



City of Kelowna

Public Hearing

Minutes

Date:	Tuesday, December 13, 2016
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Ryan Donn, Gail Given, Tracy Gray*, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack
Members Absent	Councillor Maxine DeHart
Staff Present	Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Suburban & Rural Planning, Manager, Todd Cashin; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Policy & Planning Department Manager, James Moore*; Community Planning Supervisor, Ryan Roycroft*; 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 29, 2016 and by being placed in the Kelowna Daily Courier issues on Friday, December 2 and Wednesday, December 7, 2016 and by sending out or otherwise delivering 915 statutory notices to the owners and occupiers of surrounding properties between November 29 and December 2, 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 Infill Challenge Implementation, BL11310 & BL11311 (OCP16-0015) - City of Kelowna

Mayor Basran advised that Council will hear Items 3.1, 3.2 and 3.3 concurrently.

Councillor Gray declared a conflict of interest for Items 3.1 to 3.3 as she lives in the area and departed the meeting at 6:08 p.m.

Staff:

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

3.2 Infill Challenge - Removal of Development Permit Areas BL11312 (OCP16-0025)

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

There were no further comments.

3.3 Infill Challenge - Rezoning and Text Amendment BL11313 (TA16-0010) & BL11314 (Z16-0053) - The 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 for Items 3.1, 3.2 and 3.3.

Letters of Opposition or Concern:

Kenneth P. Cappos, Casorso Road (One letter for 3 Bylaws)
 Penny Lobdell, Kinnear Ave
 Trent and Julia Johnson, Mountain Avenue
 Pat Munro, Cadder Avenue

Letters in Favour or Support:

Daniel Mandelbaum, Wilson Avenue
 Martha King, Curlew Drive
 Terry and Ruth Lamb, Carruthers Street
 Jason Neumann, Mayfair Road
 Ann Stanley, Wilson Court, Westbank

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

Gallery:

Jason Pither, Wilson Avenue

- Generally in favour of the applications.
- Raised concern with green space and ensuring that mature trees are saved during redevelopment.
- Raised concern with maintenance and upkeep of lane ways.

Suzan Sutton, Fuller Avenue

- Advised that she lives in the subject area.
- Wondered how these amendments would impact her property.
- Wondered how sewer, hydro and gas would be allocated.
- Wondered what size the parking stalls would actually be.
- Raised concern regarding greens space and lack of trees.
- Questioned how ownership/rental conflicts would be addressed.

Mayor Basran

- The City has no jurisdiction on landlord/tenant issues.

Peter Chataway, Cadder Avenue

- Agrees with the density increase but does not believe this is the right method to achieve it; believes there should be a three-unit maximum rather than four-unit maximum.
- Provided statistics on cost per unit under a three and four-unit density build out and suggested a three-unit maximum would be a more livable and sustainable option and would receive greater acceptance from the public.
- Responded to questions from Council.

Steven Hyndman, Lawson Avenue

- Raised questions and concerns for properties that have a side lane access opposed to a rear lane access under the proposed amendments.
- Raised concern that he cannot build more than two units due to the restriction.

Wade Klaver, Wilson Avenue

- Raised concern with reduction of maximum building height under the proposed amendments; ability to have 2.5 storey enables separate living space in the main structure.
- Believes the reduction of setback in the front yard is moving in the right direction as no one uses their front lawns very much.
- Inquired if there was any bylaw regarding short term Air B&B type rentals.
- Responded to questions from Council.

Evan Good, Resident

- Spoke to lot widths under 15 m and wanted to know if variances could be undertaken.

Resident, Lawson Avenue

- Believes the RU7 zone is a very progressive initiative and is in favour of it.
- Raised concern with side lane access options and believes provisions should be made for corner lane lots to encourage friendly look and encourage development.

Penny Pearson, Glenwood Avenue

- Wondered why the geographic area under original consideration for the RU7 zone was changed to what is being proposed in the bylaw today; all homes in original consideration are very comparable.
- Raised concern regarding land value impact.

Denise Dillon, Ethel Street

- Raised concern with bylaw enforcement of existing land use non-compliance in RU6 zoned neighbourhoods; believes it's important to consider what enforcement will look like.

Suzan Sutton, Fuller Avenue

- Raised concern with how a property owner would "sell" the property; is it defined as a single family dwelling or is it defined as a Strata.
- Raised concerns regarding insurance coverage and who is responsible to pay for insurance.

Rick Serani, Morrison Avenue

- Believes this is a great initiative.
- Questioned whether properties under 37 m property width are included in this bylaw.

Staff:

- Spoke to the original mapping area and advised that some areas did not have lane access and were removed.
- Spoke to implementing a bylaw enforcement plan.
- Spoke to greenspace and trees and advised that each property will go through a Development Permit process where design guidelines will ensure maintenance of trees or high quality replacement where that cannot occur.
- Spoke to maintenance of roadways and lane ways through DCC improvements.
- Made comment to this being a pilot project that will be reviewed after the first year.
- Confirmed building height could be varied and number of dwellings per lot cannot be varied.
- Responded to questions from Council.

Councillor Gray rejoined the meeting at 7:31 p.m.

3.4 2280 Baron Rd, BL11315 (Z16-0057) - Victor Projects Ltd

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.

3.5 604 Old Meadows Rd, BL11317 (Z16-0049) - Tony Pulice Construction Ltd

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.

3.6 4125 & 4193 Gordon Dr, BL11318 & BL11319 (HRA16-0002) - Colin Gifford Magnus Thomson

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.

The Applicant was present and available for questions.

No one from the gallery came forward.

There were no further comments.

**3.7 1893 Ethel St, BL11320 (OCP16-0018) & BL11321 (TA16-0013) & BL11322 (Z16-0059)
- Michael Ohman**

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.

Deanne & Eric Leung, Burne Avenue, Applicant and Jody Bekhuys, Family Therapist

- Displayed a PowerPoint Presentation summarizing their application.
- Began their business 15 years ago as a stand-alone private practice offering specialized service to very vulnerable and complex children.
- Has never had any complaints with respect to parking issues for the last 10 years.
- Appointments are staggered so there is not a lot of people arriving at the same time.
- Responded to questions from Council.

Gallery:

Patricia Munro, KSAN Director, Cadder Avenue

- Spoke on behalf of KSAN.
- Advised that KSAN policy is to always have a residential component to any business.
- Very supportive of businesses in the neighbourhood, however, raised concern that this application lacks the residential component.

Sara Murray, Ethel Street

- Raised questions regarding screening for parking.
- Raised questions whether there would be increased traffic.

Deanne Leung, Applicant

- Considered residential component however there isn't such a use on site currently; also, if a portion was used for residential space it would take away from the much needed medical space.
- Plans are in process for fencing and landscape screening and willing to discuss further with impacted neighbour.
- Responded to questions from Council.

There were no further comments.

3.8 380 Hardie Rd, BL11323 (Z16-0032) - Rukhmani & Shivnesh Reddy and Praneeta & Sinesh Naidu

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.

3.9 1985 Knox Cres, BL11324 (Z16-0061) - Sheldon and Heather Upshaw

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.

Sheldon Upshaw, Knox Crescent, Applicant

- Commented that they love the area and character of this neighbourhood.
- Made reference to the two mature trees that will be maintained as part of the development.
- Believes the present use of the lot is underutilized.
- Spoke to the walkability of the neighbourhood and amenities.
- Spoke to on-site parking; with the tenant having their own spot as well the 3 car garage will allow us to remove our vehicles from the street.
- Responded to questions from Council.

No one from the gallery came forward.

There were no further comments.

4. Termination

The Hearing was declared terminated at 8:33 p.m.

Mayor

City Clerk

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