

Public HearingJanuary 11, 2011

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, January 11<sup>th</sup>, 2011.

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

Council members absent: Councillor Robert Hobson.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Director, Land Use Management, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:01 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 December 17, 2011, and by being placed in the Kelowna Daily Courier issues of January 3, 2011 and January 4, 2011, and in the Kelowna Capital News issue of January 2, 2011, and by sending out or otherwise delivering 146 letters to the owners and occupiers of surrounding properties between December 17, 2010 and December 24, 2010.

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. 10461 (Z10-0079) - Emil Anderson Construction Co. Ltd. - 2428 Glacier Court - THAT Rezoning Application No. Z10-0079 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 2, Section 28, Township 26 and of District Lot 125, ODYD, Plan KAP88921, located at 2428 Glacier Court, Kelowna, BC from the RM4 - Low Density Transitional 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 FURTHER THAT final adoption of Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property.

Staff:

- Advised that the Applicant has not provided a site plan for the development, but will do so in the future.
- Confirmed that the subject property is not in a Natural Environmental Development Permit Area, however there a Hazardous Conditions Development Permit will be required.

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- Confirmed that the wetland in the area is outside of the subject property's boundaries.
- Advised that the property line is approximately 15m from Mill Creek.
- Advised that there will only be one access to the development off of Glacier Court.
- Explained the difference between the Natural Environmental Development Permit and the Hazardous Conditions Development Permit.

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

- o Letter of Opposition:
  - Robyn M. Lee, 946 Monashee Place

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

Greg Asling, Emil Anderson Construction Ltd., Applicant's Representative

- Advised that the subject property has been zoned for medium density since the late 1970's and was originally governed by a Land Use Contract.
- Advised that the sanitary sewer main has already been installed on the site.
- Displayed conceptual development plans for the project.
- Advised that the primary reason for requesting the RM5 zone is to allow for an additional storey for the proposed multi-unit buildings.
- Advised that the only area suitable for multi-unit buildings is along the Terasen Gas Right-of-Way.
- Displayed a photo of the topography of the subject property.
- Advised that the structures on the site may be constructed as "rental" units.
- Advised that during construction, there will be an opportunity to do some berming along the slopes.
- Advised that the current proposal, as anticipated today, includes 148 units which is significantly lower than the maximum number of units allowed under an RM5 zone.
- Advised that some of the subject property area was lost as a result of the Multi-Model Corridor land dedication required by the City.
- Advised that the developer will be ensuring that any purchasers or renters of the units are aware that the Multi-Model Corridor will be constructed in the area and could impact their property. This will be disclosed via a Disclosure Statement.
- Advised that the developer will be ensuring that there is minimal or no damage to the surrounding area, including the abutting wetlands, as a result of construction of the development.
- Confirmed that all of the required servicing to the site has been installed.
- Advised that City staff have not indicated, at this time, that a traffic signal will be required at the intersection that accesses the development site.

Gallery:Jack Montpetit, 2292 Lillooet Crescent

- Expressed a concern that the developer has not identified a definitive number of units for the development.
- Expressed a concern with traffic and how the additional units will impact traffic in the area.

Brenda Leering, Monashee Rise

- Does not recall being told about the development being discussed tonight and expressed a concern with the location of the larger units in relation to her property.

Greg Asling, Emil Anderson Construction Ltd., Applicant's Representative

- Showed the location of the multi-unit buildings in relation to Monashee Rise.
- Displayed the elevation differential for Monashee Rise and the subject development.

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- Reconfirmed that the proposed development has been disclosed to all purchasers of the surrounding area.
- Advised that the density proposed for Dilworth Mountain has been identified in the City's Official Community Plan since the 1980's.
- Advised that there are still a couple of parcels of land in the Dilworth Mountain area that can be developed for residential and/or commercial purposes.

## Staff:

- Advised that the RM4 zone and the RM5 zone are essentially both medium density zones, even though wording in the Zoning Bylaw and the Official Community Plan do not clearly state that.
- Confirmed that one access in and out of a development is very typical of what has been constructed in the Dilworth Mountain Area.

## City Manager:

- Commented on how staff determine whether or not one-way out and one-way in is acceptable for a development.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:03 p.m.

Certified Correct:

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Mayor

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City Clerk

SLH/dld