



# Public Hearing No. 2

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## 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, October 17, 2023**  
**at 6:00 p.m.**

1. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2023-36”** 1-28
- CO Reads Opening Statement and Introduction of Bylaw  
“Zoning Amendment Bylaw No. 2023-36” (25 Okanagan Avenue West)  
Purpose: To amend Zoning Bylaw No. 2023-08 as follows:  
Rezone Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue West, from C7 (Service Commercial) to RD4 (Low Density Cluster Housing).  
The applicant is proposing to construct two side-by-side duplexes (four dwelling units) on the subject property.  
Notice: Pursuant to the *Local Government Act* the Public Hearing was advertised on Friday, October 6, 2023 and Wednesday, October 11, 2023 in an online news source and the newspaper.
- CO No letters have been received regarding the Zoning Amendment Bylaw (as of noon Wednesday, October 11, 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. 2023-36” 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, October 3, 2023**  
**at 1:00 p.m.**

## **Resolutions**

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- 8.9 Zoning Amendment Bylaw No. 2023-36  
Development Permit PL2023-9606  
Re: 25 Okanagan Avenue West

353/2023

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-36", for Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, a bylaw to rezone the subject property from C7 (Service Commercial) to RD4 (Low Density Cluster Housing);

AND THAT Council forward "Zoning Amendment Bylaw No. 2023-36" to the October 17, 2023 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-36", approve "Development Permit PL2023-9606", for Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, a permit to approve the form and character of two side-by-side duplexes (four dwelling units);

AND THAT Council direct staff to issue "Development Permit PL2023-9606";

AND THAT Council require that a 1.6 m road dedication be completed prior to the issuance of the Occupancy Permit.

**CARRIED UNANIMOUSLY**



# Council Report

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**Date:** October 3, 2023  
**To:** Kristen Dixon, Interim Chief Administrative Officer  
**From:** Jordan Hallam, Planner II  
**Address:** 25 Okanagan Avenue West

File No: RMS/25 Okanagan Ave W

**Subject: Zoning Amendment Bylaw No. 2023-36  
 Development Permit PL2023-9606**

### Staff Recommendation

THAT Council give first reading to “Zoning Amendment Bylaw No. 2023-36”, for Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, a bylaw to rezone the subject property from C7 (Service Commercial) to RD4 (Low Density Cluster Housing);

AND THAT Council forward “Zoning Amendment Bylaw No. 2023-36” to the October 17, 2023 Public Hearing;

AND THAT Council, subject to adoption of “Zoning Amendment Bylaw No. 2023-36”, approve “Development Permit PL2023-9606”, for Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, a permit to approve the form and character of two side-by-side duplexes (four dwelling units);

AND THAT Council direct staff to issue “Development Permit PL2023-9606”;

AND THAT Council require that a 1.6 m road dedication be completed prior to the issuance of the Occupancy Permit.

### Strategic Priority Objective

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

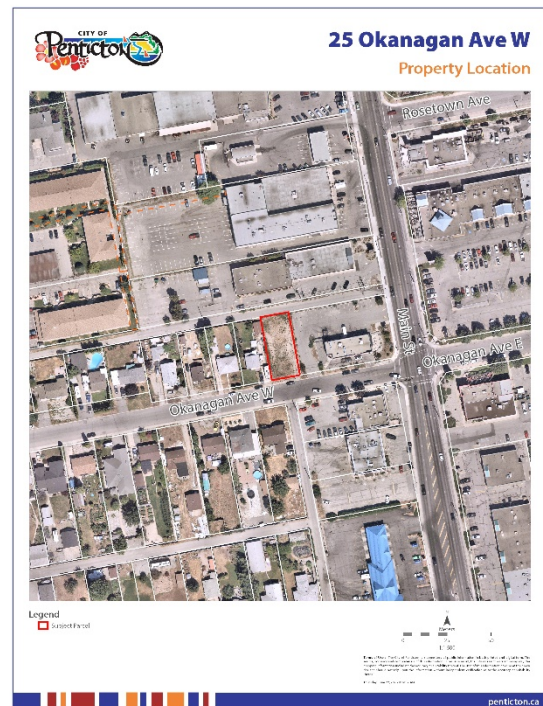


Figure 1 – Property Location Map

**Proposal**

The applicant is proposing to construct two side-by-side duplexes (four dwelling units) on the subject property (Figure 1). In order to proceed with the proposed development, the applicant has requested to rezone the property from C7 (Service Commercial) to RD4 (Low Density Cluster Housing). Further, the applicant requires Development Permit approval for the form and character of the buildings, which has been included for Council’s consideration.

**Background**

The subject property is currently zoned C7 (Service Commercial) and is designated as ‘Ground Oriented Residential’ (Figure 2) by the Official Community Plan (OCP). The subject property is currently an empty lot.

Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Ground Oriented Residential</p>	<p>Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.</p>	<ul style="list-style-type: none"> <li>• Duplexes with suites</li> <li>• Cluster housing</li> <li>• Fourplexes higher-density rowhouses</li> <li>• Townhouses and stacked townhouses</li> <li>• Bareland strata developments</li> </ul>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Limited Service/ Retail</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 3 ½ storeys</li> </ul>	<ul style="list-style-type: none"> <li>• RM2</li> <li>• RM5</li> <li>• C2</li> </ul>

*Figure 2 – OCP Land Use Designation*

The surrounding area is a mixture of uses, including mostly single family dwellings directly adjacent, infill development, commercial, and the industrial area of Penticton across Main St. The property’s proximity to the variety of uses make it an appropriate location for increased density. The property is within walking distance of Main Street, Cherry Lane Mall, and commercial businesses. This area is also well serviced by transit running north and south along Main St.

**Financial Implication**

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

**Climate Impact**

The development proposes two side-by-side duplexes (four dwelling units) on the property, increasing density in a core area of the City of Penticton well served by transit and in close proximity to services, and employment. Each dwelling unit has a Class 1 bicycle parking space, resulting in 4 Class 1 spaces. Each dwelling unit is required to provide 1 (4 total) Level 2 Electric Vehicle ready spaces.

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



## Technical Review

This application was reviewed by the City’s Technical Planning Committee (TPC). The TPC raised comments regarding landscaping and boulevard trees. The TPC raised comments that a 1.6 m wide road widening is needed in order to accommodate 2 boulevard trees along Okanagan Ave W. Typical servicing requirements have been identified for the Building Permit stage of the project, if the rezoning and development permit applications are supported by Council. These items have been communicated to the applicant.

## Development Statistics

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

	RD4 Zone Requirement	Provided on Plans
<b>Minimum Lot Width*:</b>	18 m	16.2 m
<b>Minimum Lot Area*:</b>	540 m <sup>2</sup>	592.3 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	40%	39.9%
<b>Maximum Density:</b>	0.8 Floor Area Ratio (FAR)	0.71 Floor Area Ratio (FAR)
<b>Vehicle Parking:</b>	Total Required: 1 per dwelling unit plus 0.25 spaces/unit for visitors  <b>Total Required: 5 spaces</b>	<b>Total Per Dwelling: 4 spaces</b> <b>Total Visitor: 1 space</b>  <b>Total Provided: 5 spaces</b>
<b>Level 2 Electric Vehicle (EV) Ready Chargers:</b>	Total Required: 1 per dwelling unit  <b>Total Required: 4 chargers</b>	<b>Total EV Ready Chargers Provided: 4 chargers</b>
<b>Bicycle Parking:</b>	Total Required: 0.5 per unit <b>Total Class 1 Required: 2</b>  Total Class 2: 0.1 per unit <b>Total Class 2 Required: 0 spaces</b>	<b>Total Class 1 Provided: 4 spaces</b>  <b>Total Class 2 Provided: 0 spaces</b>
<b>Landscape Buffer:</b>	Total Required: Minimum 3.0 m wide and one tree for every 10.0 m buffer area. One shrub for every meter of buffer area.  <b>Total Required: Minimum 3.0 m wide, 3 trees, and 36 shrubs.</b>	<b>Total Provided: 0.33 m wide (Variance to width through Development Permit), 3 trees, and 47 shrubs.</b>
<b>Required Setbacks</b>		
Front Yard (Okanagan Ave):	4.5 m	4.7 m
Interior Side Yard (east):	1.5 m	1.53 m
Interior Side Yard (west):	1.5 m	1.52 m
Rear Yard (lane):	6.0 m	7.01 m
* Minimum lot areas and lot width are only applicable at the time of subdivision		

**Analysis**

*Zoning Amendment*

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

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

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

A 1.6 m with road dedication is required for boulevard trees. Staff are requesting that the road dedication is taken prior to the issuance of the occupancy permit due to a water agreement on title. This allows the applicant to receive their Zoning Amendment and Development Permit, if approved by Council, while the road dedication is taken and the water agreement is removed from the title.

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

Given that there is adequate policy through the OCP to support the proposed development, staff recommend that Council give first reading to “Zoning Amendment Bylaw No. 2023-36”, and forward the bylaw to the October 17, 2023 Public Hearing to gather comments and feedback from the public.

### *Support Development Permit*

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

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

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

### *OCP Variance*

The OCP Section 5.1.4 allows for minor variances through a development permit in certain instances. The applicant is proposing a reduced landscaping buffer along the western property line (Figure 4). Section 5.1.4 of the OCP allows for variances to landscaping buffers in cases where "the proposed building locations make establishment of a buffer difficult or impossible or where trees will not thrive. In cases where the buffer is reduced, compensatory planning elsewhere on the site or in adjacent public realm is required". In this instance, the west landscape buffer is reduced in width from 3.0 m to 0.33 m, as a result of the setbacks and required 1.2 m wide access pathway to the rear units. Staff are supporting this variance, as the landscaping plan still provides more than the required number of shrubs along all property lines. The property to the east of the proposed development is a commercial business. The distance from the proposed development to the east commercial business is greater than 10 m, and creates a buffer between the two properties. As no plantings are reduced, staff are not requiring any compensatory plantings.

Landscaping buffers assist with providing a natural buffer between properties and uses. They also help to increase the urban forest inventory throughout the City. In this instance, the fence, landscape buffer, and required 1.2 m wide pathway between the proposed buildings and the west and east north property line is 1.48 m, which reduces the overlook into the western property. Staff considers that the added distancing between the properties and the proposed buildings, as well as the proposed landscaping plan, which incorporates adequate plantings and species, make this a suitable variance through the Development Permit.

### **Alternate Recommendations**

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

1. THAT Council deny first reading to "Zoning Amendment Bylaw No. 2023-36".

**Attachments**

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Development Permit Analysis (staff)
- Attachment E - Letter of Intent and Development Permit Analysis (applicant)
- Attachment F – Draft Development Permit PL2023-9606
- Attachment G – Zoning Amendment Bylaw No. 2023-36

Respectfully submitted,

Jordan Hallam  
Planner II

Concurrence

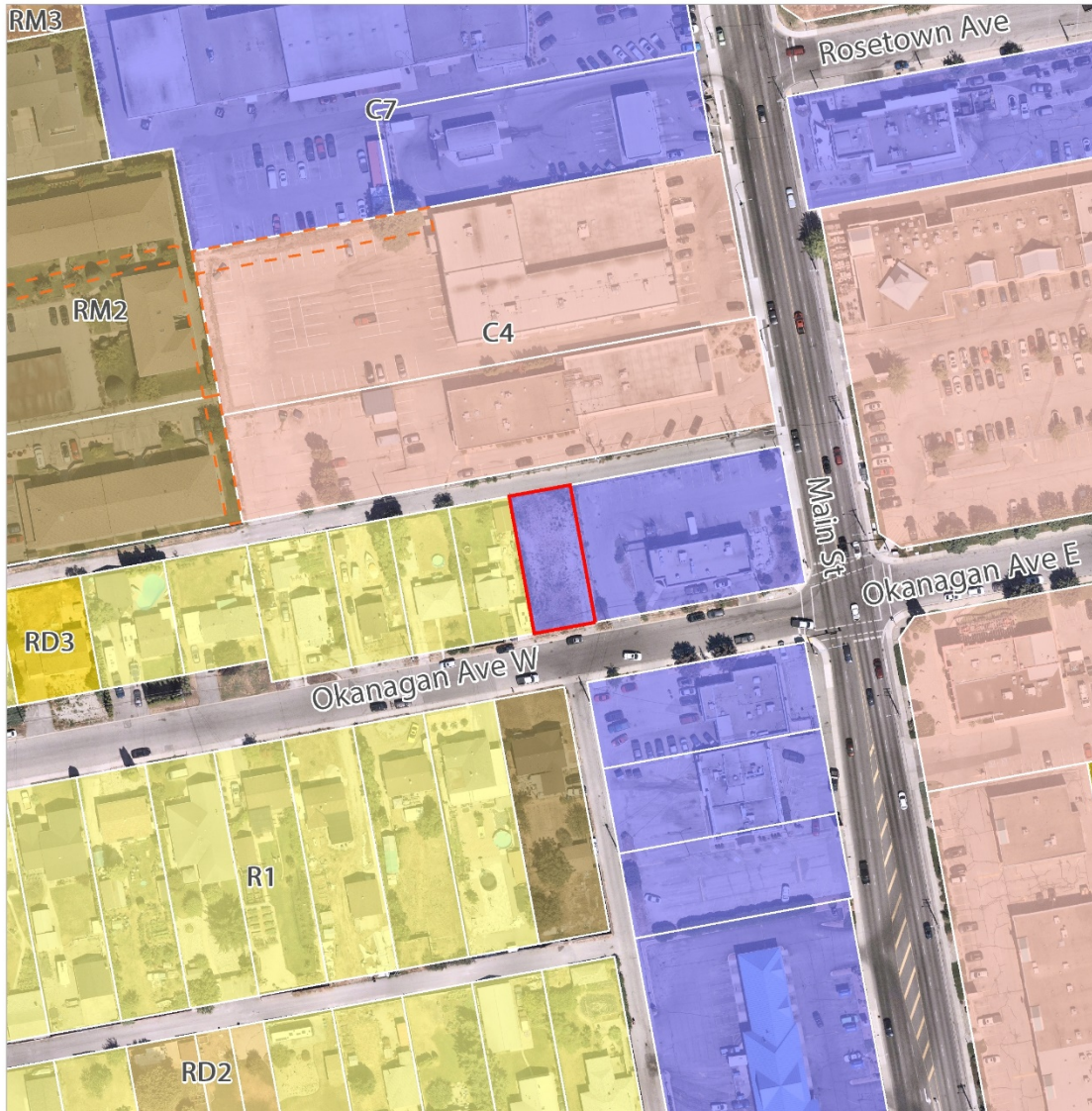
Director of Development Services  <i>BL</i>	GM of Infrastructure  <i>KD</i>	Interim Chief Administrative Officer  <i>KD</i>
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Attachment A – Zoning Map



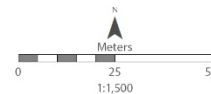
# 25 Okanagan Ave W

## Zoning Map



### Legend

- Subject Parcel
- R1 - Large Lot Residential
- R2 - Low Density Multiple Housing
- RSM - Mobile Home Park Housing
- R3 - Medium Density Multiple Housing
- RD2 - Duplex Housing; Lane
- C4 - General Commercial
- RD3 - Residential Infill
- C7 - Service Commercial



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Thursday, June 22, 2023 9:03:38 AM

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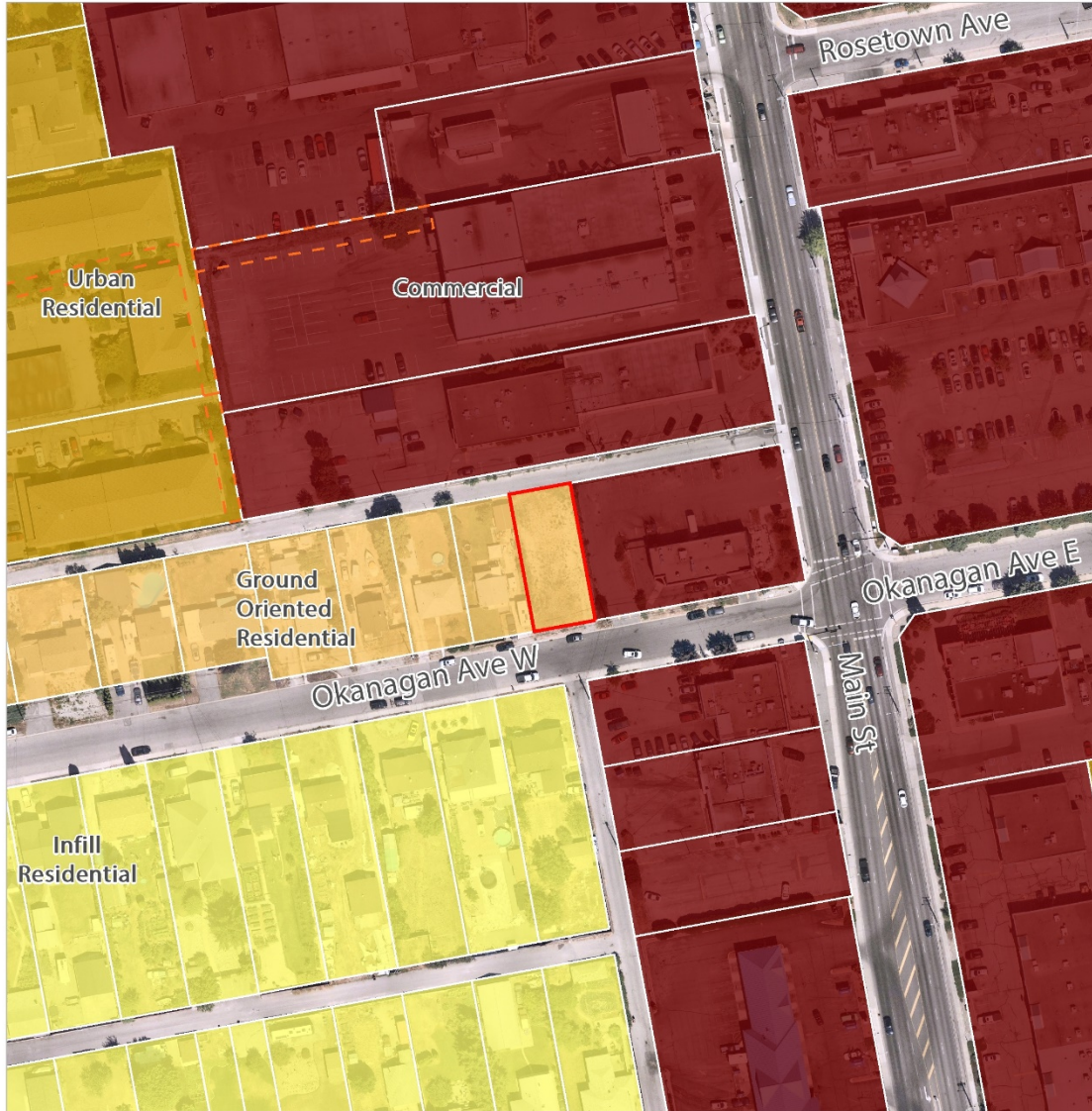


Attachment B – Official Community Plan Map



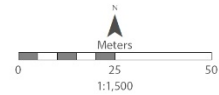
# 25 Okanagan Ave W

## OCP Map



### Legend

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



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Thursday, June 22, 2023 9:10:06 AM

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Attachment C – Photos of Property



Attachment D – Development Permit Analysis (staff)

**Development Permit Analysis**

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

- Guideline G1 Applications shall include a comprehensive site plan – considering adjacent context for building and landscape architectural design and neighbourhood character analysis - to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbours.*
- The applicant has labelled geodetic elevations on the site plan, to show they have reviewed the topography of the property, which is relatively flat.
- Guideline G5 Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.*
- The applicant has located the proposed front duplex building at 4.7 m from property line, the minimum is 4.5 m front yard setback, which helps to maintain a connection with the street. They have proposed a front door on the units closest to Penticton Avenue that faces the street to add a pedestrian scale to the development.
- Guideline G7 All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.*
- The proposed front yard fencing is limited to 1.2m (4ft.) in height, which is aligned with the Zoning Bylaw requirements and also helps to retain ‘eyes on the street’ by keeping sightlines open from private property to the public streetscape.
- Guideline G11 Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.*
- Okanagan Ave W to the south side of the development provides pedestrian access to the development. The rear lane to the north side of the development also provides pedestrian access to the development.
  - The proposed development has a sidewalk access from Okanagan Ave W to allow barrier-free pedestrian access to all building unit entrances.
- Guideline G21 Orientation of buildings should face public spaces (e.g., street and lane) with a preference for ground-oriented types (e.g., a front door for everyone or every business).*
- The proposed development provides private outdoor amenity behind each dwelling unit.
  - Each dwelling unit has a front door for access from both Penticton Ave, and the rear laneway.
- Guideline G33 Water Conservation and Plant Maintenance: Xeriscaping, Irrigation & Mulching*
- The proposed development includes a landscaping plan that provides adequate and appropriate designs.
  - The plans indicate a fully automatic underground irrigation system, which helps to reduce overwatering and utilizes a drip system.
- Guideline G35 Tree planting...*

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

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

- The proposed development includes approximately 20.0 m<sup>2</sup> of outdoor grass amenity space for each unit. Each amenity space is separated by a fence to allow privacy for every unit.

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

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

*Guideline MF4 Visitor parking should be:*

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

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



June 5, 2023

Giroux Design Group Inc.

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

Re: 25 Okanagan Ave W Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposed rezoning and development of the property located at 25 Okanagan Avenue West.

The proposal is to rezone the property from C7 to RD4 (Ground Oriented Residential) and construct two 2 duplexes for a total of four units on the property.

We believe the project meets the intent of providing modest densification to an area of town that has a mix of houses, duplexes, townhouses, and high-density apartment buildings. The development is centrally located and is close to Lyon's Community Park and Parkway Elementary School as well as major shopping centers making it an ideal location for families with children.

Thank you for considering our proposal.

Best regards,

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

## **25 OKANAGAN AVENUE W: DEVELOPMENT PERMIT ANALYSIS**

### **Site Planning**

#### **Designing in Context**

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

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

1.6 m setback has been allocated by the city as a prerequisite for future road widening. The city requires driveway access from the rear lane. A 0.6 m high retaining wall runs the length of the west property line to allow for drainage to be maintained on site. There are no other significant restraints that will influence site design.

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

Each unit has a private yard with either morning or afternoon sun allowing all residents to enjoy a period of sun and shade each day in an outside environment.

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

Each unit will have a view of the valley from north and south windows that can be enjoyed either from the private yards or via window view.

#### **Framing Space**

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

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

The existing buildings on the street are varied in the setbacks from Okanagan Ave. The setback of the commercial building to the east is consistent with the development. The proposed 3.0 m setback allows for easy pedestrian access to the building. Landscaping in the front yard provides a variety of trees, shrubs and a lawn creating interest to the public realm.

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



The private backyards provided for each unit will allow residents to enjoy secured outdoor space.

#### **Prioritizing Pedestrians**

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

**G9.** Pedestrian connectivity to adjacent properties is encouraged. With the exception of private yards, open spaces shall be designed for public access and connectivity to adjacent public areas (and publicly accessible private spaces).

The development is within easy walking distance from Cherry Lane mall and other shopping centres. All units have easy access from their front doors to the street.

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

A 1.2 m wide sidewalk provides access to the units facing south, while the other units can be accessed from the walkway adjoining the paved parking.

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

Entrance to the buildings are at the same level as the City street.

#### **Cars and Parking**

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

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

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

Located at the rear lane, adequate off-street parking is provided for the development. Each unit has a dedicated parking stall with an additional stall available for visitor parking. There are a total of 5 parking stalls accessed directly from the rear lane with no need for drive aisles.

**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.



Sidewalks down each of the building provide easy access for all units to access parking at the rear.

## Architecture

### Design for Our Climate

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

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

- passive solar strategies;
- optimized placement of windows to maximize natural light;
- energy-efficient building design;
- passive solar principles;
- landscape design and plantings that provide cooling through shade in summer months;
- selecting roof materials to minimize heat loading and increase reflectivity.; and
- strategies for cross-ventilation.

Each unit has its own private yard giving the option for indoor/outdoor living. A tree will be planted in one of the larger private yards and will provide a shady pleasing environment for all units. All new trees are deciduous providing shade in the summer and sun in the winter. Windows are openable on the east and west facades of the building allowing for cross ventilation. Buildings are designed to Step 3 of the Energy Code.

### Friendly Faces, Friendly Neighbours (Orientation & Massing)

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

**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 front doors of the building facing the Okanagan Avenue on the South side and the lane on the North side with attractive covered porch entries. The rear units to the north of the development are oriented with the front doors and additional windows facing the rear lane with landscaping in the rear and front yards and City boulevard.

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

On the front and rear of each unit cantilevered projections, porches, setback entries, and varied cladding materials breakup the mass of the building giving the buildings visual interest on all sides.

### **Eyes on the Street**

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

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

Entrances to each townhouse unit are at ground level, with two sidewalks provided between the street and the two front facing building entrances. While there is no public sidewalk on the north side of Okanagan Ave there is a cross walk directly to the east of the property giving access to the City sidewalk to the south.

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

Windows on all levels of the street facing units provide for visual overlook onto Okanagan Avenue and the public realm. All units have windows looking over the amenity yard areas on all sides of the buildings.

### **Landscape Architecture**

#### **Enhance the Urban Forest**

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

**G35.** Tree planting

- Where space permits, landscaped areas, boulevards and setback areas adjacent to streets should be planted with trees with appropriate soil volumes to ensure longevity.
- All areas with planted trees must be irrigated
- All development fronting a public street shall plant a landscaped area fronting the public road with regularly spaced street trees no further than 10 metres apart, and at least 2.5 meters tall at the time of planting.
- The planting of additional trees is strongly encouraged, particularly if existing trees cannot be preserved, in order to maintain and expand the urban forest canopy.

Five new trees will be planted on the property creating. These trees and other proposed landscaping provide buffering between the public realm and adjacent properties.

#### **Utilities, Mechanical Services and Servicing**

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

**G54/55.** Mechanical/Utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building. Where this is unachievable, units may be located at the edge of the front yard and must be incorporated into landscaped areas and screened from the street.

Electrical transformer is placed in the front yard and wrapped with vinyl decorative wrap with a 1.2 m fence screen to the east. The water meters are placed in the side yard in the front northwest corner of the property behind a 1.8 m high privacy fence, also wrapped in decorative vinyl wrap.

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

Garbage and recycling containers are stored on concrete pads in the rear yards within 42" screened enclosures during non-collection days and will be placed at the rear lane curb for pickup on collection days. Access is by the gates from the rear yards.

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

The screened enclosure will be of the same material as the privacy fencing to fit into the landscape theme.

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

Each unit will have its own garbage and recycling containers.

**Fences**

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

**G63.** All plans should show intended fencing.

Fencing is shown on landscape plans. Fencing along the east, west and south property lines is 6' tall wood privacy fence with the exception that the fence is 4' high in the front yard. There is no fence on the front (north) property line. There are 6' fences between each private yard in the side setbacks.

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

Amenity space is provided with each unit having its own private fenced yard. In addition to the private amenity space there is a community amenity area at the north of the property with landscaping and a lawn suitable for play or relaxation.

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

The fenced private yards each have a landscaped section placed to maximize the usefulness of the yard as a play area for children or pets, or for outdoor enjoyment for all age groups. The lawn area at the north end of the yard can be used without vehicles driving past the area, allowing for another safe place for recreation. The landscaping is a mixture of ornamental grasses that are variant in shape, size, and colour. Deciduous trees create a pleasing environment year-round.

**MF4.** Visitor parking should be:

- in public view,

- easily accessible near the main entry to the site, and
- clearly indicated by pavement markings and/or signs

Visitor parking is located at the rear of the property and easily accessible to all units. This space will be clearly marked for visitors.

## Development Permit

Permit Number: DP PL2023-9606

Owner Name  
Owner Address

### Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
  - Legal: Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289
  - Civic: 25 Okanagan Avenue West
  - PID: 010-861-033
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of two side-by-side duplexes as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$20,000.00 must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502 of the *Local Government Act*, to undertake works or other activities required to:
  - a. correct an unsafe condition that has resulted from a contravention of this permit,
  - b. satisfy the landscaping requirements of this permit as shown in Schedule 'A' or otherwise required by this permit, or
  - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:
  - a. The permit has lapsed as described under Condition 8, or
  - b. A completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.
6. Upon completion of the development authorized by this permit, an application for release of securities (Landscape Inspection & Refund Request) must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security in accordance with the City of Penticton Fees and Charges Bylaw (as amended from time to time).

**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.

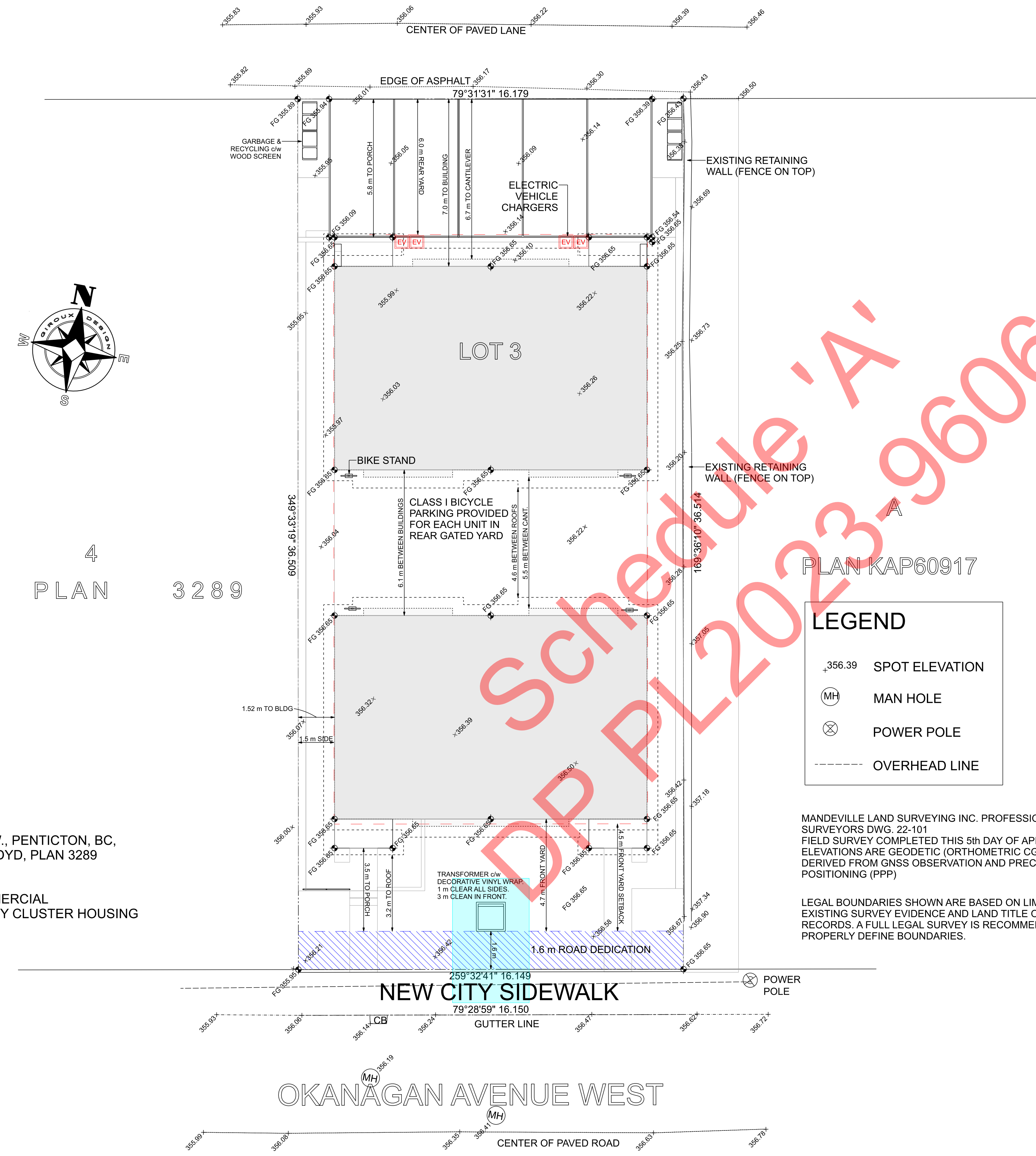
Authorized by City Council, the 17th day of October, 2023.

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

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



# PARCEL A PLAN B507



**SITE PLAN**  
 SCALE: 1:100  
 CIVIC ADDRESS: 25 OKANAGAN AVE. W., PENTICTON, BC,  
 LEGAL DESCRIPTION: LOT 3, DL 115, SDYD, PLAN 3289  
 PID: 010-861-033

CURRENT ZONING: C7 SERVICE COMMERCIAL  
 PROPOSED ZONING: RD4 LOW DENSITY CLUSTER HOUSING  
 SITE AREA: 590.16 m<sup>2</sup>

**LEGEND**

- 356.39 SPOT ELEVATION
- (MH) MAN HOLE
- (⊗) POWER POLE
- OVERHEAD LINE

MANDEVILLE LAND SURVEYING INC. PROFESSIONAL LAND SURVEYORS DWG. 22-101  
 FIELD SURVEY COMPLETED THIS 5th DAY OF APRIL, 2022.  
 ELEVATIONS ARE GEODETIC (ORTHOMETRIC CGVD28 HTV2.0)  
 DERIVED FROM GNSS OBSERVATION AND PRECISE POINT POSITIONING (PPP)

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.

ZONING COMPLIANCE TABLE (PROPOSED ZONING RD4)			
REGULATION	REQUIRED/CURRENT	PROPOSED/PROVIDED	VARIANCE REQUIRED
OCP DESIGNATION	GROUND ORIENTED RESIDENTIAL	GROUND ORIENTED RESIDENTIAL	NO
ZONING	C7	RD4	YES
MINIMUM LOT WIDTH (SUBDIVISION ONLY)	18.0	16.15 m	N/A
LOT AREA (SUBDIVISION ONLY)	540 m <sup>2</sup>	590.16 m <sup>2</sup>	N/A
MAXIMUM LOT COVERAGE	40% (236 m <sup>2</sup> )	39% (230 m <sup>2</sup> )	NO
MAXIMUM DENSITY	0.8 FAR	0.71 FAR (418 m <sup>2</sup> )	NO
MAXIMUM HEIGHT	8.0 m TWO STOREY	7.5 m	NO
MINIMUM FRONT YARD (SOUTH)	4.5 m	4.5 m	NO
MINIMUM INTERIOR SIDE YARD (OVER TWO STOREYS)(8.0 m)	3.0 m	3.0 m	NO
MINIMUM INTERIOR SIDE YARD (UP TO TWO STOREYS)(8.0 m)	1.5 m	1.5 m	N/A
MINIMUM EXTERIOR SIDE YARD	3.0 m	N/A	N/A
MINIMUM REAR YARD (NORTH)	6.0 m	6.0 m	NO
AMENITY SPACE (20 m <sup>2</sup> PER UNIT)	80 m <sup>2</sup>	96 m <sup>2</sup>	NO
PARKING SPACES (1 PER UNIT + GUEST)	5	5	NO

WHERE A REAR LANE IS PROVIDED, VEHICULAR ACCESS MUST BE FROM THE REAR LANE. AMENITY SPACE SHALL BE PROVIDED AT THE RATE OF 20 M<sup>2</sup> FOR EACH 25% OF THE REQUIRED DWELLING UNIT. AMENITY SPACE MUST BE PROVIDED AT THE GROUND FLOOR LEVEL. A MAXIMUM OF 20% OF THE REQUIRED INDOOR.

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

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

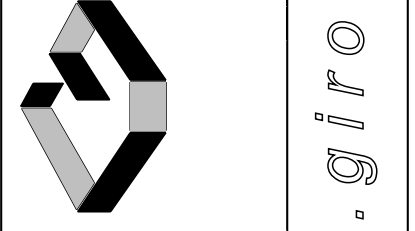
- MINIMUM NUMBER OF ENERGIZED OUTLETS FOR LEVEL 2 CHARGING: 1 PER DWELLING UNIT.
- CONSTRUCTION REQUIREMENTS THAT INCLUDE: ELECTRICAL PANEL CAPACITY, WIRING, AND CONTINUOUS CONDUIT OR RACEWAY (AS APPLICABLE) FROM THE PANEL, TERMINATING AT AN ENERGIZED OUTLET NEAR THE DESIGNATED EV PARKING SPACE(S). ADDITIONAL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

RAJ DHILLON  
 25 OKANAGAN AVE. W.  
 PENTICTON, BC.  
 DESIGN BY: AJG  
 DRAWN BY: AJG  
 DATE: 2023-09-08  
 REVISED:

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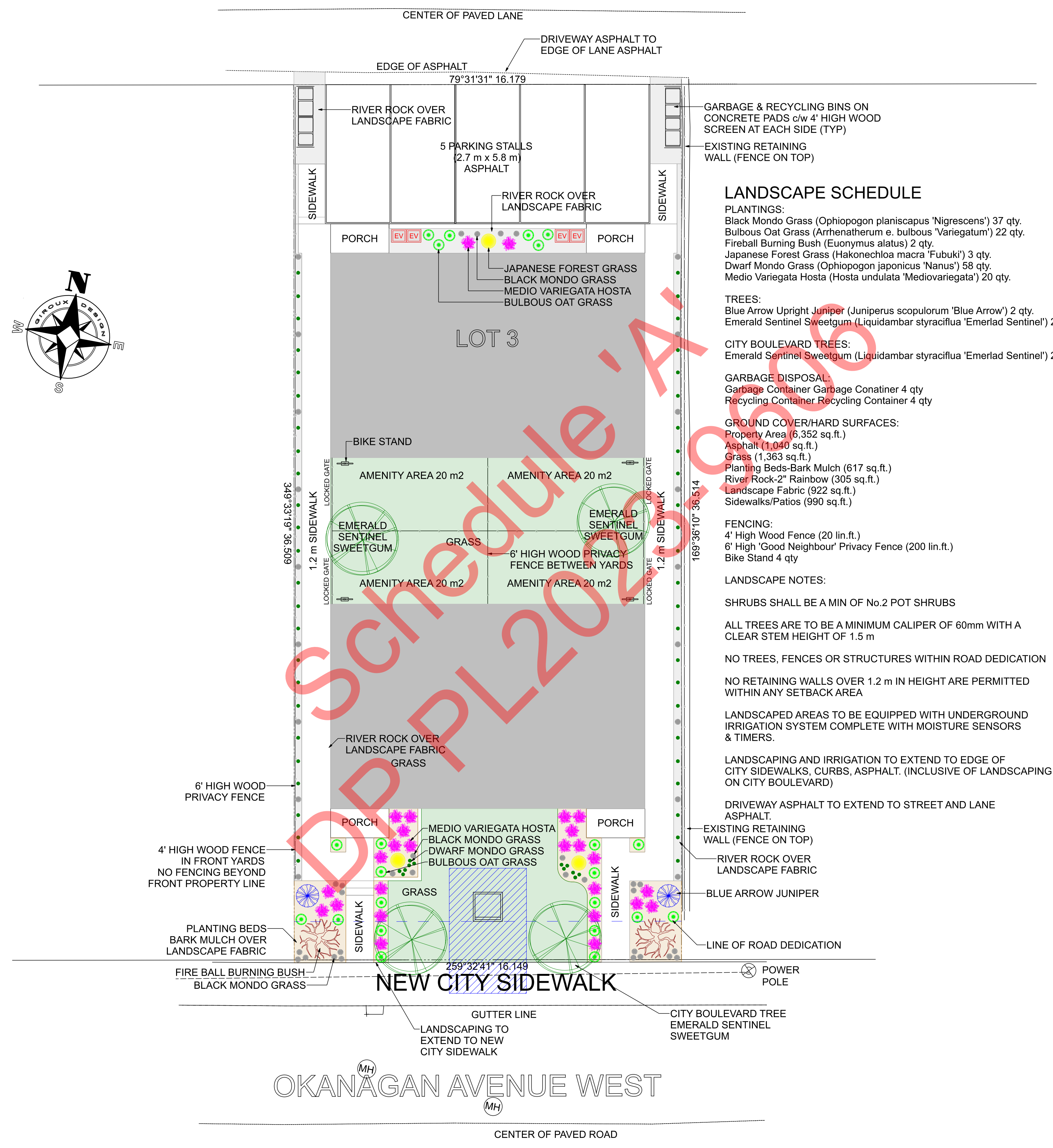
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## Site Plan & Zoning Compliance Table





**LANDSCAPE SCHEDULE**

**PLANTINGS:**  
 Black Mondo Grass (*Ophiopogon planiscapus 'Nigrescens'*) 37 qty.  
 Bulbous Oat Grass (*Arrhenatherum e. bulbous 'Variegatum'*) 22 qty.  
 Fireball Burning Bush (*Euonymus alatus*) 2 qty.  
 Japanese Forest Grass (*Hakonechloa macra 'Fubuki'*) 3 qty.  
 Dwarf Mondo Grass (*Ophiopogon japonicus 'Nanus'*) 58 qty.  
 Medio Variegata Hosta (*Hosta undulata 'Mediovariegata'*) 20 qty.

**TREES:**  
 Blue Arrow Upright Juniper (*Juniperus scopulorum 'Blue Arrow'*) 2 qty.  
 Emerald Sentinel Sweetgum (*Liquidambar styraciflua 'Emerlad Sentinel'*) 2 qty.

**CITY BOULEVARD TREES:**  
 Emerald Sentinel Sweetgum (*Liquidambar styraciflua 'Emerlad Sentinel'*) 2 qty.

**GARBAGE DISPOSAL:**  
 Garbage Container Garbage Container 4 qty  
 Recycling Container Recycling Container 4 qty

**GROUND COVER/HARD SURFACES:**  
 Property Area (6,352 sq.ft.)  
 Asphalt (1,040 sq.ft.)  
 Grass (1,363 sq.ft.)  
 Planting Beds-Bark Mulch (617 sq.ft.)  
 River Rock-2" Rainbow (305 sq.ft.)  
 Landscape Fabric (922 sq.ft.)  
 Sidewalks/Patios (990 sq.ft.)

**FENCING:**  
 4' High Wood Fence (20 lin.ft.)  
 6' High 'Good Neighbour' Privacy Fence (200 lin.ft.)  
 Bike Stand 4 qty

**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.  
 EXISTING RETAINING WALL (FENCE ON TOP)  
 RIVER ROCK OVER LANDSCAPE FABRIC  
 BLUE ARROW JUNIPER  
 LINE OF ROAD DEDICATION  
 POWER POLE  
 CITY BOULEVARD TREE EMERALD SENTINEL SWEETGUM



RAJ DHILLON  
 25 OKANAGAN AVE. W.  
 PENTICTON, BC.  
 DESIGN BY: AJG DATE: 2023-09-08  
 DRAWN BY: AJG REVISED:

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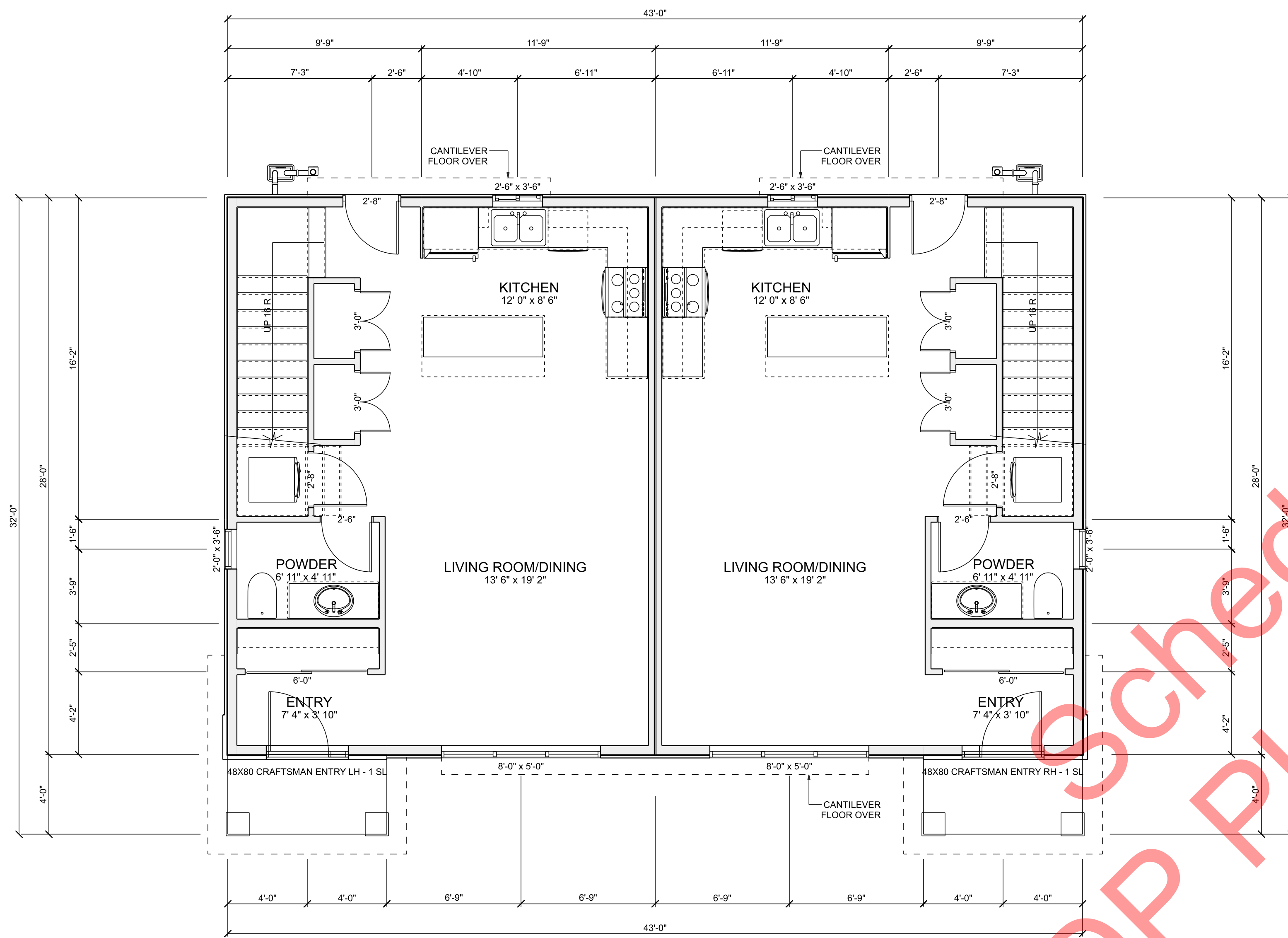
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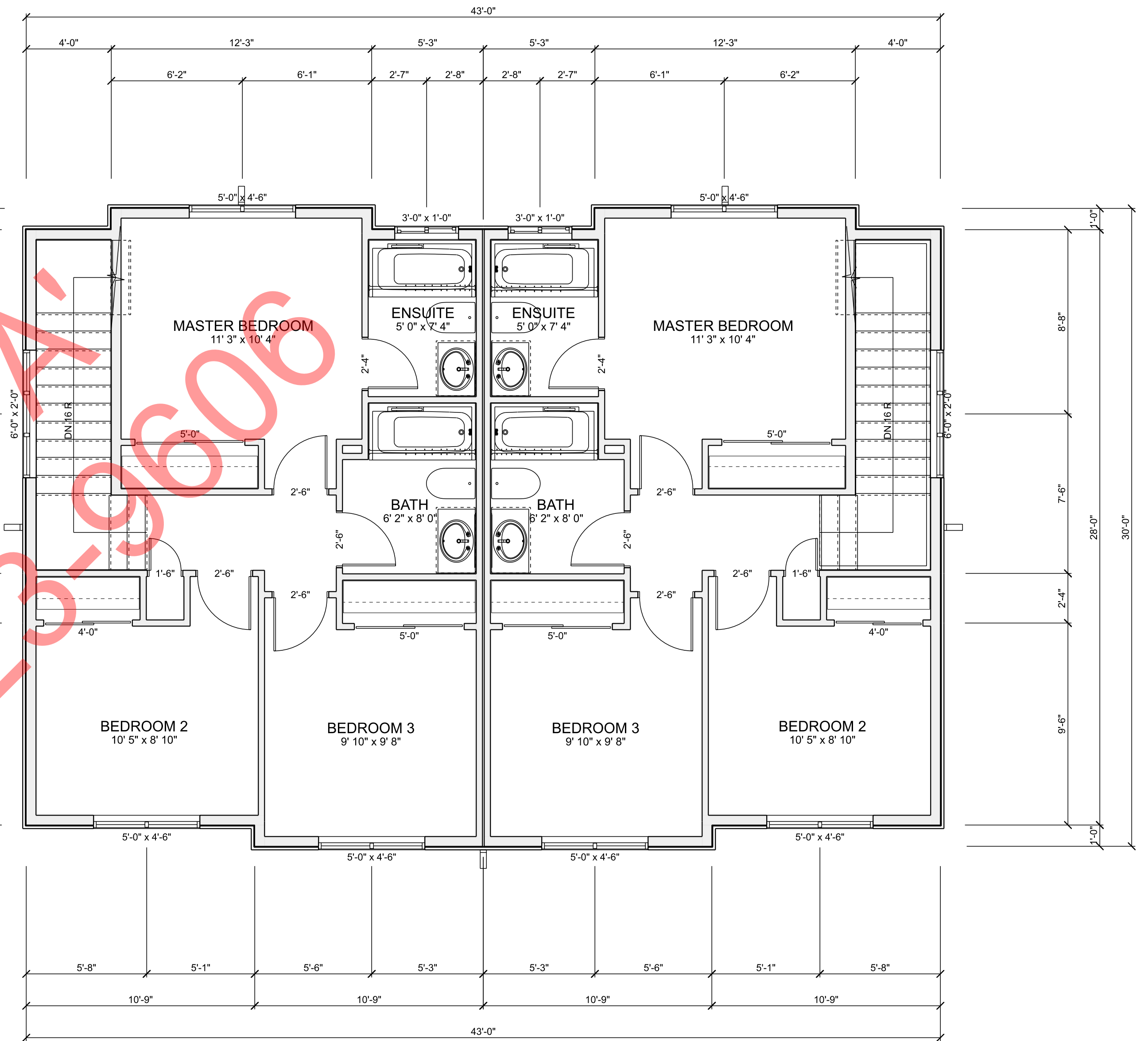
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Landscape Plan





**MAIN FLOOR PLAN (TYPICAL BUILDINGS A & B)**  
 SCALE: 1/4" = 1'-0"  
 MAIN FLOOR LIVING AREA: 1204 sq ft.  
 (LIVING AREAS EXCLUDE STAIRS)



**SECOND FLOOR PLAN (TYPICAL BUILDINGS A & B)**  
 SCALE: 1/4" = 1'-0"  
 SECOND FLOOR LIVING AREA: 1250 sq ft.  
 (LIVING AREAS EXCLUDE STAIRS)

DP PL 2023-9606  
 Schedule 'A'

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Floor Plans

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 PENTICTON, BC.  
 DESIGN BY: AJG  
 DRAWN BY: AJG  
 DATE: 2023-09-08  
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FRONT ELEVATION (FACING STREET AND LANE)  
SCALE: 1/4" = 1'-0"



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



REAR ELEVATION (FACING PRIVATE YARDS)  
SCALE: 1/4" = 1'-0"



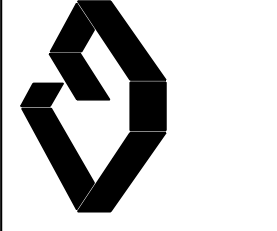
LEFT ELEVATION  
SCALE: 1/4" = 1'-0"

Schedule 'A'  
DP PL2023-9606

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RAJ DHILLON  
25 OKANAGAN AVE. W.  
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DESIGN BY: AJG DATE: 2023-09-08  
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Colour Exterior Elevations (Typical)

The Corporation of the City of Penticton

Bylaw No. 2023-36

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. 2023-36".

2. **Amendment:**

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

Rezone Lot 3 District Lot 115 Similkameen Division Yale District Plan 3289, located at 25 Okanagan Avenue W, from C7 (Service Commercial) to RD4 (Low Density Cluster Housing) as shown on Schedule 'A'.

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

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

Notice of intention to proceed with this bylaw was published on the 6<sup>th</sup> day of October, 2023 and the 11<sup>th</sup> day of October, 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 2023-36

Date:

Corporate Officer:

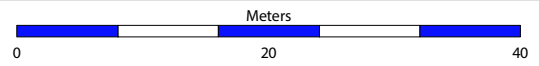


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1:600

September 26, 2023 1:26:43 PM



Coordinate System: NAD 1983 CSRS UTM Zone 11N