



City of Kelowna

Public Hearing

Minutes

Date:	Tuesday, April 9, 2019
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, Luke Stack and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham; Acting Divisional Director, Community Planning & Strategic Investments, Derek Edstrom; Community Planning Department Manager, Ryan Smith; Suburban and Rural Planning Manager, Dean Strachan; Legislative Coordinator (Confidential), Rebecca Van Huizen

(*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 Deputy City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board of City Hall on Tuesday, March 26, 2019 and by being placed in the Kelowna Daily Courier issues on Friday, March 29 and Wednesday April 3, and by sending out or otherwise delivering 1547 statutory notices to the owners and occupiers of surrounding properties on Tuesday, March 26, 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 Hall Rd, Fairhall Rd and Packers Rd, BL11761 (LUCT18-0011) - Various Owners

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The Deputy 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 Bernard Ave 547-559, BL11775 (Z19-0005) - Salco Management Ltd, Inc. No. BC0744182

Councillor Sieben declared a conflict of interest for items 3.2 and 3.3 as he provides insurance services to the applicants and left the meeting at 6:06 p.m.

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.

Form Letters of Support:

- Tania Robinson, 5 letters of support / Petition of 22 in support

Applicant, Matt Dober, Flora (Bernard) Enterprises:

- Displayed a PowerPoint presentation.
 - Spoke to the background of the Flora business.
 - Noted they are also setting up the location at 401 Glenmore Rd.

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.

3.3 Glenmore Rd 401, BL11778 (Z19-0006) - 653332 BC Ltd, Inc. No. 653332

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 Support:

- Sean Warnes, Spruceview PI S.

Form Letters of Support:

- Tania Robinson, 4 letters of support / Petition of 11 in support

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.

Estelle Philion, Ballou Rd:

- Concerned about cannabis applications.
- Noted the area has a high traffic problem and the proposed business will add to this.
- Noted there is an elementary school 750m away.
- Worried about potential increase in crime.

Staff:

- Confirmed the minimum distance from an elementary school is 500m.

There were no further comments.

Councillor Sieben returned to the meeting at 6:18 p.m.

3.4 Rutland Rd S 140-160, BL11779 (Z19-0026) - Canada West Realty Ltd, Inc. No. 71313

Staff:

- Displayed a PowerPoint presentation summarizing the application.

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

Letters of Support:

- Dawn Thiessen, Uptown Rutland Business Association – President

Applicant, Hazel Christy, Christy & Associates Planning Consultants Ltd:

- Displayed on overhead screen, photos of inside of proposed cannabis store.
- Here with business owner, and owner of property in support of application.

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.

3.5 Springfield Rd 2121, BL11780 (Z19-0029) - 417414 BC Limited, Inc No 417414

Staff:

- Displayed a PowerPoint presentation summarizing the application.

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

Letters of Opposition and Concern:

- Keith Whitaker, Lead Pastor, Mission Creek Alliance Church

Applicant, Reid Ogdon, Lightbox Enterprises Ltd:

- Companies are familiar with hospitality.
- Noted they opened a cannabis store in Ontario last week.

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.

3.6 Gordon Dr 3818, BL11782 (TA19-0008) & BL11783 (Z19-0013) - Save on Shoes Ltd Inc No 397854

Staff:

- Displayed a PowerPoint presentation summarizing the application.

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

Letters of Opposition and Concern:

- Sam Bauer, Gordon Dr
- Steven and Jill Porter, Gordon Dr
- Sandra Aime, Gordon Dr

Letters of Support:

- Elaine Fuhr, Gordon Dr
- Rodrick Fuhr, Gordon Dr
- Anatasia Anderson, Cook Rd

Applicant, Steven Jones. Paret Rd

- Spoke to his business proposal and history in Kelowna.
- Business owner for over 15 years.
- Noted his proposal meets all the setbacks requirements.
- Spoke to and responded to the letters of opposition and concern.
- Noted his application exceeds the setback requirements.
- Owns another business in the same complex.
- Application got the 2nd highest scoring matrix in Kelowna.
- Uses medical cannabis himself.
- Spoke to the hours and days they are planning to be open.
- Has support from owner of property and other tenants.

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.

3.7 Kyndree Ct 1222, BL11787 (Z19-0042) - Hans and Krystyna Schubel

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised the following correspondence was received.

Letters of Support:

- John & Blanche Hertay, Kyndree Ct

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.

3.8 Via Centrale 3200, BL11789 (OCP18-0020) & BL11791 (Z18-0113) - 0971205 B.C. Ltd.

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:

- Doreen Jack, Capistrano Dr
- John and June Elliott, Country Club Dr
- Diana and Andrew Clark, Via Centrale
- Kelly Maier, Via Centrale
- Andrea Keber, Via Centrale
- Chad VanderMeer, Via Centrale
- Michael Leevers, Via Centrale
- Lee Clark, Via Centrale

Letters of Consideration:

- Richard Newton, Quail Pl
- Bernie Price, Via Centrale

Applicant, David Sargent, Adaptive Properties Ltd:

- Displayed a PowerPoint Presentation.
- Went into the history of the CD6 zone in the area and subsequent zoning changes that happened in 2017.
- Showed conceptual renderings of the site.
- Understands the hesitation from the public as there hasn't been any development in 10 years in that area.
- Spoke to the proposed changes to the golf course.
- At the open house, there was more concern brought forward about the golf hole, not much about the actual development.
- 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.

Diana Clark, Via Centrale:

- Lives in building complex abutting the proposed development.
- Bought property in 2017, did research ensuring that nothing would happen to the neighbouring golf course property.
- Opposed to the application.
- Changing the OCP/Rezoning is not a minor change.
- Concerned about removing green space, trees.
- The conceptual drawings are misleading.
- The proposed development would block the view of abutting multifamily homes.
- Would diminish value of homes and negatively impact them.
- Responded to questions from Council.
- Questioned if development is needed at this time in that area.

Barrie Price, Via Centrale:

- Opposed to the application.
- Green space enhances the community.
- Bought in this area for the peace and tranquility.
- Noted there are already multiple properties for sale in the area.
- Questioned who will benefit from this development, with the loss of the green space, trees and wildlife.

Lee Clark, Via Centrale:

- Owns a property abutting the proposed development.
- Bought the property in 2017.
- Opposed to the application.
- Chose this area for the proximity to UBCO and the abutting green space.

- The green space will never be recovered.
- Believes there is already a lot of development happening in the area.

Andrew Clark, Via Centrale

- Noted the OCP states this as parkland.
- The parcel in question is zoned park.
- Opposed to the application.
- Owns a property abutting the proposed development.
- The existing green space offers peace and serenity.

Applicant, Dave Sargent:

- Responded to questions raised from the gallery.
- Believes this proposal will not diminish the beauty of the course.
- Spoke to the conceptual design and associated height.
- Spoke to the sightlines issues raised.
- Noted there is quite a bit of green space in the development.
- Responded to questions from Council.
- This is not a public park, but private green space in the privately owned golf course.

Dan Matheson, General Manager, The Okanagan Golf Club:

- Spoke to the proposed changes to the 18th hole.
- Still wanting to maintain beauty and challenge at the hole.
- Responded to questions from Council.
- Does not feel changes to 18th hole take away from the course.

Staff:

- Responded to questions from Council.

There were no further comments.

3.9 McCarthy Rd 9670, BL11790 (Z18-0122) - The Flowr Group (Okanagan) Inc., Inc. No. BC0974062

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:

- Karen Smith, Finch Rd, Lake Country
- Clyde and Grace Blyth, Bottom Wood Lake Rd, Winfield

Applicant, Calvin Meiklejohn, Meiklejohn Architectural Design Studio Inc:

- Displayed slides regarding the application.
- Clarified they are not a retail space, but a production facility.
- Worked with planning on parking issues.
- Talked to current building phases.
- 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.

No one from the gallery came forward.

There were no further comments.

3.10 Harvey Ave 1455-1475, BL11792 (Z19-0010) - 449048 British Columbia Ltd, 1145399

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The Deputy City Clerk advised that no correspondence was received.

Applicant, Hazel Christy, Christy & Associates Planning Consultants Ltd:

- Displayed on overhead screen, photos of inside of proposed cannabis store.

- Here with Tarik Shabib, business owner, and owner of property in support of application.

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.

3.11 Harvey Ave 2090, BL11793 (Z19-0008) - T 252 Enterprises Ltd Inc No BC1184462

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The Deputy City Clerk advised that no correspondence was received.

Applicant, Dan Winer, 10330698 Canada Limited:

- Mentioned that approving this proposal opens up job opportunities in Kelowna.

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 7:41 p.m.

Mayor Basran

kn/rvh

Deputy City Clerk