

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

Tuesday, February 6, 2024
at 6:00 p.m.

Present:

Mayor Bloomfield
Deputy Mayor Watt
Councillor Boulton
Councillor Gilbert
Councillor Graham
Councillor Konanz
Councillor Miller

Staff:

Anthony Haddad, City Manager
Angie Collison, Corporate Officer
Angela Campbell, Director of Finance & Administration
Kristen Dixon, General Manager of Infrastructure
Blake Laven, Director of Development Services
Kelsey Johnson, Director of Community Services
Julie Czeck, Director of Public Safety and Partnerships
Paula McKinnon, Deputy Corporate Officer

1. Call to order

Mayor Bloomfield called the public hearing to order at 6:00 p.m. for Official Community Plan Amendment Bylaw No. 2024-01 and Zoning Amendment Bylaw No. 2024-02.

The Corporate Officer read the opening statement and introduced the purpose of the bylaws. 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. "Official Community Plan Amendment Bylaw No. 2024-01" (460 Conklin Avenue)

The purpose of "Official Community Plan Amendment Bylaw No. 2024-01" is to amend Official Community Plan Bylaw No. 2023-08 as follows:

Amend Map 1: Future Land Use by changing the future land use designation for Lot 13 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3867, located at 460 Conklin Avenue, from 'Detached Residential' to 'Ground Oriented Residential'.

"Zoning Amendment Bylaw No. 2024-02" (460 Conklin Avenue)

The purpose of "Zoning Amendment Bylaw No. 2024-02" is to amend Zoning Bylaw No. 2023-08 as follows:

Rezone Lot 13 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3867, located at 460 Conklin Avenue, from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing).

The applicant is proposing to construct a 6-unit townhouse, consisting of two triplexes at 460 Conklin Avenue.

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

DELEGATIONS

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

- Tony Caulful, property next door to proposal, setback and size of building and area occupied by building will ruin sight lines and view of mountains. Feels the surface parking is inadequate for number of units, should be limited to four units.

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

- John Robertson, Conklin Avenue, few blocks from opposed development, not against development on that lot, folks that spoke in opposition are against the size of development. Concern about ease OCP can be tinkered with, OCP put together with great amount of effort, intelligence and resources and yet it appears it can be changed on a whim, appears no recognition of effort and work that went into it. Sees 76 petitioners, 10 were missed on final page, more like 86, has original copy. Cherryland area supports four resident structure on that site especially if facing Conklin Avenue, concerned with it facing alley way because it destroys privacy of houses across the street. one example saw earlier was similar structure that faces out into driveway of back apartment building, another by PDSL group built similar and also faces out onto parking lot and back of industrial building, comparisons aren't apples to apples. In support of four-unit front facing to Conklin Avenue, think six is too big.
- Samantha Oxbury (via Zoom), Moosejaw Street, blocking privacy of our lot, when giving carriage houses permission to be built there is a part that you need to have small slanted windows for privacy issues, why is this development allowed to have giant windows facing directly into our properties? Concerned with size and height, not against development happening, issue with size and fact that it doesn't fit with community standard.
- Corey and Karen Sinclair (via Zoom), Argyle Street, couple blocks from site property, in agreement with respect to OCP changing easily and generally everything else said, OCP document was vetted through good public process, represents guiding process for how community develops, if someone comes forward to change previously agreed upon standards it should be incumbent on that applicant to make a case to justify why change is reasonable, missing from the process, just seems to have developers wanting to add density, doesn't seem much attempt on part of developers to provide the justification, only real attempt at providing justification provided by City documentation due to population growth that we're expecting, not role of City to be advocating for applicant.

In line with prevailing sentiment of community, would like to see it not stick out like sore thumb on streets we live in, large developments will be popping up and urge council not to rely on fact that previous approved, not an automatic justification for adding more of them, will continue to grow if you're going to justify future decisions on ones made in past.

- Diane Laurentzen, 300 Block of Conklin, agrees with everything that has been said.
- Warren Hempsted, Conklin Avenue, attended engagement opportunities, a lot of new young families moving into area, previously many seniors in these homes, new lane houses being built, wonderful small community being built, knows all neighbours and everyone takes care of one another. Concern that once this one goes into corner and theres another couple lots for sale, they're not going to go to young families, can't afford to get into them, houses, condos and townhouses being built are not affordable housing, most would be rentals, not helping local people or young families or seniors get a space in this town, for a lot of neighbours it is staring into their homes and backyards, infringing on everything they have, they've out time, money and energy into these homes and their futures. Developing as smaller buildings, caring for the green space instead of covering lots as much as you can because they're larger lots is not helping anyone get ahead except building companies, not offering care for people in neighbourhood for 50 years. Concern is once one starts and you change zoning these companies will buy out next one and start knocking on doors, life is hard for people and money is tight, easy to push people out of area, no one will be able to afford to keep their homes, going to turn into boxes up and down street, scary seeing zoning change so much. Knows there is need for housing in town, these aren't affordable housing for people looking for homes. We love our city, community is tight knit, by starting to put massive dwellings there, not part of community, one between Fairview and Argyle is four units and big shoebox, cheapest one going for \$750K. Neighbourhood is established, it's beautiful and has lovely history, everyone on all these streets is so concerned. Not many people here tonight, had to hand deliver notices only within 100 metres, most people not contacted about this, not including neighbourhood, from turnout here no one knows, most of neighbourhood has no idea this is happening, not including neighbourhood, easy to slip by people, if not walking or driving by little sign with cars often parked in front of it you would not know about it. Alley is thin and small, even if being rebuilt isn't parking potential for that, bus route there but streets have lots of cars already and there will not be sufficient parking, each dwelling will have at least two cars, not feasible for most families with kids, seniors or people working to ride a bike, seems short-sighted, concerned about neighbourhood turning into big boxes up and down street, shutting down integral and very important part of community under guise of needing housing, not affordable.

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

- Tamara, three generations raised on Conklin 400 block, directly going to be very impacted by this, not first time speaking at housing opportunity about housing development in area, would like to add it is important for four units from a bylaw standby, inquired how many parking spots established for each unit, picture looked like one parking spot, if six units each home would definitely need two parking spots, a solution is to look at four-plex. Just because bus comes down street does not mean high frequency traffic area, very opposite in this community, brother needs to leave quite early to catch a bus and there is no bus route on Sundays, City should look to designate those high frequency areas so that when provincial legislation comes the City can take more proactive state and manage this, really challenging, grew up walking with grandma in the area. Height restriction mentioned at last meeting, trying to make

generational housing happen for past two decades working with permits, so many permit issues through meetings, couldn't make work to create multi-generational home to include needs of family, really frustrating if you have big money how quickly you can get things permitted, if looking at developing carriage house impossible for a small family. If bylaws are changing and making it easier for developers it would be good for City to also look at permitting, feasibility of being able to have your family live in your backyard with you, should be looked at. If you have six houses in that area there is no green space, no yard space, would like to make sure we have strict rules as home owner, if want to develop carriage house there's certain maximum that you can't pass to meet family needs, was told if wanted a variance every single neighbour would need to agree or would not be passed by Council, how do we create fairness, when looking at this space valid reasons to stay to four, which way it's facing and the windows and keeping variance mentioned if they want a carriage house for their family. Was told when trying to get permit to build the height restriction had to be two storeys, this development is directly in way of flight path, invites City to look at this. Site lines are huge, if six go up looks directly into Moosejaw, view of mountains blocked for Conklin homes. A lot of work was put into OCP, hopes to have proactive and designating areas as high traffic, just because there is a bus route does not mean high traffic. Hoping families that move there have green space, have proper parking, have Okanagan students already coming into area to park.

- Ewen Stewart, Applicant, went through rigorous public engagement process, neighbourhood made it clear, doesn't agree with everything said, understands point about eight units which is why reduced to six, original application was three storeys which was completed inline with Zoning Bylaw but seemed to be biggest single sticking point in public engagement, City held their engagements, we held our own at golf club, sent notices to 300 people in post code area, turnout of 40 odd people, comments were similar to City's engagement comments, people understood variances and that the height was legitimate under Zoning Bylaw but really bothered them, after meetings went back to drawing board and took off top storey, thought it would solve a lot of problems, when go to three storeys you tuck parking underneath, if you put parking on surface you solve problem of going to six units and increase green space, eliminated all variances required from original application. To hear comments about two storey high window is too big, not sure can satisfy everyone's desire, try to bring everything as much as possible to understanding of Bill 44 and what province is attempting to do. Heard comments about City needing to pay more attention to OCP, difference now is province has changed the game and wiped out single family zoning and mandating anywhere from three to eight units on a single lot, in our case six units, in compliance with new Bill 44, OCP will be amended by end of June anyways, things are changing and beyond local control, province is stepping in and mandating a lot of what's going on, trying to stay and operate within legislation, happy with the redesign to get it to a scale that works and satisfies the majority of issues with original proposal, in immediate neighbourhood there are some exceptions across the street with three storeys plus, knocking a storey off is major concession in neighbourhood. Speaker with development problems, it's a complicated business, permitting is not an overnight wonder, interesting engagement, huge amount of public feedback.
- Mayor Bloomfield, inquired about raised comments regarding parking, how many parking spaces are there?
- Ewen Stewart, Applicant, responded required to have one, we have two per unit.

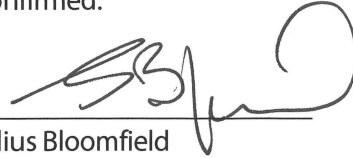
The public hearing for "Official Community Plan Amendment Bylaw No. 2024-01" and "Zoning Amendment Bylaw No. 2024-02" was terminated at 6:45 p.m. and no new information can be received on this matter.

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



Julius Bloomfield
Mayor