



City of Kelowna Public Hearing Minutes

Date:	Tuesday, August 25, 2020
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Mohini Singh, Luke Stack and Loyal Wooldridge
Members Participating Remotely	Councillor Charlie Hodge
Members Absent	Councillors Ryan Donn and Brad Sieben
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan; Planner Specialist, Adam Cseke*; Planner, Aaron Thibeault*; Planner, Kimberly Brunet*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

- 1. Due to COVID-19 a Public Hearing Agenda will also include Regular Council Meeting Items**
- 2. Call to Order the Public Hearing - START TIME - 6:00 pm - Lawson Ave 1021 - Z20-0041 (BL12065) - Susan D. Glendinning**

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 START TIME - 6:00 PM - Lawson Ave 1021 - Z20-0041 (BL12065) - Susan D. Glendinning**

Staff:

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

Kevin Ryan, BlueGreen Architecture Inc.

- Provided comments on how the proposed development fits into the Official Community Plan.

- The site is well situated for cycling and walking; there is bicycle storage as well as a maintenance and washing area for bikes.
- Provided details on the proposed parking layout and size.
- Will consult with a Landscape Architect regarding trees and to detect any root disturbance.
- The proposed plan is mostly compact one bedroom units designed for single adults, seniors and retirees.
- 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:

Holly Brodowich, Graham Street

- Opposed to this application.
- Expressed concern with Council holding an in-person Public Hearing due to the COVID-19 Pandemic and many senior citizen residents in the neighbourhood not comfortable attending.
- Believes the RM5 zone is too large for the lot size and is more suited for a fourplex maximum.
- Raised concerns with on-street parking as there are already issues with parking from the neighbourhood and pre-school on Graham Street.
- Raised concerns with the impacts on a 100 year old tree on the adjacent lot.
- Not opposed to redevelopment or increased density in the neighbourhood, however, the proposed building is out of context with the neighbourhood.

Paul Fish, 1495 Graham Street

- Opposed to this application.
- Raised concerns with increased traffic congestion as well as demand for on street parking that will negatively impact the neighbourhood.
- Responded to questions from Council.

Kevin Ryan, BlueGreen Architecture Inc.

- Confirmed the number of parking stalls is the number required by the Zoning Bylaw.
- Vehicles using the laneway will alleviate traffic congestions.
- Confirmed the building will be a Strata Property with units for sale.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

4. Termination

The Hearing was declared terminated at 6:31 p.m.

5. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:31 p.m.

6. Bylaws Considered at Public Hearing

6.1 START TIME 6:00 PM - Lawson Ave 1021 - BL12065 (Z20-0041) - Susan D. Glendinning

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0571/20/08/25 THAT Bylaw No. 12065 be read a second and third time.

Carried
Councillor Hodge - Opposed

The meeting adjourned at 6:36 p.m.

The meeting reconvened at 6:42 p.m.

8. Call to Order the Public Hearing - START TIME - 6:40 pm - Park Ave. 374, Z20-0039 (BL12087) - Kevin L. Fierbach and Jacqueline A. Fierbach

Mayor Basran called the Hearing to order at 6:42 p.m.

9. Individual Bylaw Submissions

9.1 START TIME 6:40 PM - Park Ave. 374, Z20-0039 (BL12087) - Kevin L. Fierbach and Jacqueline A. Fierbach

Staff:

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

Kevin Fierbach, Applicant

- Has been a homeowner in the neighbourhood for over 20 years.
- Spoke to the various amenities in the area and commented on the diverse architecture that adds character and charm to the neighbourhood.
- Expressed excitement to create another single family home on the subject property.

Birte Decloux, Urban Options Planning & Permits, Applicant Representative

- Displayed a PowerPoint Presentation.
- Spoke to the RU6 zone attributes and how this zone fits the subject property; the proposed dwelling meets or exceeds the Ru6 zone.
- Addressed neighbourhood concerns as identified in submitted correspondence.
- Spoke to the community benefits and noted this is a SMART Infill development; better utilization of land close to amenities and Kelowna Downtown and Pandosy Village Centre; and consistent with Kelowna Official Community Plan directives.
- Spoke to the positive Heritage attributes:
 - The existing home and street frontage are not being altered;
 - The property initially was not chosen to be included on the register;
 - No land subdivision proposed;
 - The site is relatively large in relation to property's in the area;
 - The proposed dwelling incorporates elements reminiscent of the "Victorian Revival" and has been positively reviewed by a Professional Heritage Consultant.
- A neighbourhood canvass was done in May and also provided an Open House to inform neighbours of the proposal.
- 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:

Susan Ames, Abbott Street, Kelowna South-Central Association of Neighbourhoods President

- Opposed to the application.
- Believes compact urban form is meant to be designated in urban centres but not in a conservation area.
- Displayed a photograph of the proposed garage on the ELMO and a recently constructed coach house from Abbott Street noting the similarities in design and size.
- Believes a more suitable zone is RU1c.
- Responded to questions from Council.

Dave Cullen, Park Avenue

- In support of this application.

- Believes this is an appropriate use for the neighbourhood.

Jan Murphy, Cadder Avenue

- Opposed to this application.
- Believes this proposal will have a negative impact with losing greenspace to new housing.
- Raised concern with losing aged trees.
- Disheartening to those property owners who are attempting to protect the integrity of the heritage area.
- Asked Council to not approve this application.

Steve Nicholson, Abbott Street

- In support of this application.
- Has lived in the Conservation Area since 2002.
- Referred to the Official Community Plan and how this proposal fits in and satisfies the intent of the OCP.
- Believes the neighbourhood needs more applications such as this one.

Janice Henry, Mountain Avenue

- Spoke to the recent applications in the Heritage Conservation Area that are diminishing the heritage aspects of this unique neighbourhood.
- Conservation Guidelines seem to have little value to developers.
- Commented on the City's Heritage Advisory Committee and encouraged Council to listen to the Committee recommendations.
- Opposed to this application.

Tom Stow, Knox Street

- Not opposed to urban infill.
- Raised concern that this proposal is too large for the neighbourhood and would prefer an RU1c zone.
- Raised concern that the proposed garage will negatively impact the view of his tenants.
- Spoke to an easement that was established between former owners of his property and the subject property and raised concerns that the existing easement was not intended for primary access to a secondary dwelling with a two car garage.
- Made comment that an agreement regarding access to the secondary dwelling currently is not resolved between the subject property owners.

Paul Filiatrault, Park Avenue

- Opposed to this application.
- Has lived in the neighbourhood for 36 years.
- Commended the Applicant for their neighbourhood outreach and showing their plans.
- Raised concern with the easement and lack of street frontage access.
- Raised concern with the view of a large building from his backyard.

Skye Chataway, Knox Crescent

- Spoke to the positive reasons for living in the neighbourhood and the main reason being it is a conservation area.
- This development is too large for the property and for the neighbourhood.
- Spoke to the Guidelines of the Heritage Conservation area and believes this application changes the streetscape which will negatively effect most of the neighbours in the area.
- Opposed to this application.

Valerie Hallford, Sutherland Avenue

- Opposed to this application.
- Displayed on the ELMO photos of small homes on large green spaces with gardens that are lost when developed.
- Believes this is an erosion of the natural character of the heritage conservation area.
- Opposed to large site redevelopment that removes mature trees and vegetation.
- Would be in support of the RU1c zone.
- Asked Council to reject this application.

Peter Chataway, Cadder Avenue

- Raised concern with the process and asked about the role of the Heritage Advisory Committee comments on the upcoming form and character and variance.
- Believes this application decision should be delayed until comments are received by the Heritage Advisory Committee.
- This application goes against the conservation area as noted in the Official Community Plan.
- A full second dwelling will have a negative impact on the neighbourhood.
- A future strata of the lot should be denied.
- Supportive of a carriage home rather than an RU6 zone.
- Believes the owners should voluntarily return the front house back to heritage designation so it cannot be torn down in return for the re-development of the lot.

Birte Decloux, Applicant Representative

- Previous owner of the subject property tried to register the home but it was not supported by the Heritage Advisory Committee.
- Commented that the heritage conservation area has a variety of lots.
- Spoke to the re-development retaining green space.
- A carriage house is too small for the owner's needs.
- There is no subdivision or strata lot being proposed.
- Do not anticipate a lot of driving over the easement as the owner's are not heavy vehicle users.
- Responded to questions from Council.

There were no further comments.

10. Termination

The Hearing terminated at 7:55 p.m.

11. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 7:55 p.m.

12. Bylaws Considered at a Public Hearing

12.1 START TIME 6:40 PM – Park Ave. 374, BL12087 (Z20-0039) – Kevin L. Fierbach and Jacqueline A. Fierbach

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0572/20/08/25 THAT Bylaw No. 12087 be read a second and third time.

Carried
Councillor Hodge - Opposed

13. Termination

The meeting terminated at 8:13 p.m.

The meeting adjourned at 8:19 p.m.

14. Call to Order the Public Hearing - START TIME - 7:30PM - Mugford Rd 595 - Z19-0143 (BL12088) - Corey Knorr Construction Ltd., Inc. No. BC0380398

Mayor Basran called the Hearing to order at 8:19 p.m.

15. Individual Bylaw Submissions

15.1 START TIME - 7:30 PM - Mugford Rd 595 - Z19-0143 (BL12088) - Corey Knorr Construction Ltd., Inc. No. BC0380398

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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.

16. Termination

The Hearing terminated at 8:21 p.m.

17. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 8:21 p.m.

18. Bylaws Considered at Public Hearing

18.1 START TIME - 7:30 PM - Mugford Rd 595 - BL12088 (Z19-0143) - Corey Knorr Construction Ltd., Inc. No. BC0380398

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

Ro573/20/08/25 THAT Bylaw No. 12088 be read a second and third time.

Carried

19. Termination

The Regular Meeting terminated at 8:21 p.m.

20. Call to Order the Public Hearing - START TIME - 7:45 PM - Summit Dr 1920-1936, TA20-0018 (BL12089) - Summit Real Estate Holdings Ltd., Inc. No. BC1098449

Mayor Basran called the Hearing to order at 8:21 p.m.

21. Individual Bylaw Submissions

21.1 START TIME - 7:45 PM - Summit Dr 1920-1936, TA20-0018 (BL12089) - Summit Real Estate Holdings Ltd., Inc. No. BC1098449

Staff:

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

Jordan Hettinga, Kent-MacPherson, Applicant

- 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.

22. **Termination**

The Hearing terminated at 8:27 p.m.

23. **Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 8:27 p.m.

24. **Bylaws Considered at a Public Hearing**

24.1 **START TIME - 7:45 PM - Summit Dr 1920-1936, BL12089 (TA20-0018) - Summit Real Estate Holdings Ltd., Inc. No. BC1098449**

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

R0574/20/08/25 THAT Bylaw No.12089 be read a second and third time and be adopted.

Carried

25. **Confirmation of Minutes**

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

R0575/20/08/25 THAT the Minutes of the Public Hearing and Regular Meeting of August 11, 2020 be confirmed as circulated.

Carried

26. **Reminders – Nil.**

27. **Termination**

The Regular meeting was terminated at 8:28 p.m.

Mayor Basran

/acm

City Clerk