

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, September 11, 2001.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, R.D. Cannan, B.A. Clark, C.B. Day\*, B.D. Given, R.D. Hobson, J.D. Nelson and 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; Subdivision Approving Officer, R.G. Shaughnessy; 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.

Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on August 24, 2001, and by being placed in the Kelowna Daily Courier issues of September 4 & 5, 2001, and in the Kelowna Capital News issue of September 2, 2001, and by sending out or otherwise delivering 382 letters to the owners and occupiers of surrounding properties on August 22, 2001.

### 3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8719 (OCP01-006; Z01-1034) – Ruby Holdings Ltd. (New Town Planning Services) – West of Gordon Drive and South of Lequime Road – THAT Map 15.1 – General Future Land Use of Schedule "A" of the Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 be amended by changing the Future Land Use designation of; part of Lot 3, Sec. 6, Twp. 26, O.D.Y.D., Plan KAP66568, located on Gordon Drive, from Multiple Family Residential – medium density to Educational/Major Institutional as shown on Map "A";

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot 3, Sec. 6, Twp. 26, O.D.Y.D., Plan KAP66568 as shown on Map "B", located on Gordon Drive, Kelowna, B.C., from the RM5 – Medium Density Multiple Housing zone to the P2 – Education and Minor Institutional zone in order to allow development of the site for uses permitted in the P2 zone.

#### Staff:

- The applicant is proposing to develop the site with a private school for the Central Okanagan Academy.
- The site would be accessed off an extension of Lequime Road.
- The application was reviewed and supported by the Advisory Planning Commission.
- The only concern is the loss of potential multi-family development in the Mission sector.

The City Clerk advised that the following correspondence had been received:

- letter from Thomas Butler LeClair, Barristers & Solicitors, on behalf of the owners of 633 Lequime Road, not opposing the rezoning but concerned about the form the development would take and increased vehicular parking, traffic and noise in the area.

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

Keith Funk, applicant:

- The school is geared to a university preparatory model. There are currently 150 pre-school/kindergarten to grade 8 students. The school is designed to handle 250 students and will go to grade 12. Class sizes are capped at 18 students per class and there is a great deal of extracurricular activities as well as homework.
- Children do make noise but the school prides itself on sustaining discipline and does not tolerate misbehaviour.
- Public input was obtained at a number of meetings held with the neighbourhood.
- There is a draft letter of agreement in place between the City's Parks Department and the owners for the school's gym and sportsfield to be available for public use in exchange for the school's use of the existing sportsfields.
- Showed sketches of the first phase of the school indicating a 2-storey high building with the gymnasium at the rear. An additional wing is proposed to extend to the north at some time in future.
- The site plan indicates around 70 parking stalls with additional drop-off stalls in front of the school, more than 2½ times the parking requirement for the school once it is completed. The school has already purchased some small handi-buses and anticipates purchasing more.
- Originally when the site was proposed for multi-family development the yield for the property was estimated at 560 to 660 residential units and engineering studies indicated no negative traffic impact. Anticipate that the school would generate less traffic and that traffic would not be a major issue.
- Lequime will experience more traffic than today because of the road being extended to connect with Gordon Drive but that extension has been proposed for a long time and should come as no surprise to the neighbourhood.
- Originally the Lequime/Gordon intersection was to be uncontrolled but now with the Mission recreation facility across the street there will be a traffic light at that intersection.
- Goddard Survey Co. has been commissioned to identify all trees that are over 8" in diameter that can be retained and ensure they are marked for protection initiatives during construction.
- The 4.5 m setback from the adjacent property at 633 Lequime Road can be increased to 6 m if need be.
- The entrance to the school site from Lequime Road could be moved closer toward Gordon Drive if necessary but that would impact existing trees.

There were no further comments.

- (b) OCP Amending Bylaw No. 8720 (OCP01-007); Zoning Bylaw Text Amending Bylaw No. 8721 (TA01-007) and Rezoning Bylaw No. 8722 (Z01-1035) – Marona Estates Ltd. – 720 Valley Road - THAT City of Kelowna Official Community Plan (1994 – 2013) Bylaw 7600 be amended by amending Appendix 18 – Figures pertaining to the Conservatory Development by replacing Figure CDPA.1.1 – Phase 1 Rezoning Boundary, Figure CDPA.7.1 – Phasing Plan and Figure CDPA.7.2 – Interim Land Use with new figures CDPA.1.1 – Phase 1 Rezoning Boundary, Figure CDPA.7.1 – Phasing Plan and Figure CDPA.7.2 – Interim Land Use, as attached to and forming part of the bylaw;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing section 1.4.(d), height of buildings in the CD3 Concept Development Three zone from maximum of 6 storeys to 6½ storeys or 33.0 metres, whichever is the lesser;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the CD3 Concept Development Three zone, Figure CD3.1 Phase 1 Rezoning Boundary map with revised Figure CD3.1 as attached to and forming part of the bylaw;

AND FURTHER THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot 4, Blk. 7, Secs. 29 & 32, Twp. 26, O.D.Y.D., Plan 896, as shown on Map "A", located on Glenmore Road, Kelowna, B.C., from the A1 – Agricultural 1 zone to the CD3 – Comprehensive Development Three zone in order to allow development of the site for uses permitted in the CD3 zone.

Councillor Day declared a conflict of interest because direct family members own the property under application and left the Council Chamber at 7:36 p.m.

Staff:

- The application is to amend the phase 1 boundaries to include the area for the Conservatory feature. No other parameters key to phase 1 have been changed; there is still a 240 residential unit cap and some commercial uses.
- Temporary access would be permitted from Valley Road for the first phase and that would be reviewed should further phases be developed.

The City Clerk advised that the following correspondence had been received:

- late letter of support from Michele Rule, 7-1853 Edgehill Avenue
- late letter of support from Sheila Johnson, 209-875 Badke Road
- late letter of support from Carolyn Mead, 109-1922 Pandosy Street
- late letter of support from Laurie & Rod Barton, 176 Ritchie Court
- late letter of support from Mrs. A. Spangler, 6-313 Whitman Road
- 57 similar form letters of support.

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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Rick Hulbert, architect representing the applicants:

- The project is a product of extensive public input.
- 72% of the site is open space.
- Phase 1 includes 236 residential units, a covered winter garden, and the Conservatory garden.
- The Conservatory garden would provide an indoor garden environment for passive enjoyment by the residents year-round and would also be open daily to the general public for special events.
- The Conservatory component of the project is key to the success of the first phase of development.
- A Housing Agreement has been negotiated between the developer and the City for a social housing component which would also be provided in the first phase.
- Displayed a series of sketches showing the buildings proposed in the phase 1 development.

Henry Johnson, 143 Glenmore Road:

- Commended the Marshalls for this ambitious project and as a long time resident of Kelowna and of the Glenmore area urged Council to support the entire project proceeding without delay.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 8:17 p.m.

Certified Correct:

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Mayor

BLH/am

City Clerk