

**Date:** January 20, 2026  
**To:** Anthony Haddad, City Manager  
**From:** Yvonne Kent, Planner II  
**Address:** 170 Warren Ave W

**File No:** 170 Warren Ave W/RMS

**Subject:** **Development Permit PL2025-10077**

## Staff Recommendation

THAT Council approve "Development Permit PL2025-10077", for Lot B District Lot 115 Similkameen Division Yale District Plan KAP52996, located at 170 Warren Ave W, to permit the form and character of a 6 storey addition to an apartment building and vary the following sections of Zoning Bylaw No. 2024-22:

1. Section 4.9 to allow balconies to project 0.5 m into an interior side yard; and
2. Section 5.2 to remove the landscape buffer requirement.

## 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 to construct a 6-storey 24 unit addition to an existing 4-storey 77 unit apartment building (Athens Creek Retirement Lodge). The addition also includes a basement with storage for residents and is proposed at the south (rear) of the building. The proposal requires a Multifamily Residential Development Permit with variances. The applicant has provided a Letter of Intent for the proposal (Attachment F).



*Figure 1 - Rendering of Proposed Addition*

**Background**

The property is located on the south side of Warren Avenue W, is 1.3 acres in size, and is currently occupied by Athen Creek Retirement Lodge. The property is zoned RM4 – High Density Multiple Housing in the Zoning Bylaw and designated High Density Residential in the Official Community Plan (OCP). The property is also within the Cherry Lane Mall Transit-Oriented Area. The surrounding area consists of apartment buildings to the north, east, and south, and Lion’s Park to the west.

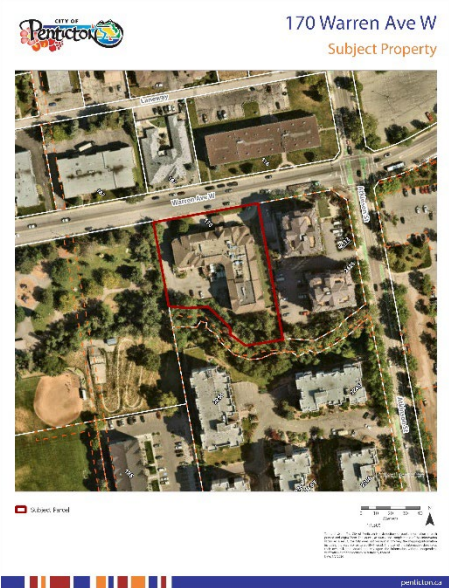


Figure 2 - Subject Property Location

**Climate Impact**

Council adopted the Community Climate Action Plan (CCAP) in 2021. The proposed development is consistent with the following aspects of the CCAP:

- Shift Beyond the Car: enable walking, cycling and other forms of zero emission mobility
  - The proposal provides bicycle parking spaces, is within walking distance of amenities and transit found at Cherry Lane Mall, and the Lake-to-Lake bike route is located on Atkinson Street.

**Technical Review**

The application was reviewed by the City’s Technical Planning Committee (TPC). Requirements for the building permit and the payment of Development Cost Charges (DCC’s) were provided to the applicant.

**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.

**Development Statistics**

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

	<b>Zone Requirement (RM4 – High Density Multiple Housing)</b>	<b>Provided on Plans</b>
<b>Minimum Lot Width*:</b>	30 m	72 m

<b>Minimum Lot Area*:</b>	2000 m <sup>2</sup>	5260 m <sup>2</sup>
<b>Maximum Lot Coverage:</b>	75%	44%
<b>Maximum Density**:</b>	2.0 FAR	1.5 FAR
<b>Maximum Height:</b>	27 m	21 m
<b>Vehicle Parking**:</b>	Total Vehicle Spaces Required: None required	Total Vehicle Spaces Provided: 52 stalls
<b>Bicycle Parking:</b>	Total Class 1 Spaces Required: 0.5 per dwelling unit (51 spaces)  Total Class 2 Spaces Required: 0.1 per dwelling unit (10 spaces)	Total Class 1 Provided: 52 spaces  Total Class 2 Provided: 10 spaces
<b>Required Setbacks:</b> Front Yard: Side Yard (east): Side Yard (west): Rear Yard (south):	3.0 m 4.5 m 4.5 m 6.0 m	12.0 m 4.6 m 10.7 m 6.0 m
<b>Amenity Space:</b>	20m <sup>2</sup> /unit, 20% permitted indoor	20m <sup>2</sup> /unit, 20% permitted indoor
<b>Hard Surfacing:</b>	Maximum 85% of the lot	70% of the lot
<b>Yards and Projections</b>	Balconies must not project into interior side yards	Balconies project 0.5 m into interior side yard <b>Variance requested</b>
<b>Landscape Buffers:</b>	3.0 m buffer of trees and shrubs along Warren Avenue West and 2113 Atkinson Street	No landscape buffers <b>Variance requested</b>
<b>Other Information:</b>	*Lot width and lot area are only applicable at the time of subdivision. **Regulation due to location within a Transit-Oriented Area.	

## Analysis

### *Development Permit*

The property is located within the General and Multifamily Residential Development Permit Areas in the OCP. Staff have completed a development permit checklist (Attachment D). The proposed development meets all applicable development permit guidelines.

The following variances are also requested as part of the development permit, which staff recommend approval of:

#### 1. Balconies in the Interior Side Yard

As per s.4.9 of the Zoning Bylaw, balconies are not permitted to project into an interior side yard. This development includes balconies that project 0.5 m into the east interior side yard setback.

As per the OCP, minor variances to setbacks may be considered to accommodate desirable architectural criteria, such as porches, balconies, projecting design features, awnings, and canopies, provided that the building face still meets required setbacks. The balconies project into the setback on the east side of the building towards 2113 Atkinson Street (The Olympia – Athens Creek Towers). The balcony projection into the setback is minor (0.5 m), has limited impact on the neighbouring development given The Olympia is setback approx. 20 m from the shared property line in this location, and the balconies create articulation on the building and outdoor space for residents. The building itself meets the setback.

#### 2. Landscape Buffers

As per s.5.2 of the Zoning Bylaw, a 3.0 m landscape buffer consisting of shrubs and trees is required adjacent to 2113 Atkinson Street and along Warren Avenue West. The landscape buffer requirement is to mask or separate uses, especially different uses or those of varying densities.

As per the OCP, minor variances to landscape buffer requirements may be considered in cases where the proposed building locations make establishment of a buffer difficult or impossible or where trees will not thrive. In cases where the buffer is reduced, compensatory planting elsewhere on site or in the adjacent public realm is required. In the case of the subject property, no landscape buffers exist as this is an existing development completed in 1997 when the landscape buffer regulations of today were not present in the Zoning Bylaw. To the landscape buffer requirement along Warren Avenue West, existing landscaping of trees and shrubs exists, and the building itself is setback from the roadway. To the landscape buffer requirement adjacent to 2113 Atkinson Street, this space is a dedicated fire lane as well as used for amenity space (lawn bowling). Requiring a landscape buffer in this location is not possible. That said, this location does include the required landscape screen (fence) which helps create a buffer between the two properties. That said, the neighbouring property includes a similar land use (apartments) which is seen as compatible with the proposed apartment addition on the subject property. Compensatory planting is provided elsewhere on the site in the form of the existing landscaped areas of shrubs and trees.

**Alternate recommendations**

Council may wish to deny the permit. This is not recommended by staff, as the development permit is in accordance with applicable development permit guidelines, and the variances are considered appropriate in the circumstances.

1. THAT Council deny Development Permit PL2025-10077.

**Attachments**

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Development Permit Checklist (staff)
- Attachment E – Letter of Intent (applicant)
- Attachment F – Draft Development Permit PL2025-10077

Respectfully submitted,

Yvonne Kent  
Planner II

Concurrence

GM Development Services  <i>BL</i>	GM Infrastructure  <i>KD</i>	City Manager  <i>AC</i>
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