



City of Kelowna Public Hearing Minutes

Date: Tuesday, October 4, 2016
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Mohini Singh* and Luke Stack

Council Members Absent: Councillors Brad Sieben

Staff Present: Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Divisional Director, Community Planning & Real Estate, Doug Gilchrist and Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:00 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.

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 September 20, 2016 and by being placed in the Kelowna Capital News issues on Friday September 23 and Wednesday, September 28, 2016 and by sending out or otherwise delivering 706 statutory notices to the owners and occupiers of surrounding properties between September 20 and 23, 2016.

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

3.1 720 Valley Road, BL11276 (OCP16-0010), BL11277 (TA16-0009) & BL11278 (Z16-0046) - Valley Land Subdivision Ltd.

Staff:

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

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Concern:

G. Elaine Beyeler, Valley Rd (including petition with 89 signatures)

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

Corey Makus, VP, Traine Construction; Jordan Hettinga, Kent MacPherson Appraisals

- Displayed a PowerPoint presentation summarizing the development.
- Pleased to be part of the group bringing this development forward and want to see an iconic neighbourhood in this location.
- Believes this is high quality infill on this site.
- Marketed as Medium Density Multi-Family and commented on this being what the Official Community Plan calls for; however, asking to down zone from medium density to low density and believe it is an appropriate transition for the neighbours to the north. Will push higher density away from Chartwell.
- Displayed a Landscape Plan noting common space between developments as well as traffic and pedestrian circulation.
- Advised that there are three exit points from the development and that a traffic impact analysis has been completed. The temporary access to Valley Road will be replaced with a proper road.
- Remodeled the sun study and took into account the topography on site and surrounding heights of the buildings and determined there will be no adverse impact on vegetation growth with this development.
- Believes this development meets the needs of the Official Community Plan as well as respecting the surrounding community.
- Responded to questions from Council.

Gallery:

Elaine Beyeler, Valley Road

- Referenced the correspondence and petition submitted for the Public Hearing.
- Raised concerns with shadowing impacts on Chartwell and affecting the quality of life for residents.
- Raised concerns with massing of new development immediately adjacent to the common property line and loss of privacy.
- Raised concerns with impacts on property values with loss of sunlight and privacy.
- Proposed one storey height maximum for buildings along common property line.
- Responded to questions from Council.

Ed Henkel, Valley Road

- Raised concern with traffic impacts due to the development.
- Raised concern with existing traffic volumes and traffic route issues.
- Recommended that Valley Road be widened and proper traffic lights at Valley and Summit be completed prior to any occupancy permits issued.

Jordan Hettinga, Applicant

- Spoke to the traffic impact analysis noting traffic improvements are required as part of the development and are similar to what was recommended.

- Spoke to the rationale behind the height of the first row of buildings adjacent to Chartwell and commented that staff also believes this is an appropriate transition.
- Spoke to the changes to the original drawings identifying shadowing impacts on Chartwell development and will continue discussion with staff.
- Responded to questions from Council.

There were no further comments.

3.2 3441, 3451, 3461, & 3471 Lakeshore Road, BL11280 (OCP16-0007) & BL11281 (Z16-0040) - 0984342 BC Ltd. & City of Kelowna

Staff:

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

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Support:

Craig Crippen, Traditions Cres

Letters of Opposition:

President for KAS 3420 on behalf of council and residence, Scott Rd

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

Greg Appelt, President of Rise Developments and Jean-Guy Beliveau, Zeidler BKDI Architects, Applicant

- Displayed a PowerPoint presentation summarizing the development.
- Provided a history of the development site and referenced the three different parcels and challenging soil conditions that required navigation.
- Very proud of the design and the multiple uses; apartments are above the substation and views are forward facing the lake. Will be creating rooftop amenity space accessible to all tenants including hot tub and BBQ areas.
- Requesting zone change from C9 to C4 to allow for a more mixed use component.
- Believes this development creates a gateway to the Lakeshore area and makes an iconic statement.
- This development is in scale within the area and is very street oriented.
- The residents to the south are a considerable distance away and setback from them so there are no shadowing impacts.
- Responded to questions from Council.

Gallery:

Annabelle Mallack, Strata Council, Scott Road

- Referenced correspondence submitted by the Strata President.
- Strongly disapprove of the height of the building and raised concern regarding shadowing.
- Raised concern regarding impacts on pedestrian safety and routes to Gyro Beach.
- Raised concern with increased traffic flow, congestion and parking impacts.
- Raised concerns with increase in commercial and residential space and parking.
- Responded to questions from Council.

Bernd Melser, Calmels Crescent

- In favour of the project.
- Raised concern if the development will impact the wind along the beach for windsurfers.

Ken Compass, Casorso Road

- Raised concern with unknown spillover impacts of the development.
- Raised concern with increase in traffic and safety of school children.

- Raised concern with the impacts and changing the character of the South Pandosy neighbourhood.
- Raised concern with the building height.
- Responded to questions from Council.

Harold Bewernick, Gyro Beach Townhomes Development, Swordy Road

- Generally supportive and believes it will be an enhancement to the neighbourhood.
- Raised concern with density and increased traffic and congestion.
- Believes the development should exit from Richter Street and not Swordy Road with possible right in and right out on Lakeshore Road.
- Raised concern that privacy will be lost on Swordy Road with the proposed density.
- Raised concerns with minimal setbacks.
- Responded to questions from Council.

Sukhi Sandhu Fuller Road

- In favour of the proposed development.
- Believes this development has a good mix of commercial and residential.
- Raised concern with parking on Swordy Road and recommended more parking for the area.

Greg Appelt and Jean-Guy Beliveau, Applicant

- Confirmed that the zone permits zero setback line at grade and the higher residential storeys are setback further which should satisfy the privacy issue for adjacent neighbours.
- This development will provide a nicer pedestrian aspect which will funnel people to appropriate intersections and will help control traffic and pedestrian traffic.

There were no further comments.

3.3 1787 Mountain Avenue, BL11282 (Z16-0004) - Janice & William Henry

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Concern:

Susan Gilchrist, Calmels Cres (including petition with 39 signatures)

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

Janice Henry, Mountain Avenue, Applicant

- Spoke to the character of the home that was built in 1929 and the appeal of the property.
- Has requested for the house to be placed on the Heritage Register and is awaiting confirmation.
- The intention is for my family to live in the house and this area will be our neighbourhood.
- Has received a lot of positive neighbourhood feedback regarding the work being done on the house.
- Would like this house to be the gateway onto Calmels Court.
- The carriage house is comparable with the existing home and is ground level and an extension of the garage.
- This development will add one additional vehicle.

Susan Gilchrist, Calmels Crescent

- Spoke to the correspondence and petition submitted prior to the Public Hearing.
- Canvassed Calmels Crescent and received 39 signatures from 25 properties.
- Raised concern with increased density being at odds with the neighbourhood.
- Raised concern that the new driveway negatively impacts traffic and parking.
- Raised concern with existing volume of traffic, congestion and pedestrian safety issues.

- Believes there is a suite in the basement of the home and adding a carriage house would add even more vehicles and that is a concern.
- Opposed to the Rezoning.
- Responded to questions from Council.

Trent Johnson, Mountain Avenue

- Raised concern with the development signage posted on Mountain Avenue being on the ground and if other neighbours may be unaware.
- Raised concern with density.
- Raised concern that the character of the neighbourhood will change due to this development.
- Opposed to this application.

Irene Failes, Calmels Crescent

- Raised concern that this proposal is not in keeping with the neighbourhood.
- Raised concern with existing volume of vehicles on Calmels Crescent and believes this proposal will further add to the volume.
- Opposed to the carriage home and this application.

Colin Gilchrist, Calmels Crescent

- Raised concern that this heritage proposal is not in keeping with the neighbourhood.
- Opposed to this application.

Richard Forster, Calmels Crescent

- Spoke to traffic concerns on Calmels Crescent.
- Spoke to cedar hedge that encroaches onto City property that obstructs sidewalk and visibility and his complaints to Bylaw Enforcement to have it trimmed.
- Raised safety concern for pedestrians and in particular school children.
- Responded to questions from Council.

Karen Stoopnikoff, Calmels Crescent

- A carriage house has a greater footprint than a suite and reduces the flexibility on the property.
- A legal suite still allows for a yard.
- Opposed to this application.

Jim Failes, 1069 Calmels Crescent

- Raised concern with traffic congestion on the Crescent and safety for children going to school.
- Believes that not allowing this application to move forward will assist in not making the existing issues greater than they are already.

Bernd Melzer, Calmels Crescent

- Believes the structure is not in character with the neighbourhood.
- In support of more residential units in the city but signed the petition due to safety issues; difficult to exit own driveway.
- Raised safety concern for children and vehicles.
- Would like to see sidewalks added to the Crescent.

Janice Henry, Applicant, declined to address concerns raised.

Recessed at 8:39 p.m.

Reconvened the meeting at 8:54 p.m.

3.4 700 McCurdy Road, BL11283 (Z16-0025) - Silver City Holdings Inc.

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence or petitions had been received.

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

The Applicant was present and available for questions.

No one from the gallery came forward.

There were no further comments.

3.5 760 Mitchell Road, BL11284 (Z16-0015) - Terrence Dewar

Staff:

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

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Support:

Cal Condy, Thompson Rd
Olga Lehune, Mitchell Rd
Kathy & John Rigg, Mitchell Rd
Robin Kim and Dawn Meier, Mitchell Rd

Letters of Opposition:

Richard & Brenda Auclair, Thompson Rd
Julie Dyck, Thompson Rd

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

The Applicant was present and available for questions.

No one from the gallery came forward.

There were no further comments.

3.6 1960 Paly Road, BL11285 (LUC16-0003) - Krista Eve Almeida & Stephen Glegg

Councillor Singh declared a conflict of interest as she lives near the subject property and departed the meeting at 9:01 p.m.

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence or petitions had been received.

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

The Applicant was present and available for questions.

No one from the gallery came forward.

There were no further comments.

Councillor Singh rejoined the meeting at 9:04 p.m.

3.7 1280 Wilmot Avenue, BL11286 (Z15-0060) - Romesha Ventures Inc.

Staff:

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

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Concern:

Shannon & Doug Hoy, Nishi Ct

Letters of Support:

Susen & Michael Brown, Samurai Ct

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

The Applicant was not present.

Gallery:

Terry Ivan, Wilmot Avenue

- Opposed to this application.
- Raised concern of how the information notice identified properties.
- Proposed that the land in question be purchased by the City and turned into greenspace or parkland.
- Inquired how the greenspace would be developed.
- Responded to questions from Council.

Dr. Ron Baldassare, Nishi Court

- Raised concern of how the information notice identified properties.
- Has the same concerns as previous speaker Terry Ivan.

Wally Vanin, Wilmot Avenue

- Lives directly across the street from this proposal.
- Inquired to the timelines of this development.
- Not Opposed to this application.

Susen Brown, Samurai Court

- Referenced the correspondence submitted prior to the Public Hearing.
- Confirmed support of that portion of rezoning to parkland.
- Agrees that the information notice was somewhat vague as to which 4 lots were being designated.

Council:

- Raised questions regarding the Information Notice.

City Clerk and Urban Planning Manager:

- Stated that the property under consideration is a single lot being rezoned to four separate lots; subdivision would be the next step should the zoning proceed to create individual lots.
- Noted the purpose of the Notice and that members of the public did attend to ask their questions.

There were no further comments.

4. Termination

The Hearing was declared terminated at 9:35 p.m.

Mayor

/acm

City Clerk