

As part of the Provincial Government’s Housing Action Plan and new legislation (s. 464 of the Local Government Act, effective November 30, 2023), the City is prohibited from holding a Public Hearing for Zoning Amendment Bylaws that facilitate residential development and are consistent with the Official Community Plan. As such, there is no opportunity to speak to Council in person.

A new residential development is being proposed in your neighbourhood:

Property:

43 Okanagan Ave W

Lot 6 District Lot 115 Similkameen Division Yale District Plan 3289

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 R1 (Large Lot Residential) to RD4 (Low Density Cluster Housing).

Information:

You can find the staff report and Zoning Amendment Bylaw No. 2024-17 on the City’s website at www.penticton.ca/publicnotice or scan the QR code to the right.

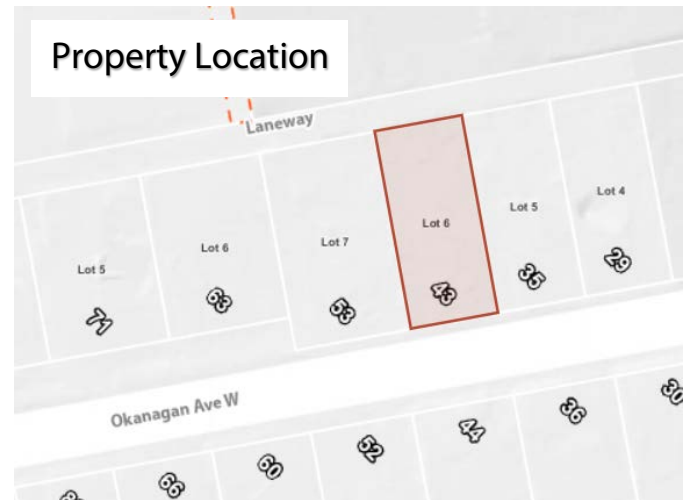


Figure 1: Rendering of duplex fronting Okanagan Ave W

Council Consideration:

Council will consider giving first reading to Zoning Amendment Bylaw No. 2024-17 at its Regular Council meeting scheduled for **1:00 pm, Tuesday, April 16, 2024** in Council Chambers, Penticton City Hall, 171 Main St.

All meetings are live streamed via the City’s website at: www.penticton.ca/city-hall/city-council/council-meetings. Select the ‘Watch Live’ button.

Questions?

Please contact Jordan Hallam at 250-490-2429 or jordan.hallam@penticton.ca with any questions.

Written Submissions:

All submitted comments will be distributed to Council and must be received by mail or email no later than 9:30 am, Tuesday, April 16, 2024, to:

Attention: Corporate Officer, City of Penticton

171 Main Street, Penticton, BC V2A 5A9

Email: corpadmin@penticton.ca

Please note that all correspondence submitted to the City of Penticton in response to this Notice must include your name and address and will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's name and address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.

Audrey Tanguay

Planning & Licencing Manager

Date: April 16, 2024
To: Anthony Haddad, City Manager
From: Jordan Hallam, Planner II
Address: 43 Okanagan Avenue West

File No: RMS/43 Okanagan Ave W

Subject: Zoning Amendment Bylaw No. 2024-17
 Development Permit PL2024-9738

Staff Recommendation

THAT Council give first, second, and third reading to “Zoning Amendment Bylaw No. 2024-17”, for Lot 6 District Lot 115 Similkameen Division Yale District Plan 3289, located at 43 Okanagan Avenue W, a bylaw to rezone the subject property from R1 (Large Lot Residential) to RD4 (Low Density Cluster Housing);

AND THAT Council adopt “Zoning Amendment Bylaw No. 2024-17”;

AND THAT Council, subject to adoption of “Zoning Amendment Bylaw No. 2024-17”, approve “Development Permit PL2024-9738”, for Lot 6 District Lot 115 Similkameen Division Yale District Plan 3289, located at 43 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 PL2024-9738”;

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 R1 (Large Lot Residential) 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 R1 (Large Lot Residential) and is designated as ‘Ground Oriented Residential’ (Figure 2) by the Official Community Plan (OCP). The property currently has a single family dwelling that was constructed in 1951.

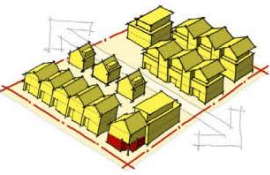
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Ground Oriented Residential 	Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.	<ul style="list-style-type: none"> • Duplexes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

Figure 2 – OCP Land Use Designation

The surrounding area is a mixture of uses, including mostly single family dwellings directly adjacent, infill development, commercial, and the industrial area of Penticton across Main St. 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.

In October 2023, Council approved a similar proposal with rezoning to RD4 (Low Density Cluster Housing) and a Development Permit for two side-by-side duplexes (four dwelling units) at 25 Okanagan Ave W.

Provincial Changes

The proposed rezoning aligns with the underlying OCP designation of the City’s OCP, therefore the City is prohibited from holding a public hearing as per the *Local Government Act*.

Due to the recent changes, the Zoning Bylaw Amendment may have first, second, third reading and be adopted in one meeting as there are no additional conditions for the rezoning.

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.

Road Dedication

A 1.6 m road dedication is required in front of the subject property in order to plant two City boulevard trees.

Development Statistics

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

	RD4 Zone Requirement	Provided on Plans
Minimum Lot Width*:	18 m	16.2 m
Minimum Lot Area*:	540 m ²	592.3 m ²
Maximum Lot Coverage:	40%	38.1%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.72 FAR
Maximum Height:	10.5 m	7.6 m
Vehicle Parking:	Total Required: 1 per dwelling unit plus 0.25 spaces/unit for visitors Total Required: 5 spaces	Total Per Dwelling: 4 spaces Total Visitor: 1 space Total Provided: 5 spaces
Level 2 Electric Vehicle (EV) Ready Chargers:	Total Required: 1 per dwelling unit Total Required: 4 chargers	Total EV Ready Chargers Provided: 4 chargers
Bicycle Parking:	Total Required: 0.5 per unit Total Class 1 Required: 2 Total Class 2: 0.1 per unit Total Class 2 Required: 0 spaces	Total Class 1 Provided: 4 spaces Total Class 2 Provided: 0 spaces

	RD4 Zone Requirement	Provided on Plans
Landscape Buffer:	Total Required: Minimum 3.0 m wide and one tree for every 10.0 m buffer area. One shrub for every meter of buffer area. Total Required: Minimum 3.0 m wide, 3 trees, and 36 shrubs.	Total Provided: 0.33 m wide (Variance to width through Development Permit), 3 trees, and 47 shrubs.
Required Setbacks		
Front Yard (Okanagan Ave):	4.5 m	4.7 m
Interior Side Yard (east):	1.5 m	1.54 m
Interior Side Yard (west):	1.5 m	1.53 m
Rear Yard (lane):	6.0 m	7.08 m
Other Information:	*Lot width and lot area are only applicable at the time of subdivision.	

Analysis

Zoning Amendment

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

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

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

with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).

OCP Policy 4.2.5.2 Encourage land use planning that results in neighbourhoods that can be easily serviced by transit.

A 1.6 m 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 historic 'water agreement' registered on title, which extends the registration process significantly for the road dedication. This allows the applicant to receive their Zoning Amendment and Development Permit, if approved by Council, while the road dedication is process is occurring 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.

Support Development Permit

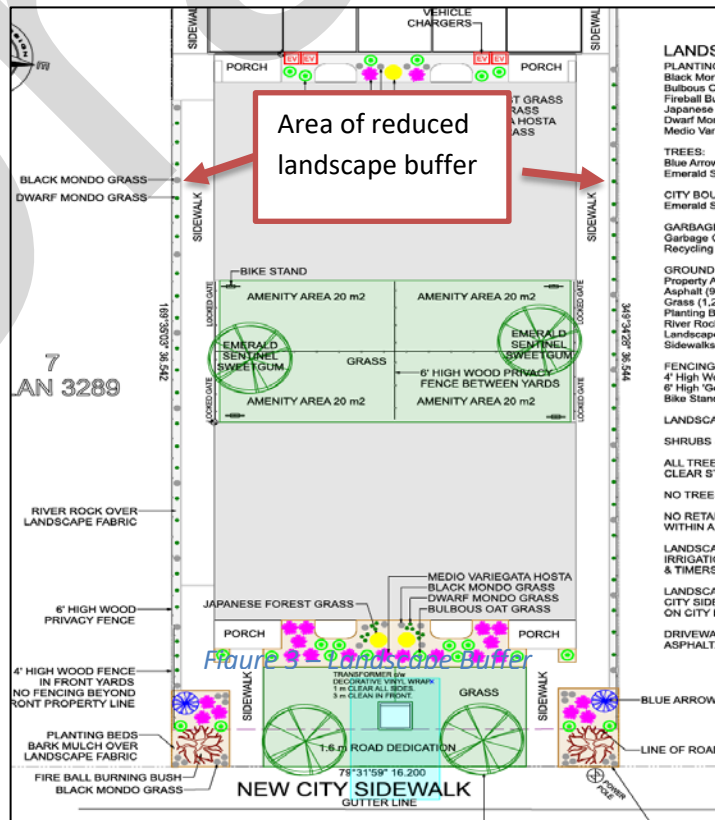
The proposed development is considered within the Multifamily Residential Development Permit Area of the OCP, which is established to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention and neighbourliness. The proposed 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 3). 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.

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. 2024-17".

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 PL2024-9738
- Attachment G – Zoning Amendment Bylaw No. 2024-17

Respectfully submitted,

Jordan Hallam
Planner II

Concurrence

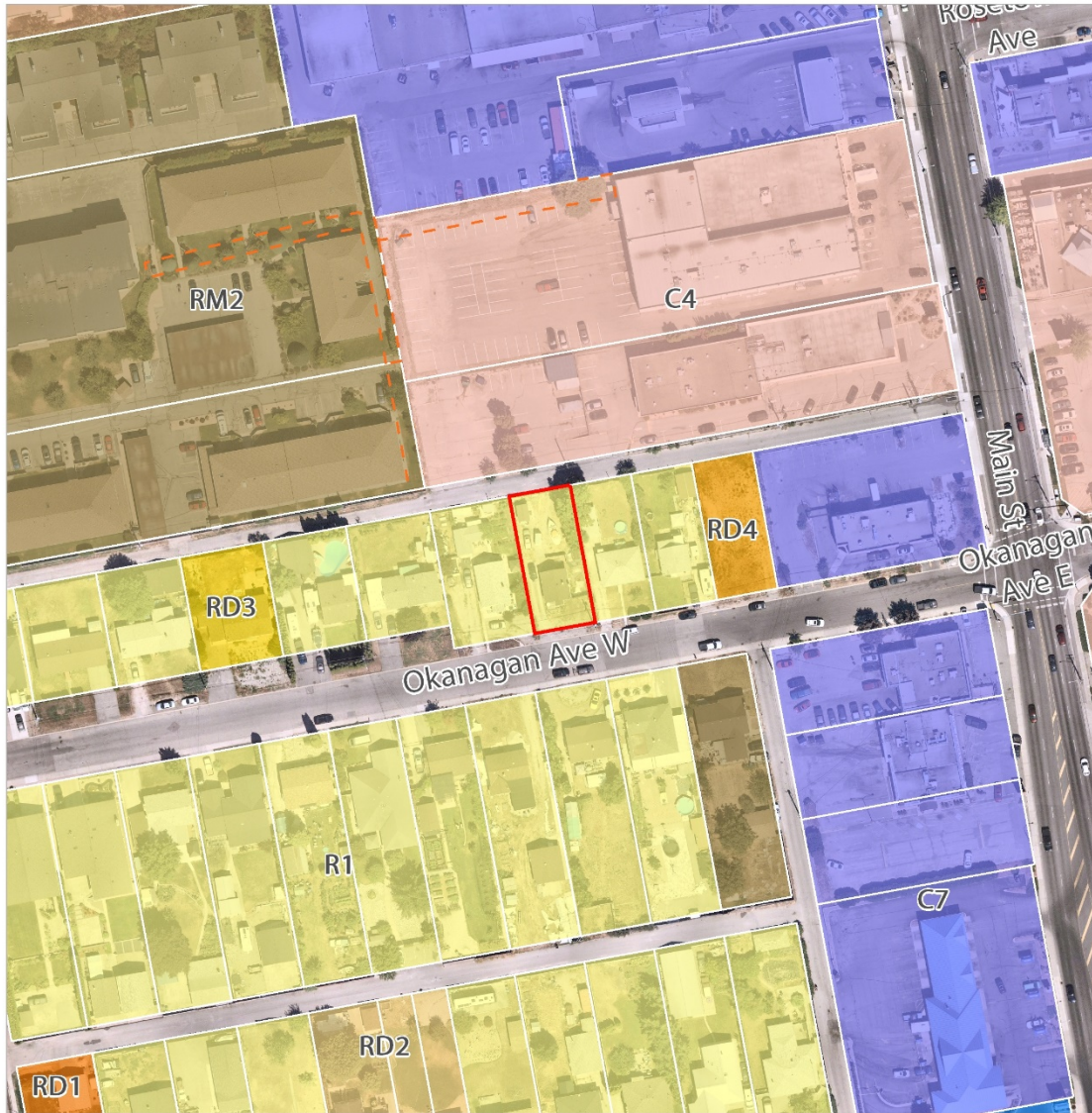
Director of Development Services <i>BL</i>	GM of Infrastructure <i>KD</i>	City Manager
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Attachment A – Zoning Map



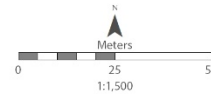
43 Okanagan Ave W

Zoning Map



Legend

- Subject Parcel
- R1 - Large Lot Residential
- RM2 - Low Density Multiple Housing
- RD1 - Duplex Housing
- RM3 - Medium Density Multiple Housing
- RD2 - Duplex Housing; Lane
- C4 - General Commercial
- RD3 - Residential Infill
- C7 - Service Commercial
- RD4 - Low Density Cluster Housing
- C8 - Vehicle Service Station



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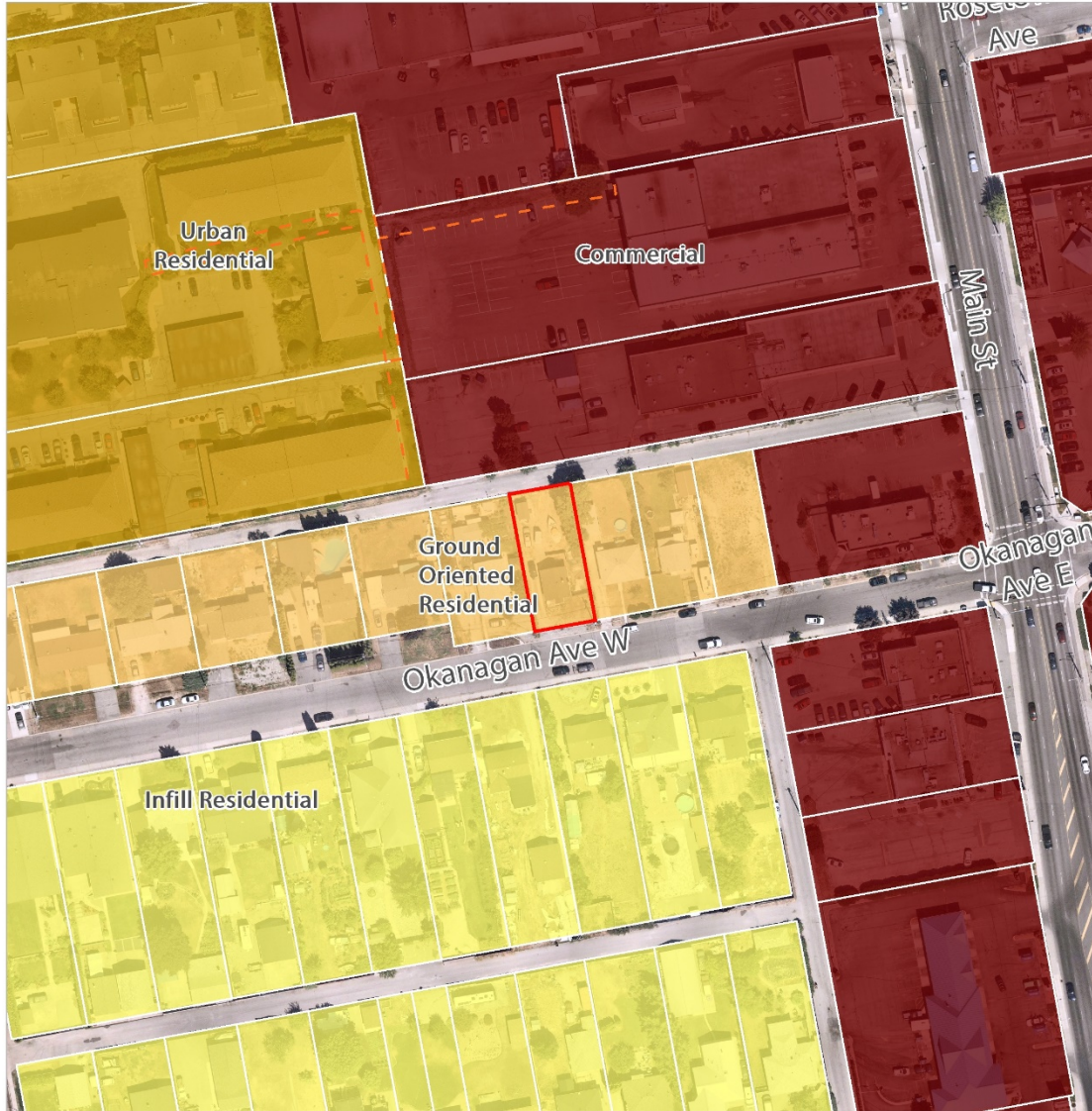
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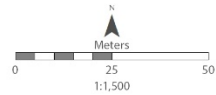
43 Okanagan Ave W

OCP Map



Legend

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

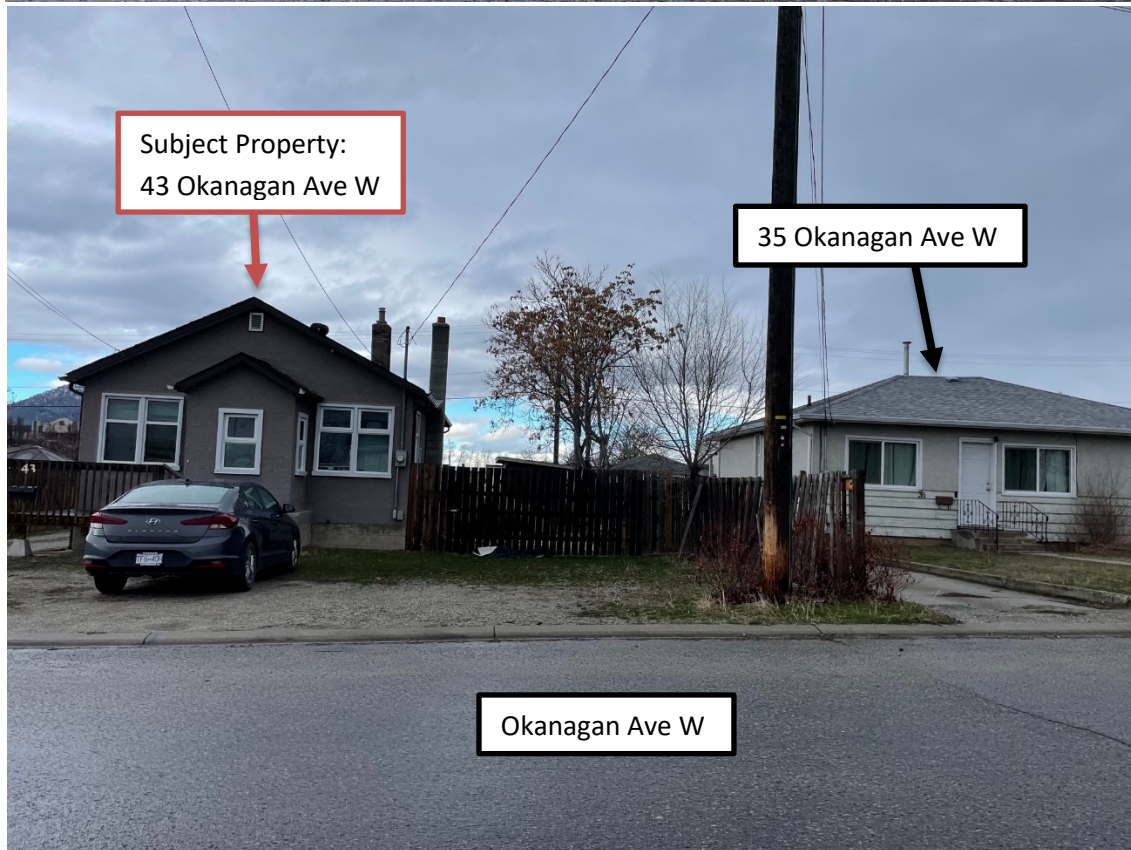
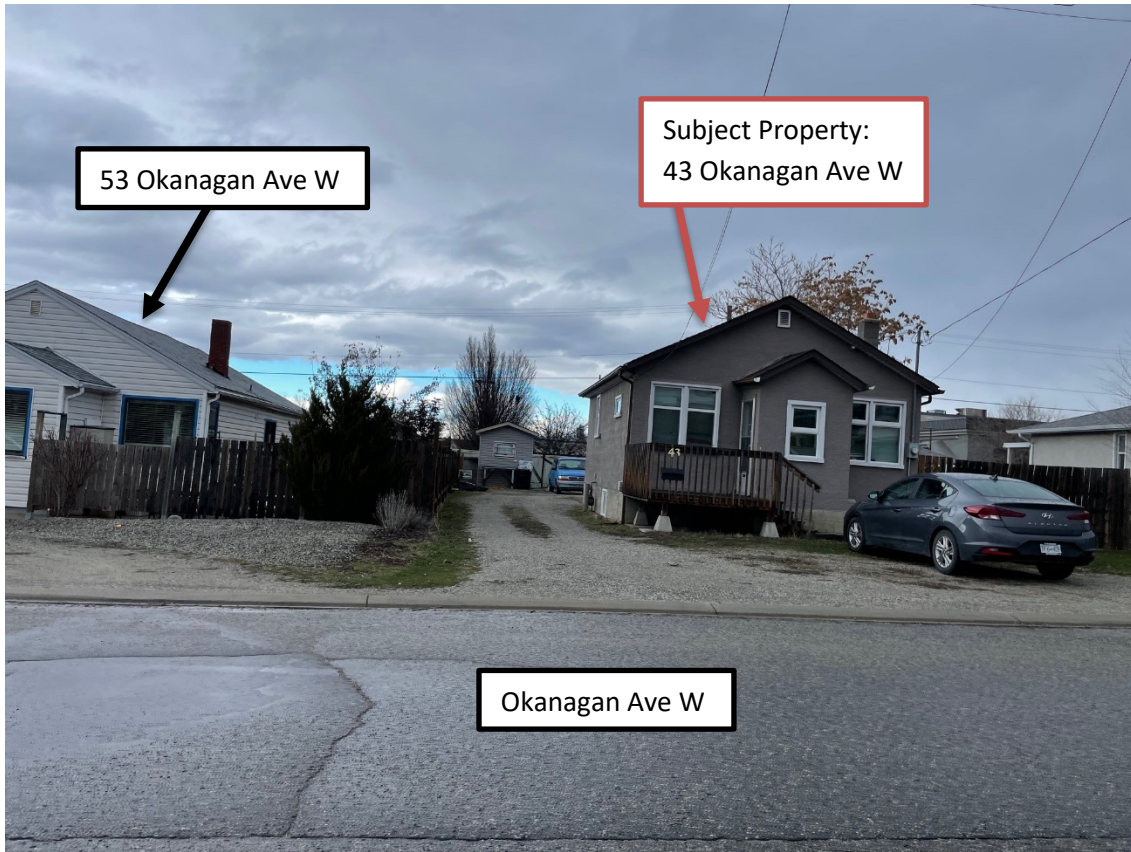


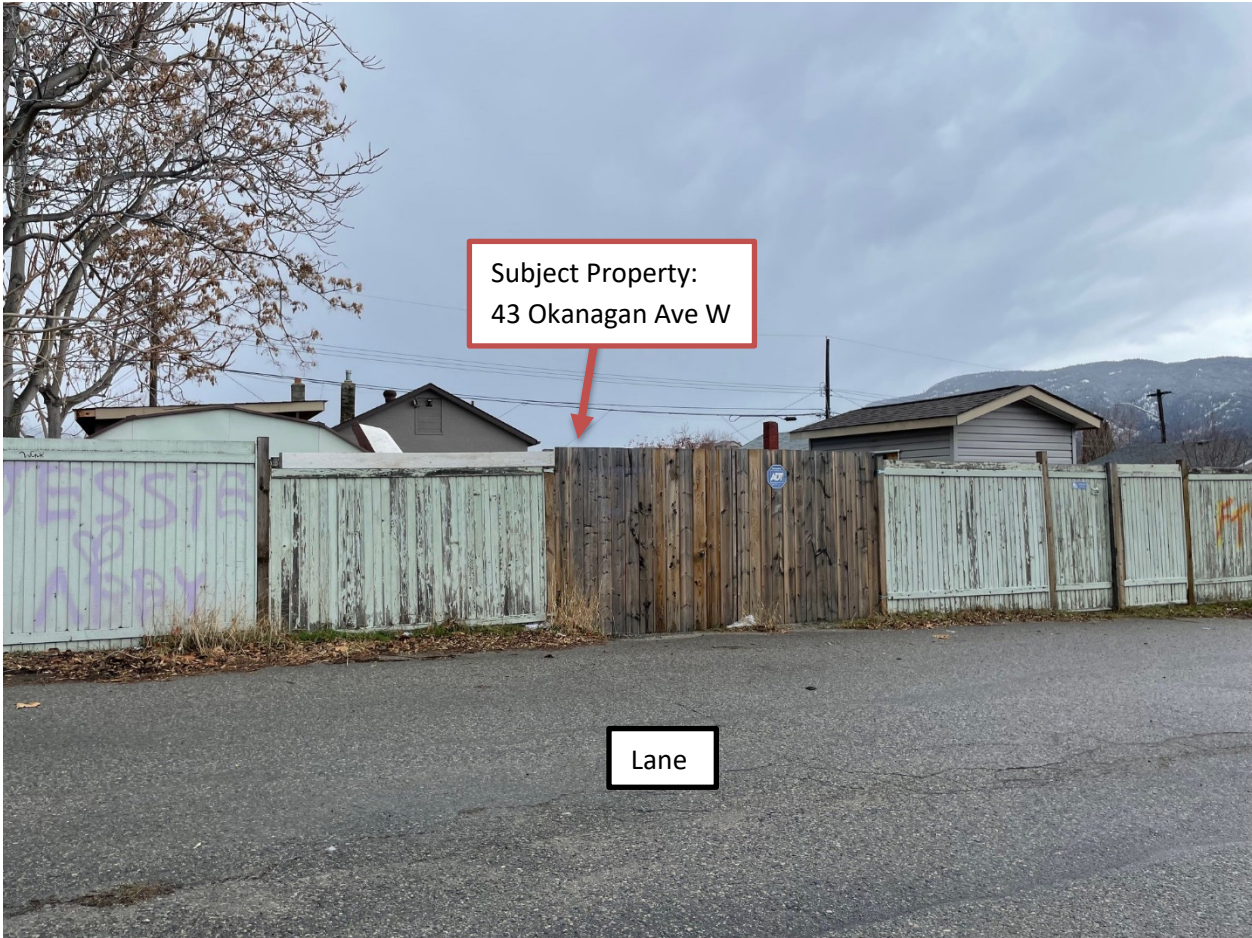
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Tuesday, February 27, 2024 9:23:16 AM

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Attachment C – Photos of Property





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 m² 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.



January 29, 2024

Giroux Design Group Inc.

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

Re: 43 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 43 Okanagan Avenue West.

The proposal is to rezone the property from R1 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.

43 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. 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 newer developments on the street and 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 setbacks (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.

The electrical transformer is placed in the front yard and wrapped with vinyl decorative 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 PL2024-9725

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 6 Block C District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 853
 - Civic: 468 Wade Avenue West
 - PID: 012-022-624
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a three-storey apartment 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 beginning works 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).

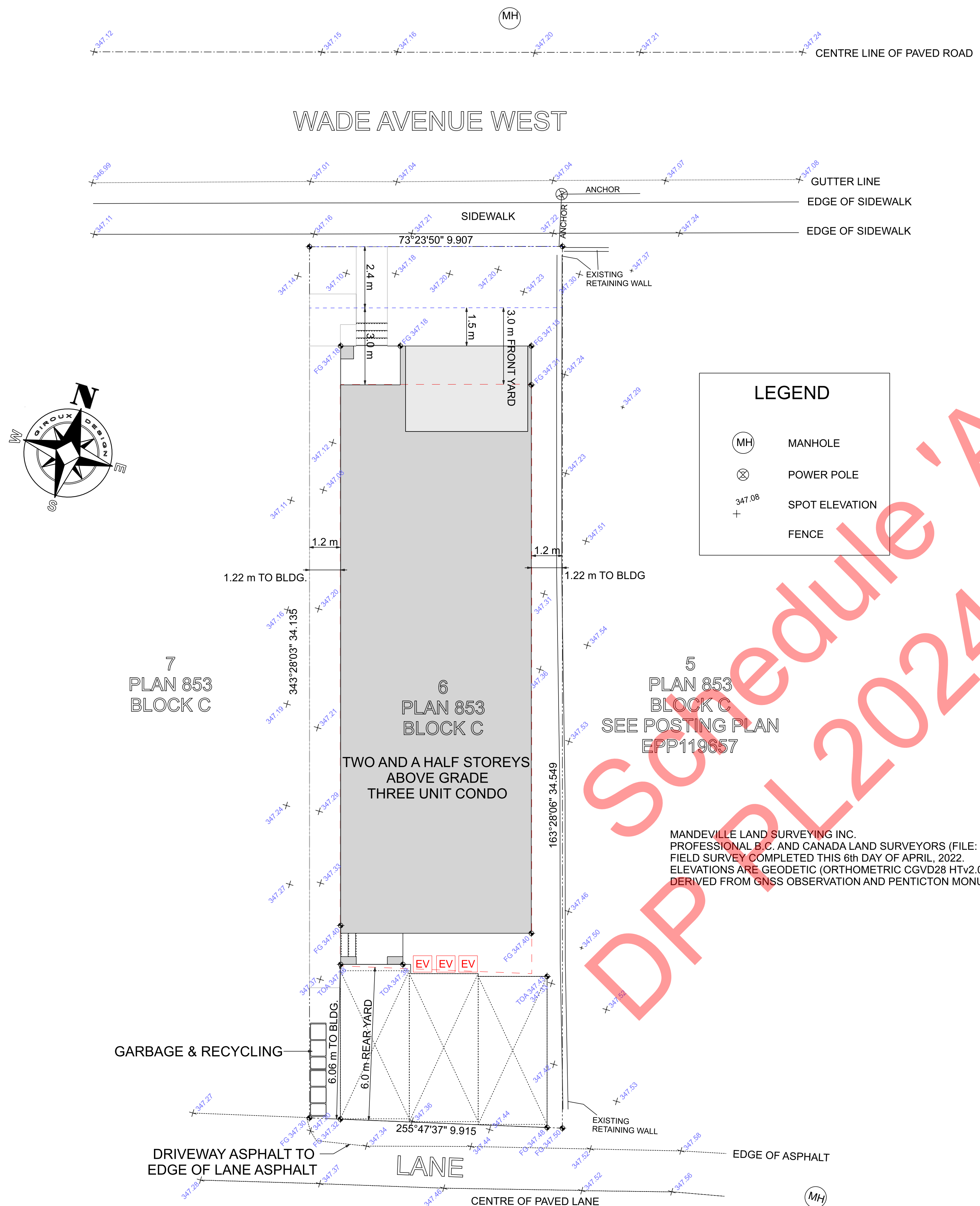
General Conditions

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 16th day of April, 2024.

Issued this ____ day of April, 2024.

Angela Collison
Corporate Officer



LEGEND

- (MH) MANHOLE
- ⊗ POWER POLE
- 347.08 SPOT ELEVATION
- FENCE

ZONING COMPLIANCE TABLE (PROPOSED ZONING RD3)

REGULATION	REQUIRED/CURRENT	PROPOSED/PROVIDED	VARIANCE REQUIRED
OCP DESIGNATION	URBAN RESIDENTIAL	TBD	NO
ZONING	RD2	RD3	YES
MINIMUM LOT WIDTH (SUBDIVISION ONLY)	10.5	9.9 m	N/A
LOT AREA (SUBDIVISION ONLY)	275 m ²	340.23 m ²	N/A
MAXIMUM LOT COVERAGE	55% (187.13 m ²)	49% (168 m ²)	NO
MAXIMUM DENSITY	1.0 FAR	1.2 FAR (420.6 m ²)	YES
MAXIMUM HEIGHT	10.5 m	10.4 m	NO
MINIMUM FRONT YARD (NORTH)	4.5 m	3.0 m	YES
MINIMUM INTERIOR SIDE YARD (EAST, WEST)	1.2 m	1.2 m	NO
MINIMUM EXTERIOR SIDE YARD	3.0 m	3.0 m	NO
MINIMUM REAR YARD (SOUTH)	6.0 m	6.0 m	NO
PARKING SPACES (1 PER UNIT)	3	3	NO

IN THE CASE OF THE RD3 ZONE, A CARRIAGE HOUSE IS PERMITTED ON THE SAME LOT AS A PRINCIPAL DWELLING WITH A SECONDARY SUITE OR A DUPLEX BUILDING FOR A MAXIMUM OF THREE (3) DWELLINGS ON A LOT. IN THE CASE OF DUPLEX DEVELOPMENT, WHERE A REAR LANE IS PROVIDED, VEHICULAR ACCESS MUST BE FROM THE REAR LANE. IN CASES WHERE A DWELLING UNIT FACES THE BACK OF THE LOT, A CLEAR, UNOBSTRUCTED AND MAINTAINED ACCESS FROM THE FRONT OF THE PROPERTY TO THE BACK UNIT AT LEAST 1.2 M IN WIDE, MUST BE PROVIDED.

**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.

SITE PLAN
 SCALE: 1:100
 CIVIC ADDRESS: 468 WADE AVENUE WEST, PENTICTON, BC
 LEGAL DESCRIPTION: SITE PLAN SHOWING CERTAIN FEATURES ON LOT 6, Bk C, DL 4, Gp 7, SDYD, PLAN 853
 PID: 012-022-624
 LOT AREA: 340.23 m² (3662 sq.ft.)

CARY SCHNEIDERAT
 468 WADE AVE W.
 PENTICTON, BC
 DESIGN BY: AIG
 DRAWN BY: AIG
 DATE: 2024-03-18
 REVISED:

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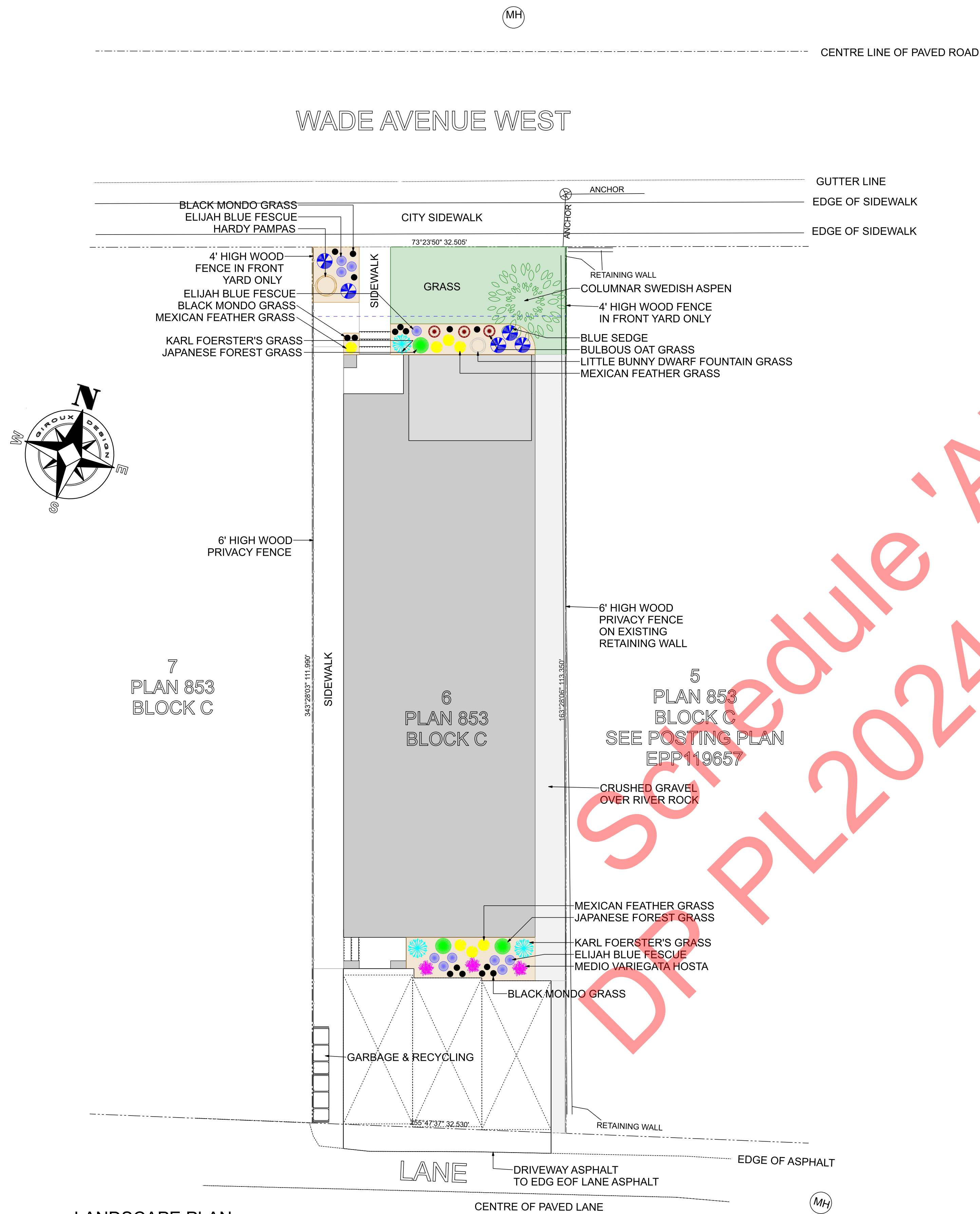
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Site Plan & Zoning Compliance Table



LANDSCAPE PLAN

SCALE: 0.1200" = 1'-0"
 CIVIC ADDRESS: 468 WADE AVENUE WEST, PENTICTON, BC
 LEGAL DESCRIPTION: SITE PLAN SHOWING CERTAIN FEATURES ON LOT 6, Bk C, DL 4, Gp 7, SDYD, PLAN 853
 PID: 012-022-624
 LOT AREA: 340.23 m² (3662 sq.ft.)

LANDSCAPE SCHEDULE

- PLANTINGS:**
 Asiatic Lilies (Asiatic Hybrid Lilies) 2 qty.
 Black Mondo Grass (Ophiopogon planiscapus 'Nigrescens') 15 qty.
 Blue Sedge (Carex flacca) 5 qty.
 Bulbous Oat Grass (Arrhenatherum bulbosum 'Variegatum') 3 qty.
 Columnnar Swedish Aspen (Populus tremula 'Erecta') 1 qty.
 Elijah Blue Fescue (Festuca glauca 'Elijah Blue') 10 qty.
 Hardy Pampas (Erianthus ravennae) 1 qty.
 Japanese Forest Grass (Hakonechloa macra 'Fubuki') 3 qty.
 Karl Foerster's Grass (Calamagrostis x acutiflora Karl Foerster) 3 qty.
 Little Bunny Dwarf Fountain Grass (Pennisetum alopecuroides 'Little Bunny') 1 qty.
 Medio Variegata Hosta (Hosta undulata 'Mediovariegata') 3 qty.
 Mexican Feather Grass (Stipa tenuissima) 7 qty.
- TREES:**
 Bloodgood Japanese Maple (Acer palmatum var. atropurpureum 'Bloodgood') 1 qty.
 Blue Arrow Juniper (Juniperus scopulorum 'Blue Arrow') 4 qty.
 Emerald Sentinel Sweetgum (Liquidambar styraciflua 'Clydesform') 2 qty.
 Korean Maple (Acer pseudosieboldianum) 2 qty.

- GARBAGE DISPOSAL:**
 Garbage Container 3 qty.
 Recycling Container 3 qty.
 Yard Waste Container 1 qty.

- GROUND COVER/HARD SURFACES:**
 Property Area (3,665 sq.ft.)
 Asphalt (598 sq.ft.)
 Grass (240 sq.ft.)
 Planting Beds-Bark Mulch (198 sq.ft.)
 Crushed Gravel or River Rock-Rainbow (360 sq.ft.)
 Landscape Fabric (651 sq.ft.)
 Sidewalks/Patios (750 sq.ft.)

- FENCING:**
 4' High Wood Fence (15 lin.ft.)
 6' High 'Good Neighbour' Privacy Fence (122 lin.ft.)

LANDSCAPE NOTES:

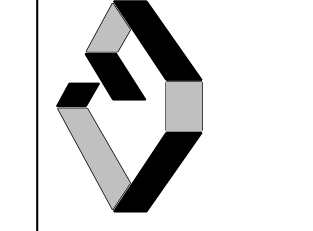
- SHRUBS SHALL BE A MIN OF No.2 POT SHRUBS
- ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m
- NO TREES, FENCES OR STRUCTURES WITHIN ROAD DEDICATION
- NO RETAINING WALLS OVER 1.2 m IN HEIGHT ARE PERMITTED WITHIN ANY SETBACK AREA
- LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND 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.

CARY SCHNEIDERAT
 468 WADE AVE W.
 PENTICTON, BC
 DESIGN BY: AIG
 DRAWN BY: AIG
 DATE: 2024-03-18
 REVISED:

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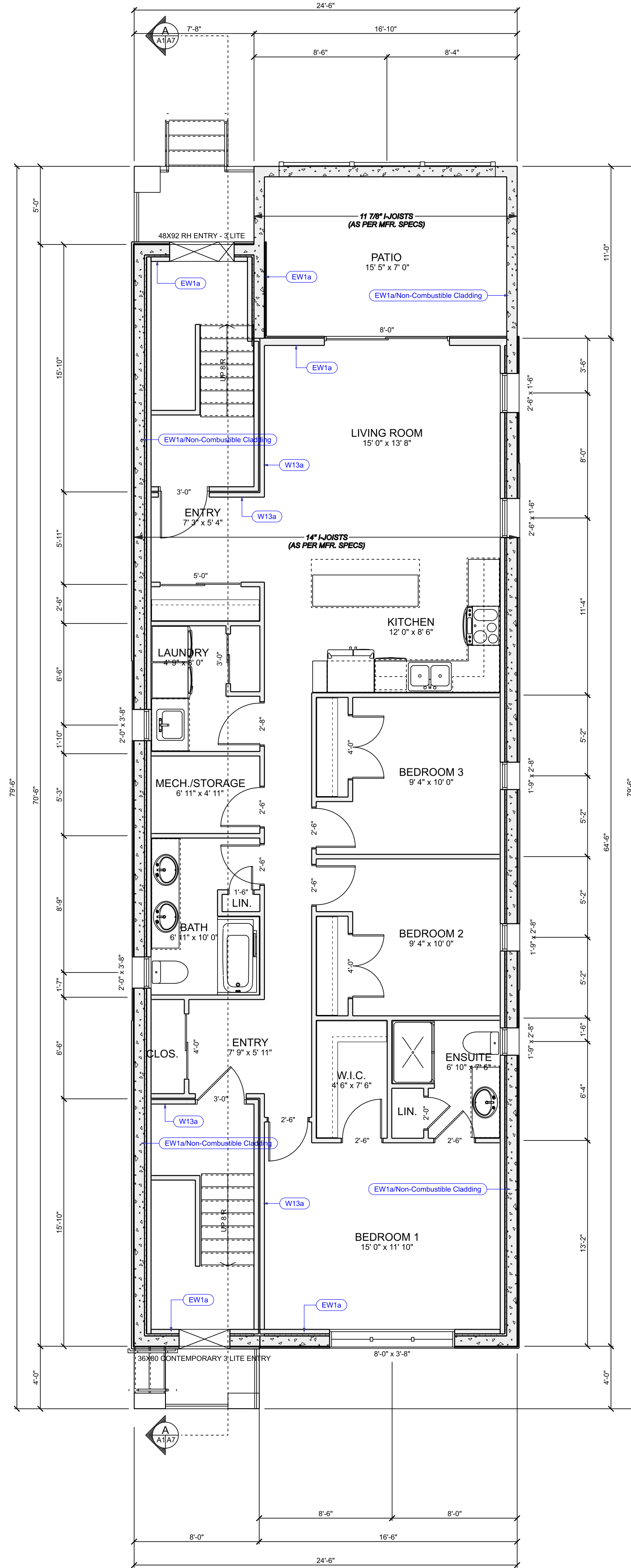
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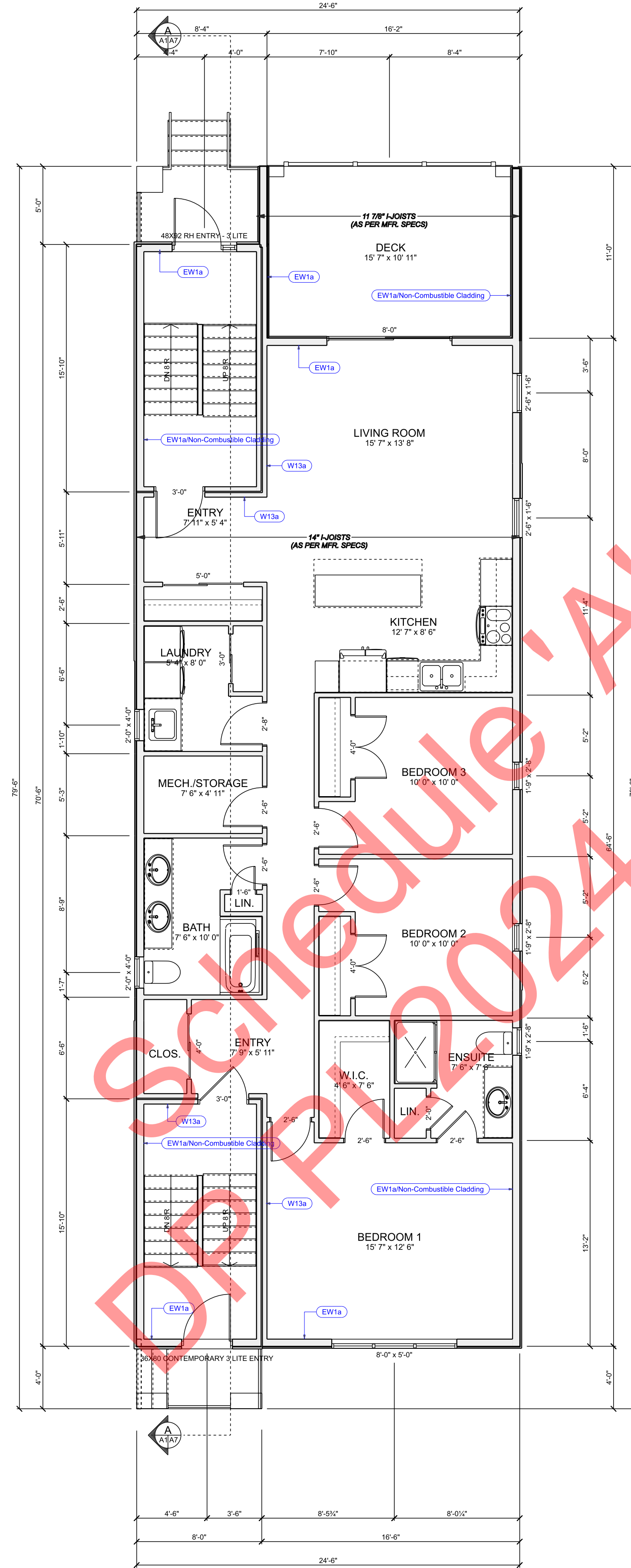
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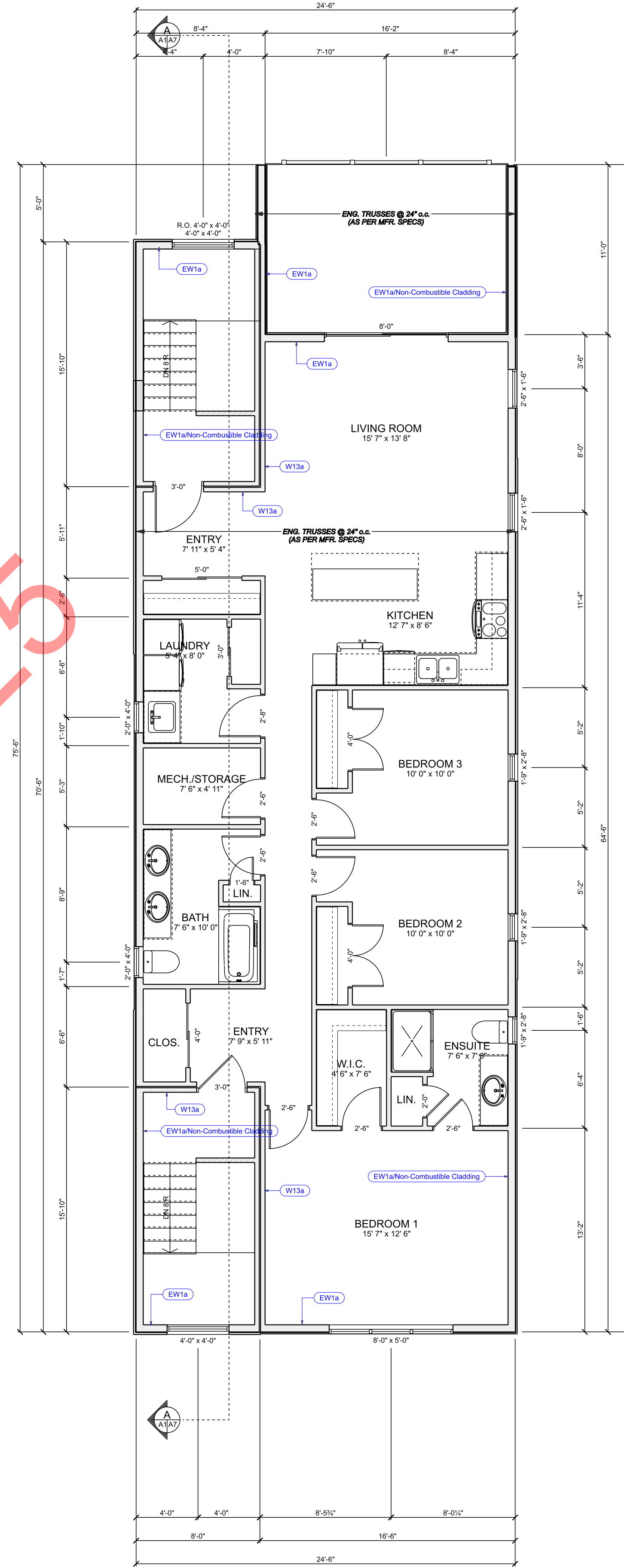
Landscape Plan



LOWER FLOOR PLAN
 SCALE: 3/16" = 1'-0"
 UNIT AREA: 1361 sq ft.
 COMMON STAIR AREA: 140 sq ft.
 PATIO AREA: 160 sq ft.
 GROSS FLOOR AREA (PER FLOOR): 1501 sq ft.
 NOTE: THESE BUILDINGS ARE REQUIRED TO BE SPRINKLERED (ALL ROOMS, CLOSETS AND BATHS)
 EXTERIOR SIDE WALLS ARE TO BE NON-COMBUSTIBLE CLADDING.



MAIN FLOOR PLAN
 SCALE: 3/16" = 1'-0"
 UNIT AREA: 1361 sq ft.
 COMMON STAIR AREA: 186 sq ft.
 DECK AREA: 173 sq ft.
 GROSS FLOOR AREA (PER FLOOR): 1547 sq ft.
 NOTE: THESE BUILDINGS ARE REQUIRED TO BE SPRINKLERED (ALL ROOMS, CLOSETS AND BATHS)
 EXTERIOR SIDE WALLS ARE TO BE NON-COMBUSTIBLE CLADDING.



UPPER FLOOR PLAN
 SCALE: 3/16" = 1'-0"
 UNIT AREA: 1361 sq ft.
 COMMON STAIR AREA: 119 sq ft.
 DECK AREA: 179 sq ft.
 GROSS FLOOR AREA (PER FLOOR): 1479 sq ft.
 NOTE: THESE BUILDINGS ARE REQUIRED TO BE SPRINKLERED (ALL ROOMS, CLOSETS AND BATHS)
 EXTERIOR SIDE WALLS ARE TO BE NON-COMBUSTIBLE CLADDING.

CARY SCHNEIDERAT
 468 WADE AVE W.
 PENTICTON, BC

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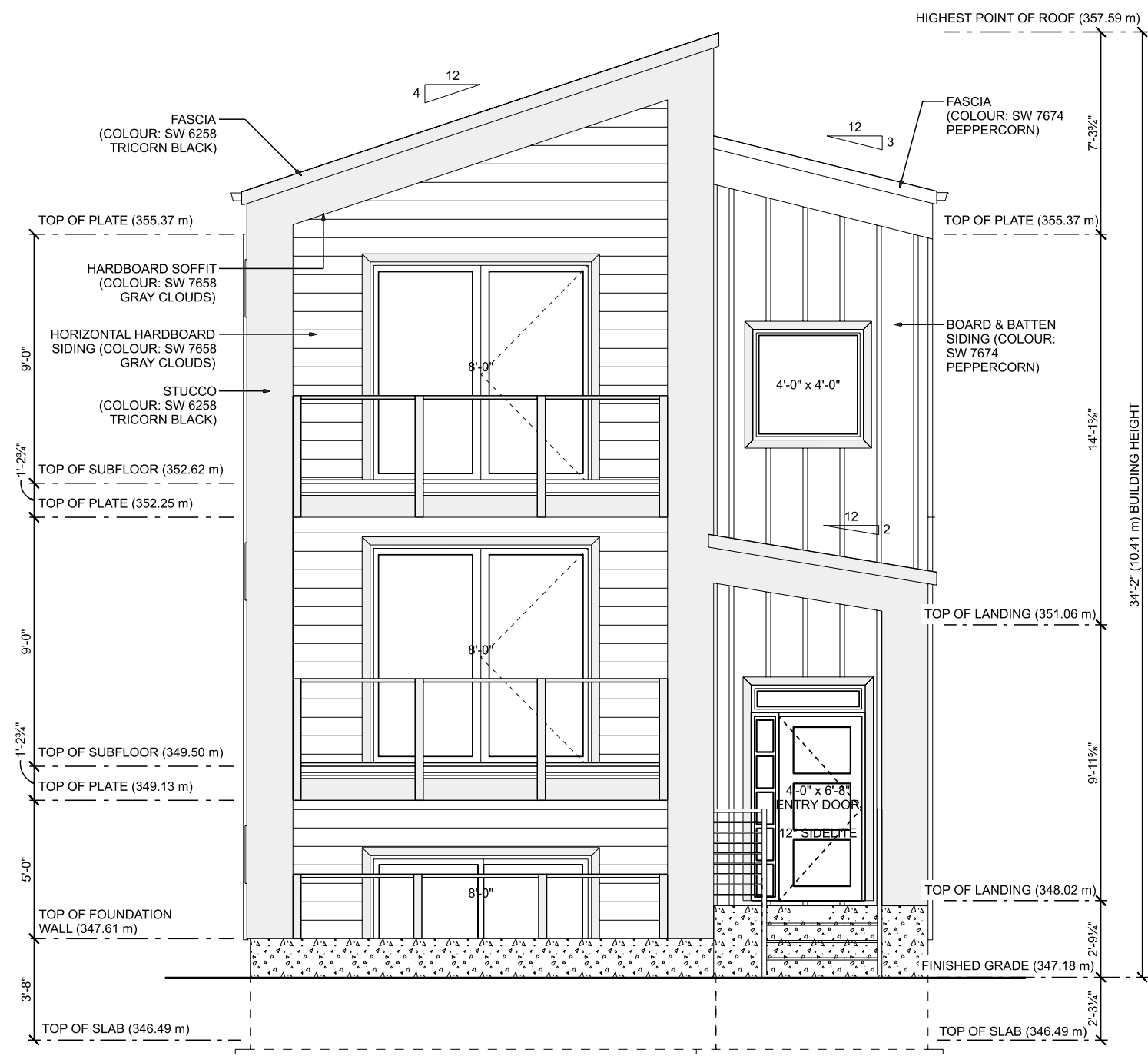
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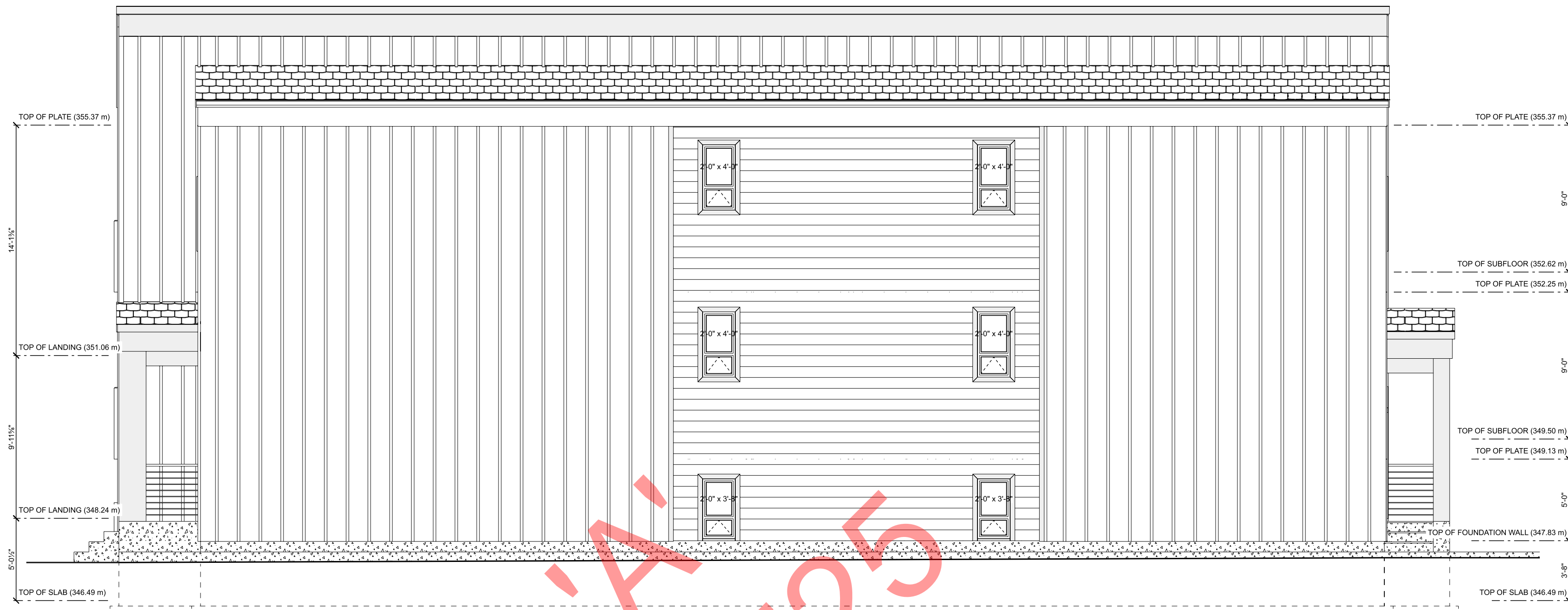
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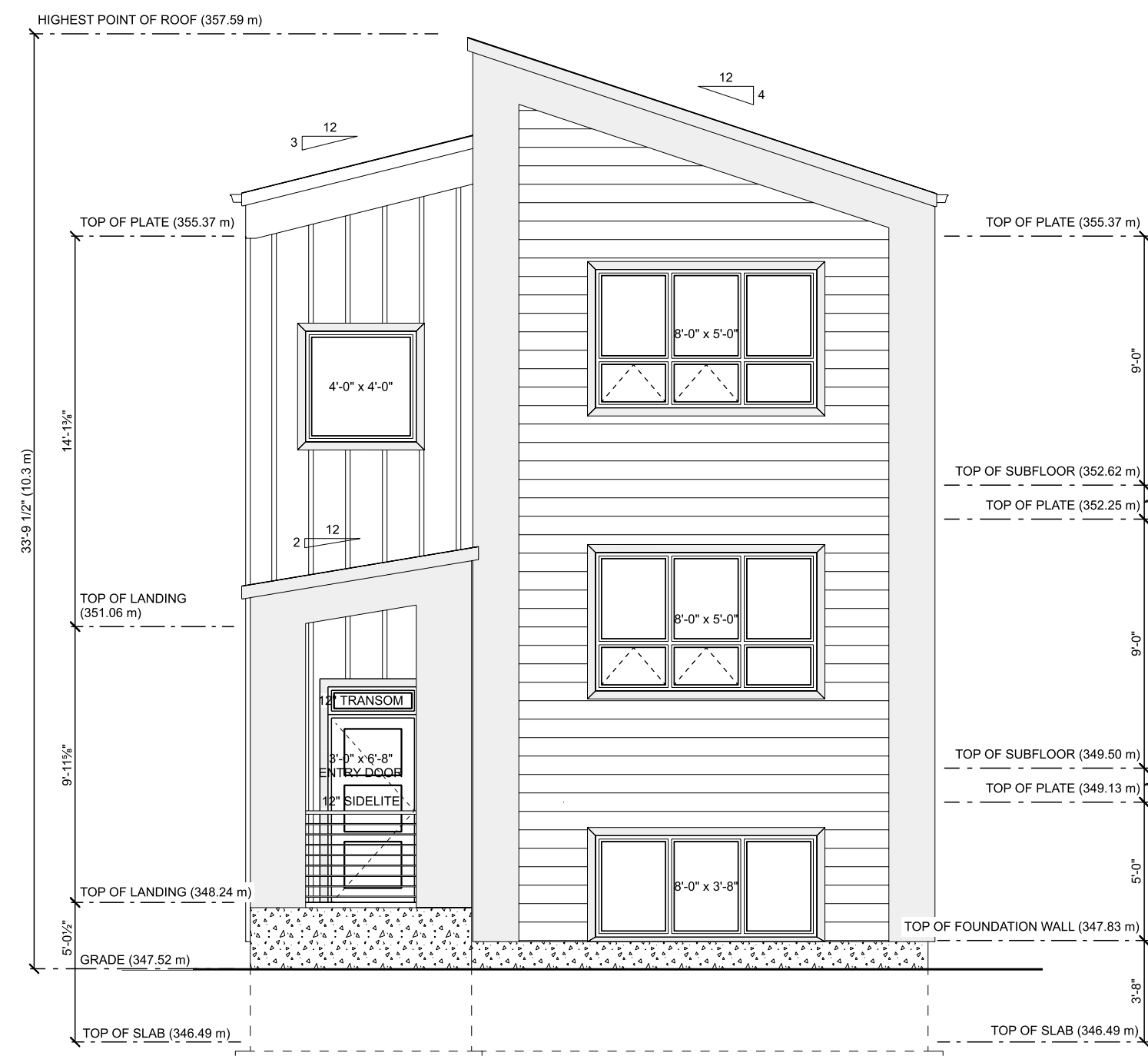
Floor Plans



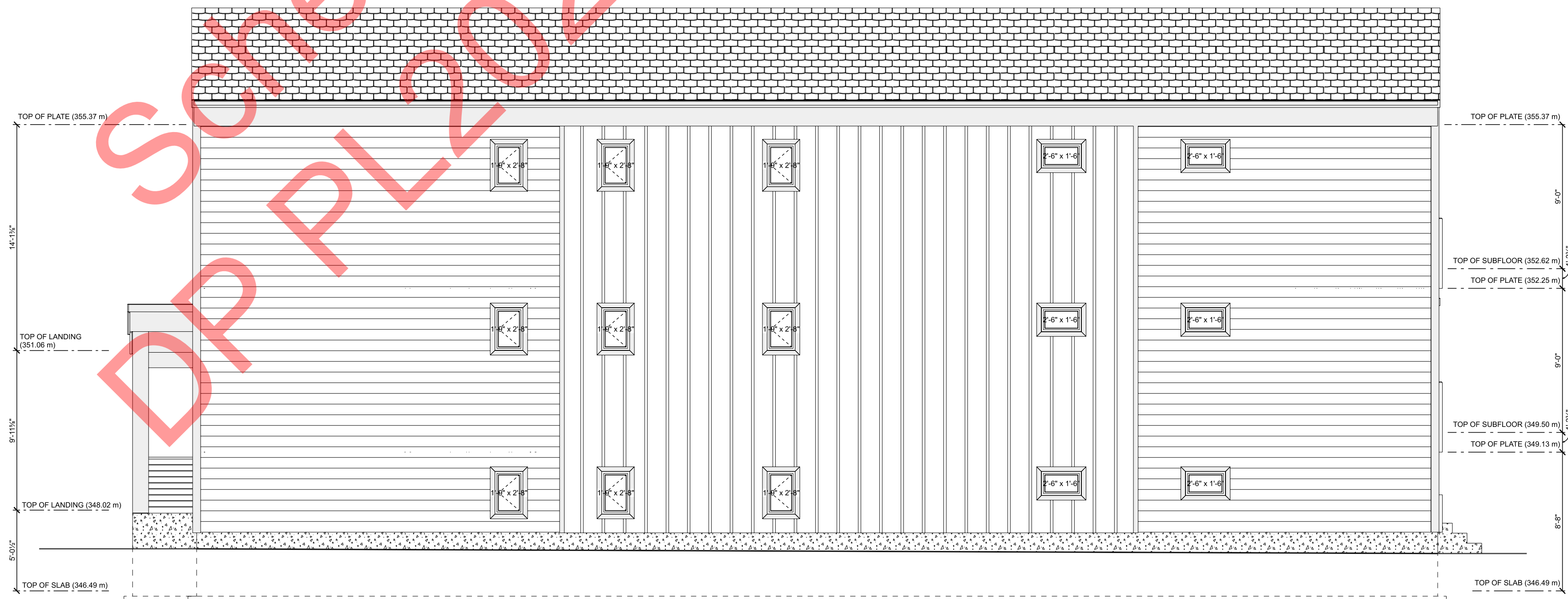
NORTH ELEVATION (FACING WADE AVENUE W.)
SCALE: 3/16" = 1'-0"



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



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



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

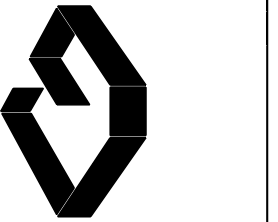
CARY SCHNEIDERAT
468 WADE AVE W.
PENTICTON, BC

DESIGN BY: AJG DATE: 2024-03-18
DRAWN BY: AJG REVISED:

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Exterior Elevations



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



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



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



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

DP PL 2024-9725
 Schedule 'A'

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CARY SCHNEIDERAT
 468 WADE AVE W.
 PENTICTON, BC
 DESIGN BY: AIG DATE: 2024-03-18
 DRAWN BY: AIG REVISED:

The Corporation of the City of Penticton

Bylaw No. 2024-16

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. 2024-16".

2. Amendment:

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

- 2.1 Rezone Lot 6 Block C District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 853, located at 468 Wade Avenue West, from RD2 (Duplex Housing: Lane) to RD3 (Residential Infill) as shown in Schedule 'A'.
- 2.2 Add Section 10.6.4.3: "In the case of Lot 6 Block C District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 853, located at 468 Wade Avenue West, an apartment shall be permitted."
- 2.3 Add Section 10.6.4.4: "In the case of Lot 6 Block C District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 853, located at 468 Wade Avenue West, the maximum density shall be 1.2 FAR."
- 2.4 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this	day of	, 2024
A PUBLIC HEARING was held this	day of	, 2024
READ A SECOND time this	day of	, 2024
READ A THIRD time this	day of	, 2024
RECEIVED the approval of the Ministry of Transportation on the	day of	, 2024
ADOPTED this	day of	, 2024

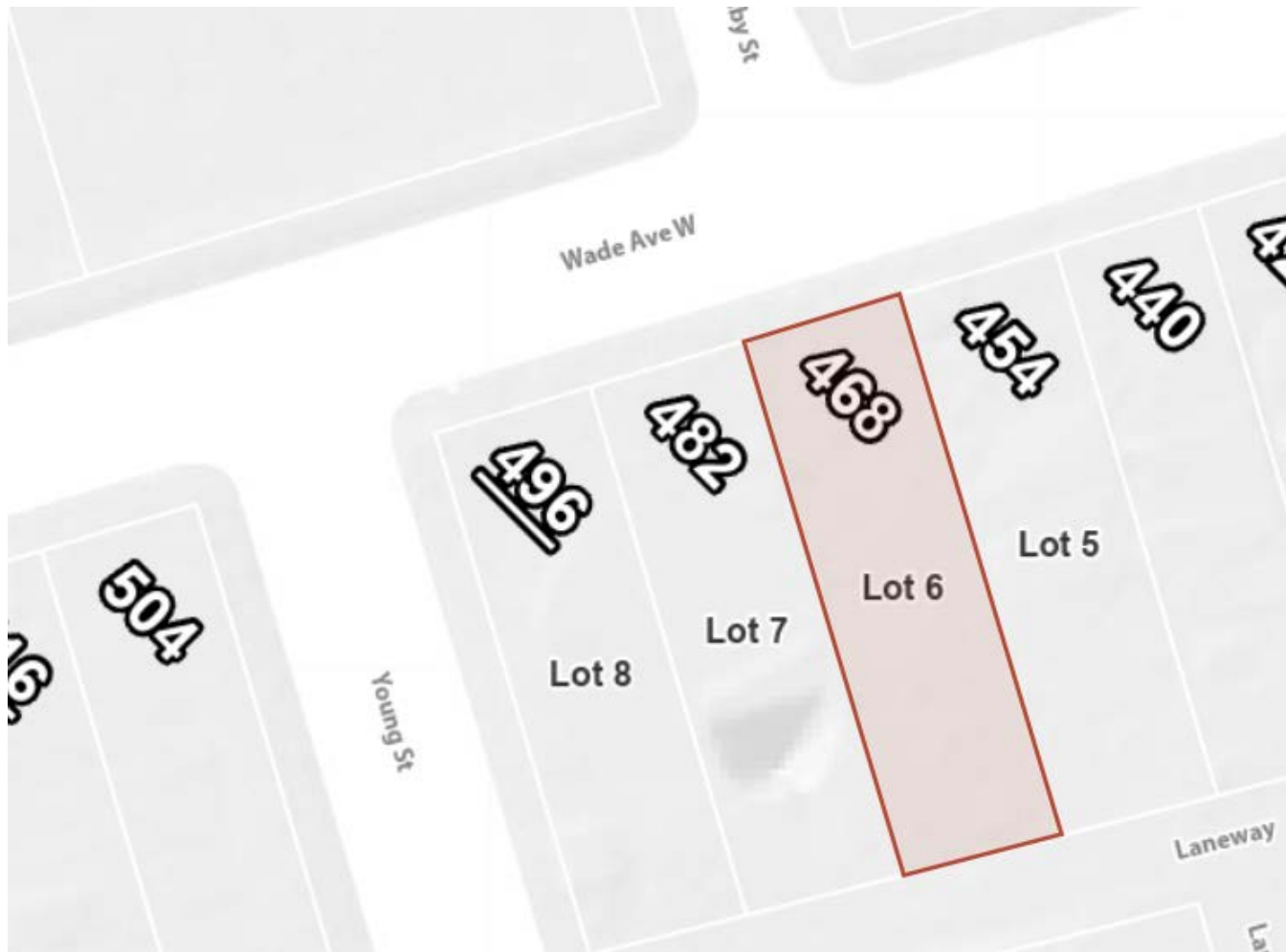
Notice of intention to proceed with this bylaw was published on the 5th day of April, 2024 and the 12th day of April, 2024 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 2024

for Minister of Transportation & Infrastructure

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2024-16

Date: _____

Corporate Officer: _____