



CITY OF WEST KELOWNA PUBLIC HEARING LATE ITEMS AGENDA

Tuesday, September 28, 2021, 6:00 P.M.

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

Pages

2. INTRODUCTION OF LATE ITEMS

- | | | |
|--------------|--|----------|
| *2.1. | Z 21-04, OCP Amendment Bylaw No. 100.66 and Zoning Amendment Bylaw No. 154.106, 3830 Gellatly Road, South | 2 |
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Letter received from the following:

- Kevin and Kerry McLuskey

- | | | |
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| *2.2. | Z 21-01, Zoning Bylaw Amendment No. 154.103, 2377 Thacker Drive | 6 |
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Letters received from the following:

- Dario and Elaine Grison
- Doug and Gloria Andrews
- Doug Andrews
- David McNeely
- Maria Fairholm

PUBLIC HEARING SUBMISSIONS

Zoning Amendment Bylaw No. ZB154.106 & BOCP 0100.66
(File No. Z 21-04)

NO.	Date RECEIVED	TIME RECEIVED	RECEIVED FROM
Submissions included with Public Hearing Report to Council			
1.	September 21, 2021	6:06 PM	Bill Stinson
Submissions included with late agenda items to Council			
2.	September 25, 2021	2:23 PM	Kevin McLuskey
3.			
4.			
5.			

2. September 25, 2021
@ 2:23 PM

September 23, 2021

Kevin, Kerry McLuskey
3824 Gellatly Rd South
West Kelowna, BC

City of West Kelowna
2760 Cameron Rd,
West Kelowna, BC
V1Z 2T6

Re: File Z21-04

To Honorable Mayor, Council & Planning Department.

I write this letter in concern of recent development proposals, as I have seen many good changes within the community being a resident of West Kelowna since 1972. My main concern is the recent proposal to change the Zoning from R1L to R3 at 3830 Gellatly Rd. The area has already had approval for 900 homes (full build out), and is part of the scenic wine route with a new winery being built on Gellatly close to Glenrosa intersection. The apprehension about the proposal (file Z21-04) is the following:

1. Roads/Traffic

- a. The road has not changed other than gravel to asphalt since I was a child. The increased traffic from the proposal along with existing approvals will affect local traffic in the area.
 - i. Question: What data is available about traffic, both current and expected?
- b. Further approved development will likely lead to an increase in traffic and noise.
 - i. Having lived there for the past 7+ years there is a issue with speeding and noise on Gellatly that I can hear from my location.
- c. During the fire evacuations this year due to forest fires the increase traffic was evident.
 - i. Question: Is there safe access and egress in case of further natural disasters? The road around Powers Creek/Wastewater Plant/Byland's is very narrow, and not suitable for a large increase in traffic.
- d. Safety is a concern as the current road configuration has curb on 1 side and lighting is minimal.
 - i. Question: Is there additional upgrades concerning curb and gutters, and lighting?
- e. I would site some of the recent development on Old Okanagan Rd by the pool, vehicles are lined up all along the road. Elliot Rd is another case of increase traffic, however parking along the road is the most concerning, as these issues also fall into a safety concern for pedestrians.

2. Rezoning (R3 to R1)

- a. The rezoning from R3 to R1 seems like a large jump from Large Residential (R3) to Low Density (R1). If diversity is what we want in the community; why would there be plans to drop R1 in the middle of 3 lots all R3. The impact of such a

change will primarily affect my property, and a few other surrounding properties. I worry about the variances/setback as this property will run the entire length of mine, which is already very narrow. To put this in context I do not believe between road allowance and my property there is not enough variance/setback space between property's, so they would need to go up and this will greatly cause privacy issues.

- b. Would the rezoning allow all of us to rezone? I have a neighbor that has already built under 1 roof, which is fine as it's not low density (R1).

3. Noise

- a. Currently we already live with the helicopters (noise/wind) that fly up and down my fence line, the pruning, spraying and picking that occurs from dawn to dusk throughout the year. If it were to be rezoned I would be wedged between high density housing, and an orchard on the other side of a long thin lot with a high-pressure gas line running through the 3 adjacent properties. This scenario does not sound like an ideal place to be. I also am a dog owner and frequently hear dogs bark in the Glen Canyon development. If you own dogs and they hear a dog they answer back, my concern is how do we find a common ground if a low-density property is attached to 3 large lots where people with dogs tend to want to live. I have foreseen a mountain of complaints concerning mine and my neighbors' dogs.

4. Privacy

- a. Concerns about privacy as I already have fully functional working orchard on 1 side and possible low density housing on the other. I will be squeezed between them as my lot is very long and thin with absolutely no privacy for all of the year on the Orchard side. During picking season I also awake to helicopters, trucks that park and run engines within <10 feet of a window that I have a child in. and worry about carbon dioxide poisoning due to exhaust and the window being below grade. So if I was to be squeezed between both I would certainly suffer from privacy issues.

5. Property Value

- a. The development going to adversely effect mine and surrounding area property values.

6. Habitat

- a. The property surrounding the proposed site is wooded and part of the beauty of Gellatly, I fear the development will soon complain about the trees. These trees are habitat for all kind of animals and birds.

7. Conclusion of Concerns

- a. Traffic, Roads, Safety, Rezoning Jump R1L to R3, Noise, Privacy, Gas Line, Gas way station, Wildlife Habitat, Zoning diversity, Property variances/offsets. Crime, Street lighting, Property fencing, and Surrounding Area Recreation.

I am not opposed to development and have never complained about the growth of our beautiful community or against affordable housing. Unfortunately, the proposed development does not fit land diversity in the direct area. There are only 4 large lots on the southwest slope of Gellatly, northeast by the walking trail is mixed residential, and east is a gated community that runs to the beach near the yacht club. We have ongoing construction that on full build will be 900 new homes. High pressure gas line and way station, lighting, lack of curbs going south towards Powers Creek area, and the Wastewater facility. The area surrounding the proposed area is habitat for several species of wildlife, Deer, Coyotes, Marmots, Rattle snakes, Garter Snakes, Squirrels, and a multitude of bird species (Eagles, Falcons, Owls, Turkey Vultures). I strongly feel this development in its current form will not be beneficial to the community, consequently will negatively alter mine, and other surrounding properties values.

PUBLIC HEARING SUBMISSIONS

Zoning Amendment Bylaw No. 154.103

(File No. Z 21-01 2377 Thacker Dr)

NO.	Date RECEIVED	TIME RECEIVED	RECEIVED FROM
Submissions included with late agenda items to Council			
1.	September 26, 2021	4:50 PM	Dario Grison
2.	September 26, 2021	7:57 PM	Doug & Gloria Andrews
3.	September 27, 2021	1:24 PM	Doug Andrews
4.	September 27, 2021	1:38 PM	David McNeely
5.	September 27, 2021	2:34 PM	Maria Fairholm
After 4 pm Deadline Submissions – Not included in the agenda – Before close of Public Hearing			
6.			

1. Sept. 26, 2021 @ 4:50 PM

City of West Kelowna
City Clerk, Municipal Hall
2760 Cameron Road
West Kelowna BC V1Z 2T6
submissions@westkelownacity.ca

Attn: City Clerk

Re: FILE NO. Z 21-01 – “ZONING AMENDMENT BYLAW NO. 0154.103”

Location: 2377 Thacker Drive
Legal Description: Lot 108, DL 1118, ODYD, Plan KAP5381, Except Plan 43347
File No: Z 21-01
Purpose: Rezone the upper bench portion of the property from Rural Residential Large Parcel Zone (RU4) to Single Detached Residential (R1) to accommodate the future subdivision of 10 single family lots

We live at 2365 Bridgeview Road (Lot 1 Plan KAP46492 District Lot 1118 Land District 41).
Our property is at the end of Bridgeview Road and borders the proposed development.

We do not oppose development and understand that there is a need for more residential lots in West Kelowna. However we are not pleased with how this particular subdivision proposal came to this stage.
Instead of following the conventional steps in applying for rezoning, in 2018 the property owners clear cut the existing forest without a permit under the guise of “Fire Mitigation” and then put forth a proposal for a residential development.

We would like to submit that if the City of West Kelowna approves this development that as well as adhering to environmental and wildlife corridor setbacks from the cliff side; there would also be a three meter landscape buffer between existing properties and the subdivision.

Also, as Kelview and Bridgeview Roads do not have sidewalks and are quiet residential streets where children play and ride their bikes; we ask that a plan be put in place for all sub trades to access the development from Thacker Drive during the building process. This will minimize the risk and liability of a vehicular incident due to the increased construction traffic.

Thank you for your consideration in this matter.

Sincerely,

Dario & Elaine Grison
2365 Bridgeview Road
West Kelowna BC

Sent via email: submissions@westkelownacity.ca

2. September 26, 2021 @ 7:57 PM

September 26, 2021

City of West Kelowna
2760 Cameron Road
West Kelowna, B.C.
V1Z 2T6

Attention: City Clerk, Municipal Hall

RE: File No. Z 21-01 - "Zoning Amendment Bylaw No. 0154.103"

Location: 2377 Thacker Drive, West Kelowna
Legal Description: Lot 108, DL1118 ODYD Plan KAP5381, Except Plan
43347
File No.: Z-21-01

We are the owners at 2350 Bridgeview Road and our house is one lot from the proposed development (within 100 meters of the subject property).

A few years ago, we subdivided one lot from our property. We adhered to all the City regulations with respect to subdivision.

When the property owners of said application were cutting down all the old growth trees on the property, we called the City of West Kelowna to ask if this type of clear cutting of old growth trees was allowed, along with the disturbance of eagle, and owl nesting habitats. We were informed at that time that the property owners would have obtained a Permit prior to commencing that work. No followup of our calls were conducted while they were clear cutting the property and nor did any of the City of West Kelowna personnel drive to the site to inspect until the entire forest was cleared. And later we were informed that the property owners had not obtained a Permit. They clearly had a reason for not obtaining a Permit (possibly would not been allowed had they applied?)

We do not oppose development, however we question why we as residents in the same area must adhere to all the steps, however quite clearly these property owners did not adhere to rules and regulations, with something as simple as a Permit to clear cut the property.

If the City of West Kelowna approves this latest development proposal we hope that they will be adhering to all the regulations and permitting as required including environmental and wildlife corridor setbacks.

We would also like to request as stated at the last Public Hearing regarding this proposal that all sub trades access the development from Thacker Drive and not through our quiet street. There are many children that play on Bridgeview Road, along with local residents and dog walkers that access the street continuously and because we have no sidewalks in the area, this is a cause for great concern if sub trades are allowed to enter the proposed subdivision from Bridgeview Road.

Sincerely,

Doug and Gloria Andrews
2350 Bridgeview Road
West Kelowna, B.C.
V1Z 2V5

3. September 27, 2021 @
1:24 PM

Sent via email: submissions@westkelownacity.ca

September 26, 2021

City of West Kelowna
2760 Cameron Road
West Kelowna, B.C.
V1Z 2T6

Attention: City Clerk, Municipal Hall

RE: File No. Z 21-01 - "Zoning Amendment Bylaw No. 0154.103"

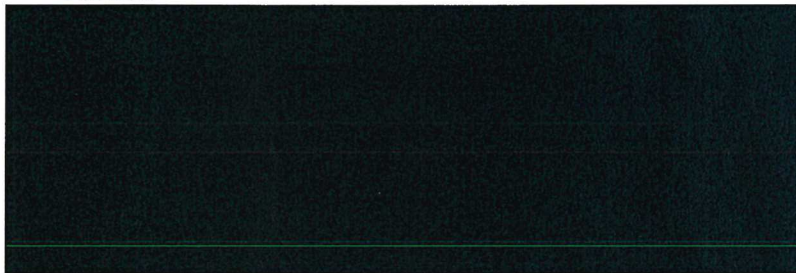
Location: 2377 Thacker Drive, West Kelowna
Legal Description: Lot 108, DL1118 ODYD Plan KAP5381, Except Plan
43347
File No.: Z-21-01

Further to our earlier letter submission, one specific question.

How is the City of West Kelowna addressing the problem of adequate drainage through the middle of the proposed subdivision property? In the first proposal, after discussions at the first meeting, the City was not even aware of two cofferdams constructed down the slope in an attempt to answer the question of a catastrophic flood for the residents below the break in the slope. As mentioned during the first proposal we have witnessed a river of water flowing down there in the past.

We would anticipate that the City has a far more substantial answer (plan) to that question.

Doug Andrews
2350 Bridgeview Road
West Kelowna, B.C.
V1Z 2V5



4. Sept 27, 2021 @ 1:38
PM



City Clerk
Municipal Hall
2760 Cameron Road
West Kelowna, BC
V1Z 2T6

September 27, 2021

Re: File # Z 21-01

Attn: City Clerk,

I am writing this submission regarding File # Z 21-01, an application for rezoning of the land located at 2377 Thacker Drive. I would like to preface my comments on this application with the statement that I am not opposed to the development of this parcel of land per se, as that is a private owner's prerogative, as long as they comply with all of the municipalities' policies and guidelines. My concerns are the same as they were for this owner's previous application, and they relate to the proposed design layout of this development. The proposed layout is for an extension of Bridgeview Road into the development, and it will be the primary access for what appears to be eight (8) lots of the development. That would mean that Bridgeview Road will be the main access for all of the heavy equipment, construction trades, and personnel during the entire construction phase of this development. Bridgeview Road is not suitable for the transportation of heavy equipment vehicles and/or construction traffic on a sustained basis over a lengthy construction phase. The two (2) lots on the north west corner of the development will only have access to their property from Thacker Drive, therefore, where will the construction vehicles park during construction on these two lots? There is evidence of the interfering nature of parking construction vehicles on main roadways with the present construction of the single-family home adjacent to 2469 Thacker Drive.

Although there is some merit to extending Bridgeview Road to accommodate up to four (4) lots by closing the road as a cul-de-sac, it does not need to be the primary access to the development for the majority of the proposed lots. The other three (3) developments that exist on Thacker Drive, at Thacker Ridge, Orsini Place, and Lake

Court, all have a single road access off Thacker Drive, with all of the lots being connected to this single road. This would clearly alleviate the need for construction vehicles to be parked on and/or near the main roadway during the construction phase of the development. To be consistent with these previous development designs it would make sense to have the remainder of this proposed development be accessed by a single road from Thacker Drive. This road could be situated at the north end of the property, adjacent to 2341 Thacker Drive, which would correspond to the location of one (1) of the proposed lots that would be accessed from Thacker Drive. This design change would address the 'safety' concern for traffic exiting the development onto Thacker Drive with the traffic proceeding north on Thacker Drive. The present development proposal does not address the 'safety' concerns for the two (2) lots on Thacker Drive, nor for all of the other properties along that section of Thacker Drive that have had to exit their property onto Thacker Drive for decades.

I would strongly encourage members of city council to consider realigning this development's layout design to be consistent with the previous design layouts for the other subdivisions developed on Thacker Drive, and facilitate the access to the development for the construction vehicles, and minimize the obstruction of vehicular traffic along the main thoroughfare of Thacker Drive.



David McNeely

2355 Bridgeview Road

Please retract earlier email



Attention: City Clerk

Re: File no. Z 21-01 2377 THACKER DRIVE

Legal Description: Lot 108, DL 1118, ODYD, Plan KAP5381, Except Plan 43347

Purpose: Rezone the upper bench portion of the property from RU4 to R1 to accommodate the future subdivision of 10 single family lots.

I reside at 2354 Bridgeview Road. It is located at the end of Bridgeview Road and borders 2377 Thacker Drive.

This property has been the subject of a few letters submitted to the City of West Kelowna. I kindly ask for your indulgence as I recollect those concerns and how this application (and prior application) came to be.

The property in question was surveyed in August of 2017. March 2018 saw the cutting down of approximately 60-70 mature trees. This was all done without a permit and without regard for the environment, local wildlife and neighbourhood. Had Bylaw not stepped in on Day 3 of the operation, the entire forest would have been destroyed. When questioned by the City, the owner claimed the following reasons for her actions:

1. Wildfire mitigation
2. The trees were blocking the sun to the cherry orchard, an orchard that was never maintained after the trees were cut. Subsequently, the orchard was cut down as well.
3. The trees were cut down upon the advice of a realtor. (An odd admission considering the aforementioned reasons)
4. Did not feel a permit was required.

It goes without saying what the owner's true intention was and it cannot be forgotten.

Although we will have to endure many years of ongoing land improvements and home construction, all while losing cherished privacy and peacefulness, I don't oppose the rezoning for future development. Should the applicant's proposal be approved, I ask for Council's thoughtful consideration to the following:

1. A landscape/vegetation buffer between existing properties and the new subdivision.
2. Remediation of some of the trees that were destroyed.
3. All construction access be directed to the existing roadway (or close proximity) for 2377 Thacker Drive. Bridgeview Road is a no thru road. Aside from everyday vehicle traffic, the surrounding neighbourhood residents use it extensively as a quiet and safe place to walk/cycle with their children and pets. Also, Bridgeview Road is not a wide road. With the addition of just a few parked vehicles, it would make an already challenging situation worse for our garbage trucks, snow ploughs and if ever needed, emergency response vehicles.
4. The applicant must respect, abide by and have a clear understanding of all regulations, protocols, easements, protected corridors etc. set out by the City of West Kelowna and other involved agencies, BEFORE forever altering the environment and it's habitat.

I have 1 question for Council.

There is a large rock pile on the property, near Bridgeview Road. It is home to a protected species of marmot. Even though they are pesky little creatures and it may not seem important, how does the applicant plan on handling their relocation?

Thank you for your time regarding this matter.

Sincerely,



Maria Fairholm
2354 Bridgeview Road
West Kelowna