

Public HearingMay 24, 2005

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, May 24, 2005.

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

Council members absent: Mayor Walter Gray and Councillors A.F. Blanleil and B.A. Clark.

Staff members in attendance were: Acting City Manager/Director of Planning & Corporate Services, R.L. Mattiussi; Acting City Clerk, S.C. Fleming; Manager of Development Services, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

1. Deputy Mayor Hobson called the Hearing to order at 7:00 p.m.
2. Deputy Mayor Hobson advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "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 Acting City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on May 6, 2005, and by being placed in the Kelowna Daily Courier issues of May 16 & 17, 2005, and in the Kelowna Capital News issue of May 15, 2005, and by sending out or otherwise delivering 10 letters to the owners and occupiers of surrounding properties between May 6-7, 2005.

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 **5220 Highway 97 North**

- 3.1 Bylaw No. 9412 (Z04-0091) – Pier Mac Petroleum Installation (Hank Neufeld) – Highway 97 North – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot 1, Sec. 11, Twp. 23, ODYD Plan 34113, located on Highway 97 North, Kelowna, B.C., from the P4 - Utilities zone to the I3 - Heavy Industrial zone.

Staff:

- The rezoning is requested to facilitate a 2-lot subdivision of the property in order to accommodate a satellite plant for Kelowna Ready-Mix on the southerly portion of the site.
- There is an existing Con Cast plant on adjacent land to the south and the proposed Kelowna Ready-Mix site is also in close proximity to the UBC-Okanagan site.
- Displayed a conceptual landscape plan showing the proposed screening to mitigate the on-site impacts from the highway and the adjacent UBC-Okanagan site.
- There would be no direct vehicular access to the site from Highway 97. Access would be from a portion of as yet unconstructed access road off University Way.
- Eventually there will be an internal road connection to Airport Way as the area redevelops allowing the subject property to also be accessible from the airport intersection.
- A Development Permit would be required for the landscaped screening of the property and any buildings on-site.

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

- letter of opposition from Bette Mushta, 5305 Highway 97 North, concerned that due to the close proximity of her property to this site, there would be an adverse impact on her living conditions from dust and noise.

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

Aiden Kirnen, Vice-President, UBC-Okanagan:

- UBC-Okanagan does not intend to contest the application; however, they are concerned about the visual impact of the proposed use.
- Asked that Council ensure that proper screening/berming is provided.

Dale Pilling, representing Kelowna Ready-Mix:

- The visual impact of the site would be screened as much as possible.

Hank Neufeld, Kelowna Ready-Mix, applicant:

- The intent is to relocate the cement batch plant that is now on leased land to the north, onto the subject property.
- The concrete plant will generate noise but nothing excessive or more onerous than would be in a general industrial area. Landscaping can mitigate dust impacts. The actual gravel extraction will be phased out. This is bringing in clean sorted materials to the site and putting them in the various hoppers.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:20 p.m.

Certified Correct:

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Deputy Mayor Hobson

Acting City Clerk

BLH/am