



## City of Kelowna Public Hearing Minutes

Date:	Tuesday, May 7, 2019
Time:	6:00 pm
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 Charlie Hodge
Staff Present	City Manager Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Development, Ryan Smith; Urban Planning Manager, Terry Barton; Planner, Arlene Janousek; Planner Specialist, Adam Cseke*; Legislative Coordinator (Confidential) Clint McKenzie

(\*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, April 23, 2019 and by being placed in the Kelowna Daily Courier issues on Friday April 26 and Wednesday, May 1 and by sending out or otherwise mailing 64 statutory notices to the owners and occupiers of surrounding properties on Tuesday, April 23, 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 Rutland Rd S 330, Z18-0115 (BL11794) - Keith Robertson

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence was received.

Keith Robertson, 330 Rutland Rd South, Applicant:

- Spoke to reasons behind the rezoning application.
- Spoke to taking neighbourhood privacy and parking concerns into consideration.

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 Laurier Ave 913, Z18-0105 (BL11798) - 1128826 B.C. Ltd, Inc.No. BC1128826**

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:**

Michael Wheeler, Ethel Street  
 C. Giley, Ethel Street  
 Nathan Larente, Ethel Street  
 Lori Hickson & Tim Bayliss, Ethel Street  
 Michael Kumle & Colleen DeGraff, Ethel Street  
 Lisa Porteous, Rowcliffe Avenue  
 Jan Dawson, Rowcliffe Avenue  
 Pat Munro, Cadder Avenue  
 Peter Chataway, Cadder Avenue  
 Dan Ransom, Rowcliffe Avenue  
 Valerie Hallford, Sutherland Avenue  
 Juanita Stein, Borden Avenue  
 Terra & Hermann Reindl, Rowcliffe Avenue  
 Doreen Morash, Sutherland Avenue  
 12 Opposed Form Letters (Submitted by Carol Givney, Ethel Street)

Garry Topperowski, GTA Architecture, Applicant:

- Spoke to how style and form and character is similar to the property they developed on Bertram which has won several awards.
- Provided a summary of the application.
- Spoke to how the application is supportive of the OCP.

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

Gallery:

Don Knox, on behalf of the Central Okanagan Heritage Society:

- Opposed to the application, present design proposal does not fit in with the existing form and character in the neighbourhood.
- Highlighted how the application does not comply with the OCP.

Annette Hamilton, Laurier Avenue:

- Submitted correspondence on two occasions.
- Concern regarding trees being removed on the property.
- Commented it is a great project but the height and size is not suitable for the neighbourhood.

Carol Giley, Ethel Street

- Thanked Council for the Ethel Street pedestrian corridor.
- Thanked Council for encouragement of development generally in the City.
- Supportive of the current RU6 zone on the property to fit in with the existing neighbourhood.
- Mass of this project will have a huge impact on the neighbourhood.
- Has safety concerns with the exit of vehicles over the Ethel corridor.
- Responded to questions from Council.

Lisa Porteous, Rowcliffe Avenue:

- Opposed to the application.
- Affordable homes in area being threatened by larger RM3 builds.
- Should not be considered affordable housing.

Ian Bren, Ethel Street:

- Opposed to the application.
- Concerned with excess traffic in the lane.
- Concern with the height of the development being intrusive to their single storey house.
- Concern with lack of green space in the application and the protection of the trees.
- Responded to questions from Council.

Tim Bayliss, Ethel Street:

- Opposed to the application as it is too large and too high for the size of the lot.
- Concern there is not adequate greenspace.
- Concern with too many units for the site.
- Concern also with additional parking and traffic in the area.
- Hope that the trees on the site will be preserved; beautiful shade for the neighbourhood.
- Need to preserve the character and charm of Ethel Street.

Gwen Lowe, Rowcliffe Avenue:

- Against RM3 zone in the neighbourhood, supportive of RU7 or carriage houses. The rooftop patios and 3 storey height is inappropriate for the neighbourhood.

Nathan Laurent, Ethel Street:

- Opposed to the density and traffic increase of the development.

Valerie Hallford, Sutherland Avenue:

- Opposed to the development, far too high and large a development.
- Need places for the ordinary person of Kelowna to live, not million dollar townhouses.
- Lived in neighbourhood for 8 years, have watched the development in the area.
- Chose to live in the area for character and families in the neighbourhood; this development does not match that character.
- Concern for the trees on the property.

Applicant in response to questions raised:

- Listened to form and character comments as well as the concerns about density.
- Working with City planning department on the form and character to be able to integrate into the neighbourhood and pick up design cues from other properties in the neighbourhood.
- Access off the property is better onto the laneway versus right onto Laurier for safety.
- Privacy - units front onto Ethel Street.
- Units are quite a distance from the property to the east and the orientation of the rooftops are to the west of the property.
- Kitty corner to the property is an RM4 zoned property.
- It is an increased density but will be sensitive to the form and character of the area.

- Responded to questions from Council.
- Looking at shallow foundations to protect the remaining trees and will be working with their arborist to address any issues.
- Units will be marketed to mid-range market, not high end. Should be a wide variety of people that can afford this development.

Staff:

Responded to questions from Council.

There were no further comments.

### **3.3 Laurier Ave 934, Z18-0103 (BL11799) - 1079687 B.C. Ltd, Inc.No. BC1079687**

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:**

Brittany Atkinson & Matt Gomez, Laurier Ave  
 Michael Morrow & Margot Pridham, Laurier Avenue  
 Michael Kumie & Colleen DeGraff, Ethel Street

Garry Topperowski, GTA Architecture, Applicant:

- Able to accommodate the parking in a number of different ways, working with City planning dept.
- Project has a very generous amount of outdoor space.
- Working to ensure form and character fits with the neighbourhood.

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

Gallery:

Margo Pridham, Laurier Avenue:

- Opposed; does not fit into the neighbourhood, not opposed to the density, opposed to what it looks like.
- Concerned they are taking out all the trees on the back and sides of the property which will greatly reduce their privacy.

Annette Hamilton Laurier Avenue:

- Concerned with trees and the design not fitting into the heritage aspect of the neighbourhood.

Rebecca Wolfe, Ethel Street:

- Opposed, rezoning is not respecting the neighbourhood.
- Applicant has stated their goal is to maximize profit.
- RU6 zoning would allow for suitable development.

Applicant in response to questions raised:

- Commented that the open space exceeds all the requirements of the zone by at least double.
- Commented that the building size would be similar to a large home that could be built in the area. It will be sensitive to the OCP and form and character of the neighbourhood.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

### 3.4 Farris Rd 454, Z19-0048 (BL11812) - Scott Cramp and Lei Zhang

**Staff:**

- Confirmed that the applicant had not met the public consultation requirements as per Council Policy 367, contrary to what was stated at initial consideration.

**Council:**

- Discussed options and confirmed the public hearing for this item will be heard this evening and kept open to be deferred to a future public hearing, date to be determined.

**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:**

Nancy Basha, Farris Road

Monique Tonogai, Kelowna

Cindy Tetlock, Fuller Road

Kelly Anderson, Farris Road (included petition from 2016 with 44 signatures)

**Grant Maddock, Protech Consultants, Applicant:**

- Took responsibility for not following Council Policy 367 regarding neighbourhood consultation.
- Confirmed there is a total of five parking spaces for the house and carriage house.
- Confirmed the carriage house would be two storeys.
- 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:**

**Kelly Anderson, Farris Road:**

- Bought estate property in neighbourhood 2015. Concerned with the subdivision of the lot.
- Going from one neighbour to potentially 6 neighbours.
- Exclusive high end area, high density with carriage homes is not what this neighbourhood is about.
- Referenced 2016 correspondence opposed to the subdivision and displayed a letter and petition on ELMO.
- Safety concerns - one way in and out of the neighbourhood. Nowhere for anyone to park.
- Responded to questions from Council.

**Ryan Watt, Farris Road:**

- Concern with traffic in the neighbourhood already. People parking on both sides of the road all the way down.
- No sidewalks on the street, quiet street is now becoming congested.
- Opposed to the application; three houses and a carriage house is not appropriate.

**Monique Tonogai, Farris Road:**

- Spoke to lack of public consultation.
- Displayed form dropped off by the applicant on the ELMO.
- Opposed to the application.
- Okay with the infill development, have an issue with parking and congestion.
- Responded to questions from Council.

**Collette Kemper, Fuller Road:**

- Opposed to the application.

- Concerned with parking; potential for many cars on the corner.
- Concerned with increase in density of the neighbourhood.

Anita Sanan, Hobson Road:

- Opposed to the application.
- Referenced her redevelopment of a similar sized lot with two dwellings that was denied by Council last year.
- Asked Council to be consistent and deny this application.

Lei Zhang, Owner:

- Agreed that they did not communicate enough with the neighbours on the application.
- Decided long ago to subdivide the property. They have owned the lot for 35 years.
- Spoke to the medical condition of her husband.
- We enjoy the quiet neighbourhood and wish to keep it.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Sieben

**R499/19/05/07** THAT Council keep this portion of the public hearing open in order for the applicant to complete the public consultation requirements of Council Policy 367.

**Carried**

**3.5 Froelich Rd 540, Z18-0125 (BL11813) - Gurvinder Singh Dhanwant**

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence was received.

Urban Options, Birte Decloux, Applicant's representative:

- 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 8:08 p.m.

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Mayor Basran

sf/cm

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City Clerk