

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, October 14, 2003.

Council members in attendance were: Deputy Mayor E.A. Horning, Councillors A.F. Blanleil, R.D. Cannan\*, B.A. Clark, C.B. Day\*, R.D. Hobson and S.A. Shepherd.

Council members absent: Mayor Walter Gray and Councillor B.D. Given.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, A.M. Flack; Director of Planning & Corporate Services, R.L. Mattiussi; Manager of Development Services, A.V. Bruce; Subdivision Approving Officer, R.G. Shaughnessy; and Council Recording Secretary, B.L. Harder.

(\* denotes partial attendance)

1. Deputy Mayor Horning called the Hearing to order at 7:02 p.m.
2. Deputy Mayor Horning 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.

The City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on September 26, 2003, and by being placed in the Kelowna Daily Courier issues of October 7 and 8, 2003, and in the Kelowna Capital News issue of October 5, 2003, and by sending out or otherwise delivering 513 letters to the owners and occupiers of surrounding properties between September 26-30, 2003.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy 309.

### 3. INDIVIDUAL BYLAW SUBMISSIONS

#### **3.1 142 Celano Crescent**

- 3.1 Bylaw No. 9086 (Z03-0046) – Robert Dewdney (Pending Mortgage Transfer to Timothy Pincin and Amanda Erdely) - 142 Celano Crescent - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 26, Section 4, Township 23, ODYD, Plan KAP46412, located on Celano Crescent, Kelowna, B.C. from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing with Secondary Suite zone.

Staff:

- The rezoning is requested to allow for construction of a secondary suite in the basement of a new single family dwelling.
- Several properties in the neighbourhood are already zoned for secondary suite and for a 4-plex. These zonings have been in place since the subdivision was first created in order to provide a mix of housing types within the development.
- The applicant has submitted a site plan showing a dwelling with a double garage and sufficient room in the driveway to stack additional parking to meet parking requirements and still provide ample back yard.
- The extension of Drysdale Boulevard from Cross Road heading north would be triggered by development applications in the area.
- The application is consistent with the Official Community Plan and meets all technical requirements for the requested zoning.

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

- letter from B. & R. Tiller, 152 Celano Crescent
  - letter from Regan & Chari Brocklebank, 135 Celano Crescent
  - letter from Susan & Rod Haywood, 137 Celano Crescent
- opposed due to increased traffic, lack of parking, and concern for the safety of pedestrians where there are no sidewalks.

Deputy Mayor Horning invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council:

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

There were no further comments.

### **3.2 1101 Bentien Road**

- 3.2 Bylaw No. 9091 (Z03-0040) – Melvin and Rita Uppenborn (D.E. Pilling & Associates/Greg Reschke) – 1101 Bentien Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification for part of Lot 1, Plan KAP52172, Sec. 24, Twp. 26, ODYD, located on Bentien Road, Kelowna, B.C. from the A1 – Agriculture 1 and RU1 – Large Lot Housing zones to the RU1 – Large Lot Housing zone.

Councillor Day left the Council Chamber at 7:10 p.m. after declaring a conflict of interest for this item because he owns property within the notification area for the subject application, and for the next item on the agenda because he owns property within the boundaries of the Bell Mountain Area Structure Plan.

Staff:

- The subject property is currently split zoned.
- The applicant intends to create a 7-lot subdivision fronting onto Bentien Road. The single detached dwelling that is currently on the property would be retained on one of the lots.
- The application is consistent with the Official Community Plan and the Black Mountain Sector Plan.
- The Advisory Planning Commission recommends support with no conditions.

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

Deputy Mayor Horning invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council:

David Pauls, D.E. Pilling & Associates, applicant:

- Indicated he had nothing to add at this time but was available to respond to questions.

There were no further comments.

Councillor Cannan entered the Council Chamber at 7:15 p.m. and took his place at the Council Table.

### 3.3 East of Lone Pine Drive/South of Swainson Road

- 3.3 Bylaw No. 9094 (OCP03-0012) – Weninger Construction and Design Ltd.; Colin Day; Balbir Singh Wariache and Preminder Jeet Wariache; 590921 BC Ltd., Black Mountain Irrigation District (Marlin Weninger) – Bell Mountain Area Structure Plan ASP02-0001 - East of Lone Pine Drive/South of Swainson Road - THAT Table 19.1 of City of Kelowna Official Community Plan (1994-2013) Bylaw No. 7600 be amended by deleting line 11 in its entirety;

AND THAT Map 19.1 - GENERALIZED FUTURE LAND USE of Schedule "A" of City of Kelowna Official Community Plan (1994-2013) Bylaw No. 7600 be amended by changing the Generalized Future Land Use designation, located on SE¼ of Sec. 24, Twp. 26, ODYD, Except Plans KAP54413, KAP58342, KAP59957, KAP63620, and KAP69503; Lot 2, Sec. 24 & 25, Twp. 26, ODYD, Plan KAP62397; Lot A, Sec. 19, Twp. 27, ODYD, Plan 31717; Lot B, Sec. 19, Twp. 27, ODYD, Plan 31717; Lot D1, Sec. 3 & 19, Twp. 27, ODYD, Plan 1760, Except Plan 33849, Kelowna, B.C., from "Single/Two Family Residential and Rural/Agricultural" to "Single/Two Unit Residential; Multiple Unit Residential – Low Density; Multiple Unit Residential – Medium Density; Commercial; Major Park/Open Space; and Private Recreational" as shown on Map "A" attached to the Planning & Corporate Services Department's report dated September 9, 2003.

#### Staff:

- The proposed amendment would incorporate the Bell Mountain Area Structure Plan (ASP) into the Official Community Plan (OCP) to provide a guide for the future rezoning, subdivision, and development of the area.
- The ASP boundary encompasses 5 different properties that are currently in single family residential and agricultural uses.
- The ASP covers approximately 209 ha (516 acres) with the future residential component comprising 48.5 ha (120 acres) of the site and a total of 650 units; the Park & Open Space component comprising 12 ha (29 acres) of the site and including two neighbourhood parks and a City-wide park in locations acceptable to City Parks Department; a golf course comprising 48 ha (120 acres) in area; and a commercial component comprising .4 ha (1 acre) of local neighbourhood commercial which could include a potential hotel.
- The traffic plan would be based on a major north/south spine road from Highway 33 and development would be phased from south to north bringing up the required infrastructure with it.
- The steeper areas of Mine Hill would be protected by no-disturb covenant. The top of Mine Hill would be developed with a City wide park. The proposed trail system would include a trail network around the golf course.
- Five drainage basins would have to be built on-site.

Deputy Mayor Horning invited the applicant to come forward.

#### Tony Markoff, representing the Weninger Family:

- About 45% of the total land area would be dedicated to the proposed 18-hole championship golf course. The golf course would be in the low lands with subdivisions overlooking the golf course.
- The applicant is proposing low density, fee-simple residential development with lot frontages no less than 16-18 m or 50-60 ft. and an overall yield of 2.9 dwelling units per acre or 7 dwelling units per ha. Typical density is 4-5 units per acre or 10 per ha.
- Multi-family development would be near the village centre. The hotel would not exceed 100 units.

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- There could be up to a maximum of 800 units (650 plus the resort component), depending on the number of units that are appropriate in the village centre.
- Development would be phased with the initial phase being 25-30 single family residential units off Henderson Road. Anticipate about 10-12 years to build-out of 800 units.
- Mine Hill and Bell Mountain are to the west and east respectively. Trail connections and viewpoints would be provided for public access.
- The proposed road system would provide appropriate linkages from the subject property to adjacent lands.
- The proposed plans are all conceptual at this stage; will try to achieve them but may not achieve all.
- Wildfire interface guidelines would be incorporated into the subdivision approval and carried out at the time of development of the site.
- The public would be permitted to walk on the golf course fairways during evening hours.
- The golf course would serve as a buffer from adjacent agricultural property.
- A pedestrian trail is proposed on the east and west side of the future reservoir; however, the Black Mountain Irrigation District (BMID) has not committed to allow a trail on either side of the reservoir.
- Have provided for future road extension to Swainson at a future date.
- The visual impact from Highway 33 would be minimized by boulevard and other landscaping and avoiding use of primary colours.
- A public meeting was held at Black Mountain Elementary School this summer and was well attended and well received.
- The Weningers are committed to work with the Okanagan Naturalist Club to restore the existing pond on the site.

Bruce Stevens, Consultant with EarthTech:

- Explained conceptually the proposed storm water management plan.
- A 30 m buffer zone between the golf course and the reservoir would provide for storm water management to direct the waters away from the reservoir.
- The 30 m buffer zone area is currently owned by the developer but would become owned by BMID.

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

- letter from Arthur Day, 1251 McKenzie Road, in general support of the proposal.
- letter from Terry & Joan Spraggs, 1258 Oswell Drive, opposing the application because of concern that the proposed medium and multiple density housing would decrease property values.

Deputy Mayor Horning invited anyone in the public gallery who deemed themselves affected to come forward.

Nancy Johnson, 1261 Begley Road:

- Asked about the impact of the proposed development on her property.

Staff:

- The steep sloped area above her home is shown as open space the majority of which would be protected by a no-disturb, no tree removal covenant with residential tucked in behind that.

John Veilvoye, Rutland Residents' Association:

- Concerned about the road network. Suggested that Highway 33 be upgraded and an alternate access road provided either to Springfield Road or adjacent to Toovey Road to handle the extra traffic that would be generated by the proposed development.

There were no further comments.

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4. TERMINATION:

The Hearing was declared terminated at 8:10 p.m.

Certified Correct:

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Deputy Mayor Horning

City Clerk

BLH/am