REGIONAL DISTRICT OF NORTH OKANAGAN

MINUTES of a REGULAR meeting of the ADVISORY PLANNING COMMISSION ELECTORAL AREA ‘F’ of the REGIONAL DISTRICT OF NORTH OKANAGAN held at the Enderby Fire Hall on March 18, 2013.

Members: C. Dale Fennell
Keith Gray
Bob Honeyman
Dick McKinney
Tilman Ernest Nahm
Robert Whitley

Other: Jackie Pearase, Electoral Area “F” Director
Monica Nahm, Recording Secretary

Guests: Peter Vander Sar

CALL MEETING TO ORDER
Keith Gray, Chairperson, called the meeting to order at 7:05 pm.

Introduced Peter Vander Sar – just visiting.

ELECTIONS OF CHAIR AND VICE CHAIR:
Keith Gray handed the Chair over to Jackie Pearase, Director and nominations were held:

Moved by Dale Fennell
That Keith Gray be nominated for Chairperson.

No further nominations were received from the floor, Keith Gray is Chairperson.

CARRIED

Moved by Keith Gray
That Dale Fennell be nominated for Vice Chair. No further nominations were received from the floor, Dale Fennel is Vice Chair.

CARRIED

ADOPTION OF MINUTES
Advisory Planning Commission Electoral Area “F” – Regular Meeting of November 19, 2012

RECOMMENDATION
Moved by Dale Fennell Seconded by Tilman Nahm
That the minutes of November 19, 2012 regular meeting of the Advisory Planning Commission Electoral Area “F” be adopted as circulated

CARRIED
OLD BUSINESS

Keith Gray received a letter from the Agricultural Land Reserve stating they had turned down the boundary adjustment of 484 Riverside Road for the Dangel’s.

NEW BUSINESS

Rezoning Application
0708002BC Ltd c/o Fritz Jagert
{File No. 12-0514-F-RZ}

Moved by Dale Fennell  Seconded by Tilman Nahm
Move that this application not proceed to 1st reading to rezone the subject property to allow 29 residential building lots plus 1 commercial lot.

Discussion:

Dale Fennell:
- First of this application was “recommended” by the Planning Department. Subject property to be changed from Non-Urban zone to the Neighbourhood Commercial (C.3) zone and a proposed new Residential Large Lot Housing with Suite or Two family Dwelling (R.7) zone be given First Reading.

- Currently it is zoned Non-Urban and they propose to change it to accommodate 29 residential lots and one commercial lot with a trail and public park corridor. This area is 3.3 hectares in size. And they are proposing that they will hook in with the Mabel Lake community water and sewer systems. Under the current zoning – one single family dwelling or one -two family dwelling would be allowed. The Electoral Area F OCP supports rezoning and Kingfisher Local Area Plan contains policies that are in support of the proposed application. They have proposed a trail and it is intended to correspond with any future trails and walk ways to hook up with the existing trails that go around the Mabel Lake Golf Course. Basically if you look on the map that has the contours marked, on that west side it drops off at a steep angle down to the Rivemouth Road to the boat launch area. As you go further north along the proposed lots towards lot #15 at one time you can see there had been quite a major slough along that lot and hillside. It is all gravel and sand with some rocks and nothing on this slope would be stable. They are proposing that lots 15, 16, 17 & 18 extend out over the edge and down that steep hillside. Their proposed trail is also over the edge. So they only way you can make a trail there is to excavate more land to stop the sloughing and you are going to be backing up on to the east side on the flat part of those lots. At the north end the trail swings down into a gully where it meets the junction of Rivemouth Road and the road which leads to the golf course, going nowhere, this makes no sense to me either.

- These 29 residential lots will either be a duplex lot or single family with a suite lot. Every purchaser will have a cars or cars; and will probably want to have an RV and a boat on a trailer if they don’t already own them; the issue will be where will they all park all of these units? Even if they could park on site the launching of boats at the Rivemouth marina is already a huge issue without this added pressure.

- The engineering department has stated that without the upgrades to the sewage and water for that community in that location it would currently be inadequate.
- Lots 19, 20, 21 & 22 do not have a dedicated roadway; the map shows a shared interest lot. It is 6m wide. They have two shared interest lots showing – they are legally not wide enough to be called a road.

- It makes no sense to proceed to First Reading even though they are asking for some amendments to the proposed park and trail situation.

- If approval should be granted and houses are allowed to start developing along the top of that drop off and something happens with sloughing, where does that leave the land owner, the house builder of that home plus the Regional District who approved it? I think we need to look at this proposal in its entirety. Does it make sense to proceed and I am saying it does not.

**Tilman Nahm:**

- To ask for First Reading on this proposal and this plan is premature and I am surprised that Planning would go along with this. Especially when you are going to have a Kingfisher water and liquid waste review coming up. Who knows what that review will come up with? There will have to be a costing on all of this with modifications. I think we should put everything in order and they should wait until the liquid waste and water plans have been revised and up dated.

- There is going to be a real parking problem. There has been no land set aside on the map to allow for parking of RV’s and boats with trailers. I think the proponent should be required to have parking for these people who build homes in this area.

- Lots 11 – 13 and 19 – 22 do not have proper access. They have access by those two shared interest lots. One is only 6m wide and one is 9 m wide, which are not legal road width. There is limited parking and they are all either duplex lots or single family with a suite lots that face the shared interest lots. Jackie interjected stating these lots would have to have two parking spots (two cars for every parking spot) for each household. Keith corrected this fact and said only for the duplex lots, the single family home with a suite only has to have one parking spot (two cars) Jackie said she was told that there would be a total of 116 parking spots. Tilman still feels lots 11 – 13 and 19 – 22 do not have proper access and where will they all park? You will then have a real emergency vehicle problem, those accesses are not wide enough to park and provide access to emergency vehicles.

- There is only one outlet in case there is a fire.

- Robert noted that in the plan there is no limit on the size of a RV that can be parked on those lots. Jackie noted the idea is to create the same type of look as in Sicamous. The homes will be tall, thin and high with parking underneath. You can still park your unit outside but it must be covered.

- The park is a hazard the evidence is already there from the slough that took place some years ago. From my point of view it is a geologically unstable slope. That instability will have an effect on lots 13 – 18. This would create a tremendous liability, it is a park and it will be turned over to NORD especially when another slide takes place; there is no question about it. That soil when you look at it appears to be unstable. Also due to the properties being unstable homes that will be on lots 13 – 18 could also be in jeopardy if parts of that slope started to slip. That would also create another huge liability to NORD as well as the developers. You would have the same situation as homes in Kelowna and the North Shore that were built too close to steep slopes. They have had all sorts of law suits.
- I cannot support this proposal and I would vote in favour of the resolution as Dale has put forth.

Jackie Pearase:

- Jackie had a meeting with Mr. Jagert, basically he is saying this application is to pursue the need for affordable housing and infrastructure, balance for the community, an investment opportunity to provide rental accommodation for seasonal use, to be able to build a duplex to reduce the overall cost compared to a full size home. These would be mid-range homes for investors while filling the need for housing for employees in the area. Talked about having RV storage within the buildings similar to what is available in Sicamous. Take some pressure off of the community while allowing them to park their boats and trailers on their property. Talked about the park, Mr. Jagert said there are some different options. Maybe put it down the middle of the development or push it on the top edge of the hill. Talked about capacity for water and sewer, he seemed to think there is capacity. Jackie asked if there would be capacity within the community should the homes along Mabel Lake and Mabel Lake estate go ahead with the plan to be given water and sewer and he said yes although her discussion with Engineering they thought probably not. Which one of the reasons why they want to go ahead with a liquid waste management plan – the system is 13 years old. The plan was based on the properties at the time and it was always the idea that it would be a phased in approach, so as it grew you would need to determine what kind of treatment plant you would need. They are already looking at a secondary treatment plant to provide water and sewer for the lakeside properties. The commercial lot was discussed. They said short term perhaps a rest stop with information and washrooms, long term ideas including fire hall or other community service. She asked about the store and it is a big investment when it would not be used year round. Keith wanted to know if there was a mention of who was going to pay for the upgrades mainly the sewer. Jackie said whoever would be using the upgrades would pay. For example if they joined in down the lake they would have to pay she believed $1000.00 to the developer to sign on. The cost was borne by the developer. So right now the upgrades they are planning, the people within that service area will pay for them. So not just this development will pay for it, whoever is using it will pay for it.

Robert Whitley:

- Does not understand the allotment of an accessory building of 129 square feet, could anybody live in there? Jackie said no it is just a shed. The intent of the Planning Department was for this not to be a glorified camp ground. Also it states you can only stay one month in an RV on your lot. Potentially there could be 87 people living there in their RV's hooked into the water and sewer system.

- The height increase of 7 feet – this is to accommodate the skinny, 3 storey homes with their parking underneath. He does not support this proposal.

Dick McKinney:

- Feels there is too much involved with this proposal and not enough answers. It appears they are trying to get as much money out of this proposal as possible. Never mind the park or safety. Where you see where they have placed the park it is just greed, not responsible planning. Putting this amount of housing on 3.3 ha, with the parking, RV's and the water and sewer system maybe at a capacity, all the already existing personal conflict getting boats in and out of the water it appears to me they are putting too much into a small area. There has to be some answers – the water issue alone. Just consider what an average household uses alone – 500 gallons. A duplex or single family home with a suite would demand more plus the sewage.
There is a lot of cost that could be borne by the rest of us here. There is a lot of liability here. What is it doing to environment out there — it is going to look bloody awful. A Coney Island — do you want that out there on that beautiful spot? It is so negative I don’t think this area needs this sort of planning.

Bob Honeyman:

• Our main problems are the water, sewage and a proposed trail going through private property. Two shared lots that cannot be explains and 16, 17 & 18 are they even legally big enough to build on? When you are building you would have to build so many feet back from the bank. I agree with Dale.

Robert Whitley:

• I have another comment on the storm water management and I see that as being another potentially big problem with water coming off of all those roofs and asphalt plus the runoff heading towards lot #13. This could further destabilize the slope — it is so steep. 83% combined with the type of material on the slope.

Keith Gray:

• At 700 m² the proposed R7 zoning cannot fit 30 lots on this property.

• The proposed 2012 m² of park land is not suitable for park space at a slope of 83% gradient or trail as proposed. Trail is basically hanging over the edge.

• The Official Community Plan states there should be measures to maintain the integrity of the land such as buffering or separation. As this application has a commercial designation it brings with it a requirement for a development permit area, which in my opinion applies to the steep bank of the west side of the property above Rivermouth Road.

• There should be a set back from this 83% slope at least similar to lakefront or riverfront properties of at least 15m or more away from the bank.

• The liability to RDNO should a house be built over the slope disturbing the (in my opinion) delicate integrity of the bank, could be huge.

• It is also a consideration for highways with Rivermouth Road directly below. Actually last year the road sunk in two places and they had to build it back up. That whole bank is moving.

• Collection of treatment and disposal of storm water is also a concern with roof, patios, paving of street and driveways and parking space.

• With congestion and shortage of parking in this area in the summer month’s two parking spaces per unit is not enough when you consider most vehicles are pulling trailers with boats or quads etc. These are going to be, in their words rental properties. These will be rented in the summer time and these people will be using a lot more than their one parking spot. Across the street at the condos where they each have two parking spots, they complain already it is not enough.
Dale Fennell:

- Point out again there is only one entrance/exit and it becomes a problem for emergency forest fighting, especially with no fire hall out there.

Tilman Nahm:

- I agree with the resolution and this should not be put to first reading until the problems that were brought up have been outlined to the Planning Department and the Board and the studies in regards to water and sewer are done.

Dick McKinney:

- They are going to have to put in another boat launching facility. They already have huge problems now, can you imagine what is going to happen if they go ahead with this proposal.

Bob Honeyman:

- I agree with the 15m set back at the top of the bank. Definitely is a recommendation.

Tilman Nahm:

- A geotech study from soil experts. This is something that should have done before this proposal was presented. Maybe the set back should be further.

Keith Gray:

- I question the zoning. Down the road is residential and single family R-1, maybe this would be a more appropriate zoning. I really question the demand for the need of this proposal. This is a summer community.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:00 p.m.

Certified Correct:

[Signatures]

Chair

Recording Secretary