

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

Tuesday, June 20, 2023
at 6:00 p.m.

Present: Mayor Bloomfield
Councillor Boulton
Councillor Gilbert
Councillor Graham
Councillor Konanz
Councillor Miller
Councillor Watt

Staff: Donny van Dyk, Chief Administrative Officer
Paula McKinnon, Deputy Corporate Officer
Angela Campbell, Director of Finance & Administration
Kristen Dixon, General Manager of Infrastructure
Blake Laven, Director of Development Services
Hayley Anderson, Legislative Assistant
Nicole Capewell, Planner I

1. Call to order

Mayor Bloomfield called the public hearing to order at 6:06 p.m. for Zoning Amendment Bylaw No. 2023-18.

The Deputy 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. 2023-19" (951 and 963 Dynes Avenue)

The purpose of "Zoning Amendment Bylaw No. 2023-19" is to amend Zoning Bylaw No. 2023-08 as follows:

Rezone Lot B District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 951 Dynes Avenue, and Lot A District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 963 Dynes Avenue, from R2 (Small Lot

Residential) to RM3 (Medium Density Multiple Housing), with the following site specific provision:

1. Apartments shall not be a permitted use.

The applicants are proposing to develop the subject properties into a multi-family residential development in the form of townhouse units. The development proposes 13 townhouse units, 3-storeys in height, with one block of 6 townhouse units facing Dynes Avenue and another block of 7 townhouse units facing towards the laneway.

The Deputy Corporate Officer advised that no letters have been received since the printing of the agenda.

DELEGATIONS

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

- Sina Rezaian and Ahmed Hatata, Applicants, converting 2 existing homes to 13 town homes, 20 years of experience in residential, commercial development and real estate. Fond memories of Okanagan, personal reasons led to design of project, units are affordable, liveable, grade orientated to be in line with OCP objectives, importance of amenity space. Started 2 years ago when acquired land, engagement with planning department and various stakeholders in area, explored different design configurations, landed at 13 townhouses, ground oriented, each have garage, amenity spaces, roof top patios. Went through different submissions through design process, identified infrastructure needs to redevelop, no strangers to challenges, comes down to feasibility and density required, high level estimate under just 1M for infrastructure needs. Resolved to work through different variances concerning fire, parking, hardscaping, currently requesting 4 variances, happy to keep working with City to come up with technical solutions that doesn't require reduction in density or feasibility of project, land use change is first step to bring development to reality.
- Councillor Watt, asked for clarification on how many variances were being requested, counted 5.
- Sina Rezaian, Applicant, answered 4 variances requested for rear yard, rear interior side yard, increase lot coverage and reduce landscaping buffer.
- Nicole Capewell, Planner I, clarified side yard setback for both sides is counted as one variance.
- Gil Blue, owner of 988 Dynes Avenue, aware of proposal few years ago, pictures look same, asked if different proposal from previous, inquired about public hearing process, concerns when first encountered property was closeness to his property, what setback would be there, house built in 1945, concerns about close encroachment, level of privacy screening in place for neighbours. Would need to see proposal, looks similar to what was proposed before.
- Nicole Capewell, Planner I, clarified different property opposite side of Dynes.

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

- Richard Langfield, Lakeshore Drive, owner of 970 Dynes, has had proposal on it for 12 town homes, didn't move forward due to Fire Department, here to talk about applicant's land use, disapproves of all variances, emails with Fire Chief regarding setbacks with fire, asked for many changes, deemed wasn't worthy to move forward, asking land use of 1.5m, Fire Chief emailed requirement of minimum of 6m, don't normally access fires from lane, gave reasons of wintertime not accessible due to snow, lanes too narrow, turning

radius at end of lane to narrow for trucks, 45m is most pumper truck can go to front door, list of requirements on Dynes at time for that, let application go, since then has development Permit for 6-storey building which has a lot of side yard clearance to Gils place, building situated middle of property. Commented this property only 100ft deep, ours was 155ft, had room to deal with front yard room setbacks, parking in front and back, fire department said couldn't access 6-units in back, other things dealt with, fire jumping from building-to-building on side yards, glass breaks and fires jumps to next building, doesn't feel enough landscaping on project, too tight, understands applicant's problem with money, opposed to project.

- Lynn Kelsey, Oakville Street, heard concerns about fire truck access, inquired about new fire hydrants and placement of hydrants, would like applicant to address major concern.
- Jordan Shade, Backstreet Boulevard, visited property, front and back lanes too, spoke with applicant and commented doing everything they can to work with City, spoke in support of project.

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

- Don Diffen, Churchill Avenue, lives behind development, commented placed in fishbowl, won't be able to sit in backyard without privacy left, concerned about amount of bedrooms, amount of vehicles, traffic, fires can jump, doesn't appear Planning Department turns down applications, everything gets approved, previous Council raised concerns but no one made recommendations to developer, curious if alley will be upgraded.
- Sina Rezaian and Ahmed Hatata, Applicants, answered regarding fire looked at 45m distance to each front entry of homes and current proposal includes addition of 2 fire hydrants on each corner of property, meets requirement, back lane not considered for fire access. Answered open to adding privacy screens on side of decks. Clarified that property is 130ft. Answered each unit has parking in garage and driveways can be used as parking. Answered all new suburb developments are all 8ft from each other, building code has made amazing improvements to address fire jumping. Clarified proposal is not for low income housing, affordable to an average family, not million dollar townhomes.

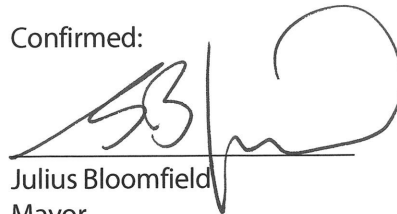
The public hearing for "Zoning Amendment Bylaw No. 2023-19" was terminated at 6:36 p.m. and no new information can be received on this matter.

Certified correct:



Paula McKinnon
Deputy Corporate Officer

Confirmed:



Julius Bloomfield
Mayor

