

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:

756 Government Street

Lot 8 District Lot 249 Similkameen Division Yale District Plan 3578 Except Plan KAP68409

Proposal:

The applicant is proposing to construct two triplexes (six dwelling units) on the subject property (Figure 1). In order to proceed with the proposed development, the applicant has requested to rezone the property from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).

Information:

You can find the staff report and Zoning Amendment Bylaw No. 2024-18 on the City’s website at www.penticton.ca/publicnotice or scan the QR code on the right.



Council Consideration:

Council will consider giving first reading to Zoning Amendment Bylaw No. 2024-18 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.



Figure 1 – Conceptual Rendering of Proposed Development

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: 756 Government Street

File No: RMS/756 Government St

Subject: Zoning Amendment Bylaw No. 2024-18
Development Permit PL2024-9732

Staff Recommendation

THAT Council give first, second and third reading to "Zoning Amendment Bylaw No. 2024-18", for Lot 8 District Lot 249 Similkameen Division Yale District Plan 3578 Except Plan KAP68409, located at 756 Government Street, a bylaw to rezone the subject property from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing);

AND THAT Council adopt "Zoning Amendment Bylaw No. 2024-18";

AND THAT Council require that a 1.7 m road dedication be completed prior to the issuance of the Occupancy Permit;

AND THAT Council, subject to adoption "Zoning Bylaw Amendment Bylaw No. 2024-18", approve "Development Permit PL2024-9732", for Lot 8 District Lot 249 Similkameen Division Yale District Plan 3578 Except Plan KAP68409, located at 756 Government Street, a permit to approve the form and character of two triplexes (six dwelling units).

Strategic Priority Objective

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

Proposal

The applicant is proposing to construct two triplexes (six dwelling units) the subject property (Figure 1). In order to proceed with the proposed development, the applicant has requested to rezone the property from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).

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

A development variance application was applied for to reduce the rear yard setback from 6.0 m to 4.5 m. As this variance is considered minor, it has been delegated to staff for approval subject to the Zoning Amendment.



Figure 1 – Conceptual Rendering of Proposed Development

Background

The subject property (Figure 3) is currently zoned R2 (Small Lot Residential) and is designated as ‘Ground Oriented Residential’ (Figure 2) by the Official Community Plan (OCP). The subject property contains a single family home that was constructed in the 1950’s.

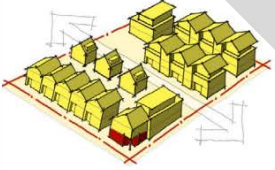
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
Ground Oriented Residential 	Medium-density residential areas with multi-family developments where each unit has an exterior door and construction is primarily wood frame, or bareland stratas.	<ul style="list-style-type: none"> • Duplexes 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, single family, duplex, townhouses, and apartments. The property’s proximity to the variety of uses make it appropriate for increased density. The property is within walking distance of Penticton Secondary School and KVR Middle School, providing green space for future tenants and residents. The

property is also located within close proximity of the downtown area and grocery stores. This area is also well serviced by pedestrian, cycling and transit networks.

In June 2023, Council approved two similar proposals with rezoning to RM2 (Low Density Multiple Housing) and Development Permits for 720 Government St, and 732 Government St.

No Public Hearing

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 of 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 proposed development proposes six units, increasing density in an area close to services, employment, schools and well served by transit. Each dwelling unit has ample space in their garages to provide Class 1 bicycle parking spaces, resulting in 6 Class 1 spaces.

Each dwelling unit is required to provide 1 (6 total) Level 2 Electric Vehicle ready space.

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

Technical Review

This application was reviewed by the City's Technical Planning Committee (TPC). The TPC raised comments regarding landscaping and boulevard trees. Staff worked with the applicant to address these concerns, and 3 boulevard trees were provided on the landscape plan. Typical servicing requirements have been identified for the Building Permit stage of the project, if the rezoning, development variance permit, and development permit applications are supported by Council. These items have been communicated to the applicant.

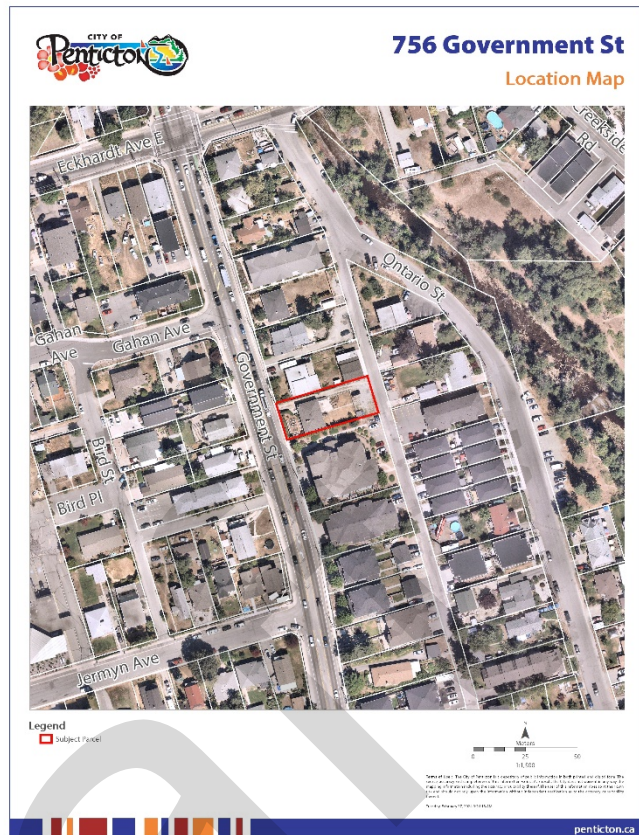


Figure 3 – Property Location Map

Road Dedication

A 1.7 m road dedication is required in order to have enough room for the planting of boulevard trees along Government St. Staff worked with the applicant to ensure 3 boulevard trees will be planted on along the front of the property.

Development Statistics

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

	RM2 Zone Requirement	Provided on Plans
Minimum Lot Width*:	18 m	18.4 m
Minimum Lot Area*:	540 m ²	845.8 m ²
Maximum Lot Coverage:	40%	32.5%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.71 Floor Area Ratio (FAR)
Maximum Height:	12 m	9.6 m
Vehicle Parking:	Total Required: 1 per dwelling unit plus 0.25 spaces/unit for visitors Total Required: 7 spaces	Total Per Dwelling: 6 spaces Total Visitor: 1 space Total Provided: 7 spaces
Level 2 Electric Vehicle (EV) Ready Chargers:	Total Required: 1 per dwelling unit Total Required: 6 chargers	Total EV Ready Chargers Provided: 6 chargers
Bicycle Parking:	Total Required: 0.5 per unit Total Class 1 Required: 3 Total Class 2: 0.1 per unit Total Class 2 Required: 1 spaces	Total Class 1 Provided: 6 spaces Total Class 2 Provided: 1 spaces
Landscape Buffer (north):	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, 4 trees, and 45 shrubs.	Total Provided: 3.0 m wide, 4 trees, and 52 shrubs.
Landscape Buffer (south):	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, 4 trees, and 45 shrubs.	Total Provided: 1.0 m wide, 5 trees, and 58 shrubs (Variance to width through Development Permit).
Landscape Buffer (west):	Total Required: Minimum 3.0 m wide and one tree for every 10.0 m buffer	Total Provided: 4.4 m wide, 4 trees, and 28 shrubs.

	RM2 Zone Requirement	Provided on Plans
	area. One shrub for every meter of buffer area. Total Required: Minimum 3.0 m wide, 1 trees, and 18 shrubs.	
Required Setbacks		
Front Yard (Government St):	3.0 m	3.0 m
Interior Side Yard (north):	3.0 m	3.0 m
Interior Side Yard (south):	3.0 m	8.1 m
Rear Yard (lane):	6.0 m	4.5 m – variance requested
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' (Figure 2), 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 strata. The applicant is proposing to construct two triplexes (six dwelling units) on the property. The development and density proposed on the property are aligned with the vision of properties designated within the 'Ground Oriented Residential' designation.

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

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

Staff consider that the application proposes a suitably scaled development in an area of the city that has been identified for increased residential density by the OCP. The proposed rezoning to allow two triplexes (six 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, second, and third reading to "Zoning Amendment Bylaw No. 2024-18".

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 south 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 south landscape buffer is reduced in width from 3.0 m to 1.0 m because of the required drive aisle. 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 7.0 m wide drive aisle between the proposed buildings, which reduces the overlook into the southern 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.

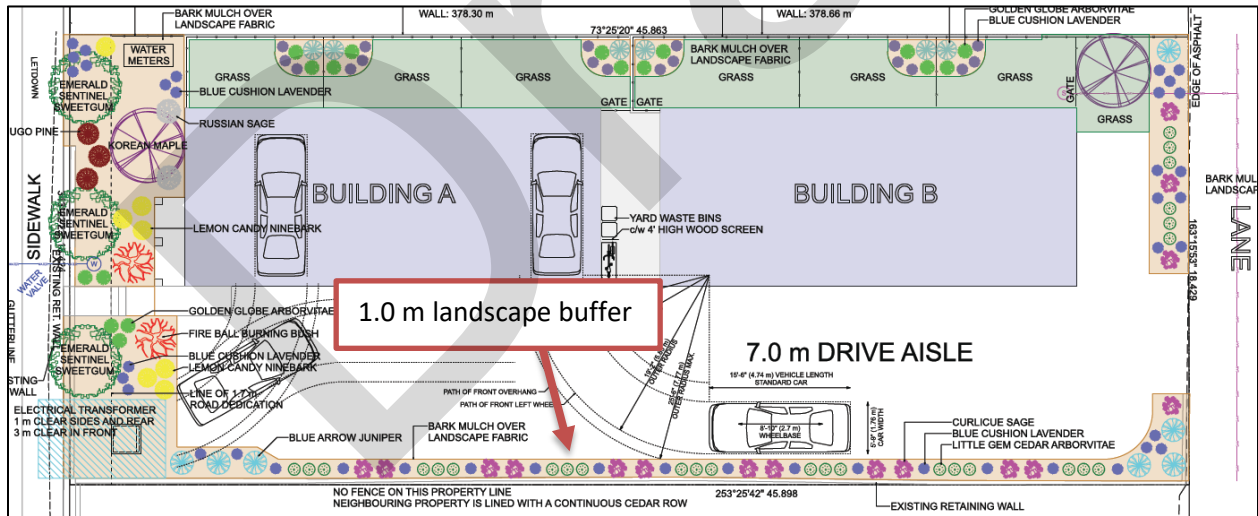


Figure 4 – Landscape Buffer

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.

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. 2024-18".

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 PL2024-9732
- Attachment G – Zoning Amendment Bylaw No. 2024-18

Respectfully submitted,

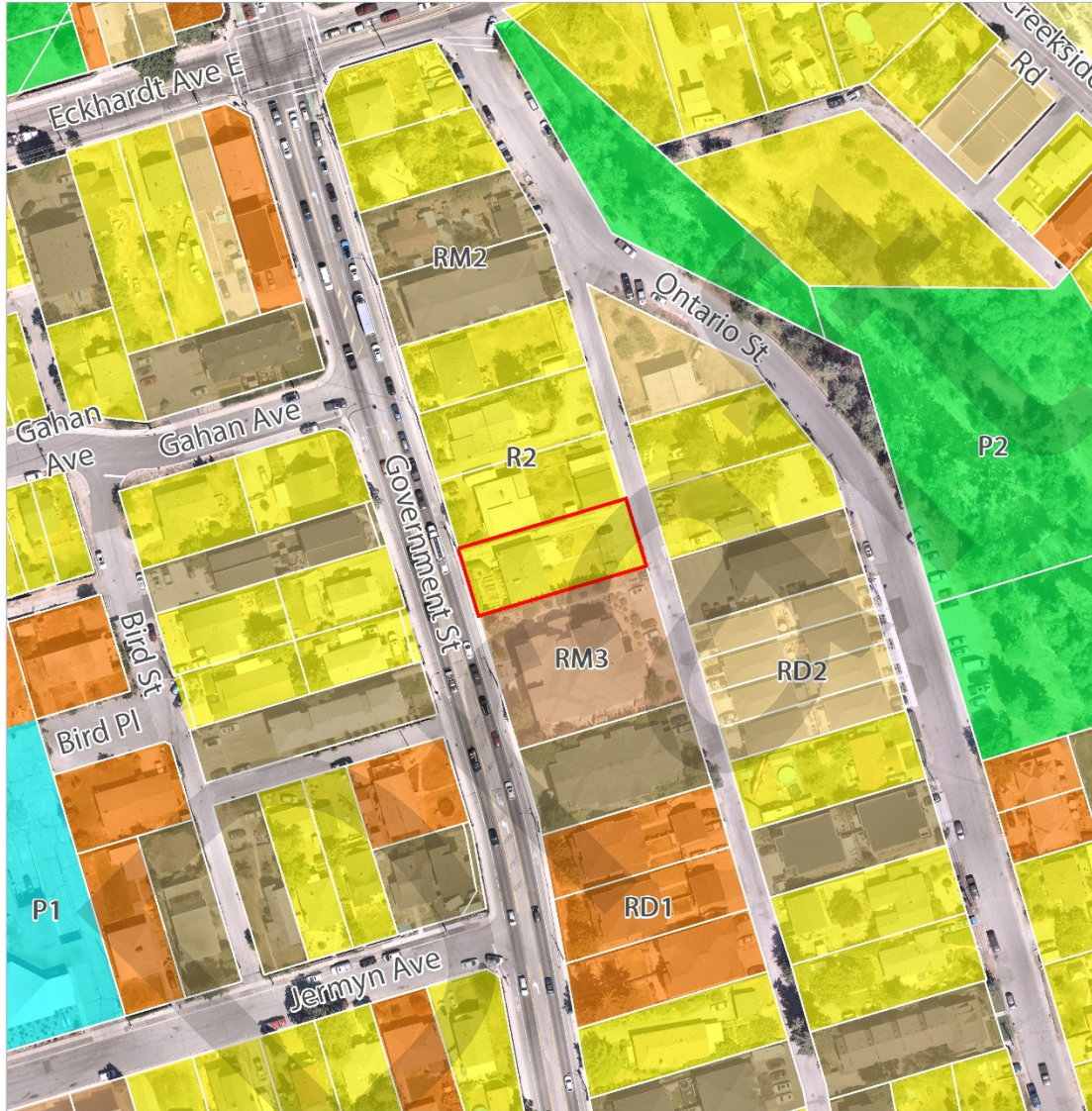
Jordan Hallam
Planner II

Concurrence

Director of Development Services	GM of Infrastructure	City Manager
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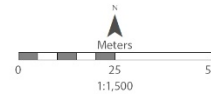


756 Government St Zoning Map



Legend

- Subject Parcel
- R1 - Large Lot Residential
- R2 - Small Lot Residential
- RM2 - Low Density Multiple Housing
- RM3 - Medium Density Multiple Housing
- RD1 - Duplex Housing
- RD2 - Duplex Housing: Lane
- P1 - Public Assembly
- P2 - Parks and Recreation



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Tuesday, February 27, 2024 9:25:59 AM



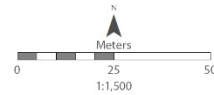
756 Government St

OCP Map



Legend

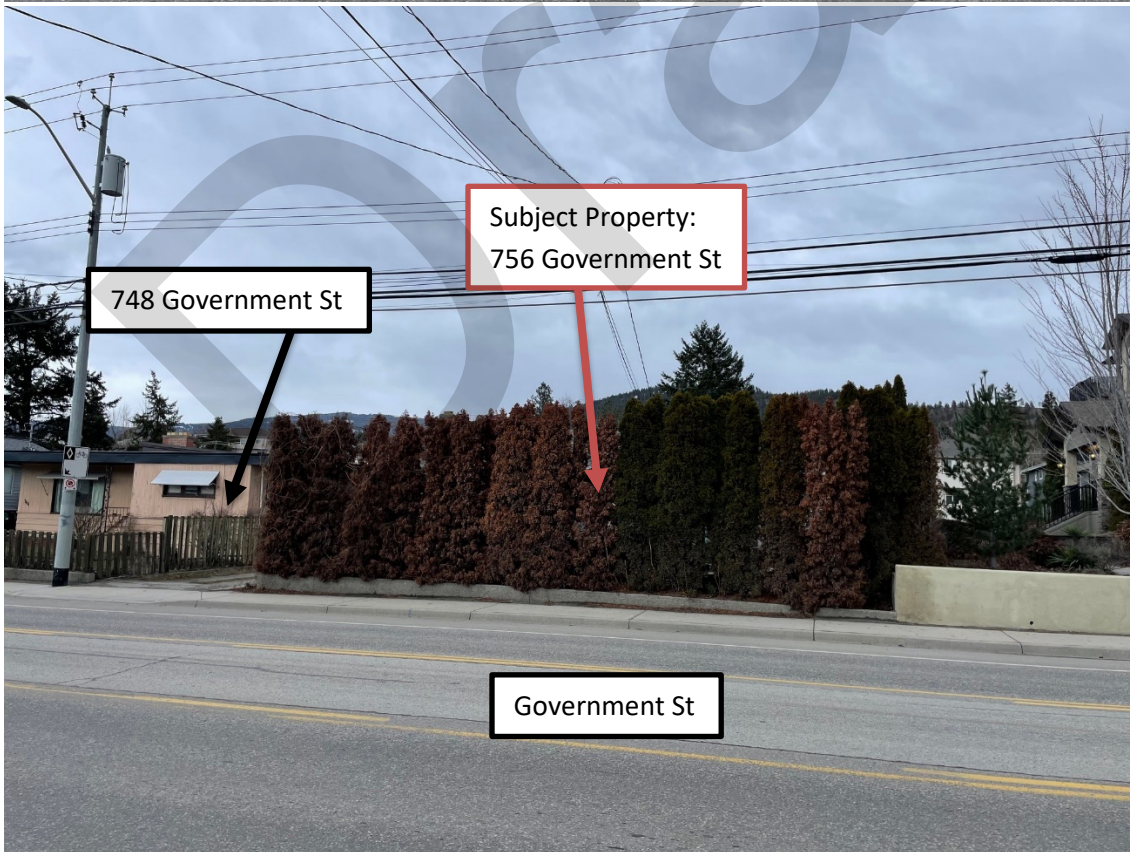
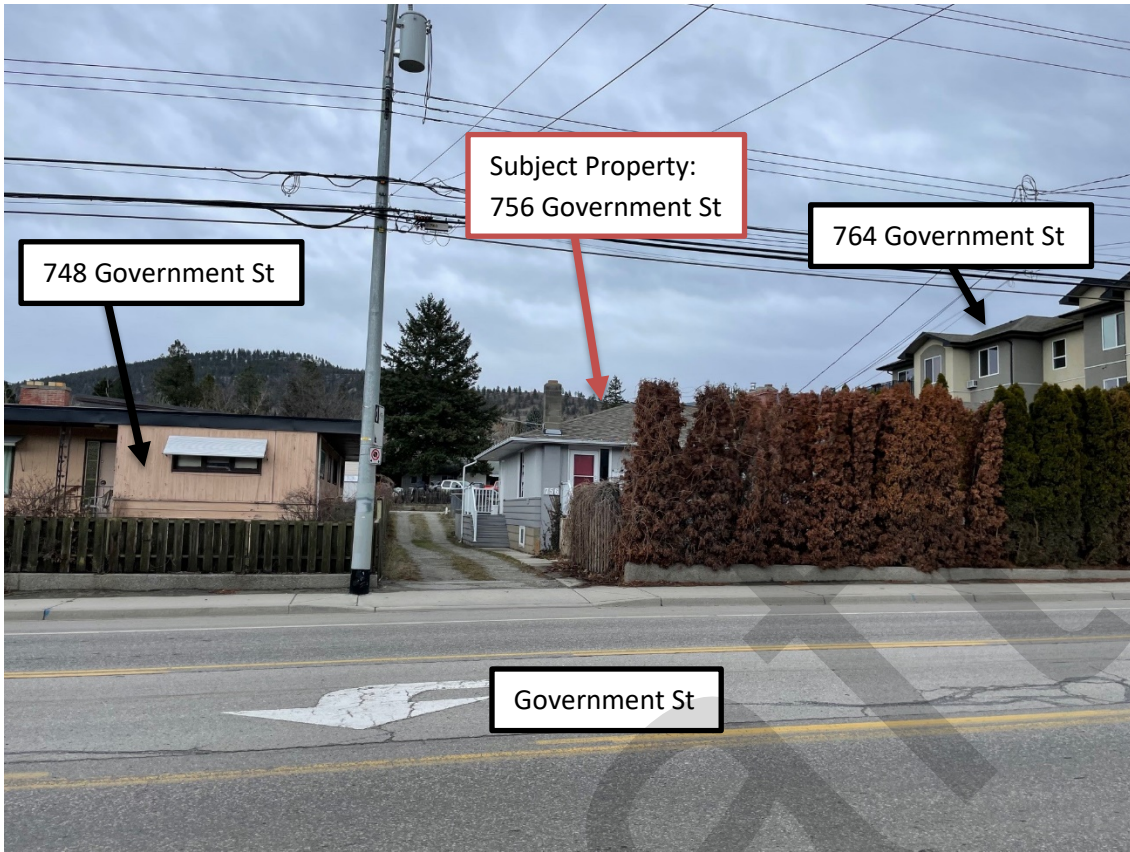
- Subject Parcel
- Future Land Use
 - Detached Residential
 - Ground Oriented Residential
 - Urban Residential
 - Parks
 - Infill Residential

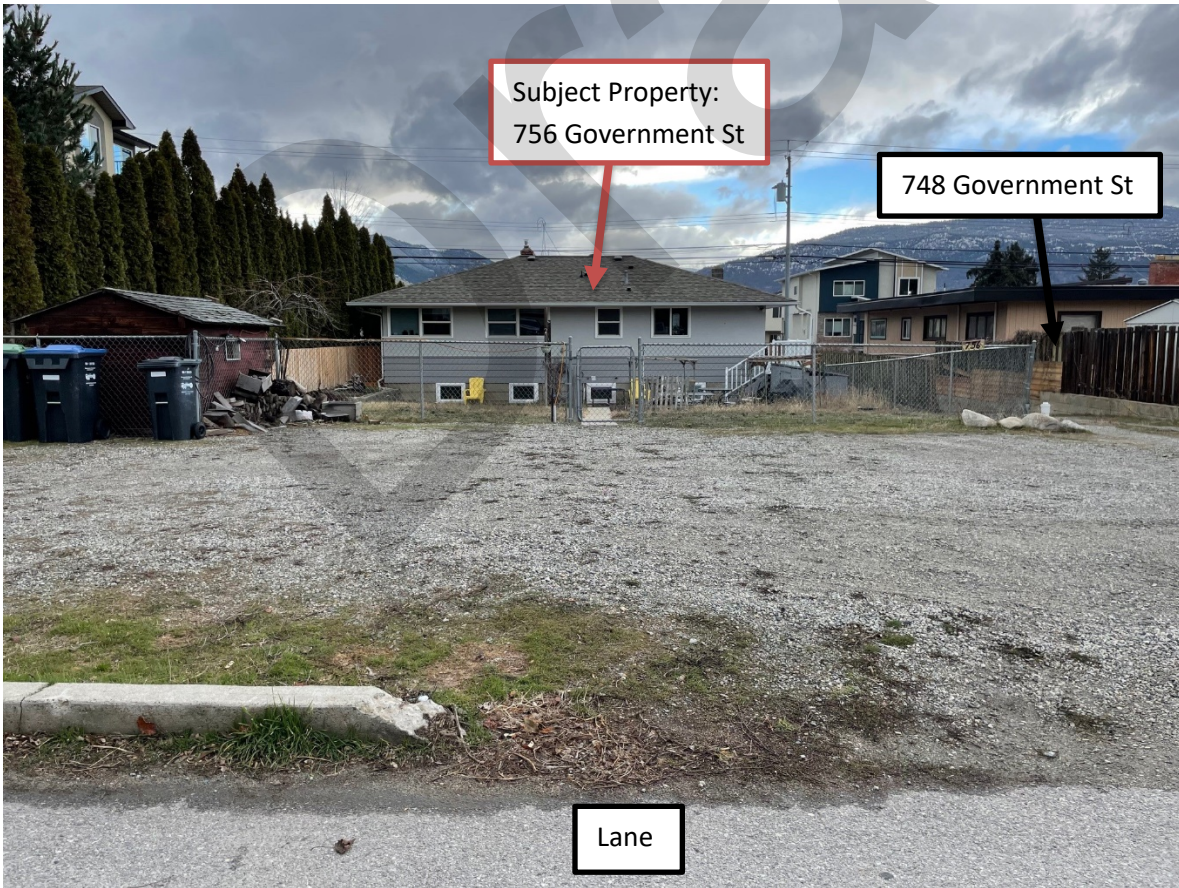


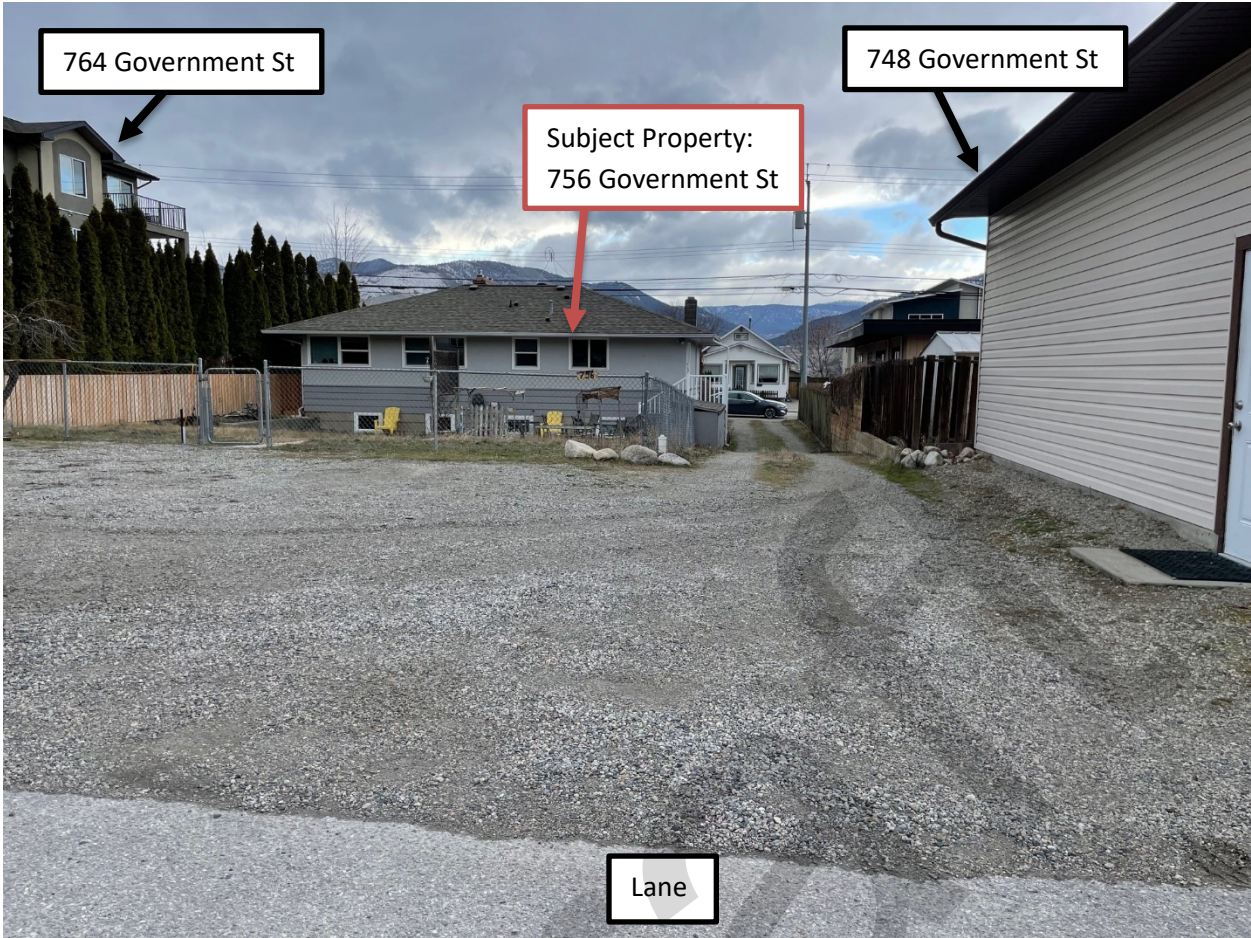
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Tuesday, February 27, 2024 9:25:19 AM

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 building at 5.0 m from the front yard, the minimum required is a 3.0m front yard setback, which helps to maintain a connection with the street. They have proposed a front door on the unit closest to Government Street 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.*
- Government Street to the west side of the development provides pedestrian access to the development.
 - The proposed development has a sidewalk access from Government Street 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 area to the north behind each dwelling unit.
 - Each dwelling unit has a front door for access from the drive aisle, Government St, and the rear lane.
- Guideline G33 Water Conservation and Plant Maintenance: Xeriscaping, Irrigation & Mulching*
- The proposed development includes a landscaping plan that provides adequate and appropriate designs.
 - The plans indicate a fully automatic underground irrigation system, which helps to reduce overwatering and utilizes a drip system.
- Guideline G35 Tree planting...*

- Trees and shrubs have been provided at the front of the property as well along the north, east, and south 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 25.0 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 a tree proposed in the yard 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 two visitor parking spaces off the lane.
- The visitor parking spaces are in good public view from the lane for drivers who come to visit residents or tenants of the proposed development.



January 24, 2024

Giroux Design Group Inc.

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

Re: 756 Government Street Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposal to rezone and develop the property located at 756 Government Street. The OCP for the property is Ground Oriented Residential and the proposed rezoning from R2 Small Lot Residential to RM2 Low Density Multiple Housing is permitted in the OCP designation. The development will provide 6 townhouse units, each with 2 bedrooms and a single car garage. The proposed development is consistent with other developments recently approved by the City on this street at 720 and 732 Government, as well as other existing multifamily developments at 724, 764, 780, 796, 800, 804 and 864 Government. The location of the development is also ideal for families as there are schools, shopping, parks, trails, and downtown all within walking distance. A city sidewalk, bus transit and the bike lane all are running along Government Street directly in front of the property.

A 1.7 m road dedication is being taken by the City at the front of the property, for this reason we are requesting a variance to the rear yard setback from 6.0 m to 4.6 m. This variance will allow for the development to have six units rather than five units. The impact of this variance is negligible to the surrounding properties as the rear yard is adjacent to a lane.

We believe the project meets the intent of providing modest densification to an area of town that has a mix of single family homes, townhouses and apartment buildings.

Thank you for considering our proposal.

Best regards,

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

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.)

A 1.7 m road widening was confirmed with the City Engineering Department and the City Planning department was consulted about the proposed variance to the rear yard setback prior to the design of the development.

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. A common amenity space at the east of the property also has exposure to the sun throughout the day. The buildings windows are predominantly oriented facing to the south for the greatest solar gain in winter months, although with windows also facing north solar gain is year round.

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

The views from the units are primarily to the south looking towards the mountains in that direction.

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 proposed front of building is consistent with the existing buildings on the street as the front of the building is 4.7 m from the City sidewalk. The 1.7 m road dedication is planned as a boulevard on which three trees will be planted. The landscaping in the front yard also 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 units are designed with single car garages to allow for secured storage and parking. Each unit will have its own fenced private yard for additional protected outdoor space. The common area at the east of the property is open to view and the landscaping on the property does not leave areas for concealed illicit activity.

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 walking distance of schools, parks, shopping, and the downtown core. 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 from the City sidewalk to the property and the units can be accessed from the 7.0 m wide paved drive aisle.

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).

The entrance to the buildings is 0.6 m higher than the City sidewalk and at the same level as the rear lane.

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.

Garages provided on the first floor of each unit reduce the need for additional hard surfacing needed for outdoor parking. The 7.0 m wide drive aisle provides ample room for vehicle and bicycle movement.

G17. On-site parking location and design should minimize visual impact and provide safe connections for pedestrians:

- Parking between the front of buildings and the street is not permitted.
- Parking should be located at the rear of buildings/sites.
- Shared parking (where varying uses have parking demands that peak at different times of the day) is encouraged to reduce parking requirements.
- Outdoor surface parking areas should incorporate pathways that provide safe, accessible and comfortable pedestrian connections to entries/destinations.

Parking for the development is primarily provided within the garages of the units. The guest parking space is placed at the east side of the property.

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.

The units have windows facing both north and south with the end units having windows also facing east and west, allowing for solar gain throughout the year. Each unit has it's own private yard giving the option for indoor/outdoor living. The existing trees as well as some of the new trees are a mix of coniferous and deciduous providing shade in the summer and sun in the winter. Windows are openable 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 end unit to the west of the development is oriented with the front door and additional windows facing Government Street with landscaping in the front yard 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 to breaking up massing while promoting overlook and/or weather protection.

On all sides of the buildings cantilevered projections, porches, setback entries, and varied cladding materials breakup the mass of the building giving the buildings visual interest on all sides. Cantilevered projections over the drive aisle help add more visual interest and provide more living space per unit.

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.

The entrances to each townhouse unit is at ground level, with a driveway for vehicle access running down the south side of the property. A sidewalk is provided between the street and the drive aisle. A City sidewalk is directly accessible from the front of the property.

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 the street facing unit provides for visual overlook onto Government Street and the public realm. All units have windows looking over the drive aisle and 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.

18 new trees are proposed for in this development, three in the City boulevard and 15 on the property.

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 yards southwest corner and wrapped with vinyl decorative wrap. The water meters are placed in the front northwest corner of the property and is 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 in the garages of the buildings during non-collection days and will be placed in front of the garage door for pickup on collection days. Two community yard waste bins are placed in the centre of the property between the two buildings behind a 1.2 m high wood screen.

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

The wood screen for the yard waste bin will be of the same material as the privacy fencing to fit into the landscape theme. The other garbage bins are in the garages.

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

Each unit will have its own garbage and recycling containers with two community yard waste bins are placed in the centre of the property between the two buildings beside the bicycle parking.

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 east of the property with landscaping and a lawn suitable for play or relaxing. The development is located close to schools, trails and parks.

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 landscaping is a mixture of evergreen plants and drought resistant shrubs that are variant in shape, size, and colour. A mixture of evergreen and deciduous trees creates visual interest 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 east side of the property and easily accessible to all units. This space will be clearly marked for visitors.

Draft

Development Permit

Permit Number: DP PL2024-9732

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 8 District Lot 249 Similkameen Division Yale District Plan 3578
 - Civic: 756 Government Street
 - PID: 010-843-329
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of two triplexes (six dwelling units) 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. In accordance with Section 489 of the Local Government Act, the following provisions of the City of Penticton Zoning Bylaw No. 2023-08 are varied by this permit:
 - a. Table 5.1: to reduce the required south landscape buffer from 3.0 m to 1.0 m.
6. 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.
7. 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).

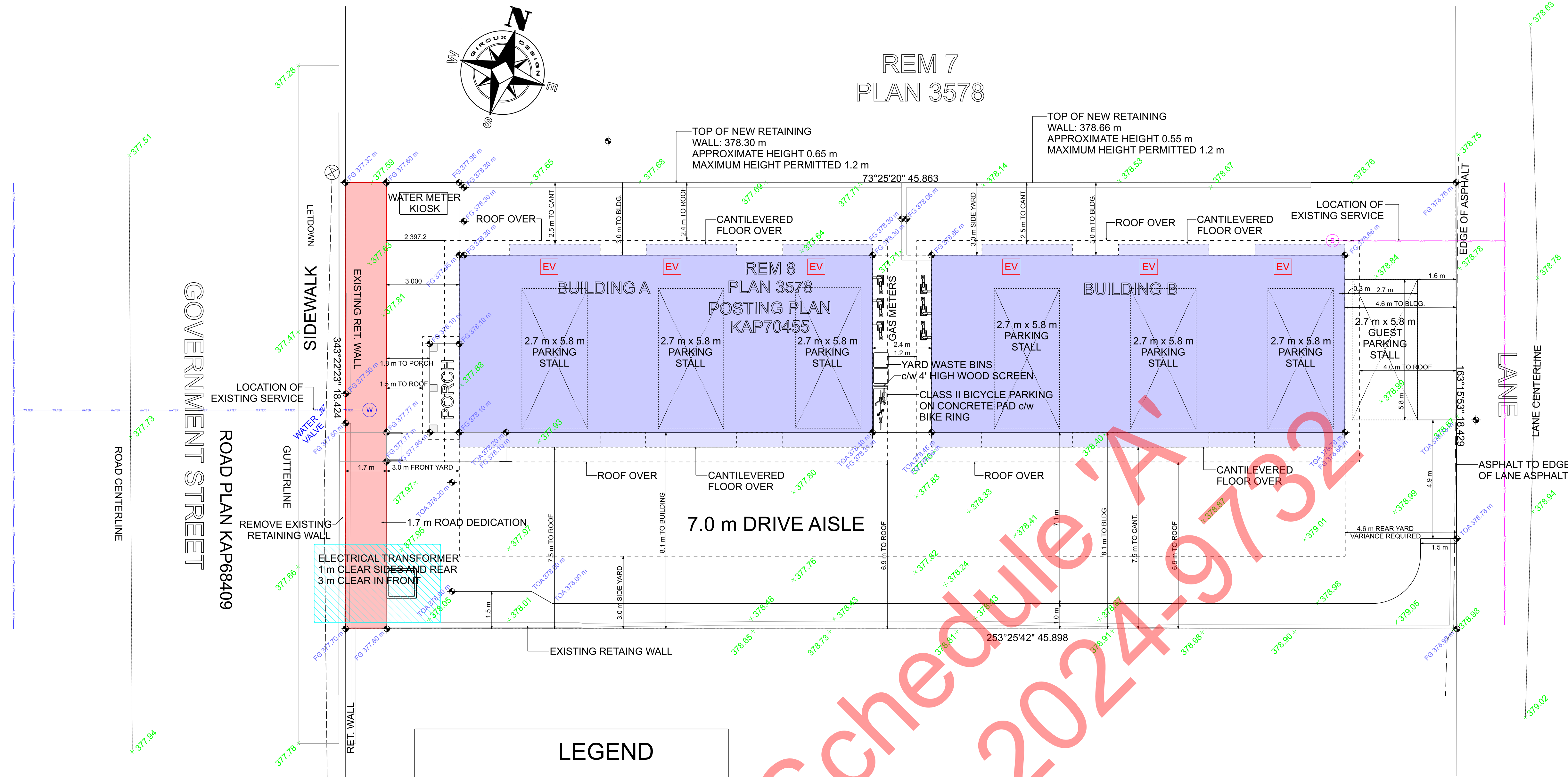
General Conditions

8. 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'.
9. 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.
- 10. 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.**
11. 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.
12. 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

- + 378.82 - SPOT ELEVATION (ORIGINAL GRADE)
- - - - - OVERHEAD WIRE
- ⊗ - POWER POLE

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.

ZONING COMPLIANCE TABLE (PROPOSED ZONING RM2)

REGULATION	REQUIRED/CURRENT	PROPOSED/PROVIDED	VARIANCE REQUIRED
OCF DESIGNATION	GROUND ORIENTED RESIDENTIAL	GROUND ORIENTED RESIDENTIAL	NO
ZONING	R2	RM2	YES
LOT AREA (SUBDIVISION ONLY)	540 m ²	845.41 m ²	N/A
MINIMUM LOT WIDTH (SUBDIVISION ONLY)	18.0 m	18.424 m	N/A
MAXIMUM LOT COVERAGE	40%	32% (271 m ²)	NO
MAXIMUM DENSITY	0.80 FAR	0.74 FAR (626.4 m ²)	NO
MAXIMUM HEIGHT	12 m	9.5 m	NO
MINIMUM FRONT YARD	3.0 m	3.0 m	NO
MINIMUM INTERIOR SIDE YARD	3.0 m	3.0 m	NO
MINIMUM EXTERIOR SIDE YARD	4.5 m	4.5 m	N/A
MINIMUM REAR YARD	6.0 m	4.6 m	NO
PARKING SPACES (1 PER UNIT+0.25 GUEST)	7	7	NO
BICYCLE PARKING (CLASS I/CLASS II)	GARAGE/1	GARAGE/1	NO
AMENITY AREA (20 m ² PER UNIT)	120 m ²	121 m ²	NO

AMENITY SPACE SHALL BE PROVIDED AT THE RATE OF 20 M² FOR EACH DWELLING UNIT. 25% OF THE REQUIRED AMENITY SPACE MUST BE PROVIDED AT THE GROUND FLOOR LEVEL. A MAXIMUM OF 20% OF THE TOTAL REQUIRED AMENITY SPACE MAY BE PROVIDED AS AMENITY SPACE, INDOOR.

SITE PLAN
 SCALE: 1:100
 CIVIC ADDRESS: 756 GOVERNMENT STREET, PENTICTON, BC
 LEGAL DESCRIPTION: LOT 8, DL 249, SDYD, PLAN 3578 EXCEPT PLAN KAP68409
 PID: 010-843-329

MANDEVILLE LAND SURVEYING INC.
 PROFESSIONAL B.C. AND CANADA LAND SURVEYORS
 FILE NO.: 22-038
 FIELD SURVEY COMPLETED THIS 1st DAY OF MARCH, 2022
 ELEVATIONS ARE GEODETIC (ORTHOMETRIC CGVD28 HTv2.0) DERIVED FROM PENTICTON MONUMENT #82H5345

ISAAX VENTURES LTD.
 ED ISAAX
 756 GOVERNMENT ST.
 PENTICTON, BC
 DESIGN BY: AIG
 DRAWN BY: AIG
 DATE: 2024-02-23
 REVISED:

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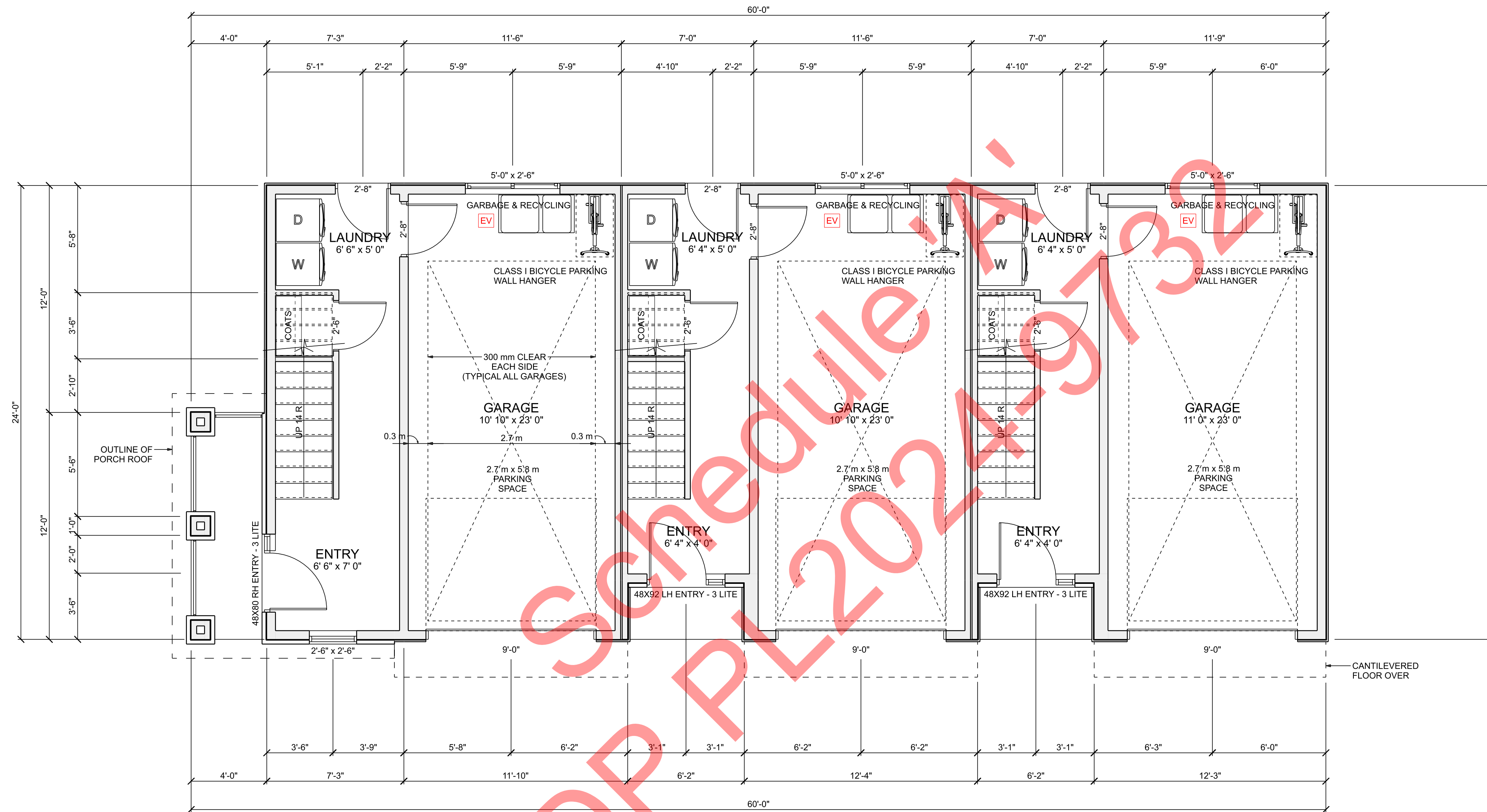
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Site Plan

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BUILDING A-LOWER FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 LOWER FLOOR AREA: 453 sq. ft.
 GARAGE AREA: 846 sq. ft.

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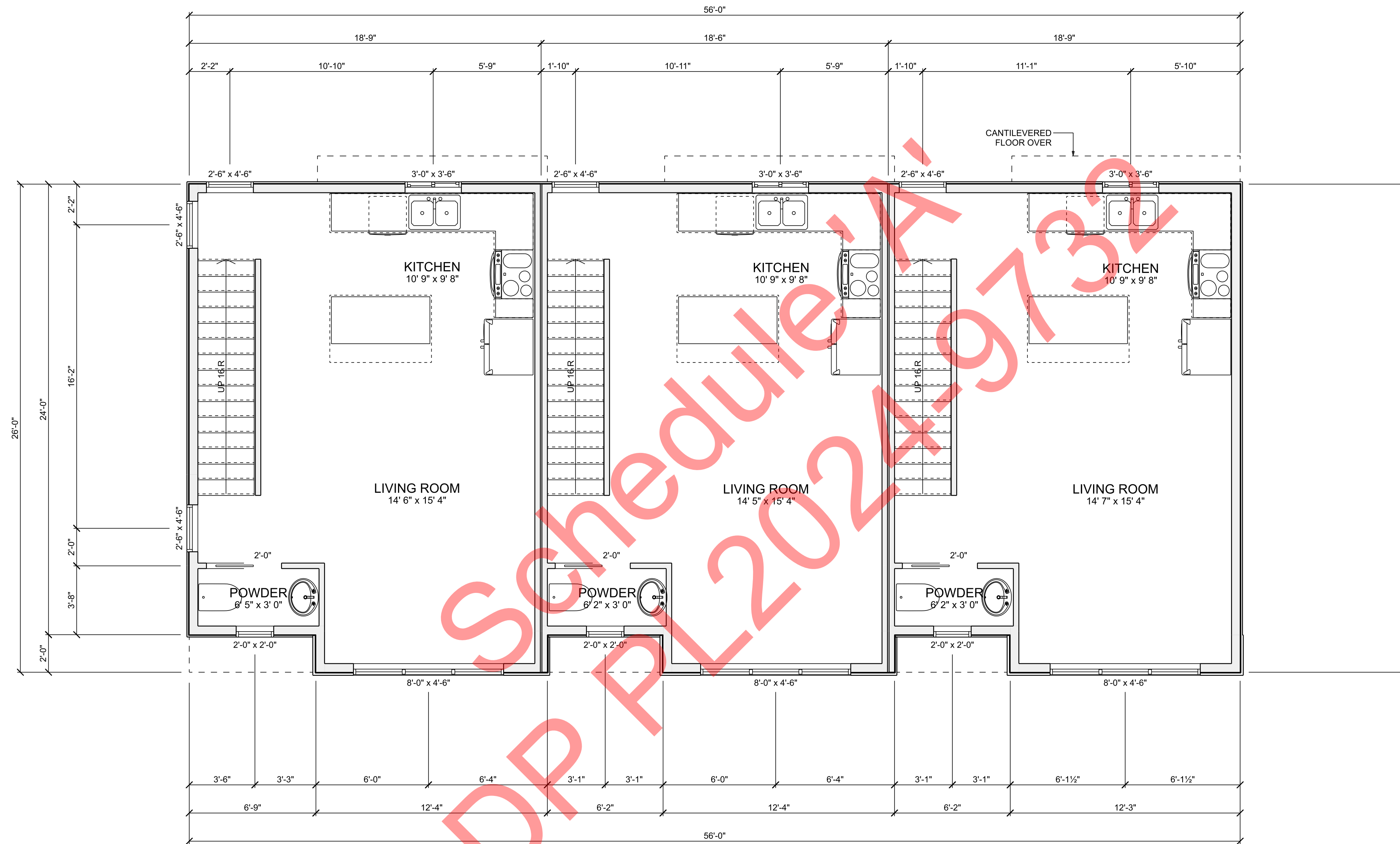
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Building A-Lower Floor Plan

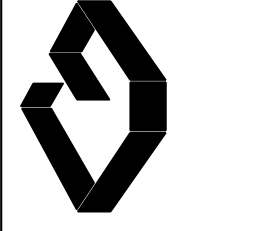


BUILDING A-MAIN FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 MAIN FLOOR LIVING AREA: 1418 sq. ft.

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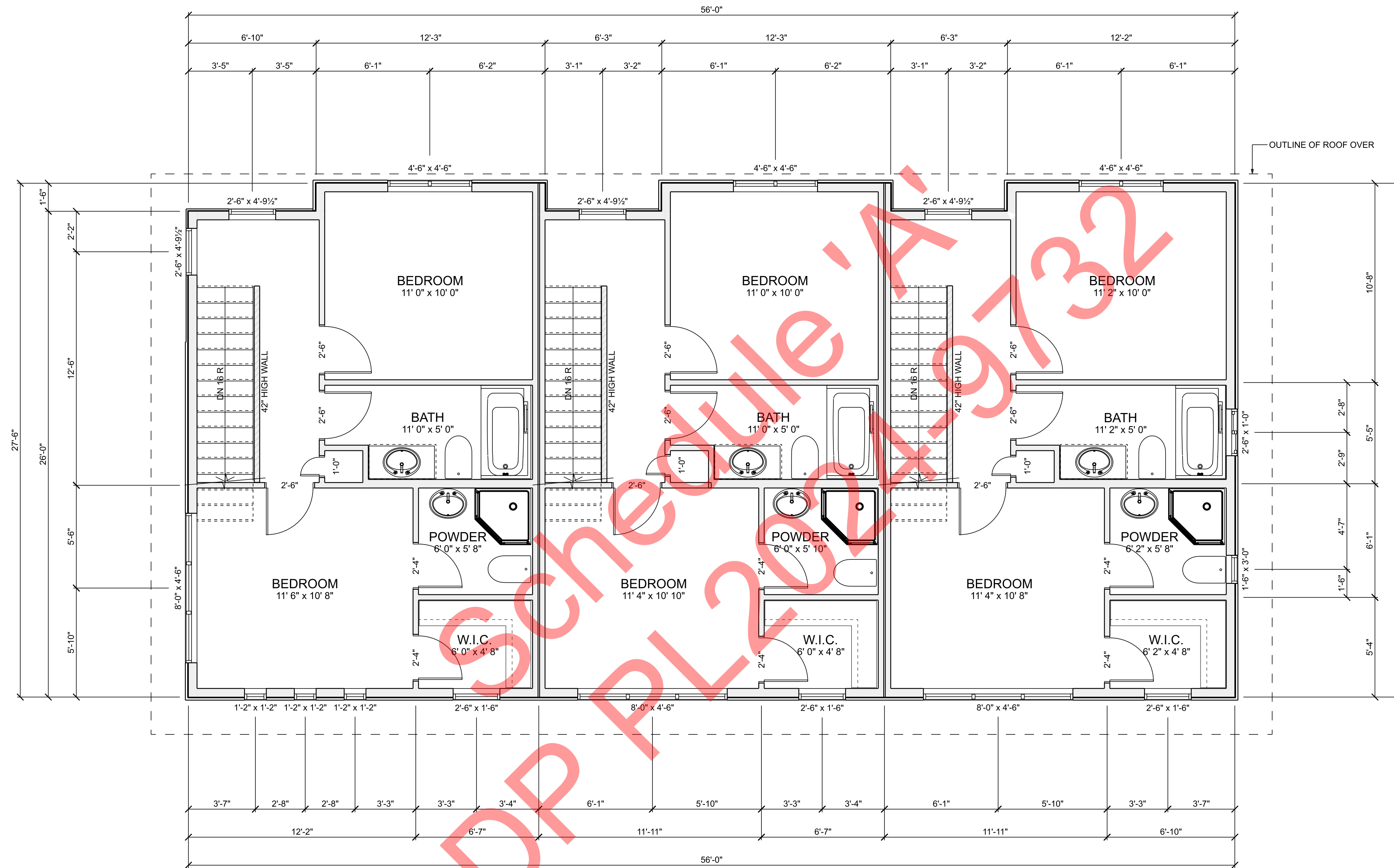


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Building A-Main Floor Plan



BUILDING A-UPPER FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 UPPER FLOOR LIVING AREA: 1511 sq ft.

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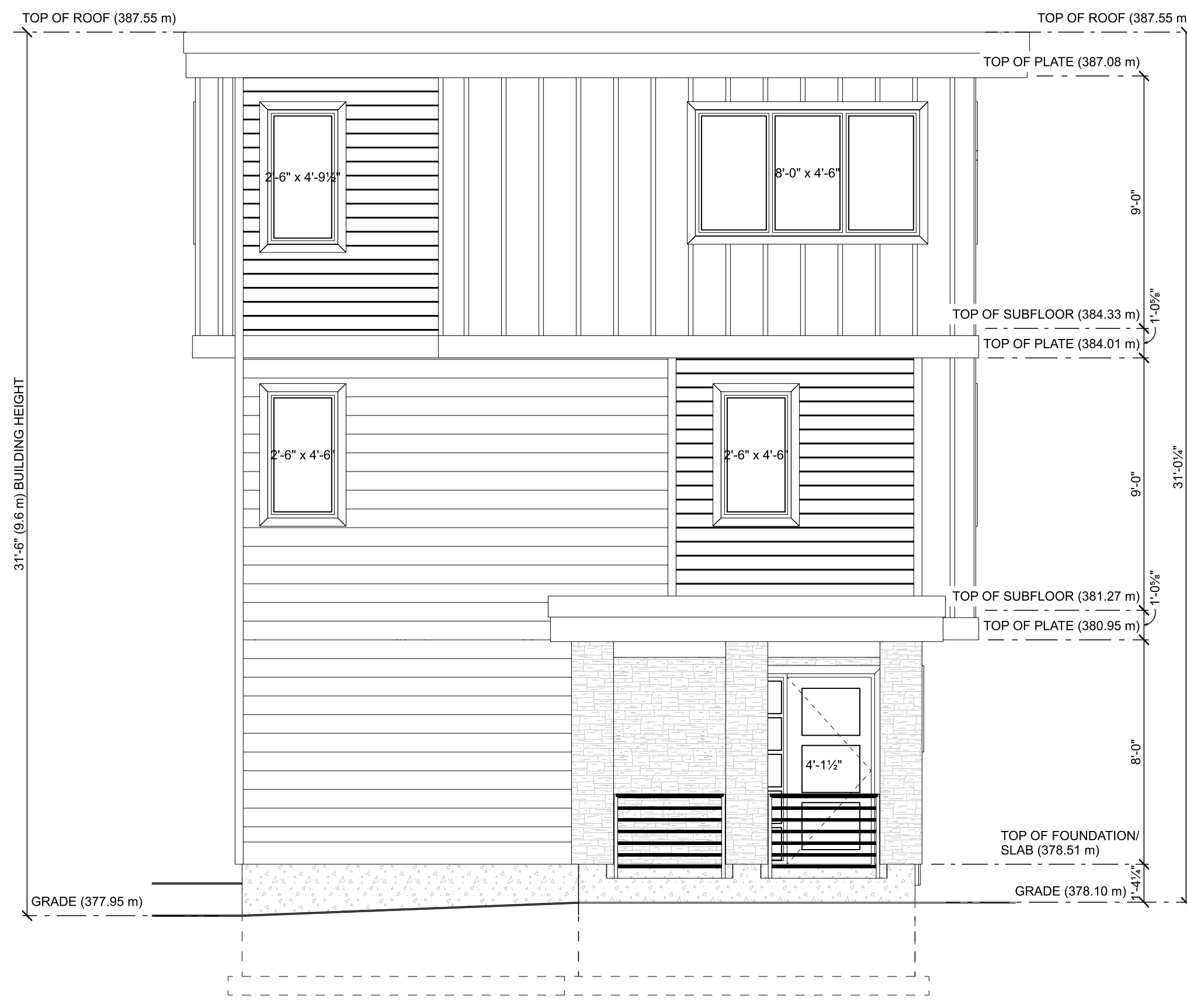
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Building A-Upper Floor Plan

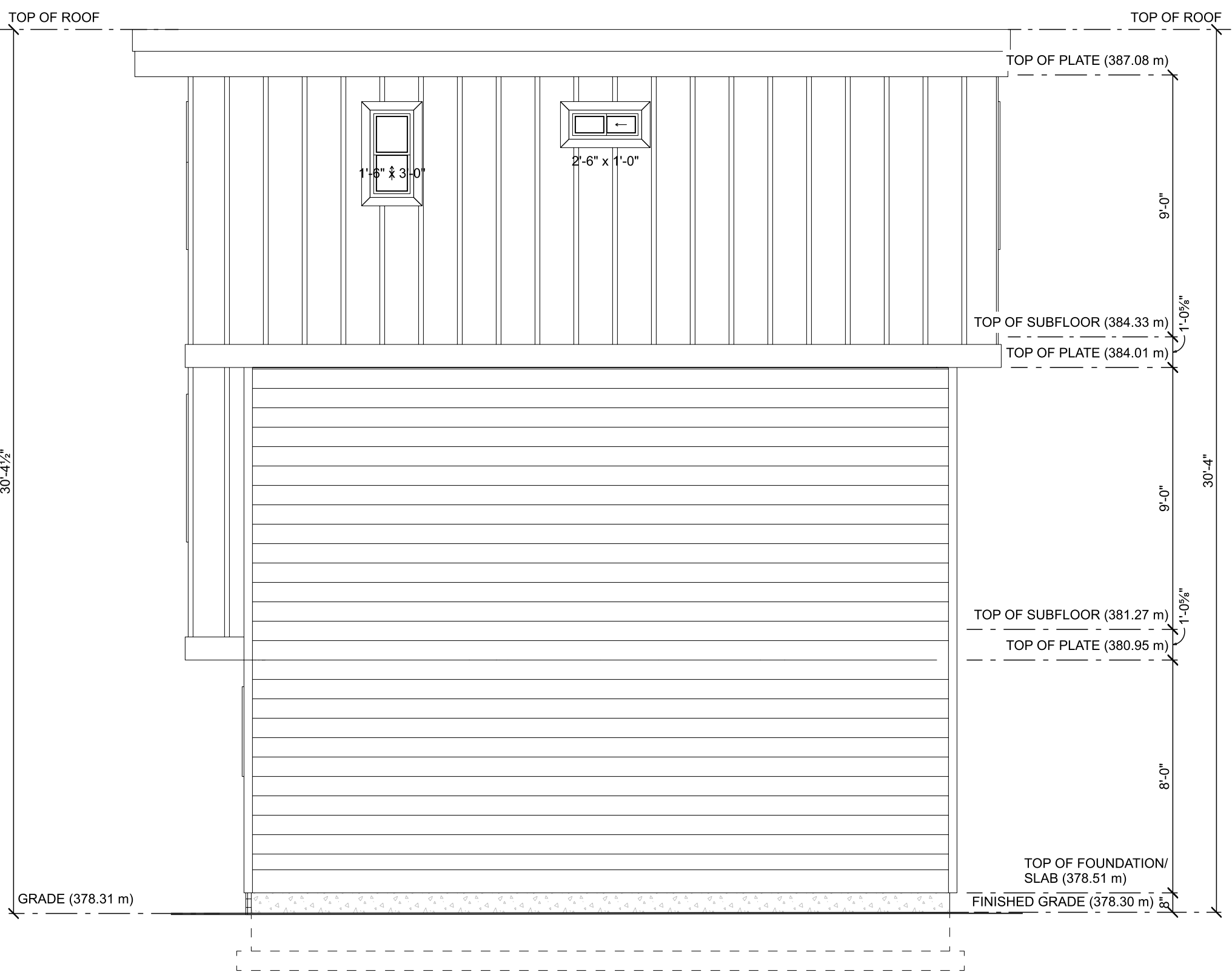
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BUILDING A-WEST ELEVATION (FACING GOVERNMENT STREET)
SCALE: 1/4" = 1'-0"



BUILDING A-SOUTH ELEVATION (FACING DRIVE AISLE)
SCALE: 1/4" = 1'-0"



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



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

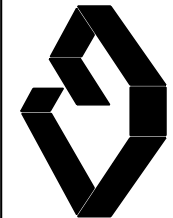
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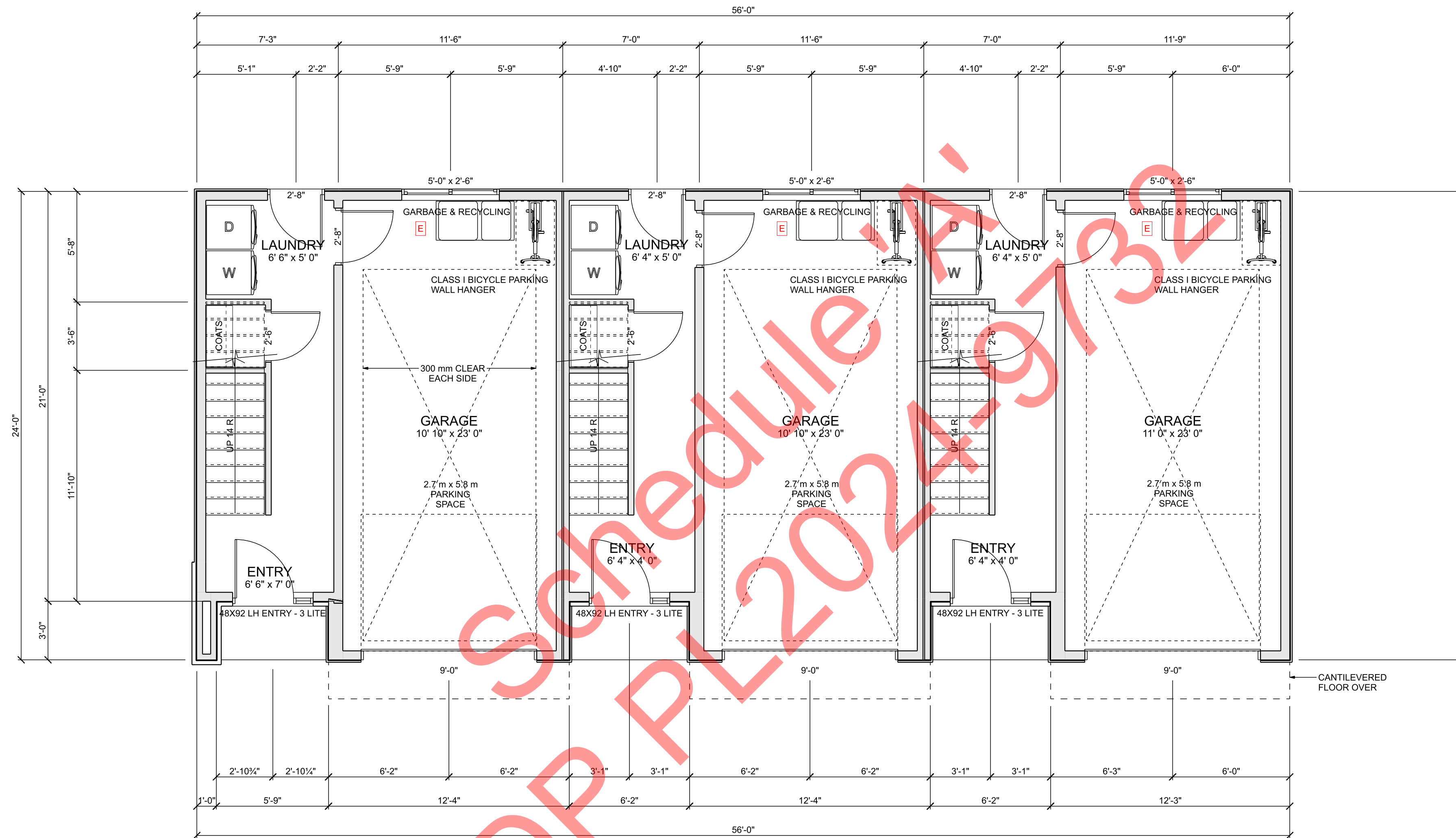
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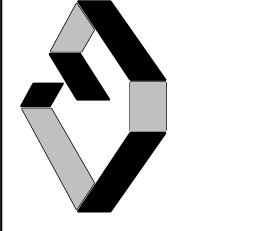


BUILDING B-LOWER FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 LOWER FLOOR AREA: 432 sq ft.
 GARAGE AREA: 846 sq ft.

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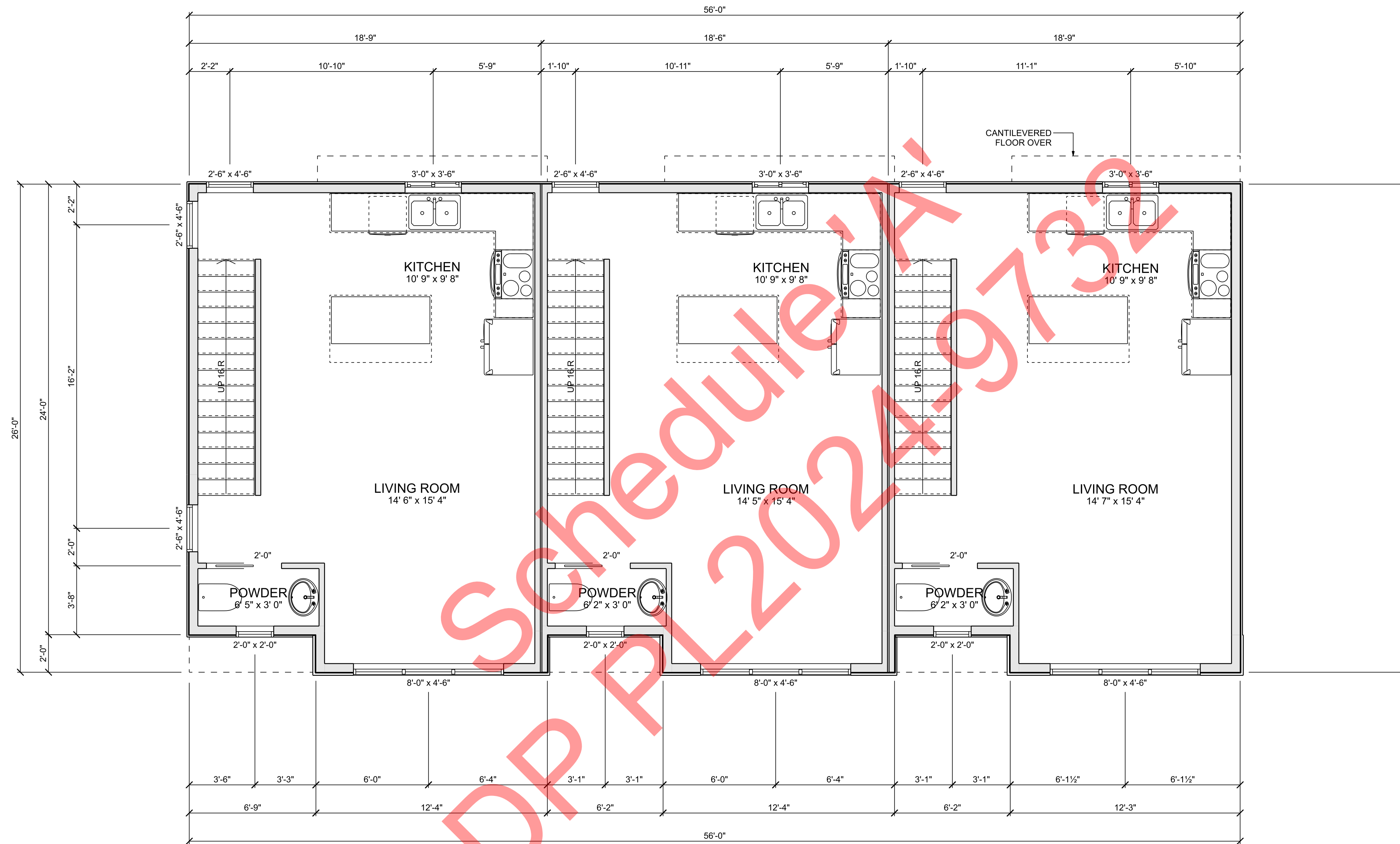


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Building B-Lower Floor Plan

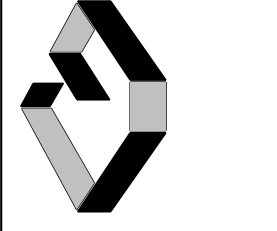


BUILDING A-MAIN FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 MAIN FLOOR LIVING AREA: 1418 sq. ft.

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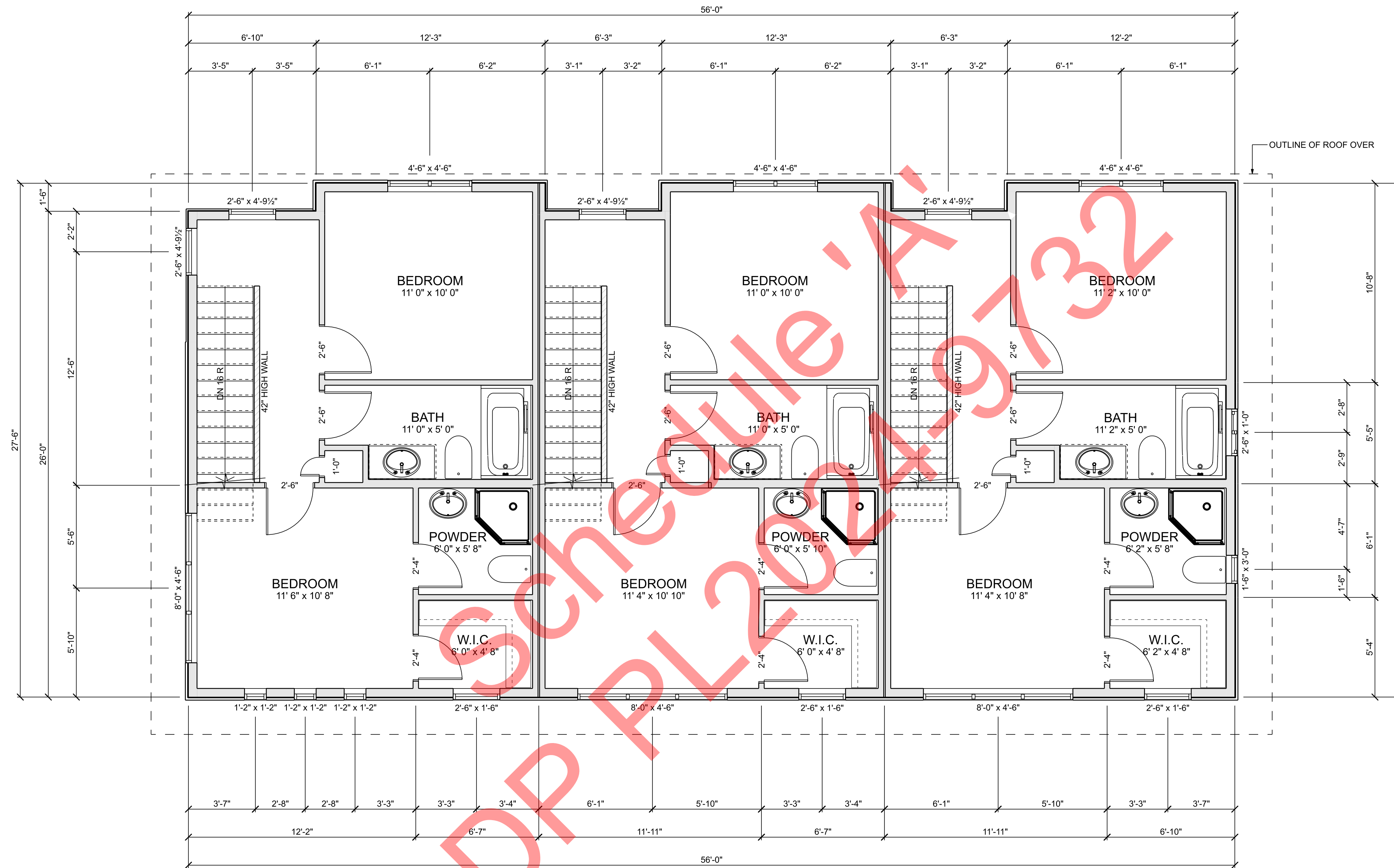
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Building B-Main Floor Plan



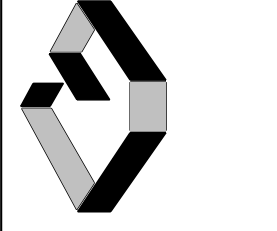
BUILDING A-UPPER FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 UPPER FLOOR LIVING AREA: 1511 sq ft.

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GIROUX DESIGN GROUP
 Custom Home and Building Design Since 1950.
 Giroux Design Group Inc.
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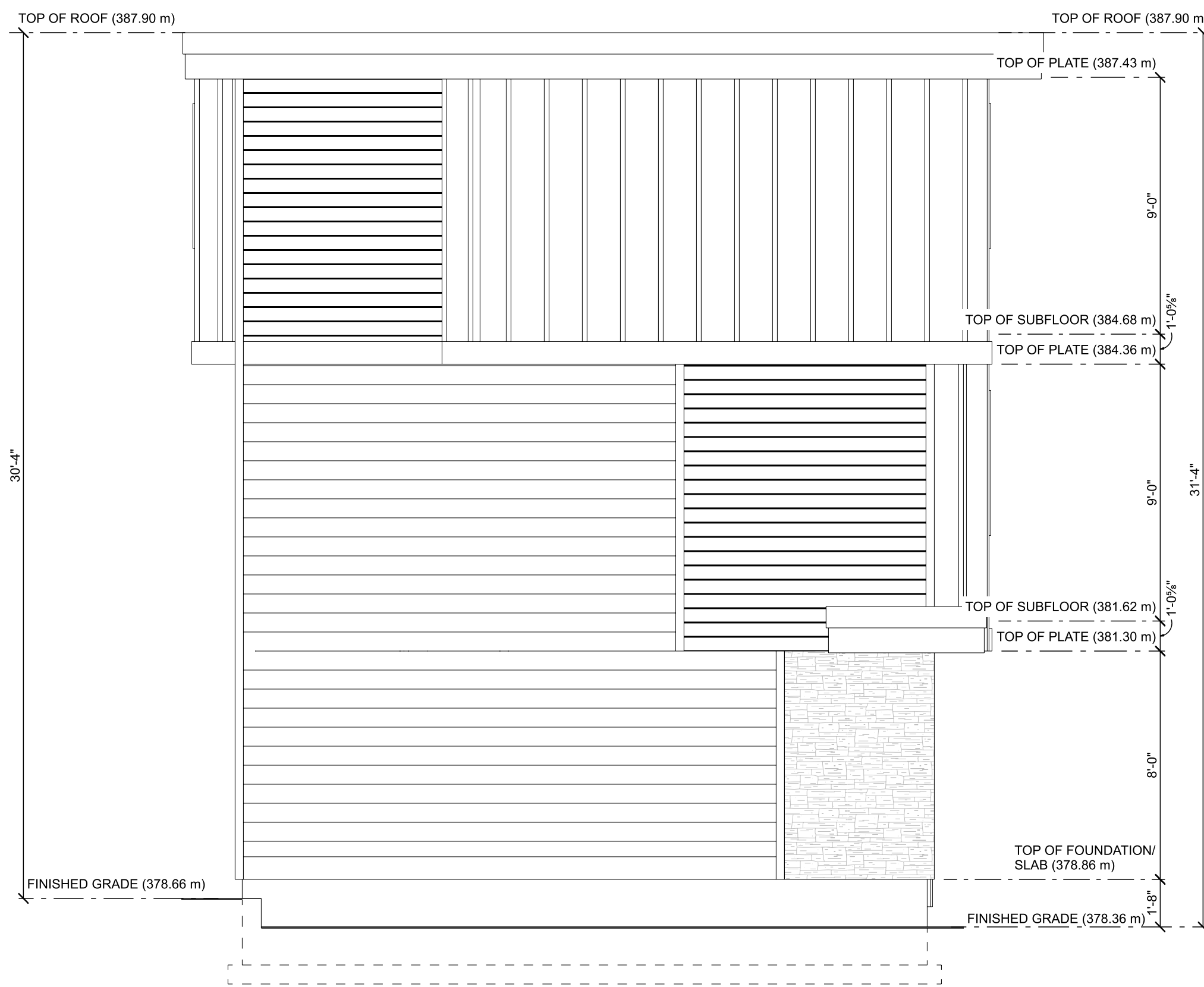


PLAN NO.
WP-5830
 SLAB
 SHEET NO.
A10

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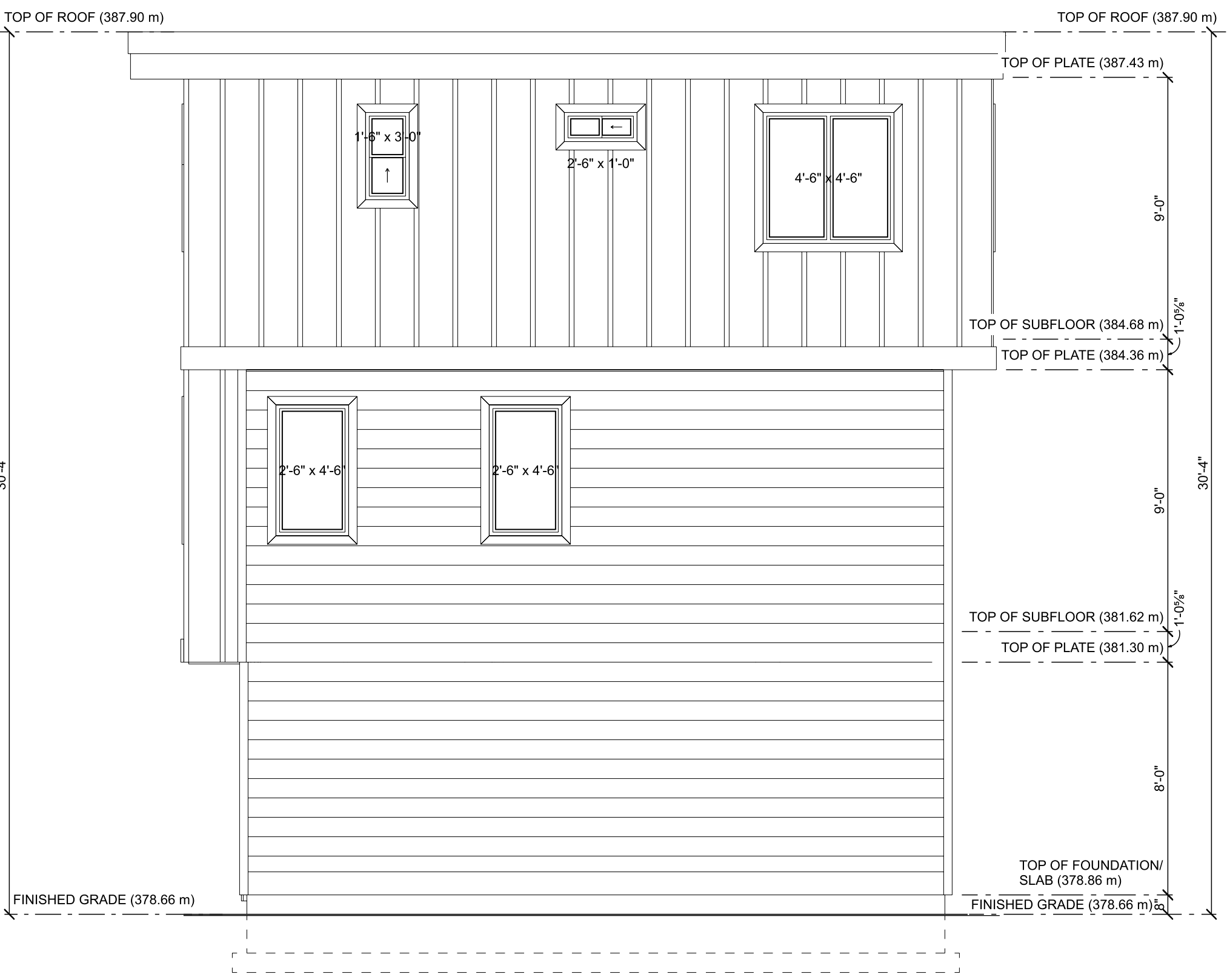
Building B-Upper Floor Plan



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



BUILDING B-SOUTH ELEVATION (FACING DRIVE AISLE)
SCALE: 1/4" = 1'-0"



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



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

Schedule 'A'
 DP PL 2024-9732

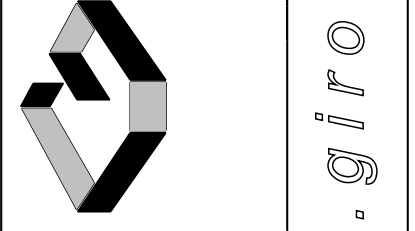
ISAAK VENTURES LTD.
ED ISAAK
755 GOVERNMENT ST.
PENTICTON, BC

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DRAWN BY: AIG REVISED:

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 drawings and assume responsibility for the same.

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Building B-Exterior Elevations

The Corporation of the City of Penticton

Bylaw No. 2024-18

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. 2024-18".

2. **Amendment:**

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

Rezone Lot 8 District Lot 249 Similkameen Division Yale District Plan 3578 Except Plan KAP68409, located at 756 Government Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) as shown in Schedule 'A'.

2.2 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
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*.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2024-18

Date: _____

Corporate Officer: _____