

Date: April 7, 2026
To: Anthony Haddad, City Manager
From: Gabe Tamminga, Planner II
Address: 276 Abbott Street

File No: RMS/276 Abbott St

Subject: **Development Variance Permit PL2025-10127**

Staff Recommendation

THAT Council approve "Development Variance Permit PL2025-10127", for Lot A District Lot 202 Similkameen Division Yale District Plan EPP147819, located at 276 Abbott Street, a permit to vary the following sections of Zoning Bylaw 2024-22:

1. Section 8.2.3.10 to allow a deck on a carriage house in an urban residential zone;
2. Section 5.4.1.b to allow a screen 2.13m in height on the carriage house deck for privacy;

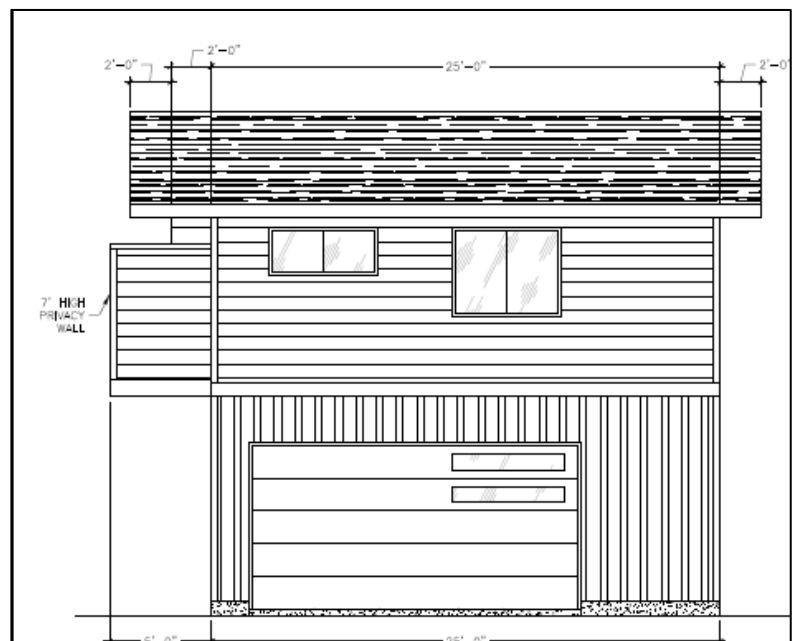
AND THAT Council direct staff to issue the permit.

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 (Figure 1). In order to proceed with the proposed design, the applicant is requesting two variances for the carriage house.

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 east side of Abbott Street with Westminster Avenue East located to the north and Nanaimo Avenue East located to the south (Figure 2). Currently, the property is zoned RM2 (Low Density Multiple Housing) and within the *Transitional Neighbourhood Overlay* and is designated by the Official Community Plan (OCP) as High Density Residential. The area contains a mix of high- and low- density residential properties and is in close proximity to the downtown area with amenities such as restaurants, retail and other commercial businesses.

Transitional Neighbourhood Overlay

The Province required local governments to align their Official Community Plan (OCP) and Zoning Bylaw by December 31, 2025. This led to approximately 1000 properties to be rezoned at the end of 2025 in areas that were mainly designated as High Density Residential in the OCP. During the December 2, 2025 Public Hearing, staff and Council heard from concerned property owners who noted that these changes would prohibit them from proceeding with certain property improvements. However, due to the provincial deadlines, these concerns could not be addressed at that time.

Council directed staff to provide amendments to the Bylaw to address these concerns and adopted the Transitional Neighbourhood Overlay to the Zoning Bylaw on March 17th, 2026. These changes allow the impacted property owners to choose between the SSMUH zoning of R4-S and proceed with lower density development or they can choose to use the new zoning of RM2.

The subject property was among those rezoned to RM2 in December 2025 to comply with the provincial requirements. The owners had intended to construct a carriage house but were unable to proceed under RM2 zoning. The introduction of the Transitional Neighbourhood Overlay now provides the flexibility needed for the owners to move forward with their carriage house project (Attachment - A).



Figure 2 - Property Location Map

Financial implication

The applicant will be responsible for all costs associated with the proposed 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 (TNO)	Provided on Plans
Maximum Building Footprint:	90 m ² or 15% of the lot, whichever is less	60 m ²
Maximum Carriage House Floor Area (CHFA):	135 m ²	53.42 m ²
Lot Coverage of Carriage House	15%	8.3%
Maximum Lot Coverage:	50%	27.22%
Required Setbacks		
Front Yard (Abbott St):	4.5 m	27.78 m
Interior Side Yard (north):	1.5 m	1.5 m
Interior Side Yard (south):	1.5 m	10.35 m
Rear Yard (lane):	1.5 m	1.5 m
Maximum Building Height	7.0 m and 2 storeys	6.94 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.

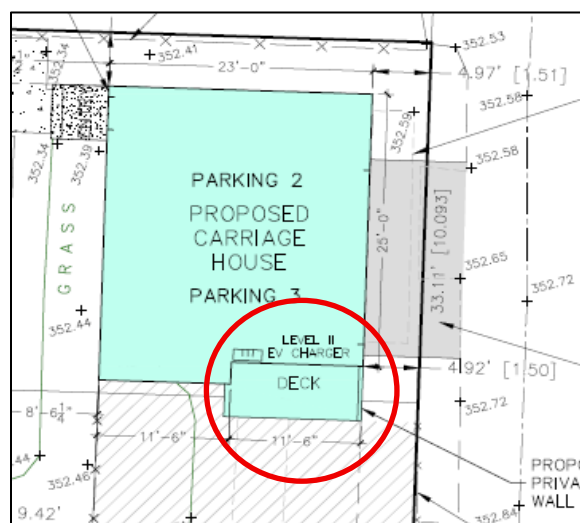


Figure 3 - Proposed Deck Location

1. Deck Variance

The applicant is proposing to construct a deck along the south side of the carriage house (Figure 3). 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.

2. Privacy Screen Variance

The applicant proposes to construct a 2.13 m screen for privacy. However, under the current Zoning Bylaw, privacy screens are limited to a maximum height of 1.8 m. 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 4).

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.

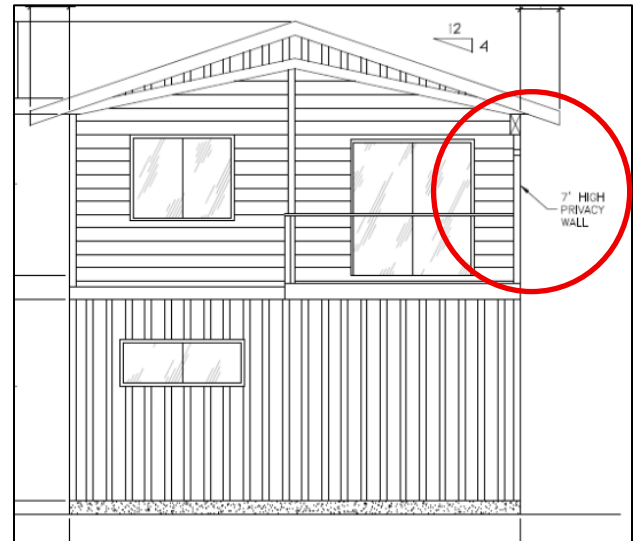


Figure 4 - Proposed Privacy Screen

Given the above analysis, staff are recommending that Council support "Development Variance Permit PL2025-10127".

Alternate recommendations

Council may choose the alternative recommendation.

1. THAT Council deny "Development Variance Permit PL2025-10127".

Attachments

Attachment A – Zoning Bylaw Map

Attachment B – Official Community Plan Map

Attachment C – Letter of Intent (applicant)

Attachment D – Photos of the Property

Attachment E – DRAFT Development Variance Permit PL2025-10127

Respectfully submitted,

Gabe Tamminga
Planner II

Concurrence

<p>General Manager of Development Services</p> <p><i>BL</i></p>	<p>City Manager</p> <p><i>AC</i></p>
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