



City of Kelowna Public Hearing Minutes

Date:	Tuesday, February 20, 2018
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack
Members Absent	Councillor Tracy Gray
Staff Present	Deputy City Manager, Joe Creron; City Clerk, Stephen Fleming, Urban Planning Manager, Terry Barton; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist; Director, Strategic Investments, Derek Edstrom; Planner Specialist, Laura Bentley; Planner Specialist, Adam Cseke; Planner Trisa Atwood; Legislative Coordinator (Confidential), Arlene McClelland

(*Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:01 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, February 7, 2018 and by being placed in the Kelowna Daily Courier issues on Friday February 9 and Wednesday, February 14 and by sending out or otherwise mailing 243 statutory notices to the owners and occupiers of surrounding properties on Tuesday, February 7, 2018.

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 Eldorado Rd 485, Z17-0085 (BL11544) - Chris and Shanna Roworth

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition:

Peter & Suzanne Woodward –Eldorado Rd
Susan and Leigh Simpson –Knowles Rd

Letters in Support:

Mark Filatow –Eldorado Rd

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

The Applicant was present and available for questions.

Gallery:

Tom Edmonds, Eldorado Road

- In support of this application.
- Believes this development will be good for the neighbourhood.

There were no further comments

3.2 Knowles Rd 504, Z17-0095 (BL11545) - David and Jennifer Rolleston

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition/Concern:

Leigh & Susan Simpson – Knowles Rd

Letters in Support:

David Molinaro - Knowles Rd
Shane Gagner –Knowles Rd
Ian McAllister –Knowles Rd
Chad & Nadine Bannister –Knowles Rd
Bruce Maki –Walker Rd

Petitions (Support):

Dave Rolleston – Expert Inventory 7990 Lakeshore Rd (11 signatures)

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

The Applicant was present and available for questions.

No one from the Gallery came forward.

There were no further comments

3.3 Taylor Rd 255, Z17-0092 (BL11547) - 0725353 BC Ltd Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition:

Wanja Mugambi and Rebecca Walraven – Gaggin Rd
Jody Brooks – Gaggin Rd

Letters of Comment/Concern:

Fran Stewart –Taylor Rd
Abdelhalim Bendali and Fatima Benkaidali - Gaggin Rd
Darla McCarty –Taylor Rd
Fred Strong –Gaggin Rd

Letters in Support:

Beth and Hector Odiyar –Taylor Rd
Jasbir Khunkhun –Taylor Rd
Ashok Tyagi –Taylor Rd

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

The Applicant was present and available for questions.

Gallery:

Fred Strong, Gaggin Road

- Supportive of the development but would prefer 16 units rather than the 24 proposed units.
- Raised concerns with proposed tandem parking.
- Raised concerns regarding loss of privacy with proposed balconies on adjacent properties.
- Encouraged robust landscape screening.
- Responded to questions from Council.

Michael Walls, Taylor Road

- Agrees with the previous speaker's comments.
- Not opposed to this development and believes this sort of accommodation is needed.
- Inquired about proposed tenancy for this development.
- Raised safety concerns with lack of sidewalks in the neighbourhood and asked if sidewalks will be installed fronting this development.
- Raised concerns with on-street parking as a result of this development.

Mayor Basran:

- Advised that tenancy determination is not within Council's authority.
- Confirmed that sidewalks are part of this application.

Abdelhalim Bendali, Gaggin Road

- Raised concerns with the development increasing the already busy traffic and raised safety concerns for children walking.
- Raised major concern regarding the balconies and the intrusion of privacy on this property.
- Asked that privacy for his backyard be considered.
- Would prefer the building have two storeys as opposed to three.

Matt Johnston, Architecturally Distinct Solutions, Applicant Representative:

- Advised that tandem parking is part of the development plan.
- Will address and improve balcony screening and landscaping options to mitigate privacy concerns.
- Continuing to look at the site coverage in order to be able to put more parking on site.

There were no further comments

3.4 Barton St 4658, Z17-0115 (BL11549) - Jason and Vicki Dreger

Staff:

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

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 of Council.

The Applicant was present and available for questions.

No one from the Gallery came forward.

There were no further comments

3.5 Bath St 2630, Z17-0108 (BL11550) - Greencorp Ventures Inc.

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 Concern/Comment:

Tom Stow –Gore St
 Carolyn Russo –Bath St
 Harmony Bjarnason –Gore St

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

Shane Worman, Applicant

- Confirmed that the bollards need to be relocated and had not requested for them to be removed.
- Responded to questions from Council.

Gallery:

Carolyn Russo, Bath Street

- Believes this development is too large for the site and not in-keeping with the character of the neighbourhood.
- Raised concern with increased on-street parking that this development will bring.
- Opposed to this application.

Colin Smith, Bath Street

- Raised concerns during neighbourhood consultation process that the application did not fit into the character of the neighbourhood; encouraged the developer to re-work the application.
- Believes the front yard setbacks that are being considered should remain consistent with the street pattern.
- Opposed to this application.

Shane Worman, Applicant

- Confirmed that the development does not exceed the size permitted in the zone.
- Believes the architectural style compliments the neighbourhood.

There were no further comments

3.6 Shanks Rd 4085 & 4133, TA18-0001 (BL11551)- Geen Family Holdings 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/Concern:

Tania Cox –Hwy 97
 Norm and Tasha Melnichuk –Shanks Rd
 Mireille Beck –Highway 97
 Louise Norman –Highway 97 – Turtle Lodge
 Roxanne Pippolo –Highway 97
 Cam Manning — Turtle Lodge
 Lynn Lorenz –Hwy 97
 France Mailhot –Highway 97 Turtle Lodge
 Joyce K Adams –Highway 97
 Kenneth P. Cappos – Casorso Rd

Letters in Support:

Mary Jean Bennett – Eldorado Ranch Ltd 102-266 Lawrence Ave

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

Dave and Laura Geen, Applicant

- Displayed a PowerPoint Presentation, re: Proposed TFWH 4085 & 4133 Shanks Road
- Fourth generation of farmers.
- Currently pack cherries at home and have outgrown that; expansion of cherries will require greater packing capacity.
- Proposing temporary farm worker housing for 140 seasonal staff for the 2018 operation.
- Seeking Council approval for only the dormitory.
- The location of the proposed development is in close proximity to potential staff including both Lake Country and Kelowna residents.
 - o Close proximity to UBCO offers another potential source of staff.
 - o Access to bus routes for both dorm residents and local staff.
- Displayed a photo showing the view of the Packing Facility from Highway 97.
 - o The right side of the facility features retail produce sales on the ground floor and the administrative office on the second floor.
- In addition to serving our farm's packing needs this development will provide both locals and tourists with access to farm fresh local fruit.
- Expected seasonal use of the Dorms:
 - o Full capacity during harvest in July and August and early September some years.
 - o Up to half capacity in the spring and fall for pruning and field crews.
 - o Only the northern dorm will be heated for use in spring and fall.
 - o The southern dorm will be for summer use only.
- Displayed a site plan of the dorm operation identifying:
 - o private fire service water tank location;
 - o school bus turnaround;
 - o kitchen and common facilities located at the center of the site which is most removed from neighbours;
 - o during harvest, staff will walk to and from work on the internal road;

- engineered septic beds are located to provide additional setback between Geen orchard and neighbor.
- Displayed a site plan of Shanks Road access and Highway 97 access with deceleration lane as well as the internal gate to prevent public access.
- Displayed a site plan identifying buffers:
 - 3.0 m buffer with water storage tank supplementing the buffer;
 - 3.0 m buffer along Shanks Road including a 1.0 soil berm;
 - 4.5 m buffer to be planted including a 3.0 m soil berm that is supplemented by the 14.0 m buffer of existing forest;
 - Existing forest will be retained on the steep sections between the benches. The vegetation and cliffs will make an excellent buffer between the dorms and the orchard;
 - 6.0 m buffer where there is no existing forest buffer.
- Will be required to rebuild, upgrade and pave 700 m of Shanks Road. This includes 200 m fronting our properties and 500 m to the city boundary.
- Buffer species along Shanks Road will be Lilacs and Tower Poplars.
- Current bylaws allow for 60 beds on a farm unit greater than 8 ha; our farm size is beyond what the bylaw was intended to accommodate.
- The buffer facing the south neighbor will be native species such as Sumac, Douglas fir and Ponderosa pine.
- The proposed dorm siting is outside of the ALR and on poor farmland. Also, buffered from farming activities and the packing facility. Extremely well buffered from our two immediate neighbours.
- Spoke to their track record of farming:
 - Presently have a 140 bed dormitory at Carrs Landing, a 100 bed dormitory at Okanagan Centre, a 90 bed dormitory in Coldstream and several smaller facilities.
 - Noted their experience in the design, maintenance and operation of these dorms.
 - Return rate of SAWP workers is 80%+.
 - Provide staff with weekly bus trips into town for groceries and other amenities.
- Responded to questions from Council.

Gallery:

Chelsea Ivarson, on behalf of Wendy Ivarson, Shanks Road

- Immediate neighbor to the north.
- Raised concerns with how this proposal will negatively impact their property value.
- Raised concerns with privacy and no fencing between properties.
- Raised concerns with temporary farm workers having easy access to their home, garage and vineyard.
- Raised concerns with increase in traffic on Shanks Road.
- Raised personal concerns with City snow clearing efforts and the impacts on their ability to get in and out of their driveway.
- Raised concerns with the quality of life they have enjoyed being negatively impacted.
- Questioned the bus route and bus access.
- Responded to questions from Council.

Norm Melnichuk, Shanks Road

- Questioned integrity of the Applicant's presentation.
- Raised concerns with the overall size of this application.
- Raised concerns in the way this development will negatively impact his property and views from his property.
- Raised concerns that the number of workers will be intrusive to his property and the immediate neighbourhood.
- Raised concerns with truck traffic impact on Shanks Road.
- Raised concerns that large trucks will use the internal road to Shanks Road.
- Believes that with this many workers he will lose his privacy during the peak summer months and that the enjoyment of his homestead will be taken away.
- Responded to questions from Council.

Resident (Chris), Shanks Road

- Long-time resident of the neighbourhood/
- This application will not increase the traffic too much.
- Not opposed to this application.

Brett Love, Highway 97

- Not opposed to the farming set up but raised concerns with traffic on Shanks Road.
- Raised concerns for children walking as Shanks Road is narrow without shoulders or sidewalks.
- Requested that it be put in writing that trucks are not to use Shanks Road.
- Recommended Shanks Road be completed with a turn-around for safe and easy access.

Doug Gillman, Turtle Lodge Highway 97

- Raised concerns with Highway 97 access location as access to his home is within 100 feet and believes it could be dangerous being so close together.
- Responded to questions from Council.

Dave and Laura Geen, Applicant

- Referenced previously displayed PowerPoint Presentation.
- The dorms will look like the photos that have been presented and will put in proper landscaping and buffering around the dorms.
- Confirmed that no semi-trailers will use Shanks Road.
- Shanks Road will be used by the applicant to drive school buses and pick-up trucks hauling trailers.
- Provided history of the bus stop location on Highway 97 and was also disappointed that it had been removed, however, it was removed due to safety reasons and was not the Applicant's idea.
- Responded to questions from Council.

There were no further comments

4. Termination

The Hearing was declared terminated at 8:03 p.m.

Mayor Basran

City Clerk

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