

Public HearingMarch 6, 2007

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, March 6, 2007.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Barrie Clark, Colin Day, Brian Given, Robert Hobson, Norm Letnick and Michele Rule.

Council members absent: Councillor Carol Gran

Staff members in attendance were: Acting City Manager, David Graham; Deputy City Clerk, Stephen. Fleming; Director of Planning & Development Services, Mary Pynenburg; Acting Manager of Development Services, Shelley Gambacort; Community Planning Manager, Theresa Eichler; Planner, Nelson Wight; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:03 p.m.
2. Mayor Shepherd 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 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 February 16, 2007 and by being placed in the Kelowna Daily Courier issues of Monday, February 26, 2007 and Tuesday, February 27, 2007 and in the Kelowna Capital News issue of Sunday, February 25, 2007 and by sending out or otherwise delivering 136 letters to the owners and occupiers of surrounding properties between February 16, 2007 and February 20, 2007.

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 Bylaw No. 9648 (OCP06-0016) – City of Kelowna - THAT changes outlined in the report of the Community Development & Real Estate Division dated January 31, 2007 to OCP Bylaw Text Amendment No. OCP06-0016 to amend *Kelowna 2020 – Official Community Plan Bylaw No. 7600* by adding a new policy 8.1.32 – **Higher Density for Affordable Housing** and by renumbering the existing 8.1.32, and subsequent policies, be authorized by Council and that Bylaw No. 9648 be considered for amendment at first reading; AND THAT Council considers the public consultation conducted through the Affordable and Special Needs Task Force and related activities to be sufficient for the purposes of Section 879 of the *Local Government Act*.

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

Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one stepped forward.

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- 3.2 Bylaw No. 9739 (LUC06-0002) and Bylaw No. 9740 (Z06-0029) – Shaw Cablesystems Ltd. (Gordon McKenzie Architect Inc.) – Leckie Road – THAT Application No. LUC06-0002 to discharge Land Use Contract No.77-1085 from Lot 1, District Lot 125, O.D.Y.D. Plan KAP80864, located on Leckie Road be considered by Council; AND THAT Rezoning Application No. Z06-0029 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 125, O.D.Y.D. Plan, on Leckie Road, Kelowna, B.C. from A1 – Agriculture 1 to C4 – Urban Commercial be considered by Council, subject to the conditions contained within the Staff report, dated February 2, 2007.

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

- Letter in Favour
  - o Wasa Developments Inc., 109-2303 Leckie Road

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

Applicant (Gordon McKenzie/Stephen Mulder/Janice, ShawCable):

- Advised that Shaw Cable has been a service provider in the area for the past 35 years and is a major employer.
- Staffing at the Kelowna office has grown to 350 employees.
- The Design team has visited Kelowna many times to work with Shaw Cable to develop the design of the building.
- Explained in detail the images on the building and how they reflect the Kelowna lifestyle.
- Worked with Planning Staff to address any concerns they had in respect of the design of the building.
- Confirmed that the applicant is reviewing the requirements for fencing during Phase 1 and are committed to a higher quality of fencing as requested by the Planning Department.
- Confirmed that the signage issue has been addressed and that the pedestrian level signage will be developed once it has been better determined.
- Advised that the handicapped parking stalls are being relocated closer to the front entrance.

Council:

- Concerned about the phasing of the development and the fact that the phase that deals with parking is one of the last phases scheduled for completion.

Applicant:

- Advised that Phase 1 is the landscape plan; Phases 2 and 3 will expand the call centre and data centre; and a later phase will deal with parking.
- Advised that Shaw Cable is retaining the 2 adjacent properties to assist with parking while the parkade is being phased in.
- Advised that the total number of bicycle stalls will be 90.

Shane Worman, 340 West Avenue

- Concerned about the land use and whether or not the development will create an opportunity for an office development out of the downtown core.
- Concerned about the fact the City is allowing more and more office spaces outside of the downtown core rather than encouraging revitalization.

Council:

- Inquired if the downtown core considered for a location.

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Applicant:

- Confirmed that the subject location was chosen due to its proximity to the existing Shaw Cable building.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 6:38 p.m.

Certified Correct:

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Mayor

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Deputy City Clerk

SLH/am