

Public HearingJuly 22, 2008

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, July 22nd, 2008.

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

Council members absent: Councillor Brian Given

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Current Planning Supervisor, Shelley Gambacort; Planner, Paul McVey; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:02 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 July 4th, 2008, and by being placed in the Kelowna Daily Courier issues of July 14th, 2008 and July 15th, 2008, and in the Kelowna Capital News issue of July 13th, 2008, and by sending out or otherwise delivering 338 letters to the owners and occupiers of surrounding properties between July 4th, 2008 and July 9th, 2008..

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. 10035 (TA08-0002) – Text Amendments to the City of Kelowna Zoning Bylaw No. 8000 – Capri Insurance Services Ltd. - THAT Zoning Bylaw Text Amendment No. TA08-0002 to amend City of Kelowna Zoning Bylaw No. 8000 by replacing the existing definition of "Automotive and Minor Recreation Vehicle Sales/Rentals" with revised definition as outlined in Schedule "A" of the report of the Planning & Development Services Department dated June 6, 2008 be considered by Council.

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.

- 3.2 Bylaw No. 10036 (TA08-0005) – Text Amendments to the City of Kelowna Zoning Bylaw No. 8000 – City of Kelowna - THAT Zoning Bylaw Text Amendment No. TA08-0005 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" of the report of the Planning & Development Services Department dated June 6, 2008 be considered by Council.

The 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. No one came forward.

- 3.3 Bylaw No. 10037 (Z08-0046) – Melanie Berg – 1250 Bothe Road - THAT Rezoning Application No. Z08-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, District Lot 131, ODYD, Plan 37963, located at 1250 Bothe Road, Kelowna, B.C. from the RU1 – Large Lot Housing Zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council.

Staff:

- The Applicant has submitted a Petition in support of this application which contains ten (10) signatures.

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

- Letter of Support:
 - Ted, Donna & Rachael Carruthers, 1293 Bothe Road
- Letter of Opposition:
 - Elaine Exley, 1332 Bothe Road

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

Melanie Berg, Applicant:

- Have spoken with all of the neighbours and is unaware of any opposition to the application.
- The previous opposition may be due to the fact that the property was used for daily rentals, which was disruptive to the neighbours.

There were no further comments.

- 3.4 Bylaw No. 10038 (TA07-0007) – Text Amendment to the City of Kelowna Zoning Bylaw No. 8000 - THAT Zoning Bylaw Text Amendment No. TA07-0007 to amend City of Kelowna Zoning Bylaw No. 8000 by amending the C4 – Urban Centre Commercial zone as shown in Schedule “A” as outlined in the report of the Planning & Development Services Department dated May 30, 2008 be considered by Council.

Staff:

- Confirmed that the text amendment only deals with the 7-storey structure.
- Confirmed that there is no minimum or maximum standard in place for the proposed “green” amenities.
- Advised that a covenant could be registered against the property, through the Development Permit process, that would ensure the future viability of the proposed green initiatives.

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

- Letters of Support:
 - Chris Greenway, 453 Groves Avenue
 - Lorna Holker, #9 – 11290 Bond Road, Winfield, BC
 - Louis Desautels, #9 – 11290 Bond Road, Winfield, BC

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- Chantelle Wood and staff of Cornerstone Learning Resources Ltd.,
475 Groves Avenue
- Letter of Opposition:
 - Cliff Andrusko, 770 Raymer Avenue

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

David Dove, Busby, Perkins & Will, Applicant:

- The green development will provide the following benefits:
 - The courtyard is public and will provide an amenity for the community;
 - Rooftop green spaces will provide an amenity to the residences;
 - Green roofs provide visual amenity to the neighbours; and
 - Reduction in hard surface reduces rainwater run off to storm sewer.
- The underground parking will provide the following benefits:
 - Pedestrian-friendly faces around the building;
 - Main level can be used for other purposes – public courtyard;
 - Continuous retail street wall and a greater variety of retail spaces available;
 - Could not provide access through the site to city-owned public space if the parking was not underground.
- Because a car sharing program does not currently exist within the City of Kelowna, it is difficult to determine how many cars will be needed for the program until research is conducted.
- Confirmed that the green roof will be approximately 20% of the roof area.

Staff:

- Confirmed that the density bonusing will not reduce the number of parking stalls required.

Councillor Clark left the meeting at 6:57 p.m.

Gallery:Patrick Robertson, Vancouver, BC

- Supportive of the text amendment.
- In favour of the sustainability initiatives being proposed for the development.

Cory Werstuik, 3560 Casorso Road

- In favour of this application.

Polly Niestrom

- In favour of this application.

Pat McLellan, 540 Brome Crescent

- In favour of the text amendment.
- Thinks developments need to be more pedestrian-friendly.
- In favour of density bonusing for increased costs.

Randy Spanow, 660 Lequime Road

- In favour of the text amendment.
- Believes in the higher density for green developments.

Brian Peterson, 4546 Fuller Road

- In favour of the text amendment and the proposed development.
- Feels this will support the redevelopment of the area.

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- Teacher of sustainable development.
- Supports the application.
- In favour of the car sharing program.

David Maze, 730 Baillie Avenue, #3

- Supportive of the text amendment and feels that it is in the best interests of the City.
- Presented a letter in support of the application.

Dr. Terry O'Farrell, 2982 Abbott Street

- Presented a letter in support of this application.

Cheryl Thiessen, 4525 Eldorado Court

- In support of the application.

Stacy Fenwick

- Plans on moving into the complex with her 2 children as the children will be able to walk to and from school and she will also walk to and from work.
- Need density in City centres.

Adam Faust

- In favour of the project as it is an environmentally-friendly development.

Pauline Chua

- With the public courtyards being at grade, the public will be able to utilize the space as a farmer's market or a crafter's market.

Judy Dickson, 3134 Walnut Street

- Would like to downsize and this development is where she would like to move to.

Vicki, Kelowna, BC

- Likes the idea of car sharing and would like to see her parents move into the development.
- Supportive of the text amendments.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:20 p.m.

Certified Correct:

Mayor

City Clerk

SLH/dld