



City of Kelowna Public Hearing Minutes

Date:	Tuesday, January 10, 2017
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	City Manager, Ron Mattiussi City Clerk, Stephen Fleming; Urban Planning Manager, Terry Barton; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Planner, Adam Cseke; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

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.

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 December 20, 2016 and by being placed in the Kelowna Daily Courier issues on Friday, December 30, 2016 and Wednesday, January 4, 2017 and by mailing 187 statutory notices to the owners and occupiers of surrounding properties on December 20, 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

3.1 160 Hwy 33 W, BL11334 (Z16-0020) - 661682 BC 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.

3.2 3031 Abbott St, BL11337 (Z16-0048) - Calvin and Sunok Condy

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:

Albert Weisstock, Walnut Street
 Bob and Rachel Whitehead, Abbott Street
 Paul Clark, Abbott Street
 Richard Drinnan, Greene Road

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

Calvin Condy, Applicant

- Commented that the staff report covered the issues well.
- Explained that the proposed 5 townhome unit is due to the lot size which was able to accommodate an additional unit; whereas the comparable building on St. Paul Street has a 20% less lot size and could only accommodate 4 units.
- Responded to questions from Council.

Gallery:

Larry Kelly, Truswell Road

- Advised that his family will be moving to the Abbott Street area shortly.
- Opposed to the application.
- Believes the building is too large and the setbacks from the pedestrian sidewalks has been reduced which creates pedestrian safety concerns.
- Opposed to the numerous variances required to make the structure fit on the lot.
- Raised concern with the proposed landscape plan; in particular, the tree species.

Bob Whitehead, Abbott Street

- Resides directly across the street from the proposal.
- Agrees with technical comments made by the previous speaker.
- Not concerned with a building being developed across from his property, however, raised concern that this proposed building going on this piece of property is double what the lot size is.
- Raised concern that a precedent will be set allowing such huge variances on such a small piece of property.
- Would like the city to carefully determine the impacts of development in the neighbourhood.
- Responded to questions from Council.

Helen Schiele, Abbott Street

- Supports comments made by previous two speakers.
- Believes the Abbott House fits in well and if this application were similar it would be alright.
- Raised concerns with how intrusive the building will be.
- Raised concern the development will interfere with the future multi-use corridor.

Albert Weisstock, Walnut Street

- Owns property on Abbott Street.
- Opposed to the application due to the site massing and setbacks as they will negatively impact his view corridor.
- Believes the proposal is between row housing and apartment building and is out of character with the neighbourhood.
- Believes this is a premium area and needs to be maintained.
- Encouraged Council to not support this proposal.
- Responded to questions from Council.

Rosemary Large, Abbott Street

- Opposed to the zoning changes and believes the proposal does not fit the size of the lot.
- Displayed photographs on the ELMO of other redevelopments that have enhanced the neighbourhood.
- Generally in support of higher density when the development fits the lot size.
- Believes there are too many units proposed for the size of the lot which is not in keeping with the neighbourhood.

Cal Condy, Applicant

- My intention is to develop a very nice elegant building on the site within the parameters I am permitted.
- Believes this development is a great fit within the neighbourhood and will help spur more development in this area.
- Believes this area is due for upgrades and improvements.
- Responded to questions from Council.

Council

- Confirmed with the staff that the RM₄ zone is acceptable in this area and suggested that 4 units would fit the RM₄ intent.

There were no further comments.

3.3 410 Providence Ave and 347 Quilchena Dr, BL11328 (OCP16-0013) & BL11329 (TA16-0008) - Kettle Valley Holding 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:

Additional information from staff

Divisional Director Community Planning & Real Estate

Letters in Favour or Support:

Greg and Gail Prichard, Quilchena Drive

Letters of Opposition or Concern:

Alexander Michl, Quilchena Drive

Graham Lee, McCarren Avenue

Gary Athans, Tulameen Road

Ken Dyer, Quilchena Crescent

Clive Elkin, Quilchena Drive
 Len McFarlane, Providence Avenue
 Robert and Marie Sherman, Quilchena Drive
 Mr. and Mrs. Matthew Brodie, Thalia Street (2)
 Bruce R. Brown, Pheasant Street
 Nancy Jebb, Tulameen Road
 Tyra and Chris Skibington, Providence Avenue
 Lori Favell, Allenby Lane
 Dave Favell, Allenby Lane
 Rick Sewell, Timble Lane (2)
 Brett and Karen Jeffery, Tulameen Road
 Simon Adams, Tanager Court
 Karlene Sewell, Timble Lane
 Sonja Dirnberger and Jim Burns, Quilchena Drive
 Liz Athans, Tulameen Road
 Brenda Trainor, Tulameen Road
 Anne Mah, Ptarmigan Street
 Lorena Fuhrmann, Hedeman Court

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

Ben Rowlinson, Project Manager and Josh Graff, Engineering Designer, Alpin & Martin Consultants Ltd

- Displayed a PowerPoint Presentation summarizing the application:
 - Legal History, School District No. 23.
 - Existing condition of the property.
 - Kettle Valley Area Structure Plan
 - Public Engagement and Public Feedback
 - Site features – Home/park Mix and Road Layout Characteristics
 - Continuity of Architectural Style
 - Protection of existing lake view corridors
 - Site coverage – school versus homes
 - Existing parks in Kettle Valley and Park Dedication
 - Existing condition of storm ditch and slope
 - Concluded by noting, precedence exists for OCP Amendment;
 - Donations/concessions/protectations include:
 - Dedicating over 20% of the 14.1-acre parcel to the City of Kelowna as Park
 - Development for a field and Amphitheatre benching
 - Widespread dedications and development to multi-use park connections
 - Construction of a 20ft year round universally accessible multiuse path/green belt trail
 - Elimination of back to back lots where Tulameen homes have similar elevation
 - Restrict home construction heights, styles and roof pitches
 - Additional sidewalks to ensure homes front Quilchena
- Displayed a 3D video of the existing and proposed homes.
- Responded to questions from Council.

Gallery:

Matthew Brodie Thalia Street

- Referenced correspondence previously submitted with respect to what it would take to provide preservation of this space.
- Displayed Options A and B plans on ELMO for purchasing the site from the developer.
- Believes their view would be lost entirely with this development.
- Displayed a sketch showing the negative impacts on views.
- Encouraged Council to explore land exchanges with the developer to make the site an official park.
- Responded to questions from Council.

Robert Stupka, Scott Road

- Opposed to this application.
- Does not live in the Kettle Valley area.
- Believes the development will increase traffic congestion in an already car dependent neighbourhood and will maximize the footprint on carbon.
- Believes this proposal is a missed opportunity for mixed land use that would reduce vehicle dependency.
- Responded to questions from Council.

Alan Rinehart, Sandpiper Court

- Opposed to the application.
- Raised concerned with the current road access for the current population and believes it is extremely inadequate.
- Believes a third access road with four lanes is needed to ease the congestion.
- Raised concern for emergency vehicle access.
- The lack of services in the area results in vehicle dependency.
- Proposed a moratorium on the current development proposal of the property until infrastructure is in place to serve the community.

Frank Bechard, Okaview Road

- Opposed to this application.
- Raised concern with the inadequate access out of the neighbourhood especially during peak times.
- Believes there should be no further development until a third road access is built.

Nicole Gorman, Thalia Street

- Displayed a photograph on ELMO of children in the field.
- This area was marketed to us as a community that would have a school in this location when our lot was purchased. Was not told the school site may not occur.
- Would fully support fundraising to purchase the site from the developer and preserve the field.
- Raised concern with road access being only one lane each way.
- Believes amenities and infrastructure should be developed prior to any new development.
- Opposed to this application.

Nancy Jebb, Tulameen Road

- Opposed to this application.
- The expectation from the advertising for the Kettle Valley area was to have walking trails and a future school.
- Displayed promotional materials for Kettle Valley and spoke to how the Master Plan has not been followed.
- Referenced City Policy regarding surplus school site redevelopment and encouraged Council to adhere to it.
- Commented that this open space is used by many year- round.
- There are many various options for this site but would like to preserve as park space.
- Responded to questions from Council.
- Distributed a letter from a concerned neighbor.

Rory Millikin, Tulameen Road

- Have lived in this area for 10 years.
- Raised concern with current traffic congestion and safety during rush hours.
- Encouraged Council to visit the neighbourhood at rush hour and challenged Council to provide solutions to the traffic issues.
- Believes this application will only make traffic issues worse.
- Responded to questions from Council.

Gary Athans, Tulameen Road

- Part of a group "The Association to Preserve the Heart of Kettle Valley".
- Displayed a map on ELMO of the area; would like to preserve the land for future park space and willing to purchase the land and donate back to the city.

- On numerous occasions efforts were made to purchase the area under development application but was turned down by the land owner.
- If this development moves forward the density should be reduced to allow for substantially more green space and there should be building restrictions protecting current lake views.
- Opposed to this application.
- Responded to questions from Council.

Richard Stewart, Tulameen Road

- Has lived in the area since 2005.
- In support of purchasing the land from the developer and extending its current use profile.
- Believes greenspace is required in the area; especially with expected future growth above Kettle Valley.
- Believes 82 homes is too much for this property.
- Encouraged Council to examine options to purchase the land.
- Responded to questions from Council.

Alexander Michl, Quilchena Drive

- Resident since 2009.
- Did not buy into this neighbourhood to see the greenspace turned into homes.
- Opposed to this application and active in an on-line petition in opposition.
- Displayed petition statistics and concerns on the ELMO.
- Raised concerns with serviceability of the current site as well as the much smaller sportsfield proposed by the developer.

James Hall, Cobble Crescent

- Not a resident.
- Uses this area a lot to recreate.
- Raised concern with the small size of the current parking lot.
- Raised concern with the proposed soccer field size.
- Encouraged Council to reconsider this application so greenspace can be preserved.

Barbara Bishop, Quilchena Drive

- Opposed to this application.
- Raised concern that this development will increase traffic and make current traffic concerns even worse.
- Employed in the school district and advised that not all local neighbourhood children attend Chute Lake Elementary due to overcrowding.
- Confirmed Mission schools are at capacity.
- Responded to questions from Council.

Clive Elkin, Quilchena Drive

- Resident for more than 10 years.
- Opposed to this application.
- The greenspace concept of Kettle Valley is what drew us to this community and felt the school was acceptable as it still had greenspace.
- Displayed details regarding School District No. 23 and Developer agreements on ELMO.
- Raised concern that if a school is somewhere other than Kettle Valley students will have to be bused.
- Displayed details regarding road upgrades to Chute Lake Road or Gordon Drive once the development thresholds are met.

Jeff Michaud, Tulameen Road

- Opposed to this application.
- Spoke to his negative discussions with the developer regarding part of his backyard that was now going to be developed.
- Raised concern regarding traffic gridlock becoming dangerous and will only worsen with this development.
- Encouraged City to partner with residents and others to purchase this site.

Tim Wood, Tulameen Road

- Resident for 10 years.
- Opposed to this application.
- Believes there are a number of concerns with this proposal as well as concerns with the actions of the current developer.
- Well aware of the role of Council in development and the role of a developer as he had previously been a developer.
- The developer repeatedly stated the land under this application would be either a school or a park. Only recently did the current proposed use become known.
- Raised concern regarding the deposit he provided to the developer for a supposed environmentally sensitive slope in his backyard.
- Responded to questions from Council.

Ben Rowlinson, Alpin & Martin Consultants Ltd

- It will be 3 years before there are any residents in the area and South Perimeter Road would be constructed.
- By the time homes are ready to be purchased the area schools will be underutilized.
- There are other examples of surplus school sites that have been redeveloped as residential.
- Single family residential areas create fewer trips than institutional school use.
- A professional land appraiser had appraised the land at market value.
- Residential feedback received supported connecting the soccer field to Quilcheena Park.
- Spoke to the developer's interpretation of the offers to the purchase land; funding was not secured.
- The petition information was not always accurate and lead to misinterpretations.
- Spoke to slope restrictions, protections and impacts slopes would have on views; assured preservation of views through covenant so truly protected.
- Responded to questions from Council.

Staff

- Responded to questions from Council.

There were no further comments.

4. Termination

The Hearing was declared terminated at 10:08 p.m.

Mayor

City Clerk

/acm