

Public HearingOctober 4, 2005

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, October 4, 2005.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blangleil, R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson and S.A. Shepherd.

Staff members in attendance were: Acting City Manager/Director of Planning & Corporate Services, R.L. Mattiussi; City Clerk, A.M. Flack; Manager of Development Services, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

1. Mayor Gray called the Hearing to order at 7:02 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "*Kelowna 2020 - Official Community Plan Bylaw No. 7600*" and "Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the bylaws are presented for reading at the Regular 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 16, 2005, and by being placed in the Kelowna Daily Courier issues of September 26 & 27, 2005, and in the Kelowna Capital News issue of September 25, 2005, and by sending out or otherwise delivering 378 letters to the owners and occupiers of surrounding properties between September 16-19, 2005.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy 309.

3. INDIVIDUAL BYLAW SUBMISSIONS

- 3.1 **1490 Mayden Road**

- 3.1 Bylaw No. 9488 (Z05-0031) – Okanagan Seasons Resort Ltd. – Mayden Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, DL 125, O.D.Y.D., Plan 17322, located on Mayden Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RM1 – Four Dwelling Housing zone.

Staff:

- The property is on the end of Mayden Court just off Highway 33. The applicant has had to deal with road widening issues across the front of the property in anticipation of the Highway 33 extension through to Enterprise Way.
- The house has been temporarily moved onto another property owned by the same owner. There is an existing house on that property and there is potential for an additional two units to be added to the property at some point in the future.
- A Development Permit would be required for the final siting of the buildings and for the landscape plan and details on finishing the exterior of the buildings.
- The Advisory Planning Commission recommends support as do staff.

The City Clerk advised that no correspondence and/or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Allan Manson, applicant:

- Indicated he had nothing to add at this time.

There were no further comments.

3.2 446 West Avenue

- 3.2 Bylaw No. 9489 (Z05-0054) – Bruckal Holdings Inc. (New Town Planning) – West Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, District Lot 135, ODYD Plan 3056 and a portion of Lot CP, Plan K49, located on West Avenue, Kelowna, B.C. from the RU1 – Large Lot Housing zone and the RU6 – Two Dwelling Housing zone to the RM4 – Transitional Low Density Housing zone.

Staff:

- The owner has purchased half of the stratified duplex on the adjacent property and some of that land that will be added to the development site.
- The applicant is proposing a 3-storey development with ample balconies and deck spaces on the second floor and reduced balconies on the third floor because those units would also have access to three roof garden areas that would be accessed from internal stairwells.
- The covered parking would be accessed from the lane.
- The applicant has made an effort to step back the building as it moves up in height.
- Displayed an artist's rendering of the proposed building.
- This is considered by staff to be sensitive infill for the area.
- The duplex building on the adjacent lot would still meet all setback requirements for that lot.

The City Clerk advised that no correspondence and/or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Patrick McCusker, applicant:

- Clarified that the applicant is New Town Architecture not New Town Planning.

Steve Bruckal, representing the developer:

- 8 ft. was subdivided off the adjacent duplex lot and consolidated into the subject property.
- Spoke with just about all the surrounding neighbours and attended the Advisory Planning Commission meeting, but did not hold a neighbourhood meeting.

There were no further comments.

3.3(a) 135 Ziprick Road

- 3.3(a) Bylaw No. 9490 (OCP05-0012) and Bylaw No. 9491 (Z05-0045) – Ziprick Place BC Ltd. Inc. (Garry Tomporowski Architects) – Ziprick Road – THAT Map 15.1 of the “*Kelowna 2020 - Official Community Plan* Bylaw No. 7600 be amended by changing the Future Land Use designation of Lot 1, Sec. 22, Twp. 26, ODYD Plan 50112, located on Ziprick Road, Kelowna, B.C., from the Low Density Multiple Unit Housing designation to the Medium Density Multiple Unit Residential designation.

Staff:

- The applicant has committed to some affordable housing in accordance with affordability benchmarks and that would be subject to a housing agreement.
- Cannot confirm that this project would qualify for the \$2,500 grant per affordable unit at this point, but based on bylaw provisions that funding should be applicable to some of the units.
- There are some design changes staff are working through with the applicant. Displayed an artist's rendering showing the general intent of the project which is 3 storeys of residential housing over underground parking.

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- Staff have been working with the applicant to try to reduce the amount of asphalt and increase the greenspace in front of the building. Conceptual plans now show the building shifted toward Highway 33 with an access off Ziprick Road to the underground parking and to a turnaround in front of the main entrance to the building. As a result of these changes the applicant will also be asking for a variance to allow for a fourth floor over the central portion of the building. Staff support that as it results in a better open space design on the property.
- The housing agreement would apply to the units resulting from the overall bonus provided by the Zoning Bylaw – in this case a 0.1 bonus to the base FAR. The resulting floor area would be converted to a unit count and those units would be subject to the Housing Agreement.
- A Development Permit and Development Variance Permit would be considered concurrent with adoption of the rezoning.
- The Advisory Planning Commission recommends supports as do staff.

The City Clerk advised that the following correspondence and/or petitions had been received:

- letter from Michiyo Ikari, 204-1480 Terai Road, opposed because the proposed development would not blend with the neighbourhood and could have a negative impact on property values.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Garry Tomporowski, applicant:

- Displayed a revised artist's rendering showing the fourth floor and explained that moving the building further back on the site has opened up the corner of the property and provided about 2.5 times more greenspace, making for a much more attractive area in front of the building.
- The amount of landscaping that was proposed has been increased and will include a water feature at the turnabout area.
- The Ministry of Transportation took about 5% of the property for the widenings needed for Highway 33 and Ziprick Road.
- The fourth storey would allow the 6 units that were taken out of the main floor of the building to be added to the top. The only variance required would be for height.
- Five units would be affordable. Two 2-bedroom units that would be offered at approximately \$10,000 below market value and three 1-bedroom units that would be offered at about \$5,000 below market value.
- 100% of the required parking is below grade, some visitor parking is also at grade level.

Helmut Wiens, owner:

- \$141,000 is the bench mark figure that has been established for the housing agreement. The 2-bedroom units would be priced at about \$141,900 and about \$119,000 for the 1-bedroom units.
- The Society of Hope is considering buying all 5 units and renting them out.
- The 6 units on the fourth floor are critical to achieve the affordable housing units.

Angela Huber, 1480 Terai Road:

- Asked what the distance would be between her building and the proposed building.

Staff:

- Assuming that her building is setback similar to the proposed building, the distance between would be approximately 40-45 ft.

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Garry Tomporowski, continued:

- The garbage container would be enclosed and located at the bottom of the driveway ramp adjacent to the entrance into the parkade.
- The distance between the proposed building and Ms. Huber's building at 1480 Terai Road would taper from 22 ft. to larger as it moves to the north.
- The proposal is now for 45 housing units.

There were no further comments.

3.3(b) 135 Ziprick Road

3.3(b) Bylaw No. 9491 (Z05-0045) – Ziprick Place BC Ltd. Inc. (Garry Tomporowski Architects) – Ziprick Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Sec. 22, Twp. 26, ODYD Plan 50112, located on Ziprick Road, Kelowna, B.C., from the RM3 - Low Density Multiple Housing zone to the RM4 - Transitional Low Density Housing zone.

See discussion under 3.3(a).

4. TERMINATION:

The Hearing was declared terminated at 7:34 p.m.

Certified Correct:

Mayor

City Clerk

BLH/am