

Public Hearing

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

Tuesday, August 16, 2022
at 6:00 p.m.

Present: Mayor Vassilaki
Councillor Bloomfield
Councillor Miller
Councillor Robinson
Councillor Watt
Councillor Sentes

Absent: Councillor Regehr

Staff: Donny Van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Angela Campbell, Director of Finance & Administration
Blake Laven, Director of Development Services
Steven Collyer, Planner I
Kristen Dixon, General Manager of Infrastructure
Paula McKinnon, Deputy Corporate Officer

1. Call to order

Mayor Vassilaki called the public hearing to order at 7:15 p.m. for Zoning Amendment Bylaw No. 2022-44.

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. 2022-44" (561 Jermyn Avenue)

The purpose of "Zoning Amendment Bylaw No. 2022-44" is to amend Zoning Bylaw No. 2021-01 as follows:

Rezone Lot 2 District Lot 249 Similkameen Division Yale District Plan 1030, located at 561 Jermyn Avenue, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).

The applicant is proposing to construct a four-unit, three-storey townhouse on the subject property.

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.

- Tony Giroux, via Zoom, Giroux Design Group, project does have variances, building originally designed not requiring variance, City staff requested variance, each garage capable of holding two vehicles but does not meet standards for width, seven parking spaces, in reality 11 parking spaces with smaller vehicles. Letter of support from neighbour, available to answer any questions.
- John Shaw, Jermyn Avenue, sent letter, not in favour of project, concerned residential guidelines not adhered to, small setback is significant diversion, poses significant change to neighbourhood, changes character of neighbourhood. Concerned about narrow width of property, very narrow, zoning bylaw requires 19.5m, lane and access to Jermyn Avenue, only 6m wide, considerable traffic creates challenging situation. Proposed driveway 6m from lane if allowed, 6m required to garage. Better solution may be different zoning designation, RM3, could retain neighbourhood character, better onsite parking, alleviate lane and street safety issues.

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

- Brad Moore, Jermyn Avenue, live next door, do not support project, concerned about privacy, four families looking into yard. If project goes forward, front-to-back duplex makes more sense. Commented construction side, survey done in 2010, house right now over lot line, retaining wall, my fence will fall over, stamped concrete will break, inquired how potential damage to property will be addressed. Commented security fencing round property to protect while development.
- Jordan Shade, Backstreet Blvd., lane very narrow, car barely fits, if lane access, two-way required. Commented emergency vehicles will not fit, should not have lane access, very dangerous.

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

- Lynn Kelsey, Oakville Street, drove to area, front setback onot Jermyn Avenue, project oriented to Bird Street, would not call a street, everything in area really setback, coming out onto really tiny lane, larger vehicle will have trouble turning around, 7m difference, lane barely 6ft wide, no way to get a sidewalk in there for accessibility.
- James Brown, Brunswick Street, echoes comments about lane, inquired if setbacks adequate for fire protection and firefighting purposes.
- Tony Giroux, via Zoom, Giroux Design Group, responded three metre setback is city requirement, not long enough for vehicle to nose in before the door, did bring building back, gone beyond,. Six metres to garage, discussed with City, moved to Bird Street. Responded units could have had open carport below, garage more attractive. Responded mix of multifamily, designed to fit character of neighbourhood. Responded each backyard to have Japanese Maples, provide privacy, 4.2m buffer between properties because of reduced setback. Responded completely sufficient for firefighting services. Responded OCP for this neighbourhood is infill, new development always positive for neighbourhoods, consistent, nice fit, family oriented homes, close to two schools, shopping and other facilities, providing more parking than required, should not

- be issue, six metre lane consistent with developments like this.
- Brad Moore, Jermyn Avenue, inquired about concrete retaining walls between properties, falling fence, stamped concrete, will they fix anything they break and secure fencing around entire property.
 - John Shaw, Jermyn Avenue, inquired about lane way and property width, standard subdivision, inquired when that changed, commented narrow lot for that type of project. Inquired about general development provisions for garage.
 - Blake Laven, Director of Development Services, responded current bylaw been that way since 2011, previous bylaw had subdivision regulations separate from development, topic come up in other developments, flagged to add clarity to.
 - Tony Giroux, via Zoom, Giroux Design Group, retaining wall for benefit of neighbour, no need to replace if doing job, if not structurally sound, can see grade difference, if retaining wall not structurally sound and need to be replaced, any damages would be compensated. Responded security fencing typically property surrounded where required to provide security, if existing fence is there, would be there until new fence is ready to go up, if neighbour likes existing fence, may be left.

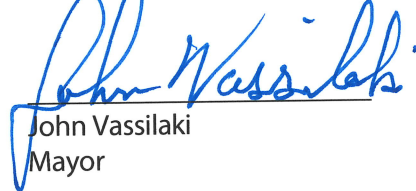
The public hearing for "Zoning Amendment Bylaw No. 2022-44" was terminated at 7:45 p.m. and no new information can be received on this matter.

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor