



# Public Hearing No. 3

penticton.ca

## Public Hearing

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

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

Tuesday, August 1, 2023  
at 6:00 p.m.

1. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2023-25”** 1-48
- CO Reads Opening Statement and Introduction of Bylaw  
“Zoning Amendment Bylaw No. 2023-25”
- Purpose: To amend Zoning Bylaw No. 2023-08 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), with the following site-specific provision:
- A maximum of one duplex suite is permitted on proposed Lot A.
- The applicant is proposing an infill development on the subject property. The existing home would remain on a proposed new lot facing Manitoba Street (Proposed Lot C). 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). In total, 5 new units are proposed, in addition to the one existing home to be retained. A total of three lots would be created.
- Notice: Pursuant to the *Local Government Act* the Public Hearing was advertised on Friday, July 21, 2023 and Wednesday, July 26, 2023 in an online news source and the newspaper.
- CO No letters have been received regarding the Zoning Amendment Bylaw (as of noon Wednesday, July 26, 2023).
- Mayor Requests Development Services staff describe the proposed bylaw
- Mayor Invitation to applicant for comment or elaboration on the application
- Mayor Invitation to electronic and in person participants to present their views
- Mayor Invites Council members to ask questions
- Mayor Invites applicants to respond to questions

PUBLIC HEARING for “Zoning Amendment Bylaw No. 2023-25” is terminated and no new information can be received on this matter.

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

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

## **Resolutions**

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- 8.10 Zoning Amendment Bylaw No. 2023-25  
Development Variance Permit PL2022-9322  
Development Permit PL2022-9323  
Development Permit PL2022-9324  
Re: 401 Edmonton Avenue

270/2023

**It was MOVED and SECONDED**

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.

**CARRIED UNANIMOUSLY**

# Council Report

penticton.ca

**Date:** July 18, 2023  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Steven Collyer, Senior Planner  
**Address:** 401 Edmonton Avenue

File No: RMS/401 Edmonton Ave

**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.

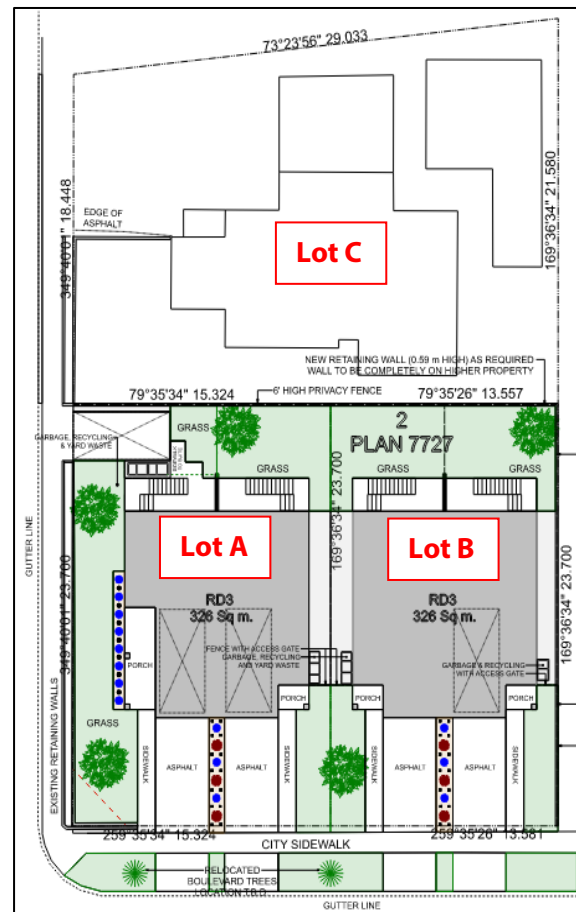


Figure 2 - Proposed development layout

## 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:

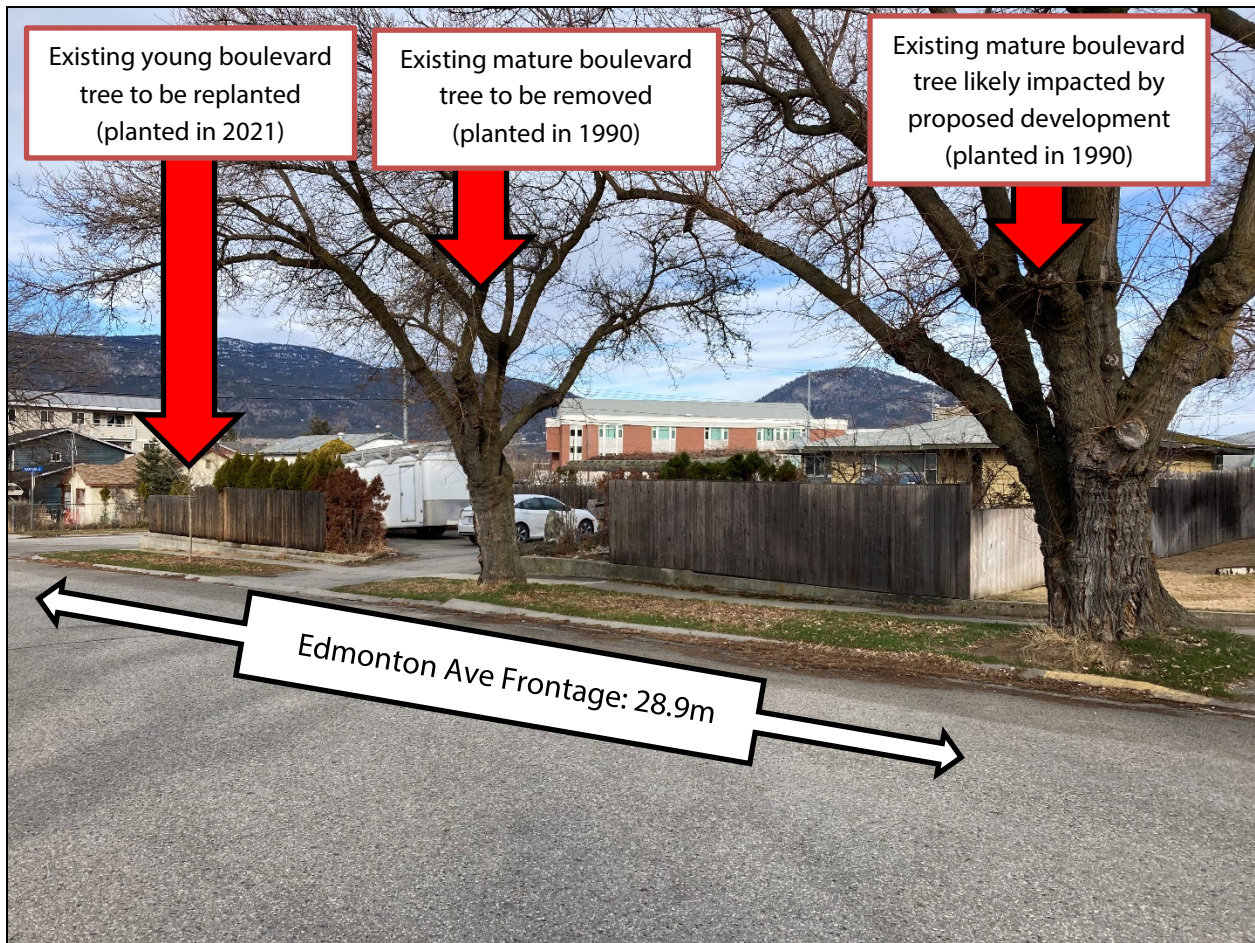
- **Shift Beyond the Car:** Encourage active & accessible transportation and transit.
  - The subject property is one block away from multiple bus routes along both Main Street and Government Street.
  - The subject property is close to the KVR trail which promotes walking and bicycling options.
  - 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.

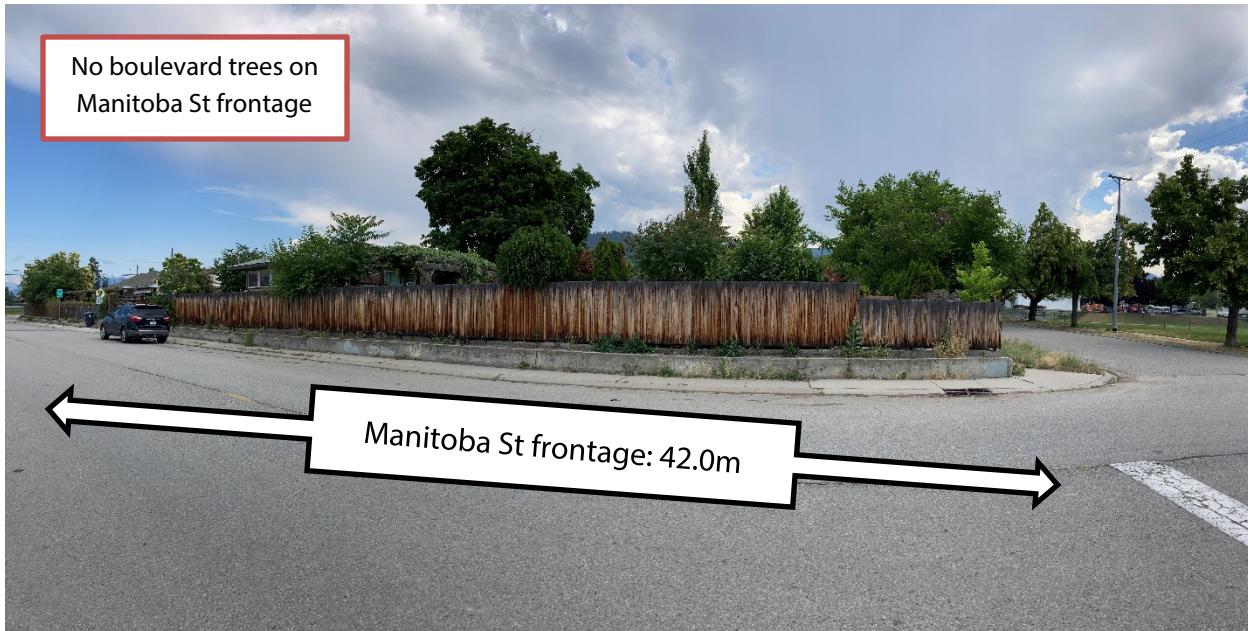


Figure 5: Image of property from Manitoba Street.

### 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 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.

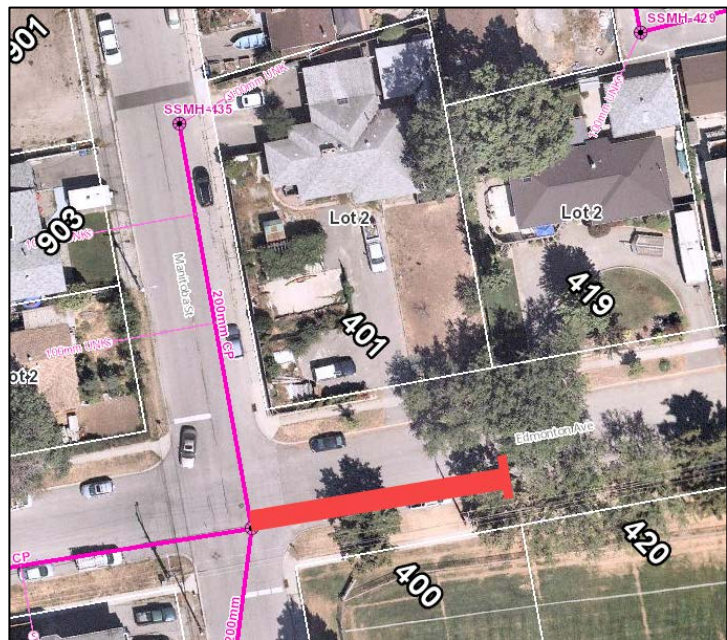


Figure 6 - Based on subdivision plan, 34m sanitary sewer main extension required (shown in red). Existing sanitary sewer mains shown in pink.

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
<b>Minimum Lot Width:</b>	9.1 m (standard lot) 10.5m (corner lot)	15.32 m	13.58 m
<b>Minimum Lot Area:</b>	275 m <sup>2</sup>	363.2 m <sup>2</sup>	321.8 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	55%	37.5%	42%
<b>Maximum Density:</b>	1.0 Floor Area Ratio (FAR)	0.83 FAR	0.89 FAR
<b>Vehicle Parking:</b>	1 space per unit	4 parking spaces proposed	4 parking spaces proposed
<b>Required Setbacks</b>			
Front Yard:	4.5 m	6.07 m	6.07 m
Side Yard (east):	1.2 m	1.29 m	1.26 m
Side Yard (west):	3.0 m (exterior)/1.2m (interior)	3.08 m	1.30 m
Rear Yard:	6.0 m	6.0 m	6.0 m
<b>Maximum Building Height</b>	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)
<p>Infill Residential</p> 	<p>Transitional lower-height residential areas with new housing types compatible with existing single detached houses in character and scale but providing more units per lot.</p>	<ul style="list-style-type: none"> <li>• Single detached houses with or without secondary suites and/or carriage houses</li> <li>• Duplexes with or without suites</li> <li>• Triplexes</li> <li>• Lower-density rowhouses</li> <li>• Small-scale neighbourhood commercial building (e.g., corner store, coffee shop).</li> </ul>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Limited retail/service</li> </ul>	<ul style="list-style-type: none"> <li>• 1 to 4 units per single lot</li> <li>• Consolidation of lots possible for lower scale multifamily developments</li> <li>• Generally up to 2 ½ storeys</li> </ul>	<ul style="list-style-type: none"> <li>• R1</li> <li>• R2</li> <li>• R3</li> <li>• RD1</li> <li>• RD2</li> <li>• RD3</li> <li>• C2</li> </ul>

Figure 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 neighbourhoods 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.

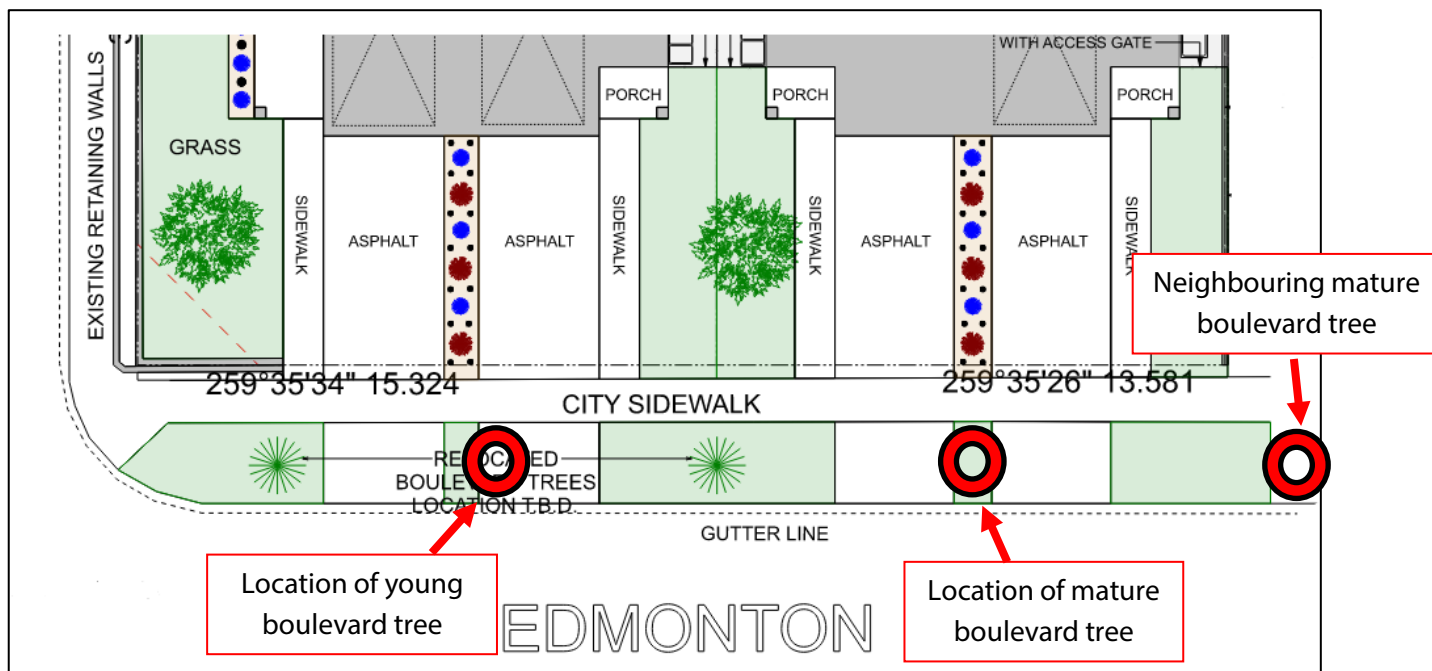


Figure 8 - Submitted landscaping plan showing relocated boulevard trees, with existing tree locations shown in red.

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

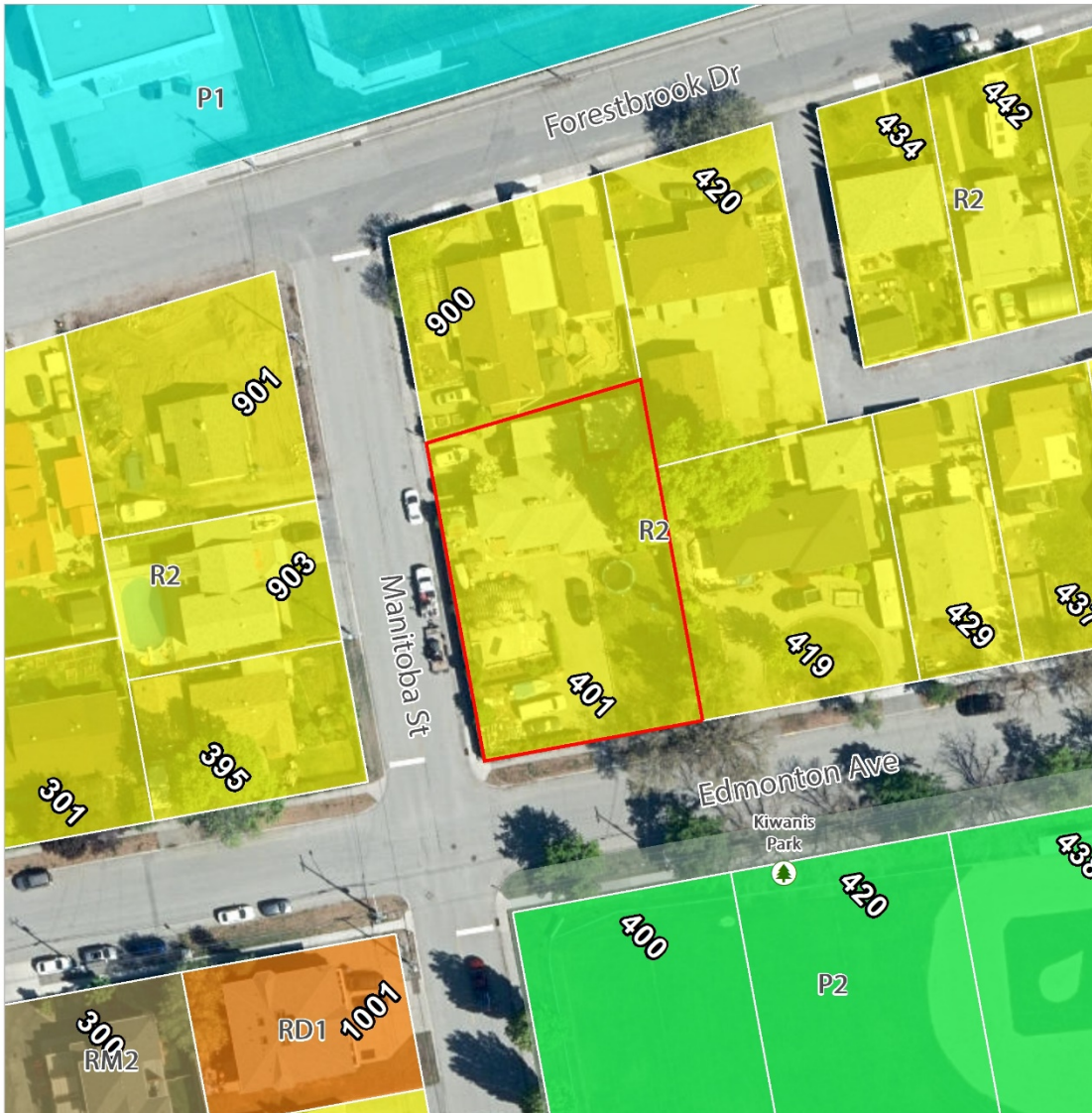
Director of Development Services  <i>BL</i>	General Manager of Infrastructure  <i>KD</i>	Acting Chief Administrative Officer  <i>KD</i>
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Attachment A – Zoning Map



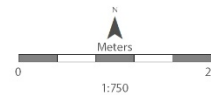
# 401 Edmonton Ave

## Zoning Map



**Legend**

- Subject Parcel
- R2 - Small Lot Residential
- P1 - Public Assembly
- RD1 - Duplex Housing
- P2 - Parks and Recreation
- RM2 - Low Density Multiple Housing



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Attachment B – Official Community Plan Map



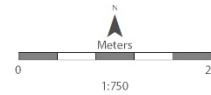
# 401 Edmonton Ave

## Official Community Plan Map



**Legend**

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



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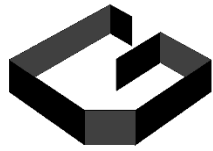
[penticton.ca](http://penticton.ca)

Attachment C – Photos of Property









# 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,

A handwritten signature in black ink, appearing to read 'Tony', written in a cursive style.

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 rear 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.

## 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.

Authorized by City Council, the \_\_\_\_ day of \_\_\_\_\_, 2023.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2023.

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Angela Collison  
Corporate Officer

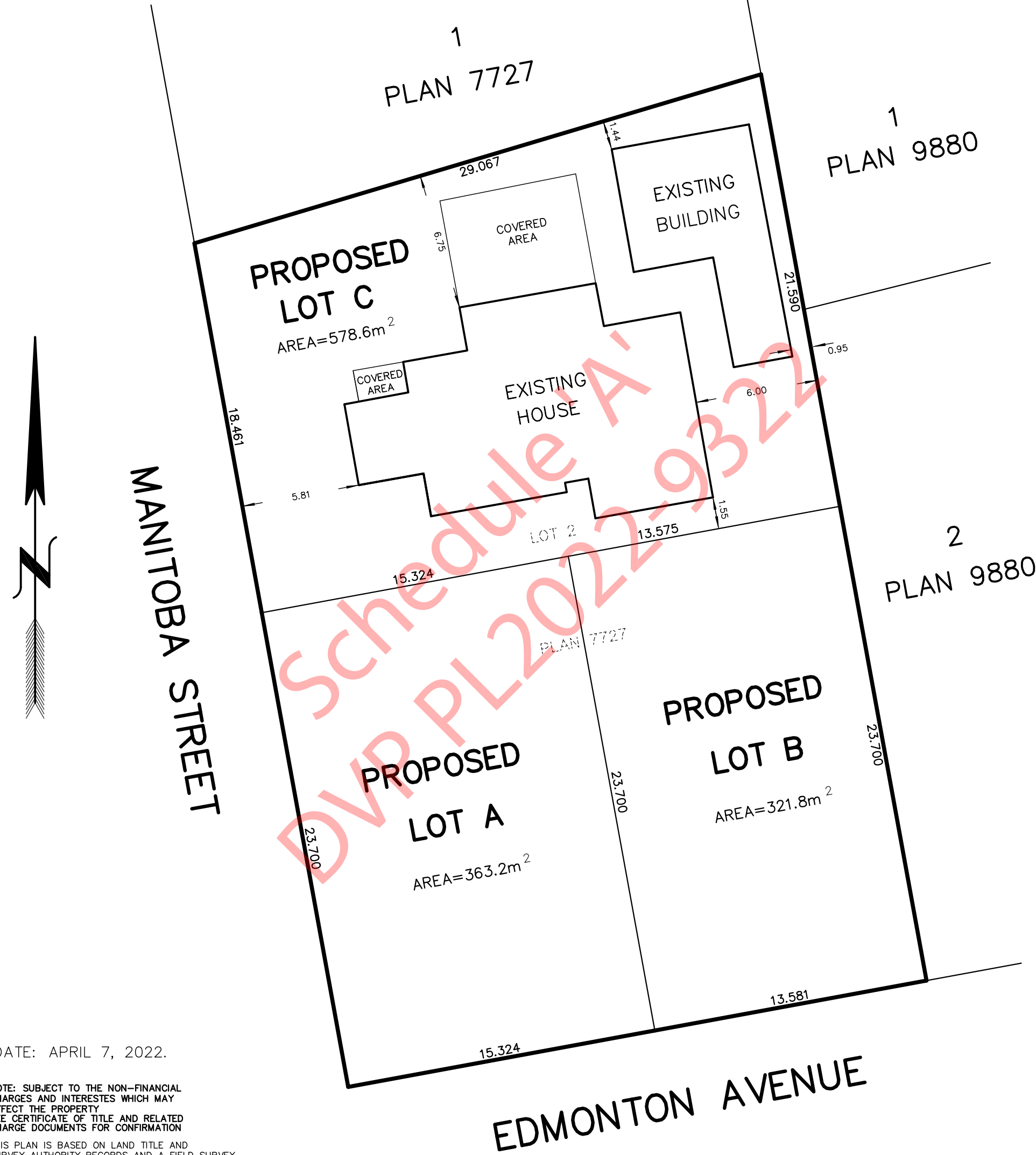
DRAFT

# 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



DATE: APRIL 7, 2022.

NOTE: SUBJECT TO THE NON-FINANCIAL CHARGES AND INTERESTS 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

## 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).

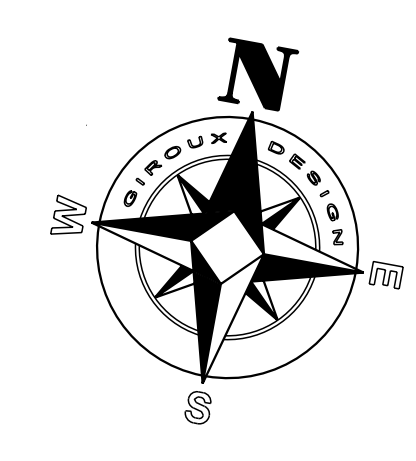
### General Conditions

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



MANITOBA STREET



1  
PLAN 7727

1  
PLAN 9880

2  
PLAN 7727

2  
PLAN 9880

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

EDMONTON AVENUE

**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 m <sup>2</sup>	576.00 m <sup>2</sup>	NO
MAXIMUM LOT COVERAGE	40%	41.3% (238 m <sup>2</sup> )	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 m <sup>2</sup>	363.62 m <sup>2</sup>	NO
MAXIMUM LOT COVERAGE	55%	35% (126.8 m <sup>2</sup> )	NO
MAXIMUM DENSITY	1.0 FAR	0.80 FAR (291.1 m <sup>2</sup> )	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 m <sup>2</sup>	59.6 m <sup>2</sup>	NO
DUPLEX SUITE AREA	40%	39.6 m <sup>2</sup> (31%)	NO
SUITE AMENITY SPACE	15 m <sup>2</sup>	15 m <sup>2</sup>	NO

**LOT B ZONING COMPLIANCE TABLE (PROPOSED ZONING RD3)**

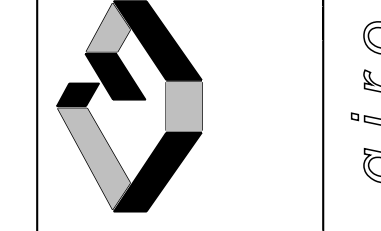
REGULATION	REQUIRED	PROPOSED	VARIANCE REQUIRED
OCP DESIGNATION	DR	DR	NO
ZONING	R2	RD3	NO
MINIMUM LOT WIDTH	9.1	13.6 m	NO
LOT AREA	275 m <sup>2</sup>	321 m <sup>2</sup>	NO
MAXIMUM LOT COVERAGE	55%	40% (126.8 m <sup>2</sup> )	NO
MAXIMUM DENSITY	1.0 FAR	0.86 FAR (274.6 m <sup>2</sup> )	NO
MAXIMUM HEIGHT	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 DATE: 2023-04-18  
DRAWN BY: AJG REVISED:

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Due to local codes, regulations and building practices and/or because of specific site conditions, these drawings may not be suitable or legal for use in the construction of a building in all localities. Consequently, these drawings are not to be used for the construction of a building in any other jurisdiction without the written consent of the designer. The purchaser of these drawings is deemed to have accepted the responsibility for the construction of the drawings and shall be responsible for the construction of the drawings. The drawings are for the purchaser's use only and shall not be used for any other purpose. The purchaser shall be responsible for the construction of the drawings and shall be responsible for the construction of the drawings.

**GIROUX DESIGN GROUP**  
Custom Home and Building Design Since 1950.  
Giroux Design Group Inc.  
phone: 250.276.4373 e-mail: contact@grouxdesigngroup.com  
web: www.grouxdesigngroup.com

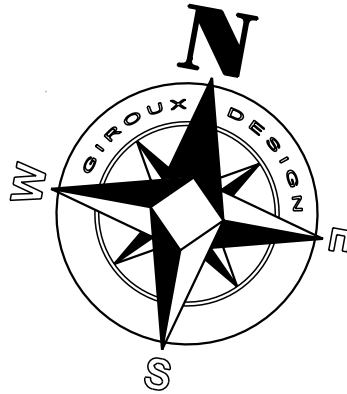


PLAN NO.  
**WP-5694**  
SLAB  
SHEET NO.  
**A2**

www.grouxdesigngroup.com - www.westhomeplanners.com - www.houseplanners.com

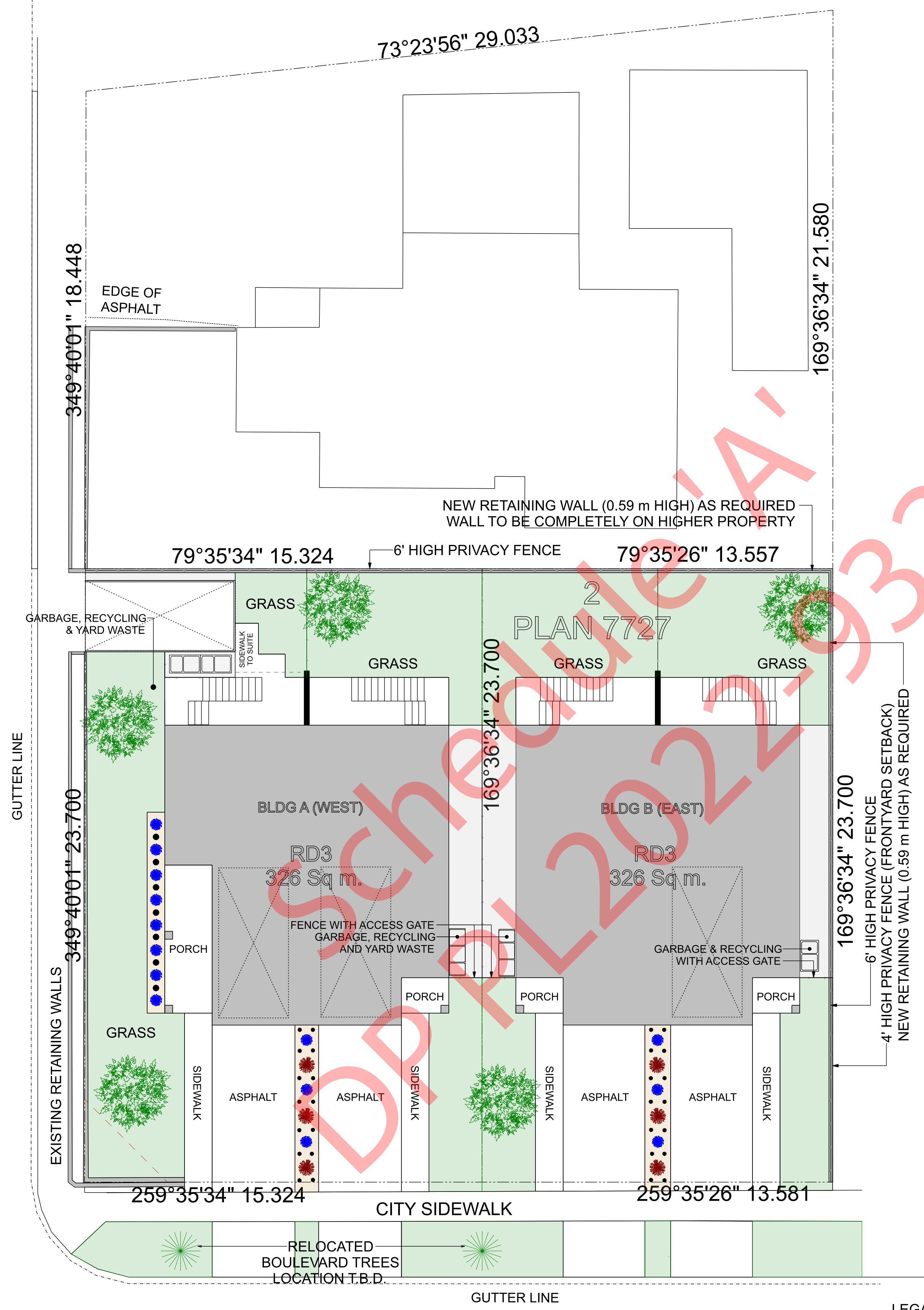
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Site Plan



MANITOBA STREET

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

EDMONTON AVENUE

CENTER LINE OF PAVED ROAD

**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

JOHN LEE  
 401 EDMONTON AVE.  
 PENTICTON, BC  
 DESIGN BY: AJG DATE: 2023-04-18  
 DRAWN BY: AJG REVISED:

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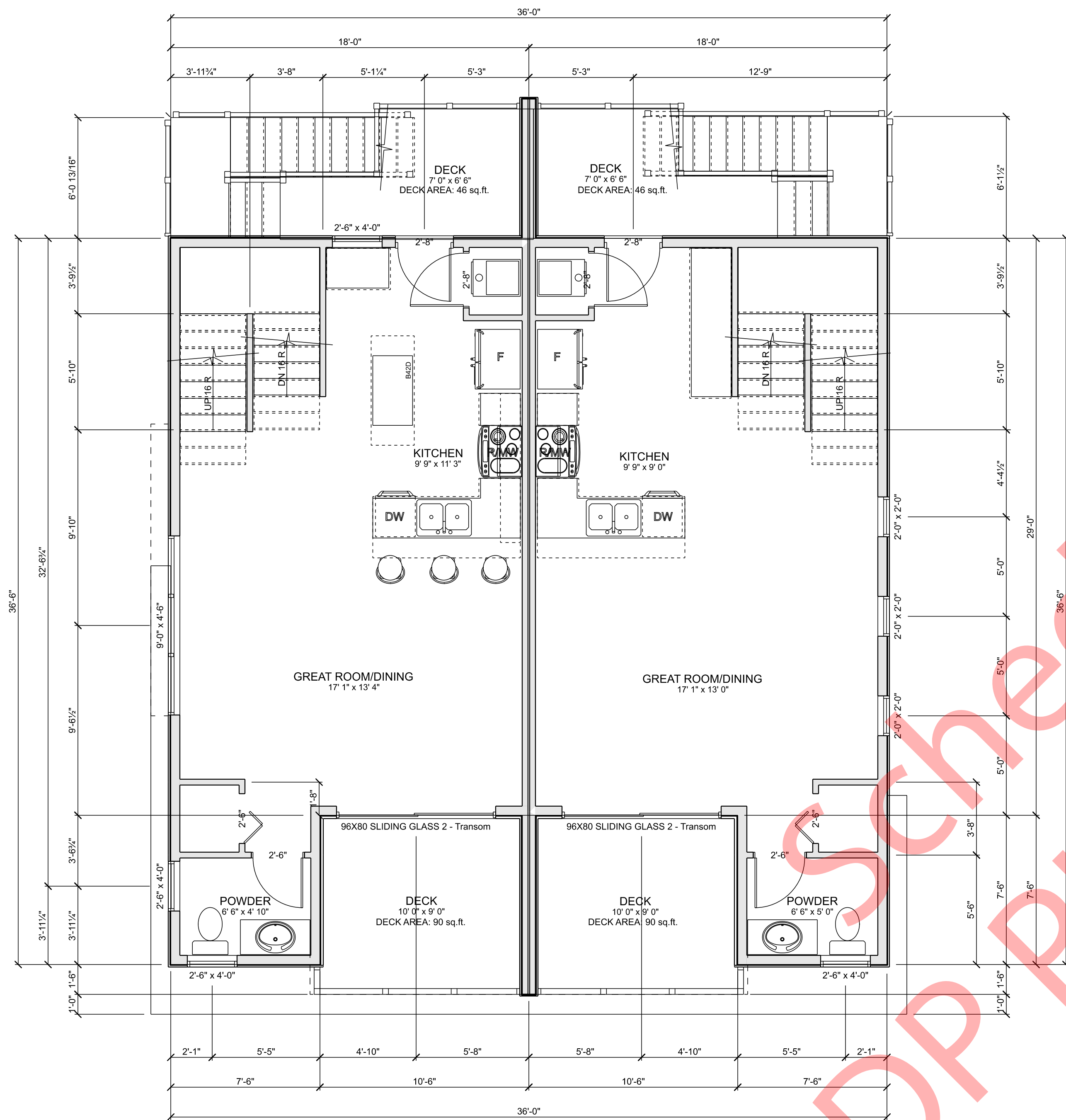
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 SLAB  
 SHEET NO. **A4**

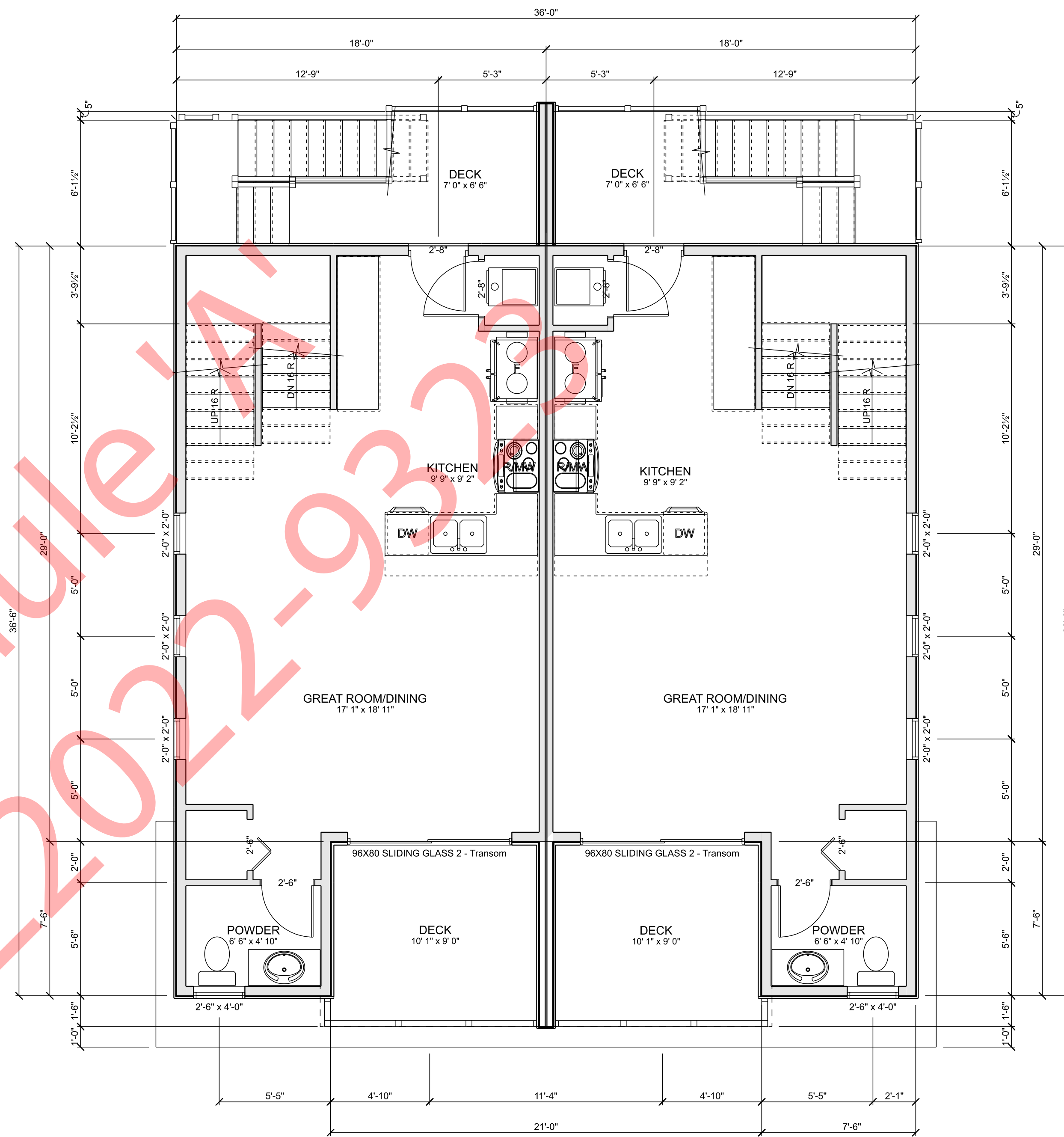
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Landscape Plan





**MAIN FLOOR PLAN (BUILDING A)**  
 SCALE: 1/4" = 1'-0"  
 MAIN FLOOR LIVING AREA: 1026 sq.ft.  
 DECK AREA: 272 sq.ft.

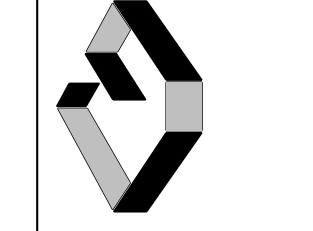


**MAIN FLOOR PLAN (BUILDING B)**  
 SCALE: 1/4" = 1'-0"  
 MAIN FLOOR LIVING AREA: 1027 sq.ft.

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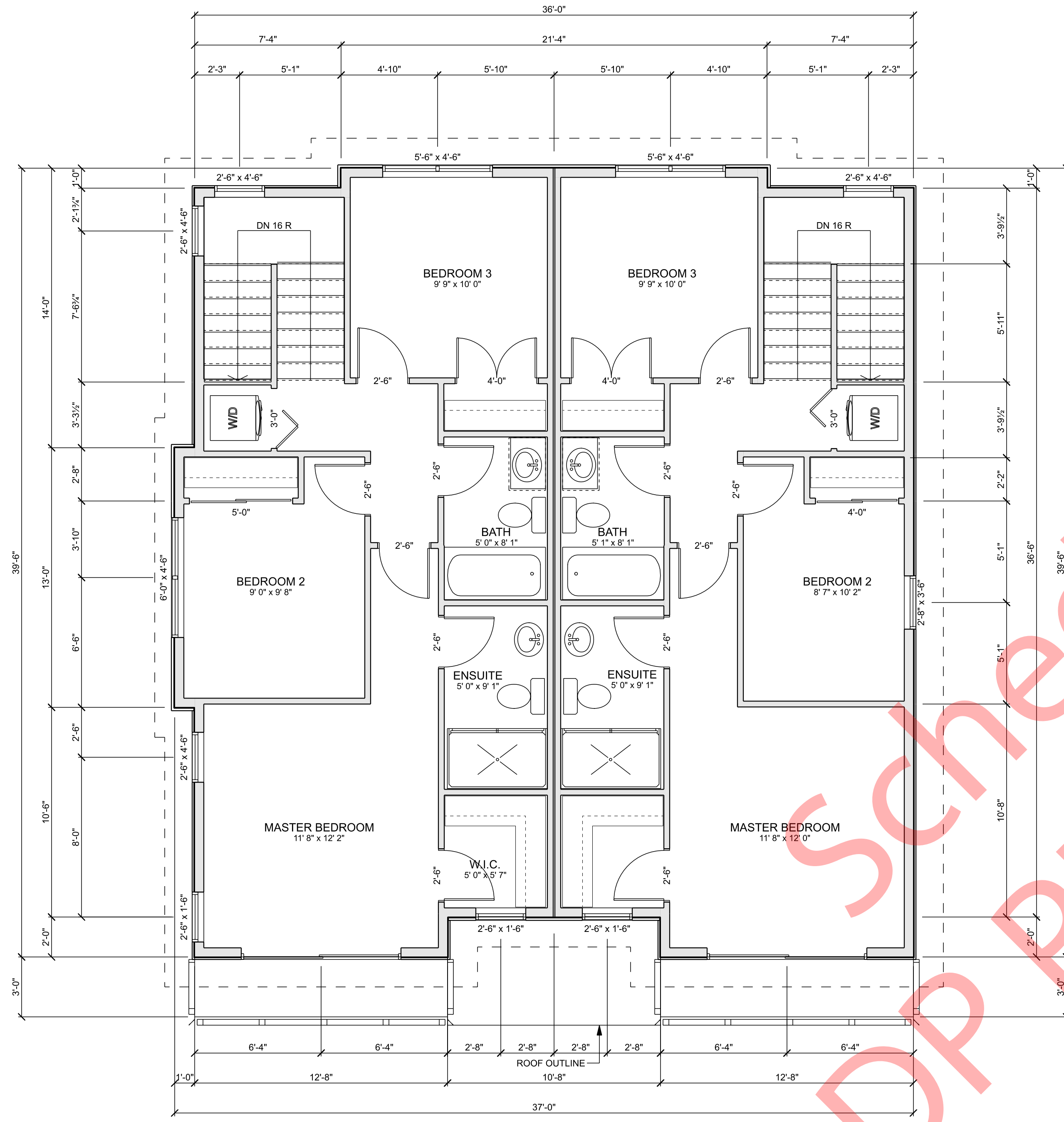
PLAN NO.  
**WP-5694**  
 SLAB  
 SHEET NO.  
**A6**

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 DESIGN BY: AJG DATE: 2023-04-18  
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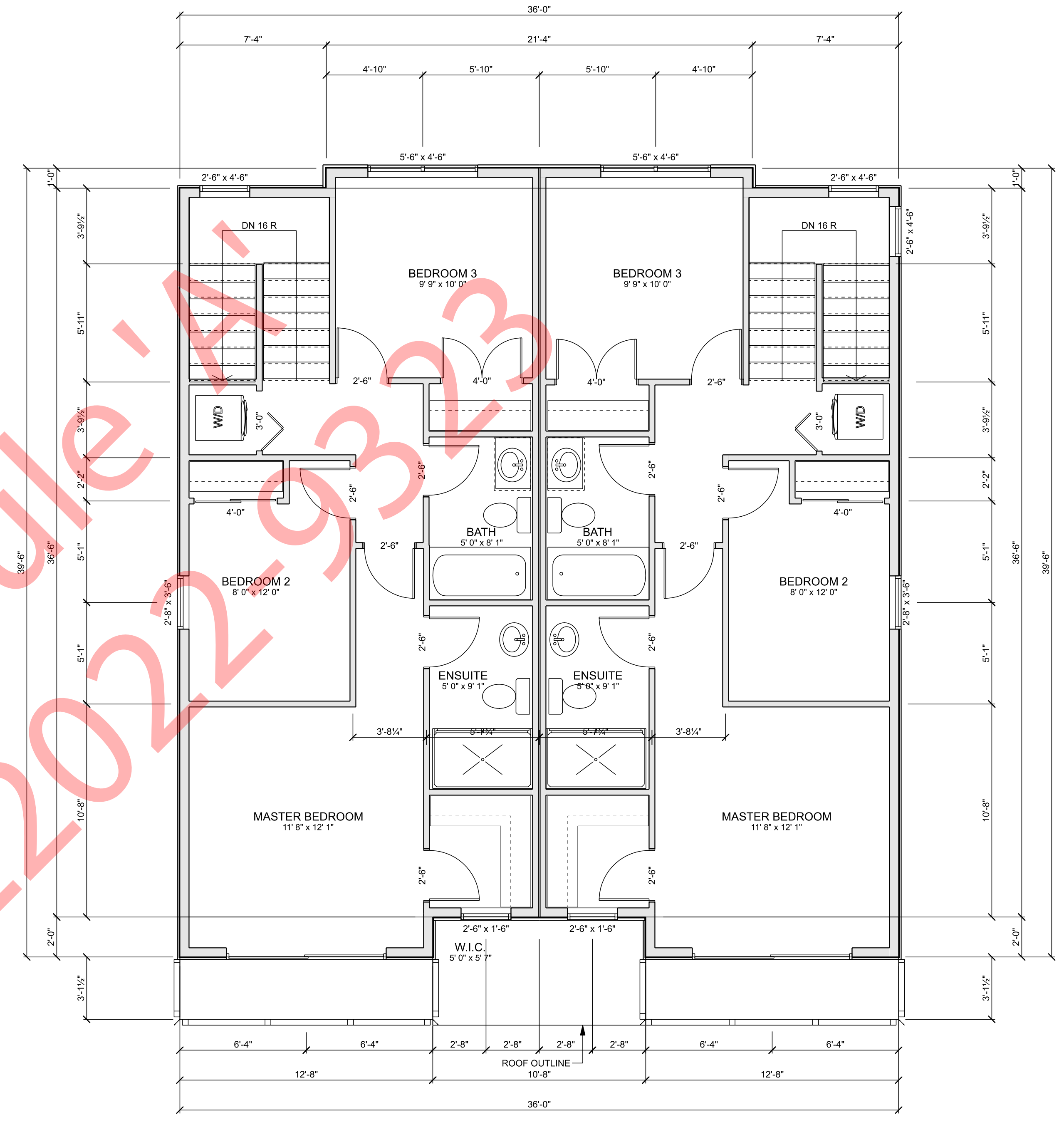
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Main Floor Plans



**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.

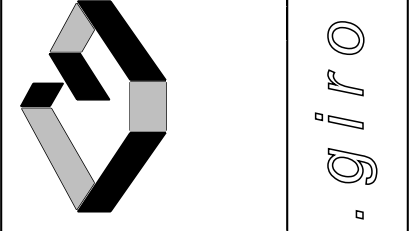
Schedule  
 2022  
 9323

JOHN LEE  
 401 EDMONTON AVE.  
 PENTICTON, BC  
 DESIGN BY: AIG DATE: 2023-04-18  
 DRAWN BY: AIG REVISED:

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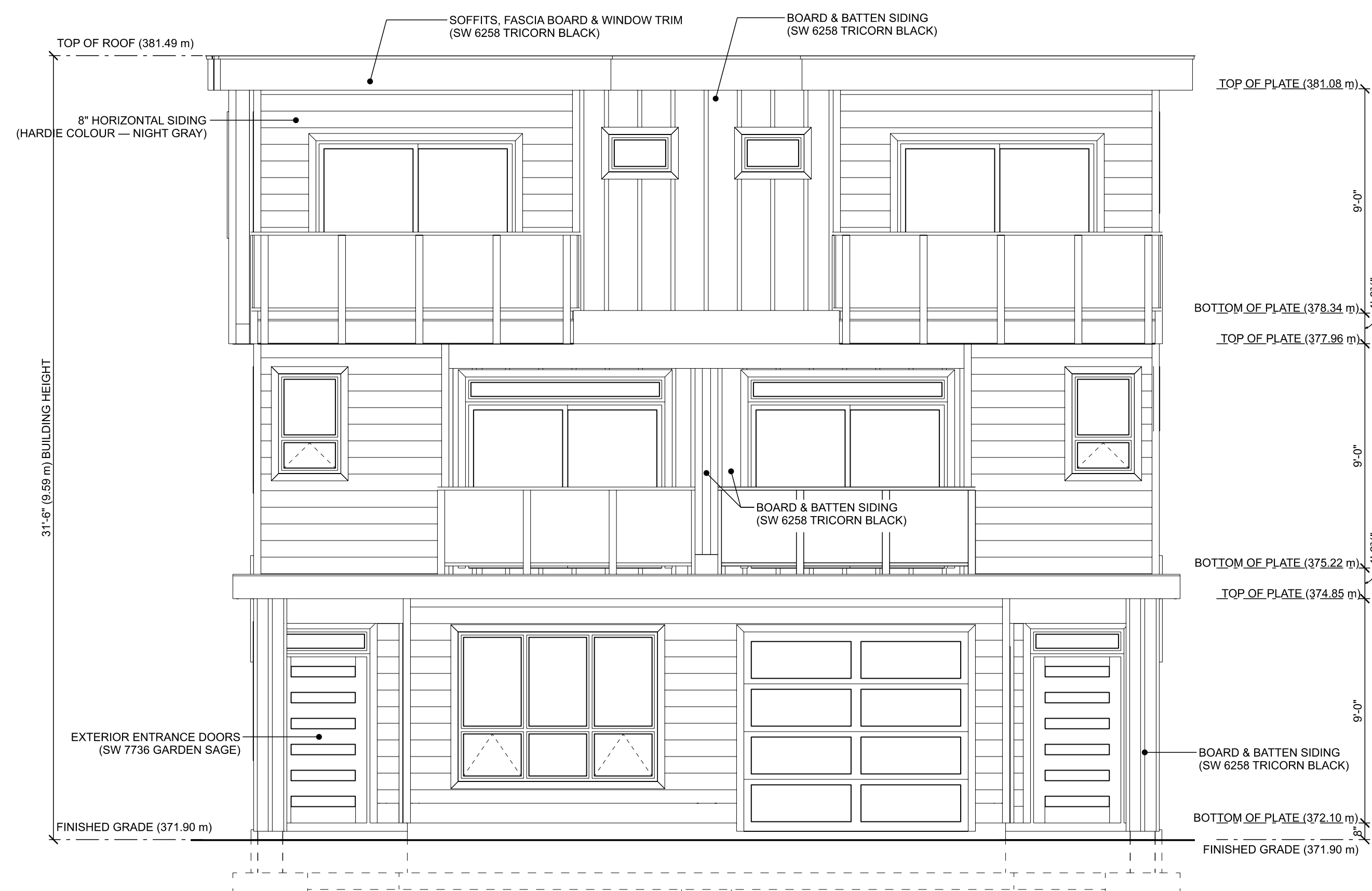


PLAN NO.  
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**A7**

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Upper Floor Plans

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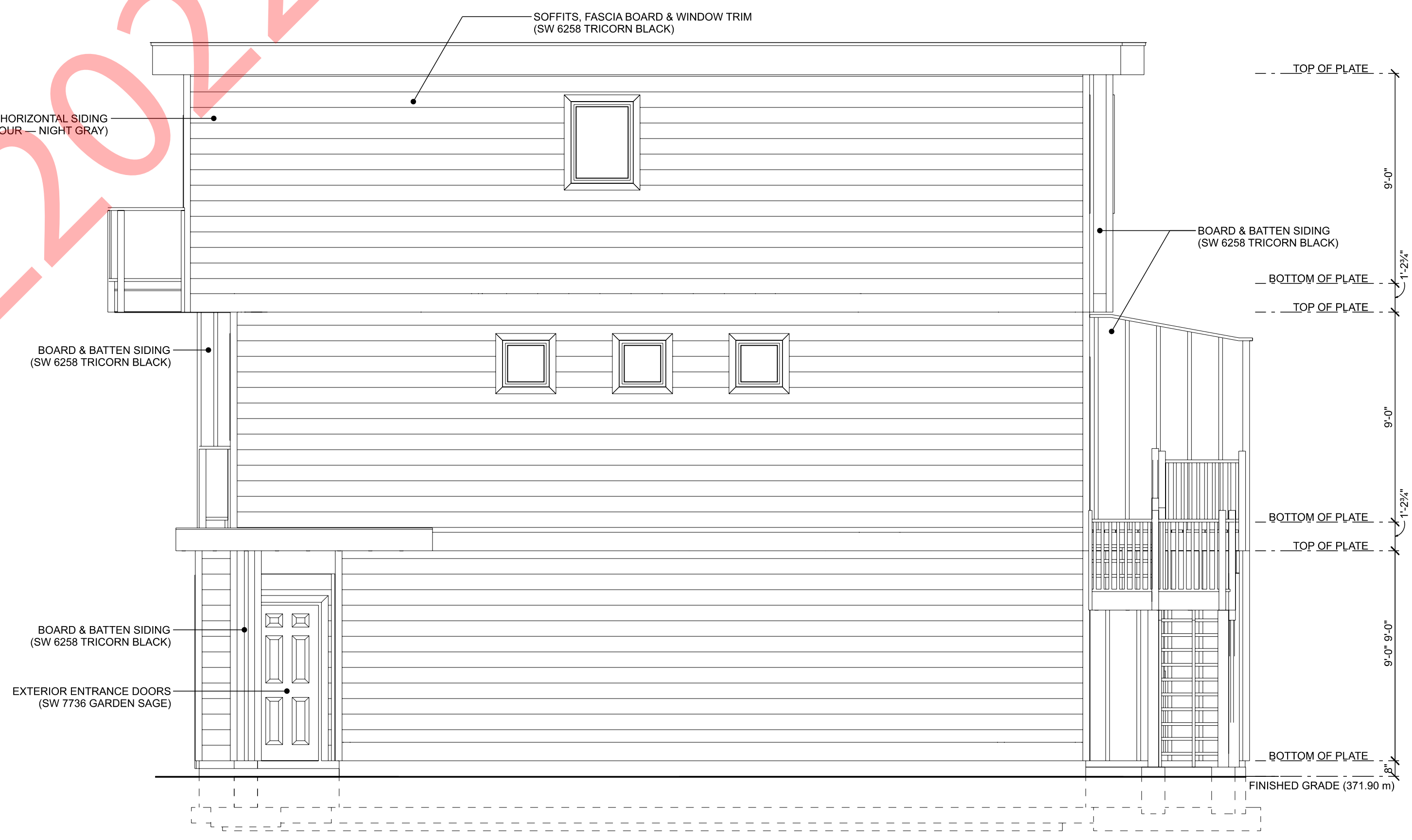
**FRONT ELEVATION BLDG A (FACING SOUTH TO EDMONTON AVE.)**  
SCALE: 1/4" = 1'-0"



**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"



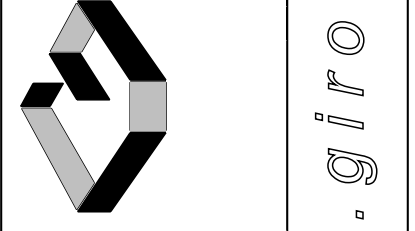
**RIGHT ELEVATION BLDG A (FACING EAST TO LOT B)**  
SCALE: 1/4" = 1'-0"

JOHN LEE  
401 EDMONTON AVE.  
PENTICTON, BC  
DESIGN BY: AJG DATE: 2023-04-18  
DRAWN BY: AJG REVISED:

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Elevations-Building A

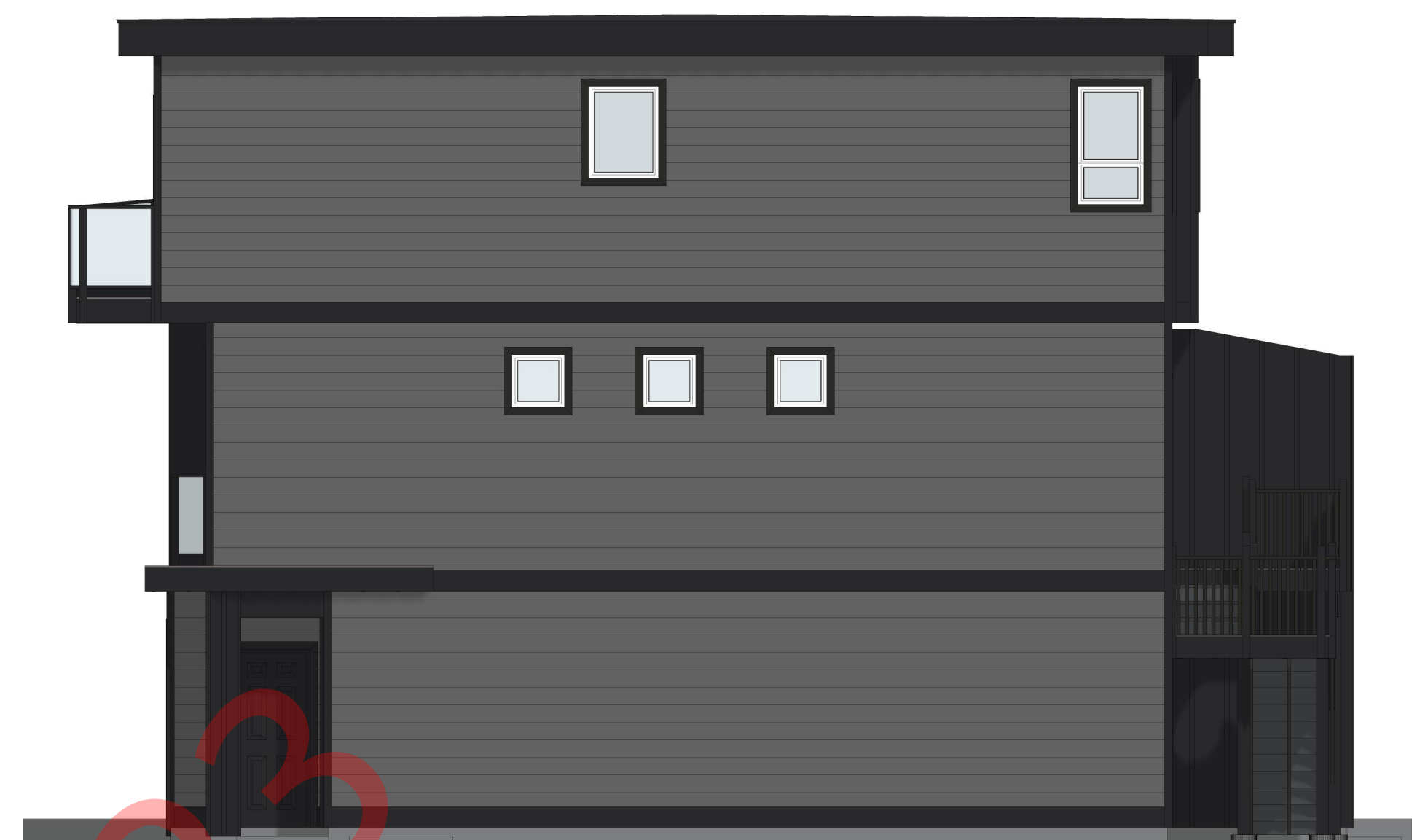




SOUTH ELEVATION (FACING EDMONTON AVE.)  
SCALE: 3/16" = 1'-0"



EAST ELEVATION  
SCALE: 3/16" = 1'-0"



WEST ELEVATION (FACING MANITOBA STREET)  
SCALE: 3/16" = 1'-0"



NORTH ELEVATION  
SCALE: 3/16" = 1'-0"



Schedule 'A'  
DPL 2022-9323

JOHN LEE  
401 EDMONTON AVE.  
PENTICTON, BC  
DESIGN BY: AJG DATE: 2023-04-18  
DRAWN BY: AJG REVISED:

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Colour Elevations

## 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).

### 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.

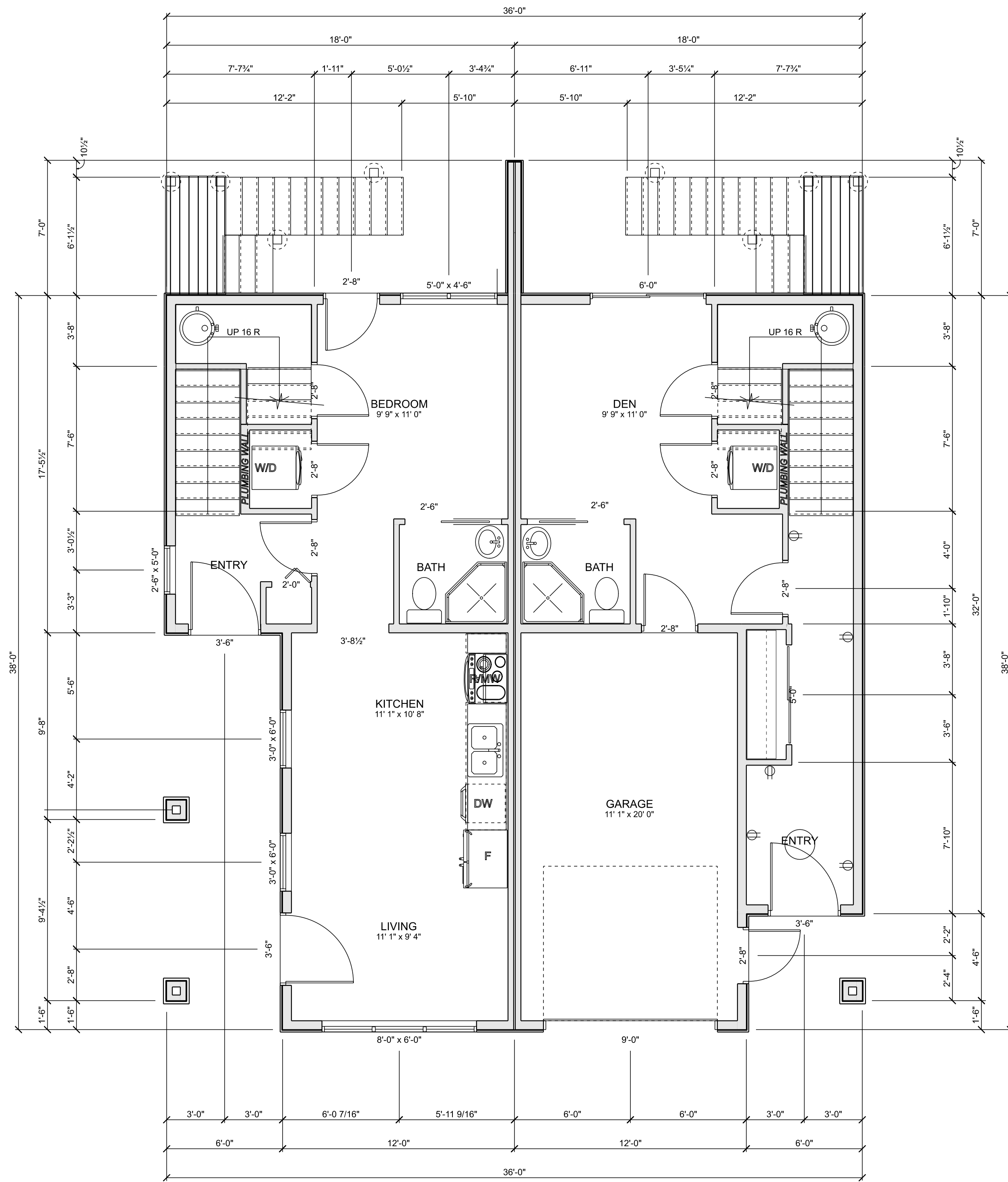
Authorized by City Council, the \_\_\_\_ day of \_\_\_\_\_, 2023.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2023.

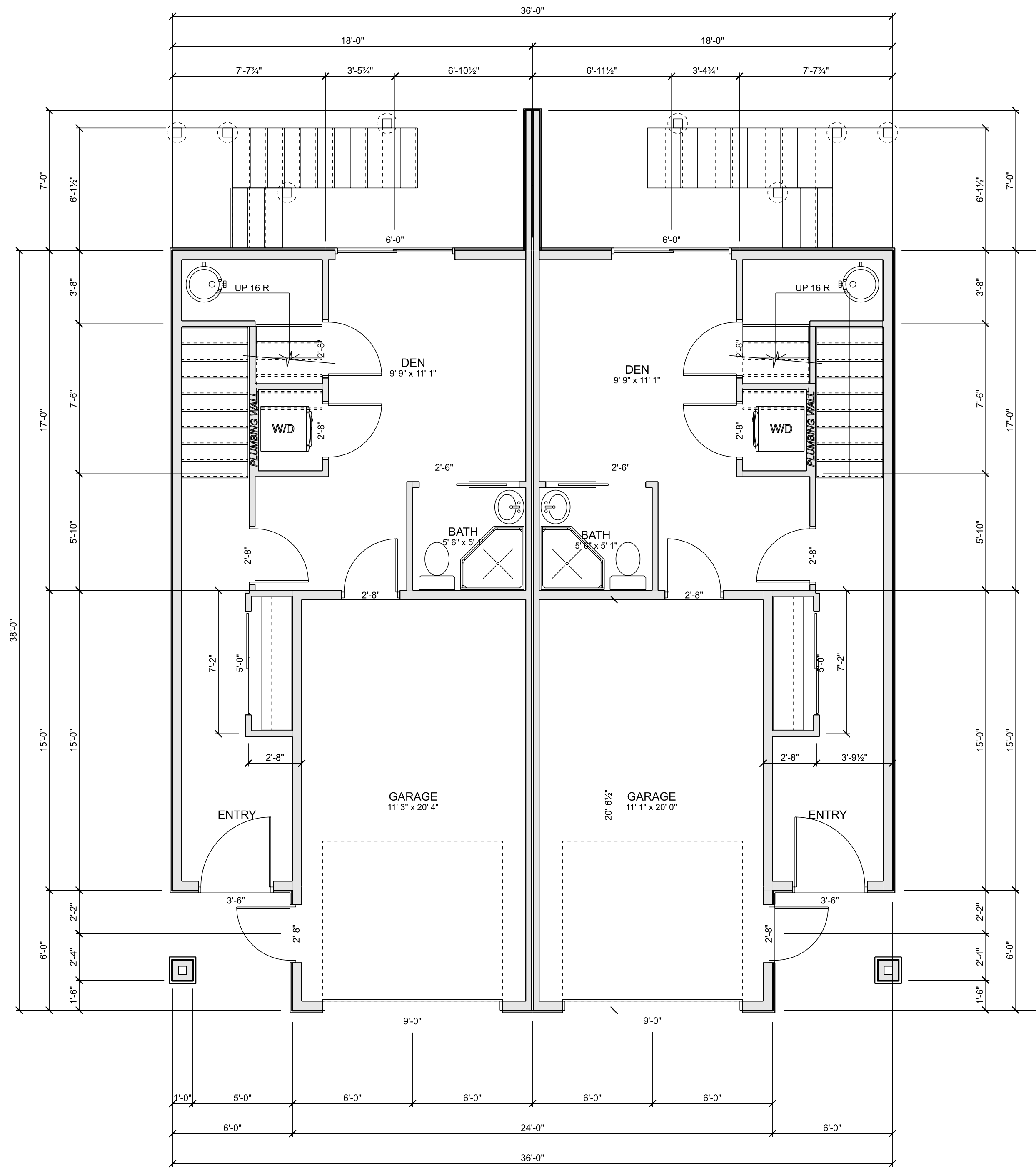
\_\_\_\_\_  
Angela Collison  
Corporate Officer







**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.

JOHN LEE  
 401 EDMONTON AVE.  
 PENTICTON, BC  
 DESIGN BY: AIG  
 DRAWN BY: AIG  
 DATE: 2023-04-18  
 REVISED:

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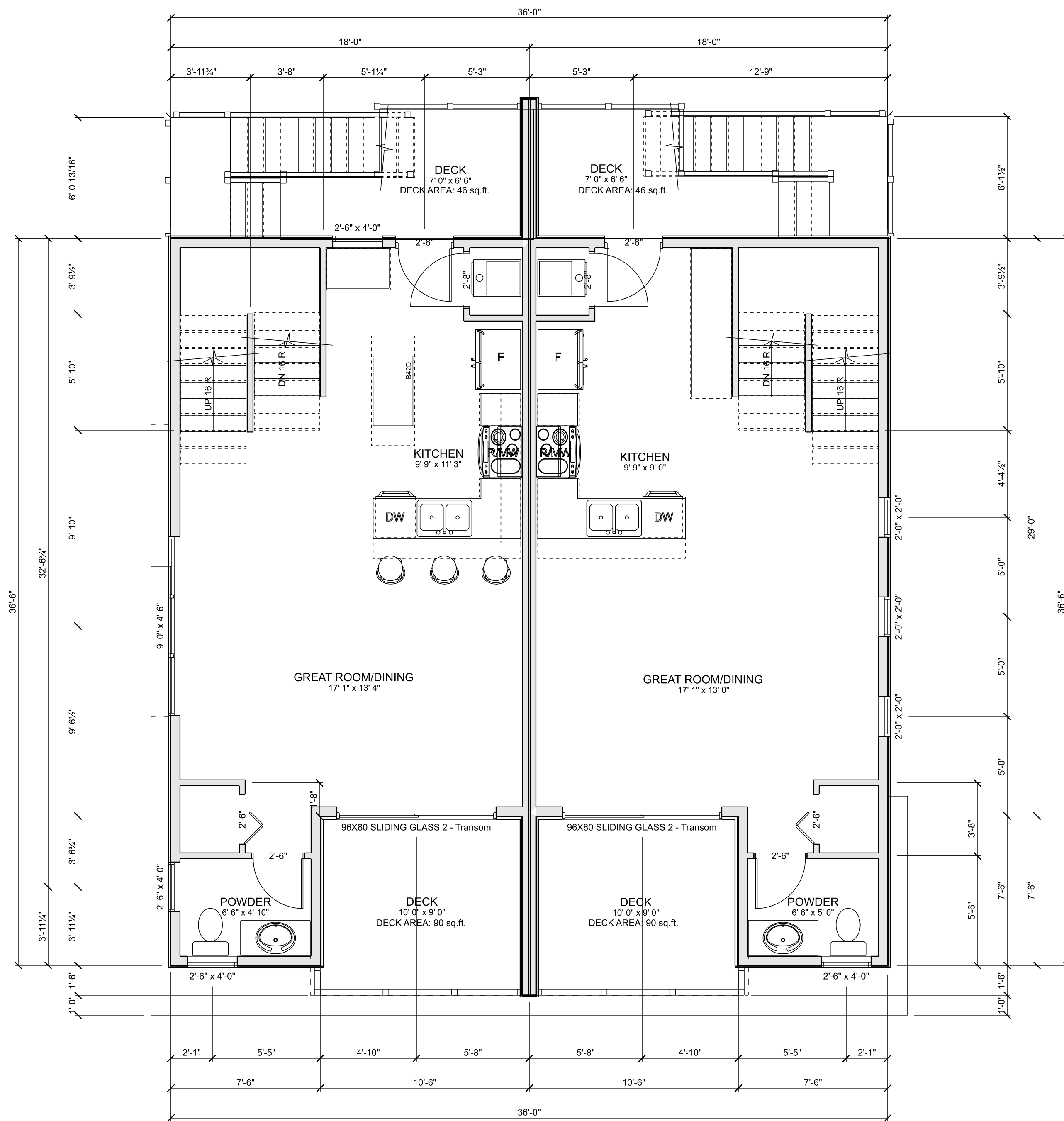
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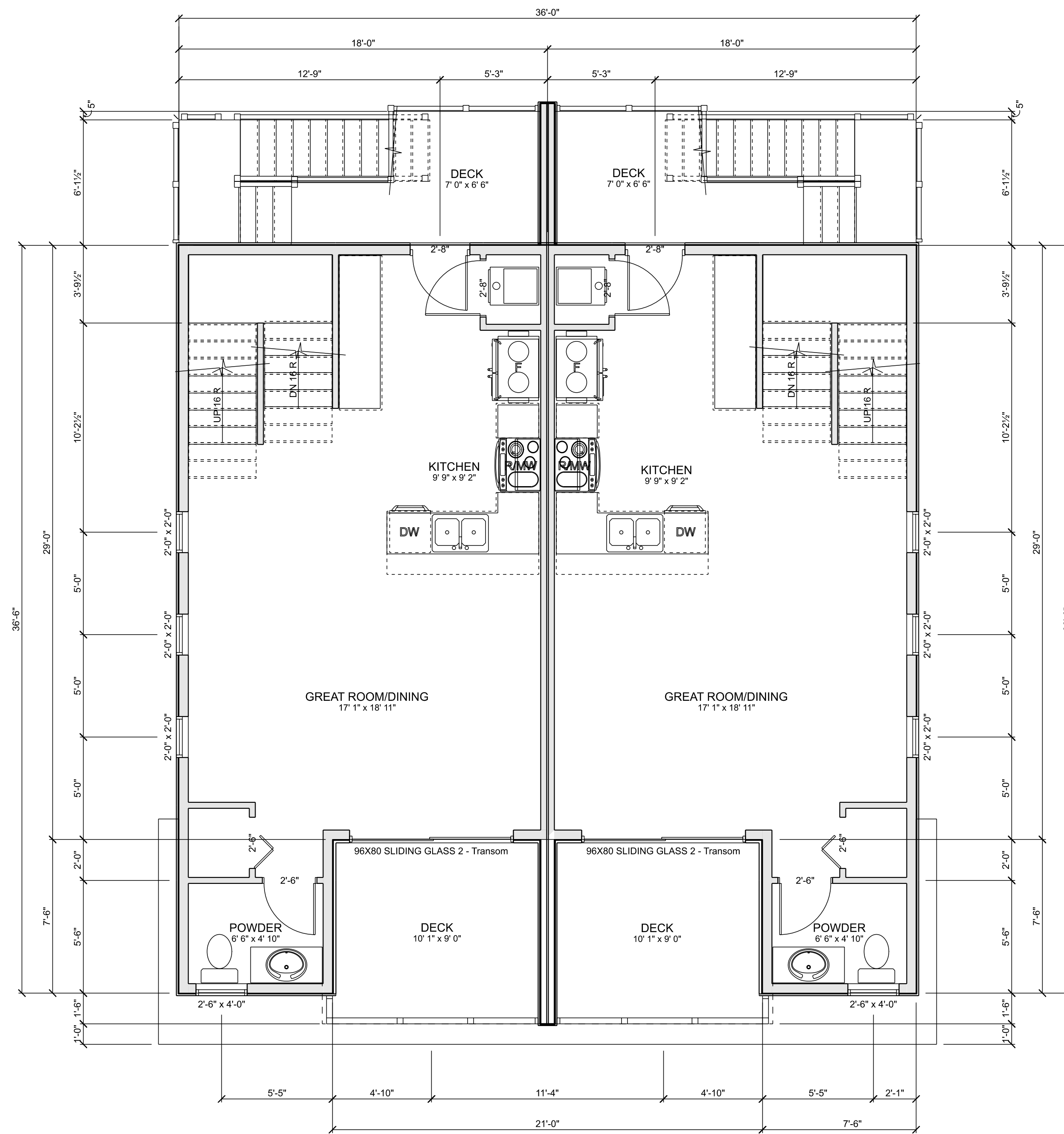
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 Lower Floor Plans

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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.

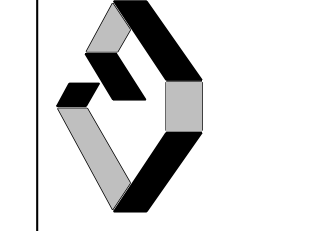


**MAIN FLOOR PLAN (BUILDING B)**  
 SCALE: 1/4" = 1'-0"  
 MAIN FLOOR LIVING AREA: 1027 sq.ft.

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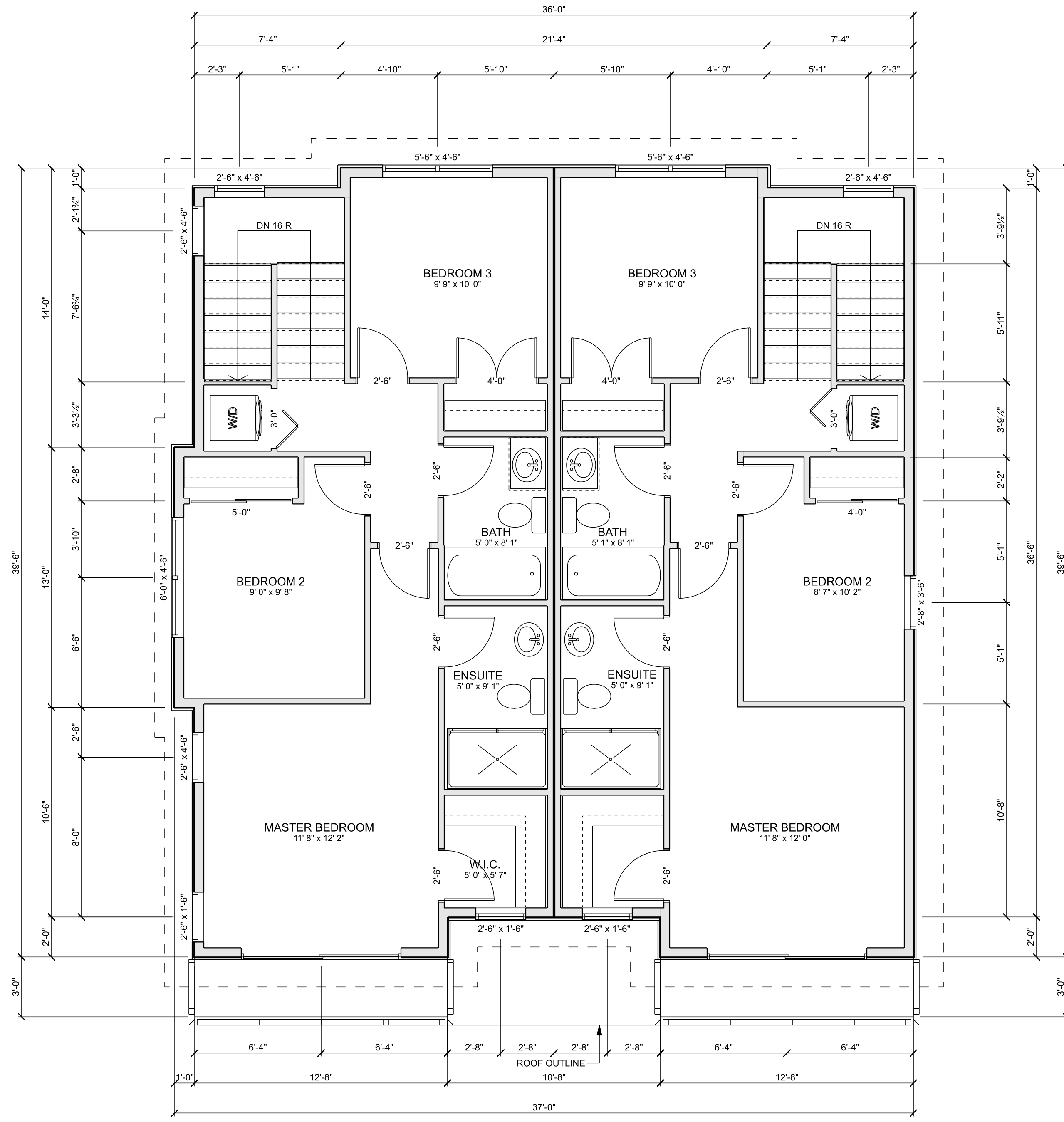
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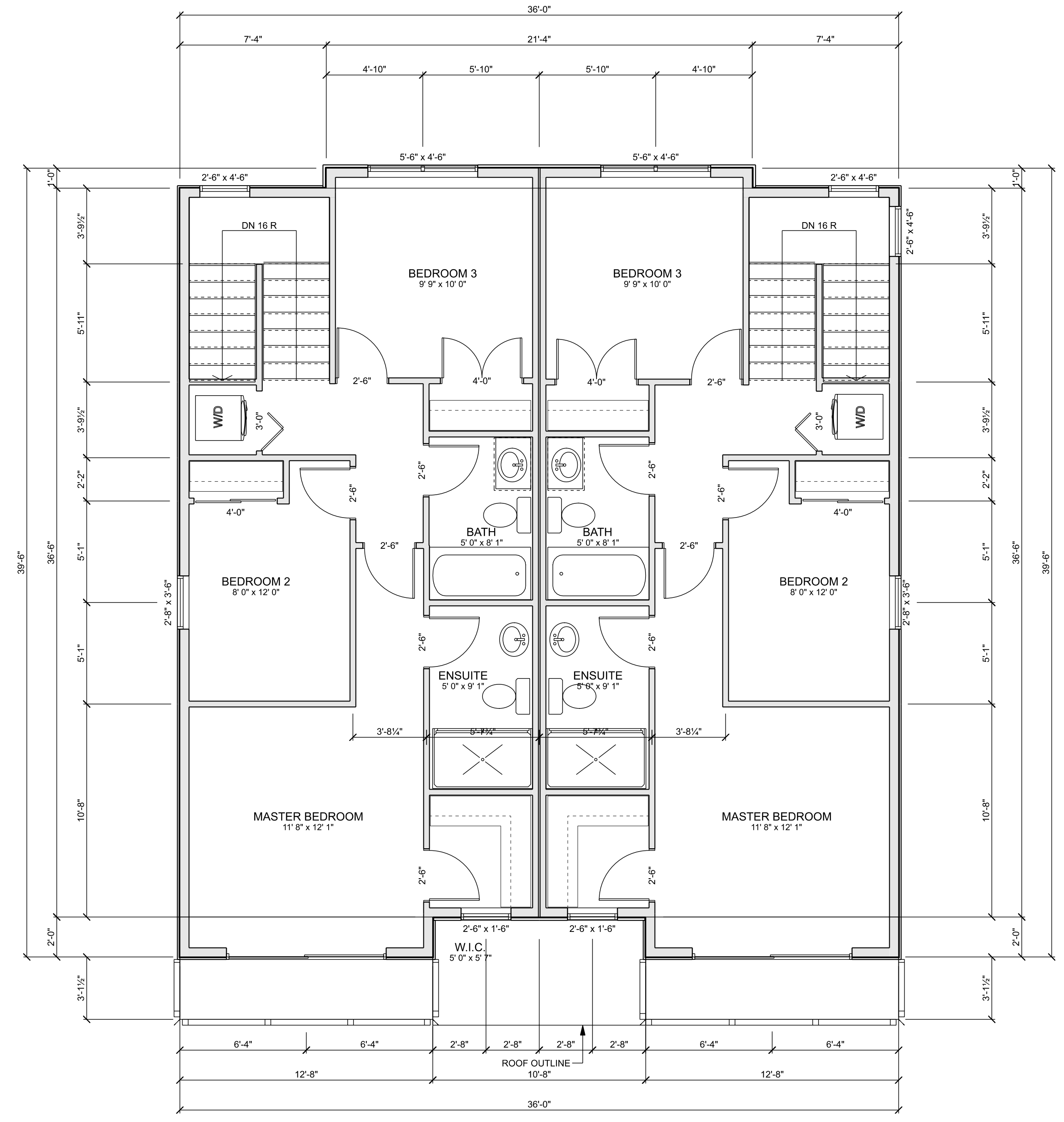
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Main Floor Plans



**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.

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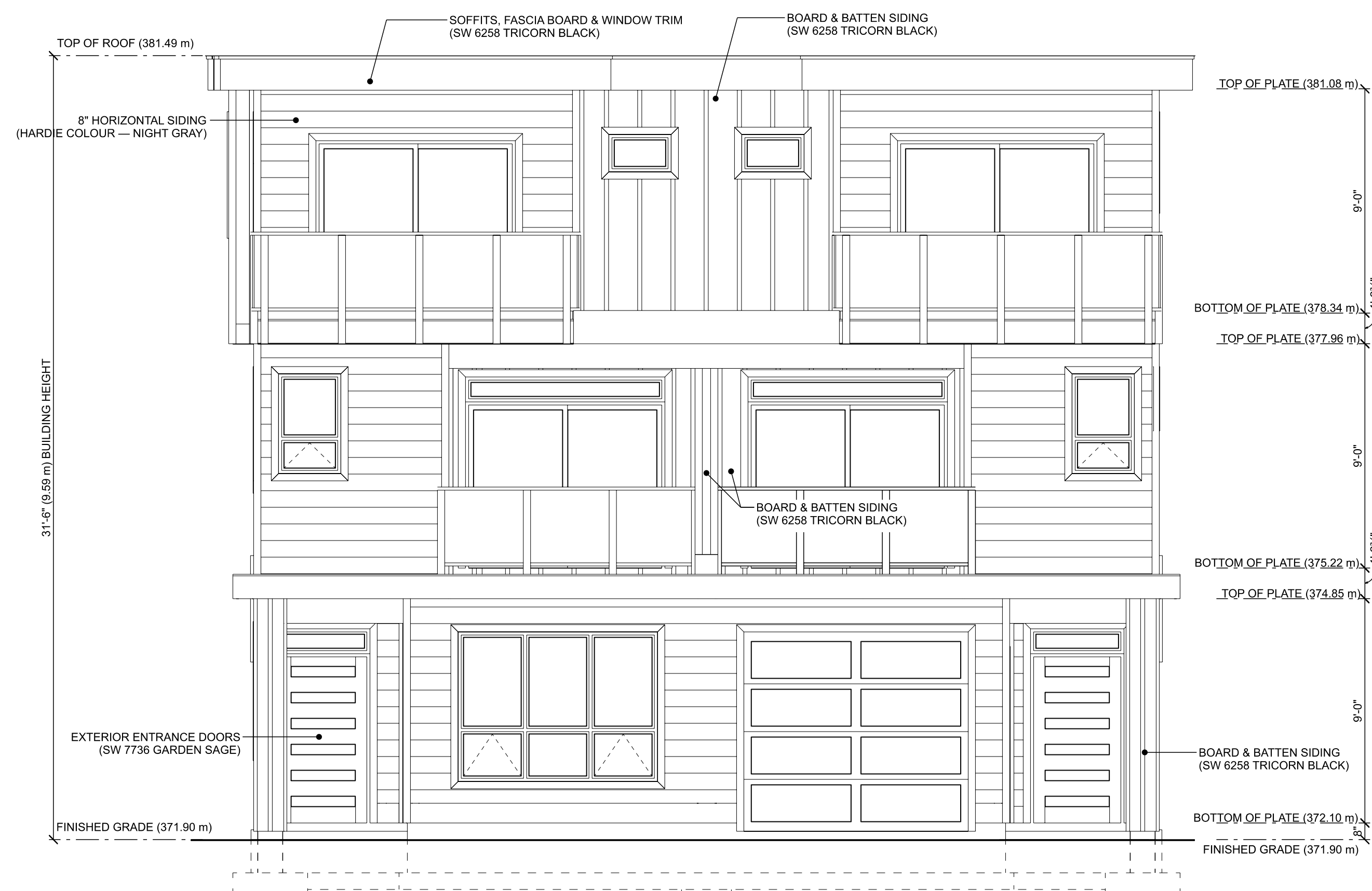
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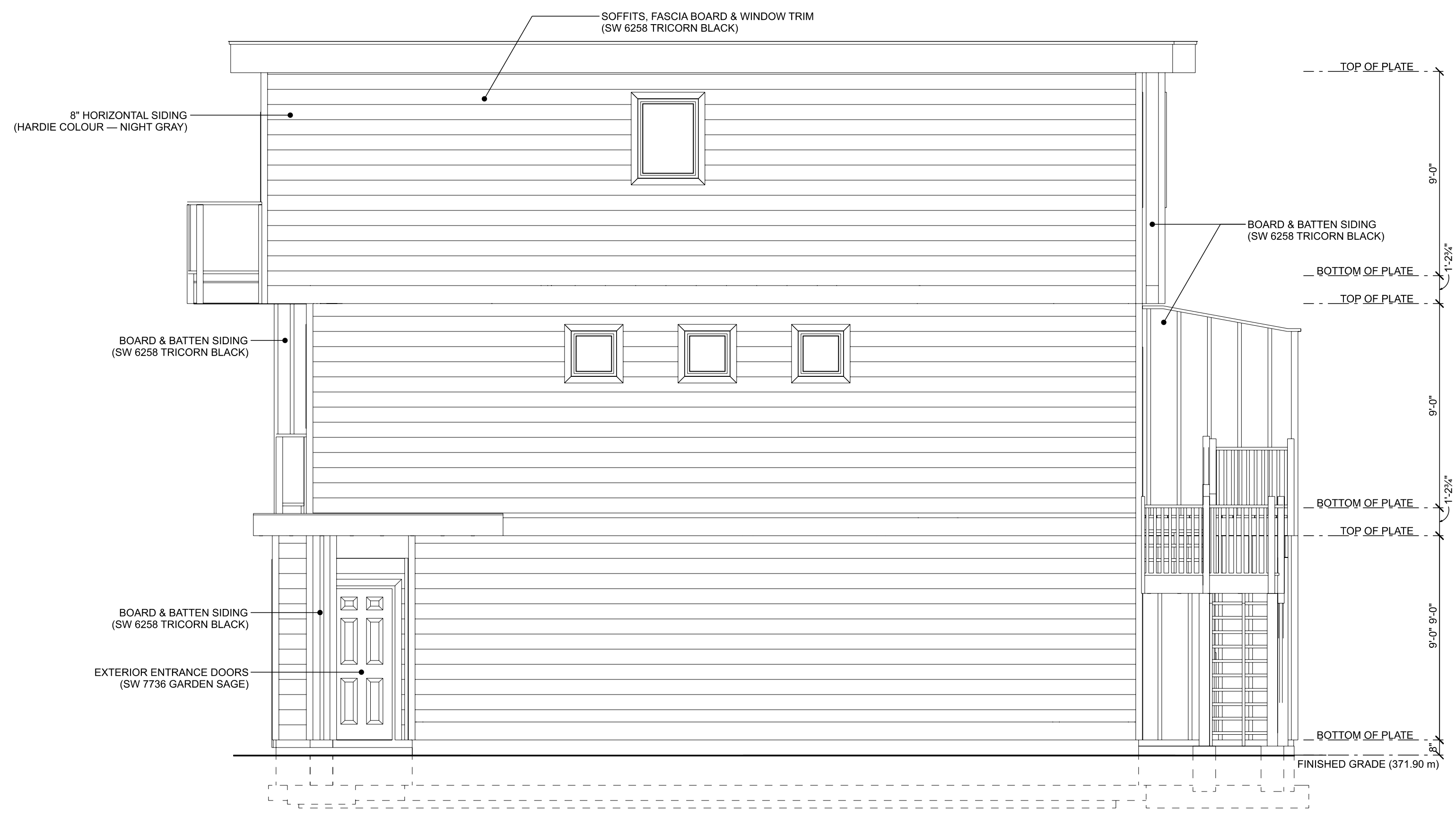
**FRONT ELEVATION BLDG A (FACING SOUTH TO EDMONTON AVE.)**  
SCALE: 1/4" = 1'-0"



**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"



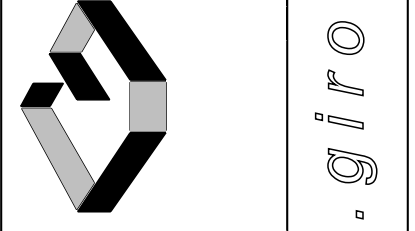
**RIGHT ELEVATION BLDG A (FACING EAST TO LOT B)**  
SCALE: 1/4" = 1'-0"

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DRAWN BY: AJG REVISED:

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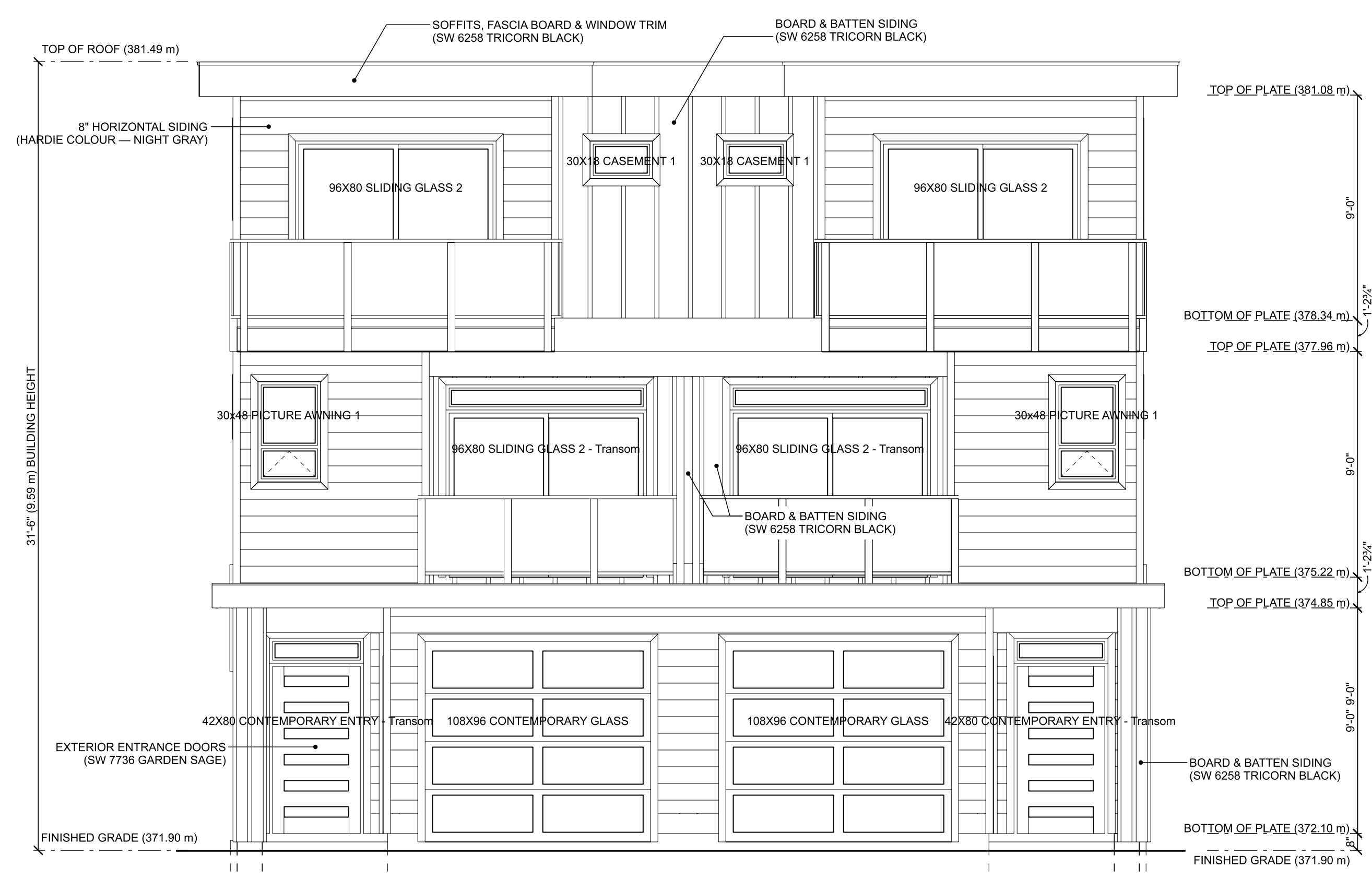


PLAN NO.  
**WP-5694**  
SLAB  
SHEET NO.  
**A8**

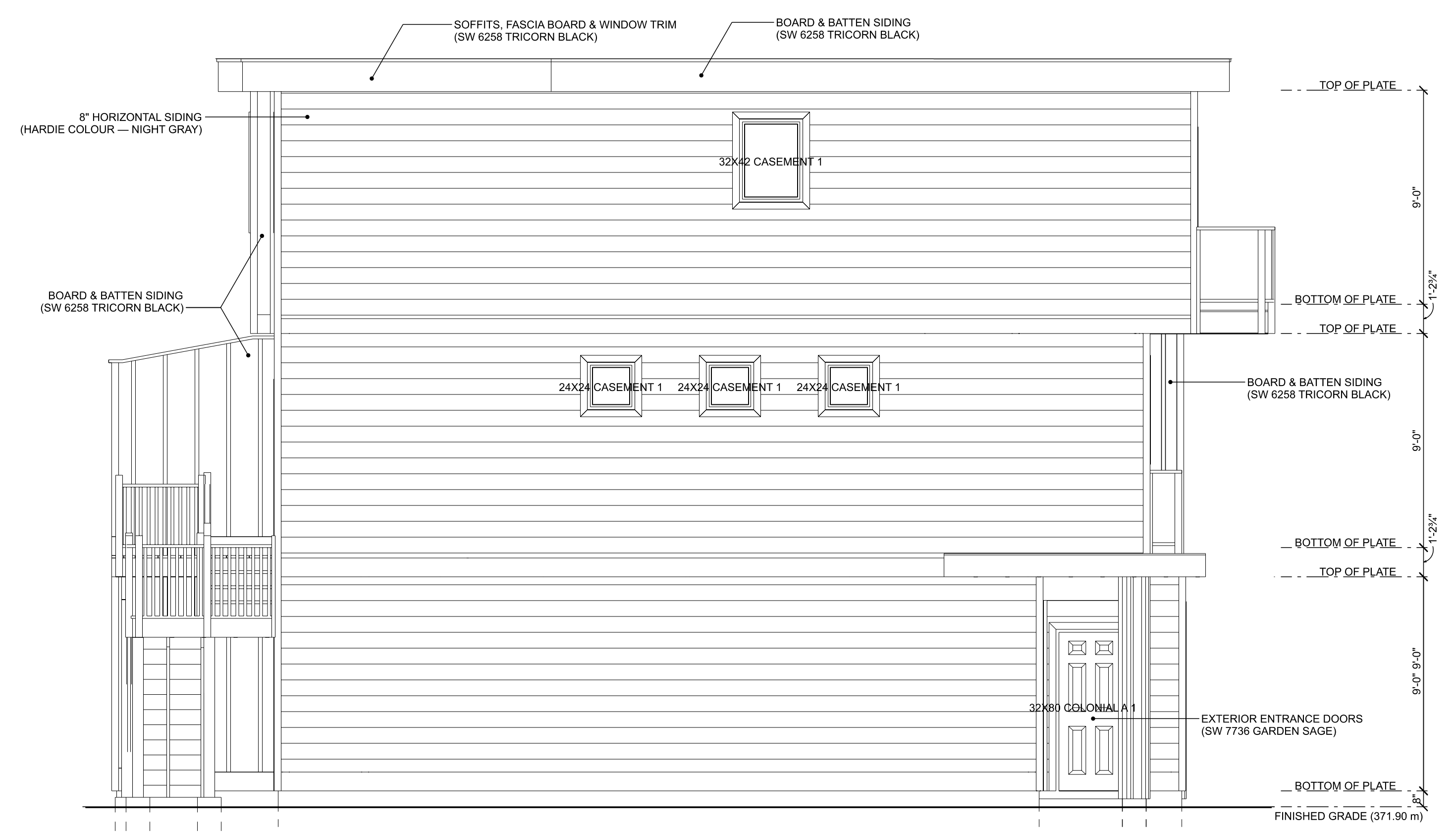
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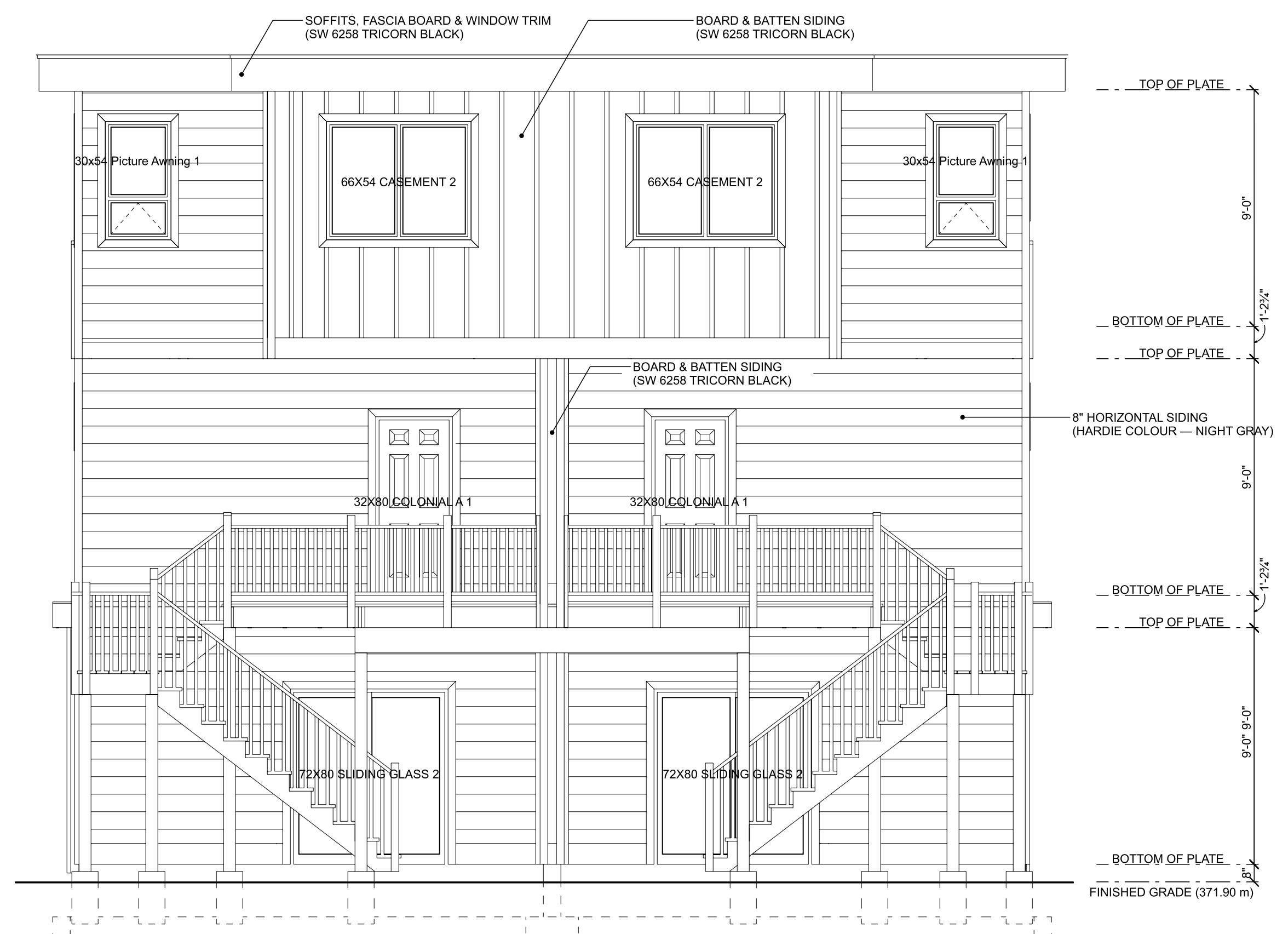
Elevations-Building A



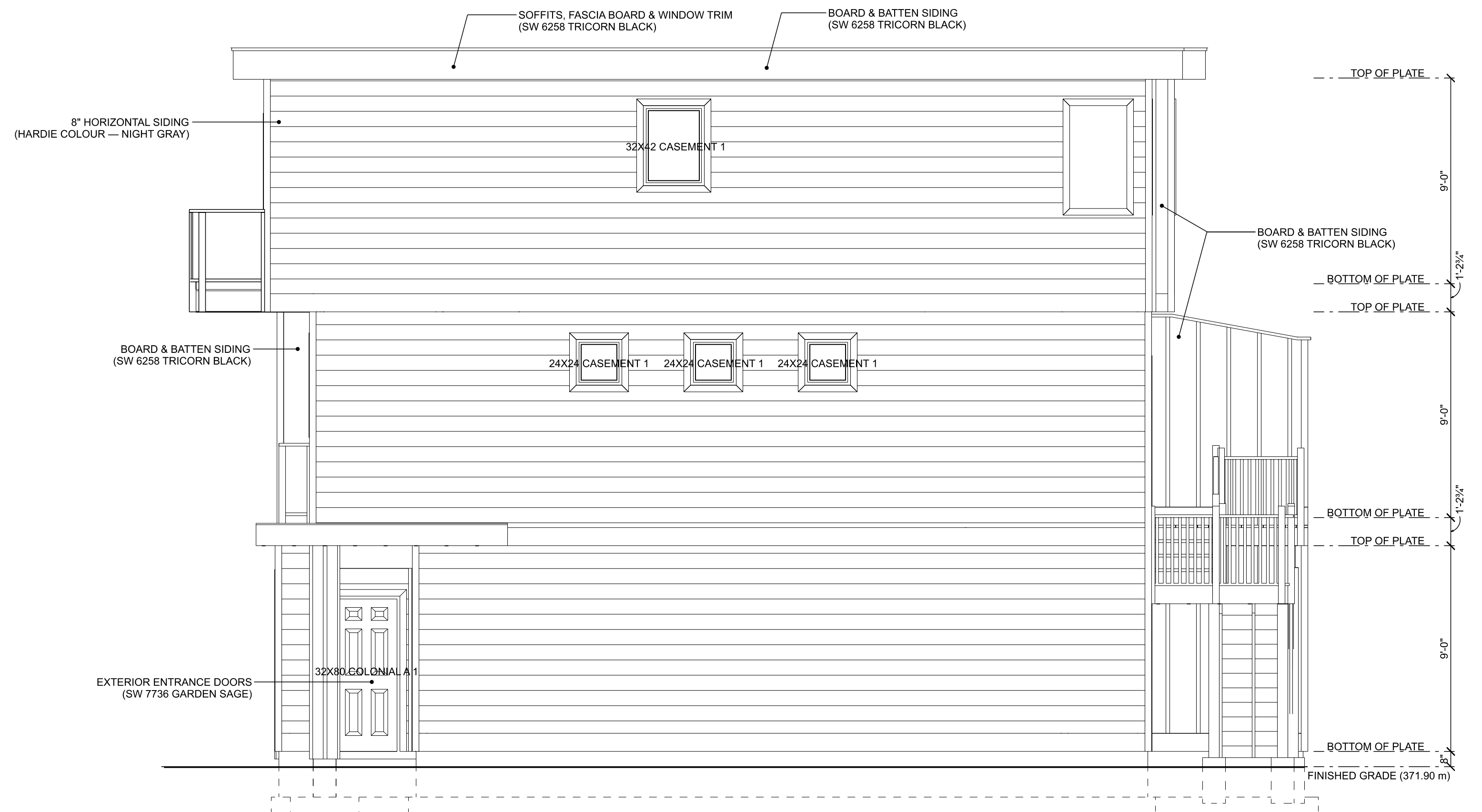
**FRONT ELEVATION BLDG B (FACING SOUTH TO EDMONTON AVE.)**  
SCALE: 1/4" = 1'-0"



**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"

JOHN LEE  
401 EDMONTON AVE.  
PENTICTON, BC  
DESIGN BY: AJG DATE: 2023-04-18  
DRAWN BY: AJG REVISED:

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Elevations-Building B



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	18	day of	July, 2023
A PUBLIC HEARING was held this	1	day of	August, 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 21 day of July, 2023 and the 26 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 2023-25

Date:

Corporate Officer:

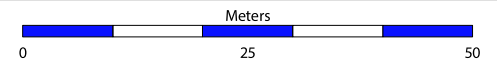


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1:840

July 10, 2023 10:43:35 AM



Coordinate System: NAD 1983 CSRS UTM Zone 11N

**Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue**

July 29, 2023

City of Penticton

**Attention: Corporate Officer, City of Penticton**

171 Main Street, Penticton BC V2A 5A9

**Subject: 401 Edmonton Avenue**, zoning amendment Bylaw 2023-25, development variance permit PL2022-9322

Dear Corporate officer,

Regarding the proposed zoning amendment and Development variance permit, I have the following concerns:

The proposed plan does not include alley access for emergency vehicles in the case of fire etc. (as was required for the 469 and 473 Edmonton Avenue developments, which are two storeys high). They also had to have an access way between the 2 duplexes with no gates (for emergency access).

The proposed plan shows 4 driveways exiting to Edmonton Avenue. There are two mature trees on the boulevard; one that was planted in the 1940s or 50s. The driveways would cause the demise of those trees which form an important part of the character of the neighbourhood and support the resident wildlife.

There is already a parking problem on Edmonton Avenue due to the child care center employees (who are supposed to be parking behind the One Sky building), One Sky patrons, the other duplexes, and the baseball crowd. An additional 4 driveways will remove 4 or more parking spaces and will move the vehicles up the road, causing additional crowding, blocking driveways, confrontations etc.

The proposed buildings are 3 storeys high. The homes on this street are one or two storeys high. The 3 storey duplexes do not fit with the neighbourhood.

Garbage pick- up is in the alley, for this street.

Regards,

P Kelly

457 Edmonton Avenue, Penticton BC

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Cheri Kolstad  
**Sent:** Monday, July 31, 2023 4:45 PM  
**To:** Public Hearings  
**Subject:** multi housing project Edmonton and Manitoba

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I would like to say that the multi housing proposal is a good idea but why do you need to take out the large tree on Edmonton. If you place the driveway for the project on Manitoba you can leave the tree alone. With the large population of deer in the area a small tree replanted in its place doesn't have a chance. They saved trees when they build the daycare on Edmonton. I truly hope they can save the trees on Edmonton again.

Cheryl Kolstad  
533 Nelson Ave, Penticton, BC V2A 2L3

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Tina Lee  
**Sent:** Monday, July 31, 2023 4:51 PM  
**To:** Public Hearings  
**Subject:** Concern: 401 Edmonton Ave

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Attention: Corporate Officer,  
City of Penticton 171 Main Street,  
Penticton, B.C. V2A 5A9

Dear Council,

I write today to urge you to ensure the proposed development at 401 Edmonton Ave does not impact the iconic trees that line this beautiful street.

As currently proposed, the driveway of one of the units would mean the removal of a large and established tree. This street is a special and well-used street in Penticton that provides shade and recreation opportunities to our community. The street fronts Kiwanis park and the archway of trees is stunning.

I ask that any development approved for this site ensures the trees are not impacted. I am not opposed to infill development, but the character of this iconic tree lined street must be maintained. I note that the staff report also recommends the maintenance of the tree and I hope you take that advice seriously.

Thank you.

Tina Lee  
903 Manitoba Street  
Penticton, BC  
V2A 4Z7

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Susanne Dannenberg  
**Sent:** Monday, July 31, 2023 6:12 PM  
**To:** Public Hearings  
**Subject:** 401 Edmonton Ave.

Corporate Officer & Council Members,

This email is to request not to grant a variance that would allow the removal of any boulevard tree(s) at 401 Edmonton Ave.

Sincerely,  
Susanne Dannenberg, RSW  
Penticton, BC.

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Dianne Bersea  
**Sent:** Monday, July 31, 2023 7:19 PM  
**To:** Public Hearings  
**Subject:** public hearing regarding 401 Edmonton Avenue potential tree loss

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Attention Penticton City Council and planning folks,

## Do not allow the removal of the tree(s) in question on 401 Edmonton Avenue!

Maintaining, protecting and even saving what remains of Penticton's Tree Canopy is so imperative for our physical health and mental well-being, I'm horrified at the amount of tree devastation development projects demand. It's bad enough that Penticton's Tree Canopy is pathetically low considering what is regarded by major cities world-wide as a minimum canopy coverage of 30 - 40%. The list of tree benefits lengthens by the day, from reducing asthma attacks in children to major climate mitigating impact. I've measured temperatures of 56 degrees Celsius in treeless areas...parking lots, tarmac roads and concrete sidewalks.

As we are removing mature trees with established water-reaching roots, and not replacing them, boulevards have been identified as one of the most important sites to preserve and install new trees. Due to a penchant for double garages on the main frontage, we are now losing boulevard trees as well.

Penticton is setting a dreadful canopy standard that started low, and is being reduced by the day. Demonstrate a positive approach to trees. If we don't take care of them now, we will certainly regret it. Penticton has huge Heat Islands, and the only remedy is to retain existing mature trees, preserve our extraordinary treed boulevards and create/save space for new trees to be installed.

Wake up Penticton! Demonstrate the common sense and design creativity of a mature, world class city. Or we'll lose the attractive features that make cities **liveable!**

Thank you.

Dianne Bersea  
Out on a Limb  
Artist, writer, photographer, presenter

**Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue**

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**From:** L Goldman  
**Sent:** Monday, July 31, 2023 9:05 PM  
**To:** Public Hearings  
**Subject:** 401 Edmonton Ave, Penticton

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Dear Mayor and Council,

All our trees in Penticton provide critical cooling shade as well as habitat for birds and insects and animals. The temperature of the city is increasing yearly and tree canopy keeps cities cool, mitigating climate change.

We are rapidly losing our tree canopy at a time when other BC communities are making strong bylaws to protect all trees unless they are diseased.

Developers must be made to appreciate the benefits of trees instead of simply choosing the expediency of clearing a site for building. Or clear cutting for a multi-unit development. Vancouver builders have adapted to working around trees for decades. Certainly Penticton builders can be as conscientious, proactive, and environmental. Bylaws are crucial to keeping Penticton liveable into the future.

**The huge tree at 401 Edmonton Ave should be protected from removal if any development on that site is approved.**

Please save the tree at 401 and all the other trees on private property by swiftly writing and adopting a strong tree protection bylaw.

Limlørnt- Thank you  
Lori Goldman, Penticton

*I am only one but I am one.  
I cannot do everything but I can do something  
And I will not let what I cannot do interfere with what I can do. E. E. Hale*

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Odessa Kiefiuk  
**Sent:** Monday, July 31, 2023 10:10 PM  
**To:** Public Hearings  
**Subject:** Attention: Corporate Officer, City of Penticton

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Subject: 401 Edmonton Ave

To Whom it May Concern,

I'm writing on behalf of the beautiful iconic tree (and trees) at 401 Edmonton Ave, and ask that any development proposals work around the tree(s), not damage or remove them. This is one of the prettiest shaded streets in the city. It must remain so. Most other cities are working to preserve their trees, at a time when the world is trying to go green. Penticton's green spaces and shade trees should be a top priority as we keep up with the times. We have extreme heat here in the summer, and our trees are essential! As a citizen of Penticton I do not support any development proposals that will remove the tree at 401 Edmonton Ave or damage any other trees on Edmonton Ave. Keep the trees please. 🌳

Thank you for your time and attention to this matter.

Sincerely,  
Odessa Kiefiuk

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Tina Weeks  
**Sent:** Monday, July 31, 2023 10:23 PM  
**To:** Public Hearings  
**Subject:** 401 Edmonton Ave

Dear Mayor and council,

This letter is in regards to approving an application for 401 Edmonton Ave, and the removal of the boulevard trees. I am sure we can all agree that the weather is getting increasingly hotter and how important trees are to have around us to help provide shade for not only us but for animals as well. This is not the only benefit but an important one. Recently the city wanted feedback on where to add more trees and now we are going to start removing them? I am asking for this development proposal to be revised without the removal of the boulevard trees. The OCP policy 4.4.2.4 and policy 4.6.5.4 both support saving the trees. We have to set a precedent and have developers be aware of these policies, which support and recognize the importance urban trees have in our neighborhoods.

Thank you for your time on this matter

Tina Weeks

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Judy Byer  
**Sent:** Monday, July 31, 2023 10:28 PM  
**To:** Public Hearings  
**Subject:** Attention: Corporate Officer, City of Penticton 171 Main Street, Penticton, B.C. V2A 5A9

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Re: Removal of tree(s) on 401 Edmonton Ave

Please do not approve the removal of tree(s) on 401 Edmonton Ave. This is a large, healthy well established tree that is located on the boulevard area which is city property. This tree and the surrounding trees located nearby provide shade and should be retained as part of our diminishing city canopy.

I am not necessarily opposed to the development but am very concerned with the fact that we are continuing to allow developers to either cut down mature trees or to not provide proper protection to the root systems of the trees throughout the construction process resulting in major damage to the root systems with the result that the tree is so damaged it cannot recover.

When I look at the guidelines laid out by other cities who seem to be much more environmentally aware than Penticton is, I am extremely disappointed in decisions being made by council. I'm concerned that you are not looking at the bigger picture but rather are focused on only a specific aspect right now...development. We are in need of a well rounded plan for the development of our city in order to stay up to date and still retain the charm that made Penticton special.

Have you taken the time to look at places like Kelowna (named as one of the greenest cities in the province), or Victoria or Vancouver. For example: Vancouver has bylaws stating:

Vancouver bylaw

Conditions required to remove trees

Property owners may be granted permission to remove trees, if one or more of the following conditions apply:

The tree on a development site is located within the building envelope

An arborist certifies the tree is dead, dying, or hazardous

An arborist certifies the tree is directly interfering with utility wires and cannot be pruned and still maintain its reasonable appearance or health

An accredited plumber certifies that the roots of the tree are directly interfering with, or blocking sewer or drainage systems

Property development (renovation or new building) tree requirements

Unless a tree requires removal under one of the conditions listed above, all property development (renovation or new building) requires you to retain existing trees located on your property.

All trees to be retained on the site require protection during any construction or development. All trees on adjacent properties or boulevard trees that are in danger of being damaged must be protected as well.

If there are trees 20 centimetres in diameter or larger, an arborist's report is required to make a development permit application.\

I'm wondering why Penticton doesn't have similar bylaws that are **much more specific and are also enforced?**

I am asking council to pause and seriously consider the damage that is being done to our city if we continue to allow mature trees to be removed in order to accommodate developers. Perhaps, developers might learn to compromise and meet the needs we have for retaining the canopy we still have.

Sincerely, Judy Byer

Sent from Mail for Windows

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Britania Knoll  
**Sent:** Monday, July 31, 2023 10:54 PM  
**To:** Public Hearings  
**Subject:** 401 Edmonton Street

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All four trees needed protected as this vital tree canopy is essential to providing shade and promoting a greener community. There are very few tree canopies left in Penticton that allow for protection against the heat of the sun to simply environmental value to a neighbourhood. There should be an interest in protecting existing trees to requirements that new developments must allocate designated green spaces within their designs to promote a sustainable environmental footprint.

We can do better.

Britania Knoll

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Lizibe G  
**Sent:** Monday, July 31, 2023 11:11 PM  
**To:** Public Hearings  
**Subject:** Subject: 401 Edmonton Ave

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I understand the developer for the proposed development at 401 Edmonton Ave is requesting Penticton City Council to approve the destruction of those beautiful healthy trees on our citizen owned boulevard fronting this property. These wonderful shady boulevard trees on Edmonton Ave are what gives this street it's character, how can you think that you are **not** destroying a neighbourhood by approving this. Seriously, stand up for us - developers are always going to look for the cheapest easiest way of building something and then take their money and go. Please stop giving our what was once beautiful city away and start insisting on developers coming up with plans that include the preservation of mature healthy trees such as these.

Yours Sincerely,  
Brenda Clark



Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Ralf Grossmann  
**Sent:** Tuesday, August 1, 2023 3:18 AM  
**To:** Public Hearings  
**Subject:** 401 Edmonton Avenue

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Dear Penticton council,

I'm writing to you as a local resident, local business owner and landscaper in this specific as well as in a general regard concerning our local trees and green spaces.

I'm much in favor of the development opportunities in our city and would generally describe myself as forward thinking. However I would love to see more creativity in the new designs and developments, integrating existing, established trees. And where it's simply not possible / feasible to keep existing trees, to not just set rules to plant new trees in New developments but to also follow up on their care and survival in the following 1-3yrs as I do tend to notice how often trees only got planted for the site approval / potential bylaw to later on be left to die and removed.

Any thoughts and consideration towards this goal in our city planning will be very greatly appreciated!

Thank you for your time!  
Ralf

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Jenny Hunt  
**Sent:** Tuesday, August 1, 2023 7:07 AM  
**To:** Public Hearings  
**Subject:** 401 Edmonton Ave

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Please save the tree, incorporate the tree into the plan for this development.  
Thank you

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Katie Lee  
**Sent:** Tuesday, August 1, 2023 7:32 AM  
**To:** Public Hearings  
**Subject:** 401 Edmonton Ave

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Re: Tree Removal for in-fill

I'm not opposed to the infill development but would like the design to be altered to save this beautiful tree. Currently the drawings don't even show the tree, but they make a small comment to propose its removal.

Thank You, Katie Lee  
Penticton Resident

Late Submission - Public Hearing Package No. 3 -  
Zoning Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue

---

**From:** Teresa Taylor ·  
**Sent:** Tuesday, August 1, 2023 7:50 AM  
**To:** Public Hearings  
**Subject:** 401 Edmonton Ave!

To whom it may concern,

I was born in Penticton and have spent only 20 years away from my hometown. I currently live here as a senior now and grew up on Penticton Ave. Trees are vital in our city, for our mental well being, our health, are important for wildlife and act as a weapon against climate change.

LEAVE THE TREE AT 491 EDMONTON AVE and any others that remain a vital part of our community and city!

Teresa Taylor  
4556 Valleyview Rd.

Sent from my iPhone

**Late Submission - Public Hearing Package No. 3 - Zoning  
Amendment Bylaw No. 2023-25 re  
401 Edmonton Avenue**

**From:** [Tina Lee](#)  
**To:** [Public Hearings](#)  
**Subject:** 401 Edmonton Ave from Chandra Wong  
**Date:** Tuesday, August 1, 2023 9:06:41 AM

---

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Dear Council,

Please accept the below letter from Penticton resident Chandra Wong. She is travelling in Japan and was not sure her email would reach you.

Dear Mayor and Council,

With this letter I am writing as a resident who cares about Penticton's green spaces. Based on the historic research I've done, Penticton trees that provide the best shade are usually over 30 years old. Cutting down trees and replanting after a development means waiting 30+ years to benefit from a tree's canopy. The trees on Edmonton Ave, including the one at 401, provide multiple benefits:

- 1) ambiance that increases property values,
- 2) shade for parents watching their kids playing baseball in the evening heat, and
- 3) reduction of heat islands, matching CoP's commitments to reduce the impacts of climate change.

As you are likely aware, the Urban Forest Master Plan is currently being developed. It would be nice if a moratorium could be placed on the cutting of mature trees until the master plan is completed. Thank you for your time and attention.

Chandra Wong  
124-3140 Wilson Street  
V2A3K7