

Public HearingAugust 21, 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, August 21st, 2007.

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

Staff members in attendance were: Acting City Manager, Paul Macklem; Deputy City Clerk, Stephen Fleming; Director of Corporate Services/Acting Director of Planning and Development Services, David Shipclark; Planner, Nelson Wight, Planner, Paul McVey, Manager, Policy, Research & Strategic Planning, Signe Bagh*, 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 August 3rd, 2007, and by being placed in the Kelowna Daily Courier issues of August 13th, 2007 and August 14th, 2007, and in the Kelowna Capital News issue of August 12th, 2007, and by sending out or otherwise delivering 426 letters to the owners and occupiers of surrounding properties between August 3rd, 2007 and August 7th, 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. 9832 (OCP07-0010) – T 186 Enterprises Ltd.(The Mission Group) – 1550, 1560, 1570, 1580, 1596 Dickson Avenue THAT OCP Bylaw Amendment No. OCP07-0010 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Lots 12 – 16, DL 141, O.D.Y.D., Plan 3736, located on Dickson Avenue, Kelowna, B.C., from the existing Multiple Unit Residential – Low Density designation to the proposed Multiple Unit Residential – Medium Density designation, as shown on Map "A" attached to the report of Planning & Corporate Services Department, dated June 14, 2007, be considered by Council.
- 3.1(b) Bylaw No. 9833 (Z07-0027) - T 186 Enterprises Ltd./(The Mission Group) – 1550, 1560, 1570, 1580, 1596 Dickson Avenue THAT Rezoning Application No. Z07-0027 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 12 – 16, DL 141, O.D.Y.D., Plan 3736, located on Dickson Avenue, Kelowna, B.C. from the existing RU1 – Large Lot Housing zone to the proposed RM5 – Medium Density Multiple Housing zone be considered by Council.

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Staff:

- Application is supported by the Planning Department.
- Applicant is supplying five residential units as affordable housing.
- Parking provided for this application does meet bylaw requirements for off street parking.

Council:

- Confirmed that five units identified have been identified in housing agreement as affordable.

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

Letters in Opposition

Monica Black, Dickson Ave & Dunn Street
M. Liscia, 104-1938 Pandosy Street, employee of adjacent Landmark Building

Gary Black, employee in Landmark V building – submitted two letters and a Petition signed by 275 employees & neighbours in the surrounding area

Bill and Lise Sinclair –1506 Dickson Avenue

Letters in Favor

Michael DeGroot – Resident of Vernon, employee of ROM Communications Inc. located in Landmark #3.

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

Applicant, JoAnne Adamson, The Mission Group re: Power Point Presentation MODE

- Acknowledged that parking and traffic are a problem in this neighbourhood.
- February 8th applicant held an Open House. A number of positive comments were made and the only complaint that came up was the existing problem regarding parking. We hope to bring a solution to this problem.
- Five homes will be built for the affordable housing component through the legislative process. As well we will supply affordable market housing.

Jim Meiklejohn, The Mission Group – MODE Power Point Presentation Continued

- Described the design of the building.
- Pedestrian friendly landscaping.
- Okanagan inspired architecture, wood beams, brick and stucco.

Sylva Loncarat – 3080 Boucherie Road, Owner of 1551 Sutherland Avenue

- Not been informed when this first came before Council.
- Confirmed that son received the public hearing notice and he informed his mother of this meeting.

Mayor asked the Deputy Clerk to follow up and see if this person actually got this notice.

Sylva Loncarat – Owner of 1551 Sutherland Avenue(second time)

- Spoke with Deputy City Clerk and confirms that proper notice was sent.

Gloria Steingart 1514 Dickson Avenue

- Concern regarding parking. Not convinced that the developer anticipated the number of parking stalls they need in this development. Don't believe all residents will walk to work and to grocery stores. If more than one resident, likely to be more than one car. Local businesses already using residential parking. Would like the city to provide on street parking for the development.

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- Could we install speed bumps in the residential area of the street as well as the alley. Safety is an issue. There are a lot of vehicles that speed in this area.
- Need another access onto and off of Dickson Avenue.
- Would like to see 2 hour parking during the day.
- Perhaps not allow the left hand turn onto Burtch.

Cal McPherson, 1555 Bedford Avenue

- Supports this development.
- Parking on street is not the problem, if Landmark forced to construct parkade that would eliminate parking
- Highly recommend speed bumps on street

Gary Black – 1980 St. Andrew Avenue, Landmark V Employee

- Concern over parking problem in this area.
- Frustration level with neighbours has reached his peak.
- Works at Landmark Square. 60 employees do not have parking.
- Signed a petition against this development.
- How is this development NOT going to make the parking worse.

Emmanuel Lavoie- 859 Stockwell Avenue

- Supports this project for the environmental, sustainability and density component.
- How many points for LEEDS – Silver rating.
- Residential component will enhance the businesses.

Ron Popoff, 1755 Glenmore Road North

- Works at Land Mark 3 building and supports this application.
- Believes development will fit will in this area.
- Parking issues not so bad in the summer months.

Kelly Housing, 133 Wyndham

- Supports this from an energy perspective.

Applicant:

- Stobers currently have an application in the system for a parkade structure near the Dominos Building. The plan is for 40 additional parking stalls for the current tenants but not for future office buildings. Notes that Stober's application has nothing to do with their application.
- Construction access will be off of Dickson Avenue and will adhere to Noise Bylaw (7:00 a.m. to 6:00 p.m.) from Monday through Saturday.
- The Mission Group known for finding niche markets and see a need in this neighbourhood for housing. Creating housing for young adults. Truly targeting people who work in the area.
- Confirms that if this passes they will have to come back before council for development permit.

There were no further comments.

- 3.2 Bylaw No. 9835 (Z07-0021) – Carl and Lorraine Enns/(Carl Enns) – 4150 Sealy Road THAT Rezoning Application No. Z07-0021 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 110, Section 3, Township 26, O.D.Y.D. Plan 1247 Except Plan 18334, on Sealy Road, Kelowna, B.C. from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite be considered by Council.

Staff:

- Planning Department is supportive of application.

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

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

Applicant, Carl Enns

- Has been living on the street since 1973. Lived in current home since 1981
- Cottage has been used by his mother since 1981. Would like to make it conform to the zoning standards.
- No visual impact from the street.
- South East Kelowna Irrigation and Interior Health are both satisfied.

There were no further comments.

3.3(a) Bylaw No. 9839 (OCP07-0009) – 0763831 BC Ltd./(Bob Guy) – 1315, 1325, 1345, Hwy 33 W and 145, 155, 165 Taylor Road THAT Official Community Plan Bylaw Amendment No. OCP07-0009 to amend Map 19.1 of the Kelowna Official Community Plan (2000 - 2020) Bylaw No. 7600 by changing the Future Land Use designation of Lots 1 (except Plan 39705), 2 (except plan 39705), 3 (except plan 39705), 4, 5, 6, Section 22, Township 26, ODYD Plan 3727, located on Taylor Road and Hwy 33, 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 June 1, 2007, be considered by Council.

3.3(b) Bylaw No. 9840 (Z07-0026) - 0763831 BC Ltd./(Bob Guy) – 1315, 1325, 1345, Hwy 33 W and 145, 155, 165 Taylor Road THAT Rezoning Application No. Z07-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 1 (except Plan 39705), 2 (except plan 39705), 3 (except plan 39705), 4, 5, 6, Section 22, Township 26, ODYD Plan 3727, located on Taylor Road and Hwy 33, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RM4 – Transitional Low Density Housing zone be considered by Council;

Staff:

- Applicant is committing to 6 bachelor units for affordable housing.
- Form and character issues will be dealt with at development permit stage if this application is supported.

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.

Bob Guy, Applicant Representative

- Two years ago a new application for rezoning by Legacy Investment Ltd. went before Council in which Council did not approve to take forward to first reading and Public Hearing. At that meeting some comments were made in regards to upgrading design and dropping increment to RM4 zone but between then and now the owner sold the property to the current applicant.
- Applicant has worked closely with Planning and staff. A lot of site planning came out of those meetings and the results are in the proposal before us. The Applicant met with previous Planning Manager regarding affordable housing component. The applicant is proposing to provide 6 affordable housing units. It is difficult for the applicant to get full bonusing with the affordable housing component. The Applicant met with Rutland Residents Association which is supportive of the project. Local residents and Church of Nazareth are supportive of this project as well. The project buffers Highway 33 and will have a park like setting. Applicant is prepared to go for a housing agreement for affordable housing.

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- Aware previous project was too high and not supported by previous council.
- Trying to work with affordable housing component and worked carefully within the footprint. We feel we have met the intent.
- Tried to create what's within character and what's within the range of support.

Edward Jackson #10 – 140 Nickel Road

- Lives directly across from the property in question.
- Against changing the land use.
- Concern regarding traffic if this project goes ahead. Terai Road will be used to get to Ziprick Road. It's difficult for traffic to get around. Traffic coming out of this development going east but going left will be very difficult.
- Doesn't believe the picture shows the true elevation of the building.
- They will raise the level so there will be fill put in and the level will be raised 2 feet or more.

Maryanne Graham, 380 Mason Road, Rutland Residents Association

- Thinks the development is good for the property and the location. Pleased with the green space. Likes the 50 meter setback as well as a buffer to Highway 33.
- Concerned that this project could be lost due to the issue of the affordable housing component. Concern whether the affordable housing will have an age restriction placed on it and we don't want to see that happen.
- Although we are supportive we feel the color scheme is too dark and we'd like to see sound proofing between units. Would like to see permanent residents in the units.

Bob Guy, on behalf of Applicant:

- We did speak to a number of people in the complex and they were positive and supportive. We were not aware that there was any negative response.
- Traffic situation – 52 units would logically be coming out and going towards Highway 33 to exit to wherever they are going. Ziprick Place is similar to this project and don't think the traffic would have a negative impact.
- Benchmarking sidewalk a foot above sidewalk, parkade 2 feet above grade at maximum height, bermed and landscaped as well. Terms of the surrounding land use and properties,
- We are not looking at age restrictions in the building. Suite types generates people that generally buy. We are working with the Planning Department to determine the colors and materials of the building. We do meet parking requirements and setback requirements. We want to comply with everything we can.

Council:

- Clarified with staff that the Housing Agreement doesn't have any age restrictions.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:45 p.m.

Certified Correct:

 Mayor

 Deputy City Clerk

ACM/dld