

Date: March 3, 2026 **File No:** RMS/425 Heales Ave
To: Anthony Haddad, City Manager
From: Gabe Tamminga, Planner II
Address: 425 Heales Avenue
Subject: **Development Variance Permit PL2025-10124**

Staff Recommendation

THAT Council approve “Development Variance Permit PL2025-10124” for Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan EPP149039, located at 425 Heales Avenue, a permit to vary the following sections of Zoning Bylaw 2024-22:

1. Section 8.2.3.3.b to increase the maximum building footprint for a carriage house in the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone from 15% of the lot to 16.3% of the lot area;
2. Section 8.2.3.10.b to allow a deck on a carriage house in the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone;
3. Section 5.4.1.b to allow a screen 2.13 m in height on the carriage house deck for privacy;

AND THAT Council direct staff to issue the permit.

Proposal

The applicant is proposing to construct a carriage house at the rear of their property with a garage on the ground level and living space above.

Strategic priority objective

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

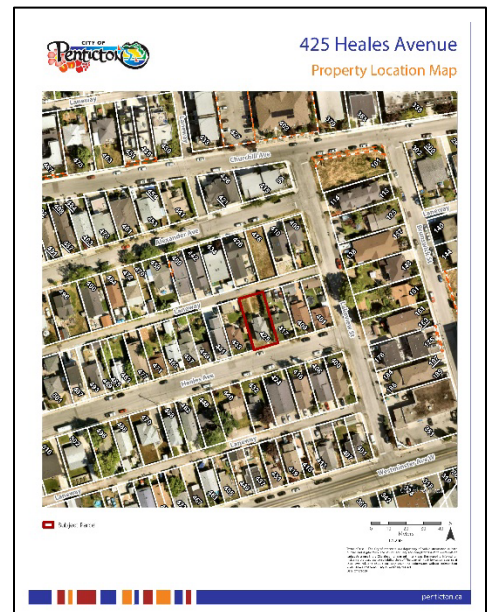


Figure 1 - Property Location Map

Background

The subject property is located on the north side of Heales Avenue in a primary low density residential area of the City (Figure 1). Currently, the property is zoned R4-S (Small-Scale Multi-Unit Residential: Small Lot) and is designated by the Official Community Plan (OCP) as Low Density Residential which envisions development in lower-density residential areas with new housing types compatible with single-detached houses in character and scale but providing more units per lot.

The property does not have any structures or buildings. The previous single-family dwelling on the lot was recently demolished to allow for the construction of a new single-family dwelling and a carriage house. The surrounding area is primarily single-family dwellings with some multi-family developments nearby.

Financial implication

The applicant will be responsible for all costs associated with the development.

Technical Review

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. These items have been communicated to the applicant.

Development Statistics

	Requirement for Carriage House in R4-S Zone	Provided on Plans
Maximum Building Footprint:	90 m ² or 15% of the lot, whichever is less	71.35 m ²
Maximum Carriage House Floor Area (CHFA):	135 m ²	65 m ²
Lot Coverage of Carriage House	15%	16.3% *Variance Requested
Maximum Lot Coverage:	50%	43%
Required Setbacks		
Front Yard (Heales Ave):	4.5 m	22.12 m
Interior Side Yard (east):	1.5 m	1.5 m
Interior Side Yard (west):	1.5 m	1.5 m
Rear Yard (lane):	1.5 m	1.5 m
Maximum Building Height	7.0 m and 2 storeys	6.86 m and 2 storeys

Analysis

When considering a variance to a City bylaw, staff encourage Council to consider whether approval of the variance would have a negative impact on neighbouring properties; if there is a hardship that makes the meeting the bylaw difficult or impossible; and, if the variance request is reasonable. Staff have provided an analysis that considers the variances that have been requested for this development.

1. Deck Variance

The applicant is proposing to construct a deck at the rear of the carriage house above the covered ground-level entryway (Figure 2). The Zoning Bylaw does not permit decks, balconies, or rooftop patios on carriage houses; therefore, a variance is required to proceed with this design. To mitigate potential impacts associated with a balcony, the applicant has incorporated a privacy wall intended to reduce overlook onto neighbouring properties. In addition to the privacy screen, the deck has been designed to orient toward the laneway, further minimizing potential overlook onto the adjacent east and west properties.



Figure 2 - Rear Elevation with Deck

2. Privacy Screen Variance

The applicant proposes to construct a privacy screen along the east side of the property on the deck. Under the current Zoning Bylaw, privacy screens are limited to a maximum height of 1.8 m; however, the applicant is requesting approval for a 2.13 m screen. Staff have reviewed the proposal and consider the increased height to be appropriate, as the screen is well integrated with the carriage house design and does not create a significant impact on the adjacent eastern property (Figure 3).

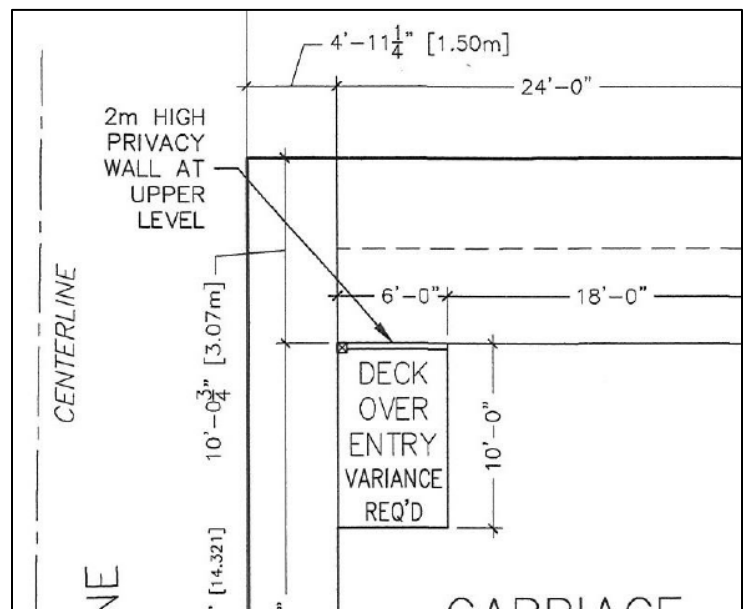


Figure 3 - Privacy Wall on Deck

3. Carriage House Lot Coverage Variance

The proposed carriage house meets all Zoning Bylaw requirements except for the maximum permitted carriage house lot coverage of 15%. The applicant is proposing a lot coverage of 16.3%. Staff note that, despite this increase, the overall lot coverage for the property remains below the Zoning Bylaw maximum of 50%. With the new single-family dwelling and the carriage house combined, the total lot coverage is proposed to be 43%. This indicates that the proposed development of this property still meets the intent of the zone and does not exceed the overall maximum development potential of this property.

Based on the analysis above, staff consider that this variance would not create significant negative impacts to the surrounding area and provides additional rental housing in a high-amenity location in the City.

Given the above analysis, staff are recommending that Council support "Development Variance Permit PL2025-10124".

Alternate recommendations

Council may choose the alternative recommendation.

1. THAT Council deny "Development Variance Permit PL2025-10124".

Attachments

Attachment A – Zoning Bylaw Map

Attachment B – Photos of the Property

Attachment C – Letter of Intent (applicant)

Attachment D – DRAFT Development Variance Permit PL2025-10124

Respectfully submitted,

Gabe Tamminga
Planner II

General Manager Development Services <i>BL</i>	City Manager <i>SH</i>
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