

TOWN OF CRESTON
PUBLIC HEARING MINUTES – March 24, 2015

Minutes of the Public Hearing held on Tuesday, March 24, 2015 at 4:00 p.m. in the Town of Creston Council Chambers.

PRESENT: Mayor Toyota
Councillors Boehmer, Comer, Elford, Snopek, Unruh, Wilson
Lou Varela, Director of Development Services/Acting Town Manager
Ross Beddoes, Director of Municipal Services/Chief Building Official
Mike Moore, Fire Chief
Jamai Schile, Planner
Bev Caldwell, Executive Assistant

GALLERY: Approximately 16 members of the public, as per the Attendance Record attached as Appendix '1' to these minutes.

CALL TO ORDER: Councillor Snopek called the Hearing to order at 4:00 p.m.

PURPOSE OF PUBLIC HEARING - BYLAW 1809 Councillor Snopek explained the Public Hearing process and reviewed the intent of Bylaw Nos. 1809 and 1810, as follows:

AMEND OFFICIAL COMMUNITY PLAN BYLAW #1152

OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 1809

The intent of this Bylaw is to amend Official Community Plan Bylaw No. 1152, Schedule "B", being the Land Use Map, by changing the designation of Lot 1, District Lot 525, Kootenay District, Plan NEP68799 (801 Vancouver Street), from "Institutional" to "General Commercial". In addition, the Development Permit Area would also be amended from 'Seniors Housing and Motel Development Permit Area' to 'Mixed-Use Commercial Development Permit Area'.

- BYLAW 1810
AMEND ZONING BYLAW #1123

ZONING AMENDMENT BYLAW 1810

The intent of this Bylaw is to amend Zoning Bylaw No. 1123, Schedule "A", being the Zoning Map, by rezoning the property legally described as Lot 1, District Lot 525, Kootenay District, Plan NEP68799 (801 Vancouver St.), from "Comprehensive Development (CD-1) Zone" to a new zone entitled "Commercial Zone (C-5) – Mixed Use Commercial", subject to all legal requirements, as the Applicant intends to develop a mixed-use commercial facility within the subject area.

Councillor Snopek advised the members of the Gallery that Council has received documents which are available for review and referred them to the Public Hearing Binder located on the table at the entrance to the Council Chambers. Written submissions received during the course of these proceedings will be read aloud by staff and subsequently will be added to the Public Hearing Binder.

STAFF REPORT
☞ BYLAWS 1809 & 1810

Notification of this Public Hearing, with respect to Official Community Plan Amendment Bylaw No. 1809 and Zoning Amendment Bylaw No. 1810, was published in the Creston Valley Advance on March 12 and 19, 2015 and notices regarding this Hearing were mailed to adjacent property owners / occupants within a 60-meter (197 feet) radius of the subject property.

A written report from the Town Planner, which included information on the Applicant's Information Meeting, held on February 18, 2015, with persons who deem their interest to be affected by these applications, has been submitted (referred to as Ltr #205). In her report, the Town Planner advised that several concerns have been expressed by adjacent property owners that include noise and odor from the proposed development. It is recommended that should Council request the Applicant to provide written and/or illustrative information that demonstrates how noise and odor concerns will be mitigated through the design and operation of the mixed-use commercial building, Council consider a recess of the Public Hearing to 4:00 p.m., Tuesday, April 14, 2015.

**APPLICANT'S
COMMENTS**

Councillor Snopek asked if the Applicant, or a representative of the Applicant was present and wished to speak or comment on the application. The applicant, nor a representative, were present.

**PUBLIC
COMMENTS**

Councillor Snopek asked for comments and/or questions from the Gallery.

Rev. Gwen Brown, St. Stephen's Church expressed concern with respect to possible release of odour, the level of noise, water consumption, and sediments from the distillery tanks that could create issues for residents and the Town's wastewater treatment infrastructure. She said they are looking for some assurances from the developer that these concerns are being addressed.

Director Larry Binks, Area C, Regional District of Central Kootenay asked if the development would be accessing water from the Town's system, or directly from Arrow Creek. He is concerned with the additional demand for water from that water supply. The Director of Municipal Services advised that the development would be a Town of Creston water customer and if substantial water was to be used, it would be metered, as is the local brewery's water consumption.

Councillor Snopek advised at this time, it would be appropriate to place a telephone call to the Applicant, if available. Mr. Michael Chaplin of Chaplin West Ventures (the Applicant) joined the meeting via teleconference at 4:15 p.m.

**COUNCIL
COMMENTS**

Councillor Snopek asked for comments and/or questions from Council.

Councillor Boehmer stated he was excited about the proposed development, but had concerns over noise and odour and asked Mr. Chaplin if he would be agreeable to placing a covenant on title to address these concerns.

Mr. Chaplin stated that he would be agreeable to adding something on title to the property, but that it makes the proposal more difficult to sell to prospective investors. Mr. Chaplin stated that the issue of odour could be addressed with a five-gallon bucket and lavender oils.

With respect to noise concerns, Mr. Chaplin advised he is working with his team to use heat exchangers which would be a quiet operation. The Bistro would have a piano or an acoustic type atmosphere, the lease agreement with the client would address the noise issue.

Mr. David Butt, a resident of Creston, expressed concern about presented numbers or size of the proposed operation. He stated it was more of a manufacturing business instead of a small commercial business. Mr. Butt expressed concern that the rezoning of the property would allow a developer to put anything on that site that was permitted within that zone. Mr. Butt cautioned Council to consider what activities could be permitted in that location before making a decision on the application.

RECESS HEARING

There being no further presentations, questions or comments, and at the direction of Council members, Councillor Snopek recessed the Public Hearing at 4:29 p.m., to 4:00 p.m. April 14, 2015, to allow staff time to liaise with the Applicant to receive further information and assurances regarding mitigation techniques for noise and odour with respect to the proposed development at 801 Vancouver Street, Creston.

CERTIFIED TRUE AND CORRECT:

Councillor Joe Snopek

Bev Caldwell, Executive Assistant