

# City of Kelowna Public Hearing AGENDA



Tuesday, April 23, 2013  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

## 1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1.(a)The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030 - Official Community Plan* Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b)All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c)All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public.The correspondence and petitions received afterApril 9, 2013(date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d)Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e)It must be emphasized that Council will not receive any representation from the

applicant or members of the public after conclusion of this Public Hearing.

## 2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

## 3. Individual Bylaw Submissions

- 3.1 Bylaw No. 10837 - Official Community Plan Bylaw Amendment Application No. OCP13-0001 and Bylaw No. 10838 - Rezoning Application No. Z13-0002 - Graeme James - 1242-1244 Pheasant Street

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**Mayor to invite the Applicant, or Applicant's Representative to come forward.**

To consider a staff recommendation **NOT** change the future land use designation of the subject property from the Multiple Unit Residential (Medium Density) designation to the Multiple Unit Residential (Low Density) designation; To consider a staff recommendation **NOT** to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing zone in order to legalize an existing four-plex building.

- 3.2 Bylaw No. 10825 - OCP Text Amendment Application No. OCP12-0015 - Supplemental Report - Doug Dueck - 526 Doyle Avenue and 1368 St. Paul Street

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To consider an OCP amendment to exclude the development proposed at 526 Doyle Avenue and 1368 St. Paul Street from the OCP's Building Height Policy in order to permit a 65m (22 storey) and 88m (30 storey) 2 tower, mixed use development where the City Centre Building Height Map allows 76.5m (~26 storeys); and to permit a 30 storey mixed use development with two towers having a separation of 32.0m where the minimum tower separation for a project with a floor plate greater than 697m<sup>2</sup> is 36.5m. A Development Permit for the form and character of the proposed two high rise towers is also under consideration. The following variances have been proposed as part of the revised development concept: 1. Vary the height from 44m permitted to 65m (Tower #1) and 88m (Tower #2) proposed; 2. Vary the required setback from a property line abutting a street from 3.0m required to 1.24m proposed for portions of a building above 15m; 3. Vary the building setback from an interior lot line from 15m required to 4.0m proposed for portions of a building above 22m; 4. Vary the building setback from a lot line abutting a lane for Tower #2 from 10m required to 3.6m proposed for portions of a building above 22m; 5. Vary the maximum horizontal dimension above 15m for Tower #2 from 26m permitted to 37.8m x 31.24m proposed; 6. Vary the maximum floor plate area

for Tower #2 from 676m<sup>2</sup> to 822.65m<sup>2</sup> (Floors 5-13) - 770.63m<sup>2</sup> (Floors 14-21) - 695.85m<sup>2</sup> (Floors 22-28); 7. Vary the inclined plane above 15m from 80 permitted for Tower #1 to 85.58 for western elevation and 88.65° for the eastern elevation and to vary the 80° for Tower #2 to 87.07 ° for the western elevation and 83.09 for the eastern elevation.

- 3.3 Bylaw No. 10839 - Rezoning Application No. Z13-0012 - Blenk Development Corporation - Various Wilden Properties 94 - 99

The Phase 2D rezoning application is to deal with the broad zoning designations that have shifted slightly now that detailed road and lot layouts have been established.

- 3.4 Bylaw No. 10832 - Official Community Plan Amendment No. OCP13-0002 - Bylaw No. 10833 - Text Amendment Application No. TA13-0004 and Bylaw No. 10834 - Rezoning Application No. Z13-0003 - Protech Consultants Ltd. - 1760, 2025 and 2137 Quail Ridge Boulevard 100 - 119

To amend the Official Community Plan future land use designations (Map 4.1) and the existing line work from the "Resource Protection Area", and "Industrial" designations to a largely industrial and commercial designation, with the remainder designated for Parks & Open Space. The OCP amendment is proposed in support of a rezoning to the CD15 - Airport Business Park zone. Further, to amend Official Community Plan Map 5.8 - Urban Design Development Permit Area Map by adding the CD15 - Airport Business Park zone as a 'General Commercial & Industrial DP Area' and to amend Table 4.2 by removing reference to a Pier Mac Area Structure Plan. Additionally, it is proposed that the subject property be rezoned from the A1- Agriculture 1, CD15 - Airport Business Park, I5 - Extraction, and P3 - Parks & Open Space zones (current) to the CD15 - Airport Business Park and P3 - Parks and Open Space zones (proposed). The proposed CD15 rezoning is in support of a proposed 51 lot subdivision containing one commercially zoned property and 50 industrially zoned properties. The applicants are concurrently proposing to amend the CD15 zone to include 'Breweries and Distilleries, Major' as a permitted "Principal Use" within the areas designated as "Industrial" in the CD15 - Airport Business Park zone. Finally, to amend the CD15 - Airport Business Park zone by replacing existing Map 1 (Airport Business Park Phase 1 & 2 Zoning Plan) with a revised "Map 1".

#### 4. Termination

#### 5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);

(b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.

(c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.

(d) The Chair will call for representation from the public in attendance as follows:

(i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.

(ii) The Chair will recognize ONLY speakers at the podium.

(iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.

(e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer

and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.