

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, February 5, 2002.

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

Council members absent: Councillors B.A. Clark and R.D. Hobson.

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; Special Projects Planning Manager, H.M. Christy; Development Engineering Manager, S. Muenz; Wastewater Manager, W.J. Berry\*; 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 January 17, 2002, and by being placed in the Kelowna Daily Courier issues of January 28 & 29, 2002, and in the Kelowna Capital News issue of January 27, 2002, and by sending out or otherwise delivering 942 letters to the owners and occupiers of surrounding properties between January 16 & 21, 2002.

### 3. INDIVIDUAL BYLAW SUBMISSIONS

#### **3.1 Laurie Anne MacKay (John MacKay)**

- 3.1 Bylaw No. 8786 (Z01-1055) – Laurie Anne MacKay (John MacKay) – 608 Coronation Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 49, Plan 1037, DL 139 ODYD, located on Coronation Avenue, Kelowna, B.C., from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing with Secondary Suite zone in order to allow development of the site for uses permitted in the RU2s zone.

Staff:

- City Bylaw Enforcement staff have received 7 complaints over a period of 5 years about illegal suites on 6 different properties within the general area. There is an open bylaw enforcement file for the subject property.
- The rezoning would legalize an existing secondary suite.
- Parking requirements for 3 on-site stalls are met; parking is accessed off the rear lane.
- This is the first application for RU2s zoning in this block.

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

- letter of opposition from Doug & Diana Ferrier, 593 Coronation Avenue, stating that the rezoning would adversely affect the amount of parking available on the street.

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

John MacKay, applicant:

- There is room for 4 vehicles to park on-site at the rear of the property.
- Bought the property in 1994. It was a drug house at the time, along with other houses on the street. It took a long time to get the riff raff out of the area. Has good tenants up and down now and has not had any problems since the area was cleaned-up.

There were no further comments.

### **3.2 Canada Lands Company CLC Limited (Dale Knowlan)**

- 3.2(a) Bylaw No. 8797 (OCP01-012) – Canada Lands Company CLC Limited (Dale Knowlan) – 1175 Sunset Drive – THAT City of Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 be amended by changing the Future Land Use designation of Lot 8, DL 139, O.D.Y.D. Plan KAP68693, and part of Lot 7, DL 139, O.D.Y.D. Plan KAP68693, located on Sunset Drive, from Multiple Family Residential – High Density to Commercial as shown on Map “A” attached to the report of the Planning and Development Services Department dated December 31, 2001.

See discussion under 3.2(b).

- 3.2(b) Bylaw No. 8798 (Z01-1047) – Canada Lands Company CLC Limited (Dale Knowlan) – 1175 Sunset Drive – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 8, DL 139, O.D.Y.D. Plan KAP68693, and part of Lot 7, DL 139, O.D.Y.D. Plan KAP68693, as shown on Map "A" attached to the report of the Planning and Development Services Department dated December 31, 2001, located on Sunset Drive, Kelowna, B.C., from the RM6 – High Rise Apartment Housing zone to the C4 – Town Centre Commercial zone in order to allow development of the site for uses permitted in the C4 zone.

Staff:

- The application is to rezone a portion of the site for consolidation with two adjacent lots that are already appropriately zoned, to facilitate development of a 7-storey, 358 room Sheraton Hotel.
- The project would proceed in 2 phases with 250 rooms proposed in phase 1 along with ancillary facilities including surface parking on the north part of the lot, and the addition of 108 rooms in Phase 2 along with construction of a 3-level parking structure that would include a number of retail units facing Ellis Street.
- The development includes a significant promenade along Sunset Drive, some of which has already been completed.
- The application takes away some potential for multi-family housing land that was envisaged by the Downtown North Area Structure Plan, but is in keeping with the Kelowna Centre Plan which identified potential for a second major hotel in this general vicinity.

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

- letter of concern from Fred Speckeen, #116-1156 Sunset Drive, suggesting that the additional traffic could create major traffic problems.

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

Dale Knowlan, applicant:

- Indicated she had nothing to add but was available to answer questions of Council.
- Confirmed that the extension of Recreation Avenue west along Brandt's Creek was intended to help alleviate traffic concerns.

There were no further comments.

### **3.3 Glenwest Properties Ltd. (Paul Rosenau/Ekistics Town Planning Inc.)**

- 3.3(a) Bylaw No. 8792 (Zoning Text Amendment No. TA01-015) – Glenwest Properties Ltd. (Paul Rosenau/Ekistics Town Planning Inc.) – Northwest of Begbie, Union and Glenmore Roads – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by adding the RU2h – Medium Lot Housing (Hillside Area) zone and the RU2hs – Medium Lot Housing (Hillside Area) with Secondary Suite zone as outlined in the report of the Planning & Development Services Department dated December 12, 2001, to permit medium lot, single family residential development that may or may not contain a secondary suite in the residence or an accessory building, in serviced hillside areas of the city.

See discussion under 3.3(c).

- 3.3(b) Bylaw No. 8791 (OCP01-018) – Glenwest Properties Ltd. (Paul Rosenau/Ekistics Town Planning Inc.) – Northwest of Begbie, Union and Glenmore Roads – THAT City of Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600 be amended by changing the Future Land Use designations of that Part of Lot A, Sections 4, 5, 8 and 9, Township 23, ODYD, Plan KAP69724, located off Union Road and Begbie Road, Kelowna, B.C., from Multiple Family Residential (Low Density), Multiple Family Residential (Low Density Transition), Multiple Family Residential (Medium Density), and Single/Two Family Residential to Single/Two Family Residential, Commercial, and Public Services/Utilities as shown on Map "A" attached to the report of Planning & Development Services Department dated December 12, 2001.

See discussion under 3.3(c).

- 3.3(c) Bylaw No. 8793 (Z01-1016) - Glenwest Properties Ltd. (Paul Rosenau/Ekistics Town Planning Inc.) – Northwest of Begbie, Union and Glenmore Roads – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot A, Sections 4, 5, 8 and 9, Township 23, ODYD, Plan KAP69724 and Lot 1, Section 4, Township 23, ODYD, Plan KAP47867, located on Union Road, Kelowna, B.C., from the A1 – Agriculture 1, P3 – Parks & Open Space, P4 - Utilities, RU1 – Large Lot Housing, RU4 – Low Density Cluster Housing and the RM3 – Low Density Multiple Housing zones to the P3 – Parks & Open Space, P4 – Utilities, RU1h – Large Lot Housing (Hillside Area), RU2h – Medium Lot Housing (Hillside Area), RU2hs – Medium Lot Housing (Hillside Area) with Secondary Suite, RU4 – Low Density Cluster Housing, RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing and the C3 – Community Commercial zones as shown on Map "A" attached to the report of the Planning & Development Services Department dated December 12, 2001.

## Staff:

- The Glenmore Highlands Area Structure Plan (ASP) deals with the entire ±700 ha property.
- Outlined the consultation process with Council and the community stakeholders for the ASP noting that as a result of concerns raised about the wetlands at the Public Hearing for the ASP, a follow-up report was brought forward to obtain direction from Council for the applicant to follow, which he did. The amended ASP was finally adopted in April 2000.
- The ASP did not indicate which areas would be identified as public open space, which would remain in private ownership but be protected by covenant, or which would qualify for DCC credits.
- The wildlife corridor and other sensitive areas and steep areas of privately owned lands will be protected by restrictive covenant and no-build covenants rather than through City-ownership.
- Neighbourhood parks that the City would like have been identified, measured and appraised and staff are working toward an agreement with the developer that would be registered on title to guarantee the land areas and locations of the various levels of park throughout the ASP.
- The OCP amendment reflects the various land uses as proposed in the ASP but with some modifications.
- The text amendment creates the RU2h zone which allows the developer to use hillside development guidelines and hillside road standards to reduce the amount of earth moving and scaring of the hillsides, and the RU2hs zone which allows secondary suites to be designed in the plans for some of the lots.
- The rezoning application deals with the Phase 1 lands which comprise approximately 78 ha representing about 10% of the entire Glenmore Highlands area. Approximately 448 units are proposed for development in Phase 1.
- The proposal includes strata type development with houses clustered consistent with the topography of the site, low density multi-family units such as row housing, apartments, and commercial uses for the community centre. The Utility zone provides for the water reservoir and the Park and Open Space zone includes neighbourhood parks at the south end of Still Pond, a look-out park at the reservoir, trails on the south side of the ponds and a small neighbourhood park in the Begbie neighbourhood and at the north end of the property.
- A letter provided by the applicant after the advertising of this Public Hearing was published, asks that an area proposed for RU2h zoning at the west end of Begbie Road be removed from the rezoning application allowing that area to remain zoned A1 until property issues are worked out between the applicant and the adjacent land owner. This amends the rezoning application.
- The Phase 1 portion of development would be serviced with water from the Glenmore-Ellison Improvement District, subject to approval by the Province of the required boundary amendment. Sanitary sewer would be provided using a gravity system that would follow along the east boundary of Walroy Lake and Still Pond and provide opportunity for a linear trail system along the right-of-way. Storm drainage would be piped into the Union Road storm system. Off-site road improvements include the 4-laning of Glenmore Road from Glen Meadows to Dallas with traffic numbers require it. The applicant has agreed to contribute their portion of the required 4-laning costs with this application and the City will monitor build-out of the development along with back-ground traffic and construct the road widening when required. The intersection of Union and Glenmore Road will also be monitored as development proceeds and a traffic light installed when needed.
- A Wetland Habitat Management Strategy was adopted by the City in November 1998 and was appended to the OCP in April 1999. The intent of the document was to identify and protect wetlands with significance, some of which were in the Glenmore Highlands. Through the Development Permit process, the appropriate buffer areas, restricted areas and enhancement areas were identified.

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- The applicant is proposing some filling with corresponding enhancement of wetland. The Ministry of Water, Land and Air Protection supports the environmental work and enhancement that is proposed and a Development Permit was approved with conditions including undertaking additional environmental study of habitat in the Spring and a bonding requirement to ensure the landscaping actually survives and works as it is supposed to work.
- Council has received letters from the Naturalist's Club indicating the City has not followed its own bylaws; however, Council can be assured that is not the case. The City is following its bylaws.
- Displayed a cross-section to show what Union Road will look like as it climbs up the hill to the proposed development.

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

- late letter from the developer asking that the rezoning of the portion of their property between Begbie Road and the Labonte-Smith property be deleted from the bylaw.
- letter from Cecile & Victor Labonte-Smith, 2010 Begbie Road, expressing concern that single family residences abutting their property may threaten their dog kennel business.
- 2 letters from the Central Okanagan Naturalists Club stating the proposal is not consistent with the City bylaws; however, staff have reviewed this and found that the application is consistent with City bylaws.
- late letter from Yvonne Wecels, 158 Portview Court received by e-mail expressing concern about slope stabilization and environmental impact to 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.

Paul Rosenau, Ekistics Town Planning, applicant:

- The development proposal before Council represents about 5 years of work and will be the premier development in Kelowna for the next 20 years.
- The development has been comprehensively planned as a complete community with Phase 1 at the lower northeastern corner with main access points at Union and Begbie Roads.
- Areas with slopes over 30% will be protected by covenant.
- Zoning needs have changed since 1983 when the property was initially zoned for residential development.
- Phase 1 comprises 7 different neighbourhoods linked together by park, trail and sidewalk networks. The Village Centre would be within 5 minutes walking distance of all 7 neighbourhoods.
- The application is consistent with the land uses and densities approved in the ASP. About 66% of the site will be "private realm" with a mixture of housing types and a sports and recreation club on Union Road. Lands in the "public realm" will consist of the parks, wetlands and neighbourhood streets.
- The Village Centre Community Park will be on both sides of Union Road and be about 4 acres in size. The park will provide access to the wetland and ultimately there will be a pedestrian connection beneath Union Road down to Walroy Lake.
- The Village Centre will be on the west side of the Union Road corridor.
- 450 residential units would be developed at build-out of Phase 1.
- Looking forward to getting into the ground in the next couple of months and hopefully marketing homes in the spring of 2003.

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Les Gyug, Central Okanagan Naturalists Club:

- Reiterated concerns outlined in their letter regarding alleged inconsistencies and compromises contrary to the wetland management strategy and City bylaws.
- Restrictive covenants will not prevent homeowners from cutting into the banks and installing retaining walls to create rear yards.
- The rare and endangered species assessments are being proposed too late.
- Wetlands are not being protected.
- Concerned about the piping of the outflow from Still Pond.
- Questioned a perceived contradiction between the applicant's engineering work versus environmental work relative to the size and duration of the outflow.

Kevin Ade, 779 Lawson Avenue:

- Pesticides will be used and they affect the drainage system. The City needs to design a bylaw dealing with pesticide issues. Suggest that be taken into account especially for this development.
- The increased flow into the Brandt's Creek system will be substantial with greatly increased contaminants as a result of the development.
- Contaminants and habitat destruction result in the disappearance of amphibians and reptiles in the region.
- What has been proposed this evening will not contribute to the quality of life for the people of this Valley or the quality of the environment or economic viability of this Valley.

Tony Markoff,

- Speaking on behalf of Cecile & Victor Labonte-Smith of 2010 Begbie Road who, since 1983 have operated a boarding kennel as their primary source of income on adjacent property at the easterly boundary of proposed phase 1.
- Would like to be able to continue with their livelihood uninterrupted by this development but it is difficult to control barking dogs and concerned about urban development on adjacent property.
- Relieved to hear the adjacent property will remain zoned A1 at least until subsequent phases of the Glenmore Highlands development.

Cecile Dillabough, Central Okanagan Naturalists Club:

- Questioned the credibility of the Living Greener pamphlet that the City recently distributed to households in Kelowna regarding various environmental initiatives.
- Concerned about piping an open water course.
- Asked that an excerpt of a letter from Mike Ladd of the Ministry of Water, Land and Air Protection be read into the record regarding filling of ponds.

Staff:

- The letter from Mr. Ladd related to the application of 2 years ago and that has since been changed. The official position relevant to the current application is outlined in a letter from Mr. Simons of the Ministry of Water, Land and Air Protection.

Ken Campbell, 118 Boppart Court:

- As a member of the Clifton Highlands Community Association, participated on the applicant's consulting panel in the early stages of planning for this development and also participated in the Glenmore Highlands Area Sector Plan process. One concern raised with the applicant was regarding the protection of hillsides, wetlands, wildlife habitats, etc.
- Concerned about the integrity of the ASP because green spaces that are important to wildlife and the environment are now gone.
- The knoll should be preserved as green space.

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Margaret Sullivan, 2515 Dunsmuir Road:

- Need to ensure the wetlands they are building are open and functioning before the ones they are closing are closed so that wildlife is not displaced.
- Better to let the animals determine their corridor and then protect the corridor and keep the people out.
- Plans seem to change before the ink is dry.

Fred Marshall:

- The environmental recommendations are being made by professional people and should be followed.
- Supports hillside development.
- Sometimes ponds dry right up so if a developer can keep them wet that is good.
- The proposed development is first rate and Council should not get bogged down on the environmental issues. There needs to be some cost benefit to society. Not all parts of the environment can be preserved regardless of expense; the public cannot afford that.

Geza Kende, 2770 Benedict Road:

- Looks like a sacrifice of natural beauty, wildlife and water quality in exchange for profit.

Don Wilson, #201-3160 Casorso Road:

- Major objection is the knoll going from green to partially green. Need to stick with ASP designations.
- Asked if an underground storm sewer drainage pipe is proposed along the road by Walroy Lake.

Staff:

- There will be no sewer mains within protected areas. The sewer pipe for the lots extending to the edge of Walroy Lake may be accommodated within the street right-of-way.

Paul Rosenau, Ekistics Town Planning, applicant:

- Ekistics is not the developer of this property. Ekistics is representing Mr. Blenk who is the landowner and he allowed more leeway in planning the development of this site than anyone has in the last 10 years. Ekistics has pushed for innovative standards and spent an inordinate amount of time dealing with the wetland issues.
- Over the years, has gotten to know some of the previous speakers through the consultation process and these speakers have gotten to know Mr. Blenk who loves the site and wants it developed well.
- Still Pond was a dry alkaline pond when Ekistics first visited the site. Over the last 6 years that Ekistics has been monitoring the site, that has changed. Ekistics is watching the site evolve and has respect for the wetlands.
- Shares the opinion of his environmental consultant and Mr. Ladd that the water quality is being improved and the natural habitat enhanced with this development. The wetlands are important to the image of the proposed development and it is their intent to enhance and celebrate them. It is not in their interest to do anything to damage the ponds. Mr. Blenk feels the same or he would not have allowed Ekistics the flexibility to deal with the ponds as he did.
- The Glenmore Highlands ASP is just generic bubbles and does not include legal surveyed lines as is required at the rezoning stage. This application is a refinement of the ASP at the next level based on detailed topographic information and negotiations with City staff over 2 years.
- None of the diagrams shown tonight actually show the amount of green that will appear at the end of the day. These maps were intended to show the land use. The "public realm" is estimated to be 32% of the site but when the protected areas in the "private realm" are also taken into consideration, probably well over 50% of the site will remain protected.

- Ekistics is confident that this application follows the ASP. The wildlife corridor has been relocated but modified to an area to better serve the connection for wildlife between Still Pond and Walroy Lake. The 25 m wide corridor is primarily intended for birds, mice and other small animals not bears, deer, etc.
- The land where the outflow was measured is still being preserved and enhanced.
- Proposing extensive ground water recharge through other innovations so that there is ability for storm water to get back into its natural drainage patterns and not necessarily be piped to Brandt's Creek.
- The Environmental Development Permit mentions enlisting volunteers such as school children and environmental groups in the revegetation of the wetlands at the suggestion of the environmental consultant and members of the community in order to get the community involved in the project, not as a cost saving measure or to get out of hiring professionals to do the work. With or without volunteer assistance, professionals will be responsible for the work.
- There will be no net loss of habitat in terms of the open water.
- The rare and endangered species inventory will be completed this Spring as part of the subdivision process as is required by the environmental report done for the ASP.
- The proposed plan is environmentally sensitive and the ponds will be in much better condition than they are today.
- A fence is proposed around Walroy Lake at the back of the management zone on the upper side of the reserve zone. The fence will likely be a 3 or 4 post type of fence that prevents people from walking through the reserve zones but allows some paths leading to the waters edge. The public has a tendency to create their own trails around the edge of lakes. That should be prevented by taking property lines down to the waters edge and making that private property. The fenced barrier will be put in before the lots are sold.
- Information will be made available to potential purchasers of the lots backing onto wetland to educate them on the use of pesticides and fertilizers and make them aware that what they do on their gardens and lawns impacts the wetland.
- The same requirements for protection of the wetland areas that are established in the Environmental Development Permit will apply during development of the site.
- Even if the sewer line did not run along the edge of Still Pond and Walroy Lake it would be important to the development to create a trail network preferably along the eastern edge of the ponds. Running the sewer line along the trail corridor is a better option than building the kind of pump station that would be required to serve lands beyond.
- Almost all of the proposed lots will have views of one of the two wetlands.
- The land adjacent to the dog kennel property probably will not be developed for 8-10 years. The topography is such that barking dogs should not be a problem for owners purchasing lots on the other two sides of the dog kennel property.

There were no further comments.

### **3.4 City of Kelowna**

- 3.4(a) Bylaw No. 8760 (Zoning Bylaw Text Amendment No. TA01-005) – City of Kelowna – THAT City of Kelowna Zoning Bylaw No. 8000 be amended to consolidate the A1 – Agriculture 1 zone and the A2 – Agriculture 2 zone into one zone by deleting the A2 zone in its entirety and expanding the A1 zone to permit intensive agriculture uses as a principal use and forestry as a secondary use, and in order to regulate the intensive agriculture uses, require a 300 m buffer from the urban area of the city where no intensive agriculture uses are allowed.

See discussion under 3.4(b).



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3.4(b) Bylaw No. 8761 (Z01-1060) Kal-Mar Egg Ranch Company Ltd.; Norman & Shirley Dais; John Casorso; Robert & Nadene Casorso; Martin and Henry Kloostra; Kenneth Casorso and Velma Sperling - (City of Kelowna) – Glenmore, Sallows, Casorso, Swamp and South of Ward Roads – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of the following properties from the A2 – Agriculture 2 zone to the A1 – Agriculture 1 zone:

- Lot 1, Sec. 33, Twp. 23, ODYD, Plan 36642, being 4240 Glenmore Road;
- Lot 186, Sec. 33, Twp. 29, O.D.Y.D. Plan 1247, being 4532 Sallows Road;
- Lot 189, Sec. 33, Twp. 29, O.D.Y.D. Plan 1247, being 4588 Sallows Road;
- Lot 1, Sec 5, Twp. 26, O.D.Y.D. Plan 2243, being 3860 Casorso Road;
- Lot 4, Sec. 5, Twp. 26, O.D.Y.D. Plan 2243, being 3877 Casorso Road;
- Lot 2, Sec. 5, Twp. 26, O.D.Y.D. Plan 2243 except Plans B47848, B5733, 25257 & 30744, being 3896 Casorso Road;
- Lot A, Sec. 5, Twp. 26, O.D.Y.D. Plan 30744, being 3850 Casorso Road;
- Part of Lot 1, Sec. 5, Twp. 26, O.D.Y.D. Plan 25257, being 3975 Swamp Road
- Lot A, Sec. 5, Twp. 26, O.D.Y.D. Plan 16937, located south of Ward Road.

Staff:

- Efforts to create a City of Kelowna Farm Bylaw have come to a standstill. The Ministry of Agriculture, Food and Fisheries are unable to review the Farm Bylaw and provide the necessary input until they have completed their own study to address the issues associated with the urban/rural interface.
- The proposed text amendment is an interim step toward eventually implementing a Farm Bylaw for the City of Kelowna.
- The text amendment consolidates the City's A1 and A2 agriculture zones into one A1 zone and expands the uses permitted in the A1 zone. The text amendment also adds a requirement for a 300 m wide buffer zone between areas of rural and urban development. The 300 m buffer was jointly arrived at between City and Ministry of Agriculture, Food & Fisheries staff until such time as Farm Bylaw can be established. The text amendment also includes a clause agreeing to a review of the Agriculture zone and related regulations within two years.
- Intensive Agriculture is a way of determining where uses such as feedlots and mushroom composting operations would be permitted.
- Because the A2 zone is being eliminated, the properties currently zoned A2 need to be rezoned to A1. Those properties will not be subject to the buffer area requirements.

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

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

Pete Spencer, 166 Timberline Road:

- Asked for clarification of the impact of the proposed text amendment on his property which is zoned A1.

Staff:

- Explained the meaning of "intensive agriculture" and clarified that his property is in an area where intensive agriculture would not be permitted.

Dr. Rezansoff, 792 Turner Road:

- Owns property on Dehart and Swamp Roads.
- Questioned why property owners impacted by the 300 m buffer were not individually notified of the proposed text amendment as opposed to only advertising the proposed amendment in the local newspapers.
- The natural topography should be used to determine the buffer boundary, not a straight line.

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Staff:

- Approximately 1,500 properties are affected by the buffer zone requirement. To individually notify each property owner along the buffer area would not have been practical.
- The owners of the properties being rezoned from A2 to A1 received direct notifications through the mail.
- The existing A1 zone does not permit intensive agriculture uses.
- The straight line for the buffer zone was computer generated to demonstrate a delineation between the urban and rural interface.

Council:

- Because this Public Hearing has extended beyond 11 p.m., the bylaws from the Public Hearing will not be debated for reading consideration until the next regularly scheduled 1:30 p.m. Council meeting.
- Staff to provide a map at the Regular Meeting of February 11, 2002 when the bylaws from this Public Hearing are debated, to show the impact of the 300 m buffer zone requirement on Dr. Rezansoff's property.

There were no further comments.

### **3.5 City of Kelowna**

- 3.5 Bylaw No. 8800 (Zoning Bylaw Text Amendment No. TA01-016) – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by adding “emergency and protective services” as a permitted principal use in the I2 – General Industrial zone.

Staff:

- ‘Emergency and protective services’ is defined as a public facility used by fire protection, police, ambulance, or other such services as a base of operations.
- The text amendment will allow the RCMP to meet their needs for additional space in the same neighbourhood as their subdivision headquarters building.

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

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 11:34 p.m.

Certified Correct:

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Mayor

BLH/am

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City Clerk