

Public Hearing
to be held at
City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Monday, February 16, 2015
at 6:00 p.m.

- | | | |
|-------|--|------|
| Mayor | Calls Public Hearing to Order for "Zoning Amendment Bylaw No. 2015-06" | 1-13 |
| CO | Reads Opening Statement and Introduction of Bylaw | |
| | 1. "Zoning Amendment Bylaw No. 2015-06" (264 Wade Ave. W) | |
| | Purpose: To amend Zoning Bylaw No. 2011-23 as follows: | |
| | Add section 10.6.4.3: "In the case of lot 3, District Lot 4 Similkameen Division Yale (Formerly Yale-Lytton) Plan 2580, located at 264 Wade Avenue W, an office shall be permitted." | |
| | The applicant is proposing to convert the house to an office for the "Supported Employment Program" operated by Interior Health. | |
| | Notice: The Public Hearing was advertised in the Penticton Western News on Friday, February 6, 2015 and Wednesday, February 11, 2015 (pursuant to the <i>Local Government Act</i>). | |
| CO | Correspondence received regarding the Zoning Amendment attached (as of noon Wednesday, February 11, 2015) | |
| Mayor | Requests the Planning Manager describe the proposed amendments | |
| Mayor | Invitation to applicant for comment or elaboration on the application | |
| Mayor | Invites those in attendance to present their views | |
| Mayor | Invites Council members to ask questions | |
| Mayor | Invites applicants to respond to questions and those in attendance may provide new additional information | |

PUBLIC HEARING for "Zoning Amendment Bylaw No. 2015-06" is terminated and no new information can be received on this matter.

Mayor	Calls Public Hearing to Order for “Official Community Plan Amendment Bylaw No. 2015-09”	
CO	Reads Opening Statement and Introduction of Bylaw	14-21

2. “Official Community Plan Amendment Bylaw No. 2015-09”

Purpose: To amend Schedule ‘F’ Trails and Cycling Network of OCP Bylaw No. 2002-20 as follows:

- Change the proposed trail/multi-use path designation on Lakeshore Dr. to existing trail/multi-use path, to reflect the construction that was completed in 2014;
- Change the proposed bike route designation on Ellis St. to existing shared bike route, to reflect the construction that was completed in 2014; and
- Reroute the existing bicycle route at the intersection of Eckhardt Ave. and Government St.

Notice: The Public Hearing was advertised in the Penticton Western News on Friday, February 6, 2015 and Wednesday, February 11, 2015 (pursuant to the *Local Government Act*).

CO	No correspondence received regarding the OCP Amendment (as of noon Wednesday, February 11, 2015)
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Mayor	Requests the Planning Manager describe the proposed amendments
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Mayor	Invitation to applicant for comment or elaboration on the application
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Mayor	Invites those in attendance to present their views
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Mayor	Invites Council members to ask questions
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Mayor	Invites applicants to respond to questions and those in attendance may provide new additional information
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PUBLIC HEARING for “Official Community Plan Amendment Bylaw No. 2015-09” is terminated and no new information can be received on this matter.

- 1 -

Regular Council Meeting
held at City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Monday, January 19, 2015
Following the Public Hearing at 6:00 p.m.

Resolutions

- 8.3 Zoning Amendment Bylaw No. 2015-06
Re: 264 Wade Avenue West

101/2015

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2015-06", being a bylaw to amend City of Penticton Zoning Bylaw 2011-23 by adding Section 10.6.4.3: " In the case of lot 3, District Lot 4 Similkameen Division Yale (Formerly Yale-Lytton), Plan 2580, located at 264 Wade Avenue W, an office shall be permitted", be introduced, read a first time and be forwarded to the February 16, 2015 Public Hearing.

AND THAT prior to adoption of the bylaw, a road dedication of 2.4m along Wade Avenue West frontage be registered with the land title office.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: January 19th, 2015
To: Annette Antoniak, City Manager
From: Audrey Tanguay, Senior Planner
Address: 264 Wade Avenue West

Subject: Zoning Amendment Bylaw No.2015-06

File No: RZ PL2014-093

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2015-06", being a bylaw to amend City of Penticton Zoning Bylaw 2011-23 by adding Section 10.6.4.3: " In the case of lot 3, District Lot 4 Similkameen Division Yale (Formerly Yale-Lytton), Plan 2580, located at 264 Wade Avenue W, an office shall be permitted", be introduced, read a first time and be forwarded to the February 16, 2015 Public Hearing.

AND THAT prior to adoption of the bylaw, a road dedication of 2.4m along Wade Avenue West frontage be registered with the land title office.

Strategic priority objective

N/A

Background

The subject property (Attachment 'A') is designated as MFLD (Multiple Family Low Density) by the City's Official Community Plan and is zoned RD2 (Duplex Housing: Lane) by Zoning Bylaw 2011-23. The 931 m² (0.23 acre) property currently features a single detached dwelling (Attachment 'D') and is located in an area with a mix of institutional, apartment, single family and duplex housing. The applicant, on behalf of Interior Health, intends to convert the house to an office use for the "Supported Employment Program" operated by Interior Health (Attachment F). The program aims to provide pre-employment, transition to employment and paid employment opportunities as well as training and education for Mental Health clients in Penticton and the South Okanagan. There is no intention to keep the residential use of the property. Given that 'office;' is not listed as a permitted use in the RD2 zone, an amendment to the zoning bylaw is required prior to renovation and operation of the employment centre.

Proposal

The applicant has applied for site specific zoning on the property to add the use 'office' into the RD2 zone for this property only.

Financial implication

The City will incur some legal and survey costs with the transfer of the road dedication but it is needed as Wade Avenue West is designated as a corridor for a future bike lane as per OCP Bylaw 2002-20.

Technical Review

The Development Engineering Department has reviewed the proposed development and have not identified any significant concerns other than the required road dedication. The applicant has met with the City's Building Department. The BC Building Code treats office uses differently than residential uses. Because of this, several upgrades to the building are required. These include: increases to the fire separations, installation of an interconnected smoke alarm system, emergency lighting, HVAC improvements, installation of a wheel-chair ramp, widening of doorways, renovations to the washroom. The applicant is aware of these requirements and is also planning other renovations to the building and property. A dedicated parking area is also being intended to be installed in the rear yard of the property to be accessed from the rear lane.

Analysis

Support zoning amendment

The subject property is designated for Multiple Family Low Density Residential by OCP Bylaw 2002-20. The MFLD designation encourages a wide range of housing forms, parks and minor institutional uses, which staff consider the proposed use. The OCP has criteria for staff and Council to consider when reviewing applications in this designation. The guidelines and staff's comments are as follows:

- The size, scale and scope of the proposed use are compatible with the character of the area: Small scale institutional uses, including the proposed employment program, helps create neighborhoods that have a feeling of "community", provide transition with the higher density residential buildings and support the OCP residential policies.
- The proposed use will not have a negative impact including noise, unacceptable traffic generation or invasion of privacy on the adjacent residential uses: Staff do not feel that any negative externalities will impact any neighbouring residences, given that the proposed use of the property is an office.

The plans submitted in support of the rezoning application show that the proposed development meets the guidelines for small scale institutional uses in the MFLD (Multiple Family Low Density) designation as outlined in the OCP. As such, staff recommend that Council support the application to rezone the property and refer the application to the February 2, 2015 Public Hearing.

Deny/Refer

Council may feel that the proposed amendment is not suitable for this site. If this is the case, Council should deny the bylaw amendment. If the zoning amendment does not go forward, the property will be restricted to the single family use. Alternatively, Council may refer the application back to staff with further instructions.

Alternate recommendations

Zoning Amendment

1. That Council deny first reading of Zoning Amendment Bylaw No. 2015-06.
2. That Zoning Amendment Bylaw No.2014-06 be read a first time without any conditions.
3. That Zoning Amendment Bylaw No. 2015-06 be referred back to staff for further research.

Attachments

Attachment A: Subject Property Location Map
Attachment B: OCP and Zoning Map
Attachment C: Images of Subject Property
Attachment D: Site Plan
Attachment E: Letter of rational
Attachment F: Zoning Amendment Bylaw No. 2015-06

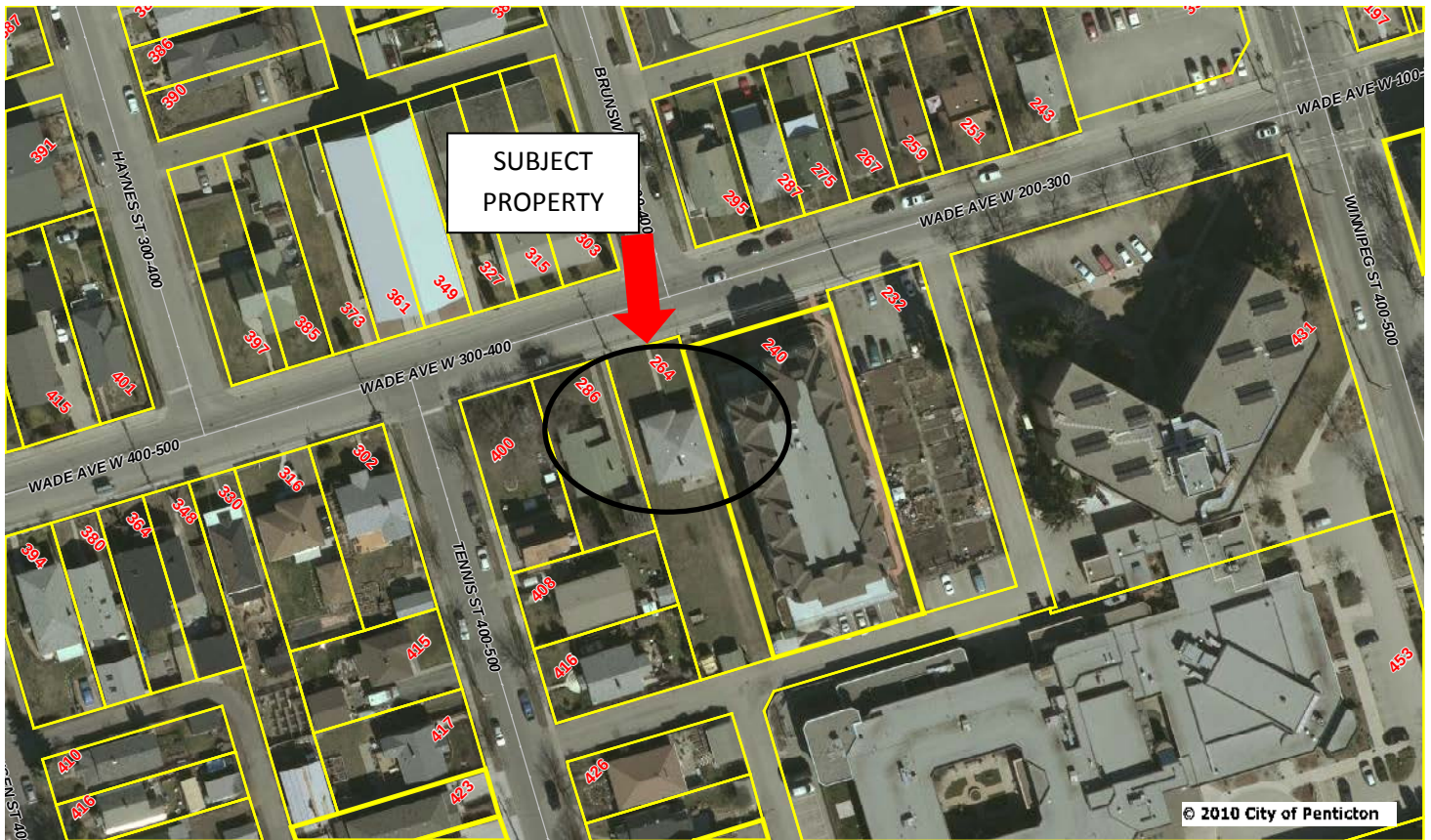
Respectfully submitted,

Audrey Tanguay, MCIP
Senior Planner

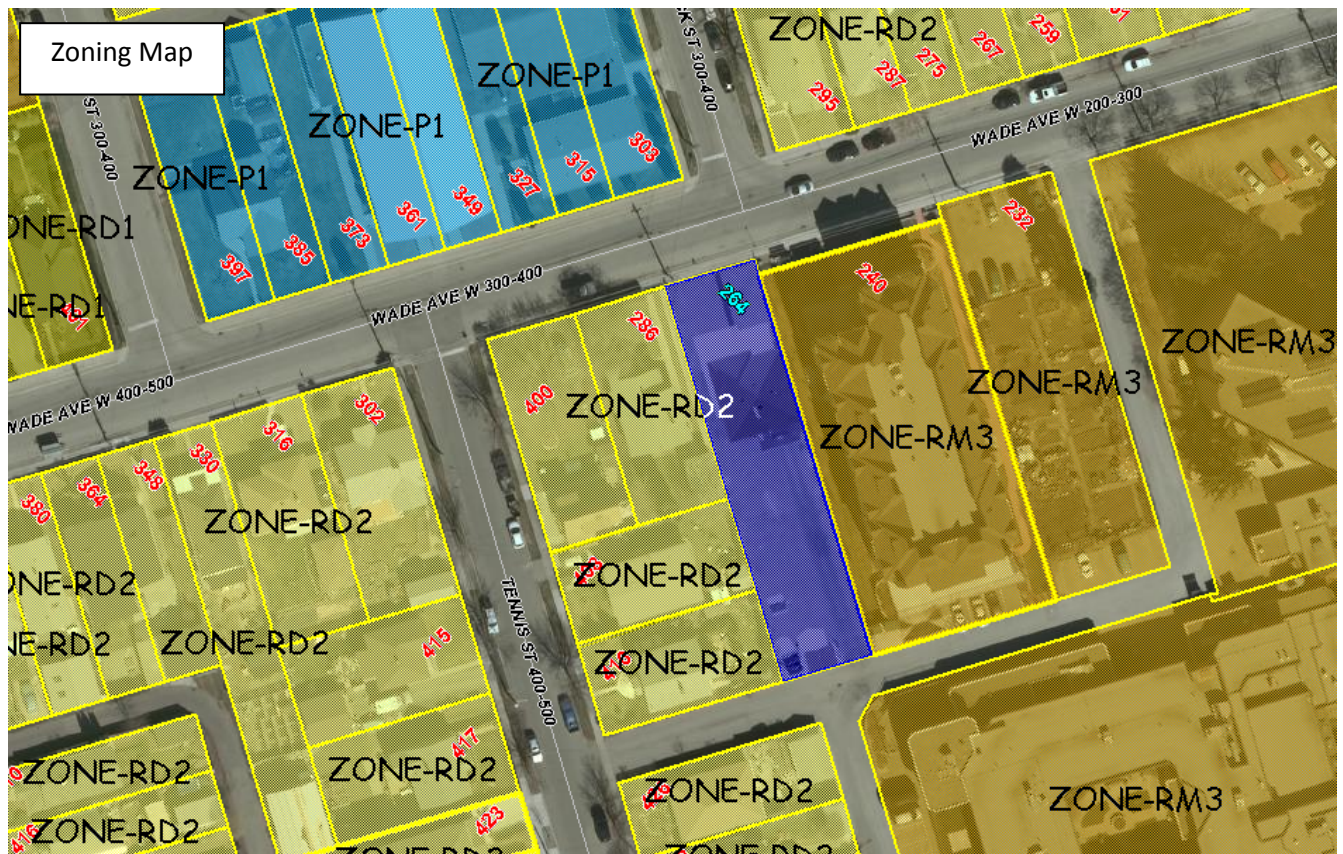
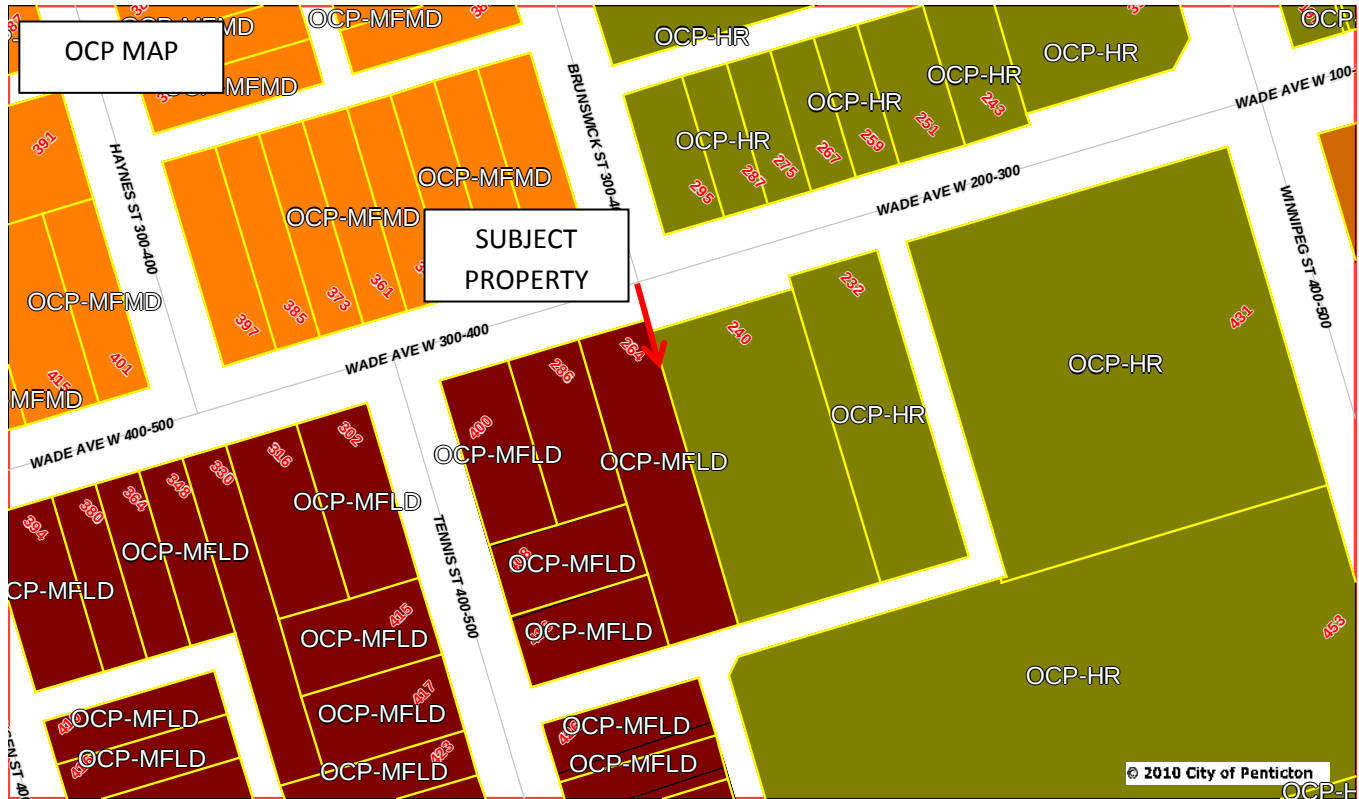
Approvals

Planning Manager 	City Manager
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Attachment A - Subject Property



Attachment B - OCP and Zoning Maps



Attachment C - Images of the Subject Property

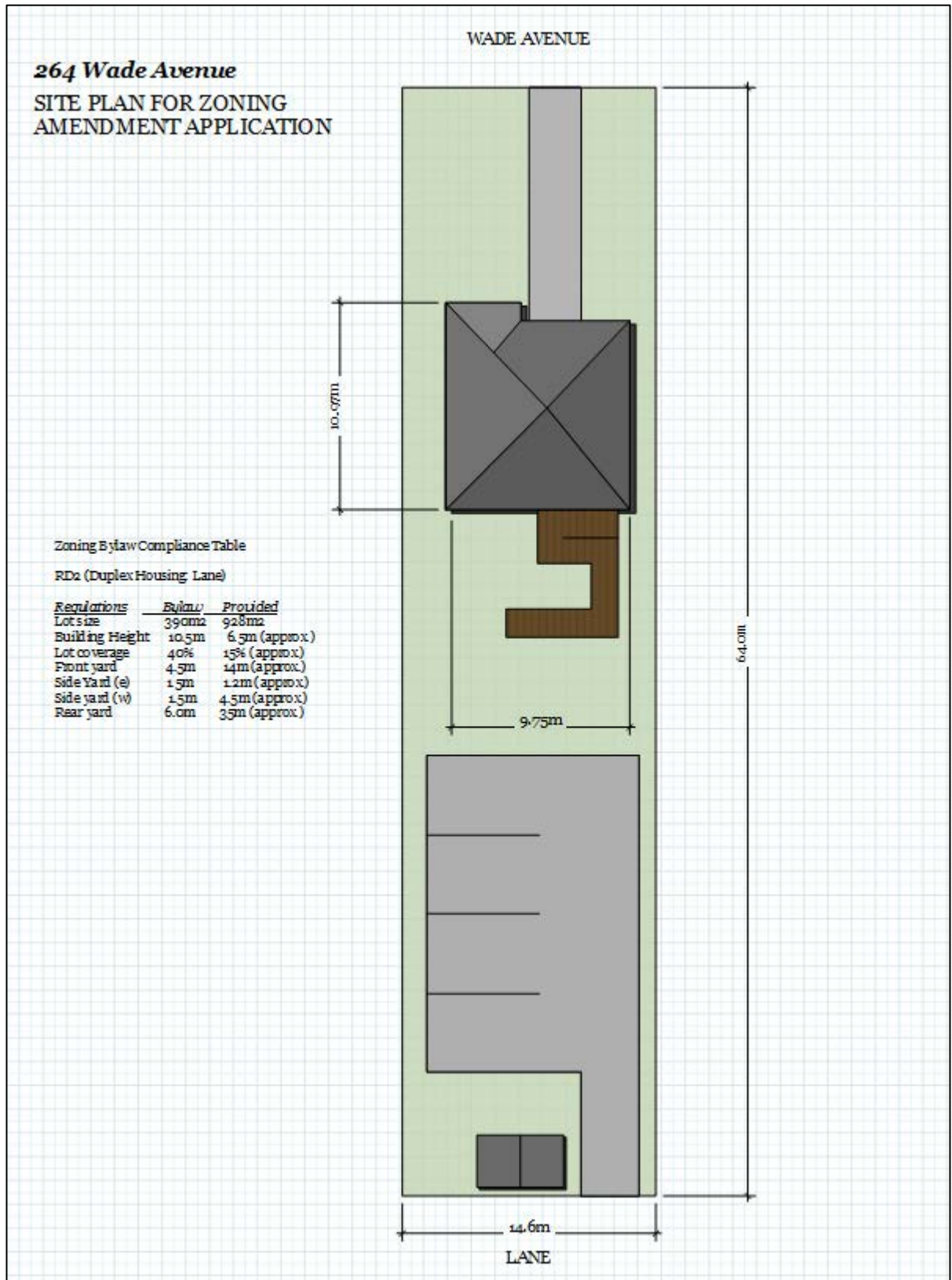


View from Wade Avenue W



View from the lane

Attachment D – Site Plan



Attachment "E" –Letter of Rational

Zoning submission for 264 Wade Ave – Penticton October 2014

Application Proposal

To amend the zoning for the above noted property from RD2 to C1 to support proposed supported employment program use.

Proposed Program

Interior Health (IH) is planning to run the MHSU Supported Employment Program from this site.

We will have 2 FT employment specialist staff working from this site

Aim of the Program: To provide pre-employment, transition to employment and paid employment opportunities and access to training & education opportunities for Mental Health Clients in Penticton and South Okanagan.

Components of this program include:

- Intakes and Assessments for work readiness
- Transition to employment programs
- Pre-Employment groups
- Specific Skill Training and Access to Vocational Training
- Consumer Run Business Workshops and Consultation
- Non-Conventional Employment Placement and Support
- Conventional Employment Placement and Support

Population Served:

- Adult clients (ages 17 to 65) referred by Mental Health Services in the community. Clients must have a diagnosed mental illness and an open file with Mental Health Services.

Service Provision/Hours of Operation:

- 8:00 am to 5:00pm

Cultural Considerations:

- Our aim is on improving community awareness on the issue of mental health and our client's ability to work.

Building Requirements

Fire and Safety Requirements

1. Install drywall on basement ceiling for fire separation
2. Install interconnected smoke and fire detectors on both levels and connect to monitoring service
3. Install emergency lighting for main floor
4. Install fire damper in HVAC system

Accessibility Requirements

1. Build outdoor ramp to allow for wheel chair accessibility (I am presuming this will be at the back of the building)
2. Install new exterior doors with 36 inch width to accommodate wheel chair access
3. Renovate main floor bathroom to accommodate wheel chair/disability access which requires widening door opening to 36 inch width, removal of tub, installation of accessible toilet, sink and grab rails and installation of bathroom vent fan
4. Replace fence at front of property

Aesthetic Requirements

1. Replace carpet in current living room with laminate flooring
2. Ensure lighting is adequate in intended office space
3. Upgrade landscaping at front of property

Bylaw No. 2015-06

A Bylaw to Amend Zoning Bylaw 2011-23

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*,

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2011-23;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw 2015-06".

2. **Amendment:**

2.1 Zoning Bylaw 2011-23 is hereby amended as follows:

Add Section 10.6.4.3: "In the case of lot 3, District Lot 4 Similkameen Division Yale (Formerly Yale-Lytton) Plan 2580, located at 264 Wade Avenue W, an office shall be permitted."

2.2 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this 19 day of January, 2015

A PUBLIC HEARING was held this 16 day of February, 2015

READ A SECOND time this day of , 2015

READ A THIRD time this day of , 2015

RECEIVED the approval of the day of , 2015
Ministry of Transportation on the

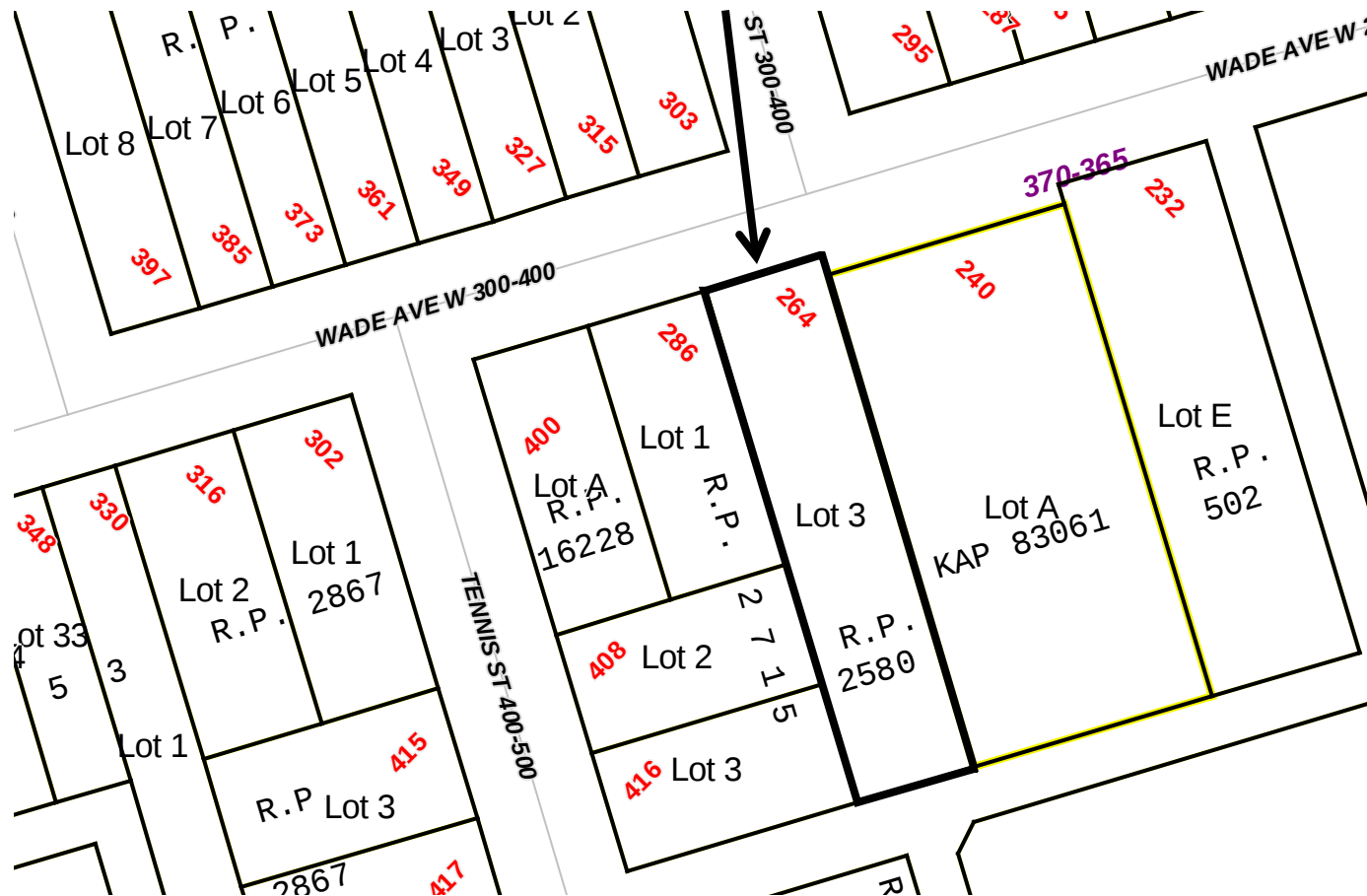
ADOPTED this day of , 2015

Notice of intention to proceed with this bylaw was published on the 6 day of February, 2015 and the 11 day of February, 2015 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

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Zoning Amendment Bylaw No. 2015-06

Corporate Officer: _____

From: Public Hearings
Subject: Rezoning application for 264 Wade Ave West

From: Pat Allies
Sent: February-06-15 9:36 PM
To: Public Hearings
Subject: Rezoning application for 264 Wade Ave West

To Corporate Officer
City of Penticton

Dear Sir/ Mam

I write in opposition to the proposed rezoning of the property located at 264 Wade Ave West. I am the owner of the property adjacent to 264 Wade Ave designated as "lot 2", located at 408 Tennis ST. There are several reasons I oppose this rezoning;

1) Security

At this time there is no access for the general public to my back yard. Should the back portion of the property at 264 Wade be turned into a parking lot there will be open access to my property.

2) Traffic load on Tennis St.;

The only access to the proposed parking area would be accessed off Tennis St. Tennis Street is very narrow to begin with. As a result of the city changes in parking in the downtown core we are already inundated with vehicles parking all day in front of our homes and a very high traffic volume for a 1 block street. The mentioned problems will only get worse should the proposed bike lane on Wade Ave go through. To add a parking lot into the mix will make the problem exponentially worse.

3) Housing availability;

In a community with a shortage of affordable housing, I find it in bad taste to remove a "home" to create office space when there is plenty of office space available in town. This area is primarily a residential area. In your own community plan it is designated Multiple Family Low density housing. There are no "offices" between Wade Ave and Orchard Ave from Winnipeg St to Power ST. I do not see where this proposal fits into or adds to our community.

Thank you for your consideration.

Pat Allies
408 Tennis ST.
Penticton BC
V2A 5R3

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Regular Council Meeting
held at City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Monday, February 2, 2015
Following the Public Hearing at 6:00 p.m.

Resolutions

- 8.7 OCP Amendment Bylaw No. 2015-09
Re: Amend Schedule 'F' Trails and Cycling Network

123/2015

It was MOVED and SECONDED

THAT prior to consideration of Bylaw 2015-09 and in accordance with Section 879 of the Local Government Act, that Council consider whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities,
2. The Regional District of Okanagan Similkameen,
3. Local First Nations,
4. School District #67, and,
5. The provincial or federal government and their agencies

AND THAT it is determined that the Public Hearing is sufficient consultation;

AND THAT Council amend Official Community Plan Bylaw 2002-20 to reflect work completed on the Trail and Cycling Network and to make small changes to improve safety;

AND THAT "OCP Amendment Bylaw 2015-09", be introduced and given first reading;

AND THAT "OCP Amendment Bylaw No. 2015-09" be forwarded to the February 16, 2015 Public Hearing.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: February 2, 2015

File No:

To: Annette Antoniak, City Manager

From: Mitch Moroziuk, Director of Operations

Subject: OCP Amendment Bylaw No. 2015-09

Amending Schedule "F" Trails and Cycling Network of OCP Bylaw No. 2002-20

Staff Recommendation

THAT prior to consideration of Bylaw 2015-09 and in accordance with Section 879 of the Local Government Act, that Council consider whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities,
2. The Regional District of Okanagan Similkameen,
3. Local First Nations,
4. School District #67, and,
5. The provincial or federal government and their agencies

AND THAT it is determined that the Public Hearing is sufficient consultation;

AND THAT Council amend Official Community Plan Bylaw 2002-20 to reflect work completed on the Trail and Cycling Network and to make small changes to improve safety;

AND THAT "OCP Amendment Bylaw 2015-09", be introduced and given first reading;

AND THAT OCP Amendment Bylaw No. 2015-09 be forwarded to the February 16, 2015 public hearing.

Background

Staff have been in discussions with Hugh McClelland, of Baird McClelland Inc., who is preparing cycling maps for production and erection in various locations in the City and in the Regional District of Okanagan Similkameen. Based on those discussions and a field review staff see the benefit in making some minor changes to Schedule "F" Trails and Cycling Network of the Official Community Plan. Staff proposes addressing the following:

- i. Change the proposed trail/multi-use path designation on Lakeshore Drive to existing trail/multi-use path, to reflect the construction that was completed in 2014, see Attachment "A";
- ii. Change the proposed bike route designation on Ellis Street to existing shared bike route, to reflect the construction that was completed in 2014, see Attachment "B";

- iii. Reroute the existing bicycle route at the intersection of Eckhardt Avenue & Government Street, to improve safety, see Attachment "C".

Financial implication

Expenditures for the Bike Network projects are part of future Penticton Capital Budgets and are included in the 2013 – 2022 Ten Year Capital Plan at \$30,000 each year.

Analysis

The proposed changes to the Bike Routes contained in Schedule "F" Trails and Cycling Network of the Official Community Plan will reflect the Bike Routes that have been constructed and alter one bike route to improve safety while crossing Government Street.

Should Council wish they could refer the proposed amendments back to Staff with direction or elect not to make any amendments to the Official Community Plan Bylaw.

Alternate recommendations

1. THAT Council refer the proposed amendments back to Staff with direction; or
2. THAT Council elect not to make any amendments to the Official Community Plan Bylaw at this time.

Attachments

Attachment "A" – Existing Trail/Multi-use Path on Lakeshore Drive

Attachment "B" – Existing Shared Bike Route on Ellis Street

Attachment "C" – Reroute Bike Route at Government St & Eckhardt Ave

Attachment "D" – OCP Amendment Bylaw 2015-09

Respectfully submitted,

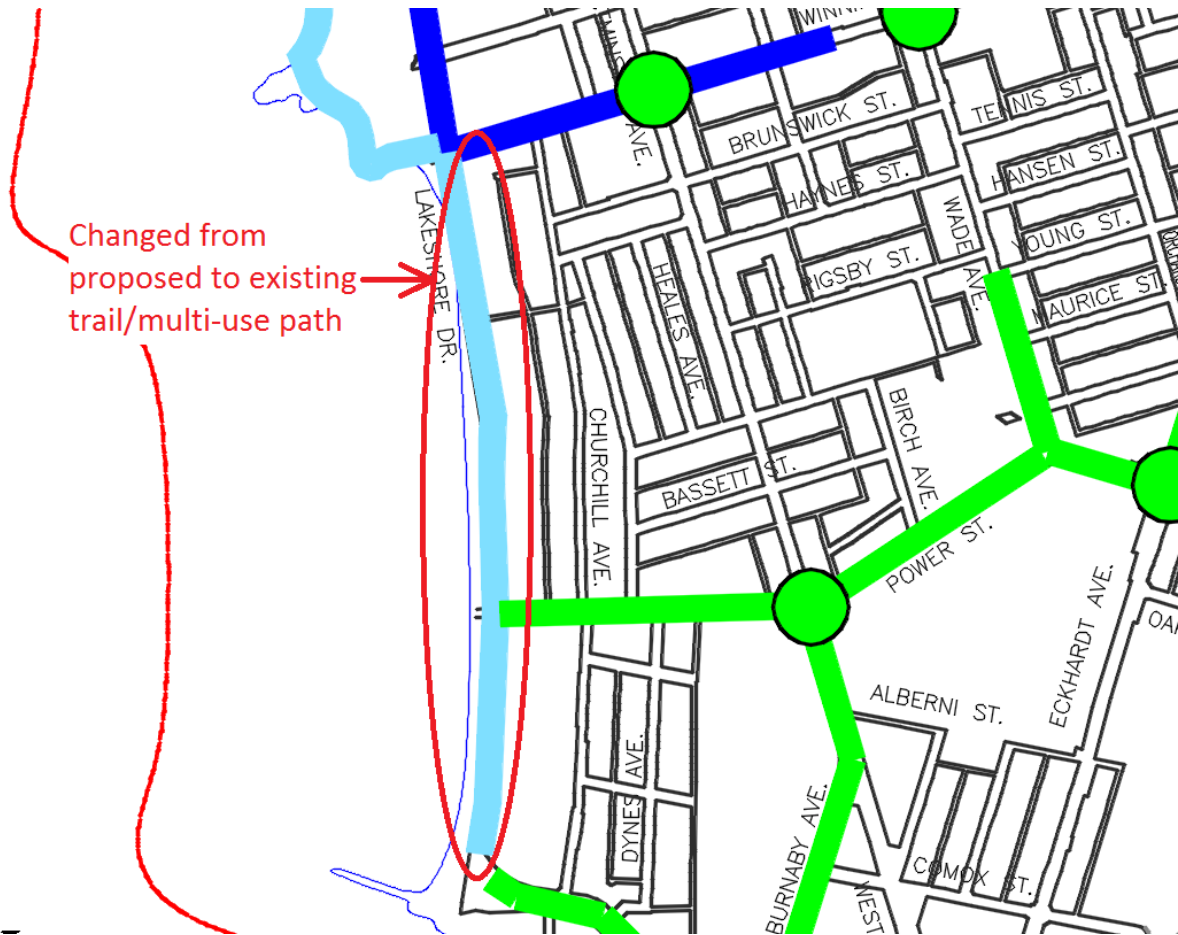
Mitch Moroziuk
Director of Operations

Approvals

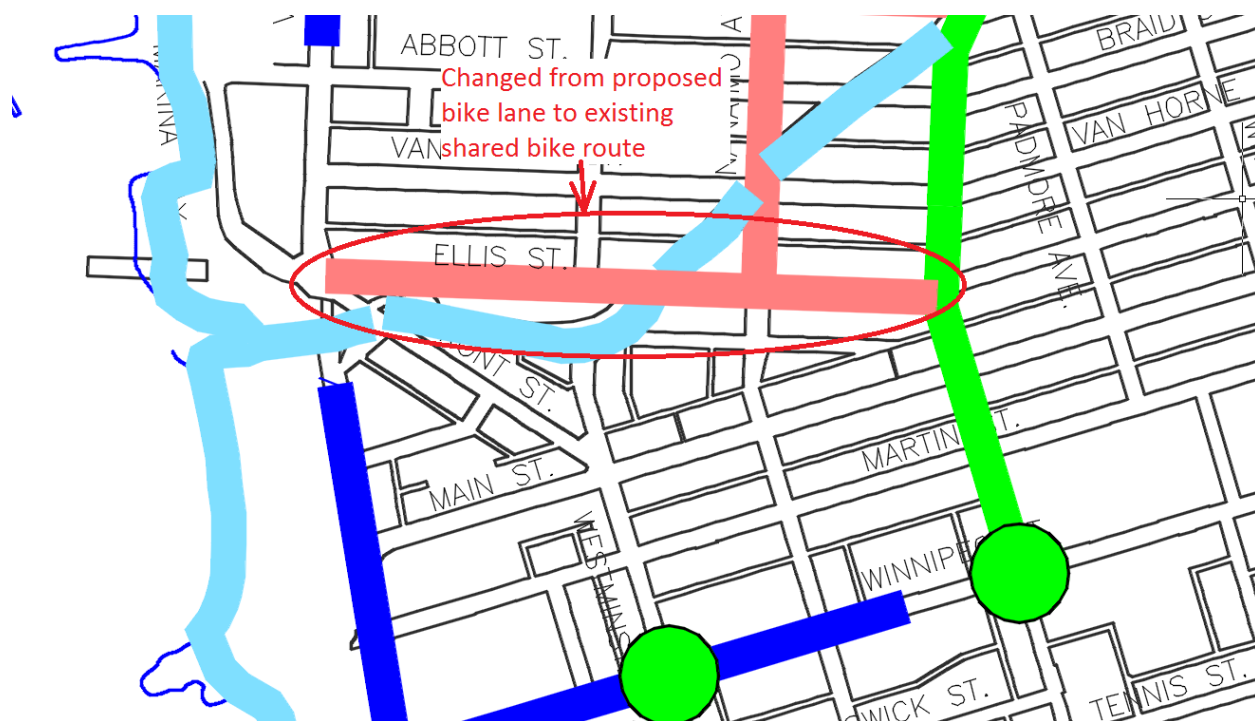
City Manager

Attachment "A"

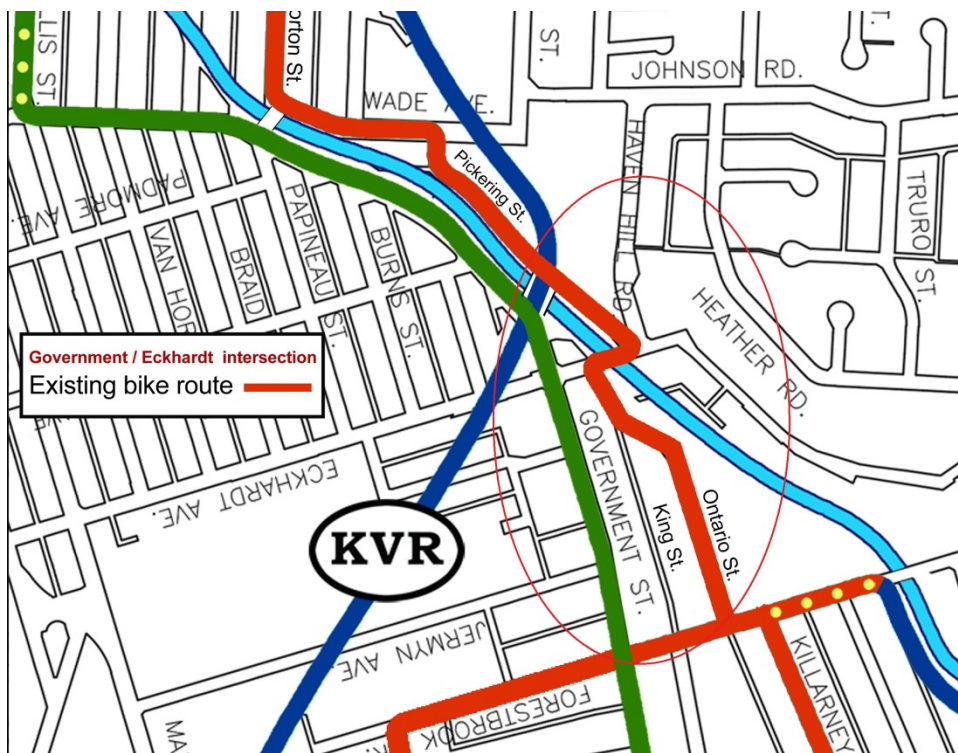
Existing Trail/Multi-use Path on Lakeshore Drive



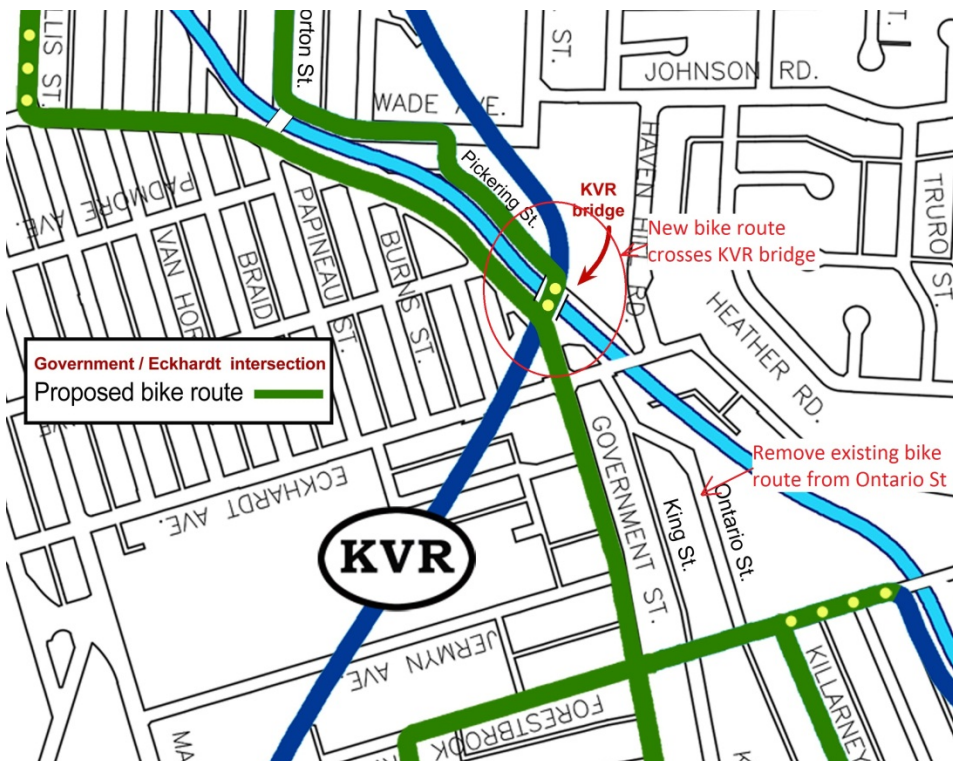
Attachment "B"
Existing Shared Bike Route on Ellis Street



Attachment "C"
Reroute Bike Route at Government St & Eckhardt Ave



Existing Condition



Proposed Condition

Attachment "A"

