

TO: Regional Board of Directors

FROM: Chair, Karla Kozakevich, Electoral Area “E”

DATE: July 17, 2018

RE: Public Hearing Report - Amendment Bylaw No. 2459.28, 2018

Purpose of Bylaw:

The amendment bylaw proposes to amend the zoning bylaw to allow the re-development of an existing nine-room residence and Bed & Breakfast into a six-unit agri-tourism establishment. The maximum number of agri-tourism units permitted on the parcel is five and as a result, site specific zoning is required to permit a sixth unit.

Public Hearing Overview:

The Public Hearing for Bylaw No. 2459.28, 2018, was convened on Tuesday, July 17, 2018 at 7:04 p.m., at Naramata Old Age Pensioners Hall, 3rd & Ritchie Avenue, Naramata.

Members of the Regional District Board present were:

- Chair Karla Kozakevich

Members of the Regional District staff present were:

- Evelyn Riechert, Planner
- Jeff Thompson, Planning Student

There were 19 members of the public present.

Chair Kozakevich called the Public Hearing to order at 7:04 p.m. at the Naramata Old Age Pensioners Hall.

The hearing convened pursuant to Section 464, 465 & 468 of the *Local Government Act* in order to consider Amendment Bylaw No. 2459.28, 2018.

In accordance with Section 466, the time and place of the public hearing was advertised in the July 4, 6, and 11th editions of the Penticton Western and My Naramata.

Copies of reports and correspondence received related to Bylaw No. 2459.28, 2018, were available for viewing at the Regional District office during the required posting period.

Summary of Representations:

There was 1 written brief submitted at the public hearing.

Chair Kozakevich called a first time for briefs and comments from the floor and noted that a binder is available which includes all written comments received to date and anyone wishing to review the comments could do so.

E. Riechert, Planner, outlined the proposed bylaw.

Chair Kozakevich asked if anyone wished to speak to the proposed bylaw.

Mike Boyd, 6327 North Naramata Rd.

- Detailed process of buying property and the process to bring into conformity.
- Six rooms will accommodate only 12 people. Each room will have one king bed, and two rooms have a pull out couch.
- Also noted that existing footprint will not change.

Elizabeth van Heerden, 3023 Steel Rd.

Spoke against the proposal for the following reasons:

- Property owners should complete due diligence prior to buying.
- Concerns that the sixth room is already built.

Kurt J., 930 Lower Debeck Rd.

- Concerned with exterior lighting on building at this time. The exterior lighting is not typical for character of rural community.

Ricky Rohrick, 3025 Naramata Rd.

Spoke against the proposal for the following reasons:

- Concerned over potential noise and amplified sounds from special events.
- Would prefer to see the rural character of neighborhood maintained.
- Seeking clarification if owners have already constructed sixth room.

Dominic Unsworth, 840 Pineview Dr.

Spoke in favour of the proposal for the following reasons:

- Clarified that exterior lighting is actually pot lights in soffits, and follows regulations.
- Regulations allowed for five units; it was decided to go ahead with site-specific zoning to allow for sixth room.
- Positive impacts for local economic community.

Chair Kozakevich noted that ten or more units is permitted if a property is over eight hectares in size; this property is allowed five units, the site-specific zoning will allow for six units.

Jacob Kunzer, 891 Lower Debeck Rd.

Spoke in favour of the proposal for the following reasons:

- This property has had several loud events; however houses in the area have made just as much noise over the past few years.
- It is unlikely that the sixth room will make a large impact in the area, if any.
- There are several positive economic impacts from this project. Bringing more people to actually stay in Naramata would benefit the community on a wider scale.

Ricky Rohrick, 3025 Naramata Rd.

Spoke against the proposal for the following reasons:

- Concerned that area and road is much too busy.

Jacob Kunzer, 891 Lower Debeck Rd.

Spoke in favour of the proposal for the following reasons:

- Although road to and from Naramata is busier; the area surrounding Therapy Vineyards is very quiet.
- Asked to clarify the noise bylaw.

Chair Kozakevich stated that Area E has a 24-hour a day noise bylaw. Residents can call in a noise complaint to a bylaw officer at any time.

Earl Roulston, 780 Lower Debeck Rd.

Spoke against the proposal for the following reasons:

- Cited noise problem and the past owner was disrespectful to neighbors.
- This is precedent setting for other wineries in the area.

Scott Curver, 251 Patterson Rd.

Spoke against the proposal for the following reasons:

- Bylaws are developed with intention and thought therefore bylaws should be followed.
- Precedent setting, think we need to follow bylaws.

Kurt J., 930 Lower Debeck Rd.

- When it comes to noise, there appears to be not set quiet time.

Chair Kozakevich – The common principal of quiet time is 10 or 11 pm. Residents may call bylaws 24/7 to report a complaint.

Judy Kingston, 990 Lower Debeck Rd.

Spoke against the proposal for the following reasons:

- Naramata APC meeting specifically said it did not want agri-tourism. As a result, this proposal does not make sense for the community.

Chair Kozakevich – When Agri-tourism was reviewed, the APC actually did support it.

Jacqueline Johnson, 6327 North Naramata Rd.

Spoke in favour of the proposal for the following reasons:

- Therapy Vineyards is now a family business, owned by us. We are part of the community and becoming more a part of it.
- Rooms are intended for high paying clientele, who want to appreciate the local area. In addition, the property will not be used for event rentals or group rentals. We also do not want full house rentals.

Debra Burkhardt, 3060 Hayman Rd.

Spoke against the proposal for the following reasons:

- Want to maintain the quiet atmosphere of the area. Concerned over noise issues.
- No change in footprint does not warrant rezoning.
- This is also a precedent setting issue.

Schalk van Heerden, 3023 Steel Rd.

Spoke against the proposal for the following reasons:

- This will set precedent and demonstrate reputational risks
- The neighboring lot is larger and susceptible to similar future development.
- The cumulative effects of this will be negative, and if allowed the RDOS processes will be irrelevant.
- Area for producing agriculture is at risk in this case, which is problematic.

Carolyn Ferrier, 905 Lower Debeck Rd.

Spoke against the proposal for the following reasons:

- Some concern regarding noise, however the biggest concern is precedent.

Tom Hinsin, 905 Lower Debeck Rd.

Spoke against the proposal for the following reasons:

- Property owners should follow regulations provided by District.

Elizabeth van Heerden, 3023 Steel Rd.

Spoke against the proposal for the following reasons:

- This proposal does not support the definition of agri tourism.
- Negative effects for agricultural land

Evelyn Riechert – Clarified that ALR land must meet ALC Act requirements. Local governments may regulate the number of agri-tourism units per parcel.

Elizabeth van Heerden, 3023 Steel Rd.

Spoke against the proposal for the following reasons:

-
- Concerns over round the year operation, not sure this proposal is accurately described as agri tourism because the rooms will be used year round. This proposal does not meet agri-tourism requirements by ALC.

Mike Boyd, 6327 North Naramata Rd.

Spoke in favour of the proposal for the following reasons:

- Therapy Vineyards does produce year round.
- Visitors come from all over, throughout year to see site and witness processing, as well as Naramata. The business is a family one.
- This proposal is an opportunity to bring more people to community.
- Not about trying to bring large numbers to community, only a small number.

Schalk van Heerden, 3023 Steel Rd.

Spoke against the proposal for the following reasons:

- Year round operation has no relevance to the agri tourism in the ALC Act. This proposal is actually a luxury inn.

Dominic Unsworth, 840 Pineview Dr.

Spoke in favour of the proposal for the following reasons:

- Planning staff look at every application for variance individually, thus applications are not necessarily precedent setting. Applications are reviewed on an individual basis.

Chair Kozakevich asked a second time if there was anyone who wished to speak further to the proposed bylaw.

Chair Kozakevich asked a third time if there was anyone who wished to speak further to the proposed bylaw and hearing none, declared the public hearing closed at 7:42 p.m.

Recorded by:

Jeff Thompson

Jeff Thompson
Recording Secretary

Confirmed:

ERiechert

Evelyn Riechert
Planner

Confirmed:

Karla Kozakevich

Karla Kozakevich
Chair