

Public HearingApril 17, 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, April 17, 2007.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre. Blancheil, Barrie Clark, Colin Day, Brian Given\*, Robert Hobson, and Michele Rule.

Council members absent: Councillors Carol Gran and Norm Letnick

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Director of Planning & Development Services, Mary Pynenburg\*; Acting Manager of Development Services, Shelley Gambacort; Planner, Nelson Wight; Planner, Danielle Noble; Planner Specialist, Gary Stephen\*; Civic Properties Projects Supervisor, Martin Johansen; Roadways/Equipment Superintendent Dale Beaudry; and Council Recording Secretary, S.L. 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 March 30, 2007, and by being placed in the Kelowna Daily Courier issues of Tuesday, April 10, 2007 and Wednesday, April 11, 2007, and in the Kelowna Capital News issue of Sunday, April 8, 2007, and by sending out or otherwise delivering 1380 letters to the owners and occupiers of surrounding properties between March 30, 2007 and April 4, 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. 9736 (OCP07-0005) – Text Amendment Natural Environmental/Hazardous Condition Development Permit Area Designation to Bylaw No. 7600 – THAT OCP Text Amendment Bylaw No. OCP07-0005 to amend *Kelowna 2020* – Official Community Plan Bylaw No. 7600 be considered for First Reading and forwarded to Public Hearing as outlined in the report of the Planning and Development Services Department dated January 31, 2007;

AND THAT staff be directed to follow the consultation process outlined in the report of the Planning and Development Services Department dated January 31, 2007, prior to forwarding OCP Bylaw Text Amendment No. 9736 for First Reading.

The 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 came forward.

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- 3.2 Bylaw No. 9755 (Z06-0057) – Pacific Sun Enterprises Ltd. – 1849 Chandler Street – THAT Rezoning Application No. Z06-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 38, DL 137, O.D.Y.D., Plan 10011, located on Chandler Street, Kelowna, B.C. from the existing RU6 – Two Dwelling Housing zone to the proposed P1 – Major Institutional zone be considered by Council.

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

- Letter of Concern
  - o Brian Large, 2617 Abbott Street (owner of 1839 Chandler Street)

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

Applicant, Greg Cornell, Pacific Sun Enterprises Ltd.

- Confirmed that there will be lighting installed in the parking area, as well as security cameras.

Brian Large, 2617 Abbott Street

- Owns the property at 1839 Chandler Street.
- Requested that a wooden fence (with vegetation) be erected between the subject property and his property.
- Concerned about the zoning of the property.

Applicant, Greg Cornell, Pacific Sun Enterprises Ltd.:

- Confirmed that he will meet with Mr. Large after the Public Hearing to discuss the details of the requesting fencing and vegetation.

There were no further comments.

- 3.3 Bylaw No. 9757 (Z07-0001) – National Society of Hope – 2071 Gordon Drive – THAT Rezoning Application No. Z07-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Plan 12579, Sec. 19, Twp 26, ODYD be considered by Council.

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

- Letter of Concern
  - o Stella Novak, #212-2085 Gordon Drive
- Letters of Opposition
  - o Terry Garvin, #320-2085 Gordon Drive
  - o Gordon Argue, #220-2085 Gordon Drive
- Petition of Opposition
  - o 27 signatures signed by residents of Gordon Manor, 2085 Gordon Drive

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

Applicant, Luke Stack, Executive Director, National Society of Hope

- Confirmed that the Society has several funding requests with different levels of Government; however, to date, the Society has not received any commitments.
- Confirmed that the vast majority of the Society's tenants do not own vehicles and the proposed site is located on a major bus route.
- Confirmed that the proposed facility is strictly residential housing, and is not a treatment facility.

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- The rezoning has been requested as the proper zoning for the property must be in place prior to the Society receiving any funding.

Linda Zorn, 2091 Gordon Drive

- Concerned about the "in and out" traffic already occurring in the area and how this development will increase that traffic flow.
- Concerned about safety at night and the lack of green space.

Linda Sampson, 2085 Gordon Drive

- Concerned about the increase in traffic.

Applicant, Luke Stack, Executive Director, National Society of Hope

- Confirmed that the Society will work with City staff regarding any traffic concerns.
- Advised that the Society plans to completely fence the property.

There were no further comments.

Councillor Given joined the meeting at 6:46 p.m.

- 3.4 Bylaw No. 9761 (Z03-0065) – City of Kelowna (Bob Turik) – 1370 Bertram Street and 555 Fuller Avenue - THAT Rezoning Application No. Z03-0065 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 35, District Lot 139, O.D.Y.D. Plan 2271 on Bertram Street, and Lot 36, District Lot 139, O.D.Y.D. Plan 2271, on Fuller Avenue, Kelowna, B.C. from the P2 – Education and Minor Institutional zone to the RM5 – Medium Density Multiple Housing zone be considered by Council.

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

- Letter of Opposition
  - o Nick & Mary-Ann Kummer, 810 Bay Avenue

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

Applicant's Agent, Bob Turik:

- The proposed building will replace the existing building currently situated on the property.

There were no further comments.

- 3.5 Bylaw No. 9763 (Z07-0006) – Donald Gordon (Philip Macdonald Architects Inc.) – 734 Martin Avenue – THAT Rezoning Application No. Z07-0006 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, District Lot 138, O.D.Y.D. Plan 1346, located on Martin Avenue, Kelowna, B.C. from RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone, be considered by Council.

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

- Letter of Opposition
  - o Liza Painter, 729 Stockwell Avenue
- Form Letters of Opposition
  - o Liza Painter, 729 Stockwell Avenue
  - o Lola M. & Mary E. Allen, 737 Martin Avenue
  - o Edward Mager, 1416 Richter Street
  - o Appolonia Leskosek, 1422 Richter Street

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- Wendy Leskosek, 1422 Richter Street
- Pauline Leskosek, 1422 Richter Street

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

Applicant's Agent, Philip Macdonald

- Explained why the height of the building and the "actual storeys" of the building differ.

Appolonia Leskosek, 1422 Richter Street

- Is opposed to the development as she will lose her privacy in her yard.
- Concerned about the increase in traffic and parking.

Liza Painter, 729 Stockwell Avenue

- Just moved to the neighbourhood last year and was hoping to remain living in a single-family residential area.
- Concerned about privacy, traffic and parking.

Applicant's Agent, Philip Macdonald:

- Confirmed that the Applicant has met the parking requirements as set out in the City's Bylaw.
- Addressed the concerns of the neighbours regarding the shadowing of the building on to the adjacent properties.

There were no further comments.

- 3.6 Bylaw No. 9765 (Z06-0065) – T248 Enterprises Ltd. – 1379 & 1383 Richter Street and 726 Stockwell Avenue – THAT Rezoning Application No. Z06-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 22, 23 & 24, District Lot 138, O.D.Y.D. Plan 1315, located on Richter Street and Stockwell Avenue, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone be considered by Council.

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

- Letter of Opposition
  - Liza Painter, 729 Stockwell Avenue
- Petition of Opposition
  - Liza Painter, 729 Stockwell Avenue

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

Applicant, Jim Herman:

- Advised that due to the high water table in the area, it will be necessary to raise the parkade.
- Confirmed that he has addressed all of the concerns that were brought up at the Advisory Planning Commission's meeting.
- Advised that an affordable housing component was considered, but was deemed not feasible at this time.

Liza Painter, 729 Stockwell Avenue

- Advised that she was not aware of this development when she purchased her property back in September 2006.

Brent Magnan, 732 Stockwell Avenue

- Concerned about privacy and on-street parking issues.

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Appolonia Leskosek, 1422 Richter Street

- Concerned about parking in the area as she feels the parking requirements as set out in the City's Bylaw are not sufficient.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 8:02 p.m.

Certified Correct:

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Mayor

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City Clerk

/slh