

Public HearingSeptember 21, 1999

A Public Hearing of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, September 21, 1999.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, M.I. Bremner, R.D. Cannan, C.B. Day*, R.D. Hobson, J.D. Leask, J.D. Nelson and S.A. Shepherd.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi; Current Planning Manager, A.V. Bruce; Subdivision Approving Officer, R.G. Shaughnessy*; Development Engineering Manager, S. Muenz*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. Mayor Gray called the Hearing to order at 7:00 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna Official Community Plan (1994-2013) Bylaw No. 7600" and "Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

The City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on September 2, 1999, and by being placed in the Kelowna Daily Courier issues of September 13 & 14, 1999, and in the Kelowna Capital News issue of September 12, 1999, and by sending out or otherwise delivering 459 letters to the owners and occupiers of surrounding properties between September 1 & 3, 1999.

Mayor Gray advised that following conclusion of the first 2 items on this agenda, the Public Hearing will be adjourned to deal with the readings for the two bylaws and a Development Variance Permit application on the Regular Meeting agenda. The Public Hearing will then be reconvened to deal with the last 3 bylaws on tonight's agenda.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8464 (Z99-1040) – Austin Beese (Emil Anderson Construction Ltd. Mike Jacobs) – 3579 Water Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot B, Sec. 3, Twp. 26, O.D.Y.D., Plan 31531, as shown on Map "A" attached to the report of the Planning & Development Services Department dated July 30th, 1999, located on 3579 Water Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RR3 – Rural Residential 1 zone to rezone a portion of the subject property to create a residential subdivision containing approximately 19 rural residential lots.

The Subdivision Approving Officer indicated the property on maps displayed on the overhead projector and advised that the applicant is proposing to rezone a portion of the property to create a 20 lot rural-residential subdivision. Proposed Lot A would be accessed from Water Road; the other 19 lots would be accessed from a westerly extension of Kimatouche Road. The subdivision is in an area of the city that will always be serviced by septic disposal systems. The Advisory Planning Commission

reviewed the application and passed a recommendation of support with a suggestion that there is a need for park to service the local neighbourhood. However, the City's Parks Manager has reviewed the need for neighbourhood park and has determined that the existing Summerside Park which comprises 3.8 ha is of sufficient size to serve the area north of McCulloch Road. The application meets with the City's planning policies and staff recommend approval.

Councillor Bremner entered the Council Chamber at 7:08 p.m. and took her place at the Council Table.

The City Clerk advised that the following correspondence had been received:

- letter from Larry Cochrane, Ansep Holdings Ltd., 1075 Allison Place, advising he is prepared to support the application provided he has assurance that the development will enhance the neighbourhood and that the boulevards outside the development will be maintained.
- letter from Donald Goodridge, chairperson of Lakecity Estates Park Committee, asking that the proposed development be adequately fenced and landscaped along the perimeter of McCulloch Road and on the south side of the fence facing McCulloch Road.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

Mike Jacobs, applicant, advised that a requirement of the development is for two septic fields to be set aside with a covenant on the second; however, geotechnical investigations indicate excellent percolation and so the second field is not likely to ever be needed. A fence, probably cedar or chainlink, would be constructed along McCulloch Road along with cedars in order to screen traffic noise. Bonding is also required for the landscaping along McCulloch Road.

There were no further comments.

- (b) Bylaw No. 8465 (Z99-1044) – John (Ian) & Margaret Donn – 595 White Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Sec. 23, Twp. 26, O.D.Y.D., Plan 16489, located on White Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone to rezone the subject property to allow the development of a secondary suite within the lower floor of the existing single family dwelling.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and advised that the applicant is proposing to construct a secondary suite within the southwest corner of the basement of the existing residence. A new walkway and entrance would also be constructed at the rear of the house. One letter of opposition has been received to date. There are 9 licensed suites and two potential illegal suites in the area. There have been no complaints regarding illegal suites on the subject property.

The City Clerk confirmed that the following correspondence had been received:

- letter of opposition from Darko & Vlatka Vucinovic, 841 Hollywood Road, expressing concern that the application would negatively impact the value of their property.

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Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

Ian Donn, applicant, advised that according to his appraiser the proposed secondary suite would have no impact on property values because a precedent has already been set by the introduction of duplex lots in the neighbourhood. Mr. Donn also advised that the Planner was in error about the changes at the rear of the site; the stairway and the door are already existing at the rear of the building and they will not be altered at all.

A member of Council advised that the neighbour who wrote the letter is out of town but he is also concerned that the home on the subject property is being used as a group home.

Mr. Donn explained that they have been housing foster children on the property but the children have been gone since March 5th. He also advised that the area around the house is all concrete and so it is possible to access the site from White Road and drive around the house to access the suite.

There were no further comments.

ADJOURNMENT

Moved by Councillor Blanleil/Seconded by Councillor Shepherd

P798/99/09/21 THAT the Public Hearing be adjourned to allow Council to deal with items No. 4.1, 4.5 and 5.1 on the Regular Meeting agenda. (7:22 p.m.)

Carried

RECONVENING OF MEETING

Mayor Gray reconvened the meeting at 7:50 p.m. and advised the next three bylaws would be presented concurrently.

(c) Bylaw No. 8448 (OCP97-024) – Marona Estates Ltd. (Warren Neufeld) – 720 Valley Road and 780 Glenmore Road - THAT City of Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 be amended (in general terms) by:

1. Chapter 3 - Adding general planning principles and policies in relation to the Conservatory development as described in Appendix 1 attached to the report of the Planning & Development Services Department dated June 22, 1999;
2. Chapter 13 – Creating a new Development Permit Area designation called the Conservatory Development Permit Area as outlined in Appendix 1 attached to the report of the Planning & Development Services Department dated June 22, 1999;
3. Amend Map 13.2 Areas Subject to Development Permit Designation of Chapter 13 by adding the “Conservatory Development Permit Area” designation to Lot 4, Blk. 7, Secs. 29 & 32, Twp. 26, O.D.Y.D. Plan 896 and Lot C, Sec. 29, Twp. 26, O.D.Y.D. Plan KAP55671.

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- (d) Bylaw No. 8449 (TA99-009) – Marona Estates Ltd.(Warren Neufeld) – Valley/Glenmore Roads – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by adding the CD3 – Comprehensive Development Three zone as described in Appendix 2 attached to the report of the Planning & Development Services Department dated June 22, 1999 to provide for the development of a comprehensively planned, integrated community consisting of multi-family residential uses, institutional uses, open space and local commercial uses.
- (e) Bylaw No. 8450 (Z97-1021) – Marona Estates Ltd. (Warren Neufeld) – 780 Glenmore Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot C, Sec. 29, Twp. 26, O.D.Y.D., Plan KAP55671, located on Glenmore Road, Kelowna, B.C., from the A1 – Agriculture 1 and RU1 – Large Lot Housing zones to the CD3 – Comprehensive Development Three zone.

Councillor Day declared a conflict of interest because the subject property is owned by family members and left the Council Chamber at 7:51 p.m.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and advised that the project is made up of 5 components and each would be developed through a separate phase. A main common facility in the middle would be the Conservatory which is the namesake of the overall project that encompasses approximately 1 million sq. ft. of facilities. The Current Planning Manager showed the building character images proposed in each phase and advised that each phase of the application would require a rezoning application and at each phase additional traffic impact studies would be required. The housing agreement must also be expanded to cover additional phases and the underground parking and landscaping associated with each phase must be completed before the next phase proceeds. The overall project, once it is completed, contemplates 1,282 residential units, a 150-bed care facility, commercial space, two major private amenity spaces (winter garden and conservatory), significant public plazas and landscaping, and approximately 1,800 parking stalls the majority of which would be underground.

The Current Planning Manager advised that the phase 1 development would be limited to approximately 400,000 sq. ft. of facilities including 240 residential units with 929 sq. m of commercial space, the winter garden and ±360 underground and at-grade parking stalls. The at-grade parking would be temporary as it would be built on as part of phase 4. Road frontages would have to be upgraded around the phase 1 lands and the off-site requirements would include completing the intersection at Glenmore Road/Summit Drive. The current OCP contemplates 240 units for the entire property therefore dealing with phase 1 is consistent with the OCP calculations for services. With underground parking and the housing agreement, the floor area ratio (FAR) for the proposed development can be increased from 1.0 to 1.5. Without the housing agreement the project would not likely be feasible in the form and character presented. The housing agreement deals with 4 categories of housing: affordable units, rental units, seniors units and special needs units. The agreement gives flexibility where the units would be and is intended to facilitate aging in place so that as the need for care changes the care can be received without having to relocate. The affordable housing component of the project would be provided through 2 segments of the housing agreement; affordable housing intended for sale (3½%) and affordable housing units for rent (3½%). The rent payable would be 10% below market rental rates as determined by a professional appraiser. The housing agreement is not intended as a model for the Housing Study that is currently underway or as a role model for future housing agreements for public housing – it is for private sector development. The housing agreement has been executed by the applicant and has been presented to the City in registrable form.

The Current Planning Manager advised that a detailed traffic analysis has been conducted for phase 1. He showed the proposed building heights for the entire project and advised the maximum building height for phase 1 would be 6 storeys. In later phases of the development the applicant is considering maximum 8 storeys. Building heights would step down toward the property lines. Development at the extremities of the property would be limited to 4 storeys or less. The building height plan is part of the OCP amendment. The Current Planning Manager summarized the concerns that have been expressed by the public to Planning Department staff since 1997 when this project started noting the most negative comment has been that the proposal is inconsistent with the area sector plan with regard to height and density. The sector plan did not contemplate a development of this magnitude.

The City Clerk advised that the following correspondence and petitions were received from the time of the Advisory Planning Commission meeting in September 1997 up to and including August 31, 1999:

- 285 letters and 170 signatures on petitions opposing the application for the following reasons:
 - departure from the OCP
 - out of character with the surrounding area
 - increased traffic congestion
 - density & building heights exceed what is envisaged in the area sector plan
 - noise/dust pollution throughout the extended construction period
 - safety concerns for pedestrians
- 157 letters and 104 signatures on petitions supporting the application

The City Clerk advised that the following correspondence and petitions were received as a result of advertising for this public hearing:

- 69 letters of opposition
- 5 letters of concern
- 197 letters and 5 signatures on a petition supporting the application

The City Clerk advised that all correspondence and petitions have been available for viewing in the Clerk's Department and are available for viewing tonight in the foyer of the Council Chamber. He also clarified that people signing petitions or writing letters do not have to reside in the city or own property in the city.

Mayor Gray invited the applicant to come forward or any comments from Council.

Rick Hulbert, architect and planner for the Conservatory project, outlined the vision of the project and advised that the OCP amendment acknowledges the master plan for the entire 17 acre property. The housing forms would range from studio units to luxury penthouse units. The promenade would surround the site and allow the public access to the site. The site is sloping and the intent is to create 4 terraces; each terrace would be about 1 storey high. The proposed tree buffer would effectively screen all phases of the development. Mr. Hulbert compared what is proposed to what could be developed under other zones, he showed the effect of sun shadows from the taller buildings at various times of the year, and submitted that at full build-out the character of the area would be maintained. He advised that there has been extensive public input into the proposal through over 150 separate public meetings and workshops, site tours and other events. Neighbourhood benefits would include a neighbourhood police station, the promenade, a community hall, the winter garden and market plaza. The linear park promenade would be provided as each phase develops. Mr. Hulbert indicated on a map the location of those property owners that submitted letters of support and opposition and advised that there is significant community support for the project.

Responding to questioning by Council, the Current Planning Manager advised that the housing agreement would take the form of a covenant in favour of the City. The developer would ensure the terms of the covenant were met and the City would be the ultimate enforcer, through the developer of the day.

Mr. Hulbert responded to questions of Council advising that the underground parking would be totally underground and full build-out could be as early as 10 years and as long as 20 years, depending on the market.

Don Wory, landscape architect, highlighted some of the components that make up the open space system which he advised comprises 70% of the land area of the site. There would be 7 distinct character areas of landscape that would include landscaping that is indigenous to the Okanagan such as hedgerows, orchard grids, etc., as well as zeroscape type plantings.

Mayor Gray invited anyone in the public gallery who deemed themselves affected by the proposed development to come forward.

SUPPORT - The following individuals expressed support for the application:

Michele Rule, #7 – 1853 Edgehill Avenue

Brian Fazan, 1180 Kelview Street

Christine Clarke, 1412 Lawrence Avenue

Lorraine Blatavich, former resident of Nassau Crescent

Catherine Newell, Lindsay Drive

Leigh Bjornson, 1667 Blondeaux Crescent

Rudy Loeser, resident of the downtown area

Sean Harrison, resident of the downtown area

Michael G. Bafia, 855 Toovey Road

Stan Bjornson, 1667 Blondeaux Crescent

Kelly Fix, 1631 Lindsay Drive

Eugene Delaurier, 1808 Lipsett Court

Laurie Barton, 1471 Inkar Road

Bob Gracey, 1619 Sonora Drive

Stan Rule, #7-1853 Edgehill Avenue

Rev. Kenneth Ince, 3115 DeMontreuil Court, who also read letters of support from Dr. John Weisbeck and some other resident of Glenmore.

CONCERN

Garth Homer, 1590 Richard Place, advised he was part of the advisory group that created the area sector plan. He was concerned about changing the intent of the sector plan given the significant amount of public input into the process which took over the 18 months to complete. He was also concerned that although the owners of the six areas of developable land in the area were all contacted, none made representations to the advisory group even though the conservatory project would create 1,282 of the potential 1,457 units projected in the sector plan, leaving very little development potential for the other five sites. Mr. Homer acknowledged that the sector plan is intended as a guideline but submitted that the sector plan process creates an expectation in the minds of the residents who build their lives and futures around the sector plan. Introducing developments that change the intent of the sector plan could result in the residents losing faith in the process.

Dr. Gordon Senoff, 550 Yates Road, commented that the proposed development has many good concepts but expressed concern that 8 storey buildings would block mountain views. He suggested that the developer consider reducing building heights

from 8 storeys to 4 storeys as a compromise. He also noted that his wife is asmatic and that she is concerned about the traffic.

Luke Stack, 727 Glenburn Street, advised his interest is in affordable housing and that his concern was with the housing agreement. He reviewed his calculations for the density bonus being considered and the potential rent for a one-bedroom unit and submitted that unless the housing agreement is properly addressed, there would be no affordable housing in the proposed development. He submitted that seniors and special needs housing would be incorporated into the project without the housing agreement and that the requirement for affordable housing was very modest given the generous density bonus being considered. Mr. Stack suggested that the rental rate for the affordable housing units should be based on CMHC standards and expressed further concern that the housing agreement would be difficult to enforce.

Jay Walker, 116 Verna Court, advised he is a real estate appraiser by profession and that his concern was with the density of the project and the move away from the village centre concept. He suggested that the proposal was a major change from single family development and would be putting people back into their cars. The inherent traffic impact when 1,800 parking stalls are being provided for the development was also of concern and he wondered what the view of the proposed project would look like from the south side of Glenmore.

Vera Nagy, 806 Tronson Court, commented that the proposed project is beautifully designed architecturally and that she supports the project, but is concerned about the 8 storey building height. She commented that if the 6 storey building height is needed to make phase 1 economically viable, what is to stop the developer from deciding he needs 16 storeys to make subsequent phases viable. She enquired whether the project would also provide affordable housing for families, noting the plans do not include any areas for children to play other than on the roads. Ms. Nagy suggested that the building heights should be only be low rise if the development is intended for seniors only.

Heather Chesworth, 1860 High Road, commented that the project looks lovely but that she has difficulty getting into her driveway now and with all the additional traffic, it will get worse. She was also concerned about children's safety crossing High Road to get to the school with the additional traffic that would be generated.

Al Stonehouse, 2031 St. Andrews Drive, expressed support for the project concept but advised he was concerned about introducing a proposal of this magnitude in a single family, low rise residential area as the project would change the character of the neighbourhood. He questioned whether it is possible to screen 8-storey buildings and suggested that the same needs of the community could be met within the expectations of the OCP. The increase in traffic would cause problems and the neighbourhood would potentially be subject to two decades of noise and construction zone confusion. Mr. Stonehouse pointed out that there are other vacant lands nearby that also offer opportunities for high density and expressed concern that approval of this proposal could start a snowball effect.

Patrick Langmaid, 1064 Glenmore Drive, submitted a letter and advised that he was not totally against the proposal but suggested that it should be scaled down so it is not at the price of the health of the the residents living along Glenmore Drive who would have to breathe in the fumes of the 1,800 vehicles driving to and from the subject property.

OPPOSITION

Frederick Mark, 879 Mount Royal Drive, commented that there is no 8 storey building that does not cast a shadow, there is already smoke and air pollution in the city and growth is already creating a traffic nightmare. The proposed project would promote more noise and automobile pollution and add to the traffic nightmare. The proposed growth is a direct insult to the residents of the area and the land in question should be developed as single family residential.

Hamilton Sparling, 615 Glenmeadows Road, advised he is Chairperson of the strata council for the Glenmeadows development across Glenmore Road from the subject property and that he was speaking on behalf of a significant number of the residents of that development. He noted the Glenmeadows development is 80% seniors and their concerns are around security, safety and traffic. In their view, the proposed development would have an adverse impact on their quality of life and would downgrade the quality of housing in the area. The proposed building heights would be a major variance from the area sector plan and sight line deterioration and the general appearance of massive structures towering over the neighbours were also of concern. He asked that Council reject the proposal and that the land be developed in conformance with the sector plan.

Grant Fletcher, 981 Walker Drive, noted the map plotting the opposition to the application does not include the Golfview area and that the proposed density of development is not what the Golfview residents want to see on the subject property. The small percentage of affordable housing units proposed are not sufficient to try to sell the project on the basis of affordable housing and the commercial component of the development is inappropriate. Introducing 1,800 vehicles into one square block with access/egress to the site across a 4-lane divided highway was of concern. Mr. Fletcher also expressed concern that people confined to wheelchairs have to wait for fire department personnel to carry them out of the building in the event of fire because the elevators cannot be used. In an 8 storey building, the length of the wait and the anxiety while waiting would be magnified. He was also concerned about how the affordable housing units would be allocated. Mr. Fletcher applauded the concept behind the proposed development but submitted that it should be located in the downtown core or in a town centre.

Elaine Watson, resident of Chartwell, advised she works for Total Care Technologies and that she was not opposed to the concept of the Conservatory project but that she objected to such a massive project being built on the subject property. The excessive building height and unrealistic high density would negatively impact the character of the neighbourhood and mountain views and are also contrary to what is envisaged in the area sector plan. She suggested that projects such as this belong in town centres and that the land owner consider a land swap for land on Kane Road. She questioned how many people would be able to afford to buy in the proposed development and submitted a letter of opposition containing 113 signatures of people from Chartwell whom she advised all believe the proposed project would not be in keeping with the character of the area. Ms. Watson asked that Council reject the subject application and retain the integrity of the sector plan.

Harold Zinger, 1074 Glenmore Drive, acknowledged that development is a part of progress but added that the density of the proposed project would change the character of the valley and would not be a positive contribution to the valley viewscape. The credibility of the City's Planning Department and of City Council would be tarnished if this is approved contrary to the sector plan and the OCP. Mr. Zinger advised he would not oppose sensitive development of the site with low and medium density housing at a 3-4 storey maximum building height in keeping with the OCP and sector plan. Mr. Zinger added that after all the public consultation and spending about \$80,000 of the taxpayers' money on the sector plan process, Council should use sound judgement and not allow this application to advance.

Gary Cycles, 730 Glenmore Drive, advised he lives directly across from the development and that the proposed building height would take away most of his view. He was also concerned about the additional traffic and his children's safety going to school with more seniors driving in the neighbourhood.

Ken Thompson, 1720 High Road, commented that the people in support of the proposed development do not live in the neighbourhood. His concerns were regarding the height of the buildings, the proposal being contrary to the sector plan, children's safety walking to school, and the precedent that would be set if this application was approved.

Monica Cycles, 730 Glenmore Drive, advised she walks her children across High Road and to school because of the traffic now and advised that traffic and the proposed building height are her main concerns. She questioned the wisdom of tall buildings in Glenmore given the problems that have already been experienced with the way buildings have settled because of the clay in Glenmore and wondered where all the children will go to school with so many developments occurring.

Betty Sparling, 615 Glenmeadows Road, commented that first reading of the conservatory was given in 1997 and the area sector plan was approved in 1998 so the two processes were not parallel.

The Current Planning Manager clarified that the Conservatory application was formally made June 6, 1997. The Director of Planning & Development Services added that the advisory committee and the applicant were aware of the parallel in the two processes and both processes were open.

Gary Cycles, 730 Glenmore Drive, re-addressed Council to suggest that instead of going ahead with the higher density, this application be put on hold until the housing study that apparently is underway is completed since it requires public involvement. He also commented that this application should not be approved until exactly what affordable housing is has been established.

The Director of Planning & Development Services advised that the terms of what will be considered affordability will be set through the housing study and that the draft housing study should be to Council in the next few months.

The Current Planning Manager clarified that when he said that without the housing agreement the project would not likely be feasible in the form and character presented, he meant the project could still proceed without the housing agreement but not as it was presented tonight.

Bill DiPasquale, 1578 Mountain Avenue, advised that he could not support the subject application for reasons already mentioned by previous speakers.

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Norman Major, resident of Bernard Avenue, advised he was on the sector plan committee and although this is a good proposal, he stands behind the integrity of the sector plan. Great consideration was given by the adjacent property owners for what would be the best use of the subject property and the majority decided on low and medium density with up to a maximum 4 storey building height. He confirmed that the committee was aware of this proposal while working on the sector plan, but advised that at that time the proposal was quite different than what is being considered today and it was assumed the higher density would be in the Kane Road town centre area.

Warren Neufeld, applicant, stated that Marona Estates wanted their plan to be presented to the sector plan advisory committee but the contractor hired by the City for the sector plan process was very reluctant to accept any information from Marona. He advised that the subject property has been posted with development notice signs since early June 1997. The housing agreement, as negotiated by Lidstone & Co., is not about affordable housing – that is one component. The housing agreement deals with rental housing which by itself is affordable housing. Marona is offering a 15% component of the proposed development for affordable housing and that is considered to be very generous on the part of the developer. There should be some benefit to the developer for providing specialized needs units for seniors and the intent is to provide more units than what is required by the housing agreement. The proposed affordable housing is not intended for the indigent or the transient and would not take people off the street. However, the project would provide housing for seniors who own a suite or house that they can liquidate. Prices would hopefully start at under \$90,000.

Responding to questions of Council, Mr. Neufeld agreed that it will be difficult to decide the cut off rate for who will get the units for special housing needs. There are definitions to follow but the process of selecting is difficult at this point and the process of enforcing will be stringent. If Marona is ever at fault with the agreement the fines are very substantial. The project would not be restricted to seniors only but close proximity of the site to a 4-lane arterial road would likely discourage families from living there. Units in the \$90,000 range would probably be about 600 sq. ft. in size. Mr. Neufeld confirmed that Marona was aware, when working on this proposal, that the sector plan envisaged maximum 4 storeys on the property but proceeded on the basis that development as proposed provides benefits that far exceed the detractions from the OCP. Marona will attempt to recover operating costs by charging a fee for use of the winter garden/conservatory. He clarified that the round building would be the conservatory and the inner garden is the winter garden. Even though Brandt Creek is piped, the walkway would be extended all the way around the site. The public would have free access to the centre water feature and surrounding gardens.

Rick Hulbert re-addressed Council to respond to the points raised by Council and the public noting the site affords innovation. Eight storey buildings placed a minimum 50 m back are considerably different than 8 storey buildings placed up against the street. Throughout the public process they have interfaced with at least 2,500 people and yes, the proposed development would generate traffic but this is the right place to do that. The number of units depends on the size of units so the same number of units could be achieved in a lower building but with smaller unit sizes. The taller building height forces the building to be concrete, shortens the distance to walk between the units and the elevator in the buildings, and allows 70% of the site to be retained as green space.

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At the request of Council, Dave Cullen, Transportation Engineer with Reid Crowther, explained the proposed road and intersection improvements and advised that options are still being considered for improving pedestrian safety crossing the 4 lanes of Glenmore Road. He noted the design for the 4-laning of Glenmore Road was based on existing demand and based on their analysis Glenmore Road could function as a 4-lane road for a 20 year period.

A member of Council suggested that if the developer was to plant the landscaping adjacent to the Chartwell properties now, the landscaping would be mature by the time the phase of development proceeded adjacent to Chartwell.

The Current Planning Manager clarified that phase 1 of the proposed development is only for 240 units and so there would be no affect on the development potential of the other properties in the sector plan area at this point. The Director of Planning & Development Services added that the subject developer clearly understands that future phases of the proposed development would have to be proven out and that Council reserves the right to turn down future rezonings if the infrastructure is not there.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 12:35 a.m.

Certified Correct:

Mayor

City Clerk

BLH/am