

Public HearingMarch 21, 2000

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, March 21, 2000.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson and S.A. Shepherd.

Council members absent: Councillor R.D. Cannan and J.D. Nelson.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Current Planning Manager, A.V. Bruce; Subdivision Approving Officer, R.G. Shaughnessy; and Council Recording Secretary, B.L. Harder.

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 "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 March 6, 2000, and by being placed in the Kelowna Daily Courier issues of March 13 & 14, 2000, and in the Kelowna Capital News issue of March 12, 2000, and by sending out or otherwise delivering 88 letters to the owners and occupiers of surrounding properties between March 3 & 6, 2000.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8493 (Z99-1042) – Arnold Properties Ltd., John Arnold and Terilyn Eidse (Connector Construction, Ed Friesen) – 4896 and 4894 Lakeshore Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, Secs. 25 and 26, Twp. 28, S.D.Y.D., Plan 18016 and part of that part of the SW ¼ of Sec. 25 shown on Plan B3047, Twp. 28, S.D.Y.D. except Parcel 2 (Plan DD22438) thereof (20) Plan H563, as shown on Map "A" attached to the report of the Planning & Development Services Department dated December 15, 1999, located on Lakeshore Road, Kelowna, B.C., from the RR2 – Rural Residential 2 zone to the RR3s – Rural Residential 3 with Secondary Suite zone in order to allow development of the site for uses permitted in the RR3s zone.

Staff:

- The applicant is proposing to construct a 2-storey garage on the property with a secondary suite on the second level.
- A variance would be required to permit a reduced lot frontage.
- The Public Health Officer has no concerns with either the domestic water supply or the septic field on this property.
- The easements on the adjacent property are a private arrangement for sharing of the title between family members.

The City Clerk advised that the following correspondence was received prior to the application being advertise to this Public Hearing:

- letter of support from Maryann Hardy, 4898/4908 Lakeshore Road

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

The applicant indicated he had nothing to add at this time.

There were no further comments.

- (b) Bylaw No. 8517 (Z95-1015) – Canyon Creek Joint Venture (Stantec Consulting Group Ltd., John Steil) – 5050 McCulloch Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of the East ½ of Sec. 1, Twp. 26, O.D.Y.D., except Plan 48126, located on McCulloch Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the P3 – Parks and Open Space zone, RR1 – Rural Residential 1 zone and the RR2 – Rural Residential 2 as shown on Map “A” attached to the report of the Planning & Development Services Department dated February 8, 2000 in order to allow development of the site for uses permitted in the P3, RR1 and RR2 zones.

Staff:

- The applicant is proposing to develop a rural residential subdivision on that portion of the 320 acre parcel lying north of McCulloch Road. The property lying south of McCulloch would be a 26 ha (64 acre) lot remainder upon approval of the subsequent subdivision application.
- The subdivision would create 59 residential lots along with the dedication of 50 ha (124 acre) of park land including a portion of Layer Cake Mountain, the Mission Creek Corridor and the KLO Creek Corridor that would form part of the Mission Creek Regional Park system.
- A Preliminary Layout Review letter issued January 19, 2000 outlines the technical requirements to attain the proposed subdivision, including the upgrade of a 2 km section of McCulloch Road from Field Road to the east boundary of the subject property.
- The wildlife corridors are in the ravine areas along the creek corridors and they would be dedicated to the City.
- The wildfire hazard is controlled through site grading plan which allows control of tree removal and/or retention.
- The proposed widening and realignment of the roadway would ensure safe 2-way traffic and bicycle movement.
- A Development Variance Permit has already approved to vary the arterial roadway design speed from 70 km/hour to 30 km/hour in order to slow traffic down along the section of McCulloch Road adjacent to the KLO Creek corridor.
- The proposal meets the policies and objectives of City Planning documents.

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.

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John Steil, applicant:

- During the 5 year period since submitting the applications for rezoning and subdivision, the applicant has worked with the Agricultural Land Commission for exclusion of the subject property from the Agricultural Land Reserve, completed an archaeological assessment for the Province confirming that there were no archaeological issues, initiated a safety audit by ICBC to achieve a variance for the road upgrade, conducted an environmental analysis to determine setbacks, and worked with City staff to revise the plans to be consistent with the City's policies.

Raj Kiran, 4693 McCulloch Road:

- A portion of his property will be required by this applicant for the widening of McCulloch Road, and to date he has not entered into any agreements or talked to anyone with respect to his property, although the area required has been staked/surveyed.
- Supports this application but would have liked to have been approached before now.

Staff:

- The road issues would have to be dealt with before adoption of the zone amending bylaw.

John Steil:

- The land requirements from the Kiran property have been identified and discussions about purchasing those lands will start now that this stage of the process is complete.
- The costs of acquiring the land are included in the bonding agreements and the plan will not proceed to implementation until there is an agreement.

Council:

- Need to ensure there are good sight lines to address safety for access/egress to the rock quarry at the bottom of the hill.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:27 p.m.

Certified Correct:

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Mayor

City Clerk

BLH/bn