



City of Kelowna Public Hearing Minutes

Date: Tuesday, January 15, 2019
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Ryan Donn, Gail Given, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge

Members Absent Councillors Maxine Dehart and Charlie Hodge

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham; Community Planning Department Manager, Ryan Smith; Suburban and Rural Planning Manager, Dean Strachan*; Community Planning Supervisor, Laura Bentley; Planner, Kim Brunet*; Legislative Coordinator (Confidential), Clint McKenzie

(* denotes partial attendance)

1. Notification of Meeting

Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on Wednesday, January 2, 2019 and by being placed in the Kelowna Daily Courier issues on Friday January 4 and Wednesday, January 10 and by sending out or otherwise mailing 418 statutory notices to the owners and occupiers of surrounding properties on Wednesday, January 2, 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.

2. Call to Order

Mayor Basran called the Hearing to order at 6:03 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.

3. Individual Bylaw Submissions

3.1 Darin Pl 4627, Z18-0090 (BL11702) - Calvin Meldrum & Barbara Laupitz

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The Deputy City Clerk advised that the following correspondence was received:

Letter of Opposition and Concern:

Ken Cappos, Casorso Road

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 came forward from the Gallery.

There were no further comments.

3.2 Abbott St 2783A, 2783B & 2787, Z18-0038 (BL11703) - AJ Wiens Development Group Ltd., Inc No BC0798391

Staff:

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

The Deputy City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Jim Lawrence, Bath Street
Sheila Strother, West Avenue
Ken Cappos, Casorso Road

Birte Decloux, Applicant's representative

- Displayed a PowerPoint presentation.
- There are 8-10 full mature trees approx. 60 years old; will not be able to save any of the existing trees.
- The landscape plan being proposed has 21 trees planned for the development.
- Stepped the buildings in to blend with the neighbourhood.

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

Gallery:

Sharon Maslund, Abbott Street

- Welcomes the development, not concerned with the trees coming down. Wonderful addition to the community.

Max Ward, Bath Street

- Concerned with the height being 3 stories.

Jim Lawrence, Bath Street

- Concerned with the height of the buildings being 3 stories.

Applicant representative:

- Confirmed the bulk of the building is on the bottom two floors; only bathroom and pergola on top.
- Confirmed they are not asking for any height variances

There were no further comments.

3.3 Sarsons Rd 439, Z18-0076 (BL11705) - Rock Shore Developments Ltd., Inc. No. BC1114860

Staff:

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

The Deputy City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Corrine Peacock, Hobson Crescent - petition with 44 signatures
 Jamie Clerf and Claire Johnston, Sarsons Road
 Corrine Peacock, Hobson Crescent
 Dr. Anita Sanan, Hobson Road
 Ken Cappos, Casorso Road

Applicant, Ralph Stapleton, Hobson Road:

- Commented there are two similar properties approved across the street.
- He purchased the property when he saw the support for other neighbours subdividing; his intent is to keep the integrity of the area.
- Understands traffic congestion concerns as he has three children who walk and bike.
- Has designed two homes that will respect what is in the neighbourhood.
- Back area will provide a green buffer area with the neighbour; he plans to keep trees along the back and the front yard.

Responded to questions from Council.

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

Gallery:

Corrine Peacock, Hobson Crescent:

- She is the adjacent property owner; will be directly impacted by the rezoning.
- Allowing RU2 zoning will negatively affect the character of the area.
- Does not feel the area has the infrastructure to support.
- Parking, safety and negative impact on character of the area are main concerns.

Anita Sanan, Hobson Road:

- Her own rezoning application to move to RU2 zoning in the neighbourhood was denied and therefore she expects the same concerns on this application around small lot size for the homes being built.
- Aug 28, 2018 public hearing; application was denied in a 5-4 vote by Council.
- Compared her own rezoning request with the one proposed.
- Noted the applicant signed the petition against her subdivision application and presented the petition from her Aug 28th application.

Responded to questions of Council.

Jay McClure, Sarsons Road:

- Opposed, concerned with uptake in the amount of traffic on the road with the additional walking and biking in the summer months; doesn't believe there is a strategy for development in the area including sidewalks and lighting.
- Mixed messages with densification in the neighbourhood.
- Older neighbourhood with new development arriving.

Renata Kenya, Hobson Cr.

- Concerned with parking on Sarsons Road - many school aged children on the road with no sidewalks.
- Concerned with safety.

Chris Messent, Hobson Crescent:

- Adjacent property owner, enjoyed the privacy and quiet area.
- Family operated a daycare from their house for many years. Was a safe, quiet mature neighbourhood.
- Charm of the area is the older mature lots; development rezoning to smaller lots will take away the charm of the neighbourhood.
- All enjoy the area, it is desirable and feels this type of development takes away from what makes the area desirable.
- Development is changing to what neighbours avoided in rest of city; don't change the neighbourhood.

Christina Donnick, Hobson Road:

- Oppose the development. Sarsons is a mess, parking everywhere and on to Hobson.
- Need to keep the integrity of the neighbourhood and accommodate the people already visiting Sarsons Beach and the area.
- Kids, dogs, bikes, walking is becoming a safety concern.
- Believes homes are being squeezed onto lots that are too small.
- Wants to keep the integrity of neighbourhood.

Response from Applicant:

- Wanted to address that he misunderstood the petition related to Anita Sanan's application. He was against enabling the subdivision of three lots and would have fully support her application if he understood.
- Spoke to petition for his application and noted some who had already subdivided their lots had signed, and others who didn't understand signed.
- Respects neighbours comments on congestion, likes the area and has a house on Hobson Road.
- Made further comments to the petition submitted.

Staff:

- Confirmed requirements of subdivision including calculations of lot lines for shape of property.
- Confirmed setbacks for building on each lot apply along each point of lot line.

There were no further comments.

3.4 Molnar Rd 435, Z18-0096 (BL11707) - Craig J. and Natasha B. Guidi

Staff:

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

The Deputy City Clerk advised that the following correspondence was received:

Letter of Support:

Ken Cappos, Casorso Road

The applicant was present for comment.

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.

3.5 Eagle Dr 925, Z18-0052 (BL11709) - Gary Johnson and Edi Cote

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The Deputy City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Timothy and Elizabeth Duignan, Eagle Drive
Tim and Edith Muri, Nassau Crescent

Letter of Support:

Ken Cappos, Casorso Road

Applicant was present for comment.

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

Gallery:

Tim Murray, Nassau:

- Neighbor to the rear of the property.
- Commented that his lot is not as deep and would be quite close to the carriage house.
- There is also a mature tree that would have roots into the back of the lot.
- Concern for the character of the lots as not suitable for carriage house.

Brent Martin, Golfview Road:

- Received no notice from the City; heard about the application from his neighbours.
- Neighbourhood is very consistent at this time, support density but would like to see consistency for the entire neighbourhood to allow carriage houses.

Responded to questions from Council.

Applicant, Edi Cote and Gary Johnson:

- Noted there is already precedence in neighbourhood with RU1C zoned lots.
- Handed out rezoning information to neighbours as per the map provided by the City.
- Doesn't feel there is much objection in the area to the proposal.
- Confirmed only a one-story carriage house and will be conscious when digging to not harm tree; can move the location as needed.

Responded to questions from Council.

- Confirmed no variances are being requested.

There were no further comments.

3.6 Fuller Ave 555, OCP18-0013 (BL11713) and Z18-0062 (BL11714) - City of Kelowna

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The Deputy City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Linda West, Fuller Avenue

The Applicant was available for comment.

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

Gallery:

Cliff Pace, Bertram Ave:

- In favour of residential, concerned if there is a commercial component and would like to know if there is any detail.

Applicant's Consultant, Devon Kronchaw:

- Confirmed that C7 zoning was chosen for increased density; there is no commercial use proposed for the project.

There were no further comments.

3.7 Knox Cr. 1969, Z18-0098 (BL11716) - Charles and Lesley Roberts

Staff:

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

The Deputy City Clerk advised that the following correspondence was received:

Letter of Opposition and Concern:

Ken Cappos, Casorso Road

The Applicant's agent was available for comment.

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.

3.8 Richter St 2125 and 2137, Z18-0081 (BL11717) - 1140648 B.C. LTD., Inc. No. 1140648

Staff:

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

The Deputy City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Jackie Toews, Glenwood Avenue

Ken Cappos, Casorso Road

Applicant, Martin Boyle, Fagan Hold, Casoro Road

- Provided an overview of the proposal.
- Confirmed no variances being requested and hoping to work towards increased density in the downtown core.
- Proposal is for purely rentals at this time.
- There are plans for large bike storage in response to bike corridor along Ethel Street.

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.

Staff responded to questions from Council.

There were no further comments.

3.9 Gore Street 2627 and 2643, Z18-0106 (BL11721) - Teano Holdings Ltd BC1090038

Staff:

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

The Deputy City Clerk advised that the following correspondence was received:

Letter of Opposition and Concern:

Ken Cappos, Casorso Road

The Applicant was present for comment.

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

Gallery:

Willie Wilson, Osprey Avenue:

- Opposed, has lived in the neighbourhood for 25 years.
- Continual construction development in the area is hard on the existing neighbours with higher buildings being built.
- Believes the developer is wrecking the neighbourhood and wanted to voice his opinion.
- The vision is not taking into consideration the people on the ground.

Shane Worman, Applicant, West Avenue:

- Upgrading the water line to the neighbourhood so it has the proper firefighting capabilities; addition of sidewalks; and other improvements as well.
- Commented on the affordability in the area being addressed in this application with some smaller units under 450 square feet.

There were no further comments.

3.10 Old Vernon Rd 252, Z18-0034 (BL11722) - 0959036 BC Ltd Inc. No. BC0959036

Staff:

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

The Deputy City Clerk advised that no correspondence was received.

The applicant was available for comment.

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.

3.11 Rutland Rd N 1354, Z18-0097 (BL11723) - Parminder Singh Kindhra and Sheetu Kindhra

Staff:

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

- Confirmed no parking variances only side and rear yard setback variances.

- The Deputy City Clerk advised that the following correspondence was received:

Letter of Opposition and Concern:
Sandra & Andy Nadeau, Aldon Road

The Applicant was available for comment.

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.

3.12 Coopland Cr 786, Z18-0068 (BL11724) - Miles and Lisa Lang

Staff:

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

The Deputy City Clerk advised that the following correspondence was received:

Letter of Opposition and Concern:
Jean Pelc, Coopland Crescent

Applicant, Miles and Lisa Lang, Riley Road:

- Confirmed there are two units in the house now.

- In terms of the parking: there is an existing spot at the front of the property and would prefer to retain it vs. all the parking to the rear of the lot.

- House originally had a carport prior to our ownership for last 16 years.

- Parking concern - street already has monitoring and permitted parking.

- We have continued to upgrade the property and wish to keep it long term.

- Plans to have son move into the property being developed.

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.

Staff responded to questions from Council.

There were no further comments.

4. **Termination**

The Hearing was declared terminated at 7:43 p.m.

Mayor Basran

kn/cm

City Clerk

DRAFT