

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

Tuesday, June 7, 2022
at 6:00 p.m.

Present:

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

Staff:

Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Angela Campbell, Director of Finance & Administration
Blake Laven, Director of Development Services
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 6:00 p.m. for Zoning Amendment Bylaw No. 2022-24.

The Corporate Officer read the opening statement and introduced the purpose of the bylaw. 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 bylaw an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the *Local Government Act*.

2. "Zoning Amendment Bylaw No. 2022-24" (914, 920 and 926 Churchill Avenue)

The purpose of "Zoning Amendment Bylaw No. 2022-24" is to amend Zoning Bylaw No. 2021-01 as follows:

Rezone

1. Lot C District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3072, located at 914 Churchill Avenue;

2. Lot 5 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 929, located at 920 Churchill Avenue; and
3. Lot 6 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 929, located at 926 Churchill Avenue;

from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing) and add the following section to the RM3 (Medium Density Multiple Housing) zone:

- "10.10.5.3: In the case of consolidated lots located at 914 Churchill Avenue, 920 Churchill Avenue and 926 Churchill Avenue, the maximum density shall be 1.98 FAR".

The applicant is proposing to construct a 16-unit, six-storey apartment building.

The Corporate Officer advised that one letter has 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.

- John Saliken, Applicant and Architect, available to answer any questions.
- James Brown, Brunswick Street, inquired what disabled access features will be available on the property, commented road with Churchill Avenue road not adequate, not acceptable for public access.
- Don, Churchill Avenue, curious if shadow study was done for new portion of it, inquired what City is going to do with all new infrastructure from new developments, commented traffic getting bad in town.
- Blake Laven, Director of Development Services, responded Official Community Plan has 30-year growth plan, we do have an infrastructure master plan, plans adjusted on an as needed basis. Commented City seeing lots of growth, plan in place to manage growth.
- Lori Goldman, Dauphin Avenue, commented really well planned building, celebrates all issues dealt with plants and EV charging. Inquired whether there will be one bedrooms or bachelors for affordability. Inquired if roof will have community garden with garden boxes or photovoltaic solar panels feeding into City or charging EV stations. Inquired if heat pump will be used for heating and cooling opposed to fossil fuels. Commented development quite dense, six storeys is really high for that neighbourhood, four floors would be better.
- Lynn Kelsey, Oakville Street, worked on Churchill for many years, seen many busses needing to back up, very narrow. Commented project is closer to park, feels sorry for people that live in house right behind it. Commented six storeys, shadow effects, won't see the sun in the park. Concerned with traffic and Churchill being so narrow for adequate and safe transportation.
- Kristen Dixon, General Manager of Infrastructure, responded she has spoken with transit operator, they are not aware of any specific concerns from bus drivers manoeuvring down Churchill, did comment it was tight. Staff will address any issues that transit operators may have.
- Garth Bathgate, Churchill Avenue, buss has hit his vehicle on Churchill, enjoys that Churchill is a narrow street, slows traffic down. Commented last development at 602 took taking on Southside of street for widening, thinks it's an error, houses on Southside don't have alley, properties will be unusable from being so narrow, does not think sidewalk is needed on both sides of street. Commented enjoys street being narrow,

harder for people to speed and manoeuvre. Didn't review OCP on this development, thought this area was four storeys in OCP, allowed one farther down street to go to five storeys, it's up for sale now, developer didn't build. Commented six storeys a little much, three or four would be nice. Commented on house there, going to be left alone, very narrow lot, doesn't know how developable it is on its own or why it wasn't incorporated. Inquired if vacation rentals will be allowed, commented people buy as investments, inquired who will live there. Commented 30km on Churchill would be nice.

- Blake Laven, Director of Development Services, responded that section has urban residential designation in OCP, envisions three to four storey heights for multi-family development. Commented most residential zones do permit resident vacation rentals.
- Brian Laflesh, Dynes Avenue, opposed to development. Traffic ramps up on street 100 fold during summer months, young people on multi-seat bicycles and scooters, parking is a huge concern in summertime especially during festivals or when Lakeshore Drive is closed. Inquired what work has been done on sewer system or what testing has been done to see if it will withhold extra load being applied with all new and proposed development going in up and down Churchill. Commented volume coming from five or six storey building will cause flooding in area if backup happens in sewer. Commented plan calls for green space, strip is narrow at front of building, five feet of green space seems inadequate. Commented population ramping up dramatically in that general area, reached limit for what the plan can support. Commented proposal highlights access path to lake, only one accessible access path through park like everyone else, inadequate access to lake. Commented City needs more affordable housing, issue in Penticton, businesses suffering, cannot find staff due to lack of affordable housing. Commented applicant painted picture that family homes will be built, more like investors, developers intention ends once sale agreement is signed. Commented will shortly become vacation rental property, will become an issue. Commented profit dollars and income that speaks what use of property will be, not intentions. Commented should go back to building two-storey duplexes on those lots.
- Blake Laven, Director of Development Services, responded when an application is received it's referred to a technical planning committee to review water, sewer and transportation impacts to development. Commented application was reviewed and area was deemed to handle capacity. Also commented RM3 zone has 3-metre front yard setback requirement and landscaping requirement, minimal front yard area, what is required for this particular zone.
- Richard Hodson, Dynes Avenue, lives kiddie corner to this development, has several concerns, parking has always been an issue, council has opportunity to change parking requirements, suggested two parking spots per minimum. Commented six storeys is too much for neighbourhood, should stay with original, three storeys maximum. Inquired if City has done work on thermal footprint, each lot has fair bit of grass, trees and shrubs, each tree we lose is going to add to the thermal load, Council should encourage developer to look at thermal footprint, things can be done on the rooftop. Commented affordable housing for people that work for our local businesses, need to think about this. Commented sewage capacity is sufficient except for extraordinary events, install a check valve at each sewer to put people's minds at ease.

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

- No one spoke.

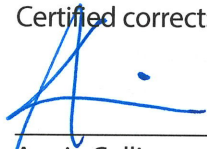
Mayor Vassilaki asked the public for the third and final time if anyone wished to speak to the application.

- John Saliken, Applicant and Architect, excited about project. Responded disabled access is fully accessible from street, through building, elevator, units are very spacious and can

accommodate wheelchairs. Responded there is a road dedication to create edge condition, landscaping, boulevard, curb and gutter to middle of street. Worked closely over year with Planning Department on design, comply with all zoning requirements and OCP, no shadow study. Responded more than likely will be fully EV capable, worked closely with City electrical consultant to Incorporate pad charger. Commented no solar panels, not ready to put back in the grid yet, option for future. More than likely will have heat pumps, whatever most efficient system is. Responded proud to have good mixed units, one bedrooms, two bedrooms, two bedrooms with den and family friendly three-bedroom units. Mixture of unit types in one building, gives sense of community, allows different people into building. Responded fully bylaw compliant for parking, numerous studies done, happy at this point, including visitor parking. Responded they're fully compliant with green space zoning bylaws. Responded to thermal footprint, likely will be light coloured roof, dealt with at next stage but will attempt to make environmentally sensitive building. Responded check valve will be included more than likely as per BC Housing code. Fossil fuel heating systems, commented gas on its way out, electric being pushed, not sure of market conditions, can't commit at this time to comply with that.

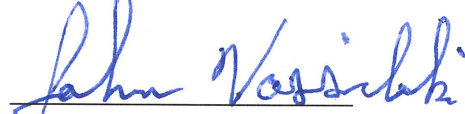
The public hearing for "Zoning Amendment Bylaw No. 2022-24" was terminated at 6:38 p.m. and no new information can be received on this matter.

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor