



City of Kelowna Public Hearing Minutes

Date:	Tuesday, December 4, 2018
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge
Members Absent	Councillor Hodge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Suburban and Rural Planning Manager, Dean Strachan; Acting Divisional Director, Community Planning & Strategic Investments, Derek Edstrom; Legislative Coordinator (Confidential), Clint McKenzie

1. Call to Order

Mayor Basran called the Hearing to order at 6:00 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, November 20, 2018 and by being placed in the Kelowna Daily Courier issues on Friday November 23 and Wednesday, November 28 and by sending out or otherwise mailing 66 statutory notices to the owners and occupiers of surrounding properties on Tuesday, November 20, 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 Radant Rd 575, Z18-0063 (BL11698) - Lihua Feng

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 of Council.

No one from the Gallery came forward.

There were no further comments.

3.2 Highland Dr. N. 1720, Z18-0065 (BL11699) - Lidia B. Baumgart

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Colleen Crowe, Highland Drive N – Form Letter (19)
 Helen and Steve Szabadi, Highland Drive N
 Dennis Pearce, Highland Drive N.
 Fiona Irvine, Highland Drive N
 Carmel and David Worrall, Willow Lane, Willow Crescent
 Anne Millsap, Highland Drive N
 Kevin Anderson, Highland Drive N.
 Colleen Crowe and Neil Melnyk, Highland Drive N
 Tamara and Terry Farquhar, Highland Drive N.

Letters of Support:

Debbie Rona, Selkirk Drive
 Lidia B. Baumgart, Highland Drive N. – Form Letter (14)
 Grefory Francik, McMurchie Road. West Kelowna

Birte Decloux, Urban Options Planning & Permits, Applicant's Representative

- Displayed a PowerPoint Presentation.
- Provided comments on trees and vegetation.
- Covenant on title will protect some of the trees.
- Trees to rear of property have been removed by adjacent property owner.
- Spoke to proposed building front set back and existing front set backs in immediate neighbourhood.
- Spoke to the existing neighbourhood charm and how the proposed development will fit.
- Responded to questions from Council.

Gregory Francik, applicant's son

- He will be living on site in one of the two houses should the application proceed

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

Gallery:

Garet Milsap, Highland Drive North

- Not opposed to carriage house in rear or adding to existing home.
- Read letter on behalf of his mother, who lives on Highland Dr N., previously circulated to Council.
- Applicant has removed trees and vegetation making the property unattractive.
- Property not previously subdivided.
- Concerned owner will rezone and sell property.
- Concerned with removal of existing walls.
- made reference to level of opposition in neighbourhood.

Fiona Irvine, Highland Drive North

- Opposed - concerned regarding parking issues, the driveway is shared use strata driveway.
- Concerned about the density.
- Concerned existing rock retention walls cannot be protected.
- Not opposed to adding to the existing house or building a carriage house in the rear.

Neil Melnyk, Highland Drive North

- Opposed - plans submitted for the house will be 26 feet high which will be a solid wall at street level.
- House is on a corner, concerns with safety sightline impacts should the development proceed.

Kevin Anderson, Highland Drive North

Opposed - this is not the right project at the right time; development should be delayed.

Applicant's representative in response to the issues raised

- Privacy in terms of height of the building - existing trees will help mitigate the height of the house.
- House is modest in size, last house the owner lived in was for 10 years.
- Front yard setback is more than the 4.5M required by the zoning bylaw. Confirmed no variances being requested.

Lidia Baumgart, Owner

- Confirmed that 27 pine trees were removed last year by neighbouring property.
- Shrubs will be planted in front yard and the diseased cedar was removed from the front yard.
- Confirmed a landscape plan will be completed for the backyard.
- Confirmed that access to the backyard is difficult to build a carriage house without impacting the neighbours yard.
- Responded to questions from Council.

There were no further comments.

Staff:

- Responded to questions from Council.
- Confirmed there is no issue with the slope as it is 8-10%
- Confirmed frontage improvements including sidewalk would be required to be built.
- Confirmed that a replacement plan for covenant trees will be required if they are damaged and/or removed.

There were no further comments.

3.3 Riverside Ave 1848-1854, Z18-0045 (BL11700) - Lisa Carol White

Staff:

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

The City Clerk advised that no correspondence was received.

Birte Decloux, Urban Options Planning & Permits, Applicant's Representative

- Displayed a PowerPoint Presentation.
- Provided comments on the history of the application.

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

No one from the Gallery came forward.

There were no further comments.

4. Termination

The Hearing was declared terminated at 6:49 p.m.

Mayor Basran

City Clerk

/cm