

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 5, 2002.

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; Long Range Planning Manager, S.K. Bagh; Planner-Long Range, G.L. Stephen; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. Mayor Gray called the Hearing to order at 7:04 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 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 February 22, 2002, and by being placed in the Kelowna Daily Courier issues of February 25 & 26, 2002, and in the Kelowna Capital News issue of February 24, 2002.

3. INDIVIDUAL BYLAW SUBMISSIONS

3.1 City of Kelowna

- 3.1 Bylaw No. 8600 (OCP01-017) – City of Kelowna – THAT City of Kelowna Official Community Plan (1994-2013) Bylaw No. 7600 be amended by replacing Chapters 1-19 with new Chapters 1-19 which incorporate the amendments outlined in reports from the Planning & Development Services Department dated November 28, 2001, December 11, 2001 and February 27, 2002.

Mayor Gray:

- The proposed text amendment is a result of an in-depth review of the policy content of the Official Community Plan (OCP). The changes are needed in order to meet legislative requirements, remove duplication of policies and statements and reorganize the document to make it more user-friendly.
- The 20-Year Major Road Network Plan, the Future Land Use Chapter, Generalized Future Land Use Map, and Financing Chapter remain as they currently are except that they have been renumbered to fit in with the new format.

Staff:

- The OCP establishes general policies that help guide development in the city and is the most fundamental of all planning documents. The OCP review is to ensure the City is responding to the changes that have occurred in the intervening time period.
- The chapters of the OCP that are not being addressed with this text amendment will proceed to a separate Public Hearing when the appropriate consultation initiatives have been completed.
- The review process of the policy portion of the OCP commenced in 1999 and considerable input has been received from the public through surveys, letters, phone calls and e-mails during that time. Input was also received from provincial agencies and various local government and stakeholder groups, as well as from other City departments.

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- Presented highlights of the major changes proposed by the subject amendment including remove background material and non-essential mapping; update statistical information; respond to new legislative requirements/tools; remove duplication; add cross referencing; and generally make the OCP document more user/web friendly.
- Reviewed the revisions considered to be housekeeping in nature.
- Reviewed the responses from the referral agencies, including the Regional District of Central Okanagan the Agricultural Land Reserve Commission, and the Ministry of Agriculture, Food and Fisheries.
- The housing policy referenced in the letter from the UDI is not intended to prohibit gated communities but rather to ensure that concerns raised in the community are addressed during the review of such applications.

The City Clerk advised the public input process concerning this bylaw has been ongoing over many months and the correspondence and petitions received are contained in books available in the Clerks and Planning Departments and in the lobby tonight. Since the February 22, 2002 announcement of this Public Hearing date, the following correspondence has been received:

- letter of concern from Urban Development Institute asking that Housing Policy 8.1.50 which discourages the creation of walled communities, be deleted on the basis that there is no local data to support that a walled subdivision is less safe than a subdivision without restricted access and the policy may hinder the development of a popular form of community design.
- late letter from Robert Cichocki, owner of property within the Abbott Street and Marshall Street Heritage Conservation Area at 2030/2032 Doryan Street, expressing concern about heritage issues not relevant to the Public Hearing.

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

Kevin Ade:

- Concerned about water issues, groundwater and source protection. Need more than just a policy statement to reassure the public on those issues.
- Since settlement, 85% of our wetlands have been lost and demands on special water resources are going to be phenomenal. Issues from south of the border are affecting us on a daily basis. Need to take these considerations into account.
- Protection from any further deterioration of wetlands is critical.

Ken Campbell, director of Clifton/Highlands Community Association:

- Participated in two of the focus groups that reviewed the OCP.
- Compared the current OCP document with the December 2000 draft of the OCP and concerned that the introduction and objectives from Chapter 7 (Environmental) have not been carried forward. Suggested that those statements are needed so that the public and future Council's can see what the intent was when the policies were formed since the plan goes to year 2013. Urged Council to include the objectives in the OCP document.
- Referred to other sections from the 2000 draft document that appeared to be deleted.
- Concerned that Development Permit (DP) 'requirements' have been changed to DP 'guidelines' in the new OCP.
- Concerned that a statement from Chapter 14 (Parks) has been deleted that indicated that a minimum of 5% of natural parks and open space should be retained in public ownership. The new section 27 regarding dedication of natural areas is good but would like a word stronger than "encourage" if possible.
- Concerned that the goals, issues and principles sections have been removed from the Growth Management Chapter.

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Staff:

- Explained that the policies have been separated out so that only they are adopted as bylaw. The information Mr. Campbell refers to is included in a background section to the OCP bylaw. Separating the policies from the background information removes the requirement of having to go back to Council whenever minor amendments are needed to background statements that have not been (previously) enacted by bylaw.
- The other sections referenced by Mr. Campbell have not be deleted but rather relocated to other sections of the new OCP.
- DP 'requirements' was changed to DP 'guidelines' to be consistent with what is authorized by the Local Government Act.
- There is a policy in the OCP bylaw to retain a minimum of 5% of natural open space.
- The final version of the Growth Management Chapter was reviewed and accepted by the Region District of Central Okanagan. The additional statements from that chapter that Mr. Campbell referred to could be added to the background section if Council so desires.

Ron Hallick, 498 Sarsons Road:

- Spoke about future land use issues which were not relevant to the amendments before Council.

Staff:

- The issues referred to by Mr. Hallick are relevant to the OCP but not to the bylaw before Council tonight. The sections of the OCP that he is referring to will not likely come forward until late this year.

Don Graham, 718 Paret Road:

- Spoke about future land use issues which were not relevant to the amendments before Council.

Staff:

- The date that the final chapters of the OCP come forward depends on completion of Council's required consultation on the Pandosy/Richter couplet and that depends on the extent of information required and when the findings of the consultant recommendations can be taken to the public. Expect that it will be later this year.

Councillor Nelson left the meeting at 8:45 p.m.

Dr. Alex Rezansoff, 792 Turner Road:

- Purchased his land based on a 1984-2004 OCP and now it is not applicable. Frustrating.
- The new OCP does not mention anything about compensating people for natural habitat. His land could be enhanced if the City and taxpayers could pay for the natural restoration of water and topography (banks) features.
- Development requirements are horrendous for people leaving their land green for a long time.
- Was delayed by people on City staff advising him to wait for pending studies, etc. when pursuing removal of his land from the ALR.
- Concerned about Development Permit Areas on ALR land.
- There are 2 streams on his property. If both get designated as fish habitat with the setback requirements there would not be anything left to develop.
- The last OCP discussed using natural topographic boundaries rather than computer generated boundaries.

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Staff:

- Adjusting the topographic boundaries is one of the City's projects to do. It is a large research project to look at those natural areas and refine the boundaries; however the City has now purchased new GIS software and that will allow that work to commence, hopefully within the next year.

Ms. Laura Evans, Glenwood Avenue:

- Concerned about the environment.
- Grand Forks and some other cities that have been considering putting a limit on how much new development can come in. Kelowna City Council should consider doing the same.

Council:

- The Sports Tourism initiative has already been launched. The OCP statement under section 14.1 (Parks & Leisure Policies) needs to be amended to reflect that.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 9:17 p.m.

Certified Correct:

Mayor

City Clerk

BLH/am