



## City of Kelowna Public Hearing Minutes

Date: Tuesday, September 17, 2019  
 Time: 6:00 pm  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors, Maxine DeHart, Ryan Donn, Charlie Hodge, Luke Stack\* and Loyal Wooldridge

Councillors Gail Given, Brad Sieben and Mohini Singh

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning and Development Services, Ryan Smith; Urban Planning and Development Policy Manager, Laura Bentley; Legislative Coordinator (Confidential), Clint McKenzie

\* Denotes partial attendance

### 1. Call to Order

Mayor Basran called the Hearing to order at 6:04 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. Individual Bylaw Submissions

Staff:

- Displayed a PowerPoint presentation providing a background on Land Use Contracts and the Province's mandate to remove all LUCs by 2024.

Mayor Basran invited anyone in the gallery to come forward with any input for Council on any of the public hearing items except item 2.10 Franklyn Rd, All Star Court, Leathead Road and Houghton Road (LUCT19-0031).

Gallery:

### **2.12 Sutcliffe Ct and Hartman Rd, LUCT19-0006**

Marie Peter, Sutcliffe Court

- Concerned about proposed zone taking place of the Land Use Contract.
- Located on a hillside, no sidewalks.
- Neighbourhood is surrounded by orchards.
- Floods from sprinklers breaking in orchards above their property.
- Lived in area for over 25 years with no improvements to the area yet taxes increase.
- Others in the neighbourhood are opposed to carriage houses.
- Responded to questions from Council.

Staff:

- Confirmed land uses in RU1 and RR3 are identical.
- Carriage homes are a secondary use in both zones and would require a rezoning.
- Confirmed area is subject to sanitary sewer.

### **2.6 Jaud Rd and Mathews Rd, LUCT19-0004**

Jerome Gaboury, Matthews Road

- Concerned right to subdivide outlined in their LUC will not be protected with its removal.

Staff:

- Identified the land uses in the zone.
- LUC gave the right to apply to subdivision, it does not guarantee the right to successfully subdivide. The ability to apply has not been removed with the removal of the LUC.

### **2.9 Burtch Rd 1920, LUCT19-0026**

John Sharples, Yates Road

- Inquired as to the uses in the underlying zone.

Staff:

- Confirmed the land use aligns with the current land use contract.

### **2.2 Ufton Ct 1640, 1660, 1665, and 1685, LUCT19-0030**

Audrey Anderson, Upton Court - representing Council for Strata Property K229

- Confirm what medium density means, how high can a development go? Concern with traffic as it is a high accident rate area.

Mayor:

- Confirmed her property would remain as it is today.

Staff

- Identified the subject properties and confirmed RM5 is intended for apartment buildings with a maximum height of 4.5 stories. Anything higher would require a rezoning.

### **2.11 Bartholomew Ct and Crawford Rd, LUCT19-0001**

Anthony Laurie, Bartholomew Court

- Inquired as to why some properties that were under the LUC are being designated RU1 and others are RR2.

Staff:

- Confirmed the properties being rezoned to RU1 are smaller (on the north side of Bartholomew Ct) and the ones being rezoned to RR2 are larger and meet the lot area for RR2 (south side of Bartholomew Ct). The uses are generally the same for both zones.

**2.1 Bolotzky Ct, Chepesuik Ct and Milex Ct, LUCT19-0008**

John Mackney, Milex Court

- Inquired why his house is the only one listed on his street for the removal of the LUC.
- Inquired about the land uses available under RU6 zoning.

Staff:

- Indicated portions of the LUC could have been discharged in the past with his property being the remainder on the LUC.
- Explained the RU6 zone.

Mayor Basran invited anyone in the gallery to come forward with any input for Council on item 2.10 Franklyn Rd, All Star Court, Leathead Road and Houghton Road (LUCT19-0031).

**2.10 Franklyn Rd, All Star Ct, Leathead Rd and Houghton Rd, LUCT19-0031**

Councillor Stack declared a conflict as his employer owns two properties on Franklin Rd under the LUC and left the meeting at 6:39 p.m.

No one from the gallery came forward.

Councilor Stack returned at 6:40 p.m.

**3. Termination**

The Hearing was declared terminated at 6:40 p.m.

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Mayor Basran

\_\_\_\_\_  
City Clerk

sf/cm