



## City of Kelowna Public Hearing Minutes

Date:	Tuesday, September 15, 2020
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Brad Sieben; Mohini Singh, Luke Stack and Loyal Wooldridge
Members Participating Remotely	Councillors Ryan Donn and Charlie Hodge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Manager, Terry Barton*; Planner, Tyler Caswell*; Planner Specialist, Adam Cseke*; Planner, Aaron Thibeault*; Planner, Andrew Ferguson*; Legislative Coordinator (Confidential), Clint McKenzie

(\* 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 - DeHart Rd 664 - Z20-0050 (BL12077) - Carolyn Rae Stevenson**

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.

### 3. **Individual Bylaw Submissions**

#### 3.1 **START TIME 6:00 PM - DeHart Rd 664 - Z20-0050 (BL12077) - Carolyn Rae Stevenson**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The applicant was unable to attend due to unforeseen circumstance.

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 6:06 p.m.

**5. Call to Order**

Mayor Basran called the meeting to order at 6:06 p.m.

**6. Bylaws Considered at Public Hearing**

**6.1 START TIME 6:00 PM - DeHart Rd 664 - BL12077 (Z20-0050) - Carolyn Rae Stevenson**

Moved By Councillor Wooldridge/Seconded by Councillor Given

(Ro601/20/09/15) THAT Bylaw No. 12077 be read a second and third time and be adopted. **Carried**

**7. Termination**

The meeting was declared terminated at 6:07 p.m.

**8. Call to Order the Public Hearing - START TIME 6:00 PM - Grantham Rd 2368 - Z20-0049 (BL12078) - Bernard Schmidt and Beverly Schmidt**

Mayor Basran called the Hearing to order at 6:07 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.

**9. Individual Bylaw Submissions**

**9.1 START TIME 6:00 PM - Grantham Rd 2368 - Z20-0049 (BL12078) - Bernard Schmidt and Beverly Schmidt**

Councillor Sieben declared a conflict of interest on this item and the next item 14 as a relative is the applicant for item 9.1 and the two applications are for adjacent properties for the same zone and left the meeting at 6:08 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Tom Allen, Lake Road, Applicant's representative:

- Provided comments on the farming history of the property and status of current farming being undertaken on the site.

- Provided rationale for the rezoning.

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.

**10. Termination**

The Hearing was declared terminated at 6:15 p.m.

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

Mayor Basran called the meeting to order at 6:15 p.m.

**12. Bylaws Considered at Public Hearing**

**12.1 START TIME 6:00 PM - Grantham Rd 2368 - BL12078 (Z20-0049) - Bernard Schmidt and Beverly Schmidt**

Moved By Councillor Wooldridge/Seconded By Councillor Given

(Ro602/20/09/15) THAT Bylaw No. 12078 be read a second and third time and be adopted.

Carried

**13. Termination**

The meeting was declared terminated at 6:15 p.m.

**14. Call to Order the Public Hearing - START TIME 6:00 PM - Grantham Rd 2380 - Z20-0051 (BL12079) - Diana Lynn Nixon**

Mayor Basran called the Hearing to order at 6:16 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.

**15. Individual Bylaw Submissions**

**15.1 START TIME 6:00 PM - Grantham Rd 2380 - Z20-0051 (BL12079) - Diana Lynn Nixon**

Staff:

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

Shane Worman West Avenue, 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.

**16. Termination**

The Hearing was declared terminated at 6:22 p.m.

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

Mayor Basran called the meeting to order at 6:22 p.m.

**18. Bylaws Considered at Public Hearing**

**18.1 START TIME 6:00 PM - Grantham Rd 2380 - BL12079 (Z20-0051) - Diana Lynn Nixon**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

**(Ro603/20/09/15)** THAT Bylaw No. 12079 be read a second and third time and be adopted.

**Carried**

Councillor Sieben rejoined the meeting at 6:23 p.m.

**19. Termination**

Terminated at 6:23 p.m.

Mayor Basran called the meeting to order at 6:27 p.m.

Mayor Basran: Ride Share Application

- Commented on the recent Uber application to operate ride share in the region.
- Asked Council for a generic letter of support for any Ride Share application that meets the Provincial requirements.

Moved by Councillor Given/Seconded by Councillor Donn

**(Ro604/20/09/15)** THAT Council authorizes the Mayor to write a letter of support for any ride share program application in Kelowna that meets Provincial requirements.

**Carried**

The meeting terminated at 6:31 p.m.

**20. Call to Order the Public Hearing - START TIME 6:45 PM - St. Paul St 1193 - Z18-0011 (BL12080) - Evergreen Lands Limited, Inc No. BC0382754**

Mayor Basran called the Hearing to order at 6:45 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.

**21. Individual Bylaw Submissions**

**21.1 START TIME - 6:45 PM - St. Paul St 1193 - Z18-0011 (BL12080) - Evergreen Lands Limited, Inc No. BC0382754**

Councillor DeHart declared a conflict of interest due to her employment with a major hotel chain & left the meeting at 6:46 p.m.

Staff:

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

Jim Mieklejon, Ellis St, Ken Webster, Applicant's agent/Applicant

- Displayed a PowerPoint presentation.
- Showed views of the site and identified neighbouring recent developments.

- Identified future height variance and architectural design and neighbourhood context.
- Spoke to hotel parking and trend for downtown hotels to be constructed with little or no parking.
- Displayed an email supporting limited hotel parking on the ELMO.

Ken Webster, Ridgeway Drive, Evergreen Lands Ltd.

- Last hotel project in Downtown was 20 years ago.
- Affordable hotel development is being proposed, walkable neighbourhood with lots of amenities.
- Focus is on accommodation due to wide range of services within the immediate area.
- 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 was declared terminated at 7:19 p.m.

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

Mayor Basran called the meeting to order at 7:19 p.m.

**24. Bylaws Considered at Public Hearing**

**24.1 START TIME 6:45 PM - St. Paul St 1193 - BL12080 (Z18-0011) - Evergreen Lands Limited, Inc No. BC0382754**

Moved By Councillor Singh/Seconded By Councillor Wooldridge

**(Ro605/20/09/15)** THAT Bylaw No. 12080 be read a second and third time.

**Carried**

Councillor DeHart rejoined the meeting at 7:25 p.m.

**25. Termination**

The regular meeting was terminated at 7:25 p.m.

**26. Call to Order the Public Hearing - START TIME 7:20 PM - Clement Ave 599 - Z20-0046 (BL12082) - Okanagan Opportunity GP Inc**

Mayor Basran called the Hearing to order at 7:25 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.

**27. Individual Bylaw Submissions**

**27.1 START TIME 7:20 PM - Clement Ave 599 - Z20-0046 (BL12082) - Okanagan Opportunity GP Inc**

Staff:

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

Roger Green, MQN Architects, Applicant's Agent

- Displayed a PowerPoint presentation.
- Spoke to the parking discussions between the owner and MODO.
- Sub zone requested very close to the number of parking stalls.
- 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:

No one from the Gallery came forward.

**28. Termination**

The Hearing was declared terminated at 7:38 p.m.

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

Mayor Basran called the meeting to order at 7:38 p.m.

**30. Bylaws Considered at Public Hearing**

**30.1 START TIME 7:20 PM - Clement Ave 599 - BL12082 (Z20-0046) - Okanagan Opportunity GP Inc**

Moved By Councillor Stack/Seconded By Councillor DeHart

(Ro606/20/09/15) THAT Bylaw No. 12082 be read a second and third time;

AND THAT a Car Share agreement for one (1) vehicle be in place prior to Final Adoption of the Bylaw.

**Carried**

**31. Termination**

The meeting was declared terminated at 7:39 p.m.

**32. Call to Order the Public Hearing - START TIME 7:20 - Pacific Ave 1145 - Z20-0047 (BL12081) - Okanagan Opportunity (Pacific) GP Inc., Inc. No. BC1188652**

Mayor Basran called the Hearing to order at 7:39 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.

**33. Individual Bylaw Submission**

**33.1 START TIME 7:20 PM - Pacific Ave 1145 - Z20-0047 (BL12081) - Okanagan Opportunity (Pacific) GP Inc., Inc. No. BC1188652**

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.

Gallery:

No one from the Gallery came forward.

**34. Termination**

The Hearing was declared terminated at 7:41 p.m.

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

Mayor Basran called the meeting to order at 7:41 p.m.

**36. Bylaws Considered at Public Hearing**

**36.1 START TIME 7:20 PM - Pacific Ave 1145 - BL12081 (Z20-0047) - Okanagan Opportunity (Pacific) GP Inc., Inc. No. BC1188652**

Moved By Councillor DeHart/Seconded By Councillor Stack

**(R0607/20/09/15)** THAT Bylaw No. 12081 be read a second and third time

AND THAT a Car Share agreement for one (1) vehicle be in place prior to Final Adoption of the Bylaw.

**Carried**

**37. Termination**

The meeting was declared terminated at 7:43 p.m.

**38. Call to Order the Public Hearing - START TIME 8:00 PM - Lakeshore Road 4071 - OCP19-0013 (BL12091) Z19-0144 (BL12092) - Greencorp Ventures Inc., Inc.No. BC0987730**

Mayor Basran called the Hearing to order at 8:00 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.

**39. Individual Bylaw Submissions**

**39.1 START TIME 8:00 PM - Lakeshore Road 4071 - OCP19-0013 (BL12091) Z19-0144 (BL12092) - Greencorp Ventures Inc., Inc.No. BC0987730**

Staff:

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

Shane Worman, Applicant:

- Provided comments on neighbourhood context  
- Available for questions.

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

Gallery:

David Komaika, Belmont Road:

- Made reference to petition of opposition submitted earlier.
- Opposed to the development.
- Would be supportive if the development was similar to other adjacent buildings.
- Raised concerns with height and shadowing impacts.
- Raised concerns with access via public park and poor transportation planning.

Janine Demidoff, Pimlico Road:

- Opposed to the application.
- Referenced correspondence submitted earlier.
- Concerned with lack of contact by applicant to her and neighbours.
- Opposed to height of building.

Roger Kirk, Belmont Avenue:

- Opposed to the application.
- Opposed to the height.

Applicant, in response:

- Spoke to the traffic pedestrian crossing location
  - Contacted neighbours within 50m of subject site
  - Responded to questions from Council.
- There were no further comments.
- Responded to questions from Council.

Staff responded to questions from Council.

**40. Termination**

The Hearing was declared terminated at 8:34 p.m.

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

Mayor Basran called the meeting to order at 8:34 p.m.

**42. Bylaws Considered at Public Hearing**

**42.1 START TIME 8:00 PM - Lakeshore Rd 4071 - BL12091 (OCP19-0013) - Greencorp Ventures Inc., Inc. No. BC0987730**

Moved By Councillor DeHart/Seconded By Councillor Stack

**(Ro608/20/09/15)** THAT Bylaw No. 12091 be read a second and third time.

**Carried**  
Councillor Hodge - Opposed

**42.2 START TIME - 8:00 PM - Lakeshore Rd 4071 - BL12092 (Z19-0144) - Greencorp Ventures Inc., Inc. No. BC0987730**

Moved By Councillor DeHart/Seconded By Councillor Stack

**(Ro609/20/09/15)** THAT Bylaw No. 12092 be read a second and third time.



Carried  
Councillor Hodge – Opposed

**43. Termination**

The meeting was declared terminated at 8:46 p.m.

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Mayor Basran

sf/cm

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City Clerk