

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

Tuesday, July 18, 2017
at 6:00 p.m.

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

Staff: Peter Weeber, Chief Administrative Officer
Mitch Moroziuk, General Manager of Infrastructure
Jim Bauer, Chief Financial Officer
Dana Schmidt, Corporate Officer
Anthony Haddad, Director of Development Services
Blake Laven, Planning Manager
Angie Collison, Deputy Corporate Officer

1. Call to order

Mayor Jakubeit called the public hearing to order at 6:00 p.m. for Zoning Amendment Bylaw No. 2017-38, OCP Amendment Bylaw No. 2017-39, Zoning Amendment Bylaw No. 2017-45 and OCP Amendment Bylaw No. 2017-46. 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 bylaws and related DVPs 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. 2017-38" and Official Community Plan Amendment Bylaw No. 2017-39 (1498 Leir Street)

The purpose of "Zoning Amendment Bylaw No. 2017-38" is to amend Zoning Bylaw No. 2017-08 as follows:

Rezone Lot 3, District Lot 250, Similkameen Division Yale District, Plan 8818 located at 1498 Leir Street, from R1 (Large Lot Residential) to C1 (Commercial Transition).

The purpose of "Official Community Plan Amendment Bylaw No. 2017-39" is to amend Official Community Plan Bylaw No. 2002-20 as follows:

Amend Schedule 'H' Development Permit Area Map to include Lot 3, District Lot 250, Similkameen Division Yale District, Plan 8818 located at 1498 Leir Street in the General/Tourist Commercial Area.

The applicant is proposing to construct a 2 storey medical building with vehicle access from the lane off of Carmi Avenue.

The Corporate Officer advised that 3 letters have been received after the printing of the agenda and distributed to Council.

DELEGATIONS

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

- Dr. Moshaver, Finnerty Road, back with a new plan, listened Council, held an open house, listened to public's concerns. No longer require parking variance, require zoning change. Location is ideal for medical practice, doing this because this is the right thing for health care delivery.
- Chris Allen, Architect, designed building, working on project 6 – 8 months, heard concerns, mostly around parking. Held a public meeting at Leir House to present to community, made further changes after the open house.
- Larry Morgan, Leir Street, Leir Park Residents Association, asked Councillor Konanz to recluse from public hearing.

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

- James Jung, dentist, spoke in support of the application, need doctors and a group practice will draw doctors from all over, would be a waste to leave lot empty or used as a condo, it will always be about parking.
- Vicki Morgan, Leir Street, not opposed to development of subject property, opposed to this application, sent letter to Council outlining six variances excluded from application, spoke against the proposal.
- Bree Harris, new physician working with Dr. Moshaver, spoke in support of the application.
- Lynn Kelsey, Oakville Street, spoke in support of the application; there is a need for doctors in our community.

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

- Larry Morgan, Leir Street, want to see a process that represents the citizens. Have an email that Interior Health will not confirm parking. Never been against developing property, doctors office would be fine neighbours. Zoned for small scale, if not fitting on lot without variances can we call it small? Don't know what is going in basement, duplex, two distinct units.
- Chris Allen, Architect, do you want to see more parking or more landscaping.
- Vicki Morgan, tried to take the personal aspect out of this, real estate agent tracked them down and offered at market value.

The public hearing for "Zoning Amendment Bylaw No. 2017-38" and "Official Community Plan Amendment Bylaw No. 2017-39" was terminated at 7:15 p.m. and no new information can be received on this matter.

3. "Zoning Amendment Bylaw No. 2017-45" (730 Kamloops Avenue)

The purpose of "Zoning Amendment Bylaw No. 2017-45" is to amend Zoning Bylaw No. 2017-08 as follows:

Rezone Lot 2, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 8381 from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

The applicant is proposing to subdivide 730 Kamloops Avenue into two lots and construct a side-by-side duplex on each lot.

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

DELEGATIONS

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

- Tony Giroux, Giroux Design Group, available to answer any questions.
- Lynn Kelsey, Oakville Street, live directly behind this project, asked about DVP for rear yard reduction, spoke in support of application.

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. 2017-45" was terminated at 7:19 p.m. and no new information can be received on this matter.

4. "Official Community Plan Amendment Bylaw No. 2017-46" (103, 111, 117, 123 Front Street)

The purpose of "Official Community Plan Amendment Bylaw No. 2017-46" is to amend "Official Community Plan Bylaw 2002-20" as follows:

Amend Section 2.1.2 The Downtown and Urban Villages to include "A five storey high density format would be an option in the Downtown Commercial (DC) designated area of 103, 111, 117 and 123 Front Street."

The applicant is proposing to construct a five storey mixed use, multi-storey building consisting of 20,000 square feet of commercial office space and 16 residential units.

The building will be four storeys in height at Front Street rising to five storeys along the back lane.

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

DELEGATIONS

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

- Eric Lund, Chase Valley Capital, top floor is for Boyle and Company offices, taken input from neighbours, built in two phases, one building, five storey added at a later time. Have 18 employees. Car share for residential and commercial purposes.
- Dennis O’Gorman, Pharrell Street, is this a contribution to arts and culture neighbourhood? How durable is the car share program? Are EIZs imbedded in the project? Is the complete design review in the staff documents? Is it appropriate for this particular locale? Does it reflect the historical context? No it doesn’t.

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

- Jake Kimberly, Lakeshore Towers, front street upgrades in 90s, create a better environment in down town core, support this development and densification of this site, concerned with historic value of Front Street. Exterior design, mostly glass, five storey will be a glass tower, doesn’t conform to historic preservation of downtown. Concerned with two hour parking used by businesses. Request facade meld in with what has existed for over 100 years on Front Street. This proposal will destroy what has been created to preserve the historical Front Street. Legislation flawed regarding brown site.
- Lynn Kelsey, Oakville Street, OCP task force took bus trip, caution Council that OCP amendments are setting precedent before Task Force does their job.

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

- Robert Cesnik, HDR CEI Architects, clients wanted signature building, concrete column breaks up glass, wood canopy, glass on side, colourful activities bleed out onto sidewalk, eastside doesn’t have relation onto street, developers don’t want to hide anything. Materials high quality, followed OCP, comply with current zoning bylaw, no requirement for additional parking, building that is going to benefit and fits in with character.
- Jake Kimberly, Lakeshore Towers, add some colour to the cement columns, no conformity to rest of street.
- Robert Cesnik, Architect, decoration is not needed, didn’t feel that adding brick would add to the character.

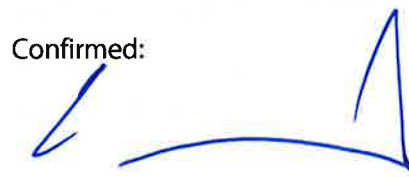
The public hearing for “Official Community Plan Amendment Bylaw No. 2017-46” was terminated at 8:27 p.m. and no new information can be received on this matter.

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor