



City of Kelowna

Public Hearing

Minutes

Date:	Tuesday, November 15, 2016 Council Chamber
Location:	City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Ryan Donn, Gail Given, Tracy Gray, Mohini Singh and Luke Stack
Members Absent	Councillors Maxine DeHart, Charlie Hodge and Brad Sieben
Staff Present	Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Urban Planning Manager, Terry Barton; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

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.

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 November 1, 2016 and by being placed in the Kelowna Daily Courier issues on Friday, November 4, 2016 and Wednesday, November 9, 2016 and by sending out or otherwise delivering 44 statutory notices to the owners and occupiers of surrounding properties between November 1 and November 4, 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 **BL11263 (TA16-0004) and BL11264 (Z16-0010) Secondary Suite Amendments - 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 Opposition or Concern:

Gregor and Ann Miller, Country Club Drive
 Michael and Roberta Leever, Country Club Drive
 Doug and Pat Vickers, Capistrano Drive
 Sid and Cathy Bildfell, Salerno Court
 Louise Fuller, Salerno
 Kenneth Iskiw, Capistrano Drive
 Alan and Cynthia Nichols, Quail Run Drive
 Blake Jolin, Salerno
 Al and Sandra Ohlauer, Capistrano Drive
 Harvey and Cynthia Gorsline, Capistrano Crescent
 Mac Campbell, Quail Place
 Larry Bigler and Terry Fraser, Capistrano Drive
 Peter and Lori Enright, Capistrano Crescent
 Ken and Merle Lowe, Capistrano Crescent
 Gordon and Ruth Douglas, Capistrano Drive
 Doug and Lorriane Gill, Quail Run Drive

Letters in Favour or Support:

Edward R. Copeman, Capistrano Peaks Crescent
 Sara Regier, Blueridge Road
 Rick and Renu Grover, Valentino Court
 Brian Hill, Quail Run Drive
 Julian and Judy Park, Valentino Court
 Thomas Macauley, Rose Avenue

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

Gallery:

Centel Tucker, Quail Crescent

- Requested that the Public Hearing be deferred until April 2017 so a broader notification and education can be undertaken by the Quail Ridge Community.
- Advised that there is a low number of circulation for the Daily Courier in the Quail Ridge area and do not believe that residents were effectively notified.
- Acknowledged that the City met legal notice requirements, however, minimum notice requirements are not satisfactory for this application.
- Responded to questions from Council.

Barret Watson, Quail Crescent

- Opposed to this application.
- Referenced the August 8th 2016 staff report indicating the city's limited influence to effect diversity in rental stock.
- Believes that resident conflicts with suites are evidence that they are not welcomed.
- Noted that the Quail Ridge Community never intended to have suites.
- Questioned whether a master plan for a community is necessary when the numbers of suites are rising in the city.
- Identified and raised concern with several items in the staff report including legal and parking statements; very concerned with unclear parking rules.
- Raised concern that these amendments will force tenant parking onto the streets.

Peter Enright, Capistrano Crescent

- Referenced previously submitted correspondence of opposition.
- Opposed to this application.
- Noted that the Quail Ridge Community was not built with the intention of suites.
- Believes the infrastructure built does not allow for additional traffic.
- Raised concern with having only one access in and out of the community in case of an emergency.
- Raised concern regarding parking requirements.
- Raised concern with lack of secondary suite enforcement.

Thomas MacAuley, Rose Avenue

- In favour of this application.
- Referenced previously submitted correspondence.
- Believes that secondary suites are becoming more limited and not the best quality; these amendments will assist in opening up housing for young people.

Dennis Denney, Bray Street

- Opposed to this application.
- Raised concern with the rights of private property owners to enjoy their neighbourhood.
- Raised concern with tenant parking; believes that tandem parking does not work.
- Raised questions regarding the definition of carriage houses and if they are permitted in addition to a basement suite.

Mayor Basran:

- Confirmed that a single family home cannot have both a carriage house and suite.

Ken Lowe, Capistrano Crescent

- Raised concerns regarding parking and parking enforcement.
- Been a resident for 12 years and purchased as suites were not permitted.
- Opposed to this application.

Staff:

- Confirmed that the Quail Ridge community has sufficient infrastructure to accommodate suites.
- Confirmed that the Fire Department has indicated there are no issues from a fire protection perspective.
- Confirmed that tandem parking has been an acceptable way of parking for many years.
- Responded to questions from Council.

There were no further comments.

3.2 Arab & Appaloosa Road BL11300 (OCP16-0020) - 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 Opposition or Concern:

Susan Hayes, Arab Road
 Ken Bach, Appaloosa Road
 Angus Aitken, Appaloosa Road
 Sara Aitken, Appaloosa Road
 Darcy Holloway, Appaloosa Road
 Dora Gronsdahl, Appaloosa Road

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

Gallery:

Ken Bach, Appaloosa Road

- Been a property owner here since 1990.
- Opposed to this application and to the high servicing costs of rezoning to the I6 zone.
- Noted that servicing costs are not distributed evenly for each property owner.
- Would like the Official Community Plan to remain as it is.

Chantelle Kshyk and Curtis Froats, Appaloosa Road

- Opposed to this application.
- Individual property owners did not receive notification of this Public Hearing.
- Submitted correspondence, however, received past the deadline for submission; read aloud from letter.
- Responded to a Survey on October 24th in favour in principle but not in favour of the servicing fees.
- Raised concern with I6 parameters with Sexsmith Road properties.
- Believes that other planning options should be considered and this application should not be forwarded at this time.
- Responded to questions from Council.

Greg Pitura, Appaloosa Road

- Read a letter submitted past the correspondence submission deadline.
- Opposed to the proposed amendments.
- Raised concerns regarding parking and increased traffic.
- Sexsmith Road already has industrial uses based on the previous city Official Community Plan and zoning options.
- Requested that Temporary Use Permits be considered for properties such as his to provide time to discover solutions that would work for everyone.

Albert Abrahamson, Appaloosa Road

- Has a business with a home based business license on the property and cannot park large heavy truck on his property.
- Opposed to the proposed amendments.
- Responded to questions from Council.

Nick and Patricia Kroschinsky Appaloosa Road

- Opposed to this application.
- Have been in the middle of this controversy for 26 years.
- Believes the City has been inconsistent with information; there is no continuity in the process.
- Believes the City meeting in the neighbourhood was not well organized.
- Requested a delay in further consideration of the amendments to allow time for additional meetings with members of Council and staff.
- Would support the I6 zone however the high cost for servicing would be a struggle.
- Raised concerns with increased on street parking in the neighbourhood.
- Raised concern that after 4 years the Sol Terra development has not created a buffer zone as promised.
- Reference correspondence that was submitted but had not read out as being received.
- Responded to questions from Council.

Darcy Holloway, Appaloosa Road

- Purchased property in November 2015 under the basis that it would be rezoned to I6 as was advertised by the realtor.
- Believes the servicing cost to rezone is far too high.
- Opposed to this application.

Joe Molnar, Appaloosa Road

- Opposed to this application.
- The servicing costs to rezone to the I6 zone is far too high.
- Raised concerns with increase in traffic in the neighbourhood.

- Raised concerns with the impact on property values.

Dora Gronsdahl, Appaloosa Road

- Purchased property in 2013 on the understanding from the realtor that the property would be rezoned to I6.
- Referenced previously submitted letter.
- Advised that she did not receive a survey from the City.
- Were fully prepared to pay the servicing fee to rezone and now we have our property for sale; difficult to sell as zoning has not been determined.
- Opposed to the amendments and encouraged Council to keep the Official Community Plan as it is.

Chris Kellerman, Sexsmith Road

- Purchased the property in October 2016 and there was no mention of this amendment.
- Opposed to this application.

Susan Hayes, Arab Road

- Questioned why her property and neighbours property were included in the zoning change as they currently have water and sewer.
- Referred to a letter from an elderly neighbour who was unable to attend due to health.
- Believes that neighbours were not fully aware of the OCP change.

Alana Molnar, Appaloosa Road

- Requested a delay in order for property owners to further consider their options.
- Voted against the servicing upgrades as the fee was far too great.
- Opposed to this application advancing.

Todd Gronsdahl, Appaloosa Road

- Property owner for three years and received no notification of these changes.
- Opposed to the application.

Angus Aitken, Appaloosa Road

- Read from previously submitted correspondence.
- Opposed to these amendments.
- Believes the servicing fee is exorbitant, but are willing to pay to have the services.
- Requested a Temporary Use Permit consideration if this application proceeds forward.

Jim Harder, Appaloosa Road

- Has lived in the neighbourhood since 1981.
- Believes there has been violations of bylaws with no enforcement.
- Raised concern with the lack buffering with the Sol Terra subdivision and its impact on the neighbourhood.
- Did not receive a notice of meeting with staff and residents.
- Responded to questions from Council.

Jim Findlay, Arab Court

- Resident in the neighbourhood for only three months and did not receive earlier correspondence from the City.
- Requested more time be given to consider all options.
- Would be supportive of paying servicing costs to rezone to I6 zone.

There were no further comments.

3.3 2310 Enterprise Way, BL11302 (Z16-0039) - Helen Hadley et al

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.

3.4 671-681 Glenwood Avenue, BL11303 (Z16-0037) - Shaun & Lori Aussenhus

Staff:

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

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.

Shaun Aussenhus, Owner

- Provided background and history of the property.
- Advised that high quality materials will be used.
- Believes the rezoning provides a good transition in the neighbourhood and also meets the Official Community Plan requirements.
- Confirmed the neighbourhood survey showed support of the overall plan.
- Spoke to the vehicle and cycling parking provided on site
- Providing a six-foot-high solid barrier along the property line to lessen the impact for the neighbour to the west of vehicles entering and exiting

Gallery:

Azha Leskard, Glenwood Avenue

- Immediate neighbour and believe will be most impacted by this development.
- Raised concerns with privacy impacts; our deck is 4 feet from existing fence, as well, their upper decks viewing our yard.
- Raised concern with visual impact of seeing 12 parked vehicles from their deck.
- Agreed with applicant that there should be a parking variance for fewer spaces to one per unit.
- Supportive of development but believe this development is too high and would prefer a smaller development.
- Raised concern that construction would harm or destroy a 170-180-year-old tree.
- Would prefer to have a solid fence along the fence for privacy.
- Responded to questions from Council.

Shaun Aussenhus, Owner

- With the density of the development and number units this property is being under-developed to what is permitted under the proposed zone.
- Did not want to apply for a reduction in parking spaces as that would have triggered a development variance and a delay in the application process.
- Committed to working with the neighbour and mitigate parking and traffic concerns with good urban landscape design and best buffer we can maintain on the west property line.
- Will take care and attention to maintain the root system and not negatively impact the vintage tree during construction.
- Responded to questions from Council.

There were no further comments.

4. Termination

The Hearing was declared terminated at 8:49 p.m.

Mayor

City Clerk

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