

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

Monday, February 2, 2015
at 6:00 p.m.

Present: Mayor Jakubeit
Councillor Sentes
Councillor Martin
Councillor Picton
Councillor Konanz
Councillor Watt
Councillor Sayeed

Staff: Annette Antoniak, City Manager
Chuck Loewen, General Manager Recreation Services
Dana Schmidt, Corporate Officer
Colin Fisher, Chief Financial Officer
Blake Laven, Planning Manager
Mitch Moroziuk, Director of Operations
Simone Blais, Communications Officer
Angie Collison, Deputy Corporate Officer

1. Call to order

Mayor Jakubeit called the public hearing to order at 6:00 p.m. for the "Zoning Amendment Bylaw No. 2015-04". He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council.

The Corporate Officer read the opening statement and introduced the purpose of the bylaws. She then explained that the public hearing was being held 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*.

"Zoning Amendment Bylaw No. 2015-04"

The purpose of the Zoning Amendment Bylaw is to amend Zoning Bylaw 2011-23" as follows:

- Rezone Lot 16, District Lot 2, Group 7, Yale Lytton District, Plan 3445, located at 739 Birch Avenue, from RM2 (Low Density Multiple Housing) to RD2 (Duplex Housing: Lane).
- The applicant is proposing to subdivide the property and construct front-to-back duplexes with secondary suites on each lot.

The Corporate Officer advised that no written correspondence has been received.

APPLICANT

- No one spoke.

DELEGATIONS

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

- No one spoke.

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

- No one spoke.

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

- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2015-04" was terminated at 6:02 p.m. and no new information can be received on this matter.

2. Call to order

Mayor Jakubeit called the public hearing to order at 6:04 p.m. for the "Zoning Amendment Bylaw No. 2015-02". He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council.

The Corporate Officer read the opening statement and introduced the purpose of the bylaws. She then explained that the public hearing was being held 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*.

"Zoning Amendment Bylaw No. 2015-02"

The purpose of the Zoning Amendment Bylaw is to amend Zoning Bylaw 2011-23" as follows:

- Add section 10.1.3 Site Specific Provisions; .5 In the case of Lot 1, District Lot 189 Similkameen Division Yale District, Plan 18867, located at 96 Yorkton Avenue, a day care centre, major shall be permitted.

The applicant is intending to operate a licensed child care facility.

The Corporate Officer advised that written correspondence has been received and distributed to Council.

APPLICANT

- Tina Bootsma, Spiller Road, applicant, has been in the child care field for 25 years. Centre will be open only between the hours of 7:30 a.m. -5:30 p.m. and not on weekends or stat holidays. Selected this property for ample client parking, lane parking for staff and half block to Skaha Park which is a great place to spend with children. Will fence around property to keep children safe and noise level down. Looking forward to offering the community day care services for children ages 1 ½ to five years of age.

DELEGATIONS

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

- Christopher Stabler, Lee Avenue, submitted a letter with concerns about traffic, noise and garbage. Where will garbage go? Will there be dumpsters? Commercial establishment will have lights and signs, concerned about damage to backyard and loss of green space. Submitted a petition with unanimous neighbourhood disapproval. This will produce a blighted lot, must be internal and external changes to this property, yard damaged, never back to residential property.
- Lynn Kelsey, Oakville Street, this is not in my backyard but I see the need for good quality, safe, adequate day care. Applicant needs to be applauded;
- Craig Wittenburg, concerned with the difference in property tax in residential and commercial, unintended but obvious benefit, unfair advantage over other commercial day cares in the city;
- Genie Weston, 84 Yorkton, recently purchased home as retirement home, every day the day care is open it will be loud, concerned about quiet oasis they purchased in a low density property area;
- Hanna Taylor, 110 Yorkton Avenue, home is lifetime investment, now at risk, this is not appropriate in our neighbourhood, will be a business with no occupants, rushed through, only received notification January 26, shocked and upset City Planner would recommend this to Council. Leave neighbourhood as residential, uphold zoning bylaw. Object to a major day care in the middle of residential properties.

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

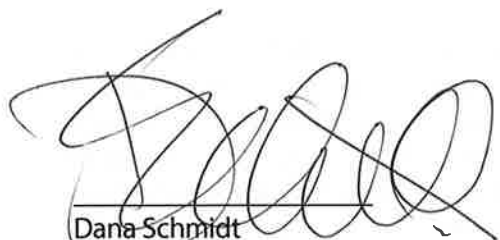
- James Brown, Skaha Lake Road, not opposed to day care in area but concerned with the quietness that may be compromised.

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

- Applicant, no intention of changing the outside of the house, will be putting a sign on fence or house. Must adhere to Ministry of Children regulations, not allowed to operate for more than nine hours.

The public hearing for "Zoning Amendment Bylaw No. 2015-02" was terminated at 6:38 p.m.
and no new information can be received on this matter.

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor