



# Council Report

penticton.ca

**Date:** January 20, 2026  
**To:** Anthony Haddad, City Manager  
**From:** Gabe Tamminga, Planner II  
**Address:** 995 Eckhardt Avenue West  
**File No:** RMS/995 Eckhardt Ave W  
**Subject:** **Zoning Amendment Bylaw No. 2026-09 and Development Permit PL2025-10054**

## Staff Recommendation

THAT Council give first, second and third reading to Zoning Amendment Bylaw No. 2026-09, for Lot A District Lot 366 Similkameen Division Yale district Plan EPP144340, located at 995 Eckhardt Avenue West, a bylaw to add within the RM3 – Medium Density Multiple Housing zone as follows: “Section 10.5.5.6 , in the case of Lot A District Lot 366 Similkameen Division Yale District Plan EPP144340 located at 995 Eckhardt Avenue West, an increase to the Floor Area Ratio (FAR) from 1.6 to 1.73 is permitted”;

AND THAT Council require the upgrades to the Eckhardt Avenue and Comox Street intersection restricting turning movements to right in / right out, satisfying Ministry of Transportation and Transit requirements, be complete prior to building occupancy;

AND THAT Council subject to adoption of Zoning Amendment Bylaw No. 2026-09, approve Development Permit PL2025-10054, a permit for the form and character of a 60-unit residential apartment building and vary the following sections of Zoning Bylaw 2024-22:

1. Section 10.5.4.1 to increase the maximum hard surfacing from 60% to 76%;
2. Section 4.9.1 to increase a balcony projection into the exterior side yard setback from 1.5m to 1.8m;
3. Section 6.5 to reduce the required number of parking spaces from 71 to 50.; and
4. Section 5.2 to reduce the width of the landscape buffer requirement abutting a highway from 3.0m to 1.0m.

AND THAT Council direct staff to issue the permit.

## Proposal

The applicant is proposing to construct a six-storey residential apartment building at 995 Eckhardt Avenue West. This plan proposes 60 new rental units at the corner of Eckhardt Avenue West and Comox Street with at least 20% of units 20% below current market rate. This project is funded through the Provincial 'BC Builds' program which aims to deliver more workforce housing options across BC.



Figure 1 - Rendering of Proposed Development

## Strategic priority objective

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

## Background

The subject property is located on the north side of Eckhardt Avenue West with Comox Street to the west and Alberni Street to the east (Figure 1). Currently, the property is vacant and does not contain any buildings or structures. The property is zoned RM3 (Medium Density Multiple Housing) and is designated by the Official Community Plan (OCP) as High Density Residential which envisions development in higher-density multifamily residential neighbourhoods consisting of townhouses and apartments in higher-amenity areas up to six storeys in height.

Council endorsed this City-owned site for social housing, along with two other sites, in June 2024. This property was included in the Social Housing and Infrastructure Plan (SHIP) as one of twelve opportunity sites for future affordable housing in the City. The SHIP provides guidance and is an action-focused plan to make progress on the affordable housing needs in Penticton and encourages collaboration between multiple levels of government and non-profits to address these challenges. The City included this property into the BC Builds program in fall 2024 and, through that process, secured a partnership for workforce housing on the site with BC Housing and New Vista Society, to create a project that will help address some of the community's housing needs.

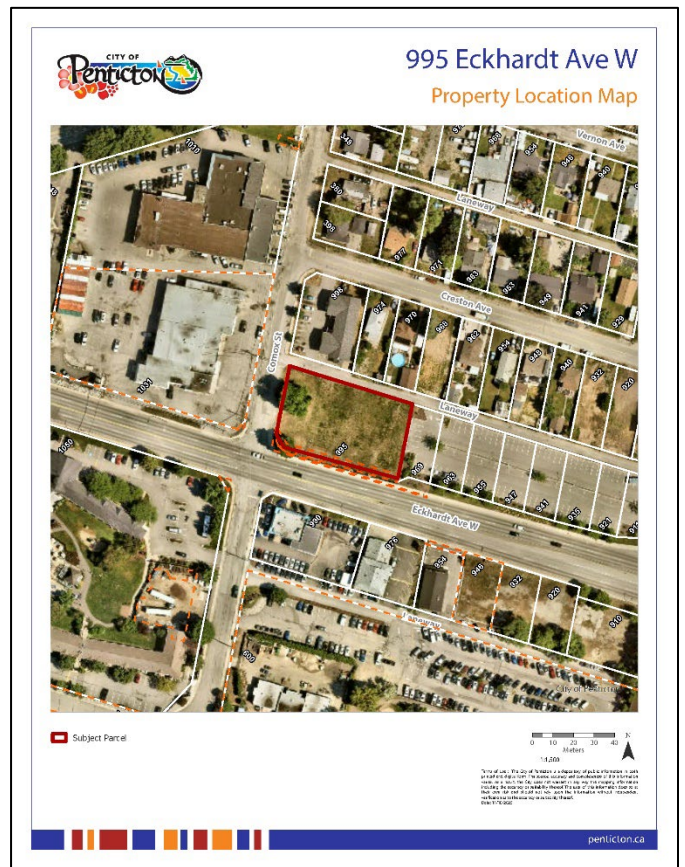


Figure 2 - Property Location Map

## Financial implication

The applicant is partnering with the City of Penticton and New Vista Society, a non-profit housing provider, with the BC Builds program providing a capital grant and low-interest financing for the project. This development will contribute Development Cost Charges (DCCs) which assist in offsetting the added demand on City services.

The City has entered into a nominal lease on this property for a period of 99-years.

## Technical Review

The proposed development was reviewed by the City of Penticton's Technical Planning Committee (TPC), a group of internal city staff who review development applications from a technical perspective, reviewing code and servicing impacts of any proposed development. From that process, staff have provided the applicant with high-level comments regarding servicing upgrades and future building permit requirements. This review followed a higher-level review completed by staff in summer 2024 prior to the City making this site available through the BC Builds program, helping to identify any key considerations early in the process.

The technical review also indicated that there would be a referral to the Ministry of Transportation and Transit for their consideration due to a zoning amendment in close proximity to a controlled highway access. As a result, MOTT did have discussions with staff to find a safe solution to upgrade the intersection at Comox Street and Eckhardt Avenue West to proceed with the proposed development.

### *Trees*

Staff note that two large, mature horse chestnut trees are located on the subject property and will need to be removed to accommodate construction of the proposed building. Staff explored options with the project architects to retain the trees; however, due to their location, site constraints, and the density and unit count objectives, retention was not feasible. As part of the evaluation, staff considered that this project provides affordable housing through a non-profit housing provider. The substantial public benefit associated with delivering affordable housing was carefully weighed against the value of preserving the existing mature trees. This balance was a key factor in the decision-making process and reflects a level of consideration that would not typically apply to a market-driven, for-profit development.



Figure 3: Existing tree removal and new tree planting plan

As compensation, additional large-caliper deciduous street trees will be planted along the Eckhardt Avenue frontage.

### 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:** Encourage active & accessible transportation and transit
  - Class 1: 35 stalls (secure bicycle parking) stalls for the residents.
  - Class 2: 6 stalls (short-term bicycle parking) stalls for residents and guests.
  - The property is in close proximity to several amenities that allow for walkability such as Riverside Plaza and the SOEC.
- **Step Up New Buildings:** All new buildings will be required to meet the BC Energy Step Code requirements at the time of construction.
- **Electrify Passenger Transport:** The applicant is proposing to have all residential parking provided to have Level 2 EV Ready, meeting City bylaw requirements.

The proposed development is aligned with CCAP and will provide housing that meets climate-friendly measures.

### Development Statistics

The following table provides information regarding the proposed development and how it meets the requirements of the Zoning Bylaw.

	RM3 Zone Requirement	Provided on Plans
Minimum Lot Width*:	25 m	58.1 m
Minimum Lot Area*:	1400 m <sup>2</sup>	2350 m <sup>2</sup>
Maximum Lot Coverage:	50%	44%
Maximum Hard Surfacing:	60%	76% <i>*Varied through the DP</i>
Maximum Density:	1.6 FAR	1.73 FAR <i>*Site Specific Zoning Requested</i>
Vehicle Parking:	1 stall per dwelling unit (60 stalls total) 0.2 visitor stalls per dwelling unit (12 stalls total)	50 stalls <i>*Varied through the DP</i> 0 visitor stalls <i>*Varied through the DP</i>
Bicycle Parking:	Class 1: 0.5 per dwelling unit (30 total) Class 2: 0.1 per dwelling unit (6 total)	Class 1: 35 total Class 2: 6 total
Required Setbacks:		

Front Yard (Eckhardt Ave W)	3.0 m (4.5 m for Highway setback) 4.5 m	4.5 m 4.5 m
Exterior Side Yard (Comox Street)	4.5 m 6.0 m	4.5 m 6.0 m
Side Yard (east)		
Rear Yard (lane)		
Balcony Projections: Front Yard	1.5m	1.8m *Varied through the DP
Landscape Buffers:	Comox Street: 3.0m wide, 3 trees and 35 shrubs  Eckhardt Avenue W: 3.0m wide, 5 trees and 56 shrubs	Comox Street: 1.0m (width varies along Comox Street), 3 trees, and 35 shrubs  *Width varied through the DP  Eckhardt Avenue W: 3.0m wide, 6 trees and 56 shrubs
Maximum Building Height:	24 m	20.4 m
Other Information:	*Lot Width and Lot Area are only relevant at time of subdivision	

## Analysis

### *Site-Specific Zoning Amendment – Support*

There is a request for a site-specific zoning amendment to increase the Floor Area Ratio (FAR) of the property from 1.6 to 1.73. This is to allow for a larger floor area than what the current RM3 allows for as density permitted can be challenging to meet due to the size and shape of the lot. Without this site-specific zoning amendment, there would be a loss of 326.6m<sup>2</sup> of floor area and a potential reduction in the number of units available.

The following OCP Policies provide additional support for the Site-Specific Zoning Amendment:

Policy 4.1.2.1	Where the need is demonstrated, collaborate and partner with senior governments, Interior Health, the non-profit housing sector and the development community to facilitate the retention, development and operation of projects across the housing spectrum including shelters, transitional housing, complex care, supportive housing, non-market housing, co-op housing and affordable rental and ownership housing for
----------------	--

	singles, families, youth and seniors, with the goal of expanding the amount of non-market units in the city.
Policy 4.1.2.2	Maximize the housing potential of existing land assets (sites and buildings) owned by non-profits and governments, including the City, through strategic partnerships and knowledge sharing.
Policy 4.1.2.3	Recognize that while senior governments play the primary role in fostering, funding and delivering affordable housing, the City will provide support through technical assistance, supportive regulations, partnerships, community consultation, project facilitation, and implementing policies that encourage new housing development across Penticton.

The OCP Land Use Designation of High Density Residential is aligned with this site-specific amendment as the development will propose higher density multi-family developments in high amenity areas of the City (Figure 2).

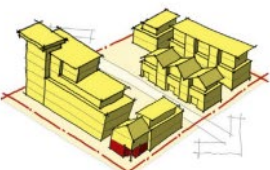
Land Use	Description	Building Type(s)	Uses	Height / Density
 <p>High Density Residential</p>	Higher-density multifamily residential neighbourhoods consisting of townhouses and apartments in higher-amenity areas	<ul style="list-style-type: none"> <li>• Cluster housing</li> <li>• Townhouses</li> <li>• Low-rise and mid-rise apartment buildings</li> <li>• Small-scale neighbourhood commercial building (e.g., corner store, coffee shop, childcare)</li> </ul>	<ul style="list-style-type: none"> <li>• Residential</li> <li>• Limited retail/ service</li> </ul>	<ul style="list-style-type: none"> <li>• Up to 6 storeys</li> </ul>

Figure 4 - OCP Land Use Designation

Staff are supporting this site-specific amendment as it meets the intent of the policies in the Official Community Plan. This zoning amendment will allow the development to provide housing units that meet the needs of the community and provide a maximize the housing potential on this City-owned site. .

*Development Permit – Support*

The applicant has also submitted an application for a development permit for the form and character of the building. Staff have completed a development permit checklist (Attachment E) that demonstrates how this development meets the design guidelines within the Official Community Plan. The development proposes a design that is consistent with the OCP and has integrated thoughtful landscaping and massing that allows for increased density in a strategically important area of the community and provides much needed rental tenure housing.

## *Variances through the Development Permit – Support*

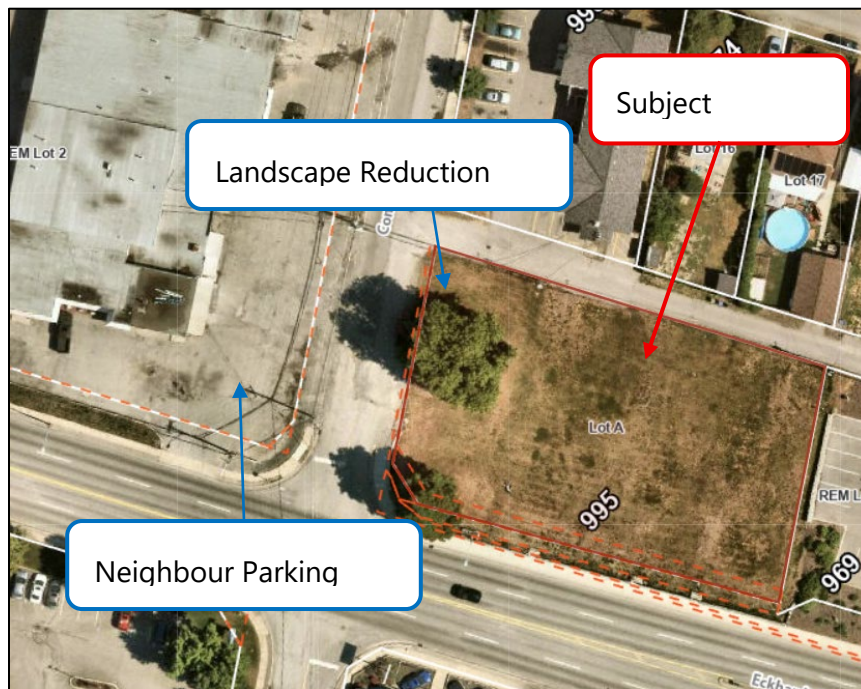
*The following variances are required to support the proposal:*

- **Hard Surfacing Increase from 60% to 76% (Varied through the Development Permit):**  
The applicant has requested a variance to increase the hard surfacing permitted on the site. As a result, they have stated that they will be providing additional stormwater management measures (Attachment D – Letter of Intent). This meets the intent of the of the regulation by ensuring that they will manage water runoff through higher standards. The OCP allows this to be varied through the Development Permit as there will be additional stormwater management measures in place.
- **Balcony Projection from 1.5m to 1.8m into Exterior Side Yard Setback (Varied through the Development Permit):**  
There is also a request for a projection of 1.8m into the exterior side yard setback which exceeds the permitted 1.5m in the Zoning Bylaw. This is located at the corner of Comox Street and Eckhardt Avenue West where a corner cut was taken through lot consolidation in 2025. As a result, the balcony projects into that area 0.3m further than what the Bylaw allows for. There are no anticipated negative impacts from this variance request as this balcony faces towards Eckhardt Avenue West and Comox Street meaning that there would not overlook any neighbouring properties. The OCP allows this to be varied through the Development Permit as the face of the building will still meet the required building setbacks.
- **Parking Reduction from 12 Visitor Stalls to 0 Visitor Stalls and from 60 Regular Vehicle Stalls to 50 Vehicle Stalls (Varied through the Development Permit):**  
The applicant is requesting a variance to reduce the total number of vehicle parking stalls from 71 stalls to 50 stalls. To offset part of the reduction, the applicant has provided an additional 5 Class 1 bicycle parking stalls to reduce 1 vehicle parking stall as allowed per Section 6.1.2.1.a of the Zoning Bylaw. The proposed development will reduce the number of visitor stalls to 0 and the number of stalls per unit from 60 to 50. The applicant has provided an analysis (Attachment D) demonstrating how rental tenure versus strata ownership of units often yields different rates of vehicle ownership and how they are able to create this number for the development that will work. The OCP allows this to be varied through the Development Permit if the following criteria are met – which they have been able to achieve:
  1. The development is within 400 meters of a transit stop;
  2. The development includes design elements intended to encourage alternative transportation, such as secure bike or scooter parking, or employee shower facilities (in the case of commercial development); and

3. The variance will not reduce the number of parking spaces required for persons with disabilities.

- Reduction of Landscaping Buffer Width Along Comox Street from 3.0m to 1.0m (Varied through the Development Permit):

The applicant has requested a reduction in the landscape buffer along Comox to accommodate an Electrical Pad Mounted Transformer along that side as per the requirements of the Electrical Utility Department and accommodate the entrance of the building which meets the Development Permit guidelines in the OCP. To compensate for the reduction, the applicant proposes to provide additional landscaping in other areas of the property. Staff consider this reduction reasonable and do not anticipate negative impacts as the applicant has provided additional landscaping in other areas of the property and some sections of landscaping along Comox Street are able to meet the 3.0m. The property across Comox Street has a parking area located across from the landscape buffer on their property which means that there are minimal negative impacts of a reduced buffer as the buffer is not immediately adjacent to buildings or structures. (Figure 3).



*Figure 5 - Neighbourhood Context*

Based upon the analysis above, the requested variances are supported as each request is considered reasonable and are not anticipated to have significant negative impacts on the neighbourhood.

**Summary**

Based upon the analysis above and the alignment with the Official Community Plan and the Social Housing and Infrastructure Plan, staff are recommending support for Zoning Amendment Bylaw No. 2026-09 and Development Permit PL2025-10054.

**Alternate recommendations**

Council may also choose the alternative recommendation:

1. THAT Council deny Zoning Amendment Bylaw No. 2026-09.

**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 – Development Permit Checklist (staff)
- Attachment F – Zoning Amendment Bylaw No. 2026-09
- Attachment G – DRAFT Development Permit PL2025-10054

Respectfully submitted,

Gabe Tamminga  
Planner II

Concurrence

<p>General Manager of Development Services</p> <p><i>BL</i></p>	<p>GM of Infrastructure</p> <p><i>KD</i></p>	<p>City Manager</p> <p><i>AC</i></p>
---	--	--------------------------------------