Agenda

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Regular Council Meeting

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

Tuesday, July 18, 2023
at 1:00 p.m.

1. **Call Regular Council Meeting to Order**

2. **Introduction of Late Items**

3. **Adoption of Agenda**

4. **Recess to Committee of the Whole**

5. **Reconvene the Regular Council Meeting**

6. **Adoption of Minutes:**

	6.1	Minutes of the June 20, 2023 Regular Council Meeting	1-8	Adopt

7. **Consent Agenda:**

Recommendation:
THAT Council approve the Consent Agenda: 9-24

	1.	*Minutes of the June 20, 2023 Public Hearings;*
Graham	2.	*Minutes of the June 14, 2023 Accessibility Task Force Meeting;*
Graham	3.	*Minutes of the June 28, 2023 Accessibility Task Force Meeting;*
Watt/Konanz	4.	*Minutes of the June 29, 2023 Special Official Community Plan – Housing Task Force Meeting;*
Graham	5.	*Minutes of the July 5, 2023 Special Accessibility Task Force Meeting; and*
	6.	*Release of Items from Closed Meeting:*

- *THAT Council proceed without an Agriculture Advisory Committee.*

8. **Staff Reports:**

Lloyd-Smith	8.1	Social Development Update – July 2023	25-36

Staff Recommendation: THAT Council receive into the record the report, dated July 18, 2023, titled "Social Development Update – July 2023".

Kunka	8.2	Section 57 Notice on Title	37-38

Re: 41 Greenwood Drive

Staff Recommendation: THAT Council, after hearing from the impacted owners, resolve to place a notice on title, under section 57 of the Community Charter, with respect to contraventions of the City of Penticton Building Bylaw No. 2021-21 on Lot 18, District Lot 251 Similkameen Division Yale District, Plan 27075, located at 41 Greenwood Drive (the Property), stating the following: "Failure to complete a building permit, which is a violation of the City of Penticton Building Bylaw No. 2021-21. Further information about it may be inspected at the municipal hall."

Kunka	8.3	Section 57 Notice on Title Re: 162 Wiltse Place *Staff Recommendation: THAT Council, after hearing from the impacted owners, resolve to place a notice on title, under section 57 of the Community Charter, with respect to contraventions of the City of Penticton Building Bylaw No. 2021-21 on Lot 9, District Lot 2710 Similkameen Division Yale District, Plan 31303, located at 162 Wiltse Place (the Property), stating the following: "Failure to complete and obtain building permits, which is a violation of the City of Penticton Building Bylaw No. 2021-21. Further information about it may be inspected at the municipal hall."*	39-48
Kunka	8.4	Vacant Building Registration Permit Renewal Re: 718 Creekside Road *Staff Recommendation: THAT Council approve the renewal of the Vacant Building Registration (VBR) Permit for 12 months to July 18, 2024, for the vacant single-family dwelling on Lot 2, District Lot 249 Similkameen Division Yale District, Plan 27880, located at 718 Creekside Road (the Property).* *AND THAT Council require the owners to pay all applicable fees stated within the Fees and Charges Bylaw No. 2014-07 to renew the Vacant Building Registration (VBR) Permit.*	49-54
Collison	8.5	Road Closure (portion fronting 674 Martin Street) Amendment Bylaw No. 2023-24 *Staff Recommendation: THAT Council give first, second and third reading to Road Closure (portion fronting 674 Martin Street) Amendment Bylaw No. 2023-24, a bylaw to amend Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12.*	55-57
Collyer	8.6	Zoning Amendment Bylaw No. 2023-19 Re: 951 and 963 Dynes Avenue *Staff Recommendation: THAT Council adopt "Zoning Amendment Bylaw No. 2023-19, for Lot B District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 951 Dynes Avenue and Lot A District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 963 Dynes Avenue, a bylaw to rezone the subject properties from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing), with the following site specific provision:* *1. Apartments shall not be a permitted use.* *Excess and Extended Service* *AND THAT Council, in accordance with Section 507 of the Local Government Act, require the following excess and extended services:* • *Upgrade of the existing 100mm water main from the development to Sydney Street.*	58-61
Hallam	8.7	Development Variance Permit PL2023-9580 Re: 84 Roy Avenue *Staff Recommendation: THAT Council approve "Development Variance Permit PL2023-9580" for Lot 11 District Lot 115 Similkameen Division Yale District Plan 9176, located at 84 Roy Ave, a permit to vary Section 8.2.3.3 of Zoning Bylaw 2023-08 to increase the maximum building footprint of a carriage house from 90 m^2 to 100.0 m^2;* *AND THAT Council direct staff to issue "Development Variance Permit PL2023-9580".*	62-76
Tanguay	8.8	Zoning Amendment Bylaw No. 2023-22 Development Permit PL2023-9584 Re: 594 Penticton Avenue *Staff Recommendation: THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-22", for Lot 1 District Lot 250 Similkameen Division Yale District Plan 5038, located at 594 Penticton Avenue, a bylaw to rezone the subject property from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing);* *AND THAT Council forward "Zoning Amendment Bylaw No. 2023-22" to the August 1, 2023 Public Hearing.*	77-108

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-22", approve "Development Permit PL2023-9584", for Lot 1 District Lot 250 Similkameen Division Yale District Plan 5038, located at 594 Penticton Avenue, a permit to approve the form and character of two side-by-side duplexes (four dwelling units).

Tanguay 8.9 Zoning Amendment Bylaw No. 2023-23 109-130
Development Permit PL2023-9560
Re: 712 Penticton Avenue
Staff Recommendation: THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-23", for Lot 93 District Lot 250 Similkameen Division Yale District Plan 881, located at 712 Penticton Avenue, a bylaw to rezone the subject property from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane);
AND THAT Council forward "Zoning Amendment Bylaw No. 2023-23" to the August 1, 2023 Public Hearing.
AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-23", approve "Development Permit PL2023-9560", for Lot 93 District Lot 250 Similkameen Division Yale District Plan 881, located at 712 Penticton Avenue, a permit to approve the form and character of a side-by-side duplex;
AND THAT Council direct staff to issue "Development Permit PL2023-9560".

Collyer 8.10 Zoning Amendment Bylaw No. 2023-25 131-177
Development Variance Permit PL2022-9322
Development Permit PL2022-9323
Development Permit PL2022-9324
Re: 401 Edmonton Avenue
Staff Recommendation: THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-25", for Lot 2 District Lot 202 Similkameen Division Yale District Plan 7727, located at 401 Edmonton Avenue, a bylaw to rezone the southern 23.7m of the property from R2 (Small Lot Residential) to RD3 (Residential Infill), with the following site-specific provision:

- *A maximum of one duplex suite is permitted on proposed Lot A.*

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-25" to the August 1, 2023 Public Hearing;
AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-25", consider and deny the associated "Development Variance Permit PL2022-9322", a permit to vary Section 10.2.2.3 of Zoning Amendment Bylaw No. 2023-08, to increase the maximum permitted lot coverage for the retained lot with the existing home from 40% to 41.3% as the result of a proposed subdivision;
AND THAT Council, subject to consideration of "Development Variance Permit PL2022-9322", consider and deny the associated "Development Permit PL2022-9323"and "Development Permit PL2022-9324", permits to approve the form and character of a duplex with one duplex suite on Proposed Lot A and a duplex (no duplex suites) on proposed Lot B.

Collyer 8.11 Official Community Plan Amendment Bylaw No. 2023-26 178-229
Zoning Amendment Bylaw No. 2023-27
Re: 1530 Reservoir Road
Staff Recommendation: THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2023-26" 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 Council determine that the engagement activities as proposed in this report are sufficient;
AND THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2023-26", a bylaw to amend Section 2.1 by adding the following site specific policy statement to Land Use Designations, Rural Residential:

- *Site Specific Rural Residential Policy Statement: 1530 Reservoir Road: Allow a minimum lot size of 0.4 hectares, when connected to the municipal treated water system;*

AND THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-27, a bylaw to rezone Sub Lot 10 District Lot 2711 Similkameen Division Yale District Plan 1190, located at 1530 Reservoir Road, from FG (Forestry and Grazing) to:

- *RC (Country Residential) with the following site specific provision:*
  - *Notwithstanding Section 9.3.2.5, the minimum front yard shall be 4.5m; and*
- *P4 (Environmental Reserve),*

As shown on the map included with "Zoning Amendment Bylaw No. 2023-27";
AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2023-26" and "Zoning Amendment Bylaw No. 2023-27" to the September 12, 2023 Public Hearing;
AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-27", amend Schedule "F" of Irrigation, Sewer and Water Bylaw No. 2005-02, to include the subject property in Area B of the city's treated water service area.

Collyer 8.12 Development Permit PL2021-9153 230-258

Re: 960 Railway Street

Staff Recommendation: THAT Council approve "Development Permit PL2021-9153" for Lot 1 District Lots 1 and 2 Group 7 Similkameen Division Yale (Yale-Lytton) District Plan 36021, located at 960 Railway Street, a permit to approve the form and character of a 5,487m^2 addition onto the existing Canadian Tire retail store and reconfiguration of the parking lot;
AND THAT Council, prior to issuance of "Development Permit PL2021-9153", approve the discharge of road reserve covenant "KK54366" from the subject property.

9. **Public Question Period**

10. **Recess to a Closed Meeting:**

Resolution: THAT Council recess to a closed meeting of Council pursuant to the provisions of the Community Charter as follows: Section 90 (1)

(c) labour relations or other employee relations; and
(g) litigation or potential litigation affecting the municipality.

11. **Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m.**

12. **Bylaws and Permits:**

Collison 12.1 Zoning Amendment Bylaw No. 2023-20 259-260 2nd/3rd

Re: 732 Government Street

Collison 12.2 Zoning Amendment Bylaw No. 2023-21 260-261 2nd/3rd/Adopt

Re: 720 Government Street

13. **Notice of Motion**

14. **Business Arising**

15. **Public Question Period**

If you would like to ask Council a question with respect to items that are on the current agenda, please visit our website at www.penticton.ca to find the telephone number or Zoom link to ask your question before the conclusion of the meeting. Use the raise hand feature and you'll be given the opportunity to turn on your camera and unmute your microphone and ask Council your questions. Please note that the meeting is streaming live and recorded, access to recordings can be found on the City's website.

16. **Council Round Table**

17. **Adjournment**

Minutes

penticton.ca

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

Tuesday, June 20, 2023
at 1:00 p.m.

Present: Mayor Bloomfield
Deputy Mayor Konanz
Councillor Boultbee
Councillor Gilbert
Councillor Graham
Councillor Miller
Councillor Watt

Staff: Donny van Dyk, Chief Administrative Officer
Paula McKinnon, Deputy Corporate Officer
Angela Campbell, Director of Finance & Administration
Kristen Dixon, General Manager of Infrastructure
Anthony Haddad, General Manager of Community Services
Blake Laven, Director of Development Services
Hayley Anderson, Legislative Assistant

1. Call to Order

The Mayor called the Regular Council Meeting to order at 1:00 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

233/2023 **It was MOVED and SECONDED**
THAT Council adopt the agenda for the Regular Council Meeting held on June 20, 2023 as presented.

CARRIED UNANIMOUSLY

4. Adoption of Minutes:

4.1 Minutes of the June 6, 2023 Regular Meeting of Council

234/2023 **It was MOVED and SECONDED**
THAT Council adopt the Regular Council Meeting minutes of June 6, 2023 as presented.

CARRIED UNANIMOUSLY

5. Consent Agenda:

235/2023 **It was MOVED and SECONDED**
THAT Council approve the Consent Agenda:
1. Minutes of the June 6, 2023 Committee of the Whole Meeting;
2. Draft Minutes of the May 31, 2023 Parks and Recreation Advisory Committee Meeting; and
3. Draft Minutes of the June 14, 2023 Official Community Plan – Housing Task Force Meeting.

CARRIED UNANIMOUSLY

6. Staff Reports:

6.1 OCP Housing Task Force Update

236/2023 **It was MOVED and SECONDED**
THAT Council receive into the record the report dated June 20, 2023 titled "OCP Housing Task Force Update".

CARRIED UNANIMOUSLY

6.2 Official Community Plan Amendment – Application for 1704 Government Street

237/2023 **It was MOVED and SECONDED**
THAT Council, following the Community Engagement for OCP Amendments Procedure, direct staff to commence public engagement for a proposed Official Community Plan amendment to change the future land use designation on 1704 Government Street from 'Industrial' to 'Mixed Use'.

CARRIED UNANIMOUSLY

6.3 Official Community Plan Amendment – Application for 791 and 799 Martin Street

238/2023 **It was MOVED and SECONDED**
THAT Council, following the Community Engagement for OCP Amendments Procedure, direct staff to commence public engagement for an Official Community Plan amendment, to change the future land use designation from 'Detached Residential' to 'Ground Oriented Residential', for a proposed 14-unit townhouse development at 791 and 799 Martin Street.

CARRIED UNANIMOUSLY

6.4 UBCM Complete Communities Program – Grant Application

239/2023 **It was MOVED and SECONDED**
THAT Council direct staff to submit a grant application seeking $80,000 from the 2023 UBCM Complete Communities Program, to be used to hire a consultant to complete design options work associated with the Official Community Plan housing review;
AND THAT Council direct the Chief Financial Officer for the City of Penticton to sign and submit the application document on behalf of the City.

CARRIED UNANIMOUSLY

6.5 Community Centre – Facility Update & Maintenance Schedule

240/2023 **It was MOVED and SECONDED**

THAT Council receive into the record the report dated June 20, 2023 titled "Community Centre – Facility Update & Maintenance Schedule";

AND THAT Council approves a transfer from the Asset Emergency Reserve, up to a maximum of the reserve balance of $4.1M, to fund the Community Centre facility condition improvements and required upgrades.

CARRIED UNANIMOUSLY

6.6 License to Use Agreement for Mundi 4 Points Enterprises Inc.
Re: City Parking Lot – 907 Creston Avenue

241/2023 **It was MOVED and SECONDED**

THAT Council approve the 3-year License to Use Agreement, which includes two (2) additional renewal terms, with Mundi 4 Points Enterprises Inc. for the use of the nine (9), dedicated parking spaces in the City parking lot located at 907 Creston Avenue for the purpose of hotel guest parking of the Four Points by Sheraton Penticton;

AND THAT Council authorize Mayor and Corporate Officer to execute the License to Use Agreement and the two (2) additional License to Use Agreements for the renewal terms.

CARRIED UNANIMOUSLY

6.7 Disaster Mitigation and Adaptation Fund – Ellis #2 Dam Upgrades – Grant Application

242/2023 **It was MOVED and SECONDED**

THAT Council direct staff to apply for the Disaster Mitigation and Adaptation Fund grant in the amount of $3.9 million (40% of the total estimated cost) for the purposes of rehabilitating the deficiencies that exist at the Ellis #2 Dam;

AND THAT Council supports the project and commits to its share of (currently estimated at $5.9 million) of the project, as well as any cost overruns;

AND FURTHER THAT Council authorize the Director of Finance and Administration to sign and submit the grant application.

CARRIED UNANIMOUSLY

6.8 Updated Municipal Grant Policies

Main Motion:

It was MOVED and SECONDED

THAT Council approve Municipal Grants Policy CP#2023-06, replacing Municipal Grants Policy CP#2020-02;

AND THAT Council approve Municipal Special Events Grants Policy CP#2023-07, replacing Municipal Special Events Grants Policy CP#2020-04;

AND THAT Council approve City Manager Grant Approval Policy CP#2023-08, replacing Chief Administrative Officer Grant Approval Policy CP#2020-03.

Amendment:

243/2023 **It was MOVED and SECONDED**

THAT Council include "AND THAT Council direct staff to report after the two-year Special Events Grants pilot projects the weekly (or monthly) revenue from the Hotel Room Tax in comparison to all events in the city and at the Penticton Trade and Convention Centre."

CARRIED
Councillor Miller, Opposed

Main Motion as Amended:

244/2023 **It was MOVED and SECONDED**

THAT Council approve Municipal Grants Policy CP#2023-06, replacing Municipal Grants Policy CP#2020-02;
AND THAT Council approve Municipal Special Events Grants Policy CP#2023-07, replacing Municipal Special Events Grants Policy CP#2020-04;
AND THAT Council approve City Manager Grant Approval Policy CP#2023-08, replacing Chief Administrative Officer Grant Approval Policy CP#2020-03;
AND THAT Council direct staff to report after the two-year Special Events Grants pilot projects the weekly (or monthly) revenue from the Hotel Room Tax in comparison to all events in the city and at the Penticton Trade and Convention Centre.

CARRIED
Councillor Miller, Opposed

6.9 Growing Communities Fund Grant for 'Connected Community Capital Program'

245/2023 **It was MOVED and SECONDED**

THAT Council approve and direct staff to implement the project program as outlined in this report dated June 20, 2023 titled "Growing Communities Fund Grant for 'Connected Community Capital Program'".

CARRIED UNANIMOUSLY

6.10 2022 Annual Report

Submissions/Questions: No written submissions were received. Questions from the public were answered.

246/2023 **It was MOVED and SECONDED**

THAT Council receive into the record the 2022 Annual Report as circulated.

CARRIED UNANIMOUSLY

The Mayor recessed the meeting at 2:36 p.m. and reconvened at 2:47 p.m.

6.11 Development Variance Permit PL2023-9585
795 Westminster Avenue West

247/2023 **It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2023-9585" for Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP120592, located at 795 Westminster Avenue West, a permit to vary the following sections of Zoning Bylaw 2023-08 to allow the mixed-use development within the CD8 Comprehensive Development (795 Westminster Ave W) zone to be constructed in two phases:

- Section 14.8.3.2: to reduce the minimum lot area from 3,200m^2 to 1,090m^2 (for phasing only), and
- Section 14.8.3.7: to reduce the minimum interior side yard from 3.0m to 0.0m (for phasing only);

AND THAT Council direct staff to issue "Development Variance Permit PL2023-9585".

CARRIED UNANIMOUSLY

6.12 Development Variance Permit PL2023-9599
Re: 285 Dawson Avenue

248/2023 **It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2023-9599" for Lot 8 District Lot 251 Similkameen Division Yale District Plan 11264 Except Plan KAP69961, located at 285 Dawson Ave, a permit to vary Section 12.1.2.6 of Zoning Bylaw 2023-08, to reduce the minimum exterior yard from 4.5 m to 0.0 m, in order to facilitate the construction of an accessory building, intended to hold equipment for the Penticton Fire Department;
AND THAT Council direct staff to issue the "Development Variance Permit PL2023-9599".

CARRIED UNANIMOUSLY

6.13 Development Variance Permit PL2023-9557
Development Permit PL2023-9553
Re: 206 Marina Way, 201, 203, 225 and 247 Vancouver Avenue

249/2023 **It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2023-9557" for:

1. Lot A District Lot 202 Similkameen Division Yale District Plan KAP82861, located at 206 Marina Way,
2. That Part of Lot 1 Shown on Plan B5470 District Lot 202 Similkameen Division Yale District Plan 3218, located at 201 Vancouver Ave,
3. Lot 3 District Lot 202 Similkameen Division Yale District Plan 3219, located at 203 Vancouver Ave,
4. Lot 3 District Lot 202 Similkameen Division Yale District Plan KAP79185, located at 225 Vancouver Ave, and
5. Lot A District Lot 202 Similkameen Division Yale District Plan KAP85185, located at 247 Vancouver Ave (236 Marina Way),

a permit to vary Zoning Bylaw No. 2023-08, Section 5.4.2.1, to increase the height of a retaining wall within a required yard (east) from 1.2m to 2.48m, above approved grade;
AND THAT Council direct staff to issue "Development Variance Permit PL2023-9557", subject to the consolidation of the 5 properties into one lot;
AND THAT Council, subject to approval of "Development Variance Permit PL2023-9557", approve "Development Permit PL2023-9553", for 206 and 236 Marina Way and 201, 203, 225 and 247 Vancouver Avenue, a permit to allow for the construction of a multi-residential development containing 29 residential units in the form of townhouse units.

CARRIED UNANIMOUSLY

6.14 Zoning Amendment Bylaw No. 2023-20
Development Permit PL2023-9544
Re: 732 Government Street

250/2023 **It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-20", for Lot 5 District Lot 249 Similkameen Division Yale District Plan 3578 Except Plan KAP68411, located at 732 Government Street, a bylaw to rezone the subject property from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing);

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-20" to the July 18, 2023 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2023-20", the following condition be met:

1. A 0.3 m wide road dedication along Government Street is registered with the Land Title Office.

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-20", consider and approve "Development Permit PL2023-9544", for Lot 5 District Lot 249 Similkameen Division Yale District Plan 3578 Except Plan KAP68411, located at 732 Government Street, a permit to approve the form and character of a four-unit townhouse.

CARRIED UNANIMOUSLY

6.15 Zoning Amendment Bylaw No. 2023-21
Development Permit PL2023-9551
Re: 720 Government Street

251/2023 **It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-21", for Lot A District Lot 249 Similkameen Division Yale District Plan KAP64083, located at 720 Government Street, a bylaw to rezone the subject property from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing);

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-21" to the July 18, 2023 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-21", approve "Development Permit PL2023-9551", for Lot A District Lot 249 Similkameen Division Yale District Plan KAP64083, located at 720 Government Street, a permit to approve the form and character of a four-unit townhouse.

CARRIED UNANIMOUSLY

7. Public Question Period

8. Recess to a Closed Meeting:

252/2023 **It was MOVED and SECONDED**

THAT Council recess at 3:33 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* as follows: Section 90(1)

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
(d) the security of the property of the municipality;
(g) litigation or potential litigation affecting the municipality.

CARRIED UNANIMOUSLY

9. Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m.

The Mayor reconvened the meeting at 6:37 p.m.

10. Bylaws and Permits

10.1 Zoning Amendment Bylaw No. 2023-18
Re: 60 Roy Avenue

253/2023 **It was MOVED and SECONDED**
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2023-18";
AND THAT Council adopt "Zoning Amendment Bylaw No. 2023-18".

CARRIED UNANIMOUSLY

10.2 Zoning Amendment Bylaw No. 2023-19
Re: 951 and 963 Dynes Avenue

254/2023 **It was MOVED and SECONDED**
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2023-19".

CARRIED UNANIMOUSLY

11. Staff Reports Continued

11.1 Change of Hours – Occupant Load Increase for Abandoned Rail Brewing Company
Re: 1220 Davenport Avenue

Council invited the Applicant to speak to the application and answer any questions.

255/2023 **It was MOVED and SECONDED**
THAT Council recommend to the Liquor and Cannabis Regulation Branch (LCRB) to support the change of hours for Abandoned Rail Brewing Company located at 1220 Davenport Avenue with restrictions of exterior patio service hours from 11:00am to 9:00pm Monday – Sunday and to increase the occupancy of their picnic area to 60.

CARRIED
Mayor Bloomfield and Councillor Watt, Opposed

12. Notice of Motion

13. Business Arising

14. Public Question Period

15. Council Round Table

16. Adjournment

256/2023 **It was MOVED and SECONDED**
THAT Council adjourn the June 20, 2023 Regular meeting of Council at 7:34 p.m.

Certified correct:

_____
Paula McKinnon
Deputy Corporate Officer

Confirmed:

_____
Julius Bloomfield
Mayor

Minutes

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Public Hearing

held electronically and at City Hall, Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, June 20, 2023
at 6:00 p.m.

Present:	Mayor Bloomfield Councillor Boultbee Councillor Gilbert Councillor Graham Councillor Konanz Councillor Miller Councillor Watt
Staff:	Donny van Dyk, Chief Administrative Officer Paula McKinnon, Deputy Corporate Officer Angela Campbell, Director of Finance & Administration Kristen Dixon, General Manager of Infrastructure Blake Laven, Director of Development Services Hayley Anderson, Legislative Assistant Nicole Capewell, Planner I

1. Call to order

Mayor Bloomfield called the public hearing to order at 6:00 p.m. for Zoning Amendment Bylaw No. 2023-18.

The Deputy Corporate Officer read the opening statement and introduced the purpose of the bylaw. She then explained that the public hearing was being held in-person and electronically to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the *Local Government Act*.

2. <u>"Zoning Amendment Bylaw No. 2023-18" (60 Roy Avenue)</u>

The purpose of "Zoning Amendment Bylaw No. 2023-18" is to amend Zoning Bylaw No. 2023-08 as follows:

> Rezone Lot 8 District Lot 115 Similkameen Division Yale District Plan 9176, located at 60 Roy Avenue, from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing).

The applicant is proposing to construct a multi-family residential development on the subject property. The development would consist of two side-by-side duplex buildings, totaling four dwelling units on the property.

The Deputy Corporate Officer advised that one letter has been received since the printing of the agenda.

DELEGATIONS

Mayor Bloomfield asked the public for the first time if anyone wished to speak to the application.

- No one spoke.

Mayor Bloomfield asked the public for the second time if anyone wished to speak to the application.

- No one spoke.

Mayor Bloomfield asked the public for the third and final time if anyone wished to speak to the application.

- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2023-18" was terminated at 6:06 p.m. and no new information can be received on this matter.

Certified correct:

_____
Paula McKinnon
Deputy Corporate Officer

Confirmed:

_____
Julius Bloomfield
Mayor

Minutes

penticton.ca

Public Hearing
held electronically and at City Hall, Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, June 20, 2023
at 6:00 p.m.

Present:	Mayor Bloomfield Councillor Boultbee Councillor Gilbert Councillor Graham Councillor Konanz Councillor Miller Councillor Watt
Staff:	Donny van Dyk, Chief Administrative Officer Paula McKinnon, Deputy Corporate Officer Angela Campbell, Director of Finance & Administration Kristen Dixon, General Manager of Infrastructure Blake Laven, Director of Development Services Hayley Anderson, Legislative Assistant Nicole Capewell, Planner I

1. Call to order

Mayor Bloomfield called the public hearing to order at 6:06 p.m. for Zoning Amendment Bylaw No. 2023-18.

The Deputy Corporate Officer read the opening statement and introduced the purpose of the bylaw. She then explained that the public hearing was being held in-person and electronically to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the *Local Government Act*.

2. <u>"Zoning Amendment Bylaw No. 2023-19" (951 and 963 Dynes Avenue)</u>

The purpose of "Zoning Amendment Bylaw No. 2023-19" is to amend Zoning Bylaw No. 2023-08 as follows:

> Rezone Lot B District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 951 Dynes Avenue, and Lot A District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 963 Dynes Avenue, from R2 (Small Lot

Residential) to RM3 (Medium Density Multiple Housing), with the following site specific provision:

1. Apartments shall not be a permitted use.

The applicants are proposing to develop the subject properties into a multi-family residential development in the form of townhouse units. The development proposes 13 townhouse units, 3-storeys in height, with one block of 6 townhouse units facing Dynes Avenue and another block of 7 townhouse units facing towards the laneway.

The Deputy Corporate Officer advised that no letters have been received since the printing of the agenda.

DELEGATIONS

Mayor Bloomfield asked the public for the first time if anyone wished to speak to the application.

- Sina Rezaian and Ahmed Hatata, Applicants, converting 2 existing homes to 13 town homes, 20 years of experience in residential, commercial development and real estate. Fond memories of Okanagan, personal reasons led to design of project, units are affordable, liveable, grade orientated to be in line with OCP objectives, importance of amenity space. Started 2 years ago when acquired land, engagement with planning department and various stakeholders in area, explored different design configurations, landed at 13 townhouses, ground oriented, each have garage, amenity spaces, roof top patios. Went through different submissions through design process, identified infrastructure needs to redevelop, no strangers to challenges, comes down to feasibility and density required, high level estimate under just 1M for infrastructure needs. Resolved to work through different variances concerning fire, parking, hardscaping, currently requesting 4 variances, happy to keep working with City to come up with technical solutions that doesn't require reduction in density or feasibility of project, land use change is first step to bring development to reality.
- Councillor Watt, asked for clarification on how many variances were being requested, counted 5.
- Sina Rezaian, Applicant, answered 4 variances requested for rear yard, rear interior side yard, increase lot coverage and reduce landscaping buffer.
- Nicole Capewell, Planner I, clarified side yard setback for both sides is counted as one variance.
- Gil Blue, owner of 988 Dynes Avenue, aware of proposal few years ago, pictures look same, asked if different proposal from previous, inquired about public hearing process, concerns when first encountered property was closeness to his property, what setback would be there, house built in 1945, concerns about close encroachment, level of privacy screening in place for neighbours. Would need to see proposal, looks similar to what was proposed before.
- Nicole Capewell, Planner I, clarified different property opposite side of Dynes.

Mayor Bloomfield asked the public for the second time if anyone wished to speak to the application.

- Richard Langfield, Lakeshore Drive, owner of 970 Dynes, has had proposal on it for 12 town homes, didn't move forward due to Fire Department, here to talk about applicant's land use, disapproves of all variances, emails with Fire Chief regarding setbacks with fire, asked for many changes, deemed wasn't worthy to move forward, asking land use of 1.5m, Fire Chief emailed requirement of minimum of 6m, don't normally access fires from lane, gave reasons of wintertime not accessible due to snow, lanes too narrow, turning

radius at end of lane to narrow for trucks, 45m is most pumper truck can go to front door, list of requirements on Dynes at time for that, let application go, since then has development Permit for 6-storey building which has a lot of side yard clearance to Gils place, building situated middle of property. Commented this property only 100ft deep, ours was 155ft, had room to deal with front yard room setbacks, parking in front and back, fire department said couldn't access 6-units in back, other things dealt with, fire jumping from building-to-building on side yards, glass breaks and fires jumps to next building, doesn't feel enough landscaping on project, too tight, understands applicant's problem with money, opposed to project.

- Lynn Kelsey, Oakville Street, heard concerns about fire truck access, inquired about new fire hydrants and placement of hydrants, would like applicant to address major concern.
- Jordan Shade, Backstreet Boulevard, visited property, front and back lanes too, spoke with applicant and commented doing everything they can to work with City, spoke in support of project.

Mayor Bloomfield asked the public for the third and final time if anyone wished to speak to the application.

- Don Diffen, Churchill Avenue, lives behind development, commented placed in fishbowl, won't be able to sit in backyard without privacy left, concerned about amount of bedrooms, amount of vehicles, traffic, fires can jump, doesn't appear Planning Department turns down applications, everything gets approved, previous Council raised concerns but no one made recommendations to developer, curious if alley will be upgraded.
- Sina Rezaian and Ahmed Hatata, Applicants, answered regarding fire looked at 45m distance to each front entry of homes and current proposal includes addition of 2 fire hydrants on each corner of property, meets requirement, back lane not considered for fire access. Answered open to adding privacy screens on side of decks. Clarified that property is 130ft. Answered each unit has parking in garage and driveways can be used as parking. Answered all new suburb developments are all 8ft from each other, building code has made amazing improvements to address fire jumping. Clarified proposal is not for low income housing, affordable to an average family, not million dollar townhomes.

The public hearing for "Zoning Amendment Bylaw No. 2023-19" was terminated at 6:36 p.m. and no new information can be received on this matter.

Certified correct:

_____
Paula McKinnon
Deputy Corporate Officer

Confirmed:

_____
Julius Bloomfield
Mayor

Minutes

penticton.ca

Accessibility Task Force Meeting

to be held via Zoom and in-person in Room A
City Hall, 171 Main Street
Wednesday, June 14, 2023
at 11:00 a.m.

Present: Trisha Kaplan, Chair (in person)
Kona Sankey, Vice-Chair (in person)
Kristi Bauman (in person)
Randy Boras (in person)
James Ludvigson (in person)
Heather Miller (in person)
Grant Pattingale (in person)
Leanne Williams (in person)

Council Liaison: Ryan Graham, Councillor

Staff: Blake Laven, Director of Development Services (in person)
Sarah Desrosiers, Social Development Coordinator (in person)
JoAnne Kleb, Communications and Engagement Manager (in person)
Hayley Anderson, Legislative Assistant (in person)

Regrets: Victoria Jaenig

1. **Call to Order**

The Chair called the Accessibility Task Force to order at 11:00 a.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED
THAT the Accessibility Task Force adopt the agenda of June 14, 2023 as amended by moving 4.3 to 4.4 and adding 4.3 – Interest Group Identification.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

It was MOVED and SECONDED
THAT the Accessibility Task Force adopt the minutes of May 24, 2023 as presented.

CARRIED UNANIMOUSLY

Kona Sankey joined the meeting at 11:04 am.

4. **New Business**

4.1 Plan Development Timeline

The Director of Development Services provided the Task Force with a presentation on the Plan Development timeline. The timeline included endorsing the structure of the Accessibility Plan, providing feedback on the proposed Accessibility Plan, and final endorsement of the Accessibility Plan.

James Ludvigson joined the meeting at 11:16 am.

4.2 Engagement Strategy

The Communications and Engagement Manager provided the Task Force with an update on the proposed engagement strategy.

The engagement strategy included considerations of the scope and timeframe of the plan, including the short timeframe and the scope of City of Penticton facilities and services. The goals of the engagement being to fulfil the legislative requirements and to lay a foundation for future engagement. Key engagement strategies including raising awareness of the work being done by the committee, gather input to understand the challenges residents encounter, identify possible interest groups, provide a central resource and location for residents to learn and provide input long-term and determine how feedback will be collected after September 1, 2023.

Raising awareness of the Committee will come from social media committee member profiles, news releases with key milestones and a report to Council of committee outcomes.

It was MOVED and SECONDED
THAT the Accessibility Task Force endorse the public engagement plan as presented.

CARRIED UNANIMOUSLY

4.3 Interest Group Identification

The Committee identified a list of interest groups for the Accessibility Plan.

4.4 Visioning Exercise

The Social Development Coordinator lead the Task Force in an exercise to identify accessibility barriers faced within the Community.

5. **Next Meeting**

The next Accessibility Task Force meeting is scheduled to be held on June 28, 2023 at 11:00 a.m.

6. **Adjournment**

It was MOVED and SECONDED
THAT the Accessibility Task Force adjourn the meeting held on June 14, 2023 at 12:40 p.m.

CARRIED UNANIMOUSLY

Certified Correct:



_____

Hayley Anderson
Legislative Assistant

Minutes

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Accessibility Task Force Meeting

To be held via Zoom
Wednesday, June 28, 2023
at 11:00 a.m.

Present:	Trisha Kaplan, Chair (in person) Kona Sankey, Vice-Chair (in person) Kristi Bauman (in person) Randy Boras (in person) Victoria Jaenig James Ludvigson (in person) Heather Miller (in person) Grant Pattingale (in person) Leanne Williams (in person)
Council Liaison:	Ryan Graham, Councillor
Staff:	Jamie Lloyd-Smith, Social Development Specialist (in person) Sarah Desrosiers, Social Development Coordinator (in person) Hayley Anderson, Legislative Assistant (in person)

1. **Call to Order**

The Chair called the Accessibility Task Force to order at 11:01 a.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED
THAT the Accessibility Task Force adopt the agenda of June 28, 2023 as presented.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

It was MOVED and SECONDED
THAT the Accessibility Task Force adopt the minutes of June 14, 2023 as presented.

CARRIED UNANIMOUSLY

4. **New Business**

4.1 Review of Timeline

The Social Development Coordinator provided the Task Force with an update on the Accessibility Plan execution timeline and what to expect in the upcoming meetings.

4.2 Engagement Update

The Social Development Coordinator provided the Task Force with an update on the engagement plan.

Kona Sankey joined the meeting at 11:11 am.
Heather Miller joined the meeting at 11:27 am.

4.3 Leanne's Presentation

Task Force member Leanne Williams provided the Task Force with an overview on the Accessibility Plan and template from Okanagan Inclusion.

4.4 Validating Guiding Principles, Identified Barriers and Suggested Actions

Main Motion:
It was MOVED and SECONDED
THAT the Accessibility Task Force support the BC Guiding Principles and the City of Penticton Accessibility Task Force Guiding Principles as part of the Accessibility Plan as presented in the Visioning Exercise Results document.

It was MOVED and SECONDED
THAT the Main Motion be postponed until after the barriers discussion takes place.
CARRIED UNANIMOUSLY

It was MOVED and SECONDED
THAT the Accessibility Task Force support the list of barriers as part of the Accessibility Plan as presented in the Visioning Exercise Results document by adding "City Services" to "Recreation Programs" under Policy and Practice.
CARRIED UNANIMOUSLY

It was MOVED and SECONDED
THAT the Accessibility Task Force direct staff to prepare a preamble to the accessibility guiding principles and include the guiding principles to the Task Force to endorse.
CARRIED UNANIMOUSLY

It was MOVED and SECONDED
THAT the Main Motion postponed from earlier in the meeting be withdrawn.
CARRIED UNANIMOUSLY

Heather Miller left the meeting at 1:04pm

4.5 Prioritization Exercise

The Social Development Coordinator and Dr. Prescott from Disability Alliance of British Columbia worked with the Task Force on prioritizing

5. **Next Meeting**

It was MOVED and SECONDED
THAT the Accessibility Task Force change the July 12, 2023 meeting time to 9:30am.
CARRIED UNANIMOUSLY

The next Accessibility Task Force meeting is scheduled to be held on July 12, 2023 at 9:30 a.m.

6. **Adjournment**

It was MOVED and SECONDED
THAT the Accessibility Task Force adjourn the meeting held on June 28, 2023 at 1:12 p.m.
CARRIED UNANIMOUSLY

Certified Correct:



Hayley Anderson
Legislative Assistant

Minutes

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Special Official Community Plan - Housing Task Force Meeting

To be held in-person in Council Chambers
City Hall, 171 Main Street
Thursday, June 29, 2023
at 4:30 p.m.

Present:	Nicholas Hill, Vice-Chair Drew Barnes Ajeet Brar Rod Ferguson Alison Gibson Dara Parker Linda Sankey Nicolas Stulberg Richard Langfield
Council Liaison:	Campbell Watt, Councillor
Regrets:	Councillor Konanz Nathan Little, Chair Brian Menzies Chris Schoenne Loretta Ghostkeeper
Staff:	Anthony Haddad, General Manager, Community Services JoAnne Kleb, Manager of Communications and Engagement Steven Collyer, Senior Planner Paula McKinnon, Deputy Corporate Officer

1. **Call to Order**

The Vice Chair called the Special Official Community Plan – Housing Task Force to order at 4:35 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED
THAT the Official Community Plan - Housing Task Force adopt the agenda of June 29, 2023 as presented.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

It was MOVED and SECONDED
THAT the Official Community Plan - Housing Task Force adopt the minutes of June 14, 2023 as presented.

CARRIED UNANIMOUSLY

4. **New Business**

4.1 Draft Housing Needs Assessment

Odete Pinho, EcoPlan, provided the Task Force with a presentation on the Draft Housing Needs Assessment. The presentation included information on the report approach and summarized the key findings regarding population and demographics, housing overview, economic wellbeing, core housing need and areas of local need.

Rod Ferguson entered the meeting at 4:51 p.m.

Discussion ensued and the Task Force Members provided the following suggestions to be included for consideration in the final Housing Needs Assessment report

- Separate extreme core housing need data from core housing need.
- Break data down by suite sizes and age demographic to determine what the actual need is.
- Include statistic for current subsidized rental units in the community, percentage of subsidized or extreme core rental units in community.
- Utilize City's electrical utility billing to run yearly cross reference on names leaving/arriving and address shifts to capture data on departing residents.
- Include data on how many rental units need to be built per year to reach 3% vacancy rate goal.
- Include in the core housing need data information about accommodations specifically adapted to different accessibility needs.
- Include more statistics on types of housing being built in City.
- Include income vs. affordability data.
- Executive summary precedes the assumptions and data limitations, put at forefront so anyone reading knows data is predicated.

4.2 CMHC Housing Accelerator Fund (HAF)

Gordon Easton, Easton Planning and Development, presented the Canadian Mortgage Housing Corporation Housing Accelerator Fund Application (HAF). The presentation reviewed the program highlights, four key drivers, the funding methodology, recent building permit history, future growth/need, and nine action plan components.

The Task Force was informed that the next step is to flush out the application to provide realistic projections of number of units without HAF and number of units with HAF and how they would get allocated before presenting to Council for endorsement in August.

Discussion ensued and the Task Force Members provided the following suggestions on

- Have a community development lens with the residential team to make it more robust.
- Increase accessibility for new comers to relocate with more ease may be an approach to set our community apart from others of similar demographic.
- Highlight working together with other surrounding communities to strengthen application.
- Possibility to do pre-approved plans for duplex, triplex and fourplex along the expected Provincial rezoning changes allowing up to 4 units per lot.
- Tie Housing Accelerator Fund (HAF) initiatives to climate action and resiliency
- Task Force to consider if there is more to be added into the action plan.

5. **Next Meeting**

The next Official Community Plan - Housing Task Force meeting is scheduled to be held on July 12, 2023 at 4:30 p.m.

6. **Adjournment**

It was MOVED and SECONDED
THAT the Official Community Plan - Housing Task Force adjourn the meeting held on June 29, 2023 at 6:19 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

For Paula McKinnon
Deputy Corporate Officer

Minutes

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Special Accessibility Task Force Meeting

To be held via Zoom
Wednesday, July 5, 2023
at 9:30 a.m.

Present:	Trisha Kaplan, Chair Kona Sankey, Vice-Chair Randy Boras Grant Pattingale Leanne Williams
Council Liaison:	Ryan Graham, Councillor
Staff:	Jamie Lloyd-Smith, Social Development Specialist Sarah Desrosiers, Social Development Coordinator Hayley Anderson, Legislative Assistant
Regrets:	Kristi Bauman Victoria Jaenig James Ludvigson Heather Miller

1. **Call to Order**

The Chair called the Accessibility Task Force to order at 9:32 a.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED
THAT the Accessibility Task Force adopt the agenda for the Special Task Force Meeting held on July 5, 2023 as presented.

CARRIED UNANIMOUSLY

3. **New Business**

3.1 Prioritization Exercise

The Social Development Coordinator provided the Task Force with background of how the options were created. The Task Force discussed each item and were asked to rate them 1-100 on importance as a way to prioritize the action. Task force members rated each item individually. These scores will be assessed and scored using a four-quadrant system, taking into account importance and feasibility.

5. **Next Meeting**

The next Accessibility Task Force meeting is scheduled to be held on July 12, 2023 at 9:30 a.m.

6. **Adjournment**

It was MOVED and SECONDED
THAT the Accessibility Task Force adjourn the meeting held on July 5, 2023 at 10:20 a.m.

CARRIED UNANIMOUSLY

Certified Correct:



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Hayley Anderson
Legislative Assistant

Council Report

penticton.ca

Date: July 18, 2023 File No: 5080-01
To: Donny van Dyk, Chief Administrative Officer
From: Jamie Lloyd-Smith, Social Development Specialist

Subject: **Social Development Update – July 2023**

Staff Recommendation

THAT Council receive into the record the report, dated July 18, 2023, titled "Social Development Update – July 2023".

Strategic priority objective

Vision: A vibrant, resilient and healthy waterfront city focused on safety, livability and vibrancy.

Mission: Penticton will serve its residents, businesses and visitors through organizational excellence, partnership and the provision of effective and community focused services.

Safe & Resilient: The City of Penticton will enhance and protect the safety of all residents and visitors to Penticton.

Livable & Accessible: The City of Penticton will proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Vibrant & Connected: The City of Penticton will support vibrant and diverse activities creating opportunities for connection in community.

Organizational Excellence: The City of Penticton will support a culture of service excellence built on good governance, leadership and sound financial decisions.

Background

The Social Development Department was supported in 2019 by Council to provide City led leadership on the following topic areas: age friendliness, child care, housing and homelessness, and mental health and substance use. During its startup phase from 2020-2022, Social Development concentrated on establishing a data and evidence-based foundation for its work. During this period the Department has seen many wins with the development of several strategic plans (age friendly plan, child care action plan, youth homelessness strategy, food security strategy) as well as being successful in receiving several grants to support important initiatives both City led as well as supporting partner organizations.

Social Development provides important City-led leadership in the community on complex social issues. While provincial and federal governments have the primary responsibility for funding and operating the provision of social services, municipalities can support by facilitating, coordinating, and convening efforts and resources to address social issues with all partners. Often municipalities are the only agency eligible for social service focused grants and Social Development is often a conduit for these funds to support local on-the-ground agencies. In B.C., the provincial government encourages local governments to address social needs, social well-being, and social development policies. The Social Development Department is the Department tasked with providing this internal leadership for the City.

In Penticton, there are at least fifty-seven (57) agencies in the social services sector supporting Penticton's residents. Most of these organizations receive funding from federal, provincial and philanthropic sources which build up Penticton's social infrastructure. Social infrastructure assets include social and affordable housing, shelters, schools, child care centres, seniors' homes, youth centres, hospitals, treatment facilities, community centres, and other spaces and programs that provide health and/or social services to meet the needs of community members. In recognizing the complexity that comes with having multiple programs across multiple agencies - including non-profit agencies, internal departments and other orders of government – Social Development takes the lead role in the community to be the experts in local programming, ensuring continuity in the sector, reducing redundancy and amplifying collaboration.

Key highlights to-date by area of interest

1. *Child Care – Estimated Grant Value of $5 M*

Social Development supported the local development of the Child Care Action Plan which looks at increasing the number of licensed childcare spaces in Penticton, along with making child care more affordable. The department has facilitated local partnerships with childcare operators and the provincial government to bring 196 net new spaces to the community. Social Development led the development of a new child care centre on City land on Edmonton Avenue, which will see a grand opening in the near future, and has received funding approval for a second centre to be developed within the community centre.

2. *Housing and Homelessness – Estimated Grant Value of $1 M*

Social Development initiated a formal partnership with 100 More Homes, the local collective group of partnership working to addressing housing affordability and homelessness. In addition, work has been done to support the Official Community Plan (OCP) taskforce with local engagements, supporting not-for-profit housing partnerships and local coordination of services through the Penticton Outreach Coordination Table (POCT).

3. *Age-Friendliness – Estimated Grant Value of $400k*

In 2021, Social Development completed the creation of the Age-Friendly Action Plan to identify how Penticton can be an inclusive community for all ages. Activities since have included supporting Youth and Seniors Week, seniors' emergency preparedness workshop and working with Aging Well – a collective group of community partners – to address seniors isolation. In addition, Social Development has helped lead the

Accessibility Taskforce and Accessibility Plan development, with the goal of ensuring the City's services are accessible to all members of the community regardless of any physical limitations.

4. Mental Health and Substance Use – Estimated Grant Value of $300k

Social Development supported the local Community Action Team (CAT) to receive a grant to support partners, peers and programs to address the unregulated toxic drug crisis. Actions to-date have supported local mapping of the substance use system of care, and development of local peers with lived experience to help inform local programs.

Key priorities for 2023

Social Development will continue to provide leadership internally and externally to support Council Priority areas. Some key activities are outlined in chart below:

Safe & Resilient	Livable & Accessible
• Managing the Building Safer Communities Fund (2023-2026) • Penticton Outreach Coordination Table (POCT) • Community Action Table • ASK Wellness Ambassador Partnership • Family Reunification Fund • Emergency Preparedness Planning with the social services sector • Liaise between the social services sector and the City's emergency management program, in particular during Emergency Operations Centre (EOC) activation, to assist with emergency response and recovery for impacted residents	• 100 More Homes Partnership • Helping facilitate partnerships with not-for-profit housing organizations • Equitable Housing Policy Engagement • Supporting Accessibility Taskforce and Accessibility Plan implementation • Implementing the Age-Friendly Action Plan with community partners
Organizational Excellence	**Vibrant & Connected**
• Upholding principles and actions defined in the Social Development Framework (ie. truth and reconciliation, equity, diversity and inclusion) • Practicing outstanding fiduciary stewardship of grant funding • Supporting other City initiatives/departments with a social perspective • Exploring community-based development opportunities for grant distribution • Constant monitoring of Social Development Framework and community social impact	• Developing a comprehensive Social Development Framework • Neighbourhood Small Grants • Community-based events that enhance vibrancy and inclusivity: ie. Red Dress Day, Indigenous Day, and intergenerational connection through Seniors & Youth Week • Supporting Anti-Racism through the Respect Network

Social development framework

While the important work of the Social Development Department continues, the experiences of the first few years have highlighted the necessity for a clear framework to manage the complexity and interdependence of how the City fits into the overlapping mandates of all the various organizations, other levels of government and community programs striving to improve social wellbeing in Penticton. The work of the Social Development Department is connected and necessarily intertwined with many partners in the non-profit, private, and government spheres, where clearly defined roles and sustained relationships are crucial to successful outcomes. With this in mind, City Council in February 1, 2022 directed staff to apply for a grant from the Union of BC Municipalities (UBCM) to support the development of a social framework for the City of Penticton. The City was successful in the grant application process and in the past year, has engaged in a process to create a comprehensive social framework for the City, including recruiting support for managing an engagement and community consultation process and hosting guided interviews and a facilitated workshop with various community partners.

The creation of a Social Development Framework (Attachment A) is intended to guide the role and priorities of the Social Development Department. The Framework will have two (2) key components: (1) the guiding principles for the department, and (2) the key priority areas of focus. Guiding principles provide guidance for sustaining effective relationships, setting goals, and defining actions. The priority areas will define the specific focus areas for the department to define the department's role, and the level of involvement from other community partners.

Guiding Principles	Priorities
1. Collaborative 2. Ensuring dignity and wellbeing of community members 3. Honouring responsibilities to decolonization and reconciliation 4. Honouring equity, diversity and inclusion 5. Evidence based/informed planning 6. Sustainable 7. Proactive and preventative 8. Flexible and adaptive 9. Supporting public participation and engagement	1. Housing 2. Homelessness 3. Mental Health & Wellness Supports 4. Supports for People Who Use Substances 5. Childcare 6. Food Security

Council previously received an interim update on this work and the framework is intended to be submitted to Council for endorsement later this year.

Financial Implication

In 2020-2023, Social Development procured and managed(s) an estimated $6.5 million in grant-funding, including in-kind expenses, to support its future and current strategic activities.

Climate Impact

Although Social Development does not specifically look at climate, climate change is deeply intertwined with social development. Social crises disproportionately challenges vulnerable populations as it relates to extreme heat events, health outcomes, food security, poverty, community livelihood, housing and access to services.

Analysis

In the past three years, the Social Development Department has achieved many of the goals that were established for the Department at its creation. The development of the social framework will provide strategic direction to the Department moving forward and staff look forward to presenting the framework to Council later this year for endorsement.

This report is being presented to Council for information. Staff are recommending that Council receive the update on Social Development into the public record.

Attachments

Attachment A – Social Development Framework Guiding Principles and Priorities Summary

Respectfully submitted,

Jamie Lloyd-Smith
Social Development Specialist

Concurrence

Director of Development Services	Director of Finance and Administration	Acting Chief Administrative Officer
BL	AMC	KD

City of Penticton

Social Development Department

Social Framework Guiding Principles

A principle is a statement that describes the values that inform conduct and behaviours, representing what we believe is desirable. Guiding principles provide guidance for sustaining effective relationships, setting goals, and defining actions. The work of the Social Development department is connected and necessarily intertwined with many partners in the non-profit, private, and government spheres, where clearly defined roles and sustained relationships are crucial to successful outcomes.

The Social Development Department will be guided by these principles when making decisions, working in partnerships, and allocating resources to demonstrate our integrity and fulfill our leadership role in supporting solutions that promote social wellbeing.

It is understood that the principles are not in order of priority and naturally intersect with one another. The principles are clustered in two groups:

- ***what defines our relationships,*** *and,*
- ***what defines our processes****.*

Relationships:

1. Collaborative: ensuring mutual respect and responsibility
2. Ensuring dignity and well-being of community members
3. Honouring responsibilities to decolonization and reconciliation
4. Honouring diversity, equity, and inclusion

Processes:

5. Evidence-based/informed
6. Sustainable: (social, environmental, economic)
7. Proactive: prevention oriented
8. Flexible & adaptive: responsive to and of community needs, able to pivot when new information emerges

9. Supporting public participation and engagement: accessible, balancing perspectives, authentic

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Defining our principles to safeguard relationships:

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1) Collaborative

We will:

- Amplify each partner's strengths and capacity while also demonstrating respect for each organization's autonomy, roles, and jurisdictions.
- Maintain a commitment to the collective good by openly sharing resources and solutions and avoiding competition where possible.
- Be accountable for the expectations, responsibilities, and commitments we enter into in our projects and processes acknowledging where organizational limitations exist that will impact on our collaborative efforts.
- Support effective communication for both the easy and difficult conversations, ensuring that communication is inclusive, respectful, and accessible. This means returning phone calls and emails in a timely manner, declaring conflicts of interest and any limitations on our capacity, and proactively working to resolve concerns.

2) Ensuring dignity and wellbeing of community members

We will:

- Promote positive impacts at both a community and individual level. This means continually reflecting on the downstream impacts of our decisions in order to prevent unintended, harmful consequences and making sure we celebrate our success stories.
- Reflect a holistic approach, using the social determinants of health and safety as framework for understanding the impact we hope to have on our community.
- Advocate for equity and optimal quality of life for all members of our community, ensuring that all residents are viewed as being deserving of having their basic needs met. This means challenging stereotypes and discriminatory perspectives with our messaging, educational projects, and ensuring we include the voices of people with lived and living experience in our work.

3) Honouring responsibilities to decolonization and reconciliation

We will:

- Work to build relationships and support meaningful engagement that respects our responsibility to understand and learn (decolonization) and take tangible actions to challenge systemic barriers and colonial practices (reconciliation).

- Be informed by the TRC Calls to Action [1] and the United Nations Declaration on the Rights of Indigenous Peoples in our actions and support of Indigenous peoples.
- Recognize the difference and responsibilities between individual, departmental, municipal, and community reconciliation actions.

4) Honoring equity, diversity, and inclusion

We will:

- Celebrate and welcome the strengths and contributions of diverse voices in our planning and decision making tables, ensuring that marginalized voices are invited, welcomed, and meaningfully included. This means we regularly ask: "Who is missing from the table?".
- Challenge ourselves to regularly reflect on our own biases and actively seek education to build anti-racist and anti-oppressive practices. This means creating anti-racism and inclusivity agreements, champion our commitment to EDI in our interactions, and promoting opportunities to celebrate diversity.
- Annually evaluate our progress in reducing barriers to participation and furthering inclusive access to decision making forums.

Defining our principles to safeguard our processes:

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5) Evidence based/informed Planning

We will:

- Balance the implementation of promising practices from other jurisdictions with the use of practices that have been effective or shown promise in our local context. This means honouring relationships in the social system network, multiple ways of knowing and wisdom, and where community readiness and experience should guide decision making.
- Conduct regular evaluation and analysis privileging both quantitative and qualitative data collection. This means actively welcoming research partnerships with academia, community organizations, and people with lived and living experiences to guide our decision making.
- Actively share the outcomes of our work with our partners, and the broader community, to support systems integration, awareness, and coordination.

6) Sustainable

We will:

[1] UNDRIP: https://social.desa.un.org/issues/indigenous-peoples/united-nations-declaration-on-the-rights-of-indigenous-peoples and Truth and Rehttps://nctr.ca/records/reports/

- Ensure and document clear roles, responsibilities, levels of collaboration, and outcomes in our shared projects with periodic reviews and assessments incorporated into planning and timelines.
- Recognize that in order to impact complex social issues, we will require long term commitments, sustained funding support, and authentic engagement to effect change and build capacity.
- Actively consider the interrelationship between our social, cultural, economic, and environmental goals in our design and implementation strategies.

7) Proactive and Preventative

We will:

- Seek to identify root causes in designing potential solutions.
- Emphasize prevention and early intervention strategies to address issues before they become crises in the development and implementation of any shared projects.
- Ensure we canvas the community and our partners regularly to keep abreast of needs and adjust actions and plans accordingly.

8) Flexible and adaptive

We will:

- Remain responsive to community needs, pivoting when new information emerges.
- Be willing to challenge and cease support for approaches or solutions when it becomes apparent that they aren't effective.
- Welcome a variety of sources of information and be aware of emerging trends and research.
- Be creative and courageous, promoting innovative ideas in order to find new and sustainable solutions to social needs.

9) Supporting public participation and engagement:

We will:

- Ensure that our engagement activities reflect authentic representation of community voices. This means we will make sure that the voices of those not typically included in consultations and planning tables are invited and welcomed and that those who participate are informed of the outcomes.
- Employ multiple ways of welcoming input to ensure barriers to engagement are reduced, especially for people with lived and living experiences and ensure that information and updates are communicated back to participants. This means considering the supports required to actively participate in our planning and upholding the principles of IAP2 engagement.[2]
- Embed the Collective Impact model working to build a shared vision of the change we are working toward.

[2] International Association for Public Engagement (IAP2) has established core values, a code of ethics for practitioners, and practices. https://www.iap2.org/

Priorities of Social Development Department Activity

The following areas of focus were selected by the participants who attended the working session. Using 'dotmocracy', the 'buckets' of work were given an order of priority.

1. Housing
2. Mental Health & Wellness Support
3. Homelessness
4. Supports for People Who Use Substances
5. Child Care
6. Food Security

For each 'bucket', participants then considered the role they would take to support action using the following matrix.

Direct Involvement	**Indirect Involvement**
Lead (Responsible)	Consulted (valuable input/info)
At the Table (Accountable)	Informed (Aware of what's going on)

HOUSING	
Direct	Indirect
LEAD • 100 More Homes • OneSky	**CONSULTED** • Pathways • Access • OneSky Seniors Services • Community Foundation
AT THE CONVERSATION • Interior Health: Mental Health Substance Use • Pathways • CMHA • P+OPS • SOICS • Ask Wellness • Community Safety Officers • Compass Court	**INFORMED** • Library • OneSky Child Care Resource Referral • OneSky Harm Reduction • Boys & Girls Club Okanagan

Mental Health & Wellness Supports	
Direct	Indirect
LEAD • CMHA • P+OPS • Interior Health MHSU	**CONSULTED** • Library • Compass Court • Community Foundation
AT THE CONVERSATION • Pathways • Access • OneSky Seniors Services • SOICS • OneSky CCRR • OneSky Harm Reduction • Community Safety Officers	**INFORMED** • ASK Wellness • Boys & Girls Club Okanagan

Homelessness	
Direct	Indirect
LEAD • Compass Court • P+OPS • 100 More Homes	**CONSULTED** • Library • SOICS • ASK Wellness • OneSky Harm Reduction • Community Foundation
AT THE CONVERSATION • Pathways • Access • B&G Clubs Okanagan (youth) • Interior Health MHSU • Community Safety Officers	**INFORMED** • OneSky Seniors Services • OneSky CCRR

Supports for People Who Use Substances	
Direct	Indirect
LEAD	**CONSULTED**

• P+OPS • Interior Health MHSU • OneSky Harm Reduction	• Library • Compass Court • Community Safety Officers • Community Foundation
AT THE CONVERSATION • Pathways • CMHA • Access • ASK Wellness (drug checking, peer ambassadors)	**INFORMED** • SOICS • OneSky Seniors Services • CMHA • BGC Okanagan

Child Care	
Direct	Indirect
LEAD • OneSky CCRR	**CONSULTED**
AT THE CONVERSATION • B&G Clubs Okanagan (youth) • SOICS	**INFORMED** • Library • Pathways • Access • Community Foundation • Interior Health

Food Security	
Direct	Indirect
LEAD • Community Foundation	**CONSULTED** • CMHA • OneSky Seniors Services
AT THE CONVERSATION • Pathways • Access • B&G Clubs Okanagan (youth) • SOICS	**INFORMED** • Library • OneSky CCRR • ASK Wellness • P+OPS • Interior Health MHSU

Council Report

penticton.ca

Date: July 18, 2023 File No: N\city\Address\Greenwood Dr\41
To: Donny van Dyk, Chief Administrative Officer
From: Ken Kunka, Building and Permitting Manager
Address: 41 Greenwood Drive

Subject: **Section 57 Notice on Title**

Staff Recommendation

THAT Council, after hearing from the impacted owners, resolve to place a notice on title, under section 57 of the *Community Charter,* with respect to contraventions of the City of Penticton *Building Bylaw No. 2021-21* on Lot 18, District Lot 251 Similkameen Division Yale District, Plan 27075, located at 41 Greenwood Drive (the *Property*), stating the following:

> "Failure to complete a building permit, which is a violation of the City of Penticton *Building Bylaw No. 2021-21*. Further information about it may be inspected at the municipal hall."

Strategic Priority Objectives

- **Safe & Resilient:** Enhance and protect the safety of all residents and visitors to Penticton.
- **Livable & Accessible:** Proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Background

On June 6, 2023, staff presented a Council Report that outlined staff's concern related to the expired Building Permit B010164, which had been issued for a retaining wall in the rear yard of the Property. Despite staff having provided numerous opportunities for the owners to rectify the situation, the Property remains in violation of the City's bylaws and the *British Columbia Building Code* as of the date of this report. Through a resolution passed during the regular Council meeting on June 6, 2023, staff received approval from Council for the owner to be notified that Council would consider passing a resolution to place a notice on the title of the Property under section 57 of the *Community Charter*.

Council Resolution No. 224/2023 reads as follows:

224/2023 **It was MOVED and SECONDED**
THAT the owners of 41 Greenwood Drive (the *Property*) be notified that Council will consider passing a resolution to place a notice on title, under section 57 of the *Community Charter,* with respect to contraventions of the City of Penticton *Building Bylaw No. 2021-21* on Lot 18, District Lot 251 Similkameen Division Yale District, Plan 27075, located at 41 Greenwood Drive, stating the following:

"Failure to complete a building permit, which is a violation of the City of Penticton *Building Bylaw No. 2021-21*. Further information about it may be inspected at the municipal hall."

AND THAT the owners be notified of the proposed notice on title report and be given the opportunity to speak to the matter at the regular Council meeting of July 18, 2023.

CARRIED UNANIMOUSLY

Following the June 6, 2023 meeting, staff informed the owners that Council will consider a resolution to place a notice on the title of the Property. Staff continue to recommend that Council pass a resolution to proceed with the placement of the notice on the property title, via with section 57 of the *Community Charter*.

Financial implication

None.

Analysis

In recommending the notice on title, staff are acting in accordance with section 57(1) of the *Community Charter*, which allows for a building inspector to recommend that Council consider a resolution to place a notice on the title of the Property.

As of the date of this report, the Property is out of conformity with the City's *Building Bylaw No. 2021-21* and the *British Columbia Building Code,* because of the expired Building Permit BP010164 for the retaining wall on the Property. Given current efforts having not brought the Property into compliance with the City's bylaws, staff are recommending the registration of a notice on the title of the Property. In addition, staff would like for Council to consider the following information when contemplating this action:

- That potential buyers of the Property should be informed of construction that is not compliant with the *British Columbia Building Code* and the City's bylaws;
- The City's potential liability for legal claims as a result of possible damages to surrounding properties;
- A reputation of not ensuring compliance with the City's regulations;
- The ongoing consumption of staff time and resources to have the Property brought into compliance.

Under the section 57(1) of the *Community Charter,* it is appropriate for Council to consider a resolution to place a notice on title for the failure to complete the Building Permit BP010164 for the retaining wall. Due to the expired building permit, staff are recommending that Council resolve to place a notice on the title of the Property.

Respectfully submitted,

Ken Kunka
Building and Permitting Manager

Director of Development Services	Acting Chief Administrative Officer
BL	KD

Council Report

penticton.ca

Date: July 18, 2023 File No: RMS\Address\Wiltse Pl\162
To: Donny van Dyk, Chief Administrative Officer
From: Ken Kunka, Manager of Building and Permitting
Address: 162 Wiltse Place

Subject: **Section 57 Notice on Title**

Staff Recommendation

THAT Council, after hearing from the impacted owners, resolve to place a notice on title, under section 57 of the *Community Charter,* with respect to contraventions of the City of Penticton *Building Bylaw No. 2021-21* on Lot 9, District Lot 2710 Similkameen Division Yale District, Plan 31303, located at 162 Wiltse Place (the *Property)*, stating the following:

> "Failure to complete and obtain building permits, which is a violation of the City of Penticton *Building Bylaw No. 2021-21*. Further information about it may be inspected at the municipal hall."

Strategic Priority Objectives

- **Safe & Resilient:** Enhance and protect the safety of all residents and visitors to Penticton.
- **Livable & Accessible:** Proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Background

On July 5, 2022, staff presented a Council Report that outlined staff's concerns related to the incomplete Building Permits No. 4916-96, No. 5808-97, and No. 6969-00 that were issued for an in-ground pool and fence, an addition to the single-family dwelling, and a second addition to the single-family dwelling at the Property, respectively. The Council Report also noted two unpermitted additions had been completed to the single-family dwelling at the Property, which had been identified through a separate building permit application by the owners on September 1, 2021.

The presentation on July 5, 2022, followed the introduction of the property to Council on June 7, 2022, during which Council supported a resolution by staff to have the owners informed of the proposed notice on title. Through a resolution passed during the regular Council meeting on July 5, 2022, staff were directed to work with the owners of the Property to resolve the outstanding permits before the end of 2022, and then proceed with a Notice on the Title.

Council Resolution No. 241/2022 reads as follows:

241/2022 **It was MOVED and SECONDED**
THAT Council direct staff to work with the home owners of 162 Wiltse Place to address outstanding permits before the end of the year, before proceeding with a Section 57 Notice on Title.

CARRIED UNANIMOUSLY

Following the Council Meeting on July 5, 2022, staff have made continuous efforts to work with the owners. On March 7, 2023, staff provided a final list of requirements to complete the open permits and resolve the unpermitted construction. Moreover, staff extended the opportunity for the owners to engage a registered professional, such as an architect or structural engineer, to provide an acknowledgment letter that would state the works substantially complied with the *British Columbia Building Code*. In subsequent e-mail correspondence on March 15, 2023, staff's readiness to meet with the owners' contractor was reiterated, and the scheduled reintroduction of the matter to Council for April 4, 2023, was deferred.

Despite staff's willingness to meet with the owners' contractor and the alternative option of obtaining an acknowledgment letter from a registered professional, the expired permits and unpermitted construction at the Property remain unresolved. As a result, staff are continuing to recommend that Council place a notice on the property title via section 57 of the *Community Charter*.

Financial implication

None.

Analysis

In recommending the notice on title, staff are acting in accordance with section 57(1) of the *Community Charter*, which allows for a building inspector to recommend that Council consider a resolution to place a notice on the title of the Property.

At the time of this report, the Property is out of conformity with the City's *Building Bylaw No. 2021-21* and the *British Columbia Building Code,* because of the expired building permits for the two additions to the single-family dwelling and the in-ground pool, and the two unpermitted additions to the single-family dwelling on the Property. Due to current efforts having not brought the Property into compliance with the City's bylaws, staff are recommending the registration of a notice on the title of the Property. In addition, staff would like for Council to consider the following information when contemplating this action:

- That potential buyers of the Property should be informed of construction that is not compliant with the British Columbia Building Code and the City's Bylaws;
- The City's potential liability for legal claims as a result of possible damages to surrounding properties;
- A reputation of not ensuring compliance with the City's regulations;
- The continued consumption of staff time and resources to have the Property brought into compliance.

Under the section 57(1) of the *Community Charter,* it is appropriate for Council to consider a resolution to place a notice on the title of the Property for the failure to obtain and complete building permits for the single-family dwelling. Due to the outstanding permits and unpermitted construction, staff are continuing to recommend the placement of the notice. When appropriate remedial works have been completed, then,

under section 58 of the *Community Charter*, the notice may be requested to be removed from the title of the Property by the owners.

Attachments

Attachment A – Chronology of Events
Attachment B – Site Plan for 162 Wiltse Place
Attachment C – September 22, 2021 Inspection Photographs

Respectfully submitted,

Ken Kunka
Manager of Building and Permitting

Concurrence

Director of Development Services	Acting Chief Administrative Officer
BL	KD

Attachment A – Chronology of Events

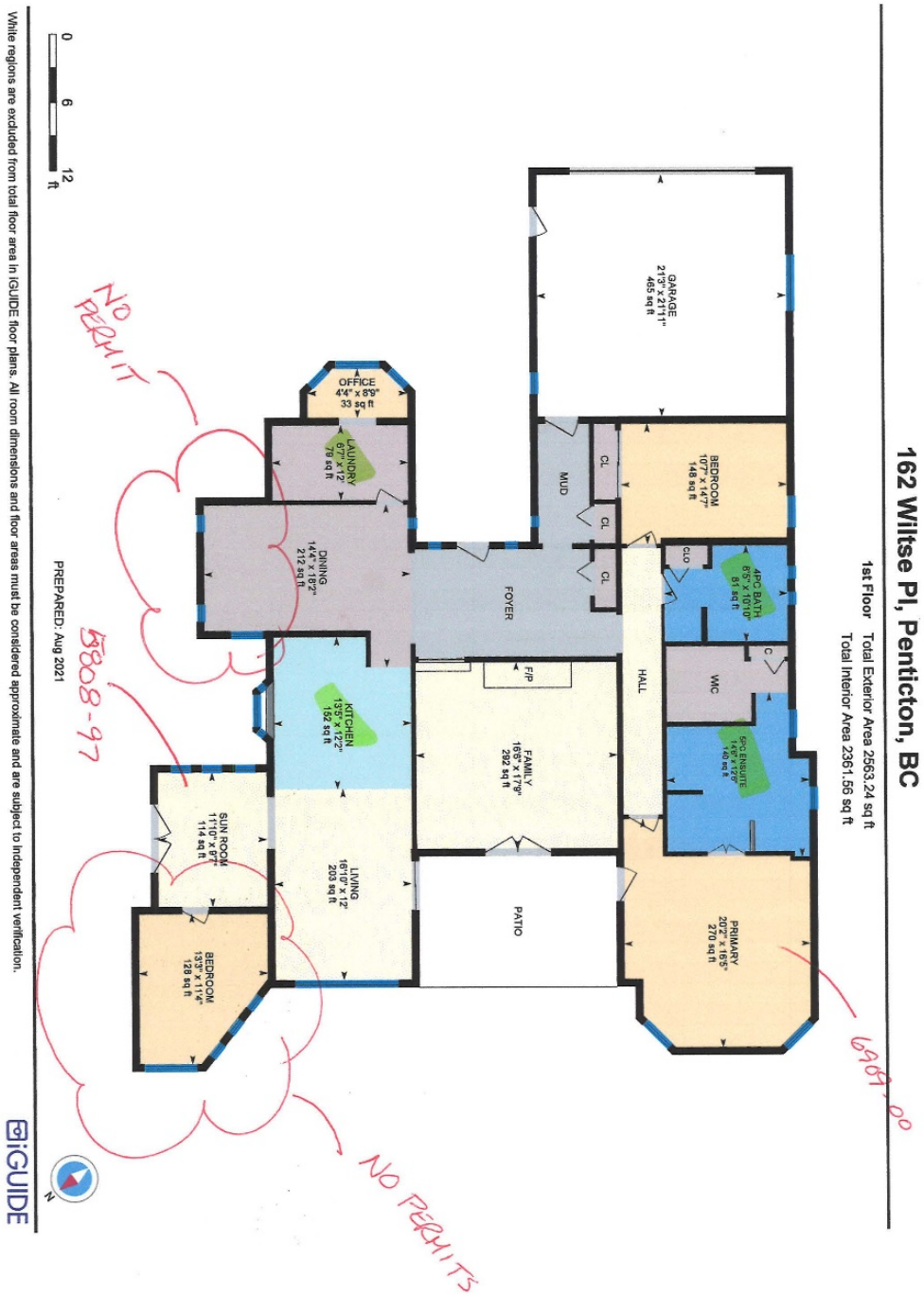
Chronology of Events

162 Wiltse Place

Date of Documentation	Description
June 30, 2023	Staff informed the owners that the Property would return to Council for notice on title.
May 9, 2023	Staff received an Electrical Declaration and an owner claimed to be exploring acknowledgement letter.
May 9, 2023	Staff contacted owners about meeting with the owners' contractor or submission of an acknowledgement letter.
March 15, 2023	Staff clarified the final list of seven items and delayed the return of the Property to Council.
March 8, 2023	Staff received a radon report and an invoice for pool fencing.
March 7, 2023	Staff sent a final list of seven items to complete open permits and resolve unpermitted construction.
November 24, 2022	An owner declined to pick up the building permit that had been prepared by staff.
October 27, 2022	An owner requested closure of outstanding permits and halt to notice on title action.
September 15, 2022	Staff received a Plumbing Declaration and an Electrical Declaration.
September 1, 2022	Staff provided a list of ten items to satisfy life safety concerns.
August 30, 2022	Staff conducted an on-site inspection with an owner present.
July 19, 2022	Staff had a meeting with an owner to discuss obtaining compliance for the Property.
July 19, 2022	A notice was placed on the tax certificate for the Property.
July 5, 2022	Council passed a resolution that directed staff to work with owners before the end of 2022.
June 6, 2022	Council supported staff in notifying the owners that Council would consider a notice on title.
March 7, 2022	An owner informed staff that the owners did not intend to obtain remedial building permits.
March 2, 2022	Staff contacted the agent regarding the building permit application and unpermitted construction.
March 2, 2022	Staff contacted the owners about not having received a building permit application and warned of a Notice on the Title of the Property.
February 22, 2022	Staff contacted the agent about the status of unpermitted construction.
November 22, 2021	Plumbing Permit BP012994 issued for half-bathroom addition to single-family dwelling (SFD).
November 17, 2021	Staff offered to prioritize the list of requirements and have the owners complete the remedial works in phases over six months.
November 3, 2021	Staff informed the agent that an Alternative Solution Application and structural engineer required for the SFD.
November 3, 2021	Staff conducted a plumbing inspection of the Property.
October 27, 2021	Staff had a meeting with the agent about deficiencies and options for unpermitted additions.
October 21, 2021	Staff conducted an on-site conditions inspection of the Property.
October 20, 2021	Staff conducted an on-site conditions inspection of the Property.

October 14, 2021	The current owners became the registered owners on the Title of the Property.
September 22, 2021	Staff conducted an on-site conditions inspection of the Property.
September 1, 2021	Owners informed of two unpermitted additions to the SFD.
September 1, 2021	Current owners submitted a building permit application for third bedroom and bathroom in SFD.
October 10, 2000	Completed framing, insulation, vapour barrier, and monitoring inspection for Building Permit No. 6969-00.
August 24, 2000	Building Permit No. 6969-00 issued for SFD addition.
November 20, 1997	Completed insulation and vapour barrier inspection for Building Permit No. 5808-97.
September 24, 1997	Building Permit No. 5808-97 issued for SFD addition.
February 20, 1996	Building Permit No. 4915-96 issued for pool and fence construction.

Attachment B – Site Plan for 162 Wiltse Place



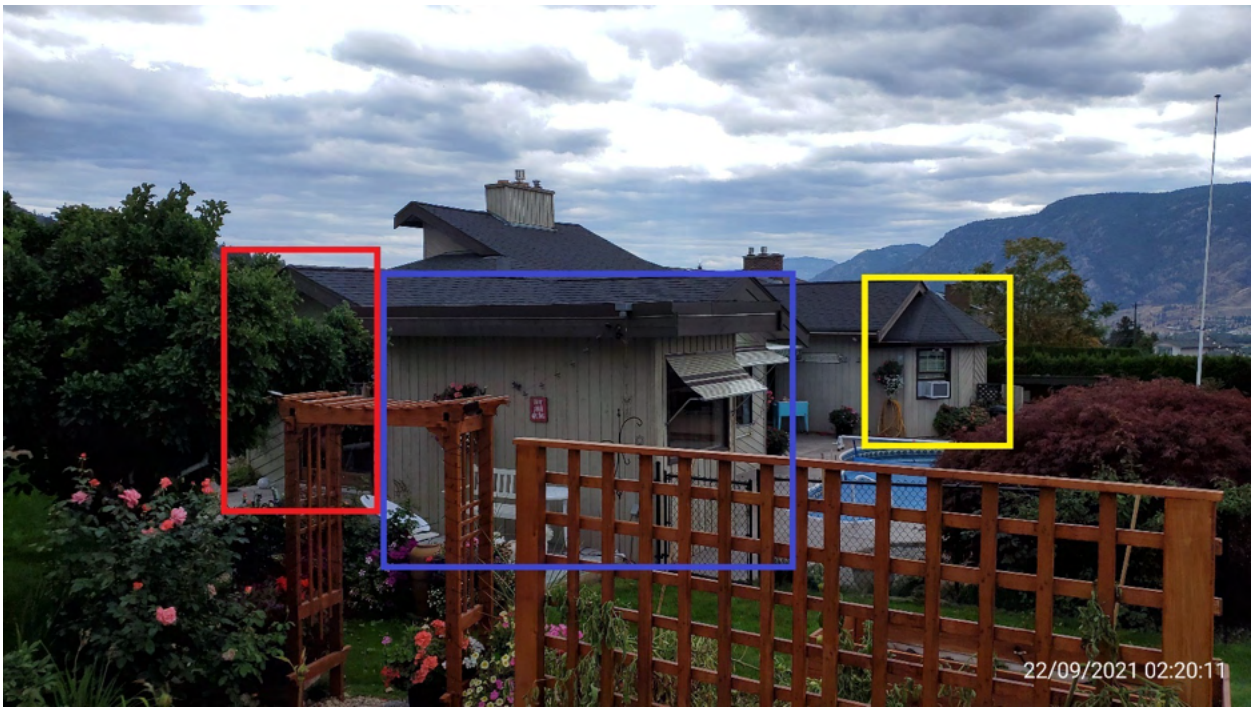
Attachment C - September 22, 2021 Inspection Photographs



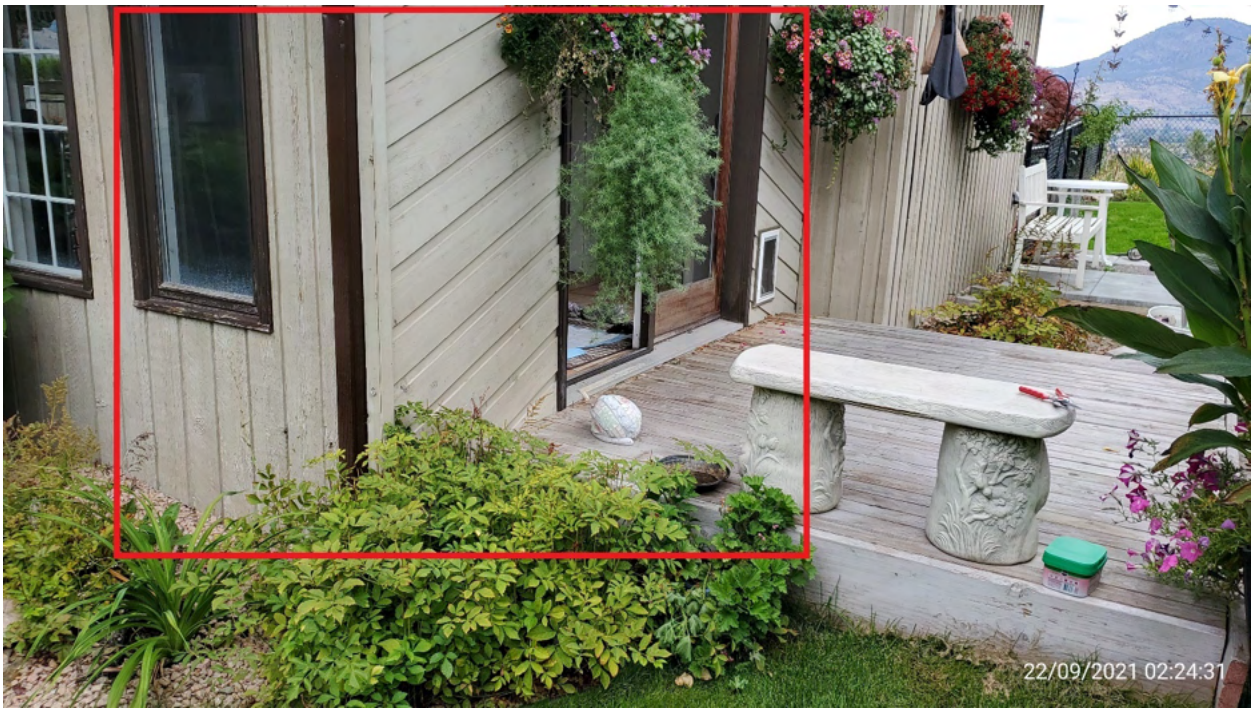
The first of the two unpermitted additions to the single-family dwelling at the Property is pictured within the red-coloured box of the above photograph.



The first of the two unpermitted additions to the single-family dwelling is pictured within the red-coloured box of the above photograph.



In the above photograph, the addition constructed under Building Permit No. 5808-97 is pictured within the red-coloured box, the second unpermitted addition is pictured within the blue-coloured box, and the addition constructed under Building Permit 6969-00 is pictured in the yellow-coloured box.



The addition constructed under Building Permit No. 5808-97 is pictured within the red-coloured box of the above photograph.



The second of the two unpermitted additions to the single-family dwelling is pictured within the red-coloured box of the above photograph.



In the above photograph, the second of the two unpermitted additions to the single-family dwelling is pictured within the red-coloured box and the in-ground pool constructed under Building Permit No. 4916-96 is pictured within the blue-coloured box.



The in-ground pool constructed under Building Permit No. 4916-96 is pictured within the red-coloured box of the above photograph.



The second of the two unpermitted additions to the single-family dwelling is pictured within the red-coloured box of the above photograph.

Council Report

penticton.ca

Date: July 18, 2023 **File No:** RMS\Address\Creekside Rd\718
To: Donny van Dyk, Chief Administrative Officer
From: Ken Kunka, Building and Permitting Manager
Address: 718 Creekside Road

Subject: **718 Creekside Road: Vacant Building Registration Permit Renewal**

Staff Recommendation

THAT Council approve the renewal of the Vacant Building Registration (VBR) Permit for 12 months to July 18, 2024, for the vacant single-family dwelling on Lot 2, District Lot 249 Similkameen Division Yale District, Plan 27880, located at 718 Creekside Road (the *Property*);

AND THAT Council require the owners to pay all applicable fees stated within the *Fees and Charges Bylaw No. 2014-07* to renew the Vacant Building Registration (VBR) Permit.

Strategic Priority Objectives

- **Safe & Resilient:** Enhance and protect the safety of all residents and visitors to Penticton.
- **Livable & Accessible:** Proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Background

On or around August 6, 2020, a landslip occurred that impacted the single-family dwelling located at the Property, leaving it vacant and unihabitated. Subsequently, on January 12, 2022, the City received a complaint regarding possible transients who had gained access to the dwelling. Following this complaint, on January 13, 2022, various authorities, including the Building and Permitting Department staff, Community Safety Officers, and RCMP, along with the owners' agent, attended to the Property to remove the transient and secure the single-family dwelling.

Following these events, on January 27, 2022, the owners' agent applied for a Vacant Building Registration Permit for the single-family dwelling. On February 10, 2022, an inspection was conducted at the Property, and "Do Not Occupy" Notices were posted on the single-family dwelling, which had been secured per the requirements outlined in Schedule G of the *Good Neighbour Bylaw No. 2012-5030*.

The Vacant Building Registration Permit BP013116 was then issued for the single-family dwelling on March 2, 2022. However, this permit expired on March 3, 2023, without a request for renewal or other type of permit application for the single-family dwelling having been received by the City. Consequently, on June 2, 2023, a letter was sent to both the owners and their agent, notifying them of the expiration of BP013116.

As of June 20, 2023, the owners' agent has submitted an application to renew the Vacant Building Registration Permit for the single-family dwelling at the Property. It is important to note that the regulations

for the Vacant Registration Permit outlined in the *Good Neighbour Bylaw No. 2012-5030* were implemented to monitor and track vacant structures on residential and commercial properties, encouraging property owners to either repair or demolish dilapidated buildings.

Under subsections 7.16 and 7.18 of the *Good Neighbour Bylaw No. 2012-5030*, an additional permit may only be issued with the approval of Council:

No Additional Permits without Council Approval

7.16 Once a permit has been issued, no additional permit may be issued in respect to the building until and unless:

(a) Council has approved an additional permit to be issued under Section 7.18.

Council May Order Additional Permit to be Issued

7.18 Upon application by an owner whose vacant building has been issued a permit under section 7.11 or, and payment of any additional fees and penalties, Council may direct the Chief Building Official to issue an additional permit in respect of the building(s).

The aforementioned bylaw requirements are in place to ensure that any request for an additional permit is valid and aligns with the City's vision of either allowing the retention of a vacant building for an extended period or enforcing fines and/or remedial action to address these structures. The fees associated with registration and renewal are designed to incentivize property owners to either rehabilitate or remove such structures.

Financial implication

The renewal of the Vacant Building Registration permit will enable staff to maintain the monthly monitoring of the Property, ensuring the unoccupied status and continued security of the single-family dwelling. As is stated within the *City's Fees and Charges Bylaw No. 2014-07*, the fee for obtaining an additional Vacant Building Registration Permit, valid for a duration of 12 months, amounts to $2,650. For any subsequent inspections unrelated to the Vacant Building Registration Permit, conducted by staff, a fee of $195.00 (plus GST) is applicable. In the event that the Penticton Fire Department is required to attend to the Property, this fee will reflect the actual costs incurred by the City, covering labor, materials, and equipment utilized.

Analysis

The single-family dwelling has been subject to monthly monitoring by staff, and the City has received nuisance complaints and a limited number of calls alleging potential breaches of the Property. However, ensuing investigations by staff have determined the single-family dwelling remains secure. Throughout the monitoring period, the single-family dwelling has remained unoccupied, appropriately secured, free of graffiti, and with the electrical service disconnected.

Nonetheless, Council should consider the potential risks associated with prolonged vacancy of a building. Such circumstances can heighten the probability of illegal activities, structural deterioration, and the storage of combustible materials, which may ultimately result in safety issues like fires. Additionally, vacant buildings can discourage the development of neighboring properties and have a negative impact on property values.

The Vacant Building Registration program was developed to monitor vacant buildings and ultimately encourage the building owner to renovate for re-habitation or demolish the nuisance or hazardous structure. However, due the complications of remediating the hillside, staff are recommending the 12-month renewal to allow the owner further development of the remediation work with the condition of

continued monthly monitoring that will be recompensed through the applicable fees. The owners bear the responsibility of maintaining the exterior of the home to prevent further deterioration and ensuring the yards do not become unsightly and/or untidy.

As per subsection 7.19 of the *Good Neighbour Bylaw No. 2012-5030*, Council's considerations before approving the renewal are the following:

(a) That the building(s) do not create a hazard or nuisance on adjacent buildings and the surrounding neighbourhood;
(b) The viability and credibility of the owner's plans to bring the building into compliance and maintain it thereafter in compliance with this Bylaw and other bylaws;
(c) The likelihood that the building will be re-occupied or demolished in the future; and
(d) The owner's record of compliance or non-compliance with the Bylaw and other bylaws of the City and the subject property and elsewhere.

Alternate Recommendation

Council may consider denying the renewal of the Vacant Building Registration (VBR) Permit should Council conclude that the provisions of subsection 7.19 have not been met. If this is the case, staff would then write a report recommending that remedial action requirements (RAR) be imposed on the Property, as allowed by the *Community Charter and outlined within the Building Compliance council policy*, to either have the single-family dwelling removed or renovated to a state of safe occupancy.

Remedial action under section 72 of the *Community Charter*, gives local governments the authority to declare and require property owners to clean up, remove, or remediate a potential hazardous condition (section 73 cc), a nuisance (section 74 cc), or harm by drainage or dike (section 75 cc). Once, remedial action is declared, the property owner would have a set period of time to correct the condition or the City would contract the works and require reimbursement with outstanding balances allocated onto the property's tax.

THAT Council deny the 12 month renewal of the Vacant Building Registration (VBR) Permit for the vacant single-family dwelling on Lot 2, District Lot 249 Similkameen Division Yale District, Plan 27880, located at 718 Creekside Road;

AND THAT Council direct staff to write a report that recommends the imposition of remedial action requirements (RAR) on the Property, in accordance with section 73 of the *Community Charter*, to require the owner to remove or remediate the vacant single-family dwelling through either a demolition permit or interior alterations building permit, respectively.

Attachments

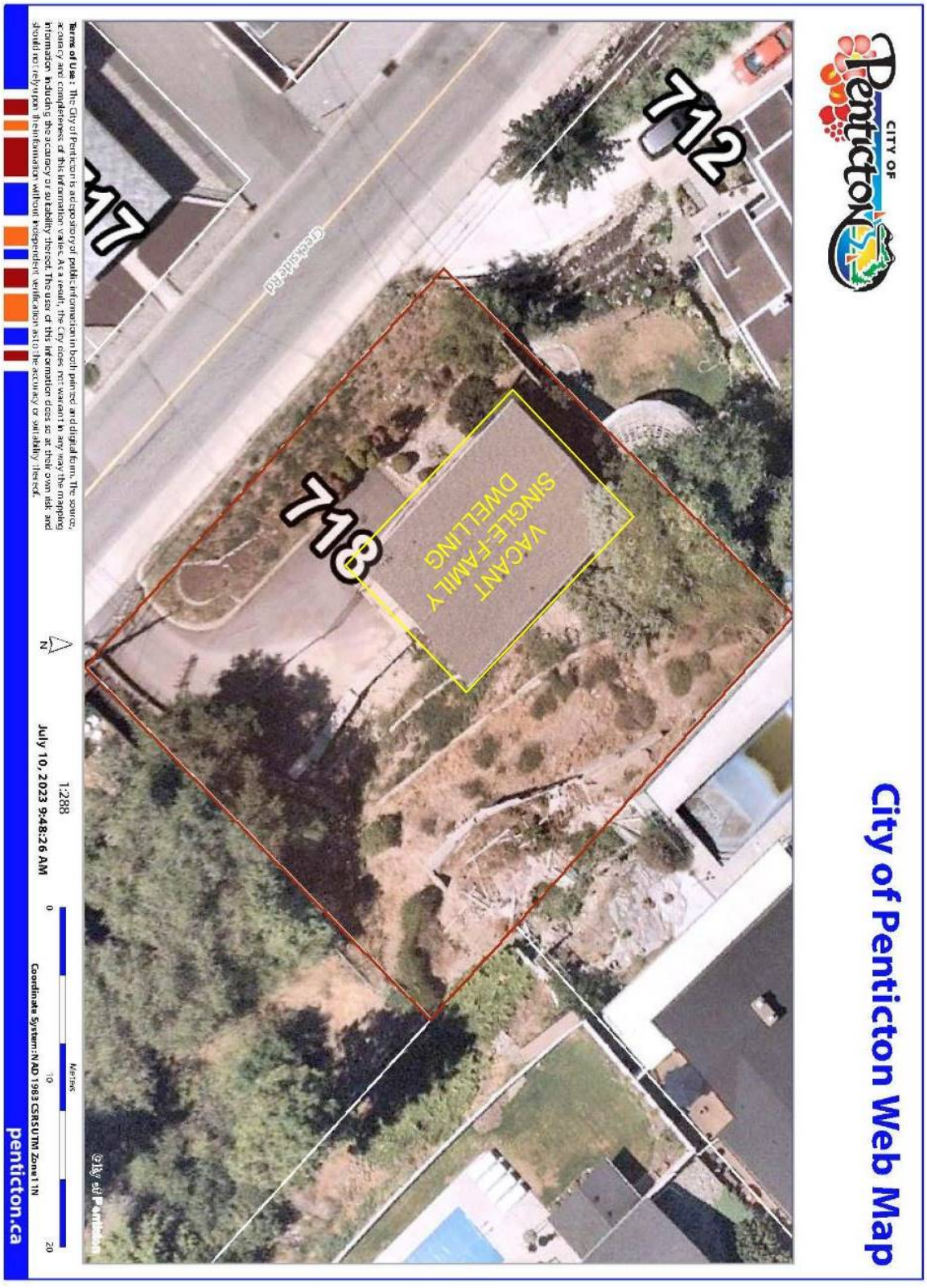
Attachment A – Site Map, dated Jul 10, 2023
Attachment B – Photographs, dated July 10, 2023
Attachment C – E-Mail, dated July 3, 2023

Respectfully submitted,

Ken Kunka
Building and Permitting Manager

Director of Development Services	Acting Chief Administrative Officer
BL	KD

Attachment A – Site Map



Attachment B - Photographs, dated July 10, 2023





Attachment C – E-Mail, dated July 3, 2023

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: RE: BP013116: Council Meeting for July 18, 2023
Date: Monday, July 03, 2023 3:56:16 PM

Caution! This message was sent from outside your organization. Allow sender | Block sender

Hello

In regards to vacant building permit BP13116

I wish this was not needed, but because of all the issues with the hill, the insurance companies not willing to work together, law suites etc. we are going at a snails pace. That being said I think Twin Con is in negotiation with my insurance company on repairing the hill. I had an onsite meeting with Twin Con to see if they would take on this job. It makes sense because they are doing the repair for the property up above. Once that happens I believe On The Mark will be doing the building repairs or what ever is decided as far as the building.

Regards [redacted]

Sent from Mail for Windows

Council Report

penticton.ca

Date: July 18, 2023 File No: 0550-02
To: Donny van Dyk, Chief Administrative Officer
From: Angie Collison, Corporate Officer
Address: 674 Martin Street

Subject: **Road Closure (portion fronting 674 Martin Street) Amendment Bylaw No. 2023-24**

Staff Recommendation

THAT Council give first, second and third reading to Road Closure (portion fronting 674 Martin Street) Amendment Bylaw No. 2023-24, a bylaw to amend Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12.

Strategic priority objective

Livable & Accessible: The City of Penticton will proactively plan for deliberate growth; focused on an inclusive, healthy, safe and desirable place to live.

Background

At the April 3, 2023 Regular Council meeting, Council gave three readings to "Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12", a bylaw to close a small portion of City road right-of-way at 674 Martin Street to all vehicular traffic and authorized staff to proceed with the disposition of the land to facilitate a proposed development.

> *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.

Before the bylaw was adopted on April 18, 2023, an opportunity for those persons who consider themselves affected by the bylaw to make representation to Council was held. No one spoke.



Since the adoption of the road closure bylaw, the land department, with the assistance of law office of Stewart McDannold Stuart, have been working to complete the land disposition and register the road closure with the Land Title Office.

The Land Title Office has declined to register (under section 308 of the *Land Title Act*) the road closure as submitted and have requested that the bylaw text be amended to include wording that specifically removes the dedication of the highway.

An amendment bylaw has been prepared that includes the required wording and is attached for first, second and third reading. After three readings, a notice of intention to proceed with the bylaw will be published in accordance with section 94.2 of the *Community Charter*. Those who may be impacted by the amendment bylaw can make representation to Council prior to final reading on August 1, 2023.

Attachments

Attachment A – Road Closure (portion fronting 674 Martin Street) Amendment Bylaw No. 2023-24

Respectfully submitted,

Angie Collison
Corporate Officer

Concurrence

Director of Development Services	A/Chief Administrative Officer
BL	*KD*

The Corporation of the City of Penticton
Bylaw No. 2023-24

A Bylaw to amend Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12

WHEREAS Section 40 of the *Community Charter* provides that a Council may, by bylaw, permanently close all or part of a highway that is vested in the municipality to all or some types of traffic;

AND WHEREAS the Council of the City of Penticton has adopted a Road Closure Bylaw pursuant to the *Community Charter* and wishes to amend "Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12";

AND WHEREAS before adopting this bylaw, the Council has given notice of its intention in accordance with section 94.2 of the *Community Charter*;

AND WHEREAS before adopting this bylaw, Council has provided an opportunity for persons who consider themselves affected by the bylaw to make representation to Council;

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 "Road Closure (portion fronting 674 Martin Street) Amendment Bylaw No. 2023-24".

2. **Amendment:**

   "Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12" is hereby amended as follows:

   Delete the paragraph in section 2. in its entirety and replace with the following:

   Authority is hereby given to the Corporation of the City of Penticton to close a portion of the road **and remove the dedication of a highway on a portion fronting 674 Martin Street** as shown in detail on Schedule 'A' attached hereto and forming part of this bylaw.

READ A FIRST time 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 __ day of ____, 2023 and the __ day of ____, 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

Council Report

penticton.ca

Date: July 18, 2023 File No: RMS/951 Dynes Ave
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Senior Planner
Address: 951 and 963 Dynes Avenue

Subject: **Zoning Amendment Bylaw No. 2023-19**

Staff Recommendation

THAT Council adopt "Zoning Amendment Bylaw No. 2023-19, for Lot B District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 951 Dynes Avenue and Lot A District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 963 Dynes Avenue, a bylaw to rezone the subject properties from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing), with the following site specific provision:

1. Apartments shall not be a permitted use.

Excess and Extended Service

AND THAT Council, in accordance with Section 507 of the *Local Government Act*, require the following excess and extended services:

- Upgrade of the existing 100mm water main from the development to Sydney Street.

Strategic Priority Objective

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

Proposal

The applicants are proposing a multifamily development on the subject properties. The purpose of this report is to provide Council and the public with an update on the application and recommend that Council adopt the Zoning Amendment Bylaw to rezone the site from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing), with a site-specific provision that apartments are not a permitted use.

Background

On June 20, 2023, Council gave second and third reading to "Zoning Amendment Bylaw No. 2023-19", a bylaw to rezone 951 and 963 Dynes Avenue to allow for a multifamily residential development in the form of

townhouse units. The application at the time also included recommendations for Council to consider and deny the following associated permits, subject to adoption of the Zoning Amendment Bylaw:

1. Development Variance Permit PL2022-9370", a permit to vary the following sections of Zoning Bylaw No. 2023-08:
    a) Section 10.10.2.3: to increase maximum lot coverage from 50% to 56.5%;
    b) Section 10.10.2.7: to reduce the minimum interior side yard from 4.5 to 2.1m;
    c) Section 10.10.2.9: to reduce the minimum rear yard from 6.0m to 1.5m; and
    d) Section 5.2, Table 5.1 to waive the requirement for landscaping buffers along the east and west property line.
2. Development Permit PL2022-9369", a permit for the construction of 13 residential units in the form of two rows of townhouses.

In response to the comments raised during the June 20th Public Hearing and Regular Council meeting, the applicants have discussed with staff and have decided to withdraw the associated "Development Variance Permit PL2022-9370" and "Development Permit PL2022-9369".

The applicants have shared that they would like to continue to work with staff to amend the development plans to further address the concerns raised at the Council meeting, and to create a development that would have staff support.

Staff will continue to work with the applicant on the development proposal for the properties. Any permits that require further consideration by Council would be presented to Council at a future meeting with public notification to surrounding neighbours as required.

Attachments

Attachment A – Zoning Amendment Bylaw No. 2023-19

Respectfully submitted,

Steven Collyer, RPP, MCIP
Senior Planner

Concurrence

Director of Development Services	Acting Chief Administrative Officer
BL	*KD*

The Corporation of the City of Penticton

Bylaw No. 2023-19

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. 2023-19".

2. **Amendment:**

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

2.1 Rezone Lot B District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 951 Dynes Avenue and Lot A District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 963 Dynes Avenue from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing) as shown on Schedule 'A'.

2.2 Add section 10.10.5.4: "In the case of Lot B District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 951 Dynes Avenue and Lot A District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 963 Dynes Avenue, apartments shall not be a permitted use."

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

READ A FIRST time this	6	day of	June, 2023
A PUBLIC HEARING was held this	20	day of	June, 2023
READ A SECOND time this	20	day of	June, 2023
READ A THIRD time this	20	day of	June, 2023
RECEIVED the approval of the Ministry of Transportation on the	23	day of	June, 2023
ADOPTED this		day of	, 2023

Notice of intention to proceed with this bylaw was published on the 9th day of June, 2023 and the 14th day of June, 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 23 day of June, 2023

for Minister of Transportation & Infrastructure

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Schedule A: Zoning Amendment Bylaw 2023-19

Date: Corporate Officer:



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May 29, 2023 2:49:00 PM

Meters

0 15 30

Coordinate System: NAD 1983 CSRS UTM Zone 11N

Council Report

penticton.ca

Date: July 18, 2023 File No: RMS/84 Roy Ave
To: Donny van Dyk, Chief Administrative Officer
From: Jordan Hallam, Planner I
Address: 84 Roy Avenue

Subject: **Development Variance Permit PL2023-9580**

Staff Recommendation

THAT Council approve "Development Variance Permit PL2023-9580" for Lot 11 District Lot 115 Similkameen Division Yale District Plan 9176, located at 84 Roy Ave, a permit to vary Section 8.2.3.3 of Zoning Bylaw 2023-08 to increase the maximum building footprint of a carriage house from 90 m^2 to 100.0 m^2;

AND THAT Council direct staff to issue "Development Variance Permit PL2023-9580".

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 to convert an accessory building (garage) into a carriage house at the rear of their property (Figure 1). The preliminary plans submitted show the existing garage and the proposed new carriage house to have a building footprint of 100.0 m^2. The Zoning Bylaw requires a carriage house to have a maximum building footprint of 90.0 m^2. As such, the applicant has requested a variance to allow the carriage house as proposed.

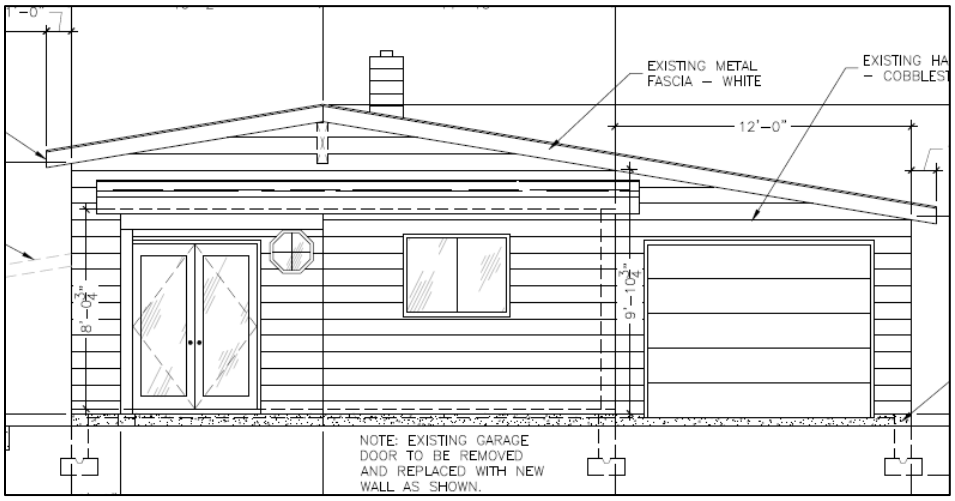


Figure 1 – Proposed Carriage House

Carriage houses are considered within the Intensive Residential

Development Permit Area, and a development permit will be required for approval of the form and character of the proposed carriage house. The Development Permit will be processed and issued by Staff should Council approve the requested variance.

Background

The subject property is located on the south side of Roy Avenue, in a primarily residential neighbourhood (Figure 2). The property currently contains a single detached dwelling which was built in 1963. The existing detached garage was built in 1973. The property is designated 'Ground Oriented Residential' by the Official Community Plan (OCP) and is zoned 'R1 (Large Lot Residential)' in the Zoning Bylaw.



Figure 2 – Property Location Map

Climate Impact

The proposed carriage house will add a second dwelling on the property. This increases the density of the area, allowing more residents to live on an established property within the City of Penticton. In addition, approving the variance will allow for the utilization of the existing accessory building. Not supporting the variance would require the demolition of the building and rebuilding of the carriage house in the correct location, potentially filling the landfill with unnecessary construction waste.

Technical Review

This application was reviewed by the Technical Planning Committee, a group of City staff from various departments who review development applications. Staff identified an addition to the garage that was done without permits, and has a 0.0 m setback. Staff worked with the applicant and identified to have this removed at the Building Permit stage. Building permit requirements were sent to the applicant in order to expedite the future building permit process.

Development Statistics

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

	Carriage House Requirement (Section 8.2)	Provided on Plans
Minimum Lot Area*:	370 m^2	1092.7 m^2
Maximum Lot Coverage:	40%	23.4 %
Maximum Building Footprint:	90 m^2 or 15% of the lot, whichever is less	100.0 m^2 (6.9%) – variance requested
Vehicle Parking:	3 spaces required (2 required for the single family dwelling and 1 for the carriage house)	3 spaces provided
Required Setbacks Front Yard (Roy Ave): Side Yard (east): Side Yard (west): Rear Yard (lane):	 6.0 m 1.5 m 1.5 m 1.5 m	 Front yard: 42.12 m Side yard (east): 7.6 m Side yard (west): 0.9 m Rear yard (lane): 6.8 m
Maximum Building Height	7.0 m and 2 storeys	3.59 m and 1 storey
Other Information:	*Lot area is only applicable at the time of subdivision.	

Analysis

Development Variance Permit

When considering a variance to a City bylaw, staff encourage Council to consider whether approval of the variance would cause a negative impact on neighbouring properties; and, if the variance request is reasonable. Staff have reviewed the requested variance to increase the maximum building footprint of a carriage house from 90 m^2 to 100.0 m^2 and are recommending support for the following reasons:

1. *Hardship of the construction of the existing building*

   The proposed carriage house meets all other carriage house Zoning Bylaw regulations including parking requirements, height, and lot coverage regulations. The only reason that the variance is being requested in this case is in order to keep the existing footprint of the building when it was constructed in 1973, which was built according to the siting regulations of the day. Utilizing the existing building is desirable from a number of perspectives, including cost and not wasting the already constructed materials.

2. *Minimal size increase*

   The increase in size of the building footprint of the proposed carriage house is 10.0 m^2 (107.6 ft^2). Staff consider this increase in size minimal and is comparable to the size of a small accessory building. Accessory buildings with a building footprint of 10.0 m^2 (107.6 ft^2) or less within the City of Penticton do not require a building permit, and are subject to relaxed setback requirements. The increase in size of the carriage house building footprint is minimal even with the proposed 100 m^2 footprint, as the site coverage is only 23%, where the maximum permitted is 40%.

Given the reasons above, staff consider the variance request is reasonable in this instance. As such, staff are recommending that Council approve the variance and direct staff to issue the permit.

Should Council approve the variance, staff would proceed with processing the required Development Permit prior to construction occurring.

Alternate Recommendations

Council may consider the requested variance is undesirable and that the applicants should build within the Zoning Bylaw regulations. If this is the case, Council should deny "Development Variance Permit PL2023-9580". If this decision is made, the applicant would need to update their plans to meet the Zoning Bylaw. It is recommended that Council allow the applicant to speak on behalf of the proposed variance if Council is considering denying the application. If the applicant revises their plans to meet Zoning Bylaw regulations, staff have delegated approval authority to process the Development Permit on its own. Staff are recommending against this option, as the requested variances are considered reasonable in this instance.

1. THAT Council deny "Development Variance Permit PL2023-9580".

Attachments

Attachment A – Zoning Map
Attachment B – Official Community Plan Map
Attachment C – Photos of Property
Attachment D – Letter of Intent
Attachment E – Draft Development Variance Permit PL2023-9580

Respectfully submitted,

Jordan Hallam
Planner I

Concurrence

Director of Development Services	Acting Chief Administrative Officer
BL	*KD*

Attachment A – Zoning Map

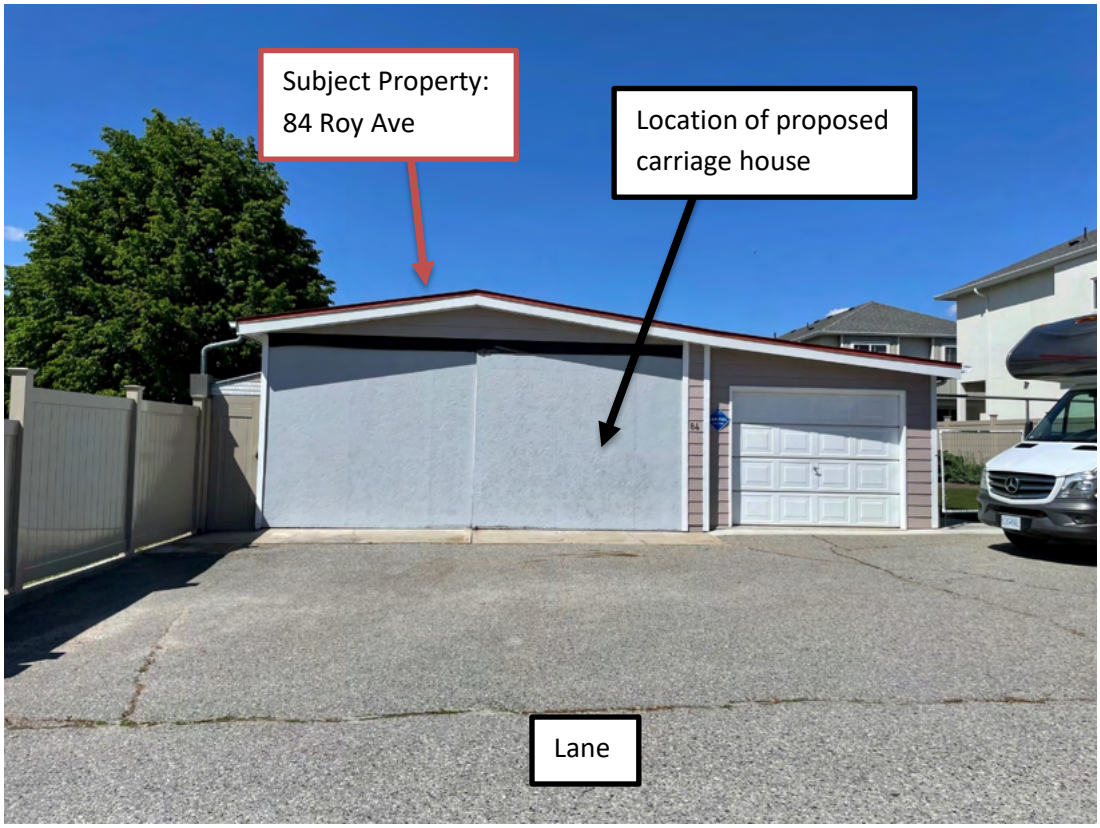


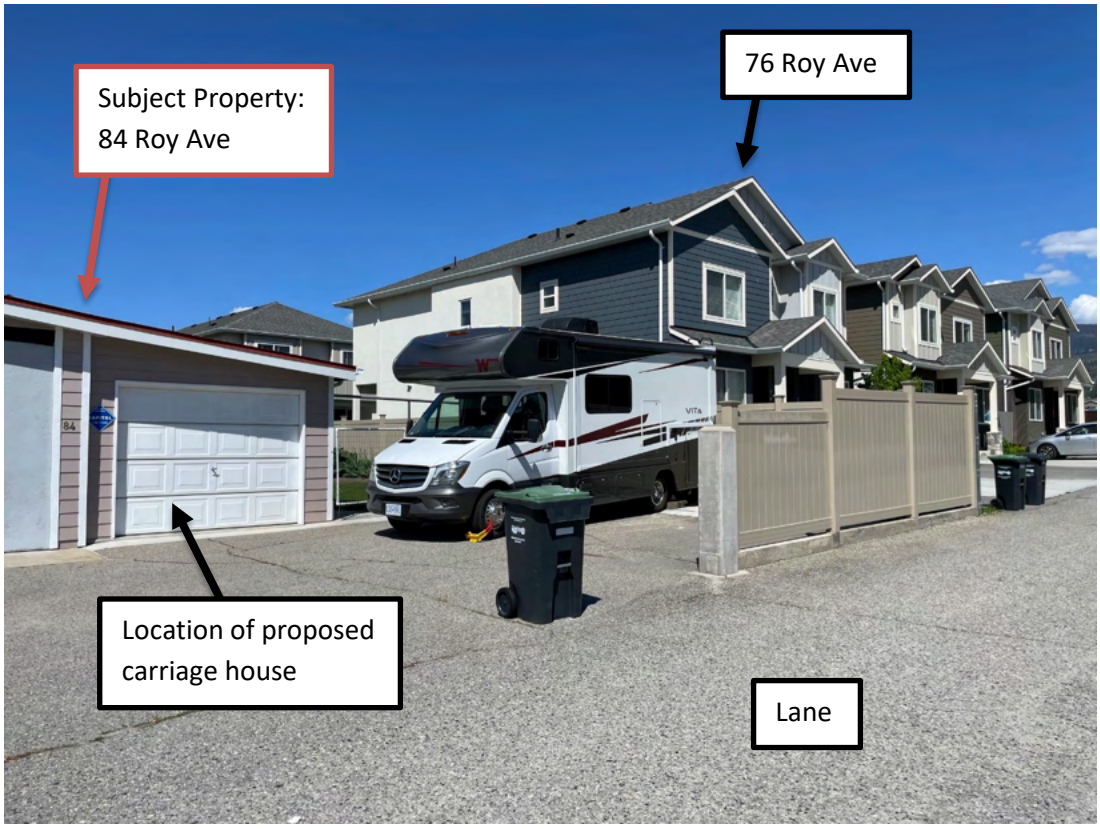
Attachment B – Official Community Plan Map

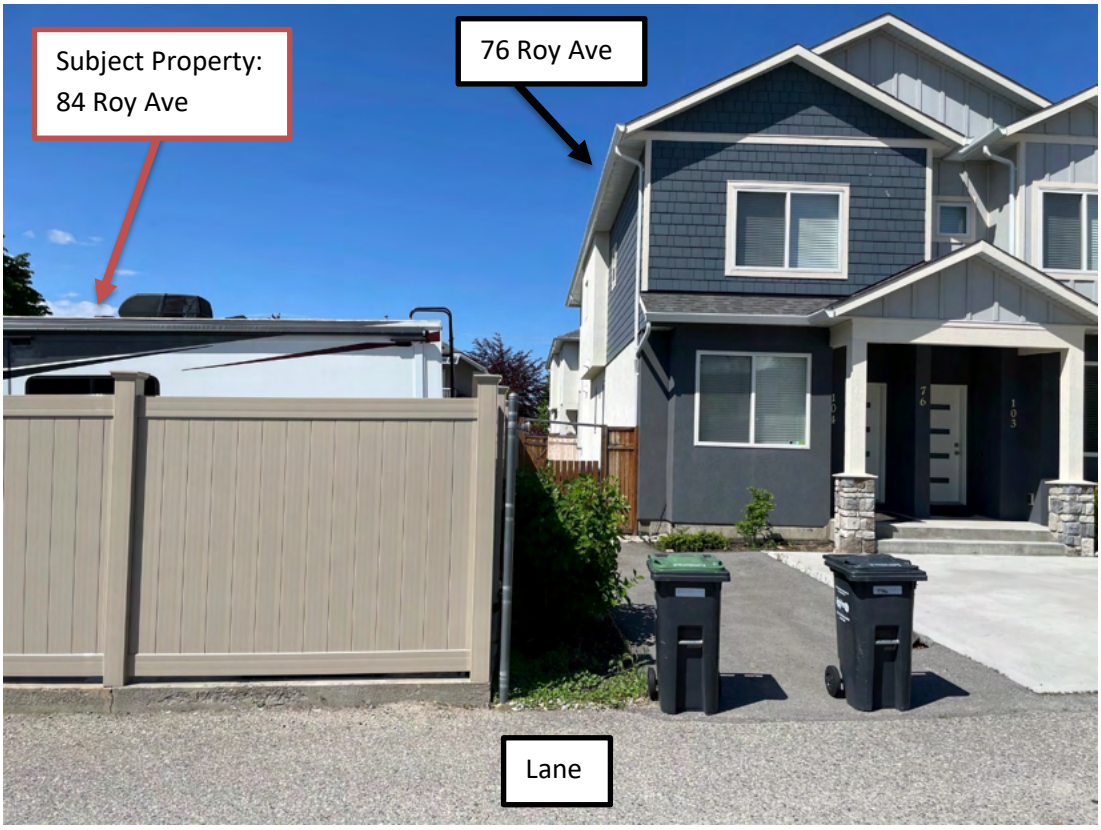


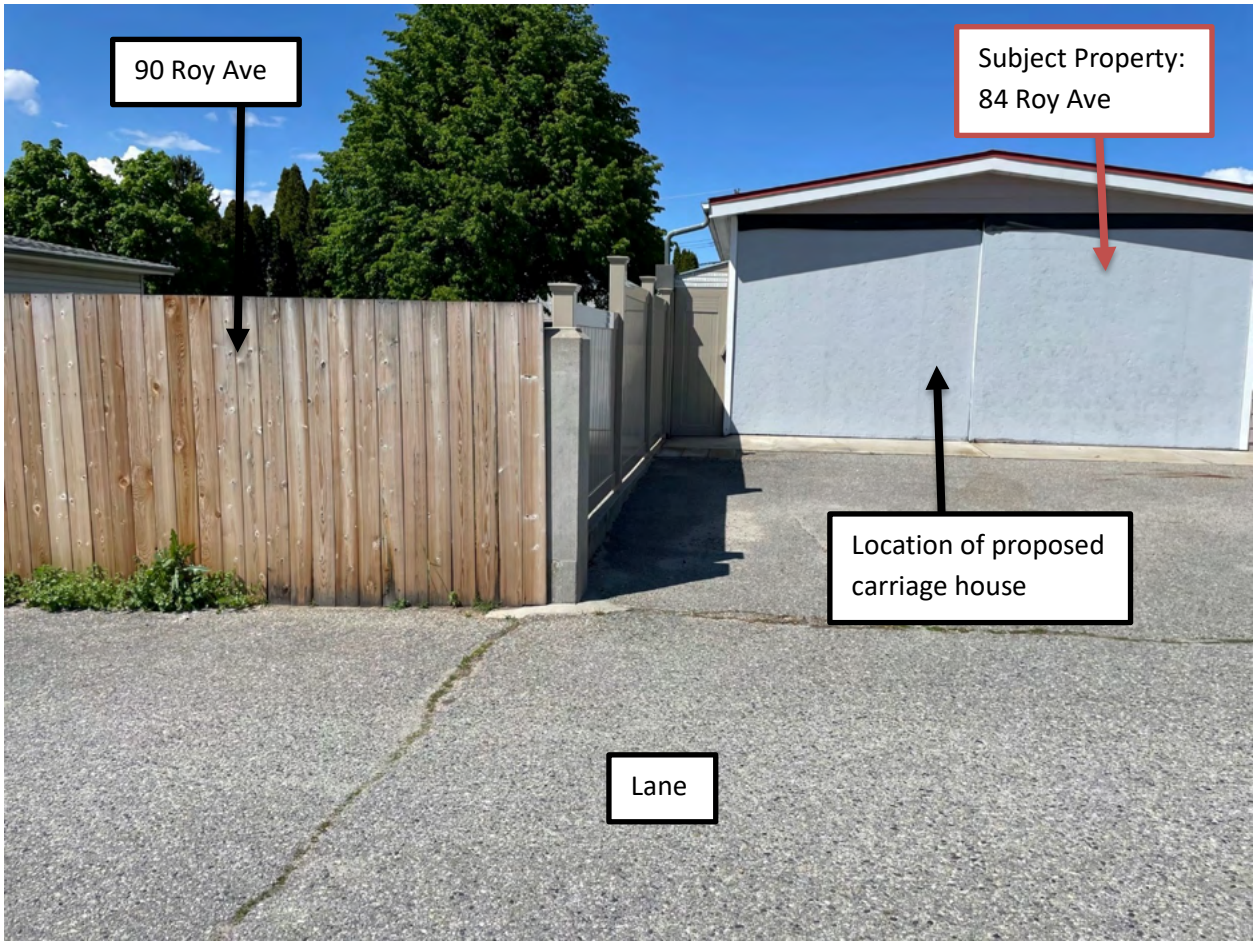
Attachment C – Photos of Property






Subject Property:
84 Roy Ave
76 Roy Ave
Location of proposed
carriage house
Lane


Subject Property:
84 Roy Ave
76 Roy Ave
Lane


90 Roy Ave
Subject Property:
84 Roy Ave
Location of proposed
carriage house
Lane

LETTER OF INTENT

April 24, 2023

84 Roy Ave
Penticton

I would like to convert my existing, detached garage into a carriage house for my daughter. My wife passed away, last year, and I realize, being 84 years old, that I need some help, at times.

Having a home for my daughter, on my property, allows her to have her own space and be close by when I need anything.

- The garage, already, matches the house in appearance and the conversion will not change the look of the yard, so there will be no impact on the neighbours' views.
- We will increase the width of the exterior walls to 8" thick, from the inside, for sound barrier and insulation value.
- There is ample parking at the rear of my property and we will be adding more fencing and a gate to provide privacy and security.
- This will not be a rental unit. It's simply a way of retaining the home that has been in my family for 60 years.

Earl Mueksch

Earl Mueksch, Property Owner

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Variance Permit

Permit Number: DVP PL2023-9580

Owner Name
Owner Address

Conditions of Permit

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

2. This permit applies to:

   Legal: Lot 11 District Lot 115 Similkameen Division Yale District Plan 9176

   Civic: 84 Roy Avenue

   PID: 009-797-556

3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2021-01 to allow for the construction of a carriage house, as shown in the plans attached in Schedule 'A':

   a. Section 8.2.3.3: to increase the maximum building footprint of a carriage house from 90 m^2 to 100.0 m^2.

General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.

5. In accordance with Section 504 of the *Local Government Act,* if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**

7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

DRAFT

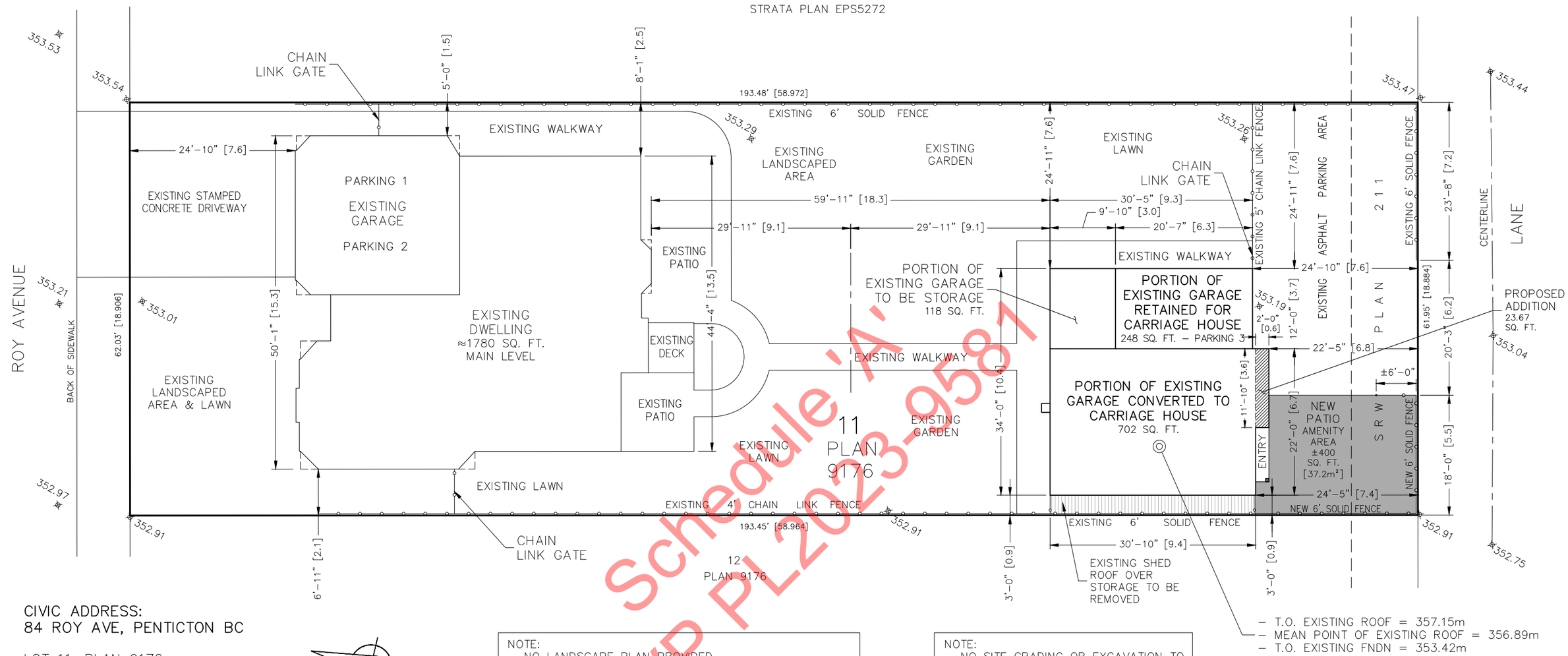
Authorized by City Council, the 18th day of July, 2023.

Issued this _____ day of July, 2023.

_____

Angela Collison
Corporate Officer

DRAFT



Schedule 'A'
DVP PL2023-9581

CIVIC ADDRESS:
84 ROY AVE, PENTICTON BC

LOT 11, PLAN 9176
FOLIO: 02074–000
PID: 009–797–556
ZONING R1

PARCEL AREA = 12,095 SQ. FT.
EXISTING DWELLING GROSS FOOTPRINT = 2,432 SQ. FT.
(COMBINED MAIN FLOOR, ATTACHED GARAGE & DECK)
EXISTING DETACHED GARAGE FOOTPRINT = 1,069 SQ. FT.
(INCLUDING PROPOSED ADDITION)
(PORTION CONVERTED TO CARRIAGE HOUSE = 950 SQ. FT.)

TOTAL PROPOSED BUILDING FOOTPRINT = 3,501 SQ. FT.
PROPOSED NET PARCEL COVERAGE = 28.9%
MAX PARCEL COVERED ALLOWED – 40%

EXISTING DETACHED GARAGE (CARRIAGE HOUSE) HEIGHT ≈ 12'–11$\frac{1}{4}$" [3.94m]
MAX HEIGHT ALLOWED = 7.0m

NOTE:
– NO LANDSCAPE PLAN PROVIDED.
– ALL EXISTING LANDSCAPING TO REMAIN UNCHANGED WITH THE EXCEPTION OF THE NEW PATIO AMENITY AREA. THE EXISTING ASPHALT IN THIS AREA IS TO BE REMOVED AND REPLACED WITH PAVING STONES AND/OR OTHER ON–GRADE SURFACE FINISH AS PER OWNER SPEC.
– ALL LANDSCAPE REFERENCES SHOWN HEREON ARE APPROXIMATE AND ARE NOT INTENDED TO SHOW ACTUAL AS–BUILT LANDSCAPING.

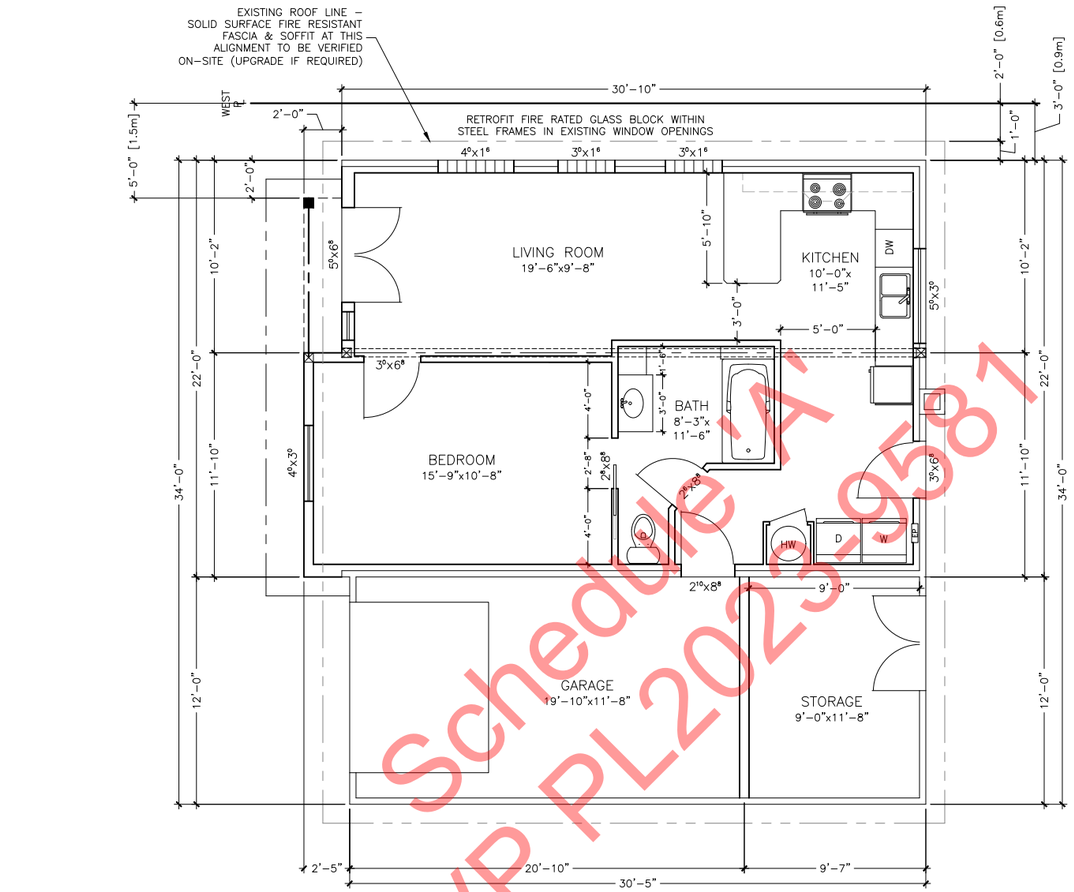
NOTE:
– NO SITE GRADING OR EXCAVATION TO TAKE PLACE. ALL EXISTING GROUND TO REMAIN UNDISTURBED.
– RENOVATIONS WILL NOT EFFECT THE OVERALL BUILDING HEIGHT.

ISSUED FOR DEVELOPMENT PERMIT

SITE PLAN
PROPOSED CARRIAGE HOUSE
84 ROY AVENUE
PENTICTON BC

AZTECH DRAFTING SERVICES
1288 Lyon Street, Penticton, B.C.
Phone: 250–492–3344 e–mail: service@aztechdrafting.com

DRAWN BY: MBW	DATE: JUN 6/23
DESIGN BY:	PROJECT No.: 232141
CHK'D BY:	FILE No.:
SCALE: 1"=15'	SHEET No.: A1.3 REV 0



MAIN FLOOR PLAN
678 SQ FT CONDITIONED SPACE

– T.O. EXISTING ROOF = 357.15m
– MEAN POINT OF EXISTING ROOF = 356.89m
– T.O. EXISTING FNDN = 353.42m

Schedule 'A'
DVP PL2023-9581

ISSUED FOR DEVELOPMENT PERMIT

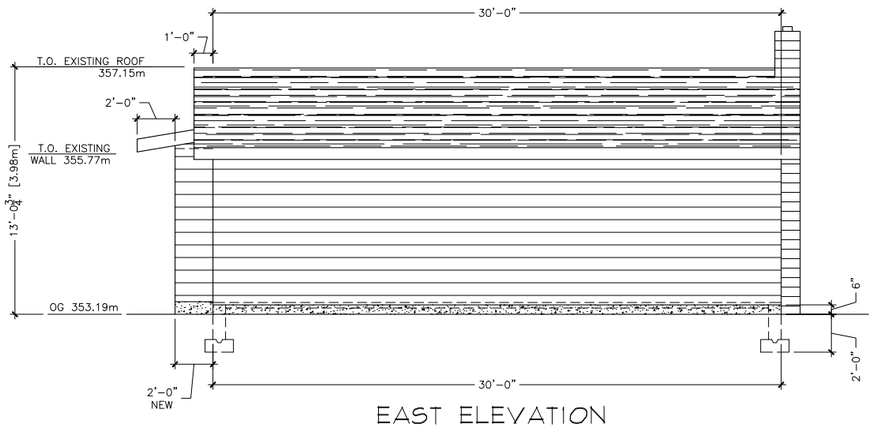
PRELIMINARY FLOOR PLAN
PROPOSED CARRIAGE HOUSE

84 ROY AVENUE
PENTICTON BC

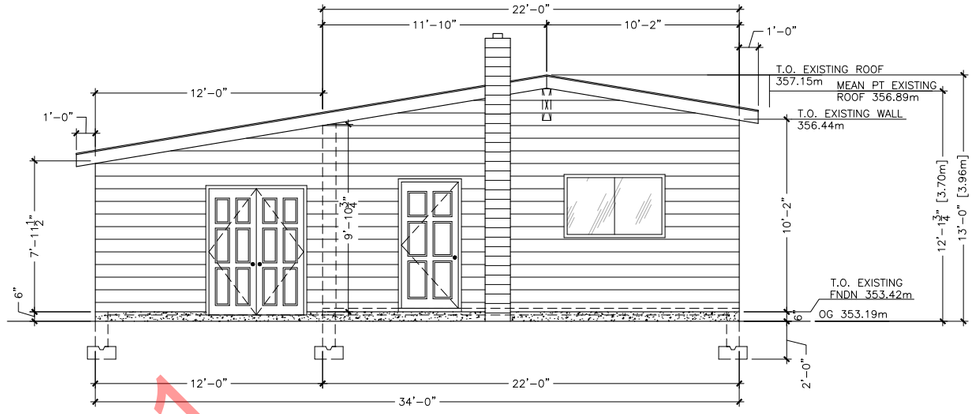
AZTECH DRAFTING SERVICES
1288 Lyon Street, Penticton, B.C.
Phone: 250–492–3344 e-mail: service@aztechdrafting.com

DRAWN BY: MBW	DATE: JUN 6/23
DESIGN BY:	PROJECT No.: 232141
CHK'D BY:	FILE No.:
SCALE: 1/8"=1'	SHEET No.: A2.3

REV 0

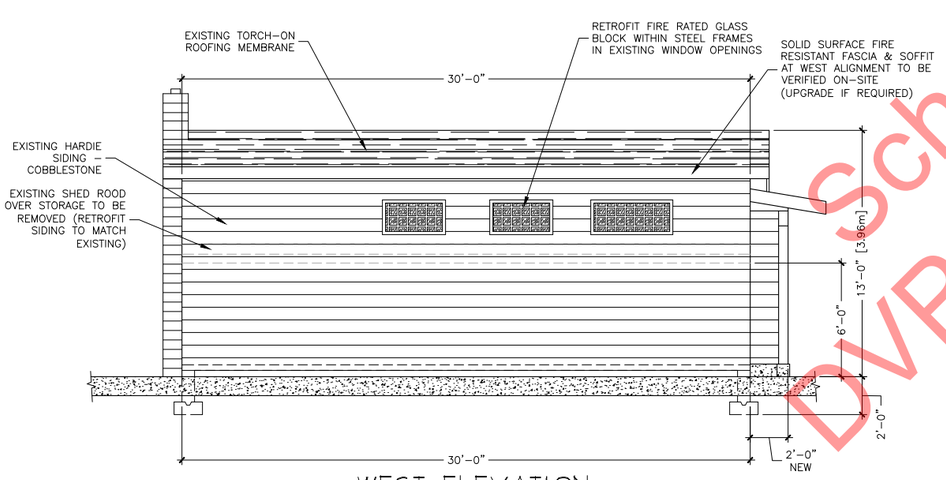


EAST ELEVATION



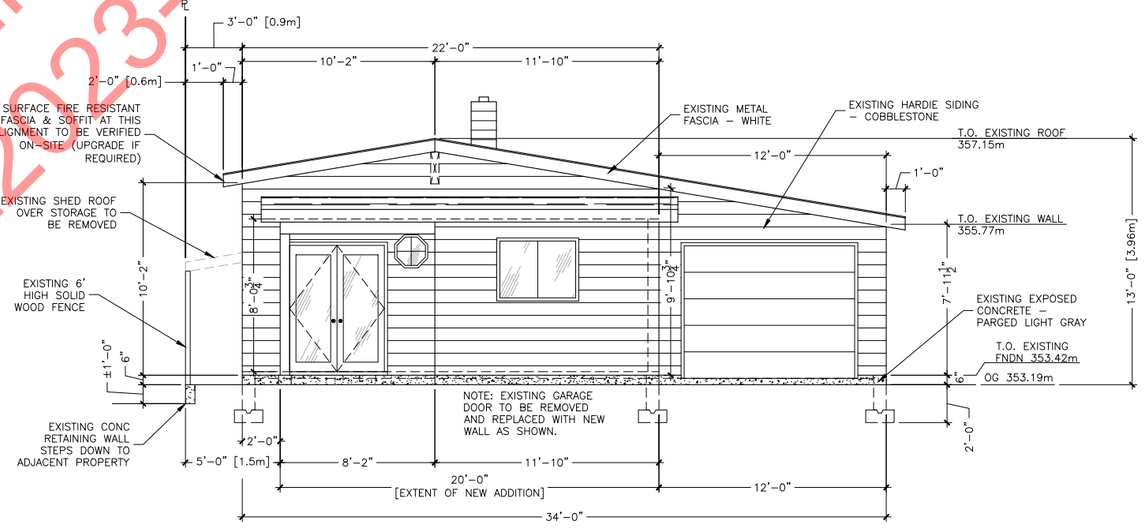
NORTH ELEVATION

SPATIAL SEPARATION
TOTAL BUILDING FACE = 362 sq. ft.
TOTAL UNPROTECTED OPENINGS = 55 sq. ft. (15.2%)
LIMITING DISTANCE = 9.1m (½ DISTANCE TO FACE OF EXISTING DWELLING)
ALLOWABLE OPENINGS = 100%



WEST ELEVATION

SPATIAL SEPARATION
EAST WALL
TOTAL BUILDING FACE = 314 sq. ft.
TOTAL UNPROTECTED OPENINGS = 0 sq. ft. (0%)
LIMITING DISTANCE = 1.0m
ALLOWABLE OPENINGS = 0%



SOUTH ELEVATION

ISSUED FOR DEVELOPMENT PERMIT

PRELIMINARY ELEVATIONS
PROPOSED CARRIAGE HOUSE

84 ROY AVENUE
PENTICTON BC

AZTECH DRAFTING SERVICES
1288 Lyon Street, Penticton, B.C.
Phone: 250-492-3344 e-mail: service@aztechdrafting.com

DRAWN BY: MBW	DATE: JUN 6/23
DESIGN BY:	PROJECT No.: 232141
CHK'D BY:	FILE No.:
SCALE: 1/8"=1'	SHEET No.: A-1.3

REV 0

Schedule 'A'
DVP PL2023-9581

Late Submission - Agenda Item 8.7
Development Variance Permit PL2023-9580
re 84 Roy Avenue

From: Cathy Irving
Sent: Sunday, July 16, 2023 7:34 PM
To: corpadmin
Subject: 84 Roy Ave

Follow Up Flag: Follow up
Flag Status: Flagged

Caution! This message was sent from outside your organization. Allow sender | Block sender

Attention:
Corporate Officer, , City of Penticton
171 Main Street, Penticton, BC V2A 5A9

We have no problem with this proposal to convert an accessory building (garage) into a carriage house at the rear of their property. The garage has been there for 40 + years and we support the project with the existing footprint.

Wilfred and Cathy Irving
91 Roy Ave
Penticton, BC V2A 3M7

Late Submission - Agenda Item 8.7
Development Variance Permit PL2023-9580
re 84 Roy Avenue

From: Dave Goertzen
Sent: Monday, July 17, 2023 9:32 AM
To: corpadmin
Subject: 84 Roy Ave

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning,

This is in response to the Public Notice for Variance Permit PL2023-9580

I want you to know that we are in complete support of the variance for a number of reasons;

1) there is a present footprint that is there and it will not change so it only makes sense to keep it the same and not creating a mess trying to change it

2) also the owner of this property has lived there for many years and has kept the place neat and tidy, not like the new development next door that do not care about the place.

So make the right decision and allow this variance.

Dave and Lois Goertzen

Late Submission - Agenda Item 8.7
Development Variance Permit PL2023-9580
re 84 Roy Avenue

From: Norman Desabrais
Sent: Monday, July 17, 2023 11:16 PM
To: corpadmin
Subject: attention corporate officer city of Penticton for submission to July 18 council meeting

Follow Up Flag: Follow up
Flag Status: Flagged

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I am writing to ask for the permit variance on 84 Roy avenue to be denied . I am a neighbor of said property, and my privacy and view will be affected. The reason carriage houses were limited to 90 square meters in the 2018 review by the city of Penticton was so such houses wouldn't impact the neighborhoods badly and to fit better in the community. The allowed size of 90 square meters is almost 1000 square feet, more than large enough for their purpose, these are not stand-alone houses and many houses in Penticton that are single lot homes are 90 square meters or smaller. To allow this carriage house to be built bigger than the current zoning bylaws allow would needlessly impact my privacy, view and the neighborhoods character. Therefore, I ask for this permit variance to be denied, and the zoning bylaws to be upheld.

Norman Desabrais

94 Roy avenue

Council Report

penticton.ca

Date: July 18, 2023 File No: RMS/594 Penticton Ave
To: Donny van Dyk, Chief Administrative Officer
From: Jordan Hallam, Planner I
Address: 594 Penticton Avenue

Subject: **Zoning Amendment Bylaw No. 2023-22**
Development Permit PL2023-9584

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-22", for Lot 1 District Lot 250 Similkameen Division Yale District Plan 5038, located at 594 Penticton Avenue, a bylaw to rezone the subject property from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing);

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-22" to the August 1, 2023 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-22", approve "Development Permit PL2023-9584", for Lot 1 District Lot 250 Similkameen Division Yale District Plan 5038, located at 594 Penticton Avenue, a permit to approve the form and character of two side-by-side duplexes (four dwelling units);

AND THAT Council direct staff to issue "Development Permit PL2023-9584".

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 to construct two side-by-side duplexes (four dwelling units) on the subject property (Figure 1). In order to proceed with the proposed development, the applicant has requested to rezone the property from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing). Further, the applicant requires Development Permit approval for the form and character of the building, which has been included for Council's consideration.



Figure 1 – Conceptual Rendering of Proposed Development

Background

The subject property is currently zoned R2 (Small Lot Residential) and is designated as 'Ground Oriented Residential' (Figure 2) by the Official Community Plan (OCP). The subject property contains a single family home that was constructed in the 1940's (Figure 3).

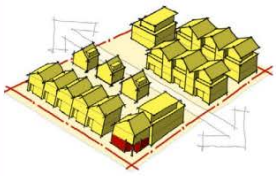
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Ground Oriented Residential 	Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.	• Duplexes with suites • Cluster housing • Fourplexes higher-density rowhouses • Townhouses and stacked townhouses • Bareland strata developments	• Residential • Limited Service/ Retail	• Up to 3 ½ storeys	• RM2 • RM5 • C2

Figure 2 – OCP Land Use Designation

The surrounding area is a mixture of uses, including mostly single family dwellings directly adjacent, infill development, single family, duplex, townhouses, and apartments. The property's proximity to the variety of uses make it an appropriate location for increased density. The property is within walking distance of Penticton Secondary School and KVR Middle School, providing green space for future tenants and residents. The property is also located within close proximity of the downtown and Government Street commercial area. This area is also well serviced by pedestrian, cycling and transit networks.

Financial Implication

The applicant is responsible for all development costs, including any service upgrades and the payment of Development Cost Charges (DCC's) to help offset the added demand on City services from the proposed development.

Climate Impact

The development proposes two side-by-side duplexes (four dwelling units) on the property, increasing density in a core area of the City of Penticton well served by transit and in close proximity to services, employment, schools and recreational areas.

The plans show two Class 2 Bicycle parking spaces for visitors and each dwelling unit has a Class 1 bicycle parking space, resulting in 4 Class 1 spaces.

Each dwelling unit is required to provide 1 (4 total) Level 2 Electric Vehicle ready spaces.

This building will be required to meet Step 3 of the BC Energy Step Code. Step 3 requires new builds to be at minimum 20% more efficient than standard, with a goal of being Net Zero Ready for new construction by 2032.



Figure 3 – Property Location

Technical Review

This application was reviewed by the City's Technical Planning Committee (TPC). The TPC raised comments regarding landscaping and boulevard trees. The TPC raised comments that 3 boulevard trees were required on the landscape plan as part of the development permit. The original submitted drawings showed one of the duplexes to be within the Penticton Airport Zoning Regulation area. Staff worked with the applicant to reduce the height of the building and show compliance with the Airport Zoning and Flightway. Typical servicing requirements have been identified for the Building Permit stage of the project, if the rezoning and development permit applications are 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:

	RD4 Zone Requirement	Provided on Plans
Minimum Lot Width*:	18 m	19.0 m
Minimum Lot Area*:	540 m^2	643.5 m^2
Maximum Lot Coverage:	40%	35.9%

	RD4 Zone Requirement	Provided on Plans
Maximum Density:	0.8 Floor Area Ratio (FAR)	.71 FAR
Vehicle Parking:	Total Required: 1 per dwelling unit plus 0.25 spaces/unit for visitors **Total Required: 5 spaces**	**Total Per Dwelling: 4 spaces** **Total Visitor: 1 space** **Total Provided: 5 spaces**
Level 2 Electric Vehicle (EV) Ready Chargers:	Total Required: 1 per dwelling unit **Total Required: 4 chargers**	**Total EV Ready Chargers Provided: 4 chargers**
Bicycle Parking:	Total Required: 0.5 per unit **Total Class 1 Required: 2** Total Class 2: 0.1 per unit **Total Class 2 Required: 1 space**	**Total Class 1 Provided: 4 spaces (inside rec room of each unit)** **Total Class 2 Provided: 2 spaces**
Landscape Buffer:	Total Required: Minimum 3.0 m wide and one tree for every 10.0 m buffer area. One shrub for every meter of buffer area. **Total Required: Minimum 3.0 m wide, 5 trees, and 57 shrubs.**	**Total Provided: 0.47 m wide (Variance to width through Development Permit), 5 trees, and 125 shrubs.**
Required Setbacks Front Yard (Penticton Ave): Interior Side Yard (east): Interior Side Yard (west): Rear Yard (lane):	 4.5 m 1.5 m 1.5 m 6.0 m	 4.5 m 1.9 m 1.9 m 6.91 m
Maximum Building Height	10.5 m	7.54 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Zoning Amendment

The Official Community Plan (OCP) designation for the subject property is 'Ground Oriented Residential', which supports medium density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas (Figure 2). Duplexes with suites, cluster housing and fourplexes are some of the building types envisioned in this designation. The applicant is proposing to construct two side-by-side duplexes on the subject property. The development and density proposed on the property are aligned with the vision of properties designated within the 'Ground Oriented Residential' designation.

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

OCP Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
OCP Policy 4.1.3.1	Encourage more intensive "infill" residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
OCP Policy 4.1.3.5	Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
OCP Policy 4.1.4.1	Work with the development community – architects, designers and buildings – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
OCP Policy 4.1.5.1	Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).
OCP Policy 4.2.5.2	Encourage land use planning that results in neighbourhoods that can be easily serviced by transit.

Staff consider that the application proposes an appropriately scaled development in an area of the city that has been identified for increased residential density by the OCP. The proposed rezoning to RD4 to allow a total of 4 dwelling units on the property is consistent with the increased density and building forms envisioned by the 'Ground Oriented Residential' designation.

Given that there is adequate policy through the OCP to support the proposed development, staff recommend that Council give first reading to "Zoning Amendment Bylaw No. 2023-22", and forward the bylaw to the August 1, 2023 Public Hearing to gather comments and feedback from the public.

Support Development Permit

The proposed development is considered within the Multifamily Residential Development Permit Area of the OCP, which is established to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. The proposed development has been designed with the OCP design guidelines in mind.

Staff have completed a development permit analysis (Attachment 'D') that shows how the development conforms to the applicable design guidelines. The applicant has also provided an analysis within their letter of intent (Attachment 'E'), which outlines the project and its conformance to the OCP design guidelines.

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

Development Permit Variance

The OCP Section 5.1.4 allows for minor variances through a development permit in certain instances. The applicant is proposing a reduced landscaping buffer along the southern property line (Figure 4). Section 5.1.4 of the OCP allows for variances to landscaping buffers in cases where "the proposed building locations make establishment of a buffer difficult or impossible or where trees will not thrive. In cases where the buffer is reduced, compensatory planning elsewhere on the site or in adjacent public realm is required". In this instance, the west and east landscape buffer is reduced in width from 3.0 m to 0.66 m, as a result of the setbacks and required 1.2 m wide access pathway to the rear units. Staff are supporting this variance, as the landscaping plan still provides the required number of trees and shrubs along all property lines. As no plantings are reduced, staff are not requiring any compensatory plantings.

Landscaping buffers assist with providing a natural buffer between properties and uses. They also help to increase the urban forest inventory throughout the City. In this instance, the fence, landscape buffer, and required 1.2 m wide pathway between the proposed buildings and the west and east north property line is 1.88 m, which reduces the overlook into the western and eastern properties. Staff considers that the added distancing between the properties and the proposed buildings, as well as the proposed landscaping plan, which incorporates adequate plantings and species, make this a suitable variance through the Development Permit.

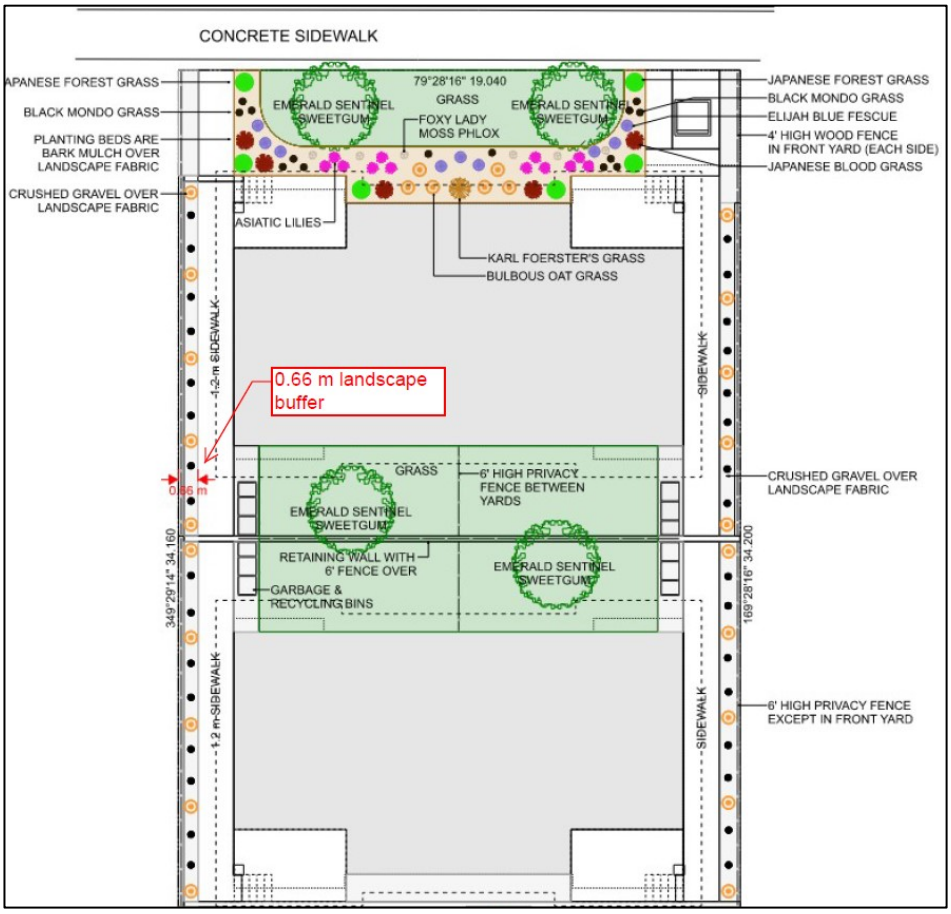


Figure 4 – Landscape Buffer

Alternate Recommendations

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

1. THAT Council deny first reading to "Zoning Amendment Bylaw No. 2023-22".

Attachments

Attachment A – Zoning Map
Attachment B – Official Community Plan Map
Attachment C – Photos of Property
Attachment D – Development Permit Analysis (staff)
Attachment E - Letter of Intent and Development Permit Analysis (applicant)
Attachment F – Draft Development Permit PL2023-9584
Attachment G – Zoning Amendment Bylaw No. 2023-22

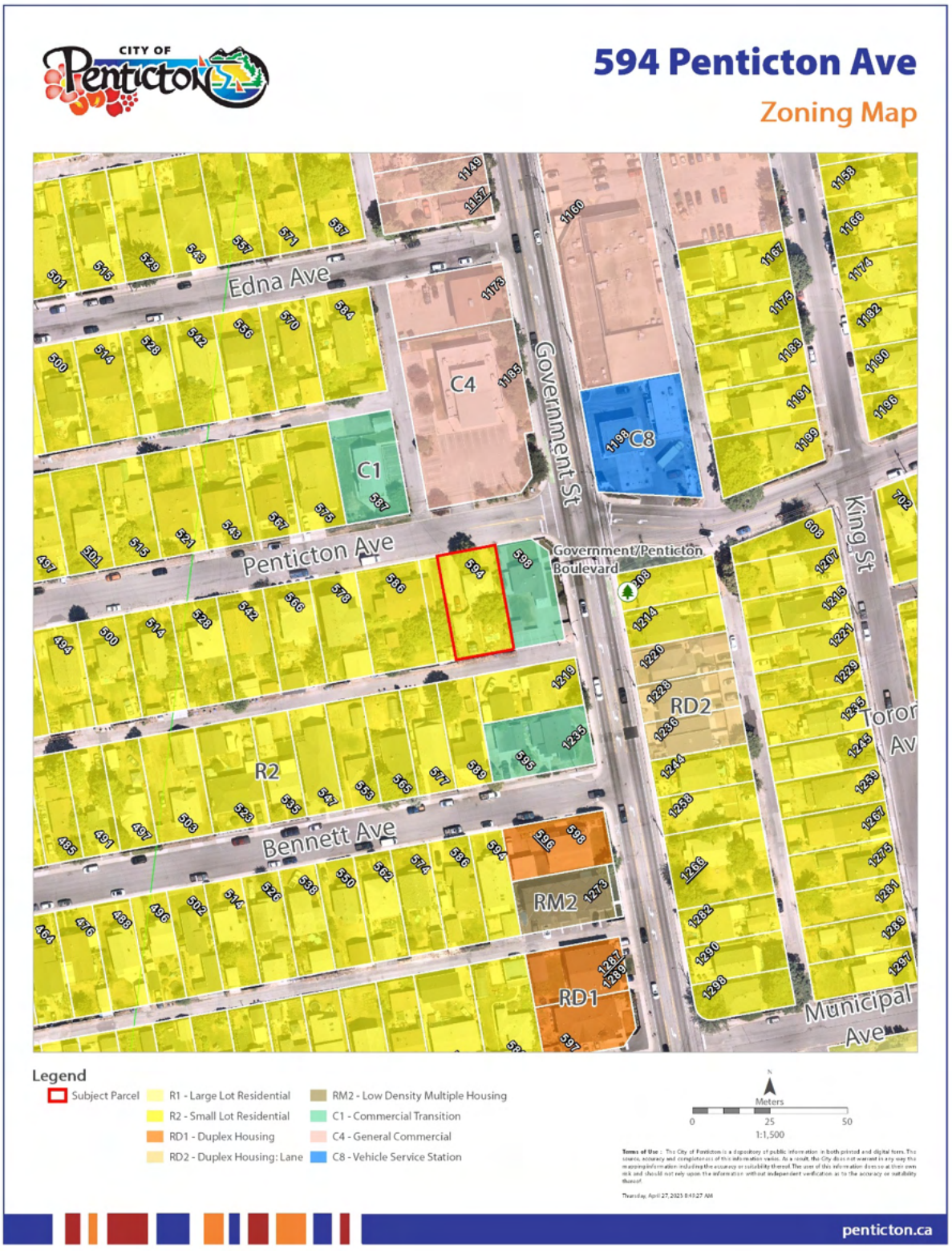
Respectfully submitted,

Jordan Hallam
Planner I

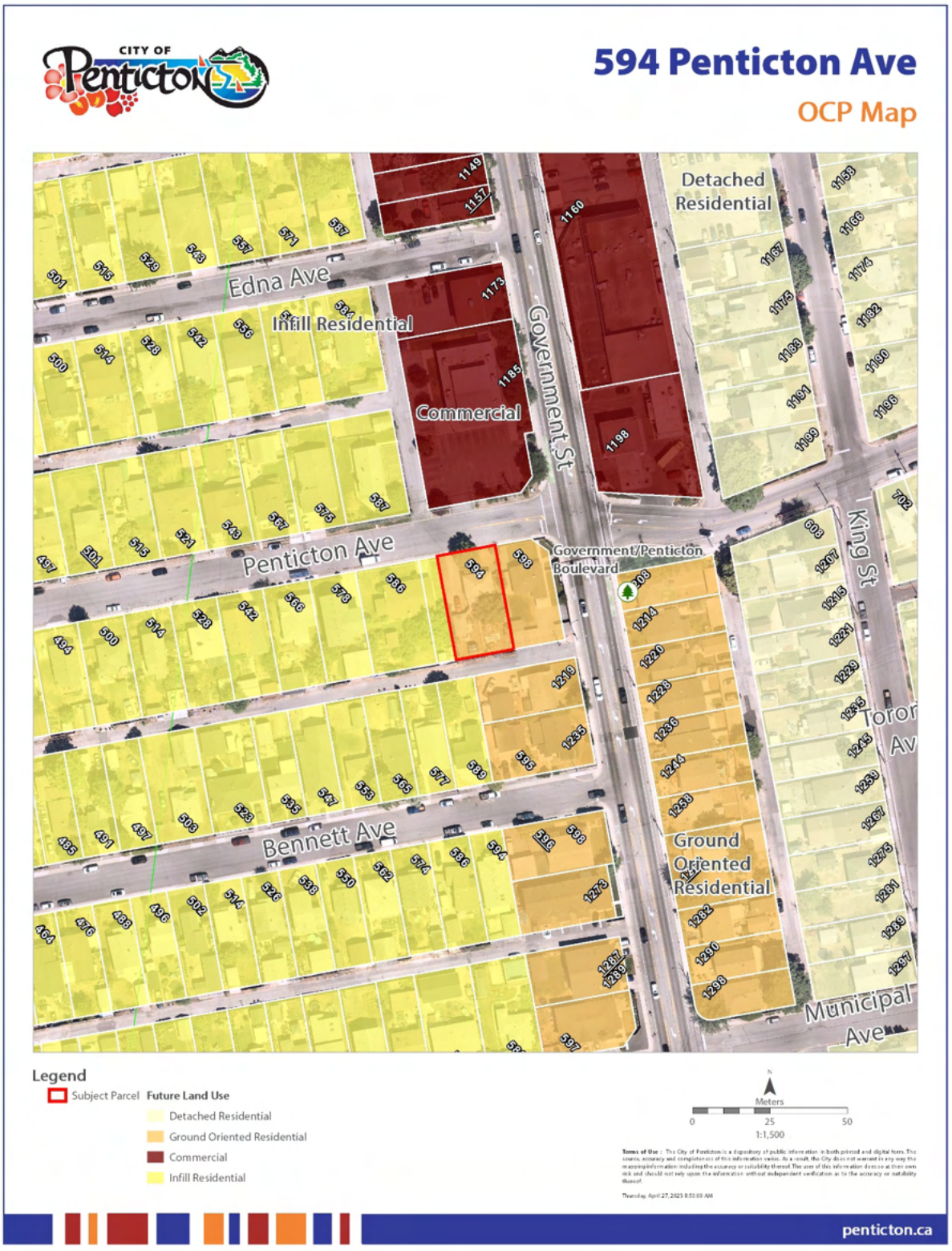
Concurrence

Director of Development Services	General Manager of Infrastructure	Acting Chief Administrative Officer
BL	*KD*	*KD*

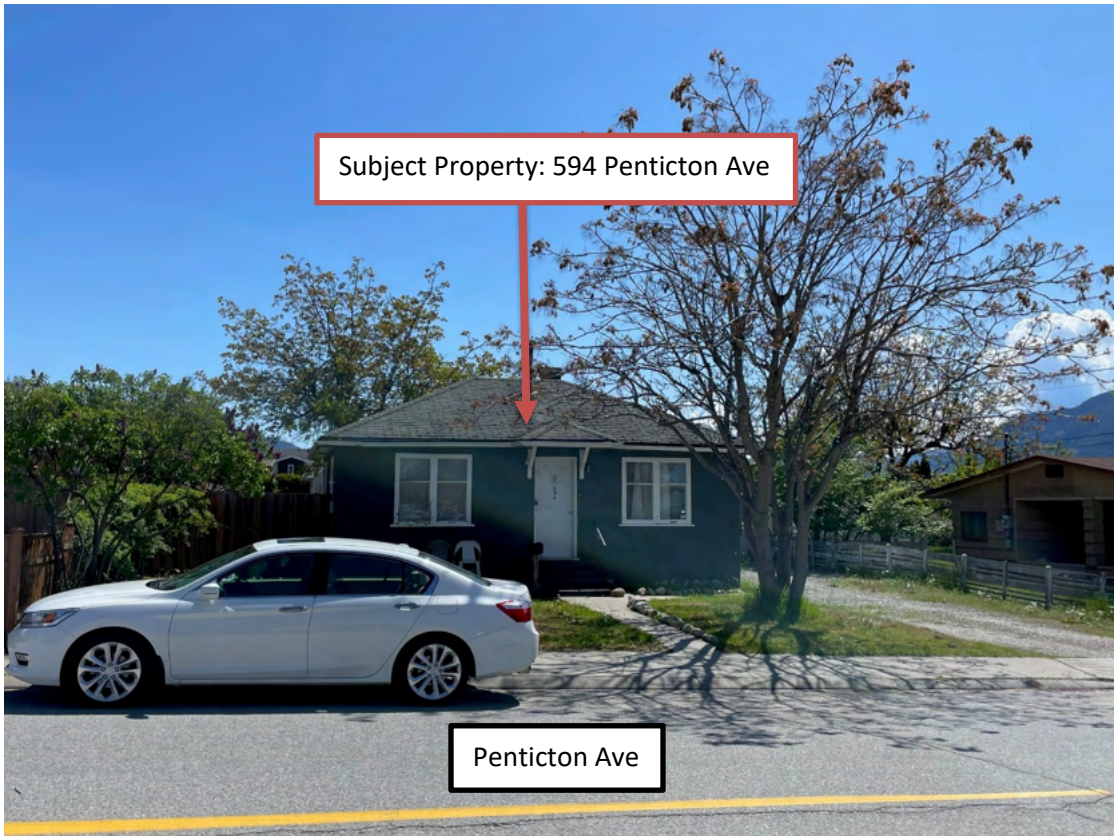
Attachment A – Zoning Map



Attachment B – Official Community Plan Map



Attachment C – Photos of Property






Subject Property: 594 Penticton Ave
Location of proposed duplexes
Lane


586 Penticton Ave
Subject Property: 594 Penticton Ave
Location of proposed duplexes
Lane


586 Penticton Ave
Subject Property: 594 Penticton Ave
Lane

Attachment D – Development Permit Analysis (staff)

Development Permit Analysis

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

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

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

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

- The applicant has located the proposed front duplex building at 4.5 m from property line, the minimum is 4.5 m front yard setback, which helps to maintain a connection with the street. They have proposed a front door on the units closest to Penticton Avenue that faces the street to add a pedestrian scale to the development.

Guideline G7 *All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.*

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

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

- Penticton Ave to the north side of the development provides pedestrian access to the development. The rear lane to the south side of the development also provides pedestrian access to the development.
- The proposed development has a sidewalk access from Penticton Ave to allow barrier-free pedestrian access to all building unit entrances.

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

- The proposed development provides private outdoor amenity behind each dwelling unit.
- Each dwelling unit has a front door for access from either Penticton Ave, and the rear laneway.

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

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

Guideline G35 *Tree planting…*

- Trees and shrubs have been provided at the front of the property as well along the north, east, and west property line with the landscape buffer.

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

- The proposed development includes approximately 22.0 m^2 of outdoor grass amenity space for each unit. Each amenity space is separated by a fence to allow privacy for every unit.

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

- The proposed development has five trees proposed rd for each unit and multiple shrubs. This creates visual interest for the residents or tenants living in the units, and provides area of shade during the summer months.

Guideline MF4 *Visitor parking should be:*

- *In public view,*
- *Easily accessible near the main entry to the site, and*
- *Clearly indicated by pavements markings and/or signs*
- The proposed development has one visitor parking space off of the lane.
- The visitor parking space are in good public view from the rear lane for drivers who come to visit residents or tenants of the proposed development.

Attachment E - Letter of Intent and Development Permit Analysis (applicant)

GIROUX DESIGN GROUP
QUALITY HOME & BUILDING DESIGN SINCE 1950

April 4, 2023

Giroux Design Group Inc.

City of Penticton
171 Main Street
Penticton BC, V2A 5A9

Re: 594 Penticton Avenue Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposal to rezone and develop the property located at 594 Penticton Avenue. The Official Community Plan for the property is Ground Oriented Residential and the current zoning is R2 Small Lot Residential. The proposed development is consistent with the OCP designation but requires rezoning to RD4 Low Density Cluster Housing.

The proposal is to build two duplex buildings that will be two storeys in height and the parking for the units will be provided from the lane. The location of the development is ideal for families as it is close to schools, shopping, and parks. We believe the project will be a positive addition to the neighbourhood.

Thank you for considering our proposal.

Best regards,

Tony Giroux ASTTBC.CTech, RBD, BCABD
Owner/Registered Building Designer
Giroux Design Group Inc.

594 PENTICTON AVE.: DEVELOPMENT PERMIT ANALYSIS

PEDESTRIAN CONNECTIVITY

The development is on a road with pedestrian sidewalks and within walking and biking distance to the downtown business core and shopping. The location is central to parks and within blocks of both middle, and high schools. City Bus stops are also located nearby, allowing easy access to transit.

PARKING

Each unit has parking for one vehicle accessed from the lane as well as one guest parking space. No variances are needed for parking as the number of spaces meets the COP requirements.

DESIGN FOR CLIMATE

The building will meet the requirements of Step 3 of the BC Building Code. Each property has its own private rear yard and covered front patio to allow for outdoor living.

ORIENTATION & MASSING

Each unit has its own entry door with a covered entry. The two storey duplex is 7.54 meters in height which is less than the 10.5 meters allowed in the zoning, this fits in with the mix of one, one-and-a-half, and two storey homes on the street. The style of the building is a modern style with flat roofs which will complement the neighbourhood which is made up of both homes and commercial buildings.

LANDSCAPING (ENHANCING THE URBAN FOREST)

The landscaping plan for the development includes the planting of 2 trees along Penticton Avenue along with a planting bed that borders the sidewalk providing pleasing aesthetics and increased curb-appeal. Grassed rear yards will provide pleasant private areas for each unit, these areas will add two more trees, and the rear yard will add an additional tree for a total of five new trees.

WASTE MANAGEMENT

Garbage and recycling collection is provided by individual bins provided for each unit to be collected from the lane side of the property on collection days. The garbage and recycling bins will be stored on concrete pads along the rear yard fences on non-collection days.

FENCES

Six-foot-high wood privacy fences will be installed along the surrounding property lines excluding the front property line and will be stepped down to four feet within the front yard setback. Six-foot-high privacy fences will also be between each of the duplex rear yards.

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Permit

Permit Number: DP PL2023-9584

Owner Name
Owner Address

Conditions of Permit

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

2. This permit applies to:

   Legal: Lot 1 District Lot 250 Similkameen Division Yale District Plan 5038

   Civic: 594 Penticton Avenue

   PID: 010-400-281

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of two side-by-side duplexes as shown in the plans attached in Schedule 'A'.

4. In accordance with Section 502 of the Local Government Act a deposit or irrevocable letter of credit, in the amount of $20,000.00 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).

DRAFT

General Conditions

7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.

8. In accordance with Section 504 of the *Local Government Act,* if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**

10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

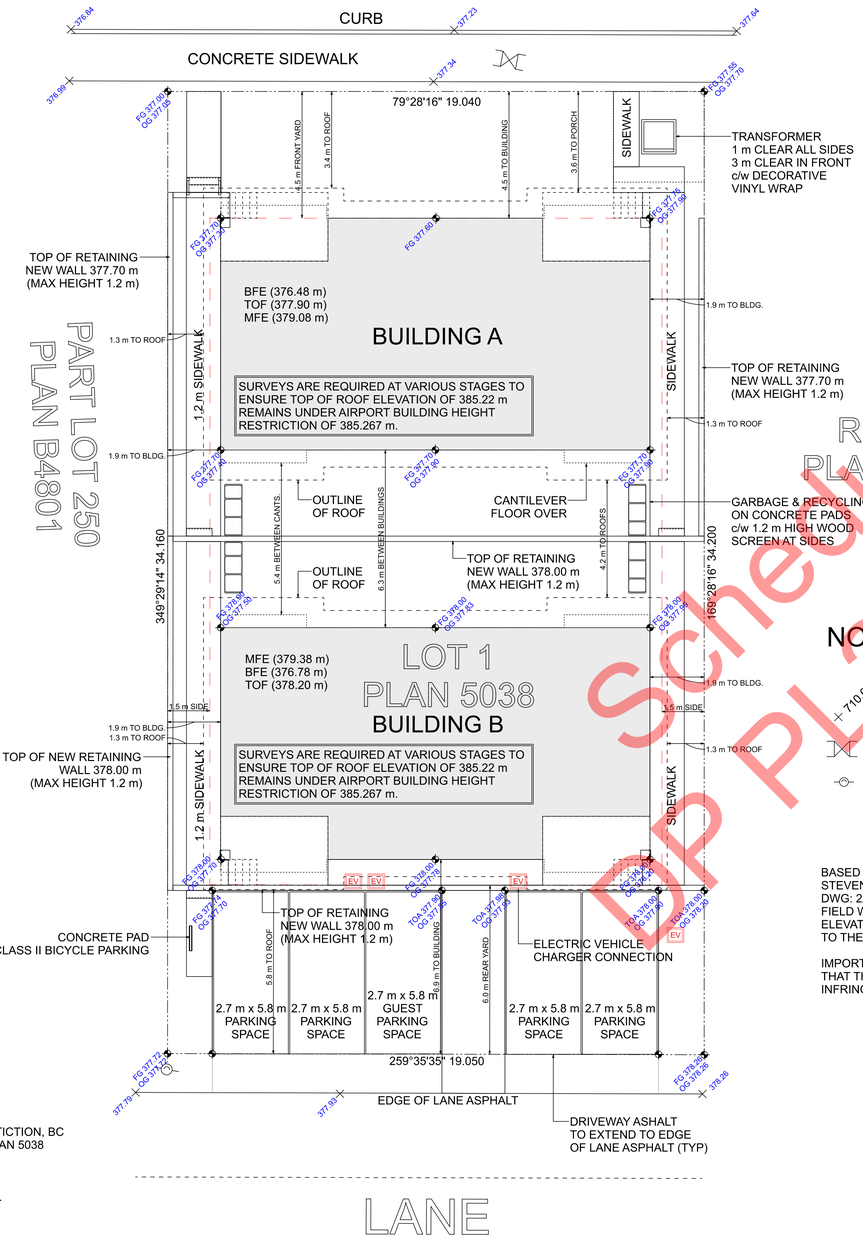
Authorized by City Council, the 1st day of August, 2023.

Issued this _____ day of August, 2023.

_____

Angela Collison
Corporate Officer

DRAFT



SITE PLAN

SCALE: 1:100
CIVIC ADDRESS: 594 PENTICTON AVENUE, PENTICTION, BC
LEGAL DESCRIPTION: LOT 1, DL 250, S.D.Y.D. PLAN 5038
PID: 010-400-281

LOT AREA: 650.97 m2 (0.159 ACRES)
CURRENT ZONING: R2 SMALL LOT RESIDENTIAL
OCP: GROUND ORIENTED RESIDENTIAL
PROPOSED ZONING:

ELECTRIC VEHICLE READY REQUIREMENTS
IN ACCORDANCE WITH ZONING BYLAW NO. 2023-08

TO ENSURE NEW HOMES ARE BUILT WITH READY ACCESS TO A POWER SUPPLY CAPABLE OF PROVIDING LEVEL 2 EV CHARGING, THE FOLLOWING REQUIREMENTS MUST BE MET:

-MINIMUM NUMBER OF ENERGIZED OUTLETS FOR LEVEL 2 CHARGING: 1 PER DWELLING UNIT.
-CONSTRUCTION REQUIREMENTS THAT INCLUDE: ELECTRICAL PANEL CAPACITY, WIRING, AND CONTINUOUS CONDUIT OR RACEWAY (AS APPLICABLE) FROM THE PANEL, TERMINATING AT AN ENERGIZED OUTLET NEAR THE DESIGNATED EV PARKING SPACE(S). ADDITIONAL ELECTRICAL AND EV CHARGING INFRASTRUCTURE IS REQUIRED TO ENERGIZE THE CIRCUIT AND TO SUPPLY POWER TO FUTURE LEVEL 2 EVSE AND EVEMS (IF APPLICABLE).
-A POINT CONNECTED TO A SOURCE OF VOLTAGE IN AN ELECTRICAL WIRING INSTALLATION AT WHICH CURRENT IS TAKEN AND CAN BE CONNECTED TO SUPPLY UTILIZATION EQUIPMENT. AN OUTLET INCLUDES A COVERED TERMINATION BOX, NEMA 14-50R RECEPTACLE, OR NEMA 6-50R RECEPTACLE. ADDITIONAL TERMINATION MEANS MAY BE APPROVED BY THE CITY OF PENTICTON ELECTRIC UTILITY MANAGER.
-ELECTRIC VEHICLE CHARGING AT 208 V OR 240 V THROUGH SUPPLY UTILIZATION EQUIPMENT THAT MEETS THE DEFINITION OF LEVEL 2 BY THE STANDARD “SAE ELECTRIC VEHICLE AND PLUG IN HYBRID ELECTRIC VEHICLE CONDUCTIVE CHARGE COUPLER”, J1772.

NOTES AND LEGEND

710.00 — SPOT HEIGHT
WATER VALVE
POWER POLE

BASED ON SURVEY PROVIDED BY:
STEVEN J. BUZIKIEVICH PROFESSIONAL LAND SURVEYOR
DWG: 22-0954TP
FIELD WORK COMPLETED THE 14TH DAY OF OCTOBER, 2022
ELEVATIONS SHOWN ON ARE GEODETIC (CGVD28) AND REFERED TO THE CITY OF PENTICTON GEODETIC CONTROL MONUMENTS

IMPORTANT NOTE: A SURVEY IS REQUIRED AT VARIOUS STAGES TO ENSURE THAT THE BUILDING HEIGHT DOES NOT EXCEED THE HEIGHT SHOWN OR INFRINGE THE AIRPORT HEIGHT ALLOWANCE.

ZONING COMPLIANCE TABLE (PROPOSED ZONING RD4)

REGULATION	REQUIRED	PROPOSED	VARIANCE REQUIRED
OCP DESIGNATION	GOR	GOR	NO
ZONING	R2	RD4	YES
MINIMUM LOT WIDTH	18.0	19.04 m	N/A
LOT AREA	540 m2	650.97 m2	N/A
MAXIMUM LOT COVERAGE	40%	40% (262.45 m2)	NO
MAXIMUM DENSITY	0.8 FAR	0.75 FAR (490.71 m2)	NO
MAXIMUM HEIGHT	10.5 m	7.54 m	NO
MINIMUM FRONT YARD (EAST)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD (OVER TWO STOREYS)	3.0 m	3.0 m	N/A
MINIMUM INTERIOR SIDE YARD (UP TO TWO STOREYS)	1.5 m	1.5 m	NO
MINIMUM EXTERIOR SIDE YARD	3.0 m	N/A	NO
AMENITY SPACE (20 m2 PER UNIT)	80 m2	89 m2	NO
MINIMUM REAR YARD (WEST)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT + GUEST)	5	5	NO

Scheduled
DP PL2023-9584

SINGLA BROS. HOLDINGS LTD.
594 PENTICTON AVE.
PENTICTON, BC.
DATE: 2023-06-14
REVISED:
DESIGN BY: AJG
DRAWN BY: AJG

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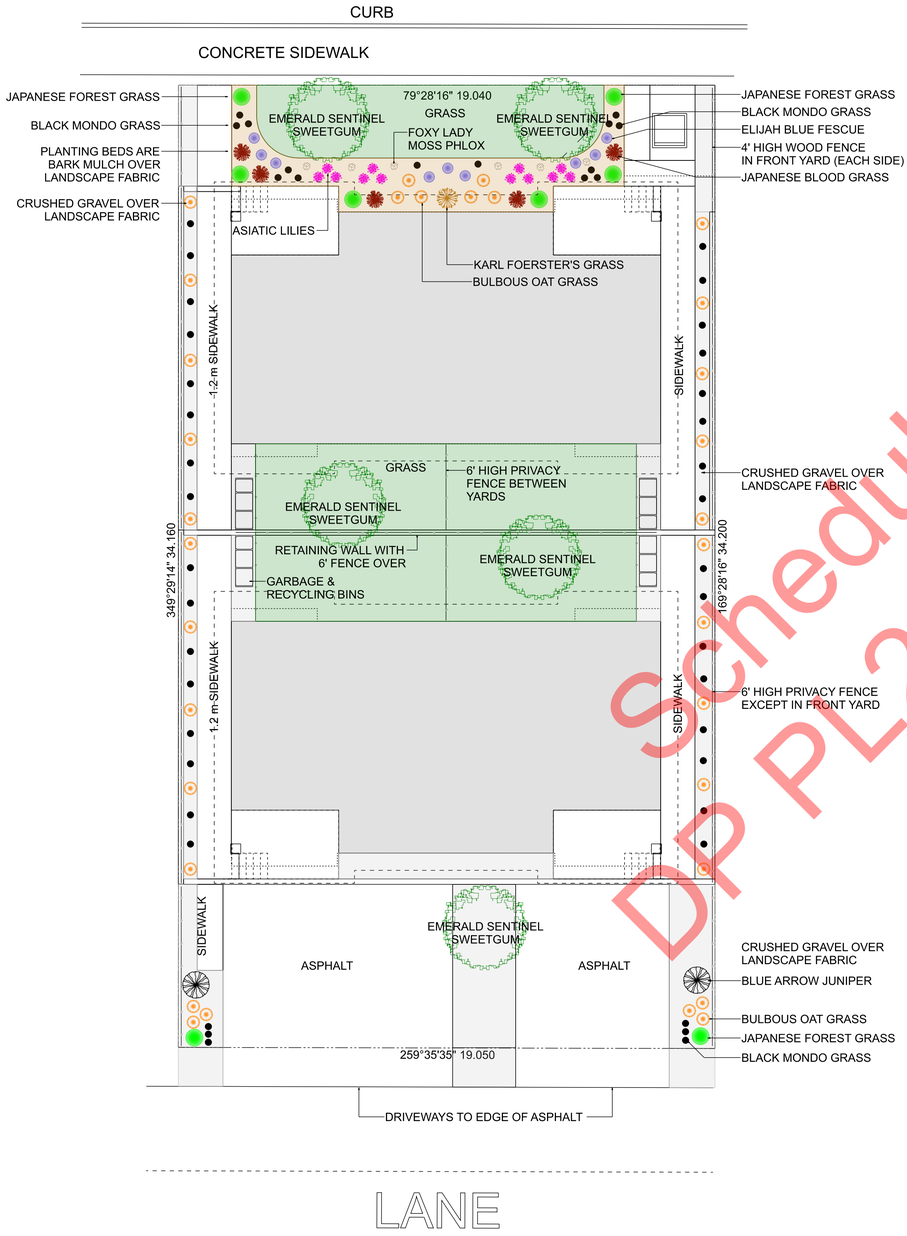
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Site Plan & Zoning Compliance Table

PENTICTON AVENUE



LANDSCAPE SCHEDULE

PLANTINGS:
Asiatic Lilies (Asiatic Hybrid Lilies) 12 qty.
Black Mondo Grass (Ophiopogon planiscapus 'Nigrescens') 52 qty.
Bulbous Oat Grass (Arrhenatherum bulbosum 'Variegatum') 32 qty.
Elijah Blue Fescue (Festuca glauca 'Elijah Blue') 9 qty.
Foxy Lady Moss Phlox (Phlox 'Foxy Lady') 6 qty.
Japanese Blood Grass (Imperata cylindrica 'Red Baron') 5 qty.
Japanese Forest Grass (Hakonechloa macra 'Fubuki') 8 qty.
Karl Foerster's Grass (Calamagrostis x acutiflora Karl Foerster) 1 qty.

TREES:
Blue Arrow Juniper (Juniperus scopulorum 'Blue Arrow') 3 qty.
Emerald Sentinel Sweetgum (Liquidambar styraciflua 'Emerald Sentinel') 5 qty.

GARBAGE DISPOSAL:
Garbage Container Garbage Conatiner 4 qty
Recycling Container Recycling Container 2 qty
Yard Waste Container 1 qty

GROUND COVER/HARD SURFACES:
Property Area (7,007 sq.ft.)
Asphalt (851 sq.ft.)
Grass (1316 sq.ft.)
Planting Beds-Bark Mulch (300 sq.ft.)
Crushed Gravel (1000 sq.ft.)
Landscape Fabric (1300 sq.ft.)
Sidewalks/Patios (601 sq.ft.)

FENCING:
4' High Wood Fence (20 lin.ft.)
6' High 'Good Neighbour' Privacy Fence (207 lin.ft.)

LANDSCAPE NOTES:

SHRUBS SHALL BE A MIN OF No.2 POT SHRUBS

ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m

NO TREES, FENCES OR STRUCTURES WITHIN ROAD DEDICATION

NO RETAINING WALLS OVER 1.2 m IN HEIGHT ARE PERMITTED WITHIN ANY SETBACK AREA

LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS & TIMERS.

LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, ASPHALT. (INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)

DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

Schedule 'A'
DP PL2023-9584

LANDSCAPE PLAN
SCALE: 1:100

DP PL2023-9584

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594 PENTICTON AVE.
PENTICTON, BC.
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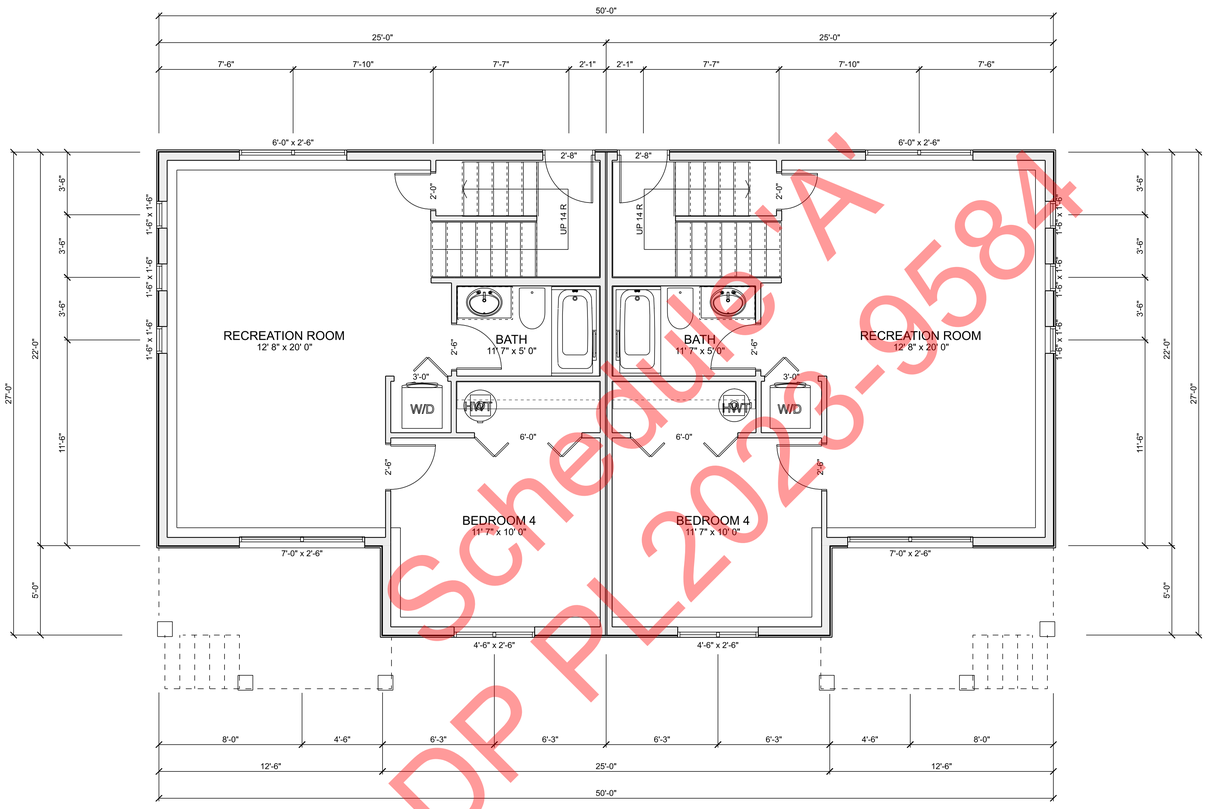
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Landscape Plan

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DP PL2023-9584

BASEMENT FLOOR PLAN

SCALE: 1/4" = 1'-0"
BASEMENT FLOOR LIVING AREA: 1225 sq ft.

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Building A-Basement Floor Plan

SINGLA BROS. HOLDINGS LTD.

594 PENTICTON AVE.
PENTICTON, BC.

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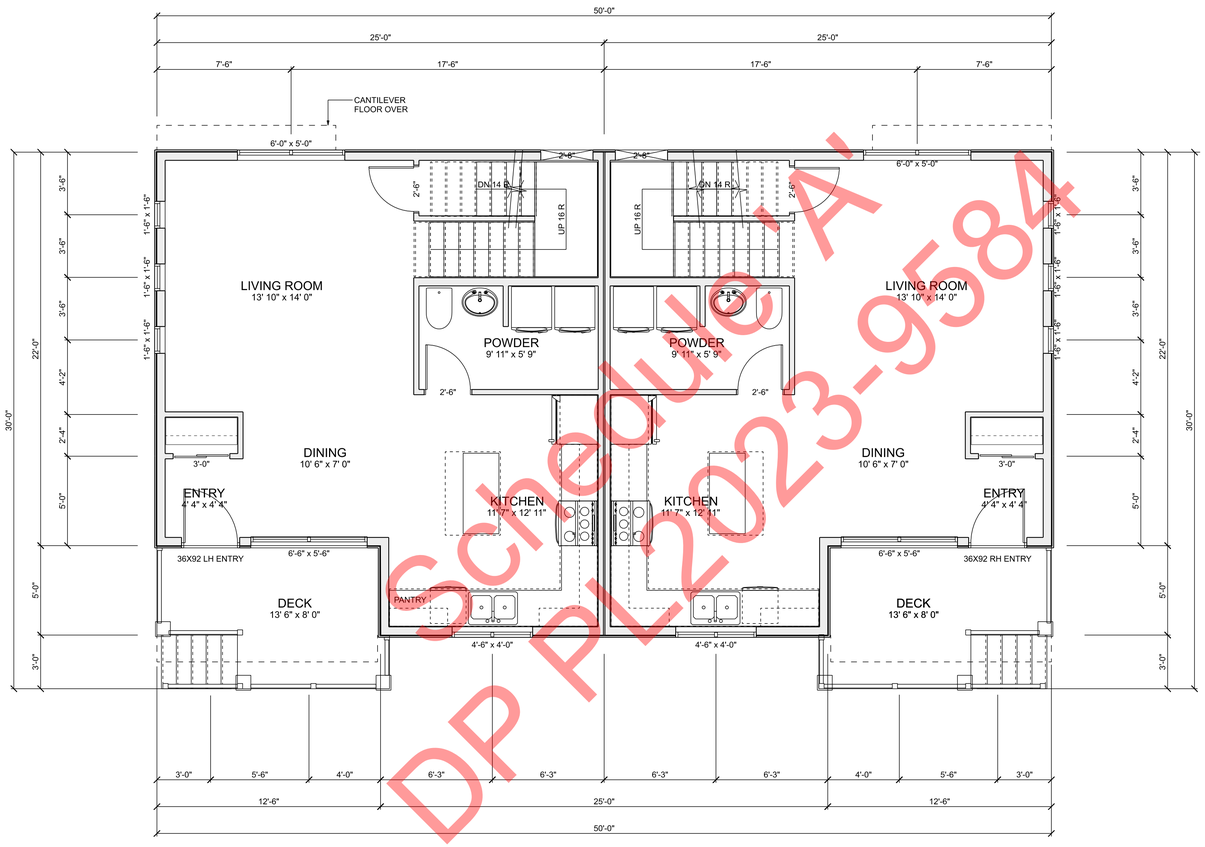
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MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"
MAIN FLOOR LIVING AREA: 1224 sq ft.

Scheduled A
DP PL2023-9584

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Building A-Main Floor Plan

SINGLA BROS. HOLDINGS LTD.

594 PENTICTON AVE.
PENTICTON, BC.

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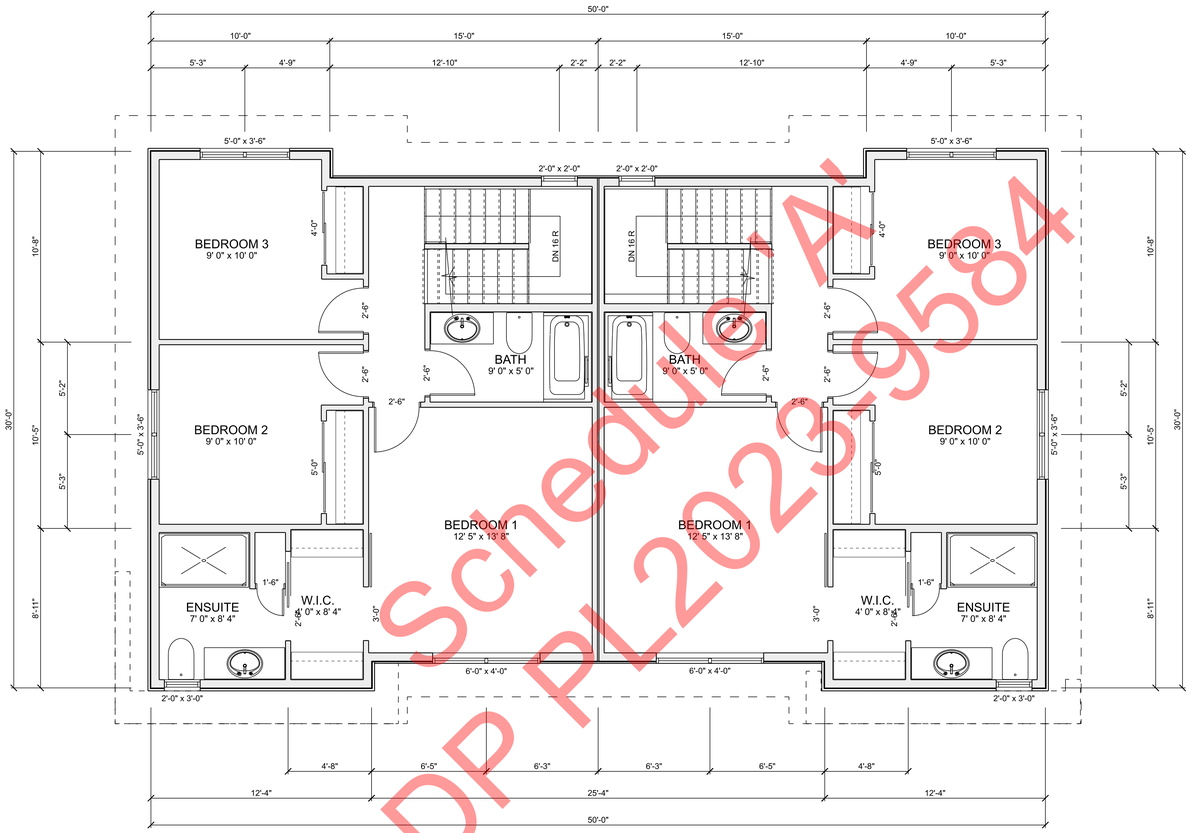
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SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"
SECOND FLOOR LIVING AREA: 1417 sq ft.

Scheduled A
DP PL2023-9584

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Building A-Second Floor Plan

SINGLA BROS. HOLDINGS LTD.

594 PENTICTON AVE.
PENTICTON, BC.

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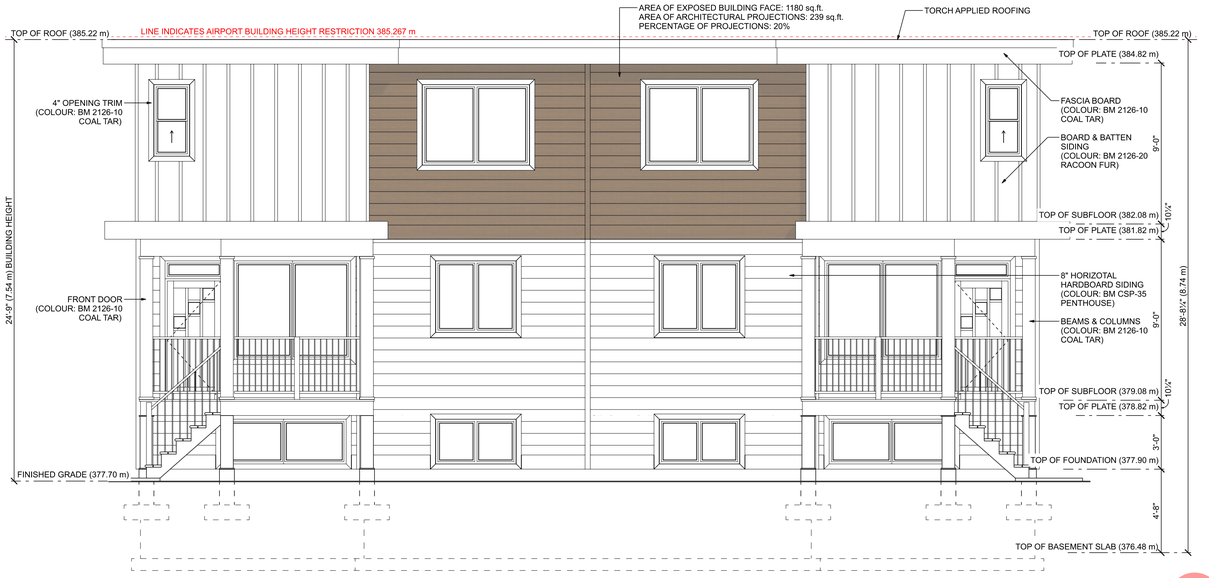
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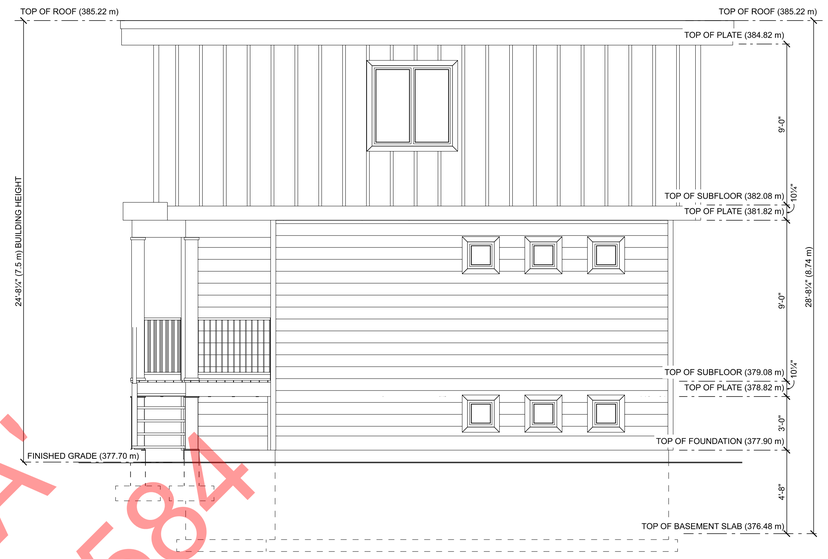
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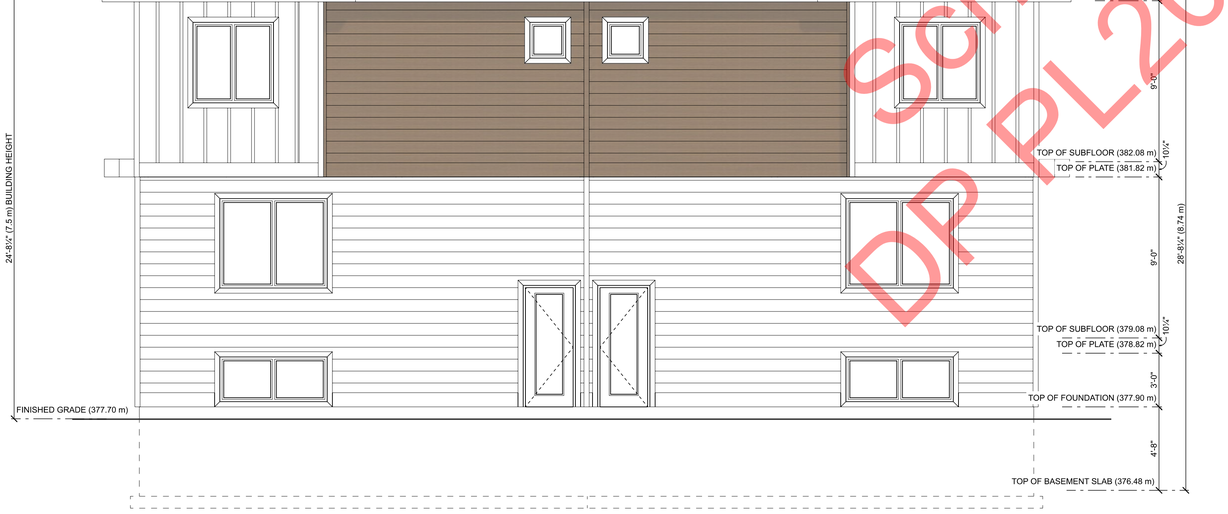
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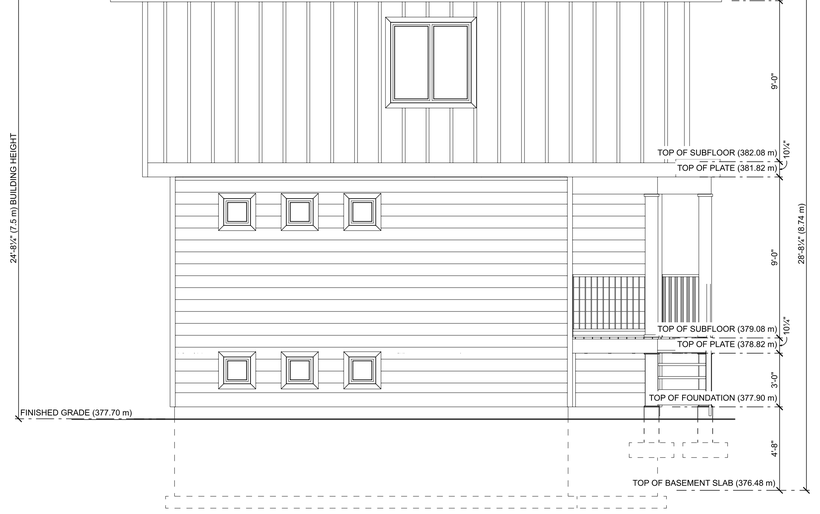
BUILDING A-FRONT ELEVATION (FACING NORTH TO PENTICTON AVE.)
SCALE: 1/4" = 1'-0"



BUILDING A-RIGHT ELEVATION (FACING EAST)
SCALE: 1/4" = 1'-0"



BUILDING A-REAR ELEVATION (FACING SOUTH TO BUILDING B)
SCALE: 1/4" = 1'-0"



BUILDING A-LEFT ELEVATION (FACING WEST)
SCALE: 1/4" = 1'-0"

Schedule 'A'
DP PL2023-9584

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Building A-Exterior Elevations

SINGLA BROS. HOLDINGS LTD.
594 PENTICTON AVE.
PENTICTON, BC.

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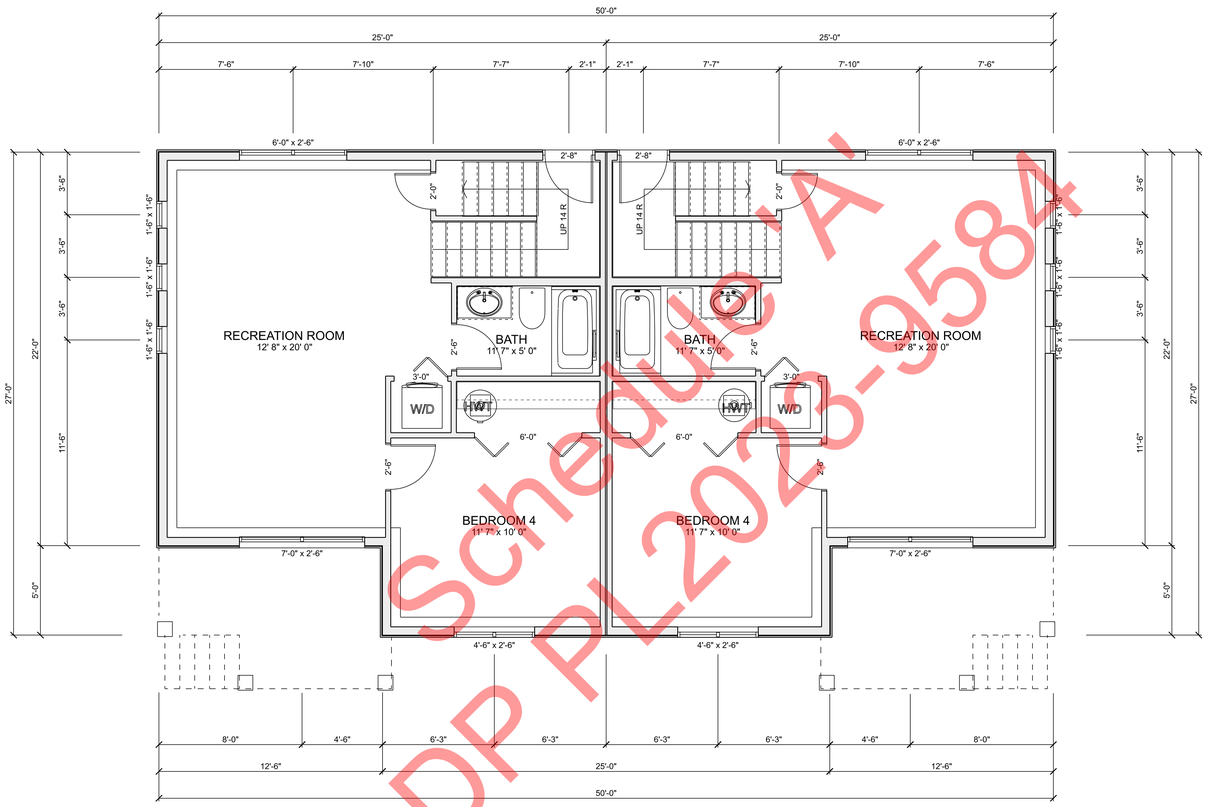
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BASEMENT FLOOR PLAN

SCALE: 1/4" = 1'-0"
BASEMENT FLOOR LIVING AREA: 1225 sq ft.

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Building B-Basement Floor Plan

SINGLA BROS. HOLDINGS LTD.

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PENTICTON, BC.

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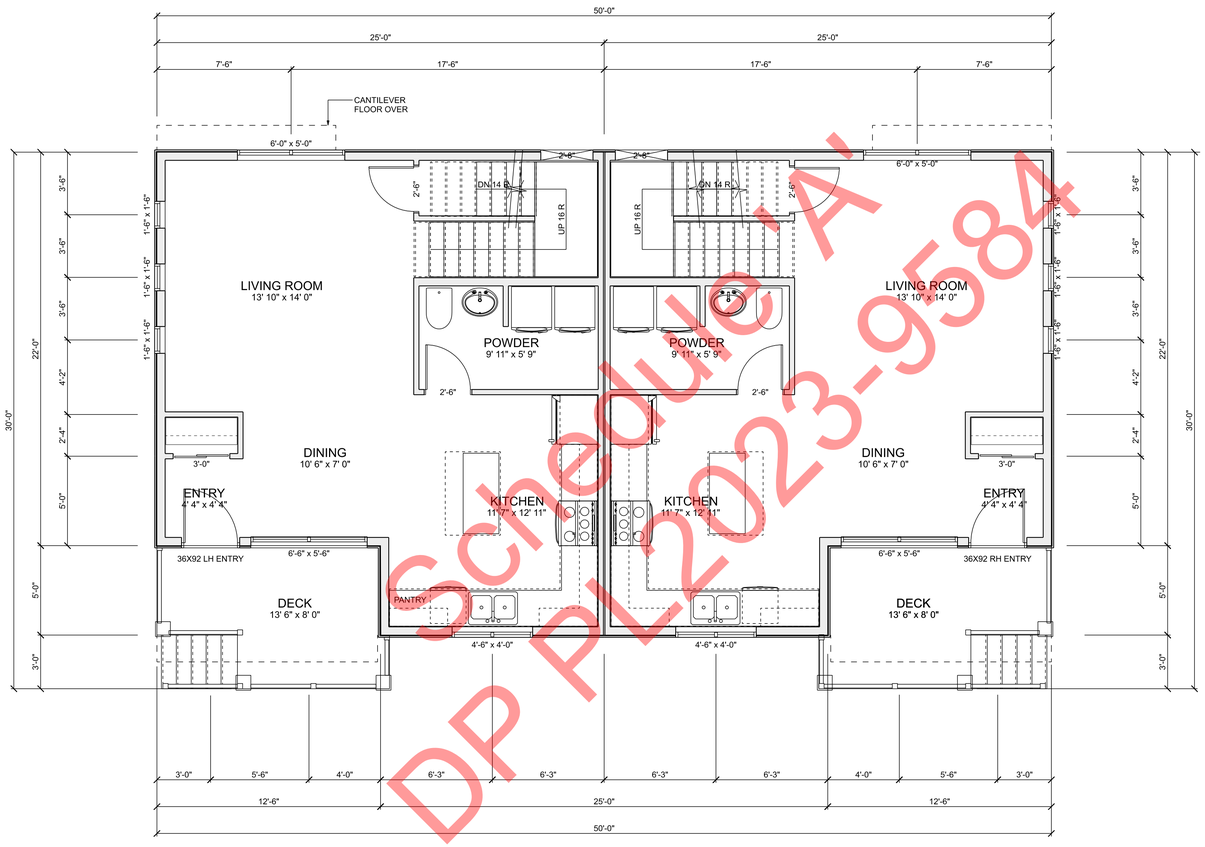
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MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"
MAIN FLOOR LIVING AREA: 1224 sq ft.

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Building B-Main Floor Plan

SINGLA BROS. HOLDINGS LTD.

594 PENTICTON AVE.
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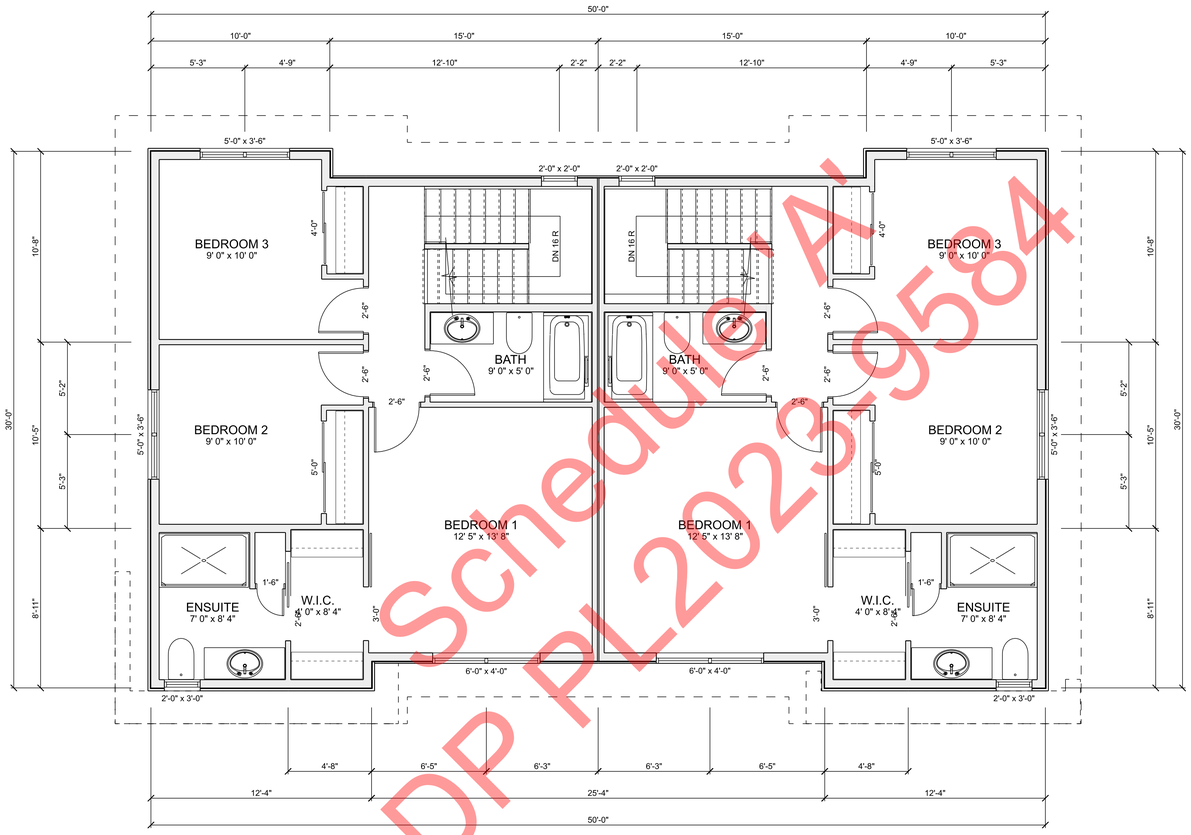
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SECOND FLOOR PLAN

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

SECOND FLOOR LIVING AREA: 1417 sq ft.

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Building B-Second Floor Plan

SINGLA BROS. HOLDINGS LTD.

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PENTICTON, BC.

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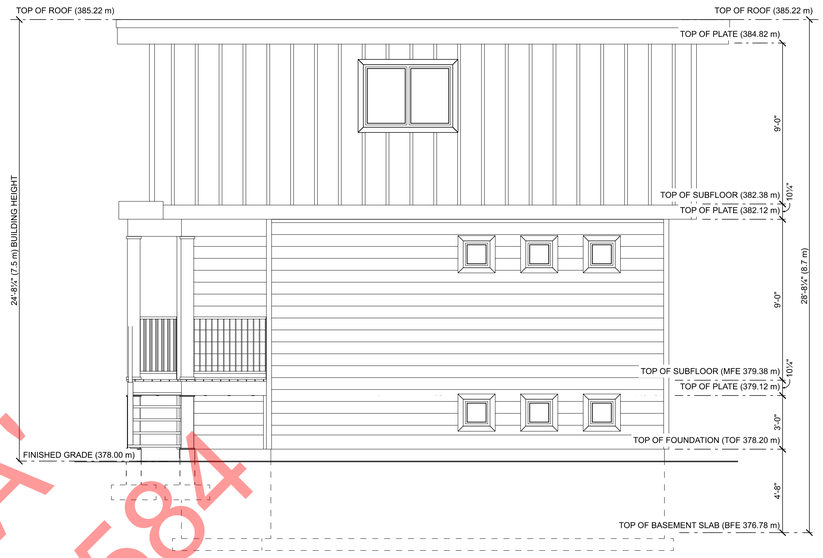
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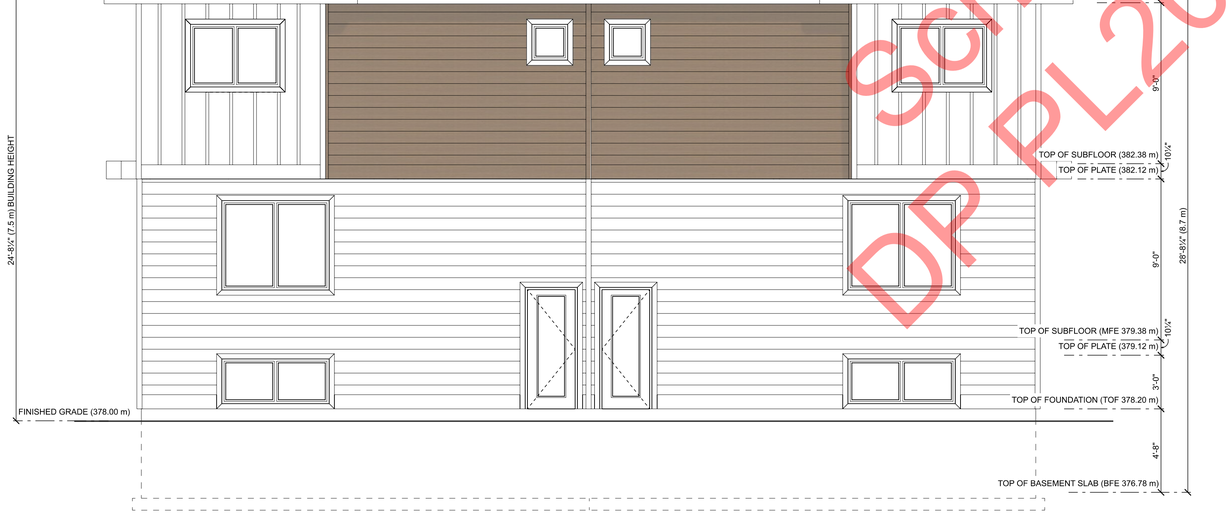
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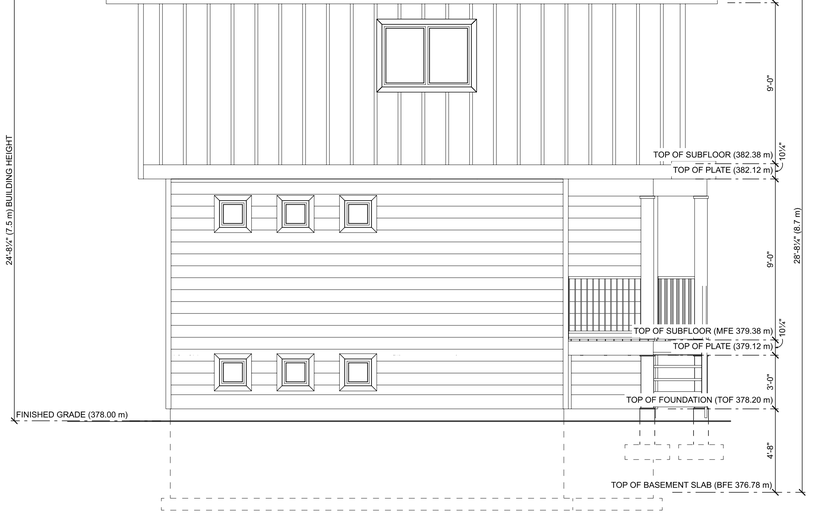
BUILDING B-FRONT ELEVATION (FACING SOUTH TO LANE)
SCALE: 1:48



BUILDING B-RIGHT ELEVATION (FACING WEST)
SCALE: 1/4" = 1'-0"



BUILDING B-REAR ELEVATION (FACING NORTH TO BUILDING A)
SCALE: 1/4" = 1'-0"



BUILDING B-LEFT ELEVATION (FACING EAST)
SCALE: 1/4" = 1'-0"

Schedule 'A'
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Building B-Exterior Elevations

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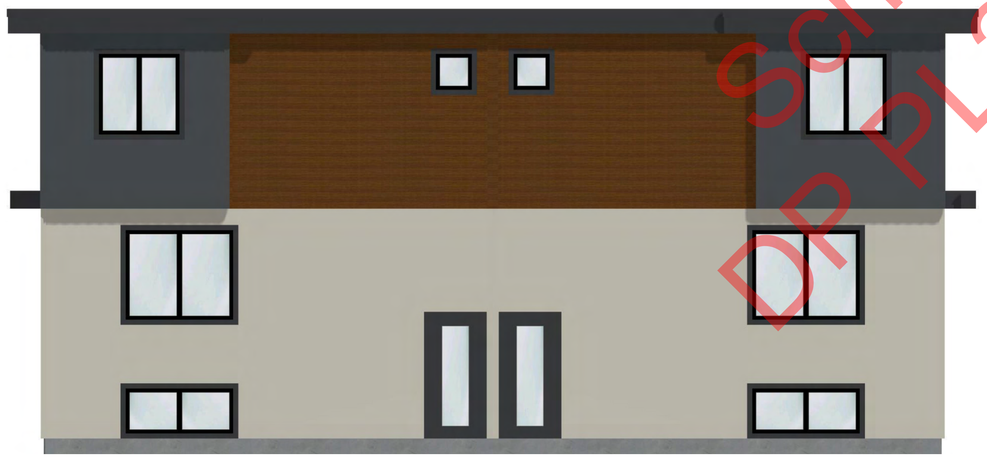
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BUILDING A-FRONT ELEVATION (FACING NORTH TO PENTICTON AVE.)
SCALE: 1/4" = 1'-0"



BUILDING A-RIGHT ELEVATION (FACING EAST)
SCALE: 1/4" = 1'-0"



BUILDING A-REAR ELEVATION (FACING SOUTH TO BUILDING B)
SCALE: 1/4" = 1'-0"



BUILDING A-LEFT ELEVATION (FACING WEST)
SCALE: 1/4" = 1'-0"

Schedule 'A'
DP PL2023-9584

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ILLEGAL TO REPRODUCE

Building A-Colour Elevations

SINGLA BROS. HOLDINGS LTD.

594 PENTICTON AVE.
PENTICTON, BC.

DESIGN BY: AJG | DATE: 2023-06-14
DRAWN BY: AJG | REVISED:

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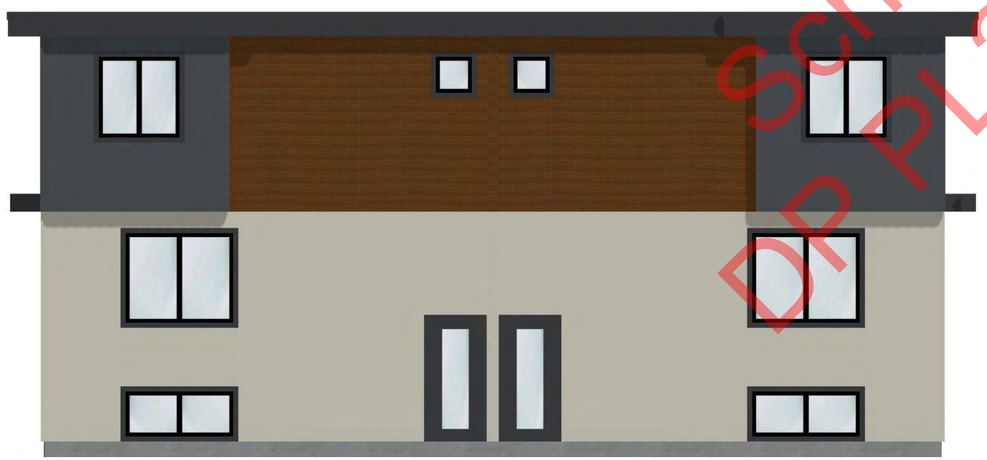
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BUILDING B-FRONT ELEVATION (FACING SOUTH TO LANE)
SCALE: 1/4" = 1'-0"



BUILDING B-RIGHT ELEVATION (FACING WEST)
SCALE: 1/4" = 1'-0"



BUILDING B-REAR ELEVATION (FACING NORTH TO BUILDING A)
SCALE: 1/4" = 1'-0"



BUILDING B-LEFT ELEVATION (FACING EAST)
SCALE: 1/4" = 1'-0"

Schedule 'A'
DP PL2023-9584

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Building B-Colour Elevations

SINGLA BROS. HOLDINGS LTD.

594 PENTICTON AVE.
PENTICTON, BC.

DESIGN BY: AJG | DATE: 2023-06-14
DRAWN BY: AJG | REVISED:

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GIROUX DESIGN GROUP
Custom Home and Building Design Since 1950.
Giroux Design Group Inc.
phone: 250.770.4472 e-mail: contact@girouxdesigngroup.com
web: www.girouxdesigngroup.com

PLAN NO.
WP-5774
SLAB
SHEET NO.
A13

www.girouxdesigngroup.com - www.westhomeplanners.com

The Corporation of the City of Penticton

Bylaw No. 2023-22

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. 2023-22".

2. **Amendment:**

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

Rezone Lot 1 District Lot 250 Similkameen Division Yale District Plan 5038, located at 594 Penticton Avenue, from R2 (Small Lot Residential) to RD4 (Low Density Cluster Housing) as shown on Schedule 'A'.

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

READ A FIRST time this	day of	, 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 __ day of _____, 2023 and the __ day of _____, 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 2023-22

Date: Corporate Officer:



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N

1:600

July 10, 2023 10:39:37 AM

Meters

0 20 40

Coordinate System: NAD 1983 CSRS UTM Zone 11N

Council Report

penticton.ca

Date: July 18, 2023 File No: RMS/712 Penticton Ave
To: Donny van Dyk, Chief Administrative Officer
From: Jordan Hallam, Planner I
Address: 712 Penticton Avenue

Subject: **Zoning Amendment Bylaw No. 2023-23**
Development Permit PL2023-9560

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-23", for Lot 93 District Lot 250 Similkameen Division Yale District Plan 881, located at 712 Penticton Avenue, a bylaw to rezone the subject property from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane);

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-23" to the August 1, 2023 Public Hearing.

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-23", approve "Development Permit PL2023-9560", for Lot 93 District Lot 250 Similkameen Division Yale District Plan 881, located at 712 Penticton Avenue, a permit to approve the form and character of a side-by-side duplex;

AND THAT Council direct staff to issue "Development Permit PL2023-9560".

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 to construct a side-by-side duplex on the subject property (Figure 1). In order to proceed with the proposed development, the applicant has requested to rezone the property from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

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



Figure 1 – Conceptual Rendering of Proposed Development

Background

The subject property (Figure 3) is currently zoned R2 (Small Lot Residential) and is designated as 'Detached Residential' (Figure 2) by the Official Community Plan (OCP). The subject property contains a single family home that was constructed in the 1930's.

The surrounding area is a mixture of uses, including mostly single family dwellings directly adjacent, infill development, parks and commercial developments. The property's proximity to the variety of uses make it an ideal location for increased density. The property is within walking distance of McLaren Park, providing services and green space for future tenants and residents. The property is also located within close proximity of the downtown area and grocery stores. This area is also well serviced by pedestrian, cycling and transit networks.

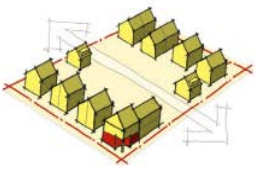
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Detached Residential 	Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas	• Single detached houses with secondary suites or carriage houses • Duplexes • Small-scale neighbourhood commercial building (e.g., corner store, coffee shop) • Manufactured homes	• Residential • Limited retail/ service	• 1 or 2 units per lot • Generally up to 2 ½ storeys to reflect 30' maximum in Zoning Bylaw	• R1 • R2 • R3 • RD1 • RSM • C2
	Site-Specific Detached Residential Policy Statement: 375 Smythe Drive: a maximum of 27 detached single-family houses are permitted on this site. Houses may include secondary suites but not carriage houses.				

Figure 2 – OCP Land Use Designation

Climate Impact

The proposed development has two units proposed on the property. This increases densification in a core area of the City of Penticton. The subject property is located on Penticton Ave., and close to Government St., where transit runs regularly which will allow residents and tenants to be less dependent on their vehicles. Penticton Secondary, KVR Middle School, and downtown Penticton are also in close proximity, promoting walkability and the use of bicycles. Each dwelling unit is required to provide 1 (2 total) Level 2 Electric Vehicle Ready Charging Spaces. This building will be required to meet Step 3 of the BC Energy Step Code. Step 3 requires new builds to be at minimum 20% more efficient, with a goal of being Net Zero Ready for new construction by 2032.

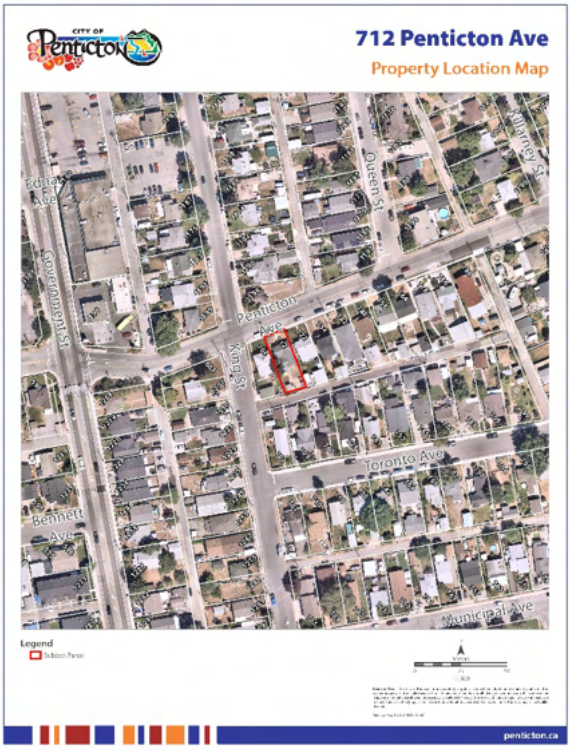


Figure 3 – Property Location Map

Technical Review

This application was reviewed by the City's Technical Planning Committee (TPC). The TPC raised comments about boulevard trees. Staff worked with the applicant to show two boulevard trees and one tree in the rear yard. Building permit requirements were sent to the applicant in order to expedite the future building permit process.

Development Statistics

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

	RD2 Zone Requirement	Provided on Plans
Minimum Lot Width*:	9.1 m	11.77 m
Minimum Lot Area*:	275 m^2	372.3 m^2
Maximum Lot Coverage:	40%	37.6%
Maximum Density:	0.95 Floor Area Ratio (FAR)	0.75 FAR
Vehicle Parking:	Total Required: 1 per dwelling unit **Total Required: 2 spaces**	**Total Per Dwelling: 2 spaces** **Total Provided: 2 spaces**
Level 2 Electric Vehicle (EV) Ready Chargers:	Total Required: 1 per dwelling unit **Total Required: 2 chargers**	**Total EV Ready Chargers Provided: 2 chargers**
Required Setbacks Front Yard (Penticton Ave): Side Yard (east): Side Yard (west): Rear Yard (lane):	 4.5 m 1.5 m 1.5 m 6.0 m	 4.53 m 1.5 m 1.5 m 9.37 m

	RD2 Zone Requirement	Provided on Plans
Maximum Building Height	10.5 m	8.31 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Zoning Amendment

The Official Community Plan (OCP) designation for the subject property is 'Detached Residential', which supports lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas (Figure 2). Single detached houses with secondary suites, carriage houses, and duplexes are some of the building types envisioned in this designation. The applicant is proposing to construct a two unit duplex on the subject property. The development and density proposed on the property are aligned with the vision of properties designated within the 'Detached Residential' designation.

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

OCP Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
OCP Policy 4.1.3.1	Encourage more intensive "infill" residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
OCP Policy 4.1.3.5	Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
OCP Policy 4.1.4.1	Work with the development community – architects, designers and buildings – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
OCP Policy 4.1.5.1	Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).
OCP Policy 4.2.5.2	Encourage land use planning that results in neighbourhoods that can be easily serviced by transit.

Staff consider that the application proposes an appropriately scaled development in an area of the city that has been identified for increased residential density by the OCP. The proposed rezoning to RD2 to allow a total of 2 dwelling units on the property is consistent with the increased density and building forms envisioned by the 'Detached 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. 2023-23", and forward the bylaw to the August 1, 2023 Public Hearing to gather comments and feedback from the public.

Support Development Permit

The proposed development is considered within the Intensive Residential Development Permit Area of the OCP, which is established to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. The proposed development has been designed with the OCP design guidelines in mind.

Staff have completed a development permit analysis (Attachment 'D') that shows how the development conforms to the applicable design guidelines. The applicant has also provided an analysis within their letter of intent (Attachment 'E'), which outlines the project and its conformance to the OCP design guidelines.

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

Alternate Recommendations

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

1. THAT Council deny first reading to "Zoning Amendment Bylaw No. 2023-23".

Attachments

Attachment A – Zoning Map
Attachment B – Official Community Plan Map
Attachment C – Photos of Property
Attachment D – Development Permit Analysis (staff)
Attachment E - Letter of Intent and Development Permit Analysis (applicant)
Attachment F – Draft Development Permit PL2023-9560
Attachment G – Zoning Amendment Bylaw No. 2023-23
Respectfully submitted,

Jordan Hallam
Planner I

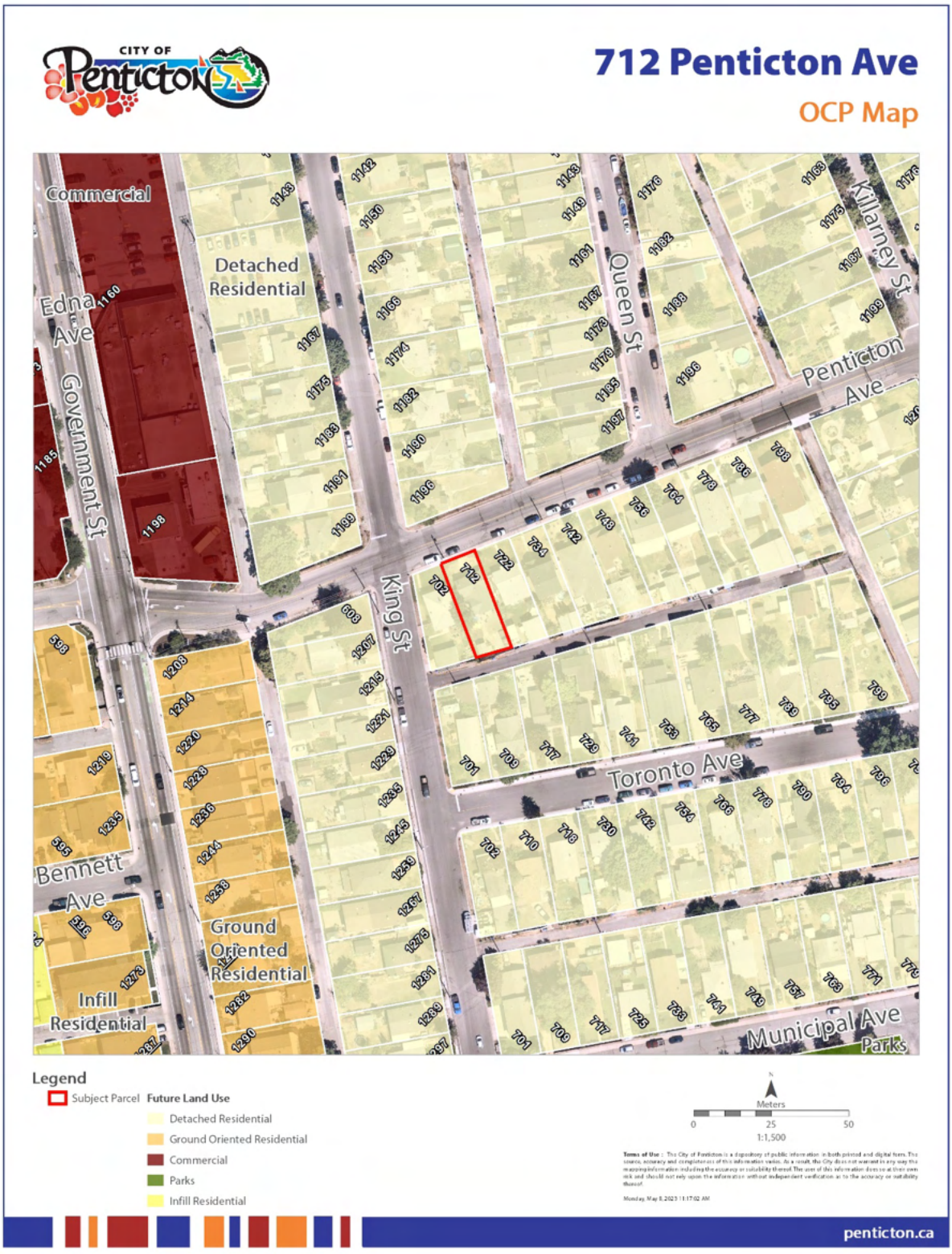
Concurrence

Director of Development Services	General Manager of Infrastructure	Acting Chief Administrative Officer
BL	*KD*	*KD*

Attachment A – Zoning Map



Attachment B – Official Community Plan Map

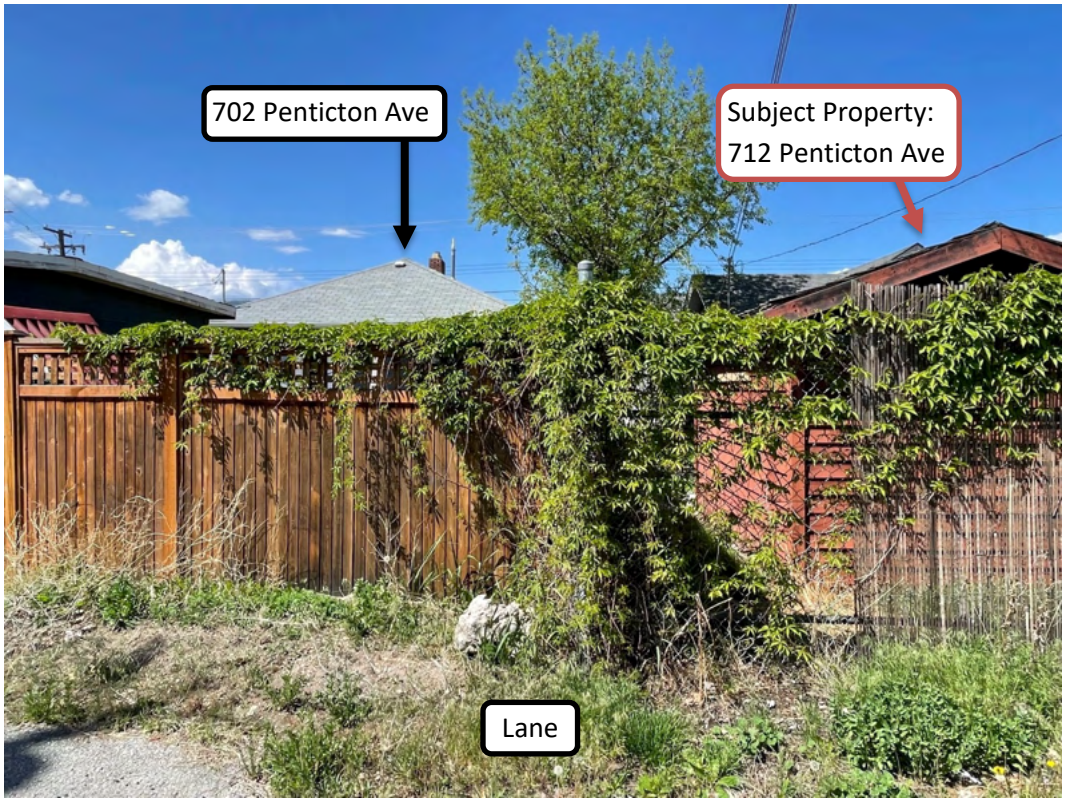


Attachment C – Photos of Property






702 Penticton Ave
Subject Property:
712 Penticton Ave
722 Penticton Ave
Lane


702 Penticton Ave
Subject Property:
712 Penticton Ave
Lane

Attachment D – Development Permit Analysis (staff)

Development Permit Analysis

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

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

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

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

- The applicant has located the proposed building at the minimum required 4.5 m front yard setback, which helps to maintain a connection with the street. A front door for each unit is proposed on Penticton Ave that faces the street to add a pedestrian scale to the development.

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

- The proposed development faces north with multiple windows for views of the surrounding mountains and ridgelines.

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

- Penticton Ave to the north side of the development provides pedestrian access to the development.

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

- The proposed development provides private outdoor amenity area to the south behind each dwelling unit.
- Each dwelling unit has a front door for access Penticton Ave, and the rear lane.

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

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

Guideline G35 *Tree planting…*

- Trees and shrubs have been provided at the front and rear of the property.

Guideline IR1 *Building Siting*

- *Front and rear yard setbacks should relate to those of existing neighbouring buildings.*

- *The primary building's front setback should be no greater than 6.0 m so that homes engage with the street.*

- The proposed development is setback 4.5 m from Penticton Ave which will allow the home and residents engage with the street.

Guideline IR2 *Intensive residential (infill) development should offer a diversity of housing to support objectives related to affordability and ageing in place.*

- The proposed development creates two dwelling units on the lot which can be stratified and sold or rented, allowing first time home buyers to enter the real estate market.

Attachment E - Letter of Intent and Development Permit Analysis (applicant)

GIROUX DESIGN GROUP
QUALITY HOME & BUILDING DESIGN SINCE 1950

April 3, 2023

Giroux Design Group Inc.

City of Penticton
171 Main Street
Penticton BC, V2A 5A9

Re: 712 Penticton Avenue Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposal to rezone and develop the property located at 712 Penticton Avenue. The Official Community Plan for the property is Detached Residential and the current zoning is R2 Small Lot Residential. The proposed development is consistent with the OCP designation but requires rezoning to RD2 Duplex Housing: Lane. A 2.4 m road dedication from Penticton Ave. has been allowed for on the plans. No variances are required for this development.

The proposal is to build one duplex building that will be two storeys in height and the parking for the units will be provided from the lane. The location of the development is ideal for families as it is close to schools, shopping, and parks. We believe the project will be a positive addition to the neighbourhood.

Thank you for considering our proposal.

Best regards,

Tony Giroux ASTTBC.CTech, RBD, BCABD
Owner/Registered Building Designer
Giroux Design Group Inc.

712 PENTICTON AVE.: DEVELOPMENT PERMIT ANALYSIS

PEDESTRIAN CONNECTIVITY

The development is on a road with pedestrian sidewalks and within walking and biking distance to the downtown business core and shopping. The location is central to parks and within blocks of both middle, and high schools. City Bus stops are also located nearby, allowing easy access to transit.

PARKING

Each unit has parking for one vehicle accessed from the lane. No variances are needed for parking as the number of spaces meets the COP requirements.

DESIGN FOR CLIMATE

The building will meet the requirements of Step 3 of the BC Building Code. Each property has its own private rear yard andcovered patio to allow for outdoor living.

ORIENTATION & MASSING

Each unit has its own entry door with a covered entry. The two storey duplex is 8.3 meters in height which is less than the 10.5 meters allowed in the zoning, this fits in with the mix of one, one-and-a-half, and two storey homes on the street. The style of the building is a modern style with sloped roofs which will complement the neighbourhood which is made up of homes primarily with sloped roofs.

LANDSCAPING (ENHANCING THE URBAN FOREST)

The landscaping plan for the development includes the planting of 2 trees along Penticton Avenue along with a planting bed that borders the sidewalk providing pleasing aesthetics and increased curb-appeal. Grassed rear yards will provide pleasant private areas for each unit.

WASTE MANAGEMENT

Garbage and recycling collection is provided by individual bins provided for each unit to be collected from the lane side of the property on collection days. The garbage and recycling bins will be screened from the lane with a wood fence.

FENCES

Six-foot-high wood privacy fences will be installed along the surrounding property lines excluding the front property line and will be stepped down to four feet within the front yard setback. Six-foot-high privacy fences will also be between each of the duplex rear yards.

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Permit

Permit Number: DP PL2023-9560

Owner Name
Owner Address

Conditions of Permit

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

2. This permit applies to:

   Legal: Lot 93 District Lot 250 Similkameen Division Yale District Plan 881

   Civic: 712 Penticton Avenue

   PID: 011-992-476

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a duplex 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 $10,000.00 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).

DRAFT

General Conditions

7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.

8. In accordance with Section 504 of the *Local Government Act,* if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**

10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

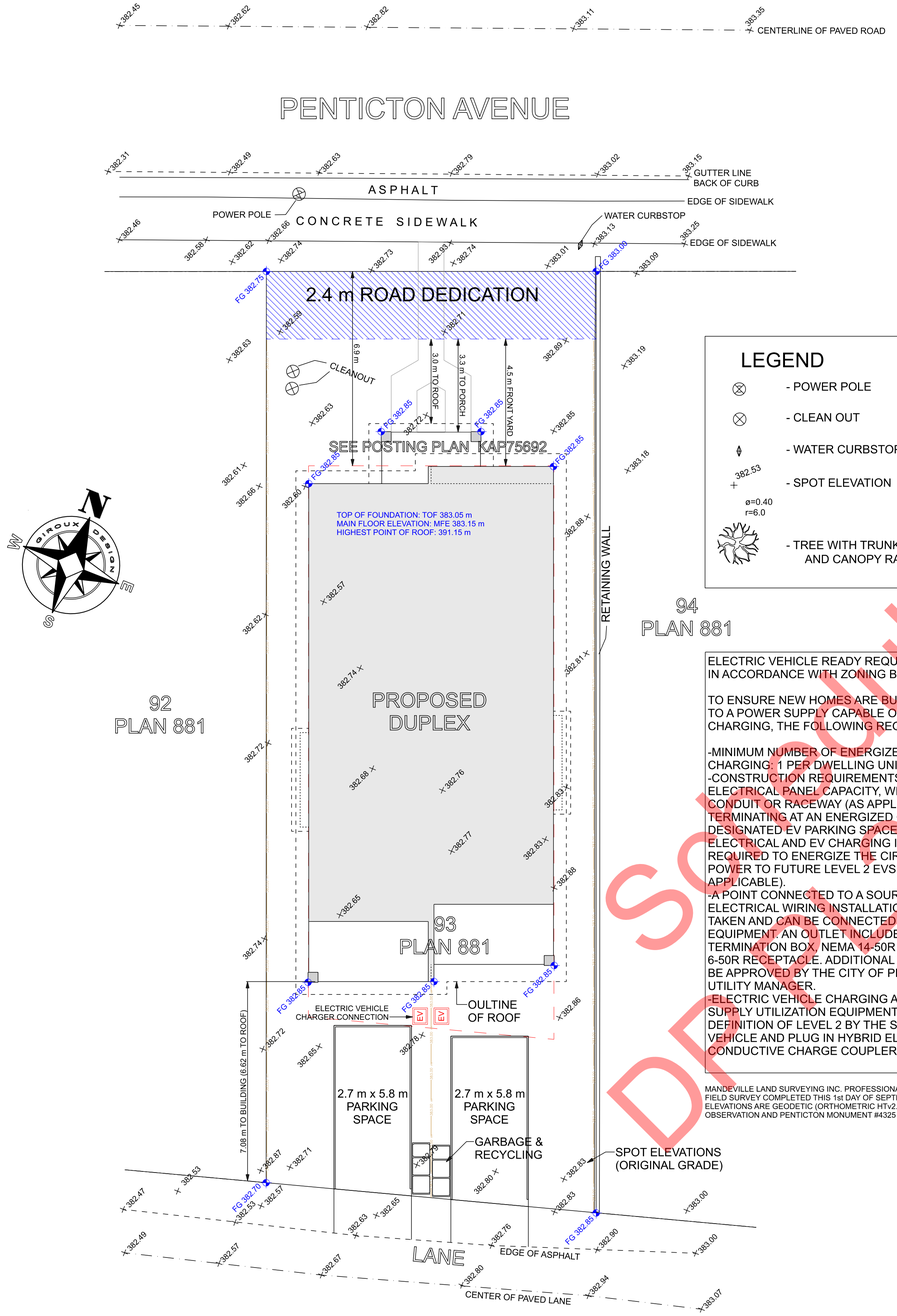
Authorized by City Council, the 1st day of August, 2023.

Issued this _____ day of August, 2023.

_____

Angela Collison
Corporate Officer

DRAFT



LEGEND

- ⊗ - POWER POLE
- ⊗ - CLEAN OUT
- ◊ - WATER CURBSTOP
- 382.53 + - SPOT ELEVATION
- ø=0.40 r=6.0 - TREE WITH TRUNK DIAMETER AND CANOPY RADIUS

94
PLAN 881

ELECTRIC VEHICLE READY REQUIREMENTS
IN ACCORDANCE WITH ZONING BYLAW NO. 2023-08

TO ENSURE NEW HOMES ARE BUILT WITH READY ACCESS TO A POWER SUPPLY CAPABLE OF PROVIDING LEVEL 2 EV CHARGING, THE FOLLOWING REQUIREMENTS MUST BE MET:

-MINIMUM NUMBER OF ENERGIZED OUTLETS FOR LEVEL 2 CHARGING: 1 PER DWELLING UNIT.
-CONSTRUCTION REQUIREMENTS THAT INCLUDE: ELECTRICAL PANEL CAPACITY, WIRING, AND CONTINUOUS CONDUIT OR RACEWAY (AS APPLICABLE) FROM THE PANEL, TERMINATING AT AN ENERGIZED OUTLET NEAR THE DESIGNATED EV PARKING SPACE(S). ADDITIONAL ELECTRICAL AND EV CHARGING INFRASTRUCTURE IS REQUIRED TO ENERGIZE THE CIRCUIT AND TO SUPPLY POWER TO FUTURE LEVEL 2 EVSE AND EVEMS (IF APPLICABLE).
-A POINT CONNECTED TO A SOURCE OF VOLTAGE IN AN ELECTRICAL WIRING INSTALLATION AT WHICH CURRENT IS TAKEN AND CAN BE CONNECTED TO SUPPLY UTILIZATION EQUIPMENT. AN OUTLET INCLUDES A COVERED TERMINATION BOX, NEMA 14-50R RECEPTACLE, OR NEMA 6-50R RECEPTACLE. ADDITIONAL TERMINATION MEANS MAY BE APPROVED BY THE CITY OF PENTICTON ELECTRIC UTILITY MANAGER.
-ELECTRIC VEHICLE CHARGING AT 208 V OR 240 V THROUGH SUPPLY UTILIZATION EQUIPMENT THAT MEETS THE DEFINITION OF LEVEL 2 BY THE STANDARD "SAE ELECTRIC VEHICLE AND PLUG IN HYBRID ELECTRIC VEHICLE CONDUCTIVE CHARGE COUPLER", J1772.

MANDEVILLE LAND SURVEYING INC. PROFESSIONAL LAND SURVEYORS DWG. 22-259
FIELD SURVEY COMPLETED THIS 1st DAY OF SEPTEMBER, 2022.
ELEVATIONS ARE GEODETIC (ORTHOMETRIC HTv2.0) DERIVED FROM GNSS OBSERVATION AND PENTICTON MONUMENT #4325

SITE PLAN

SCALE: 1:100
CIVIC ADDRESS: 712 PENTICTON AVENUE, PENTICTON, BC
LEGAL DESCRIPTION: LOT 93, DL 250, SDYD, PLAN 881
PID: 011-992-476

ZONING COMPLIANCE TABLE (PROPOSED ZONING RD2)

REGULATION	REQUIRED	PROPOSED	VARIANCE/CHANGE REQUIRED
OCP DESIGNATION	DR	DR	NO
ZONING	R2	RD2	YES
MINIMUM LOT WIDTH	9.1	11.7 m	NO
LOT AREA	275 m2	385.18 m2	NO
MAXIMUM LOT COVERAGE	40%	40% (153.7 m2)	NO
MAXIMUM DENSITY	0.95 FAR	0.72 FAR (276.9 m2)	NO
MAXIMUM HEIGHT	10.5 m	8.3 m	NO
MINIMUM FRONT YARD (NORTH)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD (EAST & WEST)	1.5 m	1.5 m	NO
MINIMUM REAR YARD (SOUTH)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	2	2	NO

Schedule 'A'
DP PL2023-9560

JASSAR ENTERPRISES
712 PENTICTON AVE.
PENTICTON, BC

DESIGN BY: AJG | DATE: 2023-05-19
DRAWN BY: AJG | REVISED:

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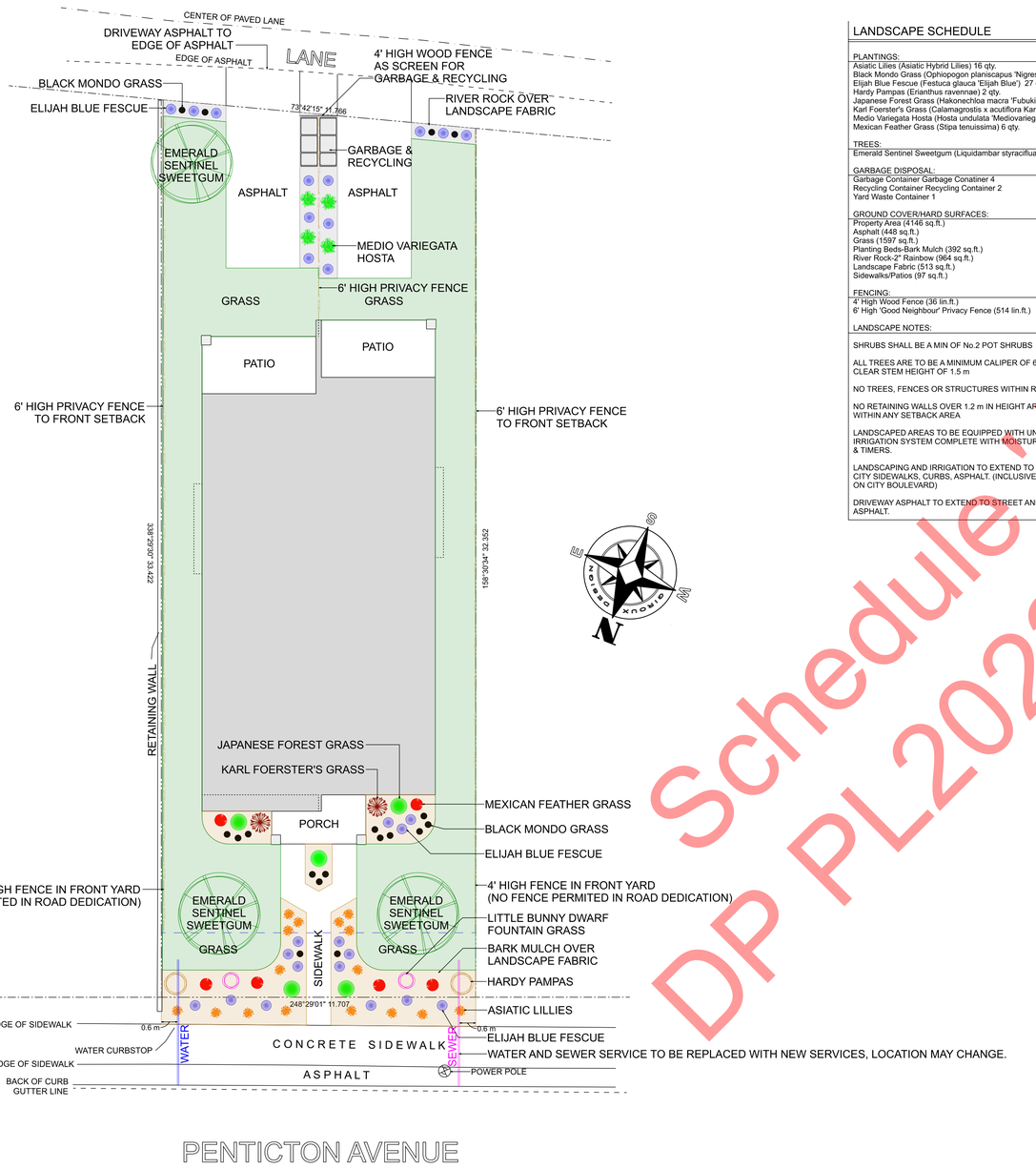
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Site Plan

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LANDSCAPE PLAN

SCALE: 1:100
CIVIC ADDRESS: 712 PENTICTON AVENUE, PENTICTON, BC
LEGAL DESCRIPTION: LOT 93, DL 250, SDYD, PLAN 881
PID: 011-992-476

LANDSCAPE SCHEDULE

PLANTINGS:
Asiatic Lilies (Asiatic Hybrid Lilies) 16 qty.
Black Mondo Grass (Ophiopogon planiscapus 'Nigrescens') 18 qty.
Elijah Blue Fescue (Festuca glauca 'Elijah Blue') 27 qty.
Hardy Pampas (Erianthus ravennae) 2 qty.
Japanese Forest Grass (Hakonechloa macra 'Fubuki') 5 qty.
Karl Foerster's Grass (Calamagrostis x acutiflora Karl Foerster) 2 qty.
Medio Variegata Hosta (Hosta undulata 'Mediovariegata') 4 qty.
Mexican Feather Grass (Stipa tenuissima) 6 qty.

TREES:
Emerald Sentinel Sweetgum (Liquidambar styraciflua 'Clydesform') 3 qty.

GARBAGE DISPOSAL:
Garbage Container Garbage Conatiner 4
Recycling Container Recycling Container 2
Yard Waste Container 1

GROUND COVER/HARD SURFACES:
Property Area (4146 sq.ft.)
Asphalt (448 sq.ft.)
Grass (1597 sq.ft.)
Planting Beds-Bark Mulch (392 sq.ft.)
River Rock-2" Rainbow (964 sq.ft.)
Landscape Fabric (513 sq.ft.)
Sidewalks/Patios (97 sq.ft.)

FENCING:
4' High Wood Fence (36 lin.ft.)
6' High 'Good Neighbour' Privacy Fence (514 lin.ft.)

LANDSCAPE NOTES:

SHRUBS SHALL BE A MIN OF No.2 POT SHRUBS

ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m

NO TREES, FENCES OR STRUCTURES WITHIN ROAD DEDICATION

NO RETAINING WALLS OVER 1.2 m IN HEIGHT ARE PERMITTED WITHIN ANY SETBACK AREA

LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS & TIMERS.

LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, ASPHALT. (INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)

DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

Schedule 'A'
DP PL2023-9560

STANDARD DETAIL DRAWINGS

NOTES

THIS TREE PLANTING DETAIL IS USED WHEN PLANTING A TREE IN A SOFTSCAPE SITUATION. TREE SPECIES AND SIZE TO BE APPROVED BY THE CITY PRIOR TO INSTALLATION.

ALL PLANTS AND PLANTING ARE TO CONFORM TO THE B.C LANDSCAPE STANDARD.

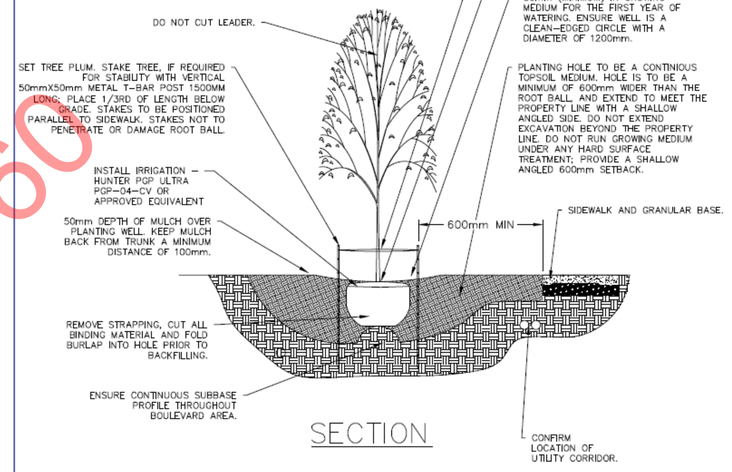
PROTECT TREE FROM DAMAGE DURING TRANSPORT AND PLANTING. TREE ROOTS NOT TO BE EXPOSED TO SUN OR FROST.

CONFIRM TREE LOCATION AGAINST ALL REQUIRED OFFSETS.

CONFIRM LOCATION OF UTILITIES; IT IS RECOMMENDED THAT STREET TREE PLANTING PITS BE DUG BY HAND AS UNDERGROUND SERVICES MAY EXIST.

CONFIRM FREE DRAINING SUBSOIL. CONTACT PARKS SUPERVISOR OR CITY ARBORIST IF PROBLEMS ARISE.

PROVIDE IRRIGATION TO THE CITY OF PENTICTON REQUIREMENTS.



SECTION

SOFTSCAPE BOULEVARD TREE PLANTING	SCALE	APPROVED	REV	DWG NO.
	NTS	August, 2019	1	S-R18a

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Landscape Plans

JASSAR ENTERPRISES
712 PENTICTON AVE.
PENTICTON, BC

DATE: 2023-05-19
REVISED:
DESIGN BY: AJG
DRAWN BY: AJG

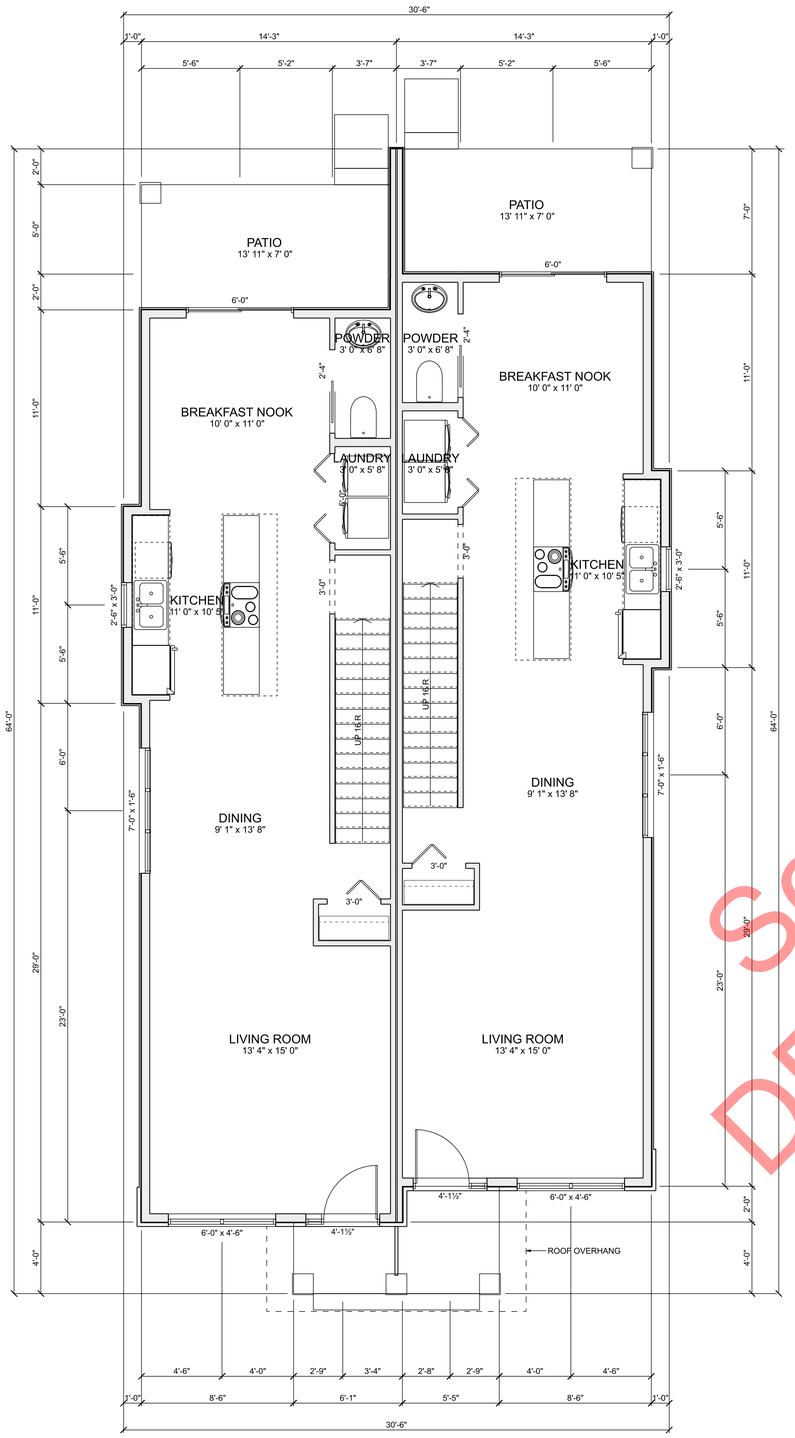
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MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"
MAIN FLOOR LIVING AREA: 1402 sq ft.



SECON D FLOOR PLAN

SCALE: 1/4" = 1'-0"
SECOND FLOOR LIVING AREA: 1579 sq ft.

Scheduled
DP PL2023-9560

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Floor Plans

JASSAR ENTERPRISES
712 PENTICTON AVE.
PENTICTON, BC

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DRAWN BY: AJG	REVISED:

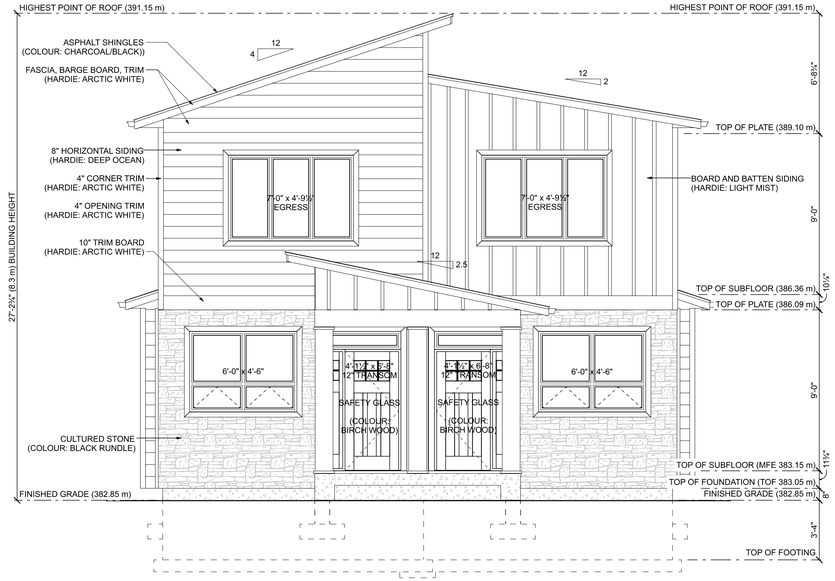
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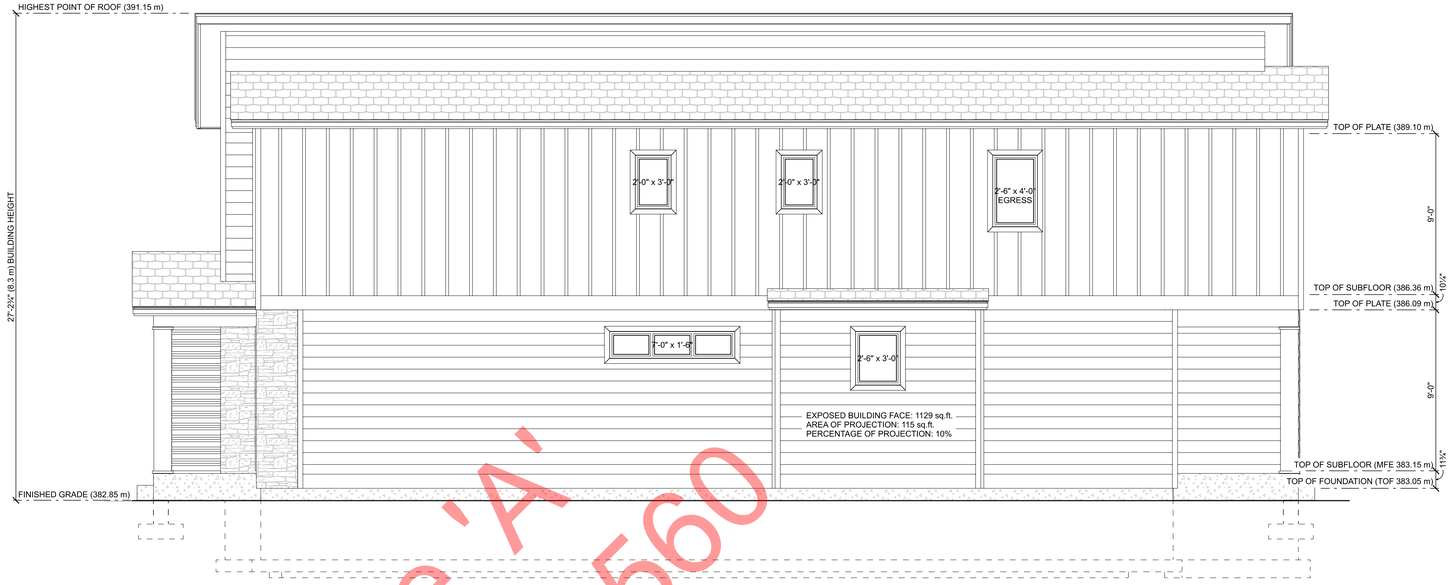
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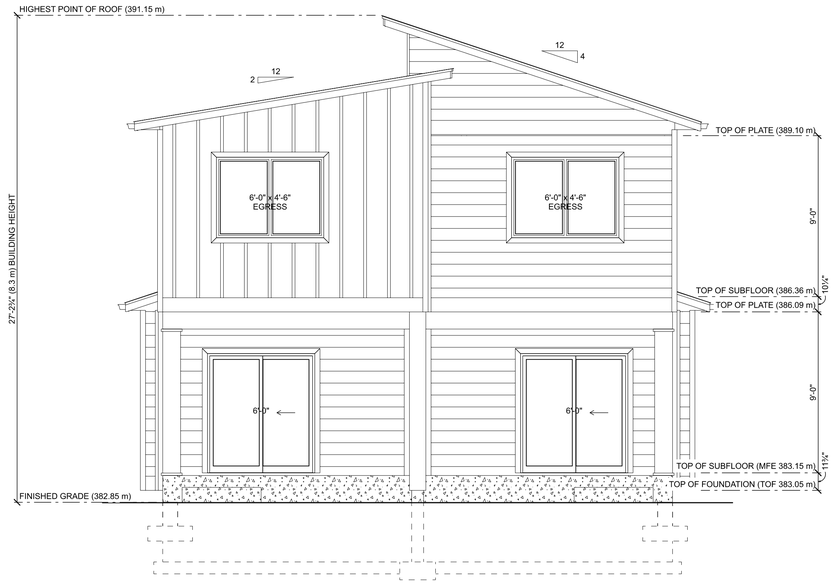
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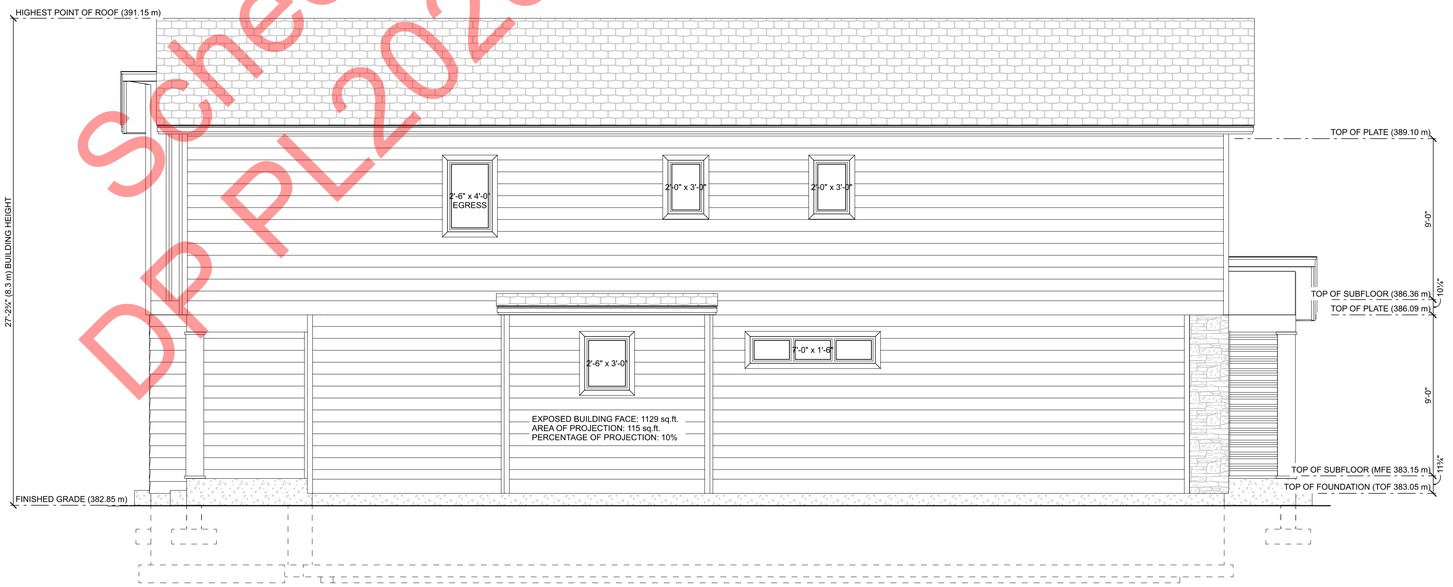
NORTH ELEVATION (FACING PENTICTON AVE.)
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION (FACING LANE)
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"

Schedule 'A'
DP PL2023-9560

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Exterior Elevations

JASSAR ENTERPRISES
712 PENTICTON AVE.
PENTICTON, BC

DATE: 2023-05-19
REVISED:
DESIGN BY: AJG
DRAWN BY: AJG

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NORTH ELEVATION (FACING PENTICTON AVE.)
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION (FACING LANE)
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"

Schedule 'A'
DP PL2023-9560

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Colour Elevations

JASSAR ENTERPRISES
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The Corporation of the City of Penticton

Bylaw No. 2023-23

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. 2023-23".

2. **Amendment:**

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

Rezone Lot 93 District Lot 250 Similkameen Division Yale District Plan 881, located at 712 Penticton Avenue, from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) as shown on Schedule 'A'.

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

READ A FIRST time this	day of	, 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 __ day of _____, 2023 and the __ day of _____, 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 2023-23

Date:

Corporate Officer:



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July 10, 2023 10:41:44 AM

Meters

0 15 30

Coordinate System: NAD 1983 CSRS UTM Zone 11N

Council Report

penticton.ca

Date: July 18, 2023 File No: RMS/401 Edmonton Ave
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Senior Planner
Address: 401 Edmonton Avenue

Subject: **Zoning Amendment Bylaw No. 2023-25**
Development Variance Permit PL2022-9322
Development Permit PL2022-9323
Development Permit PL2022-9324

Staff Recommendation

Zoning Amendment

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-25", for Lot 2 District Lot 202 Similkameen Division Yale District Plan 7727, located at 401 Edmonton Avenue, a bylaw to rezone the southern 23.7m of the property from R2 (Small Lot Residential) to RD3 (Residential Infill), with the following site-specific provision:

- A maximum of one duplex suite is permitted on proposed Lot A.

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-25" to the August 1, 2023 Public Hearing;

Development Variance Permit and Development Permit

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-25", consider and deny the associated "Development Variance Permit PL2022-9322", a permit to vary Section 10.2.2.3 of Zoning Amendment Bylaw No. 2023-08, to increase the maximum permitted lot coverage for the retained lot with the existing home from 40% to 41.3% as the result of a proposed subdivision;

AND THAT Council, subject to consideration of "Development Variance Permit PL2022-9322", consider and deny the associated "Development Permit PL2022-9323"and "Development Permit PL2022-9324", permits to approve the form and character of a duplex with one duplex suite on Proposed Lot A and a duplex (no duplex suites) on proposed Lot B.

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 infill development on the subject property. The existing home would remain on a proposed new lot facing Manitoba Street. Two new lots would face Edmonton Avenue, with Proposed Lot A having a side-by-side duplex with one duplex suite (3 units) and Proposed Lot B having a side-by-side duplex with no duplex suite (2 units) (Figure 1). In total, 5 new units are proposed, in addition to the one existing home to be retained. (Figure 2). A total of three lots would be created.



Figure 1 - Artistic rendering of proposed development (not to scale)

To facilitate the proposed development, the applicant is requesting to rezone the southern 23.7m of the subject property from R2 (Small Lot Residential) to RD3 (Residential Infill). The existing home would retain its R2 (Small Lot Residential) zoning.

A development variance permit application has been submitted to allow for increased lot coverage on the retained lot with the existing home, as a result of the proposed subdivision, allowing 41.3% lot coverage where 40% is typically the maximum permitted.

In addition, the applicant has submitted two development permit applications, for the form and character of the proposed duplex lots.

At this time, staff are supportive of the request to amend the zoning on the property. The proposed zoning is aligned with the OCP vision for the property. However, staff are not supportive of the development plans as presented. The proposed subdivision and development plans result in the installation of driveways and service connections through the Edmonton Avenue boulevard which are expected to damage mature City-owned boulevard trees. The option staff is recommending would allow the zoning on the property to be amended, but require that the applicant continue to work with staff to design a proposal that respects the existing boulevard trees along Edmonton Avenue.

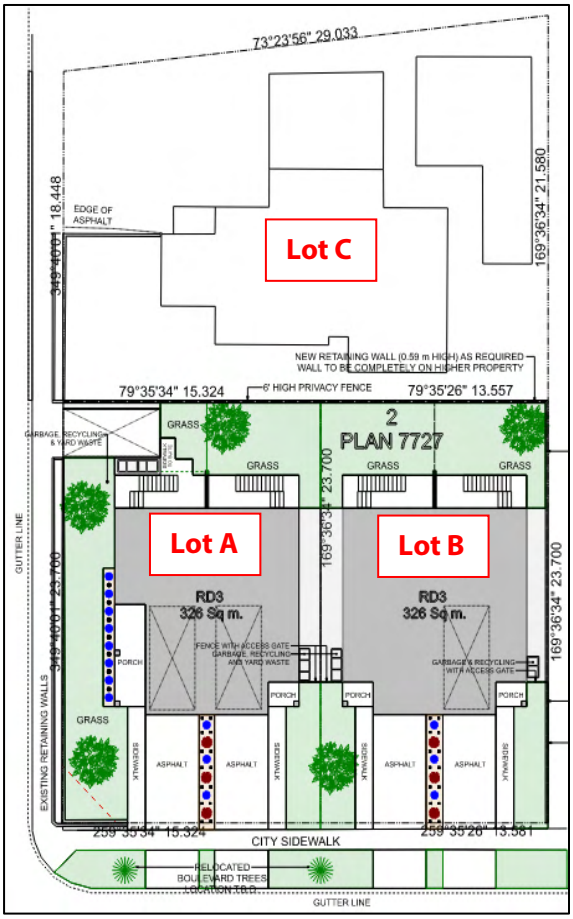


Figure 2 - Proposed development layout

Background

The subject property is located at the northeast corner of Edmonton Avenue and Manitoba Street (Figure 3). The property currently contains a single detached dwelling and a detached storage shed. There are two driveway accesses, one onto Edmonton Avenue and one onto Manitoba Street. There is no rear lane providing access to the property.

Surrounding land uses are primarily single detached homes and duplexes, with higher density residential uses including townhomes and apartments further west along Edmonton Avenue, towards Main Street.

The subject property is centrally located across the street from Kiwanis Park and within a couple blocks of KVR Middle School, Penticton Secondary School, the new Edmonton Avenue daycare, the KVR trail, and the Main Street corridor with a number of shops and services.

The property is currently zoned R2 (Small Lot Residential) and is designated 'Infill Residential' by the Official Community Plan (OCP).



Figure 3 - Property location map

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.
  - The subject property is one block away from multiple bus routes along both Main Street and Government Street.
  - The subject property is close to the KVR trail which promotes walking and bicycling options.
  - Bicycle parking will be provided in future development in accordance with the Zoning Bylaw requirements.
- **Step Up New Buildings:** All new buildings will be required to meet the BC Energy Step Code requirements at the time of construction.
  - The proposed buildings would be required to meet Step 3 of the BC Energy Step Code as a minimum standard of energy efficiency.

Technical Review

This application package was reviewed by the Technical Planning Committee, a group of internal staff who review development applications. The group shared comments to be addressed at the future subdivision and building permit stages. Two key items for the applicant to consider at this development design stage were raised through technical review: boulevard trees and sanitary sewer servicing.

Boulevard Trees

There are two city-owned boulevard trees in front of the subject property, and one in front of the neighbouring property to the east (Figure 4). Two of those three trees were planted in 1990, and they are part of the tree-lined character of this block of Edmonton Avenue. The third smaller tree was recently planted in 2021 and can be replanted in another section of the boulevard to accommodate development relatively easily.



Figure 4 - Photo of boulevard trees in front of, and adjacent to, the subject property.

Based on the originally submitted plans which showed driveways adjacent to the existing boulevard trees, the city's Parks Department sought an arborist report to assess the health and proposed impact to the two mature boulevard trees. Based on the report findings, the Parks Department concluded that the mature boulevard tree fronting the property is in good health and should be protected from future development.

After receiving this comment, the developer revised their plans to assume the boulevard trees would be removed, stating that development cannot occur on that lot without removal and replanting of the city-owned mature boulevard tree. Staff discussed alternative design options with the developer, including reorienting the development to provide all driveways off the Manitoba Street frontage (Figure 5), but the developers wish to have Council consider the plans as currently shown, without staff support.

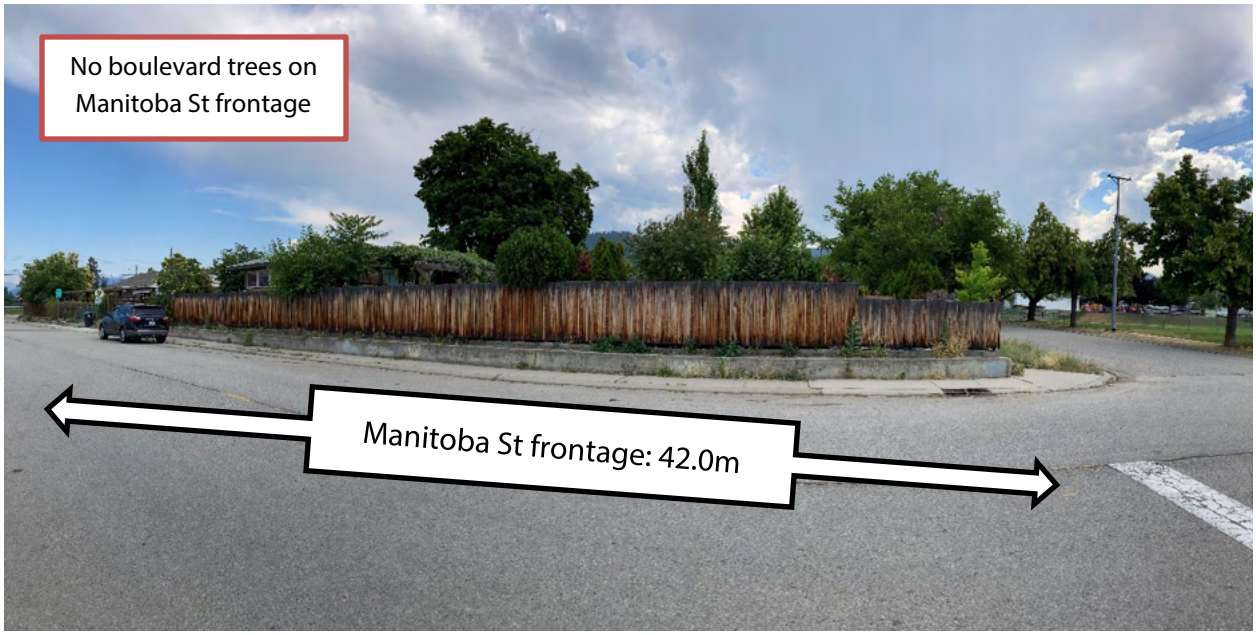


Figure 5: Image of property from Manitoba Street.

Sanitary Sewer Main Extension

Staff noted that based on the 3-lot subdivision plan, a sanitary sewer main extension is required along Edmonton Avenue (Figure 6). The approximately 34m extension would be the installed at the developer's expense, as it would be a requirement of the subdivision as currently proposed. The new 34m of sanitary sewer main would become a City asset to maintain in perpetuity, and would only serve this proposed lot and potentially a subdivision of the neighbouring property (419 Edmonton Ave) if it were to subdivide at some point in the future. All lots further east along Edmonton Avenue have sanitary sewer connections to existing sanitary sewer mains located in the rear lanes.

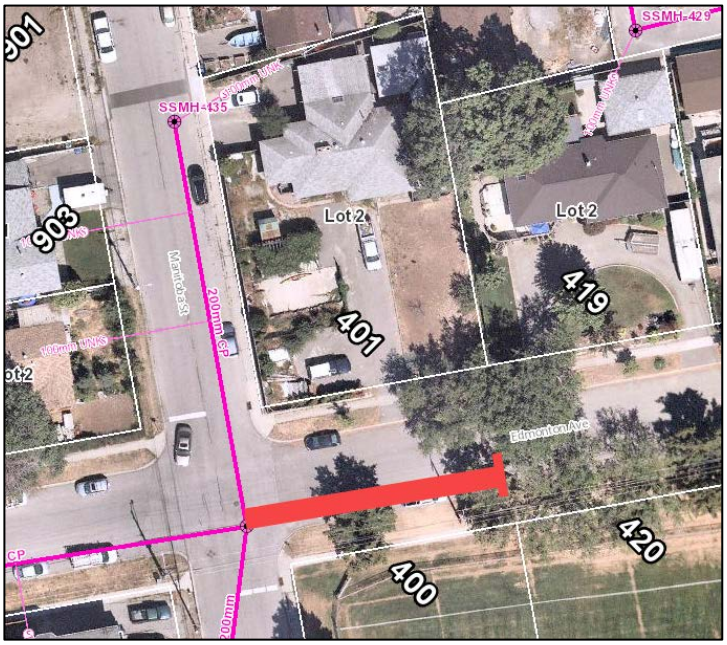


Figure 6 - Based on subdivision plan, 34m sanitary sewer main extension required (shown in red). Existing sanitary sewer mains shown in pink.

Based on the plans submitted, a new sanitary sewer service connection would be required from the new sanitary sewer main to Proposed Lot B, which has the potential to damage the root zone of the existing mature boulevard tree in front of that lot. The sanitary main extension and new service connection would not be required if the subdivision plan were amended to provide all new lots with frontage on Manitoba Street, which has a sanitary sewer main already installed across the full frontage of the subject property.

Staff shared this requirement with the applicant early in the process as it is a major expense for their development to proceed (high level estimate $65,000 to $70,000).

Alternate design options could address both the boulevard tree and sanitary sewer main items. There are no boulevard trees on Manitoba Street so driveway access could be provided there. A two-lot subdivision rather than a three lot subdivision would also eliminate the need for a sanitary sewer main extension, as the one new lot could connect to Manitoba Street.

Development Statistics

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

	RD3 Zone Requirement	Proposed Lot A	Proposed Lot B
Minimum Lot Width:	9.1 m (standard lot) 10.5m (corner lot)	15.32 m	13.58 m
Minimum Lot Area:	275 m^2	363.2 m^2	321.8 m^2
Maximum Lot Coverage:	55%	37.5%	42%
Maximum Density:	1.0 Floor Area Ratio (FAR)	0.83 FAR	0.89 FAR
Vehicle Parking:	1 space per unit	4 parking spaces proposed	4 parking spaces proposed
Required Setbacks Front Yard: Side Yard (east): Side Yard (west): Rear Yard:	 4.5 m 1.2 m 3.0 m (exterior)/1.2m (interior) 6.0 m	 6.07 m 1.29 m 3.08 m 6.0 m	 6.07 m 1.26 m 1.30 m 6.0 m
Maximum Building Height	10.5 m	9.6 m	9.6 m

Analysis

Rezoning

The applicant is proposing to rezone the southern 23.7m of the subject property to RD3 (Residential Infill). The purpose of the RD3 zone is to provide a zone for infill housing with a maximum of three (3) dwelling units on small sized urban serviced lots. The permitted uses in the RD3 zone include a single detached dwelling, carriage house, secondary suite, and duplex.

When reviewing a rezoning application, staff look to the Official Community Plan future land use designation and applicable policies to consider how the proposed development aligns with the OCP. The OCP future land use designation on the subject property is 'Infill Residential' (Figure 7). This designation envisions lower-density residential areas with new housing types compatible with single detached houses in character and scale but providing up to 4 units per lot. The proposed development would result in a total of 6 dwelling units on the entire site, with one of the three proposed lots retaining the existing home.

Duplexes, with or without suites, are one of the building forms envisioned by the Infill Residential designation.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Infill Residential 	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 • Lower-density rowhouses • Small-scale neighbourhood commercial building (e.g., corner store, coffee shop).	• Residential • Limited retail/ service	• 1 to 4 units per single lot • Consolidation of lots possible for lower scale multifamily developments • Generally up to 2 ½ storeys	• R1 • R2 • R3 • RD1 • RD2 • RD3 • C2

Figure 7 - Infill Residential designation, excerpt from Land Use Designations Table (OCP)

In addition to reviewing the future land use designation of the site, staff reviewed the applicable OCP policies to this proposed development. The following table outlines the applicable OCP policies with staff's comments.

OCP Policy 4.1.1.1	*Focus new residential development in or adjacent to existing developed areas.*
Staff Comments	The subject property is within the existing developed area of the city.
OCP Policy 4.1.3.1	*Encourage more intensive "infill" residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.*
Staff Comments	The proposed development would provide more housing units close to the Downtown, employment, services and shopping. The proposed 3-storey duplex buildings are considered a compatible scale with the surrounding residential neighbourhood.
OCP Policy 4.1.3.3	*Foster diversity and create relative affordability while maintaining neighbourhood character in single-family areas by encouraging the creation of smaller-frontage lots in new neighbourhoods and subdivisions, and permitting the subdivision of larger lots in established neighbourhoods where access and servicing are adequate.*
Staff Comments	The proposal would involve subdividing the property into three lots, and building 5 new units total on two of the new lots.
OCP Policy 4.1.3.4	*Encourage developments that include one-bedroom and two-bedroom units in suitable neighbourhoods to enable people to downsize as they age and to provide entry-level housing for those people entering the housing market. At the same time, provide 3-bedroom units, or larger, to accommodate families.*

Staff Comments	The proposed development would provide four 3-bedroom units, plus one bachelor duplex suite.
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	The proposed development would be across the street from Kiwanis Park, and within a couple blocks of the middle school, high school, and commercial area along Main Street to the west.
OCP Policy 4.1.4.1	*Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.*
Staff Comments	The proposed development meets many of the OCP design guidelines and the new buildings would meet current energy efficiency standards. The scale is considered comparable with the surrounding 1-4 storey residential developments in the area.
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 neighbourhoods in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).*
Staff Comments	The proposal is for increased density near two schools and one block from two major arteries (Main St and Government St). While the neighbourhood has been traditionally single-family, there are several duplex, townhouse and apartment developments along Edmonton Ave and in the surrounding neighbourhood.
OCP Policy 4.1.5.3	*Use Multifamily and Intensive Residential Development Permit Area Guidelines to direct, through the City's approval processes, the character and feel of residential neighbourhoods, as well as to guide water and energy conservation.*
Staff Comments	The development is considered within the Intensive Residential Development Permit Area. The applicant has submitted a Development Permit Analysis as well (Attachment 'D'). Staff have completed a development permit analysis showing how the proposal aligns with the city's design guidelines (Attachment 'E').
OCP Policy 4.2.1.7	*Promote walking, cycling and transit use through strategic land use planning that facilitates denser, attractive, mixed-use communities that are rich in amenities.*
Staff Comments	The proposal is a denser development than what currently exists. The proposal would result in a total of six (6) dwelling units on three lots where there is currently only one (1) dwelling unit on one (1) lot.
OCP Policy 4.2.2.5	*Require that vehicle access to parking in residential areas is from the laneway in neigbourhoods where laneways exist.*
Staff Comments	The subject property is not served by a laneway. Most other properties in this neighbourhood have access to a laneway, which would otherwise eliminate the need for front driveways through the boulevard area.
OCP Policy 4.4.2.4	*Recognize the value of urban trees to store carbon, reduce water run-off, buffer windstorms and mitigate summer heating impacts.*

Staff Comments	The proposal involves the removal and replanting of city-owned boulevard trees. If the proposal is approved as designed, it will take decades for the new boulevard trees to mature and provide the same ecological value.
OCP Policy 4.6.5.4	*Identify and protect trees that are significant due to their age, uniqueness or history by creating and maintaining an inventory of Penticton's heritage trees.*
Staff Comments	While not on the city's list of heritage/significant trees (Bylaw 2001-26), the boulevard trees along this block of Edmonton Avenue create a distinct character. The development proposal relies on the removal of a mature boulevard tree from the frontage of the subject property.

The OCP policies generally support this form of infill development at this location. The proposed built form could be considered compatible with the surrounding neighbourhood and provides more homes within the built-up core of the city. The proposal relies on the removal of a mature boulevard tree in front of Proposed Lot B, which could be avoided if another infill development design or subdivision plan were proposed.

The proposed rezoning includes a site-specific provision to allow a 'duplex suite' on Proposed Lot A. A duplex suite is defined in the Zoning Bylaw as *"a self-contained accessory dwelling unit located within a duplex, which has its own entrance, kitchen, bathroom and living area".* The RD3 zone was developed to allow up to three dwelling units on a property, however duplex suites were not considered. As such, the rezoning includes a provision that a maximum of one duplex suite be permitted.

Staff agree this site is well suited for infill style development because it is close to services, schools, shopping and amenities. Staff are recommending that Council give first reading to "Zoning Amendment Bylaw No. 2023-25" and forward the bylaw to the August 1, 2023 Public Hearing.

Development Variance Permit

The applicant is requesting a lot coverage variance for the proposed retained lot with the existing home, to allow 41.3% lot coverage in the R2 zone where 40% is the typical maximum permitted. This variance is required based on the proposed development plans and subdivision layout. Staff are not supportive of the development design as submitted, and therefore recommend that Council consider and deny the Development Variance Permit, subject to adoption of the rezoning.

Development Permits

The applicant has submitted two development permit applications, one for each of the two proposed duplexes (Proposed Lots A and B). The applicant has included some references to the design guidelines in their letter of intent and development permit analysis (Attachment 'D'). Staff also reviewed the form and character of the proposed development for alignment with the Intensive Residential design guidelines (Attachment 'E').

The landscaping plan shows the existing mature boulevard tree fronting Proposed Lot B being removed and the smaller boulevard tree fronting Proposed Lot A being replanted elsewhere along the boulevard in order to accommodate the driveways for the proposed units (Figure 8). Staff, through technical review, are not supportive of removing the mature boulevard tree to accommodate new driveways and parking, and are recommending the Development Permit plans be updated prior to approval.

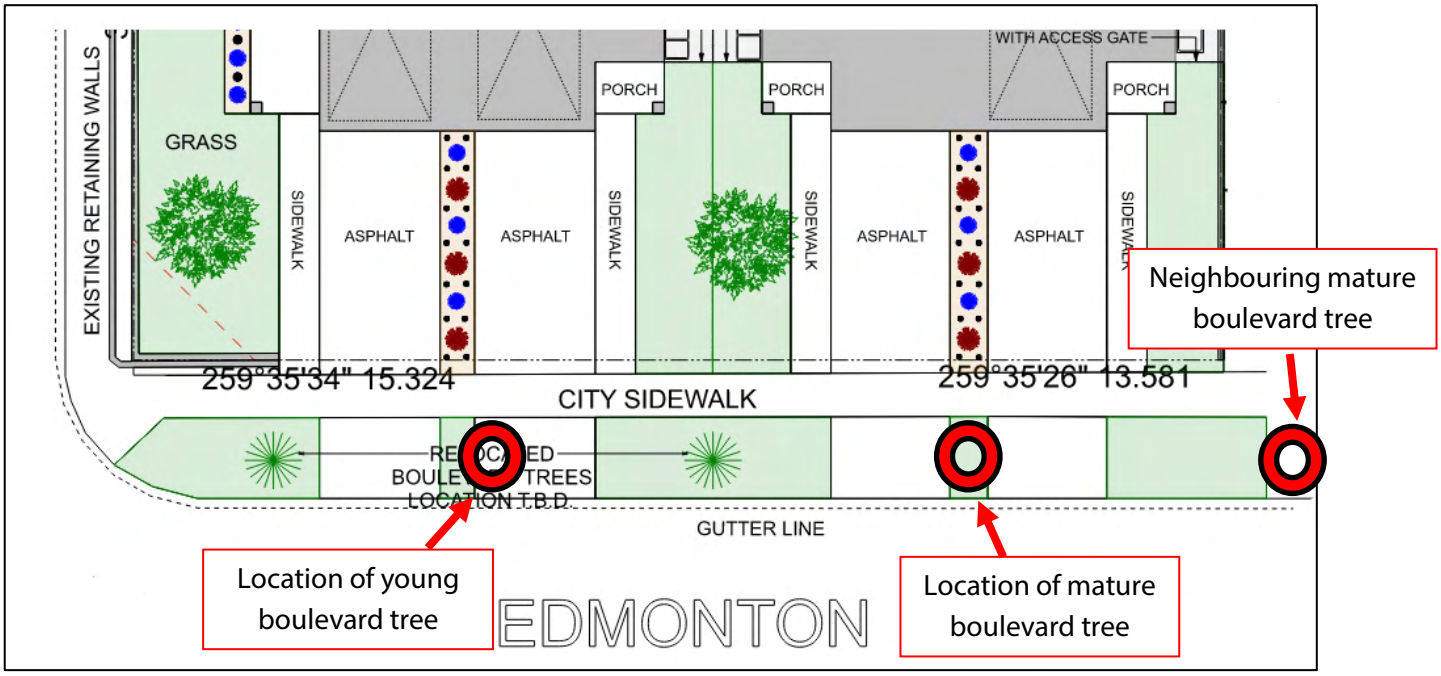


Figure 8 - Submitted landscaping plan showing relocated boulevard trees, with existing tree locations shown in red.

Providing housing and maintaining/improving the urban tree canopy are both important goals for the city, and staff are of the opinion that both goals can be supported through a different development plan on this site rather than replacing a mature boulevard tree with two driveways. While new boulevard trees would be planted in place, these would take decades to mature to the stature of the tree to be removed.

Staff are recommending that Council consider and deny "Development Permit PL2022-9323" and Development Permit PL2022-9324", to require that the applicant update the development design to a design which accommodates the existing city-owned boulevard tree. Based on staff's recommendation, the applicant will have an opportunity to speak to their proposal at the Public Hearing.

Alternate Recommendations

Council may consider that the proposed development should proceed as currently designed and that the City should allow the boulevard trees to be removed and replanted. If this is the wish of Council, they may choose the alternate recommendation, which would be to give first reading and forward the Zoning Amendment Bylaw to Public Hearing, and subject to adoption of the Zoning Amendment Bylaw, consider and approve the Development Variance Permit and two Development Permits with compensation for the loss of value of the tree being submitted to the City.

Zoning Amendment

THAT Council give first reading of "Zoning Amendment Bylaw No. 2023-25", for Lot 2 District Lot 202 Similkameen Division Yale District Plan 7727, located at 401 Edmonton Avenue, a bylaw to rezone the

southern 23.7m of the property from R2 (Small Lot Residential) to RD3 (Residential Infill), with the following site-specific provision:

- A maximum of one duplex suite is permitted.

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-25" to the August 1, 2023 Public Hearing;

Development Variance Permit and Development Permit

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-25", consider "Development Variance Permit PL2022-9322", a permit to vary Section 10.2.2.3 of Zoning Amendment Bylaw No. 2023-08, to increase the maximum permitted lot coverage for the retained lot with the existing home from 40% to 41.3% as the result of a proposed subdivision;

AND THAT Council, subject to approval of "Development Variance Permit PL2022-9322", approve "Development Permit PL2022-9323"and "Development Permit PL2022-9324", permits to approve the construction of a duplex with one duplex suite on Proposed Lot A and a duplex on proposed Lot B, with the condition that the mature boulevard tree value be assessed and compensation be submitted to the City prior to tree removal.

AND THAT Council direct staff to issue "Development Permit PL2022-9323" and "Development Permit PL2022-9324" subject to registration of the subdivision plan with the Land Title Office.

Attachments

Attachment A – Zoning Map
Attachment B – Official Community Plan Map
Attachment C – Photos of Property
Attachment D – Letter of Intent and Development Permit Analysis (applicant)
Attachment E – Development Permit Analysis (staff)
Attachment F – Draft Development Variance Permit PL2022-9322
Attachment G – Draft Development Permit PL2022-9323
Attachment H – Draft Development Permit PL2022-9324
Attachment I – Zoning Amendment Bylaw No. 2023-25

Respectfully submitted,

Steven Collyer, RPP, MCIP
Senior Planner

Director of Development Services	General Manager of Infrastructure	Acting Chief Administrative Officer
BL	*KD*	*KD*

Attachment A – Zoning Map



Attachment B – Official Community Plan Map



Attachment C – Photos of Property






Subject Property:
401 Edmonton Ave
Edmonton Ave
Subject Property:
401 Edmonton Ave
Manitoba St


Subject Property:
401 Edmonton Ave
Manitoba St

GIROUX DESIGN GROUP
QUALITY HOME & BUILDING DESIGN SINCE 1950

July 10, 2023

Giroux Design Group Inc.

City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Re: 401 Edmonton Avenue Rezoning & Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposed rezoning and development of the property located at 401 Edmonton Avenue. The property is currently zoned R2 where there is one single-family dwelling.

The proposal is to subdivide the property into three parcels. One parcel will remain R2 zoning with the original house on it. The other two parcels will be rezoned to RD3 (Residential Infill) for the construction of two side-by-side duplexes for a total of five new residences including one suite in the unit along Manitoba Street. Access to the development is primarily from Edmonton Avenue with an additional suite parking stall accessible from Manitoba Street as the corner property does not connect with a rear lane. The three-storey buildings will be modest in size and will provide much needed family housing close to schools, parks, and shopping. The proposal fits within the City of Penticton's Official Community Plan as the area is designated for infill residential development which allows for duplexes and townhouses with suites.

The proposed development requires one variance for Lot C which contains the original single-family dwelling to increase the parcel coverage from 40% to 41.3% to accommodate the existing structures. The existing single-family dwelling along with its accessory structures are a modest and functional home well-suited for the lot. We believe the proposed development meets the intent of providing modest densification to an area of town that has a mix of single-family dwellings and townhouses. This development will provide much needed family housing through densification, making better use of underdeveloped large residential lots.

Thank you for considering our proposal.

Best regards,

Tony Giroux ASTTBC.CTech, RBD
Owner/Registered Building Designer
Giroux Design Group Inc.

401 EDMONTON AVENUE: DEVELOPMENT PERMIT ANALYSIS

PEDESTRIAN CONNECTIVITY
The development is on a road with pedestrian sidewalks and within walking and biking distance to the downtown business core and shopping. The location is central to parks and schools which are only minutes walking distance away. City Bus stops are also located nearby, allowing easy access to transit.

PARKING
Each unit has both outdoor driveway parking and secure garage parking accessed from Edmonton Avenue with an additional dedicated suite parking stall accessed from Manitoba Street. No variances are required for parking as the required number of spaces are met.

DESIGN FOR CLIMATE
The building will meet the requirements of Step 3 of the BC Building Code. Five large variety deciduous trees will be planted providing shade during the summer and sunlight during the winter as the leaves fall. Four units have their own private rear yard to allow for outdoor living with additional common amenity green spaces. The suite has private access to an extra-large side yard.

ORIENTATION & MASSING
Each unit has its own entry door, the entry doors of the units closest to Edmonton face the street with a covered porch to improve street appeal. The entry door of the suite is accessed by a private fenced walkway out to the rear yard and designated parking. The duplexes are three storey buildings and will nicely suit the neighbourhood which is comprised of single-family dwellings, duplexes, and townhouses of varying size. At 10.05 meters tall the building is under the 10.5 m maximum height allowance. The style of the building is Modern style which will fit nicely in this neighbourhood.

LANDSCAPING (ENHANCING THE URBAN FOREST)
The landscaping plan for the development the planting of five trees around the property. Dividing the private driveways for each duplex there are generously sized planting beds creating a pleasing aesthetic and curb appeal for the development and a pleasant environment for occupants. In minimal selected areas river rock is used to provide a clean easily maintained space where garbage and recycling containers are kept behind privacy fence. Extensive grass common areas are planned to create a park-like environment with additional rear yards providing pleasant private areas.

The relocation of two existing boulevard trees is required for any development of this property. The root system of the boulevard tree on the south-east side of the property prevents any new driveways or site services from being added to proposed Lot B, thus rendering the property undevelopable. The proposal shows a new boulevard tree being planted in a more favourable location. The second boulevard tree in front of Lot A was recently planted and can be moved without issue. As the development will be adding 5 new trees and the number of existing boulevard trees will remain the same, we feel this is a fair solution that will allow for five new homes. It should be noted that a number of other options were considered to avoid removing the existing established tree, but no option worked because of the required space to preserve the established tree root system. As well this same root system is heaving the existing City sidewalk and creates a tripping hazard.

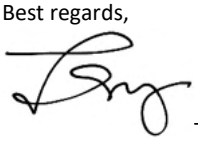
WASTE MANAGEMENT
Garbage and recycling and yard waste collection is provided by individual waste containers placed on concrete pads in the common side yards which are accessed by gates and enclosed with privacy fencing.

FENCES
6’ high wood privacy fences will be installed along select areas between the duplexes and around private amenity spaces.

We believe that the rezoning and development of this property is good use of the land and will provide much needed family housing for the city.

Thank you for considering our proposal.

Best regards,



Tony Giroux ASTTBC.CTech, RBD
Owner/Registered Building Designer
Giroux Design Group Inc.

Development Permit Analysis

The proposed development is located within the Intensive Residential Development Permit Area. The following analysis demonstrates how the development on both proposed lots is aligned with the applicable design guidelines.

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

- The applicant designed the development without regard for the existing boulevard trees on Edmonton Avenue. The assumption is that if the development is approved, the existing boulevard trees would either be replanted (younger tree) or cut down (mature tree). City staff do not approve of this plan.
- There are no boulevard trees on the Manitoba Street side of the property, meanwhile that side has one driveway access while Edmonton Avenue has four proposed driveways. There is no rear lane for vehicle access to the property.

Guideline 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.*

- The site plan and landscaping plan do not show the locations of existing boulevard trees to be removed.
- The site plan and landscaping plan do not show a second mature boulevard tree near the eastern property line along Edmonton Avenue, which may be impacted by one of the four proposed driveways even though it is proposed to remain.

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

- The proposed duplexes are set back 6m from the front lot line (Edmonton Ave), with projecting balconies out to 5m.
- This is a similar development setback as on properties further west along Edmonton Avenue, while properties to the east generally have a greater setback than 6m.

Guideline G13 *Entry to ground-level residential units should be no more than 1.8m above the grade of adjacent public sidewalks and walkways.*

- The front unit entries of the proposed buildings are within 0.3m (1 foot) of grade.

Guideline 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.*

- The plans show front porches on either side of each building, which are within 0.3m of grade and have direct pedestrian connections to them from the public sidewalks.

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

- On-site walkways are provided between the public sidewalk and parking areas to the unit entries.
- Four new driveways are proposed onto Edmonton Avenue, and one new driveway onto Manitoba Street.
- Shared parking is not provided, as each new unit would have its own driveway.

Guideline 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.*

- Parking is provided in secure garages for 3 of the 5 new units. Two units have no garages.
- Outdoor parking spaces in 5 on-site driveways is provided
- Separate pathways are provided adjacent to the outdoor parking spaces to allow people to walk between the street, parking spaces, and the unit entries

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

- The proposed buildings are designed to face towards Edmonton Ave, with the corner unit providing a positive face towards Manitoba St as well with a larger patio on that side.

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

- The proposed three-storey buildings provide balconies and cantilevers on all three levels as a means of breaking up the mass of the buildings and adding architectural interest.

Guideline G24 *Street-facing units should utilize a layering of elements – including but not limited to street-facing entries, stairs, stoops, porches, patios and landscape elements – to create transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkway, ramp, stair), semi-private (e.g., stoop, balcony) and private areas.*

- As shown on the development plans, the street facing units each feature a front-facing entry and covered porch.
- A variety of façade materials and landscaping, including new trees in the front yards on private property, would provide a friendly face towards Edmonton Ave.

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

- The existing home to the north is part of the subject property to be developed, and the private yard space for that home is located at the east side of the lot.
- The neighbouring home to the east along Edmonton Ave has a patio on the west side which would roughly align with the rear deck of the proposed development.
- There may be privacy impacts to this neighbouring property's outdoor amenity space (deck) is the proposed development is developed as currently drawn.
- This neighbouring context is not shown on the development plans.

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

- The entries to the proposed units are clearly visible from both fronting streets. The plans include direct sidewalk connections beside the driveways, between the street and the front doors.

Guideline G29 *Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas.*

- The design of the buildings provides many large windows and main front entries facing towards Edmonton Ave (the primary façade), and Manitoba St (the secondary façade)

Guideline 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.*

- The proposal involves the removal of a mature boulevard tree, potential damage to another mature boulevard tree, and requires the necessary replanting of a third boulevard tree.
- The Parks Department has confirmed the health of the two older trees and recommends they be retained.

Guideline 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 metres 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.*

- The plans submitted with the application are based on cutting down a mature boulevard tree and replanting another young tree to accommodate new driveways for the proposed units

- The plans show the replanted boulevard tree and one other boulevard tree to be planted, leading to a 1:1 ratio of new city-owned boulevard trees to existing
- A total of 5 Japanese maple trees are proposed to be planted on-site, in addition to the two boulevard trees

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

- The solid waste carts are located behind fenced enclosures on each property, out of public view.

Guideline IR1 *Building siting. Front and year yard setbacks should relate to those of existing neighbouring buildings. The primary building's front setback should be no greater than 6.0m so that homes engage with the street.*

- The proposed duplex buildings are setback 6m from the street (Edmonton Ave), with upper level balconies projecting out to 5m from the front lot line, to help engage with the street

Guideline IR2 *Intensive residential (infill) development should offer a diversity of housing to support objectives related to affordability and ageing in place.*

- The proposed development provides four 3-bedroom plus den units, and one bachelor duplex suite. This contributes to a diversity of housing types for a range of potential occupants.

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Variance Permit

Permit Number: DVP PL2022-9322

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: Proposed Lot C (legal to be updated after subdivision)

   Civic: Proposed Lot C of 401 Edmonton Avenue (civic to be updated after subdivision)

   PID: Proposed Lot C (PID to be updated after subdivision)

3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2023-08 to allow for the subdivision of the subject property, as shown in the plans attached in Schedule 'A':

   a. Section 10.2.2.3: to increase lot coverage from 40% to 41.3%.

General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.

5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

6. This permit 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.

7. 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.

DRAFT

Authorized by City Council, the _____ day of _____, 2023.

Issued this _____ day of _____, 2023.

_____

Angela Collison
Corporate Officer

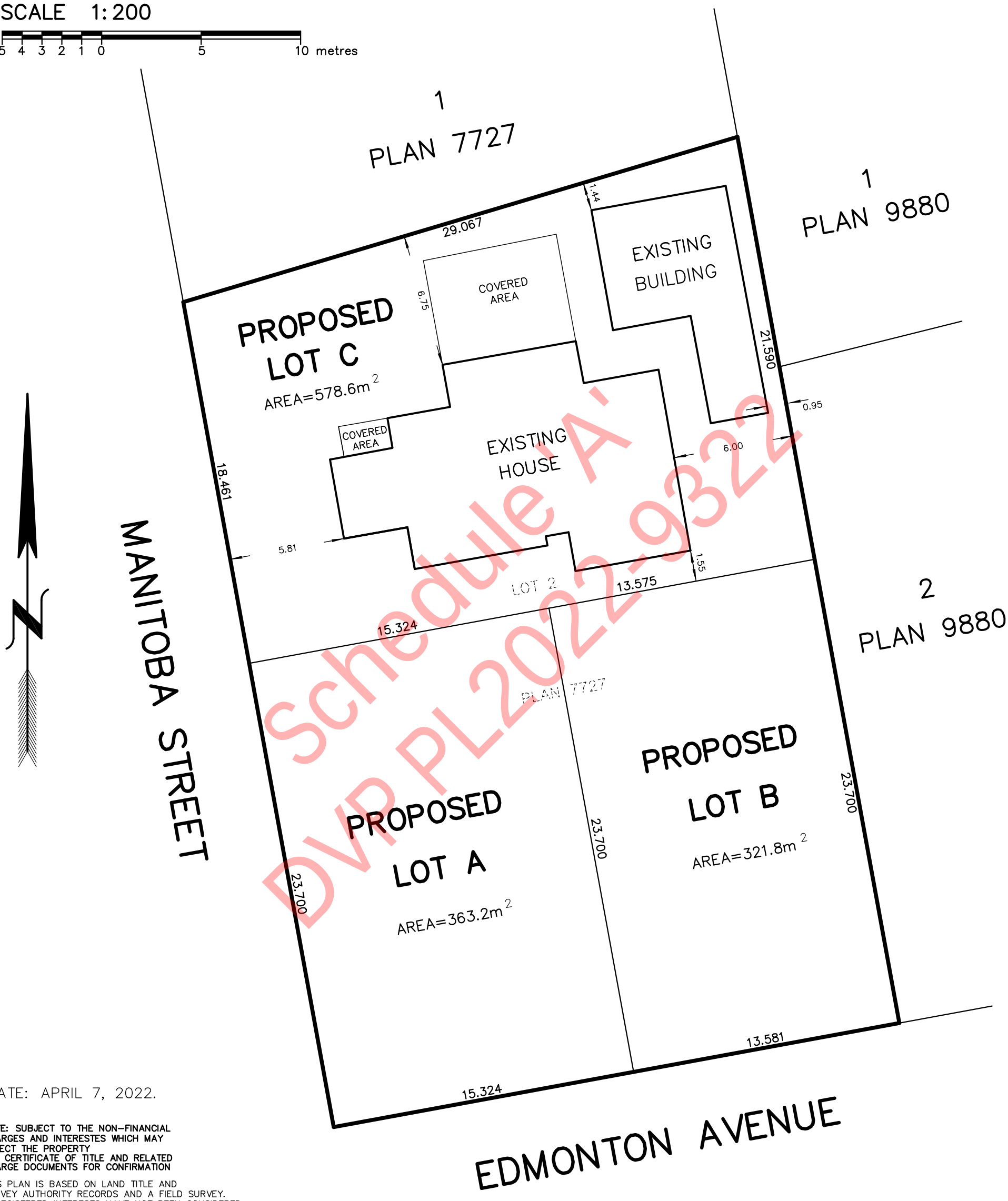
DRAFT

SKETCH PLAN SHOWING PRELIMINARY SUBDIVISION OF LOT 2, DL 202, SDYD, PLAN 7727

CIVIC ADDRESS: 401 EDMONSTON AVE, PENTICTON, B.C.
PID: 002-448-980

SCALE 1:200

5 4 3 2 1 0 5 10 metres



Schedule 'A'
DVP PL2022-9322

DATE: APRIL 7, 2022.

NOTE: SUBJECT TO THE NON-FINANCIAL CHARGES AND INTERESTES WHICH MAY AFFECT THE PROPERTY SEE CERTIFICATE OF TITLE AND RELATED CHARGE DOCUMENTS FOR CONFIRMATION

THIS PLAN IS BASED ON LAND TITLE AND SURVEY AUTHORITY RECORDS AND A FIELD SURVEY. UNREGISTERED INTERESTS HAVE NOT BEEN CONSIDERED.

LAND SURVEYING COMPANY AND SURVEYOR ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE

THIS PLAN IS PREPARED SOLELY FOR A LIMITED CONTRACTUAL USE BETWEEN MANDEVILLE LAND SURVEYING AND OUR CLIENT. IT IS NOT TO BE USED FOR THE LOCATION OF PROPERTY LINES. WE ACCEPT NO RESPONSIBILITY FOR ANY UNAUTHORIZED USE.

ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE NOTED

MANDEVILLE LAND SURVEYING INC.
PROFESSIONAL B.C. AND CANADA LAND SURVEYORS
582 MARTIN STREET, PENTICTON, B.C.
PH: 250-488-6377 WEB: MSURVEYING.COM

FILE: 21-030 DWG: 21-030

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Permit

Permit Number: DP PL2022-9323

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: Proposed Lot A (legal to be updated after subdivision)

   Civic: Proposed Lot A of 401 Edmonton Avenue (civic to be updated after subdivision)

   PID: Proposed Lot A (PID to be updated after subdivision)

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a side-by-side duplex with one duplex suite, 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).

DRAFT

General Conditions

7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.

8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**

10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

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

Issued this ____ day of _____, 2023.

_____

Angela Collison
Corporate Officer

DRAFT



SITE PLAN
SCALE: 1:100
CIVIC ADDRESS: 401 EDMONTON AVENUE, PENTICTON, B.C.
LEGAL DESCRIPTION: SITE PLAN OF LOT 2, DL 202, SDYD, PLAN 7727
PID: 002-448-980

CURRENT ZONING: R2 Small Lot Residential
OCP: Infill Residential
PROPOSED ZONING: RD3 Residential Infill

LEGAL BOUNDARIES SHOWN ARE BASED ON LIMITED EXISTING SURVEY EVIDENCE AND LAND TITLE OFFICE RECORDS. A FULL LEGAL SURVEY IS RECOMMENDED TO PROPERLY DEFINE BOUNDARIES.

FIELD SURVEY COMPLETED THIS 22nd DAY OF FEBRUARY, 2021
ELEVATIONS ARE GEODETIC (ORTHOMETRIC HTv2.0) DERIVED FROM PENTICTON MONUMENT #80H2625

LOT C ZONING COMPLIANCE TABLE (PROPOSED ZONING R2)

REGULATION	REQUIRED	PROPOSED	VARIANCE REQUIRED
OCP DESIGNATION	IR	IR	NO
ZONING	R2	R2	NO
MINIMUM LOT WIDTH	13 m	29.03 m	NO
LOT AREA	390 m2	576.00 m2	NO
MAXIMUM LOT COVERAGE	40%	41.3% (238 m2)	YES
MAX. ACCESSORY BUILDING COVERAGE	75 m.sq.	58 m.sq.	NO
MAXIMUM HEIGHT	10.5 m	6.0 m	NO
MINIMUM FRONT YARD (WEST)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD	1.5 m	1.5 m	NO
MINIMUM EXTERIOR SIDE YARD	3.0 m	N/A	NO
MINIMUM REAR YARD (EAST)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	2	2	NO

LOT A ZONING COMPLIANCE TABLE (PROPOSED ZONING RD3)

REGULATION	REQUIRED	PROPOSED	VARIANCE REQUIRED
OCP DESIGNATION	IR	IR	NO
ZONING	R2	RD3	NO
MINIMUM LOT WIDTH	10.5	15.35 m	NO
LOT AREA	275 m2	363.62 m2	NO
MAXIMUM LOT COVERAGE	55%	35% (126.8 m2)	NO
MAXIMUM DENSITY	1.0 FAR	0.80 FAR (291.1 m2)	NO
MAXIMUM HEIGHT	10.5 m	9.6 m	NO
MINIMUM FRONT YARD (EAST)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD	1.2 m	1.2 m	NO
MINIMUM EXTERIOR SIDE YARD	3.0 m	3.0 m	NO
MINIMUM REAR YARD (WEST)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	3	3	NO
DUPLEX AMENITY SPACE	15 m2	59.6 m2	NO
DUPLEX SUITE AREA	40%	39.6 m2 (31%)	NO
SUITE AMENITY SPACE	15 m2	15 m2	NO

LOT B ZONING COMPLIANCE TABLE (PROPOSED ZONING RD3)

REGULATION	REQUIRED	PROPOSED	VARIANCE REQUIRED
OCP DESIGNATION	DR	DR	NO
ZONING	R2	RD3	NO
MINIMUM LOT WIDTH	9.1	13.6 m	NO
LOT AREA	275 m2	321 m2	NO
MAXIMUM LOT COVERAGE	55%	40% (126.8 m2)	NO
MAXIMUM DENSITY	1.0 FAR	0.86 FAR (274.6 m2)	NO
MAXIMUM HEIGHT	10.5 m	9.6 m	NO
MINIMUM FRONT YARD (SOUTH)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD (EAST)	1.2 m	1.2 m	NO
MINIMUM INTERIOR SIDE YARD (WEST)	1.2 m	1.2 m	NO
MINIMUM REAR YARD (NORTH)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	2	2	NO

Scheduled DP PL2022-9323

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Site Plan

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

DATE: 2023-04-18
REVISED:
DESIGN BY: AJG
DRAWN BY: AJG

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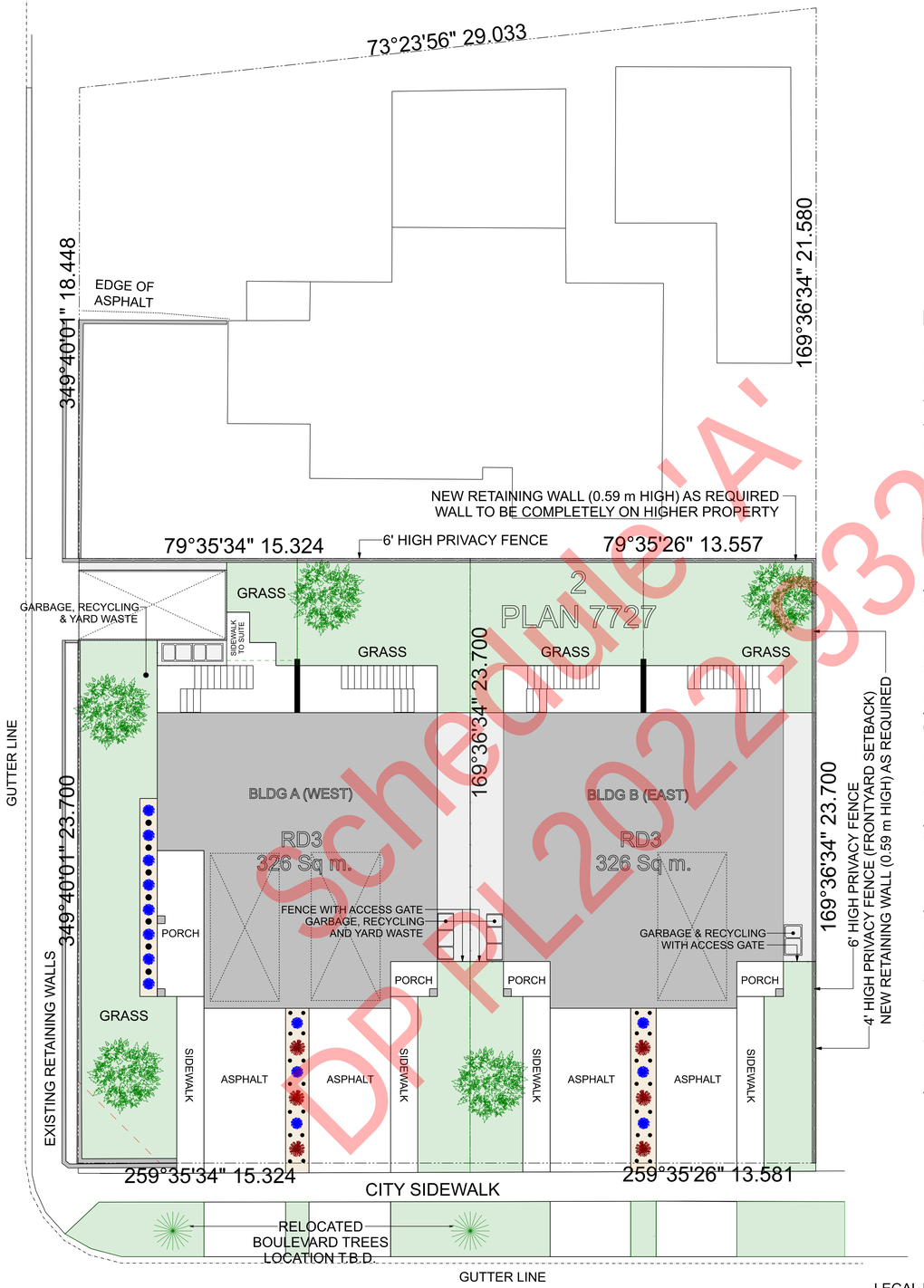
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MANITOBA STREET

CENTER LINE OF PAVED ROAD



EDMONTON AVENUE

CENTER LINE OF PAVED ROAD

SITE PLAN

SCALE: 1:100
CIVIC ADDRESS: 401 EDMONTON AVENUE, PENTICTON, B.C.
LEGAL DESCRIPTION: SITE PLAN OF LOT 2, DL 202, SDYD, PLAN 7727
PID: 002-448-980

CURRENT ZONING: R2 Small Lot Residential
OCP: Infill Residential
PROPOSED ZONING: RD3 Residential Infill

LANDSCAPE SCHEDULE

PLANTINGS:
Black Mondo Grass (Ophiopogon planiscapus 'Nigrescens') 7 qty.
Blue Cushion Lavender (Lavandula angustifolia 'Blue Cushion') 14 qty.
Dwarf Mondo Grass (Ophiopogon japonicus 'Nanus') 28 qty.
Japanese Blood Grass (Imperata cylindrica 'Red Baron') 6 qty.

TREES:
Bloodgood Japanese Maple (Acer palmatum var. atropurpureum 'Bloodgood') 5 qty.

GARBAGE DISPOSAL:
Garbage Container: 5
Recycling Container: 5
Yard Waste Container 2

GROUND COVER/HARD SURFACES:
Property Area (3,914+ 3,457 = 7,371 sq.ft.)
Asphalt (1,055 sq.ft.)
Grass (2,206 sq.ft.)
Planting Beds-Bark Mulch (215 sq.ft.)
River Rock-2" Rainbow (457 sq.ft.)
Landscape Fabric (672 sq.ft.)
Sidewalk/Porch (428 sq.ft.)

FENCING:
4' High Wood Fence (16 lin.ft.)
6' High 'Good Neighbour' Privacy Fence (288 lin.ft.)

LANDSCAPE NOTES:

SHRUBS SHALL BE A MIN OF No.2 POT SHRUBS

ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m

NO TREES, FENCES OR STRUCTURES WITHIN ROAD DEDICATION

NO RETAINING WALLS OVER 1.2 m IN HEIGHT ARE PERMITTED WITHIN ANY SETBACK AREA

LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS & TIMERS.

LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, ASPHALT. (INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)

DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

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FIELD SURVEY COMPLETED THIS 22nd DAY OF FEBRUARY, 2021
ELEVATIONS ARE GEODETIC (ORTHOMETRIC HTv2.0) DERIVED FROM PENTICTON MONUMENT #80H2625

Schedule 'A'
DP PL2022-9323

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

DESIGN BY: AJG | DATE: 2023-04-18
DRAWN BY: AJG | REVISED:

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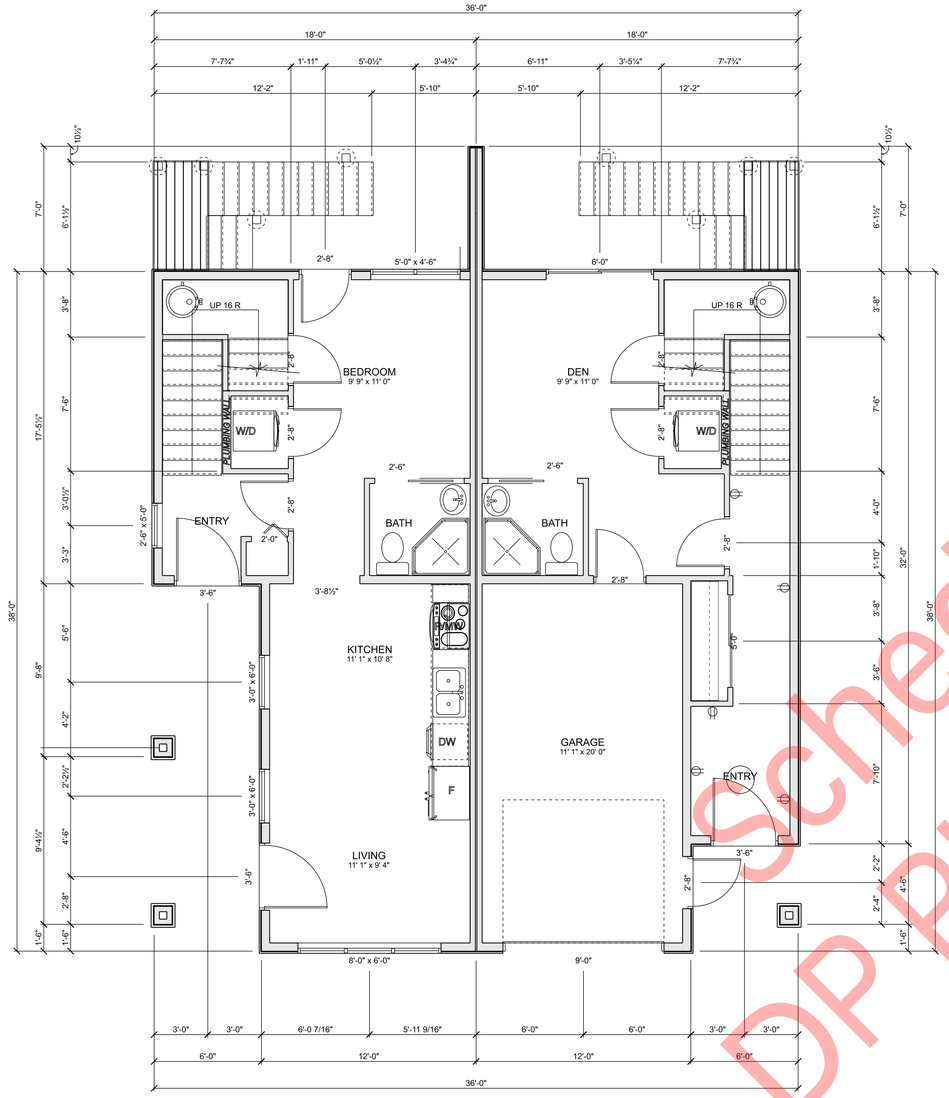
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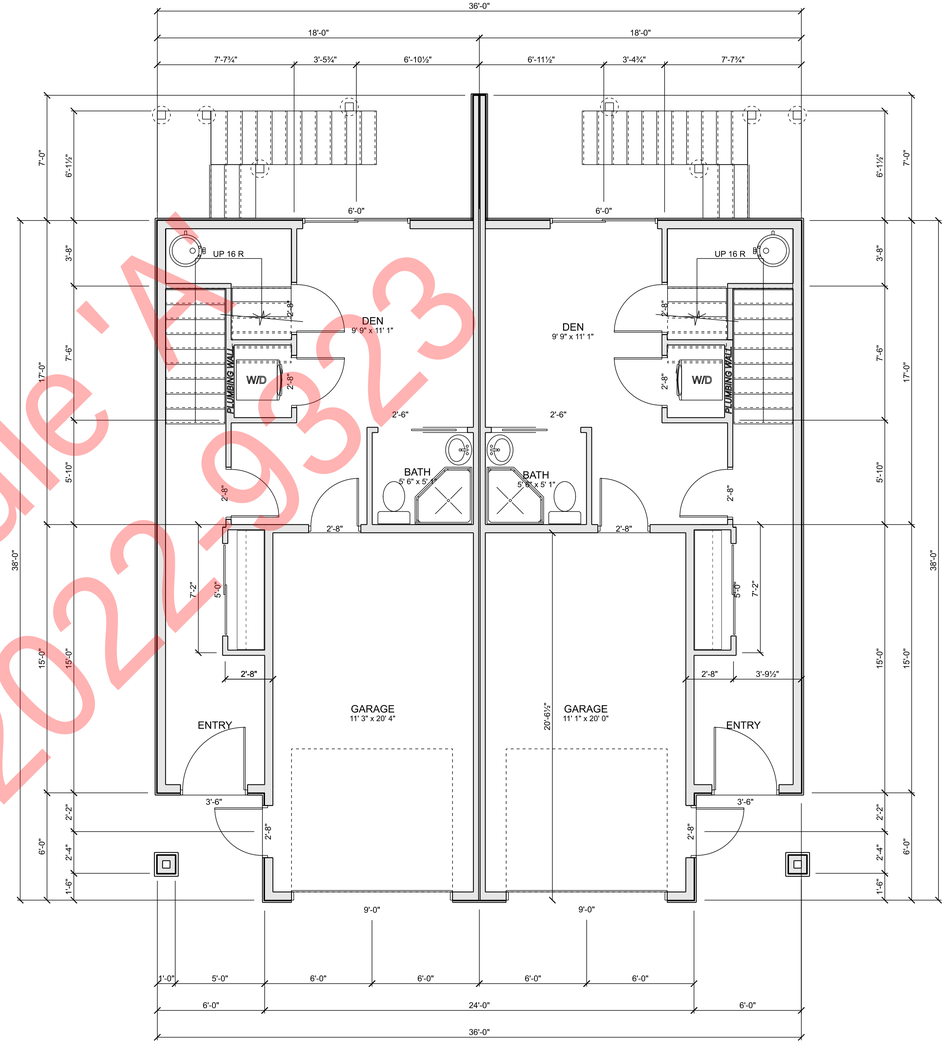
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Landscape Plan



LOWER FLOOR PLAN (BUILDING A)

SCALE: 1/4" = 1'-0"
LOWER FLOOR LIVING AREA: 836 sq.ft.
GARAGE AREA: 252 sq.ft.
SECONDARY SUITE AREA: 426 sq.ft.



LOWER FLOOR PLAN (BUILDING B)

SCALE: 1/4" = 1'-0"
LOWER FLOOR LIVING AREA: 672 sq.ft.
GARAGE AREA: 504 sq.ft.

Schedule 'A'
DP PL2022-9323

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Lower Floor Plans

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

DESIGN BY: AJG
DRAWN BY: AJG
DATE: 2023-04-18
REVISED:

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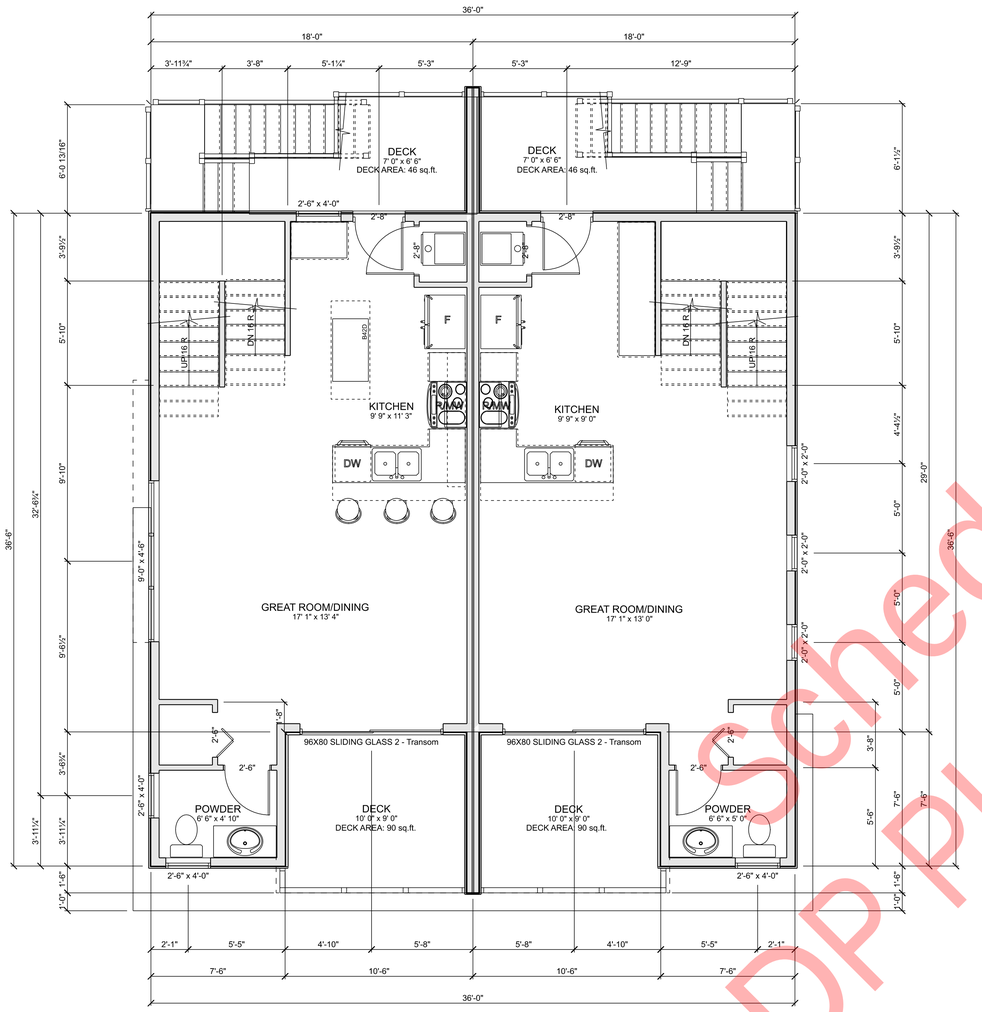
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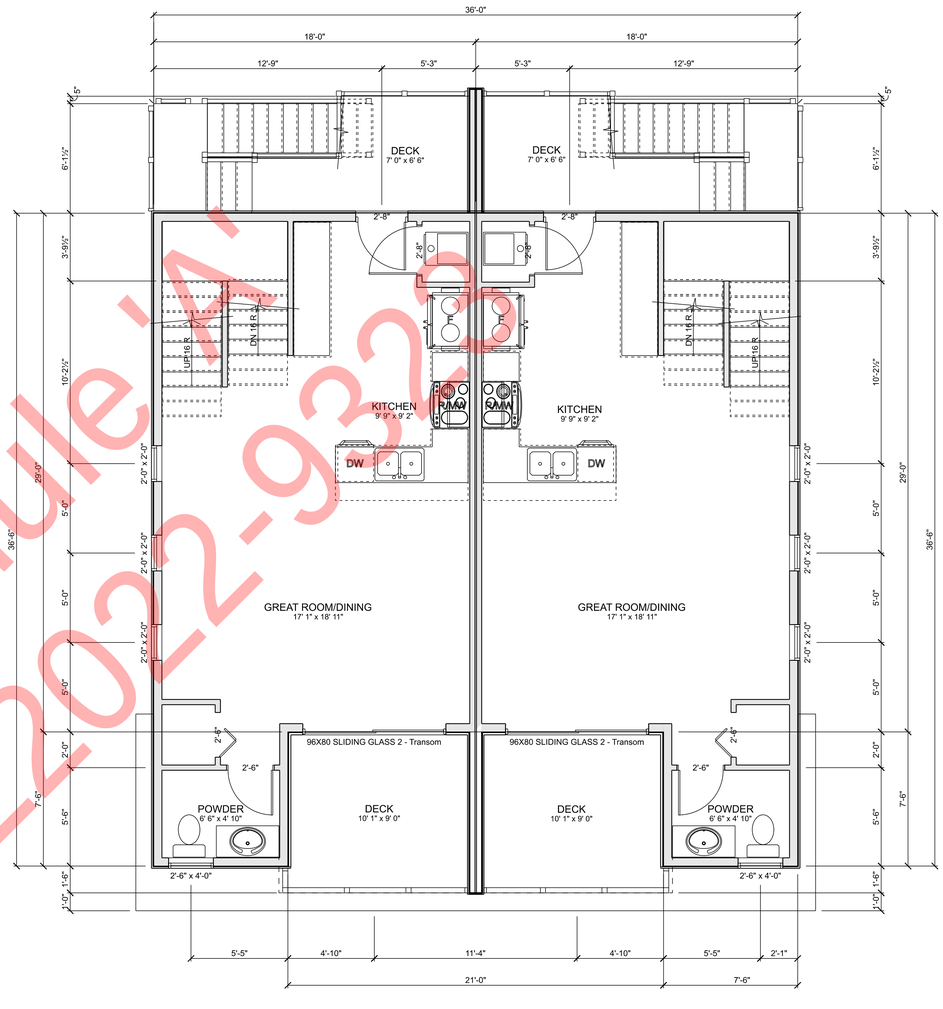
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MAIN FLOOR PLAN (BUILDING A)

SCALE: 1/4" = 1'-0"
MAIN FLOOR LIVING AREA: 1026 sq.ft.
DECK AREA: 272 sq.ft.



MAIN FLOOR PLAN (BUILDING B)

SCALE: 1/4" = 1'-0"
MAIN FLOOR LIVING AREA: 1027 sq.ft.

Scheduled
DP PL2022-9323

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Main Floor Plans

JOHN LEE
401 EDMONTON AVE.
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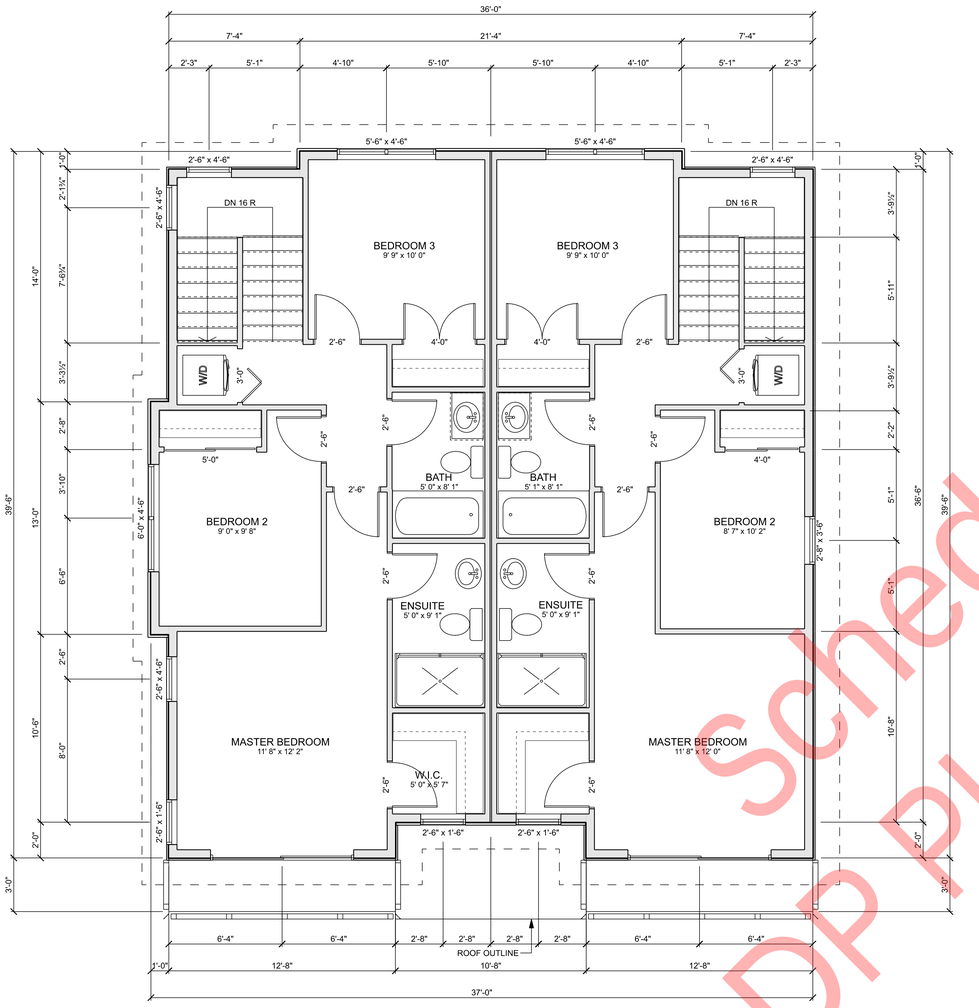
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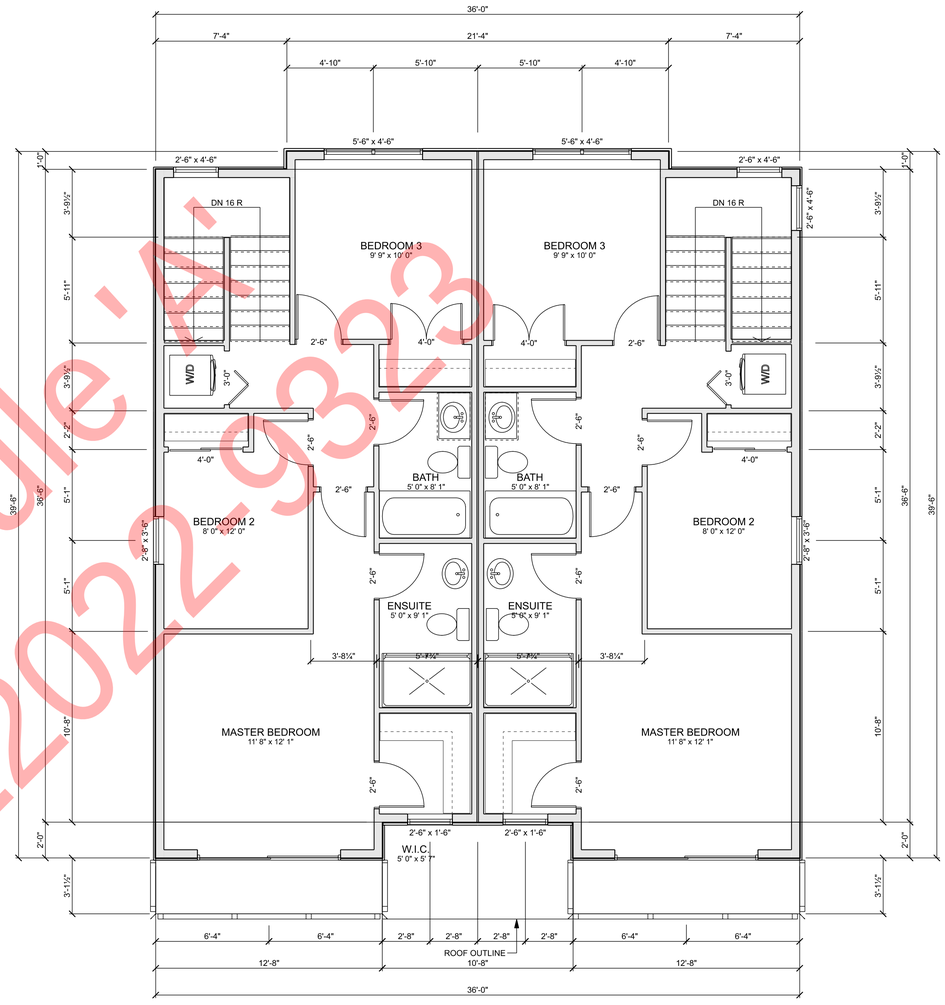
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UPPER FLOOR PLAN (BUILDING A)

SCALE: 1/4" = 1'-0"
UPPER FLOOR LIVING AREA: 1271 sq.ft.
DECK AREA: 76 sq.ft.



UPPER FLOOR PLAN (BUILDING B)

SCALE: 1/4" = 1'-0"
UPPER FLOOR LIVING AREA: 1257 sq.ft.
DECK AREA: 79 sq.ft.

Schedule 'A'
DP PL2022-9323

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

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DRAWN BY: AJG
DATE: 2023-04-18
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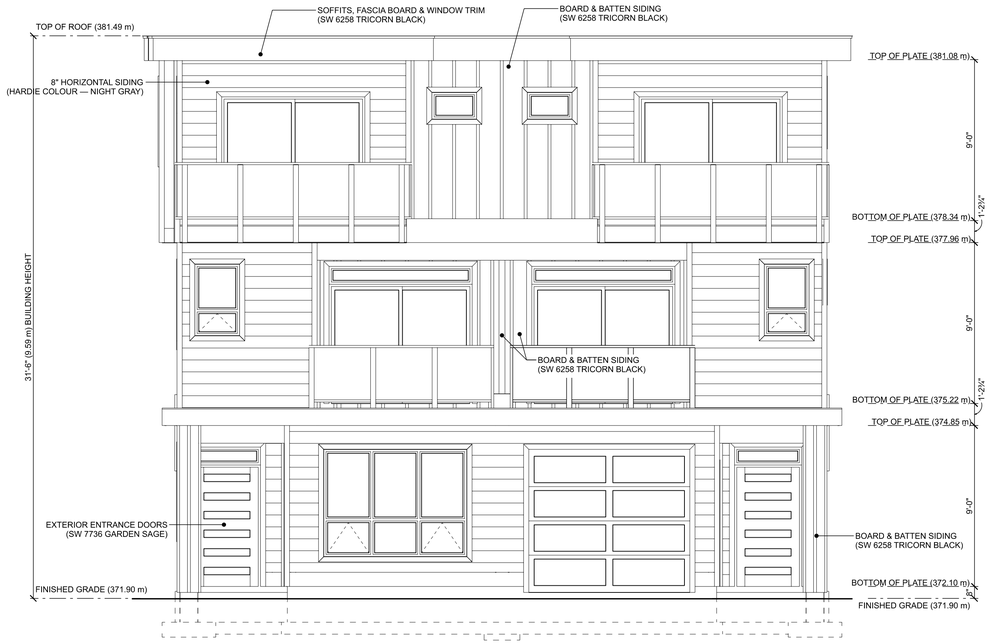
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Upper Floor Plans

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FRONT ELEVATION BLDG A (FACING SOUTH TO EDMONTON AVE.)

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



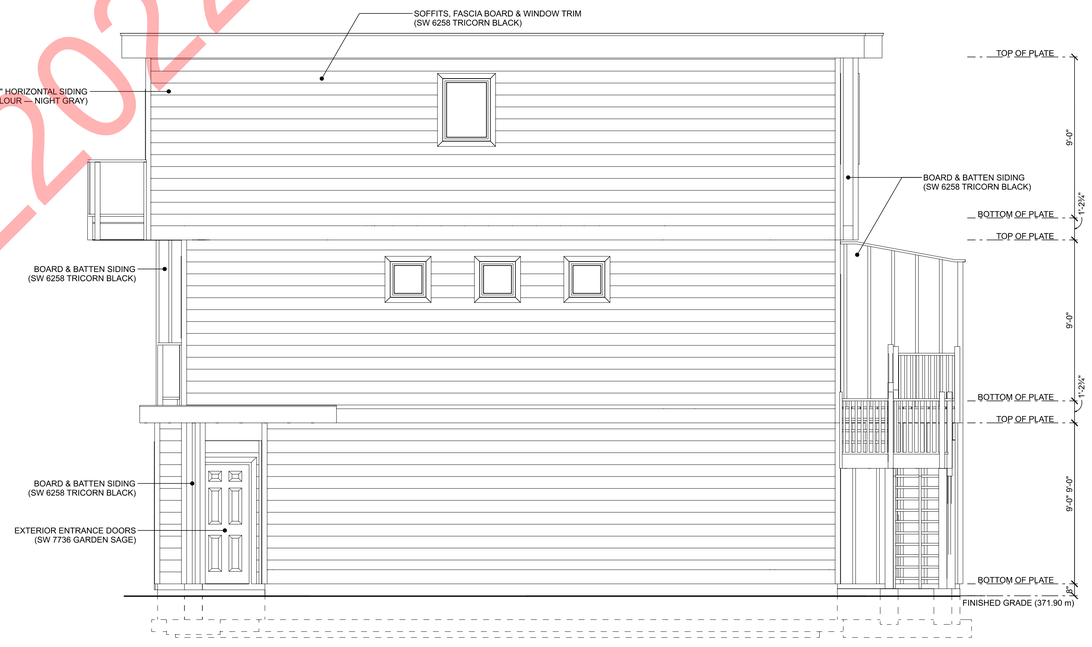
LEFT ELEVATION BLDG A (FACING WEST TO MANITOBA STREET)

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



REAR ELEVATION BLDG A (FACING NORTH TO LOT C)

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



RIGHT ELEVATION BLDG A (FACING EAST TO LOT B)

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

Schedule 'A'
DP PL2022-9323

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Elevations-Building A

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

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REVISED:

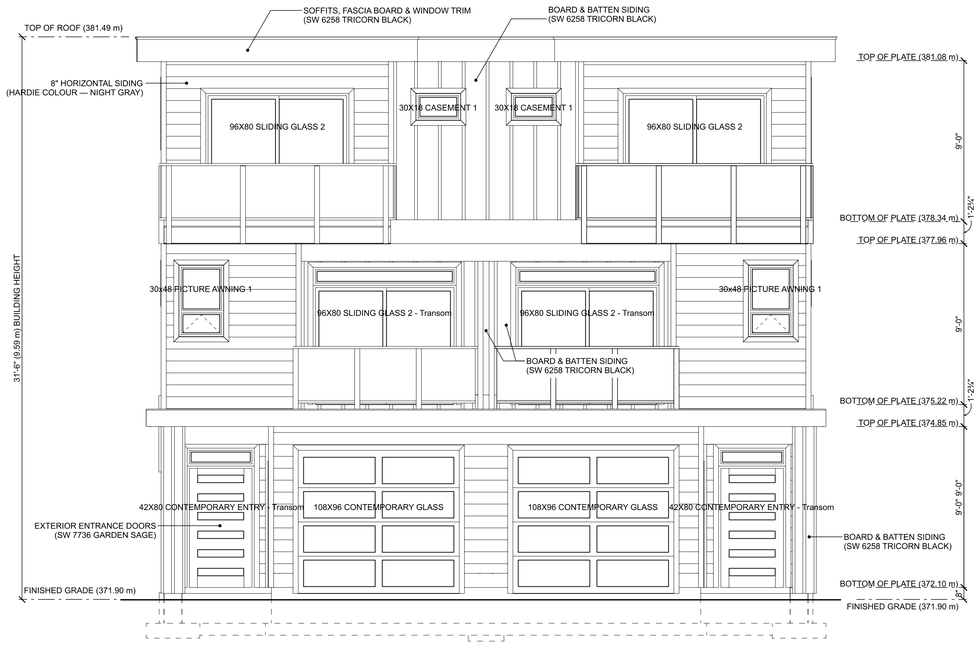
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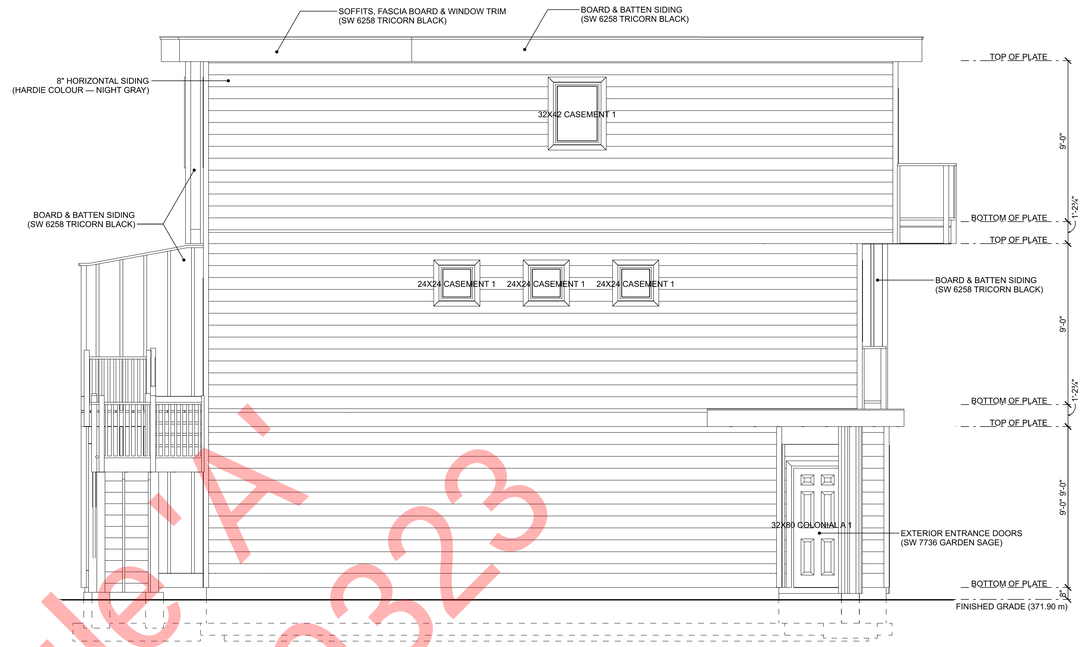
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FRONT ELEVATION BLDG B (FACING SOUTH TO EDMONTON AVE.)

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



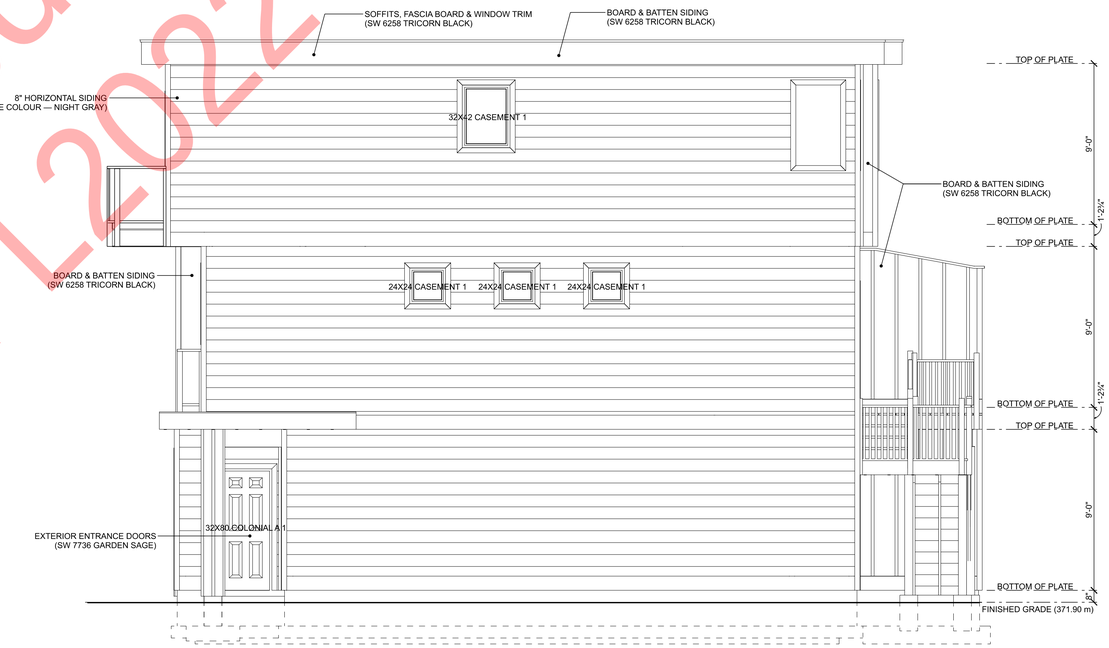
LEFT ELEVATION BLDG B (FACING WEST TO LOT A)

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



REAR ELEVATION BLDG B (FACING NORTH TO LOT C)

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



RIGHT ELEVATION BLDG B (FACING EAST)

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

Schedule 'A'
DP PL2022-9323

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Elevations-Building B

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

DESIGN BY: AJG
DRAWN BY: AJG
DATE: 2023-04-18
REVISED:

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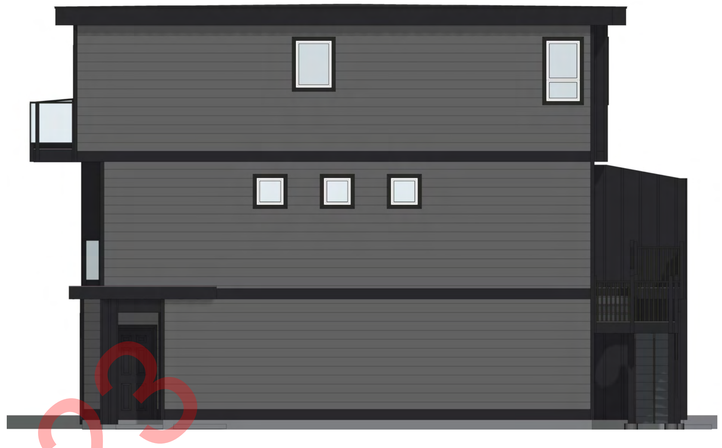
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SOUTH ELEVATION (FACING EDMONTON AVE.)
SCALE: 3/16" = 1'-0"





EAST ELEVATION
SCALE: 3/16" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"





WEST ELEVATION (FACING MANITOBA STREET)
SCALE: 3/16" = 1'-0"

Schedule 'A'
DP PL2022-9323

Colour Elevations

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

DESIGN BY: AJG | DATE: 2023-04-18
DRAWN BY: AJG | REVISED:

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City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Permit

Permit Number: DP PL2022-9324

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: Proposed Lot B (legal to be updated after subdivision)

   Civic: Proposed Lot B of 401 Edmonton Avenue (civic to be updated after subdivision)

   PID: Proposed Lot B (PID to be updated after subdivision)

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a side-by-side duplex, 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).

DRAFT

General Conditions

7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.

8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**

10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

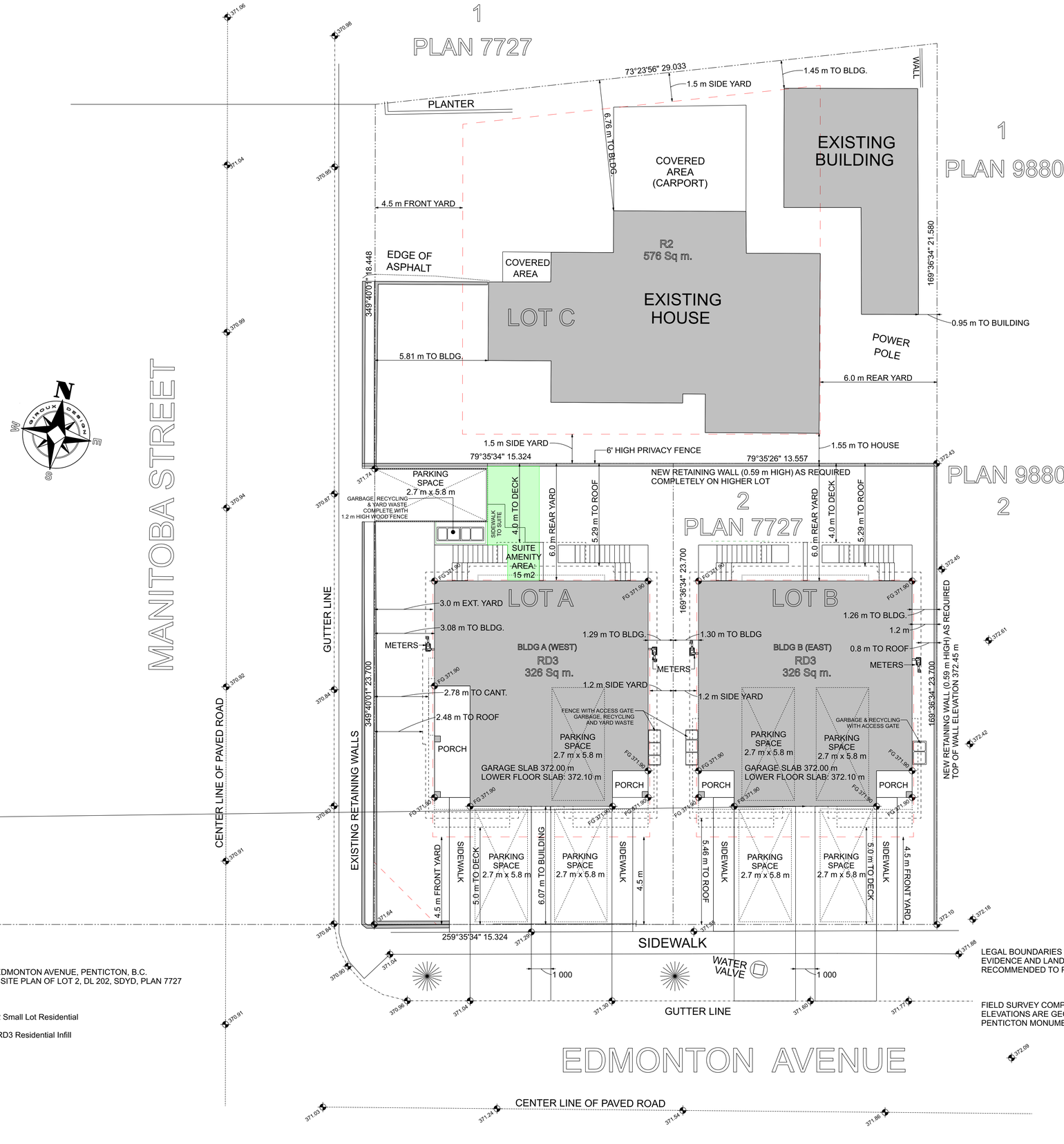
Authorized by City Council, the ____ day of _____, 2023.

Issued this ____ day of _____, 2023.

_____

Angela Collison
Corporate Officer

DRAFT



SITE PLAN

SCALE: 1:100
CIVIC ADDRESS: 401 EDMONTON AVENUE, PENTICTON, B.C.
LEGAL DESCRIPTION: SITE PLAN OF LOT 2, DL 202, SDYD, PLAN 7727
PID: 002-448-980

CURRENT ZONING: R2 Small Lot Residential
OCP: Infill Residential
PROPOSED ZONING: RD3 Residential Infill

LOT C ZONING COMPLIANCE TABLE (PROPOSED ZONING R2)

REGULATION	REQUIRED	PROPOSED	VARIANCE REQUIRED
OCP DESIGNATION	IR	IR	NO
ZONING	R2	R2	NO
MINIMUM LOT WIDTH	13 m	29.03 m	NO
LOT AREA	390 m2	576.00 m2	NO
MAXIMUM LOT COVERAGE	40%	41.3% (238 m2)	YES
MAX. ACCESSORY BUILDING COVERAGE	75 m.sq.	58 m.sq.	NO
MAXIMUM HEIGHT	10.5 m	6.0 m	NO
MINIMUM FRONT YARD (WEST)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD	1.5 m	1.5 m	NO
MINIMUM EXTERIOR SIDE YARD	3.0 m	N/A	NO
MINIMUM REAR YARD (EAST)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	2	2	NO

LOT A ZONING COMPLIANCE TABLE (PROPOSED ZONING RD3)

REGULATION	REQUIRED	PROPOSED	VARIANCE REQUIRED
OCP DESIGNATION	IR	IR	NO
ZONING	R2	RD3	NO
MINIMUM LOT WIDTH	10.5	15.35 m	NO
LOT AREA	275 m2	363.62 m2	NO
MAXIMUM LOT COVERAGE	55%	35% (126.8 m2)	NO
MAXIMUM DENSITY	1.0 FAR	0.80 FAR (291.1 m2)	NO
MAXIMUM HEIGHT	10.5 m	9.6 m	NO
MINIMUM FRONT YARD (EAST)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD	1.2 m	1.2 m	NO
MINIMUM EXTERIOR SIDE YARD	3.0 m	3.0 m	NO
MINIMUM REAR YARD (WEST)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	3	3	NO
DUPLEX AMENITY SPACE	15 m2	59.6 m2	NO
DUPLEX SUITE AREA	40%	39.6 m2 (31%)	NO
SUITE AMENITY SPACE	15 m2	15 m2	NO

LOT B ZONING COMPLIANCE TABLE (PROPOSED ZONING RD3)

REGULATION	REQUIRED	PROPOSED	VARIANCE REQUIRED
OCP DESIGNATION	DR	DR	NO
ZONING	R2	RD3	NO
MINIMUM LOT WIDTH	9.1	13.6 m	NO
LOT AREA	275 m2	321 m2	NO
MAXIMUM LOT COVERAGE	55%	40% (126.8 m2)	NO
MAXIMUM DENSITY	1.0 FAR	0.86 FAR (274.6 m2)	NO
MAXIMUM HEIGHT	10.5 m	9.6 m	NO
MINIMUM FRONT YARD (SOUTH)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD (EAST)	1.2 m	1.2 m	NO
MINIMUM INTERIOR SIDE YARD (WEST)	1.2 m	1.2 m	NO
MINIMUM REAR YARD (NORTH)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	2	2	NO

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

DESIGN BY: AJG
DRAWN BY: AJG
DATE: 2023-04-18
REVISED:

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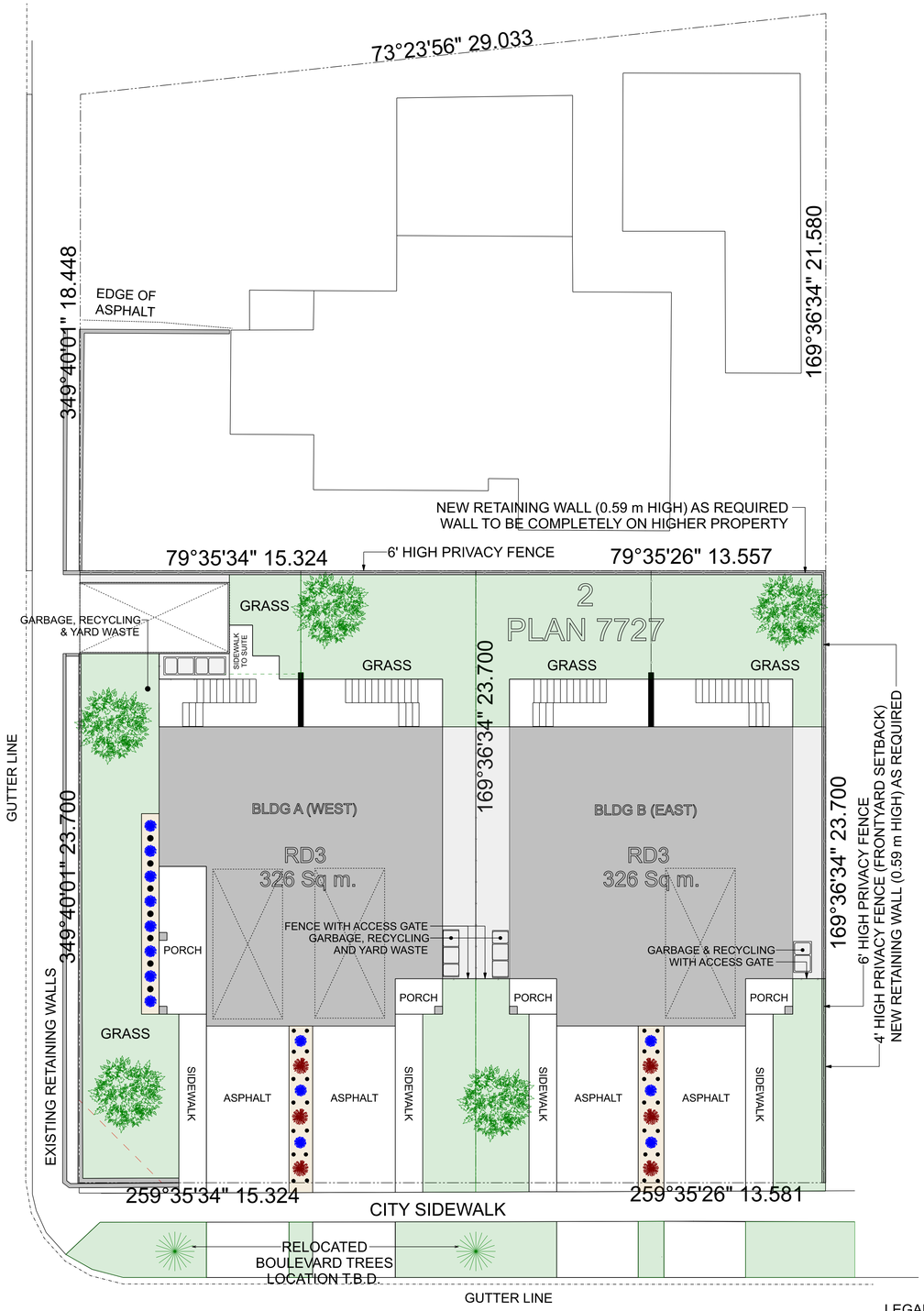
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Site Plan



MANITOBA STREET

CENTER LINE OF PAVED ROAD



EDMONTON AVENUE

CENTER LINE OF PAVED ROAD

SITE PLAN

SCALE: 1:100
CIVIC ADDRESS: 401 EDMONTON AVENUE, PENTICTON, B.C.
LEGAL DESCRIPTION: SITE PLAN OF LOT 2, DL 202, SDYD, PLAN 7727
PID: 002-448-980

CURRENT ZONING: R2 Small Lot Residential
OCP: Infill Residential
PROPOSED ZONING: RD3 Residential Infill

LANDSCAPE SCHEDULE

PLANTINGS:
Black Mondo Grass (Ophiopogon planiscapus 'Nigrescens') 7 qty.
Blue Cushion Lavender (Lavandula angustifolia 'Blue Cushion') 14 qty.
Dwarf Mondo Grass (Ophiopogon japonicus 'Nanus') 28 qty.
Japanese Blood Grass (Imperata cylindrica 'Red Baron') 6 qty.

TREES:
Bloodgood Japanese Maple (Acer palmatum var. atropurpureum 'Bloodgood') 5 qty.

GARBAGE DISPOSAL:
Garbage Container: 5
Recycling Container: 5
Yard Waste Container 2

GROUND COVER/HARD SURFACES:
Property Area (3,914+ 3,457 = 7,371 sq.ft.)
Asphalt (1,055 sq.ft.)
Grass (2,206 sq.ft.)
Planting Beds-Bark Mulch (215 sq.ft.)
River Rock-2" Rainbow (457 sq.ft.)
Landscape Fabric (672 sq.ft.)
Sidewalk/Porch (428 sq.ft.)

FENCING:
4' High Wood Fence (16 lin.ft.)
6' High 'Good Neighbour' Privacy Fence (288 lin.ft.)

LANDSCAPE NOTES:

SHRUBS SHALL BE A MIN OF No.2 POT SHRUBS

ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m

NO TREES, FENCES OR STRUCTURES WITHIN ROAD DEDICATION

NO RETAINING WALLS OVER 1.2 m IN HEIGHT ARE PERMITTED WITHIN ANY SETBACK AREA

LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS & TIMERS.

LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, ASPHALT. (INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)

DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

LEGAL BOUNDARIES SHOWN ARE BASED ON LIMITED EXISTING SURVEY EVIDENCE AND LAND TITLE OFFICE RECORDS. A FULL LEGAL SURVEY IS RECOMMENDED TO PROPERLY DEFINE BOUNDARIES.

FIELD SURVEY COMPLETED THIS 22nd DAY OF FEBRUARY, 2021
ELEVATIONS ARE GEODETIC (ORTHOMETRIC HTv2.0) DERIVED FROM PENTICTON MONUMENT #80H2625

Landscape Plan

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

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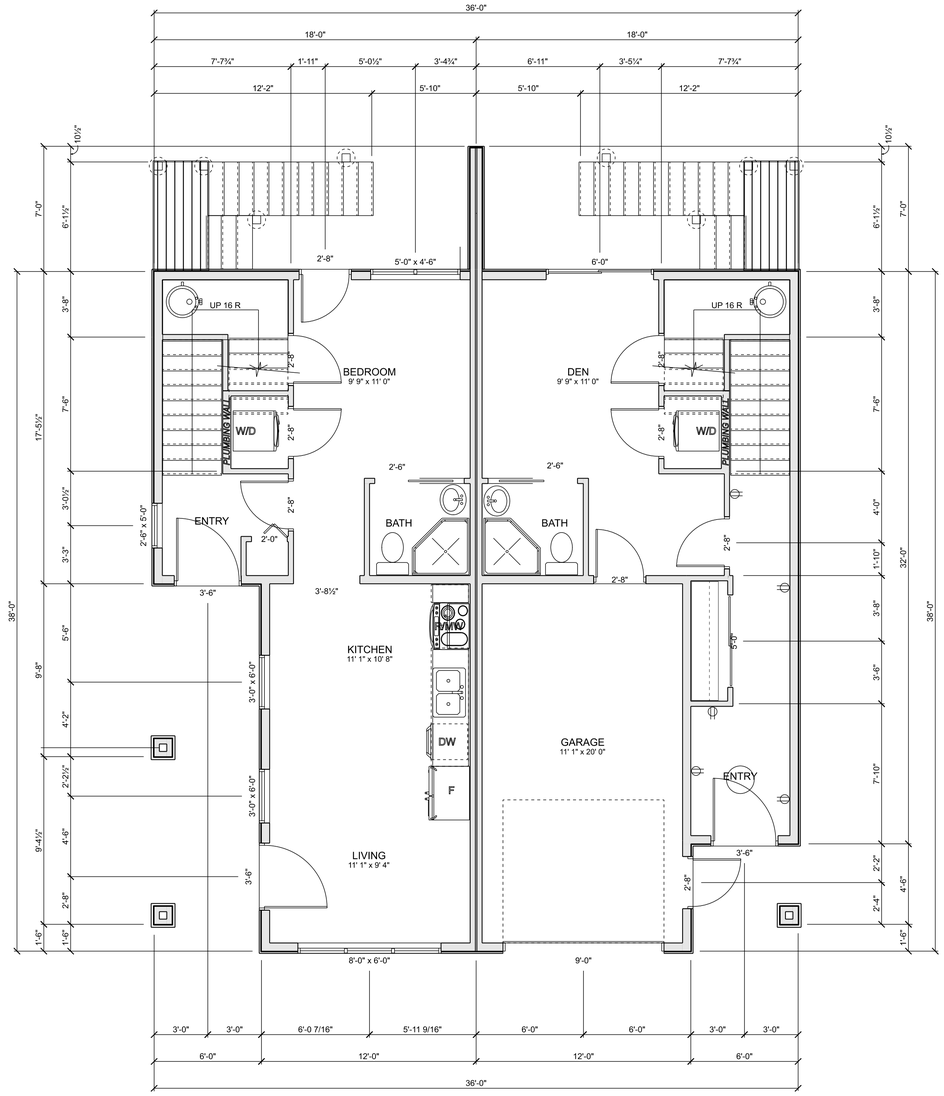
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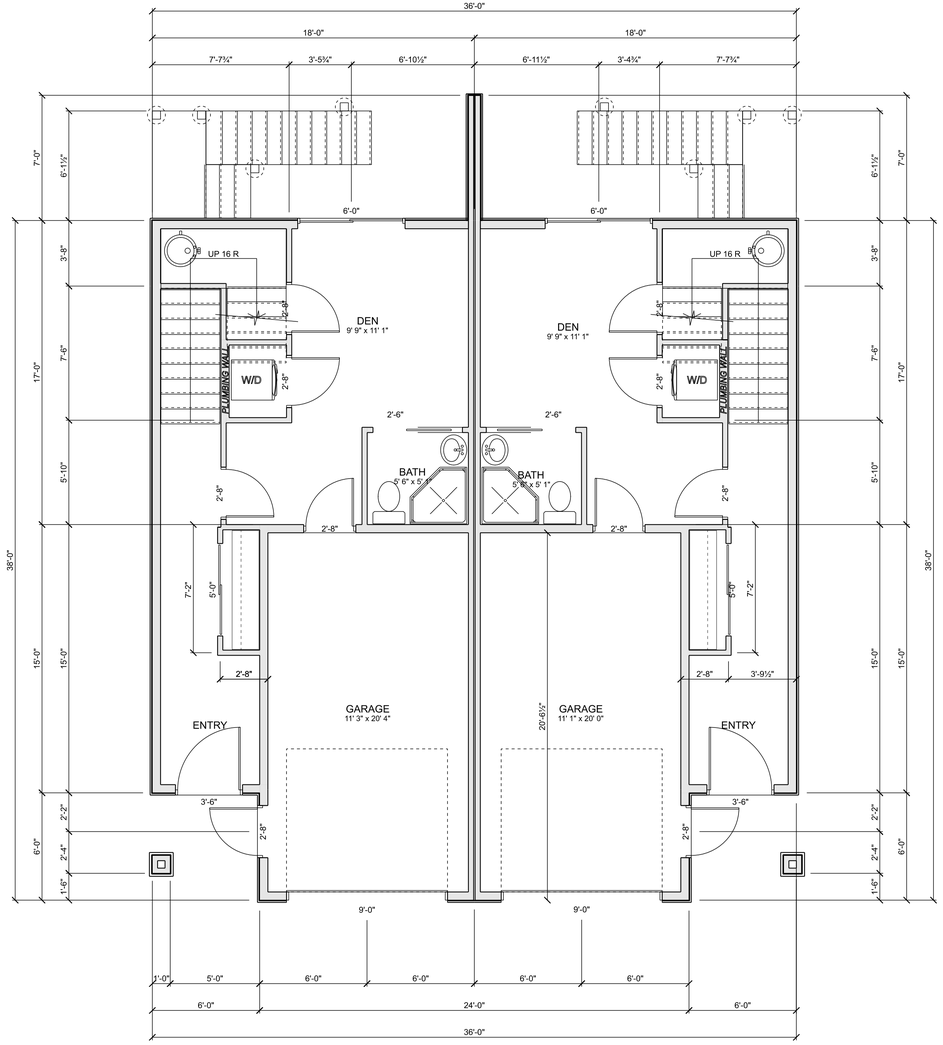
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LOWER FLOOR PLAN (BUILDING A)

SCALE: 1/4" = 1'-0"
LOWER FLOOR LIVING AREA: 836 sq.ft.
GARAGE AREA: 252 sq.ft.
SECONDARY SUITE AREA: 426 sq.ft.



LOWER FLOOR PLAN (BUILDING B)

SCALE: 1/4" = 1'-0"
LOWER FLOOR LIVING AREA: 672 sq.ft.
GARAGE AREA: 504 sq.ft.

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Lower Floor Plans

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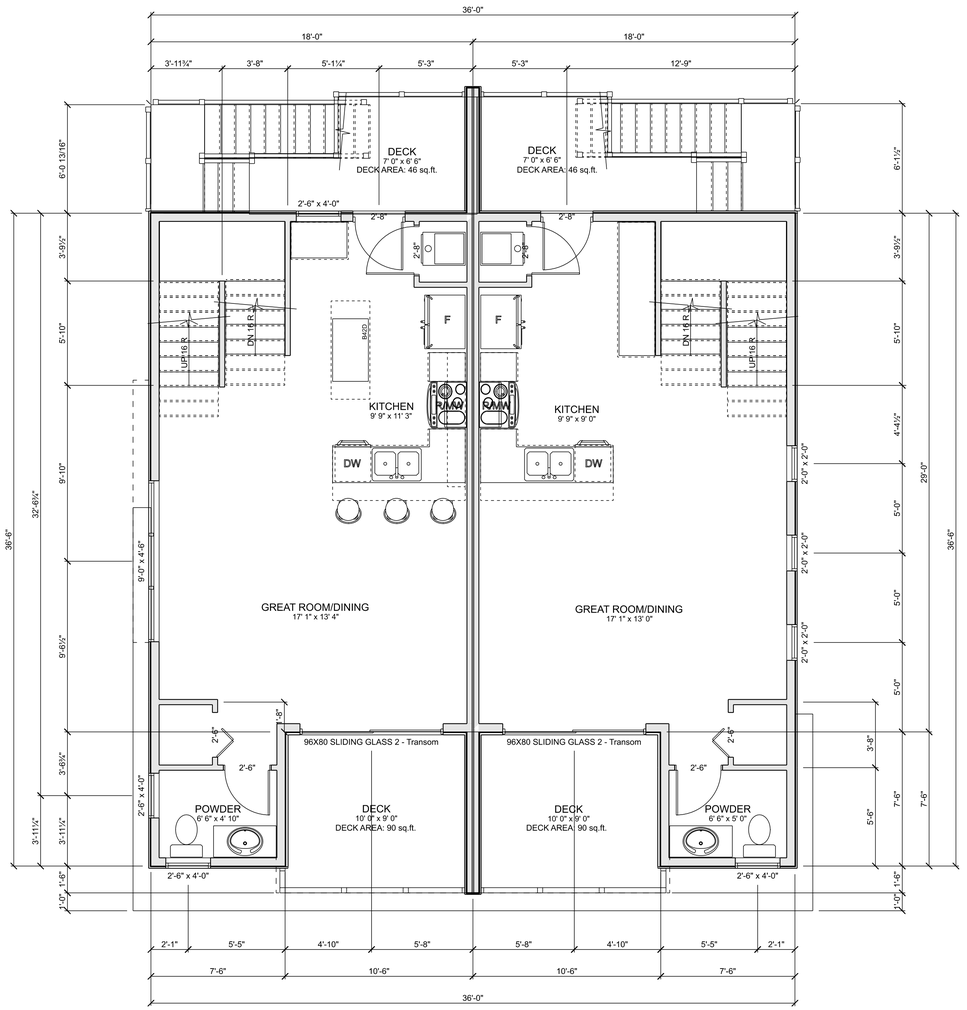
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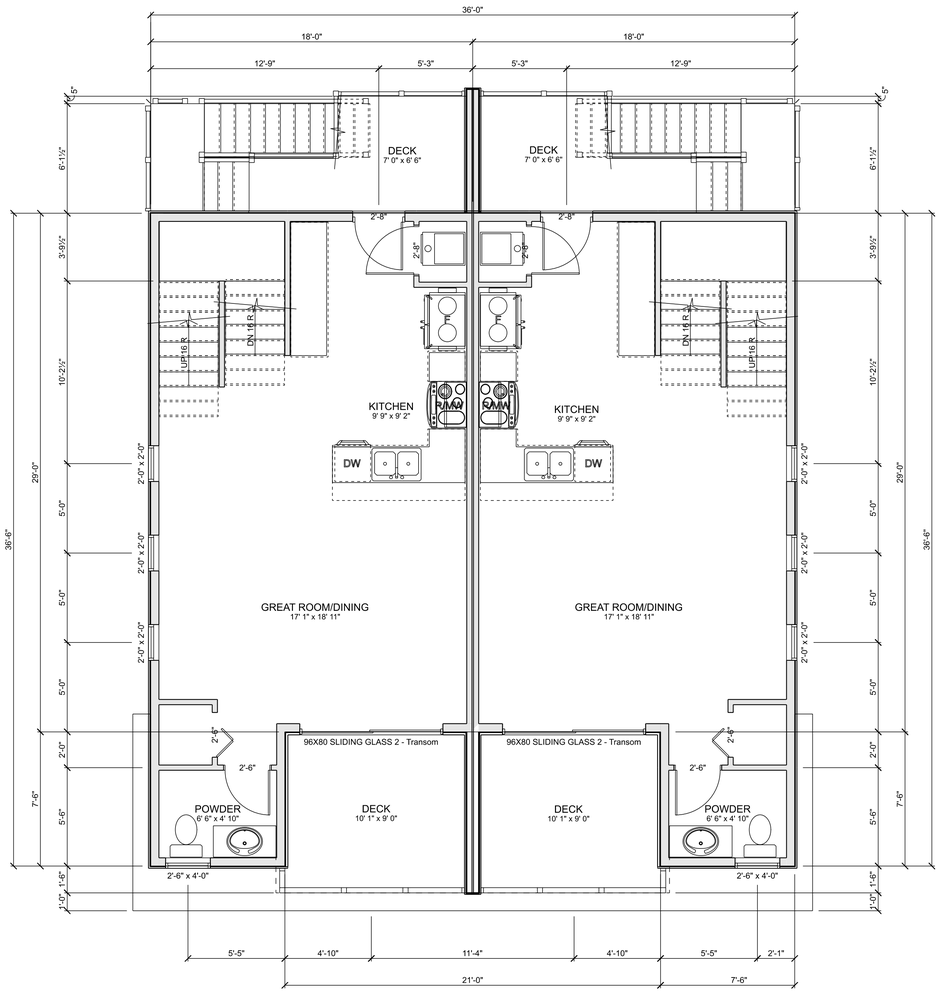
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MAIN FLOOR PLAN (BUILDING A)

SCALE: 1/4" = 1'-0"
MAIN FLOOR LIVING AREA: 1026 sq.ft.
DECK AREA: 272 sq.ft.



MAIN FLOOR PLAN (BUILDING B)

SCALE: 1/4" = 1'-0"
MAIN FLOOR LIVING AREA: 1027 sq.ft.

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Main Floor Plans

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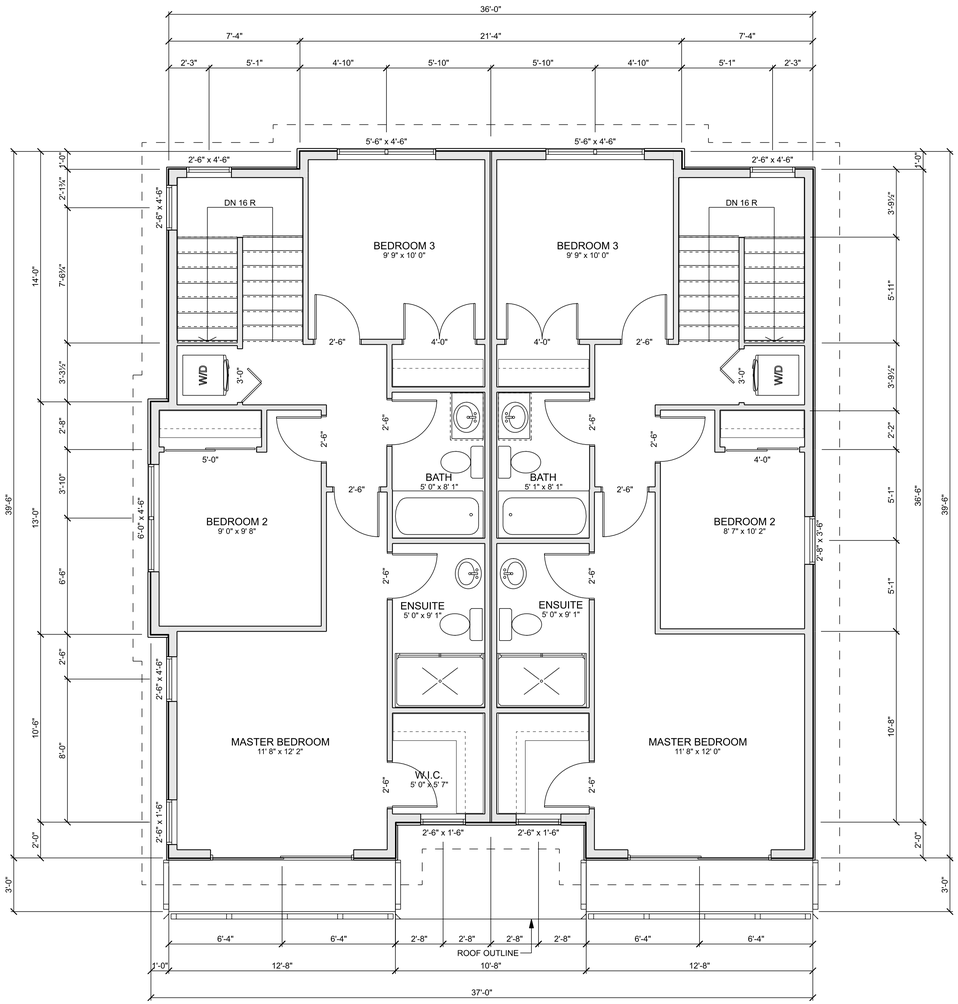
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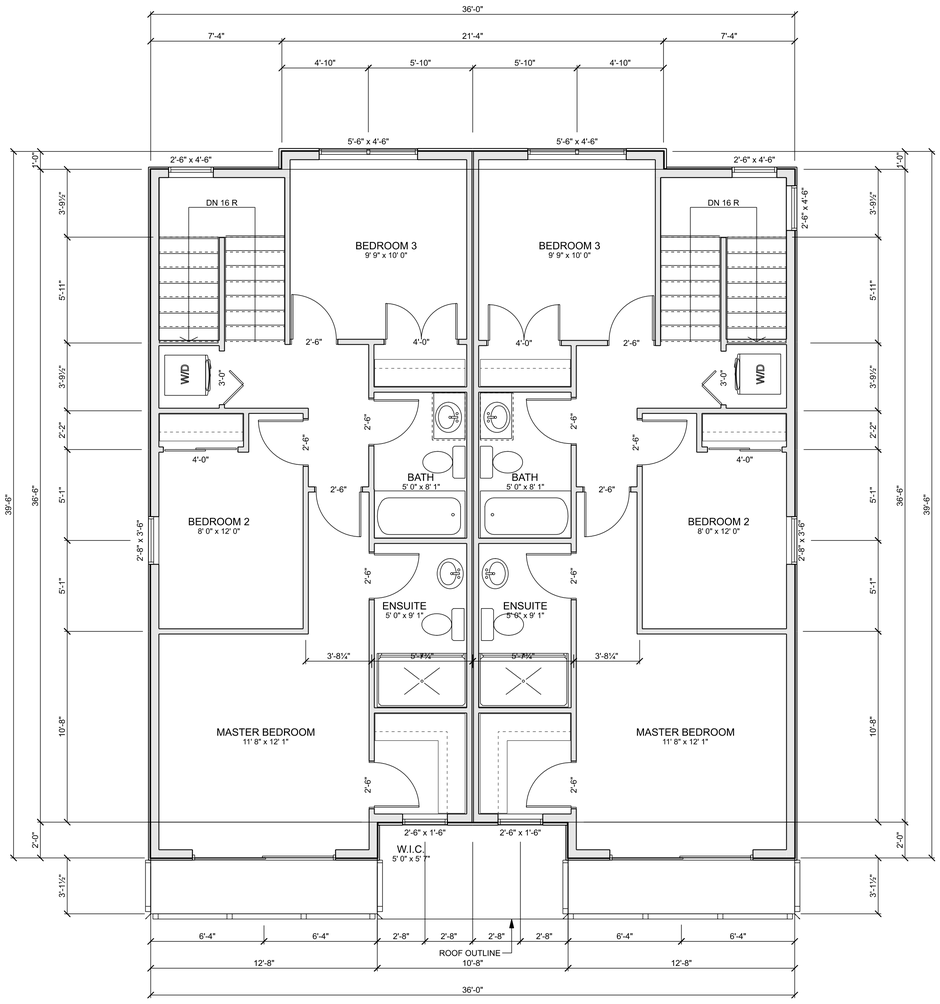
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UPPER FLOOR PLAN (BUILDING A)

SCALE: 1/4" = 1'-0"
UPPER FLOOR LIVING AREA: 1271 sq.ft.
DECK AREA: 76 sq.ft.



UPPER FLOOR PLAN (BUILDING B)

SCALE: 1/4" = 1'-0"
UPPER FLOOR LIVING AREA: 1257 sq.ft.
DECK AREA: 79 sq.ft.

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

DESIGN BY: AJG
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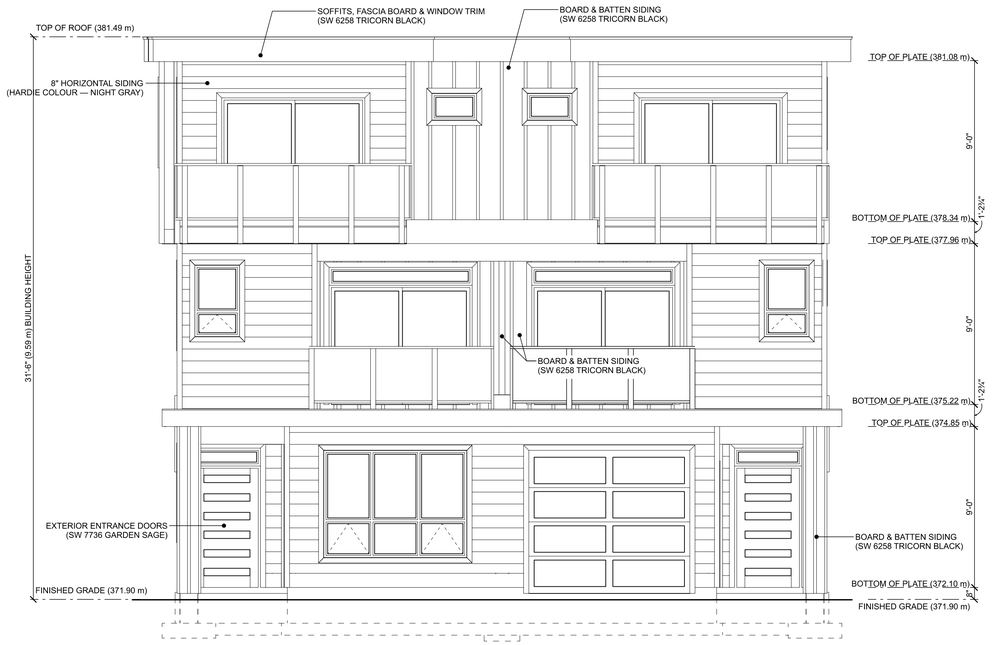
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Upper Floor Plans

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DP PL2022-9324



FRONT ELEVATION BLDG A (FACING SOUTH TO EDMONTON AVE.)

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



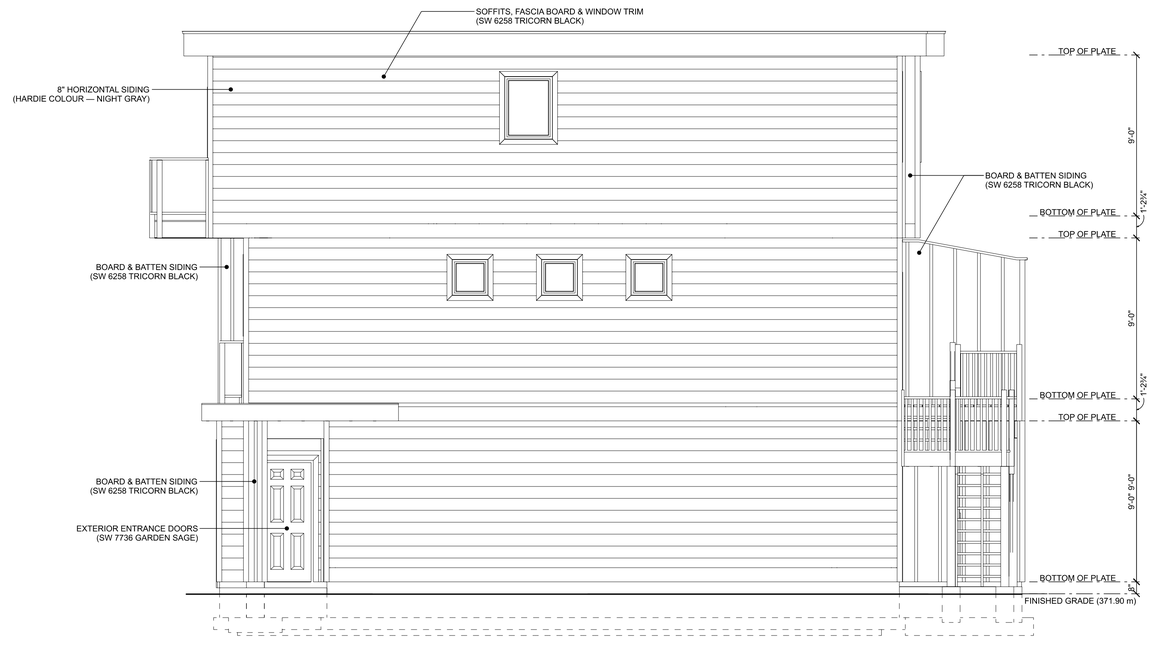
LEFT ELEVATION BLDG A (FACING WEST TO MANITOBA STREET)

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



REAR ELEVATION BLDG A (FACING NORTH TO LOT C)

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



RIGHT ELEVATION BLDG A (FACING EAST TO LOT B)

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

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Elevations-Building A

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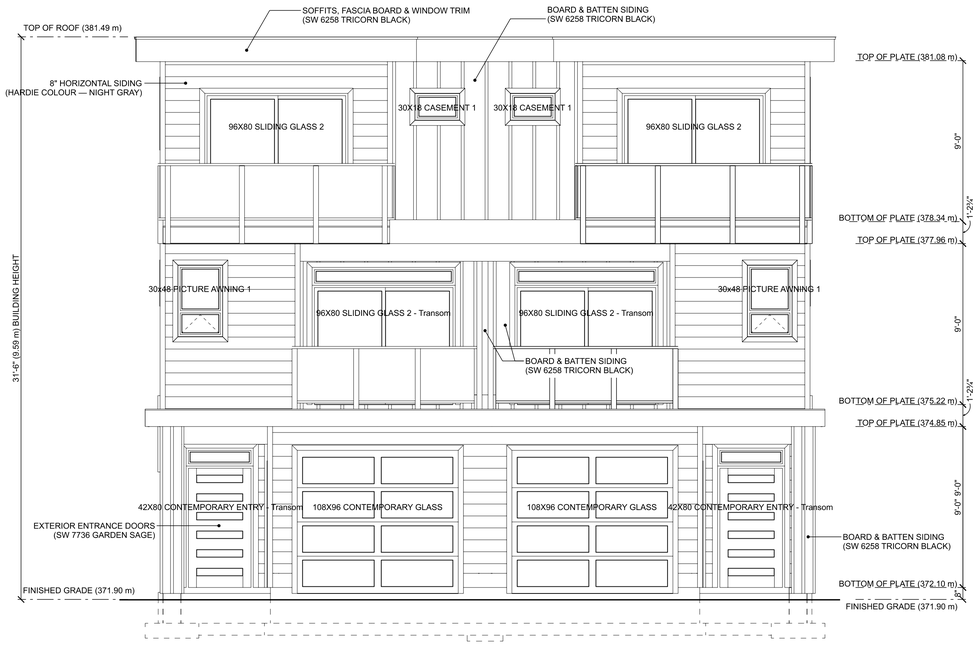
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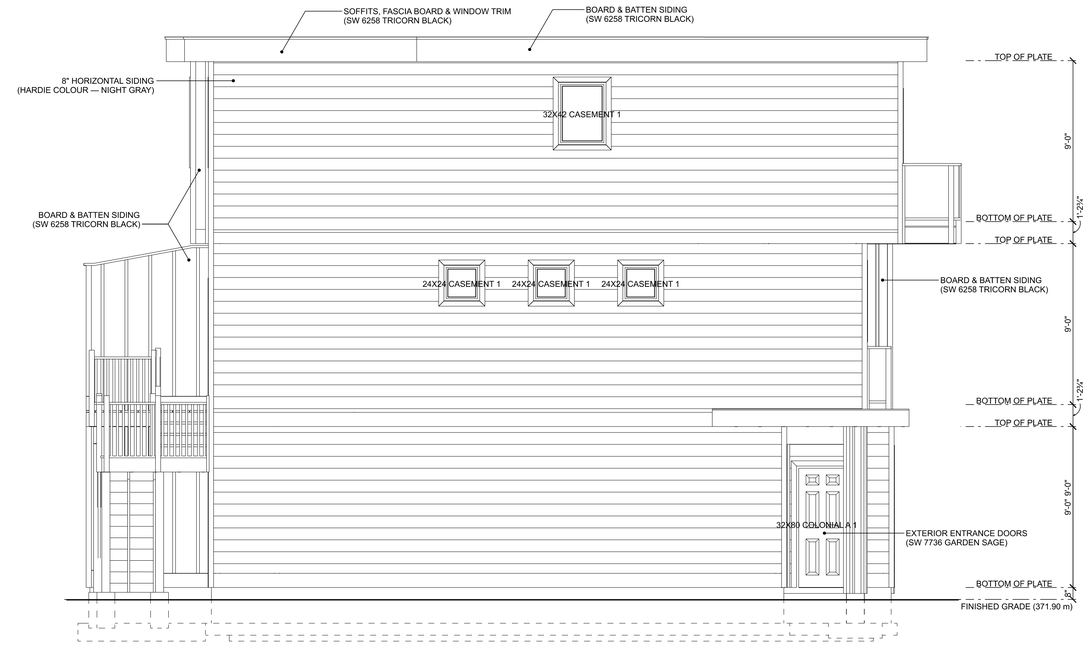
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FRONT ELEVATION BLDG B (FACING SOUTH TO EDMONTON AVE.)

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



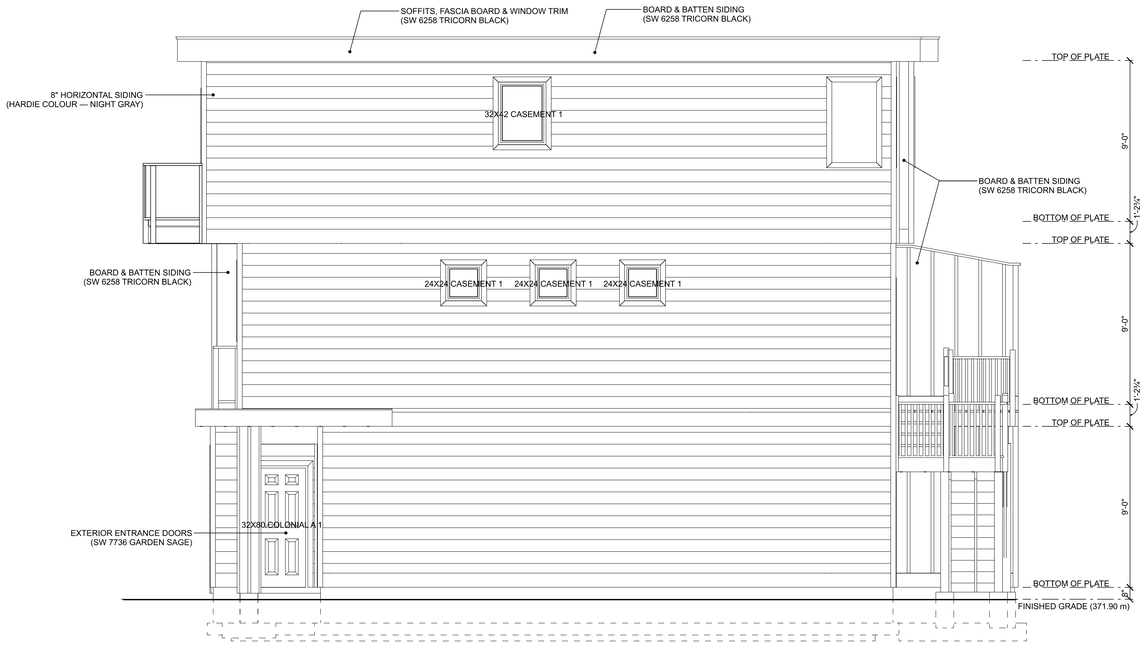
LEFT ELEVATION BLDG B (FACING WEST TO LOT A)

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



REAR ELEVATION BLDG B (FACING NORTH TO LOT C)

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



RIGHT ELEVATION BLDG B (FACING EAST)

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

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Elevations-Building B

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

DESIGN BY: AJG
DRAWN BY: AJG
DATE: 2023-04-18
REVISED:

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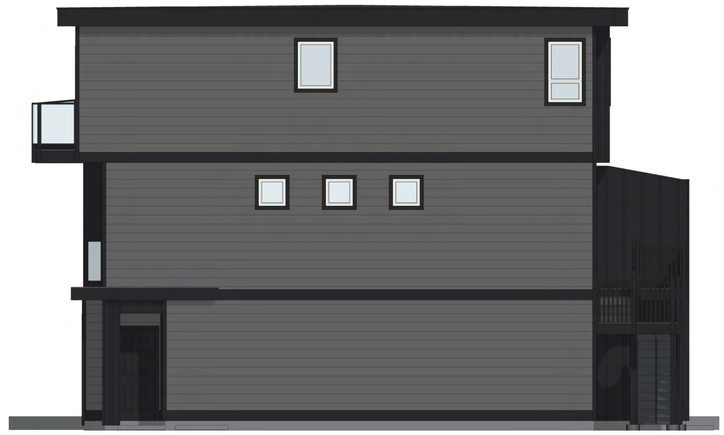
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SOUTH ELEVATION (FACING EDMONTON AVE.)
SCALE: 3/16" = 1'-0"



EAST ELEVATION
SCALE: 3/16" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"



WEST ELEVATION (FACING MANITOBA STREET)
SCALE: 3/16" = 1'-0"

Colour Elevations

JOHN LEE
401 EDMONTON AVE.
PENTICTON, BC

DESIGN BY: AJG | DATE: 2023-04-18
DRAWN BY: AJG | REVISED:

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The Corporation of the City of Penticton

Bylaw No. 2023-25

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. 2023-25".

2. **Amendment:**

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

Rezone the southern 23.7m of Lot 2 District Lot 202 Similkameen Division Yale District Plan 7727, located at 401 Edmonton Avenue, from R2 (Small Lot Residential) to RD3 (Residential Infill) as shown on Schedule 'A'.

2.2 Add the following to 10.6.4 SITE SPECIFIC PROVISIONS:

.2 "In the case of the southern 23.7m of Lot 2 District Lot 202 Similkameen Division Yale District Plan 7727, located at 401 Edmonton Avenue, a maximum of one duplex suite is permitted on proposed Lot A."

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

READ A FIRST time this	day of	, 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 __ day of _____, 2023 and the __ day of _____, 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 2023-25

Date: Corporate Officer:



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Coordinate System: NAD 1983 CSRS UTM Zone 11N

Council Report

penticton.ca

Date: July 18, 2023 File No: RMS/1530 Reservoir Rd
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Senior Planner
Address: 1530 Reservoir Road

Subject: **Official Community Plan Amendment Bylaw No. 2023-26**
Zoning Amendment Bylaw No. 2023-27

Staff Recommendation

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2023-26" 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 Council determine that the engagement activities as proposed in this report are sufficient;

AND THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2023-26", a bylaw to amend Section 2.1 by adding the following site specific policy statement to Land Use Designations, Rural Residential:

- Site Specific Rural Residential Policy Statement: 1530 Reservoir Road: Allow a minimum lot size of 0.4 hectares, when connected to the municipal treated water system;

AND THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-27, a bylaw to rezone Sub Lot 10 District Lot 2711 Similkameen Division Yale District Plan 1190, located at 1530 Reservoir Road, from FG (Forestry and Grazing) to:

- RC (Country Residential) with the following site specific provision:
    - Notwithstanding Section 9.3.2.5, the minimum front yard shall be 4.5m; and
- P4 (Environmental Reserve),

As shown on the map included with "Zoning Amendment Bylaw No. 2023-27" (Attachment 'J');

AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2023-26" and "Zoning Amendment Bylaw No. 2023-27" to the September 12, 2023 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-27", amend Schedule "F" of Irrigation, Sewer and Water Bylaw No. 2005-02, to include the subject property in Area B of the city's treated water service area.

Strategic Priority Objective

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

Proposal

The applicant is proposing to develop a 33-lot single detached housing strata subdivision on the subject property. The applicant has submitted a detailed letter of intent outlining their proposal (Attachment 'F') and a subdivision plan (Attachment 'G'). The strata would be responsible for maintaining private roads, water, sewer, landscaping, snow removal, and lighting within the development. 5 hectares (12.25 acres) of the subject property is proposed to be dedicated to the City as public parkland, to be zoned P4 (Environmental Reserve), which will expand the protected area around Campbell Mountain. The public parkland is intended to remain in its natural state, aside from reconfigured mountain bike and hiking trail alignments within this area, connecting into the larger Campbell Mountain trail network.

In order to facilitate the proposed development, the following planning applications are required:

Application Required	Description	Approval Authority
Official Community Plan Amendment	To add a site specific policy statement for the property, within the Rural Residential designation, to allow a minimum lot size of 0.4 hectares for lots that are connected to the domestic treated water supply.	Council
Zoning Amendment Bylaw	To change the zoning on the subject property from FG (Forestry and Grazing) to RC (Country Residential) – with site-specific provision for front yard setbacks - and P4 (Environmental Reserve).	Council
Hillside Development Permit	To approve the hillside development plan with its unique geotechnical conditions, ensuring the development meets the Hillside Development Permit Area guidelines outlined in the OCP. To be submitted for consideration if the OCP amendment and rezoning are adopted.	Council
Environmental Development Permit	To approve development occurring within the Environmental Development Permit area, subject to the requirements and recommendations of a Qualified Environmental Professional (QEP) report.	Staff – Development Officer
Subdivision	To approve the subdivision of the subject property into 33 new strata lots. A number of technical items are reviewed at the subdivision	Staff – Subdivision

	stage, including geotechnical review, wildfire risk assessment, and servicing.	Approving Officer

Background

Property Description

The subject property is located on the south side of Reservoir Road, east of Naramata Road (Figure 1). The property is 31.5 hectares (78 acres) in size and is currently vacant of any structures. Surrounding land uses include agricultural and rural residential to the west, north, and south, with natural areas and recreational uses to the east upslope leading to Campbell Mountain. A Fortis electrical main and gas main run through the site, on alignments protected by statutory rights-of-way. The property is not within the Agricultural Land Reserve (ALR) (Attachment 'C').

The property is currently zoned 'FG (Forestry and Grazing)' in the Zoning Bylaw, and is designated 'Rural Residential' by the Official Community Plan (OCP). The property is also within the Environmental Development Permit Area and the Hillside Development Permit Area, as outlined by the OCP.

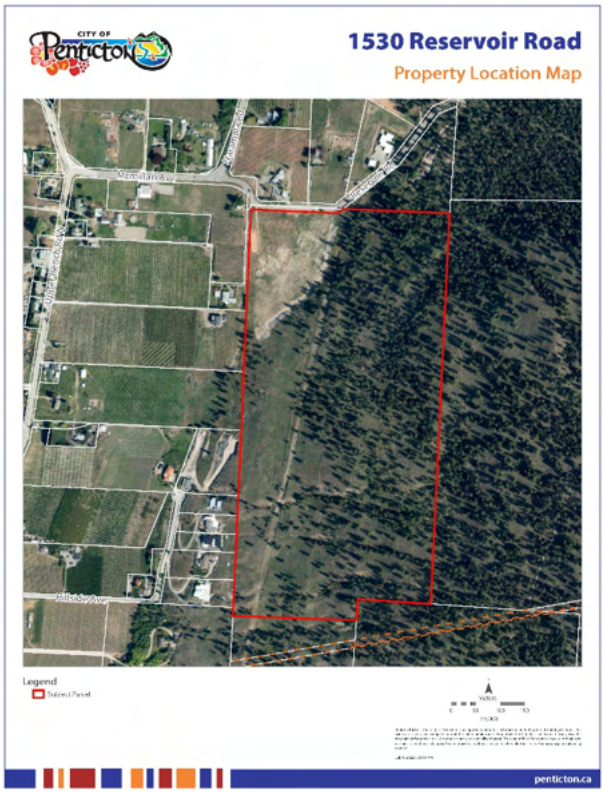


Figure 1 - Property Location Map

History

The subject property has been envisioned for development for many years. The previous plans including the subject property have been summarized in the chart below:

Year	Plan	Highlights
2002	Official Community Plan	• Anticipated that 1/3 of the city's new growth would occur outside the urban area, including in the North East Sector (Spiller Road/Reservoir Road area), which included the subject lands • Designated the subject property and the North East Sector as a 'future planning area' to provide for growth on hillsides while protecting the agricultural lands below from development
2005	Comprehensive Development Plan	• Envisioned a potential for up to 350 units in the Reservoir Road area, including the subject property, Hillside Drive, and the north side of Reservoir Road
2005	North East Sector Plan	• Acknowledges the sensitive habitats in this area • Envisioned up to 400 units on the 40 hectare (100 acre) 'Reservoir Road Block', including the subject property and surrounding properties • Objective for a natural park on Campbell Mountain

2014	Spiller Road/Reservoir Road Area Neighbourhood Concept Plan	• Most detailed area plan stemming from the 2002 OCP, covering the nearly 300 hectare (740 acre) future development area • Identified a potential commercial node on the subject property as it is one of the easier properties to access within the plan area • Identified the eastern (upper) portion of the subject property as high environmental significance, requiring any rezoning to be accompanied by a detailed Environmental Assessment • The subject property was envisioned as the 'Village Centre', containing a variety of commercial and medium density residential uses (townhomes and apartments) including mixed-use developments.
2019	Official Community Plan	• The current 2019 OCP was developed with substantial community engagement between 2016 and 2019. • Through community conversations, the focus of growth shifted towards the built-up area of the city in low-scale infill development. • This was a major shift from all the previous planning exercises completed for this area of the city between 2005 and 2014. • The OCP review did not support the commercial node at this location, with residential determined as a more appropriate land use. • The OCP set the future land use designation on the property as 'Rural Residential'.

The direction of the 2019 OCP contributed to a change in direction for future development on the subject property, which is currently designated 'Rural Residential' by the OCP.

Climate Impact

Council adopted the Community Climate Action Plan (CCAP) in 2021. Due to the subject property's location, combined with the lower rural density, there is limited access or support for transit or active transportation infrastructure. However, the proposal does align with some elements of the CCAP, including:

- **Electrify Passenger Transportation:** Accelerate the adoption of zero-emissions vehicles.
    - The Zoning Bylaw requires that each new home have at least one EV ready parking space to facilitate the future install of EV chargers.
- **Step Up New Buildings:** All new buildings will be required to meet the BC Energy Step Code requirements at the time of construction.
    - The new buildings will be required to meet Step 3 of the BC Energy Step Code as a minimum standard of energy efficiency.

Financial Implication

The developer is responsible for all infrastructure upgrades associated with this proposed development, including all internal strata infrastructure. The City will be responsible for the long-term maintenance of extended water main infrastructure along Reservoir Road to the site, once it is installed at the developer's expense.

Technical Review

The proposed development was reviewed by the Technical Planning Committee, which is a group of City staff from various departments who review planning applications. The committee discussed the proposed 5 hectare (12.25 acre) parkland dedication and confirmed the intent of this land will be natural, aside from the passive recreational uses as hiking and mountain biking trails.

The committee reviewed preliminary assessments submitted with the OCP and rezoning package also discussed the need for thorough environmental, wildfire, and geotechnical assessments to be completed as conditions of the future subdivision stage, before any new lots are created.

The committee reviewed the subdivision layout to ensure the lot size requirements of the proposed RC zone were met and that there is sufficient building area on each lot when considering the zone regulations and the utility easements which run through the site and limit the buildability of affected lands. Consideration for access to identified future development lands south of the subdivision will be more thoroughly discussed at the staff level at the future subdivision stage.

The development is proposed as a bareland strata which reduces the amount of City-owned and maintained infrastructure, with one water connection and private roads within the site. The strata will be responsible for all on-site infrastructure. Developing the lot as a strata allows for narrower roads and more clustered development, reducing the impact on environmentally-sensitive areas. The developer is responsible for extending required municipal services to the subject property, including the water main from Naramata Road across the frontage of the property. The applicant is proposing septic systems for each lot at this time, unless the sanitary sewer main is extended across the frontage of the property in the future and the Irrigation, Sewer and Water Bylaw is amended to include sanitary servicing in this area.

Irrigation, Sewer and Water Bylaw No. 2005-02

The subject property is currently located outside the treated water service area shown on Schedule "F" of Irrigation, Sewer and Water Bylaw No. 2005-02 (Attachment 'H'). Properties across Reservoir Road to the north are included within Schedule "F" in Area B of the Bylaw. In order to allow the extension of municipal treated water service from Naramata Road up Reservoir Road to the subject property (approximately 100 metres), the property must also be included in Area B on Schedule "F" of the bylaw. Staff are recommending that Council support this, subject to adoption of this rezoning application which would put the land use in place for residential development of the subject property. The costs of building the water infrastructure and service connection will be the responsibility of the developer.

Development Statistics

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

	RC Zone Requirement	Provided on Plans
Minimum Lot Width:	45 m	Ranging from 45 m to 257 m
Minimum Lot Area:	0.4 ha	Ranging from 0.4 ha to 3.7 ha
Maximum Lot Coverage:	15%	Future development on each lot must meet the applicable RC development regulations.
Vehicle Parking:	2 parking spaces per single detached dwelling	
Required Setbacks		

Front Yard: Side Yard: Side Yard: Rear Yard:	9.0 m – requested 4.5m (site-specific) 4.5 m 4.5 m 9.0 m	
Maximum Building Height:	10.5 m	

Analysis

OCP Engagement Procedure

In 2021, City Council endorsed the *Community Engagement for OCP Amendments Procedure*, a procedure which sets out the engagement process staff follow when an OCP amendment application is received. The procedure allows for exceptions from full engagement in cases where the OCP amendment is considered minor in nature or for amendments not involving a change in land use designation on a property, at the discretion of the Director of Development Services. Given the designation on this property is not proposed to change to a different designation, in accordance with the *Community Engagement for OCP Amendments Procedure,* the Director has waived the full engagement procedure in this instance.

Nevertheless, should Council support first reading of the OCP and Zoning Bylaw amendment bylaws, a minimum of two public information sessions on this proposal will be held to inform the public on the proposal prior to the September 12th Public Hearing. These information sessions would give the community an opportunity to be fully informed on the details of the proposal. Information letters, newspaper advertisements, social media posts and a news release will be issued once the information session dates have been set. A webpage will launch on Shape Your City Penticton containing the application materials and allow for community feedback. The public will also have an opportunity to provide input through the statutory Public Hearing for both the OCP amendment and rezoning, as required by the *Local Government Act*.

OCP Amendment and Rezoning

When reviewing the OCP Amendment and Rezoning application package, staff encourage Council to consider the applicable OCP policies and the future land use designation on the subject property. The subject property is designated 'Rural Residential' by the OCP. The Rural Residential designation supports rural areas with single-detached homes on large lots (Figure 3).

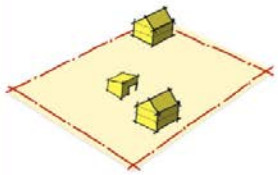
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Rural Residential 	Rural areas with single-detached houses on large lots with modified services (e.g., septic systems, wells) (including bareland stratas)	• Single detached houses with secondary suites or carriage houses	• Residential • Agriculture	• 1 or 2 units per single lot • 1 hectare minimum lot size • Generally up to 2 ½ storeys to reflect 30' maximum in Zoning Bylaw	• RC
	Site-Specific Rural Residential Policy Statement: 3200 Evergreen Drive (Wiltse South Block) - limited to a maximum of 2 single-family residences in the Rural Residential area.				

Figure 2 - Excerpt from Land Use Designations table, OCP

The proposed subdivision development is consistent with the underlying OCP future land use designation on the subject property as it provides single detached homes with larger lot sizes. While the Rural Residential designation table specifies a minimum lot area of 1 ha (2.47ac), the RC (Country Residential) zone is listed as the only compatible zone with this designation. The RC zone allows a minimum 0.4ha (1 ac) lot area. This OCP designation and zone are intended for rural subdivisions, where full municipal water and sanitary sewer services may not be available. 0.4 ha (1 acre) is generally considered a sufficient size for individual lots to accommodate their own private services, such as septic systems, especially where municipal water is provided, as is the case with this proposal. During development of the OCP, the 1 hectare minimum lot size was based on lots not being connected to any City services. While septic systems can generally operate well on smaller lot sizes than one hectare, well water systems generally need larger properties and thus the 1 hectare size was established.

In this case, the applicant is proposing to extend municipal water service to the site and provide a septic system for each individual lot. The subject property is recommended to be included on Schedule "F" of the Irrigation, Sewer and Water Bylaw 2005-02, in order to include it within the treated water service area of the city. This is staff's recommendation, based on Council ultimately adopting the rezoning of the subject property.

The applicant is requesting a site-specific provision on the RC-zoned area to allow 4.5m front yard setbacks, less than the typical 9.0m required by the RC zone. This reduced setback will support the clustering of the development near the strata roads. While it is unlikely that every home would be built to this 4.5m minimum front yard setback, it allows the option based on grading and natural features of the lot. Applying this standard to the entire subdivision through a site-specific provision, rather than through variance applications on each individual lot, facilitates a common character to the development. Similar requests have been granted in other hillside neighbourhood developments, such as the Bluffs at Skaha. Staff are supportive of this requested reduced front yard setback in this instance, given the strata nature of the development, the hillside topography, and the intent of clustering the development around the strata roads to reduce environmental impacts (Figure 4).

The applicant is planning to relocate the Fortis transmission line to the west side of the property. Those discussions are between the applicant and Fortis. Should the line not be able to be moved, there is sufficient area on each lot to build homes outside of the statutory right-of-ways.



Figure 3 - Map from Applicant's Information Package and Analysis showing limited disturbance of the site.

The proposed P4 (Environmental Reserve) zoned area would be dedicated to the city at the subdivision stage. This zone is considered appropriate for the future parkland as it is intended to remain in its natural state and function as a protected expansion of the Campbell Mountain park area.

The proposed rezoning and development was analyzed with consideration of the following OCP policies:

OCP Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas.
Staff Comments	• The proposed country residential development is adjacent to the Hillside Drive country residential subdivision. While outside the urban core of the City, the proposed development is at a rural residential scale with 0.4 hectare lots, which limits the character impacts on the surrounding rural residential and agricultural area. As outlined in the letter of intent (Attachment 'F'), the applicant has carefully considered the development's fit into the hillside context.
OCP Policy 4.1.1.2	Avoid development in environmentally-sensitive areas, geological hazard and flood hazard areas, on steep slopes, in agricultural areas and in areas not readily served by transit.
Staff Comments	• The applicant has submitted preliminary plans showing how the proposed development considered the environmental and geological features on the site. Full comprehensive studies will be required at the subdivision stage.

OCP Policy 4.1.1.3	Evaluate the short-term and long-term financial, ecological and social costs and benefits of all proposed new greenfield (largely on hillsides) development proposals through analysis of full life cycle costs of infrastructure, including replacement, and services, and structures assessment of environmental and social impacts.
Staff Comments	• The development is proposed to be constructed as a strata, which reduces the cost burden of new infrastructure on the City. A full costing analysis has not been completed, given that the proposed development meets the intent of the Rural Residential OCP designation, indicating this development form was anticipated on the subject property.
OCP Policy 4.1.1.4	Ensure all new developments fully cover the cost of the required infrastructure and services they require, including roads, water, sewer, storm water, and provision of parks, schools, and emergency services.
Staff Comments	• The developer will be responsible for all the costs associated with providing services and infrastructure for the development. The strata will be responsible for the long-term maintenance of all infrastructure within the site. • The city would be responsible for the extended water main in perpetuity, after it is installed at the developer's expense.
OCP Policy 4.1.4.1	Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respective of their context.
Staff Comments	• The applicant has outlined their process to design this development in a compact and low-impact way while meeting the intent of the OCP designation on the site (Attachment 'F'). The scale of the development, size of the lots, and clustering of homes all reflect a development intended to work with the context of the landscape.
OCP Policy 4.1.5.4	Ensure that all new neighbourhood developments and redevelopments of existing large sites, including bareland stratas, are fully integrated into the surrounding community through publically-accessible roads, sidewalks, trails and public park lands.
Staff Comments	• The proposed development is a bareland strata. The development is laid out in a way to relocate hiking and biking trails to the proposed 5 hectare (12.25 acre) dedicated parkland area, maintaining connections to the larger Campbell Mountain trail network. • A neighbouring property to the south is also designated for future rural residential development and access through to that property, which does not currently have frontage, will be considered at the future subdivision stage.
OCP Policy 4.1.6.1	Ensure all residential neighbourhoods in Penticton provide a range of appropriately-scaled housing types and tenures, employment opportunities such as home-based businesses, transportation options like walking and cycling, social supports such as childcare facilities, and access to green space and parks.
Staff Comments	• Recognizing the country residential nature of the area, the development is designed on large lots. Home occupations are permitted under the proposed RC (Country Residential) zoning. Connections into the Campbell Mountain trail network are provided, with public parkland to be dedicated to the City to formalize access and public trails.

OCP Policy 4.4.1.1	Protect neighbourhoods and agricultural areas in wildfire interface areas, and the city at large, through implementation of wildfire best management practices, such as ecologically-appropriate FireSmart, in new neighbourhood and infrastructure design, building construction and the management of individual properties.
Staff Comments	• A wildland urban interface fire hazard assessment was prepared for the property in 2020. The report concluded a high wildfire threat, which can be mitigated through specific recommendations to be outlined in a future report, required as a condition of subdivision. • The updated report may include a requirement for a wildfire covenant on the future lots, to ensure the development builds out in accordance with FireSmart principles.
OCP Policy 4.4.2.1	Identify environmentally sensitive areas and riparian areas, and protect them through application of the Environmental and Riparian Development Permit Guidelines.
Staff Comments	• The subject property is within the Environmental Assessment Area outlined by the OCP. An Environmental Development Permit will be required as a condition of the future subdivision application. The applicant is aware and will be required to provide a comprehensive Environmental Assessment Report prepared in accordance with the City's Terms of Reference prior to subdivision approval.
OCP Policy 4.4.2.2	Identify, preserve, protect, connect, restore and enhance wildlife corridors through land use designations, zoning and covenants.
Staff Comments	• The proposal involves zoning the 5 hectares (12.25 acres) of land to be dedicated to the City as parkland as P4 (Environmental Reserve). This provides a larger protected natural area with hiking and biking trails as part of the larger Campbell Mountain trail network.
OCP Policy 4.5.1.5	Consider establishing buffers including distance setbacks, landscape buffers and fencing requirements to minimize conflicts between agricultural and other land uses (e.g., residential and commercial).
Staff Comments	• The applicant is working with Fortis to relocate the electrical line to the western side of the site. If this relocation occurs, the line and its right-of-way will create a buffer between the new development and the ALR lands further west. • Should the Fortis line not be relocated, staff will work with the applicant at the subdivision stage to determine details around a possible buffer along that property line to ensure adequate separation between the new development and its agricultural neighbours.
OCP Policy 4.7.1.5	Inventory nature areas and establish designated nature-oriented parks within city limits, and prepare management plans to guide their protection, use, restoration, enhancement and management.
Staff Comments	• The City is in the process of initiating a Campbell Mountain management plan. Should the rezoning be adopted and the proposed parkland dedicated to the City, it will be included in the scope of the future management plan.

Given the alignment of the proposed development with the Rural Residential future land use designation and OCP policies, staff recommend that Council give first reading to "Official Community Plan Amendment

Bylaw No. 2023-26" and "Zoning Amendment Bylaw No. 2023-27" and forward the bylaw to the September 12, 2023 Public Hearing to gather public feedback on this proposed development prior to making a decision. Should the OCP amendment and rezoning ultimately be adopted, further technical review will be required as part of the Hillside Development Permit (Council decision) and Environmental Development Permit (staff decision) which will be required prior to any new lots being created on the subject property.

Additional Approvals

The proposed rezoning is the first step in development occurring on the site. Should the OCP amendment and rezoning be adopted by Council, the applicant will need to submit a subdivision application. As conditions of subdivision approval, the applicant is responsible to submit a number of technical reviews completed by qualified professionals to the City for review and acceptance before any new lots are created. These include:

- Environmental Impact Assessment
    - Associated with the required Environmental Development Permit
- Wildfire Impact Assessment
- Geotechnical Hazard Assessment
- Site Grading Plan
    - Associated with the required Hillside Development Permit

The Hillside Development Permit requires Council approval, while the subdivision and Environmental Development Permit are staff-level decisions.

The preliminary Environmental Assessment Report was prepared by a Qualified Environmental Professional and reviewed by another Qualified Environmental Professional who adapted it to the current development proposal. The preliminary assessment found that:

- The study builds on previous environmental assessments completed as part of the North East Sector Plan (2005) and the Spiller Road/Reservoir Road Neighbourhood Concept Plan (2014)
- Elk are lower occurrence on this property with a mean of 4.6 elk/km^2 compared to the higher numbers found in the Naramata area (12.7 elk/km^2)
- Recommends development be focused on the lower environmentally sensitive areas near Reservoir Road in the north, and that public trespassing be discouraged along the southern ends of the property
    - The applicant has laid out the development accordingly
- The QEP review overlaid the proposed subdivision plan with the Environmentally Sensitive Areas (Attachment 'D')

The applicant has engaged the Penticton Indian Band (PIB) to complete a Cultural Heritage Resource Assessment on the subject property, which was submitted with their application package. The CHRA was completed in 2022 and requires ongoing work to continue between the developer and the PIB to address the PIB interests in the site; ensuring impacts are mitigated and/or prevented.

The preliminary technical reviews submitted with the rezoning package helped determine the proposed development layout (Attachment 'G'). The applicant explains their intent to develop the property in a low-impact way by maintaining natural areas where possible and clustering the future homes close to the strata

roads. The City has tools to ensure this occurs, through the future Hillside Development Permit and the Environmental Development Permit as part of the subdivision stage.

Conclusion

There are further detailed applications required to address environmental, wildfire, geotechnical considerations prior to any strata lots are created on the subject property. At this time, staff are recommending that Council give first reading to "Official Community Plan Amendment Bylaw No. 2023-26" and "Zoning Amendment Bylaw No. 2023-27" and forward the bylaw to the September 12, 2023 Public Hearing to gather feedback from the community on this proposed development prior to making a final decision on the OCP amendment and rezoning.

Alternate Recommendations

Council may consider the proposed OCP amendment and rezoning is not aligned with the OCP and should not proceed to Public Hearing. If this is the case, Council should vote to deny the rezoning.

1. THAT Council deny "Official Community Plan Amendment Bylaw No. 2023-26" and "Zoning Amendment Bylaw No. 2023-27".

Attachments

Attachment A – Zoning Map
Attachment B – Official Community Plan Map
Attachment C – Agricultural Land Reserve (ALR) Map
Attachment D – Environmentally Sensitive Areas Overlay Map
Attachment E – Photos of Property
Attachment F – Information Package and Analysis (applicant)
Attachment G – Preliminary Subdivision Plan
Attachment H – Treated Water Area Map, Schedule "F" Bylaw 2005-02
Attachment I – Official Community Plan Amendment Bylaw No. 2023-26
Attachment J – Zoning Amendment Bylaw No. 2023-27

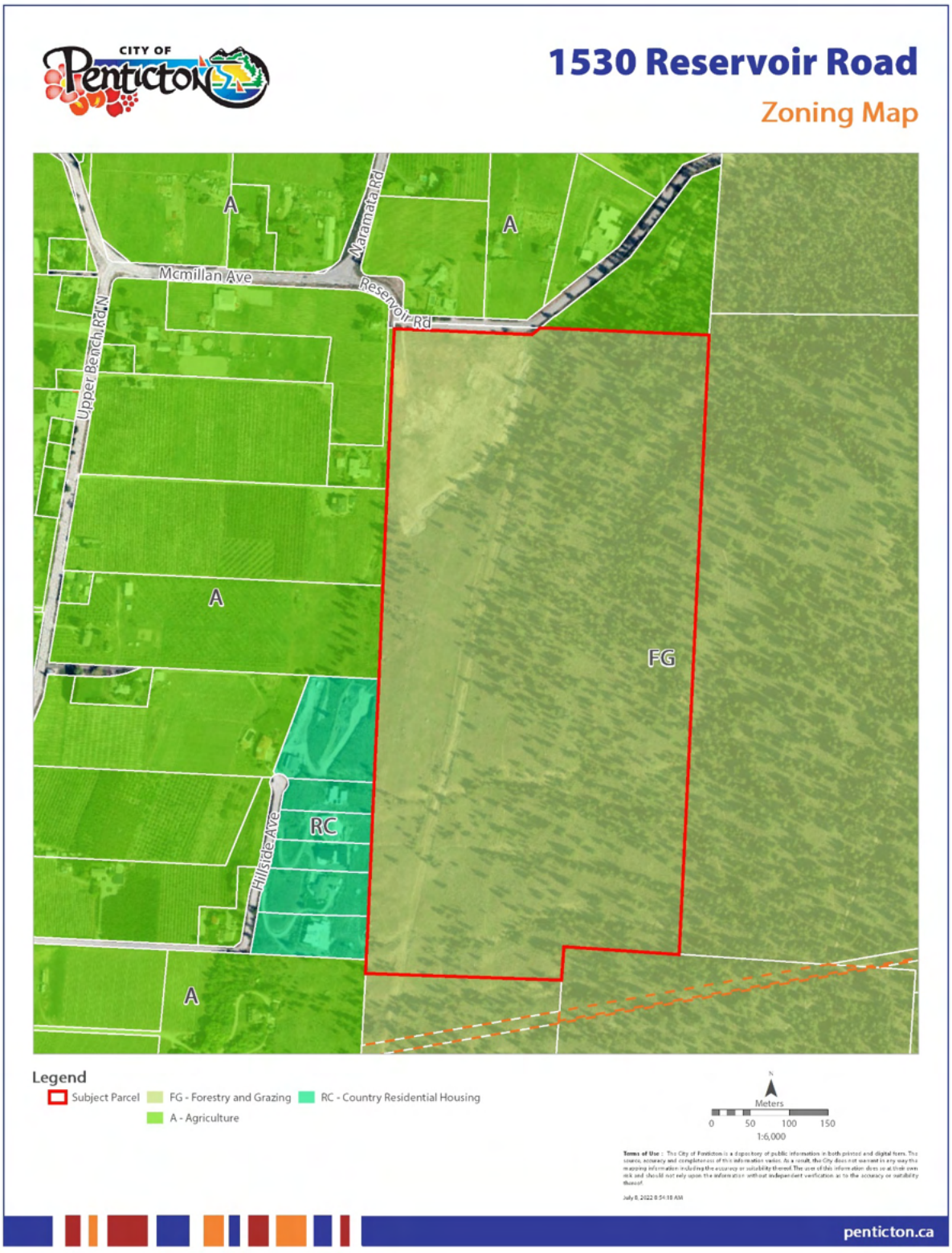
Respectfully submitted,

Steven Collyer, RPP, MCIP
Senior Planner

Concurrence

Director of Development Services	General Manager of Infrastructure	Director of Finance and Administration	Acting Chief Administrative Officer
BL	KD	AMC	KD

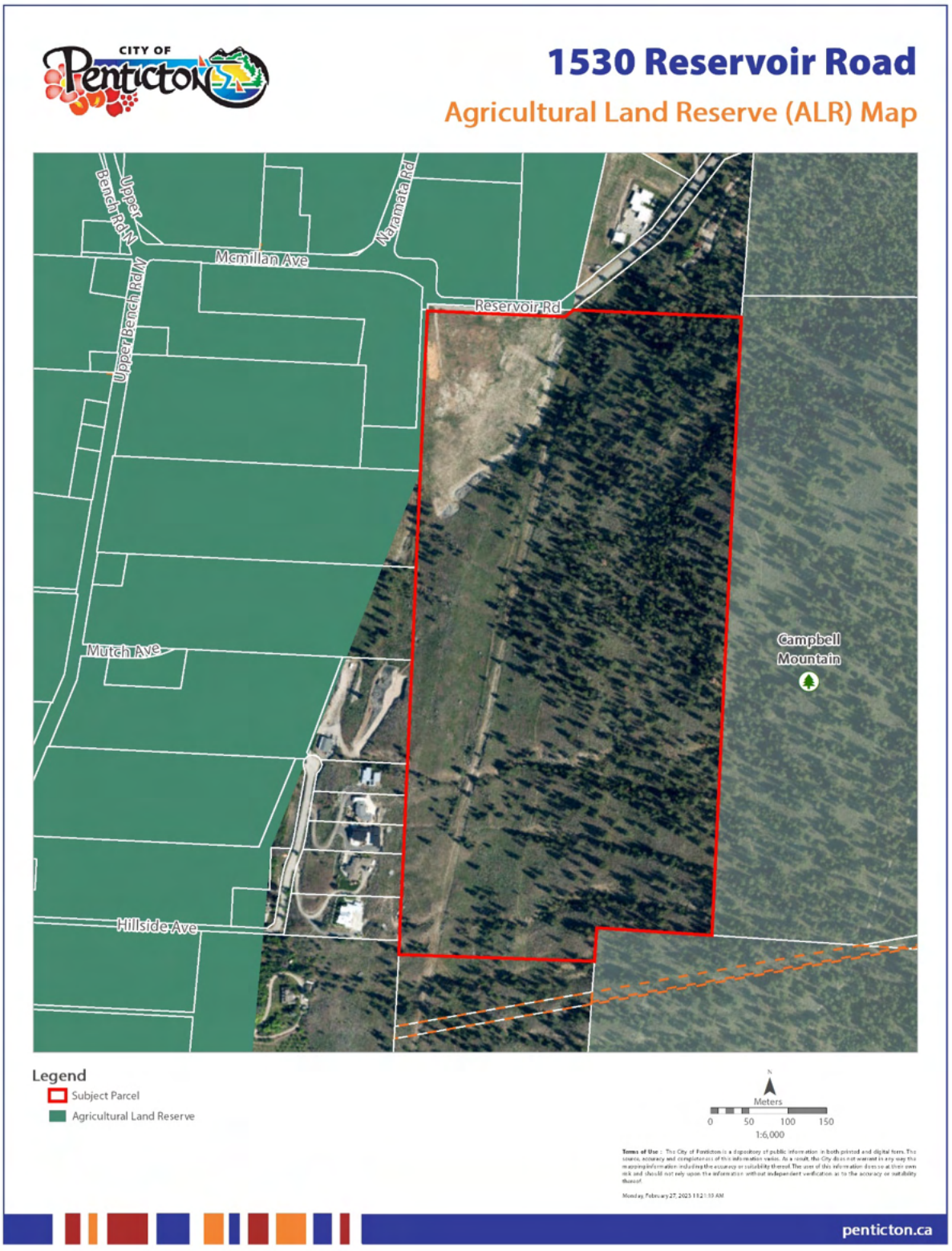
Attachment A – Zoning Map



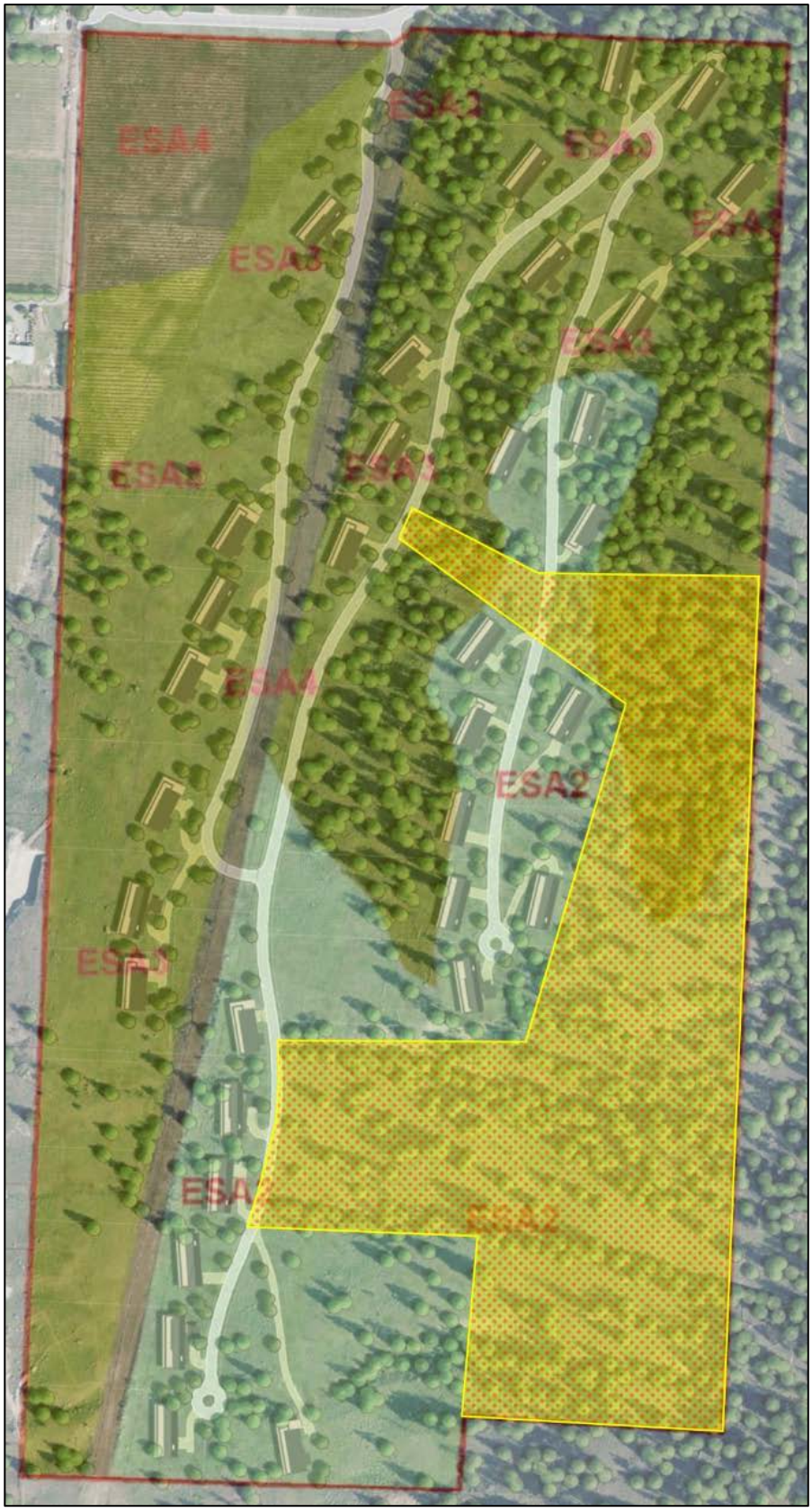
Attachment B – Official Community Plan Map



Attachment C – Agricultural Land Reserve (ALR) Map



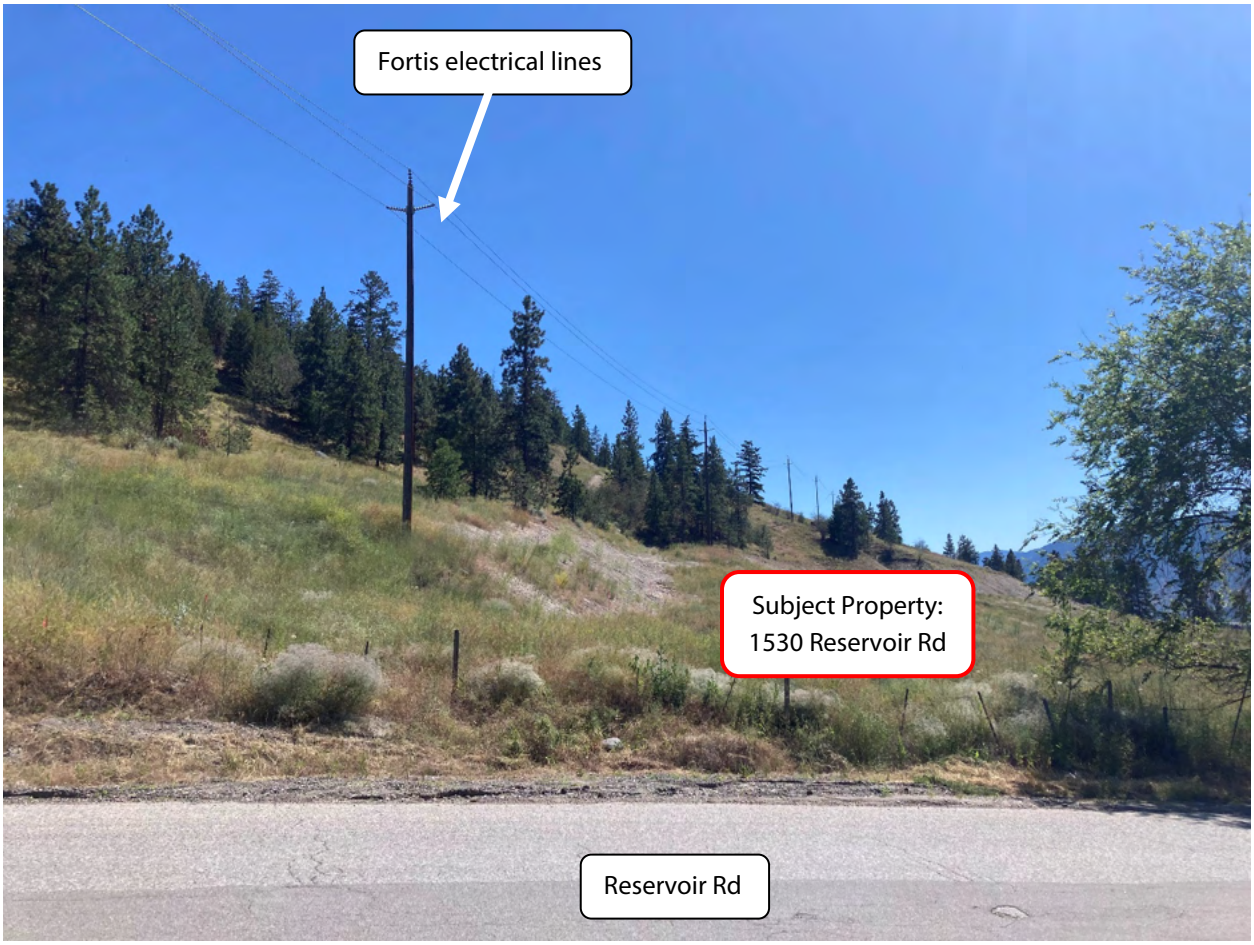
Attachment D – Environmentally Sensitive Overlay Map

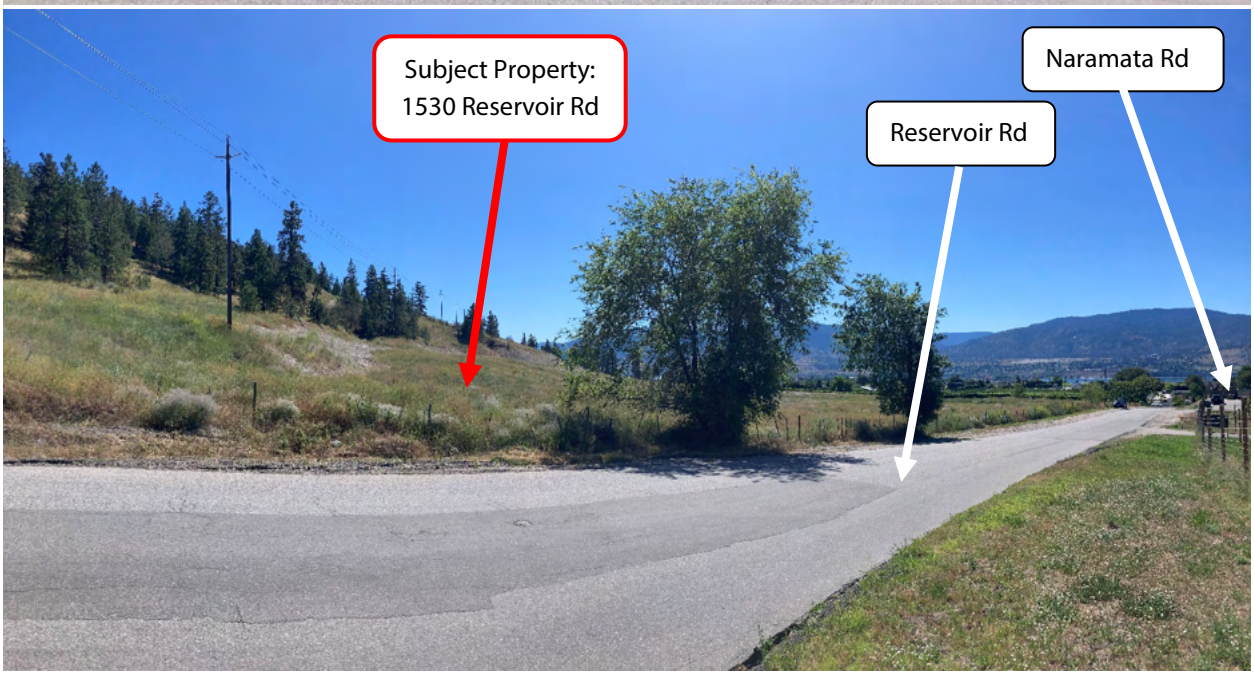


Attachment E – Photos of Property






Fortis electrical lines
Subject Property:
1530 Reservoir Rd
Reservoir Rd


Subject Property:
1530 Reservoir Rd
Naramata Rd
Reservoir Rd

The Acres / 1530 Reservoir Rd
Development Application



City of Penticton

1333032BC Ltd.
December 2022

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EXECUTIVE SUMMARY

We are submitting a rezoning application for the land parcel located at District Lot 2711 Similkameen District, Yale Division, District Plan 1190. Our request is to rezone this land from FG Forestry Grazing to RC Country Residential this aligns with the Official Community Plan and does not require an amendment to the OCP.

The enclosed proposal is the culmination of over 10 months of detailed research, expert consultation and stakeholder engagement. We have listened carefully to the recent discourse related to development on the Naramata Bench and engaged the Penticton Indian Band early in the process. This feedback has shaped our proposal which is:

- Aligned and inspired by the vision of Penticton's Official Community Plan
    - We attended all the design charettes and open houses during the new OCP writing
- Informed by sustainable development principles
    - Access to nature from every home
    - Cluster homes near roadways to limit disturbed area
    - Leave natural as many trees, plants, rocks and outcrops integrate into designs
    - Follow natural topography rather than clearing and leveling the site
    - Synergies between human and wildlife throughout the lands combined with limited fenced yards and native plantings
- Designed to support the unique topographical attributes of the land
- Focused on maximum land and nature preservation
- Driven by a shared passion for the preservation of the beauty of the Naramata Bench and responsible recreation and exploration of nature in neighbouring Campbell Mountain.

We are proposing:

- Low density housing - 33 land parcels (0.39 parcels per acre, 0.39 UPA) - built to strict design standards
- Minimal imposition on City resources
- It will not have a material impact on traffic
- A bare land strata ownership structure will be responsible for maintenance such as roads, water, sewer, landscaping, snow removal and lighting on the property

The development will also:

- Create a community parkland - nature trails and greenspace with stunning views
- Result in approximately 700 local jobs
- Generate approximately $600,000 in development cost charges
- Deliver an estimated $10.6 million in residential taxes over the next 20 years.

Thank you for your careful consideration of our proposal. We are available to answer questions at your convenience.

Drew Barnes
On behalf of
1333032BC Ltd. & Parallel 50 Construction Ltd.

SITE CONTEXT

Location

The site is a prime location for living and enjoying recreation in nature. The proposed rezoning of the site to Country Residential complements existing land use designation in the area.

- To the immediate southwest of the site, land is already zoned Country Residential.
- To the east there is existing recreational land – Campbell Mountain is a top destination for hiking, biking, horse riding, and nature exploration. The addition of a park land nearby will enhance the opportunities for time in nature and potentially open up access to younger and older segments of the population who are unable to access the upper terrain of Campbell Mountain.
- To the west, there are vineyards, orchards and farmland. The need to ensure that our development does not negatively impact the activity and appeal of this land guides our development philosophy.

History

Throughout recent history, Campbell Mountain has been used as a forestry, grazing and recreational area. There has been no known development on the subject property other than the existing gas line and electrical transmission line. Up until approximately 2018, the lands were used by the Sather Ranch for cattle grazing.

Property and Immediate Area Characteristics

The areas landscape is characterized by a varied slope from east down towards the valley and lake on the west. The existing landscape typologies are mostly meadows and forests.

"The proposed design approach makes use of the existing landscape typologies and integrates development within these zones. The design will strive to provide a site-sensitive approach to minimize the impact on the development on the site topography and landscape." – Ekistics Architecture (Sustainable planners, architects, and landscape architects)



PLANNING, OCP & ZONING

OCP & Proposed Future Zoning: Country Residential Housing (RC)

PURPOSE

The purpose is to provide a zone for low-density single detached housing on large rural lots.

PERMITTED USES

1. accessory use, building or structure
2. agricultural use
3. bed and breakfast home
4. carriage house
5. major home occupation
6. minor home occupation
7. one single detached dwelling
8. rural home occupation
9. secondary suite

We request that the land is rezoned to Country Residential (RC) zoning with the ability to keep the project as a bare land strata governed by the Provincial Bare Land Strata Regulations. In this case the density and overall appearance of the community will be exactly like a freehold Country Residential neighbourhood but there will be additional rules, bylaws and common property that will remain as the responsibility of the community or strata. There are many reasons and benefits for allowing the project to be a bareland strata such as:

1. Privately owned roads, sidewalks and services.
    a. The City is only responsible for the services to property line.
    b. The strata is responsible for snow and maintenance of the roads.
2. Rules and Bylaws
    a. The Strata can define and enforce all its own rules to keep the community in pristine shape, this would be over and above the City of Penticton bylaws.
    b. Regular meetings can be held and the rules and bylaws updated as the community grows.
    c. Can stipulate rules that govern size, style or colour of homes to be built and whether or not RV's and boats can be permitted to park in the driveways.
3. Strata fees will be charged to maintain the common property such as roads, water, sewer and lighting (if any)

Official Community Plan Policy Review

Our proposal aligns with the vision and criteria set out by the 2045 Penticton Official Community Plan. Members of the development team contributed to the design charrettes involved in the creation of the Official Community Plan in 2019 and has applied the insights of familiarity, and the intended future outlook of Penticton to the proposed rezoning, development and design philosophy. See Appendix A for a detailed break-down of each policy by number and how it is relevant to the vision of The Acres on Campbell Mountain.

Hillside Development Permit Area (to be applied for at subdivision)

The primary objectives of the Hillside Development Permit Area are to minimize the risk of erosion, landslip or rockfall on development in steep slope areas, preserve native vegetation and ecosystems in steep slope areas

and ensure neighbourhoods are aesthetically integrated into hillside areas. Although the HDP is not a requirement at this stage, we are fully committed to full compliance to help mitigate risk and ensure our proposed development is a net positive for surrounding hillside. Please see Appendix B for a detailed analysis of how our proposed development supports the objectives of the Hillside Development Permit Area

We conducted a detailed slope analysis to understand the existing slope regime and to determine the land area with the best development potential. We believe that a thorough understanding of the site conditions is essential in siting roads and buildings in a way that minimizes the impact to the natural environment and preserves views to and from the site. Accordingly, in our proposed plans, buildings will be positioned on the gentle slopes with views to the lake and steep slope areas are reserved as lot areas and community "green" or "natural" space. If the project is supported through the rezoning process, it will need to come back to Council for the Hillside Development Permit Application, it is at this time the finer details of slopes and how to build on them will be determined, though a significant amount of investigation and work has been completed to date. The project may require hillside protection and restoration covenants which will restrict development on steep slopes, require retention of existing vegetation and re-establishing native vegetation on disturbed areas which we are prepared for.

We look forward to providing the HDP at the appropriate time.

Environmental Development Permit Area – Environmental Assessment Area

We are very proud to present a proposal for low density housing that preserves 76% of the total land as undisturbed. We anticipate that in creating 33 land parcels for low density housing, alongside the many other economic and social benefits to Penticton, we will only need to disturb 19.50 acres of 82.5 acres of land.

1530 Reservoir Road falls under the Environmental Assessment Areas ("EAA"), as per the City of Penticton mapping. The EAA are applied to potentially environmentally sensitive areas to ensure that environment values are considered in development planning. We did not want to wait until further down the line to consider these crucial issues. This is why we engaged Wildrock Environmental at the beginning of our design process to ensure that the majority of the site is kept as undisturbed and natural areas. Wildrock Environmental has provided a Technical Memorandum which is required to facilitate the rezoning process, prior to the Environmental Development Permit ("EDP") and subdivision.

We look forward to providing the EDP at the appropriate time.

6


DEVELOPMENT IMPACT
DISTURBED AREA (19.500 acres)
UNDISTURBED AREA (62.97 acres)

PROPOSED DEVELOPMENT

We have created an expert team to ensure that our development incorporates best practices, progressive thinking and relevant experience.

Team

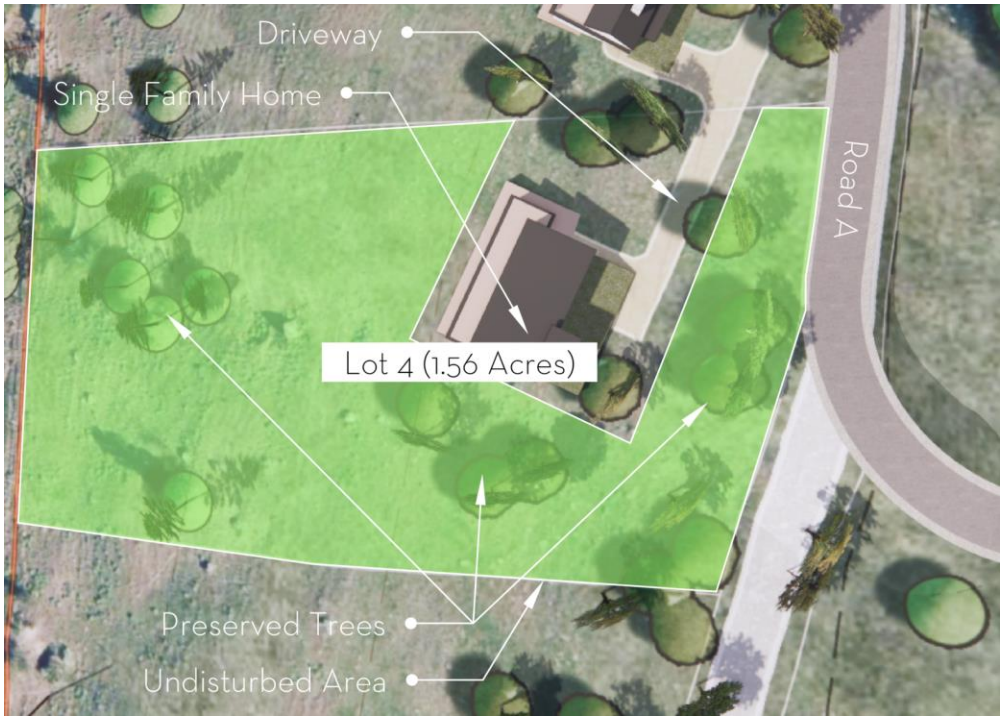
The project is managed and owned by a local group of investors with an extensive resume of experience in real estate and construction in the Penticton area and greater region. A number of professionals have been engaged by management to provide expertise in a number of different fields:

1. Master planning and neighourhood design – Ekistics
2. Civil – Water, Sewer Storm – McElhanney Engineering Services
3. Environmental – Wildrock Environmental
4. Wildfire Interface – Swanson Forestry Services
5. Financial Impact Assessment – Urbanics

Vision (Typical/Standard Lot)

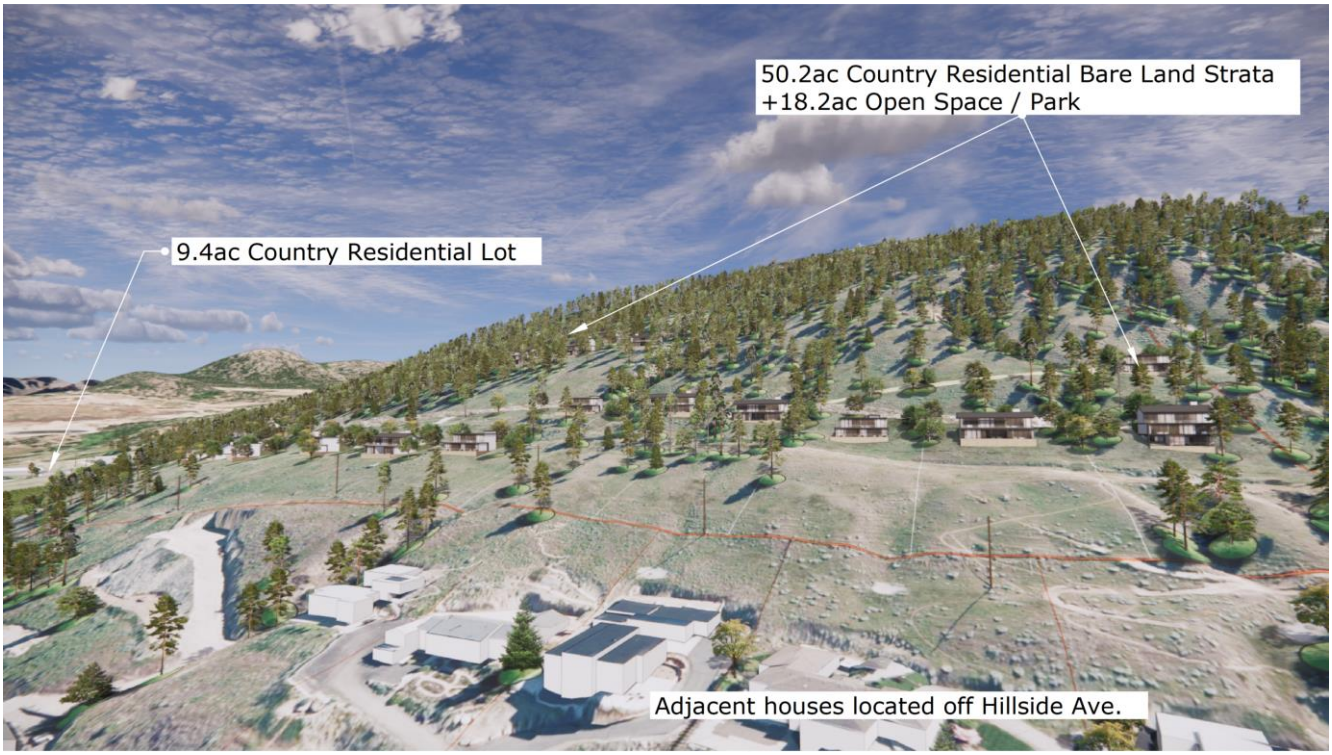
We have designed our lots to ensure significant preservation of natural areas and wildlife corridors.

- All lots are minimum 1 acre ranging from 1.05 acres to 5.22 acres.
- Each lot will be minimum 45m (148ft) wide with minimum front yard setback of 9.0m (30ft) and side yard setback of 4.0m (13ft) – critically this means that no two houses will be closer than 26ft apart allowing for significant preservation of natural areas and wildlife corridors.
- Below is an illustration of a typical lot with a 2,500sf single family home located on the lot. It is expected that approximately 70-80% of this site will be left undisturbed, similar to the other parcels.



Illustrated Views





Architecture

Our architectural style will take its cues from the land, resting on the natural terraces, with building forms and orientation responding to the local semi-arid climate, views and the surrounding nature.

> ***This will be "authentic" Okanagan architecture. Architecture will create a living space for people that honestly reflects their lifestyle, needs, values and vision. - Ekistics***

While we appreciate that design and construction of the homes falls outside of the parameters of this application, we believe that the style of architecture is critical to ensuring that our development enhances the overall aesthetic appeal of the surrounding area. For this reason, we are ensuring that there will be registered design parameters on all land parcels to keep the natural beauty of the site and reduce the visual impact on the hillside when viewed from the Naramata Bench and other areas in the Penticton area. Some examples of the strata rules and bylaws we will impose include building heights, roof pitches, in addition to setback garages, limitations on retaining walls, landscaping and promote xeriscaping/native plants and natural areas.





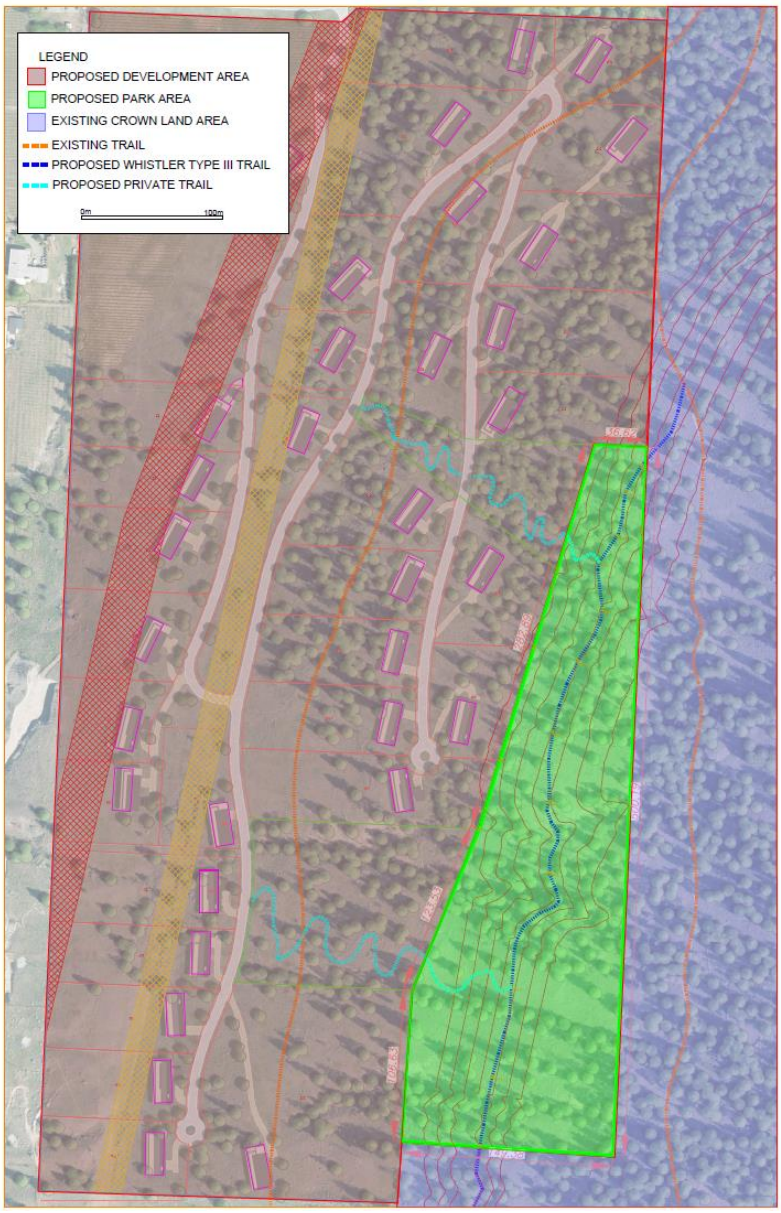
Parks & Open Space

Many of the parties involved in this project have personal ties to the mountain and area. We understand how important of an asset Campbell Mountain is to our community as a recreational site for locals and tourists.

To complement the existing recreational opportunities in nature, we are proposing to provide 12.36 acres of new park land and open space.

We will work with Penticton Area Cycling Association and the City to ensure that the few trails that need to be relocated are thoughtfully moved to a new permanent location. In addition to the relocation of existing trails, in the illustration to the right, there is a large portion of the site that will be dedicated as park and open space (Green). There will be roughly the same number of existing trails which will be disturbed from development replaced with new trail in the park and open space area.

More details have been provided to staff in a supplemental document titled 1530 Reservoir Road Dedicated Park and Amenity Park Plan



Financial Impact Assessment

A Financial Impact Assessment has been performed by Urbanics Consultants Ltd. it gives a detailed report on job creation, development cost charges collection, property tax collection and a valuation of the park land. These findings are summarized as follows:

Job Creation

It is estimated that there will be 677 jobs created, 373 will be direct jobs (construction jobs), 191 will be indirect jobs (supply/construction materials jobs), and 113 will be induced jobs (jobs produced due to additional direct and indirect jobs).

Development Cost Charges Collection

The DCC's collected by the City for this development at the current rates will be $524,600. We have been involved in the current DCC review process and it is our understanding that this project will fall under the new DCC rates. In the case the total DCC's collected are estimated to be $593,000.

Property Tax Collection

Applying the current residential tax rates this project arrives at approximately $10.6 million (undiscounted) being produced for the City of Penticton over the next 20 year period or $530,000 per year.

Parkland Valuation

As per Urbanics report the Park land has been valued at 125,000 per acre which results in a total valuation of the dedicated park land of $2.27 million.

SERVICING AND ENGINEERING

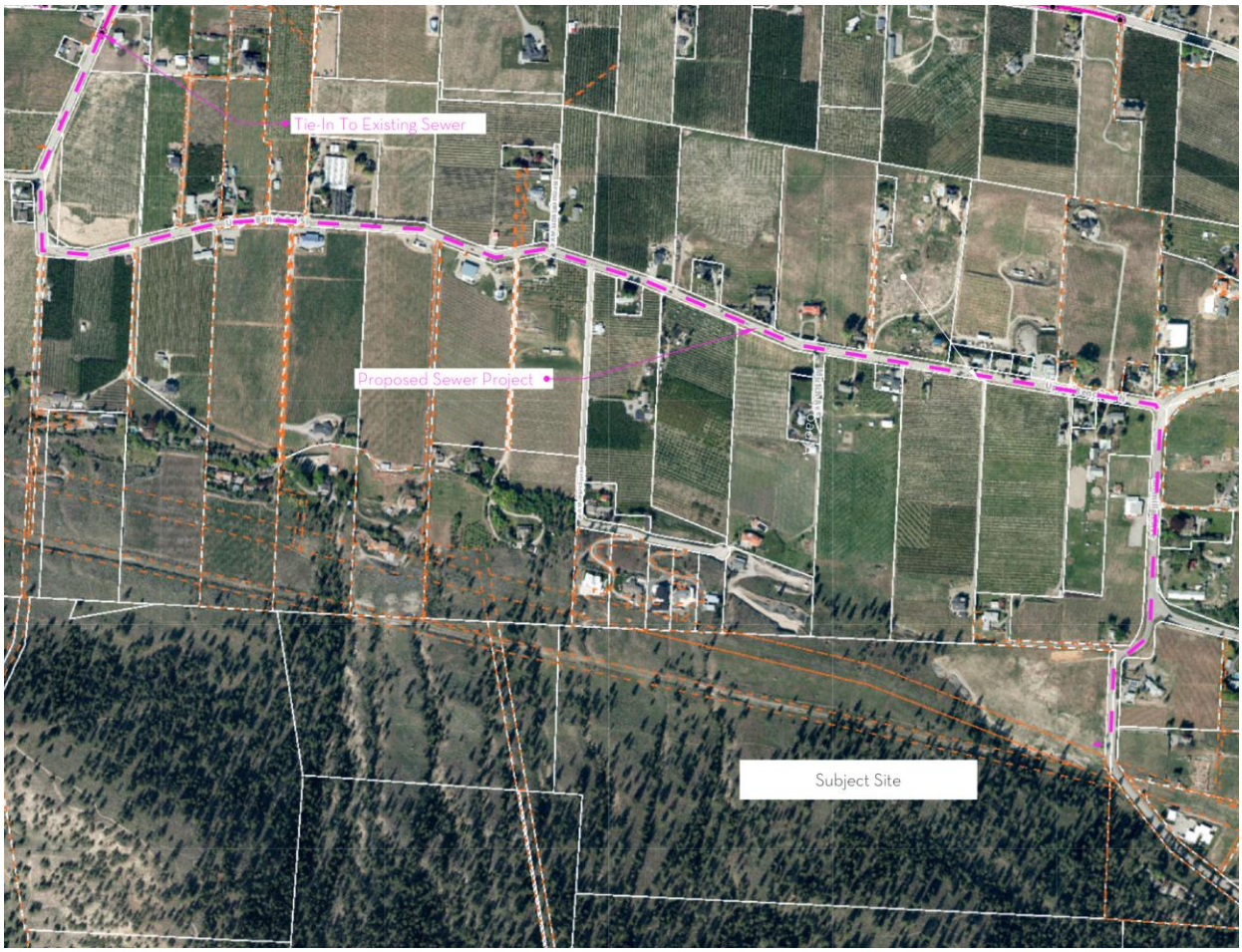
Civil

Water

Extensive water modelling and engineering have been completed to date. It is anticipated that the entire development will be serviced with City of Penticton domestic water. This will be achieved by installing booster pumps at the northwest portion of the parent parcel, to a reservoir onsite, then servicing all the houses within the bare land strata. The onsite water infrastructure will be 100% owned and operated by the strata, there are no significant offsite water improvements required for domestic water and fire flows.

Sewer

The intention will be to service all lots with septic. Each lot meets the minimum requirements by Interior Health for individual septic tanks and fields. Although this is the current strategy, it is feasible to run the sewer from Johnson Rd. along Upper Bench Rd., MacMillan Ave. and finally up Reservoir Rd to the subject property north property line. Subject to the City of Penticton's capital works projects this will be a hugely beneficial solution to this project and the surrounding areas. An illustration of these extensive offsites is below, the estimated costs to be born by the developer are in the $2.5M-$3.0M. This proposed sewer project would allow for an additional 50 existing parcels to tie into the City sewer infrastructure and eliminate their aging septic systems.

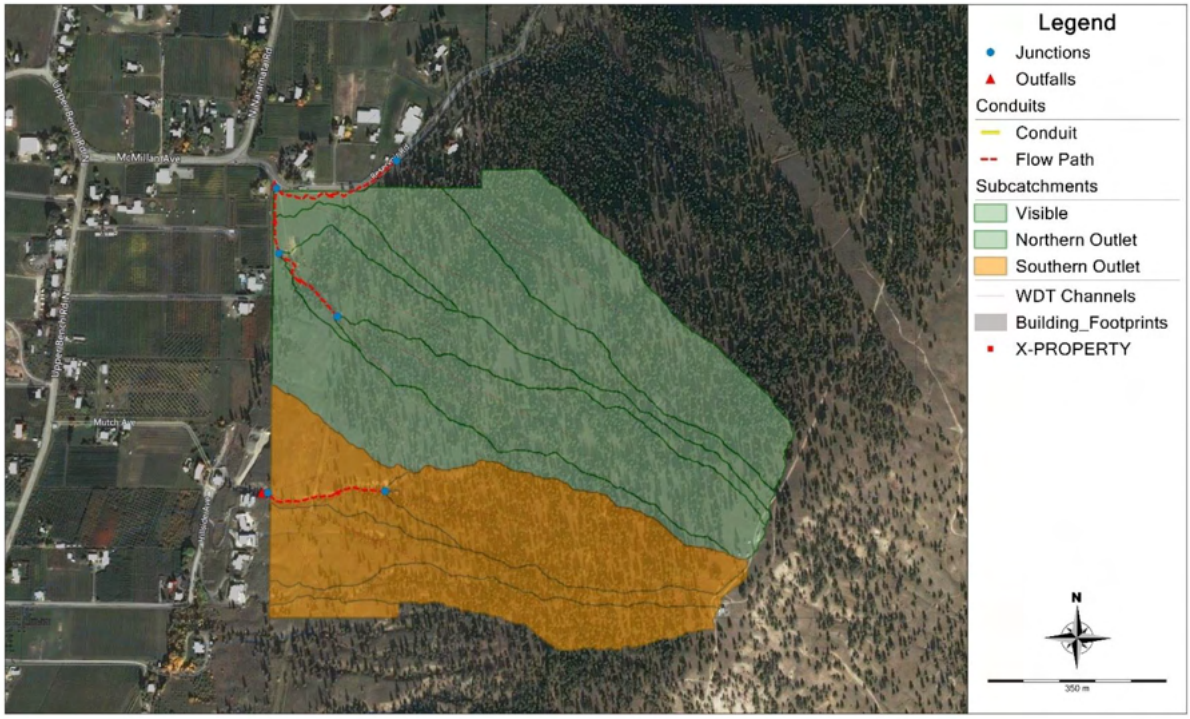


Storm

Preliminary storm water management studies have been completed by McElhanney. The City of Penticton Subdivision and Development Servicing Bylaw #2004-81 requires the following design criteria:

1. Minor systems to be sized for the 1:5-year event
2. Major systems (overland) flows to be sized for the 1:100-year event
3. Run-off flows from the subdivision or development must be limited to the 1:5-year return period pre-development runoff condition
4. Existing facilities which are undersized or inadequate to accept additional drainage must be defined for upgrading to accommodate the appropriate development design flows.

All the above design criteria will be met by this new development, storm water infiltration will be investigated and utilized where feasible, and recommended by the geotechnical investigations and slope conditions. Below is an illustration of the pre-development runoff conditions.



Electrical

City of Penticton electrical will be provided to the site with upgrades to the existing infrastructure in the area from Naramata Road. Final designs for the electrical infrastructure for the site will be finalized during the subdivision process.

Gas

All sites will be services with gas from FortisBC, existing gas infrastructure is close to the parent parcel boundary in Reservoir Rd. The high-pressure gas main that runs through the site will not be tied into to serve the development, nor will any works be done during construction that may cause harm to the pipe. Extensive precautions and methods will be used to ensure the gas lines safety.

Transportation

Minor traffic improvements will be required for the proposed development. A new left hand turn will be added to the corner of Reservoir Rd and Naramata Rd. There will also be new asphalt from Naramata Rd. to the entry of the new development which is approximately 220m from Naramata Rd. along Reservoir Rd.

Geotechnical

A full geotechnical assessment report has been completed by Interior Testing Services Ltd. Their findings are summarized below in two separating areas of the site, first is below the gas line (west) and second is above the gas line (east).

Soils up to the gas line (lower portion of the site) have been very favourable for residential development. There is approximately 6"-12" of organics at the top followed by ±5m of structural fill. It appears that all the materials cut on site can be used as structural fill elsewhere on the site for building site and roadways. The elevations of the bedrock discovered below the structural fills is deep enough to not interfere with the proposed sewer and water.

On the upper portion of the site, above the gas line, soil investigations have proven that there is shallow bedrock present from 1ft. to 6ft. below the surface. This allows for very stable building conditions.

Wildfire Area Interface

In September 2020, Swanson Forestry Services performed a Wildland Interface Fire Hazard Assessment ("WIFHA") for the previous land owners. The site was assigned a High Wildfire Behavior Threat Class Rating. The high rating could be mitigated following development of the lands due to:

- There will be property owners on the portions that are developed that can respond to the event of a wildfire.
- Emergency response and exit could be enhanced by roads that will service the area. These roads will act as a fuel break for wildfires.
- Increased access to the development of the property will also help to reduce the response time if there is a wildfire.
- Some dry shrubs and grasses could be replaced with landscaping. Proper maintenance by property owners will also reduce the fuel loads.

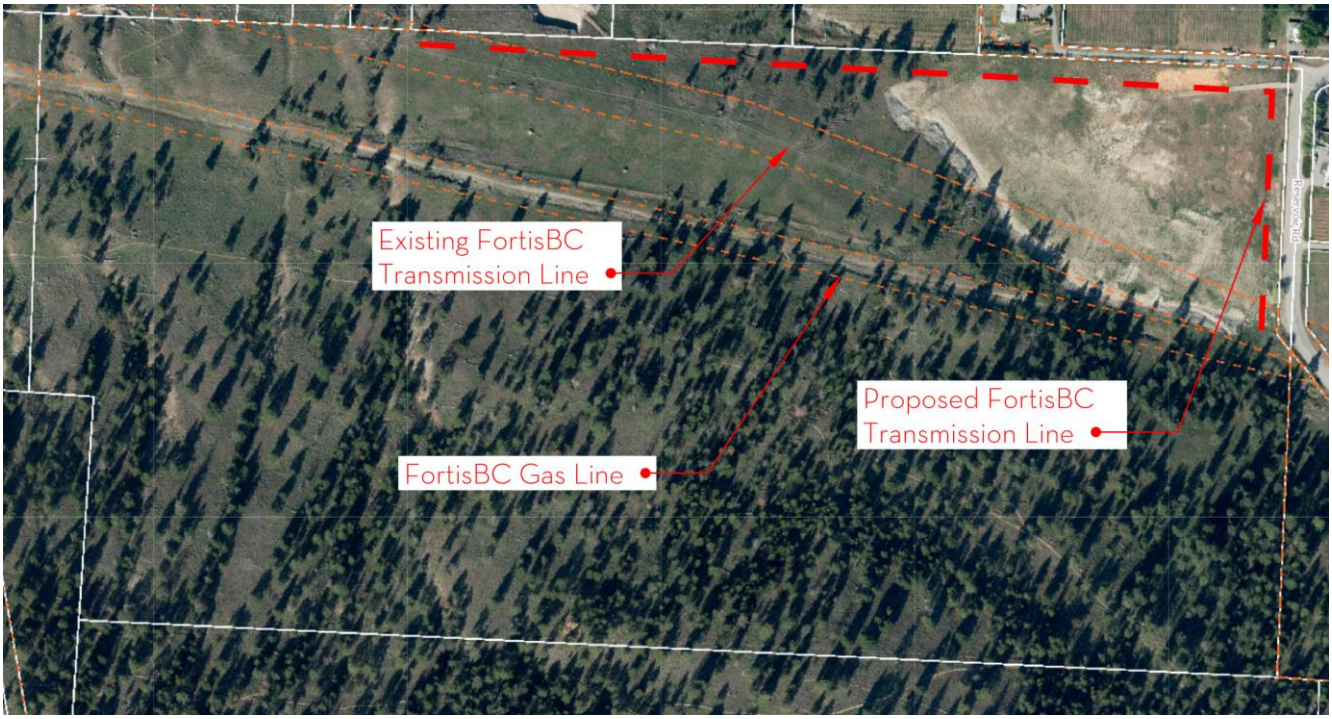
Additional fire hazard mitigation work could be performed as required:

- Removing ladder fuels up to 2.5-3 meters on mature trees
- Spacing and tree removal in the northeast portion where there are denser patches of immature trees
- Trees should be spaced so that the distance between the crowns is 3-5 meters. Smaller trees, under 2 meters in height could also be removed.

High Voltage Transmission Lines and FortisBC Gas Line

As illustrated on the image below there is a High Voltage Transmission Line ("HVTL) that crosses through the site and a High-Pressure Gas Line ("HPGL"). Preliminary conversations have been had with FortisBC, both the electrical department and the gas department. The current plan is to relocate the HVTL to the west property

line of the subject site. There will be an access road provided for FortisBC to access each pole resulting in a net benefit to the rate payers than the existing condition. The gas line will remain as is and all work and crossings will confirm with FortisBC and the Oil and Gas Commission Act.



EARLY COMMUNITY INPUT

During the last year we have been observing concerns of the local community over other development applications in the area.

We have listened carefully to the many issues raised by local residents and have incorporated resolutions into our planning at a very early stage.

Below is a comparison table of the previous concerns on other sites and how they have been addressed with our subject property.

Solutions to Local Concerns

The following table presents concerns voiced publicly by the Society to Preserve the Naramata Bench (the Society) and our solutions

Concerns	**Comments by PNB**	**Reservoir Rd. Solution**
Health Concerns	Proposed homes located too close to municipal solid waste are exposed to pollutants such as methane, carbon dioxide, hydrogen sulfide and others.	Subject site is located over 1km away from the nearest point of the RDOS Landfill. 2-3x the distance of Vinterra
Environmental Concerns	Higher density will endanger wildlife including amphibians, reptiles, mammals, and birds all species at risk. Most of the site is ESA1 or ESA 2.	We will preserve majority of ESA1 and 2 areas. Statutory Building Scheme will address this on title.
Community Economics	Increased costs to taxpayers for services, road maintenance and more	By creating a bare land strata all the infrastructure is the responsibility of the strata in the future. Therefore, other than improving existing infrastructure there should be no significant future impacts or costs to CoP taxpayers.
Agricultural Concerns	Many of the lands below are in the ALR, this development will negatively impact the watershed required in the lands below.	Low density development significantly reduces the risks compared to high density development on hillside land. We will also take proactive steps to mitigate this issue through land preservation to help minimize issues on the watershed.
Tourism Values	The proposal will hurt the image of the premiere wine destination. Will negatively impact the climate and geology conditions.	Development is in keeping with the aspirational Okanagan living and architecture. Will set the bar for sustainable development and showcase Penticton's progressive approach to

		development to visitors and other communities. The potential opportunities for parkland development could strengthen the tourism appeal with the provision of a beautiful natural setting to take in the views and enjoy locally sourced picnics.
Sustainability	Land conservancies preserve land for future generations, protect our food and water supply, purify our air, provide habitat and strengthen communities.	Low impact, sustainable development will be a big part of the project. Construction will be required to adhere to minimum Step 3 BCBC and solar ready. Each home will have access to nature. Homes will be clustered near roadways to limit disturbed area. We will leave natural as many trees, plants, rocks, and outcrops while integrating into our designs. We will follow natural topography rather than clearing and leveling the site. Finally, we will create synergies between human and wildlife throughout the lands combined with limited fenced yards and native plantings.

Penticton Indian Band

We have already engaged the PIB to complete a Reconnaissance Survey. We wanted the benefit of their feedback early on (rather than waiting until after the rezoning application, as is typical) to maximize our ability to consider the needs of this important stakeholder.

APPENDICES

Appendix A – Land Use Plan



Appendix A – Official Community Plan Policy Review

Policy 4.1.1.1	Focus new residential development in or adjacent to existing developed areas • Immediately to the west of the subject site is Country Residential uses. There is also residential and agricultural use to the north.
Policy 4.1.1.2	Avoid development in environmentally-sensitive areas, geological hazard and flood hazard areas, on steep slopes, in agricultural areas and in areas not readily served by transit. • Environmental, geotechnical, wildfire and riparian consultants have been engaged to determine the proposed strata subdivision layout. The large lots of the proposed strata subdivision maintains a substantial area of the parent parcel as common property and undeveloped.
Policy 4.1.1.3	Evaluate the short-term and long-term financial, ecological and social costs and benefits of all proposed new greenfield (largely on hillsides) development proposals through analysis of full life cycle costs of infrastructure, including replacement, and services, and structured assessment of environmental and social impacts. • This proposed development was considered through the development of the OCP. A financial impact assessment has been completed by Urbanics and is summarized in this report.
Policy 4.1.2.10	Monitor vacation rentals to ensure they do not have a negative impact on the long-term rental stock or negative social impacts on existing neighbours and/or neighbourhoods. Define vacation rental policy and regulations if necessary. • Short term vacation rentals will be restricted by the Strata (another benefit to a Bare Land Strata)
Policy 4.1.1.4	Ensure all new developments fully cover the cost of the required infrastructure and services they require, including roads, water, sewer, storm water, and provision of parks, schools, and emergency services. • The developer is responsible for infrastructure services related to the proposed development. Financial impact assessment included previously in this report.
Policy 4.1.3.2	Increase housing options in low-density single family areas through development of secondary suites and carriage houses, and ensure carriage houses are sensitively integrated and designed according to the Intensive Residential Development Permit Area Guidelines. • Carriage houses and secondary suites will be permitted with strict design guidelines. Due to the nature of the sites and length of design process, permanent carriage houses will be encouraged to get owners to live onsite in their secondary dwelling while the primary dwelling is designed and constructed.
Policy 4.1.3.4	Encourage developments that include one-bedroom and two-bedroom units in suitable neighbourhoods to enable people to downsize as they age and to provide entry-level housing for those people entering the housing market. At the same time, provide 3-bedroom units, or larger, to accommodate families. • The proposed strata subdivision will consist of single detached dwellings, with the opportunity for secondary suites. These housing types provide options for families, renters, and multigenerational households.
Policy 4.1.4.1	Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.

	• The developers and their contracted professionals have designed the proposed strata subdivision in relation to its context. The disturbed area is expected to be only 19.5 acres out of 82 acres. The development area was also reviewed by the professional team and the disturbed areas have been selected accordingly.
Policy 4.1.4.2	Ensure that housing – both owner occupied and rental – is well-managed and meets community expectations for standards of maintenance, upkeep and cleanliness. • The proposed development is a strata which will maintain the common property on the lot and maintain strict bylaws on maintenance, upkeep and cleanliness of all building lots and common area.
Policy 4.1.5.4	Ensure that all new neighbourhood developments and redevelopments of existing large sites, including bare land stratas, are fully integrated into the surrounding community through publicly accessible roads, sidewalks, trails and public park lands • Trails, park land and open space will be made available to the public throughout the dedicated park land and has the potential to make Campbell Mountain recreation area more accessible to younger and older demographics.
Policy 4.1.6.1	Ensure all residential neighbourhoods in Penticton provide a range of appropriately scaled housing types and tenures, employment opportunities such as home-based businesses, transportation options like walking and cycling, social supports such as childcare facilities, and access to green space and parks. • The proposed rezoning allows for single detached dwellings with the opportunity for secondary suites. These housing types provide ownership and long-term rental options for residents, as well as the opportunity for multigenerational households. The dedicated park will act as a 18 acre amenity space for the residents and the public.
Policy 4.1.6.2	Increase the supply of neighbourhood amenities, such as pocket parks and trails, for the use, enjoyment and social benefit of the surrounding community as residential intensification occurs • 18 acre dedicated park for public use with relocated trails. The strata will outline non-disturb areas that will place limits on fencing and other construction that will hinder connectivity through the site.
Policy 4.2.2.3	Enhance and expand the trail and pathway network through capital funding for upgrades, land acquisition, wayfinding, public art, safe street crossings, and by connecting existing trail systems and establishing trail linkages in and through new neighbourhoods. • This development, from the beginning, has had trail connectivity top of mind. Conversations have been had with homeowners to the West of the property and connections for them to trails up the mountain they've used for years will be made a priority. Furthermore, Campbell Mountain bike trails are enjoyed by many involved with this project and every attempt will be made to preserve and relocate those trails as this development progresses. Undeveloped land is being considered park land and may become part of the Campbell Mountain Park area.
Policy 4.2.7.1	Design streets so as not to encourage speeds beyond the intended speed limit. Where speeding is an on-going concern, consider reducing street widths or employ other design approaches to encourage lower speeds. Refer to and amend the City's Transportation Safety Policy as necessary. • The street providing access to the homes will be a strata road which provides benefits on this front. The road will have more grade and direction changes that will encourage drivers to slow down. The road has been designed to meander it's

	way up the slope aiming to minimally disrupt the landscape which creates a very attractive road that also encourages slower traffic speeds.
Policy 4.2.7.8	Ensure new residential developments provide an appropriate amount of parking for residents and their guests. • The Zoning Bylaw requires 2 parking space per single detached dwelling, with one additional parking space if a secondary suite is constructed in the single detached dwelling. This will also form part of the strata bylaws.
Policy 4.3.4.1	Foster collaborative working relationships with the Penticton Indian Band and regional, provincial and federal agencies and organizations. • Penticton Indian Band has been contacted for environmental and heritage consultation very early in the project and their concerns and recommendations have been considered in the development plan and disturbed areas. Wildrock Environmental has been contracted and has provided a preliminary report on the Environmental strategies. FortisBC has been contacted and involved with this project from the beginning as there is a large gas main running and transmission line running through the subject property. They have been heavily involved in the site investigations and consulted on the acquisition and installation on an air bridge for equipment to cross the gas line and continue investigative works. Continued collaboration with all interested parties will be ensured throughout the duration of the project.
Policy 4.3.4.2	Support the economic and cultural growth of the Penticton Indian Band. • Similar to 4.3.4.1 the design of this development has included many of the culturally rich areas highlighted in the PIB Reconnaissance Survey
Policy 4.4.1.1	Protect neighbourhoods and agricultural areas in wildfire interface areas, and the city at large, through implementation of wildfire best management practices, such as ecologically appropriate FireSmart, in new neighbourhood and infrastructure design, building construction and the management of individual properties. • The applicant is aware of FireSmart practices, which guide the strata subdivision configuration and future building materials. A report has been completed by Swanson Forestry Services and summarized in this application.
Policy 4.4.1.6	Minimize exposure to future flood damage by avoiding or minimizing development in the floodplain and in areas affected by groundwater, developing these lands for less-sensitive uses (e.g., parks and greenspace) or, when development cannot be avoided, implementing flood mitigation measures. • Flood damage will be mitigated in this development by limiting developable areas and the large parcels (min. 1 acre). Retaining much of the native vegetation will stabilize the slopes and slow storm water flow. Stormwater flow has been analyzed and due to the East/West sloping nature of the site the road will be designed to stop overland water flow and redirect to engineered disposal areas. Areas not able to be caught by the road will be designed to ensure that neighboring properties will not be affected. On site ravines have been observed throughout the project and while water has never been observed in these areas, they have been identified as non-disturb areas to maintain natural flood management.
Policy 4.4.2.1	Identify environmentally sensitive areas and riparian areas, and protect them through application of the Environmental and Riparian Development Permit Guidelines. • An Environmental Development Permit is required as a condition of strata subdivision, should the rezoning be approved. We have provided Environmental

	Assessment Reports which have led to the proposed strata subdivision layout and configuration.
Policy 4.4.2.2	Identify, preserve, protect, connect, restore and enhance wildlife corridors through land use designations, zoning and covenants. • Preliminary environmental reports have guided the proposed strata subdivision into the current configuration. An environmental buffers and wildlife corridors have been included in the developments design.
Policy 4.4.2.4	Recognize the value of urban trees to store carbon, reduce water run-off, buffer windstorms and mitigate summer heating impacts. • Retention of trees and natural landscaping has been made a priority for this project. Trees are only removed where necessary for road and building area construction which will help to mitigate high winds that the area sees and will result in lower temperatures and less run-off for the area. Further landscaping will occur following development to increase the attractiveness of the area and further capitalize on the many benefits of the urban forest.
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. • All homes will meet minimum BCBC Step Code, Step 3.
Policy 4.4.4.5	Explore and support initiatives to produce renewable energy, such as photovoltaic/solar (solar gardens, large and small-scale installations), heat exchange, geothermal, and district energy systems. • Solar arrays will be permitted, the south and west exposures are favourable for this. Heat pumps will be encouraged through the Design Guidelines.
Policy 4.4.5.2	Encourage water reduction strategies in new development, such as low-water landscaping (e.g., xeriscaping), “gray water” re-use and efficient plumbing. • Design guidelines will be registered on title and form part of the strata bylaws. Irrigated areas will be restricted, natural areas will be required and xeriscaping will be encouraged.
Policy 4.5.1.5	Consider establishing buffers including distance setbacks, landscape buffers and fencing requirements to minimize conflicts between agricultural and other land uses (e.g., residential or commercial). • All neighbouring agricultural properties have existing fences and these fences will be required to be maintained by the strata laws. The Country Residential zoning has large setbacks which allows for large landscape buffers. Individually fenced yards will be restricted to certain areas to allow for wildlife to navigate the property.
Policy 4.6.1.1	Partner with the Penticton Indian Band to support and promote Syilx/Okanagan First Nations culture and heritage in Penticton • As per the Reconnaissance Survey we have modified our layout to incorporate expected culture and heritage sites. We will also be including educational signage throughout the area to educate the population on the history, heritage and culture of the site.
Policy 4.6.1.2	Create a more visible Indigenous presence in the city through public art, signage and place-naming, and recognition that Penticton lies within the traditional territory of the Syilx/Okanagan people

	• Working with PIB we will install educational signage through the site highlighting areas of interest and history with PIB such as the ravines being labelled as cecwixa and labelling plants such as siya.
Policy 4.7.1.1	Adhere to the Parks and Recreation Master Plan minimum active park land ratio (2.5 hectares of active park land required per 1,000 population) to serve the existing and future population, through dedicated use of City land and strategic land acquisition as required. • Potential for the City of Penticton to acquire 18 acres (7.4 ha) of park land.
Policy 4.7.1.3	Protect parks as public assets through implementation and adherence to key City bylaws and policies, and particularly to the Park Dedication Bylaw, Zoning Bylaw and Park Land Protection & Use Policy • Currently there are a number of hiking and biking trails located on the subject property, resulting in public trespassing. We will work with PACA and other groups to ensure proper relocation of these trails on dedicated City Park land. Which will be donated at upon completion of the project and subdivision.

Appendix B – Hillside Development Permit Area Policy Comparison

HILLSIDE GUIDELINES

- Potential hazards and hazard areas including indicators of slope stability hazards or concerns
- Property lines, easements, rights-of-way
- Natural pre-development site contours
- Geotechnical Assessment
- Existing human-made features such as roads, curbs, sidewalks, utilities, trails, buildings, structures, fences and retaining walls
- Natural physical features including but not limited to knolls, ridgelines, rock outcrops, surface and ephemeral watercourses, seeps, springs, gullies, ravines, and cliffs
- Prominent views
- Identification of significant environmental attributes
- Tree inventory

DEVELOPMENT CONCEPT PLAN

- The proposed site plan outlining the location of roads, shared driveways, lanes, major utility features (mains, pump stations, reservoirs, detention ponds, etc.), lots, building envelopes, parks, trails and open spaces
- Grading concept plan including identification of proposed large cut and fill areas

DESIGNING IN CONTEXT

HS1 Hillside development applications shall identify significant on-site and off-site natural features:

a. Environmental Assessment - *Completed*

i. Prior to site planning and subdivision, development proponents must retain a Qualified Environmental Professional (QEP), Qualified Professional Geotechnical Engineer (Geotech), Registered Professional Forester and any other required Registered Professional to analyze and map the existing natural features and functions of the hillside area to identify and describe:

1. Environmentally Sensitive Areas (ESAs)
2. Wildlife corridors
3. Geological features (steep slopes, ridges, knolls, outcrops, gulleys etc.)
4. Significant vegetation (large trees, patches) and riparian features (streams, wetlands, springs)

ii. These shall be compiled into a composite geotechnical hazard and environmental basemap that forms the starting point for site planning.

b. Hazard Assessment - *Completed*

i. Site plans should be designed to preserve the important natural features, such as rock outcrops, watercourse, and ravines as identified by the QEP, and provide adequate space for buffering

HS2 All development within the Hillside Development Permit Area shall be under the direct supervision of a Geotech

A Geotech is mandatory in Penticton. Reporting has been completed and regular additional reporting will be performed during the entire process. Interior Testing Services did their first

report in the area in 2007 and are very familiar with the subject property and surrounding area.

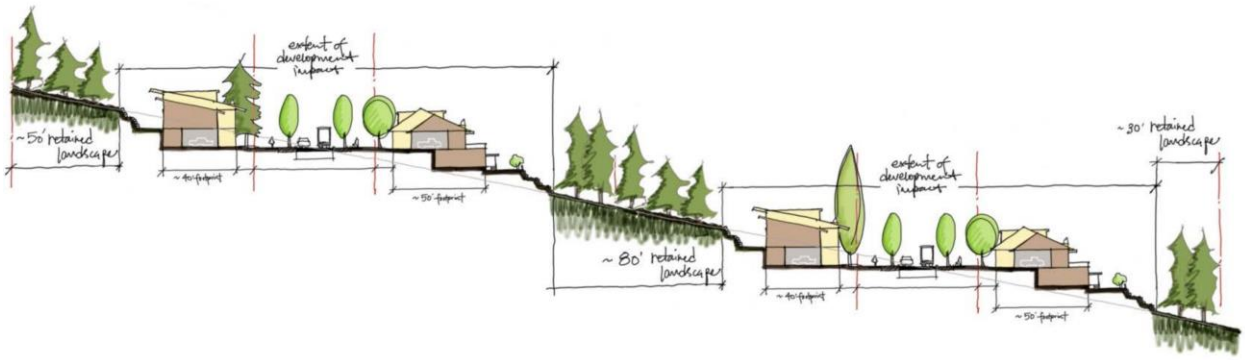
HS3 Integrate assessment of wildfire behaviour (e.g., fire movement and topography) in hillside development planning and integrate ecologically-appropriate FireSmart principles at the neighbourhood-wide and site levels.

A Wildfire Assessment Report was done in 2020 on the subject property for the previous owners. As noted in the report and in addition to, we will create design guidelines, statutory building schemes (registered on title) to integrate FireSmart principles into the design process and ongoing maintenance plans of the bare strata (this is another advantage to the bare land strata format over freehold).

HS4 Development shall integrate parks & open space design in site planning to capitalize on scenic view opportunities – 18.18 acre park and open space planned in the proposal

HS5 Planning for hillside environments should consider opportunities to integrate development into existing landscape functions whereby:

a. ESAs are avoided - No ESA 1's defined on the site and very limited disturbance will be done in ESA 2 areas.
b. Natural areas further buffer and connect landscape features, provide recreational amenity (trail corridors) and compliment active parks – All these items listed are incorporated into the park and open spaces
c. Landscape retention reduces visual impacts within development areas – Hillside and surface scarring will be minimized. Natural landscaped areas are to be retained where possible.



HS6 Retain the greatest possible hillside are in its natural condition. In addition to protecting environmentally-sensitive and riparian areas developers should retain a target of 30% of the natural landscape in its existing condition and grade, and/or achieve a similar outcome through a restoration plan that mimics the natural slope and prioritizes ecologically-appropriate revegetation



a. Avoid develop or reduce density on the steepest slopes and cluster more density on flatter areas to reduce impact – Achieved with the proposed design
b. Retain and enhance significant natural scenic features, such as gullies, rock outcrops and knolls – Achieved with the proposed design
c. Create larger side yards and backyards and leave these in a natural state – Achieved with the Country Residential Zoning
d. Avoid development of engineered flat individual building lots; and instead preserve natural topography (E.g. as part of the backyard) – Achieved with the proposed design
e. Apply low-impact development design such as shared driveways and narrower street standards, sidewalks on one side, separated sidewalks etc. – Achieved with the proposed design
f. Careful route roads along natural site contours to minimize unnecessary cut and fill – Ekistics has allowed the road and building sites to be proposed following the natural slope of the site.

HS7 All house sites shall be identified and surveyed and lots pre-graded at the time of subdivision registration to ensure that the grading plan works and achieves the objectives in HS6 – Confirmed



HS8 Consider views by offsetting lot lines to allow for views of mountains and lakes between buildings – Confirmed

HS9 Apply a "lighter on the land" approach to engineering and access to achieve significant reductions in hillside view impacts and landscape scarring through special design requirements for streets in hillside environments, including: narrower streets, reduced on-street parking, and lower design speeds – Confirmed

HS10 Consider increased cul-de-sac lengths with emergency vehicle access to reduce impacts to hillsides in challenging topographic conditions – Confirmed

HS11 Emergency vehicle access lanes shall generally have a minimum hard packed surface width of 4m. Emergency vehicle access lanes should generally be designed to achieve a maximum grade of 11% – Confirmed

HS12 Maximum driveway slopes shall not exceed 20% – Confirmed

Hillside Architecture





Building Orientation and Massing

HS13 Use stepped building forms that retain the slope by building foundations, and low, stepped retaining walls where necessary – Confirmed and will be registered on title and enforced by the strata

HS14 Promote low slung / horizontal architecture that nestles into the landscape and internalizes retaining walls as part of the building design – Confirmed and will be registered on title and enforced by the strata

HS15 Use low-pitched or flat roofs made of non-reflective materials – Confirmed and will be registered on title and enforced by the strata

HS16 Avoid reflective materials and use local, natural materials and colours where possible. – Confirmed and will be registered on title and enforced by the strata

Landscape Architecture

HS17 Keep retaining walls to a maximum of 4' high before stepping back to a distance of a minimum of 4', unless the retaining wall is integral to and integrated with the architecture of the home, in which case it may extend up to 8' – Confirmed and will be registered on title and enforced by the strata

HS18 Retaining walls should use natural-looking textures and natural colours – Confirmed and will be registered on title and enforced by the strata. Retaining walls will have strict rules and guidelines to reduce retaining walls.

HS19 Reconstructed slopes must be replanted with appropriate native plant material to blend with existing/surround hillside setting and to stabilize the soil. – Confirmed and will be registered on title and enforced by the strata

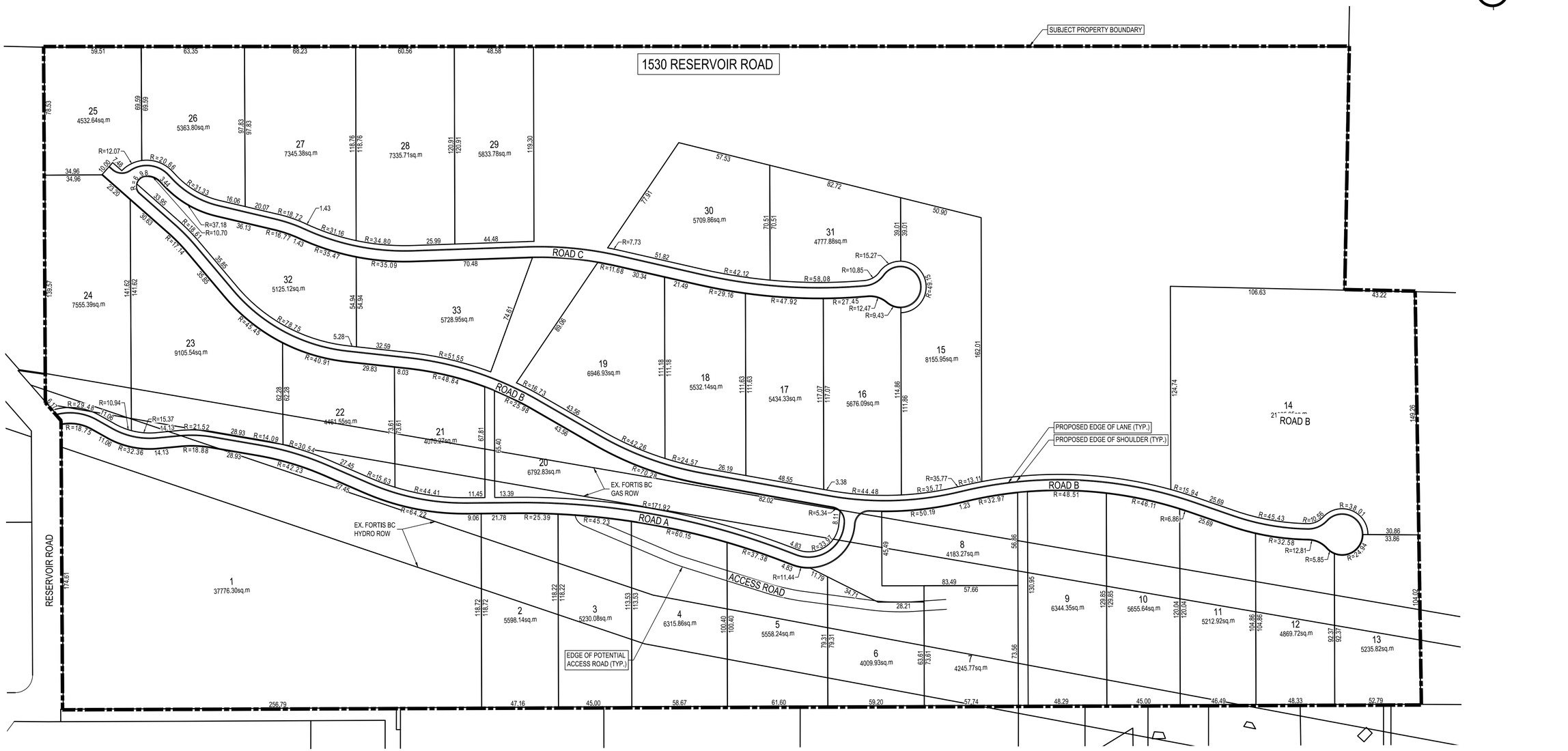
HS20 Street lighting will be provided on hillside streets only at street intersections – Minimal street lighting will be incorporated into the streetscape to avoid light pollution and keep the natural site characteristics.

HS21 Approval of development on natural slopes of more than 30% shall be limited to a lot-by-lot basis. Each home will require a suitable design for the site so as to adhere to Hillside design standards and require:

a. Geotech (prior to approval)
b. Site Grading Plan, consistent with hillside environment,
c. Minimum grading as is necessary for the building platform. Flat yards are not permitted, and
d. Visual impact assessment demonstrating adherence to the above Guidelines

Individual lot building layout plans (survey, geotech and civil) will be provided to purchasers and form part of the purchase and sale agreement. Each lot will have a prepped building site pad at subdivision restricting the area of construction on the site.

Attachment G - Preliminary Subdivision Plan



NOTES:
1. ALL DIMENSIONS AND ELEVATIONS ARE IN METERS UNLESS STATED OTHERWISE.
2. LOT LAYOUT PROVIDED BY PREFOUND PROJECTS ON 2022-07-06.
3. EXISTING LEGAL LINEWORK OBTAINED FROM CoP OPEN DATA.
4. LIDAR SURVEY DATA OBTAINED FROM CoP OPEN DATA.

Rev	Date	Description	Drawn	Design	App'd
PB	2023-01-09	LOT LAYOUT ADJUSTMENTS	MR	MR	LMP
PA	2022-09-14	ISSUED FOR REVIEW	MR	MR	LMP

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0 1:1,250 50

ORIGINAL DWG SIZE: ANSI D (22" x 34")

McElhanney
290 Nanaimo Ave. W
Penticton BC
Canada V2A 1N5
T 250 492 7399

PRELIMINARY NOT FOR CONSTRUCTION

THIS DRAWING HAS NOT BEEN APPROVED AND MAY CONTAIN ERRORS AND OMISSIONS

133032 BC LTD.
210 HASTINGS AVENUE, PENTICTON, BC

1530 RESERVOIR ROAD DEVELOPMENT
PROPOSED LOT LAYOUT
SCALE 1:1250 - SHEET 1 of 1

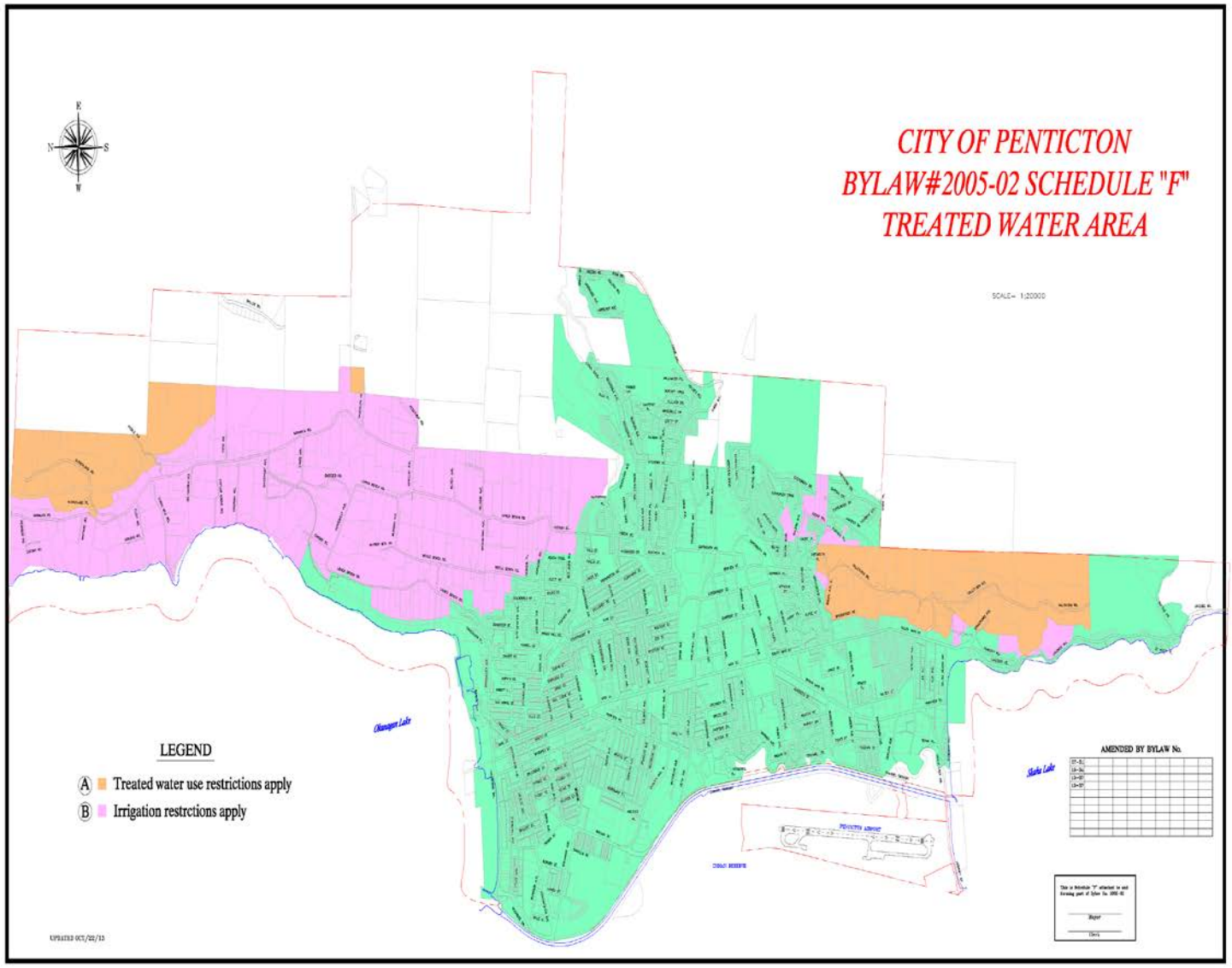
Drawing No. SK-33

Project Number 2422-20384-00 | Rev. PB

DESTROY ALL PRINTS BEARING PREVIOUS REVISION

McElhanney ANSI D - 2021-12-08
DATE: 2022-07-27, 10:46 FILE: \\cont\TAL\COL\D\2422\P - Project\20384-00 133032BC Ltd - 1530 Reservoir Road\10.0 Drawings\Civil 3D Files\Sheet Files\20384-00-C-SK-33-SK-34.dwg

Bylaw 2005-02
Irrigation, Sewer and Water Bylaw - Schedule “F”



Schedule F

The Corporation of the City of Penticton

Bylaw No. 2023-26

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. 2023-26."

2. **Amendment:**

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

2.1 Add the following site specific policy statement to Land Use Designations, Rural Residential

Site-Specific Rural Residential Policy Statement:
1530 Reservoir Road: Allow a minimum lot size of 0.4 hectares, when connected to the municipal treated water system.

READ A FIRST time this	day of	, 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 __ day of _____, 2023 and the __ day of _____, 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

The Corporation of the City of Penticton

Bylaw No. 2023-27

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. 2023-27".

2. **Amendment:**

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

Rezone Sub Lot 10 District Lot 2711 Similkameen Division Yale District Plan 1190, located at 1530 Reservoir Road, from FG (Forestry Grazing) to RC (Country Residential) and P4 (Environmental Reserve) as shown on Schedule 'A'.

2.2 Add the following to 9.3.3 SITE SPECIFIC PROVISIONS:

.2 "In the case of Sub Lot 10 District Lot 2711 Similkameen Division Yale District Plan 1190, located at 1530 Reservoir Road, notwithstanding section 9.3.2.5, the minimum front yard shall be 4.5m."

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

READ A FIRST time this	day of	, 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

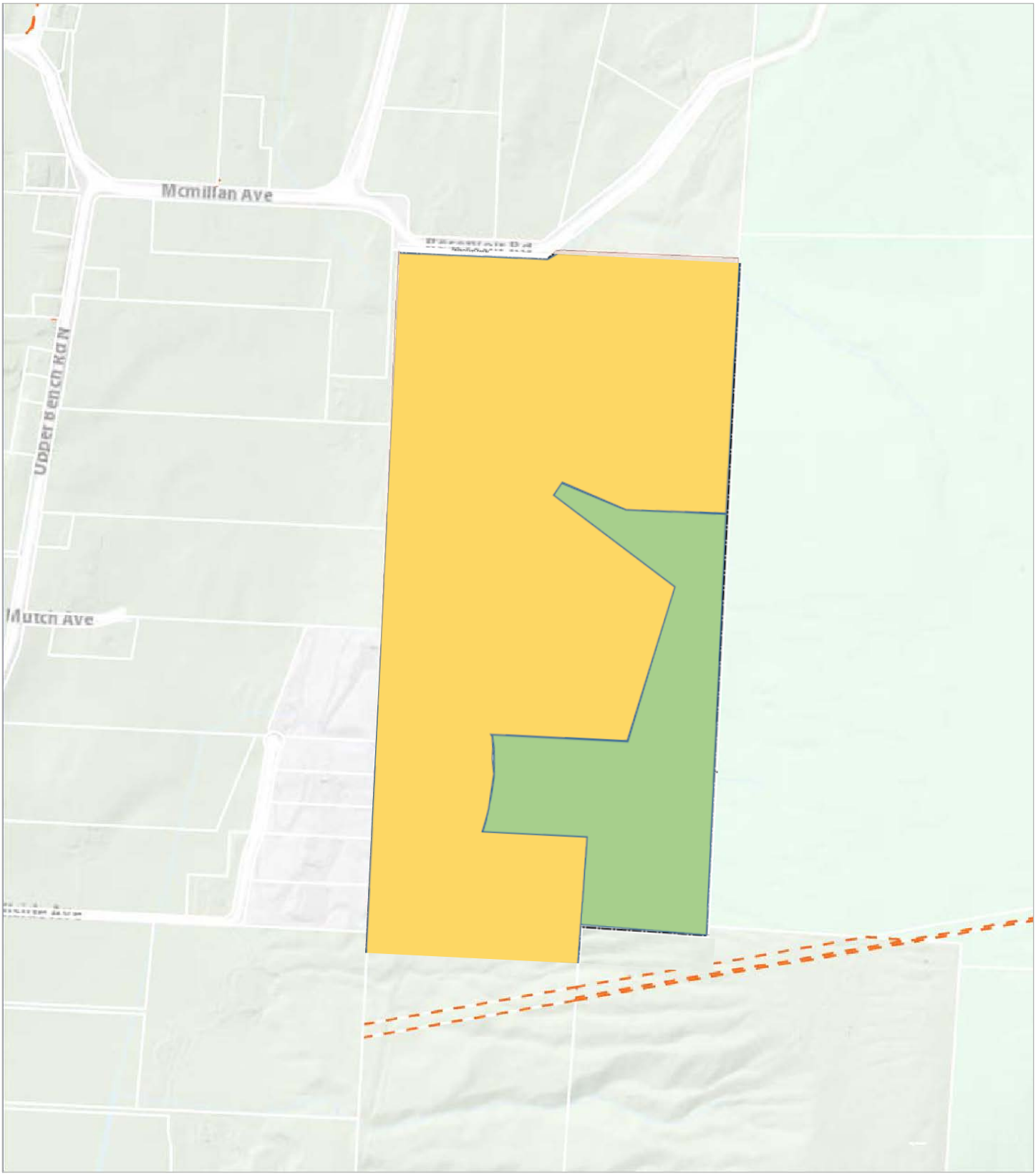
Notice of intention to proceed with this bylaw was published on the __ day of _____, 2023 and the __ day of _____, 2023 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Schedule A: Zoning Amendment Bylaw 2023-27

Date: Corporate Officer:



RC (Country Residential): With the following site specific provision:
Notwithstanding Section 9.3.2.5, the minimum front yard shall be 4.5m

P4 (Environmental Reserve)

Council Report

penticton.ca

Date: July 18, 2023 File No: RMS/960 Railway St
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Senior Planner
Address: 960 Railway Street

Subject: **Development Permit PL2021-9153**

Staff Recommendation

THAT Council approve "Development Permit PL2021-9153" for Lot 1 District Lots 1 and 2 Group 7 Similkameen Division Yale (Yale-Lytton) District Plan 36021, located at 960 Railway Street, a permit to approve the form and character of a 5,487m^2 addition onto the existing Canadian Tire retail store and reconfiguration of the parking lot;

AND THAT Council, prior to issuance of "Development Permit PL2021-9153", approve the discharge of road reserve covenant "KK54366" from the subject property.

Strategic Priority Objectives

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

Organizational Excellence: Support a culture of service excellence built on good governance, leadership and sound financial decisions.

Proposal



Figure 1 - Proposed site plan showing addition area in hatched mark.

The applicant is proposing to construct a 5,487m^2 (59,000ft^2) expansion of the existing Canadian Tire store on the subject property (Figure 1). The new building footprint will mostly be at the south end and at the rear of the existing building. The plans include increasing the retail area from 4,214m^2 to 7,770m^2, increasing the warehouse floor area from 1,849m^2 to 3,509m^2, and a 1,013m^2 outdoor garden centre at the south side of the expanded building. Additional works with this proposal include reconfiguring the parking lot to increase the amount of

landscaping, building a new tire storage facility on the north side of the building next to the garage, and providing more bicycle storage for shoppers and staff.

To facilitate the proposed addition, the applicant has submitted a development permit application for Council's consideration of the form and character of the proposed development. The proposal is considered within the Commercial and Mixed Use Development Permit Area outlined by the Official Community Plan (OCP). The size of the addition is beyond the delegated authority of staff to process the development, therefore it is being presented to Council for consideration.

Background

Property Information

The subject property is located on the east side of Railway Street (Highway 97), south of Eckhardt Avenue (Figure 2). The property is 3.3 hectares (8.1 acres) in size and contains a Canadian Tire store. The store was originally built in 1996 and an addition was constructed in 2005. The store is currently 5,954m^2 in area.

The subject property is zoned C4 (General Commercial) and C8 (Vehicle Service Station) in the Zoning Bylaw and is designated 'Commercial' by the OCP.

At the time that Canadian Tire was originally built on the site, a portion of the property near the south entrance was rezoned to allow a gas station associated with the store. A gas station was never constructed.



Figure 2 - Property location map

Road Reserve Covenant and Easement Discharge

As a condition of approval in 1996, the City negotiated a road reserve covenant through the southern end of the site. The intent of the road reserve covenant was that the City could ensure future public road access through the site to lands beyond to the west which were considered to have development potential. That site (955 Timmins Street) was recently rezoned to allow multifamily development with full access from Timmins Street. In addition, the position of the Ministry of Transportation and Infrastructure – which manages access onto Railway Street (Highway 97) – has changed as they do not want to see additional traffic in the form of a road at that location. Given these circumstances, the road reserve covenant is no longer considered necessary and is recommended to be discharged. This allows Canadian Tire to have a larger addition to better serve their retail function and overall improves the layout of the addition compared to having to keep that area clear.

Financial Implication

Staff are recommending that Council endorse the discharge of the road reserve covenant from the title of the property, given that it is no longer required. The City will be responsible for the legal fees associated with removing the covenant from title.

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
    - A new sidewalk is proposed to provide a pedestrian connection between the Railway Street public sidewalk and the store entrance, supporting the nearby bus stop just north of the site and walkability to and through the site overall.
    - Secure storage is provided for 65 bicycles, intended for employees, more than double the city requirement.
    - Racked bicycle parking for 65 bicycles is provided near the front entrance of the building, intended for customers, more than double the city requirement.
- **Electrify Passenger Transportation:** Accelerate the adoption of zero-emissions vehicles
    - Canadian Tire already provides three EV charging parking spaces in the parking lot.
    - The development permit plans show the installation of three additional EV charging parking spaces, for a total of 6 spaces.

Technical Review

The proposed Canadian Tire addition was reviewed by the Technical Planning Committee, a group of City staff from various departments who review development applications. Staff worked with the applicant to secure the landscape breaks in the parking lot, the new sidewalk connection to the store, and support removing the road reserve covenant and easement from the property to facilitate a larger addition. Minor updates to the plans were made to address additional staff comments. Future building permit requirements were provided to the applicant to help expedite the future Building Permit application process.

The subject property is located on Highway 97 and therefore the Ministry of Transportation and Infrastructure (MOTI) is required to give approval to the proposed additional plans given that the size meets their threshold for review. Minor realignment within the parking lot was completed to meet MOTI's requirements, and they have given their support to the plan. Both existing driveway accesses will continue to be used for Canadian Tire. MOTI supported the road reserve covenant discharge.

Development Statistics

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

	C4 Zone Requirement	Provided on Plans
Minimum Lot Width*:	18 m	213 m
Minimum Lot Area*:	1,000 m^2	32,903 m^2
Maximum Lot Coverage:	50%	33%
Maximum Density:	1.0 Floor Area Ratio (FAR)	0.37 FAR
Vehicle Parking:	Minimum 1 parking space per 50m^2 net floor area **Total: 250 parking spaces required** Minimum 6 accessible parking spaces	317 parking spaces provided 8 accessible parking spaces provided
Bicycle Parking:	Class I (secured): Maximum 30 spaces required Class II (racks): Maximum 30 spaces required **Total: 60 spaces required**	Class I (secured): 65 spaces provided Class II (racks): 65 spaces provided **Total: 130 spaces provided**
Required Setbacks Front Yard (Railway St): Side Yard (north): Side Yard (south): Rear Yard (east):	 3.0 m 4.5 m 6.0 m 3.0 m	 79.9 m 29.7 m 6.0 m 3.1 m
Maximum Building Height:	13 m	7.2 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Development Permit

The proposed development is included in the Commercial and Mixed Use Development Permit Area (DPA) outlined by the OCP. The objectives of the Commercial and Mixed Use DPA are to:

- Produce streetscapes defined by attractive buildings and landscaping
- Transition extensive areas of surface parking to more pedestrian friendly and amenity-rich neighbourhood commercial
- Provide an attractive, comfortable, safe environment for pedestrians as well as vehicular traffic
- Establish building forms, site planning principles and landscape standards appropriate to quality urban spaces thus avoiding the appearance that characterizes some 'strip plaza' type development
- Reflect multi-family residential guidelines for mixed-use residential development

The applicant has submitted a letter of intent which outlines their rationale for expansion and consideration of the OCP design guidelines (Attachment 'D'). Staff have also completed a development permit analysis (Attachment 'E') that shows how the proposed development conforms to the DPA guidelines.

The applicant is proposing an updated façade for the entire Canadian Tire building which will give the commercial property a refreshed look. Major changes are proposed in the parking lot with the addition of many new landscape islands, which are encouraged by the OCP design guidelines to break up large paved parking lots, improve stormwater infiltration, provide shade in the summer and reduce the heat island effect. The scale of the addition is aligned with the size of this commercial property and the lower building height (7.2m) maintains views towards the mountains from the future residential development site at 955 Timmins Street immediately to the east.

The proposed development has been designed with the OCP policies and guidelines in mind and is a project providing more commercial space on the main highway through the city, while being courteous in scale to the surrounding neighbours. As such, staff recommend that Council approve "Development Permit PL2021-9153" and direct staff to issue the permit.

Road Reserve Covenant

There is a road reserve covenant registered on the property which extends from the south parking lot entrance through the site to the east property line (Figure 3). The road reserve covenant was secured by the City as a condition of Canadian Tire originally developing the site in 1996. The road reserve covenant allowed the City the option to dedicate a public road through the property at some point in the future if it were deemed necessary as a result of developing lands to the east. The road reserve covenant is no longer required, therefore staff recommend the road reserve covenant be discharged which would allow Canadian Tire to expand into this area of the property. With this direction from Council, staff will initiate the process with the property owner to discharge that covenant.

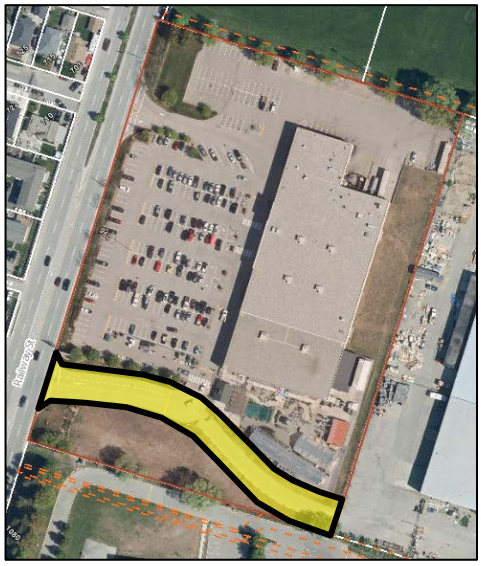


Figure 3 - Road reserve covenant area highlighted in yellow.

Alternate Recommendations

Council may consider that the proposed addition is not aligned with the applicable OCP design guidelines. If this is the case, Council may direct the applicant to continue working with staff to improve specific elements of the proposal. Staff are not recommending this option as in staff's opinion the development plans meet the applicable OCP design guidelines.

1. THAT Council direct the applicant to update specific elements of the development plans prior to consideration of "Development Permit PL2021-9153".

Attachments

Attachment A – Zoning Map
Attachment B – Official Community Plan Map
Attachment C – Photos of Property
Attachment D – Letter of Intent and Development Permit Analysis (applicant)
Attachment E – Development Permit Analysis (staff)
Attachment F – Draft Development Permit PL2021-9153

Respectfully submitted,

Steven Collyer, RPP, MCIP
Senior Planner

Concurrence

Director of Development Services	Acting Chief Administrative Officer
BL	*KD*

Attachment A – Zoning Map



Attachment B – Official Community Plan Map



Attachment C – Photos of Property



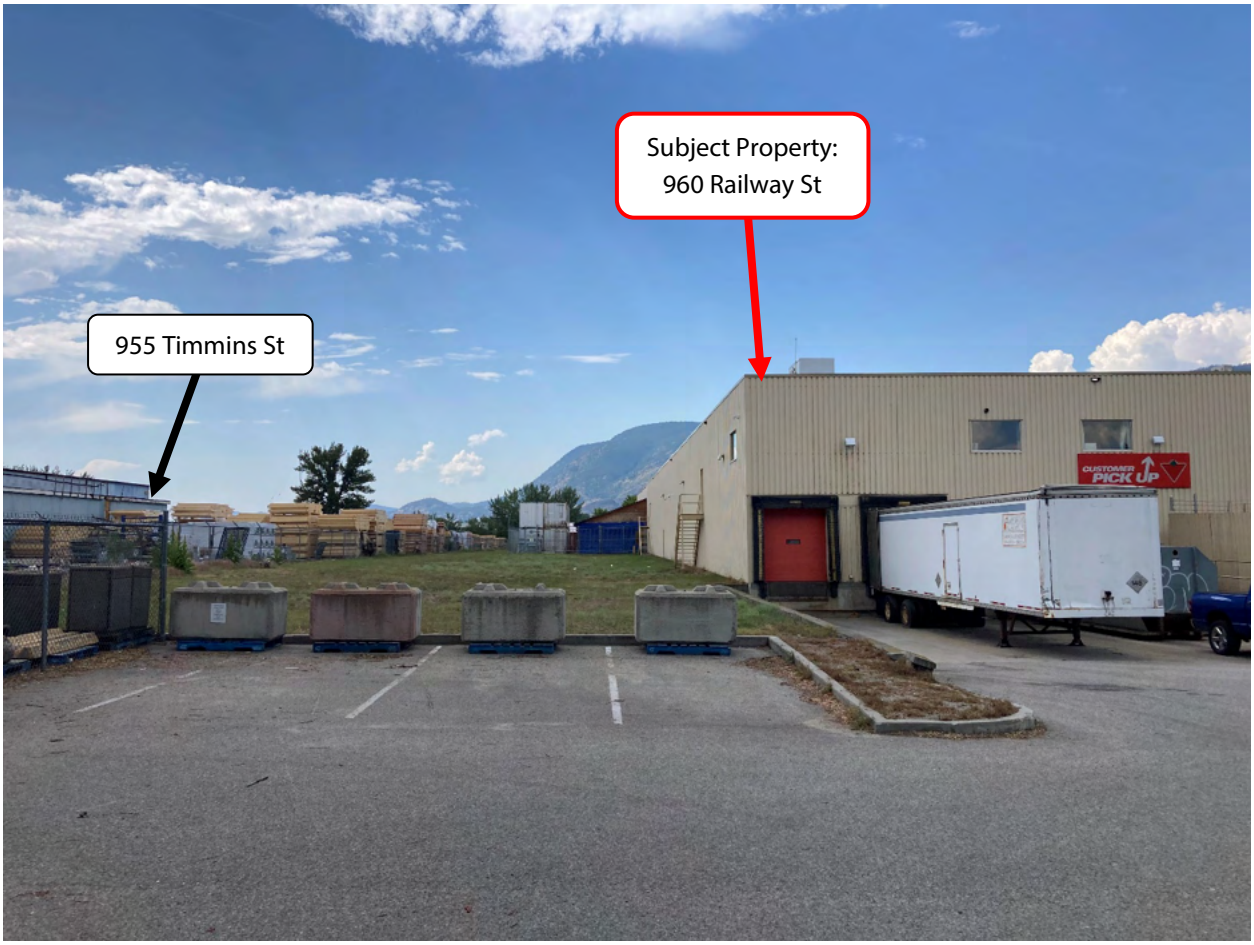



Road reserve
covenant area
GARDEN CENTRE


Subject Property:
960 Railway St
Garden Centre
EXIT ONLY
SLOW


Subject Property:
960 Railway St
CANADIAN TIRE


Subject Property:
960 Railway St
Tires
Parts
Service
Driving
CANADIAN TIRE


Subject Property:
960 Railway St
955 Timmins St


Subject Property:
960 Railway St
955 Timmins St

McElhanney

BEST MANAGED COMPANIES

Attachment D - Letter of Intent and Development Permit Analysis (applicant)

Supplementary Information Package

Canadian Tire Expansion – Development Permit

Canadian Tire Real Estate Limited
960 Railway Street, City of Penticton
PID: 002-581-507
Lot 1 District Lots 1 and 2 Group 7 Similkameen Division Yale (Yale-Lytton) District Plan 36021

BACKGROUND AND INTRODUCTION

Canadian Tire Real Estate Limited would like to expand their store located at 960 Railway Street to meet the growing retail demand of the residents in the City of Penticton and the surrounding service area. The subject property is approximately 3.3 ha. (8.14 ac.) in area and has frontage and access from Railway Street, which is a 4-lane arterial road under the Ministry of Transportation and Infrastructure jurisdiction.



The subject property is generally flat and contains the Canadian Tire retail store, garden centre and a parking lot. The subject property contains landscaped areas and trees along the west (front) property line, along drive aisles and within the parking lot.

Canadian Tire is proposing to expand the existing store on its north, south and east sides and maintain a garden centre on the south side of the new expansion. The new project will include additional parking provided in the northwest corner and the south side of the property.

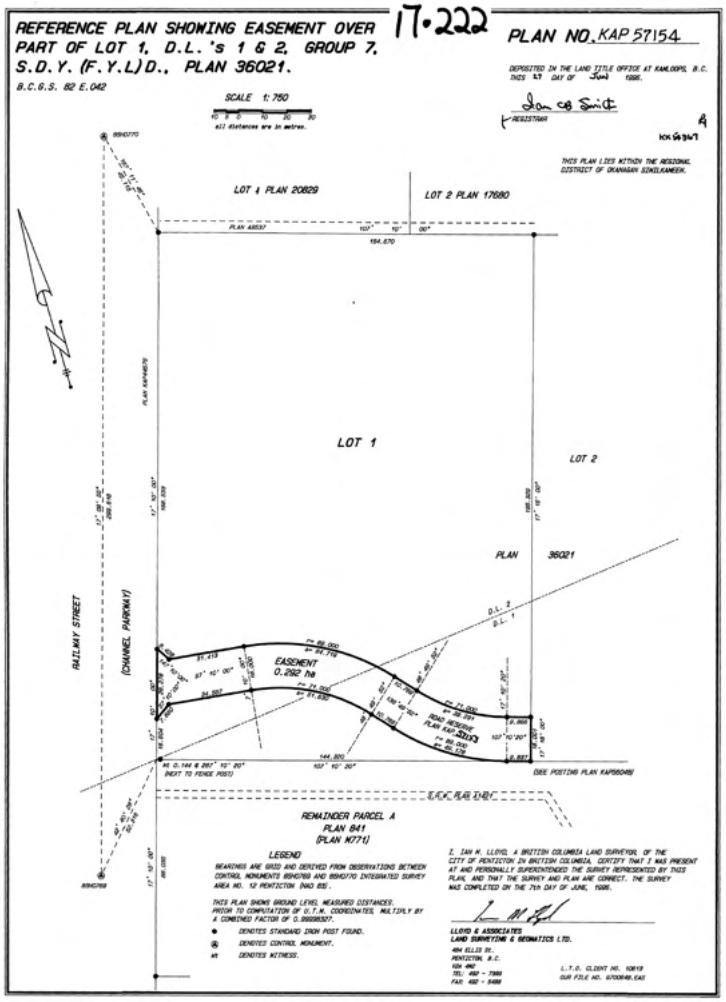
PROPOSED EXPANSION

The proposed Canadian Tire expansion will increase the footprint of the store from 5,954 m^2 to 11,228 m^2. The store expansion will occur on the north, south the east sides of the existing building with approximately 56 meters of additional building frontage being provided on the west side of the building. The north side expansion will accommodate approximately 271 m^2 of additional area for new tire storage and an area for staff bike parking, and the southeast corner of the new building expansion will accommodate an enclosed area approximately 236 m^2 of indoor area for the sale of seasonal items.

The retail floor area will increase from approximately 4,214 m^2 to approximately 7,492 m^2 while the ground floor warehouse floor area will increase from 1,084 m^2 to approximately 2,521 m^2. An outdoor garden center approximately 1,056 m^2 in area will be located on the south side of the proposed expansion area and will be screened from view by a decorative fence.

The two vehicular access points to the Canadian Tire store off Railway Street will remain functionally the same as they presently are, with no changes made to vehicular access movements to the site or egress from the site.

Discharge of Existing Encumbrances



To achieve the increased floor area on the south side of the existing building, Canadian Tire is proposing to occupy the land which is presently encumbered by two easements and a road reserve covenant defined by Reference Plan KAP57154 which is shown in the illustration to the right. The City of Penticton planning staff advised Canadian Tire that the road reserve covenant and the access easement and storm water easement over the area noted in Reference Plan KAP57154 is no longer required and advised that they would discharge the road reserve covenant. The city also advised that the easements in favour of the adjacent east property are no longer required and advised that the city would be requiring the adjacent property owner to discharge those two easements as a condition of rezoning their property. With the road reserve covenant and the two easements discharged, there would be no encumbrances within the reference plan KAP57154 area, and the property would be able to accommodate the proposed Canadian Tire store expansion.

Parking Requirement

Currently there 284 parking spaces on the Canadian Tire property. After the proposed expansion there will be 361 parking spaces. The total number of parking spaces provided exceeds the zoning bylaw requirement of 250 stalls which is calculated at 1 space per 50 m^2 of net floor area. There will be surplus of 111 parking stalls after the Canadian Tire expansion is completed. The bylaw requirement for Accessible Parking on the Canadian Tire store site is 6, while 8 accessible parking stalls are proposed.

As part of the site renovation, Canadian Tire is proposing to install a new electric fast charging station and will provide 6 new parking spots for electric vehicle charging.

DEVELOPMENT PERMIT – FORM AND CHARACTER CONSIDERATIONS

The subject property is designated Commercial in the City of Penticton OCP and is located within the Commercial and Mixed-Use Development Permit Area. The guidelines provided in the OCP for Commercial and Mixed-Use Developments appear to be largely intended for vacant sites which are being newly developed or completely redeveloped. Canadian Tire is adding to the north, south and east sides of their existing building to provide addition warehouse and retail floor area. The new addition on the east side of the building will not be visible to the general public as it will be on the back side of the building with the façade having limited public exposure. The front (west) façade of the building will be updated but the Canadian Tire 'branding' will remain very recognizable (red triangle with green maple leaf and red lettering) and the front entrance to the store will be similar in appearance to the existing store entrance. However, the new façade will include a colour change to replace the existing off-white colour tones with grey tones on the 'non-entrance' portions of the new building. The exterior materials will remain similar to the present, including a combination of metal, stone, painted concrete, and split face concrete block. The proposed Canadian Tire expanded store will have the appearance and branding of all other Canadian Tire stores which is a recognized and accepted visual and architectural standard.

The garden centre compound will remain on the south side of the building and will be flanked on its east side by the Seasonal sales area and enclosed by a decorative metal fence on its south and west sides.

We believe the appearance of the proposed expansion to the Canadian Tire store is consistent with the spirt of the design guidelines outlined in the OCP and the expanded store and new façade will provide additional shopping opportunities with a fresh new look to this valued retail outlet.

The renovation / addition to the existing building will be complemented with additional landscaping to the site which will "soften" the appearance of the site from within the site as well as from passing motorists. The proposed landscaping will include over 96 new coniferous and deciduous trees and specimen shrubs and a mixture of over 567 new deciduous and evergreen shrubs. Existing planting areas within the parking lot will be improved and new plants provided. Additional new parking spaces will be provided in the northwest corner of the property requiring the removal of some deciduous trees, but they will be replaced with new boulevard trees and shrubs.

The landscape plan represents a collection of xeriscape and indigenous plants that will flourish in the Okanagan climate. Many of the mature trees have been retained wherever possible including a planted island of shrubs at the entrance of Fairway Avenue. The placement of all shrubs on site are shown at mature size, this spacing along with natural mulch allows plants to completely cover the soil to retain water and prevent weeds. The chosen shrubs have seasonal interest including showy fall colours in autumn and significant flowers in the spring and summer.

Development Permit Analysis

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

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

- The applicant is requesting to construct the addition into the current road reserve area through the south end of the site. Staff reviewed this proposal and confirmed the right-of-way is not required and could be removed, subject to Council approval, which would allow the construction of the proposed addition.
- The applicant worked with the Ministry of Transportation and Infrastructure (MOTI) to ensure their acceptance of the proposed plans given the only access to the site is from Highway 97.

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

- The building will remain two storeys in height (7.2m) which maintains the views to the western mountains from the future residential development located on the neighbouring property to the east.

Guideline G7 *All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.*

- The 65 secure (Class I) bicycle parking spaces proposed on-site are within a secure compound at the north side of the building.

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

- Pedestrian walkways are provided throughout the site. A sidewalk connects the public sidewalk along Railway Street to the store entrance. A sidewalk is provided along the length of the store frontage. Many painted crosswalks are provided across the drive aisles in the parking lot to provide safe pedestrian access into the store.

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

- The plans show many painted crosswalks across the main drive aisle in front of the store which signals to drivers to watch for pedestrians
- A sidewalk is proposed leading from Railway Street public sidewalk along the southern driveway to the sidewalk along the front of the store to minimize conflict between pedestrians and vehicles accessing the store.

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

- The parking lot is largely remaining the same size with additional parking provided at the south end of the site near Okanagan College.
- Additional landscaping and tree plantings in the parking lot will help break up this paved area and improve the visual appeal from the street.
- Nine pedestrian crosswalks are provided across the main drive aisle in front of the store to provide safe connections for pedestrians
- A sidewalk is proposed along the south driveway to provide a direct connection for pedestrians from the street to the store.

Guideline 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.*

- The plans include substantial new plantings in landscape breaks in the parking lot to provide shade in the summer months. Irrigation will be provided to the landscaping islands.

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

- The main entrance and exit of the store are clearly identifiable from the street and the parking lot given the varying façade materials and large signage over this section of the building façade.

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

- Varying branded finish materials (wood accents, concrete panels, and metal cladding) are provided along blank walls of the store which are necessary given the internal merchandising and warehousing functions within this large-format commercial space.

Guideline G35 *Tree planting…*

- The landscaping plan shows 59 new trees to be planted on the subject property. These trees are all located between the building and the street, with many in new landscape islands within the reconfigured parking lot.

Guideline G38 *Screening & Buffering: 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: planting between internal collectors (not sure for direct access to parking stalls) and aisles that provide direct access to parking stalls; planting at the end of aisles; planting between each block of 4 parking spaces; and planting around utility kiosks, containers and/or dumpsters.*

- Within the existing parking lot, landscape islands are added between rows of 5 parking spaces and at the end of aisles.
- Within the new parking lot to be built at the south end of the lot, landscape islands are provided every 4-5 parking spaces in line with this design guideline.
- These new landscape islands help break up the large parking lot and improve its visual appeal.

Guidelines G58/G59 *Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic. Garbage and recycling bins should be contained within screened structure that are coordinated with the overall design.*

- The waste and recycling compound is located at the north end of the building, behind the service garage, out of public view. This secure compound is screened and incorporated into the building design on this side, which also features the secure bicycle parking compound and truck loading bays.

Guideline CM9 *Commercial frontages should serve a range of functions that enliven the pedestrian realm through clearly signed and generously sized entries to indicate primary pedestrian access.*

- The main entry and exit of the store is clearly visible from the street and the parking lot with large signage overhead.

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Permit

Permit Number: DP PL2021-9153

Owner Name
Owner Address

Conditions of Permit

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

2. This permit applies to:

Legal:	Lot 1 District Lots 1 and 2 Group 7 Similkameen Division Yale (Yale-Lytton) District Plan 36021
Civic:	960 Railway Street
PID:	002-581-507

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a 5,487m^2 addition to the existing retail store and reconfiguration of the parking lot 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

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and Charges Bylaw (as amended from time to time).

General Conditions

7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.

8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**

10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

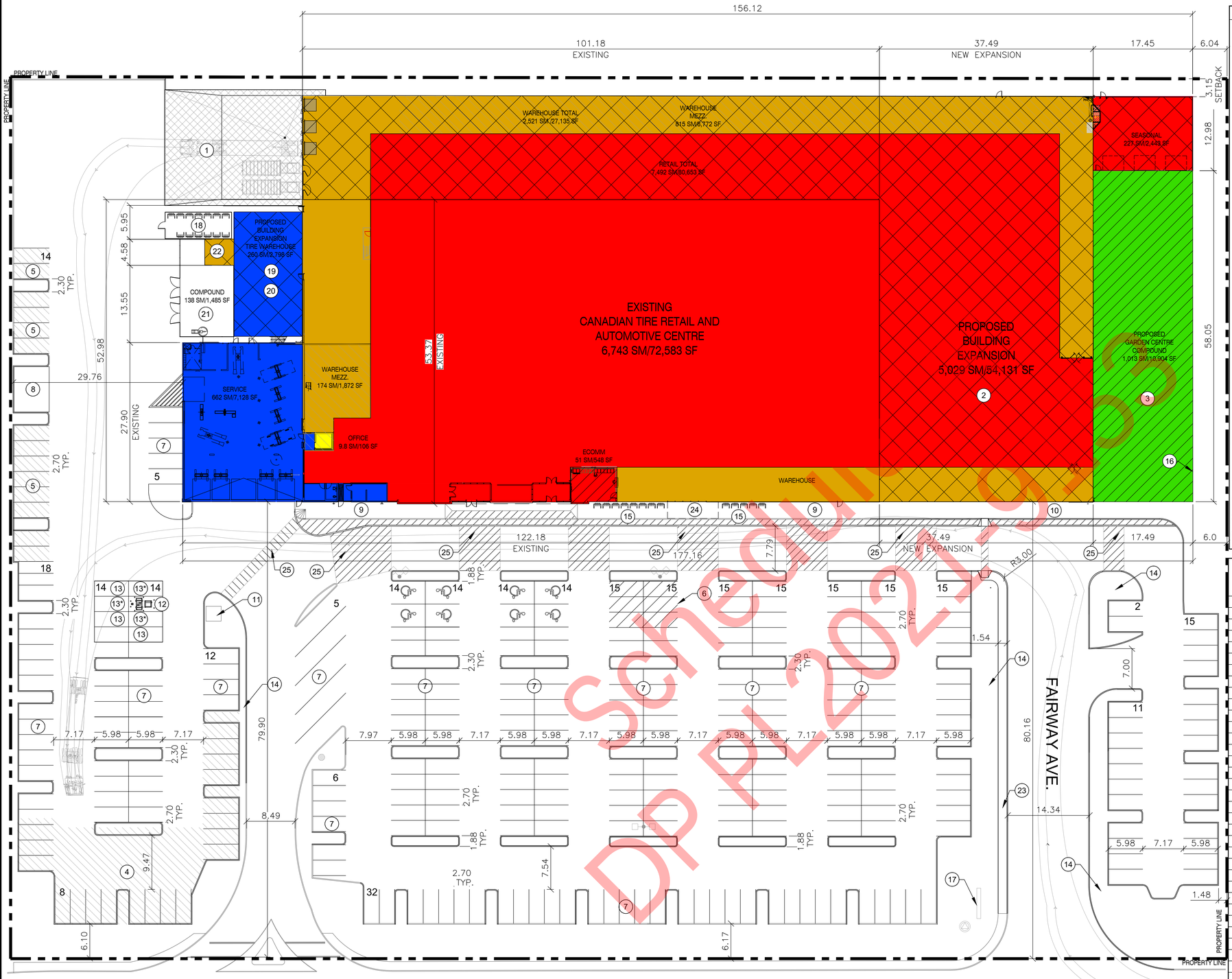
Authorized by City Council, the ____ day of _____, 2023.

Issued this ____ day of _____, 2023.

_____

Angela Collison
Corporate Officer

DRAFT



1 A1.00 SITE PLAN - PROPOSED SCALE: NTS

KEYNOTES

1. RELOCATED LOADING DOCK SLOPED PAD
2. PROPOSED NEW BUILDING EXPANSION
3. RELOCATED/ EXPANSION GARDEN CENTER COMPOUND
4. PROPOSED NEW PARKING AREA EXPANSION: 20 SPACES (HATCHED AREA)
5. PROPOSED NEW PARKING AREA EXPANSION: 14 SPACES
6. 6 PARKING SPACES DESIGNATED FOR ECOMM CUSTOMERS
7. EXISTING PARKING AREA WITH NEW PAINTED LINES
8. EXISTING DUMPING STATION TO REMAIN
9. EXISTING SIDEWALK
10. NEW PORTION OF SIDEWALK TO MATCH EXISTING
11. EXISTING TRANSFORMER
12. NEW ELECTRIC FAST CHARGING STATION
13. NEW 3 PARKING SPOTS FOR EV CHARGING
13*. EXISTING PARKING SPOTS FOR EV CHARGING
14. NEW CURB AND LANDSCAPING TO MATCH EXISTING
15. NEW BIKE RACKS FOR 65 CLASS 2 BICYCLE PARKING
16. NEW IRON EAGLE FENCE
17. EXISTING PYLON SIGN TO REMAIN
18. NEW STORAGE COMPOUND WITH NEW BIKE RACKS FOR 65 CLASS 1 BICYCLE PARKING
19. PROPOSED NEW BUILDING EXPANSION: 271 SM/2,917 SF
20. NEW WAREHOUSE ADDITION
21. NEW OUTDOOR COMPOUND FOR WASTE OIL, GARBAGE AND RECYCLING
22. HEAT PUMP ROOM REQUIRED FOR TIRE WAREHOUSE
23. NEW SIDE WALK EXTENSION TO BUILDING
24. NEW CANOPY OVER NEW OVER HEAD DOOR
25. PAINTED PEDESTRIAN CROSSING

	AREAS		EXISTING	PROPOSED EXPANSION SIDE/REAR
1	RETAIL			
1a	GROUND FLOOR	70%	±45,363/4,214*	±80,653/7,492 66%
1b	ECOMM			+/-548/51
1c	SEASONAL CENTRE			+/-2,443/227
1d	TOTAL			±83,644/7,770
	WAREHOUSE			
2	GROUND FLOOR		11,665/1,084	±27,135/2,521
3	MEZZANINE		8,234/765	±10,644/988
4	TOTAL	30%	19,899/1,849	±37,779/3,509 31%
	SERVICE CENTRE			
5	GROUND FLOOR		6,958/646	6,958/646
6	MEZZANINE		170/16	170/16
7	TOTAL		7,128/662	7,128/662
	OFFICES			
8	GROUND FLOOR		106/10	106/10
9	MEZZANINE		3,174/295	3,174/295
10	TOTAL		3,281/305	3,280/304
11				
	GROUND FLOOR COVERAGE			
12	CTC (1d+2+5+8)		64,092/5,954	±117,843/10,947
13	TIRE STORAGE WAREHOUSE		-	2,917/271
14	TOTAL (12+13)		64,092/5,954	±120,760/11,218
15	BUILDING STRUCTURAL AREA (14+6+9)		67,436/6,265	±124,104/11,529
16	BUILDING FUNCTIONAL AREA (15+3)		75,671/7,030	±134,748/12,517
	GARDEN CENTRE			
17	CANOPY		-	-
18	EXISTING COMPOUND		28,444/2,643	-
19	PROPOSED COMPOUND		-	±10,900/1,013
20	TOTAL (17+18+19)		28,444/2,643	±10,900/1,013
21	-		-	-
22	-		-	-
23	TOTAL GND FLR CVGE (14+20+21+22)		92,536/8,596	±131,660/12,231
24	CTC STORE SITE AREA		8.131/32,903	8.131/32,903
25	CTC STORE FAR		0.26	0.37
26	-		-	-
27	CTC OVERALL SITE AREA (24+25+26)		8.131/32,903	8.131/32,903
28	CTC STORE SITE PARKING		284	317
29	-		-	-
30	OVERALL SITE PARKING (28+29)		284	317
31	PARKING RATIO (/1000 SF)		4.43	2.60
32	PARKING RATIO (/100 SM)			
	CITY OF PENTICTON PARK			
	NET FLOOR AREA (14+9+6+3)		75,670/7,029	±134,748/12,517
	CITY PARKING REQ. 1/50 SM		141	246

* STATS PROVIDED BY STORE PLANNING - FEB 2021

ZONING COMPLIANCE TABLE

C4 GENERAL COMMERCIAL
RETAIL STORE OUTRIGHT PERMITTED USE
RETAIL SALES IN A TENT AND SIMILAR USES NOT FOR MORE THAN 10 CONSECUTIVE DAYS IN ANY SIX MONTH PERIOD
OCP: COMMERCIAL

REQUIRED	PROPOSED
PARKING REQUIRED: 1 SPACE/50 SQ. M = 250 CLASS 2 BICYCLE PARKING: 12,527/125 = 100 SPACES CLASS 1 BICYCLE PARKING: 12,527/125 = 100 SPACES	PARKING SPACES PROVIDED: 312 CLASS 2 BICYCLE PARKING:65 SPACES (VARIANCE REQUIRED) CLASS 1 BICYCLE PARKING:65 SPACES (VARIANCE REQUIRED)

Schedule B
DP PL2021-9153

issues:

date	no.	description	appr'd
11-24-22	1	ISSUED FOR REVIEW	
01-06-23	2	ISSUED FOR REVIEW	
03-23-23	3	ISSUED FOR REVIEW	

revisions:

date	no.	description	appr'd

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GWA architecture planning interiors
GUSTAVSON WYLIE ARCHITECTS INC.
1600 - 1185 WEST GEORGIA STREET
VANCOUVER, BC, CANADA V6E 4E6
P 604-687-2671 F 604-687-4205 www.gwa.ca

CANADIAN TIRE REAL ESTATE LTD.
RETAIL STORE & SERVICE CENTRE NO. 351
PENTICTON, BRITISH COLUMBIA

dwg. title: PROPOSED SITE PLAN

scale	date	printed	job no.
AS NOTED	12-15-22	-	21050
drawn	chkd.	dwg. no.	
JR	CE	A1.00	

EXISTING 5'0" CHAIN LINK FENCE

PROPERTY LINE

GRAVEL

WAREHOUSE TOTAL
2,521 SM/27,135 SF

WAREHOUSE
MEZZ.
815 SM/8,772 SF

RETAIL TOTAL
7,492 SM/80,653 SF

SEASONAL
227 SM/2,443 SF

17 DECIDUOUS POPULUS
TO REMAIN

PROPOSED
BUILDING
EXPANSION
TIRE WAREHOUSE
260 SM/2,798 SF

COMPOUND
138 SM/1,485 SF

EXISTING
CANADIAN TIRE RETAIL AND
AUTOMOTIVE CENTRE
6,743 SM/72,583 SF

PROPOSED
BUILDING
EXPANSION
5,029 SM/54,131 SF

PROPOSED
GARDEN CENTRE
COMPOUND
1,013 SM/10,904 SF

WAREHOUSE
MEZZ.
174 SM/1,872 SF

SERVICE
662 SM/7,128 SF

OFFICE
9.8 SM/106 SF

ECOMM
51 SM/548 SF

WAREHOUSE

GRAVEL

EXISTING 5'0" CHAIN LINK FENCE

EXISTING 5'0" CHAIN LINK FENCE

4 DECIDUOUS
TO REMAIN

10 DECIDUOUS
TO REMAIN

1 DECIDUOUS
TO REMOVE

2 DECIDUOUS
TO REMOVE

FAIRWAY AVE.

LAWN

LAWN

LAWN

PROPERTY LINE

PROPERTY LINE

2 DECIDUOUS ACER
TO REMAIN

3 DECIDUOUS AESCULUS
TO REMAIN

1 CONIFEROUS CEDRUS
TO REMAIN

1 DECIDUOUS GLEDITSIA
TO REMOVE

6 DECIDUOUS GLEDITSIA
TO REMAIN

RAILWAY STREET

IRRIGATION TO BE PROVIDED
FOR ENTIRE LANDSCAPE

Schedule 'A'
DP PL2021-9153

DP PL2021-9153

NORTH

LANDSCAPE PLAN
Canadian Tire, Penticton BC

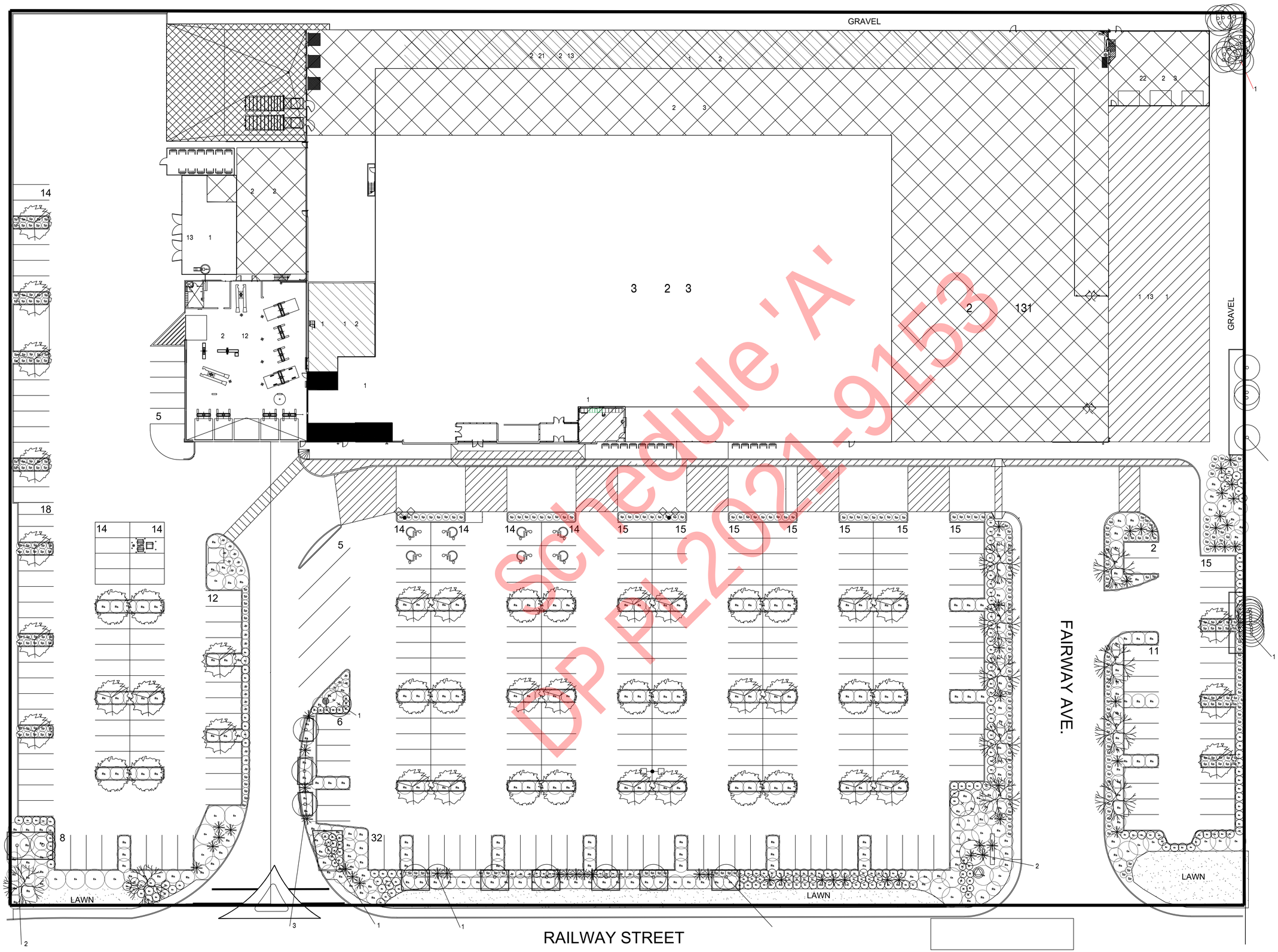
REVISIONS

DATE	COMMENTS	BY
Sept 13-21	Submit/Client review	AC
Sept 21-21	Submit/Client review	AC
Sept 29-21	Submit DP	AC
Mar 28-22	Submit DP	AC
Oct 11-22	City comments	AC
May 15-23	Parking revision	AC

é-scapes

DATE : SEPTEMBER 2021
DRAWN BY: AC
DESIGN BY: AC
SCALE: 1/24" = 1'0"

L1



LANDSCAPE PLAN
Canadian Tire, Penticton BC

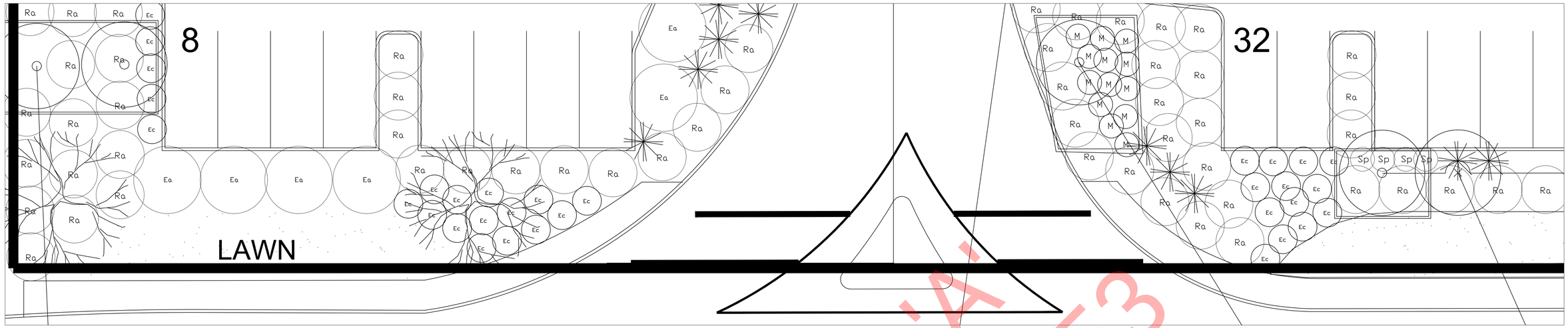
REVISIONS

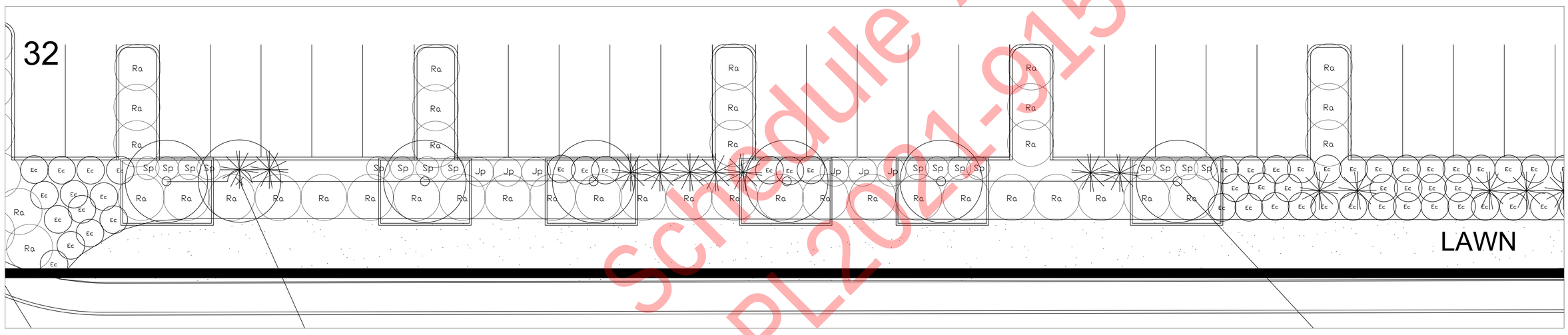
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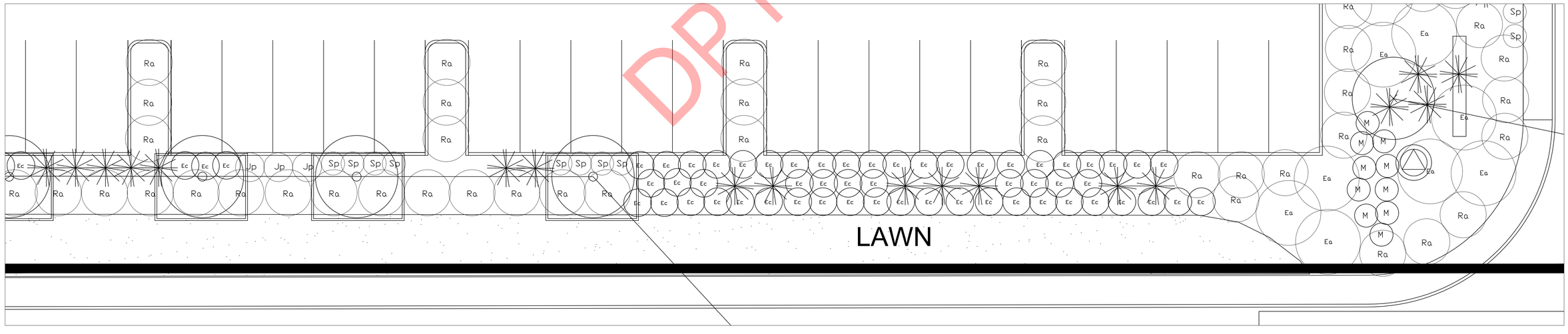
é-scapes landscape design

DATE : SEPTEMBER 2021
DRAWN BY: AC
DESIGN BY: AC
SCALE: 1/24" = 1'0"

L1







Schedule 'A'
DP PL2021-9153

NORTH

LANDSCAPE PLAN
Canadian Tire, Penticton BC

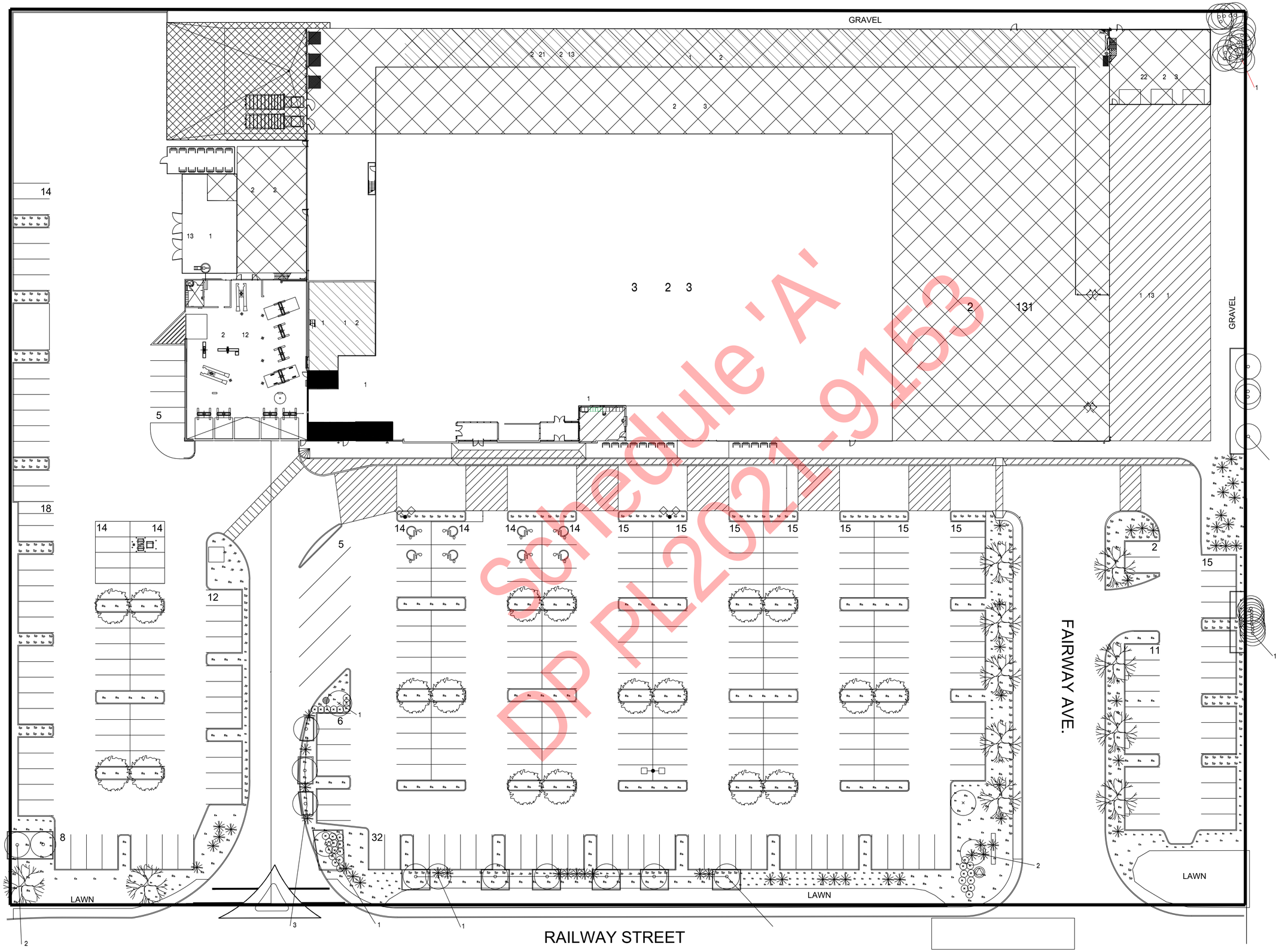
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DATE : SEPTEMBER 2021
DRAWN BY: AC
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SCALE: NTS

L2



Schedule 'A'
DP PL2021-9153

NORTH

EXISTING (43)/ PROPOSED TREES (59)

Canadian Tire, Penticton BC

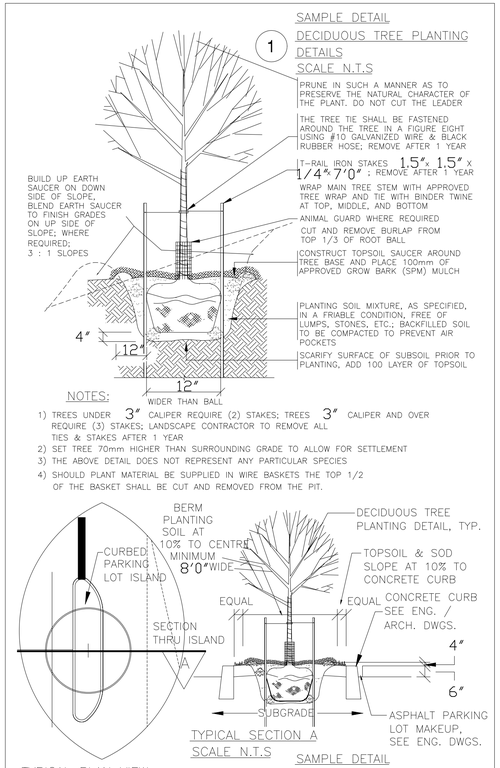
REVISIONS

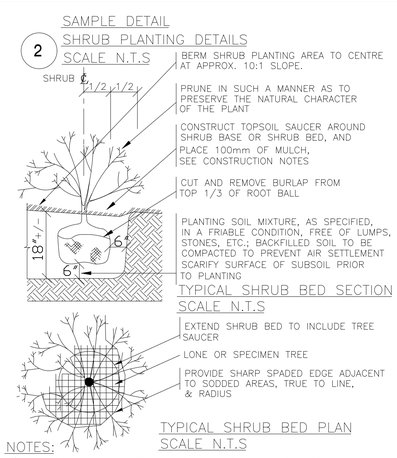
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DATE : SEPTEMBER 2021
DRAWN BY: AC
DESIGN BY: AC
SCALE: 1/24" = 1'0"

L3





LANDSCAPE CONSTRUCTION NOTES:

1. ALL LANDSCAPE WORK TO CONFORM WITH THE CTC SPECIFICATIONS FOR THIS PROJECT. THIS DRAWING TO BE USED ONLY FOR LAYOU" / INSTALLATION & PLANTING OF LANDSCAPE MATERIALS LISTED IN LEGEND & DETAILED; ALL PART OF CONTRACT
2. USE PLANTING MATERIAL TRUE TO NAME, SIZES, OR GRADES AS SPECIFIED, AND CONFORMING TO THE 'CANADIAN NURSERY TRADES ASSOCIATION METRIC GUIDE SPECIFICATIONS AND STANDARDS'.
3. CHECK ALL QUANTITIES AND REPORT ANY ERRORS/DISCREPANCIES TO THE LANDSCAPE ARCHITECT AND AGREE BEFORE PROCEEDING.
4. MATERIALS AND WORKMANSHIP NOT MEETING SPECIFICATIONS WILL BE REJECTED, AT TIME OF INSPECTIONS.
5. ALL TREES SHALL BE BALLED AND BURLAPPED AND ALL SHRUBS SHALL BE POT GROWN. PLANTING MATERIAL SIZES ARE MINIMUM.
6. WHEN PLANTING MATERIAL SUPPLIED IN WIRE BASKETS THE TOP 2/3 OF THE BASKET SHALL BE CUT AND REMOVED FROM THE PIT PRIOR TO BACKFILLING.
7. SPECIFIED MIX FOR TREE / SHRUB PLANTING: TOPSOIL SHALL BE A FERTILE, FRIABLE, NATURAL SANDY LOAM. IT SHALL BE FREE OF STONES, SUBSOIL, REFUSE OR OTHER EXTRANEOUS MATERIALS, AND CAPABLE OF SUSTAINING HEALTHY PLANT GROWTH. THE CONTRACTOR SHALL NOT USE TOPSOIL WHILE IN A FROZEN OR MUDDY CONDITION. TEN PER CENT PEATMOSS AND TEN PERCENT WELL ROTTED FARMYARD MANURE SHOULD BE MIXED INTO THE TOPSOIL.
8. FINISH ALL PLANTING AREAS WITH 4" OF SHREDDED PINE BARK MULCH OR APPROVED EQUAL. FOR CURBED PLANTER, FINISH GRADE OF TOPSOIL SHALL BE 5" BELOW TOP OF CURB/PLANTER, BERM TO CENTRE AT 10 TO 1 SLOPE; THEN ADD 4" OF SHREDDED PINE BARK MULCH

   ECONOMY MULCH SUBSTITUTION IS NOT ACCEPTABLE
9. HYDROSEEDING TANK MIXTURE MAKEUP: (OR APPROVED EQUAL) SEED: SHALL MEET THE REQUIREMENTS OF THE GOVERNMENT OF CANADA SEED ACT, FOR CANADA NO. 1 SEED.

   HYDROSEEDING TANK MIXTURE TO INCLUDE, 100% NATURAL ORGANIC FERTILIZER, TACKIFIER; & STRAW MULCH;

   SAMPLE SEED MIXTURE, (AREAS UNDER 3:1 SLOPE): SUPERGRASS SEEDING RATE: 1.7 KG/100 SQ M OR 3.5 LBS/1,000 SQ FT
   40 % BANFF KENTUCKY BLUEGRASS
   40 % JASPER CREEPING RED FESCUE
   20 % CUTTER PERENNIAL RYEGRASS

   NURSERY SEED CROP MIX, HYDROSEED AREAS SHALL HAVE A SEPARATE APPLICATION OF ANNUAL RYE / OAT

   FERTILIZER: SPECIFIC TO EACH SITE

   MULCH: SPECIFIC TO EACH SITE

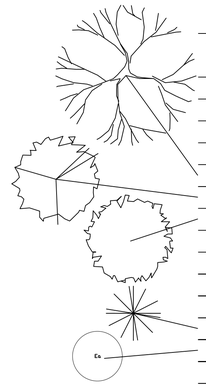
   TACKIFIER: SPECIFIC TO EACH SITE

   DO NOT ASSUME TOPSOIL ON SITE; PROVIDE 4" TOPSOIL FOR HYDROSEED AREAS.

   BEFORE COMMENCING FINAL HYDROSEED, THE SITE SHALL BE INSPECTED & APPROVED, BY SITE SUPERINTENDENT, (IE GRADING, 4" TOPSOIL, AREA PREPARATION ETC.)
10. ALL SOD SHALL CONFORM TO THE 'CANADIAN NURSERY SOD GROWERS SPECIFICATIONS'. SOD SHALL BE INSTALLED UPON ARRIVAL, AND SHALL BE SMOOTHLY LAID WITH TIGHT JOINTS, & ROLLED; SOD AREAS SHALL BE GRADED, CLEARED OF ROCKS, DEBRIS, ETC; TOP DRESSED WITH 10 CM OF CLEAN TOPSOIL, FINE GRADED, AND SODDED. SOD SHALL BE COMPOSED 50% CREEPING RED FESCUE & 50% KENTUCKY BLUEGRASS, APPROVAL EQUAL. PEG SOD ON SLOPES OF 3:1 & SWALES. CONTRACTOR RESPONSIBLE TO MAINTAIN SOD FOR 3 WEEKS AFTER INSTALLATION; WATER & CUT/REMOVE CLIPPINGS, (ALLOW 1 CUT)

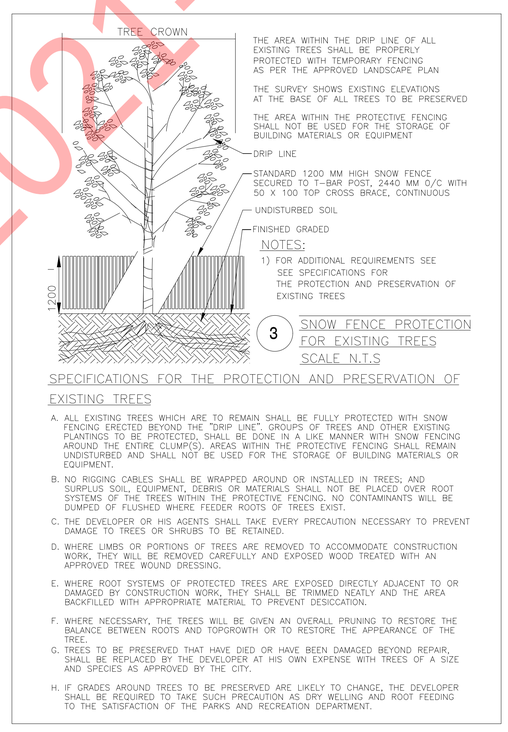
    DO NOT ASSUME TOPSOIL ON SITE; PROVIDE 10 CM TOPSOIL, FOR ALL SODDED AREAS.

    BEFORE COMMENCING FINAL LAYING OF SOD, THE SITE SHALL BE INSPECTED & APPROVED, BY SITE SUPERINTENDENT, (IE GRADING, 10 CM TOPSOIL, AREA PREPARATION ETC.)
11. **ALL EXISTING PLANTS THAT WILL NOT REMAIN (AS OUTLINED ON L3) SHALL BE REMOVED. ALL EXISTING GRAVEL AND LANDSCAPE FABRIC SHALL BE REMOVED. ANY PLANT DEBRIS ON-SITE SHALL BE REMOVED.**
12. LANDSCAPE ARCHITECT TO RECEIVE 5 DAYS NOTICE, FOR REQUEST OF LANDSCAPE SITE INSPECTIONS.



PLANT LIST

Scientific Name	Common Name	Spacing (HxS)	Size	Quantity
TREES				
Amelanchier canadensis	Serviceberry	25'x15'	5cm cal.	11
Gleditsia triacanthos var.Inermis'Sunburst'	Sunburst Honeylocust	20'x20'	5cm cal.	30
Tilia cordata 'Corzam'	Corinthian Littleleaf Linden	35'x15'	5cm cal.	18
SPECIMEN SHRUBS				
Pinus mugo var. pumilio	Dwarf Mugo Pine	4'x6'	5 gal.	56
Euonymus alatus	Burning Bush	15'x8'	5 gal.	25
SHRUBS				
Euonymus alatus 'Compactus'	Dwarf-winged Burning Bush	4'x4'	1 gal.	190
Juniperus horizontalis 'Plumosa Compacta'	Brilliant Stonecrop	1.5'x5'	1 gal.	29
Rhus aromatica 'Gro-Low'	Fragrant Sumac	2'x8'	1 gal.	285
Rosa rugosa	Rugosa Rose	5'x5'	1 gal.	41
Spiraea japonica 'Froebelii'	Froebelii Spirea	3'x4'	1 gal.	348
EXISTING PLANTS				
Existing Tree to REMAIN Total 43				
Existing Tree to REMOVE Total 4				
Existing Pinus mugo to REMAIN Total 31				
Tree protection fencing - placed around existing Trees to REMAIN - positioned beyond the drip line				



SPECIFICATIONS FOR THE PROTECTION AND PRESERVATION OF EXISTING TREES

A. ALL EXISTING TREES WHICH ARE TO REMAIN SHALL BE FULLY PROTECTED WITH SNOW FENCING ERECTED BEYOND THE "DRIP LINE", GROUPS OF TREES AND OTHER EXISTING PLANTINGS TO BE PROTECTED, SHALL BE DONE IN A LIKE MANNER WITH SNOW FENCING AROUND THE ENTIRE CLUMP(S). AREAS WITHIN THE PROTECTIVE FENCING SHALL REMAIN UNDISTURBED AND SHALL NOT BE USED FOR THE STORAGE OF BUILDING MATERIALS OR EQUIPMENT.

B. NO RIGGING CABLES SHALL BE WRAPPED AROUND OR INSTALLED IN TREES; AND SURPLUS SOIL, EQUIPMENT, DEBRIS OR MATERIALS SHALL NOT BE PLACED OVER ROOT SYSTEMS OF THE TREES WITHIN THE PROTECTIVE FENCING. NO CONTAMINANTS WILL BE DUMPED OF FLUSHED WHERE FEEDER ROOTS OF TREES EXIST.

C. THE DEVELOPER OR HIS AGENTS SHALL TAKE EVERY PRECAUTION NECESSARY TO PREVENT DAMAGE TO TREES OR SHRUBS TO BE RETAINED.

D. WHERE LIMBS OR PORTIONS OF TREES ARE REMOVED TO ACCOMMODATE CONSTRUCTION WORK, THEY WILL BE REMOVED CAREFULLY AND EXPOSED WOOD TREATED WITH AN APPROVED TREE WOUND DRESSING.

E. WHERE ROOT SYSTEMS OF PROTECTED TREES ARE EXPOSED DIRECTLY ADJACENT TO OR DAMAGED BY CONSTRUCTION WORK, THEY SHALL BE TRIMMED NEATLY AND THE AREA BACKFILLED WITH APPROPRIATE MATERIAL TO PREVENT DESICCATION.

F. WHERE NECESSARY, THE TREES WILL BE GIVEN AN OVERALL PRUNING TO RESTORE THE BALANCE BETWEEN ROOTS AND TOPGROWTH OR TO RESTORE THE APPEARANCE OF THE TREE.

G. TREES TO BE PRESERVED THAT HAVE DIED OR HAVE BEEN DAMAGED BEYOND REPAIR, SHALL BE REPLACED BY THE DEVELOPER AT HIS OWN EXPENSE WITH TREES OF A SIZE AND SPECIES AS APPROVED BY THE CITY.

H. IF GRADES AROUND TREES TO BE PRESERVED ARE LIKELY TO CHANGE, THE DEVELOPER SHALL BE REQUIRED TO TAKE SUCH PRECAUTION AS DRY WELLING AND ROOT FEEDING TO THE SATISFACTION OF THE PARKS AND RECREATION DEPARTMENT.

Scheduled
DP PL2021-9153

DETAILS AND SYMBOLS
Canadian Tire, Penticton BC

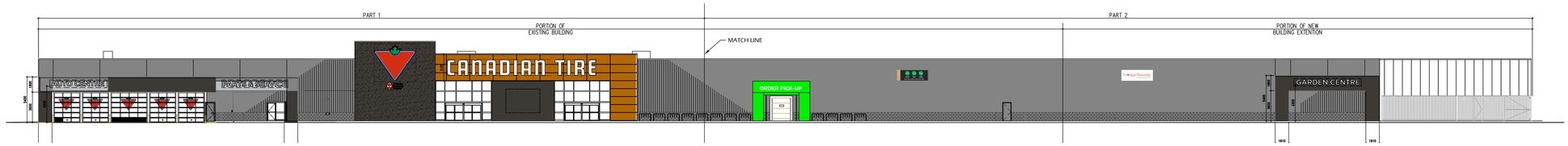
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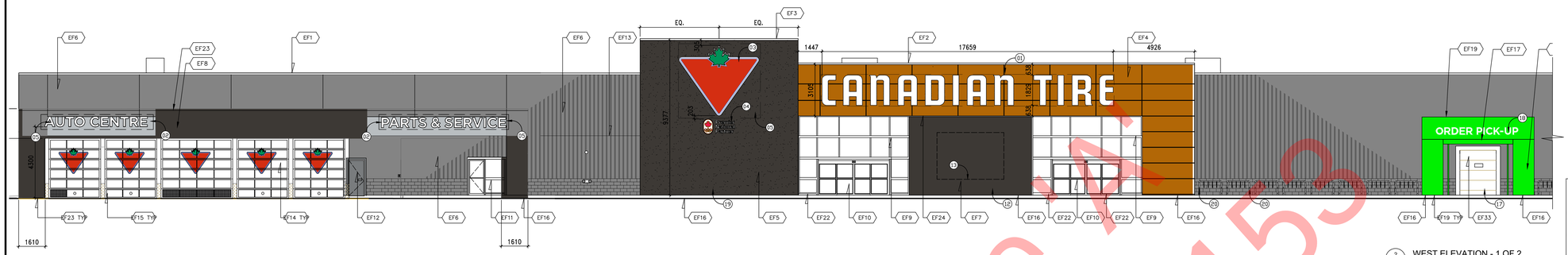
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DATE : SEPTEMBER 2021
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SCALE: NTS

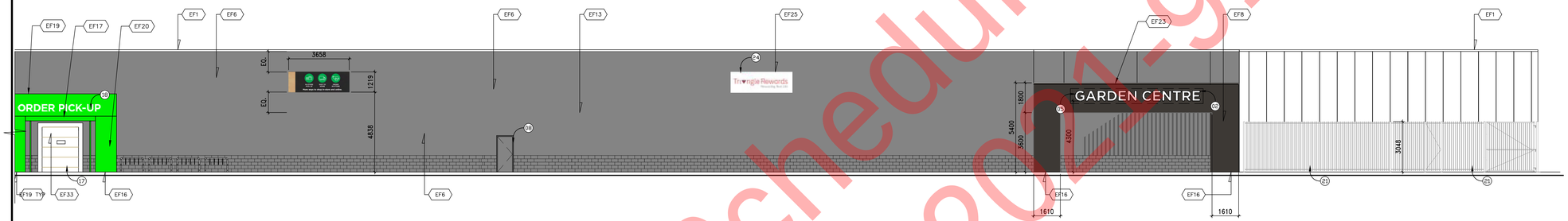
L4



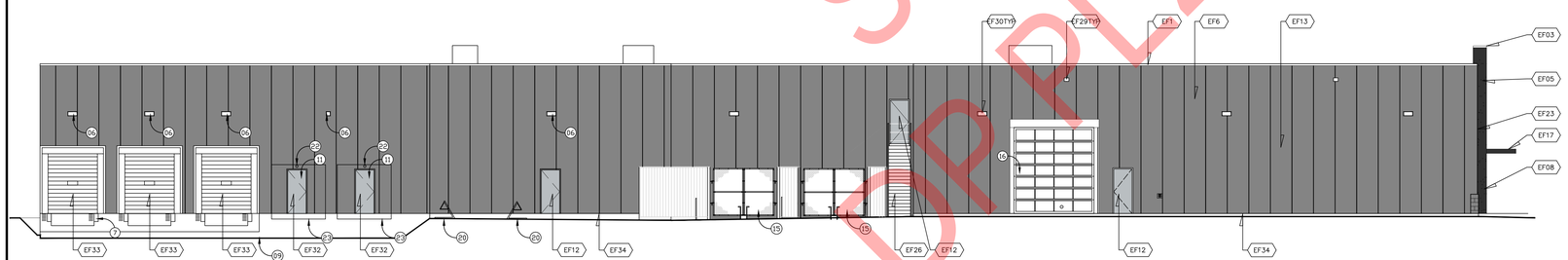
1 A2.00 WEST ELEVATION - OVERALL
SCALE 1:200



2 A2.00 WEST ELEVATION - 1 OF 2
SCALE 1:100



3 A2.00 WEST ELEVATION - 1 OF 2
SCALE 1:100



4 A2.00 NORTH ELEVATION
SCALE 1:100

NOTES

NOTE: ALL ITEMS EXISTING AND TO REMAIN, UNLESS OTHER WITH NOTED

01. *1829 mm LED ILLUMINATED SIGNAGE (NOT IN CONTRACT REFER TO A300 ON SIGNAGE) PROVIDE ELECTRICAL CONNECTION (REFER TO ELECTRICAL DRAWING)*
02. *914mm LED ILLUMINATED SIGNAGE (NOT IN CONTRACT REFER TO A300 ON SIGNAGE). PROVIDE ELECTRICAL CONNECTION (REFER TO ELECTRICAL DRAWING)*
03. *3658 mm LED ILLUMINATED LOGO (NOT IN CONTRACT REFER TO A300 ON SIGNAGE). PROVIDE ELECTRICAL CONNECTION (REFER TO ELECTRICAL DRAWING)*
04. *NON - ILLUMINATED LOGO AND LETTERS. (NOT IN CONTRACT REFER TO A300 ON SIGNAGE)*
05. *13mm EXTERIOR GRADE PLYWOOD TO REPLACE DENSGLASS TO PROVIDE SURFACE FOR MOUNTING SIGNAGE*
06. *NEW WALL MOUNTED LIGHT FIXTURE.*
07. *OH DOOR BUMPER. REFER TO SPECIFICATION FOR MODEL*
08. *NEW INSULATED METAL DOOR PAINTED B*
09. *LINE OF RECEIVING AREA PAD AND RAMP*
10. *NEW STEEL STAIR AND LANDING*
11. *GARBAGE COMPACTOR DOOR/FRAME PAINTED B*
12. *NEW ACRYLIC SYSTEM (EIFS) WITH ADEX ULTRAFLEX MICRO TEXTURE + CRYSTAL COAT OR EQUIVALENT FROM CTR APPROVED MANUFACTURERS IN MASTER SPECIFICATION.*
13. *QUICK CHANGE STORE SEASONAL AD BANNER*
14. *RESERVED*
15. *EXISTING COMPOUND METAL GATE AND FENCING TO REMAIN*
16. *EXISTING SERVICE CENTER BAY DOOR TO REMAIN*
17. *NEW OVERHEAD DOOR*
18. *NEW PREFINISHED ALUMINUM CANOPY, COLOR FINISH C*
19. *TOWER PRECAST PANELS TO BE PAINTED*
20. *NEW BIKE RACK*
21. *BLACK 'IRON EAGLE II' STEEL FENCE*
22. *SPRINKLER HEAD (REFER TO FIRE PROTECTION DRAWINGS)*
23. *COMPACTOR (NOT IN CONTRACT)*
24. *SIGNAGE TO BE CONFIRMED BY CT*

FINISHES

- EF1 — *EXISTING METAL FLASHING TO PAINT TO MATCH COLOUR "B"*
- EF2 — *NEW PRE FINISH ALPOLIC ALUMINUM METAL PANEL COLOR "K" TO RETURN ON THE TOP OF THE PARAPET*
- EF3 — *EXISTING METAL FLASHING TO PAINT COLOUR "O"*
- EF4 — *NEW PREFINISHED 4mm ALPOLIC ALUMINUM METAL COMPOSITE PANEL C OLOUR "K" WITH RAIN SCREEN SYSTEM FASTENED TO EXISTING PRECAST CONCRETE PANEL. REFER TO WALL SECTION FOR ADDITIONAL INFORMATION.*
- EF5 — *EXISTING SMOOTH FACE PRECAST CONCRETE PANELS TO PAINT COLOR "O". REFER TO THE FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE FINISH IN A SEPARATE PRICE*
- EF6 — *EXISTING PRECAST CONCRETE PANELS WITH REVELS TO BE PAINTED TO MATCH COLOUR "B"*
- EF7 — *NEW ACRYLIC SYSTEM (EIFS) WITH ADEX ULTRAFLEX MICRO TEXTURE OR EQUIVALENT FROM CTR APPROVED MANUFACTURERS IN MASTER SPECIFICATION, COLOUR "O". REFER TO FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE PRODUCT IN SEPARATE PRICE*
- EF8 — *NEW ARCHES WITH ACRYLIC SYSTEM (EIFS) WITH ULTRALEX MICRO TEXTURE FROM ADEX OR EQUIVALENT FROM CTR APPROVED MANUFACTURERS IN MASTER SPECIFICATION COLOR "O". REFER TO FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE PRODUCT IN SEPARATE PRICE*
- EF9 — *EXISTING CLEAR ANODIZED ALUMINUM WINDOW FRAME C/W GLASS UNITS*
- EF10 — *EXISTING CLEAR ANODIZED ALUMINUM SLIDING DOORS C/W GLASS UNITS*
- EF11 — *EXISTING CLEAR ANODIZED ALUMINUM SWING DOORS C/W GLASS UNITS*
- EF12 — *EXISTING STEEL DOOR AND FRAME TO PAINT COLOUR "B": OUTSIDE ONLY*
- EF13 — *EXISTING SMOOTH FACE BAND IN PRECAST CONCRETE PANELS TO BE PAINTED COLOUR "B".*
- EF14 — *CLEAR ANODIZED ALUMINUM OVERHEAD GARAGE DOORS TO REMAIN. PAINT FRAME COLOR "M"*
- EF34 — *EXPOSED CONCRETE FOUNDATION WALL TO BE FINISH WITH LIGHT SAND BLAST FOR AN ARCHITECTURAL AND AESTHETIC FINISH.*
- EF15 — *915mm H, CHECKERED STAINLESS STEEL PLATE INSTALLED ON EXISTING COLUMNS. SAND THE SURFACE OF THE COLUMNS TO APPLY NEW ANTI RUST PRIMER AND INSTALL PLATE. APPLY CAULKING JOINT AT THE PLATE AND COLUMN JUNCTION TO AVOID INFILTRATION BETWEEN SURFACES. REFER TO PROTOTYPE DETAIL.*
- EF16 — *STAINLESS PROTECTION RAILING REFER TO STANDARD DETAIL DS 02.10*
- EF17 — *NEW STEEL CANOPY WITH METAL SOFFIT AND ACRYLIC SYSTEM (EIFS) ADEX ULTRAFLEX MICRO TEXTURE + CRYSTAL COAT OR EQUIVALENT FROM CTR APPROVED MANUFACTURERS IN MASTER SPEC SPECIFICATION. ALL SURFACES COLOR "L". REFER TO FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE PRODUCT IN SEPARATE PRICE AND WALL SECTION FOR ADDITIONAL INFORMATION.*
- EF18 — *2134mm x 2438mm PREFINISHED MOTORIZED OVERHEAD INSULATED METAL DOOR TYPE G c/w ACRYLIC WINDOW REFER TO SPEC. SIZE NOTED IS OPENING SIZE. VERTICAL LIFT w/ 1/2 HORSE POWER WITH OPENING SPEED OF 610mm /sec. COLOR H. PAINT ON SITE COLOUR "*
- EF19 — *PREFINISHED METAL FLASHING TO MATCH COLOR "L"*
- EF20 — *NEW ARCH WITH ACRYLIC SYSTEM (EIFS) WITH ADEX ULTRAFLEX MICRO TEXTURE OR EQUIVALENT FROM CTR APPROVED MANUFACTURERS IN MASTER SPECIFICATION, COLOR "L". REFER TO FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE PRODUCT IN SEPARATE PRICE. REFER TO THE WALL SECTION FOR ADDITIONAL INFORMATION.*
- EF21 — *EXISITNG INSULATED METAL PANEL TO PAINT COLOUR "B"*
- EF22 — *EXISITNG MASONRY CLADDING TO PAINT COLOUR "B"*
- EF23 — *PREFINISHED METAL FLASHING TO MATCH COLOUR "O"*
- EF24 — *EXISTING METAL SOFFIT TO BE PAINTED COLOUR "O"*
- EF25 — *NEW ILLUMINATED BOX SIGN BY OTHER. COORDINATE ON SITE EXACT LOCATION WITH CT PM AND SIGN S IGNAGE SUPPLIER*
- EF26 — *STEEL STAIR AND SUPPORT TO PAINT COLOUR "B"*
- EF27 — *STEEL BOLLARD TO PAINT COLOUR "O"*
- EF29 — *METAL SCUPPER TO PAINT COLOUR "B"*
- EF30 — *WALL MOUNTED LIGHT FIXTURE TO PAINT COLOUR "B"*
- EF31 — *GUARDRAIL TO PAINT COLOUR "B"*
- EF32 — *GARBAGE COMPACTOR DOOR/FRAME TO PAINT COLOUR "B"*
- EF33 — *PREFINISHED OVERHEAD METAL DOOR COLOUR "H" FRAME TO B PAINTED WITH COLOUR "B"*

CANADIAN TIRE RETAIL FINISHES REFERENCE CHART - EXTERIOR

REF	FINISHES	COLOR	ALTERNATIVE/OPTION (SEPARATE PRICE)	SUBSTRATE/LOCATION
B		BENJAMIN MOORE STEEL WOOL 2121-20		EXTERIOR
	EF1			EXISTING METAL FLASHING
	EF6	ACRYLIC SATIN/PEARL FINISH		EXISTING PRECAST CONCRETE PANELS WITH REVEALS
	EF12	ACRYLIC SEMI GLOSS FINISH		EXISTING STEEL DOOR AND FRAME (OUTSIDE ONLY)
	EF13	ACRYLIC SATIN/PEARL FINISH		EXISTING SMOOTH FACE BAND IN PRECAST CONCRETE PANELS
	EF21	ACRYLIC SATIN/PEARL FINISH		EXISITNG INSULATED METAL PANEL AT WINTERIZED CANOPY
	EF22	ACRYLIC SATIN/PEARL FINISH		EXISITNG MASONRY UNDER WINDOWS
	EF26	ACRYLIC SEMI GLOSS FINISH		STEEL STAIR AND SUPPORT
	EF29	ACRYLIC SEMI GLOSS FINISH		METAL SCUPPER
	EF30	ACRYLIC SEMI GLOSS FINISH		WALL MOUNTED LIGHT FIXTURE PAINTED OR FACTORY COLOR BLACK
	EF31	ACRYLIC SATIN/PEARL FINISH		GUARDRAIL
	EF32			GARBAGE COMPACTOR DOOR/FRAME
	EF34	ACRYLIC SEMI GLOSS FINISH		EXISTING PREFINISHED INSULATED METAL PANEL
F		EXISTING LEAR ANODIZED		
	EF9,10			EXISTING ALUMINUM WINDOW FRAMES, SLIDING DOORS, SWING DOOR (OUTSIDE ONLY)
	EF28			CLEAR ANODIZED ALUMINUM OVERHEAD GARAGE
G		SAFETY YELLOW		
	EF27	ACRYLIC SEMI GLOSS FINISH		STEEL BOLLARD
H		WHITE (FACTORY)		EXTERIOR
	EF18	ACRYLIC SEMI GLOSS FINISH		ECOMM OVERHEAD DOOR; PAINTED ON SITE COLOR A
	EF33	ACRYLIC SEMI GLOSS FINISH		OVERHEAD METAL DOOR PAINTED ON SITE COLOUR B
K		ALPOLIC WOOD FINISH COLOR QBB TEAK TIMBER		EXTERIOR
	EF2			PARAPET PANEL
	EF4			FASCIA ABOVE ENTRANCE DOORS
L		PANTONE 355 C		EXTERIOR
	EF17		ALPOLIC METAL PANEL CUSTOM COLOUR 735L1180 VALFLON GREEN	NEW STEEL CANOPY CLADDING AND METAL SOFFIT ALL SURFACES WITH ACRYLIC FASCIA
	EF19	ACRYLIC SEMI GLOSS FINISH		PREFINISHED METAL FLASHING
	EF20		ALPOLIC METAL PANEL CUSTOM COLOUR 735L1180 VALFLON GREEN	NEW ARCHES WITH ACRYLIC SYSTEM (EIFS) AT ECOMM ARCH
M		BENJAMIN MOORE PAINT TO MATCH CLEAR ANODIZED		
	EF14			SERVICE CENTRE OVERHEAD GARAGE DOOR FRAME (OUTSIDE ONLY)
O		BENJAMIN MOORE 2119-10 SPACE BLACK		EXTERIOR
	EF3	ACRYLIC SEMI GLOSS FINISH		EXISTING METAL FLASHING AT TOWER AND SERVICE CENTRE/GARDEN CENTRE ARCHES
	EF5	PAINT ACRYLIC SATIN/PEARL FINISH	STAIN ACRYLIC SATIN/PEARL FINISH STAIN PRODUCT 'NAWTONE' FROM NAWKAW	EXISTING SMOOTH FACE PRECAST CONCRETE PANELS AT TOWER
	EF7		ALPOLIC METAL PANEL CLOUR BLK BLACK ANODIZED TBC	NEW ACRYLIC SYSTEM (EIFS) BETWEEN VESTIBULES
	EF8		ALPOLIC METAL PANEL CLOUR BLK BLACK ANODIZED TBC	NEW ARCHES WITH ACRYLIC SYSTEM (EIFS) AT SERVICE CENTRE AND GARDEN CENTRE
	EF23	ACRYLIC SEMI GLOSS FINISH		PREFINISHED METAL FLASHING
	EF8	ACRYLIC SEMI GLOSS FINISH		EXISTING METAL SOFFIT

issues:

date	no.	description	appr'd
04-12-22	1	ISSUED FOR REVIEW	
05-04-22	2	ISSUED FOR REVIEW	

revisions:

date	no.	description	appr'd

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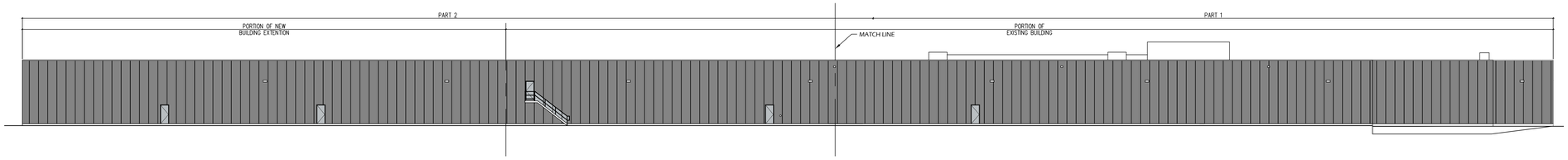
GWA architecture planning interiors
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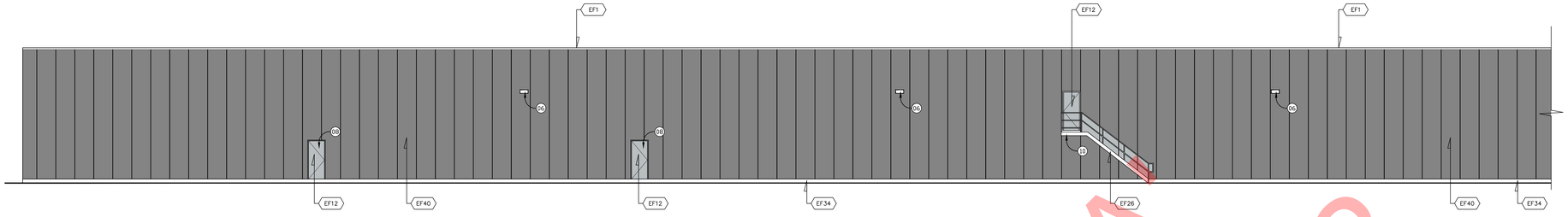
dwg. title: EXTERIOR ELEVATIONS

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drawn	chkd.	dwg. no.	
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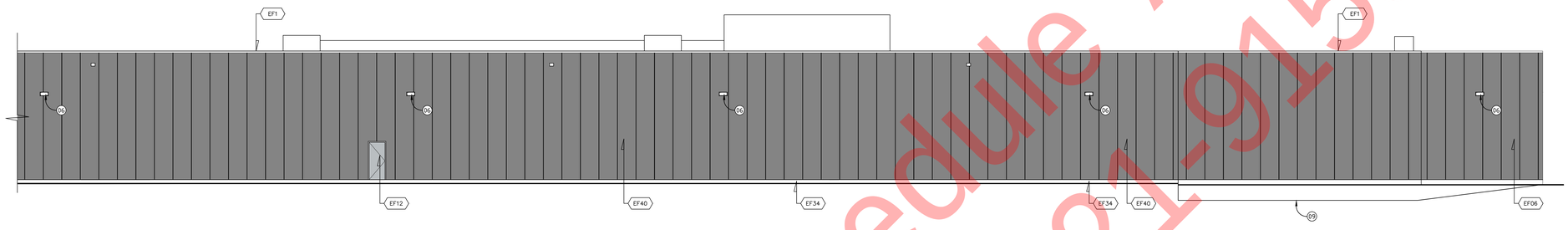
Schedule A
DP PL2021-9153



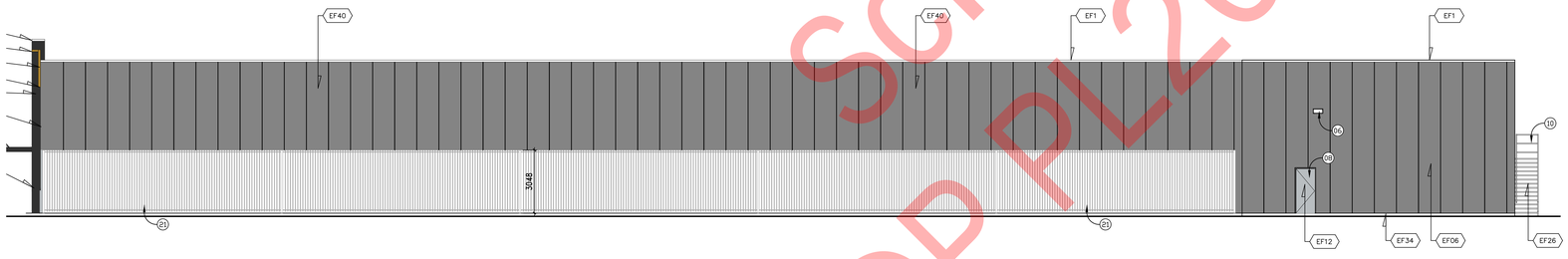
1 A2.01 EAST ELEVATION - OVERALL SCALE 1:200



2 A2.01 EAST ELEVATION - 1 OF 2 SCALE 1:100



3 A2.01 EAST ELEVATION - 1 OF 2 SCALE 1:100



4 A2.00 SOUTH ELEVATION SCALE 1:100

NOTES

NOTE: ALL ITEMS EXISTING AND TO REMAIN, UNLESS OTHER WITH NOTED

01 1829 mm LED ILLUMINATED SIGNAGE (NOT IN CONTRACT REFER TO A300 ON SIGNAGE) PROVIDE ELECTRICAL CONNECTION (REFER TO ELECTRICAL DRAWING)

02 914mm LED ILLUMINATED SIGNAGE (NOT IN CONTRACT REFER TO A300 ON SIGNAGE). PROVIDE ELECTRICAL CONNECTION (REFER TO ELECTRICAL DRAWING)

03 3658 mm LED ILLUMINATED LOGO (NOT IN CONTRACT REFER TO A300 ON SIGNAGE). PROVIDE ELECTRICAL CONNECTION (REFER TO ELECTRICAL DRAWING)

04 NON - ILLUMINATED LOGO AND LETTERS. (NOT IN CONTRACT REFER TO A300 ON SIGNAGE).

05 13mm EXTERIOR GRADE PLYWOOD TO REPLACE DENSGLASS TO PROVIDE SURFACE FOR MOUNTING SIGNAGE

06 NEW WALL MOUNTED LIGHT FIXTURE.

07 OH DOOR BUMPER. REFER TO SPECIFICATION FOR MODEL.

08 NEW: INSULATED METAL DOOR

09 LINE OF RECEIVING AREA PAD AND RAMP

10 NEW: STEEL STAIR AND LANDING

11 NEW: RECYCLING COMPACTOR DOOR

12 NEW: STONE CLADDING: MODEL COBBLEFIELD, COLOR ECHO RIDGE

13 QUICK CHANGE STORE SEASONAL AD BANNER

14 EXISTING WINDOW TO REMAIN

15 EXISTING COMPOUND METAL GATE AND FENCING TO REMAIN

16 EXISTING SERVICE CENTER BAY DOOR TO REMAIN

17 NEW OVERHEAD DOOR

18 NEW PREFINISHED ALUMINUM CANOPY, COLOR CHARCOAL

19 TOWER PRECAST PANELS TO BE PAINTED

20 NEW BIKE RACK

21 BLACK 'IRON EAGLE II' STEEL FENCE

22 SPRINKLER HEAD (REFER TO FIRE PROTECTION DRAWINGS)

FINISHES

EF1 EXISTING METAL FLASHING TO PAINT TO MATCH COLOUR "B"

EF2 NEW PRE FINISH ALPOLIC ALUMINUM METAL PANEL COLOR "K" TO RETURN ON THE TOP OF THE PARAPET

EF3 EXISTING METAL FLASHING TO PAINT COLOUR "K"

EF4 NEW PREFINISHED 4mm ALPOLIC ALUMINUM METAL COMPOSITE PANEL C.O.LOUR "K" WITH RAIN SCREEN SYSTEM FASTENED TO EXISTING PRECAST CONCRETE PANEL. REFER TO WALL SECTION FOR ADDITIONAL INFORMATION.

EF5 EXISTING SMOOTH FACE PRECAST CONCRETE PANELS TO PAINT COLOR "O". REFER TO THE FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE FINISH IN A SEPARATE PRICE

EF6 EXISTING PRECAST CONCRETE PANELS WITH REVELS TO BE PAINTED TO MATCH COLOUR "B"

EF7 NEW ACRYLIC SYSTEM (EIFS) WITH ADEX ULTRAFLEX MICRO TEXTURE OR EQUIVALENT FROM CTR APPROVED MANUFACTURERS IN MASTER SPECIFICATION. COLOUR "O". REFER TO FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE PRODUCT IN SEPARATE PRICE

EF8 NEW ARCHES WITH ACRYLIC SYSTEM (EIFS) WITH ULTRALEX MICRO TEXTURE FROM ADEX OR EQUIVALENT FROM CTR APPROVED MANUFACTURERS IN MASTER SPECIFICATION COLOR "O". REFER TO FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE PRODUCT IN SEPARATE PRICE

EF9 EXISTING CLEAR ANODIZED ALUMINUM WINDOW FRAME C/W GLASS UNITS

EF10 EXISTING CLEAR ANODIZED ALUMINUM SLIDING DOORS C/W GLASS UNITS

EF11 EXISTING CLEAR ANODIZED ALUMINUM SWING DOORS C/W GLASS UNITS

EF12 EXISTING STEEL DOOR AND FRAME TO PAINT COLOUR "B"; OUTSIDE ONLY

EF13 EXISTING SMOOTH FACE BAND IN PRECAST CONCRETE PANELS TO BE PAINTED COLOUR "B"

EF14 CLEAR ANODIZED ALUMINUM OVERHEAD GARAGE DOORS TO REMAIN; PAINT FRAME COLOR "M"

EF34 EXPOSED CONCRETE FOUNDATION WALL TO BE FINISH WITH LIGHT SAND BLAST FOR AN ARCHITECTURAL AND AESTHETIC FINISH.

EF15 915mm H. CHECKERED STAINLESS STEEL PLATE INSTALLED ON EXISTING COLUMNS. SAND THE SURFACE OF THE COLUMNS TO APPLY NEW ANTI RUST PRIMER AND INSTALL PLATE. APPLY CAULKING JOINT AT THE PLATE AND COLUMN JUNCTION TO AVOID INFILTRATION BETWEEN SURFACES. REFER TO PROTOTYPE DETAIL

EF16 STAINLESS PROTECTION RAILING REFER TO STANDARD DETAIL DS 02.10

EF17 NEW STEEL CANOPY WITH METAL SOFFIT AND ACRYLIC SYSTEM (EIFS) ADEX ULTRAFLEX MICRO TEXTURE + CRYSTAL COAT, OR EQUIVALENT FROM CTR APPROVED MANUFACTURERS IN MASTER SPEC SPECIFICATION. ALL SURFACES COLOUR "L". REFER TO FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE PRODUCT IN SEPARATE PRICE AND WALL SECTION FOR ADDITIONAL INFORMATION.

EF18 2134mm x 2438mm PREFINISHED MOTORIZED OVERHEAD INSULATED METAL DOOR TYPE C c/w ACRYLIC WINDOW REFER TO SPEC. SIZE NOTED IS OPENING SIZE. VERTICAL LIFT w/ 1/2 HORSE POWER WITH OPENING SPEED OF 610mm /sec. COLOR H. PAINT ON SITE COLOUR "

EF19 PREFINISHED METAL FLASHING TO MATCH COLOR "L"

EF20 NEW ARCH WITH ACRYLIC SYSTEM (EIFS) WITH ADEX ULTRAFLEX MICRO TEXTURE OR EQUIVALENT FROM CTR APPROVED MANUFACTURERS IN MASTER SPECIFICATION. COLOR "L". REFER TO FINISH SCHEDULE FOR OPTIONAL ALTERNATIVE PRODUCT IN SEPARATE PRICE. REFER TO THE WALL SECTION FOR ADDITIONAL INFORMATION.

EF21 EXISTING INSULATED METAL PANEL TO PAINT COLOUR "B"

EF22 EXISITNG MASONRY CLADDING TO PAINT COLOUR "B"

EF23 PREFINISHED METAL FLASHING TO MATCH COLOUR "O"

EF24 EXISTING METAL SOFFIT TO BE PAINTED COLOUR "O"

EF25 NEW ILLUMINATED BOX SIGN BY OTHER. COORDINATE ON SITE EXACT LOCATION WITH CT PM AND SIGN S IGNAGE SUPPLIER

EF26 STEEL STAIR AND SUPPORT TO PAINT COLOUR "B"

EF27 STEEL BOLLARD TO PAINT COLOUR "O"

EF29 METAL SCUPPER TO PAINT COLOUR "B"

EF30 WALL MOUNTED LIGHT FIXTURE TO PAINT COLOUR "B"

EF31 GUARDRAIL TO PAINT COLOUR "B"

EF32 GARBAGE COMPACTOR DOOR/FRAME TO PAINT COLOUR "B"

EF33 PREFINISHED OVERHEAD METAL DOOR COLOUR "H" FRAME TO B PAINTED WITH COLOUR "B"

EF40 NEW INSULATED METAL PANEL TO PAINT COLOUR "B"

CANADIAN TIRE RETAIL FINISHES REFERENCE CHART - EXTERIOR

REF	FINISHES	COLOR	ALTERNATIVE/OPTION (SEPARATE PRICE)	SUBSTRATE/LOCATION
B		BENJAMIN MOORE STEEL WOOL 2121-20		EXTERIOR
	EF1			EXISTING METAL FLASHING
	EF6	ACRYLIC SATIN/PEARL FINISH		EXISTING PRECAST CONCRETE PANELS WITH REVEALS
	EF12	ACRYLIC SEMI GLOSS FINISH		EXISTING STEEL DOOR AND FRAME (OUTSIDE ONLY)
	EF13	ACRYLIC SATIN/PEARL FINISH		EXISTING SMOOTH FACE BAND IN PRECAST CONCRETE PANELS
	EF22	ACRYLIC SATIN/PEARL FINISH		EXISTING INSULATED METAL PANEL AT WINTERIZED CANOPY
	EF26	ACRYLIC SEMI GLOSS FINISH		EXISTING MASONRY UNDER WINDOWS
	EF29	ACRYLIC SEMI GLOSS FINISH		STEEL STAIR AND SUPPORT
	EF30	ACRYLIC SEMI GLOSS FINISH		METAL SCUPPER
	EF31	ACRYLIC SATIN/PEARL FINISH		WALL MOUNTED LIGHT FIXTURE PAINTED OR FACTORY COLOR BLACK
	EF32			GUARDRAIL
	EF34	ACRYLIC SEMI GLOSS FINISH		GARBAGE COMPACTOR DOOR/FRAME
F		EXISTING LEAR ANODIZED		EXISTING PREFINISHED INSULATED METAL PANEL
	EF9,10			EXISTING ALUMINUM WINDOW FRAMES, SLIDING DOORS, SWING DOOR (OUTSIDE ONLY)
	EF28			CLEAR ANODIZED ALUMINUM OVERHEAD GARAGE
G		SAFETY YELLOW		
	EF27	ACRYLIC SEMI GLOSS FINISH		STEEL BOLLARD
H		WHITE (FACTORY)		EXTERIOR
	EF18	ACRYLIC SEMI GLOSS FINISH		ECOMM OVERHEAD DOOR; PAINTED ON SITE COLOR A
	EF33	ACRYLIC SEMI GLOSS FINISH		OVERHEAD METAL DOOR PAINTED ON SITE COLOUR B
K		ALPOLUC WOOD FINISH COLOR QBB TEAK TIMBER		EXTERIOR
	EF2			PARAPET PANEL
	EF4			FASCIA ABOVE ENTRANCE DOORS
L		PANTONE 355 C		EXTERIOR
	EF17		ALPOLIC METAL PANEL CUSTOM COLOUR 735L1180 VALFLON GREEN	NEW STEEL CANOPY CLADDING AND METAL SOFFIT ALL SURFACES WITH ACRYLIC FASCIA
	EF19	ACRYLIC SEMI GLOSS FINISH		PREFINISHED METAL FLASHING
	EF20		ALPOLIC METAL PANEL CUSTOM COLOUR 735L1180 VALFLON GREEN	NEW ARCHES WITH ACRYLIC SYSTEM (EIFS) AT ECOMM ARCH
M		BENJAMIN MOORE PAINT TO MATCH CLEAR ANODIZED		
	EF14			SERVICE CENTRE OVERHEAD GARAGE DOOR FRAME (OUTSIDE ONLY)
O		BENJAMIN MOORE 2119-10 SPACE BLACK		EXTERIOR
	EF3	ACRYLIC SEMI GLOSS FINISH		EXISTING METAL FLASHING AT TOWER AND SERVICE CENTRE/GARDEN CENTRE ARCHES
	EF5	PAINT ACRYLIC SATIN/PEARL FINISH	STAIN ACRYLIC SATIN/PEARL FINISH STAIN PRODUCT 'MANTONE' FROM MANKAM	EXISTING SMOOTH FACE PRECAST CONCRETE PANELS AT TOWER
	EF7		ALPOLIC METAL PANEL CLOUR BLK BLACK ANODIZED TBC	NEW ACRYLIC SYSTEM (EIFS) BETWEEN VESTIBULES
	EF8		ALPOLIC METAL PANEL CLOUR BLK BLACK ANODIZED TBC	NEW ARCHES WITH ACRYLIC SYSTEM (EIFS) AT SERVICE CENTRE AND GARDEN CENTRE
	EF23	ACRYLIC SEMI GLOSS FINISH		PREFINISHED METAL FLASHING
	EF8	ACRYLIC SEMI GLOSS FINISH		EXISTING METAL SOFFIT

issues:

date	no.	description	appr'd
04-12-22	1	ISSUED FOR REVIEW	
05-04-22	2	ISSUED FOR REVIEW	

revisions:

date	no.	description	appr'd

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RETAIL STORE & SERVICE CENTRE NO. 351
PENTICTON, BRITISH COLUMBIA

dwg. title: EXTERIOR ELEVATIONS

scale	date	printed	job no.
AS NOTED	03-31-22	-	21050
drawn: JR	chkd.: CE	dwg. no.: A2.01	

Schedule 'A' DP PL2021-9153

The Corporation of the City of Penticton

Bylaw No. 2023-20

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. 2023-20".

2. **Amendment:**

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

Rezone Lot 5 District Lot 249 Similkameen Division Yale District Plan 3578 Except Plan KAP68411, located at 732 Government Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) as shown on Schedule 'A'.

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

READ A FIRST time this	20	day of	June, 2023
A PUBLIC HEARING was held this	18	day of	July, 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 July, 2023 and the 12th day of July, 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 2023-20

Date: Corporate Officer:



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June 12, 2023 11:33:24 AM

Meters

0 20 40

Coordinate System: NAD 1983 CSRS UTM Zone 11N

The Corporation of the City of Penticton

Bylaw No. 2023-21

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. 2023-21".

2. **Amendment:**

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

Rezone Lot A District Lot 249 Similkameen Division Yale District Plan KAP64083, located at 720 Government Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) as shown on Schedule 'A'.

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

READ A FIRST time this	20	day of	June, 2023
A PUBLIC HEARING was held this	18	day of	July, 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 July, 2023 and the 12th day of July, 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 2023-21

Date: Corporate Officer:



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1:720

June 12, 2023 11:36:53 AM

Meters

0 25 50

Coordinate System: NAD 1983 CSRS UTM Zone 11N