

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, January 8, 2002.

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

Council members absent: Councillor A.F. Blanleil.

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 Wednesday, December 17, 2001, and by being placed in the Kelowna Daily Courier issues of Sunday, December 30, 2001 and Monday, December 31, 2001, and in the Kelowna Capital News issue of Sunday, December 30, 2001, and by sending out or otherwise delivering 496 letters to the owners and occupiers of surrounding properties between December 20-27, 2001.

3. INDIVIDUAL BYLAW SUBMISSIONS
 - 3.1 **The Board of School Trustees, School District No. 23 (Central Okanagan) and Crown Publications (Culos Development Inc.)**
 - 3.1(a) Bylaw No. 8772 (OCP01-014) – The Board of School Trustees School District No. 23 (Central Okanagan) and Crown Publications (Culos Development [1996] Inc.) – 1180 Houghton Road and 471 O’Keefe Court – THAT City of Kelowna Official Community Plan (1994-2013) Bylaw No. 7600 be amended by changing the Future Land Use designation of part of Lot A, Section 27, Township 26, ODYD Plan KAP53622 located on Houghton Road, Kelowna, B.C. from ‘Educational/Major Institutional’ to ‘Single/Two Family Residential’, as shown on Map “A” attached to the report of Planning & Development Services Department, dated November 20, 2001.

See notes under agenda item No. 3.1(b).

3.1(b) Bylaw No. 8773 (Z01-1052) – The Board of School Trustees School District No. 23 (Central Okanagan) and Crown Publications (Culos Development [1996] Inc.) – 1180 Houghton Road and 471 O’Keefe Court – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot A, Section 27, Township 26, ODYD Plan KAP53622 and Park shown on Plan 30321, Section 27, Township 26, ODYD, located on Houghton Road and O’Keefe Court, Kelowna, B.C. from the P2 - Education and Minor Institutional and RU1 - Large Lot Housing zones to the RU5-Bareland Strata Housing zone as shown on Map “A” attached to the report of Planning & Development Services Department, dated November 20, 2001, to allow development of the site for uses permitted in the RU6b zone.

Staff:

- The applicant is proposing to rezone a portion of the former West Rutland Elementary School property and an adjacent small park for a 34-lot bareland residential subdivision.
- The OCP amendment is required to facilitate the proposed residential housing development.
- The existing school building would be retained for continued operation as a private school.
- The application was reviewed by the Advisory Planning Commission and supported with no conditions.
- The application is considered to be a sensitive infill development and appropriate for this location.
- A variance would also be required to permit reduced setbacks for 7 of the proposed lots.

The City Clerk advised that no written presentations were received for this application.

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

Mike Culos, applicant:

- All of the units would be 1-storey bungalows. There are four plans to choose from; basements would be at the option of the client.
- The proposed lots would be screened from the lots to the east by 14 ft. high pyramid cedars that have already been planted. The proposed lots to the west would be screened by landscaping including 4 ft. high pyramid cedars planted within about a 2 ft. high berm.
- The school parking lot has been relocated in order to retain existing mature trees.

Staff:

- The small park site is being consolidated with the proposed development rather than allowing the park to become isolated with fences on all 4 sides with only the walkway for access/egress.

Debbie Guthrie, 483 O’Keefe Court:

- Welcomes the development and is hopeful that it will improve the area. Concerned, however, about loss of privacy and increased noise from the additional lots. The proposed lots are narrow and 16 of the lots would back onto 9 existing O’Keefe Road properties.
- Concerned that if the lots do not sell as anticipated, the property could sit empty or become a rental property and that could bring transient problems similar to those occurring in the Hein Road area closer to the homes on O’Keefe Court.
- Concerned that once the park site is consolidated with the subject property and the existing walkway leads to no-where, the walkway could become an area for collecting debris or a gathering area for local youth to do not so welcoming activities.

John Vielvoye, representing the Rutland Residents Association:

- Support the concern raised by the previous speaker regarding the walkway.
- Concerned that there has been no provision for visitor or RV parking in the proposed development.
- The lack of crosswalks and sidewalks create a safety concern in the area.
- There does not appear to be any provisions to address future traffic flow plans on Houghton and Kneller Roads for this area of Rutland.

Staff:

- City Transportation staff have identified no need for road upgrades as a result of the proposed bareland strata subdivision.

Mike Culos, applicant:

- This would not be a rental project. The units would not be built until after they have been paid for.
- RV parking would be off-site. The strata bylaws would provide for the ability to bring RVs in on daily basis for loading and/or cleaning but then they would have to be moved back to the designated area.
- The project would be a gated community and the internal roadway would be 6 m wide to allow for on-street parking and there would be room to park 2 cars in each driveway in addition to in the double enclosed garage.
- Crosswalk, sidewalk, and other services are determined by the City.
- The school site would remain zoned P2 and continue to operate as a private elementary school.

Staff:

- The City would arrange for maintenance of the walkway and if the walkway becomes an issue, it would be closed to the public and the abutting owners would be offered the opportunity to each purchase a portion of the walkway property.

There were no further comments.

3.2 Marlene Collinson (William Collinson)

- 3.2(a) Bylaw No. 8776 (OCP01-010) – Marlene Collinson (William Collinson) – 551 Sherrydale Crescent – THAT City of Kelowna Official Community Plan (1994-2013) Bylaw No. 7600 be amended by changing the Future Land Use designation of Parcel A, (Plan B7278) of Lot 11, Blk. 8, Sec. 32, Twp. 26, O.D.Y.D. Plan 896 Exc. Plan 24197, located on Sherrydale Crescent, Kelowna, B.C., from the ‘Rural/Agriculture’ designation to the ‘Single/Two Family Residential’ designation, as shown on Map “A” attached to the report of Planning & Development Services Department dated November 20, 2001.

See notes under agenda item 3.2(b).

- 3.2(b) Bylaw No. 8777 (Z01-1043) – Marlene Collinson (William Collinson) – 551 Sherrydale Crescent - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Parcel A, (Plan B7278) of Lot 11, Blk. 8, Sec. 32, Twp. 26, O.D.Y.D. Plan 896 Exc. Plan 24197, located on Sherrydale Crescent, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RU6b – Two Dwelling Housing with Boarding or Lodging House zone to allow development of the site for uses permitted in the RU6b zone.

Staff:

- The OCP amendment would change the future land use designation to facilitate the rezoning which would permit the proposed development of a seniors boarding home for a maximum of 10 residents including the caretaker. The building would be located adjacent to the Valley Road frontage and be accessed from Sherrydale Crescent.

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- The application was reviewed and supported by the Advisory Planning Commission subject to provision of a landscape buffering plan to deal with agricultural boundary issues.
- Valley Road is considered the boundary between the urban development to the north and west, and the rural land uses to the south and east.
- Staff recommend non-support because the proposal is inconsistent with the OCP and the area sector plan and because of concerns about the potential for conflict between new housing development and agricultural operations.
- If this application is advanced beyond the Public Hearing, a variance should be considered to waive the requirement to provide services to lands beyond.

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

William Collinson, applicant:

- Has owned the subject property since 1972 and there has been no agricultural production on the property whatsoever.
- The location is ideal for a retirement group home. There are seniors developments across from, and kitty corner to, the subject property - indicative that the area is desirable to seniors.
- There is a 4-plex that has been consistently occupied to the north of the subject site; to the east is his own residence and property that is being used to board horses; south of the site is a 10-12 acre parcel of which approximately half is in alfalfa and half in pear trees that were planted over 65 years ago. Anticipate that the pear trees will be removed in the near future and also turned into alfalfa production.
- The property is not subject to ALR restrictions.
- Letters of support from surrounding neighbours have been submitted to Council.

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

- letter from the Land Reserve Commission confirming that the property is not subject to restrictions of ALR use.
- letter of support from Abraham Salloum, 539 Valley Road
- letter of support from Eric Prehofer, 541-547 Valley Road
- letter of support from Joe & June Bulach, 575 Valley Road
- letter of support from Marlene Collinson, 549 Sherrydale Road

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

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:56 p.m.

Certified Correct:

Mayor

City Clerk

BLH/am