



## PUBLIC HEARING MINUTES

MINUTES OF THE PUBLIC HEARING  
HELD AT THE CITY OF WEST KELOWNA COUNCIL CHAMBERS,  
2760 CAMERON ROAD, WEST KELOWNA, BC  
WEDNESDAY, FEBRUARY 9, 2022

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

**MEMBER ABSENT:** Councillor Rick de Jong

**Staff Present:** Paul Gipps, CAO  
Brad Savoury, Director of Legal Services  
Sandy Webster, Director of Corporate Initiatives  
Jason Brolund, Fire Chief  
Shelley Schnitzler, Legislative Services Manager/Corporate Officer  
Brent Magnan, Planning Manager  
Bob Dargatz, Development Manager/Approving Officer  
Carla Eaton, Planner III  
Christine De Silva, Development Technician

**1. CALL THE PUBLIC HEARING TO ORDER:**

The Public Hearing was called to order at 6:00 p.m.

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:

- Herbert and Elisabeth Obst
- Barry Carter
- Helen Houser
- Rodney Hyndman
- Jesper Kock
- Melissa Robinson
- Elizabeth Mikula
- Wynne and Sarah
- Jay Dowhaniuk

- Janice Blunden
- Shirley Pacholok
- Shirley Pacholok
- Shirley Pacholok
- Nancy and Gary Young
- Jay Rowland
- Craig Garries
- Susan Barton
- Mary Jane Martin
- Tremayne and Frances Farr
- Shirley Pacholok
- Scott Rowland
- Jesper Kock
- Yvette Rasmussen
- John Woods
- Ryan Holt
- Dallas Hancock
- Maria Fairholm
- Rod and Jennifer Attwell
- Doug Deschner
- John and Marcia Knapp
- Ron and Sandra Dowhaniuk
- Don Drissell
- Vanessa Moll
- Marc Drysdale
- Bruce Larratt
- Brenda and Brian Henschel
- Sylvia Einfeld
- Dal Anderson
- Rita Myers and Jason Monteleone
- Robert Young
- Sheryl Mattice
- Rebeca Beckley
- Cori McGuire
- Trevor Beckley
- Casa Loma Community Association
- Ruth Young
- Cindy and Ed Henderson
- Bob Young
- Ruth Young
- Shirley Simpson
- Petition (80 names)
- Ron Pavlakovic
- Marilyn Mathieson
- Dr. Mary Ann Murphy
- Michael Budd
- Rachel Pavlakovic
- Josh Pavlakovic

- George Lake
- Chris and Frederica Robertson
- Carole Rosenbaum
- Allison McLean
- Sheri Simson
- Karina Findler
- Emma Bigattini
- Deb Drissell
- Janice Sepnccer

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. In accordance with COVID-19 protocols and the City's COVID-19 Safety Plan regarding indoor-seated gatherings and events, limited seating was provided. 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. 100.62 and Zoning Amendment Bylaw No. 154.96 and 154.97, 2211 Campbell 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 20-08, Official Community Plan Amendment Bylaw No. 100.62 and Zoning Amendment Bylaw No. 154.96 and No. 154.97, 2211 Campbell Road

The Planning Manager introduced Official Community Plan Amendment Bylaw No. 100.62 and Zoning Amendment Bylaw No. 154.96 and No. 154.97 to amend the OCP designation

from Agricultural to Agricultural and Low Density Multiple Family; and to amend the zoning from Agricultural (A1), and on Okanagan Lake, Recreational Water Use (W1) to Low Density Multiple Family (R3), and a site specific text amendment to the Agricultural (A1) Zone to allow access to a private dock, and on Okanagan Lake, Intensive Water Use Zone (W2).

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

Robert Moskovitz, Landstar Development Corp.

- The Sol Aqua project has evolved to better reflect comments and concerns received from West Kelowna residents;
- Have undertaken a multitude of community engagements, spoken to residents, business owners and leaders to find a balance of community concerns and economic viability for the project;
- Have conducted 3 online engagement sessions and produced a detailed report;
- Have continuously updated their website and have kept in touch with the community;
- This project will provide more housing choice and diversity in the townhome format;
- It will provide moorage on Okanagan Lake for the residents of the strata;
- Agri-tourism will be added to the local economy with the addition of grape production;
- Will enshrine seven acres of land to be maintained for agricultural purposes;
- The project will provide a distinct West Kelowna form and character;
- The residential density has been reduced by 90% and the number of boat slips has been reduced by 75%;
- This is a good project in the context of hillside and lakeside development;
- The project involves an investment of over \$75 million into this community and will generate significant economic benefits for the area;
- Campbell Road will be upgraded to urban standards, including pedestrian walkways, bike paths and street lights;
- The water, sanitary, storm infrastructure will be upgraded;
- Several technical reports have been undertaken and all conclude that the project as proposed is safe;
- The proposed vineyard will be run with a long term lease by those who will bring experience to revitalize it;
- The density proposed is within the same range as other recently approved R3 developments in West Kelowna;
- This project will bring significant investment into this community;
- Urge Council to approve the application;
- There will be no reduction in agricultural land on the subject property.

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

Nikki Csek

- Supports the proposed project;
- Has lived in Kelowna since 1998;
- Has watched the region grow significantly;
- Owns a business and finds it a challenge to find staff;

- One of the main issues in finding staff is housing affordability and accessibility;
- This price point may not be targeted to young professionals, but a purchaser in Sol Aqua may be freeing up a unit for a young professional;
- People are buying in the region and commuting to work;
- The Developer has listened to the community and made significant concessions;
- This is an economically viable development;
- Supports the application as submitted.

Ryan Holt, Casa Loma Community Association

- The original Blackmun Bay proposal was 500 plus units;
- This proposal is for 45 – 60 units and it is still economically viable;
- The proposal today is where the discussion should have started;
- A Survey of the community was undertaken and 92% oppose the 60 unit proposal;
- Most people could support a further scaled down version of 1 row of residences, however with the boat moorage eliminated and the agricultural land protected;
- The WFN development is well underway;
- The Shelter Bay rendering shows up to 1000 boat slips, 290 residences, and 600 plus people;
- Concern with congestion;
- Concern with the hillside grade on this proposal;
- Concern with the scale and elevation, with the rock cut being up to 20 metres;
- Casa Loma and Bridgeview residents request the project be scaled back to a maximum of one-row townhomes;
- Concern with disruption of the hillside and wildlife corridor;
- Concern with the aesthetic beauty of the area;
- Concern with additional pressure on infrastructure;
- Concern with parking on Campbell Road, traffic and safely crossing Campbell Road, mixing marina use with active farming ALR land;
- Concern with the number of private boat slips being considered;
- Most residents could support a row of townhomes providing the hillside is not destroyed;
- Most residents do not support a moorage site for each proposed unit.

Jim Fry

- Supports the development;
- Sol Aqua is progress with a significant reduction from the original plan;
- The Developer has listened to the concerns of the community;
- The Developer will do everything required within the Guidelines;
- The project will provide homes, jobs and tax dollars for the City;
- Sol Aqua should be approved.

Joe Gluska

- This proposal from Sol Aqua is where this should have started 3-5 years ago;
- Requesting a caveat or some control be placed on the ALR land for the Blackmun orchard to ensure it remains a productive orchard;
- Concern with the Strata managing the agricultural lands;
- Concern if a lease is broken with an agricultural company;

- There are 1340 marina slips that are built or to be built between West Harbour and Casa Loma;
- There are 240 marina slips between Casa Loma and Goats Peak;
- With an additional 60 slips, there is concern for oil spills, gas leaks, fires, or any other environmental hazards;
- Concern that the Strata have insurance to cover hazards;
- Concern with how parking restrictions will be enforced;
- Concern with impacts to residents with as much as five times the boat traffic;

#### Mary Jean Schmunk

- Supports the proposed development;
- Have lived in West Kelowna for 10 years;
- Have seen the growth of West Kelowna and it continues to grow;
- Encourage sustainable and ethical growth and development that maintains the unique ambiance and character of West Kelowna;
- The Developers have worked to re-design their original development idea to fit and enhance West Kelowna's landscape;
- West Kelowna needs the economic investment that this project would provide;
- There will be an increased tax revenue that the Sol Aqua residents would provide
- This development is for everyone who lives in West Kelowna.

#### John Martin

- Concern for public safety in the community;
- This proposal is an attack on the Casa Loma community;
- NFPA has the intent to provide standards for wildland urban interface;
- This interface area is in need of definitive safety initiatives;
- The National Research Council agrees and has adapted that standard;
- Concern with urban wildland interface;
- There is a traffic equation for the NFPA which stipulates the required number of access roads for residential areas;
- The equation doesn't differentiate between road standards;
- Concern with emergency evacuation;
- NFPA guidelines are important;
- Does not support the development proposal.

#### Terese Cairns

- Supports the proposed development;
- The Developer has listened to the concerns of the community;
- The Developer has reduced the scope to accommodate growth and public opinion;
- Recent census data indicates that Kelowna grew more over the past 5 years than any area in Canada and West Kelowna is up 10.5% in growth;
- Lifestyle and weather is attractive to people moving here;
- There are lots of seniors residing in West Kelowna;
- They contribute to the local economy and should be ensured they have housing options beyond their homes that require care and fund their retirement;
- Seniors should be able to downsize and have maintenance free living;
- Most residential options are single family homes;

- This development will offer a low maintenance option for secondary homes and contribute tax dollars to the economy;
- Have visited the subject property and walked the agricultural land, and the trees are not in good shape and won't be producing much fruit;
- This developer will re-purpose the land for grapes.

Dale Pilling

- Concern with the appearance of the subject property;
- Two rows of housing will be a major gouge in the hillside;
- The first row is approximately 30 feet above Campbell Road;
- The report doesn't show the slope and the cut of the hillside;
- The property grade is 30%; a normal road grade is 10%;
- Proper engineering standards must be required for the roads;
- This development could be fine with a row of single family residences;
- The Developer doesn't need to cut into the hillside;
- Does not support 30 plus units.

Taylor McFadyen

- Supports the proposed development;
- It is a very positive addition for the community;
- The Developer has listened to the community;
- The Developer has taken a scaled back stance;
- Growth is inevitable;
- People want to work in areas where they reside;
- The proposal will bring much needed housing to the area;
- The proposal will support agri-tourism;
- The proposal will add value to the area;
- There is a lack of traffic on Campbell Road and has no concern with traffic flows;
- Developer has planned for the community vision and the long term;
- Supports the development.

The meeting recessed at 7:26 p.m.

The meeting reconvened at 7:35 p.m.

Heather Larratt

- Appreciate the moderated marina which is consistent with a moderated development;
- Going from 242 boat slips to 60 boat slips reduces risk;
- The Casa Loma intake has been repaired from damage from a suspected anchor strike;
- It was repaired and put in at a deeper depth to make it safer;
- A Source Assessment was completed as mandated by Interior Health;
- This assessed the risks of the new repaired intake;
- It showed that the intake is unusually vulnerable to large power boating;
- Soft sediments are prone to creating turbidity plumes that will travel to an intake depth;
- Sediments in lakes are where containments accumulate;
- There is heavy boat traffic in the area;

- The bacteria or blue-green algae count is already higher than the WHO threshold of concern;
- The frequency of seiches (internal waves that take the surface water down) that the intake receives surface water from, is more than double of what is expected;
- This increases the risk of connecting contaminated surface water with the intake;
- A Source Assessment Report lists all the risks; the Casa Loma Utility is willing to provide this document to Council upon request;
- Contamination risks will be increased on the lake;
- There is a heightened risk to the Casa Loma intake with existing docks and the proposed Shelter Bay expansion;
- There are land based impacts to water including storm water outflow plumes;
- The project will generate storm water;
- Concerns with managing sewage;
- May need to seek a safer source for drinking water.

#### Mark Drysdale

- Lives within 100 metres of the subject property;
- Is in favour of the housing portion of the development;
- Is opposed to the lower ALR portion of the property;
- The ALR portion should be used for agricultural purposes and the marina is not an agricultural use;
- No concerns with the process for the proposed development;
- Need additional new housing in the Kelowna region;
- There is a housing crisis;
- Supports the proposed 60 units;
- This development will have no impact on housing affordability;
- Need to be pragmatic on the emergency fire evacuation issue;
- Casa Loma is surrounded by a few trees; it is not a true interface area;
- With the proximity to the lake, if roads are congested during an emergency, the lake will form an alternate form of egress.

#### Shirley Pacholok

- There is a net farm loss in land with this proposed development;
- All the land is A1 farmland;
- The ALC protects agricultural land for its highest and best use – agriculture production;
- Uses other than agriculture, drives prices of farmland out of reach from farmers;
- Need to protect ALR land;
- The ALC exercises discretion related to uses that are not listed as pre-approved uses but might still contribute to agriculture;
- This proposal is tying ALR land to a residential strata for their marina;
- Concern with who will own the ALR land, who will manage it, how to structure a residential strata with ALR land;
- This proposal started as sharing an existing farm lane and evolved to a net loss of farm land due to widening of a lane, bringing in foreign fill and road cover, fencing, and buffering;
- The non-farm use application should not advance;
- The proposal is not in alignment with the ALC.

Sheryl Mattice

- Supports the proposed development;
- The Developer has listened to the community;
- The Developer has reduced the density, scale and scope of the development;
- The proposal now best fits West Kelowna's landscape and character;
- This development will bring additional housing supply, economic development, infrastructure improvements, job opportunities and will attract new people to move into West Kelowna;
- This is a comprehensive development and will ensure preservation of the agricultural land and will generate agri-tourism;
- The development will provide positive economic impacts into the future;
- The addition of the wine-tasting room, the vineyard and boat storage facility will attract more people to West Kelowna;
- Supports the development as proposed.

Mary Jane Martin

- Concern that the Developer is not listening to the community;
- Concern that NFPA standards are not being followed;
- Wants to see smart quality development.

Shang Zhu

- Supports the development as proposed;
- The Developer has done a good job to make this development a sensible size;
- The development will fit well within the neighbourhood.

Scott Rowland

- His family has lived in Casa Loma since 1957;
- There has been a lot of development in Casa Loma, mostly positive;
- It is important to work with the topography;
- Decisions that are made need to comply with the OCP;
- It has been a decade since the Blackmun Bay proposal began;
- Concern with Sol Aqua wanting to build 2 level townhomes which will require a massive excavation of the hillside;
- The project will leave an ugly permanent scar visible from across the lake;
- This proposal is contrary to the OCP;
- Need to work with the land and the hillside, not destroy it;
- Concern that accommodating 40 – 60 townhomes on the footprint will eliminate the wildlife corridor;
- Concern for interface wildfire;
- Concern for a chaotic evacuation in the case of an emergency;
- The Developer has allowed the once thriving orchard to wither due to neglect and lack of irrigation;
- The Developer wants a non-farm exemption to allow for a 60 slip dock;
- Would support a single row of townhomes along Campbell Road without destroying the hillside;
- A second row of townhouses would require a 65 ft. retaining wall, contrary to the OCP;
- The ALC is highly unlikely to approve a non-farm use of the orchard;

- The ALC said upper lands will not be removed from ALR until the Applicant has dedicated the road to the City;
- Requesting Council limit the large development proposal.

#### Craig Garries

- Past president of West Kelowna Board of Trade and current Director (but not representing them in his comments);
- His experience gives a qualified perspective on development;
- Supports the proposed development;
- The Developer has listened to the community;
- The Developer has reduced the density, scale and scope of the development;
- This proposal now fits West Kelowna's landscape and character;
- This development will bring additional housing supply, economic investment, and will allow new people to move into West Kelowna;
- A comprehensive development and will ensure preservation of the agricultural land and will support the growth of tourism;
- This development will provide positive economic impact for the business community;
- Supports the development as proposed.

#### Michael Budd

- There are many objections to the marina and the agricultural portion of the proposal;
- The housing portion of the proposal should be able to proceed on its own;
- The standard of Campbell Road is being improved by WFN;
- There is a narrow area on Campbell Road where people park that is a dangerous spot;
- Need a betterment of Campbell Road from the Bridge to Casa Rio and Casa Grande that will be a benefit to the community;
- Concern for sewage capacity and how it will be managed
- Need a Neighbourhood Plan for the Lakeview Escarpment area;
- Council has listened to the community.

#### Marci Paynter

- Supports the development;
- The Developer has listened the community;
- The Developer has reduced the density and scale of the development;
- Preservation of lands and agri-tourism will be of benefit;
- This development will bring additional housing and economic investment;
- Supports the development as proposed.

#### Shirley Simpson

- Has lived in Casa Loma for 31 years;
- Many seniors lived there but now many young families have moved in;
- The subject property is adjacent to the park;
- Concern if there is a fire in the area;
- Concern with only one egress;
- Concern with people who don't live in the area saying this is good for the community;

- The subject property has many issues;
- This is not a good proposal;
- The subject property has been sold three times since Mr. Blackmun owned it;
- Concern that the orchard is not being maintained;
- Concern with the effects on the wildlife.

#### Cori McGuire

- Opposed to the proposal;
- Lives in the area;
- This development is close to the bridge; many residents go to Kelowna for their shopping;
- Schools are full and there is no transit;
- This development is for the wealthy, not for single families;
- Purchased her home based on the characteristics of the neighbourhood;
- Not opposed to building a single row of townhomes;
- Evacuating in a boat is not realistic in an emergency situation;
- Concern with the change in zoning from W1 to W2 and to R3 zoning;
- There are massive infrastructure costs;
- Concern with rock fall and who will fix the roads;
- Concern with the sewer and sewer odor due to capacity;
- The Developer needs to pay for infrastructure upgrades;
- Concern with taxes; the Developer is not paying taxes because the property is in ALR;
- The agricultural land is not being farmed;
- Concern with fire risk;
- Concern with traffic;
- Concern with rodent infestation from the rotting fruit;
- Need covenants that will run with the land;
- Need concrete details on who and what will be farmed;
- The orchard is run down due to the Developer.

#### Chris Grant

- Lives directly south of the proposed development;
- Is a professional engineer;
- Has experience with large scale industrial development (not residential);
- Concern is emergency egress during a wildfire;
- Concern with Campbell Road and guidelines for emergency egress;
- Campbell Road is not usually a congested road;
- The population goes up dramatically in the summer and the bridge is full of traffic;
- Infrastructure can become completely overwhelmed in a major emergency;
- Roadways become a standstill;
- Guidelines and standards for emergency egress should not be taken lightly;
- Encourage development with sufficient infrastructure or add a further egress to Campbell Road;
- The Development has scaled down the proposal;
- Concern with cumulative impact and egress.

Norman Parent

- Supports the development;
- Lakefront property is desirable;
- These are high end value homes and may be in his future;
- The project has a few more hurdles to overcome;
- The proposal is for 'up to' 60 properties;
- Need to find the economic solution for West Kelowna and for the Developer;
- This is a good project;
- It is scaled to a size he is comfortable with;
- There are solutions to any outstanding issues.

Sheri Simson

- Likes how the development has been scaled back;
- There are so many issues still unresolved;
- The community is not totally anti-development;
- There are lots that have been approved yet not been developed at the end of Benedick Road;
- This project could be an asset;
- Egress is a concern;
- The quality of water is not being addressed;
- Concern with sewer issues;
- Concern with traffic;
- Concern with the road and the construction impacts;
- Concern with getting emergency vehicles in and out of the area.

Peter Kerr

- Operated the orchard on Campbell Road for Jim Blackmun;
- Last worked there in 2020;
- The agricultural portion of the property is prime farmland;
- During the last two years, the orchard has not been a priority;
- The irrigation was never adequate;
- This is prime land in the ALR;
- The ALR is there to protect this land;
- The agricultural land should be farmed responsibly.

Fredrick Smith

- Opposed to the application of up to 60 units;
- The OCP does not support this type of development;
- The portion of property in the ALR and should remain in the ALR;
- This development is unique;
- Concern with the 30 degree hillside slope;
- Concern that the City should ensure they are absolved from any liability with respect to the escarpment;
- Owners of Lakeview Heights properties should document the condition of their homes prior to construction due to any damage that may be caused from the construction;
- Concern with building on the escarpment;
- Concern with the orchard; disconcerted to see an 85 stall parking concrete bunker on the orchard;

- There doesn't need to be further development on the lake with the number of boat slips already there;
- Consider passing a Heritage Bylaw for the orchard or site to gain control of the agricultural land.

#### Karina Findler

- Lives directly above the proposed development;
- The proposal is not in keeping with the OCP;
- The proposal will impact hillside slopes;
- The project will destroy environmentally sensitive areas;
- The Developer is asking for a huge upzone from agricultural to multi-family and marina use and amendments to the A1 zoning to enable the marina use;
- Concern for a secondary egress;
- The property is within a sensitive ecosystem and hillside development permit area;
- The development is filled with safety hazards;
- The development is planned across a single access roadway cutting into the deep hillsides under a vertical rock bluff;
- The proposal poses risks to the residents of the rock bluff above;
- Concern with the wildlife corridor;
- Technical reports do not address protection or mitigation of the upper bluffs;
- There will be rock fracturing and falling;
- There are steep gullies and rock masses where large pieces of the cliff face could collapse;
- Concern with the requirement for large retaining walls;
- Some homes experienced shaking from the site preparation work being undertaken at the Shelter Bay Village WFN site;
- Concern with impacts to agricultural land and the aquatic ecosystems;
- Docks are not a permitted use for agricultural land;
- There is already a marina within 600 metres of the subject property;
- Concern with boats and the Casa Loma water intake;
- The property is agricultural with sensitive habitat areas, steep slopes and fractured rock cliffs with rock fall hazards;
- The property is an excellent orchard; they pay low farm taxes;
- Asking Council to deny the proposal;
- Would support a scaled down proposal to one row of townhomes fronting Campbell Road.

#### George Lake

- The proposal will affect his property situated above;
- Concern for fire egress with only one exit;
- Concern for the fruit trees in the orchard;
- Concern that the Strata will manage the marina and the orchard;
- It was noted that the fire hall is over 5 km from the proposed Sol Aqua development; The Casa Loma Resort is 8 km from the fire hall; residents in Casa Loma should be within the fire hall range.

The meeting recessed at 8:58 p.m.

The meeting reconvened at 9:09 p.m.

Heather Holmes

- The Developer has made the necessary changes to reduce density and scope;
- The proposed development is a beautiful project;
- The development will have a positive impact on a growing community;
- The proposal has been scaled down by 90%;
- The Developers have done due diligence in addressing community concerns;
- Growth is a positive thing and will bring housing and significant economic investment.

Mary Ann Murphy

- Lives next to the ALR portion of the development;
- Has lived there for past 5 years; her family has resided in Casa Loma since 1968;
- With Phase 4 of the OCP still being prepared, concern that it be completed before a decision is made on this proposal;
- An agrologist has advised the AAC that the agricultural land had deteriorated and the peach orchard was dying off;
- Land does not deteriorate, crops do;
- There is no adequate irrigation, no pruning and the fruit is rotting on the ground;
- Concern that the dry grass is not being cut;
- This Developer is incapable of farming the land or managing it;
- Opposed to the proposed R3 zone;
- Do not support the proposed W1 to W2 zoning due to W2 zoning having a retail component;
- A winery, agri-tourism and boat storage is not part of the proposal;
- Conditions should be imposed on the Developer for accountability and include:
  - No future subdivision of any portion of the ALR;
  - The Developer should provide the City with cash security (\$100,000 – \$250,000 to be held by the City until the agricultural operations have been completed);
  - Lease on the land must be medium to long term and registered on title;
  - The moorage licence should be suspended if the ALR operation or lease in any way fails;
- Concern about intentional neglect of the agricultural land and allowing it to deteriorate;
- The proposed development is of no real benefit to the community; there are no additional amenities;
- This proposal is a liability to the City;
- This proposal is not affordable housing; it is luxury housing;
- The residential development should not be tied to the ALR land that is trying to allow marina;
- The City should impose conditions on the Developer to ensure the land is properly cared for.

Bobby Gidda

- Supports the development;
- Questioned why R3 vs R2 is being proposed;

- From an agricultural standpoint, if townhomes go forward, the strata shouldn't be in charge of agricultural land as they don't have the expertise;
- The agricultural land should be separated from the residential side as its own property whereby the farmer can be in full control of it;
- Concern for parking at the resident's location as well as on Campbell Road;
- Concern with sewer, traffic, and egress.

#### Russell Ensign

- Supports the development;
- The Developer has listened to the community and downsized to a more reasonable application;
- The project is attractive in form and character and consistent with other developments;
- The development will expand the tax base, increase employment and tourism, and will keep the agricultural retention;
- Neighbourhood development contributes to the tax base and benefits the whole City;
- An expandable tax base benefits all residents of the municipality;
- This location is an efficient use of municipal services;
- Campbell Road is maintained to the city boundary by Ministry of Highways and/or WFN;
- There is a one road egress which is a deficiency and is exasperated by WFN townhouses currently being built;
- If development goes ahead, it will improve the current situation;
- The development should provide neighbourhood benefits.

#### Carly Newell

- Lives directly above the proposed development;
- Concern with townhomes being built on the wildlife corridor side;
- Concern with the destruction of forest land and the stability and integrity of homes above on Bridgeview Road;
- The homes will be severely compromised and unstable;
- Destroying escarpment may lead to future landslides and mudslides;
- Concern that the proposal may eliminate the wildlife habitat;
- If there must be development, it should be on the north side of Campbell Road;
- Concern with a retaining wall being an eyesore;
- Concern with liability issues and who will be accountable with unforeseen circumstances;
- Concern with the stormwater connection and where the pipe may be located.

#### Ron Pavlakovic

- Lives above the proposed development;
- Has read the technical reports and has a clear understanding of the rezoning request;
- Although the development can be accomplished as proposed, it doesn't mean it's economically viable or compatible with community character;
- A change in zoning of the western portion of the boundary to R3 to facilitate the 60 unit townhouses will have impacts on the terrain, through the deep cut into the hillside;

- Concern that significant rock removal will be required;
- Concern with the aesthetics and hillside scaring;
- Concern for environmentally sensitive areas (ESA1 and ESA2);
- Concern for the proposed 20' – 65' high rock retaining wall;
- The Province has stated in their letter from FLNRO that they do not support this level of development in the area proposed;
- This proposal is outside OCP growth area;
- Rock fall mitigation measures only benefit the proposed development and do not support the upper bluff area;
- Concern with the impact of rock fall, erosion, sink holes, and future breakage and rock fall;
- Concern with the borehole testing;
- The Bridgeview Bluff properties require protection and surety with covenants registered against the applicant's property;
- Need surety as a pre-condition of zoning;
- Does not support the application;
- Would support single row of townhomes on Campbell Road with the least number of units possible.

Jesper Kock

- Concern that environmental and fire guidelines to protect the public in the event of a disaster are not being considered;
- Concern with current sewer and odor issues;
- The current proposal is not the right fit for this area.

Nikko Shankman

- From a farmers perspective, agricultural lands are limited for development;
- Restrictions should be strict for farming;
- A marina does not support the agricultural economy;
- Could support the proposal if it was not on agricultural land;
- With ALR land, restrictions should be put in place;
- The farm is not the Developer's priority;
- The agricultural portion has not been maintained by the Developer;
- The housing portion is not part of the ALR;
- Concern with parking.

Gary Young

- Strongly object to the proposal;
- His property is directly above and adjacent to the project;
- May compromise the stability of the bank, the cliff, and his property;
- His house has been there since 1969;
- There has been no movement of the earth or the bank;
- This proposal is an improvement from the previous presentation;
- Concern with damage to the natural escarpment;
- The amount of earth to be moved may undermine his property;
- A 20 metre retaining wall requires serious engineering;
- Concern that the above properties above may be compromised with blasting;
- The revised proposal is still too large for the impact on the ridge;
- Concern with the 30 – 70 degree sloped land;

- With the WFN land development underway, approval of this development should wait until the impacts of the WFN development is realized;
- If only 1 row of housing is approved, the cliff face would remain stabilized;
- Not opposed to a residential development below if it is safe;
- Concern with fire and emergency equipment;
- The City needs to look at the risk assessment;
- Concern with potential loss of wildlife.

Mike Shaw

- Opposed to the proposal;
- Concern that there is only one way in and one way out;
- Concern with potential fires;
- Operates a care home; concern with getting clients out of the home in the case of a disaster.

Yvette Rasmussen

- Concern with additional homes, particularly at the entrance to Campbell Road, is creating additional risk for the residents;
- Concern with an evacuation plan;
- Concern for potential losses in the case of an evacuation;
- Concern for getting emergency vehicles into the community;
- Concern with traffic;
- Concern with the road and traffic volumes and access for emergency vehicles;
- There are no infrastructure changes, no improvements, no preservation of wildlife corridors, no consideration for sewage, water maintenance, etc.;
- There are no proposed improvements for the community;
- Concern with a proposed winery on agricultural land and associated traffic;
- Concern for wildlife corridors;
- There is no less risk now than there was a few years ago;
- This is not responsible development or responsible tourism.

Dwayne Tannant

- Is one of the Engineer's that did a study of the site for rock fall and stability of the cliff;
- This cliff is a source of rock fall whether the development goes ahead or not;
- Rock fall hazard mitigation had to be addressed;
- There are strategies for mitigating rock fall risks;
- Some conceptual plans have been prepared;
- The design of rock fall mitigation at the current proposal is conceptual as they are not at the Development Permit stage;
- High cuts will be mostly in soil or a combination of soil and rock;
- Rock will not be removed from the base of the escarpment;
- Excavation work that may or may not occur should have little impact on the homes above the escarpment;
- There will be some noise from blasting and hydraulic hammering, but no damage to homes caused by blasting.

Tyler Snitynsky

- Lives 80 metres from the property;

- Opposed to the proposed development;
- Concern with sewer odors;
- Supportive of a development but one that doesn't cut into the landscape, one that doesn't support a marina and one that doesn't take away from agricultural land;
- Reconsideration of the application needs to take place;
- Sustainable growth is possible;
- Concern with water turbidity;
- Concern with fire safety and egress;
- Concern with the speed of vehicles on Campbell Road;
- These are likely to be \$2 million properties; this is not affordable housing;
- Concern with safety and liability issues;
- Do not support a marina or a change to the ALR lands;
- Not supportive of the application being considered today.

The Mayor was advised that there are no further 'first time' speakers.

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

David Cullen, CTQ Consultants Ltd.

- The subject property is within the steep slope area and a Development Permit will be required;
- Dr. Tannant explained that significant geotechnical investigation has been brought onto the site and more will follow;
- The development will follow the guidelines for Hillside and steep slope development.

Ed Grifone, CTQ Consultants Ltd.

- Has experience dealing with ALR files since 1976;
- All proposals submitted are subject to ALC approval;
- No intent to challenge or remove land from the ALR or to subdivide it;
- Looking at the possibility of using the farm lane as access to possibly the winery and access down to the marina;
- The Developer will protect the agricultural land and make it totally productive;
- The agricultural land is Class 1 grape growing land and will be protected;
- Management of farm will be with a long-term lease to a farm operator/manager;
- Farm access lane will be used as a turn-around area and short term parking toward the marina; this can be achieved with covenants;
- One of the AAC members rebutted the AAC recommendation, which supported the application.

John Martin

- Has worked with the City's Fire Chief and other stakeholders to develop an Emergency Evacuation Plan for Casa Loma;
- The community has vested in the BC Fire Smart program to help the community become more fire resilient;
- Casa Loma has started a community association notification network to provide information transfer to residents in an emergency situation;

- These ventures do not substitute the need for two more egress routes;
- Need to protect ALR land and protect public safety measures;
- Concern for evacuation route availability and capacity and the elements that affect that route;
- Concern with the time it takes to evacuate;
- Deny further development on Campbell Road.

Ron Pavlakovic

- The access to the marina is to be used by the townhome owners;
- A turn-around area is required to access the dock equaling a loss of farm use and ALR land;
- Concern with conflicts between marina access and agricultural activities at their peak;
- If a vineyard is not viable on its own, it should be maintained as an orchard as it has in the past;
- An increase in traffic on the access road may lead to conflicts with active farming operations and those accessing their docks;
- Concern with road design consideration and parking along Campbell Road;
- Without moorage and dock facilities, there would be no impacts to existing farm use or the need for parking on Campbell or the turn-around area;
- Concern with negative impacts to aquatic ecosystems;
- Concern with having a potential storage area for boating paraphernalia, washrooms, picnic area, etc.;
- Council should not approve the A1 or W2 rezoning applications.

Taylor McFadyen

- Looking to live in the neighbourhood;
- With reference to egress, fire management plans need to be in place;
- The lake can be utilized for emergencies;
- There is a moorage system with each unit having a boat slip;
- There are technical reports on building on slopes showing it can be done in a safe manner;
- The economic viability of the area will continue to grow;
- Supports the development.

Norm LeCalvier, Landstar Development Corp.

- Professionals were hired to clean up the derelict orchard;
- The fruit that survived was given to charity.

The Mayor was advised that there are no further callers.

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.

Mary Ann Olson-Russello, Eco-Scape Environmental Consultants

- Has been working on this file since 2016;
- Is a Registered Professional Biologist;

- A rock fall barrier fencing option has been proposed by the Geotechnical Engineer to protect the greatest area of slope above the townhouses, which is closest to townhomes;
- It has a smaller footprint within the high environmentally sensitive area;
- The location of the barrier fencing will allow for a great width of the natural ecosystem to remain upslope and will allow wildlife to move in the north/south direction through the property.

John Martin

- Have been involved in some evacuations with distraught individuals;
- People in the community are the most valuable commodity.

Terese Cairns

- The ALR is not going to be disregarded in this development;
- The Developer's plan is to create a vineyard to grow grapes which is within the parameters of the ALR and will contribute to agri-tourism in the area;
- The Developer wants to build 60 turn-key townhouse units;
- Some units will be secondary homes or homes for seniors who travel;
- If there is a wildfire, there likely won't be a full 60 units to be evacuated;
- The marina will give boat egress and will help people evacuate;
- This is a positive option for the evacuation process;
- Supports this development.

Sheri Simson

- Lives in Casa Loma full time;
- A marina does not help residents in the event of an evacuation.

Karina Fidler

- Lives just above the proposed development;
- Not enough assurance from the geotech to ensure there are no impacts to the properties above;
- Concern with the proposed rock catch fences and the need to catch rock before it gains momentum and hits the development below.

Daisy Delossantos

- Concern for fire evacuation;
- A marina and boat evacuation is not an option for residents to leave;
- Opposed to the current proposal.

Shirley Paholok

- An adequate wildlife corridor for all types of animals should be 500 – 1000 metres from the bottom of the rock bluff to the first wildlife trail;
- A rock catchment fence doesn't help with a wildlife corridor;
- The whole west side of Campbell Road should be the wildlife corridor.

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.

- Additional information was requested on the impacts of the marina, the new water intake, management of the agricultural land, and on issues around the slope stability.

The Mayor declared the public hearing closed at 10:47 p.m. and Council cannot accept any further information regarding this application.

6. Termination of Public Hearing

The Public Hearing terminated at 10:47 p.m.

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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. 100.62 and Zoning Amendment Bylaw No. 154.96 and No. 154.97, 2211 Campbell Road held on February 9, 2022.

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Legislative Services Manager/Corporate Officer