

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:**

795 Ontario Street

*Lot 1 District Lot 249 Similkameen Division Yale District Plan 4847*

**Proposal:**

**Zoning Amendment Bylaw No. 2024-20  
Development Variance Permit PL2024-9760**



The applicant is proposing to construct two 4-unit townhouses (8 dwelling units in total).

In order to proceed, the applicant has requested the following:

- 1) Rezone the property from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), and
- 2) Vary Table 6.2 of Zoning Bylaw No. 2023-08, Standard Car Parking Dimensions: to reduce the accessible stall width from 3.7m to 3.0m.



*Figure 1 - Rendering of Proposed Development*

**Information:**

You can find the staff report, Zoning Amendment Bylaw No. 2024-20 and Development Variance Permit PL2024-9760 on the City’s website at [www.penticton.ca/publicnotice](http://www.penticton.ca/publicnotice) or scan the QR code to the right.



**Questions?**

Please contact **Gabe Tamminga** at 250-490-2517 or [gabe.tamminga@penticton.ca](mailto:gabe.tamminga@penticton.ca) with any questions.

**Council Consideration:**

Council will consider giving first reading to Zoning Amendment Bylaw No. 2024-20 at its Regular Council meeting scheduled for **1:00 pm, Tuesday, May 7, 2024** in Council Chambers, Penticton City Hall, 171 Main St.

Consideration of Development Variance Permit PL2024-9760 is subject to adoption of the zoning amendment bylaw. Adoption of the bylaw may occur at a future Council meeting.

All meetings are live streamed via the City's website at: [www.penticton.ca/city-hall/city-council/council-meetings](http://www.penticton.ca/city-hall/city-council/council-meetings). Select the 'Watch Live' button.

**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, May 7, 2024, to:

Attention: Corporate Officer, City of Penticton  
171 Main Street, Penticton, BC V2A 5A9  
Email: [corpadmin@penticton.ca](mailto: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:** May 7, 2024  
**To:** Anthony Haddad, City Manager  
**From:** Gabe Tamminga, Planner I  
**Address:** 795 Ontario Street

File No: RMS/795 Ontario St

**Subject:** Zoning Amendment Bylaw 2024-20  
Development Permit PL2024-9761  
Development Variance Permit PL2024-9760

## Staff Recommendation

THAT Council give first, second, and third reading to "Zoning Amendment Bylaw No. 2024-20" for Lot 1 District Lot 249 Similkameen Division Yale District Plan 4847, located at 795 Ontario Street. A bylaw to rezone the property from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing);

AND THAT Council adopt "Zoning Amendment Bylaw No. 2024-20";

AND THAT Council, subject to adoption "Zoning Amendment Bylaw No. 2024-20", consider "Development Variance Permit PL2024-9760" for Lot 1 District Lot 249 Similkameen Division Yale District Plan 4847, located at 795 Ontario Street, a permit to vary Table 6.2 – Standard Car Parking Dimensions to reduce the required accessible stall width from 3.7m to 3.0m;

AND THAT Council subject to adoption "Zoning Amendment Bylaw No. 2024-20", approve "Development Permit PL2024-9761" for Lot 1 District Lot 249 Similkameen Division Yale District Plan 4847, located at 795 Ontario Street, a permit to approve the form and character of two 4-unit townhouses (eight 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 4-unit townhouses (8 dwelling units in total), this is consistent with the property's Official Community Plan future land use designation of 'Ground Oriented Residential'. However, in order to proceed, the applicant has requested the property to be rezoned from R2 – Small Lot Residential to RM2 –



Figure 1 - Rendering of Proposed Development

Low Density Multiple Housing to permit this housing type on the subject property (Figure 2). Further, the applicant requires a development variance permit to reduce the size of the required accessible parking stall from 3.7m to 3.0m, and a Development Permit approval for the form and character of the buildings which has been included for Council’s consideration.

## Background

The subject property is 902m<sup>2</sup> in size and is located on the west side of Ontario Street with Penticton Creek across the road on the east side (Figure 2). The property currently contains one single-family dwelling built in the 1960’s and two small accessory buildings in the rear. Directly to the north and the south of the subject property, there are duplex buildings on the neighbouring properties along Ontario Street. The surrounding area is a mixture of housing types with apartments, townhomes, duplexes and single-family dwellings along Ontario Street, Forestbrook Drive and Government Street.

## 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 8 townhouse units on this lot, which is increasing density in an area that is within close proximity to services, schools and transportation. The BC Transit bus ‘Route 2 – Westside/Penticton’ travels down Forestbrook Drive and past the subject property with stops within walking distance for people in this neighbourhood, providing alternative forms of transportation to vehicle trips.

A Level 2 Electric Vehicle ready space must be provided for each dwelling unit (8 total), therefore creating additional options for sustainable forms of transportation.

Additionally, the applicant has provided 8 Class 1 bicycle parking spaces (1 per dwelling unit) and 2 Class 2 spaces near the front of the property. This promotes alternative forms of transportation in areas of the City that have access to bicycle lanes.

The proposed development will be required to follow the 2024 BC Building Code. The buildings will have to meet Step 3 of the BC Energy Step Code. Step 3 requires new builds to be at minimum 20% more efficient than standard (2018 BCBC baseline).

## Technical Review

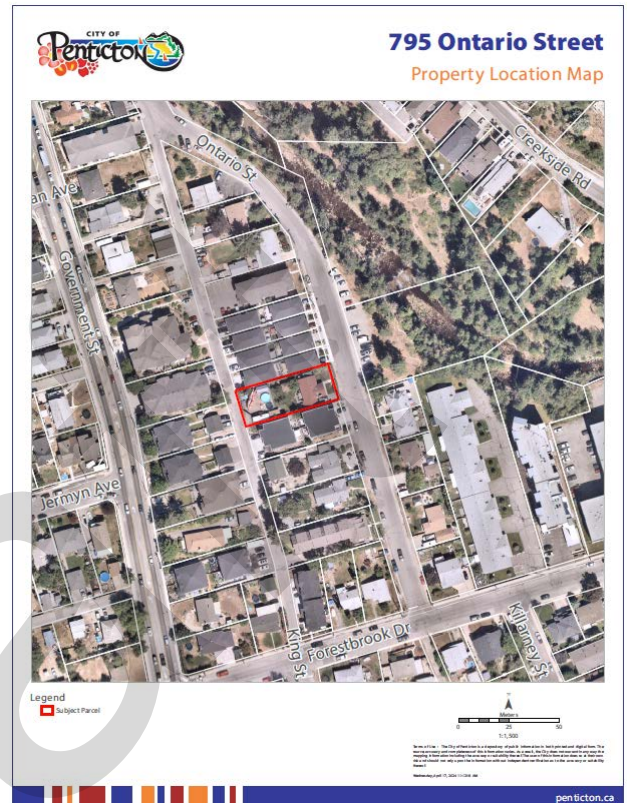


Figure 2 - Property Location Map

The application was reviewed by the City's Technical Planning Committee (TPC). Typical frontage and servicing upgrade requirements have been identified for the building permit process, if the rezoning, development variance permit, and development permit applications are supported by Council. These items have been communicated to the applicant.

## Development Statistics

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

	RM2 Zone Requirement	Provided on Plans
<b>Minimum Lot Width*:</b>	18 m	<b>18.432m</b>
<b>Minimum Lot Area*:</b>	540 m <sup>2</sup>	<b>902.45m<sup>2</sup></b>
<b>Maximum Lot Coverage:</b>	40%	<b>37.78%</b>
<b>Maximum Density:</b>	0.8 Floor Area Ratio (FAR)	<b>0.8 FAR</b>
<b>Vehicle Parking:</b>	<b>Total Vehicle Spaces Required:</b> 1 per dwelling unit ( <b>8 vehicle parking spaces total</b> ) 0.25 visitor parking spaces per unit ( <b>2 visitor parking spaces total</b> ) 1 accessible stall per 10  Total Required: 10 spaces	<b>Total Vehicle Spaces Provided:</b> <b>8 Vehicle Parking Spaces</b> <b>2 Visitor Parking Spaces</b> <b>1 Accessible Parking Space</b> <i>*Development Variance Permit has been requested for the width of the accessible stall</i>  <b>Total Provided: 10</b>
<b>Level 2 Electric Vehicle (EV) Ready Chargers:</b>	<b>Total EV Ready Required:</b> 1 per dwelling unit  Total Required: <b>8 chargers</b>	<b>Total EV Ready Chargers Provided: 8 chargers</b>
<b>Bicycle Parking:</b>	0.5 per dwelling unit (Class 1) <b>Total Class 1 Required: 4</b> 0.1 per dwelling unit (Class 2) <b>Total Class 2 Required: 0</b>	<b>Total Class 1 Provided: 8 spaces</b> <b>Total Class 2 Provided: 2 spaces</b>
<b>Required Setbacks</b> Front Yard (Ontario St): Side Yard (north): Side Yard (south): Rear Yard (lane):	3.0 m 1.5 m 1.5 m 6.0 m	7.12m 2.0m 5.61m 6.81m
<b>Landscape Buffer (north)</b>	Total Required: Minimum 2.0 m wide and one tree for every 10.0 m buffer area. One shrub for every meter of buffer area.  <b>Total Required: 2.0m wide, 4 trees, 48 shrubs</b>	<b>Total Provided: 2.0m wide, 4 trees, 48 shrubs</b>
<b>Landscape Buffer (south)</b>	Total Required: Minimum 3.0 m wide and one tree for every 10.0 m buffer	<b>Total Provided: 3.0m wide, 8 trees, 102 shrubs</b>

	RM2 Zone Requirement	Provided on Plans
	area. One shrub for every meter of buffer area.  <b>Total Required: 3.0m wide, 4 trees, 48 shrubs</b>	
<b>Maximum Building Height</b>	12 m	Building 1: 7.12m Building 2: 7.35m
<b>Other Information:</b>	*Lot width and lot area are only applicable at the time of subdivision.	

## Analysis

### Zoning Amendment

The Official Community Plan (OCP) designation for the property is 'Ground Oriented Residential', which supports medium density residential developments where each door has an exterior door. This land use designation supports building types such as duplexes, cluster housing and townhomes. The applicant is proposing to construct two 4-unit townhouses (eight 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.

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"> <li>• Duplexes with suites</li> <li>• Cluster housing</li> <li>• Fourplexes higher-density rowhouses</li> <li>• Townhouses and stacked townhouses</li> <li>• Bareland strata developments</li> </ul>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Limited Service/ Retail</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 3 ½ storeys</li> </ul>	<ul style="list-style-type: none"> <li>• RM2</li> <li>• RM5</li> <li>• C2</li> </ul>

Figure 3 - OCP Land Use Designation

Staff consider that the proposed zoning amendment will allow for 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 builders – 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 4.1.6.1* Ensure all residential neighbourhoods in Penticton provide a range of appropriately-scaled housing types and tenures, employment opportunities such as home-based businesses, transportation options like walking and cycling, social supports such as childcare facilities, and access to green space and parks.

*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 suitable scale of development in an area of the community that has been identified for increased residential density by the OCP. The proposed rezoning to RM2: Low Density Multiple Housing, to allow townhouse units on the subject property is consistent with the increased density and building forms envisioned by the Ground Oriented Residential designation.

The OCP policies encourage development in areas close to services and shops to encourage walkability and active transportation. Staff note this property is within walking distance of bus stops, bike lanes, schools and parks.

Given that there is adequate policy through the OCP to support the proposal, staff recommend Council give first, second, third reading and adopt “Zoning Bylaw Amendment Bylaw No. 2024-20”.

#### *Development Permit*

The proposed townhouse development is considered within the Multifamily Residential Development Permit Area per the OCP, which is established to manage form and character that strengthens livability, neighbourliness, and visual interest.

The proposed development has been designed with the OCP design guidelines in mind. The development proposes a density that is aligned with the OCP designation and provides a design that meets all the Zoning Bylaw regulations for setbacks, parking and is within the allowable building heights.

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 a letter of intent and development permit analysis with their submission (Attachment 'E'), which outlines the project and its conformance to the OCP design guidelines.

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

### *Development Variance Permit*

When considering a variance to a City bylaw, staff encourage Council to consider whether approval of the variance would cause a negative impact on neighbouring properties, and if the variance request is reasonable. Staff have reviewed the requested variance to reduce the accessible parking stall width from 3.7m to 3.0m and are recommending support for the following reasons:

1. *Proposed walking path adjacent to the parking stall*

The requested variance is to reduce the width of the required accessible stall from 3.7m to 3.0m. There is a pedestrian path adjacent to the accessible stall to access all units and is connecting to Ontario Street. The accessible stall has been designed with the 1.25m wide path along it to provide additional space for residents entering and exiting vehicles in the accessible stall. This provides an overall 4.25m of width to ensure the reduced stall size does not impact the adjacent parking spaces or the neighbouring properties. The pedestrian path is required to access all units and connects to Ontario Street.

2. *The number of units*

The proposed development has triggered the requirement for an accessible stall due to the number of units on the property (10 required stalls means 1 accessible stall is required). This is a Zoning Bylaw requirement but is not typically seen in townhouse developments due to the number of units.

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

### **Alternate Recommendations**

Council may consider that the proposed rezoning is not suitable for this site. If this is the case, Council should deny the bylaw amendment. Staff are not recommending this option, as the proposal is well aligned with the OCP designation for the property, gently increasing density in a high-amenity area of the City.

1.THAT Council deny first reading of "Zoning Amendment Bylaw No. 2024-XXXX"

### **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 (applicant)
- Attachment F – Development Permit Analysis (applicant)
- Attachment G – Draft Development Permit PL2024-9761
- Attachment H – Draft Development Variance Permit PL2024-9760
- Attachment I – Zoning Amendment Bylaw No. 2024-20

Respectfully submitted,

Gabe Tamminga  
Planner I

Concurrence

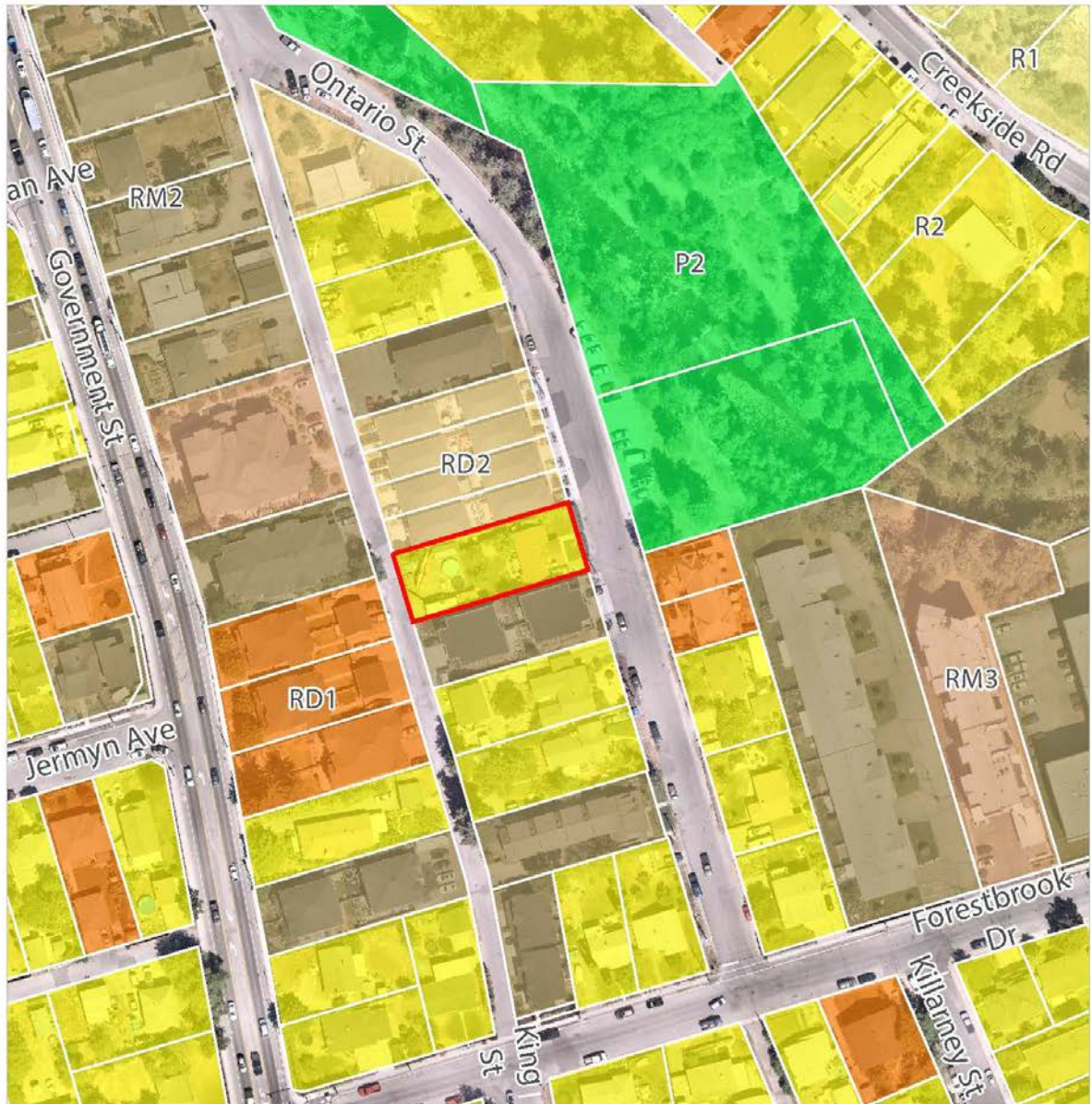
Director of Development Services	GM of Infrastructure	City Manager
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Attachment A – Zoning Bylaw Map



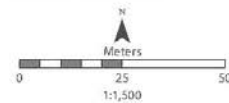
# 795 Ontario Street

## Zoning Bylaw Map



**Legend**

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

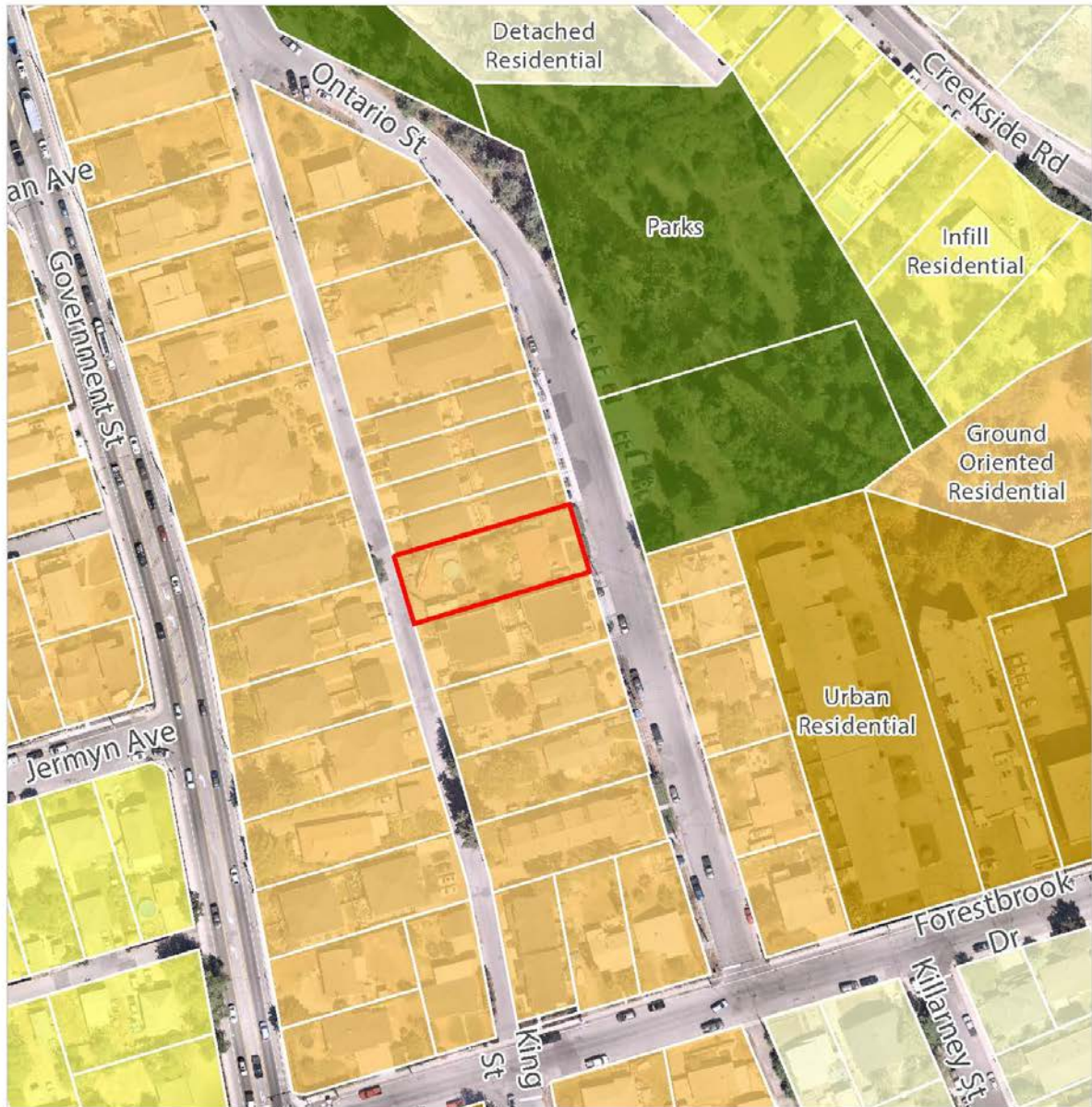


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Wednesday, April 17, 2024 11:55:10 AM

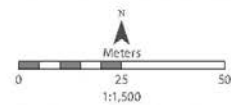
penticton.ca

### Attachment B – Official Community Plan Map



**Legend**

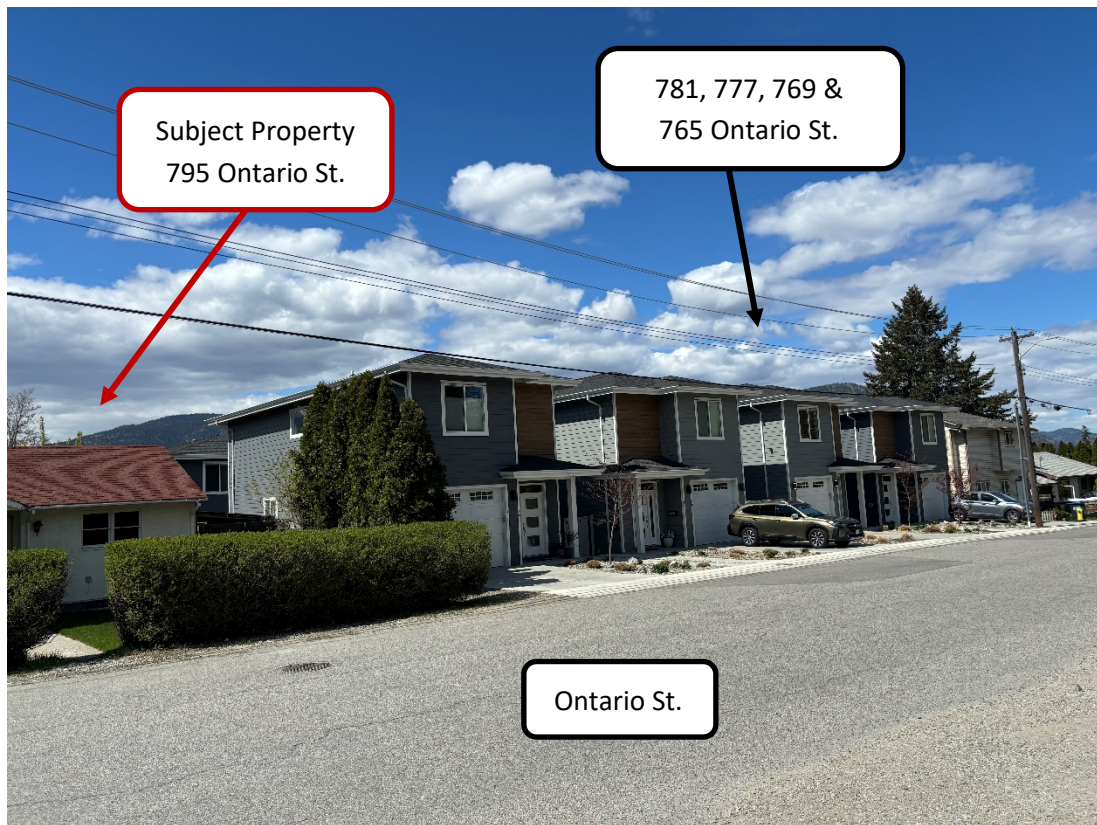
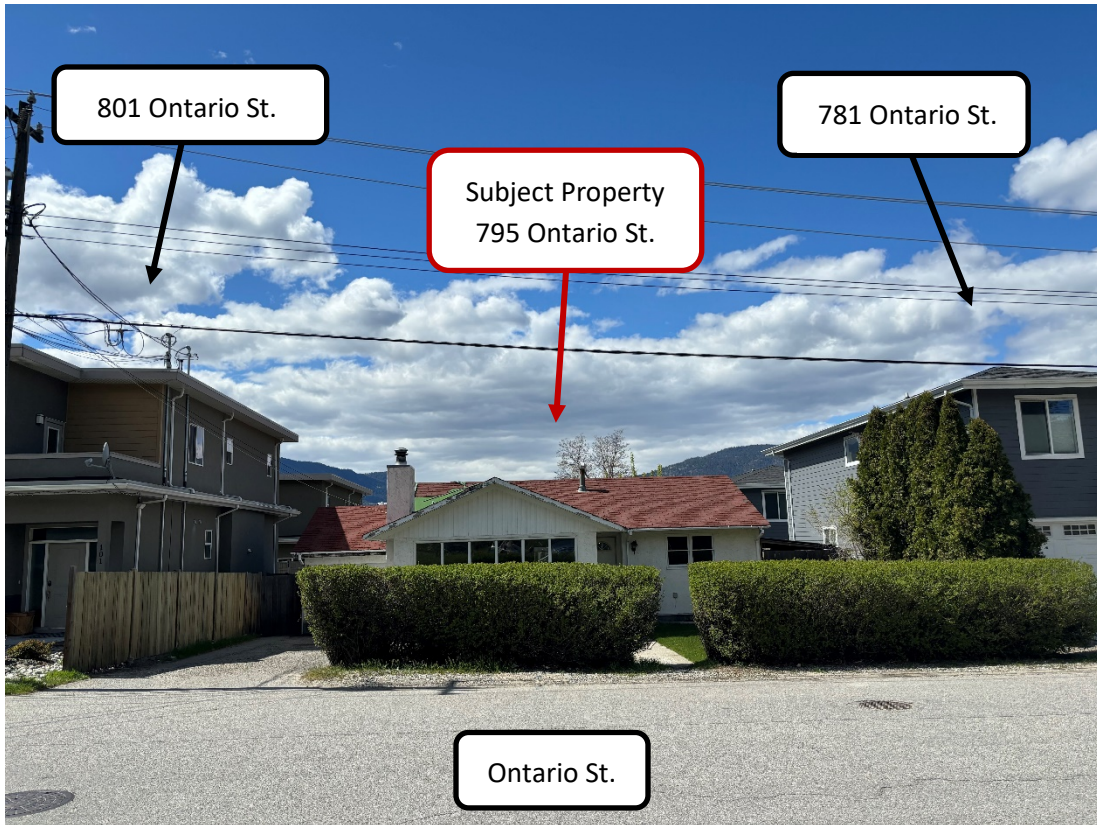
- Subject Parcel
- Detached Residential
- Ground Oriented Residential
- Urban Residential
- Parks
- Infill Residential

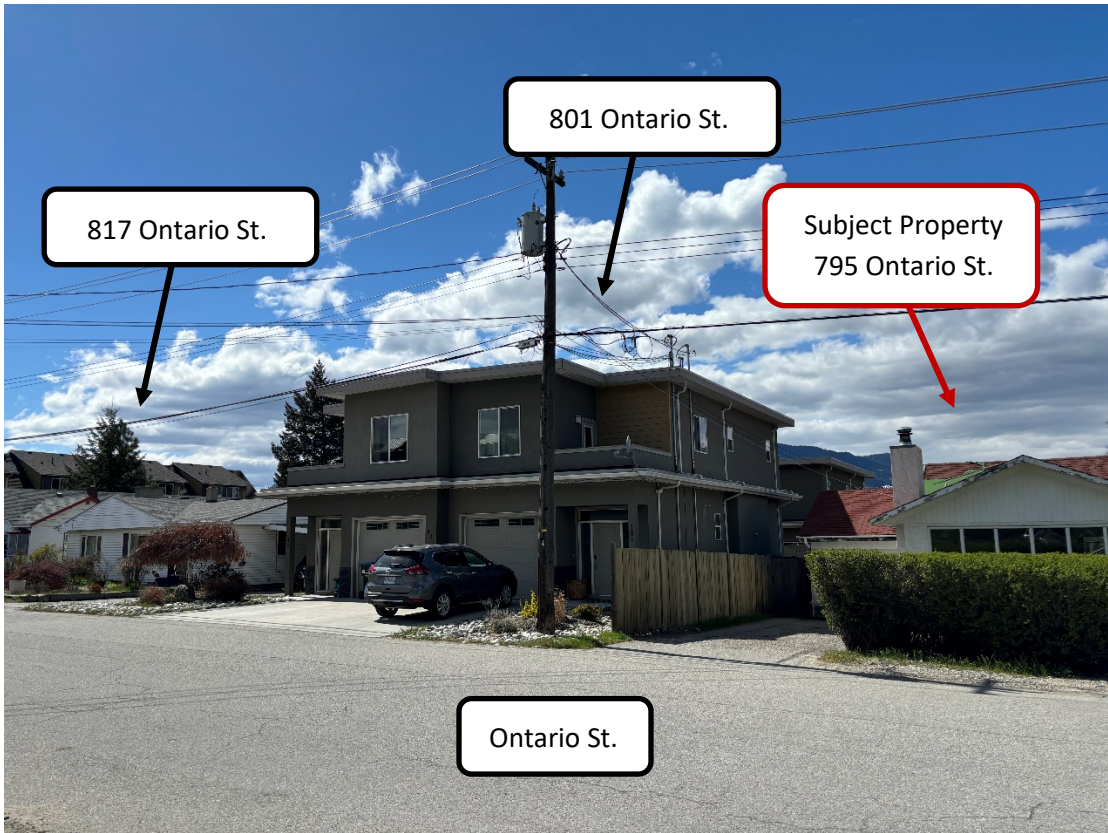


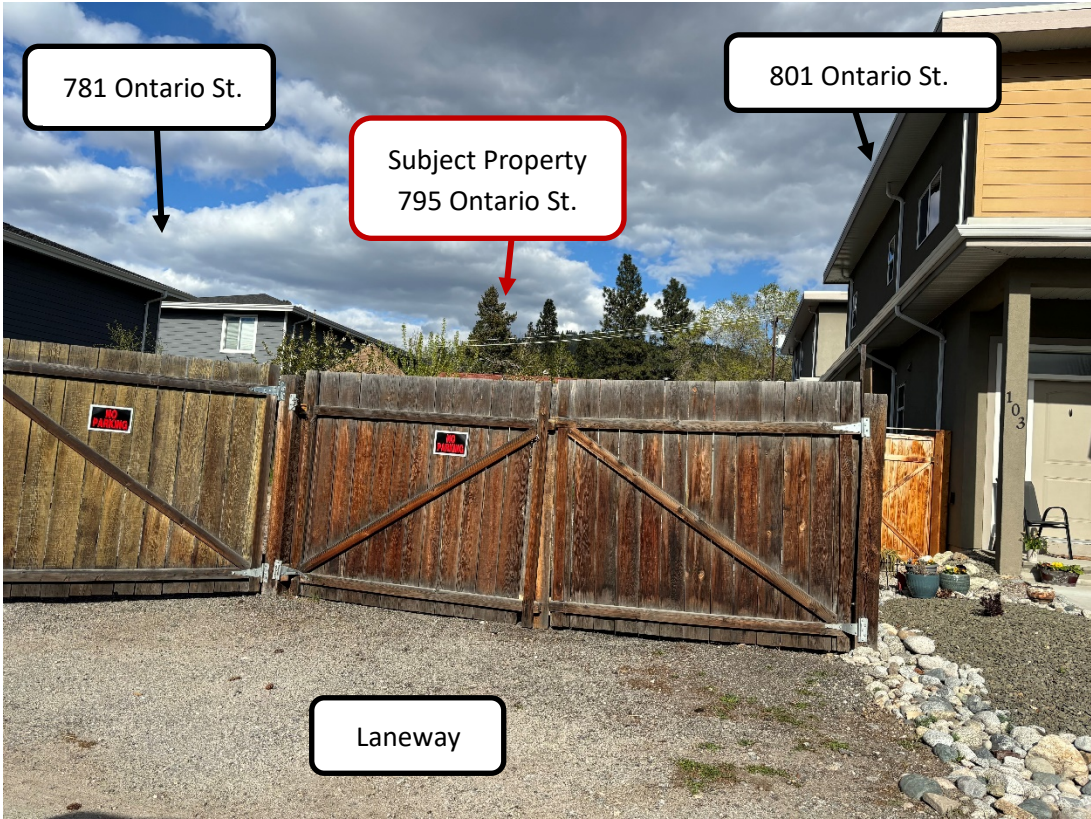
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Wednesday, April 17, 2024 11:04:18 AM

### Attachment C – Photos of the Property







## Attachment D – Development Permit Analysis (staff)

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*                      *Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.).*
- The proposed development has taken into account the surrounding area and the townhouses were designed with the Zoning Bylaw requirements in mind.
- Guideline G5*                      *Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.*
- The setback from the street for the townhouses meets the Zoning Bylaw requirements and provides a sensitive transition with the neighbouring properties.
- Guideline G11*                      *Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.*
- There is a 1.2m wide path that leads from Ontario Street to the rear laneway. It also provides access from the parking areas and to each private unit entrance.
- Guideline G23*                      *Articulation of building mass should include horizontal (minor) setbacks and stepbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience. Balconies and/or cantilever upper floors may be considered as a means to breaking up massing while promoting overlook and/or weather protection.*
- The townhouse designs have ground level patios that face the 1.2m wide path through the property. With second floor cantilevers over the north and the south side of the property over the entryways. All of these contribute to the overall architectural and visual interest of the buildings.
- Guideline G26*                      *Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.*
- The entryways of the buildings have been designed to be setback from the neighbouring property to the south, maintaining privacy between neighbours. There is also fencing proposed and landscaping buffers to the north and south to maintain space between the neighbouring properties.
- Guideline G35*                      *Tree planting...*

- Tree plantings have been proposed outside each unit entrance, as well as in the rear yards (north). With automatic irrigation to ensure the longevity of the plantings.

*Guideline G39*

*Defining the Public- and Private Realms...*

- The 1.2m wide path leads from the front of the property to the rear lane, with access to each unit. Each unit has a patio that is slightly raised to ensure a transition between the public and private realms.
- There are proposed plantings around each patio and at the front of the property to also buffer the transition between the public and private spaces.

*Guideline MF2*

*In an effort to promote community and social sustainability, multifamily developments should exhibit a preference for courtyard forms with views into them from ground oriented ground floor units.*

- Each unit has ground floor access with a ground oriented design where each unit has a private patio that promote community and social sustainability through a court-yard style design.



## BURGART PROJECTS Inc.

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### **795 Ontario Street**

Development Permit Application

#### **Letter of Intent**

April 16, 2024

Attention: City of Penticton – Planning Department

The intent of the development is to build eight new affordable homes. The project consists of two, 4-unit townhouses. The property is currently zoned as R2 and will require rezoning to RM2. This proposed project is consistent with the intent of the Official Community Plan providing 'gentle' density within an existing neighbourhood. The project does not require any Zoning Bylaw variances regarding the FAR, lot coverage, height, or setbacks. However, we are requesting a variance for the guest parking requirement.

#### **PEDESTRIAN LANE CONCEPT**

The underlying design concept of this proposed project is to create a pedestrian 'lane' to access the front entry doors of each unit. For many new townhouse projects, there are front units that face the street and rear units that face the lane. The drawbacks of this typical layout are most of the lanes in Penticton are unattractive – filled with parked vehicles and garbage carts and access from the street is usually a narrow corridor between the side of the front building and the neighbouring fence. This can feel unsafe and present issues for fire fighters and other emergency services.

The proposed design creates a wide 5.65m setback between the front of the buildings and the neighbouring property to the south. There will be a 1.37m unobstructed main access walk from the street to the rear lane. The front entries of all eight proposed units will be accessed from this main access walk – none of the units will be 'off the lane'. The access walk will be tree lined with patios in front of each unit with a low metal picket fences and landscaping surrounding each patio.

## SAFETY AND SECURITY

The front entry doors, the living room window and the patios all front the main access walk allowing 'eyes on the street' creating a safe walk from the front or rear parking areas. The entire length of the main access walk will have landscape lighting. As noted above, the main access walk provides safe access for residents, guests, deliveries, and emergency services.

## SOCIAL INTERACTION

With all eight units using the same main access walks there will be plenty of opportunities for social interaction building a community feeling.

## BUILT FORM

As noted above the proposed project complies with all Zoning Bylaw General Conditions and conditions specific to the proposed RM2 Zoning. The project consists of two four-unit buildings two storeys tall. The proposed two-storey height is consistent with neighbouring properties. The proposed two buildings cover 348m<sup>2</sup>, which is substantially LESS than the four units at 777 & 781 Ontario Street and the four units at 801 Ontario Street. The front entry doors and living room windows face south. And the private patio for each unit is also on the south side providing ample natural light. Each dwelling unit is two bedroom, 980 sq.ft. The units will all have low-carbon heat pump central heating and air conditioning. The units are designed for practical, affordable living.

## PARKING VARIANCE

### Accessible Parking Variance

The developer is providing one Accessible Parking Stall as required by the Zoning Bylaw. The accessible stall will be 4.25m wide exceeding the required width of 3.70m. However, to achieve this 4.25m width, the developer is proposing a 3.03m wide stall and using the adjacent 1.22 access walk to create a large 4.25m wide accessible stall. A typical midsize vehicle (Honda Accord) is 1.86m wide. If the vehicle was parked close to the south stall line (close to the access walk), the driver would have 1.17m to open their door (almost 4') and the passenger would have 1.22m to open their door. This arrangement meets and exceeds all the requirements of an accessible stall and maintains 10 parking stalls for the project taking pressure off the street parking.

## CONCLUSION

The impact on neighboring properties will be minimal. Eight out of twelve neighbouring properties are already zoned RD2, RM2 or RM3. The proposed project is consistent with the Official Community Plan and the housing already built in the neighbourhood. The proposed height and lot coverage are well below the allowable limits. The existing small home on the property is at the end of its useful lifespan. The new proposed duplex will refresh this portion of the streetscape and provide an additional, affordable housing unit with minimal impact to the neighbourhood.

Regards,



Brendan Burgart

Burgart Projects Inc.

President

## Development Permit Analysis

February 28, 2024

### 5.2.2 General Guidelines

#### Framing Space

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

The proposed new townhouse has 7.23m front yard setback.

*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.*

Front entries and living room windows face the main access walk creating 'eyes on the street' for the residents.

*G8. Secondary buildings should create comfortable and social, semi-public and semi-private spaces within interior courtyards and/or side-yards.*

No secondary buildings are being proposed.

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

The lot has a gentle 2% natural grade from front to back (east to west) creating ideal drainage conditions. No alterations to the natural grade are proposed.

*G2. Applications shall include a comprehensive site plan – considering adjacent context for building and landscape architectural design and neighbourhood character analysis – to demonstrate that the development is sensitive to and integrated within its context and surrounding uses and neighbours.*

The neighbourhood is an eclectic mix of older homes of various ages and styles and newer homes of a more modern or contemporary design. The proposed traditional architecture will fit in.

- *All site / landscape plans should incorporate the boulevard.*

The proposed landscape includes a fully landscaped boulevard.

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

The front yard patios (of the units) patios are on the south side of the building. The living rooms have large south facing windows. The cantilevered 2<sup>nd</sup> floor provides shade on the living room window at mid-day.

### *Prioritizing Pedestrians*

*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).*

Each unit front entry is one riser (0.18m) above the main access walk. The main access walk follows the natural grade from the street to the rear lane.

*G14. The outdoor space of a residential unit should be raised no more than 1.2m (3.9 ft.) above adjacent public sidewalks and a "front stair" pedestrian connection shall be provided.*

Each unit front patio is one riser (0.18m) above the main access walk.

*G15. Fencing facing an active public realm should be lowered and transparent or semi-transparent.*

A low (0.91m) metal picket fence is proposed between the main access walk and each unit creating a private enclosed yard but still connected to the main access walk (the 'lane').

*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).*

There is a low (0.91m) metal picket fence (and gate) between the at the rear of the Building 2 and the south fence creating a sense of separation from the main access walk and the rear lane.

*G10. Development of larger parcels should provide pedestrian connections to adjacent public areas and create an effective street-fronting block scale of 60m-190m.*

N/A.

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

There is no barrier between the front public sidewalk and the main access walk. There are no barriers between the public street / lane and the parking and garbage areas.

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

The main access walk is smooth (non-slip) finished concrete.

### *Cars and Parking*

*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.*

Four off-street parking stalls are provide at the front off Ontario Street, six off-street parking stalls are provided off the rear lane.

*G18. Attached parking structures, their access and associated components (doorways, ramps, etc.) should be architecturally integrated into the building so as to minimize visual impact to the public realm.*

No attached parking – just parking stalls off the street and rear lane.

*G19. All multifamily developments should accommodate sustainable modes of transportation through:*

- *Provision of bike parking and/or safe storage of alternative transportation/ mobility equipment (bikes, mobility scooters, etc.).*

Two Class 2 bicycle stalls are provided in the center off the main access walk.

- *Provision of electric vehicle charging stations.*

One Class 1 EV charging station will be provided for each dwelling unit as mandated by the Zoning Bylaw.

- *Internal circulation and/or upgrades to adjacent rights-of-way to accommodate alternative transportation (e.g., multi-use pathways, separated bike lanes, etc.).*

N/A.

## *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;*

Living room window and one (of two) bedrooms have large windows that face south.

- *energy-efficient building design;*

Each unit has a heat-pump for central heating and air conditioning. Some walls are double insulated (R36+).

- *passive solar principles;*
- *landscape design and plantings that provide cooling through shade in summer months;*

Each unit has a deciduous tree in the front yard provided shade on the patio and south facing windows in the summer but allowing light in in the winter.

- *selecting roof materials to minimize heat loading and increase reflectivity.; and,*
- *strategies for cross-ventilation.*

*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 primary concept of the project is to create a pedestrian lane from Ontario Street past all the unit entry doors to the rear lane.

*G22. Massing of larger buildings should be composed of multiple volumes to reduce visual impact on the pedestrian realm.*

There are two 4-unit buildings – as opposed to one 8-unit building. The buildings are two stories with the main floor elevation set close to the natural grade.

*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.*

The second floor cantilevers over the north side yard and the south side yard (over the main floor front entry). The second floor bathrooms cantilever over the front yard (Ontario Street) and the rear lane breaking up the front and rear elevations. The west (lane), south and east elevations all have gables adding interest to the roofline and the project as a whole.

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

The front unit (101) living room and dining room windows face the street. Front entries and living room windows face the main access walk creating ‘eyes on the street’ for the residents.

*G25. Where appropriate, stepped massing should be utilized to transition and improve the relationship between developments of differing scale. In areas where there is an OCP Land Use Designation change, adjacent building heights should not be greater than one-and-a-half storeys higher than existing adjacent development with additional storeys terraced back with a minimum setback of 3.0 metres.*

The proposed buildings are two stories with multiple architectural elements (see sections above).

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

There will be a 1.80m high fence between the main access walk (pedestrian lane) and the property to the south. The living room window will not look over this fence.

### *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.*

Large windows in the living room and master bedroom face Heales Avenue.

*G27. Development should activate the public realm (e.g., sidewalks) and shared open spaces by placing active uses at street-level.*

The main floor of both buildings is set to follow the natural grade of the property. The main floor of Building 1 at the front is set approximately 0.11m below the elevation of Ontario Street.

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

The entry doors, living room windows and patios all face the main access walk (pedestrian lane).

*G30. Extensive blank walls (over 5m in length, and including retaining walls) along the street should be avoided.*

No blank walls or retaining walls are Ontario Street.

*G31. Provide screening (e.g., varied materials/textures, murals, greenwalls or vines) on solid walls that exist as a function of an internal program (e.g., for privacy, merchandising, etc.).*

The landscaping has a number of species and layers to provide interest and privacy but still has views to the street for security.

### *G34. Tree retention*

- *New development should retain, where possible, existing mature and native trees and protect their root systems;*
- *Pre- and post-development tree surveys are required must be undertaken.*

The topographic survey does not identify any significant trees to retain.

### *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 the landscaping will be on automatic irrigation.

- *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 landscaping plan provides 3 street trees along Ontario Street placed approximately 7.75m apart.



- *The planting of additional trees is strongly encouraged, particularly if existing trees cannot be preserved, in order to maintain and expand the urban forest canopy.*

The landscaping plan provides an additional ten (10) trees on the property over and above the three street trees.

### *Landscape Architecture*

#### *Design with Nature*

*Landscape design must reflect Penticton's natural environment. Further, local climate and landscape requires that designs are considerate of extreme temperatures, low annual rainfall and erodible soils.*

#### *G32. Stream and Riparian Protection (see Riparian DPA section)*

NA. Property not in a Riparian Development Area.

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

- *Employ xeriscaping principles (see Glossary) in landscape design that reduce the need for supplemental water from irrigation.*
- *Employ strategies such as stormwater management reuse (including rain gardens and water reclamation) to minimize impact on infrastructure and the use of potable water.*
- *Encourage landscaping using native drought-tolerant plant species rather than water-hungry varieties.*
- *All trees and vegetated landscaping should be irrigated using a sub-surface irrigation system, programmed to maximize efficient water use (e.g., drip irrigation).*
- *Where appropriate, increased depth of top soil is recommended as a means to retain water and ensure more drought-tolerant landscapes.*
- *Trees should be planted to provide shading for shrubs and grasses and south and west faces of buildings.*
- *Where appropriate, mulching may further reduce irrigation demand by retaining soil moisture.*

Front yard is a 'xeriscape' design, no lawn, rocks for ground cover with trees and bushes. All the plants and trees will be on automatic drip irrigation.

#### *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.*

#### *Functional Use of Landscapes*

*Designs should be prepared by a professional with experience in the planning, design and implementation of high-quality landscapes designs.*

The landscape designer has a history of high quality beautiful and functional landscapes in Penticton.

*G36. Habitat: designs should provide for and/or enhance habitat value (e.g., birds, pollinators, etc.) through the use of selected plant material (food & nutrients) and/or structural/grading improvements (e.g., hibernacula, pools, etc.).*

The proposed Walkers Low Cat Mint plant is an excellent pollinator (*Nepeta faassenii*).

*G37. Stormwater management: mitigate impacts of runoff by diverting stormwater to infiltration galleries or other appropriate green infrastructure.*

No run-off issues are anticipated.

*G38. Screening & Buffering*

- *Where appropriate (and in consideration of FireSmart principles and native ecosystems), screen walls and/or landscape buffers (e.g., berms, shrub beds, hedges and/or trees) should be used to manage transitions and/or conflict between incompatible uses (e.g., industrial uses and/or parking);*
- *Buffer design should complement neighbourhood character and landscape setting (refer to “Materials Selection – Hardscapes and Softscapes”)*
- *Notwithstanding the screening regulations in the Zoning Bylaw , landscape buffers should be utilized to reduce the visual impact of service areas and surface parking.*

A generous and well planted landscaped buffer is provided in the south side yard. A landscaped buffer is not required on the north side.

*G40. Energy*

- *Landscape designs should support shading strategies (passive cooling) with deciduous plantings that allow increased solar gain in winter months;*

The proposed three trees in the front (south) yard are deciduous.

- *Landscape designs should accommodate windbreaks (perpendicular to the direction of winter prevailing winds) to reduce heat loss in winter.*

*G39. Defining the Public- and Private Realms*

- *Clearly signaled transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkways, ramp, stair), semi-private (e.g., stoop, balcony) and private (e.g., entry) realms shall be clearly defined to enhance both the privacy of residences and the pedestrian experience, and may include:*

» *Landscape terracing (e.g., grading, retaining);*

The main access walk (pedestrian lane) steps gently down following the natural grade of the property. Each unit’s patio is one riser above the pedestrian lane.

» *Structures (e.g., fences, pergolas, trellises),*

There is a low (0.91m) metal picket fence (and gate) between the at the rear of the Building 2 and the south fence creating a sense of separation from the main access walk and the rear lane.

» *Planting (e.g., low hedges) and/or*

Tall grasses are planted around each unit's patio.

» *Changes in surfacing materials.*

» *Planting between internal collectors (not used for direct access to parking stalls) and aisles that provide direct access to parking stalls;*

» *Planting at the end of aisles;*

» *Planting between each block of 4 parking spaces; and,*

Trees and bushes are provided between the two driveways off Ontario Street.

» *Planting around utility kiosks, containers and/or dumpsters.*

Tall grasses are provided to screen garbage carts for the Building 1 (facing Ontario Street)

#### *Materials Selection – Softscapes & Hardscapes*

*The material and quality of landscapes – in public and private spaces - play an important role in defining the character of Penticton. Material selection (plants and construction materials), high quality landscape design and materials will enhance landscape performance, visual character and aesthetic quality while reinforcing a positive, green image of Penticton.*

#### *G41. Softscapes*

- *Plant materials (size) and planting densities should be designed to meet and exceed the British Columbia Landscape and Nursery Association (BCLNA) Standards;*
- *Landscape designs should consider opportunities for seasonal interest (e.g., colourful foliage and/or flowering at various times of the year).*

The landscape plan provides for deciduous trees, tall grasses, low flowering plants and low evergreen plants.

- *Structural diversity in plant palette composition – including combinations of groundcovers, shrubs of various heights and trees – is encouraged.*

The landscape plan provides for deciduous trees, tall grasses, low flowering plants and low evergreen plants.

- *Landscape design shall consider aesthetic qualities, plant suitability and soil volumes to ensure “right plant, right place” and to maximize growth to maturity of plants and trees.*
- *Plant selection should emphasize local/native plants and/or similarly hardy/well-adapted plants to Penticton's desert climate.*
- *Invasive species are prohibited.*
- *Synthetic turf is prohibited.*

The selected landscape species have been used in past projects. The plants have thrived and look great. No invasive species are proposed. No artificial turf is proposed.

#### *G42. Hardscapes*

- *Material selection should reflect an extension of overall functional design and should emphasize local, natural, climate appropriate materials.*
- *Landscape construction should prioritize robust, durable and easily-maintained materials.*

All landscaping materials are long-lasting.

- *Retaining walls should use natural-looking textures and natural colours.*

N/A – no retaining walls.

- *Colours should complement Penticton's natural setting and associated palette.*

All natural stone.

- *Minimize the use of impervious surfaces and/or incorporate rainwater management strategies where surface runoff is captured.*

Apart from sidewalks and driveways are landscaping ground cover is porous.

- *Where feasible, minimize the use of low albedo (heat-absorbing) surfacing materials to reduce heat island effect (i.e., use lighter-coloured, more reflective materials).*

The hardscape materials have been used in previous projects in Penticton. They are selected for durability / low maintenance as well as functional characteristics such not blowing away or excessive migration on to sidewalks or driveways.

#### *G43. Address both fronting streets in a pedestrian-friendly way, preferably with pedestrian entrances and/or windows on both facades;*

NA. Only fronting Ontario Street.

#### *G44. Support wayfinding by framing views (or open space) and/or utilizing landmark architectural elements (if appropriate);*

NA

#### *G45. Utilize corner entrances, angled facades at intersections, and stepped designs in areas of higher pedestrian traffic and commercial uses. Where open space is proposed for a corner lot, amenities like seating, drinking fountains, and garbage receptacles should be incorporated into open space designs.*

NA. Not a corner lot. Not a commercial use.

#### *Special Considerations*

#### *G46. Opportunities for the inclusion of public art should be explored in public and semi-public open spaces, especially plazas.*

NA

*G47. Historical references should be carefully and collaboratively chosen.*

NA

### *Lighting*

*Lighting is essential to wayfinding and safety at night. Equally important is the scale, intensity, quality, location and direction of lighting.*

Landscaping lighting will be provided the length of the main access walk (pedestrian lane).

*G48. Lighting shall be provided for all building entrances, walkways, driveways, parking areas and loading areas and should be sufficient to provide clear orientation, personal safety and site security, including allowing for overlook from adjacent buildings.*

- *The scale and intensity of lighting should be adapted to its setting and application:*
- *Lighting design shall prioritize pedestrian-scaled lighting while ensuring vehicular access and parking is sufficiently lit for safe maneuvering;*
- *Light fixtures should utilize “cut-off” (zero intensity at or above an angle of 90°) luminaries to minimize glare;*
- *Warmer light sources (<4000k) are strongly encouraged.*

Landscape way-finding lighting will be provided the length of the main access walk (pedestrian lane). Each front door will have a wall sconce. Parking areas will have motion sensor lighting.

*G49. Minimize light pollution through the use of full cut-off lighting, avoiding light reflectance, and directing lighting downwards. Exceptions may be made for signage and architectural lighting (e.g., enhancing special features or aesthetic qualities).*

*G50. Avoid lighting that illuminates streams, wetlands, lakes and other natural areas.*

NA

*G51. Avoid negative light impacts on neighbours.*

Neighbours will not be impacted from the proposed lighting.

### *Signage*

*G52. Signage should complement overall form and character as an extension of associated building and landscape designs.*

Building addressing sign will be at the start of the pedestrian way.

*G53. All signage shall comply to the City of Penticton’s Sign Bylaw, (which regulates the number, size, type, form, appearance and location of signs).*

NA. No signage on the proposed duplex other than the municipal street (and unit) addressing.

### *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. Mechanical/Utility cabinets and transformer pads (units) shall be located at the rear of the property, behind the building.*

AC condensing units are located at the rear of the units. North side yard of the building.

*G55. 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.*

NA

*G56. Units shall not obstruct private views onto public space that might otherwise provide safety through passive surveillance.*

NA

*G57. Units shall not be installed in in riparian setbacks (SPEA) and Environmental Protection areas.*

NA

#### *Waste Management*

*Notwithstanding the screening regulations in the Zoning Bylaw, management of garbage and recycling must be integrated in the overall design to mitigate impacts to form and character.*

*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,*

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

Garbage carts for the front four units will be screened with tall grasses.

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

Garbage and recycling carts for all units are provided with specific locations.

#### *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.*

*G61. Fencing located along a street edge should be low and/or not create a solid barrier (i.e. it should be visually transparent).*

*G62. Fencing along the street edge should be supplemented with low profile landscape plantings.*

NA. No fencing proposed in the front yard.

*G63. All plans should show intended fencing.*

Proposed fencing is shown on the landscaping plan and the site plan.

### 5.3 Use-Specific Guidelines

#### 5.3.1.7 Intensive Residential Guidelines

##### *IR1. Building siting*

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

The proposed 7.23m front yard set back is approximately 2.0m further back than the two adjacent properties. 781 Ontario Street front yard set back is approximately 5.30m and 801 Ontario Street front yard setback is approximately 4.90m. The proposed 7.23m set back is necessary to provide the required off-street parking stalls on Ontario Street.

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

The intent of the project is to provide affordable housing.

##### *IR7. Limiting Overlook*

- *Upper floor balconies must overlook the lane (or street if on a corner lot). Ground floor outdoor spaces may open onto the site's shared yard space.*

N/A. No upper floor balconies.

- *Limit upper level sideyard and garden facing windows and/or design them to increase privacy and reduce overlook on neighbouring properties, particularly homes where windows into private uses such as bedrooms may exist. If the distance to a neighbouring dwelling is less than 1.5m, transparent windows are not permitted.*

There are limited side yard facing window on the neighbouring properties. The proposed side yard setbacks exceed 1.50.



## Development Permit

Permit Number: DP PL2024-9761

Owner Name  
Owner Address

### Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
  - Legal: Lot 1 District lot 249 Similkameen Division Yale District Plan 4847
  - Civic: 795 Ontario Street
  - PID: 006-551-548
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of two 4-unit townhouses (8 dwelling units in total) 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.

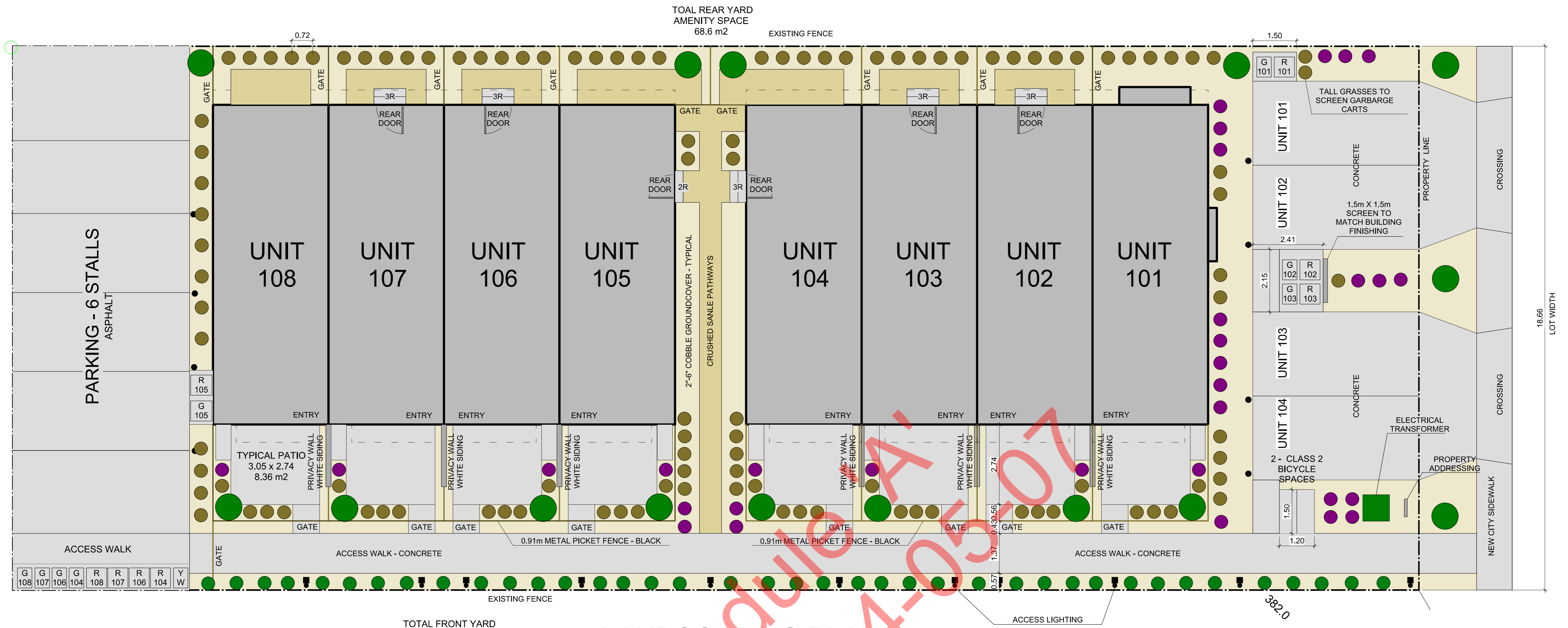
Authorized by City Council, the 7th day of May, 2024.

Issued this \_\_\_\_ day of May, 2024.

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Angela Collison  
Corporate Officer

LANE



ALL PLANTS AND TREES TO BE SERVICES WITH UNDERGROUND AUTOMATIC IRRIGATION INCLUDING THE BOULEVARD AREA

TOTAL FRONT YARD AMENITY SPACE 104.7 m<sup>2</sup>

TOTAL PROJECT AMENITY SPACE 165.4 m<sup>2</sup>

20.7m<sup>2</sup> PER UNIT

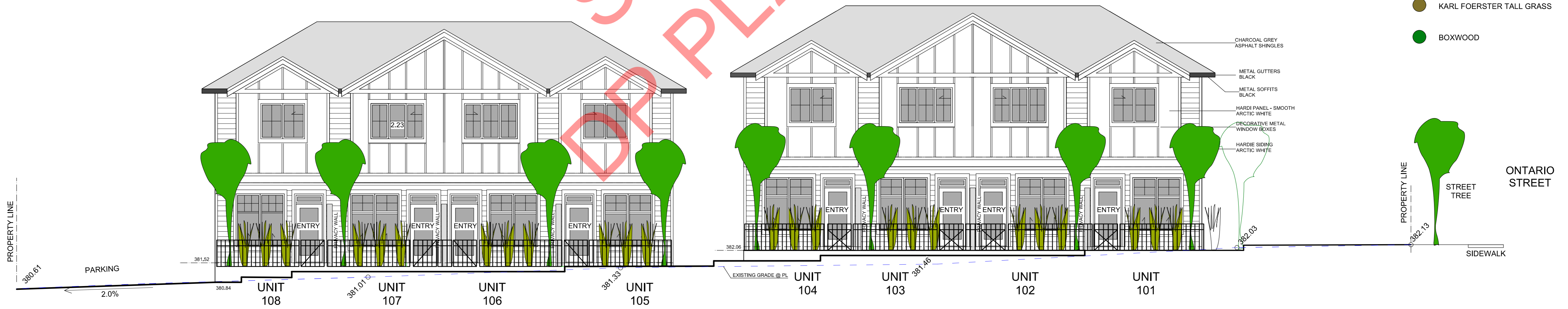
### LANDSCAPING PLAN

SCALE: 1:75

#### LANDSCAPING LEGEND

- CoP APPROVED TREE 12 TREES PROPOSED
- WALKERS LOW CATMINT
- KARL FOERSTER TALL GRASS
- BOXWOOD

LANE



BUILDING 2 (WEST)

SOUTH ELEVATION

BUILDING 1 (EAST)

PROPOSED TOWNHOUSE DEVELOPMENT AT 795 ONTARIO STREET

## CREEKSIDE LANE

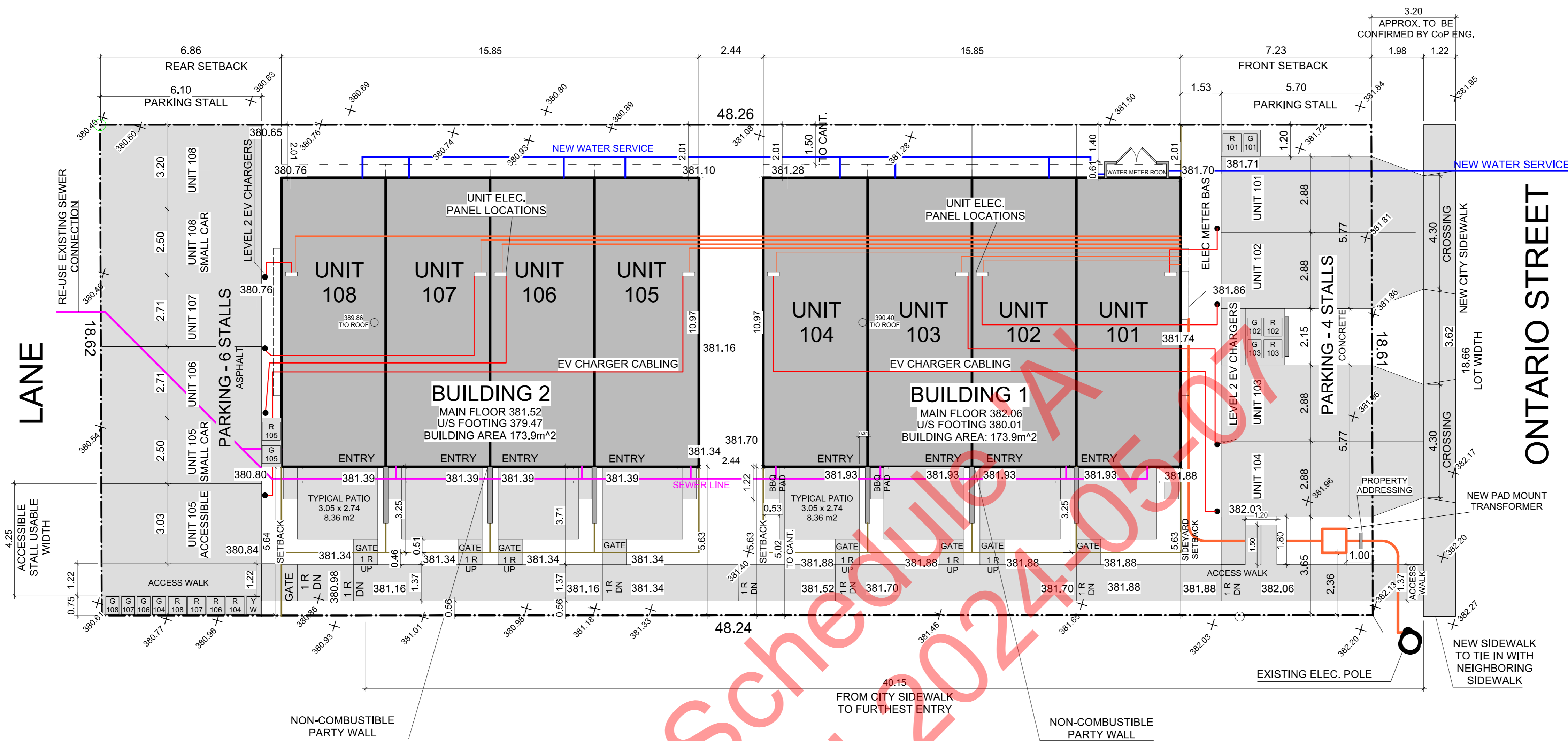


DESIGN & DRAWINGS BY BURGART PROJECTS INC.

SUITE 389 113 - 437 MARTIN STREET PENTICTON, BC V2A 5L1

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**SITE PLAN**  
SCALE: 1:100

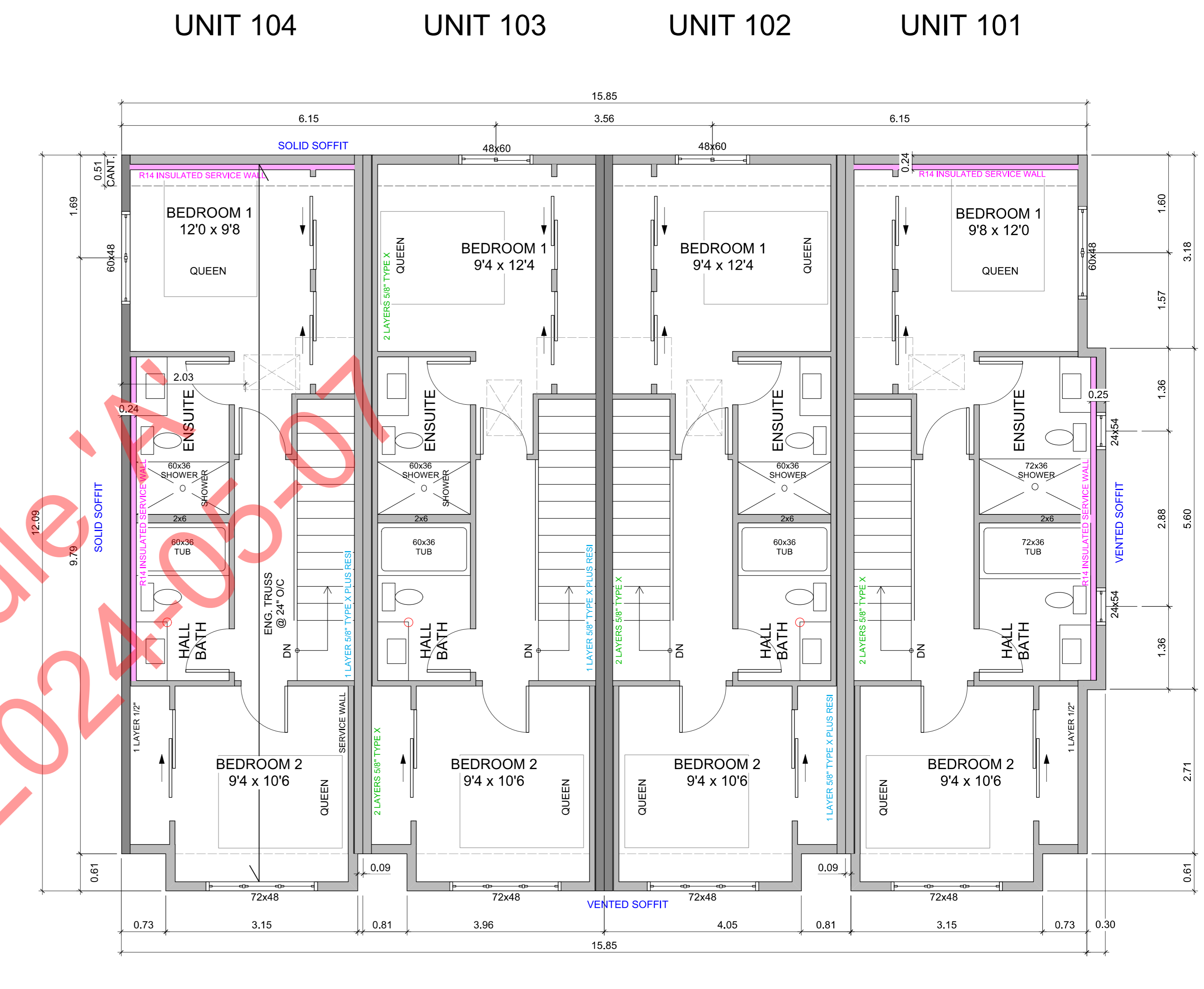
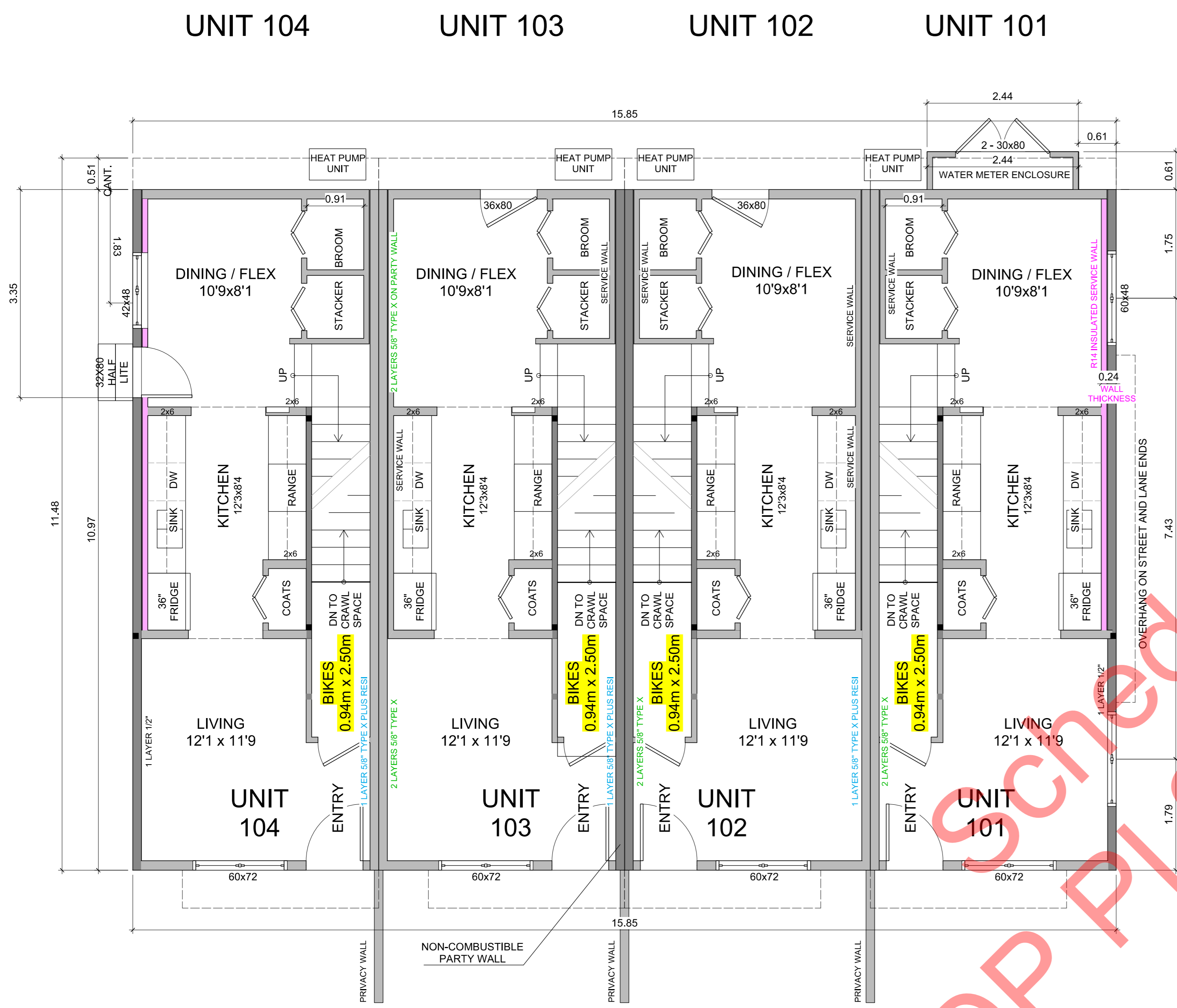
**795 ONTARIO STREET**  
**PROPOSED 8 UNIT TOWNHOUSE DEVELOPMENT**  
**CREEKSIDE LANE**

Ontario Street - CREEKSIDE LANE Townhouse Project			
<b>ZONING CALCULATIONS</b>			
As per Mandeville topo survey	898.30	lot area	
	<b>ALLOWED</b>	<b>PROPOSED</b>	
Maximum Lot Coverage	40%	38.7%	
Maximum Density	0.8	0.8	
Maximum Height	12.0m	9.1m	
Minimum front yard	3.0m	7.2m	
Minimum interior yard (north)	1.5m	1.5m	
Minimum interior yard (south)	1.5	5.6m	
Minimum rear yard	6.0	6.9	
Amenity space (min. req'd)	20.0m <sup>2</sup>	20.77m <sup>2</sup>	
Parking min. for 8 units	8	10	

	EV CHARGING CABLING - APPROX. LENGTH IN METERS		
	Horizontal	vertical	
Unit 101	3	5	8
Unit 102	11	5	16
Unit 103	17	5	22
Unit 104	27	5	32
Unit 105	25	5	30
Unit 106	15	5	20
Unit 107	12	5	17
Unit 108	2	5	7
	<b>152</b>		



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MAIN FLOOR AREA: 173.9 m<sup>2</sup>

UPPER FLOOR AREA: 191.5 m<sup>2</sup>

MAIN FLOOR PLAN

UPPER FLOOR PLAN

BUILDING 1 (EAST)

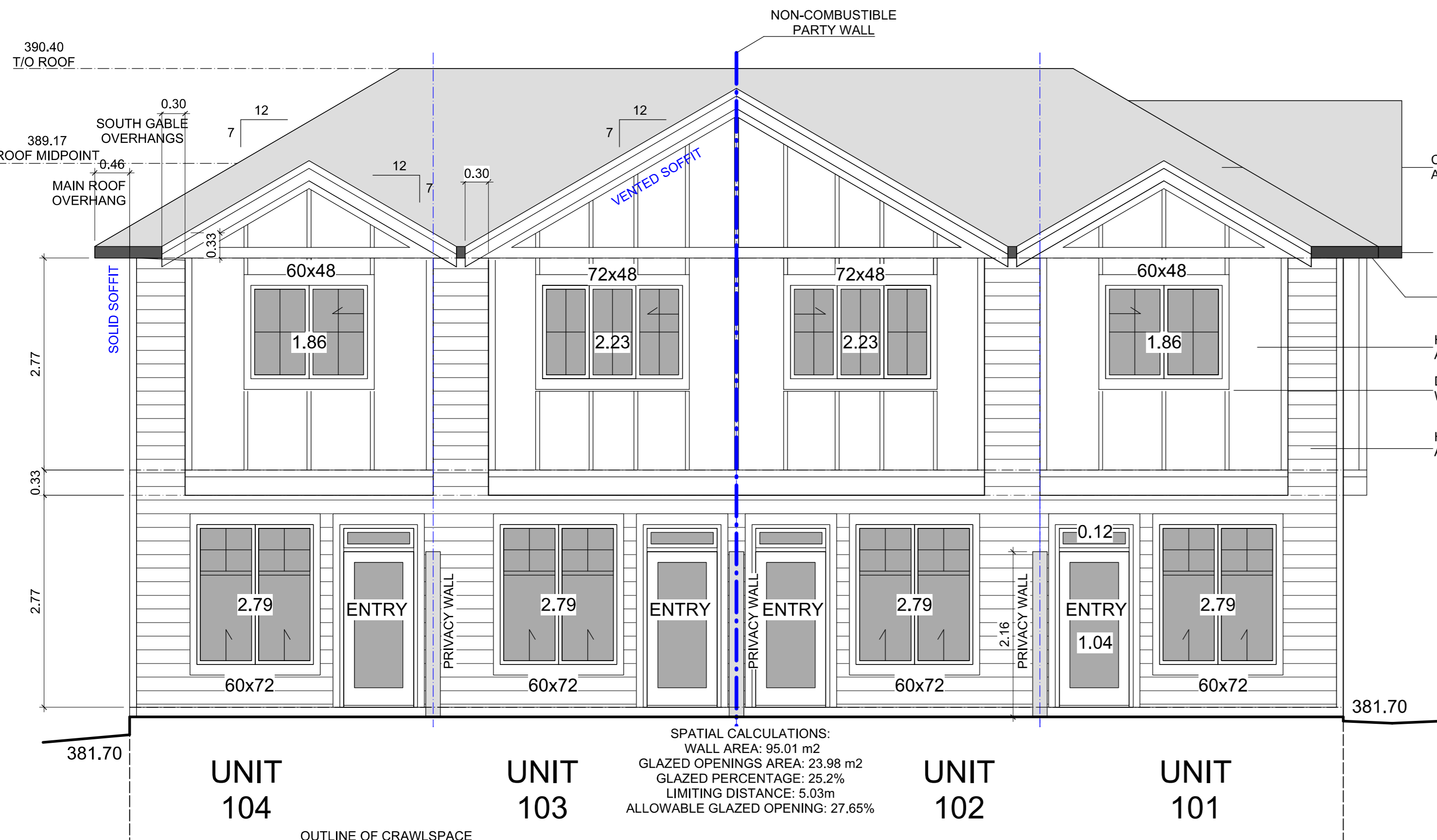
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PROPOSED TOWNHOUSE DEVELOPMENT AT  
795 ONTARIO STREET

CREEKSIDE LANE

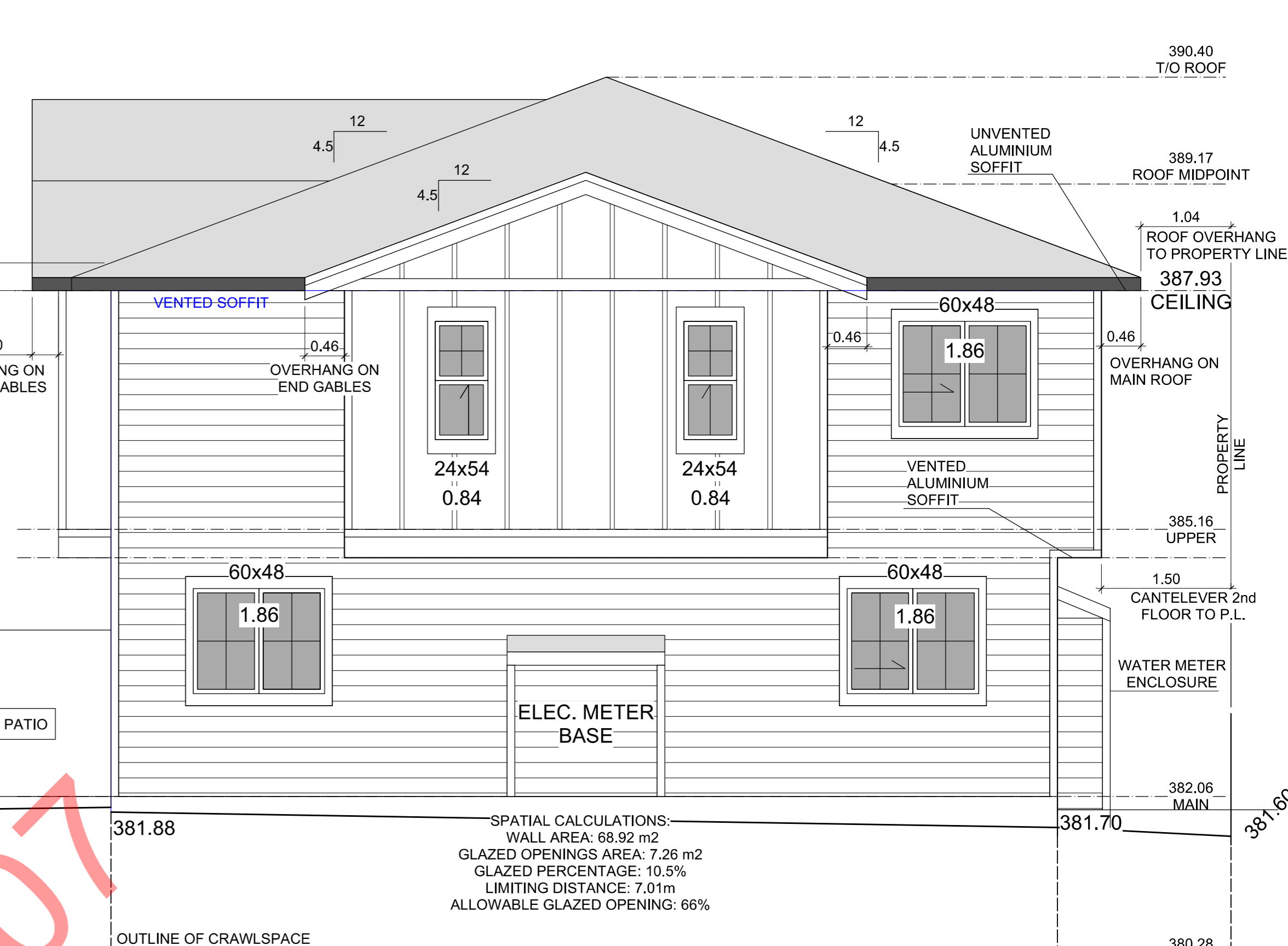


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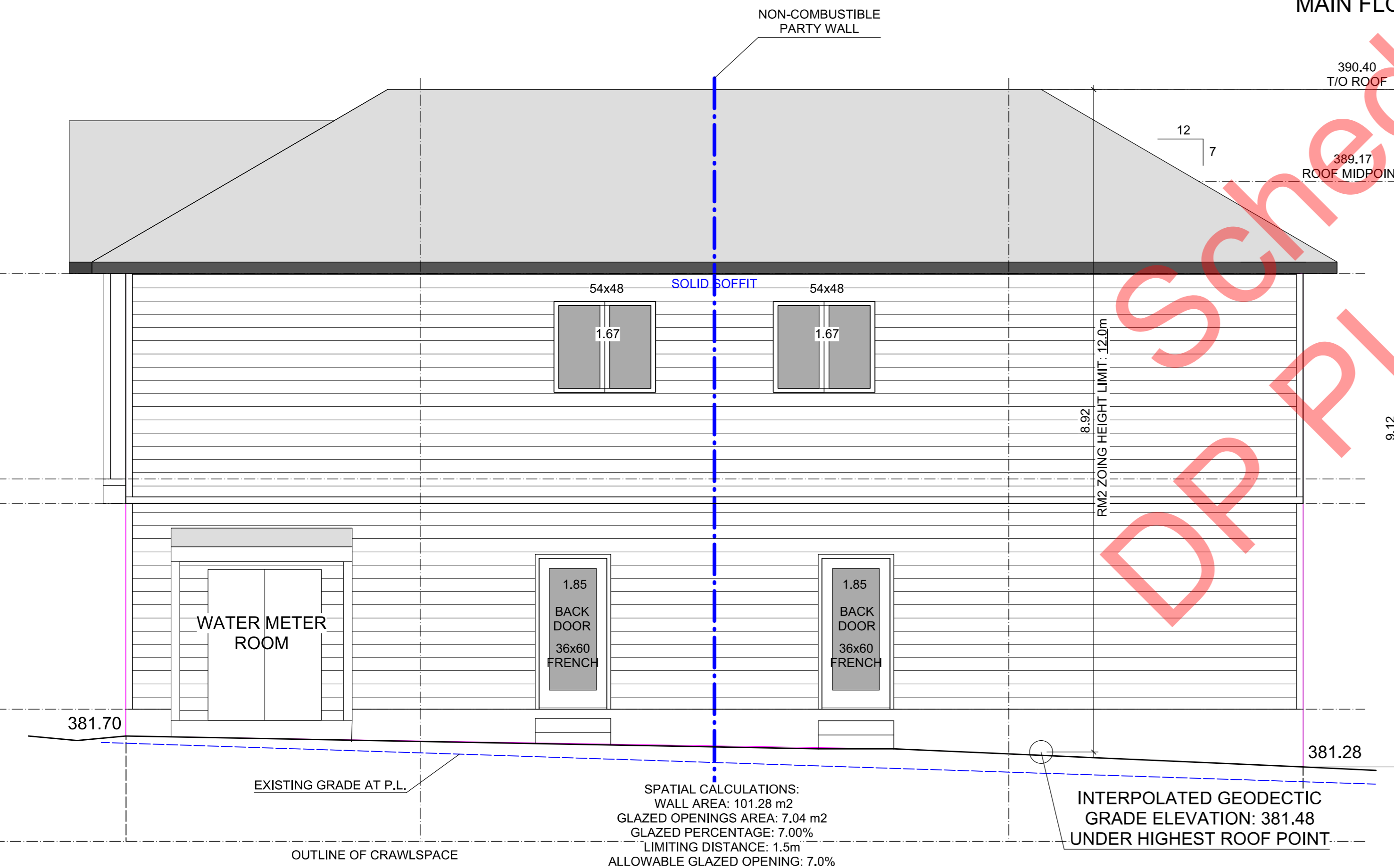
**SOUTH ELEVATION**

**BUILDING 1 (EAST)**  
 SCALE: 1:50

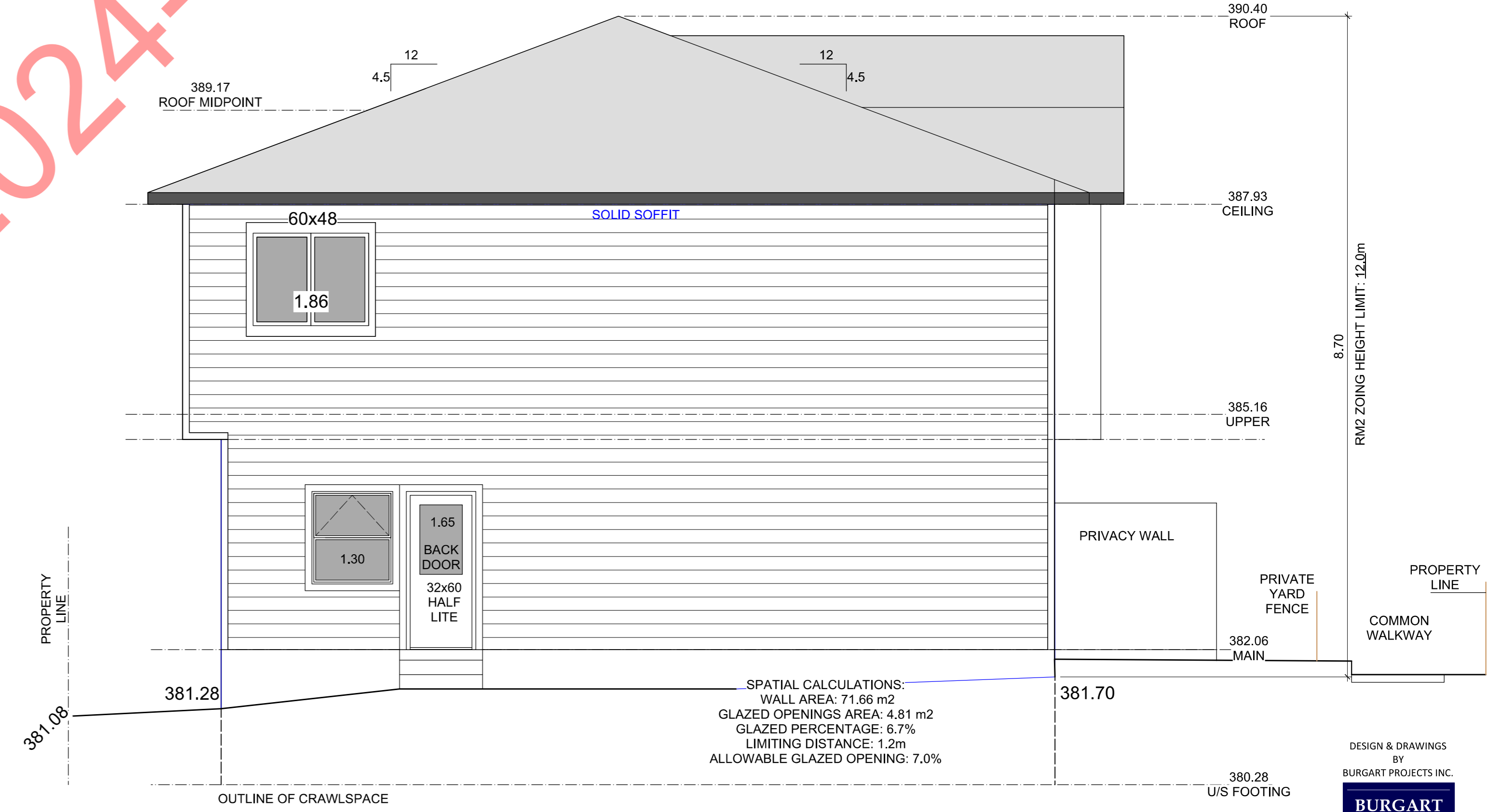


**EAST ELEVATION**  
 (FACING ONTARIO STREET)

MAIN FLOOR GEODECTIC ELEVATION = TOP OF FOUNDATION WALL



**NORTH ELEVATION**



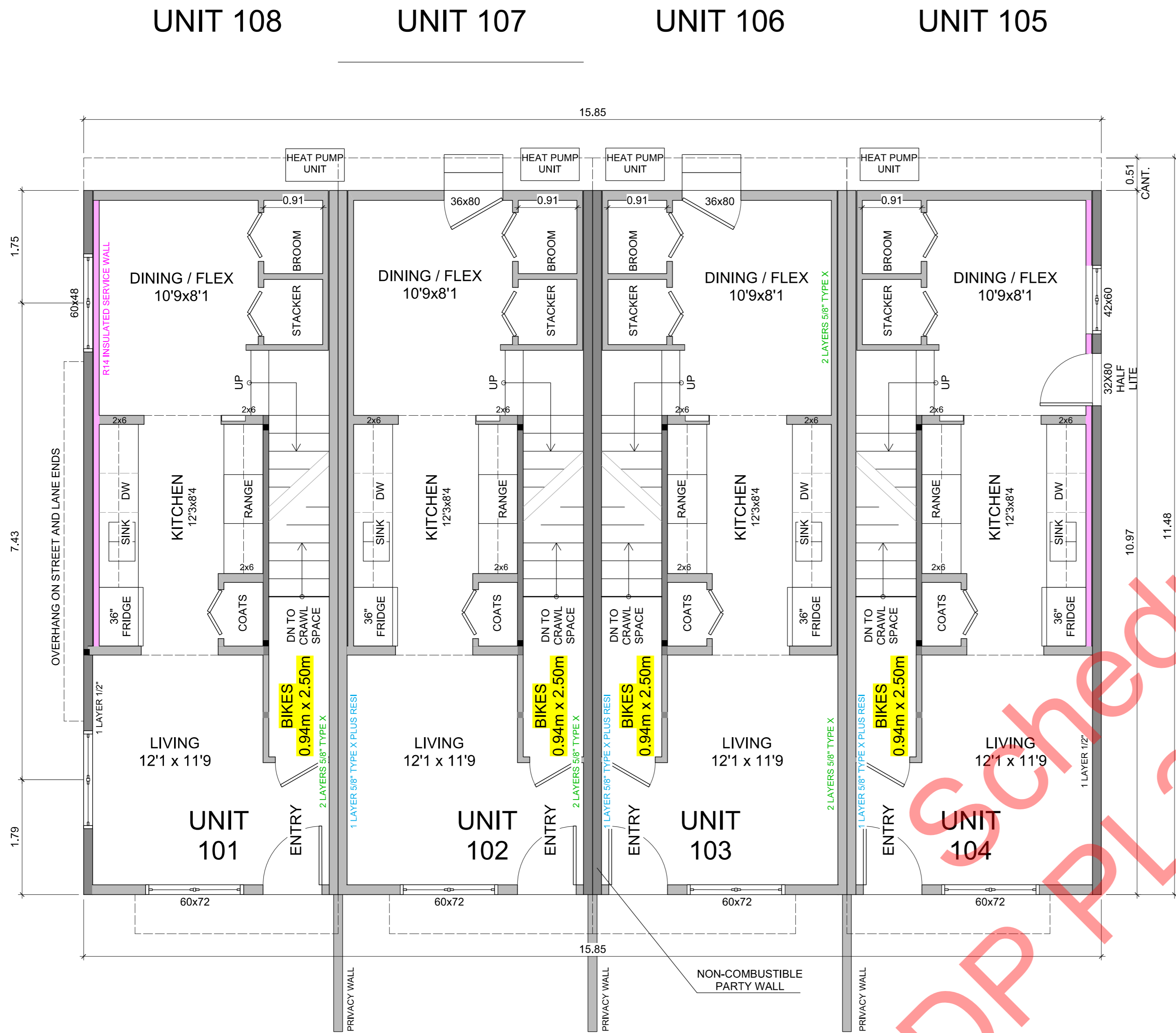
**WEST ELEVATION**

**BUILDING 1 (EAST)**  
 SCALE: 1:50

PROPOSED TOWNHOUSE DEVELOPMENT AT  
 795 ONTARIO STREET

**CREEKSIDE LANE**





MAIN FLOOR AREA: 173.9 m<sup>2</sup>

MAIN FLOOR PLAN



UPPER FLOOR AREA: 191.5 m<sup>2</sup>

UPPER FLOOR PLAN

**BUILDING 2 (WEST)**  
SCALE: 1:50

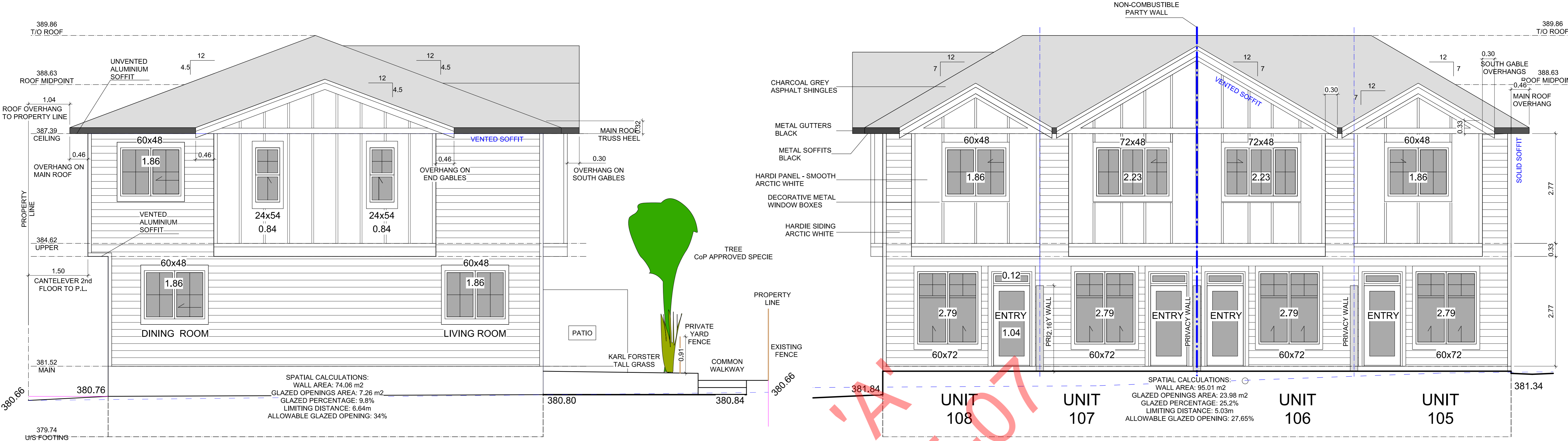
PROPOSED TOWNHOUSE DEVELOPMENT AT  
795 ONTARIO STREET

**CREEKSIDE LANE**



DESIGN & DRAWINGS  
BY  
**BURGART PROJECTS INC.**  
**BURGART PROJECTS**  
PROJECT MANAGEMENT  
CONSULTING / DESIGN  
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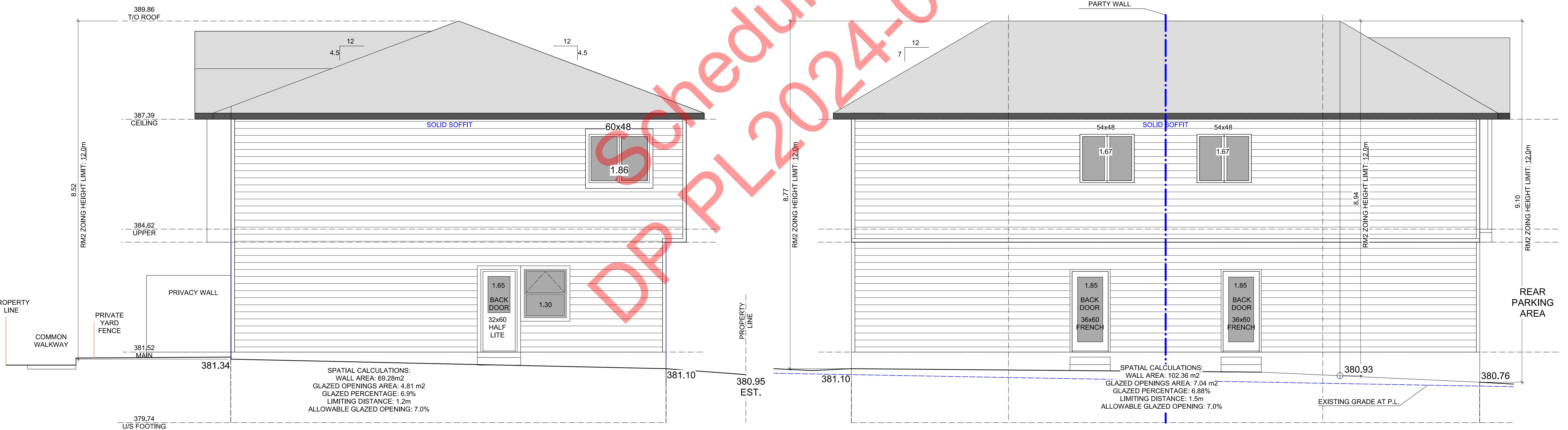


**WEST ELEVATION**  
(FACING THE REAR LANE)

**BUILDING 2 (WEST)**  
SCALE: 1:50

**SOUTH ELEVATION**

MAIN FLOOR GEODECTIC ELEVATION = TOP OF FOUNDATION WALL



**EAST ELEVATION**

**BUILDING 2 (WEST)**  
SCALE: 1:50

**NORTH ELEVATION**



PROPOSED TOWNHOUSE DEVELOPMENT AT  
795 ONTARIO STREET

**CREEKSIDE LANE**

DESIGN & DRAWINGS BY  
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UNIT 108

UNIT 107

UNIT 106

UNIT 105

UNIT 104

UNIT 103

UNIT 102

UNIT 101



BUILDING 2 (WEST)

BUILDING 1 (EAST)

### FOUNDATION PLAN

SCALE: 1:50

PROPOSED TOWNHOUSE DEVELOPMENT AT  
795 ONTARIO STREET

## CREEKSIDE LANE



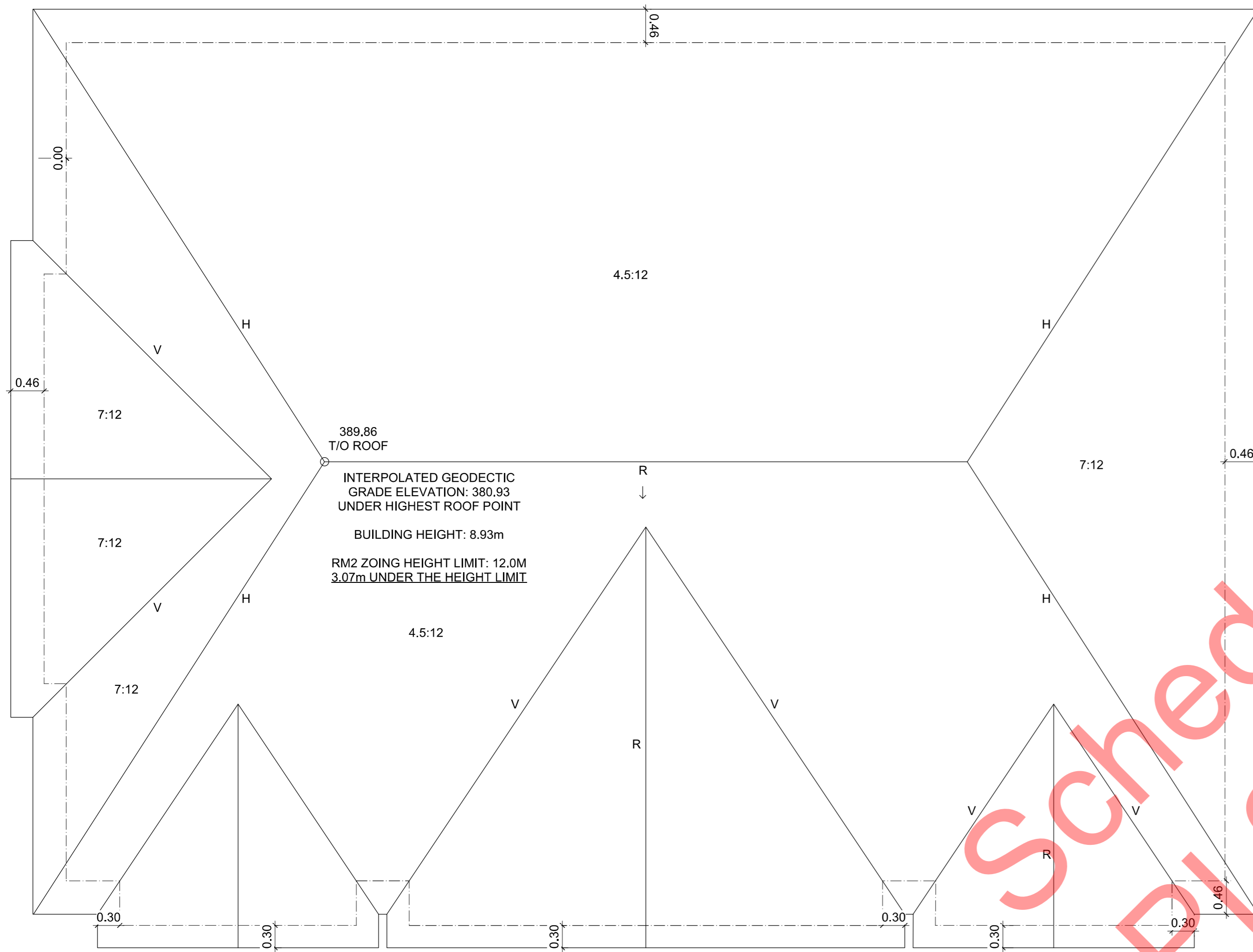
DESIGN & DRAWINGS  
BY  
BURGART PROJECTS INC.



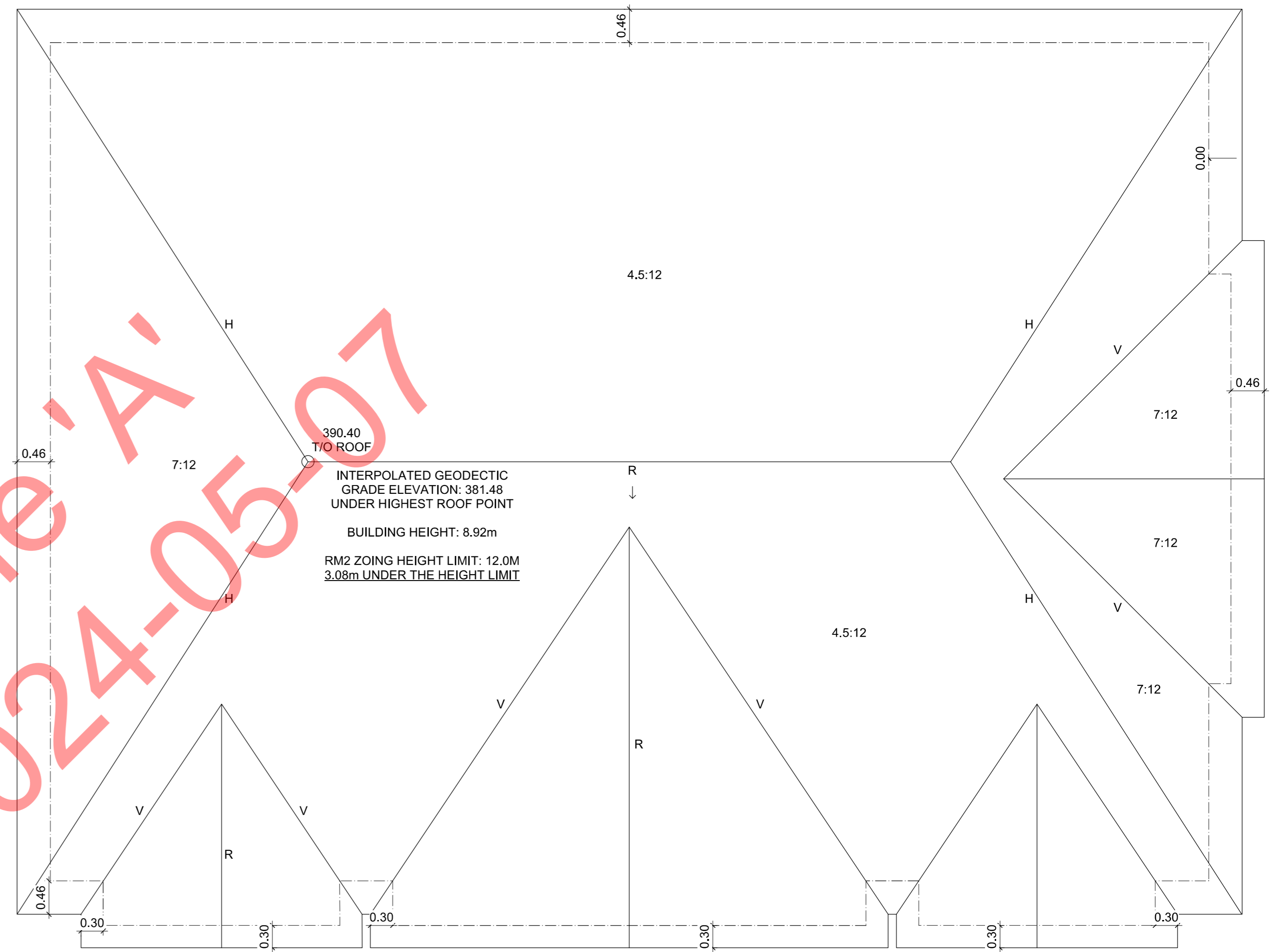
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BUILDING 2 (WEST)



BUILDING 1 (EAST)

ROOF PLAN

PROPOSED TOWNHOUSE DEVELOPMENT AT  
795 ONTARIO STREET  
CREEKSIDE LANE



**TYPICAL EXTERIOR WALL ASSEMBLY**  
 EXTERIOR FINISH  
 AIR BARRIER MEMBRANE (TYVEK) - JOINTS TAPED  
 7/16" OSB SHEATHING  
 2X6 WALL STUDS @ 16" O/C  
 R22 FIBREGLASS BATT INSULATION  
 6 MIL POL VABOUR BARRIER - ON INSIDE OF 2X6 WALL  
 1/2" GWB

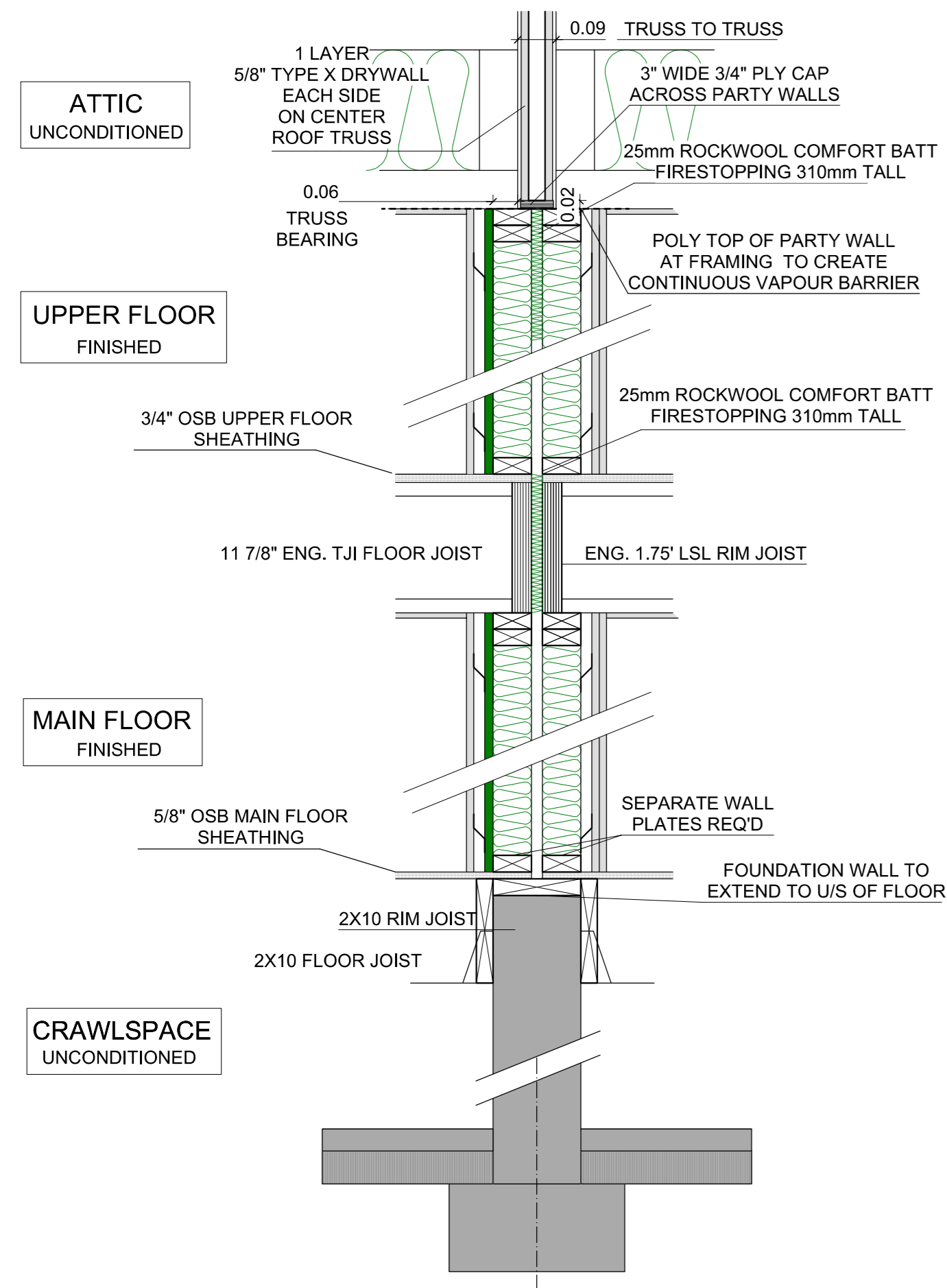
**TYPICAL FOUNDATION WALL ASSEMBLY**  
 DAMP PROOFING  
 8" CONCRETE WALL WITH REBAR  
 - 18" OC HOR  
 - 48" OC VERT  
 INSULATION PER ENERGY REPORT

**TYPICAL ROOF ASSEMBLY**  
 ROOF MEMBRANE  
 5/8" T&G PLYWOOD (NOT OSB)  
 - GLUED AND SCREWED  
 ENG. TRUSSES  
 R40 BATT INSULATION PER ENG. REPORT  
 6 MIL POLY VAPOUR BARRIER  
 1/2" GWB

**TYPICAL UPPER FLOOR ASSEMBLY**  
 3/4" OSB T&G FLOOR SHEATHING  
 11 7/8" ENG TJI FLOOR JOISTS @ 24" O/C  
 1/2" DRYWALL FINISHED CEILING

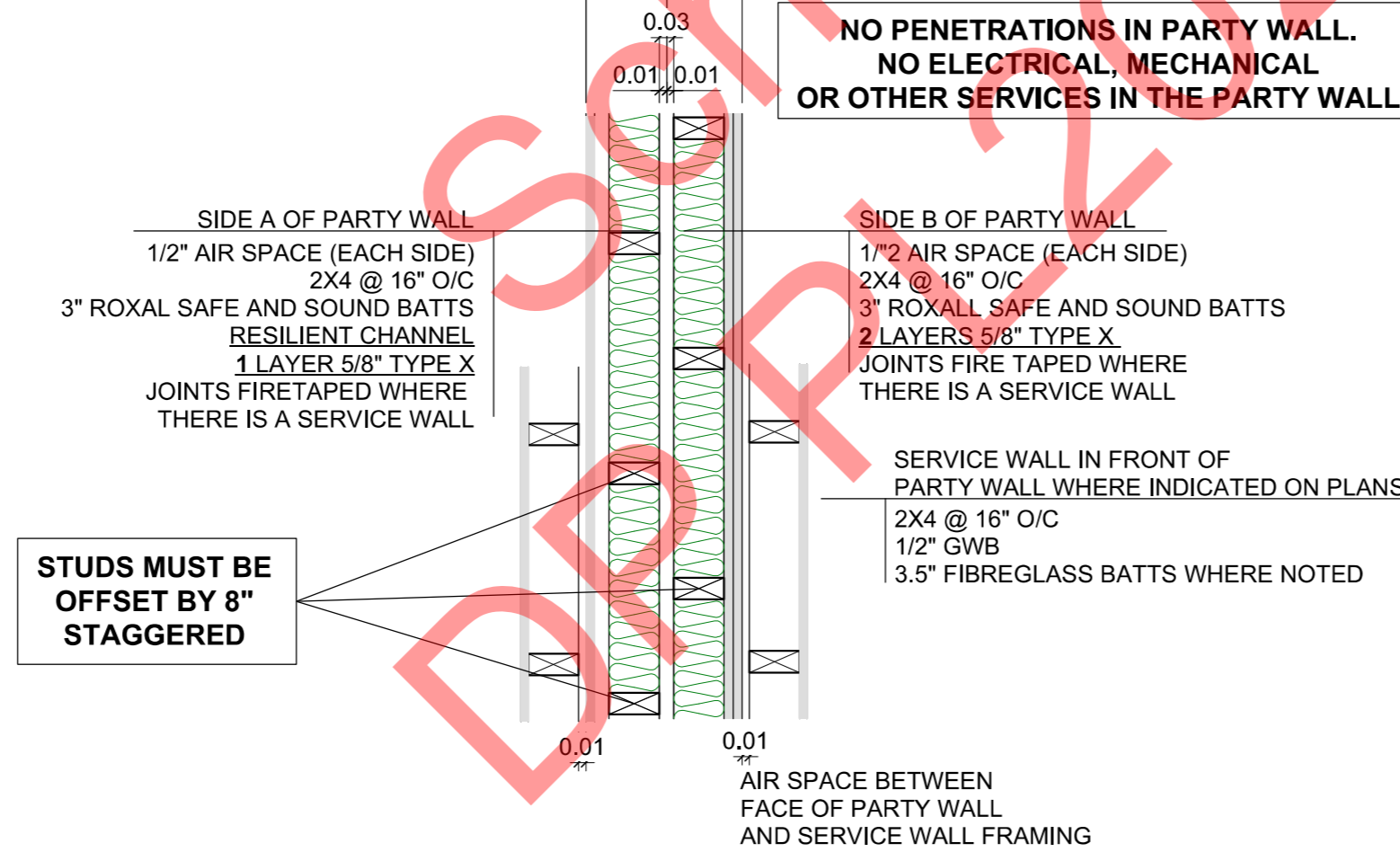
**TYPICAL MAIN FLOOR ASSEMBLY**  
 5/8" OSB T&G FLOOR SHEATHING  
 2X10 SPF FLOOR JOISTS @ 16" O/C  
 1/2" DRYWALL FINISHED CEILING

**TYPICAL CRAWLSPACE FLOOR ASSEMBLY**  
 3" CONCRETE SLAB W/ MESH  
 6 MIL POLY RADON BARRIER  
 - TAPED AT SEAMS, CAULKED AT EDGES  
 UNDER SLAB INSULATION - NONE - PER ENERGY REPORT  
 8" OF RADON ROCK  
 EXCAVATION PREP AS PER P.ENG. GEOTECH

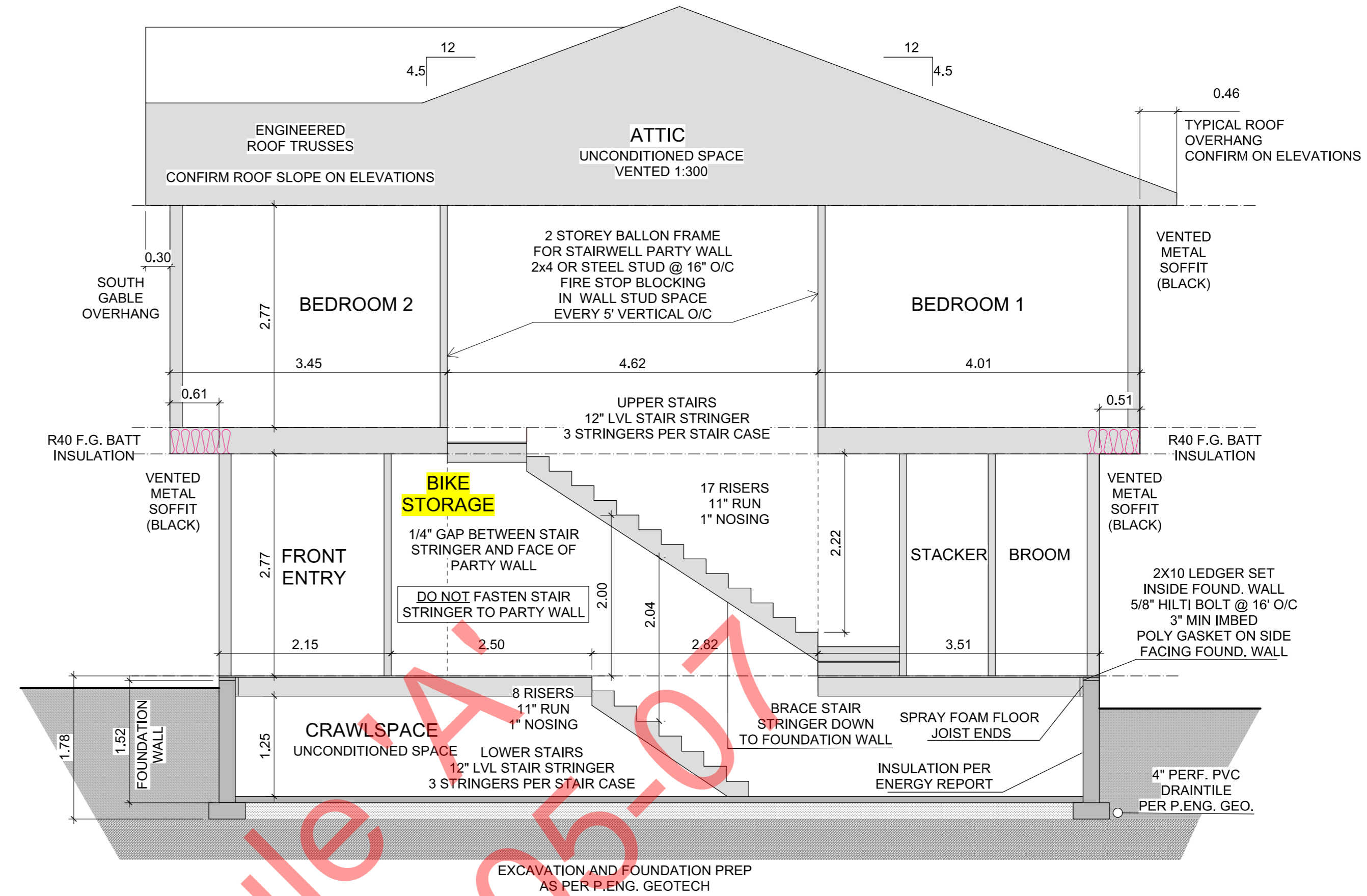


PARTY WALL SECTION DETAIL  
 1" = 1'-0"

NO PENETRATIONS IN PARTY WALL.  
 NO ELECTRICAL, MECHANICAL  
 OR OTHER SERVICES IN THE PARTY WALL



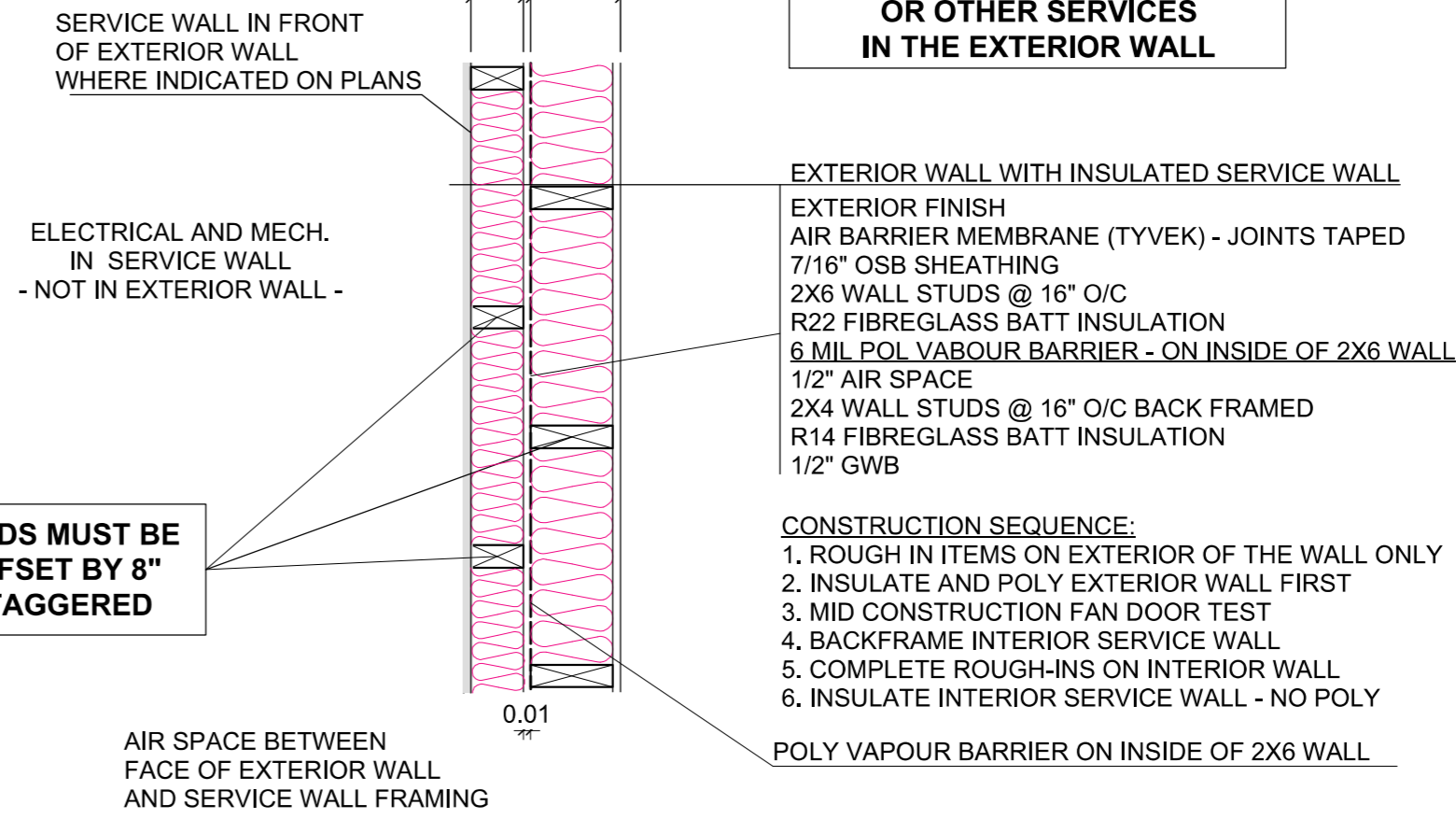
PARTY WALL PLAN DETAIL  
 1" = 1'-0"



**BUILDING SECTION**

EXCAVATION AND FOUNDATION PREP  
 AS PER P.ENG. GEOTECH

NO ELECTRICAL, MECHANICAL  
 OR OTHER SERVICES  
 IN THE EXTERIOR WALL



EXTERIOR WALL W/ SERVICE WALL - NOT TYPICAL  
 - SEE FLOOR PLANS FOR LOCATIONS  
 1" = 1'-0"

**PROJECT:**  
 795 ONTARIO STREET  
 CREEKSIDE LANE  
 TOWNHOUSE PROJECT

**DATE:**  
 FEB 1 2024  
 - DP & REZONING APPLICATION  
 APRIL 8 2024  
 - REVISED DP APPLICATION  
 APRIL 12 2024  
 - REVISED DP APPLICATION



## Development Variance Permit

Permit Number: DVP PL2024-9760

Owner Name  
Owner Address

### Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
  - Legal: Lot 1 District Lot 249 Similkameen Division Yale District Plan 4847
  - Civic: 795 Ontario Street
  - PID: 006-551-548
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2023-08 to allow for the construction of a reduced width for the required accessible vehicle parking stall, as shown in the plans attached in Schedule 'A':
  - a. Table 6.2 – 'Standard Car Parking Dimensions' reduce the required accessible stall width from 3.7m to 3.0m

### General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

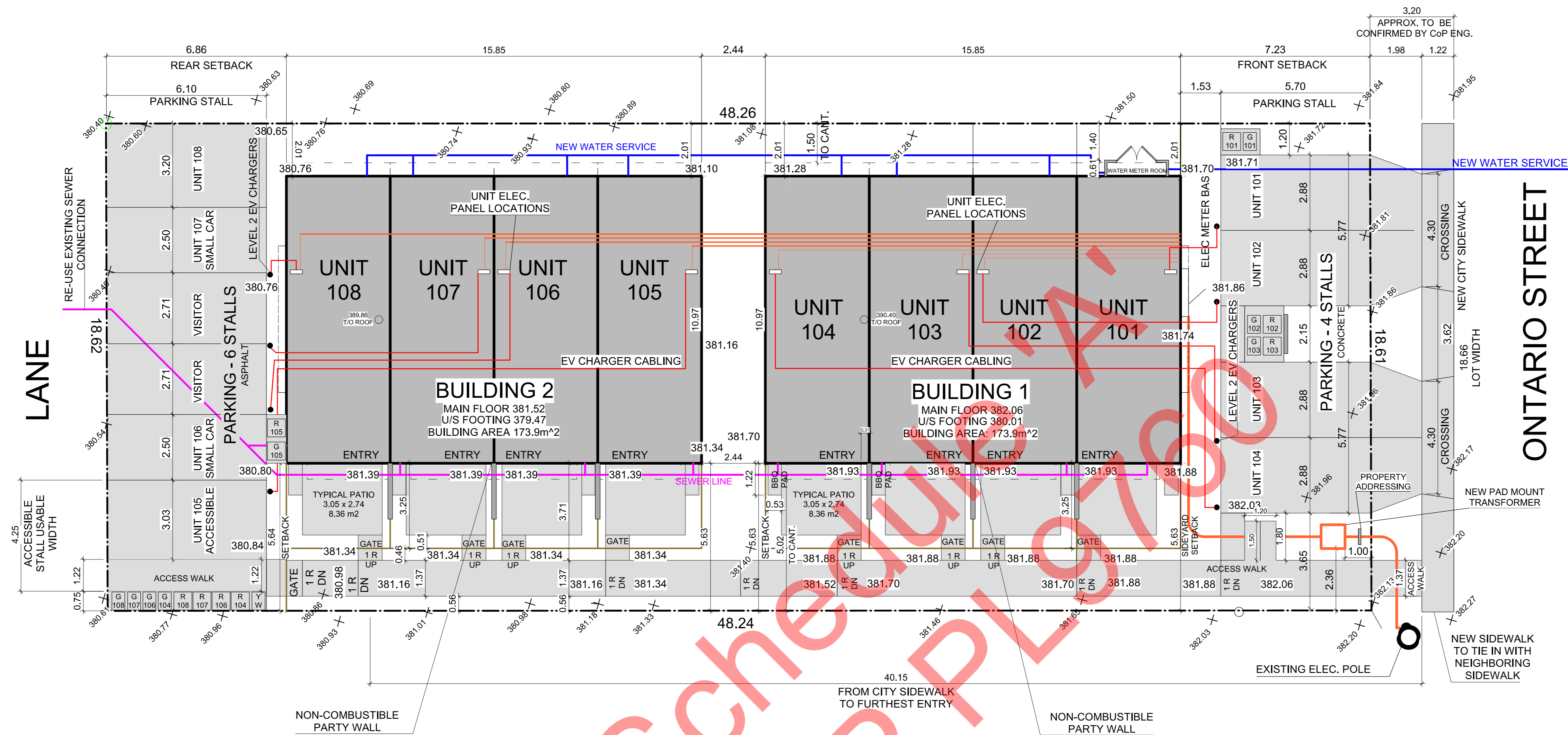
Authorized by City Council, the 7th day of May, 2024.

Issued this \_\_\_\_ day of May, 2024.

---

Angela Collison  
Corporate Officer

DRAFT



Ontario Street - CREEKSIDE LANE Townhouse Project

ZONING CALCULATIONS		
As per Mandeville topo survey		
	898.30 lot area	
Maximum Lot Coverage	ALLOWED 40%	PROPOSED 38.7%
Maximum Density	0.8	0.8
Maximum Height	12.0m	9.1m
Minimum front yard	3.0m	7.2m
Minimum interior yard (north)	1.5m	1.5m
Minimum interior yard (south)	1.5	5.6m
Minimum rear yard	6.0	6.9
Amenity space (min. req'd)	20.0m*2	20.77m*2
Parking min. for 8 units	8	10

EV CHARGING CABLING - APPROX. LENGTH IN METERS

Unit	Horizontal		vertical
	3	5	
Unit 101	3	5	8
Unit 102	11	5	16
Unit 103	17	5	22
Unit 104	27	5	32
Unit 105	25	5	30
Unit 106	15	5	20
Unit 107	12	5	17
Unit 108	2	5	7
			152

**SITE PLAN**  
SCALE: 1:100

795 ONTARIO STREET  
PROPOSED 8 UNIT TOWNHOUSE DEVELOPMENT  
CREEKSIDE LANE



DESIGN & DRAWINGS  
BY  
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The Corporation of the City of Penticton

Bylaw No. 2024-20

*A Bylaw to Amend Zoning Bylaw 2023-08*

---

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw No. 2023-08;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2024-20".

2. **Amendment:**

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

Rezone Lot 1 District Lot 249 Similkameen Division Yale District Plan 4847, located at 795 Ontario Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) as shown on Schedule 'A'.

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

READ A FIRST time this    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 26<sup>th</sup> day of April, 2024 and the 3<sup>rd</sup> day of May, 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. 2024-20**

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_