



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

Tuesday, April 16, 2024
at 6:00 p.m.

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

Staff: Anthony Haddad, City Manager
Angie Collison, Corporate Officer
Angela Campbell, Director of Finance & Administration
Kristen Dixon, General Manager of Infrastructure
Blake Laven, Director of Development Services
Kelsey Johnson, Director of Community Services

1. Call to order

Mayor Bloomfield called the public hearing to order at 6:00 p.m. for "Official Community Plan Amendment Bylaw No. 2024-12", "Zoning Amendment Bylaw No. 2024-13" and "Zoning Amendment Bylaw No. 2024-14".

The Corporate Officer read the opening statement and introduced the purpose of the bylaws. 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 bylaws an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the *Local Government Act*.

2. "Official Community Plan Amendment Bylaw No. 2024-12" (76 Duncan Avenue East)

The purpose of "Official Community Plan Amendment Bylaw No. 2024-12" is to amend Official Community Plan Bylaw No. 2019-08 as follows:

Amend Map 1: Future Land Use by changing the future land use designation for Lot 3 District Lot 250 Similkameen Division Yale District Plan 7560, located at 76 Duncan Avenue East, from 'Infill Residential' to 'Mixed Use'.

“Zoning Amendment Bylaw No. 2024-13” (76 Duncan Avenue East)

The purpose of “Zoning Amendment Bylaw No. 2024-13” is to amend amend Zoning Bylaw No. 2023-08 as follows:

Rezoned Lot 3 District Lot 250 Similkameen Division Yale District Plan 7560, located at 76 Duncan Avenue East, from R1 (Large Lot Residential) to C3 (Mixed Use Commercial).

“Zoning Amendment Bylaw No. 2024-14” (1402 Main Street)

The purpose of “Zoning Amendment Bylaw No. 2024-14” is to amend amend Zoning Bylaw No. 2023-08 as follows:

Rezoned Lot 2 District Lot 250 Similkameen Division Yale District Plan 39349, located at 1402 Main Street, from C7 (Service Commercial) to C3 (Mixed Use Commercial).

The applicant is proposing to build a mixed-use, three-storey building with commercial space on the first storey, and two dwelling units each on the second and third storeys (4 dwelling units total) at 76 Duncan Avenue East.

The applicant has also requested that 1402 Main Street be rezoned from C7 (Service Commercial) to C3 (Mixed Use Commercial) to allow for a similar mixed-use development on this site in the future.

The Corporate Officer advised that one letter has been received since the printing of the agenda and distributed to Council.

DELEGATIONS

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

- Sherri Turpin, Architect retained by land owner, people may be caught up on the look and design of building but that will be addressed in development permit stages, sufficient parking on the two sites to accommodate all uses proposed, wants neighbours to know landscape buffer is required for this development or where possible building footprint will be, landscape buffer would be between this property and neighbour to the east, shape of proposed building on 76 Duncan represents what is remaining of the setbacks, preferred having not as much of occupied spaces on second and third floors not looking over parking lot would be better geared looking towards north or south end.
- Luciano Monai, Duncan Avenue, lives across the street from current A&W, when matter originally proposed we were all for the residential and commercial developments, no problem with those, express anger with relocation of drive thru, when A&W bought the property should have realized what they were getting, to facilitate larger drive thru makes no sense, doesn't do anything for climate action plan by having 10 vehicles idling, doesn't feel positive about that aspect. Drive thru will be right in front of his front window and porch, gets all the lighting from the A&W in window and expects it will only get worse. Proponent discussed residential units, finds the building awkward, there is no interesting roof line or anything to it. Asked if units will be rented or stratified and sold off?

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

- Judy Monai, Duncan Avenue, presentation is confusing, drawing of building shows from one side a truck going by building, eventually figured out build is being squashed up against property next door which is a home (78 Duncan Avenue), the balconies overlook that home and will overlook all backyards up to Manitoba and Wilton Crescent, something underhanded with strange placement of building and a drive thru, asked how extending a drive thru is accommodating our attempts to increase housing? Walkability, the bus stop and pedestrian safety are very serious concerns for that area.
- Les Miller, Manor Park Avenue, concerned about parking, lives a block over but experience with other commercial offices in area, there is a dental office on Duncan and Manor Park, a physio therapist office on other side and also the animal hospital, end up with all the staff parking on our street, put in commercial retail buildings/stores in this apartment will increase the parking situation. For years almost like you don't need to have any noise abatement on vehicles, on Duncan and Main cars go roaring through, they've got extremely loud mufflers and exhaust systems, nothing gets done about it, if you put an apartment block there it will not be a pleasant place to live, my neighbours feel the same way about it. In rezoning A&W lot what applicant is asking for is if granted zoning, maybe they will do something with it or maybe they won't, basically giving rezoning to do whatever.

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

- Sherri Turpin, Architect retained by land owner, not intended to be a strata, apartments will not be stratified in future, drive thru, one of main reasons of owner purchasing property was to resolve drive thru and parking conflict, when busy there are people waiting to leave the parking lot blocked by drive thru creating a bit of mayhem, sometimes drive thru is backed to street, point of extra drive thru area so that there is more staffing on site and it's pulled away from the parking area to be effectively used. Thought about consolidating, put the drive thru part on other side but wasn't going to work, would require two separate utility accounts. Landscaping buffer required on east side, no room for drive thru, leaves a sliver for any further development, initial part of changing zoning for A&W property came from thought of consolidating lots. Regarding design when get into development permit stages will focus more on look with balconies facing north and south not necessarily to east although will be trees and landscaping in the buffer zone, can't get hung up on design, illustration shows what could be built on what is remaining on property. Number of easements to make drive thru happen without having additional setbacks making it even skinnier and not buildable.

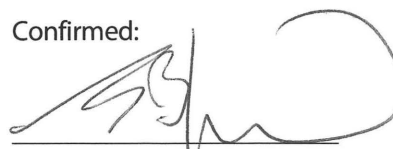
The public hearing for "Official Community Plan Amendment Bylaw No. 2024-12", "Zoning Amendment Bylaw No. 2024-13" and "Zoning Amendment Bylaw No. 2024-14" was terminated at 6:21 p.m. and no new information can be received on this matter.

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



Julius Bloomfield
Mayor