



City of Kelowna
Public Hearing
Minutes

Date: Tuesday, October 22, 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, Charlie Hodge, Brad Sieben*, Mohini Singh, Luke Stack and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Acting Divisional Director, Planning & Development Services, Danielle Noble-Brandt; Development Planning Department Manager, Terry Barton; Planner Specialist, Adam Cseke, Planner II, Barbara Crawford; 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

2.1 Section 8 Parking & Loading Zoning Bylaw Text Amendment Application TA18-0009 (BL11850) - City of Kelowna

Staff:

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

Councillor Sieben joined the meeting at 6:14 p.m.

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

Gallery:

Darren Schlamp - Kelowna Area Cycling Coalition:

- Provided comments on the need for safe and quality bicycle storage in multi-family units.
- Raised concern with the proposed bicycle storage regulation in the Bylaw.
- Raised concern with the specific Bylaw regulations pertaining to car share and bicycle stalls.
- Raised concern with the parking minimums.

Cristian Brandt, Regional Fleet Manager, MODO:

- Displayed a map of Kelowna.
- Overall supports the amendments with a request that offsite car share distances be increased from 100M to 400M.
- Explained that existing distances that support convenient access to vehicles that encourage use of car share sites are a 5-10 minute walk of 400 metres.
- Responded to questions from Council.

Staff:

- Confirmed variance may be applied for to increase the distance.
- Responded to questions from Council.

There were no further comments

2.2 Farris Rd 454, Z19-0048 (BL11937) - Scott Cramp and Lei Zhang

Staff:

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

Grant Maddock, Applicant's Agent:

- Indicated the owners have gone out and met with 7 of the surrounding neighbours to discuss parking.
- Provided plans for the site.
- The property has been subdivided into three lots since the previous public hearing.
- The carriage house will be two thirds of the length of the garage of the adjacent property.
- Addressed neighbour concerns pertaining to privacy.

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.

2.3 *DEFERRED* - Eldorado Rd 509 - Z19-0069 (BL11938) - Judith Parsons

Moved By Councillor Stack/Seconded By Councillor DeHart

R979/19/10/22 THAT Item Z19-0069 (BL11938) on 509 Eldorado Road be deferred to the November 5, 2019 public hearing starting at 6:00 p.m. in Council Chamber.

Carried

2.4 Kyndree Ct 1222 - LUC19-0002 (BL11940) - Hans and Krystyna Schubel

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Birte Decloux, Urban Options, Applicant's agent:

- 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.

2.5 Underhill St 1940, LUC18-0004 (BL11941), OCP18-0015 (BL11942), Z18-0071 (BL11943) - 1940 Underhill Developments Corp.

Staff:

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

Jessica Gibson, Development Manager, District Group, Applicant:

- Provided a background to the company and various development projects in B.C.
- Provided an overview of the site plans.
- Spoke to traffic improvements and indicated project traffic engineer, Trevor Ward, is present and available to answer any questions.
- Indicated revisions to renderings are still taking place and conceptual at this time.
- Confirmed one level of underground parking under all three towers.
- 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:

Laura Donkamp, Underhill St:

- Opposed to the height variance for 6 storeys.

The Mayor confirmed this evening is about land use and that if the zoning is adopted, a subsequent meeting will be held regarding the proposed height variance.

Gerry Flannigan, Underhill St:

- Raised concerns with traffic and the need to consider the movement of Costco to the area and the significant traffic impacts both projects will have to the entire area.

There were no further comments.

2.6 Summit Dr 1932, TA19-0014 (BL11944), Z19-0070 (BL11945) - Summit Real Estate Holdings Ltd., No. BC 1098449

Staff:

- Displayed a photo of the subject property.

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.

2.7 Abbott St 1781, HD19-0002 (BL11946), HRA18-0001 (BL11923) - Davara Holdings Ltd., Inc. No. BC0797640

Staff:

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

Dave Sargent, Davara Holdings, Applicant:

- Spoke to the commercial use being the best option for adaptive re-use for the heritage house given the small size of the building.
- Read from the heritage consultant evaluation report.
- Addressed community concerns raised prior to the evening.
- Identified and spoke to other heritage properties and their commercial uses in formerly residential homes.
- Approximately 10% of neighbourhood homes have business licences.
- Application meets the parking bylaw requirements and exceeds 8 of the other existing HRAs in the community.
- All 5 adjacent neighbours have provided letters of support.

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

Gallery:

Donald Knox, President, Central Okanagan Heritage Society, Hubert Rd:

- Referenced a letter submitted prior to the public hearing.
- Opposed to the application.
- Opposed to the proposed HRA mixed commercial and residential land uses.
- Concerned the HRA bypasses critical zoning decisions and becomes the equivalent to an upzoning from RU₁ to RU₇.
- Concerned with the precedent this will set if it is approved. It will negatively impact the immediate neighbourhood.
- Responded to questions from Council.

Suzanne Ames, Abbott St:

- Displayed a photograph on the ELMO.
- Opposed to the application.
- Raised concerns with the staff report description. The house is well maintained and not run down. Very livable and not in disrepair and flooded. Restored six years ago. The previous residents said they would like to have stayed if they could.
- Plans to move the house are not a proper conservation of the house.

The Mayor warned the applicant to cease with verbal attacks on staff by name.

Bob Hayes, President of Okanagan Heritage Society, Mountain Ave

- Opposed to the application.
- Highlighted that the neighbourhood is absolutely beautiful and has concerns with moving the house forward. It will alter the streetscape dramatically as it will stick out compared to the other houses along the street.
- Indicated the proposed new residential building needs to respect what heritage is. It needs to fit the character of the area vs. making it as different looking as possible.
- Opposed to moving the house as it sets a precedent for other houses on the street

Dustin Sargent, Davara Holdings:

- Read a letter of support from the neighbouring property.

Brett Hobbs, Abbott St:

- Moved 18 years ago from Vancouver to the area because it is a heritage conservation area.
- Opposed to the application and fears it will alter the look and feel of the area.
- Proposed application is out of character with the neighbourhood with the design of the new building.
- Bought a 1937 home and has invested significant money to maintain it given the heritage conservation of the area. All of his neighbours have done the same.
- Raised concerns with the introduction of business use. It will increase traffic and have a negative impact on residents and those who enjoy the heritage area.
- Home base businesses are acceptable in the neighbourhood.
- Responded to questions from Council.

Darryl Gowling, McDougall St:

- Opposed to the application; object to the commercial intrusion into the neighbourhood.
- Lived previously next to a medical practice in the heritage conservation area and had to move given the problems with traffic issues including his driveway being blocked regularly.

Erica Bell-Lowther, President of KSAN, Abbott St.:

- Opposed to the application. KSAN met with Dave Sargent back in January and advised him of their opposition. None of their concerns were addressed.
- The house is not run down and the area does not need to be revitalized as it is already a vibrant neighbourhood.
- Opposed to an HRA being used to convert residential to 100% commercial use.
- KGH continues to have a major negative impact to the area due to increased traffic and noise.
- Developers will follow suit with other properties once commercial is allowed into the area. Concerned a precedent will be set.
- Raised concerns with the public consultation taken.
- Abbott Street conservation area has created certainty for those moving in and wanting to fix up their heritage homes.

Greg Bower, Maple St:

- Bought in the area because it is a private residential area.
- Young families in the area playing on the street, concerned with what type of businesses and traffic impacts of an office building in a residential neighbourhood.
- Commercial does not serve the purpose of the heritage conservation area; concerned with traffic impacts.
- Responded to questions from Council.

Jim Berkenshaw, West Kelowna:

- Opposed to the application.
- Commented on the heritage conservation area being the gem of the city and needs to be maintained as is.
- Commented that Abbott street is a quiet residential tree lined street. He supports adding square footage in harmony to the existing Murchison house.

Graham Moyer, Park Ave:

- Opposed to the application and has experienced negative impacts of business use in residential neighbourhoods.
- Commented that the difference between having the old and the new buildings needs to be more of a middle ground.

Valerie Halford, Sutherland Ave

- Displayed a map on the ELMO.
- Spoke to her previous experience as a key advocate of the heritage conservation area and a founding member of FRAHCAS.
- Opposed to the application and feels strongly about the preservation of the Abbott Street Heritage Conservation Area.
- Opposed to the proposed business use in their residential neighbourhood. It will set a precedent and encourage other developers to apply to add commercial.
- Commented the house is not as dilapidated as is being presented.
- Residents have spent considerable investment in their homes in the conservation area knowing they were in a protected area. This application is not heritage conservation.
- Responded to questions from Council.

Steve Nicolson, Abbott St:

- Inquired as to whether the house has any current heritage protections
- Reflected on the house being derelict for many years.
- Believes the heritage form and character of the house is preserved with this application.

Dave Erikson, Abbott St:

- Opposed to the application as the commercial will set a precedent in the area.
- Commented that the application is at odds with most City planning regulations.

Micheal Senuk Beach Ave:

- Opposed to the application and is concerned the project would set a precedent allowing commercial in to the neighbourhood and have a negative impact on traffic.

Dave Sargent, Applicant:

- Many issues raised were touched on earlier in the presentation.
- Commented they have not received preferential treatment and outlined that they went through a very arduous process, taking all recommendations from the professional heritage consultant and incorporating them into their plan.
- The idea is to preserve the house and add some ground orientated housing that is more affordable in the neighbourhood for two families.
- The current structure does not provide a good gateway to the neighbourhood. The changes will support this.
- Modernism of the style was based on the advice of the heritage consultant.
- Adding to the existing structure is not a good heritage option.
- Commented on the maintenance issues with the house - it is a 1939 house and the basement has flooded and continues to flood. It's in a floodplain area. Insurance was difficult to obtain.
- Responded to questions from Council.

Brett Sichel, NIDO Design, Applicant's Architect, Newark Design:

- Commented the original architecture style is quite boxy and that they worked to carry that through with the new building.
- Conservation area has a mix of new and heritage homes.
- Responded to questions from Council.

Staff:

- Confirmed the building is on the municipal heritage register and it does not offer any heritage protection. Heritage designation would further protect the building.
- Confirmed the heritage guidelines from 1997 are used in making heritage determinations, along with other more recent guidelines.
- Responded to questions from Council.

There were no further comments.

2.8 Abbott St 1884, Z19-0065 (BL11947) - William James Feist and Treena June Harley

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Birte Decloux, Urban Options, Applicant's Agent:

- 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.

3. Termination

The Hearing was declared terminated at 9:16 p.m.

Mayor Basran

sf/cm

City Clerk