

Public HearingMarch 10, 2009

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 10<sup>th</sup>, 2009.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Robert Hobson, Charlie Hodge, Graeme James, Angela Reid, Michele Rule and Luke Stack.

Council members absent: Councillor Brian Given

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham, City Clerk, Stephen Fleming; Director, Land Use Management, Shelley Gambacort, Park and Landscape Planner, Barb Davidson\*, and Council Recording Secretary, Arlene McClelland.

(\* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:04 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 20, 2009, and by being placed in the Kelowna Daily Courier issues of March 2, 2009 and March 3, 2009, and in the Kelowna Capital News issue on March 1, 2009, and by sending out or otherwise delivering 767 letters to the owners and occupiers of surrounding properties between February 20, 2009 and February 25, 2009.

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. 10083 (Z08-0035) – Dwayne and Sandra Jeurond – 890 Juniper Road - THAT the final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch and Rutland Water District being completed to their satisfaction.

Staff:

- There will be a variance that will be considered at a later date if this application is successful. A petition of support for the application was included in the package.

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.

There were no further comments.

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- 3.2 Bylaw No. 10152 (Z08-0099) – Ruth and Mohammed Umran/(Ruth Umran) – 1045 El Paso - THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Black Mountain Irrigation District being completed to their satisfaction.

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.

There were no further comments.

- 3.3 Bylaw No. 10153 (OCP08-0029) and Bylaw No. 10143 (Z08-0105) – City of Kelowna – 3694 and 3696 Lakeshore Road - THAT OCP Bylaw Amendment No. OCP08-0029 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Amended Lot 23A & Amended Lot 24A, Block 4, District Lot 134, ODYD, Plan 515, located at 3694 & 3696 Lakeshore Road, respectively, Kelowna, BC, from the Single/Two Unit Residential designation to Major Park/Open Space designation, as shown on Map “A” attached to the report of Land Use Management Department, dated January 19, 2009, be considered by Council;

THAT Rezoning Application No. Z08-0105 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Amended Lot 23A & Amended Lot 24A, Block 4, District Lot 134, ODYD, Plan 515, located at 3694 & 3696 Lakeshore Road, respectively, Kelowna, BC, from the RU1 – Large Lot Housing zone to the P3 – Parks and Open Space zone be considered by Council;

THAT Council considers the APC public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Land Use Management Department dated January 19, 2009;

THAT the OCP Bylaw Amendment No. OCP08-0029 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration.

Council:

- Inquired if there were a City Policy that offered homes destined for demolition to the public. Staff were unaware of any such Policy but would look into the matter.

Staff:

Barb Davidson - Parks Planner

- Advised Council that one home is already demolished and the second is scheduled to be demolished to allow for the extension of the Park. The expansion will be ready for use by the May long weekend.

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.

Gallery:

Elsie Wensley, 625 Barrera Road

- Confirmed that Rotary Beach would be extended.
- Supportive of application.

There were no further comments.

- 3.4 Bylaw No. 10156 (Z08-0084) – Ambrosi Properties Ltd./(The Mission Group – 1821, 1833, 1845, 1857, 1869, 1877, 1885 and 1887 Ambrosi Road - THAT first, second and third readings of Bylaw No. 9962 be rescinded;

AND THAT first reading of Bylaw No. 9965 be rescinded;

AND THAT Rezoning Application No. Z08-0084 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lots 13-20, Block 2, District Lot 129, ODYD, Plan 5109, located on Ambrosi Road, Kelowna, BC from the RU1-Large Lot Housing zone to the RM5-Medium Density Multiple Housing zone, be considered by Council.

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit & Development Variance Permit on the subject property.

AND THAT final adoption of the zone amending bylaw be considered subsequent the requirements of the Development Engineering Branch being completed to their satisfaction.

Staff:

- The previous plan before this was a much larger multi unit project. There were approximately 100 units and it was more of an apartment style.

Applicant: Jonothan Friezen, Mission Group

- The previous option which we brought forward was withdrawn. We would only be adding additional supply to an area that is already over supplied. We believe this is a new twist on housing for Kelowna. This project is a compact condominium style home with 2 to 3 bedrooms, a front door to the outside and no shared floor or ceiling with another unit. Two parking spaces will be provided beneath each home. We feel we can sell these homes between the \$260,000 and \$270,000 price range.
- Corey Makus, Project Manager, Mission Group
- Provided a Power Point Presentation to Council re: Ambrosi Road Townhomes
- Mr. Makus noted that the Mission Group is a Member of the Canadian Green Building Council.
- All the current homes on the street are in disrepair and the road needs improvement. The Mission Group has worked closely with the Planning Department to keep the same rhythm of the street by keeping entry level access to the street and a small green space. We have created a pedestrian friendly area by enabling access through trellis gates and garden areas. We are also in keeping with the Official Community Plan.

Council:

- Confirmed marketing price is designated to be under \$300,000.
- Commented that the Applicant did include underground wiring in the project.
- Inquired about the green approval list. Staff advised that the Applicant had already filled in the green check list but had hoped to roll out a more user friendly check list in the near future. This will be forwarded to both Council and the development community.

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.

Gallery:

Bruce Waller, #408, 1895 Ambrosi Road

- I think there is a 60 unit building that is under construction at the moment plus this 50 unit project. What are the capabilities of Ambrosi Road to hold extra traffic. Is there visitor parking with this new application?

Staff:

- The Applicant is providing 100 resident parking spaces and 8 visitor parking spaces. Frontage upgrades would help alleviate some of the traffic concerns. There is no further increase in the width of the road.

There were no further comments.

- 3.5 Bylaw No. 10158 (Z08-0117) – Edith and Daniel Buhler – 353 Clifton Road – THAT Rezoning Application No. Z08-0117 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 31, Township 26, ODYD, Plan 12963, located on Clifton Road, Kelowna, B.C. from the A1- Agriculture 1 zone to the A1(s) – Agriculture with a secondary suite zone be considered by Council.

Staff:

- Applicant does have written consent from adjacent property owners.

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.

There were no further comments.

- 3.6 Bylaw No. 10159 (OCP08-0028) and Bylaw No. 10160 (Z08-0111) – Sukhbir and Charanjit Sandhu – 773 Morrison Avenue - THAT OCP Bylaw Amendment No. OCP08-0028 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Lot B District Lot 136 ODYD Plan 4572, located at 773 Morrison Avenue, Kelowna, BC, from the Single/Two Unit Residential designation to Multiple Unit Residential (Low Density) designation, as shown on Map “A” attached to the report of Community Sustainability Division, dated February 04, 2009, be considered by Council;

THAT Rezoning Application No. Z08-0111 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 136 ODYD Plan 4572, located at 773 Morrison Avenue, Kelowna, BC, from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone be considered by Council;

THAT Council considers the Advisory Planning Commission public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Community Sustainability Division dated February 04, 2009;

THAT the OCP Bylaw Amendment No. OCP08-0028 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

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AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

Staff:

- The Applicant is providing \$10,000 cash in lieu of affordable housing. This application was in place prior to the affordable housing policy. With the current policy this application would require cash in lieu of between \$12,000 and \$14,000 so their contributed amount is within range.

Council:

- Inquired if the four units would be sold. Staff noted that the decision is up to the Applicant and that they could stratify into four units.
- Raised concern with the traffic flow. Would like to see some sort of traffic calming in the alley way. Staff noted that they would have to defer future consideration of traffic calming to the transportation department.
- Commends the applicant for speaking with all neighbours and providing the plans for them to view.

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

**Letters of Opposition:**

Ken Fisher, 801 Francis Avenue

Trevor Davis, 827 Morrison Avenue

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

**Sukhbir Sandhu, Applicant:**

- I am the property owner. Before I made the application I went to 60 to 65 neighbours and do have their signatures of support.
- The occupiers of 827 Morrison had initially signed that they were in agreement. I worked with both the planning department and my neighbours on this application.

There were no further comments.

**4. TERMINATION:**

The Hearing was declared terminated at 6:53 p.m.

**Certified Correct:**

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Mayor

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City Clerk

ACM/dld