



**CITY OF WEST KELOWNA
PLANNING DEPARTMENT**

ATTACHMENT: 3

FILE NO.: Z17-18



**PUBLIC HEARING
MINUTES**

**MINUTES OF THE PUBLIC HEARING
HELD AT THE CITY OF WEST KELOWNA COUNCIL CHAMBERS,
2760 CAMERON ROAD, WEST KELOWNA, BC
TUESDAY, MARCH 22, 2022 AND
TUESDAY, APRIL 5, 2022**

MEMBERS PRESENT: Mayor Gord Milsom
Councillor Rick de Jong
Councillor Doug Findlater
Councillor Jason Friesen
Councillor Stephen Johnston
Councillor Carol Zanon

MEMBER ABSENT: Councillor Jayson Zilkie

Staff Present: Paul Gipps, CAO
Brad Savoury, Director of Legal Services
Sandy Webster, Director of Corporate Initiatives
Allen Fillion, Director of Engineering and Public Works
Brent Magnan, Director of Development Approvals
Shelley Schnitzler, Legislative Services Manager/Corporate Officer
April Pearson, Receptionist

1. CALL THE PUBLIC HEARING TO ORDER:

The Public Hearing was called to order at 6:05 p.m., Tuesday, March 22, 2022

It was acknowledged that this meeting was held on the traditional territory of the Syilx/Okanagan Peoples.

2. INTRODUCTION OF LATE ITEMS:

Submissions were received from the following:

Michael Smith
Marvin and April Griffin
Amy Fink and Micah Joyner
Steve McGill
Rob and Pat Leitch
Carmen and Oscar Breti
Jacob Realf
Tom Guenther

Robert and Suzanne Watson
42 Person Petition
Jarett and Rachael Harvey

3. **ADOPTION OF AGENDA:**

It was moved and seconded that the agenda be adopted as amended. The motion carried unanimously.

4. **OPENING STATEMENT:**

This meeting was open to the public and public participation was available in person, by phone, and by written submission. All representations to Council form part of the public record. This meeting was webcast live and archived on the City's website.

The Mayor read the Public Hearing Opening Statement, advising that the Public Hearing has been advertised, the bylaws and supporting documentation has been made available for inspection at City of West Kelowna offices and on the City's website, and outlined the process for the public hearing.

5. **PUBLIC HEARING:**

The Mayor explained the process for this public hearing being held pursuant to Division 3, Part 14 of the *Local Government Act* for the purpose of hearing representation from those persons who believe their interests may be affected by:

Official Community Plan Amendment Bylaw No. 100.51 and Zoning Amendment Bylaw No. 154.68, 2734 and 2736 Lower Glenrosa Road

The Mayor noted that information has been available for inspection, which includes any written comments received to date for the applications, and that Notice of the Public Hearing was duly advertised in accordance with the requirements of the *Local Government Act*.

5.1 Z 17-18, Official Community Plan Amendment Bylaw No. 100.51 and Zoning Amendment Bylaw No. 154.68, 2734 and 2736 Lower Glenrosa Road

The Director of Development Approvals introduced Official Community Plan Amendment Bylaw No. 100.51 and Zoning Amendment Bylaw No. 154.68 to amend the OCP designation from Resource Land and Single Family Residential to Low Density Multiple Family and Parks and Natural Area; and to amend the zoning from Rural Residential Small Lot Parcel Zone (RU2) and Institutional and Assembly Zone (P2) to Low Density Multiple Residential Zone (R3) and Parks and Open Space Zone (P1) to facilitate a multiple family development consisting of approximately 44 townhouses.

The Mayor asked if the owner/applicant wished to address Council regarding this file.

Dave Mori, D. Pilling and Associates on behalf of the Owner

- In attendance to listen to comments; may return at the end of the meeting to comment on any concerns.

The Mayor asked for a first time if there were any members of the public who wished to address Council regarding this file.

Suzanne Watson

- Strongly oppose the OCP & zoning amendments;
- Has environmental concerns due to the parcel being a steep, forested area of ponderosa pine;
- It is an active wildlife corridor which may disappear if the development proceeds;
- Would like a Wildlife Impact Assessment undertaken;
- Concern for the destabilization of abutting properties and soil erosion;
- The proposed dedicated parkland is very steep and sloped;
- Concern for historical significance to the area;
- This rezoning application is inconsistent with the OCP;
- Concern that with an influx of buildings, residents and vehicles, the natural environment will be destroyed;
- The City should be protecting the natural landscape;
- Would like to see the subject property changed to a protected natural park area;
- Ask that the guidelines of the OCP be honoured;
- Requesting that the City reject the application for rezoning.

Rachael Harvey (and on behalf of Jarett Harvey)

- Opposed to the rezoning and development of the property;
- Their property directly backs onto the subject property;
- An August 9, 2018 Public Hearing Report stated the proposal was for 25 units with the majority of 2734 Lower Glenrosa Road being designated park;
- The current proposal shows the park is on the eastern corner of the property and is 886 sq. metres, with the total units at 44;
- OCP Guidelines discourage development on slopes greater than 30%;
- Concern with the elimination of parks and construction that will occur in steeply sloped areas;
- Concern with the access to the western section of the property and crossing Knoppler Brook, potentially damaging riparian areas;
- Concern that townhouses will disrupt the character of the neighbourhood;
- Concern with potential negative environmental impacts in waterways;
- The current proposal contradicts the August 9, 2018 Public Hearing Report;
- This proposal goes against what residents deem important.

Michael Smith

- His property directly abuts the subject property;
- This is the 3rd iteration of this proposal;
- The scope of this project is worse than the previous proposal;
- Previous objections have not been addressed;
- The topography of the site hasn't changed;
- Safety and traffic issues are concerns;
- Concern with speed and traffic volumes on Lower Glenrosa Road;

- With this proposal, Lower Glenrosa Road will be an exit for 44 townhouses;
- It is not a safe intersection;
- Concern with water issues – Knoppler Creek is a source for flooding; the creek will receive more run-off due to development and floods will continue to happen;
- The steepest part of the ravine is where the road is proposed to border the creek up to the creek crossing;
- Will need to have substantial retaining walls;
- Concerns with creek impacts;
- Concern with wildlife protection;
- Concern with access at the west end of property;
- Concern that the emergency exit could be a serious pinch point for emergency evacuations;
- Concern with potable water – reducing and increasing pressure; water pumping stations are expensive; doesn't want to have to pay for that;
- This would be a great area for single family homes which are permitted here.

Steve McGill

- Has lived on his property for 51 years;
- Has knowledge of the Glenrosa drainage system;
- Believes that 80% of storm water from west of Powers Creek and North of the Highway will be directed through that drainage system;
- There's lots of erosion occurring;
- Suggests that the footprint might support 5 duplexes;
- Concern for fire protection and accessibility with the road width, grades and turning radii's;
- The footprint must consider the steep terrain;
- Concern for the proposed bridge span in excess of 30 metres;
- Knoppler Creek should be protected;
- There are numerous springs on the property;
- There are no retention/detention ponds in the current system.

Steve McGill

- Concern with endangered species;
- Concern with protection of the ponderosa pines;
- Concern with water supply issues and fire flows;
- Concern with the sanitary sewer and gravity; how to service the properties in the back of the area;
- His property is continuously flooding.

Michael Smith

- Enjoys the quality of life West Kelowna offers;
- Moved here from Kelowna;
- Growth has been managed carefully in West Kelowna;
- Preserving quality of life may mean less development;
- There are alternatives available for the Developer to make money on this property;
- Wants to preserve the quality of life here.

Greg Frederick (and on behalf of his family)

- Chose West Kelowna for what it has to offer;
- It's a beautiful area, natural beauty, overlooks the lake, enjoys trees and wildlife;
- Questions what the Developer is doing to address concerns on erosion, specifically the slope at the back of 3729 Inverness Road; it is a large drop-off on the slope; there is erosion concerns; what is the plan to protect his home;
- There is lots of wildlife; with trees being taken down, the noise barrier is being lost; there are no studies showing noise levels being decreased between homes and the highway; what is being proposed to address this?

Brad Dobbin

- Family and descendants have lived in West Kelowna for numerous years;
- The City wants the creek fixed by the Developer;
- The walkways leave a corridor for the wildlife;
- From the school grounds, the City is requiring a walking trail that is safe;
- Believes this is a good project for West Kelowna.

Christian Mellett

- New resident to West Kelowna;
- Was assured by the Building Department that there would be no further development other than what was proposed at the time on the subject property;
- The proposal increased to 48 units; seems unreasonable;
- His home/investment is at the top of the hill;
- Concern about preserving a 30 degree bank on his property that is a hazardous bank; had to install guard rails; the slope is sloughing and is hazardous;
- The Developer's Geotechnical Report says the embankment is safe;
- Sand is coming off his slope – it is no longer a 30 degree slope; how does a covenant help when it becomes hazardous;
- Was only given 7 days notice for this hearing; not enough time to get his own reports with evidence;
- Feels like the City has already made up their mind on the application.

Dave Mori, D. Pilling and Associates

- Willing to connect the Environmental Professional with the community to address concerns;
- This is a challenging area and creek crossing; his company builds lots of roads in challenging areas;
- The drainage concerns are being investigated; seepage is coming out of the banks; a solution is being worked on with the City and the residents;
- Willing to arrange a site meeting with the Geotech professional to address resident concerns;
- Restoration of disturbed areas will take time to take hold;
- All the public hearing comments will be compiled and reviewed, and taken into consideration;
- Water servicing for fire flow have been addressed; there are options for providing fire flows to the property.

Jacob Realff

- Why extend the time to contemplate Council's approval or disapproval of the proposal;
- Council can make the decision this evening to cancel this project;
- The notice was provided to the neighbours with improper notification;
- Has lived here 20 years;
- Had to hand deliver the documentation on this project to the neighbours.

Steve McGill

- Concern with water going directly into Power's Creek;
- There are not many kokanee left in the spawning beds;
- It is unknown where the flood plane is; it needs to be re-mapped;
- Reconsider building in a potential flood zone.

Belinda Payne

- How does one find information on this proposal;
- Doesn't understand the information;
- Wants to be properly informed.

Brad Dobbin

- West Kelowna has done a good job where a problem is identified and getting it fixed;
- If no development occurs, the slope will still be a problem and the creek will still flood;
- West Kelowna has the opportunity to have the Developer fix the issues;
- The access road will help with future evacuations.

The Mayor advised that, given the notification issue that has been raised, the City intends on leaving the public hearing open, resuming at 1:30 p.m., Tuesday, April 5, 2022 in the City of West Kelowna Council Chambers, 2760 Cameron Road, West Kelowna, in order to allow re-notification to affected residents. Comments or letters that have already been received will remain part of the public hearing record.

The Mayor adjourned the public hearing at 7:17 p.m. and will reconvene the meeting at 1:30 p.m., Tuesday, April 5, 2022 in the City of West Kelowna Council Chambers.

The Mayor reconvened the public hearing at 1:33 p.m., Tuesday, April 5, 2022 in the City of West Kelowna Council Chamber.

MEMBERS PRESENT: Mayor Gord Milsom
Councillor Rick de Jong
Councillor Doug Findlater
Councillor Jason Friesen
Councillor Stephen Johnston
Councillor Carol Zanon
Councillor Jayson Zilkie

Staff Present:

Paul Gipps, CAO
Warren Everton, Director of Finance/CFO
Brad Savoury, Director of Legal Services
Sandy Webster, Director of Corporate Initiatives
Allen Fillion, Director of Engineering and Public Works
Brent Magnan, Director of Development Approvals
Michelle Reid, Director of Human Resources
Jason Brolund, Fire Chief
Bob Dargatz, Development Manager/Approving Officer
Mike Cain, Bylaw Services Manager
Rebecca Narinesingh, Corporate Records Coordinator
April Pearson, Receptionist

6. INTRODUCTION OF LATE ITEMS:

Submissions were received from the following:

Shannon Collens
Robert and Suzanne Watson
Brunhilde McGill
6 Person Petition

7. ADOPTION OF AGENDA:

It was moved and seconded that the agenda be adopted as amended. The motion carried unanimously.

8. OPENING STATEMENT:

This meeting was open to the public and public participation was available in person, by phone, and by written submission. All representations to Council form part of the public record. This meeting was webcast live and archived on the City's website.

The Mayor read the Public Hearing Opening Statement, advising that the Public Hearing has been advertised, the bylaws and supporting documentation has been made available for inspection at City of West Kelowna offices and on the City's website, and outlined the process for the public hearing.

9. PUBLIC HEARING:

The Mayor explained the process for this public hearing being held pursuant to Division 3, Part 14 of the *Local Government Act* for the purpose of hearing representation from those persons who believe their interests may be affected by:

Official Community Plan Amendment Bylaw No. 100.51 and Zoning Amendment Bylaw No. 154.68, 2734 and 2736 Lower Glenrosa Road

The Mayor noted that in accordance with the City's Public Hearing Policy, that as this is a continuation of the previous public hearing and those that have spoken twice already will be able to speak one more time and those that have spoken three times will not be able to speak to the application further.

The Mayor noted that information has been available for inspection, which includes any written comments received to date for the applications, and that Notice of the Public Hearing was duly advertised in accordance with the requirements of the *Local Government Act*.

9.1 Z 17-18, Official Community Plan Amendment Bylaw No. 100.51 and Zoning Amendment Bylaw No. 154.68, 2734 and 2736 Lower Glenrosa Road

The Mayor invited members of the public who wished to address Council regarding this file.

Suzanne Watson

- Strongly oppose the OCP and zoning amendments;
- Main concerns are the destruction of the wildlife corridor, habitats, ponderosa pine forest and especially the erosion issues on the hillside that already exist and the potential of the steep slope to become further destabilized;
- A geotechnical engineer and a natural resource biologist have both supported the speakers concerns of the effects of the development on further erosion of the hillside;
- Trees and vegetation are holding that hillside in place;
- Developing this area does not seem like the right thing to do;
- Proposal does not fit the OCP and values that residents expressed;
- Importance of OCP and the policies of the OCP are not being taken into consideration with this project;
- Not everybody can get to the hearings held during spring break and during the work day; along with submissions there has been significant backlash on social media;
- Asking Council to reject this proposal.

The Mayor was advised that there were no callers.

Elaine Hewes Gaines

- Lives further up from the proposal;
- Has seen the effects of spring rains on properties in Glenrosa; massive damage and no recourse to repair damage;
- Development will reduce the amount of land that can take water;
- Worst possible place to put in housing;
- The development will bring in a lot of people which will bring more pollution into the water system;
- Create havoc for the proposed section that is intended to be protected;
- Does not support the application.

Dawn Klappe

- Fragile landscape;
- Major wildlife corridor;
- Concern with trying to escape a wildfire;

- When the forest is taken down it will never come back.

The Mayor asked for a first time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked for a second time if there were any members of the public who wished to address Council regarding this file. There were not comments from the public.

The Mayor asked Council if they had any questions of staff or any specific information needed from staff in anticipation of this coming back to Council for consideration.

The Mayor asked for a third and final time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor declared the public hearing closed at 1:49 p.m. and Council cannot accept any further information regarding this application.

10. **TERMINATION OF PUBLIC HEARING:**

The public hearing terminated at 1:49 p.m.

MAYOR

I hereby certify this to be a fair and accurate summary of the nature of the representations made by the public at the Public Hearing with regard to Official Community Plan Amendment Bylaw No. 100.51 and Zoning Amendment Bylaw No. 154.68, 2734 and 2736 Lower Glenrosa Road held on March 22, 2022 and April 5, 2022.

Legislative Services Manager/Corporate Officer