

Public HearingJune 12, 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, June 12th, 2007.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre. Blanleil, Barrie Clark, Colin Day, Brian Given, Carol Gran and Norm Letnick.

Council members absent: Councillors Robert Hobson and Michele Rule.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Director of Planning & Development Services, Mary Pynenburg; Current Planning Supervisor, Shelley Gambacort; Development Engineering Manager, Steve Muenz, Planner, Ryan Smith, Planning Manager, Carlos Felipe and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:00 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 Friday, May 25th, 2007, and by being placed in the Kelowna Daily Courier issues of Monday, June 4th, 2007 and Tuesday, June 5th, 2007, and in the Kelowna Capital News issue of Sunday, June 3rd, 2007, and by sending out or otherwise delivering 469 letters to the owners and occupiers of surrounding properties between May 25th and May 28th, 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 (a) Bylaw No. 9787 (OCP06-0005) – 1490 Cara Glen Way and 530 Caramillo Court - THAT OCP Bylaw Amendment No. OCP06-0005 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Lot L, Sec. 31 & 32, Twp. 26, O.D.Y.D., Plan KAP53293 and Lot A, Sec. 32, Twp. 26, O.D.Y.D., Plan KAP77707, located on Cara Glen Way and Caramillo Court, Kelowna, B.C., from the "Single / Two Unit Residential" designation to the proposed "Multiple Unit Residential – low density" designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated April 26, 2007, be considered by Council.

3.1 (b) Bylaw No. 9788 (Z06-0024) – 1490 Cara Glen Way and 530 Carmillo Court - THAT Rezoning Application No. Z06-0024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Sec. 32, Twp. 26, O.D.Y.D., Plan KAP77707, located on Caramillo Court, Kelowna, B.C. from the existing "A1 – Agriculture 1" and P3 – "Parks and Open Space" zones to the proposed "RM3 – Low Density Multiple Housing" zone be considered by Council.

Public HearingJune 12, 2007

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

Letters in Opposition:

- Petition in opposition with 11 signatures from Caramillo Court and Spruceglen Drive

Letters in Support:

- Petition in support with 16 signatures from Caramillo Court – submitted by Toby Nolitt
- Submission from the applicant consisting of two booklets describing the “Terrace at Cara Glen” development.

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

Applicant – Toby Nolitt

- Owners plan on upscale units for sale not for rental. This project has been in the works for over 8½ years. In stream since October 1999. Cara Glen originally purchased with that premise in mind. Wanted to convert to multi family use in order to limit vehicle access point off of Caraglen way in order to provide highlands to the north and city lands. Only other negative was potential vehicle traffic, which is not an unusual concern. City engineering made them make a link for emergency vehicles, did the private snake driveway on landscape plan.
- To prevent other unwanted traffic as part of development permit we will install an electronic gate to control such traffic. Increased traffic would be limited to only home owners on Caramillo Court.

Architect for the Applicant - Terry Tanner

- Try to be in keeping with neighbourhood. Skyline of hill behind is well above the site.

Peter Du Toit - 1503 Cara Glen Way

- has a petition opposing development variance permit and rezoning. Should remain in terms of a single residential area as in OCP. Multiple units will impact the residential feel to the neighbourhood.

Mary Ellen Tabor - 45 Altura Road

- She is opposed. She has a pool in her yard now feels she will have no privacy. When the home was purchased in 1992 she asked the City and realtor if the land would be rezoned and was told it would not be.

Lannea Parfitt – 21 Monte Road

- opposed to rezoning because of increase of traffic. Speed bumps already exist on road to stop traffic from speeding. If condos built there would be too much traffic. Told by realtor that it was a single family area.

Peter McKenzie - 545 Caramillo Court

- opposed to rezoning due to traffic congestion. Coming from Magic Estates they use Camarillo road as short cut and would be further used if rezoned and change made to OCP. Quiet area and expensive homes on the street. Concerned over re-sale value and investment value.

Cam Wieser - 516 Caramillo Court

- lives adjacent to proposed site. Was aware of multi family site, not opposed to development as to what it was at the time. Concern raised over a home that has been under construction for past 2 years and still is not complete by this developer and is an eye sore at present.

Public HearingJune 12, 2007

- Opposed to height of 6 storeys and feels there will be a loss of privacy. Before he'd give his support he wants the developer to guarantee private road will not be used and be turned into a cul de sac and to keep to the height to 4 storeys.

Craig Sajec – 505 and 509 Caramillo Court

- In Support. Bought a home last June and was told of the proposal.

Otto Schwab – 42 Altura Road

- Development is oversized and is another hillside development. This size should be kept on lower level land. Potential problems in the hillside. Against this proposal. Last 2 years City Hall invited citizens to participate in hillside development discussion, majority of people felt we had to be more cautious with hillside development. Council are aware of hillside guidelines.

Andrew Tse - 541 Caramillo Court

- bought the home 5 years ago and told by realtor that there would only be single family development. Opposed due to that and traffic flow.
- Also home sitting there vacant for past 2 years and is unsightly and what are developers doing about it?

Trent Daniels - 1533 Cara Glen Way

- lives in last home before development. Bought house last May. Bought due to low traffic area. Realtors told owner that it would be single family homes. Traffic will increase and is opposed to this project.

Applicant - Toby Nolitt

- People living on Cara Glen Way were given information stating such plans for seller to develop multi-family and buyers do not object to multi-family sites.
- With respect to Mr. Daniels comments, last year we met with him and told him we'd be developing Lot A.
- The height of buildings are very modest. Only 20 units upper two, fourplex on bottom and 16 units in the middle. The private road was designed to service rear portions of lots 4,5, 6 and 9 of other phase. No purpose to use that driveway and physically impossible to have it connect to development. We put in dry water main behind lots 4, 5 and 6. Intention to hook up to it when multi-family went in which would provide fire protection. Cul de sac being finished for any firefighting vehicle.

Architect for the Applicant - Mr. Tanner

- There will be 6 levels with parking underground. 4 levels of apartment on upper level and 3 levels on lower level. There is a penthouse on upper floor but accessed from lower floor.
- Want to keep footprint as small as possible so you want to stack it. In order to give some breathing room we have stacked them. Private road engineered to be a turn around for safety vehicles.

Applicant - Toby Nolitt

- Understanding at some point a plan to erect traffic lights at Cara Glen Way and Clifton Road. Beyond that we will generate some traffic but it will be nominal. It really is beyond our ability to control traffic coming down Clifton Road.
- Affordable housing component never came up during the entire process. Since the project has been in stream so long we are now on our second architect. Development engineering agreed to two accesses. There are no rental units. Nothing in plans for this. Smallest home is just under 1500 sq. ft.

Staff:

- Confirmed that that this development passes the new Hillside Guidelines and extending Cara Glen Way to the Highlands, is in the OCP, though won't likely occur for many years.

Public HearingJune 12, 2007

There were no further comments.

Councillor Given joined the meeting at 6:31 p.m.

- 3.2 (a) Bylaw No. 9796 (OCP07-0002) – 2209, 2219, 2227, 2235, 2241, 2247, 2255, 2265 Pandosy Street - THAT OCP Bylaw Amendment No. OCP07-0002 to amend Map 19.1 of the Kelowna Official Community Plan (2000 - 2020) Bylaw No. 7600 by changing the Future Land Use designation of Lot 2, District Lot 14, ODYD Plan 413 except the Westerly 10 feet of said lot; Lot 3, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 4, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 5, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 6, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 7, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 8, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 9, District Lot 14, ODYD Plan 413 Except Westerly 10 Feet thereof; located on Pandosy Street, Kelowna, B.C., from the Multiple Unit Residential – Low Density designation to the Multiple Unit Residential – Medium Density designation, as shown on Map “A” attached to the report of Planning & Development Services Department, dated April 24th, 2007, be considered by Council.
- 3.2 (b) Bylaw No. 9797 (Z07-0003) – 2209, 2219, 2227, 2235, 2241, 2247, 2255, 2265 Pandosy Street - THAT Rezoning Application No. Z07-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 14, ODYD Plan 413 except the Westerly 10 feet of said lot; Lot 3, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 4, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 5, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 6, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 7, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 8, District Lot 14, ODYD Plan 413 Except the West 10 Feet thereof; Lot 9, District Lot 14, ODYD Plan 413 Except Westerly 10 Feet thereof, located on Pandosy Street, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone be considered by Council.

Staff:

- Staff has had discussions with the applicant for the past 3 years and the application has evolved. Staff working with applicant and note their evolving commitment to affordable housing.
- Major issue is the uncertainty of hospital expansion. IHA has met with staff several times. Their development plans are more clear. Staff have a number of questions regarding impact on transportation and more multi family growth. Staff couldn't answer in this time line. KGH is a major employer and does have expansion plans.
- Planning is supporting this application but note support is tentative with the uncertainties of the neighbourhood. Staff to undertake study in this area and has consultant involved. Director to comment on land use study. Unlikely to undertake a neighbourhood study on its own. Would be part of Official Community Plan update which is starting next year and is a 2 year process.

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

Letters Opposed:

- Andy and Juanita Roehrig, 2276 Speer Street
- Liane Voormeij & Glen Harshenin, 2260 Speer Street
- Alana Marrington, 2189 Pandosy Street
- Dr. & Mrs. Paul Pesheck, Seattle, Washington

Public HearingJune 12, 2007

- Submission package of letters, photos and a 34 signature petition of opposition from surrounding residence – submitted by Penny Pearson, 300-1465 Ellis 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 - Renee Wasylyk, Troika Developments

- Committed to betterment of Kelowna. Sustainable Growth with the OCP. Project has many amenities at its doorstep. We are building sustainable structures with green living. Energy efficient. Lower environmental impact. Traffic reduction, looking into bus pass program. Bus shelter will be in front of their building. Car co-op in designated stalls. Building exceeds expectations. Will preserve large Elm trees on site.
- We are providing Sustainability and Smart Growth which is affordable. Confirmed there are 6 rental units, 5 additional units are non-market affordable housing for sale. Noted that lane will be the entrance way. All traffic go thru the lane, go down Rose Avenue.
- Development Variance Permit required for parking, height and setback.

Irene Harlton – 598 Royal Avenue

- Against this development. Would like to see property rezoned to RM3 not RM5. Feels the development will decimate our neighbourhood. Residents have lived in neighbourhood from 15 to 50 years. Loss of privacy and loss of natural light with this building towering over our single family homes.
- Increase of traffic in our lanes. Service vehicles coming and going and lanes narrow as it is. Noise level will increase. Has the land use been adequately studied and what about OCP? These 2 blocks to be kept RM3 not RM5.

Ray Straple – 2041 Abbott Street

- Impressed with this development. Thought it fit in well with Pandosy corridor. Concern is influence IHA will have on this development. There is adequate space on existing land to increase their building capacity. A lot of parking space to increase parking or building capacity.
- Two areas west of the hospital NW and SW corner, suggest IHA look at those properties. Not a feasible area to expand for the hospital.

Susana Shulenbug – Carriage home on 406 Christleton

- chose to rent didn't know the area well enough to buy. Went to Troika to find out about proposed project and was really impressed because applicant is trying to reduce the footprint. These proposed units are affordable. The building has many angles and they took great care to create a living space that is appealing and will stay appealing with green space. Supportive of this project.

Kevin Craig – CEO Project on Board

- Transit shelter advertising company Supportive of the Development. Troika designed this project with sustainability in mind.

Lisa Lang – 785 Coupland Crescent

- Purchased property to help out family member. A lot of amenities around. Put property up for rent recently. Insane amount of interest in the area.
- Encourage city to densify this area. Not just using green space in backyards but to build up. Impressed with making this a green project.

Leanne Formay – 2260 Spiers Street

- Opposed. Not environmental friendly when it increases traffic flow with this amount of units. Lanes are too narrow. Homeowners cannot park in front of their own homes. If you go ahead with this project the City should rezone Spiers Street so that we have residents only parking.

Public HearingJune 12, 2007Margaret Marton for Penny Pearson – 607 Glenwood

- Penny Pearson delivered a package to council stating her reasons of opposition. Concerns with height of building and how it will affect the houses around. Avid gardner and concerned over the lack of light.

Pat Monroe – 368 Cadder Avenue – KSAN Member

- Concerns presented to Advisory Planning Committee. Hadn't heard from Troika but they came to KSAN meeting in May. Development has changed a little and glad to see affordable component. Would like to see 8 units with affordable component.
- Land Use plan has not been determined and will be done within 2 years. KSAN in favour to wait until plan is completed. Lost a lot of neighbourhood with Harvey and Pandosy expansion. Want things done appropriately. There is increased traffic in that area, and would like to wait until Transportation Plan is complete. Troika should go full route and play by all the rules. Many neighbours concerned. What's the future with sidewalk on east side of Pandosy. Letter of support from KSAN was only a letter supportive of the design. Letter never came to our board meetings.

Stan Miller – 539 Sutherland Avenue

- Main concern about pressure putting on hospital with increased population. Timing of proposal is not right with the hospital situation. Opposed to increased density.

Elana Marington – 2189 Pandosy Street

- In favour of this project. We support any type of growth in that area. Lived there for 6 years. Applicable project at this time. Support higher density.

Jackie Push - 2252 Spiers Street

- Opposed. Currently there are a lot of problems with cars. We know we have to deal with increased population but with the height of this building it will reduce our day lighting.

Miles Lang – 786 Cooper Crescent

- Supportive. Numerous calls from renters desperately looking for housing. Notes that RM5 zone has less units on it than an RM3 zone.

Angela Klassen – lower Mission

- Speaking on behalf of Parents. Supportive of this project.

Don Honaman – 2275 Pandosy Street

- Supportive of this project and ask if they could rezone the entire block to RM5 zone.

Interior Health – Joanne Connert Chief Officer

- Not here to speak for or against the proposal. Want to relay what they'd like to see on the existing KGH site. We are currently looking at aging and growing population.
- Noted the difference between VGH and KGH is that we have lower buildings heights due to soil levels. An Ambulatory building is proposed for 2010. This will service about 200,000 patient visits into that site.
- Outpatients will increase. We are implementing Cardiac Surgery program. Phase 2 re-development of operating rooms and further inpatient beds. We can't do this on our site.
- Parking is already congested. Future parkade is an option, this will be an issue for us. We do need to take down some of these buildings on Pandosy, Strathcona and Abbott.
- Need to increase the density on that site. Cancer facility already looking for more space. KGH is the referral site for the entire Okanagan. New parkade has taken

care of most those wanting to park on the site. No plans for hospital development beyond the existing site and increasing density on existing site.

Applicant - Renee Wasyluk, Troika Developments

- The Multi-family capacity we are proposing is within OCP RM3 buidling. There is a huge demand for housing and supply is an issue.
- Shadow study shows the only impact of shadowing would be over the garages not their yard space.
- Traffic study says development will have a minimal impact, study done as an RM5 zone. We are required to do lane upgrades. We provide for parking stalls on the lane way. Decreased the amount after first public meeting due to so much asphalt. 20 stall off the lane. 20 visitors stalls. 1 in every 7 stalls is a visitor stall. 10 visitor stalls altogether.
- 6 rental units are available to general public or whomever needs them on a short term 30 day lease.
- Construction plan is done and was submitted to council/staff articulating the traffic flow. Construction workers designated to go in one way direction, all required to park on site as well as material on site.

Keith Funk – New Town Planning for the Applicant

- RM5 and RM3 zone is traffic neutral, same outcome.
- Most units have opportunities for ground orientation. Encourages people to walk out into the street. Transit shelter very important solution. New initiatives is cost share program for cars. Real value to this concept and gives people option to live near work place. Lane width complies with bylaw standard at 6 m. Road widening in front of hospital will happen.

There were no further comments.

- 3.3 Bylaw No. 9799 (Z07-0036) – 864 Skyline Street - THAT Rezoning Application No. Z07-0036 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24, Section 30, Township 26, ODYD, Plan 11261, located on Skyline Street, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council.

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

NIL

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

Applicant:- Don Duggen representing the Applicant

- The owner wanted to renovate but through the process realized it needed extensive work. It was more economical to redo the house. Would like to build carriage house.

There were no further comments.

- 3.4 Bylaw No. 9800 (Z06-0071) – 853, 861, 867-869 Harvey Avenue and 850, 860, 870 Saucier Avenue - THAT Rezoning Application No. Z06-0071 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 10 to 15, Block 1, District Lot, 138 O.D.Y.D. Plan 7117, on Saucier Avenue and Harvey Avenue, Kelowna, B.C. from RU6 – Two Dwelling Housing to RM5 – Medium Density Multiple Housing be considered by Council.

Public HearingJune 12, 2007

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

Letters Opposed:

- K. Wulf, 849 Saucier Ave
- Linda Jackson & Leo Beauregard, 874 Dehart Ave.

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

Applicant - Pat McCusker, New Town Architecture

- Trying to anticipate what will happen in the future being land locked project preserve site lines of our project and what is happening around the project. Will provide long view site lines but to any anticipated projects around us as well. Entry to courtyard off Saucier Avenue. We will be providing rich colour schemes. Parking garages partly out of ground. Set building back to provide sense of house.

Sig Ottenbreit - 1764 Ethel Street

- Supports project. See's the neighbourhood deteriorating as it is. His home will be right across the street from this development. Elated that this project is happening to their block to improve the neighbourhood.

Tiara Curlock – 831 Saucier Avenue

- Not supportive. Agrees that the rental homes across the street are a problem but doesn't agree with this type of development. KSS site down the street, 68 unit right across the street. The traffic will increase. Many people speed on Saucier Avenue.
- Is this building going to be an age limit building or any age group allowed, will they be rental units? Want to know the integrity of Saucier Road. It's a beautiful street and feels landscaping will be lost.

Terry Noden – 822 Saucier Avenue

- Not supportive. Fears it will set a precedent if it is 4½ floors and feels they'll lose a lot of day light. Was told by city that they could not go up 4½ storeys.

Jane Roderick – 859 Saucier Avenue

- most concerned with amount of traffic going down Saucier. Sides of road are gravel and the amount of dust and conjection is a concern.

Applicant – Pat McCusker, New Town Architecture

- Will put in curb, gutter and sidewalk on their property going out Ethel Street then going down to Richter Street. Requirement of ½ storey variance is due to current water table.
- There will not be any age restrictions and it will be a strata building.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 9:11 p.m.

Certified Correct:

 Mayor

 City Clerk

ACM/dld