



City of Kelowna Public Hearing Minutes

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| Date: | Tuesday, June 4, 2019 |
| Location: | Council Chamber City Hall, 1435 Water Street |
| Members Present | Mayor Colin Basran, Councillors Ryan Donn, Gail Given, Mohini Singh and Loyal Wooldridge |
| Members Absent | Councillors Maxine DeHart, Charlie Hodge, Brad Sieben, Luke Stack |
| Staff Present | Acting City Manager, Derek Edstrom; City Clerk, Stephen Fleming; Development Planning Department Manager, Terry Barton; Sustainability Coordinator, Tracy Guidi*; Planner Specialist, Adam Cseke; Planner, Lydia Korolchuk; Legislative Coordinator (Confidential), Arlene McClelland |

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:05 p.m.

Mayor Basran 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 City Clerk advised that Notice of this *Public Hearing* was advertised by being posted on the Notice Board at City Hall on Tuesday, May 21, 2019 and by being placed in the Kelowna Daily Courier issues on Friday, May 24 and Wednesday, May 29 and by sending out or otherwise mailing 279 statutory notices to the owners and occupiers of surrounding properties on Tuesday, May 21, 2019.

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 Energy Step Code Zoning Bylaw Amendments - City of Kelowna

Staff:

- Provided a summary of the Energy Step Code Zoning Bylaw amendments.

The City Clerk advised that no correspondence was received.

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

No one from the gallery came forward.

There were no further comments.

3.2 West Ave 454-464, OCP18-0021 and Z18-0118 - West Avenue - Mission Group Rentals Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Peter and Joilanda Anderson, West Avenue
 Tina Lehman, Pandosy Avenue
 Richard Drinnan, Greene Road (2 letters)
 Marie Baient, West Avenue
 Cathy Richards, Groves Avenue
 Carla Irvine, Abbott Street
 Dr. and Mrs. T. O'Farrell, Abbott Street
 Glen and Lorraine Shuttleworth, West Avenue
 Sheila Strother and Dennis Silvestrone, West Avenue
 Helmut and Susan Herwig, Vasile Road
 Birk Hoehn and Nancy Pells, Abbott Street
 Magda Mutch, Abbott House Council, Kelowna
 Michael Neill, Watt Road
 Jack and Carol Campos, Newsom Avenue
 Gloria and Lars Pada, Bath Street
 Marie and Peter Baigent, West Avenue
 Paul Clark, Abbott Street
 Carol and Joe Czech, Newsom Avenue
 Annalee DeRosa, Groves Avenue
 Klona KLO Neighbourhood Association, Paul Clark, 3002 Abbott
 Patrica Kelly, Pandosy Street
 Dr. Patricia Skidmore, West Avenue
 Lawrence T. Kelly, Pandosy Street
 Garth Vickers, Groves Avenue

Luke Turri, Mission Group, Applicant

- Displayed a PowerPoint Presentation, re: West Avenue Apartments
- Has owned the property for 2 years; not a huge property so had to be creative with the design and to be in keeping with the unique look and feel of the neighbourhood.
- Boutique apartment building with steel and concrete construction; compromising of 1, 2 and 3 bedroom homes.
- Providing a purpose built rental in close proximity to the hospital, college and offices.
- Spoke to the proposed rezoning and believes the project fits within the surrounding neighbourhood context; the density and height is comparable to the Official Community Plan vision.
- A Restrictive Covenant is in place to have commercial use on ground floor only.
- Spoke to the proposed buildings minimum setbacks.

- Spoke to the proposed landscaped terrace that will create a buffer to the neighbours and is a great amenity space.
- Spoke to the unique architectural design and transitional massing
- Responded to questions from Council.

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

Gallery:

Paul Clark, Abbott Street

- Opposed to this application.
- Raised concerns with the traffic impact to the neighbourhood.
- Raised concerns with the height that is being proposed as it is higher than the Official Community Plan calls for.
- Believes the height will block the views of many in the immediate neighbourhood.
- Raised concerns with shadowing and suggested a shadow study be considered.
- The expectation is that the neighbourhood should be developed as indicated in the Official Community Plan
- Raised concern that the proposed building is too close to the sidewalk and is reducing green space.
- Raised concern that the proposed building does not fit into the vision of the unique neighbourhood.

Judy, Sopa Square

- Opposed to this application.
- Encouraged Council to follow the Official Community Plan; have no issue with a four storey building.
- Raised concern with setting a precedent for future density and height increases in the neighbourhood.
- Raised concerns with traffic and lack of parking.

Marie Baigent, West Avenue

- Opposed to this application.
- In support of a four storey rental building.
- Opposed to height being over four storeys.
- Opposed to the commercial use as proposed on West Avenue; commercial use should connect to Pandosy street.
- Raised concerns with the size and noise impacts of the proposed roof top terrace.
- Raised concerns with lack of green space and lack of benches.
- Raised concerns with traffic.

Anne Laurie, Abbott Street

- Opposed to this application.
- Resident for 18 years.
- In favour of a four storey building.
- Believes the area should be used to serve small families.
- Opposed to the location of the commercial site and believes it should be on Pandosy Street where the existing commercial is located.
- Believes the design needs a setback similar to the Abbott House.
- Opposed to the proposed roof top landscaped terrace and believes it should be located on the street instead.

Cathy Richards, Groves Avenue

- Resident for 30 years.
- Conflicted with this building; in favour of rental units in the area but have concerns with the location of the commercial site and believes it should be located on Pandosy Street.
- Raised concerns with the rooftop terrace; believes tenants will socialize there rather than with the neighbourhood.
- Believes the height justification is based on other buildings granted height variances.
- Raised concerns with the precedent this application could create.
- Raised concerns with parking implications.

Larry Kelly, Pandosy Street

- Opposed to this application.
- Raised concerns with tax incentives the applicant may be granted.
- Commented on the purpose of the Official Community Plan and urged Council to follow it as it is a reflection of the community.
- Raised concerns with the commercial site located on West Avenue with no setbacks.
- Raised concerns with parking implications.
- Responded to questions from Council.

Tina Sanz, West Avenue

- Opposed to this application.
- Spoke to the neighbourhood and village aspect of the Pandosy area.
- Raised concerns with the impacts on parking and pedestrian safety.
- Opposed to the commercial space as proposed; currently her driveway is used as a U-turn and believes the commercial space will increase competition for parking.
- Opposed to the lack of setbacks.

Richard Drinnan, Greene Road

- Opposed to this application.
- Displayed West Avenue "public subsidy estimate" on the ELMO.
- Provided comments on the public subsidy figures on the ELMO.
- Encouraged Council to follow the current Official Community Plan.
- Opposed to the increase in density.
- Commented on the subsidies that the developer will enjoy; believes the subsidy is not in the public interest.

Don Henderson, Cameron Avenue

- Opposed to this application.
- Opposed to the lack of setbacks and lack of green space.

Garth Vickers, Groves Avenue

- Lived in this area since 1990.
- This neighbourhood has come a long way with a working partnership between residents and the City; this working partnership no longer seems to be in place.
- Encourage Council to follow the current Official Community Plan.
- Raised concerns with the proposed rooftop terrace as it doesn't fit in this neighbourhood. Believes rooftop terraces are better situated in a downtown location.

Paul Clark, KLO Neighbourhood Association

- Spoke favourably of positive working relations with staff.
- Spoke to the need of street level green space and how reducing setbacks negatively impacts the area.
- There is plenty of C4 zoning currently along Pandosy Street.
- Opposed to the commercial use on West Avenue; commercial use should be on Pandosy Street.
- Raised concerns with traffic and parking issues.
- Made comment on the impacts on parking and on the recreation corridor with increased commercial uses.
- Would like an Urban Centre Plan for the Pandosy neighbourhood.
- The 2040 OCP public consultation is underway but shouldn't be deciding plans on this future OCP.
- Spoke to the lack of appropriate communication between the City and the Association.
- Believes public consultation should be occurring much sooner in the process.

Anna De Rosa, Groves Avenue

- Opposed to this application.
- Encouraged Council to consider deferring a decision due to the number of Councillors that are absent this evening.

Richard Drinnan, Greene Road

- Submitted the West Avenue Public Subsidy Estimate as part of the public record.

Luke Turri, Mission Group, Applicant

- Spoke to the urban centre plan that was recommended for the Pandosy area and noted that strong mixed use projects and housing choice would be in such a plan.
- The height request is only 1 foot more than what the Official Community Plan permits.
- Could build townhouses but they would be expensive and not rentals; this project is providing housing options in a desirable area.
- Spoke to the setbacks and noted it is in keeping with the RM5 setback.
- Spoke to the design of the building and is proud of the design as it is.
- There is enough parking to serve the building.
- Believes the rooftop terrace is pleasant and will be managed by property management.
- Noted that subsidy and monetary contribution has nothing to do with the application made; tax assists are related to development as a whole. Rental housing has certain programs and nothing to do with the Official Community Plan.
- Believes the proposed building aligns with so many goals of the Official Community Plan.
- Responded to questions from Council.

There were no further comments.

3.3 Sexsmith Rd 3130, Z18-0049 - DL Capital Inc., Inc. No. BCo820774

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence was received.

The Applicant was present and available for questions.

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

No one from the gallery came forward.

There were no further comments.

4. Termination

The Hearing was declared terminated at 7:56 p.m.

Mayor Basran

/acm

City Clerk