

Public HearingMarch 7, 2006

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 7, 2006.

Council members in attendance: Mayor Sharon Shepherd, Councillors A.F. Blanleil, B.A. Clark, C.B. Day, B.D. Given, C.M. Gran, R.D. Hobson, N.J. Letnick and M.J. Rule.

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

1. Mayor Shepherd called the Hearing to order at 7:02 p.m.
2. Mayor Shepherd 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 Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on February 17, 2006 and by being placed in the Kelowna Daily Courier issues of February 27 and 28, 2006 and in the Kelowna Capital News issue of February 26, and by sending out or otherwise delivering 63 letters to the owners and occupiers of surrounding properties on February 17, 2006.

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 **East of South Crest Drive**

- 3.1 Bylaw No. 9556 (Z05-0076) - Emil Anderson Construction Co. Ltd. – East of South Crest Drive – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 21, Sec. 24, Twp. 28, SDYD, Plan KAP69262, located on South Crest Drive, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RU1h – Large Lot Housing (Hillside Area) and P3 – Parks & Open Space zones as shown on Map "A" attached to the report of Planning & Corporate Services Department dated February 1, 2006.

Staff:

- The rezoning is requested to accommodate a proposed 18-lot single family residential subdivision and an open space wildlife corridor.
- The application is in accordance with City Planning policies.
- The subdivision would achieve the required road connectivity between Stonebridge to the west and the Southridge neighbourhood to the east.
- The Advisory Planning Commission recommends support as do staff.

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

Public HearingMarch 7, 2006

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

## Applicant:

- Indicated he had nothing to add at this time.

Bob Lafreniere, 516 South Crest Drive:

- His comments on the proposed subdivision were submitted in a letter to the City after receiving a notice about the subdivision.
- Is not opposed to the property being developed but is concerned about the lots that would have the rear yards fronting onto South Crest Drive. That portion of the subject property is about 8 ft. high as it is now and putting fences on top of that elevated area would be unattractive. There are existing lots with rear yards fronting South Crest that demonstrate that the area between the fence and the street does not get maintained and is unsightly.
- Only front yards should be permitted onto South Crest Drive.
- Wants the properties across from his lot to be attractive.

Greg Asling, Emil Anderson Construction:

- The purchasers of the lots are required to put up a landscape bond and if they do not comply with landscape requirements, they do not get the bond money back. Two of the properties have not applied for their landscape bond back which would indicate that they still plan to do more; the third property owner simply chooses to not comply.
- The rear yard elevations of the lots adjacent to South Crest Drive will be reduced.

## Staff:

- The City will be asking for a consistent landscape berm and/or fencing within the property as a condition of subdivision approval.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:22 p.m.

Certified Correct:

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Mayor

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Deputy City Clerk

BLH/am