

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

Tuesday, April 7, 2015
at 6:00 p.m.

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

Staff: Chuck Loewen, Acting City Manager
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 6:01 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.

Councillor Picton declared a conflict of interest and left the meeting at 6:04 p.m.

APPLICANT

- Tina Bootsma, provided Council with a presentation outlining the provincial licensing regulations and reasons why she choose 96 Yorkton as the location for a group day care. Mrs. Bootsma held a public meeting on March 19th to address the questions and concerns of the neighbourhood.

DELEGATIONS

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

- Chris Stabler, Lee Avenue, Council is being asked to change the law for one business owner, fence will not do anything for the noise, will not be a quiet business, business model can change, once approved owner/occupant can do what they want;
- Albert Cronie, Lee Avenue, directly behind Yorkton Avenue, spoke against the rezoning application, over time it will become an eyesore;
- Ginnie Weston, Yorkton Avenue, purchased home for low density, now and for future retirement years, problem with precedent this will set with zoning change. No need to force a zoning change on a neighbourhood not in favour of it, don't support the zoning change;
- Lenora Robson, Yorkton Avenue, spoke against zoning change;
- Jo Cronie, Lee Avenue, expressed objections with rezoning application;
- Laurie Stabler, Lee Avenue, opposed to zoning amendment, choose property because quiet, a commercial enterprise will do nothing to maintain or improve the quality of life for the neighbourhood;
- Doug, Fairview Road, father of two girls, viewed the area and has one of the busiest parks, lakes, and development. As soon as you take away children we don't have a community anymore, take away one generation, will have a huge gap;
- James Palanio, Lee Avenue, spoke in favour of the application, 13 kids able to walk to our yard from area, community is changing, area is ideal, two schools in area, large single family homes, family oriented, welcome day care to neighbourhood;
- Jill Hart, Heales Avenue, Kids Connection creates comfortable location, Yorkton great place for day care, spoke in support of application;
- Tracy Van Raes, spoke in support of rezoning;
- Tina Zumpano, Fairway Ave, operates a home day care, spoke in support of the application;
- Bob Richards, Ayres Crescent, spoke in support of the day care;
- Kyla Marie, spoke in support of the application, worked for Ms Bootsma, am a certified teacher, chosen to stay with Ms Bootsma, she has a quality day care, a commercial space makes the cost of day care unaffordable to families, need employment and resources for young families such as day care;
- Ann Hurst, spoke in support of application and affordability.

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

- Vies Pahlavan, owner of two properties in Penticton, see wonderful people, not about the money, with change comes anxiety, not going to be that loud;
- Bruce Barker, Lee Avenue, issue is not that we need day care, issue is bringing a commercial institution into a residential zone, don't need that, ample opportunity elsewhere;
- Ray Van-Ingen, Yorkton Avenue, against proposal, sets a precedent for rezoning;
- Tara Vanden Pol, Acacia Crescent, parent of two young children, on waitlist, home based day care in a home is a comfortable space not a trailer or church basement;
- Jake Kimberly, Lakeshore Drive, not for or against, day and age has changed, understand why the services are needed, both parents working, day care is an essential part of growth for this community.
- Mayor Jakubeit asked the public for the third and final time if anyone wished to speak to the application.
- Mary Morales, Elm Avenue, helping raise granddaughter, looking into day care, nothing available would be great if one down the street, must be a way around parking issues;
- Colleen Pennington, Economic Development Officer, workforce needs childcare, lack of day care in city is an impediment to growth.

The public hearing for "Zoning Amendment Bylaw No. 2015-02" was terminated at 7:18 p.m. and no new information can be received on this matter.

Councillor Picton returned to the meeting at 7:20 p.m.

2. Call to order

Mayor Jakubeit called the public hearing to order at 7:24 p.m. for the "Official Community Plan Amendment Bylaw No. 2015-16" and "Zoning Amendment Bylaw No. 2015-17". He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaws 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*.

"Official Community Plan Amendment Bylaw No. 2015-16" & "Zoning Amendment Bylaw No. 2015-17"

The purpose of the Official Community Plan Amendment Bylaw is to amend "Official Community Plan Bylaw 2002-20" as follows:

- Change Schedule 'B' future land use designation for Lot 4, Plan 5885, District Lot 189, SDYD (270 South Beach Dr.); Lot 5, Plan 5885, District Lot 189, SDYD (274 South Beach Dr.); Lot 6, Plan 5885, District Lot 189, SDYD (278 South Beach Dr.); Lot 7, Plan 5885, District Lot 189, SDYD (280 South Beach Dr.); Lot 8, Plan 5885, District Lot 189, SDYD (282 South Beach Dr.); Lot 1, Plan 6179, District Lot 189, SDYD (286 South Beach Dr.); Lot 8-9, 39, Plan 996, District Lot 189, SDYD (292 South Beach Dr.); Lot 1, Plan 6172, DL 189, SDYD (298 South Beach Dr.); and Lot 2,

Plan 6172, DL 189, SDYD (300 Sudbury Ave.) from PR (Parks & Recreation) to MR (Medium Density Residential)

- Change Schedule 'H' to include Lot 4, Plan 5885, District Lot 189, SDYD (270 South Beach Dr.); Lot 5, Plan 5885, District Lot 189, SDYD (274 South Beach Dr.); Lot 6, Plan 5885, District Lot 189, SDYD (278 South Beach Dr.); Lot 7, Plan 5885, District Lot 189, SDYD (280 South Beach Dr.); Lot 8, Plan 5885, District Lot 189, SDYD (282 South Beach Dr.); Lot 1, Plan 6179, District Lot 189, SDYD (286 South Beach Dr.); Lot 8-9, 39, Plan 996, District Lot 189, SDYD (292 South Beach Dr.); Lot 1, Plan 6172, DL 189, SDYD (298 South Beach Drive); and Lot 2, Plan 6172, DL 189, SDYD (300 Sudbury Ave.)

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

- To rezone Lot 1 and Lot 2, District Lot 189, Similkameen Division Yale District, Plan 6172, located at 298 South Beach Dr. and 300 Sudbury Ave., from P2 (Parks & Recreation) to RM2 (Low Density Multiple Housing).

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

DELEGATIONS

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

- John Hanson, South Main, ten years down road will need the property to increase park, want it to stay as park;
- Randy Manuel, Westview Drive, very expensive and extensive community plans and consultant reports completed, provide outdoor opportunities for Penticton, look at 2008 plan on development park in archives, background of region, Council had a long term vision and knew that they had to do something. City bought his family home, now beach volleyball courts, Penticton is under parked;
- Dorothy Tinning, Wiltse Place, opposed to OCP amendment, to date only one property has been purchased, specific park funds and casino funds earmarked for parks, quite an accumulation in reserve for parks;
- Pieter Koster, Sudbury Avenue, adjacent to property up for redevelopment, unanimous in neighbourhood don't want this to happen, if it has to be sold, change to single family residential, why in a rush to sell or change Coburn property if no master plan? Opposed to rezoning;
- Dennis Gormen, Farrell Street, recommend rejection of staff recommendation, 1993 OCP designated park, acquisition of properties, why wasn't the 2010 master plan adopted, waterfront scarce resource, lake shore parks integral to identity and attractiveness, should enhance;
- Jake Kimberly, Lakeshore Drive, where did it initiate from, 20 year OCP, need more beach, need a vision, where will we go when increase population comes around, provide amenities they will require, long term, going to cost a lot of money, we have a unique location for this city, only second city in world to have lake either end of the city, don't lose sight of main responsibilities;

- Guenter Hoernig, Scotia Street, only thing going for the city are the beaches, abandon plans for rezoning, acquire properties on water, start the process of long term acquisitions;
- Glenn Sinclair, 3301 Skaha Lake Road, don't think study taken into consideration in staff report, unpaid value, need a plan back in place, take back all those homes, beach dominant attractant for tourists;
- Ron Ramsey, Creekside Road, new to Penticton, opposed to reclassification, within months a will have a developer and a tower in five years;
- Shirley Martin, Sudbury Avenue, opposed to rezoning;
- Ray Schachter, Sudbury Avenue, family owned property since 1962, five generation, David Coburn unable to attend, had communications submitted, against rezone and OCP amendments, until council and planning go through process and public education is complete, will not be in possession of appropriate information;
- Gary Gratton, Corry Place, use Skaha Lake, first heard early 90s plan to acquire lands for park use, wonderful plan, makes me proud, shocked that it's not from a developer and that from staff, opposed as this is opposite of smart growth;
- Ann Thompson, South Beach Drive, down the road it should be park land;
- Rod Krantz, South Beach Drive, adjacent to the subject property, most affected by this, thank Council for consideration, bought in 2006, didn't buy to make money or to sell it, would like to see it rezoned out of parks and recreation, fear mongering about lack of beaches, in reality only full twice a year, rezone low density residential, renovate or build new home for families to enjoy, will take a long time before my family will ever sell it to the city;
- Sandra Smith, Lower Bench Road, opposed to re-designation of properties, where did the 25 million dollar figure come from.

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

- Nora Hunt-Haff, Elm Avenue, opposed to change, fear that property will not become available, don't want decision based that will never get these properties, investments for future made today;
- Joan Moffat, don't want Skaha to turn out like Okanagan, try and acquire more beach land and keep in natural state, houses in park land now, would want to see thought going into changing this, lakefront expensive to reacquire, invaluable to tourist industries, keep within park, acquire all waterways, public access for all citizens;
- Kevin Harvey, Finerty Road, moved here because Penticton unique, all but one in favour of leaving as park;
- Mary Morales, Elm Avenue, consider future generations, asset to have more beach;
- Randy Manuel, Skaha most popular park, Edmonton Journal voted as number one, should be expanded, complete purchase and amalgamate;
- Jake Kimberly, was Mayor when signed Coburn Agreement, if any other properties become available staff should advise council and should initiate process of purchase properties, policy that was established;
- John Hanson, South Main, don't destroy what you have in Penticton, don't make another Kelowna.

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

- Pieter Koster, Sudbury Avenue, everyone in area opposed to the rezoning, live within 45m of property, had three days to respond to rezoning, sign on properties confusing, tremendous number of people did not understand what it meant or intended to be about, appears to us on Sudbury and South Beach ramming through, make road safer,

- fire trucks can't get through, 45m furthest you go from property you give notice to, consider regulation change, vitally important matter to people in neighbourhood;
- James Brown, Skaha Lake Road, respectfully speak in opposition of this rezoning.

The public hearing for "Official Community Plan Amendment Bylaw No. 2015-16" and "Zoning Amendment Bylaw No. 2015-17" was terminated at 9:01 p.m. and no new information can be received on this matter.

3. Call to order

Mayor Jakubeit called the public hearing to order at 9:03 p.m. for "Zoning Amendment Bylaw No. 2015-18". He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaws 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. 2015-18"

A number of housekeeping amendments are being proposed to Zoning Bylaw 2011-23.

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

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.

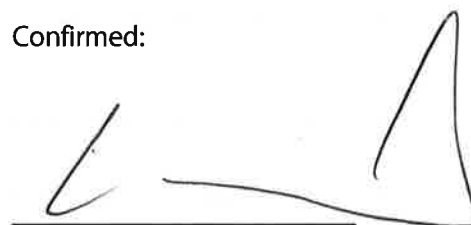
The public hearing for "Zoning Amendment Bylaw No. 2015-18" was terminated at 9:03 p.m. and no new information can be received on this matter.

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor