



City of Kelowna Public Hearing Minutes

Date: Tuesday, June 10, 2014
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann

Staff Present: Acting City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham; Manager, Development Engineering, Steve Muenz; Director, Subdivision, Agriculture & Environment, Shelley Gambacort; Manager, Urban Planning, Ryan Smith; and Council Recording Secretary, Tania Tishenko

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the Hearing to order at 6:08 p.m. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "*Kelowna 2030 - Official Community Plan Bylaw No. 10500*" 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.

2. Notification of Meeting

The City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board of City Hall on May 27, 2014 and by being placed in the Kelowna Capital News issues on May 30, 2014 and June 3, 2014 and by sending out or otherwise delivering 82 Statutory Notices to owners and occupiers of surrounding properties, and 1563 Informational Notices to residents in the same postal delivery area between May 27, 2014 and May 30, 2014. 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 No. 369.

3. Individual Bylaw Submissions

3.1. Bylaw No. 10964 (OCP13-0011) and Bylaw No. 10965 (Z13-0016) - 984 Dehart Road, Sherwood Mission Developments Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.

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

- Letters of Opposition
 - Robert Rancier
 - Lisa Sanderson
 - Lynda & Mike Millard
 - Debbie Bond
 - Ryan Roussel
 - Annette Adkin
 - Elizabeth Dyck
 - Don Koehle
 - Norm Dyck
 - Kueng Bob
 - Linda Giebelhaus & family
 - Jean & Clark Tryhurn
 - Richard & Valerie Woolley
 - Byron & Sharon Johnston
 - Fern Hind
 - Tom & Brenda McBride
 - Anthony & Shirley McCarthy
 - Tim & Candace Sced
 - Terry & Lil Reiger
 - Kathy Jones & Steve Biollo
 - Michelle Schroyen
 - Michael Atherton
 - Ashiash & Manisha Dave
 - Victor & Tammy Vachon
 - Naomi Dodd
 - Larry Marzinzik
- Letters of Concern
 - Carolyn & James Oakes
 - Ralph & Pauline Livingston
 - Glen & Cathe Poulin
 - Dr. M.H. Rajabally
 - Fritz & Kathy Hein
 - Sharon & Bryan Brooks
 - Karl & Gabi Heinitz
 - Shannon & Keith McLeod

Correspondence submitted from Applicant
Alex and Ella Rezansoff

Additional Information Submitted by/on behalf of the Applicants
Ron Wallace, Ministry of Agriculture - submitted by Lisa Fraser

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

Keith Funk, Applicant's Representative

- Displayed a PowerPoint Presentation with an overview of the development.
- Displayed a map of the proposal with green belt and protected water courses.
- Outlined neighbours concerns and addressed each one.
- Believes a traffic light is not needed on DeHart with 55 homes.
- Advised entered a 50/50 cost share agreement with City of Kelowna to construct sidewalk along DeHart Road to Gordon Road.
- Advised that ALC has granted permission for all construction traffic to access site through adjacent farmland during construction process.
- Believes a turning lane would be most desirable for DeHart Rd; left turn into subdivision is part of the plan.
- Believes development is consistent with the community plan.

Mr. Popoff, Traffic Consultant

- Spoke on request of Council to summarize traffic impact assessment (TIA) of 55 units completed by 2018, additional 200 multifamily units completed by 2030.
- Advised that model programme was used to facilitate traffic study and professional practices were undertaken.
- Felt that townhouse units generate less vehicle movements than single family homes, less than double the impact.
- Advised that school congestion and drop off was a concern, but the project was circulated to school district 23, and they have responded that they have no concerns
- Proposed neighbourhood will have sidewalks on all roads and DeHart frontage.
- Terms of reference and guidelines for the TIA was presented and approved by City Staff.
- Followed standards of procedures with Transportation Association of Canada.
- Commented that through discussion with City of Kelowna, it was determined that 90 % of traffic will go to DeHart Road and 10 % to Turner Ave and Gordon Rd.

Gallery:

Colin Thomson

- Advised that he and his family are neighbours to the Rezansoff family.
- In support of this proposal.
- His family has been farming in this area for over 120 years, and he feels that the subject property is not farmable and is most ideal for this proposal.
- Sees redirection of stream and ground water as favorable for own farm and is appreciative of all that has been done with the spring water issues.

Grant Wereley Hazel Road

- Opposed to this development.
- Did not understand traffic report and concerned with safety of DeHart Road

- Left hand turn would be dangerous and believes accident rates will increase in this area.
- Not in support of traffic funneling through existing subdivision.

Michael Atherton, Young Road

- Not opposed to development but this one has highlighted geotechnical, water, access and bylaw problems.
- Concerned with through area of Turner Road - Believes TIA is flawed and Gordon Road access will be heavily utilized.
- Believes if this proposal was to go through then it would be a big disruption in this community, with safety and noise issues.
- Has concerns with multi family zoning, town houses and the unknown future.

Bob Kueng, DeHart Road

- Opposed to this development.
- Concerned with Bylaw infractions and applicants activities on property.
- Has a concern of additional costs to taxpayers with funding the upgrades of the roads.
- Wants to know about letters of credit from developer and if bonding would be in place for the completion of the project.

Allan Sanderson, Turner Road

- Opposed to development.
- Concerned with additional traffic from school zone and on street parking.
- Would like to see access road through the applicant's farmland to Swamp Road.

Tony Markoff, Barnaby Road

- Supports this development.
- Single family large lot residential use is the best for this area.
- Approving officer can set conditions for development.

Kerry Baranieski, Turner Road

- Has a young family that enjoys riding their bikes on Turner Road, and is concerned with additional traffic flow through Turner Road.
- Not opposed to development , but very concerned with more traffic and wishes there were more options for traffic flow

Mo Rajabally, Bartholomew Court

- Does not support this development.
- Swamp Road is getting busier and traffic has increased on DeHart Road.

Michelle Schroyen, Eso Court

- Opposed to the way traffic is being directed with this development
- Doesn't believe this is a responsible application. It compromises safety of school children, pedestrians, ALR land and riparian areas.
- Questioned traffic study; took time to talk with CTQ and concluded that traffic going down Turner Road would be approximately 50 %.
- Felt that traffic study would have been more accurate if it was done in the summer months, and not January and February.

Lionel Munson, DeHart

- Opposed to this development.
- Doesn't believe that enough research has been done.
- Concerned about future development beyond 55 lots, and wants to know about further subdivision with multiple family housing.

Anthony McCarthy, Bartholomew Court

- Opposed to development.
- Believes land in the ALR and should be preserved.
- Traffic congestion and safety is a big concern on DeHart, especially in the event of an emergency.

Kathy Hein, Young Road

- Opposed to the fact that this development wants traffic to flow through existing neighbourhood.
- There is no gain to existing neighbourhood, and there will be a significant disruption to safety and everyday life in our neighbourhood.

Lynda Norman, Young Road

- Backyard borders subject property.
- Have seen many changes on property. Water tampering affected trees lining the property.
- Has witnessed destruction of riparian areas.
- Concerned with water as downhill from property.
- Traffic increase detrimental to neighbourhood.

Geoff Giebelhaus, Turner Road

- Opposed to this development.
- Believes construction access will eventually be on Young Road and Turner Road will be used as a bypass.
- Through road will interrupt quiet neighbourhood and children's activities outside.

Mike Ingram, Young Road

- Has lived in this neighbourhood for 10 years.
- Applicant lost credibility with his statement that the anticipated increase of traffic will be 4 vehicles.
- Cul de sacs would be more appropriate in this area.
- Opposed to the increase of traffic

Sheila Dyer, Young Road

- Has lived in this neighbourhood for 3 years.
- Concerned with loss of wetland and natural area for wildlife to thrive and survive.
- Feels that this property should not be developed
- Terrifying to ride bike on Gordon Road at this time, and cannot imagine how it will be if this development was to go ahead.

Ralph Livingston, Turner Road

- Has lived in this area for 23 years.

- Opposed to this dangerous development and believes it is not a good design as presented.
- Concerned with traffic on DeHart Road.

Delia Smith, DeHart Road

- Whole side of her property will be impacted.
- Not opposed to development, but the condition of DeHart road and the ability to take capacity currently is a serious concern.
- In support of single family development in area.
- Instead of left turning lane, propose traffic light and cross walk for safety of children.

Fritz Hein, Young Road

- Opposed to this development.
- Questioned applicant's statistics in relation to number of children, number of cars and impact on existing neighbourhood.
- Believes Bartholomew Road is a failed intersection.
- Feels concerns of neighbors is legitimate.

Larry Marzinzik, Bartholomew Court

- Initially bought property for location, views and natural beauty of area but discovered afterwards very high traffic volume and noise.
- Believes it is dangerous for pedestrians, cyclists and traffic equally on DeHart Road.
- Opposed to this development as its esthetics will impact values of existing homes.
- Would like to see consideration taken and sound barriers be placed along DeHart Road.
- Neighbourhood culture would be destroyed if this application was to go through.

John Kerry, DeHart

- Concerned with traffic and opposed to putting in a traffic light on DeHart Road.

Lil Reiger, Turner Road

- Concerned about safety of neighbourhood and traffic.
- Does not believe traffic study is accurate.
- Believes most traffic will access through Turner Road.

Shannon McLeod, Eso Court

- Concerned with safety, traffic and environmental impacts.
- This development will create more issues.

Tim Sced, Eso Court

- Opposed to this development.
- Believes access to development needs to be reconsidered - one entrance and exit only.
- Traffic is an issue.

Amanda Marzinzik, Bartholomew Court

- Opposed to this development.
- Planned a move to Kelowna in 2012 for beauty of area and not development.
- Does not think this location is appropriate for this type of development.

Keith Hind, Turner Road

- Believes that proposed lots should be larger than they actually are, with cul de sacs off existing roads

Steve Winther, Turner Road

- Opposed to additional traffic.
- Concerned with other development on Old Meadows Road.

Michelle Schroyen, Eso Court

- This is a riparian area and protected springs run along this area.
- Important that ground water is protected.

Michael Atherton, Young Road

- Recognizes challenge of traffic on either option of DeHart and Young/Turner.
- Perhaps wait until Old Meadows is joined with Swamp Road on the OCP plan.

Staff:

- Clarified current OCP removed consideration of extending Old Meadows Road.

Bob Kueng

- Suggested developer bought farmland, and that development is not appropriate.

Keith Funk, Applicant

- Believes comments reflect correspondence/letters and appreciated new ideas such as cul de sacs.
- Feels this may not reduce traffic, rather increase.
- Doesn't believe DeHart to Young will be used as a shortcut.
- Amenities were not discussed with owner, but there is a desire within the plan for future pedestrian pathway to link to mission recreation facility.
- Future development plan to include north and south pathway to join mission creek greenway.

Mr. Popoff, Traffic Consultant

- Commented that typically we want to have good traffic planning through neighbourhoods.

Staff:

- Clarified city policy of connectivity, included consideration of emergency services.
- Commented on Swamp Road connection - would need to have road access through ALR land.

3.2. Bylaw No. 10968 (OCP14-0006) and Bylaw No. 10969 (Z14-0008) - 560 & 582 McKay Avenue, 0781540 BC Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.

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

- Letters of Opposition
 - O.J. (John) Mardall

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

Andrew Gaucher, Applicant

- Displayed a PowerPoint Presentation summarizing the application before Council.

Gallery:

Michael Neill, Vice President KLOCNA

- Submitted a letter of support of this proposal.

There were no further comments.

4. Termination

The Hearing was declared terminated at 9:58 p.m.

Mayor

Deputy City Clerk

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