small Lot Residential) zone to the RD4 (Low Density Cluster Housing) zone to enable the construction of a four-unit cluster housing development. The proposal consists of two duplexes, one facing Maple Street and the other facing the rear lane (Figure 1). The buildings are two-storeys in height, with all parking off the rear lane. The style is similar to a duplex proposed on the neighboring lot to the north (163 Maple Street). The proposed development is considered within the Multifamily Residential Development Permit Area outlined by the OCP. As such, a development permit application has been submitted and is included with the rezoning for Council's consideration.



Figure 1 - Renderings of proposed development

### Background

The subject property is located on the west side of Maple Street, across from Heales Avenue and north of Westminster Avenue West (Figure 2). The property currently contains a single detached home and detached garage, which are proposed to be demolished to facilitate the development. Surrounding land uses are residential in nature, including townhomes, duplexes, and single detached homes.

The property was recently subdivided into two lots. On February 15, 2022, Council approved “Zoning Amendment Bylaw No. 2022-03” on the neighbouring lot to the north, 163 Maple Street. The bylaw rezoned that lot to the RD3 (Residential Infill) zone to allow the subdivision and construction of a duplex. The same applicant is now proposing to rezone the subject property (169 Maple Street) to build two side-by-side duplexes.

### Climate Impact

The Community Climate Action Plan (CCAP) was adopted by Council in 2021 and outlines various areas of focus to make progress towards the City’s climate change mitigation and adaptation goals. One of the CCAP focus areas is building energy efficiency. The new buildings will be required to meet Step 3 of the Energy Step Code. The building permit plans will be reviewed once that application is made to ensure the new buildings comply with Step 3 requirements.

The landscaping plan shows xeriscaping on much of the property, with shrubs and trees along the sides of the property and in the rear yards of each unit planted among river rock. This landscaping design requires less water than the grassed front yards, designed to keep a consistent look as other front yards along Maple Street. Staff will perform a landscaping inspection after construction and landscaping installation is complete to ensure the landscaping installed complies with the approved development permit.



Figure 2 - Property location map

The plans show an attached storage space at the rear of each unit which meets the size requirements for secure bicycle storage. Secure bicycle parking helps promote active transportation.

### Technical Review

This application was reviewed by the Technical Planning Committee, a group of internal staff who review development applications. The committee had no requirements at the rezoning stage. Comments related to the future building permit stage, including servicing requirements, have been provided to the applicant in the effort to expedite that future approvals process.

### Development Statistics

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

	RD4 Zone Requirement	Provided on Plans
<b>Minimum Lot Width*:</b>	18 m	15.4 m
<b>Minimum Lot Area*:</b>	540 m <sup>2</sup>	598 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40%	37.8%
<b>Maximum Density:</b>	0.8 Floor Area Ratio (FAR)	0.71 FAR
<b>Vehicle Parking:</b>	1 parking space per dwelling unit 0.25 visitor parking spaces per dwelling unit <b>Total: 5 parking spaces required</b>	1 parking space per dwelling unit 1 visitor parking space <b>Total: 5 parking spaces provided</b>
<b>Bicycle Parking:</b>	Class I: 0.5 spaces per dwelling unit Class II: 0.1 spaces per dwelling unit <b>Total: 2 Class I spaces required</b>	Class I: 1 space per dwelling unit <b>Total: 4 Class I spaces provided</b>
<b>Required Setbacks</b>		
Front Yard (Maple St):	4.5 m	4.5 m
Side Yard (north):	1.5 m **	1.5 m
Side Yard (south):	1.5 m **	1.5 m
Rear Yard (lane):	6.0 m	7.7 m
<b>Maximum Building Height</b>	10.5 m	7.5 m
<b>Other Information:</b>	*Lot width and lot area are only applicable at the time of subdivision. ** Interior side yard setbacks reduced from 3.0m to 1.5m in the RD4 zone where buildings are no more than 2 storeys and 8m in height	

### Analysis

The OCP designation for the property is 'Infill Residential'. This land use designation supports lower-height residential areas with new housing types compatible with existing single detached houses in character and scale but providing up to four units per lot (Figure 3). Typical building types in the 'Infill Residential' designation include duplexes with or without suites, triplexes, and lower density rowhouses generally up to 2½ storeys in height. The proposed rezoning to facilitate the construction of two duplexes on the proposed lot results in a housing form that is consistent with the uses envisioned in the 'Infill Residential' land use designation, and the uses already present in the surrounding neighbourhood.

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

Figure 3 - Excerpt from the Official Community Plan, Land Use designations table

Staff consider that the proposed rezoning and development conforms to the following OCP Policies:

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
  - The property is located in an existing developed residential neighbourhood with municipal services.
- Policy 4.1.1.4 Ensure all new developments fully cover the cost of the required infrastructure and services they require, including roads, water, sewer, storm water, and provision of parks, schools, and emergency services.
  - The owner will pay Development Cost Charges (DCC's) for each new unit at the building permit stage. DCC's assist with offsetting the additional demands on municipal services from new development. The developer is responsible to cover development costs, including any infrastructure upgrades.
- 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.
  - The surrounding neighbourhood features a mix of single detached dwellings, duplexes, and cluster housing developments. Immediately south of the subject property is a fourplex while immediately north is an approved duplex soon to be under construction. Further north along this block are other single detached homes. The two proposed duplexes on the subject property are in keeping with the density transition from higher density near Westminster Ave W to lower density towards Alexander Ave. The development permit application has been submitted which shows the design meets the applicable Development Permit Area Guidelines.
- Policy 4.1.3.4 Encourage developments that include one-bedroom and two-bedroom units in suitable neighbourhoods to enable people to downsize as they age and to provide

entry-level housing for those people entering the housing market. At the same time, provide 3-bedroom units, or larger, to accommodate families.

- The proposed development will provide additional residential units to accommodate a range of potential occupants. The Development Permit plans show 3-bedrooms in each duplex unit (Attachment 'G').

Policy 4.1.3.5 Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.

- The subject property is located in a high amenity area close to the downtown, schools, parks, shopping, services, public transit and active transportation routes.

Policy 4.1.4.1 Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.

- The plans submitted meet the applicable Development Permit Area guidelines, as demonstrated in the two Development Permit Analysis attachments prepared by the applicant and by staff.

Policy 4.1.5.1 Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).

- This neighbourhood has several duplexes and small-scale multifamily developments. The proposed lot contains an existing single detached home. The proposed development provides more new housing units on the lot than the aging home which it replaces.

Staff consider that the application proposes an appropriately scaled four-unit development in an area of the community that has been identified for infill development by the OCP. The applicant has demonstrated that the development can be accommodated on the proposed lot without the need for any variances to the applicable Zoning Bylaw regulations.

Given that there is adequate policy through the OCP to support the rezoning and future development, staff recommend Council give first reading to “Zoning Amendment Bylaw No. 2022-36” and forward it to the July 19, 2022 Public Hearing.

#### *Development Permit*

The proposed four-unit cluster housing development is considered within the Multifamily Residential Development Permit Area in the OCP, which is established to manage form and character of new developments that strengthens livability, neighbourliness, and visual interest.

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

The applicant has provided an analysis with their submission which outlines the project and its conformance to the OCP design guidelines (Attachment 'E'). Staff have also completed a development permit analysis that shows how the development conforms to the applicable design guidelines (Attachment 'F'). As such, staff recommend that Council approve the Development Permit subject to adoption of the Zoning Amendment Bylaw.

**Alternate Recommendations**

Council may consider the proposed rezoning to facilitate the proposed four-unit cluster housing development is not appropriate on the subject property. If this is the case, Council should deny first reading of the Zoning Amendment Bylaw. Staff are recommending against this option, as the proposed rezoning is consistent with the OCP.

- 1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2022-36".

**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 Development Permit PL2022-9385
- Attachment H – Zoning Amendment Bylaw No. 2022-36

Respectfully submitted,

Steven Collyer, RPP, MCIP  
Planner II

Concurrence

<p>Director of Development Services</p> <p><i>BL</i></p>	<p>General Manager of Infrastructure</p> <p><i>KD</i></p>	<p>Chief Administrative Officer</p> <p><b>DvD</b></p>
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Attachment A – Zoning Map



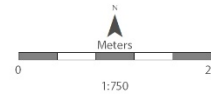
# 169 Maple Street

## Zoning Map



**Legend**

- Subject Parcel
- R2 - Small Lot Residential
- RM2 - Low Density Multiple Housing
- RD2 - Duplex Housing: Lane
- RD3 - Residential Infill
- CT1 - Tourist Commercial
- RM3 - Medium Density Multiple Housing



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May 30, 2022 12:05:49 PM

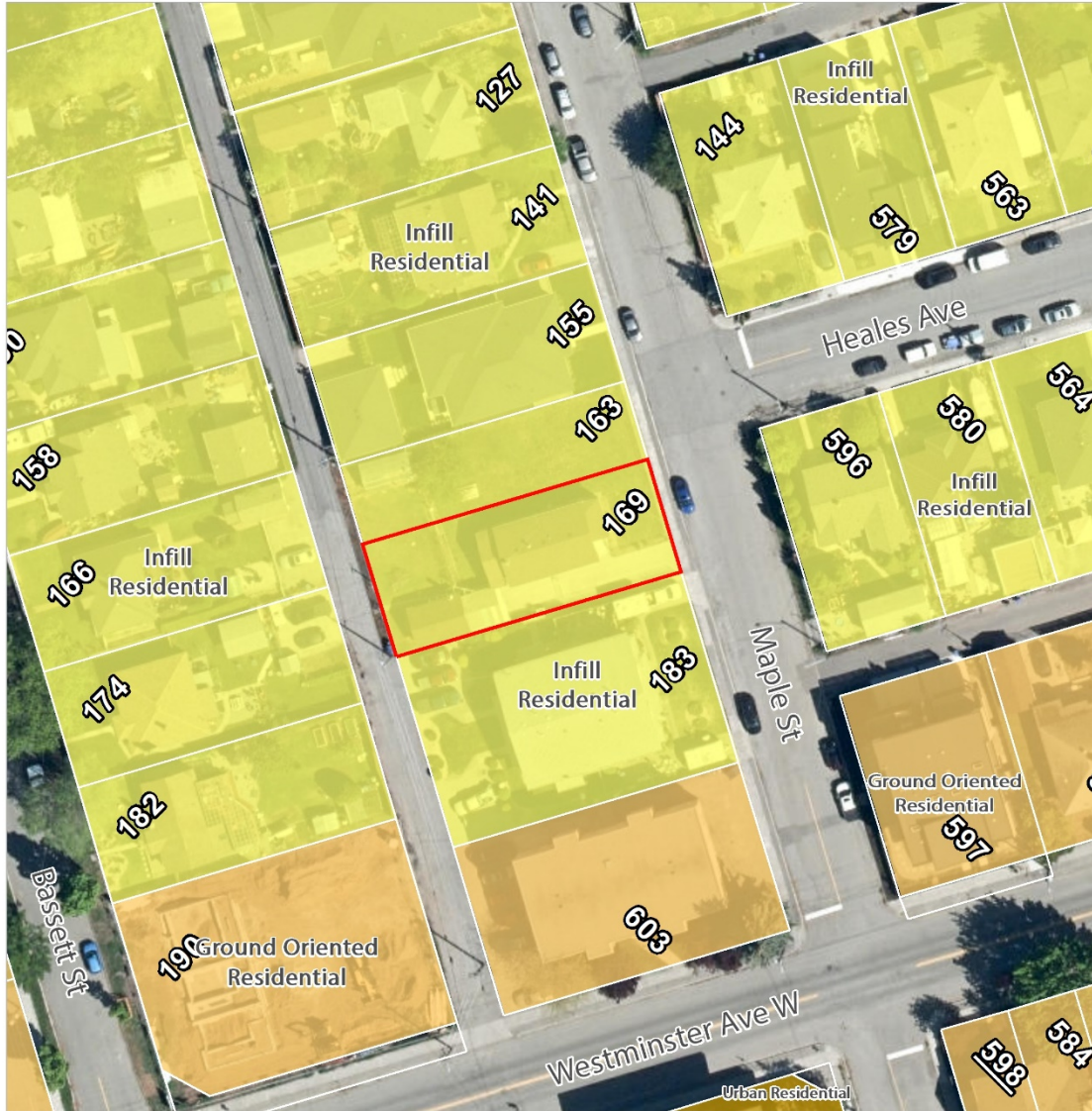
penticton.ca

Attachment B – Official Community Plan Map



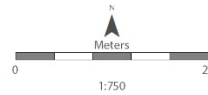
# 169 Maple Street

## Official Community Plan Map



**Legend**

- Subject Parcel
- Future Land Use
- Ground Oriented Residential
- Urban Residential
- Infill Residential

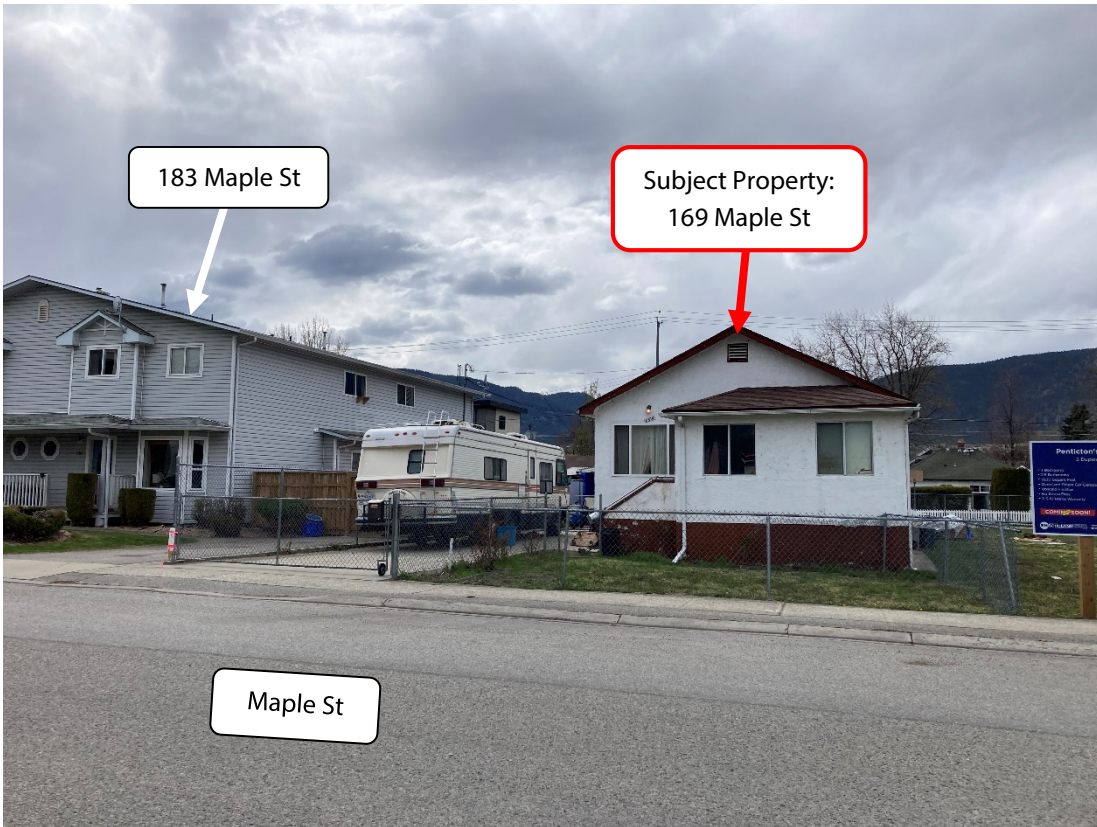


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May 30, 2022 12:05:25PM

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Attachment C – Photos of Property



**SCHOENNEHOMES**

210 Hastings ave, Penticton BC V2A 2V6  
www.schoennehomes.com



Tel: 250-462-1250

Re: 169 Maple st

Dear Mayor and Council,

This letter is in regard to our recently submitted application for rezoning at 169 Maple Street. We purchased the property in August of 2021 and in early 2022 subdivided and rezoned a 35' portion of the property to enable to construction of a single front to back duplex. The main house has been used as employee housing, but we are now looking to rezone the 50' portion to allow for construction of two side-by-side duplex units.

We are proposing to rezone from the current R2 Small Lot Residential to RD4 Low Density Cluster Housing to accommodate our proposal. The current OCP designates this area as Infill Residential which allows for 1-4 units per lot up to 2 ½ story's. We feel that this proposal will fit in well with the existing neighborhood and will bring much needed infill housing to the area. We will also not be requesting any variances.

Thanks very much for your consideration.

Chris Schoenne

Schoenne Homes/1198750 BC LTD

# Attachment E - Development Permit Analysis (applicant)

**SCHOENNEHOMES**

210 Hastings ave, Penticton BC V2A 2V6  
www.schoennehomes.com



Tel: 250-462-1250

Re: 169 Maple st

Development Permit Analysis:

**G2. Applications shall include a comprehensive site plan – considering adjacent context for building and landscape architectural design and neighbourhood character analysis – to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbours.**

Through contact and discussion with some of the neighbors we found that they had a couple requests which included 2 story maximum and a design that fit in with the neighborhood. We decided to go with a modern pitched roof design which works well with the surrounding properties.

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

Our front yard setback at 4.5M will match nicely with adjacent properties to the North and South.

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

Our proposal includes clear and well lit pathways on each side of the development from the front of the property to the rear of the property where the provided parking will be.

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

In order to minimize steps entering the building, we have designed a building that has an entrance height approximately 1.5 feet above the existing front city sidewalk grade.

# Attachment F - Development Permit Analysis (staff)

## Development Permit Analysis

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

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

- The development was designed in conjunction with the new duplex they are also building on the neighbouring lot to the north. The building designs between the two properties are similar in style and exterior finishes.

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

- The courtyard between the buildings is designed to be open with southern exposure which improves solar access into both buildings.

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

- The development is proposed at the minimum 4.5 front yard setback, which improves connectivity between the building, the street, and the pedestrian realm.
- The proposed front yard setback is the same as that of the duplex to be built on the neighbouring property to the north
- Landscaping and trees are proposed in the front yard to create interest from the public realm.

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

- A path along the south side of the buildings provides direct pedestrian access from the street to each unit and the parking area.

*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 entries to each unit are approximately 0.5m above the grade of the public right of way along the street.

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

- The parking area for the proposed development is accessed from the rear lane. A separate path on the south side of the buildings provides dedicated pedestrian access to each unit from the parking area and the fronting street. This design minimizes conflicts between vehicles and pedestrians on the site.

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

- The parking areas is located at the rear of the property, accessed from the rear lane. This minimizes the visual impact of parking from the street. Safe pedestrian access is provided for in this design. A path is proposed along the north side of the buildings to access each unit.

*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).*

- Each duplex unit has its own entrance at the ground level. The building closest to Maple Street faces the street in a positive way, with the main entries of both units clearly visible from the street. Other design features such as balconies, large windows, and varying exterior finishes help improve the buildings faces towards the street and the lane.

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

- The design of both buildings includes projections, cantilevers, and multiple finish materials to create visual interest. These features exist on all facades and not solely the street-facing façade which improves the visual interest on all sides.

*Guideline G28 Development should activate the public realm (e.g., sidewalks) and shared open spaces by placing active uses at street level.*

- The entrance to each townhouse unit is at ground level, with direct pathway connections to the public sidewalk.

*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.*

- Main unit entries, balconies, large windows all provide a connection to the street and lane while also allowing visual overlook from the first and second floors.

*Guideline G35 Tree planting...*

- The landscape plan shows four new trees in the front yard and two trees along the sides of the buildings to provide buffering between the public realm and adjacent properties.

*Guidelines G54/G55 Mechanical/utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building. 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.*

- The transformer pad is located at the edge of the front yard in a landscaped area. This location allows easy access by the City staff as needed. The transformer box shall be covered in decorative vinyl wrap. Additional utility meters shall be located at the north sides of the building, so as to not impede the pathway along the south side of the buildings.

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

- The garbage/recycling cart area is located in each unit's rear yard. 1.8m (6ft) high fences screen the yards and the carts. The locations do not impede pedestrians using the south walkway for access between the parking area, the street, and unit entries.

*Guideline MF1 All multifamily development should incorporate community amenity spaces that provide opportunity for recreation and play and address the needs of all age groups likely to reside within the development.*

- Each unit has its own 25m<sup>2</sup> yard area including a patio providing ground level amenity space. In addition, each unit has a 10sqm second floor balcony.
- The subject property is located within walking distance of Okanagan Lake, Lakawanna Park, and other recreation amenities at Queens Park Elementary School.

*Guideline MF3 Amenity spaces should incorporate vegetation for the purpose of active and passive recreation and/or visual interest, and incorporate safe play areas in interior courtyards.*

- Each unit's rear yard functions as a safe play area by being fenced and providing a patio space for passive and active use.
- Grass areas in the front yard provide additional amenity space for the front units.

*Guideline MF4 Visitor parking should be in public view, easily accessible near the main entry to the site, and clearly indicated by pavement markings and/or signs.*

- One visitor parking space is provided, accessed from the rear lane. This parking space shall be clearly marked for visitors.

## Development Permit

Permit Number: DP PL2022-9385

1198750 B.C. Ltd., Inc.No. BC1198750  
210 Hastings Avenue  
Penticton, BC V2A 4M1

### 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 B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton)  
District Plan EPP119095
  - Civic: 169 Maple Street
  - PID: 031-668-852
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a four-unit cluster housing development consisting of two side-by-side duplexes 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

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No.	Description	Date
1	ISSUED FOR REVIEW	2021-10-22
2	ISSUED FOR REVIEW	2022-04-25
3	ISSUED FOR DP	2022-04-28
4	ISSUED FOR BP	2022-04-29
5	ISSUED FOR BP	2022-05-04

**MAPLE STREET DEVELOPMENT**

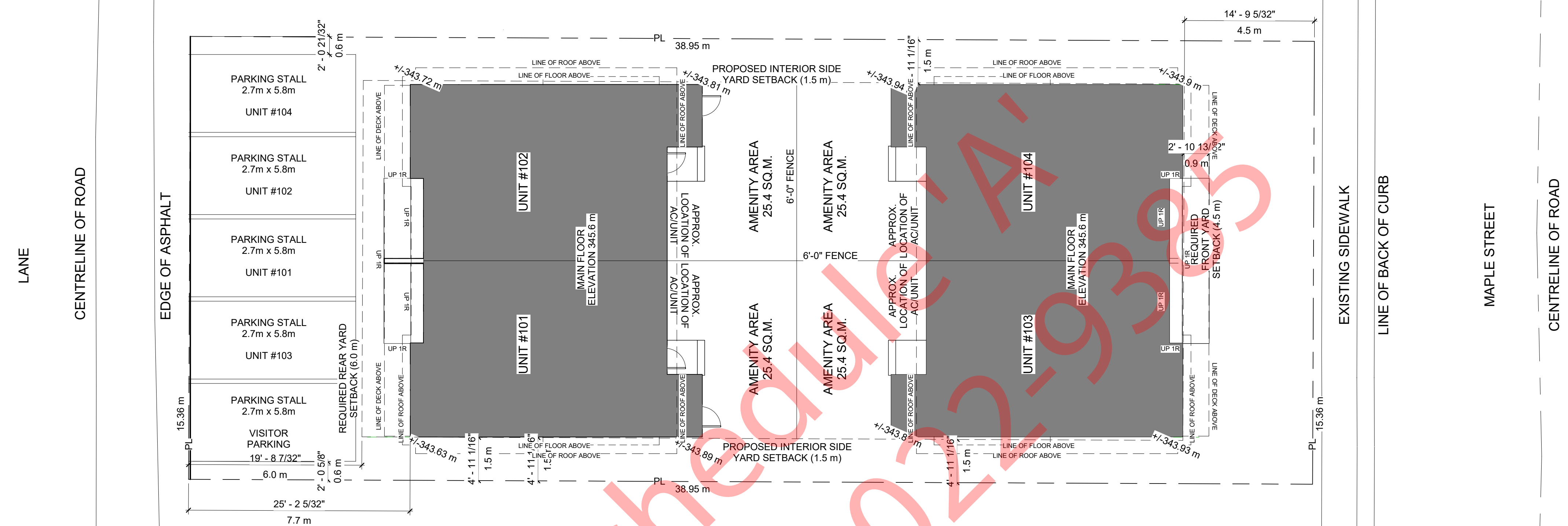
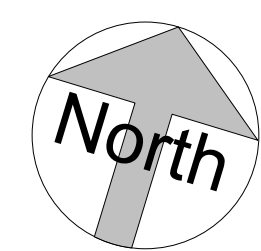
Unit #101 & 102, 169 Maple Street, Penticton BC

**SITE PLAN**

Project number	21-008
Date	2021-10-22
Drawn by	H.S.

**ID-101**

Scale	1/8" = 1'-0"
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**ZONING REVIEW**  
CURRENT PROPERTY ZONING - R2D  
PROPOSED PROPERTY ZONING - RD4 LOW DENSITY CLUSTER HOUSING

MAXIMUM LOT COVERAGE:	40 %
PROVIDED LOT COVERAGE:	34 %
MAXIMUM DENSITY	0.8
PROVIDED DENSITY	0.59 (TOTAL FOR PROPERTY)
MINIMUM LOT WIDTH	18m
PROVIDED LOT WIDTH	15.4m
MAXIMUM BUILDING HEIGHT:	10.5 m
PROPOSED BUILDING HEIGHT:	7.5 m
REQUIRED FRONT YARD SETBACK:	4.5 m
PROVIDED FRONT YARD SETBACK (EAST):	5.5 m
REQUIRED REAR YARD SETBACK:	6.0m
PROVIDED FRONT YARD SETBACK (WEST):	7.7 m
REQUIRED INTERIOR SIDE YARD SETBACK:	1.5 m
PROPOSED INTERIOR SIDE YARD SETBACK (NORTH):	2.3 m
PROPOSED INTERIOR SIDE YARD SETBACK (SOUTH):	2.2 m
REQUIRED AMENITY SPACE:	20 SQ.M./DWELLING UNIT
PROVIDED AMENITY SPACE:	25.4 SQ.M./DWELLING UNIT

**NOTE:**

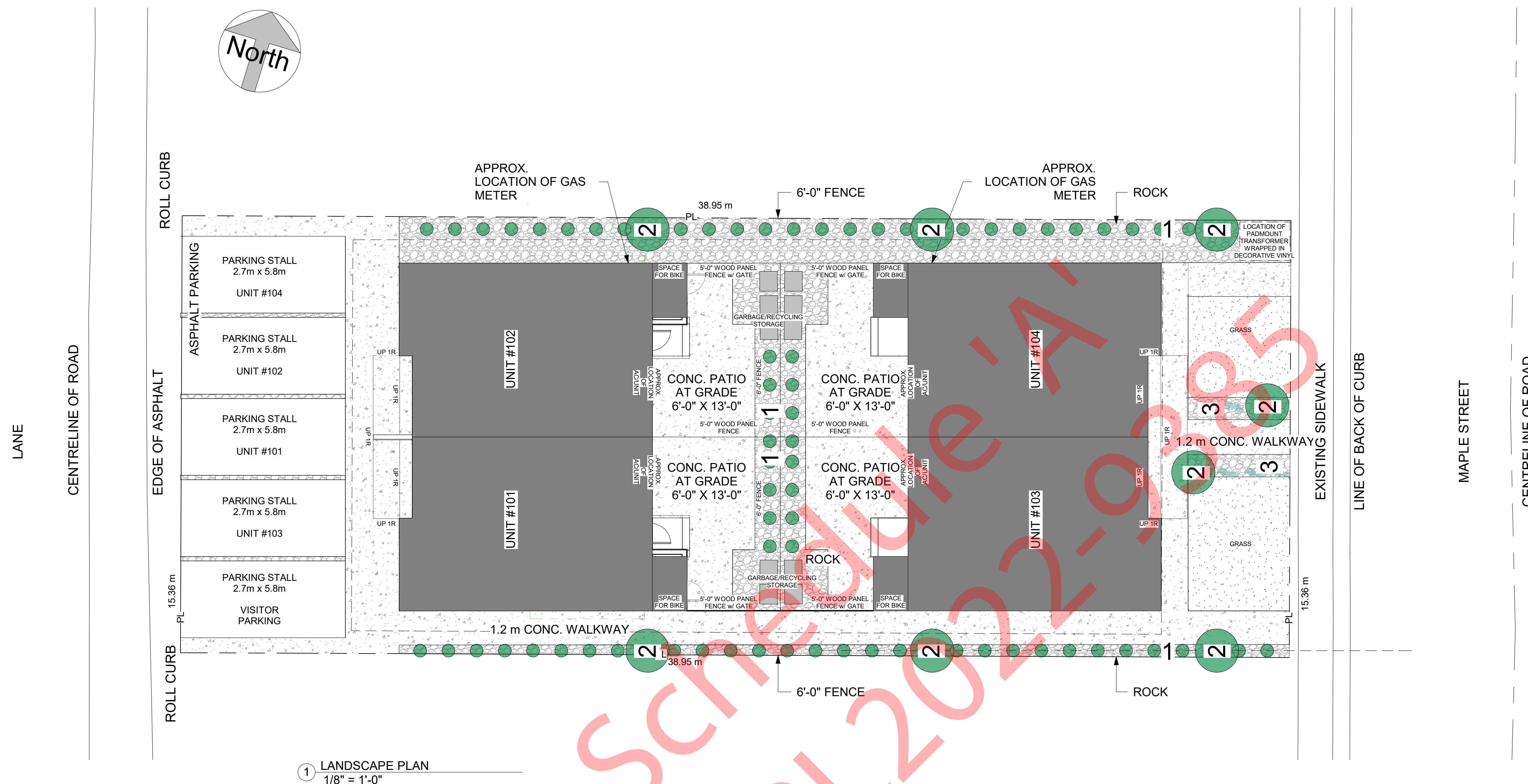
1. ALL ROOF DRAINAGE TO BE DIRECTED TO ON-SITE APPROVED HOLDING TANK.
2. ALL ON-SITE RUN-OFF AND SURFACE DRAINAGE TO BE CONTROLLED ON-SITE. APPROVED ABSORBENT LANDSCAPING MATERIAL.
3. STORM WATER CALCULATIONS TO BE COMPLETED BY ENGINEER AS REQUIRED.
4. ROCK PIT AND/OR HOLDING TANK SIZES TO BE PROVIDED BY ENGINEER AS REQUIRED.
5. PROVIDE DRAINAGE AWAY FROM THE BUILDING FOUNDATION.
6. MIN. SLOPE AWAY FROM BUILDING FOR AT LEAST 5'-0": 5% (APPROX. 3/4" PER 12")

IF ROOF OVERHANG PROJECTS WITHIN 1.2 m OF PROPERTY LINE PROTECT SOFFIT (NON-VENTING SOFFIT) AS PER 9.10.15.5.(10) OF THE BCBC

GRADE ELEVATIONS TO BE CONFIRMED ON SITE BY CONTRACTOR; ELEVATIONS HAVE NOT BEEN VERIFIED ON-SITE BY PEOPLE PLUS SPACE. FOUNDATION WALL HEIGHTS MAY REQUIRE ADJUSTMENT TO SUIT SITE CONDITIONS AND MANUFACTURER SPECIFICATIONS.

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3	ISSUED FOR DP	2022-04-28
4	ISSUED FOR BP	2022-04-29



1 LANDSCAPE PLAN  
1/8" = 1'-0"

**LANDSCAPE LEGEND**

ITEM NO.	DESCRIPTION:	QUANTITY
01	KARL FORESTER	71
02	AMUR MAPLE	8
03	GOLD JAPANESE FOREST GRASS	4

**LANDSCAPE NOTES:**

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

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

**MAPLE STREET DEVELOPMENT**  
Unit #101 & 102, 169 Maple Street, Penticton BC  
**LANDSCAPE PLAN**

Project number	21-008
Date	2021-10-22
Drawn by	H.S.

**ID-102**

Scale	1/8" = 1'-0"
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3	ISSUED FOR DP	2022-04-28
4	ISSUED FOR BP	2022-04-29

### MAPLE STREET DEVELOPMENT

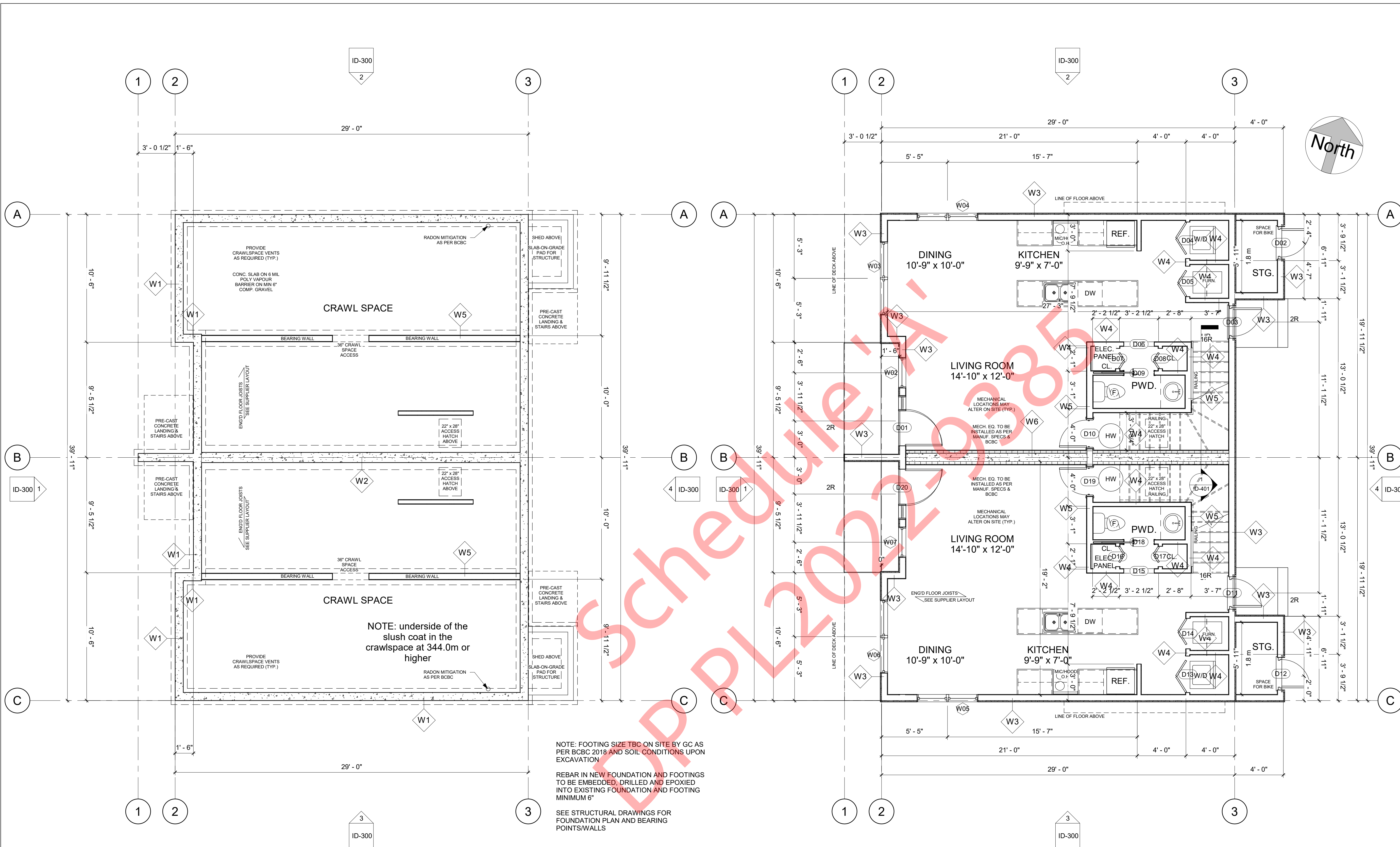
Unit #101 & 102, 169 Maple Street, Penticton BC

## FOUNDATION AND MAIN FLOOR PLANS

Project number	21-008
Date	2021-10-22
Drawn by	H.S.

# ID-200

Scale 1/4" = 1'-0"



1 FOUNDATION PLAN  
1/4" = 1'-0"

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

NOTE: FOOTING SIZE TBC ON SITE BY GC AS PER BCBC 2018 AND SOIL CONDITIONS UPON EXCAVATION

REBAR IN NEW FOUNDATION AND FOOTINGS TO BE EMBEDDED, DRILLED AND EPOXIED INTO EXISTING FOUNDATION AND FOOTING MINIMUM 6"

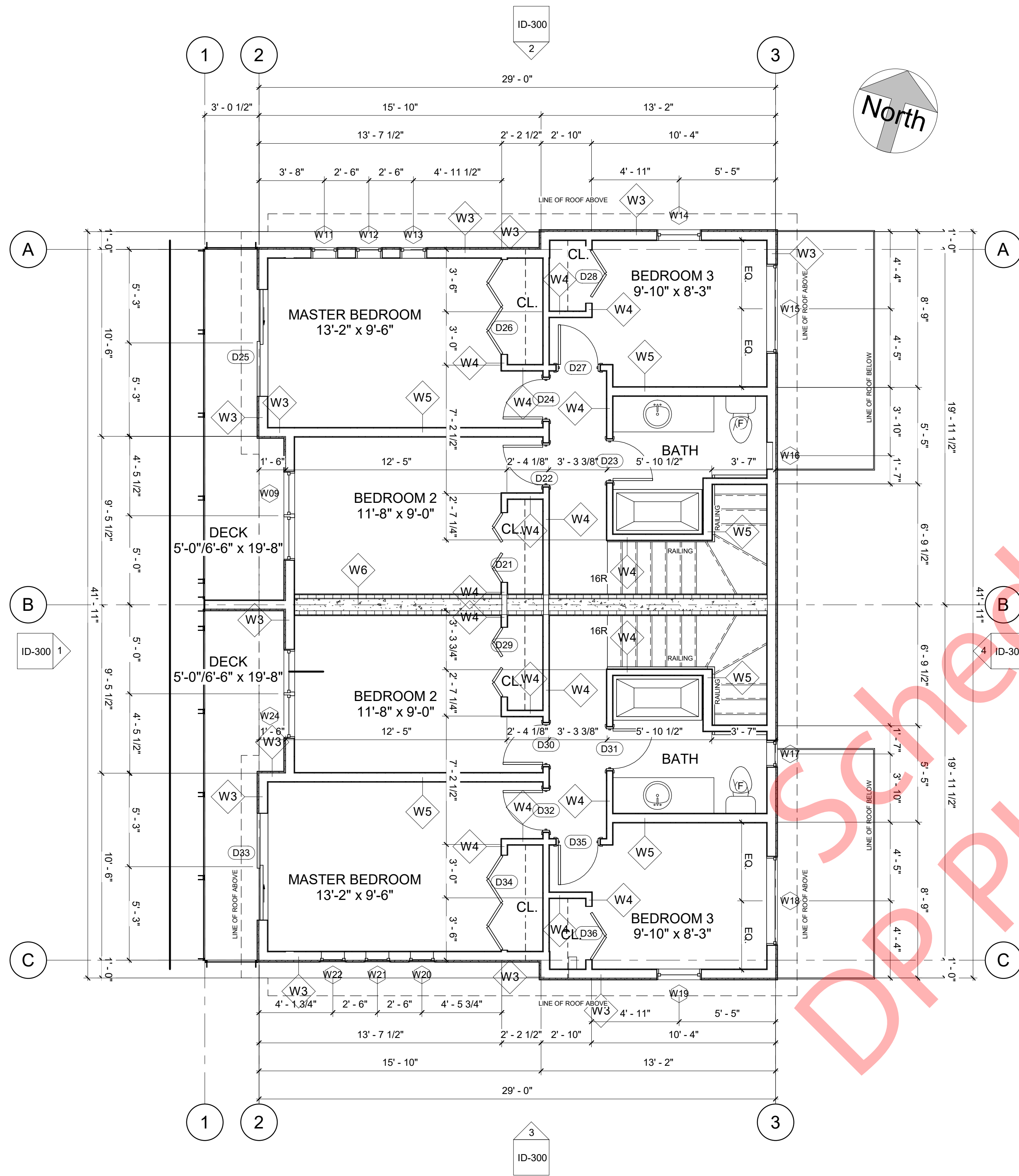
SEE STRUCTURAL DRAWINGS FOR FOUNDATION PLAN AND BEARING POINTS/WALLS

NOTE: underside of the slush coat in the crawlspace at 344.0m or higher

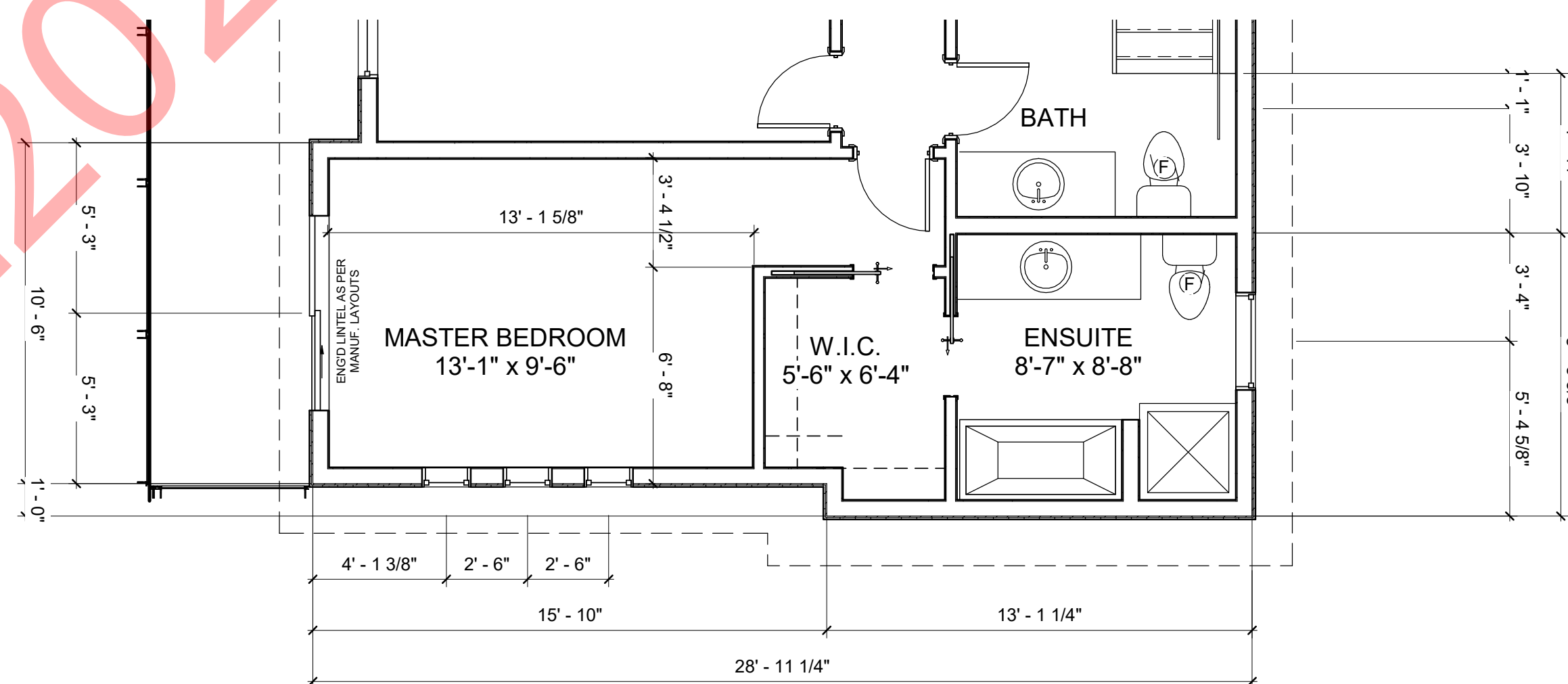
People plus Space: Planning and Design  
PO Box 1105  
Summerland BC V0H 1Z0  
250-486-1481  
heather@pSPACE.ca

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3	ISSUED FOR DP	2022-04-28
4	ISSUED FOR BP	2022-04-29



1 SECOND FLOOR PLAN  
1/4" = 1'-0"



3 SECOND FLOOR PLAN - OPTION 2  
1/4" = 1'-0"

SECOND FLOOR AREA (EXCLUDING STAIRS): 1,059 SQ.FT. (98.4 SQ.M.)  
SECOND FLOOR AREA (INCLUDING STAIRS): 1,156 SQ.FT. (107.4 SQ.M.)

MAPLE STREET  
DEVELOPMENT  
Unit #101 & 102, 169 Maple Street, Penticton BC  
SECOND FLOOR  
PLANS

Project number 21-008  
Date 2021-10-22  
Drawn by H.S.

ID-201

Scale 1/4" = 1'-0"



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3	ISSUED FOR DP	2022-04-28
4	ISSUED FOR BP	2022-04-29

**MAPLE STREET DEVELOPMENT**  
Unit #101 & 102, 169 Maple Street, Penticton BC  
**EXTERIOR BUILDING ELEVATIONS**

Project number	21-008
Date	2021-10-22
Drawn by	H.S.

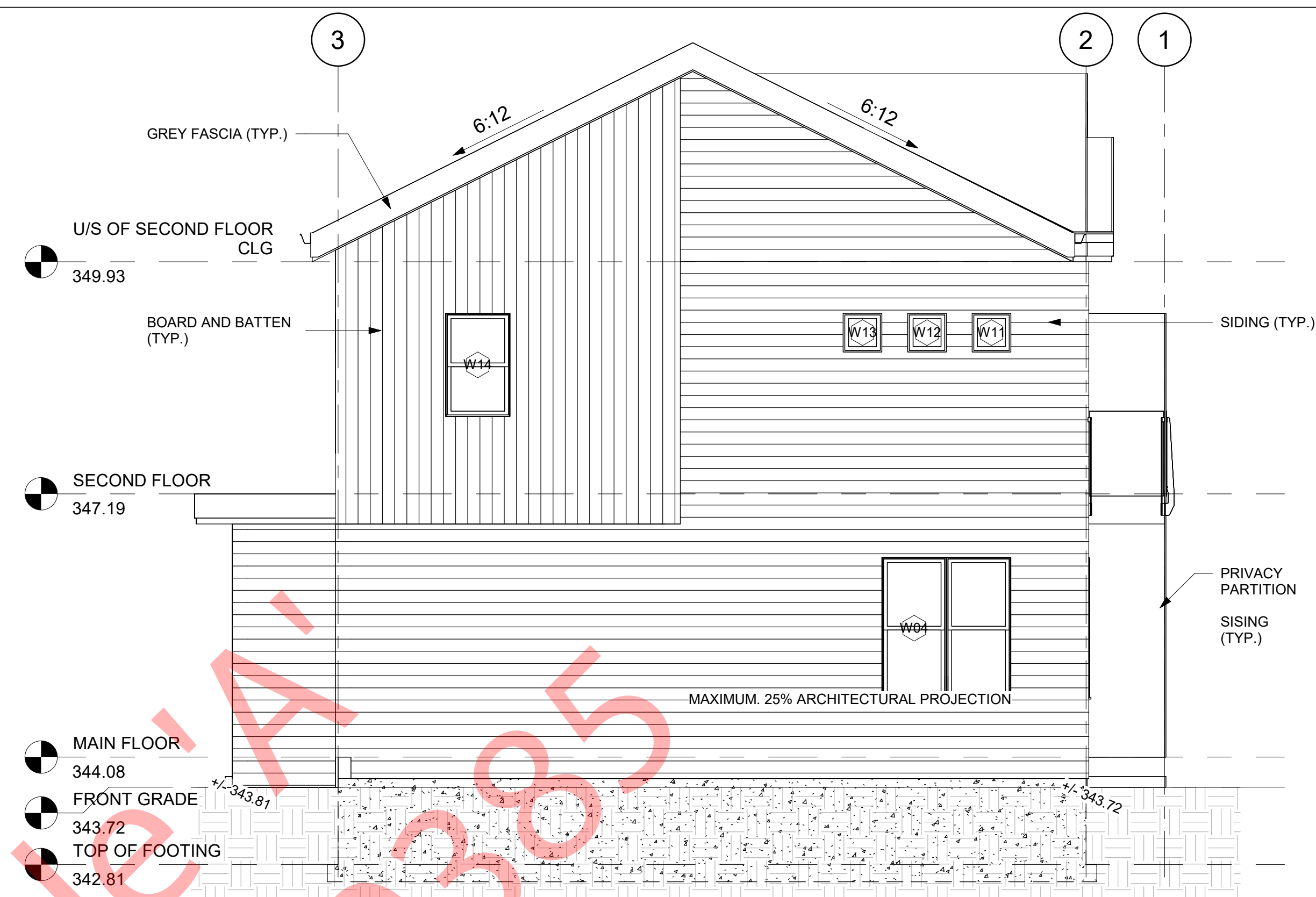
**ID-300**



1 FRONT ELEVATION  
1/4" = 1'-0"

**UNPROTECTED OPENING CALCS**

BUILDING FACE:	75.6 SQ.M.
UNPROTECTED OPENINGS:	26.1 SQ.M.
LIMITING DISTANCE:	14.15 M
MAXIMUM PERCENTAGE:	N/A



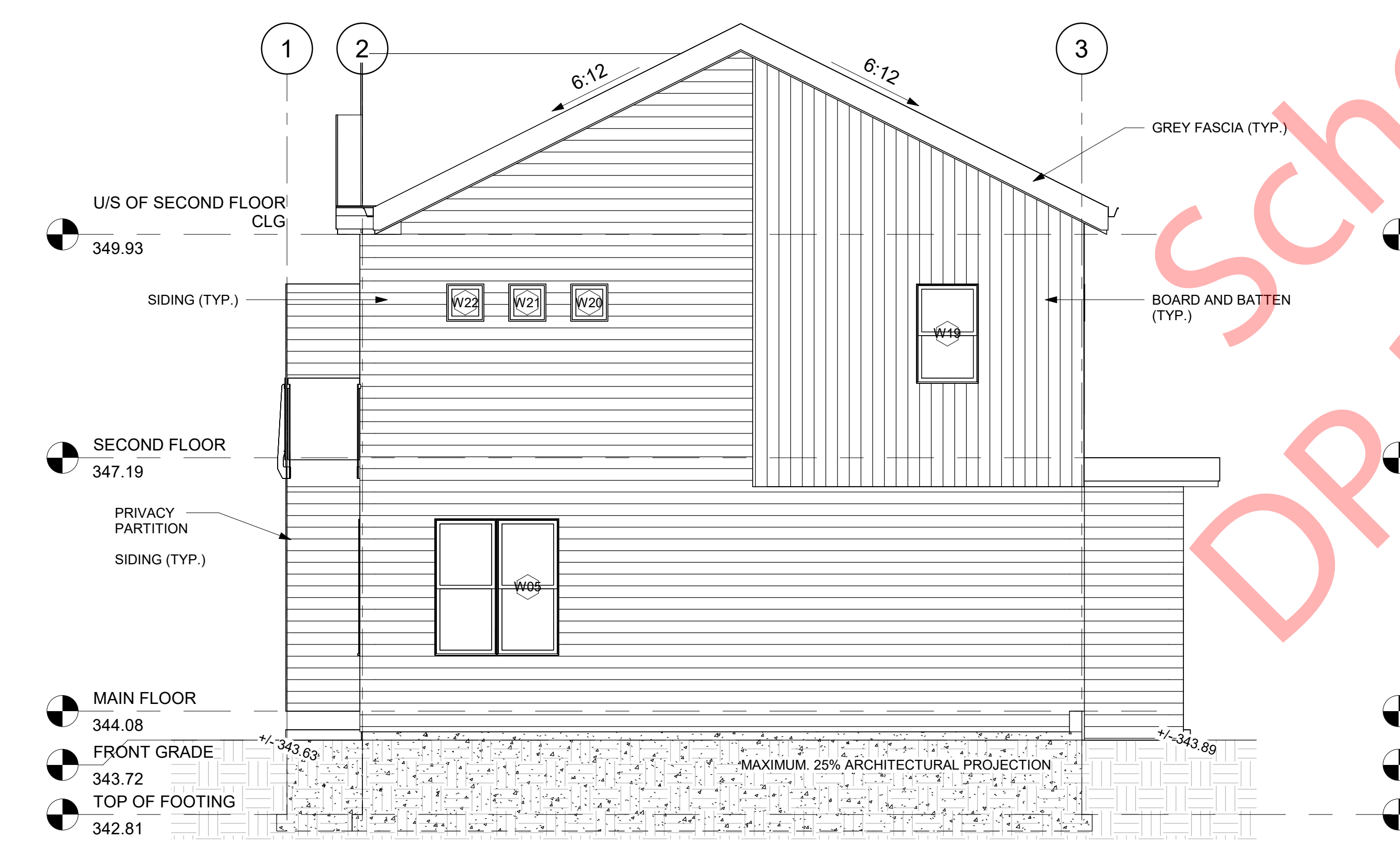
2 LEFT ELEVATION  
1/4" = 1'-0"

**UNPROTECTED OPENING CALCS**

BUILDING FACE:	12.5 SQ.M.
UNPROTECTED OPENINGS:	0.9 SQ.M.
LIMITING DISTANCE:	1.2 M
MAXIMUM PERCENTAGE:	7 %
ACTUAL PERCENTAGE:	7 %

**UNPROTECTED OPENING CALCS**

BUILDING FACE:	46.3 SQ.M.
UNPROTECTED OPENINGS:	3.2 SQ.M.
LIMITING DISTANCE:	1.5 M
MAXIMUM PERCENTAGE:	8.5 %
ACTUAL PERCENTAGE:	6.9 %



3 RIGHT ELEVATION  
1/4" = 1'-0"

**UNPROTECTED OPENING CALCS**

BUILDING FACE:	12.5 SQ.M.
UNPROTECTED OPENINGS:	0.9 SQ.M.
LIMITING DISTANCE:	1.2 M
MAXIMUM PERCENTAGE:	7 %
ACTUAL PERCENTAGE:	7 %

**UNPROTECTED OPENING CALCS**

BUILDING FACE:	46.3 SQ.M.
UNPROTECTED OPENINGS:	3.2 SQ.M.
LIMITING DISTANCE:	1.5 M
MAXIMUM PERCENTAGE:	8.5 %
ACTUAL PERCENTAGE:	6.9 %



4 REAR ELEVATION  
1/4" = 1'-0"

**UNPROTECTED OPENING CALCS**

BUILDING FACE:	76 SQ.M.
UNPROTECTED OPENINGS:	8.6 SQ.M.
LIMITING DISTANCE:	2.8 M
MAXIMUM PERCENTAGE:	17.2 %
ACTUAL PERCENTAGE:	11.3 %

**NOTE:**

- IF ROOF OVERHANG PROJECTS WITHIN 1.2 m OF PROPERTY LINE PROTECT SOFFIT (NON-VENTING SOFFIT) AS PER 9.10.15.5.(10) OF THE BCBC
- WHERE DOWNSPOUTS ARE PROVIDED AND NOT CONNECTED TO SEWER, EXTENSIONS ARE REQ'D TO CARRY RAINWATER AWAY FROM THE BUILDING

The Corporation of the City of Penticton

Bylaw No. 2022-36

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. 2022-36".

2. Amendment:

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

Rezone Lot B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP119095 located at 169 Maple Street, from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing) as shown on Schedule 'A'.

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

READ A FIRST time this 5 day of July, 2022
A PUBLIC HEARING was held this 19 day of July, 2022
READ A SECOND time this day of , 2022
READ A THIRD time this day of , 2022
RECEIVED the approval of the day of , 2022
Ministry of Transportation on the
ADOPTED this day of , 2022

Notice of intention to proceed with this bylaw was published on the 8th day of July, 2022 and the 13th day of July, 2022 in an online news source and the newspaper, pursuant to Section 94.2 of the Community Charter.

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

John Vassilaki, Mayor

Angie Collison, Corporate Officer



# 169 Maple Street

Zoning Amendment Bylaw 2022-36

Date:

Corporate Officer:

Lot 1

Heales Ave

168

Lot A

169

Lot B

59

Lot

Maple St

ot 12

Laneway

Laneway

Lot 13

188

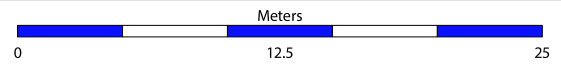
City

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1:360

June 23, 2022 11:41:50 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

Public Hearing - LATE SUBMISSION - 169 Maple Street

---

**From:** Kelly Furness  
**Sent:** Monday, July 18, 2022 9:28 AM  
**To:** Public Hearings  
**Subject:** Fw: 169 Maple Street - Rezoning

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Good morning - please see below.

Thank you

---

**From:** Kelly Furness  
**Sent:** July 15, 2022 10:33 AM  
**To:** planning@penticton.ca <planning@penticton.ca>  
**Subject:** 169 Maple Street - Rezoning

Good morning,

My partner and I live at 102-190 Bassett Street. Just wanted to send a quick and friendly email to let you know we nearby 169 Maple Street and are in favour and support the new project.

Please call with any questions.

Kind regards,

Kelly Furness

Public Hearing - LATE SUBMISSION - 169 Maple Street

---

**From:** Mostly Sunny  
**Sent:** Thursday, July 14, 2022 9:19 AM  
**To:** Public Hearings  
**Subject:** 169 Maple Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hi,

I see your staff recommendation is to approve construction at 169 Maple Street, which is super close to our building.

What I want to know, since it's obvious what the outcome of the re-zoning application will be, is what are the construction time constraints going to be (if any)?

Will construction be allowed to go seven days a week, 12 hours a day, or more?

What measures will your staff be recommending to ensure the right to quiet enjoyment of our homes? From my past experience with construction sites there will be lots and lots of dust, jackhammers, dump trucks, cement mixers, cement cutters, electric saws, tamping machines, hammering all day, and my personal favourite is the constant (constant!) beeping of picker machines and other equipment being used.

I already know that nothing will be done to mitigate noise, but at least you got a good laugh, right?