



Council Report

penticton.ca

Date: December 17, 2024
To: Anthony Haddad, City Manager
From: Gabe Tamminga, Planner I
Address: 1112 Syer Road
Subject: Zoning Amendment Bylaw No. 2024-44

File No: RMS/1112 Syer Rd

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2024-44", for Lot B District Lot 2710 Similkameen Division Yale District Plan EPP109914, located at 1112 Syer Road, a bylaw to add the following site specific provision to the R4-S: Small-Scale Multi-Unit Residential – Small Lot Zone:

Section 10.2.5.1 **A bed and breakfast home** shall be permitted on the following **lots**:

- g. Lot B District Lot 2710 Similkameen Division Yale District Plan EPP109914, located at 1112 Syer Road.

AND THAT Council forward "Zoning Amendment Bylaw No. 2024-44" to the January 14, 2025 Public Hearing.

Proposal

The applicant is proposing to operate a bed and breakfast within their single-family dwelling. In order to proceed, the applicant is requesting a site-specific zoning amendment to allow "bed and breakfast home" as a permitted use on the property. This bed and breakfast will have three guest rooms in addition to the owner's room (Figure 1).

Strategic priority objective

Vibrant & Connected: Support vibrant and diverse activities creating opportunities for connection in community.

Background

The subject property is located within the Sendero Canyon neighbourhood, along the eastern hillside of Penticton. This residential subdivision began development in the late 2000's and has continued to grow with housing types such as single-family houses and townhouses (Figure 1). The house on the property, which the bed and breakfast use will occur was recently constructed (2023).

The property is currently zoned R4-S (Small-Scale Multi-Unit Residential: Small Lot) (Attachment A), which is a zone in the Zoning Bylaw that allows up to 4 units on smaller, urban residential properties. It is also designated as low-density residential in the Official Community Plan (OCP) (Attachment B), which is a designation that states this land type as: “lower-density residential areas with new housing types compatible with single-detached houses in character and scale but providing more units per lot” and includes uses such as residential, limited retail and services.

The ‘bed and breakfast home’ is defined in the Zoning Bylaw No. 2024-22 as “the use of a residence in which temporary overnight accommodation and breakfast is provided to tourists”. Often, the typical properties where a bed and breakfast home is a permitted use is in the rural zones such as A – Agriculture or RC – Country Residential, along with several of the commercial zones. In the R4-S zone section of the Zoning Bylaw, there are two other properties listed under the Site Specific Provision sections to allow bed and breakfast home as a permitted use.

Public Hearing

A public hearing is required for this site-specific zoning, as the request does not propose any residential uses. The Local Government Act requires the City to mail public notices to nearby residents, public notice signs to be posted on the property, and post a public notice on the City’s website that a Public Hearing is being held.

Technical Review

The application was reviewed by the City of Penticton’s Technical Planning Committee (TPC). Comments were provided to the applicant for future stages of development.

Analysis

Site Specific Zoning Amendment

The Official Community Plan (OCP) designation for the subject property is ‘Low Density Residential’, which supports new housing that is compatible with single-family houses in character and scale but allows more units per lot and limited commercial uses (Figure 2). The ‘Low Density Residential’ designation is intended to have small-scale business operations such as this, in lower-density areas to support the primarily residential neighbourhoods. This provides the ability to provide a different use that is compatible with the area and can be used by nearby residents.

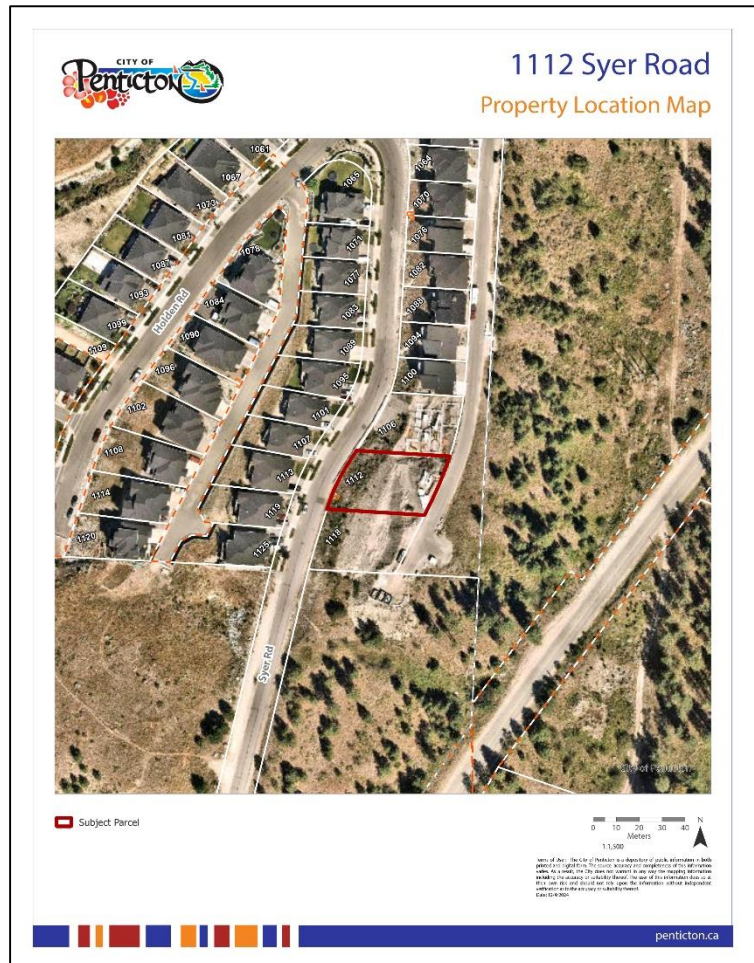


Figure 1 - Property Location Map

<p>Low Density Residential</p> 	<p>Lower-density residential areas with new housing types compatible with single-detached houses in character and scale but providing more units per lot</p>	<ul style="list-style-type: none"> • Single detached houses with or without secondary suites and/or carriage houses • Duplexes with or without suites and/or carriage houses • Cluster housing • Townhouses • Bareland stratas • Small-scale neighbourhood commercial building (e.g., corner store, coffee shop, childcare) 	<ul style="list-style-type: none"> • Residential • Limited retail/service 	<ul style="list-style-type: none"> • 1 to 4 units per lot • Up to 6 units subject to contextual design and adherence to DP guidelines • Additional units may be considered where lot consolidation occurs (e.g. consolidation of two lots could support twice as many units per lot) • Generally up to 3 storeys
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Figure 2 - OCP Land Use Designation

The house is still intended to be used as the primary residence of the owner, and it is proposed to have three sleeping rooms used for guest accommodation. The Letter of Intent (Attachment D) that was submitted by the applicant explains how this change could have a positive impact on the surrounding area by providing shorter-term accommodation for visitors to the neighbourhood. With the new legislation regarding short-term rentals from the BC Provincial Government in 2023, this property would only be permitted to have one guest suite to rent on a short-term basis. By providing a Bed and Breakfast operation, the owner must still follow and comply with the regulations set out in the Zoning Bylaw. This includes requirements for vehicle parking which is set at 1 per bedroom up to a maximum of 3 plus 1 for the required corresponding dwelling unit (4 total spaces). The applicant has shown that there is space on the property for 5 vehicle parking stalls, which is more than what is required by the bylaw (Attachment E).

OCP Policy Support

The following OCP Land Use Goals and Policies support this use on the subject property by providing a business that is compatible with the surrounding area, that also provides alternatives to short-term accommodation in a residential area.

- | | |
|-----------------|---|
| Policy 4.1.2.12 | Monitor vacation rentals to ensure they do not have a negative impact on the long-term rental stock or negative social impacts on existing neighbours and/or neighbourhoods. Refine vacation rental policy and regulations if necessary. |
| 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. |
| Policy 4.2.7.8 | Ensure new residential developments provide an appropriate amount of parking for residents and their guests. |
| Policy 4.3.5.1 | Support and leverage priority industry clusters (tourism and events; wine, beer and spirit production; technology; manufacturing; agriculture), and identify |

new clusters as they emerge, to provide economic benefits including shared knowledge and increased innovation.

This site-specific change would allow flexibility to the owner to operate a bed and breakfast business within the existing house. Given that there is adequate policy through the OCP to support the proposed change, staff are recommending that Council give first reading to "Zoning Amendment Bylaw No. 2024-44", and forward the bylaw to the January 14th, 2025 Public Hearing.

Alternate recommendations

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2024-44".

Attachments

- Attachment A – Zoning Bylaw Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of the Property
- Attachment D – Letter of Intent (applicant)
- Attachment E – Site Plan
- Attachment F – Zoning Amendment Bylaw No.2024-44

Respectfully submitted,

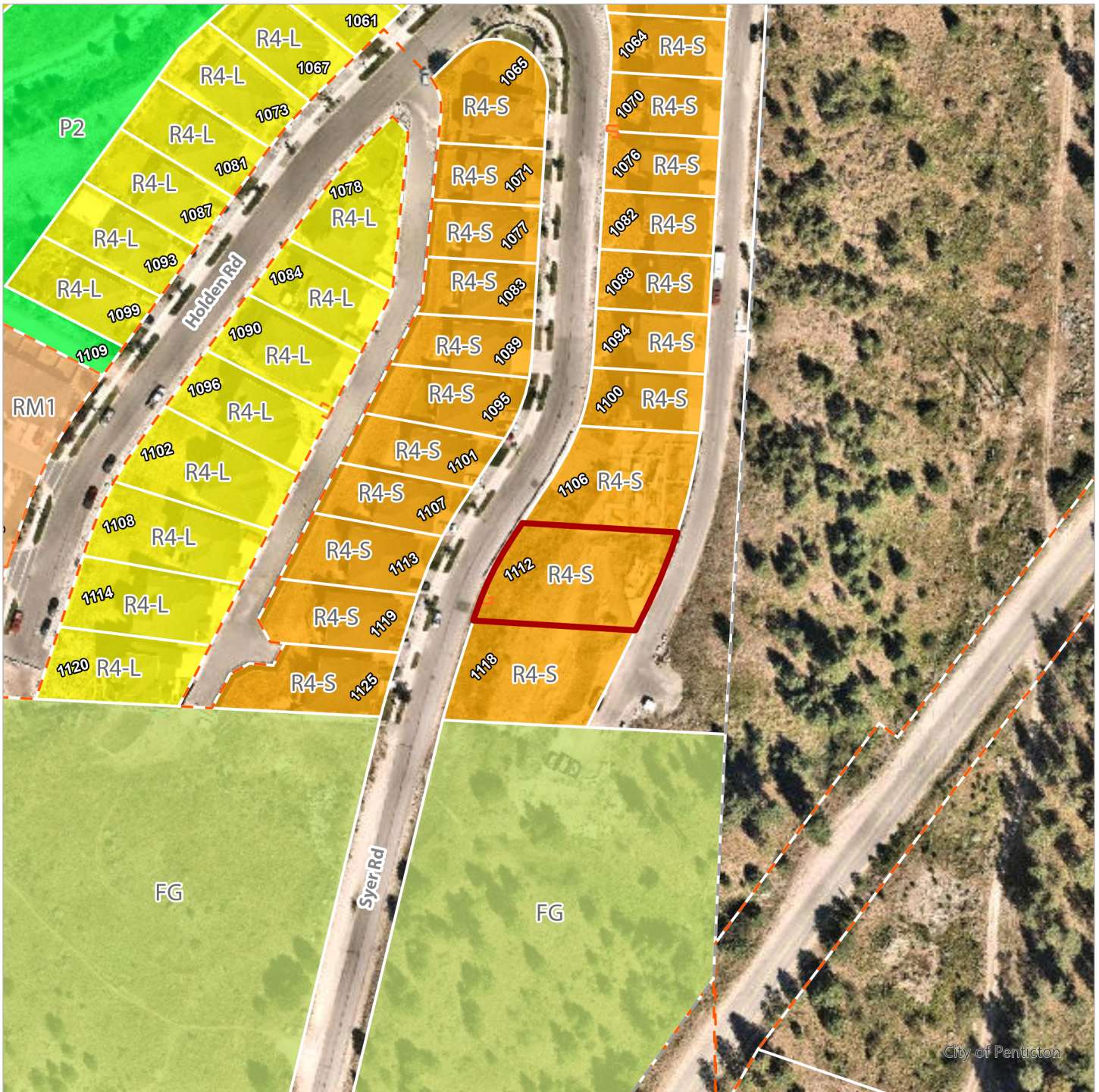
Gabe Tamminga
Planner I

Concurrence

Director of Development Services BL	City Manager AH
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1112 Syer Road

Zoning Bylaw Map



Subject Parcel

Zoning Bylaw No 2024-22

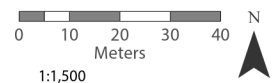
FG - Forestry and Grazing

R4-S - Small-Scale Multi-Unit Residential - Small Lot

R4-L - Small-Scale Multi-Unit Residential - Large

RM1 - Bareland Strata Housing

P2 - Parks and Recreation







Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user of this information does so at their own risk and should not rely upon the information without independent verification as to the accuracy or suitability thereof.
Date: 12/4/2024

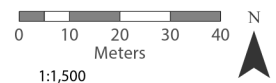


1112 Syer Road

Official Community Plan Map



-  Subject Parcel
- Official Community Plan - Future Land Use
-  High Density Residential
-  Low Density Residential
-  Natural and Conservation Areas



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Date: 12/4/2024

Attachment C – Photos of the Property





[REDACTED]
Penticton, BC V2A 9G4

November 12, 2024

City of Penticton

Attn: Planning Department

Dear Planners,

I am writing to put forward our intent to open a **Bed & Breakfast** out of 1112 Syer Rd.

Tentative details include:

- We intend for this property to be our primary residence (2 persons) with three guest bedrooms.
- Completion Date / possession of the purchased property anticipated March 1, 2024
- Opening Bed & Breakfast for first guests anticipated April or May, 2024

For this project to be a success, we will require a site-specific rezoning to the current R4-S zoning to allow for a Bed & Breakfast.

We anticipate this will have a positive economic impact to the city as our proposed business will bring much needed quality accommodations to the short term rental market, all in accordance with the latest in short term rental regulations in BC and local government.

I believe this change will have minimal negative impacts on the surrounding community. Our property has a three-car garage and another three parking spots directly in front of the garage. With this, there is sufficient parking space for residents and our guests. We do not expect any added burden to nearby street parking.

Regards,

Mike [REDACTED]
[REDACTED]

SENDERO CANYON HOMES LYD,
 1112 Syer Rd, Penticton, BC
 Zone: R-2
 Lot: B
 Plan: EPP109914
 PID: 031-577-776

Attachment E - Site Plan



Sendero Canyon, Lot B, Single Family Dwelling

A03

SITE RECONCILIATION:

PROPERTY ZONE - R-2
 MAXIMUM LOT COVERAGE: 40%
 PROVIDED LOT COVERAGE: 20.1 %

Lot Size: 1125.24sqm (12,112 sqft)
 House : 226.59 sqm (2,439sqft) = 20.1%

BUILDING SIZE:
 BASEMENT:
 LIVING SPACE: 117.02sqm (1,259.6 sqft)
 MECH. ROOM: +6.68sqm (+72 sqft)
 STAIR WELL: +9.1 sqm (+98 sqft)

TOTAL: 132.8 sqm (1,429.6 sqft)

MAIN FLOOR:
 LIVING SPACE: 151.4sqm (1,630.3 sqft)
 STAIR WELL: +9.1 sqm (+83 sqft)

TOTAL: 160.5 sqm (1,728.3 sqft)

COVERED PATIO: 39.1m (420.94 sqft)
 GARAGE: 67.96 sqm (731.6 sqft)
 DECK: 36.1 sqm (389.09 sqft)

PRICIPAL BUILDING:
 MAXIMUM BUILDING HEIGHT: 10.5m
 PROPOSED BUILDING HEIGHT: 8.229m (27'-0")

REQUIRED INTERIOR SIDE YARD SETBACK (NORTH): 1.5m
 EXISTING INTERIOR SIDE YARD SETBACK (NORTH): 5.208m (17'-1 1/16")

REQUIRED REAR YARD SETBACK (EAST): 0.6m (AS PER DVP PL2020-8766)
 PROVIDED REAR YARD SETBACK (EAST): 1.309 (4'-3 9/16")

REQUIRED INTERIOR SIDE YARD SETBACK (SOUTH): 1.5m
 PROVIDED INTERIOR SIDE YARD SETBACK (SOUTH): 2.043m (6'-8 7/16")

REQUIRED FRONT YARD SETBACK (EAST): 6.0m
 PROVIDED FRONT YARD SETBACK (EAST): 12.352m (40'-6 5/16")

GEODETIC ELEVATIONS

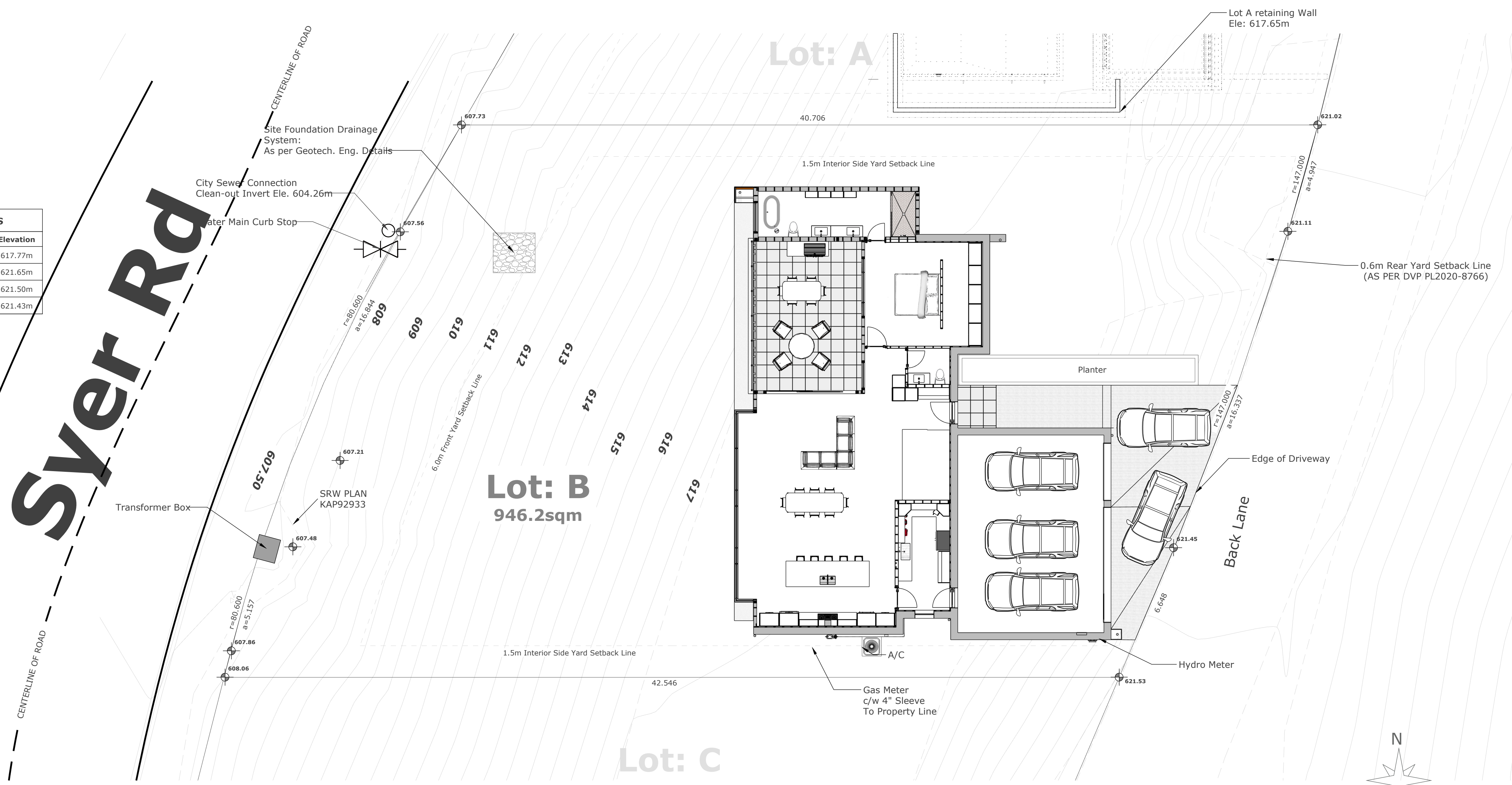
Location	Element	Elevation
Basement	Top of Conc. Slab	617.77m
Main Floor	Top of Sub-Floor	621.65m
Garage	Top of Slab at House	621.50m
Garage	Top of Slab at Overhead Door	621.43m

BCBC 9.36 RECONCILIATION

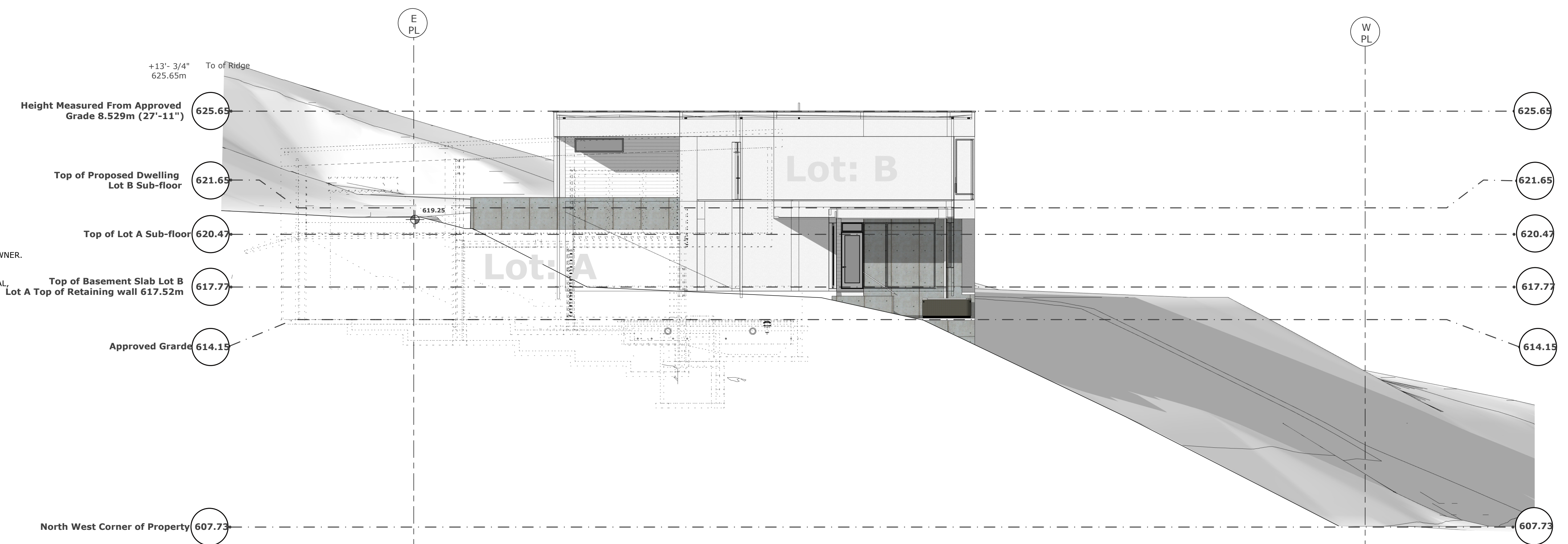
COMPLIANCE PATH:	PERFORMANCE PATH - SEE REPORT AS ATTACHED
PROP. MECHANICAL EQUIPMENT: (SEE DETAIL SHEETS FOR NOTES)	FURNACE - YORK T99Y C/W ENERGY STAR MOTOR FORCED AIR FURNACE - 95 AFUE WITH VSM w/ CONTINUOUS FAN AIR CONDITIONER - AC SEER 13 SERVICE WATER HEATING - TANKLESS HIGH EFFICIENCY CONDENSING GAS
WINDOW SPECIFICATION:	WINDOW U VALUE OF 1.7 SHGC 0.5 (AVERAGE)
VENTILATION: (SEE DETAIL SHEET FOR NOTES)	PRINCIPLE EXHAUST FAN TO BE 2 SPEED FAN FOR CONTINUOUS OPERATION AT LOW SPEED WITH WALL SWITCH IN BATHROOM FOR SECOND SPEED WHEN USED FOR MOISTURE EXTRACTION PRINCIPLE EXHAUST FAN TO HAVE A LABELLED OVERRIDE OFF SWITCH FOR FAN MAINTENANCE
PROPOSED INSULATION: (SEE CROSS SECTION)	ABOVE GRADE WALLS - 2x6 @16" O.C. w/ R-20 BELOW GRADE WALLS - ICF RIM JOISTS & LINTELS - R-20 SPRAY FOAM

- GENERAL NOTES**
- DIMENSIONS ARE TO FACE OF WALL. DO NOT SCALE DRAWINGS. THE GENERAL CONTRACTOR IS TO CONFIRM ALL DIMENSIONS ON-SITE AND ADJUST DIMENSIONS AS REQUIRED TO SUIT BUILT-IN FIXTURES AND APPLIANCES. ANY SUCH DISCREPANCIES ARE TO BE REPORTED TO THE OWNER.
 - ALL WORK TO CONFORM TO THE BCBC, LOCAL BYLAWS AND DEVELOPMENT PERMIT REQUIREMENTS. ALL WORK MUST MEET THE STANDARDS OF THE BCBC AND SUB-TRADE ASSOCIATIONS GOVERNING EACH TRADE INVOLVED IN THE PROJECT.
 - ALL DRAWINGS ARE TO BE READ AS A COMPLETE SET IN CONJUNCTION WITH DRAWINGS AND SPECIFICATIONS FOR MECHANICAL, ELECTRICAL, GEO-TECH, AND CIVIL AS APPLICABLE.
 - ONCE WORK COMMENCES ON THIS PROJECT BY ANY SUB-TRADE MEANS THAT THE ABOVE REQUIREMENTS HAVE BEEN REVIEWED.
 - THE SUB-CONTRACTORS ARE RESPONSIBLE FOR THEIR SITE SAFETY AND ARE TO MEET ALL REQUIREMENTS OF THE WCB.
 - THE SUB-CONTRACTOR IS TO ALL DIMENSIONS AFFECTING THEIR TRADE AND IN THE CASE OF DISCREPANCY THE GC IS TO BE NOTIFIED BEFORE WORK COMMENCES.
 - GC TO PROVIDE WINDOW AND DOOR SCHEDULE IN CONJUNCTION WITH THESE DRAWINGS FOR CONSTRUCTION. CONTRACTOR TO ENSURE EGRESS MEETS THE CURRENT BCBC.
 - SMOKE ALARMS AND CARBON DIOXIDE DETECTORS ARE TO BE INSTALLED AS PER THE CURRENT BCBC.
 - ALL BATHROOMS ARE TO BE EQUIPPED WITH EXHAUST FAN AS PER THE CURRENT BCBC.
 - INSTALL INTERCONNECTED SMOKE ALARMS AND CARBON MONOXIDE DETECTORS AS REQUIRED AND LOCATED AS PER BCBC.
 - FLASH ALL EXTERIOR WALL PENETRATIONS AS PER BCBC.
 - PROVIDE RADON MITIGATION AS PER BCBC.
 - GRADES SHOWN ON PLANS ARE ESTIMATED. FOUNDATION WALL HEIGHTS MAY REQUIRE ADJUSTMENTS TO SUIT SITE CONDITIONS.
 - THESE DRAWINGS HAVE BEEN CHECKED BY THE CONTRACTOR.

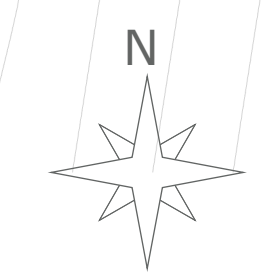
- NOTE:**
- ALL ROOF DRAINAGE TO BE DIRECTED TO ON-SITE APPROVED ROCK PIT.
 - ALL ON-SITE RUN-OFF AND SURFACE DRAINAGE TO BE CONTROLLED ON-SITE. APPROVED ABSORBENT LANDSCAPING MATERIAL.
 - STORM WATER CALCULATIONS TO BE COMPLETED BY ENGINEER AS REQUIRED.
 - ROCK PIT SIZES TO BE PROVIDED BY ENGINEER AS REQUIRED.
 - PROVIDE DRAINAGE AWAY FROM THE BUILDING FOUNDATION.
 - MIN. SLOPE AWAY FROM BUILDING FOR AT LEAST 5'-0" : 5% (APPROX. 3/4" PER 12")
 - IF ROOF OVERHANG PROJECTS WITHIN 1.2 m OF PROPERTY LINE PROTECT SOFFIT (NON-VENTING SOFFIT) AS PER 9.10.15.5.(10) OF THE BCBC GRADE ELEVATIONS TO BE CONFIRMED ON SITE BY CONTRACTOR; ELEVATIONS HAVE NOT BEEN VERIFIED ON-SITE BY DESIGNER. FOUNDATION WALL HEIGHTS MAY REQUIRE ADJUSTMENT TO SUIT SITE CONDITIONS AND MANUFACTURER SPECIFICATIONS.



SP Site Plan
Scale: 1" = 10' (1:120)



SP Site Section
Scale: 1" = 10' (1:120)



Note:
 Property distance and grading information are derived from documents supplied by the client and scaled mapping obtained from the C.O.P. GIS Web Map Services. All distances and grades to be confirmed on site.

Craig Meadows :: 250-462-0420 :: November 14, 2024 ::

The Corporation of the City of Penticton

Bylaw No. 2024-44

A Bylaw to Amend Zoning Bylaw 2024-22

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. 2024-22;

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. 2024-44".

2. **Amendment:**

2.1 Zoning Bylaw No. 2024-22 is hereby amended as follows:

Add to Section 10.2.5.1 SITE SPECIFIC PROVISIONS: A bed and breakfast home shall be permitted on the following lots:
"g. Lot B District Lot 2710 Similkameen Division Yale District Plan EPP109914, located at 1112 Syer Road."

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 ___ day of ____, 2024 and the ___ day of ____, 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. 2024-44

Date: _____ Corporate Officer: _____