

Public Hearing
held electronically and at City Hall, Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, March 1, 2022
at 6:00 p.m.

Present:

Mayor Vassilaki
Councillor Bloomfield
Councillor Miller
Councillor Regehr
Councillor Robinson
Councillor Watt

Absent:

Councillor Sentes

Staff:

Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Angela Campbell, Acting General Manager, Finance & Administration
Blake Laven, Director of Development Services
Steven Collyer, Planner II
Nicole Capewell, Planner II
Kristen Dixon, General Manager of Infrastructure
Anthony Haddad, General Manager, Community Services
Paula McKinnon, Deputy Corporate Officer

1. Call to order

Mayor Vassilaki called the public hearing to order at 6:07 p.m. for "Agricultural Land Reserve Exclusion Application for 610 Pineview Road".

The Corporate Officer read the opening statement and introduced the purpose of the application. She then explained that the public hearing was being held in-person and electronically to afford all persons who considered themselves affected by the proposed application an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the *Local Government Act*.

2. "Agricultural Land Reserve Exclusion Application (ALR) for 610 Pineview Road"

The purpose of "Agricultural Land Reserve Exclusion Application for 610 Pineview Road" is as follows:

To exclude 3.8 hectares/9.3 acres from 610 Pineview Road, Lot 1 District Lot 2710 Similkameen Division Yale District Plan EPP22470.

The applicant intends to develop a residential subdivision on the subject property.

The Corporate Officer advised that eight letters have been received since the printing of the agenda and distributed to Council.

DELEGATIONS

Mayor Vassilaki asked the public for the first time if anyone wished to speak to the application.

- Brad Elenko via Zoom, Applicant, provided timeline and history of the application and the Agricultural Land Commission (ALC) approval to date, stated land has been excluded from ALR with conditions. The OCP changed to 'detached residential' in 2005, supported by Council and public in 2011 and 2019 resulting in 16-year process to date. Commented that only 30% of land is available for agriculture, challenging to make land work from a farming perspective.
- Georgia and Tammy Zenic, Pineview Road, spoke in opposition to the application. Purchased home because of orchard and view of lake being permanent fixtures. Commented that homes would disrupt their view. Asked that owners consider option of selling the land as a peach orchard rather than subdividing.
- Lynn Lockhardt via Zoom, Property Owner of one of the properties considered for exclusion in original application. Commented that the review of these properties took place years ago. Does not agree if applicant is trying to expedite process by submitting new application, however, if it is a follow-up to the original application then has no issues with it.
- Henry Tessen, Pineview Road, participated in Community Planning process and opposed the exclusion of ALR land. Noted Agricultural Advisory Committee denied application twice. Residential developments have been prioritized over protecting agricultural land. Does not feel ALR land should be given up, times have changed from 17 years ago. Recommended that Council deny the exclusion application and amend the OCP designation from detached residential to agriculture.
- Lori Goldman via Zoom, Dauphin Avenue, concerned about climate and development that takes up our food sustainability and leaves us at risk of fire. Concerned development may cause water issues, expanding on the hills needs to be considered now that we have experienced heat dome, smoke and frightening situation last year. Food and water sustainability and climate adaptation needs to be taken into consideration, should densify what we already have.
- Roland Curnow, Juniper Drive, did not receive notice of Public Hearing but spoke with neighbours. Inquired whether a new proposal is required to the ALR. Expressed that money already spent on project is irrelevant. Two construction projects end of street that are not compliant with noise, dust and work safe laws, concerned the same would happen with this project, spent a lot of money to have a home with a view, does not want to listen to construction. ALR was put in place to conserve Agricultural land, many reasons Agricultural land is needed in BC and Canada.
- John Bilodeau via Zoom, Poplar Grove Road, agrees with previous speaker, too much agricultural land is being lost each year to urban sprawl, Province responded by introducing BC Lands Commission Act to help famers and farming. Concerned about a precedent being set by taking land away from the ALR to support more housing. Penticton is a gem with agricultural patches being ripped out. Shoulder-to-shoulder unimaginative cul-de-sacs are a dated concept, if land needs to be taken out of ALR, should get more creative with the land. Hopes the farmland will remain as farmland.
- Dori Lionello, Juniper Drive, commented if land is developed her view will improve. Expressed when people buy land in an agricultural area, they expect the ALR land to

remain. Commented that she is pro development but not at the cost of losing farmland. OCP needs to be cross-checked with ALR land. Commented various wildlife in the area, would be a shame to lose this.

- Elizabeth Cucnik via Zoom, Valleyview Road, echoes the sentiment of all previous speakers about supporting the integrity of the landscape, consider the value and history of the area. Expressed opposition to the application. Commented that development would affect their view. Consider treating land as a historical monument of Penticton.
- Nicole MacMillan, Juniper Drive, did not receive notice of Public Hearing, husband saw the sign. Echoes all previous speakers. Purchased home two years ago, their forever home, purchased because of the agricultural land in front. Hopes Council will keep the land agricultural.
- Al and Allison Caputo via Zoom, Juniper Drive, did not receive notice. Purchased home with understanding that land around them would not be developed. Provided a letter to Council. Echoes many concerns raised by previous speakers. Expressed opposition to the proposal.
- Colleen Potter via Zoom, Pineview Road, submitted letter to Council. Commented that she is in agreement with all concerns raised by previous speakers. Consider relooking at OCP. Commented on importance on preserving farmland and greenspace which makes Penticton special and was the reason for moving to the City.

Mayor Vassilaki asked the public for the second time if anyone wished to speak to the application.

- No one spoke.

Mayor Vassilaki asked the public for the third and final time if anyone wished to speak to the application.

- Figuera, Daughter-in-law, commented that father-in-law started process slowly with neighbours with lots of help, paid for it all and gave land away. Some subdivisions are existing because of land donated from her father-in-law.
- Brad Elenko via Zoom, Applicant, responded to concerns regarding the land being ALR, stated the ALC's mandate is to preserve agricultural land and it was that body that excluded the land for specific reasons with some conditions. Commented there was a push from City to look at areas that might be developed. Mr. Figera donated a portion of Pineview Road, dedicated to services. Expressed comments from speakers who recently purchased properties are unfair, OCP is the long-term plan for these lands and they have been designated residential-use. Agricultural policies don't apply for these lands.

The public hearing for "Agricultural Land Reserve Exclusion Application for 610 Pineview Road" was terminated at 7:17 p.m. and no new information can be received on this matter.

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor