

Public HearingNovember 30, 1999

A Public Hearing of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, November 30, 1999.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blangleil, M.I. Bremner, R.D. Cannan, C.B. Day, R.D. Hobson, J.D. Leask\* and J.D. Nelson.

Council members absent: Councillor S.A. Shepherd.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi; Current Planning Manager, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

(\* denotes partial attendance)

1. Mayor Gray called the Hearing to order at 7:00 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna Official Community Plan (1994-2013) Bylaw No. 7600" and "Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

The City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on November 10, 1999, and by being placed in the Kelowna Daily Courier issues of 22 and 23, 1999 and in the Kelowna Capital News issue of November 21, 1999, and by sending out or otherwise delivering 153 letters to the owners and occupiers of surrounding properties between November 10 and 12, 1999.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8479 (Z99-1051) – R354 Enterprises Ltd. (Bob Callahan) – 2455 Acland Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot 1, Plan 11263, Sec. 2, Twp. 23, O.D.Y.D., as shown on Map "A" attached to the report of the Planning & Development Services Department dated October 12, 1999, located on Acland Road, Kelowna, B.C., from the P1 – Major Institutional zone to the P2 – Education and Minor Institutional zone to allow the existing school to be used for private educational services.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and advised that the northerly portion of the property is the subject of the rezoning application. The rezoning would facilitate a tenant proposing to use the school building on the site. The Advisory Planning Commission recommends support as do staff.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

There were no further comments.

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- (b) Bylaw No. 8483 (Z99-1011) and OCP Amendment No. 99-007 - Douglas Appel and Alfred Appel/Porter Ramsay (Tom Smithwick) – 3205 Highway 33 East – THAT the Future Land Use Designation on Map 15.1 of the City of Kelowna Official Community Plan (1994-2013) Bylaw No. 7600, be amended by changing the designation of Lot A, Sec. 17, Twp. 27, O.D.Y.D., Plan 20065, located on 3205 Highway 33 East, Kelowna, B.C., from the Rural/Agricultural designation to the Industrial designation;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Sec. 17, Twp. 27, O.D.Y.D., Plan 20065, located on 3205 Highway 33 East, Kelowna, B.C., from the A1 – Agriculture 1 zone to the I2 – General Industrial zone to allow development of the site for uses permitted in the I2 zone.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and advised that the applicant is proposing to construct a 3-bay truck repair shop, administration building and a truck storage area on the site. The Agricultural Land Commission have agreed to allow the proposed use within the Agricultural Land Reserve (ALR). The applicant also proposes to complete the reclamation and regrading of the gravel pit which has been depleted, and construct a landscape berm to screen the development from surrounding agricultural lands. Slopes would be stabilized with hydroseeding. The proposed industrial use is contrary to City planning documents; however, staff would not view approval of the requested use as precedent setting. The site has been used for gravel extraction purposes since prior to the creation of the ALR and given that the land has very limited agricultural capabilities and with the buffering that is proposed, staff are prepared to recommend support for the industrial use.

Councillor Leask entered the Council Chamber at 7:09 p.m. and took his place at the Council Table.

The Current Planning Manager advised that if this application is successful, the applicant would relocate the existing truck storage yard from Springfield Road to the subject property.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

Tom Smithwick, on behalf of the applicant, displayed cross-sections of the proposed berming and parking elevations after reconfiguration and responded to questions of Council advising that the main access would be from Highway 33 and that access would be gated and locked. Black Mountain Irrigation District has agreed to extend water to the site, and the site drainage collection system would comply with Ministry of Environment requirements, and the site will be paved to and around the buildings but the storage area to the south would be gravel. Mr. Smithwick estimated that the volume of traffic that would be generated by the proposed operation would be approximately 15 trucks per day.

There were no further comments.

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4. TERMINATION:

The Hearing was declared terminated at 7:19 p.m.

Certified Correct:

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Mayor

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City Clerk

BLH/am