

Electronic Public Hearing
to be held via Zoom
City of Penticton
171 Main Street, Penticton, B.C.

Monday, March 1, 2021
at 6:30 p.m.

- 1. Mayor Calls Public Hearing to Order for **“Zoning Amendment Bylaw No. 2021-07”** 1-26
- CO Reads Opening Statement and Introduction of Bylaw
- “Zoning Amendment Bylaw No. 2021-07” (780 Westminster Avenue East)
- Purpose: To amend Zoning Bylaw No. 2017-08 as follows:
 - Rezone Lot 3 District Lot 188 Similkameen Division Yale District Plan 7640, located at 780 Westminster Avenue East, from R1 (Large Lot Residential) to R2 (Small Lot Residential).
 - The applicant is proposing to subdivide the subject property into two lots.
- Notice: The Public Hearing was advertised in the Penticton Herald Newspaper on Tuesday, February 23, 2021 and Wednesday, February 24, 2021 (pursuant to the *Local Government Act*).
- CO Correspondence attached regarding the Zoning Amendment Bylaw (as of noon Wednesday, February 24, 2021).
- Mayor Requests Development Services staff describe the proposed bylaw
- Mayor Invitation to applicant for comment or elaboration on the application
- Mayor Invitation to electronic participants to present their views
- Mayor Invites Council members to ask questions
- Mayor Invites applicants to respond to questions and participants may provide new additional information

PUBLIC HEARING for “Zoning Amendment Bylaw No. 2021-07” is terminated and no new information can be received on this matter.

Regular Council Meeting
held at City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, February 16, 2021
at 1:00 p.m.

Resolutions

- 10.2 Zoning Amendment Bylaw No. 2021-07
Re: 780 Westminster Avenue East

52/2021

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-07", a bylaw to rezone Lot 3 District Lot 188 Similkameen Division Yale District Plan 7640, located at 780 Westminster Avenue East, from R1 (Large Lot Residential) zone to R2 (Small Lot Residential) zone in order to facilitate a 2-lot subdivision;

AND THAT Council forward "Zoning Amendment Bylaw No. 2021-07" to the March 1, 2021 Public Hearing.

CARRIED UNANIMOUSLY

Date: February 16, 2021
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 780 Westminster Avenue East
Subject: **Zoning Amendment Bylaw No. 2021-07**

File No: RMS/780 Westminster Ave E

Staff Recommendation

THAT Council give first reading to “Zoning Amendment Bylaw No. 2021-07”, a bylaw to rezone Lot 3 District Lot 188 Similkameen Division Yale District Plan 7640, located at 780 Westminster Avenue East, from R1 (Large Lot Residential) zone to R2 (Small Lot Residential) zone in order to facilitate a 2-lot subdivision;

AND THAT Council forward “Zoning Amendment Bylaw No. 2021-07” to the March 1, 2021 Public Hearing.

Strategic Priority Objective

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Proposal

The applicant is proposing to subdivide the subject property into two lots (Attachment ‘F’). In order to facilitate the proposed lot sizes, the applicant has submitted an application to rezone the property from R1 (Large Lot Residential) zone to R2 (Small Lot Residential) zone.

Background

The subject property is located at the corner of Westminster Ave E and Grandview St (Figure 1). The property is currently vacant after a single detached dwelling was demolished in 2018. Surrounding land uses are residential in nature, consisting of single detached dwellings. The subject property is designated ‘Detached Residential’ by the Official Community Plan and is currently zoned R1 (Large Lot



Figure 1 - Location map

Residential). The applicant is intending to subdivide the property into two lots, as described in the Letter of Intent (Attachment 'D') and addendum (Attachment 'E').

Technical Review

This application was reviewed by the Technical Planning Committee (TPC). Staff requested the applicant add additional development regulations, such as required building setbacks, onto the plans. Staff have also outlined the future subdivision requirements to the applicant. A road widening and corner cut along Westminster Ave E will be taken through the subdivision in order to provide space for future intersection updates at Grandview St. The applicant will be responsible for extending a sanitary sewer main along Grandview St to serve one of the proposed lots. The applicant will also be required to upgrade half widths of both Westminster Ave E and Grandview St with curb and gutter, as a condition of subdivision. These upgrades could not be required by the developer if construction under the current zoning were to proceed. Development Cost Charges (DCC's) will be paid by the applicant through the subdivision stage in order to offset the increased demand on municipal services.

Development Statistics

The following table outlines how the proposed development meets the applicable Zoning Bylaw regulations:

	R1 Zone Requirement (current zone)	R2 Zone Requirement (proposed zone)	Proposed Subdivision
Minimum Lot Width:	16 m 18 m for corner lots	13 m 15 m for corner lots	18.5 m 20.1 m for corner lot
Minimum Lot Area:	560 m ²	390 m ²	463 m ² and 479 m ²

Analysis

When considering a zoning amendment bylaw application, staff encourages Council to consider the OCP policies as well as the potential impacts on neighbouring property owners.

The subject property is designated 'Detached Residential' by the OCP. The Detached Residential designation envisions lower-density residential neighbourhoods, primarily consisting of single detached dwellings with 1-2 dwelling units per lot. Both the R1 and R2 zones are considered consistent with the Detached Residential designation (Figure 2):

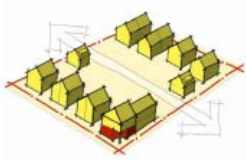
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Detached Residential</p>	Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas	<ul style="list-style-type: none"> Single detached houses with secondary suites or carriage houses Duplexes Small-scale neighbourhood commercial building (e.g., corner store, coffee shop) Manufactured homes 	<ul style="list-style-type: none"> Residential Limited retail/service 	<ul style="list-style-type: none"> 1 or 2 units per lot Generally up to 2 ½ storeys to reflect 30' maximum in Zoning Bylaw 	<ul style="list-style-type: none"> R1 R2 R3 RD1 RSM C2
<p>Site-Specific Detached Residential Policy Statement: 375 Smythe Drive: a maximum of 27 detached single-family houses are permitted on this site. Houses may include secondary suites but not carriage houses.</p>					

Figure 2 - Excerpt from OCP Land Use Designations table.

Staff consider that the proposed rezoning is consistent with the following OCP Policies:

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
- *Staff: The subject property is within a developed residential neighbourhood.*
- Policy 4.1.4.1 Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
- *Staff: The applicant has demonstrated that a sufficient building envelope exists on each proposed lot to allow for a variety of future building designs.*
- Policy 4.1.5.1 Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).
- *Staff: The development of two single detached dwellings where there was previously one will moderately increase density in the area, while maintaining a lower density residential character.*

In addition to the OCP policies above, staff consider the following supporting aspects of the proposed rezoning and 2-lot subdivision:

1. The proposed subdivision allows a moderate increase in density while maintaining the single-detached character of the street.

The OCP guides new development into already developed areas of the City. Infill development can take many forms, ranging in impacts to neighbourhood character. One of the most moderate methods of increasing density in residential areas is to keep the same built character on smaller lots to make a better use of serviced land. The surrounding neighbourhood consists of single detached dwellings, and the proposed rezoning will maintain this housing form. The development proposal maintains the primarily single detached character of the surrounding established neighbourhood while making an efficient use of urban, serviced land.

2. The proposed lot width maintains an appropriate building envelope on each lot.

When considering a future subdivision, it is important to confirm there will be an appropriate building envelope to allow for future construction. The building envelope is determined by considering the required yard setbacks and allowable lot coverage under the Zoning Bylaw. The applicant has indicated the required setbacks based on the proposed R2 zoning and has indicated a potential 150m² (1,615 ft²) building envelope on each lot, which is approximately 33% of each lot coverage. When considering future development may be up to 10.5m under the R2 zone, staff are of the opinion that there is more than sufficient room on each proposed lot for a future single detached dwelling, in keeping with the character of surrounding neighbourhood.

Given the reasons above, staff are recommending that Council give first reading to Zoning Amendment Bylaw No. 2021-07 and forward it to the March 1, 2021 Public Hearing.

Alternate Recommendations

Council may consider the proposed rezoning to facilitate a 2-lot subdivision is undesirable in this location. If this is the case, Council should deny first reading of the application. Staff are recommending against this option, as in staff’s opinion the proposed development is in keeping with the OCP and maintains the single detached character of the surrounding neighbourhood while allowing a more efficient use of serviced land in the built-up area of the City.

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2021-07”.

Attachments

- Attachment A – Zoning Map of Subject Property
- Attachment B – Official Community Plan Map of Subject Property
- Attachment C – Images of Subject Property
- Attachment D – Letter of Intent
- Attachment E – Addendum to Letter of Intent
- Attachment F – Subdivision Sketch
- Attachment G – Zoning Amendment Bylaw No. 2021-07

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

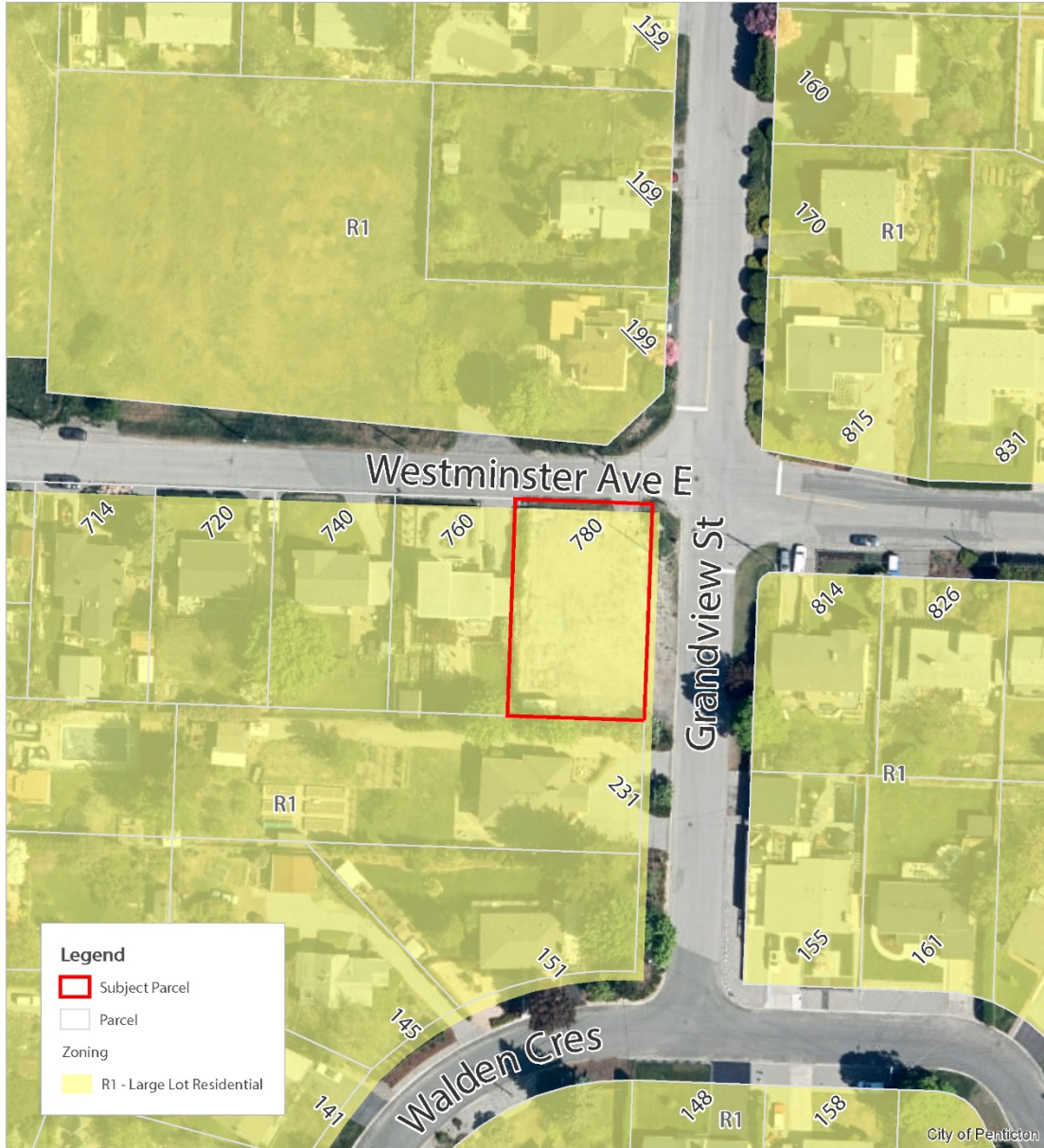
Director <i>BL</i>	Chief Administrative Officer DvD
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Attachment A – Zoning Map of Subject Property

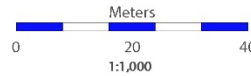


780 Westminster Ave E

Zoning Map



Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user of this information does so at their own risk and should not rely upon the information without independent verification as to the accuracy or suitability thereof.



December 21, 2020
11:07:43 AM

penticton.ca

Attachment B – Official Community Plan Map of Subject Property

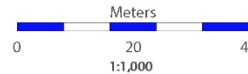


780 Westminster Ave E

Official Community Plan Map



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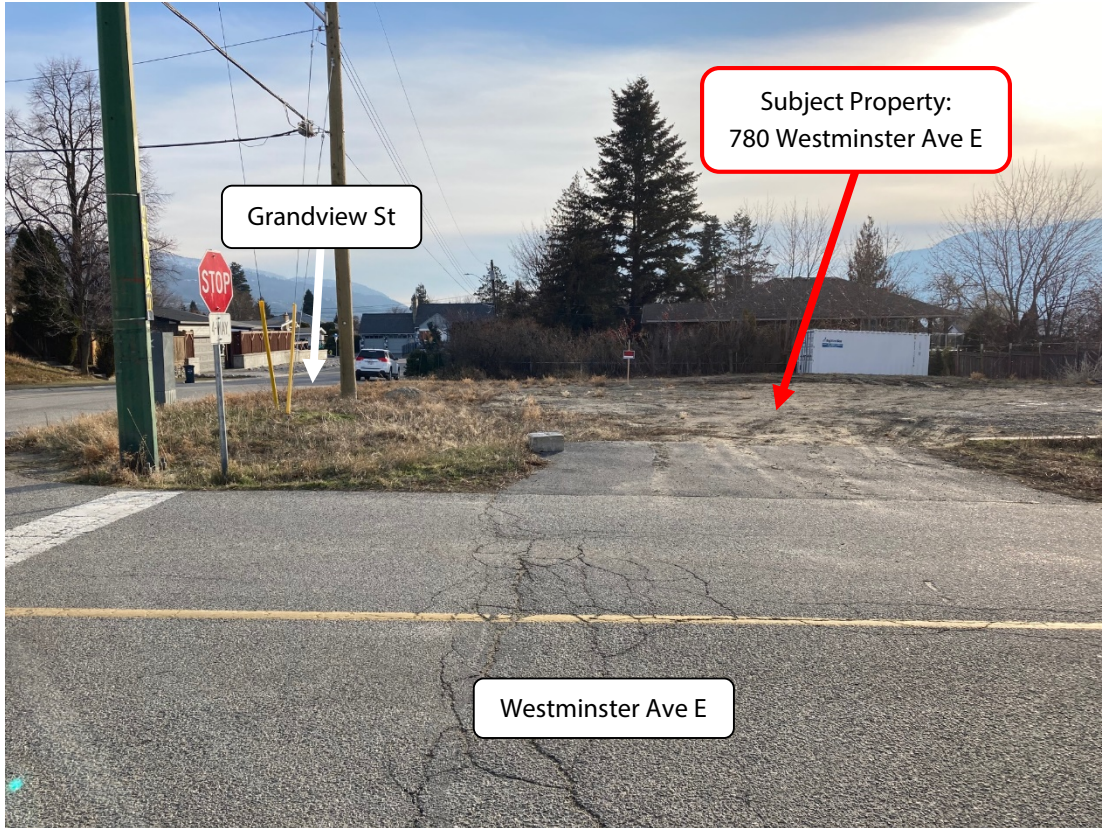


December 21, 2020
11:08:18 AM

penticton.ca

Attachment C – Images of Subject Property





Attachment D – Letter of Intent

December 9, 2020

TO: PLANNING DEPARTMENT-DEVELOPMENTAL DIVISION

REGARDING: LETTER OF INTENT- 780 WESTMINSTER AVENUE EAST, PENTICTON, BC

To whom it may concern:

Deborah Shields and Michael Weckel make application to rezone 780 Westminster Avenue, Penticton BC from R1 Large Lot Residential (OCP: Detached Residential) to R2 single detached residential. We purchased this property approximately 3 years ago (**image 1**). This was an extremely run-down farmhouse with overgrown and obstructive trees and bushes that aligned Westminster Avenue and Grandview Street. We had several offers to rent the house but decided against doing so as we only saw potential problems for adjacent neighbors. We removed the trees and bushes. The house was professionally demolished. Several residents advised us that they were happy with our actions as they felt the four-way intersection was safer with the cleared visibility.

Originally, our intent was to build a larger home on the property. But our spatial needs along with the market has undergone a transformation. With the lack of available land and the desire to reduce one's urban footprint, larger properties are becoming less of a market trend. When these properties were originally subdivided back in the day, this was not the case. Because this is a corner lot with dual access points (Westminster and Grandview), one of the salient features was the potential application for a carriage house. If we were to build a house and carriage home, the only way this would be financially feasible for us is to turn the carriage home into a vacation rental. For two reasons, we have no desire to do such. We resided in Heritage Hills and fought a long and hard battle for over three years with an illegal vacation rental in the neighboring house. Although, these vacation rentals are legal in Penticton, many of them bring hardships and property devaluation to adjacent neighbors. Not to mention the wear and tear on the property itself. We managed to get this vacation rental shut down in Heritage Hills. Hence, on principal alone, we refuse to own a vacation rental. Secondly, our desire is not to be landlords and have a smaller home on the property that we would have to oversee. Once we demolished the house, it became very evident to us that it was logical to apply for rezoning for two separate lots and build detached houses.

The lot is clear and flat. It is just under 1/3 of an acre. With rezoning, our sub-divided lots have the potential to be approximately 463.628 and 479.327 square meters. Because it is a corner lot with scenic views of the city, mountains, and lake, the proposed designs would achieve minimal impact on the privacy of adjacent dwellings. Each house will focus more on the views than the neighboring houses. One house will have an access 2 car driveway on Grandview and the other house would have the access 2 car driveway on Westminster. Each would have one boulevard tree per parcel. As this is a four way stop on a hill (**image 2**), for safety reasons we may redesign the Westminster access driveway on Grandview Street as well. In addition, if this zoning application is accepted, the city would have the right to a corner cut of 5m x 5m at the Corner of Westminster Ave East and Grandview Street (should they decide to realign the four

way stop). In addition, there is a 1.0m road dedication is required along Westminster Ave East (780 Westminster Ave E – PreApp: points 3, 4).

We are remarkably familiar with the building process. We have built and designed three houses in Heritage Hills. Our desire is to bring two modern constructs each being approximately 2500 square feet in size. Our houses will be complimentary in design and exterior to that of Oliver Place and complimentary with the current modern houses popping up in the area. These will not be cookie cutter houses. We have attached the proposed layouts of the houses and sizes of the parcels (images 3,4). The intent would be for us to live one home and sell the second house. Deborah had several calls and meetings with Audrey Tanguay and Steven Collyer from the city regarding the feasibility for this application and how this rezoning and single detached housing would fit into the Official City Plan for the area. We are aware of the costs and the conditions for rezoning for subdivision. We received a "Preliminary Development Engineering Comments" from Delphine Maja. All of which appear to be logistically/technically feasible.

Finally, we have been following Mr. Kerr's Oliver Place development in conjunction with the Marvin Hayter application. We are very aware of the feedback from the residents in the public hearings. We understand people in the neighborhood have been long term residents and are very protective of R1 zoning. However, there is truly little land to expand in Penticton. As a community we must transform and build our communities not only for ourselves but for future generations. The city of Penticton interactive mapping link illustrates there are already a couple R2 lots near Grandview, Lower Bench Rd, as well as one R2 lot on Johnson near Haven Hill Rd. Hence, rezoning to R2 has occurred in this area (images 5,6). This is a very well sought-after area where young families, businesspeople, retirees, and the like would love to live. It is highly valued because it is close to the downtown core and restaurants. Because 780 Westminster is a well elevated corner lot, there are not the water issues and traffic concerns as was voiced in the Hayter application. On an additional note, we have heard the term "micro lots" being used at meetings. Even though these lots are smaller, our lots will be ample in size to accommodate a single dwelling and will fit into both the current and future development of the neighborhood. By subdividing the property, we believe we will bring additional value to those landowners in the area. We are open to feedback from the residents

Our goals are to maintain the integrity, value, and safety of the community. We have asked Steven that we would like to extend notice of our application to the entire neighborhood well in advance of a public hearing were we to apply for subdivision. We respectfully thank-you for your time and ask that you consider our rezoning application. We are excited to contribute to the growth and future of the wonderful city of Penticton.

Regards,



Deborah Shields

Penticton, BC

Image 1

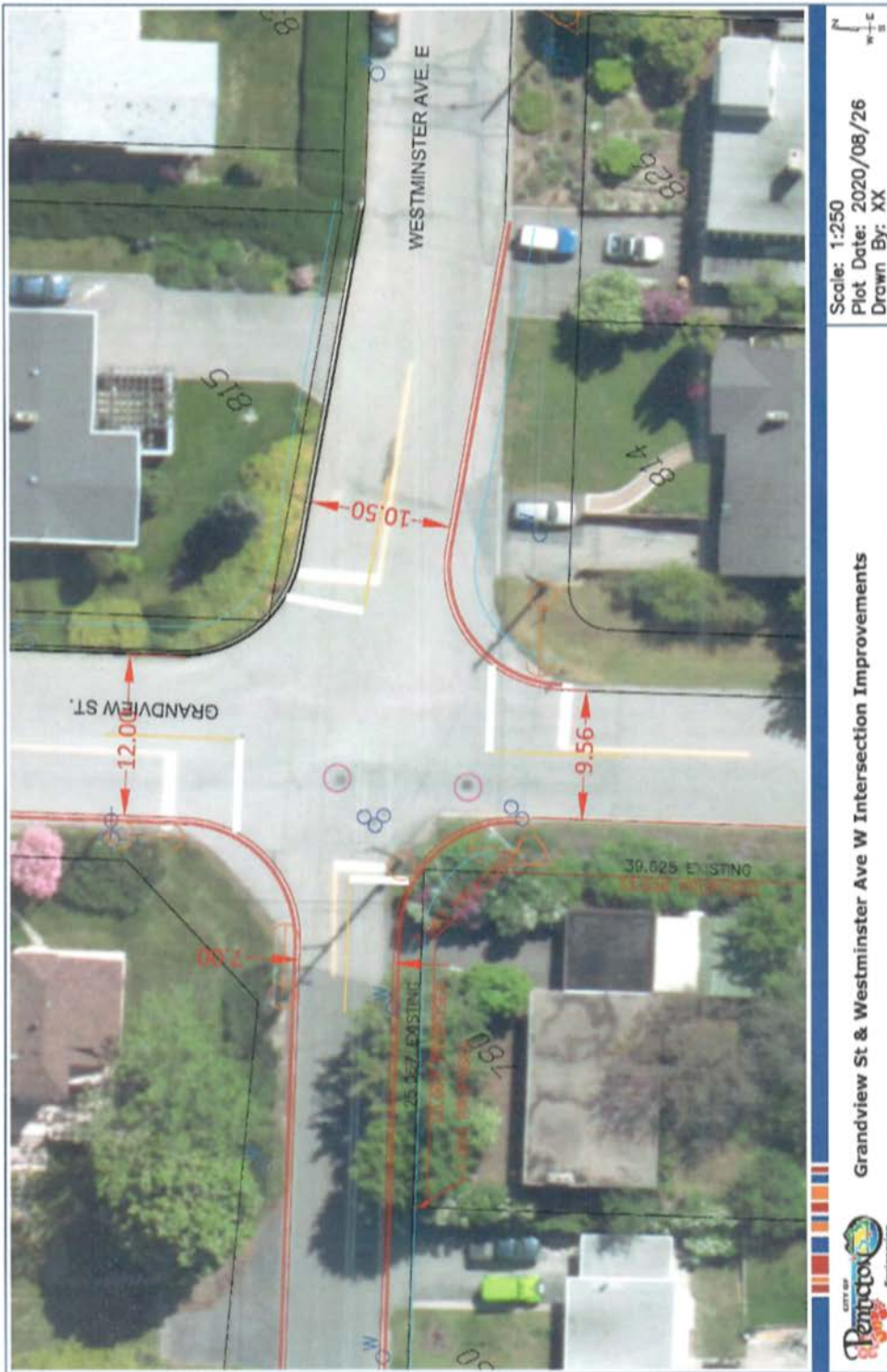


Image 3: REZONING APPLICATION 780 Westminster Avenue East, Penticton, BC V2A 1J3
Plan 1 Driveway Accesses: Westminster Avenue East and Grandview Street

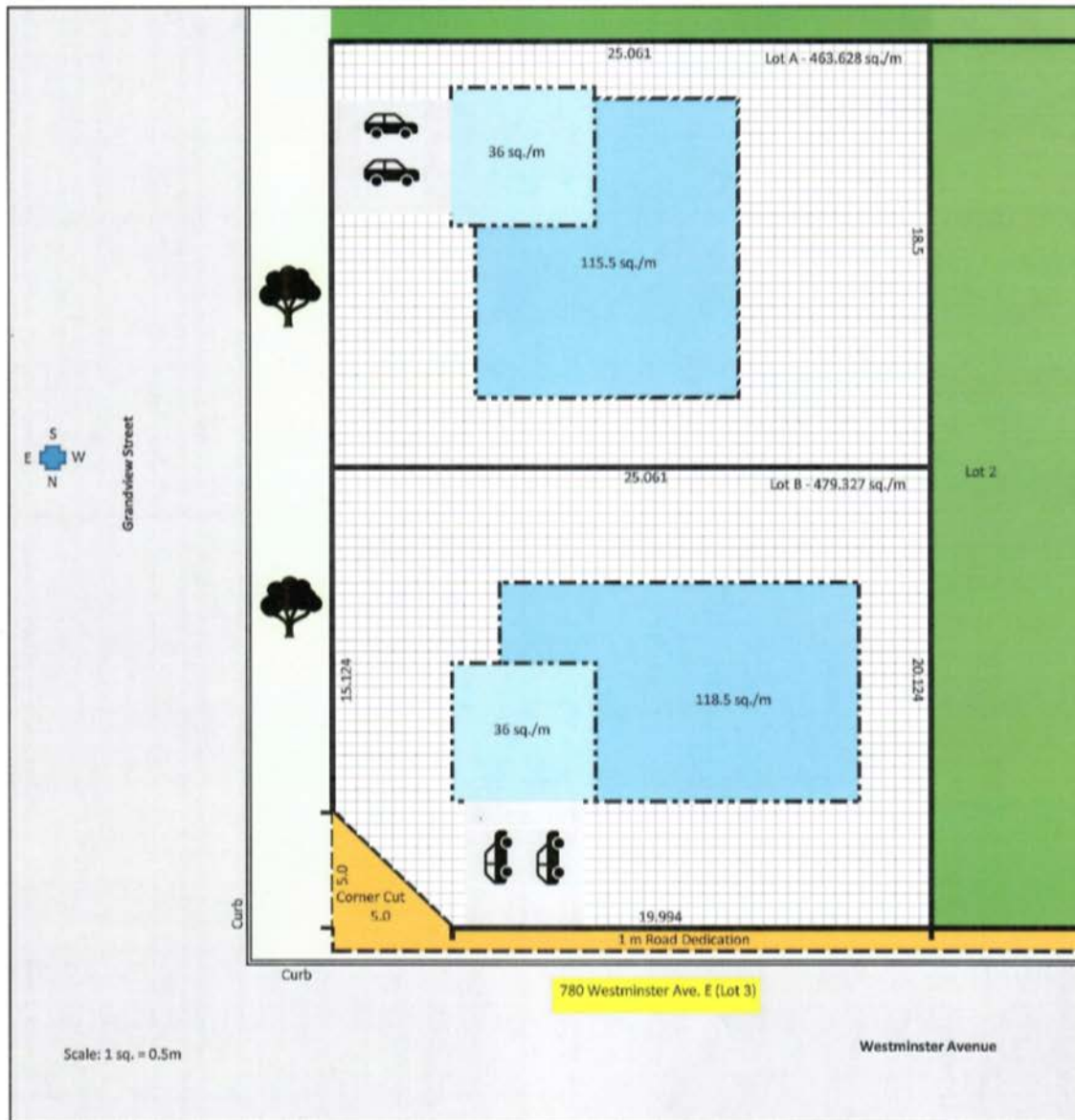


Image 4: REZONING APPLICATION 780 Westminster Avenue East, Penticton, BC V2A 1J3
Plan 2 Driveway Accesses: Grandview Street

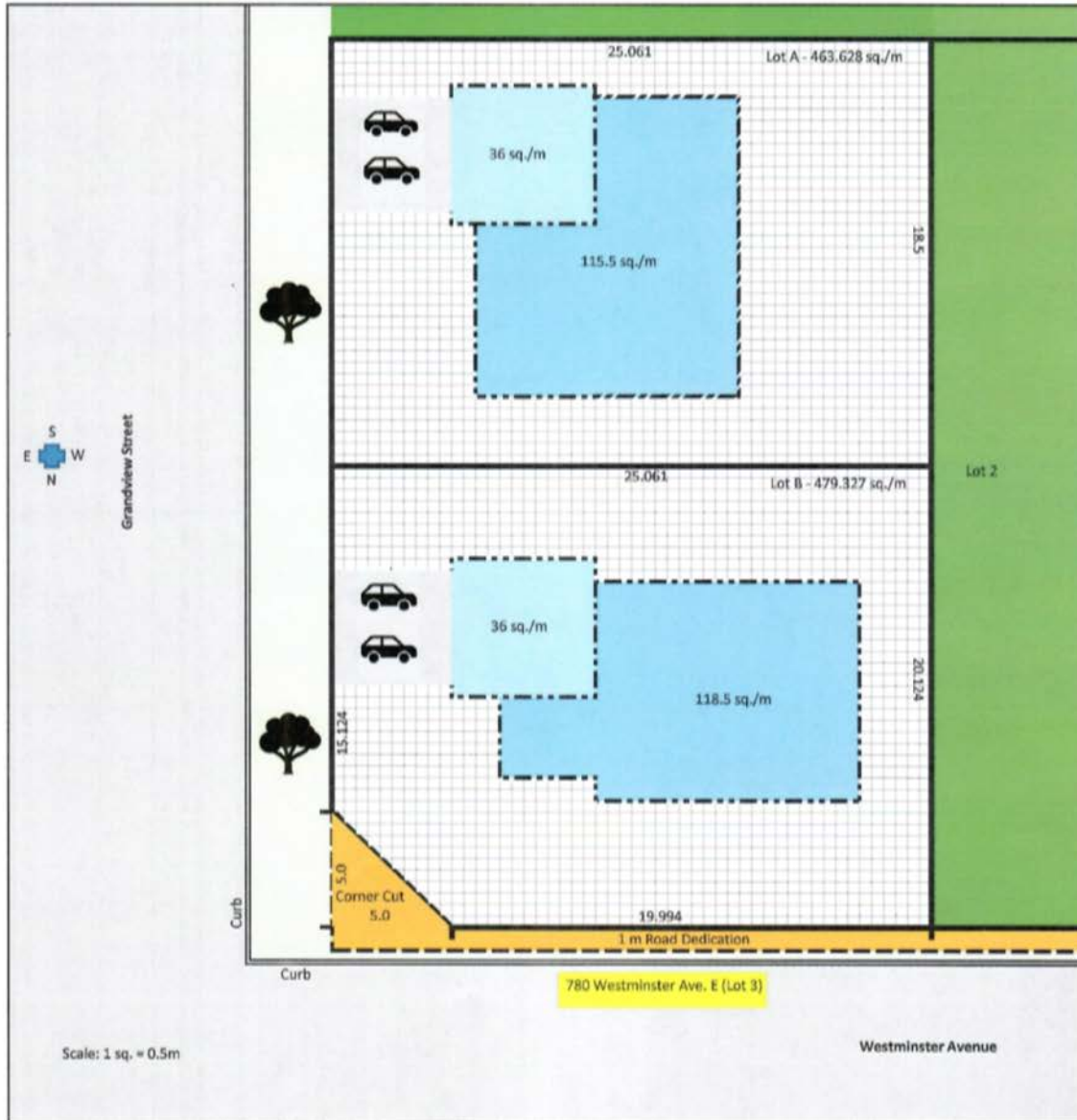


Image 5: R2 Zoning (Grandview and Lower Bench)



Image 6: R2 Zoning (Johnson and Haven Hill)



Attachment E – Addendum to Letter of Intent

January 13, 2021

TO: PLANNING DEPARTMENT-DEVELOPMENTAL DIVISION

**REGARDING: ADDENDUM LETTER OF INTENT- 780 WESTMINSTER AVENUE EAST,
PENTICTON, BC**

To whom it may concern:

In our original "letter of intent" dated December 9, 2020, I had outlined two possible driveway access points for our rezoning application of 780 Westminster Avenue East:

"One house will have an access 2 car driveway on Grandview and the other house would have the access 2 car driveway on Westminster. Each would have one boulevard tree per parcel. As this is a four way stop on a hill (image 2), for safety reasons we may redesign the Westminster access driveway on Grandview Street as well."

We have decided for safety reasons and house accessibility, the best option would be to have both access driveways on Grandview Street. I am enclosing a pictorial outlining where the stop sign is located on the corner of the Grandview and Westminster relative to the current driveway location on Westminster Avenue East. The pictorial outlines why this is the best choice for Lot B.

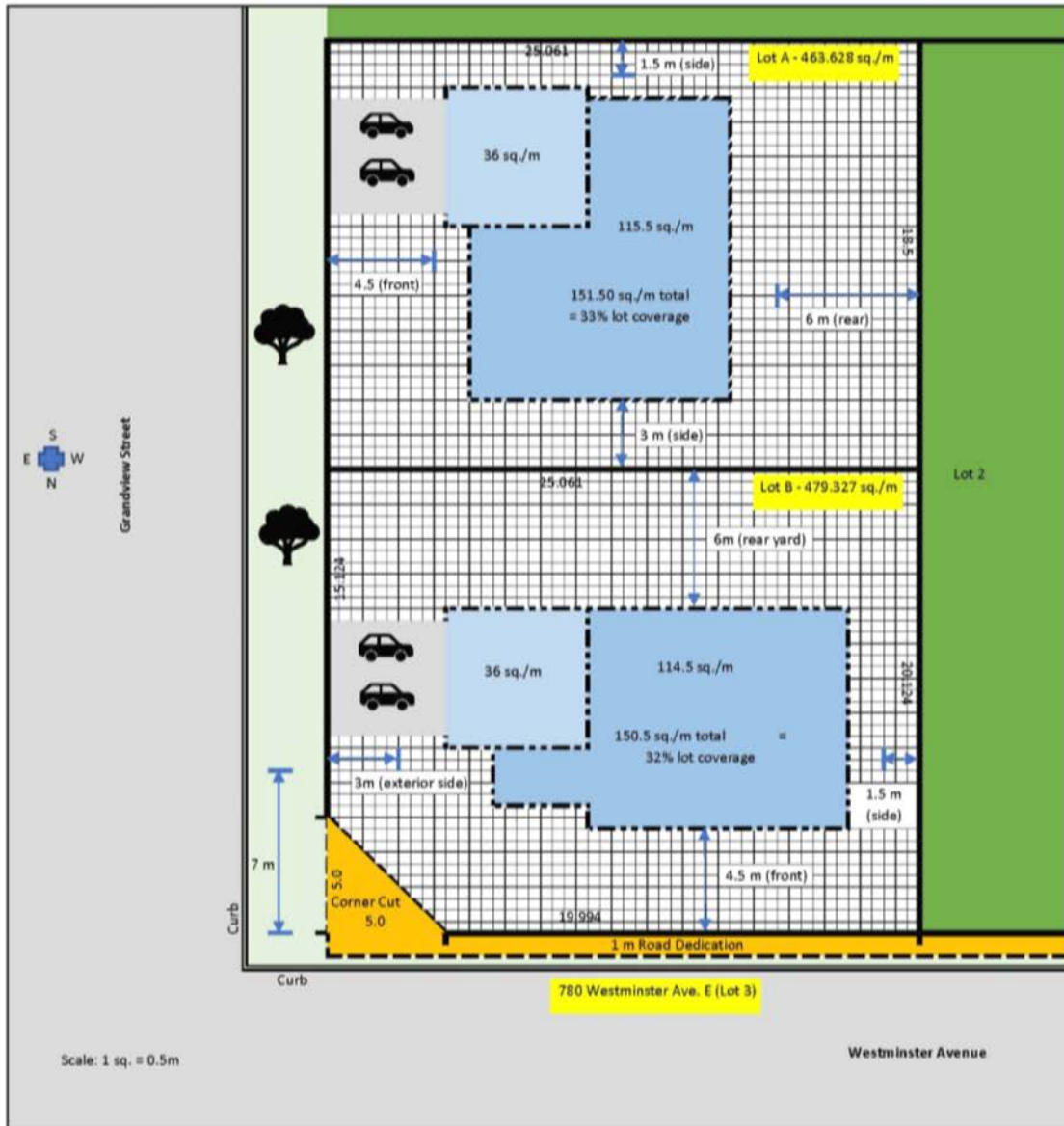
Regards,

Deborah Shields

[REDACTED]
Penticton, BC
[REDACTED]

Attachment F – Subdivision Sketch

Image 4: Revised Grandview Driveways Only



Bylaw No. 2021-07

A Bylaw to Amend Zoning Bylaw 2017-08

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2017-08;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2021-07".

2. **Amendment:**

2.1 Zoning Bylaw No. 2017-08 is hereby amended as follows:

Rezone Lot 3 District Lot 188 Similkameen Division Yale District Plan 7640, located at 780 Westminster Avenue East, from R1 (Large Lot Residential) to R2 (Small Lot Residential).

2.2 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this	16	day of	February, 2021
A PUBLIC HEARING was held this	1	day of	March, 2021
READ A SECOND time this		day of	, 2021
READ A THIRD time this		day of	, 2021
ADOPTED this		day of	, 2021

Notice of intention to proceed with this bylaw was published on the 23 day of February, 2021 and the 24 day of February, 2021 in the Penticton Herald newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

780 Westminster Ave E Rezone

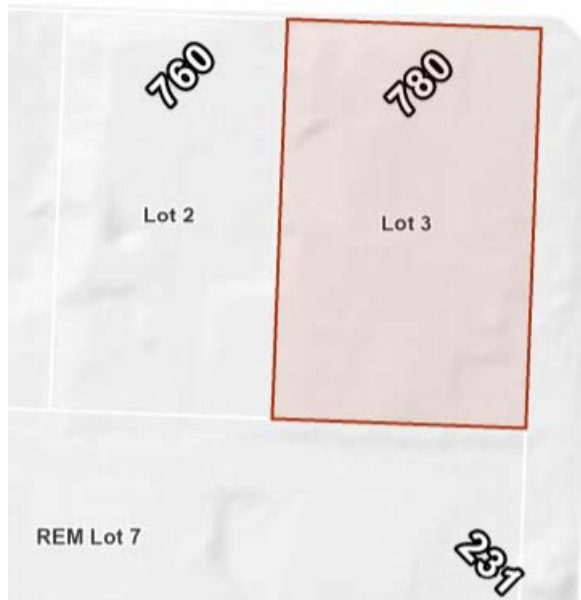
From: R1 (Large Lot Residential)
To: R2 (Small Lot Residential)



Westminster Ave E



Lot 2



760

780

Lot 2

Lot 3

REM Lot 7

231

Grandview St



814

Lot 1

City

City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2021-07

Date: _____

Corporate Officer: _____

From: Paul Wickland
Sent: Tuesday, February 23, 2021 8:44 AM
To: Public Hearings
Subject: Attention: Corporate Officer, City of Penticton

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Re: Application: Rezone PL2020-8911, subject property 780 Westminster Ave. E

If this rezoning of the lot from R1 to R2 is allowed it would be the first in this area of solid RI housing, It definitely should not be allowed, since it would allow any developer of the properties in the 700 block on the north side of Westminster Ave. E to quote it in their applications for the same consideration. People who have bought properties here in the Uplands/Redlands area have done so because they are large lots, and there are plenty of other areas in the city where this type of housing exists and is well accepted. This proposal is not in keeping with the character of the neighbourhood and should not be allowed.

Paul Wickland
Lesley Hudson
231 Grandview St. Penticton.
(please do not disclose this email address)

From: Nicola
Sent: Tuesday, February 23, 2021 12:27 PM
To: Public Hearings
Subject: Rezoning 780 Westminster Ave East

Hi there, my name is Nicola Korvin, my family and I live in this area and moved in to raise our 2 young boys in some space and to take advantage of the outdoor lifestyle; gardening, walking and enjoying the proximity to the downtown. I was disappointed to see this proposal as I feel it does not match the neighbourhood's style and sets examples for lots across the street and future homes. Closer to the core, density has been increasing and fits the style of business and amenities, while our area is one of enjoying gardens and chatting with friends across the fence, discussing the deer and what is growing well. Our kids play and travel the area, walking the dog and visiting friends freely, aware of traffic but knowing everyone. Please don't make Uplands area a holding tank for second home dwellers and income properties. Keep the space!
Thanks so much for your time,
Nicola Korvin

Sent from my iPhone

From: dave mclelland
Sent: Tuesday, February 23, 2021 5:58 PM
To: Public Hearings
Subject: Proposal on Westminster Ave East

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First I would like to say that we live 3 lots from this Proposal, and as of Feb 23 we have not received notice in the mail or otherwise regarding the changes they are requesting.

As many residents in the surrounding area likely haven't been contacted to date and would never drive by the sign that was erected, many may not respond to this application .

Again.... the people of this area are asked to change the zoning from Large lot Residential to Small lot.....The official Community plan was set for a reason and we live in this area because we agree with the zoning....Small lot residential is available in many areas of Penticton, as is other suitable zoning like Commercial allowed in suitable areas.

Small lot Residential should not be given to this lot or any future applications in this area as it will negatively change the area forever. We have enjoyed living in this part of Penticton for close to 35 years.

Increasing the value of these larger lots by allowing Small Lot designation, would bring future speculation buyers to this area, and major changes to the area would occur.

Recently a subdivision at 665 Westminster had shown the residents in this area are opposed to small lot designation. They asked for the same zoning and were Turned Down by Council, they re-submitted as a large lot subdivision, and are awaiting council approval of a road issue....

If this application is approved it will negatively change the future of this area.....as the two large parcels on Westminster Ave East not developed would then use this zoning as an OK to get the same zoning and the whole area would be changed.

Keep the speculators out of this area and oppose this application.

Thank you all for being active in reviewing these requests and lets keep the large lot designation in this area. It has been proven that the residents in this Large Lot designated area want to keep the soul of our neighbourhoods as is.....

Dave McLelland
714 Westminster Ave East.....
Penticton B.C

From: Mel Batchelor
Sent: Wednesday, February 24, 2021 8:29 PM
To: Public Hearings
Subject: Re. Rezoning of 780 Westminster Ave East.

I would like to offer my opinion regarding the request to rezone the above property from R1 to R2 small residential lot. I have lived at 200 Cambie Street, on the corner of Westminster Ave for 20 years. We chose this area for its beautiful character homes, all situated on large plots with attractive gardens.

When we renovated this home we took great care to keep the character of the home both inside and out, in keeping with the area. We thought that this was so important as so much of Penticton has become overdeveloped and it is so important to preserve some areas of character.

I am completely against this owner building two houses on this plot. I have also been informed that permission could possibly be granted to also build carriage houses on this lot.

In my opinion this would be total unreasonable and completely out of character to our beautiful area.

Please do not grant this rezoning.

Thank you,
Melanie Batchelor.

Sent from my iPad

From: Leslie Laurie
Sent: Thursday, February 25, 2021 8:20 AM
To: Public Hearings
Subject: 780 Westminster Ave E

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Hello. I wish to register my opposition to the application to rezone this lot from R1 to R2.

As a relatively new occupant of this neighbourhood I completely abhor the thought of two to four residences on such a location. As I understand Carriage Houses for each of the homes would also be a possibility. We chose this area specifically for the residential feel, the nice large lots and do not wish to see this kind of densification start in the Uplands Redlands. There is enough of this going on in the downtown area where the majority of homes that sell are not worth renovating but instead are bulldozed and filled with duplexes and more. We also have a traffic issue with commercial vehicles driving too fast and making too much noise making the shortcut between Johnson Road and Vancouver Hill through these residential streets. Another four to eight Vehicles residing at this address only adds to the problem.

The Uplands and Redlands is not a neighbourhood for densification at this point in time. Single lots with single residences on them is still the norm and should continue to be the norm. Please do not approve this rezoning for this lot and location.

Thank you. Leslie Laurie

18 Late Submissions - Zoning Amendment Bylaw No. 2021-07
Re: 780 Westminster Avenue East

From: Jeff Leonard
Sent: Thursday, February 25, 2021 2:56 PM
To: Public Hearings
Subject: Re: Public Hearing - 780 Westminster Ave. E

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Feb 24, 2021

Re: 780 Westminster Ave. E (Lot 3, District Lot 188, Similkameen Division Yale District, Plan 7640) Public Hearing – Monday March 01, 2020

Should be noted that there was no mail notice to my property which is merely ½ block away (8 houses). As the Planning Dept was requested to do so by applicant in Dec 9 letter.

Dear Mayor and Council

My name is Jeff Leonard and I live at 110 Grandview Street.

I would like it known to council that I am against rezoning application for 780 Westminster Ave. E for the following reasons;

The uplands area is a very small and unique area in Penticton. Whereas other parts of the city has seen an influx of smaller infill homes pop up, Uplands has retained its larger homes and lots in tact. Even though the older population is looking to downsize, younger families are still wanting the traditional larger homes with larger yards where their kids can play safely. For the city of Penticton to grow, family homes are desperately needed.

Within the application, the applicant states in their letter to council of Dec 9, 2020, that their “desire is to bring two modern constructs each being approximately 2500 square feet in size”. If one looks at page 15 of the rezoning application you will see a drawing of the proposed buildings with vague measurements. If one takes the measurements and converts them to Sq ft – The top house is 115.5 sq/m or 1243.23 sq/ft this however is misleading as it doesn’t take into account the 36 sq/m or 387 sq ft of the garage. This would leave a home with a floor plan of 856 Sq/ft . This is on scale with a carriage house that is only slightly smaller at 90 sq/m.

The application also states that “there are already a couple r2 lots near Grandview”. The lots referred to are on the very outskirts of Uplands and are only considered “close” because of the size of uplands itself.

The applicant further states in their application “we have been following Mr. Kerr’s Oliver Place development in conjunction with Marvin Hayter application.” The Oliver Place homes referred to are over 3700 sq/ft in size. That makes them over 4 times the size of what applicant purposes. In regards to the “Marvin Hayter application”. The developer relented to building smaller foot print homes and agreed to subdivide lots that are over twice the size of what the applicant proposes.

The applicant purposes to have both homes with driveways backing on to an already busy street that not only is a bus route but a shortcut for far too many to get to Vancouver hill (at a fast speed I might add). Having

more vehicles backing out of a driveway, especially around the blind corner of Walden Crescent and Grandview St. is just trouble waiting to happen.

Finally, the applicant states "Our goals are to maintain the integrity, value, and safety of the community." It is my opinion that these homes will not maintain the norm of the neighborhood and definitely not the value of current properties. If the city allows this development to go forward in the small community of Uplands they will be cracking the door open to many other applications in the future. This would end up not only destroying the atmosphere of the area but a large part of the mature trees and vegetation in the area as this applicant has done in clearing the lot at 780 Westminster Ave. E

Thank you for your time,

Sincerely,

Jeff Leonard

Feb. 22, 2021

Dear Mayor Vassilaki and members of City Council,

The introduction to the rezoning application for 780 Westminster Ave. East was included in the last Council Regular Meeting agenda. (I feel it may have been overshadowed by the lengthy staff report included in that agenda for the controversial 1050 Spiller Road public hearing.)

Having reviewed the staff report to Council; the applicant's letter and maps included in that report; the OCP; and the subject property, I write to express my objections to the proposed rezoning. My reasons are as follows:

1. I attended three workshops during the 2019-2045 OCP engagement process, one for a community group, another for City Committee members, and a third for general citizenry. The housing section of those workshops contained an exercise wherein participants placed cubes of various colors on a map to indicate where they felt density should occur in the City, and at what level of density. It is noteworthy that not one cube was placed on this neighborhood in any of those densification exercises.
2. The staff report refers to specific OCP goals and policies to support this application: policies 4.1.1.1, 4.1.4.1, and 4.1.5.1. However, the most solidly applicable policy in that sequence, and which bears direct relation to this low density, large lot neighborhood, has been overlooked. It reads:

"4.1.3.2 Increase housing options in low-density single family areas through development of secondary suites and carriage houses, and ensure carriage houses are sensitively integrated and designed according to the Intensive Residential Development Permit Area Guidelines."

The rezoning of 780 Westminster would suggest that other developers can successfully apply for the same privilege throughout this neighborhood. Its character would likely change quickly. Approval of this rezoning would definitely contradict the above policy guideline.

3. The staff report to Council includes a letter written by the applicant. Included therein are two maps showing R2 rezonings. Some of those rezonings were controversial, provide weak examples of precedent, and would not likely be approved under the new OCP. Some issues surrounding those R2 zones are illustrated below.

IMAGE A shows a number of R2 zonings (circled in purple by me) in the southwest corner of the applicant's map. Those properties are, in fact, below the KVR near Penticton Creek, rather than in the neighborhood of the subject property I suggest that these R2 properties should therefore be excluded from Council's deliberations of precedent for this matter.

IMAGE A



IMAGE B shown below references two R2 rezonings, both of which are in the north end of the neighborhood.

The properties circled in red were rezoned despite controversial issues around access, lot size and parking space. This is not an applicable precedent for the approval of 780 Westminster Ave. E.

IMAGE B



Circled in purple, the Bench Estates project on Vancouver Ave. currently has its immediate neighbor's driveway hanging at the edge of a cliff for the last few months. The Developer is in the process of "creating lots" by dumping and flattening truckloads of fill on a relatively steep embankment. Cramming the maximum number of lots onto a piece of land that appears inadequate for five homes, is not indicative of a precedent that should lead to a rezoning of 780 Westminister Ave. E. (Illustrated via **IMAGES C and D** on the next page.)

IMAGE C: Driveway to Bench Estates



IMAGE D: Lots created by fill for Bench Estates



4. The letter submitted by the applicant also cites financial infeasibility and unwillingness to build a carriage house and “be a landlord” as reasons for requesting this application. However, perceived financial hardship on the part of an applicant is an unsupportable rationale for approving this or any rezoning. The applicant also references home designs that are not seen in the application.
5. Real estate ads regularly correctly note this area is a “leafy neighborhood”. It is unfortunate that the applicant felt the need to remove all mature trees and hedge vegetation from the property before a rezoning was even considered. Her reference to admiration for the Oliver Place development, now partially finished, is of concern, because mature trees, gardens, shrubs and lawns on the former iteration of those bungalow properties is now being replaced with huge hardscaped driveways, houses built with a massive garage door as the principal street presence; and landscaping which has mostly involved installing gravel, cacti, and a few ornamental grasses:

IMAGE E: New Houses on Oliver Place (as referenced by the applicant)



To conclude, the omission of a critical OCP policy relating to this neighborhood in the staff report, in addition to the weak precedents and other unsupportable reasons for R2 zoning as cited by the applicant, should lead Council to reject this rezoning application.

Respectfully submitted,

Loraine Stephanson

Resident, Farrell Street Penticton, Feb. 23, 2021

February 24, 2021

To Mayor Vassilaki and members of Penticton City Council:

Below are my comments on the February 16 Council Report respecting a proposed 2 lot subdivision at 780 Westminster Ave. East. That subdivision presents significant concerns about the precedent it would establish and the prospective adverse impacts on the integrity of the surrounding neighborhood. I summarize concerns with the staff recommendations, together with supporting rationale.

Staff Recommendation (Feb. 16, 2021 Council Report)

Staff are recommending a rezoning of the subject land to facilitate a two lot subdivision. The OCP reference cites the rationale of promoting ***“the economic well-being and vitality of the community.”***

On those grounds, spending on any land development would qualify. It is an inadequate test of acceptability of specific proposals.

Technical Review

“Conditions of subdivision would entail upgrading a half road width with curb and gutter on Westminster and Grandview.”

Is this a sufficient rationale for subdivision? I think not, and offer my supporting reasons on this and other aspects of this report, as follows.

1. The OCP designation of “Detached Residential” allows for single detached houses with suites, carriage houses and/or duplexes. It is a broad category embodying 6 possible zones. It is thus not a substitute for necessary site-specific zoning.
2. Specific reference is made to OCP policy 4.1.5.1 which states:
“ensure new forms of residential development are compatible with the neighborhood scale and design”.

I suggest the proposed subdivision is not compatible. I cannot conclude the proposal meets ***the test of maintaining a low density residential character***. Instead it opens the door for random incremental densification, which inherently will change the character of the surrounding neighborhood.

Potentially it represents an adverse precedent.

3. Staff offer the following “supporting aspects” in their report, on which I comment:

- **“ the proposed rezoning will maintain . . .this housing form, etc.”**

While the development ultimately may or may not “*maintain the prevailing housing form*”, it establishes a precedent. What is arguable is staff’s assertion that the proposed concept maintains the primarily single family detached, large lot character of the surrounding neighborhood.

- **. . .”staff are of the opinion that there is more than sufficient room on each proposed lot for a future single detached dwelling, in keeping with the character of the surrounding neighborhood”.**

The above is not evident. Moreover, prospective incremental and random doubling (or more) of residential densities, inherently, will not maintain the *prevailing* neighborhood character.

4. Staff cite OCP policy 4.1.5.1 That policy states that”new forms of development (be) are compatible with the neighborhood in scale and design, and are appropriately located.”

This is not demonstrated. The density proposed is higher, and the scale and design aspects remain unclear for the proposed, smaller lots, given **considerable discrepancies** in the building footprints between the subdivision map (approx. 1500 sq.” for each home) and the comment in the applicant’s letter (2500sq.’ for each home).

5. Staff conclude that prospective doubling of dwellings on a site will maintain a “lower (sic) density residential character”.

This assertion is not demonstrated on the site map.

The logic behind stating that incremental doubling of dwellings maintains either lower density or existing residential character is not demonstrated.

6. With regard to the applicant's letter, the suggested notion of the proposed rezoning bringing "**additional value to those landowners in the area**" should not be the rationale for any particular development approval. It is simply an inadequate and potentially troubling test, and one which could be injurious to most neighborhoods.

7. Additionally, financial feasibility or need (as described in the applicant's letter) by any proponent cannot be regarded as an appropriate rationale for any local government land use approval of any subdivision or development. Developers are responsible for financing both their internal needs and meeting regulatory requirements/standards.

8. The design compatibility of the proposed two dwellings per lot as described in the applicant's letter is unlikely to meet the test if it were extensively applied:
 - In Addendum E, the applicant notes the desire to bring "**two modern constructs . . . complementary in design and exterior to that of Oliver Place**" . . .
 - It is by no means widely agreed that such "new forms" of residential development are considered compatible with the neighborhood in scale and design as stipulated in **OCP Policy 4.1.5.1**.
 - The suggested "*integrity*" of the existing neighborhood is essentially founded on the ambiance afforded by its large lots and associated landscaping.

The staff analysis presents their personal conclusions which are not necessarily those of neighborhood residents.

9. The staff report curiously makes no reference to **OCP Policy 4.1.3.2** which states:

"Increase housing options in lower density single family areas through development of secondary suites and carriage houses, and ensure carriage houses are sensitively integrated and designed according to the Residential Development Permit Area Guidelines."

The present proposal is in such a low-density area. For what reason did staff not include mention of this policy? Their job is to provide Council with analysis, rather than outright promotion of any particular development.

Concluding comments:

10. A burgeoning market for single family homes presents a conundrum for Penticton's Council and those of other BC municipalities. The question is which parties should be in control of the impacts of these market shifts: developers or community representatives, including elected Councils?

Penticton can expect to be under pressure from market forces, given its many attractive qualities and features. Unmanaged, such market forces have the potential to diminish those fundamental qualities.

11. Applications such as this one should involve the City's notification of residents in the neighborhood within and beyond the current 150' from the property line limit. The current notification boundaries:
- are inadequate for proposals that if approved, have the potential to negatively affect property owners far beyond that 150' boundary; and
 - likely reduce the number of property owners who might otherwise wish to publicly address a proposal,, either in advance of or at the relevant public hearing.

Thank you for your attention and consideration of my submission on the subject development proposal. That proposal is likely the first of many, should this rezoning and subdivision be approved.

Respectfully submitted,

Denis O'Gorman

Farrell Street resident, Penticton

From:
Sent: Thursday, February 25, 2021 5:35 PM
To: Public Hearings
Subject: rezoning 780 Westminster Ave. E.

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We would like to go on record as being opposed to the rezoning of 780 Westminster Ave. E. (zoning amendment bylaw # 2021-07)

There are no other R2 lots in the area and changing this will set a precedent for future developers. Did the applicants not know the property's zoning when they bought it?

We wonder why city staff are recommending so vigorously for this zoning change? The Contractor that did the city service upgrades in the area a couple of years ago used this lot for a staging area for their equipment and materials.

Thanks, C & G McKinnon
769 Appleton Ave. Penticton BC V2A1C7

From: Brenda Fenske
Sent: Thursday, February 25, 2021 6:11 PM
To: Public Hearings
Subject: Rezoning 780 Westminster ave

We are against the rezoning of this lot to R2. We believe this area of Uplands should stay as R1.
Thank you
John and Brenda Fenske
168 uplands place

Sent from my iPhone

From: Brad Magyar
Sent: Thursday, February 25, 2021 9:00 PM
To: Public Hearings
Subject: 780 Westminster Ave E Lot 3, District Lot 188, Similkameen Division Yale District, Plan 7640 Rezone PL2020-8911

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Attention Corporate Officer City of Penticton

I am writing this to state I am strongly opposed to the rezoning proposed for 780 Westminister Ave East.

There are several issues that make me opposed to this rezoning. First, why is this even being looked at? The area in question is zoned for R1 large lot single detached residential which fits within this established neighbourhood. The current lots have all complied with the R1 zoning. I expect City Council to receive the same negative response from the community as it did on another recent request to rezone a different lot on Westminster Ave.

Second: If this request goes through then what happens when the next requests comes along, where does it all end and why are we looking at changing what has already been agreed to in the current zoning. Property values will not hold value if this area now becomes high density housing as a result of allowing rezoning.

Third: The Uplands area is not one of affordable housing so there is no argument to state this is being done to support that. All it will do is increase the profit margin of the developer at the expense of the area residents (property values going down).

Fourth: If the R2 zoning is allowed there is a potential to have a carriage house in addition to each residential home which now has four buildings on the current site instead of a maximum of two in the R1 zoning. The R2 lot is already smaller than the minimum lot size of 560 m² and how out of place these two lots will look with 2 dwellings each crammed into an already too small lot especially at the intersection of Grandview and Westminister which is a main intersection of this neighbourhood.

Regards
Brad Magyar

Sent from [Mail](#) for Windows 10

From: Karen Brucker
Sent: Thursday, February 25, 2021 9:38 PM
To: Public Hearings
Subject: 780 Westminster Ave E Zoning

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I really object to this being zoned as more than a single family house lot. My name is Karen Brucker and I live at 873 Westminster Ave E where I grew up since age 2 and now reside with my 10year old daughter. I cannot attend the virtual hearing but wanted to send this email and you may contact me if required at I was born in Penticton in 1968 and this my forever home and where my child will live for many years.

Sent from Yahoo Mail on Android

From: Deirdre Riley
Sent: Friday, February 26, 2021 9:57 AM
To: Public Hearings
Subject: RE: Rezoning of 780 Westminister

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To whom it may concern,

We reside at 60 Cambie Street in Penticton. We are opposed to the rezoning of 780 Westminister from R1 to R2. It is well known that the owners of the lot, based on their reputations, have no intention of living in one of the houses to be built on the lot. If they were looking for a new home why haven't they done any preparation on the lot, or made any plans until now? They have owned the lot for more than 3 years. Allowing the rezoning of 780 Westminister presents a dangerous slippery slope that will have significant impacts on the character of the neighbourhood. We do not want to encourage more speculative purchases that will lead to a complete change of the Uplands neighbourhood. Please stick with the Community Plan and leave R1 zoning in place for the area.

Regards,
Deirdre Riley

From: Dawn
Sent: Friday, February 26, 2021 4:19 PM
To: Public Hearings
Subject: 780 Westminster Ave East rezoning

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Audrey Tanquay, Planning Manager

I am writing in response to the application to rezone 780 Westminster Ave East from R1 (large lot residential) to R2 (small lot residential).

I would not like to see it rezoned. I vote NO to the rezoning of 780 Westminster Ave East.

The current owner of the property at 780 Westminster Ave East purchased it knowing that it was zoned R1. The new owner took the house down that was on the lot and it has sat as a lot only for over 2 years.

I live at 740 Westminster Ave East and would like to see the properties in the neighborhood stay zoned at R1. If the property of 780 Westminster Ave East is allowed to be rezoned R2 then when the property sells at 199 Grandview Street, which is the property that I face, then the new owner will want to rezone that property so that more houses can be built on the land. If rezoning is allowed for one property a precedent will be set and there will be many properties wanting to be rezoned. I don't believe that this should be allowed in this neighborhood.

My name is Dawn Walker and I live at 740 Westminster Ave East.

From: Albert Dell
Sent: Friday, February 26, 2021 4:24 PM
To: Public Hearings
Subject: Rezoning application for 780 Westminster Ave. E

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To Mayor and Council,

Please note that I live within half a block of this property and I am NOT in favour of the application to rezone this property from R1 to R2.

I request that the property remain R1 which already allows for a house plus a carriage house should the owner want to have a second dwelling or create additional income.

The neighbourhood is designated as lower density in the OCP and building two separate homes and splitting the lot is not consistent with the neighbourhood. Nor is it fair to others who have chosen this area because of the lower density.

I also understand that if the property is split into two lots as R2, then the owners could each build a carriage house on their R2 lot. Thus the R1 lot previously with just one dwelling could now have 4 dwellings. This would create a density far beyond what exists in the neighbourhood.

I urge you to say no to this application.

Thank you,

Albert Dell
158 Grandview St.
Penticton, BC
V2A 4E4

From: Chris Marek
Sent: Friday, February 26, 2021 4:50 PM
To: Public Hearings
Subject: Rezoning application for 780 Westminster Ave. E

> To Mayor and Council,

> I am NOT in favour of the application to rezone this property from R1 to R2. I urge you to say no to this application.

>

> Thank you,

>

> Christopher Marek

> 158 Grandview St.

> Penticton, BC

> V2A 4E4

From: Bernice Greig
Sent: Sunday, February 28, 2021 1:26 PM
To: Public Hearings
Subject: 780 Westminster Avenue East, Penticton (the "Subject Property") - Application to Rezone from large lot residential to small lot residential

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Dear Mayor and Council – I write to express my opposition to the application to rezone the Subject Property for the following reasons:

- 1.) It is Unnecessary – The number of vacant single family lots in the immediate vicinity of the Subject Property is about to increase dramatically. Two large parcels almost adjacent to the Subject Property – literally, across the street – will be subdivided shortly. The subdivision of 199 Grandview Street (1.33 acres) and 665 Westminster Avenue East (1.58 acres) will result in the creation of approximately 15 new lots. There is no need to subdivide the Subject Property to increase lot inventory.
- 2.) Domino Effect – There is nothing unique to the Subject Property that militates in favour of a rezoning. That is, there is no feature of the Subject Property, such as topography or access or servicing constraints, that makes the rezoning functionally or practically necessary. If the Subject Property is rezoned, it is difficult to see how any subsequent application to rezone in the neighbourhood will be denied. Any house coming up for sale in the neighbourhood will now be the prey of developers who are willing to roll the dice, as this applicant has done, to try to get a rezoning and reap the financial windfall. Because that is what this is about: while developers like to talk about increasing the stock of “affordable” housing, my observation is that rezoning to allow the construction of an increased number of dwellings does only that – it increases the number of dwellings. It does not increase the affordability of those dwellings. It benefits developers. It does not benefit purchasers.
- 3.) Out of Character – The neighbourhood bounded by the KVR on the west, Vancouver Avenue on the north, Grandview Street on the east and Johnson Road on the south is an exemplar of large lot residential zoning. It is incredibly stable. On Farrell Street, where I live, two thirds of the single family home owners have lived there for a decade or more, most for decades, and some of us, who are children or grandchildren living in family homes, for fifty and sixty years or more. Cambie Street and Nanaimo Avenue East are not dissimilar. A number of homes in the neighbourhood have been demolished in my memory, but all but one have been demolished by the owners, who then rebuilt on the property. This says something about the neighbourhood. There is a good and interesting variety of trees and shrubs in the mature gardens. The Subject Property itself had a wondrous hedgerow running its length along Grandview, which was literally buzzing and peeping and rustling with hundreds (thousands?) of creatures year round. Allowing two homes on the Subject Property will leave very little room for green space, making it completely out of character with its neighbours. One has only to look at the five lots recently created on Oliver Place to see the diminution of green space that follows densification (incidentally, that subdivision is a good example of my observation that there is no corollary between an increase in the number of dwellings and an increase in affordability).

This application to rezone is simply an opportunistic attempt to get a “two for one.” There are no good public policy reasons for it to succeed. I respectfully request the application be denied.

Regards,

Bernice Greig

Bernice Greig

March 1, 2021

Attention:

Corporate Officer - City of Penticton
171 Main Street
Penticton, BC
V2A 5A9

Regarding:

Subject Property: 780 Westminster Avenue East
Lot 3, District Lot 188, Similkameen Division, Yale District, Plan 7640
Zoning Amendment Bylaw No. 2021-07 from R1 (large lot) to R2 (small lot)

I am writing to express my opposition to the proposed zoning amendments to the property indicated above. The proposal itself seems well thought out, is reasonably within the guidelines of the OCP, and in itself would have limited negative impacts to the neighbour. My objection however is centered on two principles:

1. That the city continues to find reasons to support these rezoning applications in the OCP but takes a one-off approach versus looking at the bigger picture and the direction we are heading in established neighbourhoods such as this.
2. The support case that is all too often presented for these types of changes always seems to be righteous and community focused, when really it's about one thing. Money!

Regarding the first point.

The OCP states that in current R1 zoned areas there would be opportunity to “moderately increase density while maintaining the single detached character,” but at what point do you process too many R2 rezoning applications before you have permanently changed the character of the neighborhood? With proper planning and adhering to the process these easily pass as individual applications. But with the passing of each one a further precedent is set and they begin to gain momentum. As time goes on and more of these R2 developments are approved there is more ability for future developers to argue that the R2 lots are now in fact consistent with the current community. When does the city say enough is enough and protect R1? Even in the proposal letter submitted there is reference given to similar R2 rezoning approvals moving forward in the area on Grandview, Lower Bench, and Haven Hill areas. When does it stop?

This particularly concerns me as I am still very sensitive to the Oliver Place application and I can only hope that this potential approval would not open up the opportunity for a re-application of that particular development and more of these micro lot proposals to continue to move forward. Will the city agree to limit the percentage of R2 applications in R1 areas?

We should be better protecting our R1 status areas and not be treating them like a negative and an opportunity to attack. In the application letter the developer correctly indicates that the Westminster hill area is highly sought after by families, business people, and retirees. This is very true, but what she has failed to acknowledge is its popularity because of the R1 status and

the feel, friendliness, and community that comes along with that. Not everyone wants to live in a high density environment. Most move away from the city to communities like this to get away from that. They want more open spaces and to be away from traffic and crowds. That's not a bad thing. The city has an obligation to help protect that way on life. It's part of the culture of Penticton and what makes it special.

Regarding the second point.

The applicant tries to make the point that a subdivision of this property is the only option and in the best interest of the community. I see those arguments as being more self-serving and motivated by providing the easiest and most profitable way for them to move forward. There are other ways to redevelop this property, keep it R1 zoned, and make it beneficial for all. Without any proof, this property was purchased for the exact purpose to subdivide and build. The applicant talks about how they are "remarkably familiar with the building process," and have recently built three houses in Heritage Hills. This is not about being in a difficult position or being in the best interest of the community. It's a business and it's about money.

Other R1 options:

1. Carriage House: With a carriage house the property could remain R1. A carriage house would not cause additional hardships or neighbouring property devaluation any more than the current proposal. But a carriage house would not make as much money for the owner as would selling a subdivided house. A carriage house also does not have to be a vacation rental only. If you want extra income without the hassle of vacation rental, take the time to do your due diligence and find a good tenant. I know this because I currently rent my home and my neighbours are very supportive of my tenants.
2. Secondary Suite: There is also opportunity to achieve both supplemental income AND increase density by building a single family home with a separate secondary suite. Again, not as much money for the developer, but it meets the city's density objectives, opens up more rental space, and generates limited negative impact to the current neighbourhood feel.
3. Building a single family home would also eliminate many of the added disruptions to the neighbourhood resulting from proposed infrastructure work required with the current proposal.

Thank you for listening. I appreciate the opportunity to be part of the process. My motivation is not individually motivated but to protect the greater good of the community. I deeply care for the city of Penticton and want to ensure that it moves forward so that it can continue to be a special place for all.

Sincerely,

Ben Hieltjes
200 Farrell Street
Penticton, BC, V2A 4G1

From: OLGA MAGYAR
Sent: Sunday, February 28, 2021 9:24 PM
To: Public Hearings
Subject: Re-zoning of 780 Westminster Avenue East

Attn: Corporate Officer, City of Penticton

Re: Re-Zoning of 780 Westminster Avenue East

Dear Sir/Madam:

I am writing to you to let you know that I am strongly opposed to the proposed reZoning of the above property.

I live in the neighbourhood, just around the corner. This is an older neighbourhood in Uplands, with a distinct own character: larger homes on larger lots, with gardens. The proposed reasoning will make the new construction look completely out of place thus destroying the character of the street and neighbourhood.

The proposed rezoning will allow to build not only smaller houses on smaller lots but also build carriage houses on these smaller lots. So instead of the originally zoned one single home that is in with what this neighbourhood is about, now it's likely that there will be four small homes crammed into this one lot.

With this new construction, the values of the neighbouring properties will be devalued. The neighbours quality of living, their comfort and privacy will be negatively impacted too. People invested into buying homes in a quiet neighbourhood where peace and privacy are achieved by having certain distance between houses: small lots and houses crammed on top of each other are out of place here.

Is there a good reason to ruin the established character of our neighbourhood and to decrease the value of the home investment of several families in the immediate vicinity? To just satisfy one developer application?

I personally don't see any good reason to do so.

Respectfully
Olga Magyar

From: Leslie Brucker
Sent: Monday, March 1, 2021 8:33 AM
To: Public Hearings
Subject: 780 Westminster Ave East rezoning from R1 to R2

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We live on Westminster Ave East, four homes away from 780 Westminster East Lot 3
We had our home built in 1971. We picked this area for its beauty and the very important fact that it is R 1 so one home to a lot. It is a very beautiful area.

The minute people get to rezone this lot from R1 lot into R2 it will take off all over in Penticton

Instead of a quiet residential area we will see houses jammed on lots, Carriage houses right behind, no green space , Increased traffic etc.

Views will be lost, people in R1 will find themselves staring at congested spaces.

MY wife and I do recall reading a statement from our present Mayor John Vassilaki asking people and contractors to be mindful and respectful of the surroundings and the character of the area before constructing.

We are totally opposed to this rezoning

Robert and Leslie Brucker we live at 873 Westminster Ave East
Feel free to contact us anytime

Sent from [Mail](#) for Windows 10

From: Meghan Boyle
Sent: Monday, March 1, 2021 9:30 AM
To: Public Hearings
Subject: 780 Westminster Ave. E. rezoning proposal

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I am opposed to this proposal . The current R1 zoning should be kept in place , in keeping with the neighborhood .

Thank you,
Meghan Boyle

Subject: public hearing re rezoning Lot 3, 780 Westminster Ave. E.

From: Patricia Kristie

Sent: February 24, 2021 4:18 PM

To: Council <Council@penticton.ca>

Subject: public hearing re rezoning Lot 3, 780 Westminster Ave. E.

Mayor Vassilaki and council members:

It is with great distress that I read the rezoning application for the above address. I understand the stated intent of the applicant, D. Shields falls within the OCP guidelines for moderately increasing density, however the intent of the purchaser of that property and my intent for purchasing my property are in conflict. I paid a top of the range in house prices when I bought 760 Westminster Ave. E. for its lot space and neighborhood quietness two and half years ago to be my retirement abode. I purposely chose an R1 zoned neighborhood. My property, Lot 2 shares the western length of Lot 3. D. Shields bought Lot 3 with one house on the property, demolished it immediately, cut down all the trees and without any neighborhood consultation, rented the property to M. Haytor road construction. He parked his bulldozers, dump trucks and loads of gravel thirty feet from my living room window. I now suffer a permanent lung congestion from the fumes and dust raining down on my house for three months plus.

Ms. Shields originally stated to several neighbors that she planned to build only one house on the property as her permanent residence. She bought knowing that it was zoned R1. She now claims personal financial change as a reason for wanting to rezone and build two houses. However, in three phone calls from her, she tried to persuade me to agree with her rezoning plans, she stated that buying and building and reselling is "what she did" for a living. Credibility gap! If Ms. Shields is successful in changing this neighborhood character with a zoning change, then I could look forward to sharing my property line with not two houses, but potentially two houses and two carriage houses, four buildings on one lot almost the same size as mine. She profits while my lifestyle is destroyed and my property value plummets. I have spent two years and twenty-five thousand dollars creating a healthy green space around my house. I will not be able to utilize the outdoors for socializing during these lockdown years because of construction noise and dust that may now last for several more years. I am eighty two years of age and have just spent the last year living alone so you may understand why more years of being locked inside is not what I anticipated when I moved to this homesite.

There seems to be a great disparity in what is deemed desirable in the OCP plan and what the city's responsibility is in protecting property rights for the individual owner and taxpayer. I view with alarm the 'uglification' of Penticton in the hands of persons and developers whose profit motive ekes out as many dollars per square inch of land and buildings as possible without regard to beauty and design or the health of its inhabitants.

I see in this application for a zoning change, the same attitude of disregard for the wishes of the people in the neighborhood as was displayed earlier by bulldozing the trees and allowing it to be used as a large equipment parking lot. I do hope that the city council has some care and wisdom into whose hands they give the tools of change to and for what purpose.

Thank you for this consideration,

Patricia Kristie,
760 Westminster Ave. E.
Penticton, V2A 1J3,

From: Kurt Kerkovius
Sent: Monday, March 1, 2021 12:49 PM
To: Public Hearings
Subject: 780 Westminster Ave E. Rezone Application PL2020-8911

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Attention Corporate Officer, City of Penticton

My name is Kurt Kerkovius, owner and resident at 826 Westminster E.

I am opposed to the proposed subdivision of the subject property into two lots. The subject lot is a highly visible corner lot which I would consider not to be large enough to effectively support two smaller houses without disruption to the intersection and would be unattractive. Also I believe that the neighbourhood character and uniformity would be negatively impacted by this proposal. Two smaller houses squeezed to fit two small lots imply taller "skinny" houses, which would certainly look "out of place" from the existing surrounding houses and neighbourhood in general.

This entire neighbourhood and area is long established and comprised of lots and houses of more or less uniform size and character with nice yards. I strongly believe that in consideration of existing owners and residents it is important maintain the overall liveability of the area as is. Subdivision of single lots resulting in densification should not be allowed.

Regards

Kurt

Sent from [Mail](#) for Windows 10