

Date: October 7, 2025
To: Anthony Haddad, City Manager
From: Yvonne Kent, Planner II
Address: 101-730 Kamloops Avenue

File No: RMS/730 Kamloops Avenue

Subject: Development Variance Permit PL2025-10044

Staff Recommendation

THAT Council approve “Development Variance Permit PL2025-10044”, for Strata Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Strata Plan EPS6623 Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V, located at 101-730 Kamloops Avenue, a permit to vary the following section of Zoning Bylaw No. 2024-22:

- Section 8.3.3.1 to reduce the minimum outdoor amenity space provided individually for the duplex suite from 15 m² to 0 m².

Strategic priority objective

Livable & Accessible: The City of Penticton will proactively plan for deliberate growth, focusing on creating an inclusive, healthy, and vibrant community.

Proposal

The applicant is proposing a duplex suite in the duplex unit at 101-730 Kamloops Avenue. The applicant is proposing 0 m² of amenity space for the duplex suite instead of the required 15 m²; a variance has been requested. The applicant has provided a Letter of Intent (Attachment D).

Background

The subject property, located on the south side of Kamloops Avenue, is 0.07 acres (300 m²) in size, and is currently occupied by a duplex. The property is zoned R4-S – Small-Scale Multi-Unit Residential: Small Lot in the Zoning Bylaw and designated High Density Residential in the Official Community Plan (OCP). The



Figure 1 - Subject Property

property was rezoned in 2017 to what was then the RD2 (Duplex Housing) Zone, and a development permit was issued for the existing duplex in 2018.

Surrounding properties consist of other properties zoned R4-S to the north, east, and west (duplexes and single detached dwellings), and a property zoned RM2 to the south (townhomes). Surrounding properties are also designated High Density Residential in the OCP.

Existing Secondary Suite

The secondary suite subject to the development variance permit application is an existing occupied suite in the basement of a duplex. The space in the basement of the duplex unit was converted into a suite without the necessary permits. The applicant is currently working with the Building Department to ensure the secondary suite is in compliance with the BC Building Code.

Financial Implication

The applicant is responsible for all development costs, including any service upgrades.

Technical Review

The application was reviewed by the City's Technical Planning Committee (TPC). Requirements for building permit were identified and communicated to the applicant.

Analysis

Development Variance Permit

The applicant has requested a Development Variance Permit to Zoning Bylaw No. 2024-22 for the following:

No Amenity Space for Secondary Suite

Section 8.3.3.1 of the Zoning Bylaw requires a minimum of 15 m² of outdoor amenity space to be provided individually for the principal residence (duplex unit) and the duplex suite.

Limited Space On-Site

Council approved a Development Permit for the existing duplex in 2018. At the time, secondary suites in duplexes were not permitted under the BC Building Code and therefore not contemplated in the original design. Each duplex unit was provided with a 20m² rear yard to meet amenity space requirements under the Zoning Bylaw for principal units.

In 2019, the BC Building Code was updated to allow secondary suites in more building types, including duplexes, as part of provincial initiatives to create more affordable housing units. The proposed suite is now being added retroactively to the existing development. Due to the small lot size and the built form already in place, there is no opportunity to provide a separate outdoor amenity space for the suite.

Nearby Outdoor Amenity Spaces

Although the property cannot accommodate an outdoor amenity space for the suite, it is in a well-serviced area of the City with access to public outdoor amenity spaces such as:

- Kings Park – four soccer fields and open green space
- Peach Baseball Park – full sized baseball diamond
- Penticton River Channel – lake to lake trail system offering walking, cycling, and recreational opportunities.

These nearby public outdoor amenities help mitigate the impact of the variance.

For these reasons, staff recommend Council approve the Development Variance Permit.

Alternate recommendations

THAT Council deny “Development Variance Permit PL2025-10044”

Attachments

Attachment A – Zoning Map

Attachment B – Official Community Plan Map

Attachment C – Photos of Property

Attachment D – Letter of Intent (Applicant)

Attachment E – Draft Development Variance Permit PL2025-10044

Respectfully submitted,

Yvonne Kent
Planner II

Concurrence

General Manager/ Director <i>BL</i>	City Manager <i>SH</i>
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