

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

Tuesday, April 18, 2023
at 6:00 p.m.

1. Mayor Calls Public Hearing to Order for **"Official Community Plan Amendment Bylaw No. 2023-10"** and **"Zoning Amendment Bylaw No. 2023-11"** 1-87
- CO Reads Opening Statement and Introduction of Bylaws

"Official Community Plan Amendment Bylaw No. 2023-10" (674 & 686 Martin Street)

Purpose: To amend Official Community Plan Bylaw No. 2019-08 as follows:

Amend Map 1: Future Land Use by changing the future land use designation for Lot 7 Block 34 District 34 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP58563, located at 674 Martin Street, and Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from 'Urban Residential' to 'Downtown Mixed Use'.

"Zoning Amendment Bylaw No. 2023-11" (686 Martin Street)

Purpose: To amend Zoning Bylaw No. 2023-08 as follows:

Rezone Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from RD1 (Duplex Housing) to C5 (Urban Centre Commercial).

The applicant is proposing to construct a five-storey, mixed-use development featuring commercial retail space at grade along Martin Street with 18 residential dwelling units on floors 2-4 and a common amenity area on floor 5.

Notice: Pursuant to the *Local Government Act* the Public Hearing was advertised on Friday, April 7, 2023 and Wednesday, April 12, 2023 in an online news source and the newspaper.
- CO No letters have been received regarding the Zoning Amendment Bylaw (as of noon Wednesday, April 12, 2023).
- Mayor Requests Development Services staff describe the proposed bylaws
- 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 "Official Community Plan Bylaw No. 2023-10" and "Zoning Amendment Bylaw No. 2023-11" is terminated and no new information can be received on this matter.

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

Monday, April 3, 2023
at 10:00 a.m.

Resolutions

- 8.8 Official Community Plan Amendment Bylaw No. 2023-10 and Zoning Amendment Bylaw No. 2023-11
Development Permit PL2022-9448
Road Closure and Land Disposition
Re: 674 and 686 Martin Street

154/2023

It was MOVED and SECONDED

1. Official Community Plan

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2023-10", and in accordance with Section 475 of the *Local Government Act*, Council consider whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67;
5. The provincial or federal government and their agencies.

AND THAT it is determined that the community engagement period carried out from February 9, 2023 to March 9, 2023 is sufficient;

AND THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2023-10", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw No. 2019-08, by amending the future land use designation for Lot 7 Block 34 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP58563, located at 674 Martin Street, and Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from 'Urban Residential' to 'Downtown Mixed Use'.

2. Zoning Amendment

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-11", for Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, a bylaw to rezone the subject property from RD1 (Duplex Housing) to C5 (Urban Centre Commercial);

AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2023-10" and "Zoning Amendment Bylaw No. 2023-11" to the April 18, 2023 Public Hearing.

Continued on next page...

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

Monday, April 3, 2023
at 10:00 a.m.

Resolutions

3. Development Permit

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-11", approve "Development Permit PL2022-9448", a permit to approve the form and character of the proposed five-storey, mixed-use development consisting of 18 residential units and approximately 1,200 sq. ft. of commercial space at-grade;

AND THAT issuance be subject to the successful completion of the road closure of the 0.914m strip of road right of way, fronting 674 Martin Street and the consolidation of those lands with 674 and 686 Martin Street, into one lot.

4. Road Closure and Land Disposition

THAT Council accept the unsolicited Offer to Purchase, the 0.914 m strip of land along the frontage of 674 Martin Street, shown on road dedication Plan KAP58563, for the consideration of \$7,000.00 and, in addition, the applicant will be responsible for the cost of the survey plan associated with the future road closure bylaw and payment of the City's legal expenses in connection with the purchase, subject to adoption of Road Closure Bylaw 2023-12;

AND THAT Council give first, second and third reading to Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12;

AND THAT Council direct staff to proceed with notification, as per the *Community Charter*, for Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12 and for the proposed Land Disposition;

AND THAT Council authorize the Mayor and Corporate Officer to execute any such documentation pertaining to the purchase agreement and the subsequent land transfer documentation.

CARRIED UNANIMOUSLY



Council Report

penticton.ca

Date: April 3, 2023 File No: RMS/674 & 686 Martin St
To: Donny van Dyk, Chief Administrative Officer
From: Nicole Capewell, Planner II
Address: 674 and 686 Martin Street

Subject: **Official Community Plan Amendment Bylaw No. 2023-10**
Zoning Amendment Bylaw No. 2023-11
Development Permit PL2022-9448
Road Closure and Land Disposition

Staff Recommendation

1. *Official Community Plan*

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2023-10", and in accordance with Section 475 of the *Local Government Act*, Council consider whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67;
5. The provincial or federal government and their agencies.

AND THAT it is determined that the community engagement period carried out from February 9, 2023 to March 9, 2023 is sufficient;

AND THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2023-10", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw No. 2019-08, by amending the future land use designation for Lot 7 Block 34 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP58563, located at 674 Martin Street, and Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from 'Urban Residential' to 'Downtown Mixed Use'.

2. *Zoning Amendment*

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-11", for Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, a bylaw to rezone the subject property from RD1 (Duplex Housing) to C5 (Urban Centre Commercial);

AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2023-10" and "Zoning Amendment Bylaw No. 2023-11" to the April 18, 2023 Public Hearing.

3. *Development Permit*

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-11", approve "Development Permit PL2022-9448", a permit to approve the form and character of the proposed five-storey, mixed-use development consisting of 18 residential units and approximately 1,200 sq. ft. of commercial space at-grade;

AND THAT issuance be subject to the successful completion of the road closure of the 0.914m strip of road right of way, fronting 674 Martin Street and the consolidation of those lands with 674 and 686 Martin Street, into one lot.

4. *Road Closure and Land Disposition*

THAT Council accept the unsolicited Offer to Purchase, the 0.914 m strip of land along the frontage of 674 Martin Street, shown on road dedication Plan KAP58563, for the consideration of \$7,000.00 and, in addition, the applicant will be responsible for the cost of the survey plan associated with the future road closure bylaw and payment of the City's legal expenses in connection with the purchase, subject to adoption of Road Closure Bylaw 2023-12;

AND THAT Council give first, second and third reading to Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12;

AND THAT Council direct staff to proceed with notification, as per the *Community Charter*, for Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12 and for the proposed Land Disposition;

AND THAT Council authorize the Mayor and Corporate Officer to execute any such documentation pertaining to the purchase agreement and the subsequent land transfer documentation.

Strategic Priority Objective

Livable and Accessible: Proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Vibrant and Connected: Support vibrant and diverse activities creating opportunities for connection in community.

Proposal

The applicant is proposing to construct a five-storey, mixed-use development at 674 and 686 Martin Street (Figure 1). The development features commercial retail space at grade (1,180 sq. ft.), along Martin Street, with 18 residential dwelling units on floors 2-4, and a common amenity area on floor 5. The applicant has submitted a Letter of Intent, which outlines their proposal in more detail (Attachment 'E').



Figure 1- Conceptual Rendering of Proposed Development

In order to facilitate the proposed development, the applicants are requesting the following:

1. To amend the Official Community Plan (OCP) future land use designation on the properties from 'Urban Residential' to 'Downtown Mixed-Use'.
2. To amend the zoning on the property of 686 Martin Street from RD1 (Duplex Housing) to C5 (Urban Centre Commercial). *Note: 674 Martin Street is currently zoned C5 (Urban Centre Commercial).*

The applicant has submitted a Development Permit application for the form and character of the proposed development, which has been included for Council's consideration. This report also presents the engagement summary from the public engagement period that occurred between February 9, 2023 and March 9, 2023 for the proposed development.

In addition to the land use applications, this report also provides analysis and recommendations on the closure of a small portion of City road right-of-way and disposition of that land to be consolidated with the development lands.

Background

Official Community Plan

Official Community Plan Bylaw No. 2019-08 was adopted in August 2019, establishing a vision for Penticton's growth over the next 30 years and beyond. It provides strategic policies and direction for meeting that vision. The plan, however, is not meant to be a static document; it includes a process, through meaningful community consultation, where amendments to the plan may be considered as long as the vision and intent of the OCP remains intact. In 2021, Council adopted the *Community Engagement for OCP Amendments Procedure*,

which outlines how public engagement for Official Community Plan amendments should occur. At the February 7, 2023 Council meeting, Council directed staff to begin engagement following this procedure for the proposed development on the subject property. The purpose of the engagement was to share information and gather public feedback on the proposal. A summary of this engagement is included in this report.

Property Description

The development consists of two properties located on the east side of Martin Street, north of Eckhardt Avenue West (Figure 3). The properties each currently contain a single-family dwelling of older building stock (1900s and 1940s construction). There are a variety of land uses in the area including commercial, high density residential, duplex, and institutional. The property is within walking distance of the downtown, fronts directly onto the newly constructed lake-to-lake cycling route, and has transit routes nearby. The property is also within close proximity is the Penticton Library and Museum, Penticton Secondary School, and many shops, services and amenities in the downtown.

Both properties are currently designated ‘Urban Residential’ by the Official Community Plan. 674 Martin Street is zoned C5 (Urban Centre Commercial), and 686 Martin Street is zoned RD1 (Duplex Housing) in the Zoning Bylaw.



Figure 2 - Property Location Map

Required Applications

The proposal is to allow for a mixed-use development on the subject properties. The applicants have applied for the following applications: Official Community Plan (OCP) Amendment, Zoning Amendment, and Development Permit. The following table outlines the planning applications that are required for the proposed development to proceed (prior to any building permits being issued):

Application Required	Description	Approval Authority
Official Community Plan Amendment Bylaw	To amend the future land use designation on the subject properties from ‘Urban Residential’ to ‘Downtown Mixed-Use’	Council with community engagement. Public Hearing required.
Zoning Amendment Bylaw	To amend the zoning at 686 Main Street from RD1 (Duplex Housing) to C5 (Urban Centre Commercial)	Council Public Hearing required.
Development Permit	To approve the form and character of the mixed-use development	Council/staff delegated

In addition to the land use applications, the applicants are also proposing to purchase a small amount (0.914m wide) of road right of way along the frontage of 674 Martin Street, which was dedicated to the City in a previous land development application. The formal process for land disposition is being completed concurrently to the land use change applications and has been reviewed internally. This has been included for Council’s consideration to allow the development to proceed as proposed.

Financial Implication

If the road dedication area is sold to the applicant the City would receive the proposed purchase price of \$7,000.00, these funds must be transferred to the Land Acquisition Reserve fund. The addition of this road dedication area to the existing property may increase the overall assessed value of the property and may result in additional taxation revenues upon development.

All related survey costs and the City’s legal expenses will be the responsibility of the applicant.

Technical Review

The application package has been reviewed by the Technical Planning Committee, a group of internal staff who review development applications. Comments related to the future building permit application were provided to the applicant in the case that the land use applications are successful.

In addition to standard technical comments, the applicant is proposing to purchase back a piece of road right-of-way that was previously taken by the City (Figure 4). The (0.914 m wide) section of road right-of-way that is proposed to be sold back to the owner was originally desired by the City to allow for the future widening of Martin St, to meet the requirements within the Subdivision and Development Bylaw. The proposed property line is in alignment with adjacent properties. Staff do not believe this land is expected to be required for future infrastructure requirements, and therefore support the request to transfer the lands to the property owner.

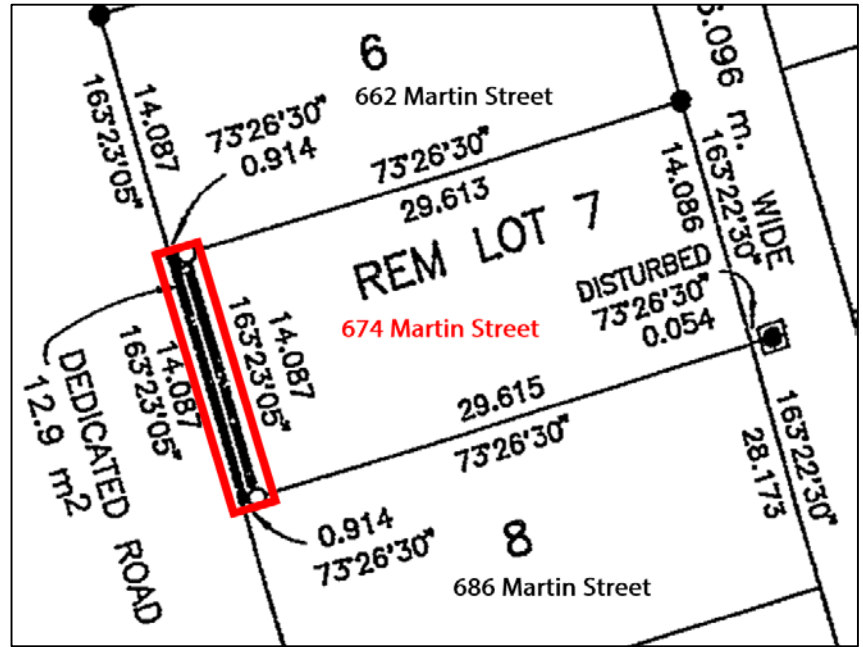


Figure 3 - Road Dedication Plan showing subject piece of road

Climate Impact

Council adopted the Community Climate Action Plan (CCAP) in 2021. The proposed development is consistent with the following aspects of the CCAP:

- **Shift Beyond the Car:** Encourage active & accessible transportation and transit
 - Class 1 and Class 2 bicycle parking spaces provided.
 - The Lake-to-Lake Cycling route runs along Martin Street directly in front of the proposed development.
- **Step Up New Buildings:** All new buildings will be required to meet the BC Energy Step Code requirements at the time of construction.
 - The agent has indicated within the application package the following green initiatives are included in the proposal:
 - Optimization of glazing throughout the building to capitalize on light and minimize energy use.

- Installation of thermally-broken storefront glazing in commercial units.
- Installation of triple-pane glazing in residential units.
- Provision of building overhangs and setbacks designed to shade summer sun and maximize solar gain in the winter.
- Minimization of thermal breaks in building envelope.
- Use of high efficiency mechanical and electrical systems.
- Minimization and potential elimination of use of fossil-fuel-burning equipment and appliances.
- Use of light-coloured roofing to maximize solar reflectance and minimize solar heat gain.
- High quality, energy efficient lighting is integrated throughout the public realm facing areas of the development.
- EV charging stations provided inside the parkade for the private use of the residents.

Development Statistics

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

	C5 Zone Requirement 18 residential dwelling units	Provided on Plans
Minimum Lot Width*:	9.0 m	27.8 m
Minimum Lot Area*:	275 m ²	868 m ² (consolidated lot)
Maximum Lot Coverage:	100%	95%
Maximum Density:	6.0 Floor Area Ratio (FAR)	1.8 FAR
Vehicle Parking:	1 per dwelling unit No requirement for commercial space Total required: 18 parking spaces	18 parking spaces
Bicycle Parking:	Class 1 required: 11 spaces <i>(9 residential, 2 commercial)</i> Class 2 required: 4 spaces <i>(2 residential, 2 commercial)</i>	Class 1 provided: 13 spaces Class 2 provided: 4 spaces
Required Setbacks		
Front Yard (north):	0 m	0 m
Side Yard (east):	0 m	0 m
Side Yard (west):	0 m	0 m
Rear Yard (lane):	0 m	0 m
Maximum Building Height	36.6 m	17.8 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Community Engagement Summary

Staff notified and involved the community in accordance with the engagement procedure for OCP amendments and using shapeyourcitypenticton.ca. The engagement program was intended to gather feedback on the proposed land use change to allow a mixed-use development at this location. The engagement program launched February 9, 2023 and closed March 9, 2023 with a total of 110 responses received by the deadline.

To notify the community and the opportunity to share feedback, staff completed the following:

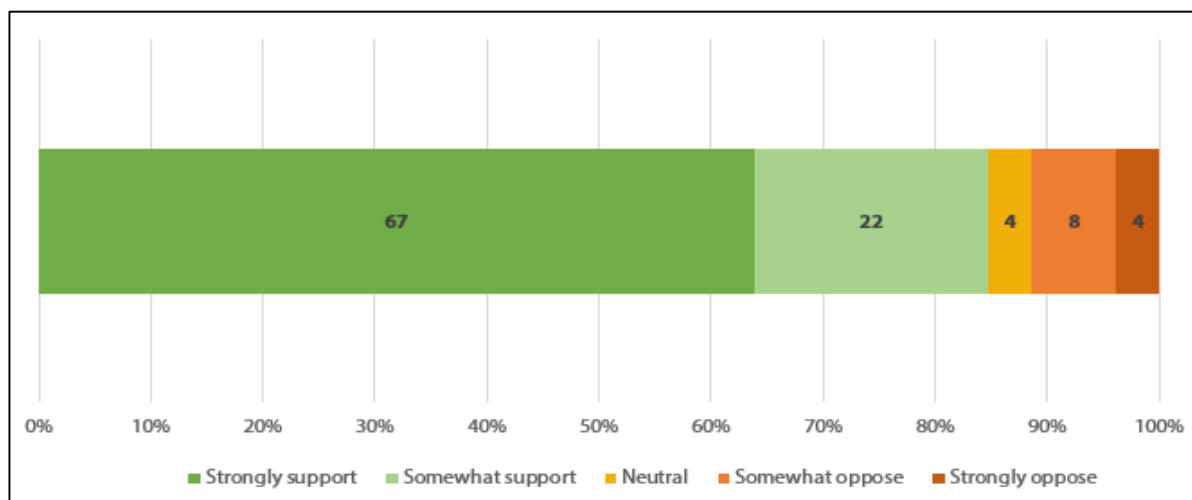
Date	Activity
Feb. 1	Mailed notices to property owners and tenants within 100m of the subject property
Feb. 9	Referral to stakeholders - Feedback received from RDOS, that they are unaffected by the proposal
Feb. 10 – Mar. 10	Posted sign (1) on the subject property
Feb. 9 – Mar.9	Project information and feedback form on www.shapeyourcitypenticton.ca

Feb. 9	Press Release
Feb. 10	Shapeyourcitypenticton.ca Eblast
Feb. 15 and 22	Newspaper ads – Penticton Western and Penticton Herald
Feb. 16	Social media post
Feb. 22	Social media post
Feb. 23	Online information session
Mar. 2	Social media post
Mar. 9	Deadline for feedback forms

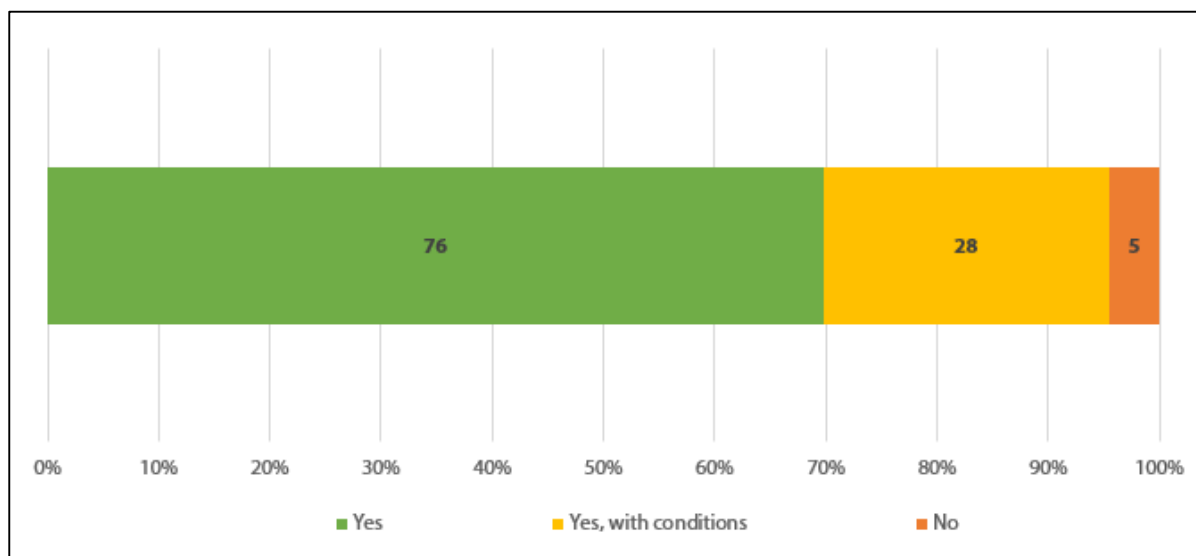
The intent of the information session is to inform community members, share accurate information on the proposal and the process, and indicate how and where community members can share their comments, concerns and feedback on the proposal. The online information session saw very few registrations in advance of the meeting, and there was no attendance at the time of the session. The engagement report, which includes the results from the engagement period has been included as Attachment 'G'.

The key findings from the feedback forms collected during the engagement period found that the majority of respondents (69.7%) support the land use change from Urban Residential to Downtown Mixed-Use. Another 25.7% support the change with conditions largely related to residential and commercial parking. Respondents indicated 63.8% strongly support and 21% somewhat supporting the proposed development. A small portion of respondents (4.7%) are not in favour of changing the land use and 11.4% of respondents were somewhat or strongly opposed to the development plan with 3.8% responding as neutral.

The following chart shows the feedback form results to the questions **“Rate your level of support for the development that is being proposed for this site”**:



Additionally, the following chart demonstrates that the majority of participants agreed with changing the future land use designation on the site, when asked: **“Do you agree with changing the land use on this site from ‘Urban Residential’ to ‘Downtown Mixed-Use’”**:



The engagement period was led by Planning Department staff with assistance from the Communications and Engagement Department. Staff listened through the engagement period, to ensure that they heard a fair representation of comments and concerns from the community and nearby neighbours. Once the engagement period closed, staff shared the results to the public (via Shape Your City) and the applicant.

After the closing of the engagement period, staff and the applicant met to discuss the engagement period and whether any changes to the plans were planned. The applicant did not make changes to the plans, however they did provide a letter in response to some of the comments and concerns raised through the engagement period (Attachment 'F').

Analysis

Official Community Plan Amendment

Recognizing that the Official Community Plan (OCP) is a “living document”, amendments to the OCP are to be expected from time to time. While the OCP guides land use decisions up to 2045, it is likely that over that timeframe, changing trends or unexpected events will require the City and community to consider amendments to the plan. Proposals to amend the OCP that respect the overall vision and values of the OCP, but also allow for innovation and adaption as new opportunities arise, are considered by City Council, with the following considerations:

1. Alignment with broad OCP visions and goals
2. Provision of demonstrable social, economic and environmental benefits to the community
3. Assessment of cost and other implications for infrastructure – parks, roads, utilities, water, sanitary and storm sewer, public facilities
4. Suitability to context – form, character and design
5. All proposed amendments will be accompanied by meaningful public engagement, in addition to the required notification, and a formal Public Hearing.

The applicants are proposing to amend the Future Land Use designation on the subject properties from ‘Urban Residential’ to ‘Downtown Mixed-Use’. Explanations on what each designation means and what land use each supports are provided below.

Urban Residential Land Use Designation

The OCP future land use designation on the subject properties is currently ‘Urban Residential’ (Attachment ‘B’). The ‘Urban Residential’ land use designation is described in the OCP as higher-density 3-6 storey apartment neighbourhoods in higher-amenity areas where building construction is primarily wood frame. This includes building types such as townhouses, low-rise and mid-rise apartments (Figure 5).

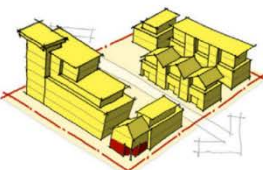
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Urban Residential</p>	Higher-density 3-6 storey apartment neighbourhoods in higher-amenity areas where building construction is primarily wood frame.	<ul style="list-style-type: none"> • Townhouses and stacked townhouses • Low-rise and mid-rise apartment/condo buildings 	<ul style="list-style-type: none"> • Residential • Limited Retail/Service 	<ul style="list-style-type: none"> • Heights up to 6 storeys 	<ul style="list-style-type: none"> • RM3
<p>Site-Specific Urban Residential Policy Statement: 556 to 736 Lakeshore Drive West: Development up to a maximum of four storeys can be considered subject to assessment of urban design impacts on Lakeshore Drive and the waterfront, Lakawanna Park and neighbouring properties on Churchill Avenue.</p>					

Figure 4 - Urban Residential Future Land Use Designation

Downtown Mixed-Use Land Use Designation

The designation that is being requested is the 'Downtown Mixed-Use' designation to allow for a mixed-use development. This designation envisions downtown developments with active retail, service or civic and cultural uses at ground level and multi-family residential and/or office uses (Figure 6). This change would allow for the rezoning of one of the properties (686 Martin Street) to support the proposed mixed-use development.

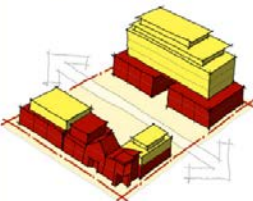
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Downtown Mixed Use</p>	Downtown developments with active retail, service or civic and cultural uses at ground level and multi-family residential and/or office uses.	<ul style="list-style-type: none"> Higher-density mixed-use buildings 	<ul style="list-style-type: none"> Commercial (retail, service, office) Residential Civic and cultural 	<ul style="list-style-type: none"> Up to 10 storeys. 3 storey maximum on Main St and Front St (Up to 5 storeys in 100 blk Front St subject to contextual design and adherence to DP guidelines) 	<ul style="list-style-type: none"> C5 C6 C9

Figure 5 - Downtown Mixed-Use Future Land Use Designation

Staff's Analysis

The applicant is requesting to amend the OCP land use designation for the properties from 'Urban Residential' to 'Downtown Mixed-Use', in order to facilitate the construction of a mixed-use development. While the proposal is in conflict with the existing OCP land use designation, the proposal shows consistency with many goals and objectives of the OCP and staff consider it is aligned with the OCP's vision for the future.

Staff consider that there is sufficient policy in the Official Community Plan to support the requested land use change from 'Urban Residential' to 'Downtown Mixed-Use'. The following summary identifies specific OCP Policy intended to guide sustainable planning practices:

OCP Reference	Policy
Strategic Investment Areas	The Downtown is intended to continue as a primary commercial, civic, entertainment and residential focus for Penticton. The historical building scale will be protected on Main and Front Streets, but intensification of the surrounding blocks will bring residential and commercial 'body heat' into the area.
Staff's Comments	The proposal is directly helping to achieve the intent of the Downtown strategic investment area, by providing additional height and density one block from Main Street. This helps to preserve the height and scale of Main Street, and intensify the surrounding area.
OCP Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
Staff's Comments	The subject property is located within the periphery of the downtown, which is a well-developed area, and doesn't require the construction or extension of City services in order to proceed.

OCP Reference	Policy
OCP Goal 4.1.3	<p>Housing Diversity</p> <p>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.</p>
Staff's Comments	<p>The development proposes 18 apartment units within an established area in the City. Each unit will include:</p> <ul style="list-style-type: none"> - 12 x 1 bedroom plus den units - 6 x 2 bedroom units - 1,937 sq. ft. outdoor amenity space on the fifth floor - 1 parking space per residential unit, with an EV charger <p>These features help to provide desirable units that could be suited for a variety of future occupants.</p>
OCP Policy 4.1.3.1	<p>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 from Development Permit Area Guidelines.</p>
Staff's Comments	<p>The subject property is located on the downtown periphery. There is adequate opportunity for residents to access services and amenities near the proposed development due to its central location.</p>
OCP Policy 4.1.3.4	<p>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.</p>
Staff Comments:	<p>The proposed development includes 1 bedroom plus den, and 2 bedroom units to suit a variety of users.</p>
OCP Policy 4.1.3.5	<p>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.</p>
Staff Comments:	<p>The proposed change of land use, through the OCP future land use designation and zoning changes proposed, helps to ensure more intensive forms of housing are provided close to many amenities and services.</p>
OCP Policy 4.1.3.6	<p>Require amenity areas in all multifamily and mixed-use projects through regulations in the Zoning Bylaw.</p>
Staff Comments:	<p>Properties that are zoned C5 (Urban Centre Commercial) are not required to provide amenity space, as there is often limited room available onsite for at-grade amenity areas.</p> <p>Although not required, the proposed development is providing a common amenity space for the use of residents on the top floor of the development. This includes an enclosed area for programming and an outdoor space that could be used for a variety of amenities.</p>

OCP Reference	Policy
OCP Goal 4.1.4	<p>Housing Quality</p> <p>Ensure that new housing is attractive and sensitively designed, is water and energy efficient and that all housing is properly maintained.</p>
Staff Comments:	<p>The proposed development would introduce 18 new residential units to this area of the City. The building has been designed to fit into the area, and is similar in scale to an existing development within close proximity.</p> <p>The applicant has demonstrated many initiatives that are to be integrated into the development to ensure it is efficient (see climate action section).</p>
OCP Policy 4.1.4.1	<p>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</p>
Staff Comments:	<p>Staff consider that the building has been designed to fit into the area, and is similar in scale to an existing development within close proximity. The development proposes an attractive new building, with a variation of materials and glazing to create an interesting frontage.</p> <p>The applicant has demonstrated many initiatives that are to be integrated into the development to ensure it is efficient (see climate action section).</p>
OCP Goal 4.1.6	<p>Provide opportunities to live, work and play in all of Penticton’s neighbourhoods.</p>
Staff Comments:	<p>The proposed development introduces 18 residential units and at-grade commercial space on Martin Street within the periphery of the downtown.</p> <p>The combination of commercial and residential allows opportunities to live and work in the same building.</p>
OCP Policy 4.2.1.7	<p>Promote walking, cycling and transit use through strategic land use planning that facilitates denser, attractive, mixed-use communities that are rich in amenities.</p>
Staff Comments:	<p>The proposed development is located directly on the lake-to-lake cycling route, taking advantage of the ability to use alternative forms of transportation to access the community. This allows the potential for workers, residents, tenants or visitors to use alternative transportation to access the proposed development or other areas of the community.</p> <p>The subject properties are within the periphery of the downtown, which is where more dense, mixed-use developments should occur, to utilize existing amenities and infrastructure.</p>
OCP Policy 4.2.3.7	<p>Provide convenient, safe and visible bike lock-up facilities in key destinations such as downtown, commercial areas, parks and beaches. Reallocate vehicle parking spaces to bicycle parking spaces, where appropriate.</p>
Staff Comments:	<p>The proposed development has included Class 1 and Class 2 bicycle parking, to ensure those living, working and visiting the development have safe and secure areas to park their bicycles.</p>

OCP Reference	Policy
OCP Policy 4.2.3.8	Require adequate levels of secure bike parking in new multi-family, mixed-use and commercial development.
Staff Comments	The proposed development provides adequate bicycle parking, through Class 1 and Class 2 bicycle parking to account for both residents and visitors of the development.
OCP Policy 4.3.2.2	Reinforce Downtown as the highest order commercial area in Penticton by allowing a wide range of commercial uses and encouraging continued intensification and growth of commercial activities through land use planning.
Staff Comments:	The applicant's request to rezone the property from RD1 (Duplex Housing) to C5 (Urban Centre Commercial) is further supported by this Policy. There are more commercial uses permitted within the C5 zone than the RD1 zone. Allowing the property to be rezoned would allow more commercial opportunities to occur, and allow continued intensification of these area of the City.
OCP Policy 4.3.6.4	Ensure zoning regulations provide opportunities for appropriate home-based work and telecommuting by supporting live-work units and flex suites in suitable locations in and around Downtown and employment centres.
Staff Comments:	The C5 (Urban Centre Commercial) zoning that is being requested allows for many types of commercial uses, as well as home based businesses.
OCP Policy 4.3.6.6	Support business investment and worker attraction to Penticton by adhering to high-quality urban design standards, mixing compatible land uses, providing parks, trails and amenities, protecting the natural environment, and supporting active transportation to create quality neighbourhoods.
Staff Comments:	The proposed development meets this policy by providing a mixed-use development within the downtown area, near existing amenities, services and methods of transportation. This type of development within the built area of the City reduces pressures of development spreading to undeveloped areas and requiring infrastructure extensions.
OCP Goal 4.4.4	Promote and support energy reduction practices and support local renewable energy production.
Staff Comments:	The applicant has demonstrated many initiatives that are to be integrated into the development to ensure it is efficient (see climate action section).
OCP Policy 4.4.4.1	Encourage energy reduction in new buildings and renovation through adoption and active implementation of the BC Energy Step Code (Building Code), promotion of new technology and energy-efficient building retrofits.
Staff Comments:	The applicant has demonstrated many initiatives that are to be integrated into the development to ensure it is efficient (see climate action section).

OCP Reference	Policy
OCP Policy 4.4.4.4	Encourage the development of compact, mixed-use neighbourhoods, where appropriate, and support transit use, walking, cycling, car sharing and low emission vehicles.
Staff Comments:	The proposed development meets this policy by providing a mixed-use development within the downtown area, near existing amenities, services and methods of transportation. The development is also located on the lake-to-lake cycling route, encouraging alternative methods of transportation. There will also be EV chargers for residents of the development.
OCP Policy 4.6.6.2	Ensure new developments and renovations integrate with existing neighbourhood character through the Downtown, Intensive Residential, and Multifamily Development Permit Area Guidelines (see OCP chapter 5 Development Permit Area Guidelines).
Staff Comments:	Staff consider that the building has been designed to fit into the area, and is similar in scale to an existing development within close proximity. The development proposes an attractive new building, with a variation of materials and glazing to create an interesting frontage. The applicant has also provide an in-depth Development Permit Analysis to show how they have met the applicable Development Permit guidelines.

Given the support from a variety of OCP Goals and Policies, staff recommend that Council support the OCP land use designation change from ‘Detached Residential’ to ‘Ground Oriented Residential’.

Zoning Bylaw Amendment

In addition to an OCP Amendment, the applicants have also applied for a Zoning Bylaw amendment for 686 Martin Street. Note: 674 Martin Street is already zoned C5 (Urban Centre Commercial). The current zoning at 686 Martin Street is RD1 (Duplex Housing), as shown in Attachment ‘A’. The applicants are proposing to rezone 686 Martin Street from RD1 (Duplex Housing) to C5 (Urban Centre Commercial). This change in zoning is not aligned with the current OCP designation on the property, which is why this proposal has come forward as an OCP and Zoning Amendment package. The OCP Amendment also includes 674 Martin Street, to ensure both properties in the development have zoning that is aligned with the OCP designations for the properties.

Should Council consider that amending the OCP designation on the property is appropriate, they may also consider that the proposed C5 (Urban Centre Commercial) zone is appropriate given the requested OCP designation of ‘Downtown Mixed-Use’. The ‘Downtown Mixed-Use’ designation envisions downtown developments with active retail, service or civic and cultural uses at ground level and multi-family residential and/or office uses. This designation supports the development of high density, mixed-use developments.

The subject properties are considered an appropriate location for increased density due to their proximity to amenities and services nearby, including the Downtown, Penticton Museum and Library, Penticton Secondary School, Kings Park, and many other public amenities. There are also adequate pedestrian and cycling connections for alternative modes of transportation, including the lake-to-lake cycling route, which the properties front directly onto. Further, the OCP policies that are referenced to support the OCP land use

change also support the proposal to rezone 686 Martin Street from RD1 (Duplex Housing) to C5 (Urban Centre Commercial).

Given the above information, staff recommend that Council support the zoning amendment from RD1 (Duplex Housing) to C5 (Urban Centre Commercial) for 686 Martin Street.

Development Permit

The proposed development is considered within the Commercial and Mixed-Use Development Permit Area, which 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-density, higher-amenity neighbourhoods. The proposed development has been designed with the OCP design guidelines in mind. The development proposes a density that is aligned with the 'Downtown Mixed-Use' designation and provides a design that meets the Zoning Bylaw regulations for C5 (Urban Centre Commercial) without the need for variances.

The applicant has provided a development permit analysis with their submission which describes the project and its conformance with the applicable OCP design guidelines (Attachment 'E'). Staff have also completed a development permit analysis (Attachment 'D') that shows how the development conforms to the applicable design guidelines.

The proposed development has been designed with the OCP policies and guidelines in mind and is a project providing a mixed-use development within a desirable area of the city for increased density. As such, staff recommend that Council, subject to adoption of the Zoning Amendment, direct staff to issue the permits, such to the following conditions:

1. The successful purchase (and ownership) of the 0.914m strip of road right-of-way in front of 674 Martin Street, and
2. Consolidation of 674 and 686 Martin Street and the 0.914m strip of road right-of-way into one consolidated lot.

Alternate Recommendations

Council may consider the proposed development to be undesirable at this location, or not in keeping with the goals and policies of the Official Community Plan. If this is the case, Council should deny first reading of the Official Community Plan Amendment and Zoning Bylaw Amendment. Staff are not recommending this option, as staff consider the proposal to be supported by the general direction of the Official Community Plan, including the many goals and policies referenced within the Analysis section of this report.

1. THAT Council deny first reading of "Official Community Plan Amendment Bylaw No. 2023-10" and "Zoning Amendment Bylaw No. 2023-11".

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Photo(s) of Property

Attachment D – Development Permit Analysis (staff)

- Attachment E – Letter of Intent and Development Permit Analysis (Applicant Submitted)
- Attachment F – Letter in Response to Engagement (Applicant Submitted)
- Attachment G – 674/686 Martin Street Engagement Report
- Attachment H – Draft Development Permit PL2022-9448
- Attachment I – Road Dedication Plan KAP58563
- Attachment J – Official Community Plan Amendment Bylaw No. 2023-10
- Attachment K – Zoning Amendment Bylaw No. 2023-11
- Attachment L – Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12

Respectfully submitted,

Nicole Capewell, RPP, MCIP
Planner II

Concurrence

Director of Development Services <i>BL</i>	Director of Finance and Administration <i>AMC</i>	GM of Community Services <i>ASH</i>	GM of Infrastructure <i>KD</i>	Chief Administrative Officer DvD
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Attachment A – Zoning Map



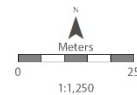
674 & 686 Martin St

Zoning Map



Legend

- Subject Parcel
- RD1 - Duplex Housing
- RD2 - Duplex Housing: Lane
- RM2 - Low Density Multiple Housing
- RM3 - Medium Density Multiple Housing
- RM4 - High Density Multiple Housing
- RM5 - Urban Residential
- C1 - Commercial Transition
- C3 - Mixed Use Commercial
- C5 - Urban Centre Commercial
- P1 - Public Assembly



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Wednesday, January 25, 2023 8:54:49 AM

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Attachment B – Official Community Plan Map



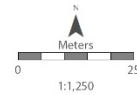
674 & 686 Martin St

Official Community Plan Map



Legend

- Subject Parcel
- Detached Residential
- Ground Oriented Residential
- Institutional and Civic
- Commercial
- Urban Residential



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Wednesday, January 25, 2023 8:55:37 AM

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Attachment C – Photo(s) of Property



Looking east towards subject property from Martin Street

Attachment D – Development Permit Analysis (staff)

Development Permit Analysis

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

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

- The applicant has provided a comprehensive site plan and considered the neighbourhood context in their design. The renderings provided include the existing buildings on neighbouring properties. The applicant has demonstrated that the massing was designed to be complementary to the area and is similar to an existing mixed-use development to the north.

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

- The applicant has located the proposed building at the minimum required 0.0m front yard setback, which helps to maintain a strong connection with the street. There is also commercial space proposed at grade, with large glazing along the sidewalk to connect the public and private realms.

Guideline G7 All designs shall consider Crime Prevention Through Environmental Design (CPTED)

Guideline G29 principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.

- The proposed development introduces a mixed-use development with units fronting onto the street and the laneway. This provides ‘eyes-on-the-street’ security to both the street and the laneway. Having residences in the downtown also provides opportunities for people to live in the area, ensuring that the downtown is not a vacated area after businesses close on nights and weekends.

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

Guideline G13

Guideline G14

- The development is designed to tie into the existing sidewalk along Martin Street seamlessly, and allow pedestrian to walk into the development from the sidewalk.

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

Guideline G17

Guideline G18

- The proposed development prioritizes pedestrian movement, by having pedestrian access as the main method of accessing the development from the street. All vehicle access is provided from the laneway, helping to reduce conflict between pedestrians at the front.
- The lake-to-lake cycling route is also located directly in front of the development, providing another alternative way of accessing the development.

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

- The proposed development will include Class 1 (secure resident) and Class 2 (visitor) bicycle parking on site.
- The development also includes the installation of electric vehicle chargers for each vehicle parking space, providing one for each residential unit.

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

- The proposed development is designed to consider the climate of Penticton. The applicant has provided more detail within their letter of intent, and the Climate Section of this report provides this detail as well.

*Guideline G21 Orientation of buildings should face public spaces (e.g., street and lane) with a preference
Guideline G28 for ground-oriented types (e.g., a front door for everyone or every business).*

- The proposed development faces towards Martin Street as well as the laneway.
- The development includes commercial at-grade, which has glazing along the sidewalk as well as the main entrance directly from Martin Street.
- The residential units above have the primary lobby accessed from Martin Street, as well as a rear entrance from the laneway.

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 break up massing while promoting overlook and/or weather protection.

- The building includes variation to the design to include setbacks and stepbacks on several levels of the building, which help to break up the massing of the structures.
- The design also incorporates a variety of materials and colours to create an appealing and interesting building.

Guideline G35 Tree planting...

- The proposal will introduce 2 boulevard trees directly in front of the development. This will help to provide shading to the existing sidewalk area and beautify the street.
- The proposed development includes a landscaping plan that provides adequate buffering along all property lines.

Guideline CM1 Retail building frontages...

- The proposed development is designed to meet the sidewalk at grade and provide pedestrian access directly to the building from the sidewalk.
- The development is designed at the minimum 0.0m front yard setback (at property line) so to allow a continuous commercial street frontage being maintained along the street when the remainder of the area is developed.

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

- The proposed development has been designed with compatible uses, with more public oriented uses on the ground, and residential located above.

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

- All parking for the proposed development is located at the rear and is accessed from the laneway.
- Further, the parking area is enclosed within the building and is not visible from the laneway or the street.

Guideline 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.

- The proposed development includes significant glazing on the ground level along the sidewalk. This provides a transparent and clear view from the sidewalk into the commercial retail unit.

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

- The proposed development includes a canopy overhang into the public right of way. This offers protection from the weather and adds variation and interest to the building. This feature has been designed to complement and suit the overall development.

February 1, 2023

Penticton City Hall

171 Main Street
Penticton, BC
V2A 5A9
CANADA

Attention: Planning Department

MARTIN STREET MIXED-USE DEVELOPMENT 674/686 MARTIN STREET

Letter of Intent

Dear Blake Laven,

Please find attached our detailed application for an Official Community Plan Amendment, Development Permit and Rezoning Application for the 674/686 Martin St. Mixed-Use Development, as well as our response to the required Development Permit Analysis.

The body of work contained in this application is a result of the recommendations of the new Penticton OCP (2045) and requirements of the Zoning Bylaws. The requests for an OCP Amendment and Zoning Bylaw changes contained in this application are being made after thorough consideration of the neighbourhood context. Aside from these two requests, the proposed Development meets or exceeds all other applicable OCP guidelines and Zoning Bylaws. We believe that the Development Proposal fits nicely within the context of the neighbouring buildings and that it adds to the urban form and character of Martin St. as well as the whole of Downtown Penticton. As part of the Development Permit Analysis, we are including our detailed summary of the neighbourhood context analysis as it applies to this Development.

OFFICIAL COMMUNITY PLAN AMENDMENT REQUEST: URBAN RESIDENTIAL TO DOWNTOWN MIXED-USE

The current OCP designates the properties as Urban Residential. We are asking for this to be amended to Downtown Mixed-Use. As it stands, the properties are Zoned RD1 and C5 while the zoning under Urban Residential in the OCP is RM3. We propose that by changing it to Mixed-Use, it aligns with the existing zoning intents.

REZONING AMENDMENT APPLICATION: RD1 TO C5 FOR 686 MARTIN STREET

We are applying for a zoning change from RD1 to C5 on the south lot (686 Martin St.) to match the adjoining lot for the execution of the development. We believe this change will benefit the future of downtown Penticton by allowing us to increase the density and need for housing, while offering much needed new commercial retail space at grade. The proposal has been designed to fit in Zone C5, not require any variances and be 1 storey less than the maximum allowed height restriction.

MEIKLEJOHN ARCHITECTURAL DESIGN **STUDIO** INC.

104 - 259 BACKSTREET BOULEVARD, PENTICTON, BC V2A 0G4 t: 250.492.3143 e: office@madstudio.ca

RETURN OF DEDICATED PROPERTY: 0.9M TO THE FRONT OF 674 MARTIN STREET

In 1996, the City of Penticton took 0.9M from the front of 674 Martin Street for future road widening. As this is now the route of the lake-to-lake bike lane, we question the likelihood of this happening and being needed. If we could reclaim this land, it would enhance and enlarge the available space of the proposed commercial retail area along Martin Street.

We believe that the Development Proposal fits nicely within the context of the neighbouring buildings and that it adds to the vibrancy of pedestrian life on Martin Street.

Sincerely,

A handwritten signature in black ink, consisting of a stylized, cursive 'C' followed by a horizontal line extending to the right.

Cal Meiklejohn, Architect AIBC, FRAIC, LEED™MAP
MEIKLEJOHN ARCHITECTURAL DESIGN **STUDIO** INC.
cal@madstudio.ca

PROJECT: 674 + 686 MARTIN STREET

PROJECT NO: 21-175
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DEVELOPMENT PERMIT ANALYSIS OCP GUIDELINE RESPONSES

674 + 686 MARTIN STREET, PENTICTON, BC

EXISTING OCP:	URBAN RESIDENTIAL (674 + 686 MARTIN STREET)
PROPOSED OCP:	DOWNTOWN MIXED USE (674 + 686 MARTIN STREET)
EXISTING ZONING:	RD1 – DUPLEX HOUSING (686 MARTIN STREET) C5 – URBAN CENTRAL COMMERCIAL (674 MARTIN STREET)
PROPOSED ZONING:	C5 – URBAN CENTRAL COMMERCIAL ON BOTH LOTS

5.1.4 Variances

Setbacks, Height and Public Amenity Variances

The following variances to zoning standards may be considered as a component of a Development Permit Application subject to Section 490(1)(a) of the Local Government Act, provided that the resultant built form of the proposed building is consistent with the General OCP Development Permit Area Guidelines and the overall intent of the Zoning Bylaw:

1. Minor variances to setbacks may be considered to:
 - a.) retain existing mature trees

MAD RESPONSE:

No trees will be retained.

- b.) accommodate desirable architectural criteria, such as porches, balconies, projecting design features, awnings, and canopies, provided that the building face still meets required setbacks.

MAD RESPONSE:

674/686 Martin Street meets or exceeds the goals of the OCP guidelines relating to street setbacks. The project is allowed a 0m setback on all sides of the property. Most of the building face is at the 0m setback, but entry points to the residential and retail spaces are setback .914M (3'-0") to create a more dynamic building face. The development also contains canopies that extend 1.5M (4'11") from the property line at a height of 4.1M (13'6"). This is within the allowable limit for canopies in zone C5. No canopies are along the laneway. 674/686 Martin Street brings vibrance to both the street and the laneway by creating balconies that look over both streets. These balconies respect the 0m setback on either side by being set into the building face instead of jutting out from it, adding dimensionality to the building face and massing.

PROJECT: 674 + 686 MARTIN STREET

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DATE: 1 February 2023

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2. Minor variances to the maximum permitted height of a building of approximately 2 meters may be considered to accommodate a landmark architectural feature on corner sites, provided it is consistent with the General Guidelines:

MAD RESPONSE:

As we are also applying for a Rezoning Application (from RD1 to C5), the proposed building will be higher than the current zoning allows, but one storey less than the proposed zoning change allows.

*NOTE: The current zoning of the properties does not align with the current OCP Guideline designation. This proposal is intended to bring together a new designation from each perspective to provide a more balanced development.

Parking Variances

No parking variances.

Landscape Variances

No landscape variances.

5.2.2 General Guidelines

The following General Design Guidelines apply to all development requiring a Development Permit:

Site Planning

Designing in Context

Contextual designs feel better because they 'fit.' In light of Penticton's complex and unique landscape, views and urban patterns, it is important that designs reflect this character. Guidelines address site conditions and context, including: sensitivity to on-site features (e.g., terrain and sun angle), adjacencies (e.g., street interface and existing uses), potential impacts (e.g., overlook and shading) and other related opportunities (e.g., energy conservation).

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.)

PROJECT: 674 + 686 MARTIN STREET

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MAD RESPONSE:

The project is situated on a level, urban infill site in the Downtown area that is currently occupied by two detached homes and therefore, does not contain any significant geographical features. It is bound by Martin Street to the west and the laneway between Martin St. and Main St. to the east. To the north is a small single storey commercial building and beyond that an existing mixed-use development similar in size to what we are proposing. To the south is an empty gravel parking lot on the corner of Martin and Eckhart Streets. Using canopies and in-set balconies, we've reduced the interior exposure to harsh, mid-summer light on the exposed east and west facades.

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.

- All site / landscape plans should incorporate the boulevard.

MAD RESPONSE:

The proposal contains a comprehensive site plan that describes the extent of the site amenities on both public and private property. *(Refer to DP Drawing Package PA201 – Site Plan.)*

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

MAD RESPONSE:

674/686 Martin St. complies with these principals. Large windows allow for solar gains in all units within the development yet are well shaded from harsh and direct mid-summer light. See response to G1 for more information.

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

MAD RESPONSE:

Due to the orientation of the site, and the need for fire separation from the properties to the north and south of the site, views looking in the directions of the lakes are limited. However, using large windows and balconies, views pointed to the mountains on the east and west of Penticton are preserved and can be seen both from interior and exterior points. In addition to this a large, shared amenity space on the top floor of the building with a large exterior rooftop deck provides limitless views east, west, and south all the way down the Okanagan Valley.

Framing Space

In consideration of Penticton's relatively low-scale urban form, future intensification and development should explore how buildings actively frame space(s) to expand and enhance the public realm. The following guidelines aim to promote positive interactions with particular care and attention to transitions between private and public spaces.

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

PROJECT: 674 + 686 MARTIN STREET

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MAD RESPONSE:

By using a 0m setback along Martin St. the project has a strong street definition. The proposed commercial space is designed to be finished with large scale glazing, engaging the pedestrian activity with that of the merchants.

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

MAD RESPONSE:

See response to G4.

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.

MAD RESPONSE:

The main entrances to both the residential units as well as the commercial unit are clearly recognizable and will be well-lit. The rear pedestrian entrance adjacent to the parkade door is also under well lit conditions. Multiple balconies and large windows allow for multiple vantage points along both Martin St. and the laneway from upper suites, yet still are difficult to access due to the increased height of the first storey.

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

MAD RESPONSE:

Not applicable as the project does not include secondary buildings.

Prioritizing Pedestrians

A high-quality pedestrian environment is a central quality of any welcoming neighbourhood. Penticton is fortunate to have an extensive neighbourhood street network that links distinct areas in a reasonable walking distance. The following guidelines aim to optimize the quality and connectivity of pedestrian infrastructure and reduce conflict between pedestrians and vehicles.

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).

MAD RESPONSE:

The project is designed with zero setbacks. The pedestrian connectivity is engaged via the public sidewalk.

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

PROJECT: 674 + 686 MARTIN STREET

PROJECT NO: 21-175
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MAD RESPONSE:

Not applicable as the site is not large and therefore this design stipulation does not apply to the project.

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

MAD RESPONSE:

The 674/686 Martin St. Development complies with British Columbia Building Code (2018) mandated barrier-free access.

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

MAD RESPONSE:

All publicly accessible portions of the sidewalk at 674/686 Martin St. including the section immediately outside the commercial and residential unit entrances will use boulevard-type paving to either match or reflect the existing paving and patterns currently used along the street.

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

MAD RESPONSE:

Not applicable as the building proposal does not contain any ground level residential units.

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 (see Figure 5-2).

MAD RESPONSE:

Not applicable as the building proposal does not contain any ground level residential units.

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

MAD RESPONSE:

The garbage and recycling area, as well as the accessible Class 2 bike parking is located within the building, accessed from the secure parkade.

Cars and Parking

The following guidelines are intended to reduce the impacts of automobile infrastructure – including access and parking – and to further support a high-quality pedestrian realm. (see Figure 5-3 and Figure 5.4)

PROJECT: 674 + 686 MARTIN STREET

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

- Off-street parking and servicing access should be provided from the rear lane (where one exists) to free the street for uninterrupted pedestrian circulation and boulevard landscaping (see Figure 5-4).
- Where possible, shared automobile accesses should be considered to optimize land use, and to reduce impermeable surface coverage and sidewalk crossings.

MAD RESPONSE:

Off-street parking for residential occupants of the proposed building will be provided in an enclosed garage with access from the lane to allow for a pedestrian-oriented, commercial unit on Martin St. The parkade will consist of 16 stalls, with 2 more stalls accessed directly from the laneway with a private secure garage door for a total of 18 stalls. This meets the bylaw parking requirements for a development of this size.

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

- Parking between the front of buildings and the street is not permitted.
- Parking should be located at the rear of buildings/sites.
- Shared parking (where varying uses have parking demands that peak at different times of the day) is encouraged to reduce parking requirements.
- Outdoor surface parking areas should incorporate pathways that provide safe, accessible and comfortable pedestrian connections to entries/destinations.

MAD RESPONSE:

There will be no parking areas (surface or enclosed) between the front of the building and the street as the proposed building will be constructed with no setback from the front property line. All parking is accessible from the laneway only.

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.

MAD RESPONSE:

The proposed parkade does not contain any ramps. The doorway leading into the parkade has been designed to complement the design of the rear elevation of the proposed building.

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

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MAD RESPONSE:

All required Class 1 and Class 2 residential and commercial bicycle parking is provided for the Development at grade. Residential enclosed bicycle parking will have access from the main vehicle parking space. The building will have electric charging stations inside the parkade for the private use of the tenants.

Architecture

Design for Our Climate

In response to Penticton's semi-arid climate, design buildings and landscape architecture that reflect a love for indoor/outdoor living resulting from low annual rainfall and hot summer temperatures.

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.

MAD RESPONSE:

The 674/686 Martin St. Development proposal includes the following green initiatives:

1. Optimization of glazing throughout the building to capitalize on light and minimize energy use.
2. Installation of thermally-broken storefront glazing in commercial units.
3. Installation of triple-pane glazing in residential units.
4. Provision of building overhangs and setbacks designed to shade summer sun and maximize solar gain in the winter.
5. Minimization of thermal breaks in building envelope.
6. Use of high efficiency mechanical and electrical systems.
7. Minimization and potential elimination of use of fossil-fuel-burning equipment and appliances.
8. Use of light-coloured roofing to maximize solar reflectance and minimize solar heat gain.

Friendly Faces, Friendly Neighbours (Orientation & Massing)

Massing (the three-dimensional form) and articulation (how the parts fit together) of architecture are tools that can reduce the apparent size of large buildings and help ensure the sensitive transition to adjacent buildings and open spaces. It can also provide visual interest for pedestrians. New development should consider the scale of its neighbours and avoid abrupt transitions in height and massing between adjacent buildings.

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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).

MAD RESPONSE:

674/686 Martin St. is constrained to a pre-determined building orientation because of the size, shape, and location of the existing site.

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

MAD RESPONSE:

The current OCP (Urban Residential) and the proposed OCP (Downtown Mixed-Use) allow for buildings up to 6 storeys or 24m (78ft). The proposed zoning of the site (C5) allows for a 36.6m (120ft) high building with 0m setback. To fit with the neighbouring buildings, we have limited the height to our building to 16.75M (55'). To further reduce the potential for large, monolithic faces, we have divided the façade into three distinct layers:

- A predominantly glazed street level for retail and the residential lobby.
- A recessed 2nd and 3rd storey residential block defined by a thick framing box.
- A recessed 4th storey defined by a lighter framing to speak to the street level.
- A centralized amenity room and balcony not visible from the street level on the 5th floor.

Inset balconies and a progressive step back on the 2nd and 4th storeys create the opportunity to break apart the flat vertical façade and create a more dynamic building face.

G23. Articulation of building mass should include horizontal (minor) setbacks and step backs (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.

MAD RESPONSE:

Refer to G22 above.

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.

MAD RESPONSE:

Within the 674/686 Martin St. Development, private areas are behind secure doors, only accessible to residents and their visitors. The Class 2 bike parking in a secure room accessible only from the parkade.

The doorways to the commercial units are stepped in from the façade, whereas the doorway to the residences is flush, with a visible lobby delineating the public from the private.

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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 step back of 3.0 metres. (see *Figure 5-6*).

MAD RESPONSE:

Refer to responses to G22, 23, 24, 25.

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

MAD RESPONSE:

674/686 Martin Street is allowed and uses a 0m setback from the adjacent property of 660 Martin Street to the north. As such, the British Columbia Building Code (2018) mandates the use of fire walls at the interior property lines if no setback is provided. The Development contains no openings in these fire walls in the form of balconies or windows at the interior property lines, thus minimizing views into any future development on the neighbouring property. The balconies have been designed to discourage views towards one's neighbour. Instead, the units are designed to focus on the hills that form the valley. The rooftop patio footprint has been set back to further reduce the high vantage points into neighboring private spaces.

Eyes on the Street

Create active and safe shared spaces through orientation of primary building entrances, windows, porches/ balconies to the public realm, sidewalks and other shared open spaces.

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

MAD RESPONSE:

This Development proposal significantly improves the public realm on Martin Street as it is currently occupied by aging, unkept detached houses. It includes canopies, large windows in the commercial unit for window shopping and boulevard trees.

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

MAD RESPONSE:

Building entries are identified by large numbering signage as well as the previously noted design decisions presented previously throughout this package to bring attention to them.

G29. Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas (see *Figure 5-7*).

MAD RESPONSE:

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The Development orients windows, balconies, and patios toward the public realm, allowing for casual overlook of open spaces.

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

MAD RESPONSE:

Not applicable as the design does not have any blank walls along the street.

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.).

MAD RESPONSE:

Not applicable as there is no screening of solid walls at the pedestrian level.

Landscape Architecture

Design with Nature

Landscape design must reflect Penticton's natural environment. Further, local climate and landscape requires that designs are considerate of extreme temperatures, low annual rainfall and erodible soils.

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)

MAD RESPONSE:

Not applicable as these conditions are not present on the site.

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.

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- 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.

MAD RESPONSE:

674/686 Martin St. is an urban development that proposal contains minimal landscaping as it is located on a street-oriented downtown lot. Nonetheless, boulevard trees will be added during construction.

Enhance the Urban Forest

Urban forests are recognized for the economic, social, and environmental benefits they provide. In addition to considerations for form & character, enhancement of Penticton's urban forest will support health and well-being for all.

G34. Tree retention

- New development should retain, where possible, existing mature and native trees and protect their root systems;
- Pre- and post-development tree surveys are required must be undertaken.

MAD RESPONSE:

See response to G33.

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.

MAD RESPONSE:

See response to G33.

Functional Use of Landscapes

Designs should be prepared by a professional with experience in the planning, design and implementation of high-quality landscapes designs.

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.).

MAD RESPONSE:

The development is an urban infill project that has minimal space for new natural habitat design, but an arborist will be consulted for the planting of the boulevard trees on how to best enhance

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the habitat value of the site. There is also room on the balconies and the rooftop for personal planters.

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

MAD RESPONSE:

The development is an urban infill project that maximizes site coverage while complying or exceeding OCP guidelines. As such, it contains minimal open to above surface areas at grade for natural stormwater retention systems and therefore will utilize engineered stormwater management systems within the building or below grade.

G38. Screening & Buffering

- Where appropriate (and in consideration of Fire Smart 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 neighbourhood 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:

MAD RESPONSE:

Not applicable as the proposed development is an urban infill project intended to maximize all available space on the site.

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.

MAD RESPONSE:

See response to G24.

G40. Energy

- Landscape designs should support shading strategies (passive cooling) with deciduous plantings that allow increased solar gain in winter months;
- Landscape designs should accommodate windbreaks (perpendicular to the direction of winter prevailing winds) to reduce heat loss in winter.

MAD RESPONSE:

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Winter solar gain is achieved with appropriately dimensioned and fixed overhangs, recessed balconies, and triple glazing in residential units rather than the use of seasonal landscaping. The urban nature of the development does not provide sufficient land area for landscaping-based solar strategies.

Materials Selection – Softscapes & Hardscapes

The material and quality of landscapes – in public and private spaces - play an important role in defining the character of Penticton. Material selection (plants and construction materials), high quality landscape design and materials will enhance landscape performance, visual character and aesthetic quality while reinforcing a positive, green image of Penticton.

G41. Softscapes

- Plant materials (size) and planting densities should be designed to meet and exceed the British Columbia Landscape and Nursery Association (BCLNA) Standards;
- Landscape designs should consider opportunities for seasonal interest (e.g., colourful foliage and/or flowering at various times of the year).
- Structural diversity in plant palette composition – including combinations of groundcovers, shrubs of various heights and trees – is encouraged.
- 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.
- Plant selection should emphasize local/native plants and/or similarly hardy/well-adapted plants to Penticton’s desert climate.
- Invasive species are prohibited.
- Synthetic turf is prohibited.

MAD RESPONSE:

Landscape planting species for the boulevard trees would be subject to input from and approval by the City of Penticton Parks Department and/or an arborist.

G42. Hardscapes

- Material selection should reflect an extension of overall functional design and should emphasize local, natural, climate appropriate materials.
- Landscape construction should prioritize robust, durable and easily maintained materials.
- Retaining walls should use natural-looking textures and natural colours.
- Colours should complement Penticton’s natural setting and associated palette.
- Minimize the use of impervious surfaces and/or incorporate rainwater management strategies where surface runoff is captured.
- 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).

Vegas Rock? Brick? Cast-In-Place light concrete?

MAD RESPONSE:

All publicly accessible portions of the sidewalk at Martin St. will use boulevard-type paving as per City of Penticton standards. The design will be consistent with existing street paving patterns and materials.

Public Art

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Public art provides opportunity to celebrate public space and create a sense of place.

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

MAD RESPONSE:

Not applicable to the development as a 0m setback does not allow for the space needed for pedestrian-accessible art.

G47. Historical references should be carefully and collaboratively chosen.

MAD RESPONSE:

Not applicable as there is no historical record of previous buildings, nor is it a requirement for the design consideration.

Lighting

Lighting is essential to wayfinding and safety at night. Equally important is the scale, intensity, quality, location and direction of lighting.

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: Retail lighting, building ambience (elevations and passage) are considered.
- 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°) luminaries to minimize glare;
- Warmer light sources (<4000k) are strongly encouraged.

MAD RESPONSE:

High quality, energy efficient lighting is integrated throughout the public realm of the development and is intended to enhance the quality of the architecture as well as improve the safety of the public and the residents of the building. All entrances will be well illuminated; canopies and overhangs will provide a space for sidewalk focused lighting. Particular attention will be paid to the accent lighting of the front elevation of the building to enhance the form and character of the building.

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).

MAD RESPONSE:

Please see response to point G48 for additional detail.

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

MAD RESPONSE:

Not applicable as the site does not include those conditions.

G51. Avoid negative light impacts on neighbours.

MAD RESPONSE:

The proposed lightning strategy will have little to no impact on the neighbouring properties.

Signage

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

MAD RESPONSE:

Building retail signage, address signage, and decorative signage will be covered under a separate sign application. However, the intent of the proposal is to meet and exceed the guidelines.

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).

MAD RESPONSE:

See response to G52 above. Signage will comply to Penticton's Sign Bylaw.

Utilities, Mechanical Services and Servicing

As essential components of the city's built infrastructure, these elements must be intentionally integrated in the overall design to mitigate impacts on form and character.

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

MAD RESPONSE:

Whenever possible, mechanical/electrical equipment will be contained within the building and will be designed to minimize equipment visible on the building exterior. Most of the mechanical/electrical equipment will be housed in a room on the first floor. The transformer will be open to view, but is on the far corner on the laneway side so as to not interrupt the presentable façade along Martin St.

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.

MAD RESPONSE:

See response to G54 above.

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

MAD RESPONSE:

See response to G54 above.

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

MAD RESPONSE:

Not applicable as the site does not contain any riparian setbacks.

Waste Management

Notwithstanding the screening regulations in the Zoning Bylaw, management of garbage and recycling must be integrated in the overall design to mitigate impacts to form and character.

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,

MAD RESPONSE:

The required bins for disposal will be in a secure room accessible from inside the parkade only. On pick up days, these will be moved to the alley.

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

MAD RESPONSE:

See response to G58 above.

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

MAD RESPONSE:

See response to G58 above.

Fences

Notwithstanding the fencing regulations in the Zoning Bylaw, fencing design should provide a level of privacy to the development but not present an unfriendly solid wall to the public street.

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

MAD RESPONSE:

Not applicable as the form of the development does not require any fencing.

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

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MAD RESPONSE:

Not applicable as no fencing is proposed.

G63. All plans should show intended fencing.

MAD RESPONSE:

Not applicable as no fencing is provided for the Development.

5.3.3 Commercial & Mixed-Use Development Permit Area

Commercial use refers to buildings used for commercial purposes only, while mixed-use buildings typically accommodate retail on the ground floor with office and/or residential above.

5.3.3.1 Designation

The Commercial & Mixed-Use Development Permit Area is designated for the establishment of objectives for the form and character of commercial, industrial or multifamily development pursuant to Section 488.1(1)(f) of the Local Government Act.

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).

Site Planning

Framing Space

Commercial and Mixed-Use building siting should create an active and attractive street.

CM1. Retail building frontages:

- shall meet the sidewalk at grade;
- are encouraged to be built to the property line so that a continuous commercial street frontage is maintained;

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- 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 (see *Figure 5-18*).
- may feature outdoor displays and patios provided a minimum 2.0m wide clear pedestrian zone within the public sidewalk is maintained.

MAD RESPONSE:

The Commercial Retail Unit at 674/686 Martin St. meets the sidewalk at grade and is set right on the property line.

CM2. Plazas

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.
- 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 (e.g., layered plantings, screen walls / trellises etc.).
 - » comfortable and functional furnishings such as lighting, seating, trash receptacles and restrooms in high-traffic locations.

MAD RESPONSE:

Not applicable as the development at 674/686 Martin St. uses a 0.0m setback along all property lines. There is no space for a plaza.

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 (see *Figure 5-20*).

MAD RESPONSE:

The 674/686 Martin St. Development is a mixed-use development providing commercial uses at grade and residential uses on the floors above as per the DP guidelines.

Parking

Design to minimize the visual impact of parking.

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

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MAD RESPONSE:

674/686 Martin St. contains an enclosed parking garage at grade entered from the laneway at the east side of the building as well as two private secure stalls accessed from the laneway directly.

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

MAD RESPONSE:

674/686 Martin St. is adjacent to public street parking and is near much of the downtown core, allowing patrons to park nearby and continue to explore downtown Penticton on foot.

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

MAD RESPONSE:

See response in CM4 above. Off-street parking is located within the development from the laneway.

Architecture

Friendly Faces (Massing & Articulation)

Large-Format Retail / car-oriented commercial buildings should maintain a sense of pedestrian friendliness and visual interest (see the Illustration of Strategies)

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.

- A larger retailer may combine bays internally; however, the external bay articulation should be maintained (see *Figure 5-21*).

MAD RESPONSE:

The Development proposes 21M (69') of retail frontage along Martin St, broken at this time into two 11M (34'6") bays for use in keeping with the OCP patterns. However, we have chosen the place our entries at opposite ends from a design perspective as well as to offer potential tenants the chance to occupy the entire space with safe exiting strategies.

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.

MAD RESPONSE:

The proposed projections are in accordance with the city bylaws.

Commercial Frontages

Commercial frontages should serve a range of functions that enliven the pedestrian realm through:

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

MAD RESPONSE:

The Development proposes a generously sized retail entries that anchor the building at the north and south ends of the Martin St. frontage.

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.

MAD RESPONSE:

The proposed store frontage is designed to maximize glazing and will exceed 75% coverage.

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

MAD RESPONSE:

As noted previously, there are no plazas or exterior seating.

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.

- 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.

MAD RESPONSE:

See response to CM10.

Special Considerations

Weather Protection

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.

MAD RESPONSE:

All windows and doorways along 674/686 Martin St. are covered by a canopy, creating a semi-continuous shelter along the sidewalk. As higher canopies along the laneway would be needed, no canopies have been added to that façade. Where possible, doorways along the first floor are set into the property to allow for environmental shelter as people are entering and leaving the property.

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

MAD RESPONSE:

Canopies are integrated into the overall design.

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.

MAD RESPONSE:

The proposed canopies along the first storey have a vertical clearance of 4.1M (13'6") and extend 1.5M (4'11") over the property line.

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

MAD RESPONSE:

The canopy over the retail frontage is proposed to be located at a height of 4.1M (13'6") above the sidewalk. At this elevation it helps with sheltering from rain and harsh midday sun while still allowing natural ambient light to enter the spaces via large scale glazing.

Signage

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.

MAD RESPONSE:

Signage for the Development will be covered under a separate application. Notwithstanding, it is the intention of the proposal to have signage that conforms to OCP requirements.

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

- Internally lit plastic box signs
- Large signage on awnings
- Pylon (stand alone) signs
- Rooftop signs

PROJECT: 674 + 686 MARTIN STREET

PROJECT NO: 21-175
DATE: 1 February 2023
PAGE: 22 of 22

MAD RESPONSE:

See answer to CM17 above.

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).

MAD RESPONSE:

See answer to CM17 above.

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

MAD RESPONSE:

Not applicable as there is no public parking on the site proper.

Integrated Lighting, Signage and Weather Protection Design

Integrated lighting and signage design can make a positive contribution to the pedestrian experience through a combination of street, sidewalk, and architectural lighting and signage.

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.

MAD RESPONSE:

See answer to CM17 above.



650 Martin Street (2 lots north of the proposed site)



686 Martin Street (south lot of proposed site with current house)

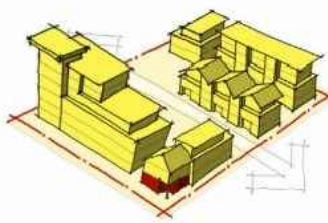


669 Martin Street (opposite the proposed site)

Site Analysis: Neighborhood Context

The 674/686 Martin St. mixed-use development is located in a neighbourhood in transition. The existing building stock is comprised of 1 and 2-storey single family residences, older 3 and 4 storey apartments and mixed use commercial/residential buildings built in conformance with previous zoning ordinances. Most lots on Martin and Main street have parking that is directly accessed from the rear lane. No underground parkades are present, and thus most buildings contain a mixture of parking stalls backing directly onto the lane and accessory buildings backing directly onto the lane with minimal or no setbacks.

The 2019 OCP proposed to breathe life into this neighbourhood, permitting redevelopment of existing building stock under the Urban Residential Land Use. It envisions townhouses, low and mid rise condominium buildings, with the option of limited retail and services at grade. A maximum height of 6 storeys is permitted under these regulations.

<p>Urban Residential</p> 	<p>Higher-density 3-6 storey apartment neighbourhoods in higher-amenity areas where building construction is primarily wood frame.</p>	<ul style="list-style-type: none"> • Townhouses and stacked townhouses • Low-rise and mid-rise apartment/condo buildings 	<ul style="list-style-type: none"> • Residential • Limited Retail/Service 	<ul style="list-style-type: none"> • Heights up to 6 storeys 	<ul style="list-style-type: none"> • RM3
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650 Martin Street (rear of building showing garage types)

674/686 Martin Street (rear of proposed site)

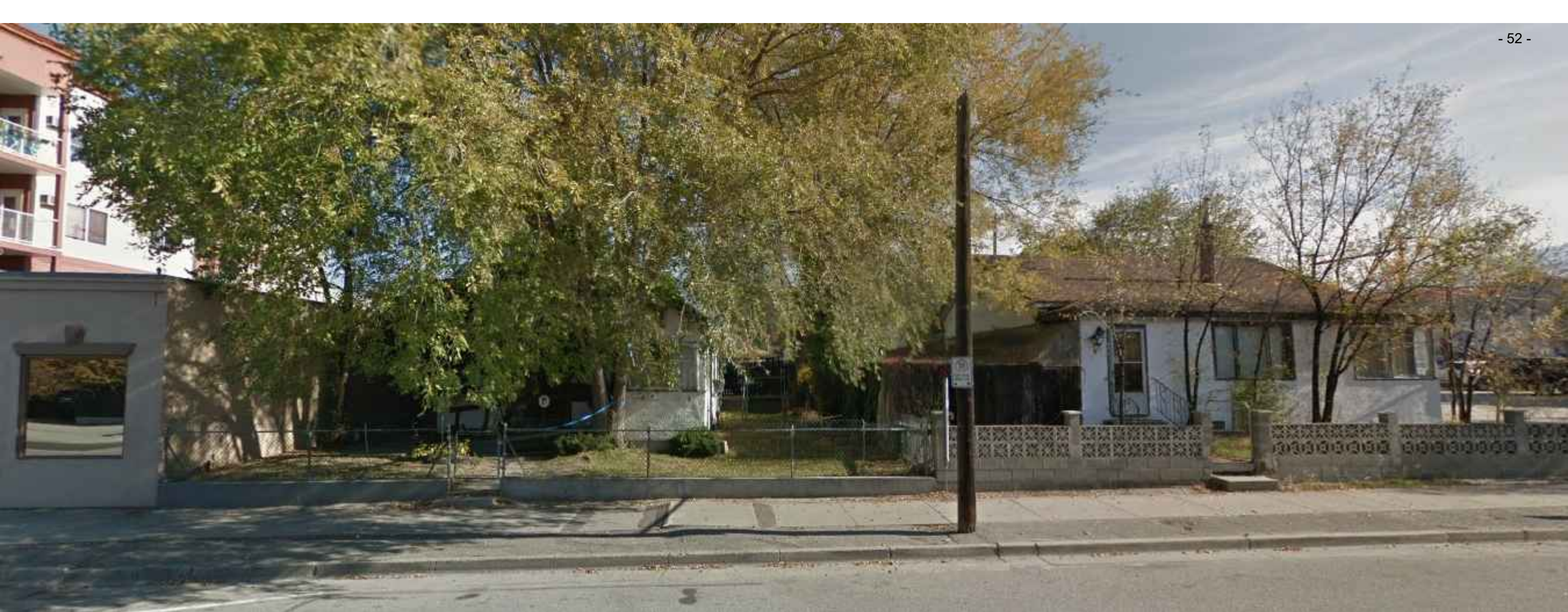
View across Theos parking lot with proposed site

The non site-specific intent of the Urban Residential Land Use for Penticton defines a building height of up to 6 storeys. This project is proposing the consolidation of two lots with different zoning. 674 Martin Street is currently zoned to C5 - Urban Centre Commercial, while 686 Martin Street is zoned for RD1 - Duplex Housing. The OCP zoning suggestion for the area is RM3 - Medium Density Multiple Housing. These three designations are at odds with one another for the maximum potential of the site.

This project proposes that 686 Martin Street be granted a zoning ammendment to match the C5 zoning of 674 Martin Street. Once consolidated, the site is well suited to meet the C5 requirements. The proposed project is 5 storeys in height (1 storey less than permitted under both C5 and RM3 zones), requires no variances and provides much needed new commercial and residential space adjacent to the downtown core of Penticton. The project also proposes a single, shallow commercial space on the ground floor of the building to animate this busy thoroughfare. A similar sized and programmed building can be found at 650 Martin Street. To encourage the continued activation of the street we propose an OCP ammendment to Downtown Mixed-Use.

<p>Urban Residential</p> 	<p>Higher-density 3-6 storey apartment neighbourhoods in higher-amenity areas where building construction is primarily wood frame.</p>	<ul style="list-style-type: none"> Townhouses and stacked townhouses Low-rise and mid-rise apartment/condo buildings 	<ul style="list-style-type: none"> Residential Limited Retail/Service 	<ul style="list-style-type: none"> Heights up to 6 storeys 	<ul style="list-style-type: none"> RM3
<p>Downtown Mixed Use</p> 	<p>Downtown developments with active retail, service or civic and cultural 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 Civic and cultural 	<ul style="list-style-type: none"> Up to 10 storeys. 3 storey maximum on Main St and Front St (Up to 5 storeys in 100 blk Front St subject to contextual design and adherence to DP guidelines) 	<ul style="list-style-type: none"> C5 C6 C9





674 + 686 MARTIN ST. (proposed sites)

The proposal envisions quality residential condominiums with large protected balconies, secure parking with a shared amenity space for residents on the roof. The massing proposes zero setbacks at grade (as per C5 requirements) with massing that steps back at the upper floors. Elevator access is provided to all floors, with generous lobby spaces, secure bicycle parking and ample storage for all units is included in the design.

Along the sidewalk, generous lighting, glazing and wayfinding minimize CPTED concerns while engaging the space along the new bike lane corridor.

We ask that you take into consideration the many positives this project will bring to the neighbourhood including pedestrian traffic, new business opportunities, safe protected living environments and a new beautification in high traffic area.

Thank you.

MAD Design Team



March 17, 2023

Penticton City Hall

171 Main Street
Penticton, BC
V2A 5A9
CANADA

Attention: Planning Department

MARTIN STREET MIXED-USE DEVELOPMENT 674/686 MARTIN STREET

Response to Public Engagement

Dear Blake Laven,

The property owner - Constroking Developments Ltd. - and MAD Studio would like to thank members of the public for their interest in and comments about the proposed project to be located at 674/686 Martin St. We found great insight and value in all the responses to the questionnaire put forth by the Planning Department at the City of Penticton.

After taking the time to read through all 110 replies, we have chosen to address the comments and concerns by grouping them into four broad categories as follows:

1. Those who have identified as 'living, owning, working or running a business near the property' in question who were both in favour and not in favour of the development proposal.
2. Those who have identified as 'not living near the property' who were opposed to the development proposal.
3. Those that have identified as 'not living near the property' but were all in favour.
4. Those that did not identify where they lived or worked but were neutral on the proposal (somewhat supportive and somewhat opposed).

Of the 110 responses, 31 people identified as 'living, owning, working or running a business near the property'. Of those 31 people, 30 are in favour while 1 is opposed, which represents an overwhelming majority in support. Of the 30 in favour, 13 provided comments or concerns about the project. The breakdown of those comments is as follows:

- A. 7 are concerned about there not being enough parking
- B. 2 would like to see it made larger with more units
- C. 2 would like to see some level of 'affordable housing' included
- D. 1 is concerned about the traffic patterns surrounding Eckhardt Ave/Martin St.
- E. 1 would like to see the building set back with green space

MEIKLEJOHN ARCHITECTURAL DESIGN **STUDIO** INC.

104 - 259 BACKSTREET BOULEVARD, PENTICTON, BC V2A 0G4 t: 250.492.3143 e: office@madstudio.ca

- F. 1 commented on the positive effect this will add to the Downtown Penticton Business Improvement Association (DPBIA)

In response to these questions, we offer the following:

- A. We appreciate the concern for parking. However, the Zoning Bylaw requirements for this building are 1 space per dwelling unit and 0 for commercial spaces. The ratio of the building size and units is directly related to the number of parking spaces we can provide, and currently meets the requirements. Our hope is that as we move forward in time, the reliance on the automobiles will continue to wane with the creation of a much more walkable city.
- B. Unfortunately, as stated in the previous response, we cannot add more units without providing more parking as required by the Zoning Bylaw. We are currently at the maximum for this ratio, despite having theoretical room to add more floors under the zoning and OCP limitations.
- C. We note the need for affordable housing in the City and will take that into consideration during the next phase of the project that will include detailed design.
- D. We will work with the City of Penticton to address any additional traffic issues that might aid how this project is accessed including lane access and street parking.
- E. The setback required by the Zoning Bylaw for the C5 zone mandates that the setback minimum is 0m. New boulevard trees and foliage are proposed to be planted along the sidewalk in conformance with the requirements.
- F. Thank you for the support.

The one response that was not in favour of the project is concerned about parking. We refer you to the comments above.

Let us now address those not living in close proximity to the building but were still opposed to the changes. Of the 110 responses, 4 people provided comments or concerns as follows:

- A. 1 does not want to amend the OCP
- B. 1 is concerned about the lifestyle associated with the concept of the '15-minute city'
- C. 1 would like to see Main Street remain at 2.5 storeys
- D. 1 is of the opinion that there is already enough vacant commercial and residential space in Penticton and that we do not need more

In response to these questions we offer the following:

- A. We appreciate the concern regarding the OCP. However, the current zoning for one of the subject properties does not align with the OCP designation. What we are trying to do is bring them both into alignment to provide a building that provides the most for the community.
- B. We believe the OCP policy objectives are aligned with the concept of the '15-minute city.'
- C. The 100 – 600 block of Main Street is subject to 3 storeys under the OCP. Our project is located on Martin Street and therefore not subject to those limitations.
- D. The City of Penticton is experiencing residential sector growth that requires a correlation between the number of housing and commercial units available.

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Out of the 110 respondents, 52 that have identified as 'not living near the property' but were all in favour of the proposed development.

Out of the 110 respondents, 23 did not identify where they lived or worked but were either somewhat supportive or somewhat opposed.

MAD Studio Inc. and Constroking Developments Ltd. and the City of Penticton Planning Department will do our best to incorporate the comments and concerns shared through this engagement on this and future projects. At this time, we are not proposing any changes to the development proposal, as we recognize that the project appears to be supported by an overwhelming majority of people that both live and work near or far from the subject property.

MAD Studio would like to acknowledge the support received from the members of the community as well as the City of Penticton Planning Department. Your time and input are much appreciated, and we hope that more residents of Penticton engage with us and the City on future projects.



Cal Meiklejohn, Architect AIBC, FRAIC, LEED™MAP
MEIKLEJOHN ARCHITECTURAL DESIGN **STUDIO** INC.
cal@madstudio.ca

MEIKLEJOHN ARCHITECTURAL DESIGN **STUDIO** INC.

104 – 259 BACKSTREET BOULEVARD, PENTICTON, BC V2A 0G4 t: 250.492.3143 e: office@madstudio.ca



674/686 Martin Street Engagement Report

March 27, 2023

[1.0 Overview](#)

[2.0 Community Participation](#)

[3.0 Feedback Form Results](#)

[4.0 Information Sessions and Open Houses](#)

[5.0 Conclusions](#)

[Appendix A– Engagement Timeline](#)

1.0 Overview

The City received an application for 674 and 686 Martin Street consisting of a five-storey, mixed-use development that would require an amendment to the City’s Official Community Plan to change the ‘future land use’ designation on the property from Urban Residential to Downtown Mixed-Use. The property at 686 Martin would also need to be rezoned from Residential Duplex Housing to Urban Central Commercial.

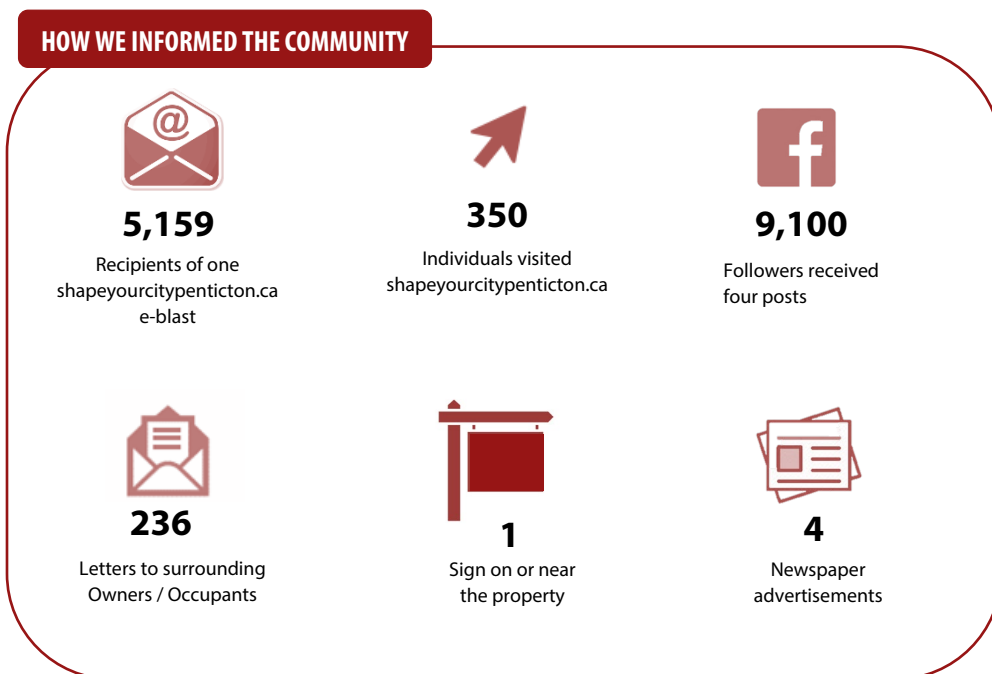
The proposal consists of 1.180 sq. ft. of commercial space at grade along Martin Street, 18 residential dwelling units in 1 bedroom plus den and 2 bedroom configurations on floors 2 through 4 and a common amenity area on floor 5. The initial plans include 18 parking spaces from the laneway, bicycle parking and boulevard trees along Martin Street.

Residents were invited to review the information about the proposal and complete a feedback form before Thursday, March 9, 2023.

2.0 Participation

Given the proposed land use change, the engagement program intended to understand whether community members are open to a mixed-use development at this location.

The following diagram summarizes the activities conducted to notify interested participants about the engagement program. A detailed timeline of engagement activities is provided in Appendix A.

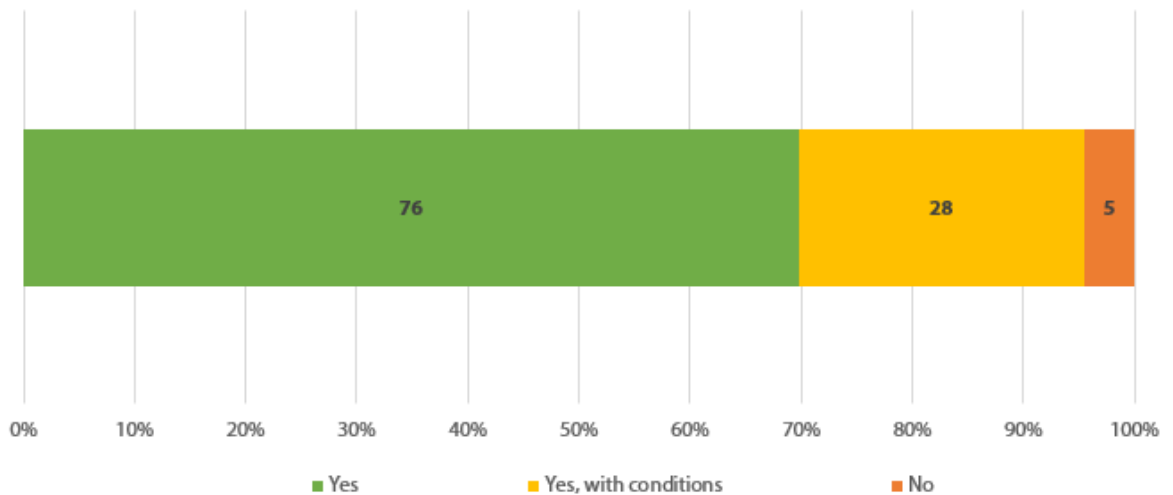


3.0 Feedback Form Results

One of the primary ways the City gathers formal feedback is through the use of online feedback forms. In total, **110 feedback forms** were received.

Please note that the key findings from the feedback forms are presented in this report. Complete results including full comments, are available at shapeyourcitypenticton.ca.

1. Do you agree with changing the land use on this site from Urban Residential to Downtown Mixed-Use?



Summary of themes/comments from answers 'No' or 'Yes with conditons':

Traffic and parking

- Conditional to a traffic density study and solutions. That area is very congested at times and traffic backed up between lights on Eckhardt, especially during school start-stop times
- Should have 1.5 parking spaces per unit as many units will have 2 cars per household and there is not adequate street parking options in the area
- Concerned about the availability of parking for the commercial outlets. There is a bike lane in front of this building that precludes street parking on that side. The other side of the street has limited parking for already existing businesses
- If the homeowners living here have back alley access to their parking area, I'd like to see some sort of traffic control which would deter vehicles from accessing that back alley off Eckardt Ave. It's already congested there

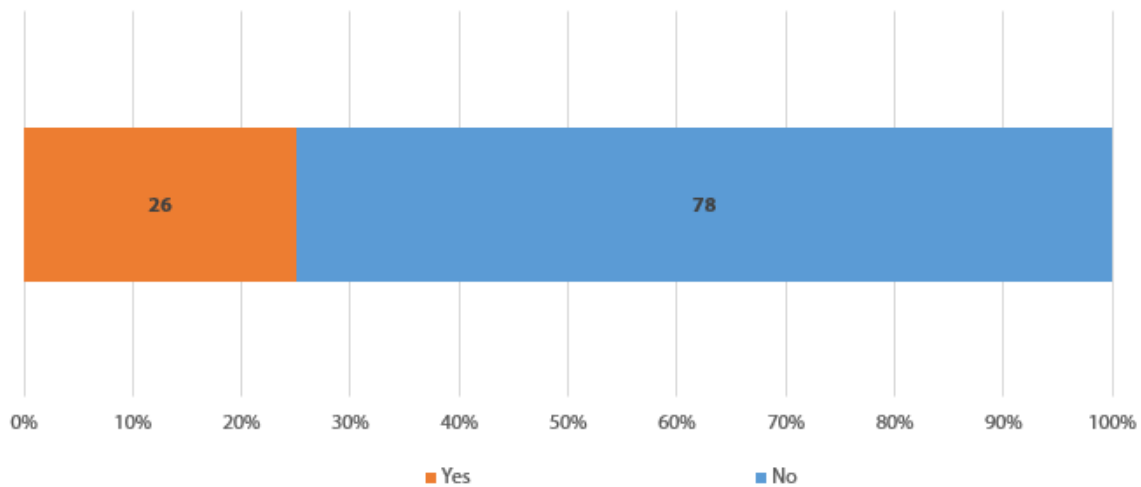
Housing affordability

- It could do with more housing units – make it 6 storeys
- Make the housing units subsidized housing. We don't need second or summer homes for rich tourists
- At least half of one and two bedroom apartments must be low-income apartments

Other suggestions

- The proposed development will vastly improve the current state of the property. Suggest that the plans include setback from the street, especially for any retail. Green space should also be included, especially space for trees.
 - Maintain the existing height restrictions.
2. The applicant is proposing a five-storey, mixed-use development, that features commercial retail space at grade (1,180 sq. ft.) along Martin Street, with 18 residential dwelling units on floors 2-4 and a common amenity area on floor 5. The applicant will finalize their proposal based on the feedback received. Residents will have further opportunities to comment on the proposal during the Public Hearing before Council makes a decision on the land use change.

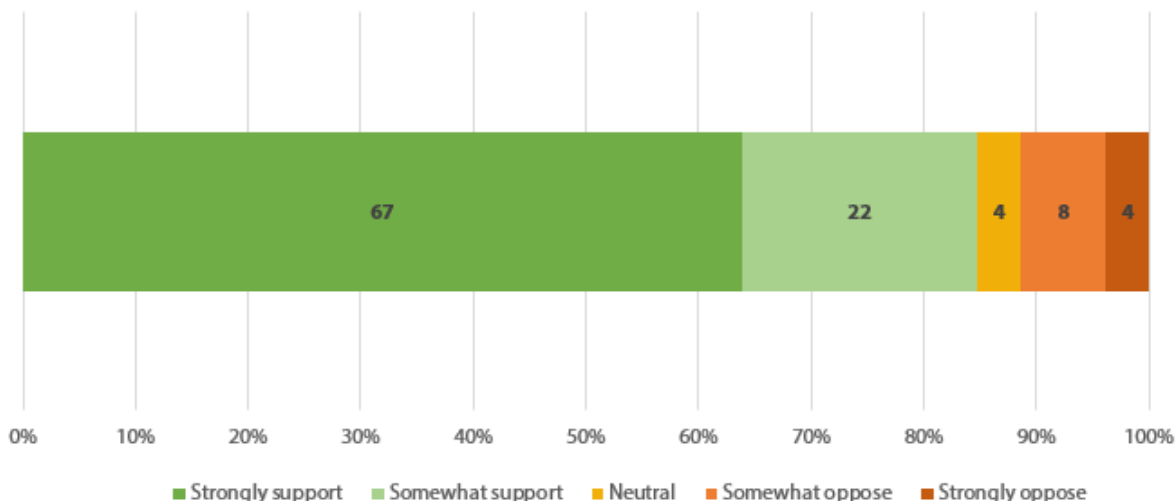
Based on the information provided, would you have any concerns about what is being considered for this site?



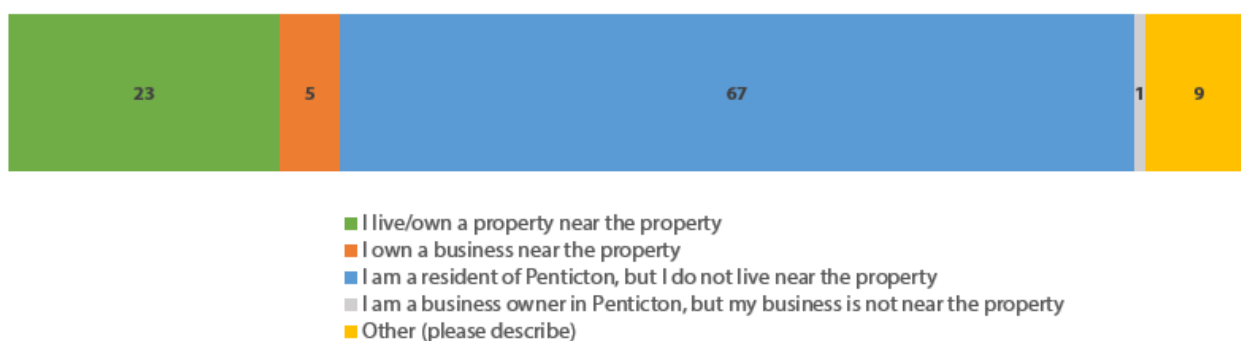
Summary of themes/comments from 'Yes' responses:

- Mild concern re: parking – most households have 2 cars, so 1 spot/apt means likely spilling over into lot beside the development. Won't be an issue as long as enough spots left in said lot for employees and clients of commercial spaces below
- Access from the alley is not good enough. It will [be] very hard to attract any businesses to establish there due to no parking in front (across the street is NOT adequate)
- Traffic is a bit issue in this area, the lights are not synced for traffic flow
- Many tenants at neighbouring property with 2 vehicles already struggling to find nearby parking. How will the additional cars be addressed? Will the commercial units be given reserved street parking?
- Changes the dynamics for the area too much. Stick to OCP

3. Rate your level of support for the development that is being proposed for this site.



4. What best describes your interest in providing feedback?



Some comments from 'Other (please describe)' are provided here, full responses are available at shapeyourcitypentiction.ca

- Resident of Penticton working near the property but not the business owner
- Respondent is a member of the Downtown Penticton Business Improvement Association
- Concerned about housing supply and the precedence this sets

5.0 Conclusions

The main goal of this process was to gather feedback on the proposed amendment to the future land use designation for this property in the Official Community Plan and to understand if the proposed development align with the community’s vision for the area.

Through this process, staff learned the majority of respondents (69.7%) support the land use change from Urban Residential to Downtown Mixed-Use. Another 25.7% support the change with conditions largely related to residential and commercial parking.

Respondents indicated 63.8% strongly support and 21% somewhat supporting the proposed development. A small portion of respondents (4.7%) are not in favour of changing the land use

and 11.4% of respondents were somewhat or strongly opposed to the development plan with 3.8% responding as neutral.

Next Steps

The feedback gathered through the engagement program is to be provided to the applicant to consider and determine how they would like to proceed. It will also be shared with Council and the community-at-large.

Appendix A - Engagement Timeline

In accordance with the *Community Engagement for OCP Amendments Procedure* and *Community Engagement Policy and Framework* the following list summarizes the main methods that were used to raise awareness about the application and the opportunities for residents to provide feedback through the community engagement period that took place between February 9 to March 9, 2023:

Date	Activity
Feb. 9 – Mar.9	Project information and feedback form on www.shapeyourcitypenticton.ca
Feb. 9	Press Release
Feb. 10	Eblast
Feb. 16	Social media post
Feb. 22	Social media post
Feb. 23	Online information session
Mar. 2	Social media post
Mar. 9	Deadline for feedback forms

Development Permit

Permit Number: DP PL2022-9448

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: Legal description of consolidated lots TBD
 - Civic: 674 and 686 Martin Street
 - PID: PID of consolidated lots TBD
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a five-story, mixed-use development with 18 residential units and approximately 1,200 sq. ft. of commercial space at-grade, 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. Prior to occupancy of the building(s), an easement (and covenant) will be registered over the lands in favor of the City to allow for the encroachments of the canopies over City lands, as shown in Schedule 'A' of this permit.
8. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
9. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
10. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
11. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
12. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the ____ day of Month, 2023.

Issued this ____ day of Month, 2023.

Angela Collison
Corporate Officer

MARTIN ST. MIXED-USE

674 + 686 MARTIN STREET

PENTICTON BC

ISSUED FOR DP

FEB 1 2023



ARCHITECTURAL:

- PA100 COVER SHEET/DRAWING LIST
- PA101 SURVEY PLAN
- PA201 SITE PLAN
- PA202 SITE INFO/ZONING
- PA301 MAIN FLOOR PLAN
- PA302 SECOND FLOOR PLAN
- PA303 THIRD FLOOR PLAN
- PA304 FOURTH FLOOR PLAN
- PA305 FIFTH FLOOR PLAN
- PA306 ROOF PLAN
- PA401 BUILDING ELEVATIONS
- PA402 BUILDING ELEVATIONS
- PA404 BUILDING SECTIONS
- PA501 PEDESTRIAN INTERACTION
- PA502 VOLUMETRIC SECTION
- PA503 RENDERING
- PA504 RENDERING
- PA505 RENDERING
- PA801 CIVIL PLAN
- PA901 SITE ANALYSIS
- PA902 SITE ANALYSIS
- PA903 SITE ANALYSIS



TOPOGRAPHIC SURVEY PLAN OF LOT 7 BLOCK 34 DISTRICT LOT 202 SDYD PLAN 269 EXCEPT PLAN KAP 58563 AND LOT 8 BLOCK 34 DISTRICT LOT 202 SDYD PLAN 269

CIVIC ADDRESS:
674 & 686 MARTIN ST.
PENTICTON, B.C.

PID: 011-584-297 & 012-463-442

SCALE 1 : 150



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF

THE INTENDED PLOT SIZE OF THIS PLAN IS 560 mm IN WIDTH BY 432 mm IN HEIGHT (C-SIZE) WHEN PLOTTED AT A SCALE OF 1:150

	GUY POLE
	GUY WIRE
	IRON PIN - FOUND
	METER - GAS
	NON-STANDARD POST - FOUND
	POLE - HYDRO
	POLE WITH TRANSFORMER
	CURB & GUTTER
	EDGE OF PAVEMENT
	FENCE LINE
	OVERHEAD TEL
	OVERHEAD ELEC
	SIDEWALK

FIELD SURVEY COMPLETE AS OF DECEMBER 20, 2021.

	SANITARY SEWER
	SANITARY SERVICE
	WATER MAIN
	WATER SERVICE
	GAS MAIN

INTEGRATED SURVEY AREA No. 12, PENTICTON, NAD 83 (CSRS) 4.0.0.BC.1.

GRID BEARINGS AND UTM COORDINATES DERIVED FROM INTEGRATED CONTROL MONUMENT 4315 AND GNSS BASELINE TIES, AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 11.

THIS PLAN SHOWS GROUND MEASURED DISTANCES. THE LINWORK CONTAINED WITHIN THE DIGITAL CAD VERSION OF THIS DRAWING IS AT GRID. TO COMPUTE GRID LEVEL DISTANCES, MULTIPLY GROUND DISTANCES BY THE COMBINED SCALED FACTOR OF 0.9999812.

ELEVATIONS ARE IN METRES, REFERRED TO GEODETIC DATUM CGVD28BC (GEOID MODEL HTv2.0), AND DERIVED FROM INTEGRATED CONTROL MONUMENT 4315 (PUBLISHED ELEVATION: 351.297m).

CONTOUR INTERVAL IS 0.25m.

THIS DOCUMENT WAS PREPARED SOLELY FOR A LIMITED CONTRACTUAL USE BETWEEN McELHANNEY ASSOCIATES LAND SURVEYING LTD. AND OUR CLIENT.

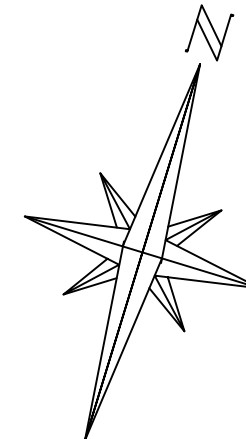
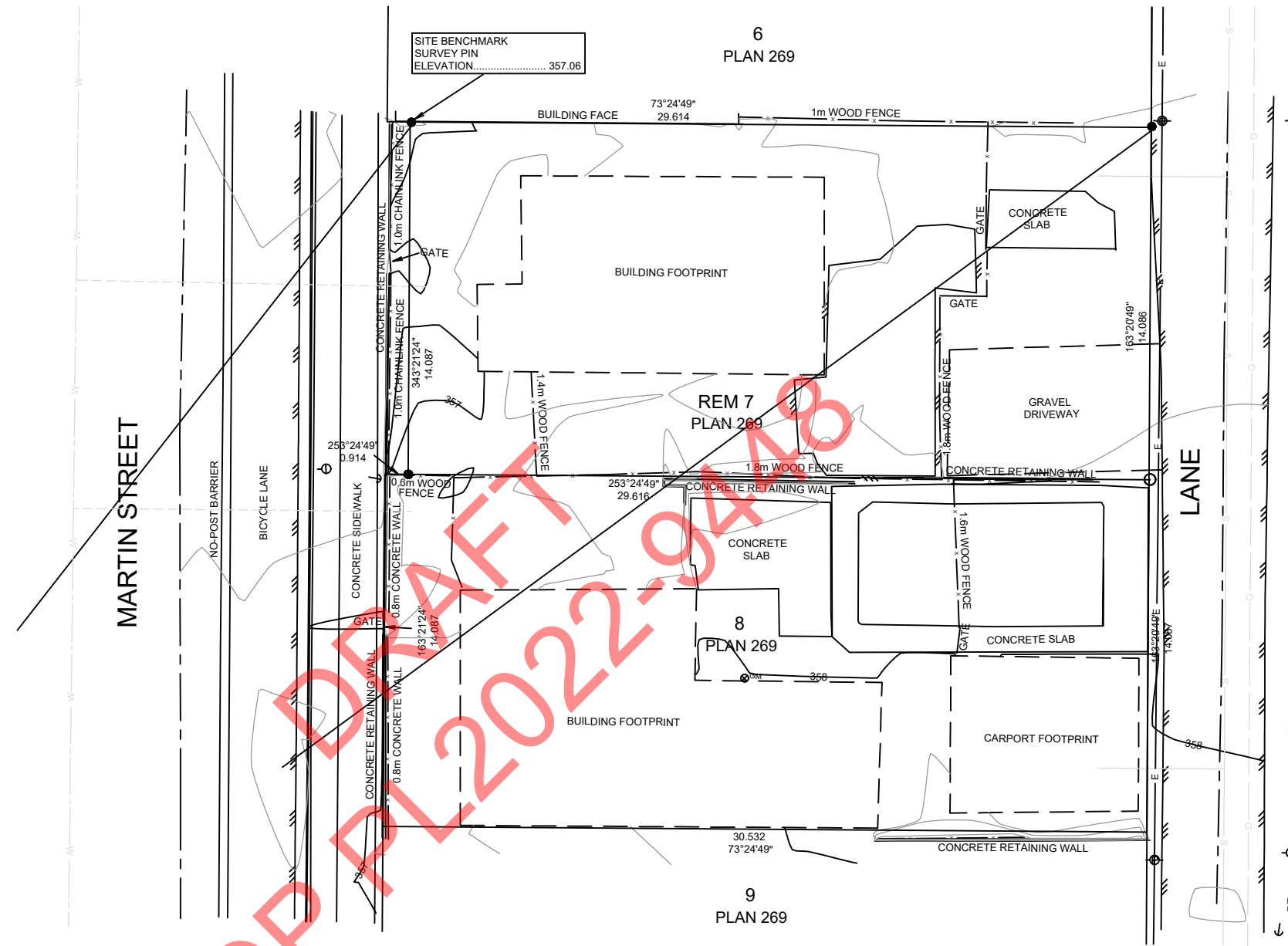
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McElhanney
McELHANNEY ASSOCIATES
LAND SURVEYING LTD.
290 Nanaimo Ave. W
Penticton BC
Canada V2A 1N5
Tel 250 492 7399

FILE NO. 2422-03946-00
DRAWING NO. 3946-00-V-TOPO.DWG



SITE LEGEND

	ELECTRICAL
	GAS
	WATER
	SEWER
	STORM
	CABLE / INTERNET
	SIAMESE CONNECTION
	FIRE HYDRANT
	WALL MOUNTED LIGHT ABOVE
	BOLLARD
	LIGHT STANDARD
	CLASS 2 BIKE RACK
	POLE - HYDRO
	GUY POLE

NOTE: LINE OF PROJECTION ABOVE ASSUMES 0.9M PROPERTY DEDICATION WILL BE ACQUIRED BY THE OWNER.

PROPOSED ANNUNCIATOR PANEL
0.9m CITY DEDICATION
PROPOSED FIRE ACCESS

PROPOSED FIRE SIAMESE CONNECTION
PROPOSED BICYCLE PARKING (CLASS II)

FIRE TRUCK
CONCRETE CURB
CONCRETE CURB

MARTIN STREET

BIKE LANE

NEW TREES TO BE PLANTED BY CITY PARKS DEPARTMENT

EXISTING BUILDING
660 MARTIN ST.

LOBBY
316 sf

CRU
1180 sf

BIKE RM. (13)

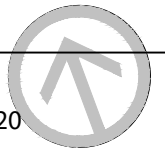
GARBAGE/RECYCLE

ELEC RM.

COLUMNS + WALLS TO ALLOW FOR REQ. DOOR OPENING SPACE (.3m)

EXISTING GRAVEL PARKING LOT

1 SITE PLAN
PA201 SCALE: 1/8"=1'-0"





SITE INFORMATION

CIVIC ADDRESS: 674/686 MARTIN STREET, PENTICTON BC
 LEGAL DESCRIPTION: LOT 7 BLOCK 34 DISTRICT LOT 202 SIMLKAMEEN DIVISION YALE DISTRICT PLAN 269 EXCEPT PLAN KAP58563 LOT 8 BLOCK 34 DISTRICT LOT 202 SIMLKAMEEN DIVISION YALE DISTRICT PLAN 269
 PID: 012-463-442
 011-584-297
 COMBINED LOT SIZE: 0.21 ACRES
 SITE AREA: 850.2 m²
 GROSS FLOOR AREA: 2,795.5 m²
 GROUND FLOOR AREA: 829.6 m²
 SECOND FLOOR AREA: 595.6 m²
 THIRD FLOOR AREA: 595.6 m²
 FOURTH FLOOR AREA: 595.6 m²
 FIFTH FLOOR AREA: 179.1 m²

ZONING ANALYSIS

EXISTING ZONING: C5 - URBAN CENTRE COMMERCIAL (674 MARTIN STREET)
 RD1 - DUPLEX HOUSING (686 MARTIN STREET)
 REQUESTING: C5 - URBAN CENTRE COMMERCIAL COMBINED
 NO VARIANCES REQUIRED
 OCP DESIGNATION: URBAN RESIDENTIAL (674 + 686 MARTIN STREET)
 REQUESTING: MIXED-USE
 PERMITTED USES: BAKERY/ RESTAURANT / RETAIL STORE
 TOURIST ACCOMODATION / DWELLING UNITS

	<u>PERMITTED</u>	<u>PROVIDED</u>
MINIMUM LOT WIDTH	9.0 m	27.8 m
MINIMUM LOT AREA	275.0 m ²	850.2 m ²
MAXIMUM LOT COVERAGE	100%	95%
MAXIMUM LOT DENSITY	6.0 FAR	1.81 FAR
MAXIMUM HEIGHT	24 m	17.7 m
MINIMUM SETBACKS		
FRONT	0.0 m	0.0 m
REAR	0.0 m	0.0 m
SIDES	0.0 m	0.0 m
NUMBER OF PARKING SPACES	18	18 (INCLUDING 1 WHEELCHAIR ACCESSIBLE + 4 SMALL CAR STALLS)

NOTES: IN ACCORDANCE WITH ZONING BYLAW, 25% OF REQUIRED PARKING PERMITTED TO BE SMALL CAR.
 VISITOR PARKING IS NOT REQUIRED IN C5 ZONE
 COMMERCIAL PARKING IS NOT REQUIRED IN C5 ZONE

NUMBER OF BICYCLE PARKING	CLASS 1: 0.5 X UNIT = 9	CLASS 1: 11
RESIDENTIAL	CLASS 2: 0.1 X UNIT = 2	CLASS 2: 2
COMMERCIAL	CLASS 1: 2	CLASS 1: 2
	CLASS 2: 2	CLASS 2: 2
TOTAL	CLASS 1: 11	CLASS 1: 14
	CLASS 2: 4	CLASS 2: 4

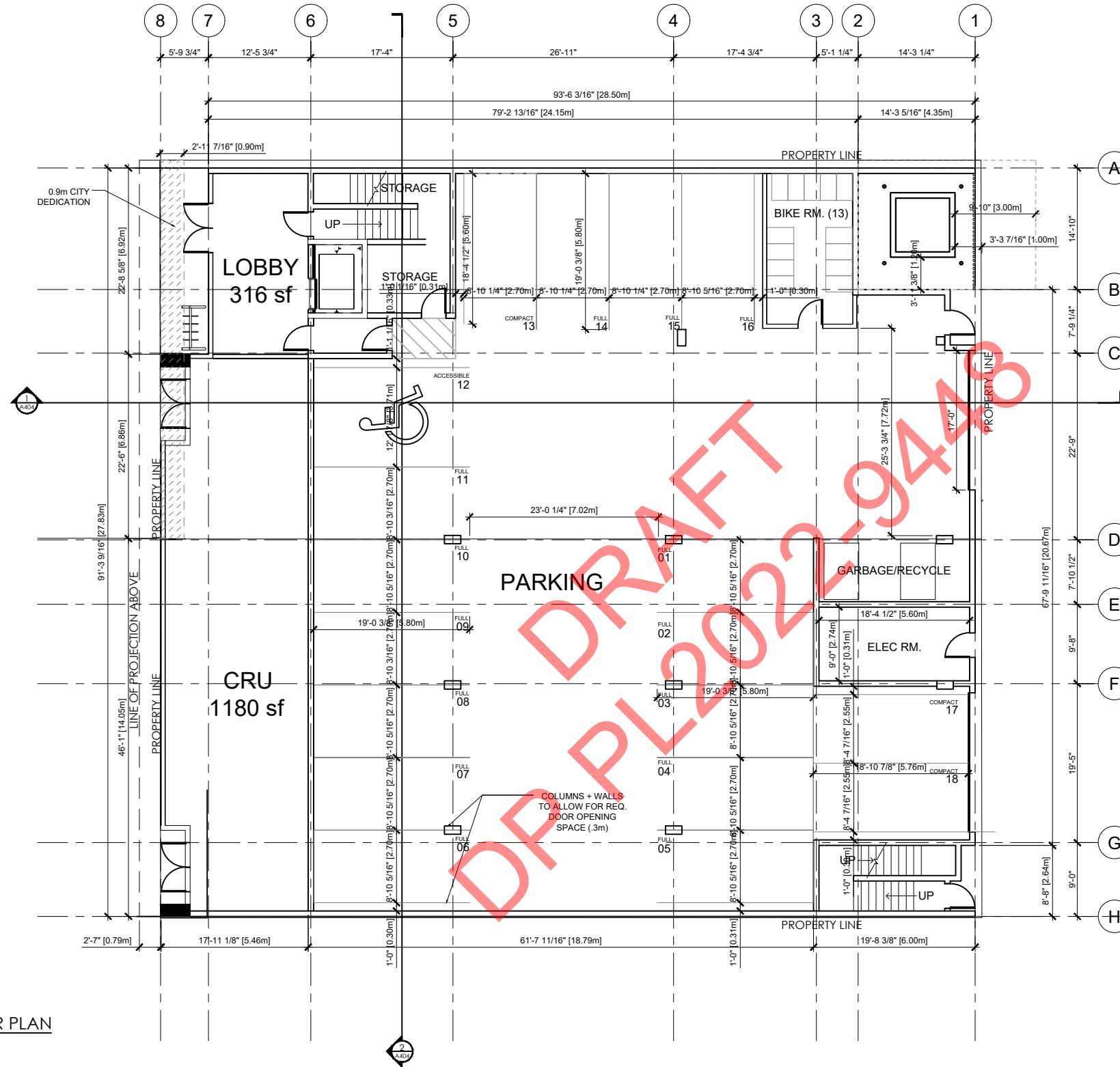
PROJECT SUMMARY

The following proposed development is a five-storey mixed-use building located at 674/686 Martin Street. At grade, there are 2 commercial retail units as well as a residential lobby. On the second, third and fourth floors, there are six residential units per floor. The fifth floor consists of a shared amenity space for the tenants with a large outdoor rooftop space. The design gradually steps back from the street, lightening the imposition on the pedestrian activity below. The resulting building conforms technically and aesthetically with Municipal mandates while adding both liveliness, modernity and character to Penticton's downtown commercial centre.

1 LOCATION PLAN
 PA202 SCALE: 1/8"=1'-0"



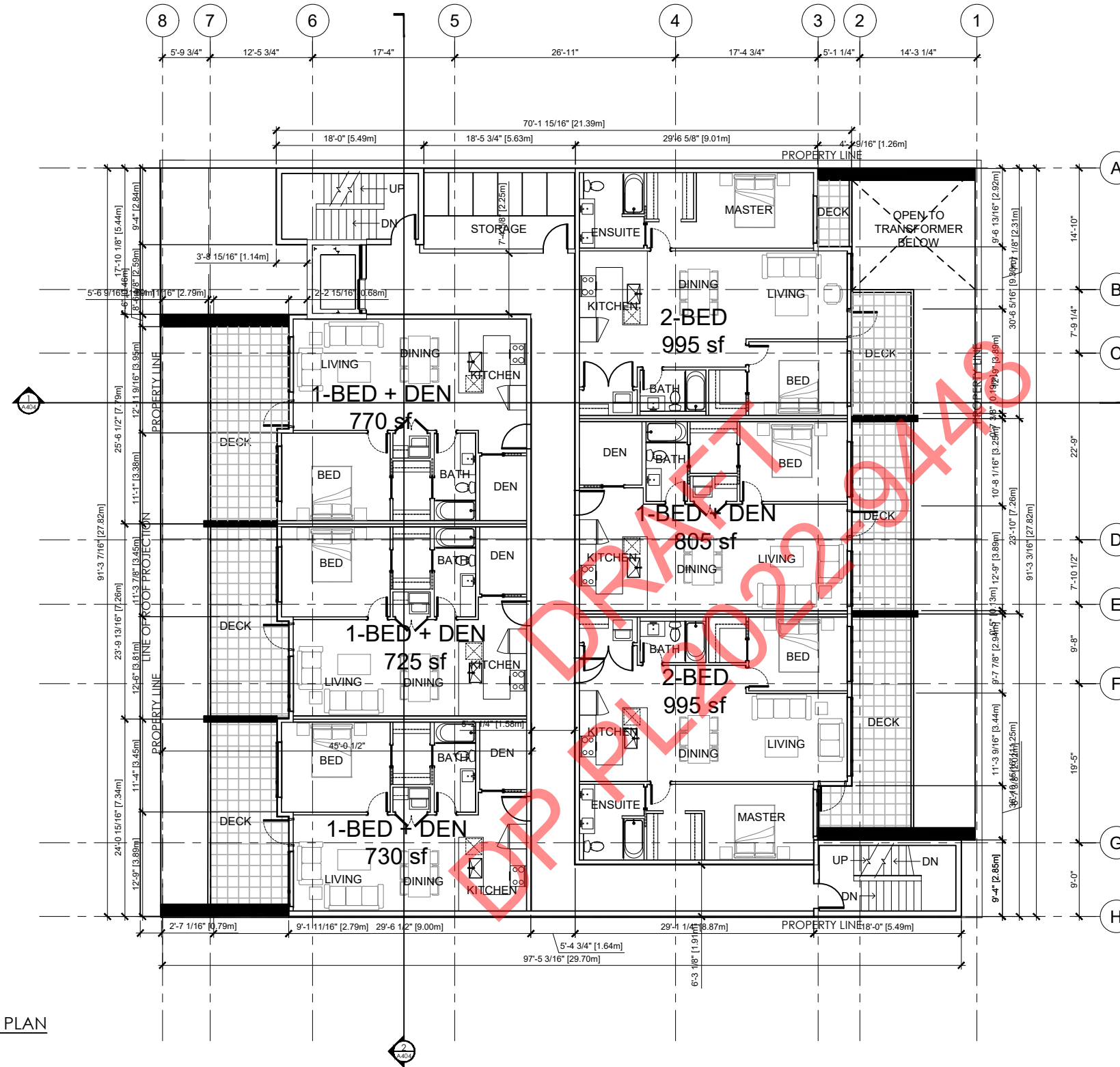
NOTE: LINE OF PROJECTION ABOVE ASSUMES 0.9M PROPERTY DEDICATION WILL BE ACQUIRED BY THE OWNER.



1 GROUND FLOOR PLAN
PA301 SCALE: 1/8"=1'-0"

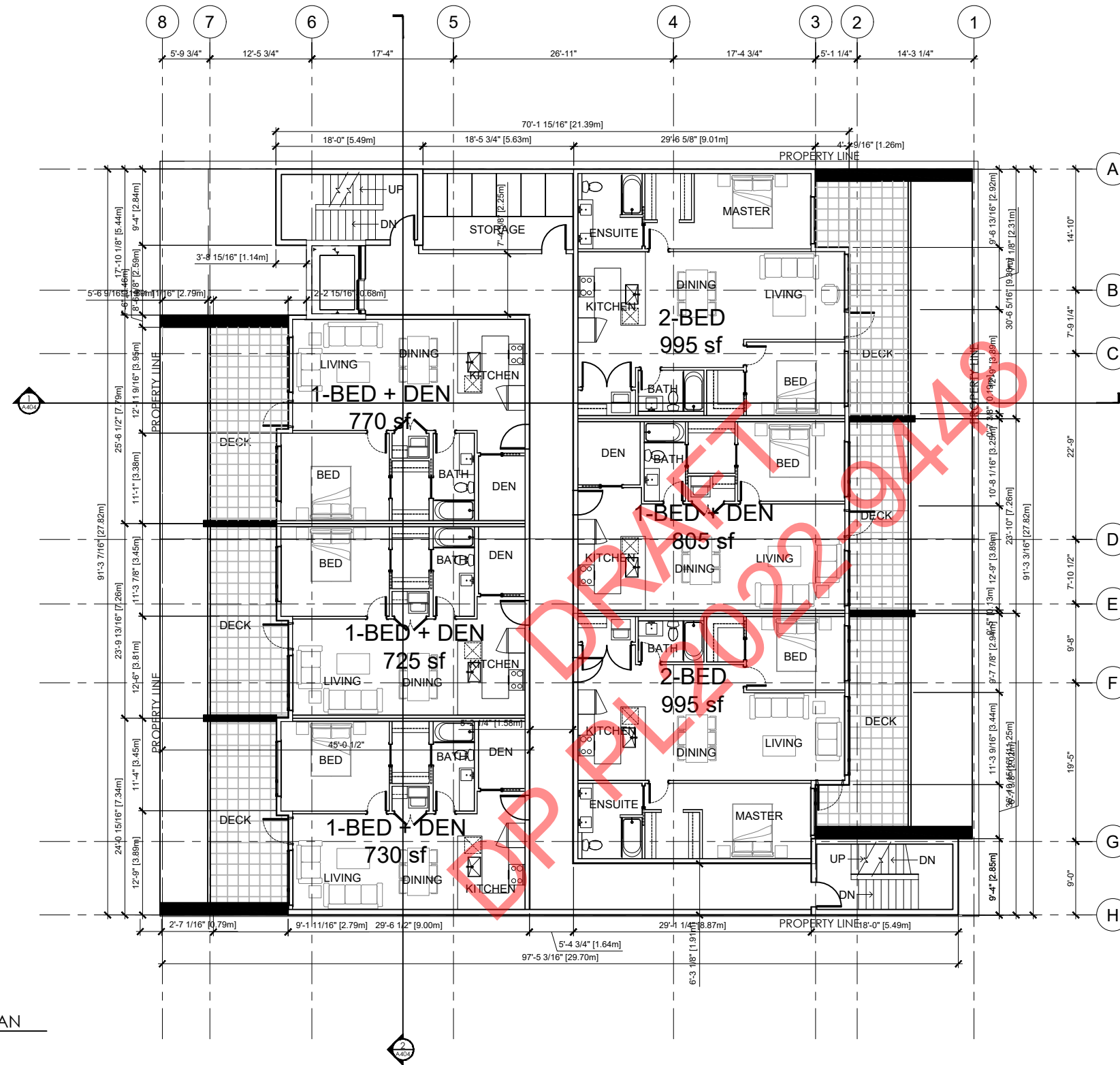


NOTE: LINE OF ROOF PROJECTION ASSUMES 0.9M PROPERTY DEDICATION WILL BE ACQUIRED BY THE OWNER.



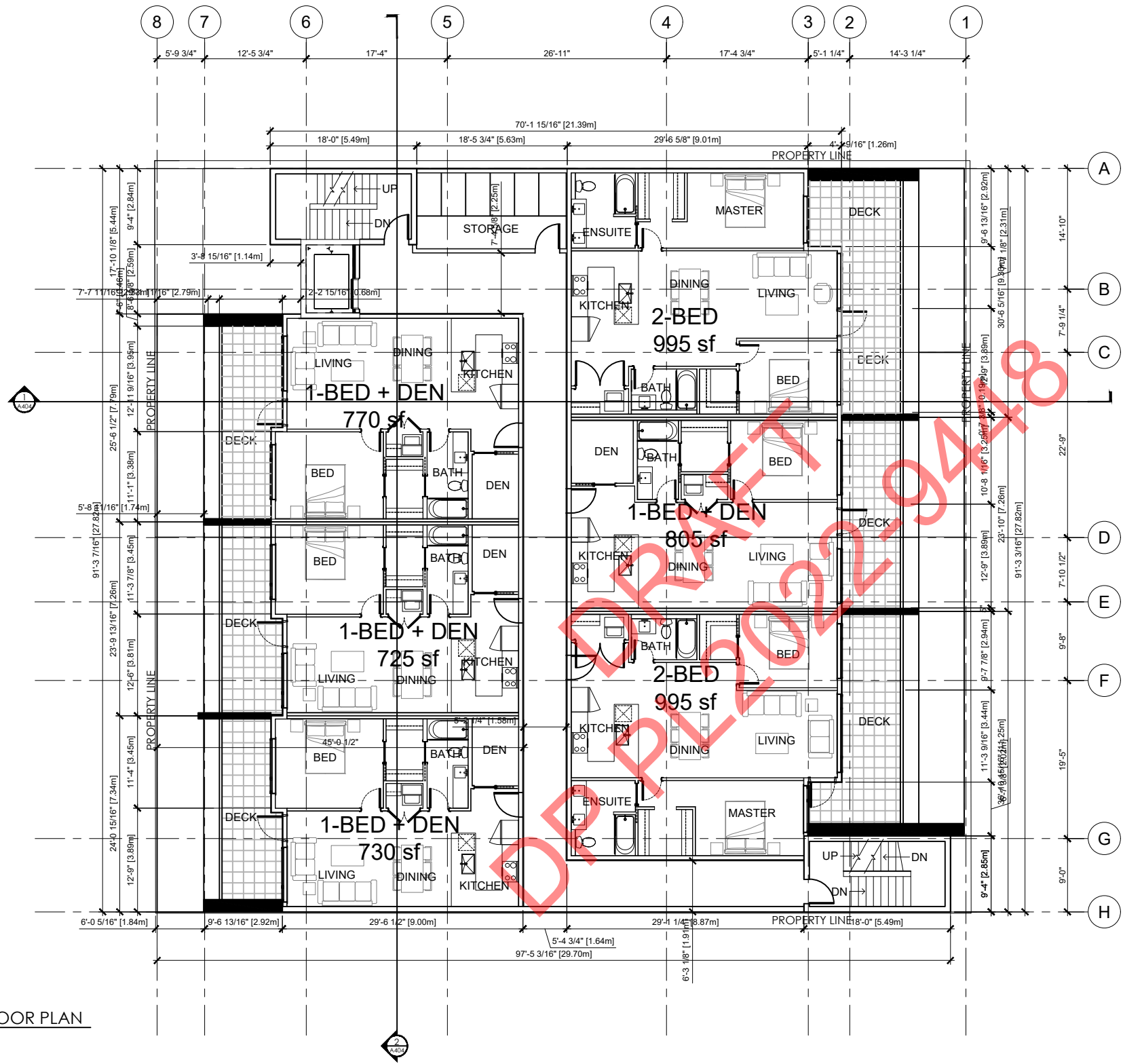
1 SECOND FLOOR PLAN
 PA302 SCALE: 1/8"=1'-0"





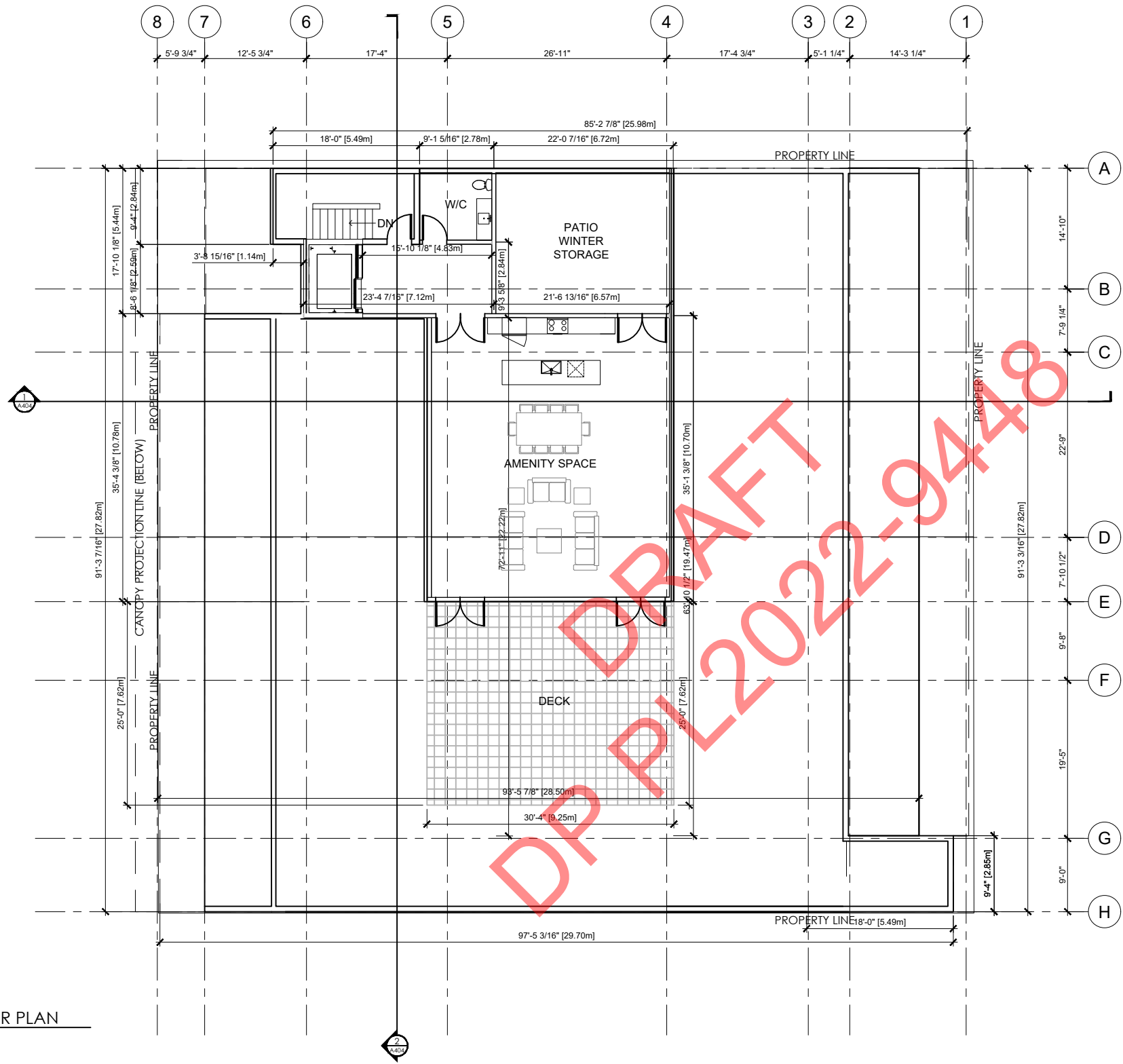
1 THIRD FLOOR PLAN
 PA302 SCALE: 1/8"=1'-0"



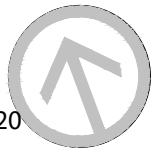


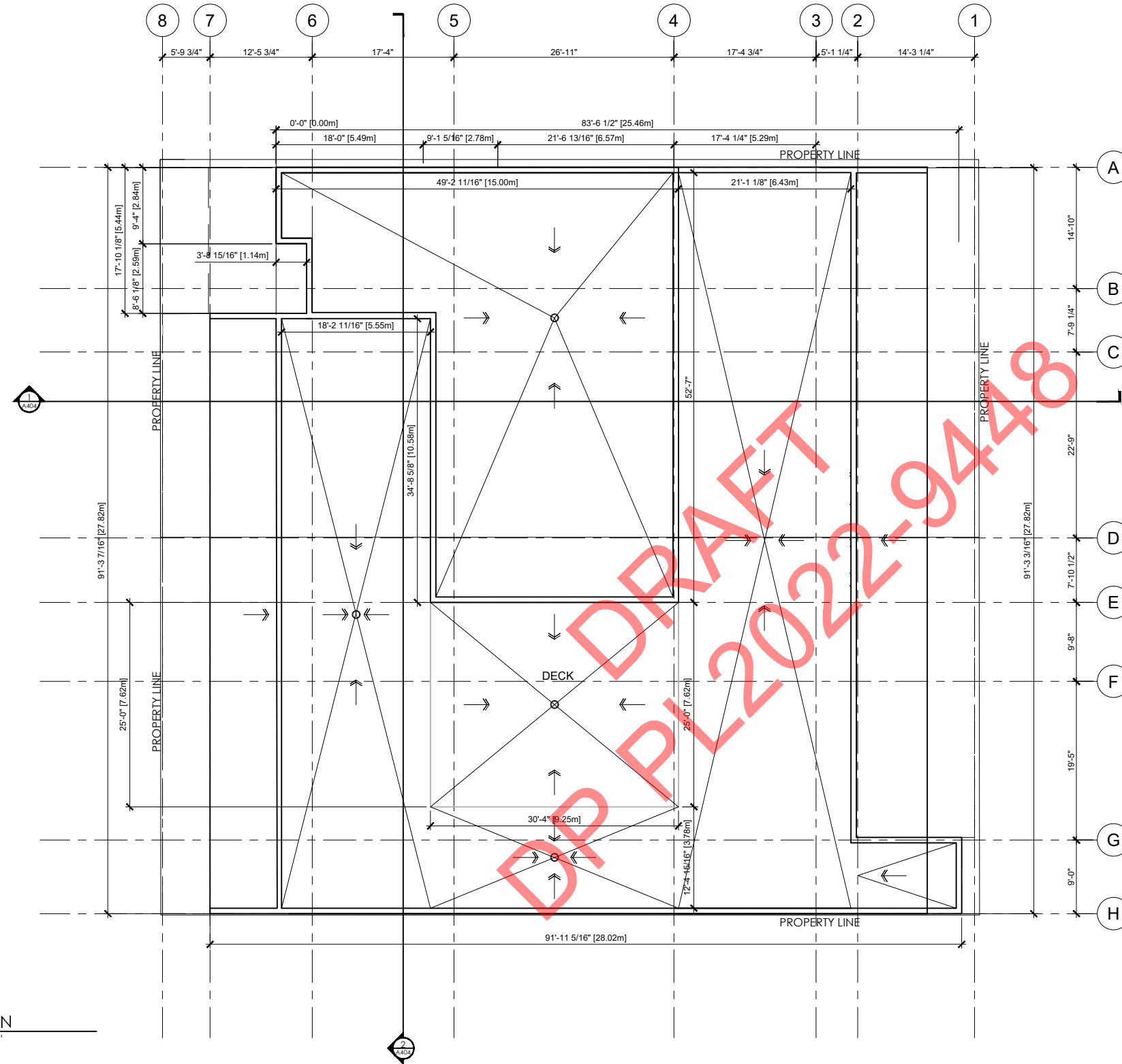
1 FOURTH FLOOR PLAN
 PA304 SCALE: 1/8"=1'-0"



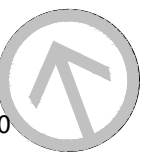


1 FIFTH FLOOR PLAN
 PA305 SCALE: 1/8"=1'-0"





1 ROOF PLAN
 PA305 SCALE: 1/8"=1'-0"





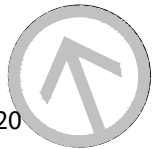
1 WEST ELEVATION
PA401 SCALE: 1/8"=1'-0"

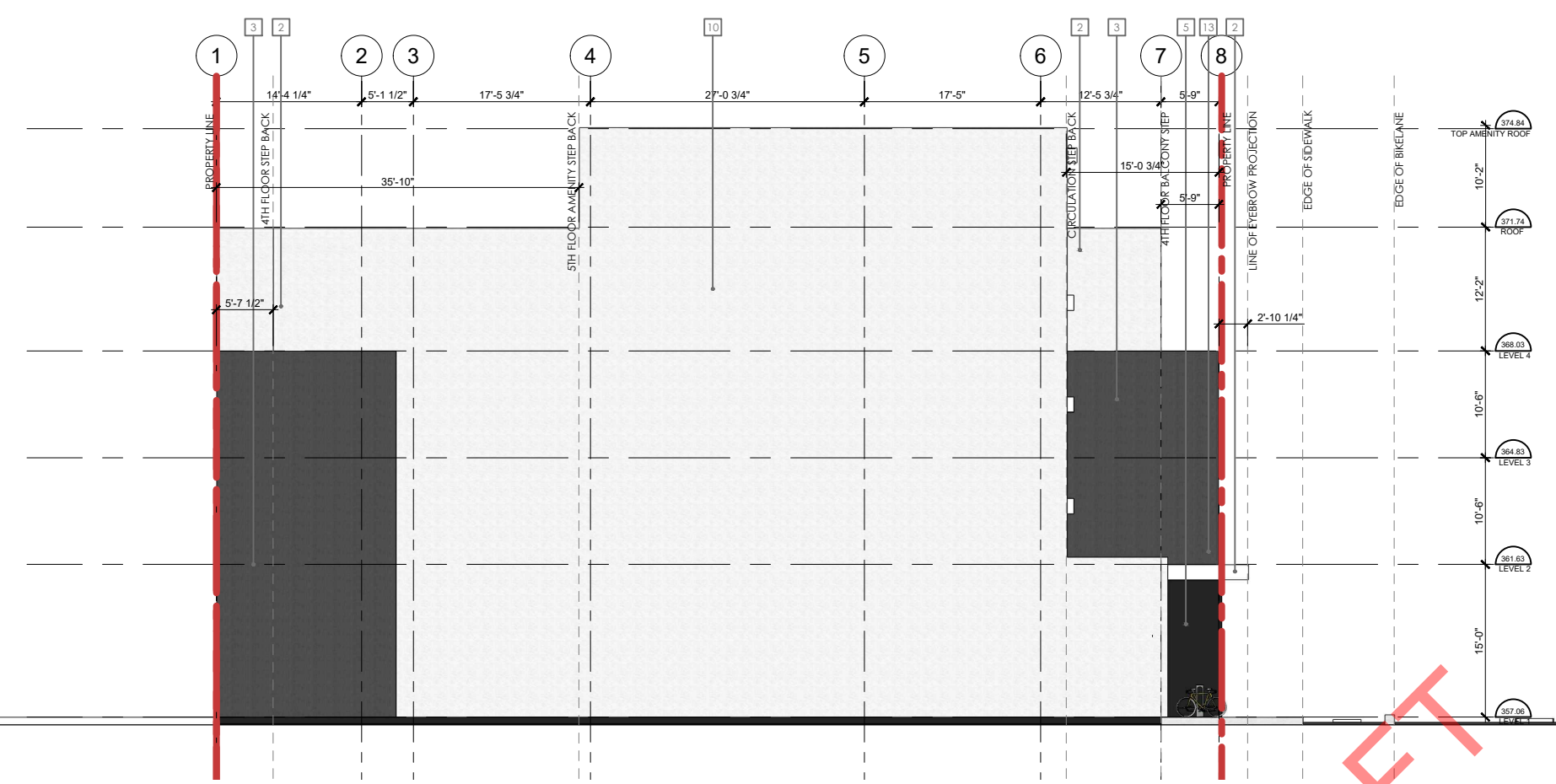
- | | | |
|---------------------------------------|---|-------------------------------|
| 1 WOOD CLADDING | 2 STUCCO, LIGHT | 3 STUCCO, DARK |
| 4 STUCCO, GREY | 5 METAL CLADDING PANEL, DARK | 6 METAL CLADDING PANEL, LIGHT |
| 7 WINDOWS, BLACK FRAMES AND MULLIONS | 8 FULLY GLAZED DOORS, BLACK FRAMES AND MULLIONS | 9 METAL EXIT DOOR, BLACK |
| 10 CONCRETE CMU BLOCK FIRE SEPARATION | 11 OVERHEAD GARAGE DOOR | 12 SECURITY FENCING |
| 13 CONCRETE FLOOR SLAB | 14 GLASS RAILING | |

2 EAST ELEVATION
PA401 SCALE: 1/8"=1'-0"

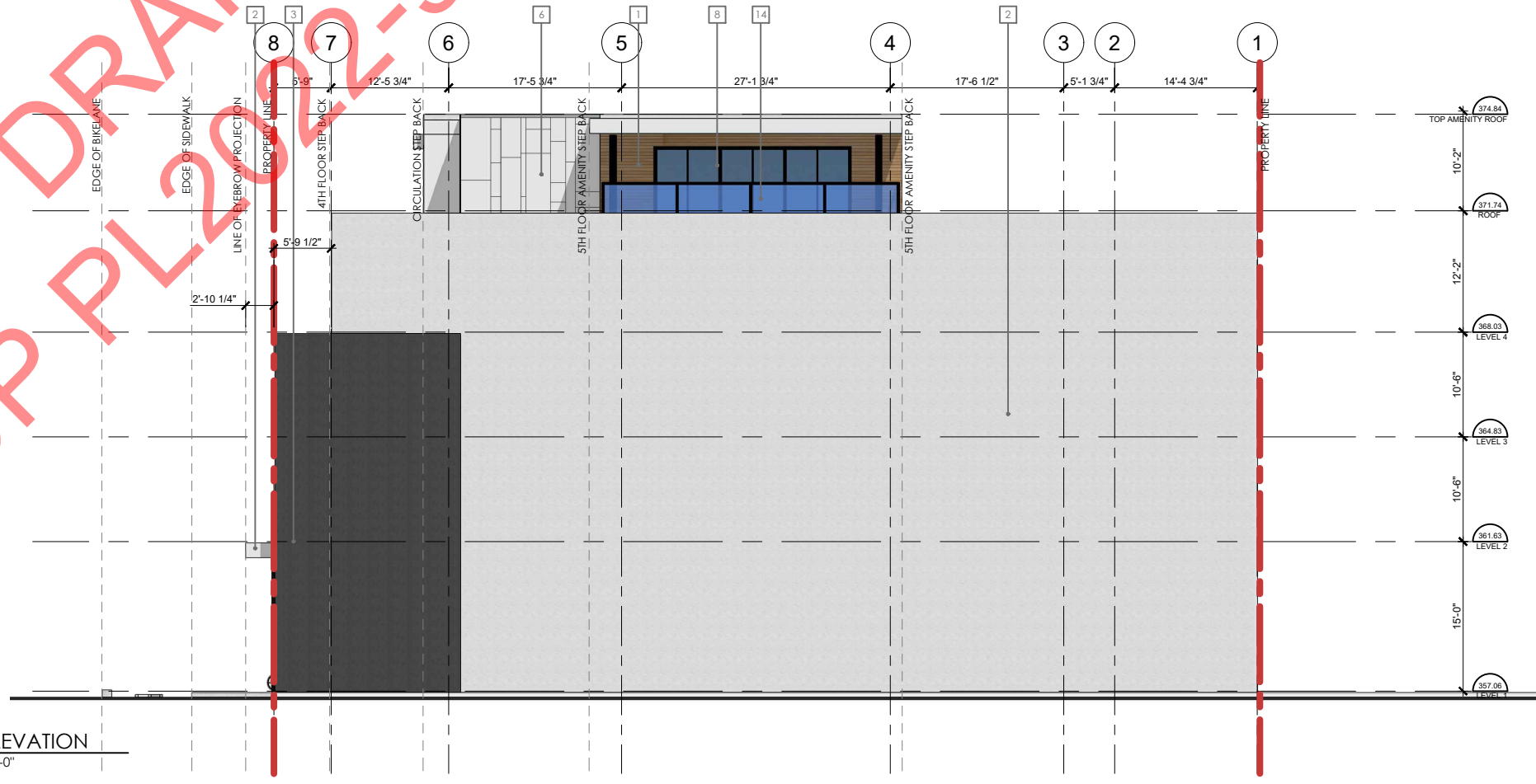


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DP-PL2022-9448





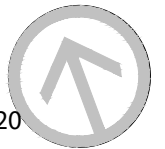
1 NORTH ELEVATION
PA401 SCALE: 1/8"=1'-0"

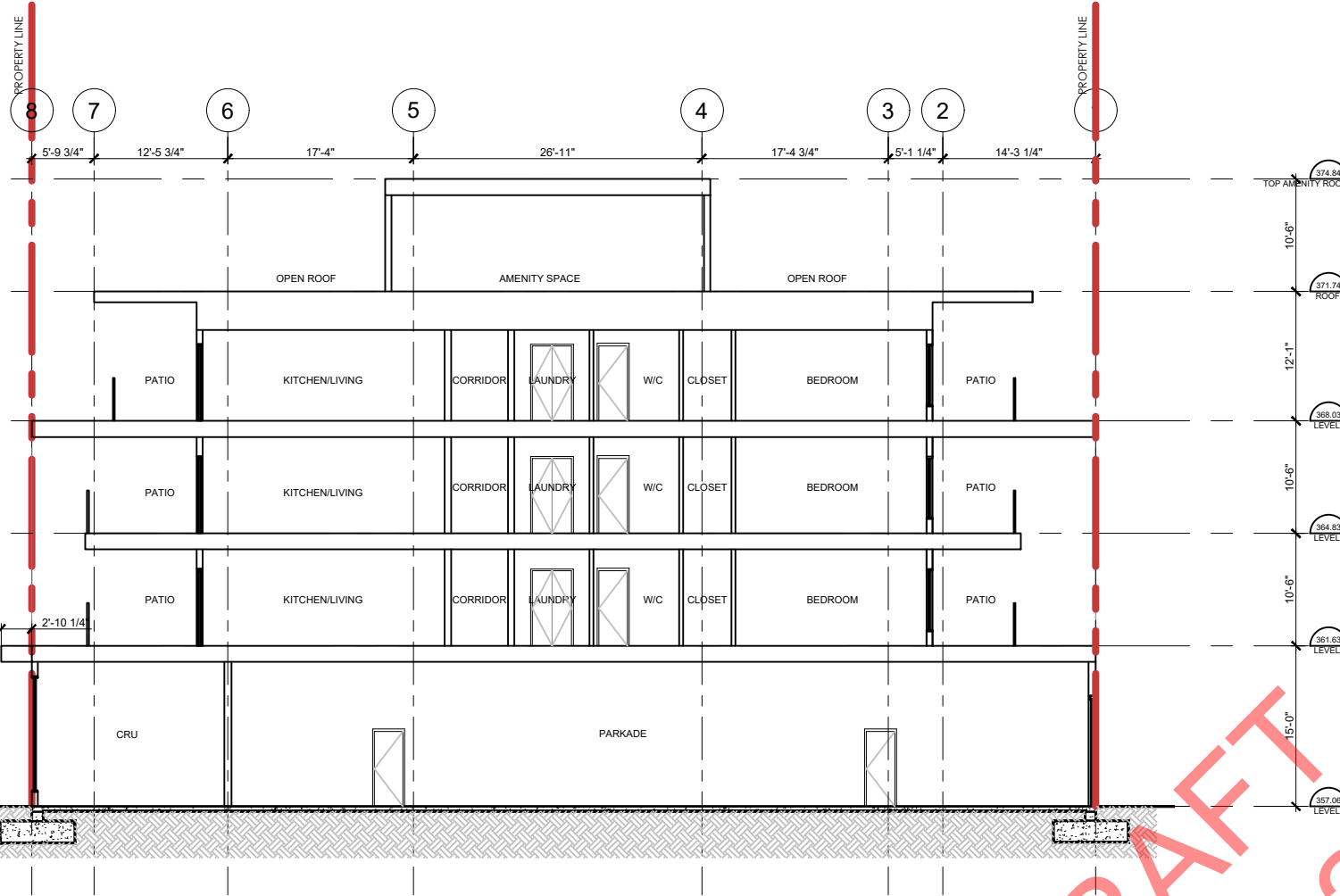


2 SOUTH ELEVATION
PA401 SCALE: 1/8"=1'-0"

- | | | |
|---------------------------------------|---|-------------------------------|
| 1 WOOD CLADDING | 2 STUCCO, LIGHT | 3 STUCCO, DARK |
| 4 STUCCO, GREY | 5 METAL CLADDING PANEL, DARK | 6 METAL CLADDING PANEL, LIGHT |
| 7 WINDOWS, BLACK FRAMES AND MULLIONS | 8 FULLY GLAZED DOORS, BLACK FRAMES AND MULLIONS | 9 METAL EXIT DOOR, BLACK |
| 10 CONCRETE CMU BLOCK FIRE SEPARATION | 11 OVERHEAD GARAGE DOOR | 12 SECURITY FENCING |
| 13 CONCRETE FLOOR SLAB | 14 GLASS RAILING | |

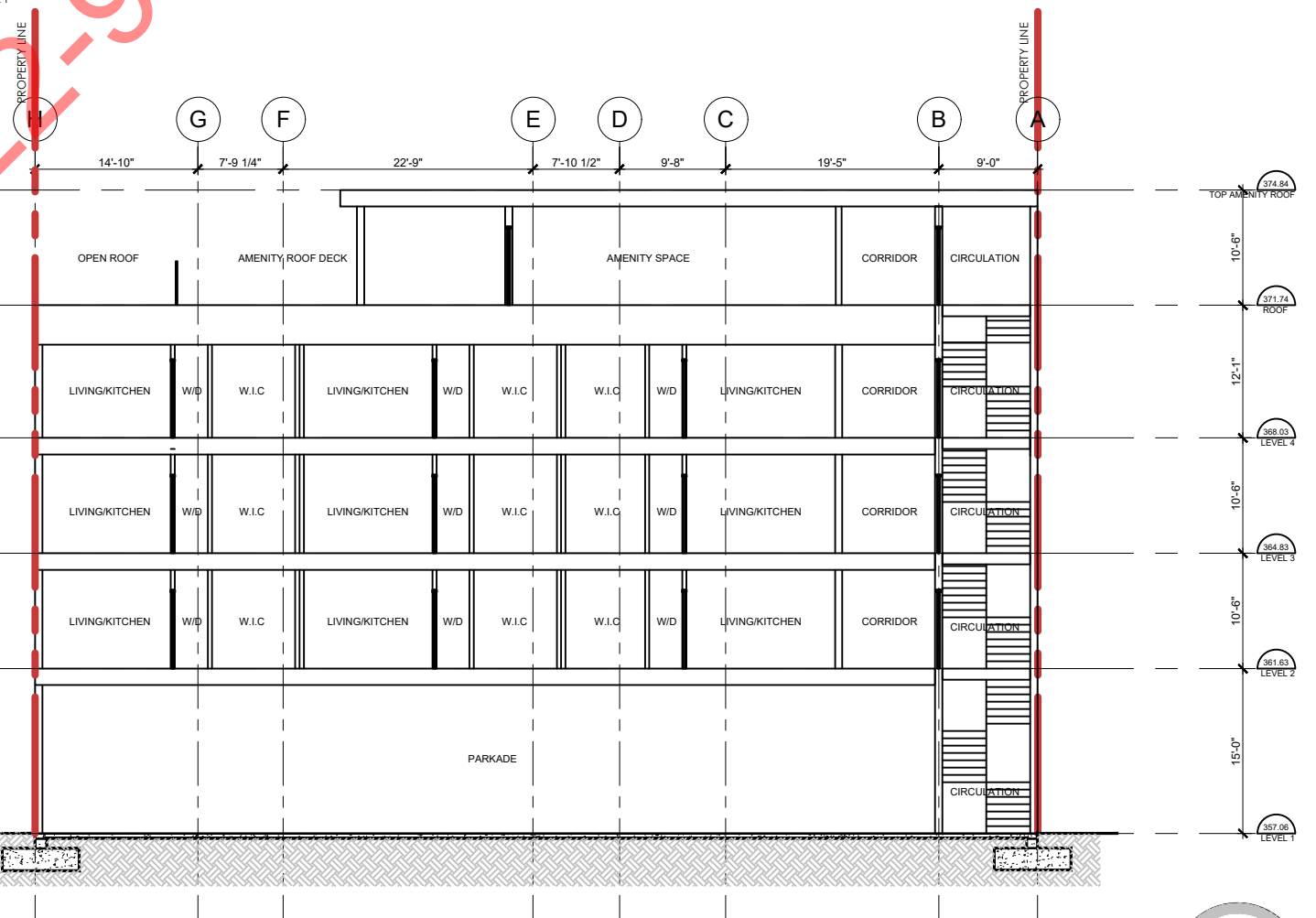
DRAFT DP PL 2022-9448





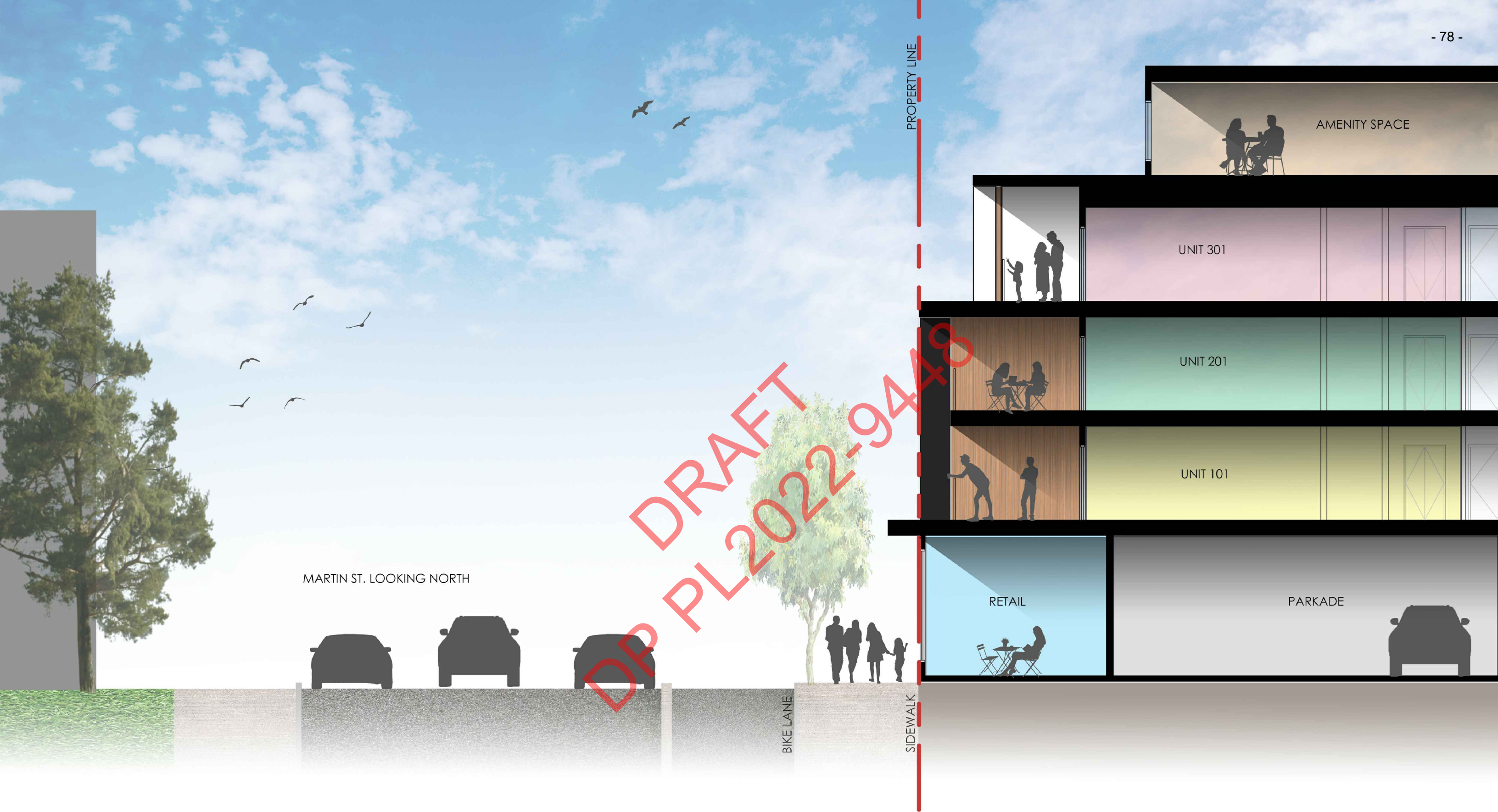
1 LONG SECTION
PA404 SCALE: 1/8"=1'-0"

DRAFT
DP-PL2022-9448



2 SHORT SECTION
PA404 SCALE: 1/8"=1'-0"





1 PEDESTRIAN INTERACTION
PA501 SCALE: NTS

MAD
MERLENDOR ARCHITECTURAL CONSULTANTS
SUITE 104 - 299 BACKSBERRY BOULEVARD
PRINCETON, BC CANADA V2R 9G2
TEL: 250.492.3143
DP-PL2022-9448

PEDESTRIAN INTERACTION
DRAWING TITLE

2023-02-01
DATE

NTS
SCALE

PA501
DRAWING NUMBER

MARTIN STREET MIXED USE

Page 16 of 20



24 M MAXIMUM RM3 + C5 ZONING HEIGHT

5 STOREY BUILDING
ALLOWABLE TOTAL VOLUME
19506 CUBIC METERS
(688,880 CUBIC FEET)

17.7M PROPOSED BUILDING HEIGHT

5 STOREY BUILDING
TOTAL INTERIOR VOLUME
9,586 CUBIC METERS (338,540 CUBIC FEET)

5 STOREY BUILDING
TOTAL EXTERIOR VOLUME
1,320 CUBIC METERS
(46,640 CUBIC FEET)



1 VOLUMETRIC SECTION
PA502 SCALE: NTS





1 RENDERING - 001
 PA503 SCALE: NTS

MAD
 MERLENDIN ARCHITECTURE
 SUITE 104 - 259 BACKSBERRY BOULEVARD
 PRINCEVILLE, BC CANADA V0A 0G2
 TEL: 250.492.3143
 DP PL2022-9448

RENDERING - 001 2023-02-01 NTS PA503
 DRAWING TITLE DATE SCALE DRAWING NUMBER
MARTIN STREET MIXED USE Page 18 of 20

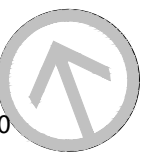




1 RENDERING - 002
 PA504 SCALE: NTS

MAD
 MERLEIGH ARCHITECTURAL CONSULTANTS
 SUITE 104 - 259 BACKSBERRY BOULEVARD
 PRINCEVILLE, BC CANADA V0A 0S2
 TEL: 250.492.3143
 DP PL2022-9448

RENDERING - 001 2023-02-01 NTS PA504
 DRAWING TITLE DATE SCALE DRAWING NUMBER
 MARTIN STREET MIXED USE Page 19 of 20





1 RENDERING - 003
 PA505 SCALE: NTS

MAD
 MERLENDOR ARCHITECTURAL DESIGN
 SUITE 104 - 299 BACKSBERRY BOULEVARD
 PRINCEVILLE, BC CANADA V0A 0G2
 TEL: 250.492.3143
 DP PL2022-9448

RENDERING - 003 2023-02-01 NTS PA505
 DRAWING TITLE DATE SCALE DRAWING NUMBER
MARTIN STREET MIXED USE Page 20 of 20



17-222

REFERENCE PLAN SHOWING PORTION REQUIRED FOR ROAD IN LOT 7, BLOCK 34, PLAN 269, D.L. 202, S.D.Y.D.

PURSUANT TO SECTION 107, LAND TITLE ACT.

AREA REQUIRED FOR ROAD = 12.9 m²

BCGS 82E.043
SCALE 1:500



PLAN KAP58563

DEPOSITED IN THE LAND TITLE OFFICE AT KAMLOOPS, B.C.
THIS 7th DAY OF Feb 1997.

Bob Smith
REGISTRAR
02
KL12494

APPROVAL

APPROVED UNDER THE LAND TITLE ACT, THIS 29 DAY OF JANUARY, 1997.

Dana Butler
APPROVING OFFICER FOR THE CORPORATION OF THE CITY OF PENTICTON

LEGEND

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN CONTROL MONUMENTS #4304 and #4888 INTEGRATED SURVEY AREA NO. 12 (PENTICTON)

THIS PLAN SHOWS GROUND LEVEL MEASURED DISTANCES, PRIOR TO COMPUTATION OF U.T.M. CO-ORDINATES MULTIPLY BY COMBINED FACTOR 0.99997346

ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE NOTED

- CONTROL MONUMENT
- STANDARD IRON POST FOUND
- STANDARD IRON POST PLACED
- LEAD PLUG FOUND
- ⊙ NON-STANDARD ROUND IRON POST FOUND

THIS PLAN LIES WITHIN THE OKANAGAN SIMILKAMEEN REGIONAL DISTRICT

OWNER
T & N CONSTRUCTION LTD.,
INC. NO. 130402

Theo Theodosakis
AUTHORIZED SIGNATORY

THEO THEODOSAKIS
NAME (PLEASE PRINT)

WITNESS


Choucaer

Conrad Boucher
NAME (PLEASE PRINT)

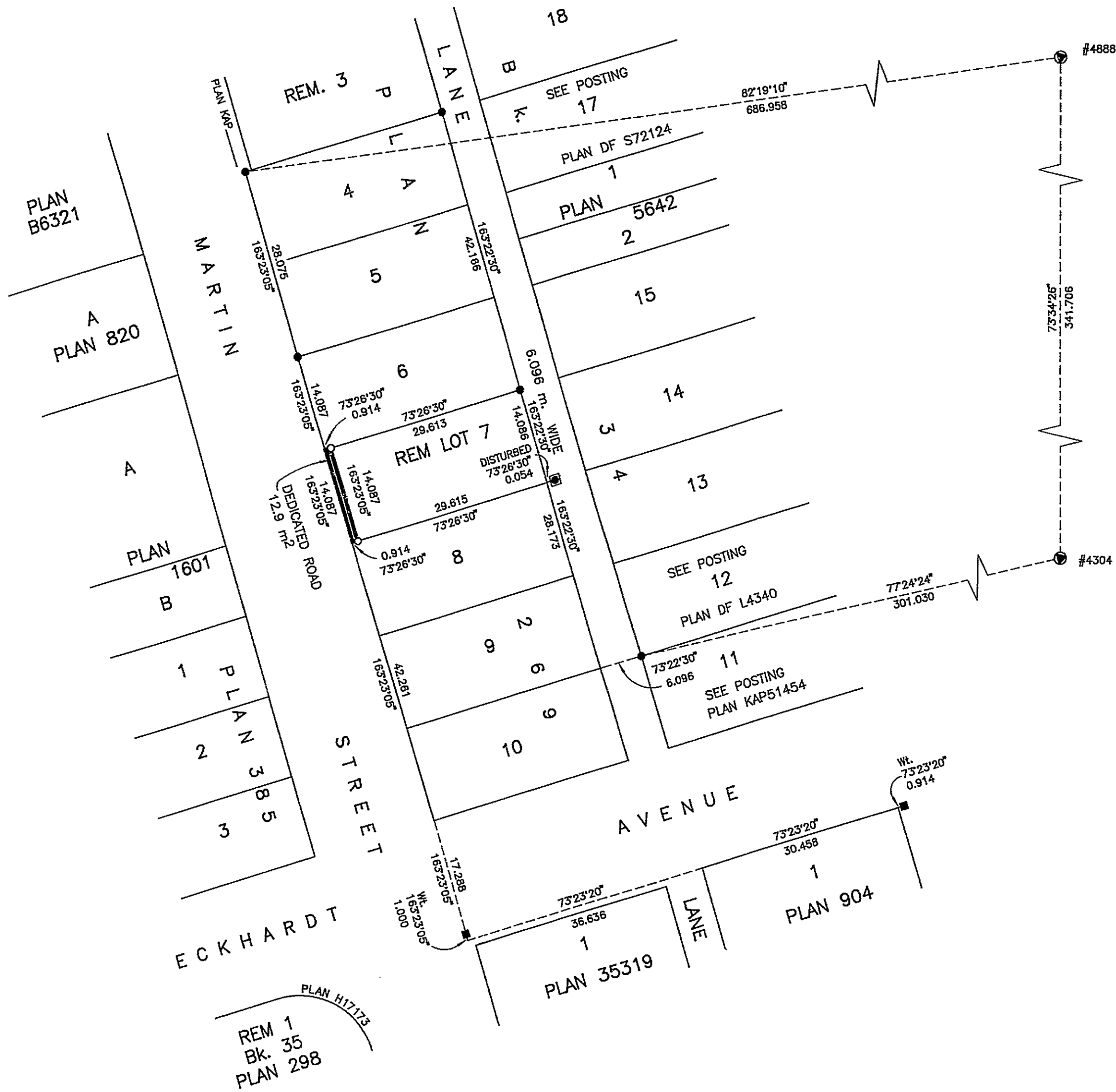
Penticton, B.C.
ADDRESS
Architect.
OCCUPATION

I, STEVEN J. BUZIKIEVICH A BRITISH COLUMBIA LAND SURVEYOR OF THE CITY OF PENTICTON IN BRITISH COLUMBIA, CERTIFY THAT I WAS PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN, AND THAT THE SURVEY AND PLAN ARE CORRECT, THE SURVEY WAS COMPLETED ON THE 31st. DAY OF DECEMBER, 1996.

Steven J. Buzikievich
B.C.L.S.



STEVEN J. BUZIKIEVICH
PROFESSIONAL LAND SURVEYOR
54 NANAIMO AVE. E.
PENTICTON, B.C.
Phone 492-0559
FILE 96-455 DWG. 96-455A FB. 104 PG. 18



REM 1
Bk. 35
PLAN 298

The Corporation of the City of Penticton

Bylaw No. 2023-10

A Bylaw to Amend Official Community Plan Bylaw No. 2019-08

WHEREAS the Council of the City of Penticton has adopted an Official Community Plan Bylaw pursuant to the Local Government Act;

AND WHEREAS the Council of the City of Penticton wishes to amend "Official Community Bylaw No. 2019-08";

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 "Official Community Plan Amendment Bylaw No. 2023-10."

2. Amendment:

"Official Community Plan Bylaw No. 2019-08" is hereby amended as follows:

2.1 To change the following designations as follows:

Amend Map 1: Future Land Use by changing the future land use designation for Lot 7 Block 34 District 34 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP58563, located at 674 Martin Street, and Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from 'Urban Residential' to 'Downtown Mixed Use' as shown on Schedule 'A'.

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

READ A FIRST time this	3	day of	April, 2023
A PUBLIC HEARING was held this		day of	, 2023
READ A SECOND time this		day of	, 2023
READ A THIRD time this		day of	, 2023
ADOPTED this		day of	, 2023

Notice of intention to proceed with this bylaw was published on the 7th day of April, 2023 and the 12th day of April, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the Community Charter.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer



Schedule A: OCP Amendment Bylaw 2023-10

Date:

Corporate Officer:

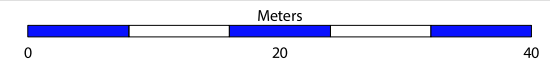


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1:600

March 29, 2023 3:07:19 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

The Corporation of the City of Penticton

Bylaw No. 2023-11

A Bylaw to Amend Zoning Bylaw 2023-08

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. 2023-08;

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. 2023-11".

2. **Amendment:**

2.1 Zoning Bylaw No. 2023-08 is hereby amended as follows:

Rezone Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from RD1 (Duplex Housing) to C5 (Urban Centre Commercial).

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

READ A FIRST time this	3	day of	April, 2023
A PUBLIC HEARING was held this		day of	, 2023
READ A SECOND time this		day of	, 2023
READ A THIRD time this		day of	, 2023
ADOPTED this		day of	, 2023

Notice of intention to proceed with this bylaw was published on the 7th day of April, 2023 and the 12th day of April, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer



Schedule A: Zoning Amendment Bylaw 2023-11

Date:

Corporate Officer:

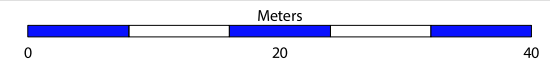


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March 29, 2023 3:09:39 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N