

Public HearingNovember 29, 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, November 29, 2005.

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

Council members absent: Councillor A.F. Blanleil.

Staff members in attendance were: Acting City Manager/Director of Planning & Corporate Services, R.L. Mattiussi; City Clerk, A.M. Flack; Manager of Development Services, A.V. Bruce; Parks Manager, J. Creron; Traffic & Transportation Engineer, H. Thompson; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. Mayor Gray called the Hearing to order at 7:02 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "*Kelowna 2020 - Official Community Plan 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 November 10, 2005, and by being placed in the Kelowna Daily Courier issues of November 21 & 22, 2005, and in the Kelowna Capital News issue of November 20, 2005, and by sending out or otherwise delivering 429 letters to the owners and occupiers of surrounding properties between November 10-14, 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 2058 Cross Road and 106 Valley Road

- 3.1 Bylaw No. 9526 (Z05-0048) – School District No. 23 (Judy Shoemaker) – Cross and Valley Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 4, Block 5, Section 4, Township 23 ODYD Plan 896, located on Cross Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the P2 – Education and Minor Institutional zone and of Lot A, Section 4, Township 23, ODYD Plan KAP53553, ODYD, located on Valley Road, Kelowna, B.C., from the RU2 – Medium Lot Housing zone to the P2 – Education and Minor Institutional zone.

Staff:

- The subject property is currently a large vacant field which the School District (SD) is proposing to develop for replacement of the Dr. Knox Middle School.
- The adjacent City-owned property to the east was formerly used as a pig farm. One of the reasons why the City purchased the property was the impact of the Drysdale extension on the property.
- Displayed a site plan showing the placement of buildings and amenities on the school site and showing conceptually how the adjacent City-owned site could be developed for community park uses.

Public HearingNovember 29, 2005

- Displayed a site plan indicating the approximate location of the school building and amenities, and also showing conceptually how the City-owned property to the east could be developed for community park uses.
- The rezoning application is consistent with City Planning policies.
- The Advisory Planning Commission recommends support as do City Planning staff.
- City Parks Division staff reviewed the park inventory in Glenmore indicating there are 22 existing neighbourhood parks, 2 existing community parks, 2 existing recreation parks; and future park sites that could include a shared recreation park with UBC Okanagan. In addition to the four existing schools that also add to the park inventory, there are numerous playgrounds throughout the sector; tennis courts, hard surfaced areas, and playing fields.
- Community parks can be associated with a school to provide playfields, passive open space and community facilities. Community parks are intended to serve up to 12,000 people within a 3 km radius.
- At first City Parks staff wanted to develop the adjacent City-owned site and the school site together and had many discussions with City transportation and SD staff to that end. Showed some configurations that were considered. Road issues precluded a joint venture.
- The SD offered the City the opportunity to build a community wing onto the school but the required funds were a problem.
- Middle schools are very busy up until 8:30 p.m. Monday through Friday and often on Saturdays but SD staff have indicated that the school would be available for community use after 8:30 p.m. and on weekends for a fee.
- City Transportation Division staff explained the City's plans for the road network in the Glenmore Valley noting the Drysdale road link would enable neighbourhoods to become connected without going onto the major routes.

Judy Shoemaker, Planning Manager, School District No. 23:

- The existing Dr. Knox School has a ranking of about 47% in terms of functionality; a new school would rank 100%. The subject property was purchased in 1990 for school purposes and that use has been identified in the City of Kelowna Official Community Plan all along.
- The new building is intended to accommodate up to 800 students but the 37 teaching spaces could allow for more students without having to place portables on the site.
- The SD still must complete a feasibility study before approvals are granted by the Ministry for construction to proceed. Costs have almost doubled since the project was first supported and the SD intends to become very aggressive to make sure the project is completed.
- There would be increased traffic; however, a middle school is a closed campus – students do not leave the site during breaks or lunch hours. Students are also not of driving age at the middle school level. Safe pedestrian routes would be identified to encourage students to walk to school.
- The school site would include two full size soccer fields to serve the community needs. Would also put in a hard surface court, money permitting. The site would be fenced on the Cross and Valley Road sides and along the parking on Drysdale Road.
- The SD has always been committed to joint use of school facilities both within and without the building. However, the funding for enhancement of the building for community use would have to come from the City. A middle school is a very active school. With sports teams at three grade levels the school facilities are in use until 8:30 p.m. every night and often on Saturdays. The SD's priority is to make the facilities available for school use.
- The SD hopes to tender the project this summer and then it takes 16-18 months to build a school. It may be September 2008 before occupancy.

Public HearingNovember 29, 2005Jim Meiklejohn, architect for the building:

- Showed an artist's rendering of what the school would look like at the front entry.
- Gave a brief overview of the architecture and showed a site plan of the school and proposed floor plan.

Judy Shoemaker, continued:

- The project is completely funded by the Ministry of Education.
- All the amenities needed to run a school can be accommodated within the subject property, and the SD can fulfil some community needs in it too.
- The SD recognizes the need for the Drysdale road extension and the building has been designed to accommodate the road.
- If Council could approve the rezoning now the SD could still work with the City on potential joint use. The SD does not want the project to be delayed any further. Construction costs have been escalating by \$100,000 to \$150,000 per month and it is time to move on with the project.

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

- letter from Bev Veitch, 151 Verna Court, raising concerns about the location of the building on the site and the school size, the negative impact on roads and safety, and noise and dust during construction.
- letter from Dan & Alex Midtdal, 255 Valley Road, asking that the Valley Road North/Sexsmith Road local neighbourhood be considered for improvements (i.e. sanitary sewer and roads) in concert with this development.

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

Kelly Fix, 1631 Lindsay Drive:

- Currently in Glenmore there are very few recreational areas and sportsfields.
- There are 4 schools in the area but the community cannot use the fields in 3 of them at the present time. The Glenmore area is in desperate need of recreational facilities.
- The neighbourhood association and community groups in Glenmore have no place to meet.
- There are a lot of walled cities in Glenmore, limiting where children can ride their bikes.
- The youth in outlying neighbourhoods have nothing to do. Putting money into facilities to keep youth in their neighbourhoods will prevent problems later.
- A survey carried out last spring of over 200 neighbours asking what they wanted to see revealed that people want to see better use of properties so they do not have to drive to services.
- Prefer joint use of school and civic properties.
- Once the zoning is approved, the SD would have no incentive to resolve the community use issues. Would not want to see the school built without a community use program, and George Elliott school in Winfield would be the best model to follow.
- The SD got zoning for a Glenmore school a couple of years ago and the community cannot use those sportsfields anymore.
- The existing Dr. Knox school is locked up at 5:00 p.m.

Dave McCoubrey, outgoing president, Glenmore Valley Community Association:

- Speaking on behalf of the Association.
- There are approximately 15,000 residents in the Glenmore Valley area. The dilemma is getting the residents to know the Association exists and to get them to come to the meetings so that the Association can represent them.
- The Association had its annual general meeting last week in a church, because it was free and they do not have a large enough membership to be able to rent space. They invited the SD and two City staff to attend and bring them up to date on the plans to build a school on the subject property. Was surprised when he saw the plans, particularly the Drysdale extension. Since that meeting, other residents in the Valley found out about the plans through an article in the newspaper and are not impressed that this is happening without any community discussion. There has not been enough discussion on this issue with the residents.
- Nobody in the Glenmore Valley has indicated opposition to zoning the property for a school. But they object to the lack of access to a joint use facility.
- There are other ways of moving traffic without extending Drysdale Boulevard to loop around the school. The Drysdale road extension is on the future road map but it is not shown on the future land use map.
- The school should be built but details for how it is used need to be discussed. Would support deciding on the rezoning tonight, but more public input is needed before deciding whether or not to approve the Drysdale road extension.

Staff:

- Explained why the Drysdale road extension is not shown on the future land use map in the OCP.

Dave McCoubrey – continued:

- Groups such as the Cubs, Scouts and Girl Guides need a place to meet, access to a gymnasium, and a place to store their equipment. A facility is also needed for holding community size meetings. Whether in the school or beside the school does not matter.
- Would prefer to eliminate the proposed Drysdale road extension and instead develop playfields on that land and to put in a traffic light if need be.
- The subject property is centrally located for existing and future development in Glenmore so need to seriously consider the joint use aspect of it. If this opportunity is missed, as good an opportunity may never come up again.
- The road linkage between Cross and Kane is fine but creating the loop with the proposed Drysdale road extension would be detrimental to the people living across the road.

Jay Walker, Verna Court resident:

- Not opposed to the school, but concerned about traffic issues, primarily at the top of Verna Court. Would like to have Verna Court barricaded at Union Road and Verna Court, just like the two roads that are barricaded in the Summerhill subdivision.
- Realistically people do not walk. Traffic to the school will increase.
- Concur with previous speakers regarding having a joint use.
- For children's safety, must have some kind of a barricade on Valley Road along the playfields. Vehicles have gone off the road there.
- Submitted a petition signed by residents of Verna Court re their concerns about Drysdale being connected to Verna – would like to see it barricaded. Safety would be a big issue.

Public HearingNovember 29, 2005Bev Veitch, 151 Verna Court:

- The school would totally block her view of the pyramid at Summerhill winery.
- Enrolment would almost be at capacity on completion date. Could end up with portables before the school even opens with the number of families moving into the Glenmore area.
- Is not opposed to a school on the subject property but is opposed to the proposed placement of the school building. The building should be located at the other end of the property so as to be less invasive to existing residential development.
- The Drysdale road extension would drastically affect intersections surrounding the school. Gave the results of a traffic count that she did on November 24, 2005 between 7 and 9 a.m. at the existing middle school.
- Traffic would increase in the neighbourhood. Two curves create visibility issues for vehicles accessing Valley Road off Drysdale, Summerhill Place is just 20 ft. off the intersection, and there is only one bike lane. All school buses and other traffic to the school should have to enter via Cross Road.
- Concerned about noise and dirt during construction and the extra work that creates for her.
- Recommend the zoning decision be tabled until after installation of the new Council.

Ken Fix, 933 Montcalm Drive:

- The Dr. Knox students shared the Apple Bowl and Parkinson Recreation Centre facilities. It is important to work together for a joint use facility.
- It looks like the curve in the proposed road extension was put in to accommodate this development.
- The zoning should be conditional on community access to the school.

Tracy Huggan, 169 Summerhill Place:

- Concerned about the amount of traffic. Her two children would be attending the new school. Traffic is already busy on Valley Road. A traffic light would just create a long line of traffic trying to get onto Valley Road.
- She drives here children to school. Very few of the children walk to school.
- Would love to have the community park.
- The Drysdale road extension is important but would prefer to have the school built facing onto Cross Road.
- Questioned how people would access the City-owned community park without the proposed Drysdale road extension,

Linda Erickson, Verna Court resident:

- Has not been consulted about anything with respect to this application and a lot of people did not know to be at tonight's meeting to voice their concerns.

Dave Ross, 280 Drysdale Boulevard:

- Making Drysdale a feeder road to a school is just causing a problem.
- Suggest that instead of extending Drysdale Boulevard, the City use the money to build a community building and restrict turning movements to right out only on both the Cross Road side and the Drysdale Boulevard side.
- Extending Drysdale to the south makes sense.

Tony Kenyon, 157 Valley Road:

- Supports developing the site for a school.
- Should swing the Drysdale Boulevard extension further away and move the school closer into the site, and need to put protection on the school side of Valley Road because traffic speeds through there.

Public HearingNovember 29, 2005Kelly Fix, continued:

- The property is a central location.
- Could have the parking lot off Cross Road to take some of the traffic away from the Drysdale Boulevard side of the site.

Don Veitch, 151 Verna Court:

- The best usage of the property would be to create a cul-de-sac to the south and a traffic light at Cross Road. That would satisfy everyone. Would have to move the building to more in the middle of the property and may have to reconfigure the playing fields – maybe with one on either side of the school.
- Would like to see room for community use in the building but maybe the property is too small.

Judy Shoemaker, continued:

- The comments made tonight regarding the public process are surprising. There have been public meetings at the school board level and with the rezoning, plus the feasibility study for this site was all held in public meetings and reported as well.
- The SD hopes to be able to encourage more children to walk and are talking about doing a travel management plan to address student and parent behaviour by encouraging walking.
- The plans include putting up a fence along Valley Road and there would be no parking on the Valley Road side.
- The curve on Valley Road will be lessened and the curve through to the Drysdale Boulevard extension has been softened to improve visibility for traffic and pedestrians.
- There has been a lot of fine tuning and discussion between the SD and City engineers to try to address all the traffic concerns.
- The proposed location for the building was chosen to keep the school access off a main arterial road and because that is the high end of the site – there is about a 15-20 ft. drop in elevation from the north to the south end of the site. The location provides for drainage into a detention pond at the low end of the site. The detention pond is designed to accommodate a 100 year flood for the neighbourhood. The site plan as proposed also allows for two fields to be accommodated on the site.
- The SD is dedicated to community use of the facilities. There is a fee to ensure there is a custodian for supervision; however, the rates are actually being subsidized. The facility would be available to the community any time that it was not in use by the school.
- Displayed student projections to 2010 compared to the history of projections and maintained that the SD is planning for the future. If class sizes are reduced and there is a need for more classrooms, the gym, library and drama room are options for teaching spaces. The building could actually accommodate 1,000 students.

Staff:

- The location of pedestrian crosswalks would be determined at the detailed design stage. The ultimate alignment for Drysdale is yet to be determined.
- City traffic studies indicate that a traffic signal at Drysdale/Valley Road would not be justified for a long time.

There were no further comments.

Public HearingNovember 29, 2005**3.2 2130 Harvey Avenue**

- 3.2 Bylaw No. 9527 (Z05-0040) – Northland Properties Limited (Scott Thomson) – Harvey Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 127 O.D.Y.D. Plan 23746, located on Harvey Avenue, Kelowna, B.C. from the C9lp – Tourist Commercial (Liquor Primary) zone to the C4lp – Urban Centre Commercial (Liquor Primary) zone.

Staff:

- The property is the Sandman Hotel site.
- The site currently has access from both Harvey Avenue and Enterprise Way; the Ministry of Transportation (MOT) indicates they can continue to have that access but at a different location off Enterprise Way.
- The property is within the urban centre area and so the requested zoning is appropriate as it allows for some height to be added and for consistent setbacks in the area.
- The rezoning is to allow for development of a tower feature which would house hotel rooms at the northwest corner of the property, with a second storey connection to the existing hotel. Showed a computerized rendering of the proposed tower.
- Concurrent Development Permit (DP) and Development Variance Permit (DVP) applications are on tonight's Regular agenda for Council's consideration.
- The Advisory Planning Commission (APC) did not support rezoning because they were not happy with the overall project and for that reason, they did not make a recommendation on the DP or DVP applications.
- Staff recommend support because the application is consistent with the OCP.

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

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

Scott Thomson, applicant:

- The proposal is to construct an 11 storey, 82-room addition to the existing hotel.
- The proposed development meets the goals of all stakeholders involved, most important of which are the citizens of Kelowna.
- The Sandman Inn serves as a value priced alternative to other hotels and restaurants. The intent is to provide hotel accommodation at reasonable, affordable prices.
- Outlined the changes that were made to the design in response to comments from the APC meeting and as a result of consultation with City and MOT staff.
- The tower would include handicapped accessible rooms.
- As a value priced hotel, Sandman does not have the budget to consider implementation of green energy techniques.

Bev Veitch, 151 Verna Court:

- She attended the APC meeting when this application was considered. To her recollection, the APC was more concerned about the existing older hotel building fronting onto Harvey Avenue. The APC's preference would have been for Sandman to demolish the 2 storey building and build a new 4 storey building.
- Concerned that a precedent could be set.

Scott Thomson, continued:

- The façade of the existing building was upgraded in the last couple of years.
- The proposed tower would be on the back corner of the site to address traffic flow around the site as well as so as not to interfere with future development on the site.

There were no further comments.

Public HearingNovember 29, 2005**3.3 440 & 460 Hartman Road**

- 3.3 Bylaw No. 9528 (Z05-0059) – 448473 BC Ltd. (Gary Tebbutt) – Hartman Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Section 26, Township 26, ODYD Plan KAP46388, and Lot B, Section 26, Township 26, ODYD Plan 30380, located on Hartman Road, Kelowna, B.C. from the RR3 - Rural Residential 3 and A1 – Agriculture 1 zones to the RM3 – Low Density Multiple Housing zone.

Staff:

- The requested rezoning would allow the applicant to pursue the next phase of the Capstone Estates project.
- Access would be from Hartman Road to four different 4-unit buildings.
- An emergency access link would be provided between this phase and the original phases of the project.
- A height variance would also be required.
- The Advisory Planning Commission recommends support as do staff.
- The application is consistent with the Official Community Plan.
- The intent is to convert the intersection of Craig/Hartman Road back to a 4-way stop.

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

- letter from Bea van den Eerenbeemt, 622 Hartman Road, strongly opposing the application because the development had introduced townhouses into the neighbourhood.

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

Gary Tebbutt, applicant:

- Outlined the neighbourhood consultation noting for this phase they delivered notices to an area greater than the 100 m radius and about 40 people attended the meeting and supported the proposed plans.
- The access lane would be as far away from Craig/Hartman as possible to reduce the traffic impact.
- Capstone Estates won silver in two categories and is applying to make this the first multi-family green development (energuide and material) in Kelowna.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 10:02 p.m.

Certified Correct:

 Mayor

 City Clerk

BLH/am