

**Public Hearing**  
**to be held at the City of Penticton, Council Chambers**  
**171 Main Street, Penticton, B.C.**  
**To view the live broadcast, visit [www.penticton.ca](http://www.penticton.ca)**

**Tuesday, May 16, 2023**  
**at 6:00 p.m.**

1. Mayor Calls Public Hearing to Order for **"Zoning Amendment Bylaw No. 2023-16"** 1-12
  - CO Reads Opening Statement and Introduction of Bylaw  
 "Zoning Amendment Bylaw No. 2023-16"  
 Purpose: To amend Zoning Bylaw No. 2023-08 as follows:  
 Rezone Lot 9 District Lot 2, Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3348, located at 517 Alexander Avenue, from RD2 (Duplex Housing: Lane) to RD3 (Residential Infill), to provide a third dwelling unit on the property.  
 The applicant is proposing an addition to their existing home. The plans include removing the existing attached carport and replacing it with an enclosed garage and workshop, with a secondary suite above.  
 Notice: Pursuant to the *Local Government Act* the Public Hearing was advertised on Friday, May 5, 2023 and Wednesday, May 10, 2023 in an online news source and the newspaper.
  - CO No letters have been received regarding the Zoning Amendment Bylaw (as of noon Wednesday, May 10, 2023).
  - Mayor Requests Development Services staff describe the proposed bylaw
  - Mayor Invitation to applicant for comment or elaboration on the application
  - Mayor Invitation to electronic and in person participants to present their views
  - Mayor Invites Council members to ask questions
  - Mayor Invites applicants to respond to questions
- PUBLIC HEARING for "Zoning Amendment Bylaw No. 2023-16" 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.**

**Tuesday, May 2, 2023**  
**at 1:00 p.m.**

## **Resolutions**

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- 8.8     Zoning Amendment Bylaw No. 2023-16  
Re: 517 Alexander Avenue

186/2023

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-16", for Lot 9 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3348, located at 517 Alexander Avenue, a bylaw to rezone the subject from RD2 (Duplex Housing: Lane) to RD3 (Residential Infill);  
AND THAT Council forward "Zoning Amendment Bylaw No. 2023-16" to the May 16, 2023 Public Hearing.

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** May 2, 2023  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Jordan Hallam, Planner I  
**Address:** 517 Alexander Avenue

File No: RMS/517 Alexander Ave

**Subject: Zoning Amendment Bylaw No. 2023-16**

## Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-16", for Lot 9 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3348, located at 517 Alexander Avenue, a bylaw to rezone the subject from RD2 (Duplex Housing: Lane) to RD3 (Residential Infill);

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-16" to the May 16, 2023 Public Hearing.

## Strategic Priority Objective

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

## Proposal

The applicant is proposing an addition to their existing home. The plans include removing the existing attached carport and replacing it with an enclosed garage and workshop, with a secondary suite above. The subject property has an existing carriage house at the rear of the property.

In order to proceed with the proposed development to provide a third dwelling unit on the property, the applicant has requested to rezone the property from RD2 (Duplex Housing: Lane) to RD3 (Residential Infill).



*Figure 1 – Conceptual Rendering of the Proposed Development*

Further, the applicant will require a Building Permit in order to move ahead with the construction of the proposed secondary suite, should Council adopt the rezoning.

## Background

The subject property is currently zoned RD2 (Duplex Housing: Lane) and is designated as 'Infill Residential' by the Official Community Plan (OCP). The subject property contains a single family home that was constructed in the 1940's, and a carriage house. The property has frontage on Alexander Ave as well as on Churchill Ave. The carriage house, fronting onto Churchill Ave, was constructed in December of 2017. The surrounding area is primarily residential with a mix of building types including single family homes, duplexes, and apartments. The property is within walking distance of Downtown and Okanagan Lake. The property is also located within close proximity of the South Okanagan Events Centre, Community Centre and Queen's Park Elementary.



Figure 2 – Property Location Map

## Climate Impact

The proposed development would add a third unit on the subject property. This increases densification in a core area of the City of Penticton. The subject property is located close to Westminster Ave W, where there is a transit stop within walking distance, which will allow residents and tenants to be less dependent on their vehicles. The South Okanagan Events Centre, Okanagan College, and Okanagan Lake are also in close proximity, promoting walkability. No bicycle parking is required as per the Zoning Bylaw, and none has been provided for this proposed development, although the enclosed garages on the property may be used for bicycle storage.

## Technical Review

This application was reviewed by the City's Technical Planning Committee. Staff confirmed that all RD3 zone requirements were met, and no variances are required. Typical servicing requirements have been identified for the Building Permit stage of the project, if the rezoning application is supported by Council. These items have been communicated to the applicant.

## Development Statistics

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

	RD3 Zone Requirement	Provided on Plans
<b>Minimum Lot Width*:</b>	9.1 m	15.2 m
<b>Minimum Lot Area*:</b>	275 m <sup>2</sup>	566.56 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	55%	41.5%
<b>Maximum Density:</b>	1.0 Floor Area Ratio (FAR)	0.426 FAR
<b>Vehicle Parking:</b>	Single Detached Dwelling: 2 Secondary Suite: 1 Carriage House: 1  Total: 4 on site	Single Detached Dwelling: 2 Secondary Suite: 1 Carriage House: 1  Total: 4 on site as tandem parking
<b>Required Setbacks</b>		
Front Yard (south):	4.5 m	4.63 m
Side Yard (east):	1.2 m	1.5 m
Side Yard (west):	1.2 m	1.25 m
Rear Yard – Secondary Suite:	6.0 m	14.82 m
Rear Yard – Carriage House:	1.5 m	1.5 m
<b>Maximum Building Height</b>	10.5 m	6.8 m
<b>Other Information:</b>	*Lot width and lot area are only applicable at the time of subdivision.	

## Analysis

### *Zoning Amendment*

When considering a rezoning application, staff review the proposal for conformity with the Official Community Plan. The Official Community Plan (OCP) designation for the subject property is 'Infill Residential', which supports transitional lower-height residential areas with new housing types compatible with existing single detached houses in character and scale, but providing more units per lot. Single detached houses with or without secondary suites and/or carriage houses, duplexes with or without suites, triplexes are some of the building types envisioned in this designation. The applicant is proposing to construct a secondary suite as an addition to their existing single family dwelling, with an existing carriage house on the subject property. The development and density proposed on the property are aligned with the vision of properties within the 'Infill Residential' designation.

In addition to alignment with the future land use designation, staff consider that the proposed zoning amendment will also allow for a development that is supported through the following OCP Goals and Policies:

OCP Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
Staff Comments	<ul style="list-style-type: none"> <li>The subject property is located in an established area of Penticton and is surrounded by single family dwellings, duplexes, and multi-family residential buildings.</li> </ul>
OCP Goal 4.1.3	Housing Diversity

	Ensure a range of housing types, sizes, tenures and forms exist throughout the city to provide housing options for all ages, household types, and incomes.
Staff Comments	<ul style="list-style-type: none"> <li>The proposed development has an existing single family dwelling and carriage house on the property. The proposed secondary suite will add another unit on the property, which can provide another housing type within the City of Penticton. The proposed secondary suite does not change the appearance of the character of the neighbourhood.</li> </ul>
OCP Policy 4.1.3.5	Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
Staff Comments	<ul style="list-style-type: none"> <li>The subject property is close to Lakawana Park, Okanagan Lake, transit routes on Westminster Ave W, and Queen's Park Elementary school.</li> </ul>
OCP Policy 4.1.4.1	Work with the development community – architects, designers and buildings – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
Staff Comments	<ul style="list-style-type: none"> <li>The proposed development meets all the Zoning Bylaw requirements such as setbacks, and is well below the height requirement at 6.8 m, where the maximum permitted is 10.5 m.</li> </ul>
OCP Policy 4.1.5.1	Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).
Staff Comments	<ul style="list-style-type: none"> <li>The subject property is located within walking distance of Westminster Ave W, which is considered a 'Minor Collector' road by the Official Community Plan (OCP). The proposed development is compatible with the neighbourhood, as it does not change the character. The subject property is close to amenities such as the Penticton Trade and Convention Centre, Cleland Theatre, and South Okanagan Events Centre.</li> </ul>
OCP Policy 4.2.7.8	Ensure new residential developments provide an appropriate amount of parking for residents and guests.
Staff Comments	<ul style="list-style-type: none"> <li>The proposed development meets the Zoning Bylaw requirements for parking with a total of four parking spaces provided on the subject property.</li> </ul>

Staff consider that the application proposes an appropriately scaled development in an area of the city that has been identified for increased residential density by the OCP. The proposed rezoning to RD3 to allow a total of 3 dwelling units on the subject property is consistent with the increased density and building forms envisioned by the 'Infill Residential' designation.

Given that there is adequate policy through the OCP to support the proposed development, staff recommend that Council give first reading to "Zoning Amendment Bylaw No. 2023-16", and forward the bylaw to the May 16<sup>th</sup>, 2023 Public Hearing to gather comments and feedback from the public.

### Alternate Recommendations

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

this is the case, Council may choose the alternate recommendation, however, this is not staff's preference as the secondary suite is keeping with the character of the neighbourhood.

1. THAT Council deny first reading to "Zoning Amendment Bylaw No. 2023-16".

### Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Photos of Property

Attachment D – Letter of Intent

Attachment E – Zoning Amendment Bylaw No. 2023-16

Respectfully submitted,

Jordan Hallam  
Planner I

Concurrence

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



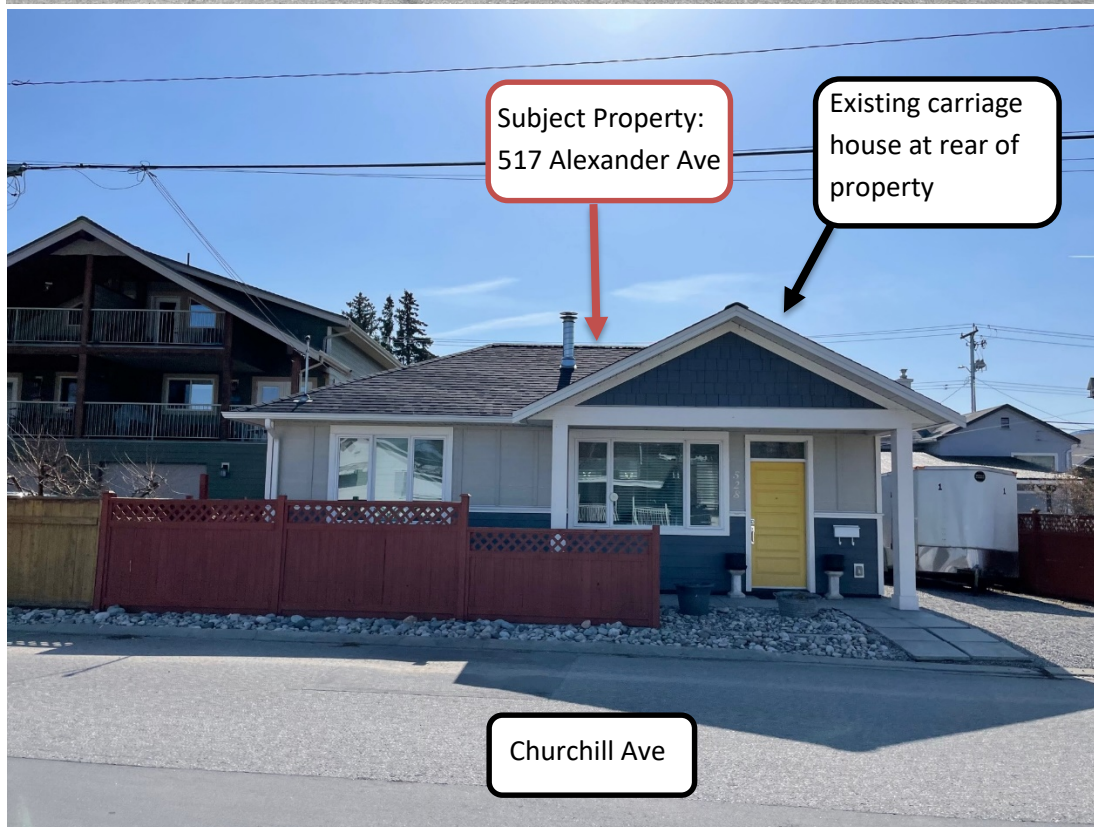


Attachment B – Official Community Plan Map





Attachment C – Photos of Property



Attachment D – Letter of Intent

**Letter of Intent – 517 Alexander Ave RD2 to RD3 zoning change:**

The application before you for consideration is to change the current zoning of RD2 to RD3. Currently on the property there is a 1968 square foot single family home along with a 672 square foot carriage house. The plan is to remove the existing carport along the house and replace it with an enclosed garage and workshop and a secondary suite above (approximately 612 sq ft). The front of the existing house would also move forward approximately twelve feet (312 sq ft addition) and get a facelift to match the new construction of the garage and suite.

Many of the duplexes and new construction along Alexander Ave and Churchill Street are the full 3 stories in height whereas our project will only be 2 stories in height to help keep not only the form and character but also the charm of the neighborhood. The modern craftsman style of design retains a traditional look and feel which compliments the area which we see as a neighborhood in transition. RD3 zoning is designated for this area in the current Official Community Plan (OCP).

Having a secondary suite will help the housing market and in particular help the economy attract, and retain skilled labor as they will have a place to live. The suite main amenity area is the front deck; which is on the opposite side of where the current adjacent neighbors have their outdoor amenity space to help maintain privacy for all concerned. Our property is a short walk or bike ride to downtown, the events center, the beach, entertainment and several parks making it possible for its residents to work live and play within walking distance and rarely need other modes of transportation. No variances are requested.

**The Corporation of the City of Penticton**

**Bylaw No. 2023-16**

*A Bylaw to Amend Zoning Bylaw 2023-08*

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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. 2023-16".

2. **Amendment:**

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

Rezone Lot 9 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3348, located at 517 Alexander Avenue, from RD2 (Duplex Housing: Lane) to RD3 (Residential Infill).

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

READ A FIRST time this	2	day of	May, 2023
A PUBLIC HEARING was held this	16	day of	May, 2023
READ A SECOND time this		day of	, 2023
READ A THIRD time this		day of	, 2023
RECEIVED the approval of the		day of	, 2023
Ministry of Transportation on the			
ADOPTED this		day of	, 2023

Notice of intention to proceed with this bylaw was published on the 5<sup>th</sup> day of May, 2023 and the 10<sup>th</sup> day of May, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Approved pursuant to section 52(3)(a) of the *Transportation Act*  
this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
for Minister of Transportation & Infrastructure

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Julius Bloomfield, Mayor

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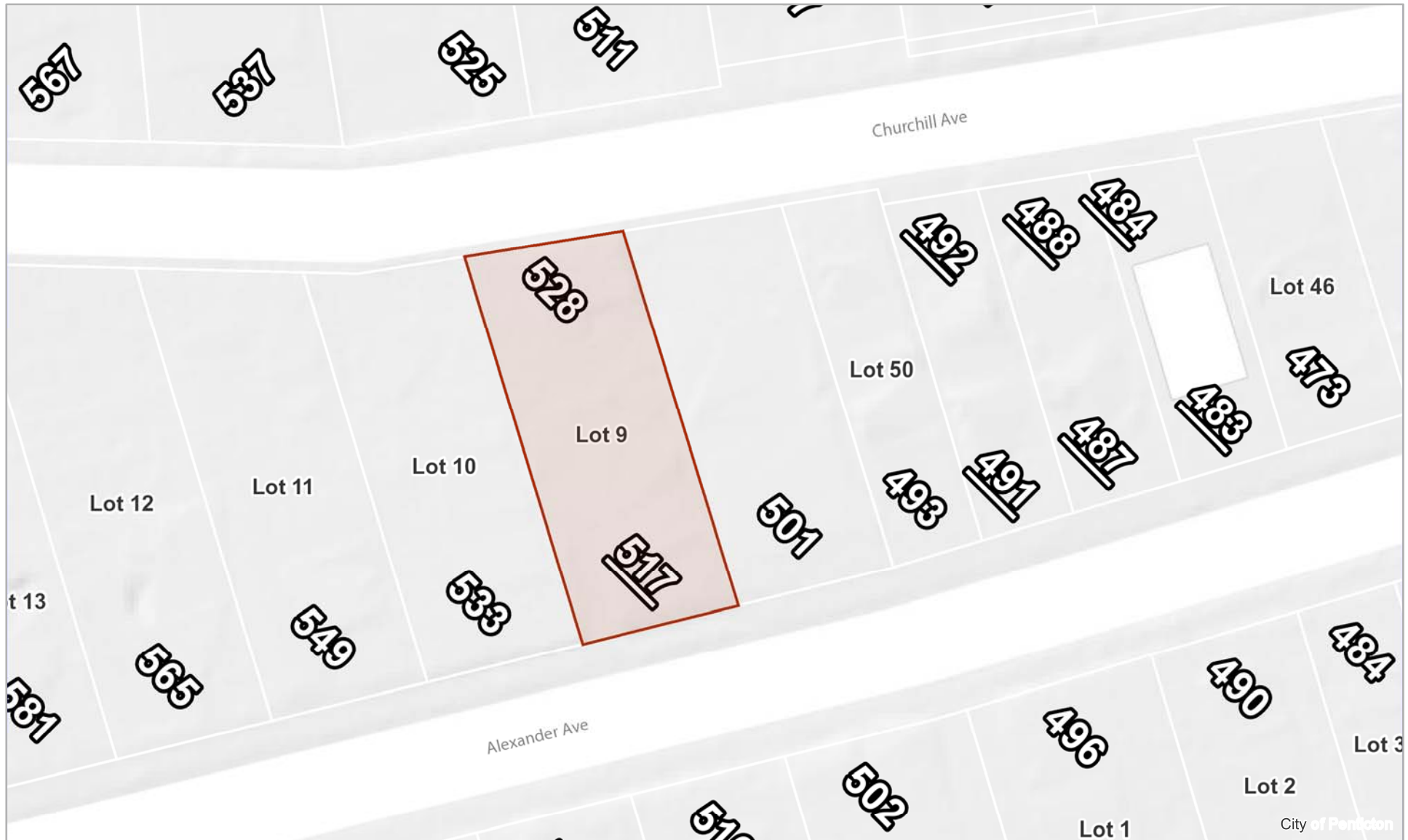
Angie Collison, Corporate Officer



# Schedule A: Zoning Amendment Bylaw 2023-16

Date:

Corporate Officer:

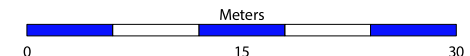


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1:528

April 20, 2023 3:30:22 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N



**Angie Collison**

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**From:** Public Hearings  
**Subject:** FW: 517 Alexander Ave

**From:** Kathy Browne <  
**Sent:** Monday, May 15, 2023 8:47 AM  
**To:** Jordan Hallam <[Jordan.Hallam@penticton.ca](mailto:Jordan.Hallam@penticton.ca)>  
**Subject:** 517 Alexander Ave

Caution! This message was sent from outside your organization.

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Good morning,

I am writing you this morning to register my support for this proposal. I believe the design fits in with our evolving community. My only question would be relating to parking for the new unit ie, is there a dedicated parking spot on the property being built into the proposal. If there isn't, I would still be fully in support.

I reside on the east side of the property in unit 102 501 Alexander Ave

Regards, Kathy Browne