



City of Kelowna Public Hearing Minutes

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

Members Present: Mayor Walter Gray, Councillors Colin Basran, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann.

Members Absent: Councillor Andre Blanleil.

Staff Present: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Manager, Urban Land Use, Danielle Noble; Manager, Development Engineering, Steve Muenz*; and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the Hearing to order at 6:04 p.m.

Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" 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.

2. Notification of Meeting

The Deputy City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on April 10, 2013 and by being placed in the Kelowna Capital News issues on April 12, 2013 and April 16, 2013, and by sending out or otherwise delivering 5549 letters to the owners and occupiers of surrounding properties between April 9 and April 12, 2013.

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 No. 309.

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

Staff:

- Summarized the applications before Council and responded to questions from Council.

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

Letters of Opposition:

- Lynda Zorn, 1122 Stockwell Avenue

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

Graeme James, -2260 Scenic Road, Applicant

- Responded to opposition letter and advised that he had spoken to Mrs. Zorn and she was satisfied with his comments.

Gallery:

Resident, Dorchester Retirement Centre

- Supportive.

There were no further comments.

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

Mayor:

- The focus on this application is with respect to the OCP and the height and separation of the buildings.

Staff:

- Summarized the applications before Council and responded to questions from Council.

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

- Letters of Support
 - Tyler Dyck, 1468 St. Paul Street
 - Amanda Zais, 767 Leon Ave
 - Trevor Morhaliek, 100-1475 Ellis Street
 - Maria Graziano, 618 Bernard Ave
 - Linda Winnick, 339 Bernard Avenue
 - Gloria and Max Sloan, 1598 Pandosy Street
 - Wendy Turcotte, 541 Bernard Ave
 - Jan Johnson/ Lori Burns, 575 Bernard Ave
 - Ryan Hunter, 543 Bernard Ave
- Letters of Opposition
 - Dr. Luigi Rossi, 1402-1395 Ellis Street
 - Bob Heyworth, #703 - 1395 Ellis Street
 - Linda Heyworth #703 - 1395 Ellis Street
 - Janice Roy, #401 1331 Ellis Street
 - Laurence Marshall, 307-1349 Bertram Street

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

Gallery:

Tyler Dueck, 526 Doyle Avenue, Applicant

- Displayed a Powerpoint Presentation.
- Confirmed that the adjacent lot was acquired enabling the north tower to move away by 50 feet; Suites are oriented to look out corners of the building rather than into each other; further separation of the towers improves the view corridors.
- Confirmed Tower 2 will require a variance.
- Confirmed that there is a Covenant on the Daycare; the covenant ensures the use; there will be a third party operator of the daycare.
- Clarified that the objective is to provide daycare that is affordable for the community.
- Confirmed IHA is supportive of the required outdoor space on the mezzanine; safety requirements will be followed; access to the level will be required.
- Estimated the unit price range between \$300,000 - \$500,000 thousand.
- The design has improved over the last 7 years with input from staff, public and Council.

Wes Friesen, Points West Architecture

- The architecture compliments the Madison; the floor plate reduces as it goes up; stepping gives relief as one looks up, similar to the Waterscapes development and smaller than the Madison.
- The variance to the floor plate size is to create an architectural presence.
- Strong and simple form that addresses the street and live interfacing.
- There will be large decks to enjoy views; public art features; and a ½ acre of green space.

Gallery:

Bob Heyworth #703, 1395 Ellis Street

- Two towers will not fit on this property.
- Referenced Objective 5.5 Policy .1 of the Official Community Plan, where critical parts to this objective are height, separation and adequate view corridors between towers. Believes a 40 degree view corridor is required and this project does not meet that view corridor.
- Opposed to this application.

Gordon Prose, Tenant Facing West (Not Owner)

- Girth is higher than the Madison and is twice as tall.
- Raised concern with setbacks and variances.
- Opposed to this application.

Janice Roy, #401, 1331 Ellis Street

- Opposed to the variances requested.
- Agrees with Mr. Heyworth's comments.
- Opposed to this application.

Dewy Letoski, 1358 St. Paul Street, Business Owner

- Raised concern with going against the OCP and Bylaws.
- Cost reduction in daycare may cause competition with family run day cares.
- Not opposed to development but if approved then the rules regarding height should change for the entire area.
- Opposed to this application.

Nick Desert, 315 Lawrence Avenue

- Could see living in one these units.
- Supportive of this Application.

Linda Heyworth, #703 - 1395 Ellis Street

- The additional property purchased allows for one tower within the OCP and suggested building the north tower with variances on north property line to keep the view corridors envisioned in the OCP.
- Offered options for public benefit including an urban park on remaining land.
- Believes that two towers are not permitted on this property and that view corridors are not considered yet are a requirement.
- Opposed to this application.

Dana Kotler, 1395 Ellis Street

- Raised concern regarding density and concentration of buildings on the same corner.
- Raised concern regarding water table issues that occurred with the Madison.
- Opposed to this application.

Maria Tokarchuck, 767 Fuller Avenue

- Raised concern with contravening the OCP.
- Wrong development for this site.
- Advised that Laurence Marshall is in opposition of this application not in support.
- Opposed to this application.

Kathy Higgins, Manhattan Drive, Owner of 1358 St. Paul Street, 1383, 1350, 1379 Ellis Street

- This development is in the Art District and a good fit for the area.
- Supportive of this application.

Kayla Klassen, West Kelowna Resident (Realtor)

- Developer is doing all they can to make this project beneficial; creating long standing jobs, affordable housing and daycare facility.
- Supportive of this application.

Lorraine Andrews, #312, 1331 Ellis Street

- Lives in the corridor. Feels too much is happening in this area with the IHA building and parking lots and suggested putting this project on hold until the other projects have been completed.
- Opposed to this application.

Connie Heimbecker, 801 Stockwell Avenue

- This development will change the character of this neighbourhood.
- Opposed to this application.

Elaine Hatch, 1331 Ellis Street

- Raised concern with traffic in the area; moving delivery trucks and pedestrians in an already congested area.
- Opposed to this application.

Gavin Hamilton, Resident at The Lofts

- Raised concern with parking. All residents egress onto a narrow unkept back lane that is partially paved and partially not. Laneway is very dangerous.
- Opposed to this application.

Don Ganyon, Madison Resident

- Inquired if view corridors would be considered in Council's decision.

Staff:

- Provided a rationale of view corridors not being an OCP amendment.

Bob Heyworth, #703, 1395 Ellis Street

- View corridors need to be considered.

Tyler Dueck, Applicant

- Spoke to the view corridor concerns.
- Confirmed the lane will be improved and widened to 25 feet from the current 20 feet.
- Confirmed the water table has been looked at and consideration is being given to piling which does not disrupt adjacent buildings. This has been discussed with the neighbours, Daily Courier and Madison residents.
- Confirmed lane way is the main access for residents. Clarified that there are entrances for levels 2, 3 and level 4.

There were no further comments.

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

Staff:

- Summarized the applications before Council and responded to questions from Council.

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

- Letters of Concern
 - Josh Hoggan, [REDACTED]

Mayor Gray invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one came forward.

Bob Dargatz, Blenk Development Corporation - Applicant

- Applicant not present.

There were no further comments.

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

Staff:

- Summarized the applications before Council and responded to questions from Council.

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

- Letters of Support
 - Shirley and Don Maranda, 2352 Capistrano Dr
- Letters of Opposition
 - Philip Gardner, 1797 Capistrano Drive
- Letters of Concern
 - W.M. Mac Campbell, Quail Ridge Residents Association
 - Joanne Garrard-Barton, 3076 Quail Run Drive
 - Gregor and Ann Miller, 2336 Country Club Drive

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

Grant Maddock, Protech Consultants, Applicant

- Displayed maps and provided a history of the area.
- Advised that until a traffic impact analysis has been completed is unsure of any contributions the developer would have to put forth.
- Advised that the hillside, being over just 9 acres, will be dedicated to the City.

- Addressed concerns from the Quail Ridge Residents Association regarding landscaping, maintenance and screening.
- Advised that the Quail Ridge Residents Association requested the extension be re-named from Hollywood Road to Quail Ridge Road.
- Confirmed there is a traffic plan. Hollywood Road would be the major access.

Gallery:

Mac Campbell, On behalf of the Executive of the Quail Ridge Residents Association

- Expressed concern that there had not been any in house dialogue regarding this proposal.
- Advised that there is no understanding of timing, ownership and design guidelines. Unsure of roadway and does not understand the meaning of a rural road.
- Acknowledged that some of the new buildings are remarkable.
- Advised that naming of the road is an issue. Request in the short term that the name is left as Quail Ridge Boulevard until the road is completely built.
- Advised that viewsapes to the rear of the buildings are problematic to residents above.

Gallery:

Paul Larson, 2288 Capistrano Drive

- Supportive of comments made by the Residents Association.
- Asked not to overlook that this is an industrial area that leads to a beautiful neighbourhood and golf course.
- Raised concern that Hollywood Road runs behind those industrial buildings.
- Unclear if the through road will have a stop sign or a light.
- As a resident, would like to see more commercial introduced, such as a grocery store, than industrial.

Rick Gordon, 2237 Capistrano Drive

- Submitted his speaking notes.

Grant Maddock, Applicant

- Spoke to communication efforts with the Quail Ridge Residents Association.
- Advised that most of the concerns are engineering items and does not know about those issues.
- Advised that Hollywood Road will be constructed during the first phase of subdivision this fall or next spring. Standard to be brought forward by city engineering. This is outside of the 20 Year Plan and there is no provision for doing curb, gutter and sidewalk.
- Advised that the slope of Hollywood Road will be higher and therefore the back of the properties will be visible.

Manager, Development Engineering

- Provided the definition of a rural road; road with no sidewalks or curb and gutter.
- Advised that the Engineering report references the need to complete the traffic impact analysis.
- Confirmed that when the final report is complete it will be available.

Deputy City Clerk

- Advised that the Public Hearing may be left open if Council wishes to receive the traffic study information in a supplemental report.

Moved by: Councillor Stack/Seconded by: Councillor Basran

R294/13/04/23 THAT the Public Hearing be kept open with respect to Bylaw Nos. 10832 (OCP13-0002), 10833 (TA13-0004) and 10834 (Z13-0003) 1760, 2025 and 2137 Quail Ridge Road;

AND THAT staff report back with information from the completed Traffic Impact Assessment prior to further consideration.

Carried

There were no further comments.

4. Termination

The Hearing was declared terminated at 9:43 p.m.

Certified Correct:

Mayor

Deputy City Clerk

/acm

