

Public HearingFebruary 7, 2006

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, February 7, 2006.

Council members in attendance: Mayor Sharon Shepherd, Councillors B.A. Clark, C.B. Day, B.D. Given, C.M. Gran, R.D. Hobson, N.J. Letnick and M.J. Rule.

Council members absent: Councillor A.F. Blanleil.

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 Shepherd called the Hearing to order at 7:01 p.m.
2. Mayor Shepherd advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "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 January 20, 2006, and by being placed in the Kelowna Daily Courier issues of January 30 & 31, 2006, and in the Kelowna Capital News issue of January 29, 2006, and by sending out or otherwise delivering 546 letters to the owners and occupiers of surrounding properties between January 20 - 25, 2006.

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 **950, 962, 970, 982, 994, 1004 & 1010 Harvey Avenue and 951, 961, 971, 981, 991, 1001 & 1011 Leon Avenue**

- 3.1 Bylaw No. 9544 (Z05-0052) – Cerco Developments Ltd., Frank & Laura Pells (Cerco Developments Ltd.) – Harvey and Leon Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots 1 to 12, DL 138, O.D.Y.D., Plan 7202, and Lots 1 & 2, DL 138, O.D.Y.D., Plan 7385, located on Harvey Avenue and Leon Avenue, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone.

Staff:

- Surrounding properties to the west are zoned RM6 (High Rise Apartment Housing) and to the east C9 (Tourist Commercial) and to the north the properties are generally single and two family housing.
- Rezoning to develop an apartment complex with 144 units, taking advantage of the bonusing clause in the Zoning Bylaw for a Housing Agreement which would result in 5-6 units of affordable housing being registered on title.
- The requested zoning is consistent with the Official Community Plan.
- The site would be developed with four buildings constructed over a parking structure. The end buildings would require a variance from the 4 storeys permitted to the proposed 7 and 6 storeys. The centre buildings would be 4 storeys with some lower level units depressed slightly into the building grade.

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- The parking garage would have hard and soft landscaping and an amenity deck.
- Vehicle access would be off Leon Avenue with pedestrian access from both Leon and Harvey.
- Displayed site plans for each of the levels of the buildings.
- Showed building elevations and artist's renderings of the buildings and court yard area.
- The entire building would be available to the rental market.

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

- letter of support from Charles Pachal, 928-930 Leon Avenue
- package of emails submitted by Duane Tresnich of "Move Kelowna Forward" containing 23 emails of support and 3 of non-support.

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

Carlos DiStefano, Cerco Developments Ltd., applicant:

- Displayed images to show the look of the proposed buildings.
- Outlined changes made to the proposed design of the project as they worked with City staff to achieve what is now being presented to Council.
- Looked into geothermal heating but too difficult to use for this type of project. the plaza will have green roof but looking at the possibility of green roofs on the buildings too. Also looking at low flush toilets, high efficiency hot water supply tanks, and motion activated lighting and solar panels for the communal spaces.
- Basically everything is wheelchair accessible within the building. Can consider making the gated pedestrian access off Harvey Avenue wheelchair accessible but do not anticipate that the gate would be heavily used by the residents.

Nadine Clark, 801 Copeland Place:

- Representing Kelowna South-Central Association of Neighbourhoods (KSAN).
- KSAN is generally pleased with the overall look of the project and is happy to endorse this application.
- KSAN had heard that 15% of the units would be designated affordable.
- KSAN is not overly concerned with the proposed height of the buildings.
- Encouraged the developer to shift the buildings so that the green space would be more dominant to the Leon Avenue side as opposed to the Harvey Avenue side, and to improve the aesthetics of the exterior of the buildings.
- The developer had an open house with the neighbourhood.

Carlos DiStefano, applicant, continued:

- Shifting the buildings as suggested would put the court yard in the shade whereas the plans allow for southern exposure.

Staff:

- City development staff encouraged Leon Avenue to be the better interface to the project. The development is more likely to become part of and interact with the development to the north.

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4. TERMINATION:

The Hearing was declared terminated at 7:27 p.m.

Certified Correct:

Mayor

City Clerk

BLH/am