



## City of Kelowna Public Hearing Minutes

Date:	Tuesday, February 21, 2017
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Tracy Gray, Brad Sieben, Mohini Singh* and Luke Stack
Members Present	Councillors Ryan Donn and Charlie Hodge
Staff Present	Deputy City Manager, Joe Creron, City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Planner, Emily Williamson*; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; 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 February 8, 2017 and by being placed in the Kelowna Daily Courier issues on Friday February 10 and Wednesday February 15, 2017 and by sending out or otherwise mailing 628 statutory notices to the owners and occupiers of surrounding on February 7, 2017.

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

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

### 3.1 1050 Kelly Rd, (BL11342) Z16-0043 - Jonathon and Heather Tyre

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

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

Applicant:

Tara Tschritter, San Michelle Court, Applicant Representative

- Believes this proposal is in good alignment with the neighbourhood and meets community need for rental housing.
- Confirmed the redesign of the structure in order to eliminate the height variance.
- Displayed photographs of the area and the new proposed structure.

No one from the Gallery came forward.

There were no further comments.

### 3.2 769 Barnaby Rd, (BL11341) Z16-0063 - Cathy Wolf

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

Mayor Basran invited 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.

### 3.3 4039 Lakeshore Rd, (BL11343) Z16-0060 - Cindy and Thomas Netzlaw

Staff:

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

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

**Letters of Opposition:**

Gerry and Christine Whittaker, Belmont Rd.

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

The Applicant was not present.

No one from the Gallery came forward.

There were no further comments.

### 3.4 1730 & 1740 Ethel St, (BL11353) Z16-0081 - 1080493 BC Ltd

Staff:

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

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

**Letters of Opposition or Concern:**

Alice Klempler, Saucier Ave  
 A & A Ventures Inc., Saucier Ave  
 Nola Klempler, Saucier Ave  
 Manhattan Ventures Inc., Saucier Ave  
 Adam Rumpel and John Silano, Saucier Ave

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

**Jesse Alexander, New Town Planning Services, Applicant Representative**

- Displayed a PowerPoint Presentation, re: Ethel Street Re-development.
- Advised that there are currently two parcels that will be consolidated and commented that this property is the last of the single family lots in this area.
- Confirmed that the heritage tree on the property will be protected by way of a covenant and that the design of the proposal fit the needs of the tree.
- The design is contemporary and modern with large balconies and the exterior finishes are long lasting durable and low maintenance.
- Most parking is provided underneath the building; providing more than double the bicycle parking.
- Believes this project has been sensitive to the surrounding community with similar scales and same zoning which is also consistent with the Official Community Plan.

Gallery:

**Alan Atkins, on behalf of Kooley Investments, Various Properties on Saucier Avenue**

- In favour of the project and believes the design is good and is sensitive to the area.
- Pleased to see that there is extra parking.
- Raised concern with the renderings that show tiered glass patios and tenants placing items on the balconies that may be unsightly from the street view.

**Jesse Alexander Applicant Representative**

- May consider frosted glass for the patios as an option at the Development Permit stage.

There were no further comments.

### 3.5 815, 823-825, 829 & 831 Leon Ave and 814 & 822 Harvey Ave, Z15-0027 (BL11354) - 1409493 Alberta Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

**Letters of Opposition or Concern:**

Dennis Fege, Leon Ave  
 Jenna Hindley, Leon Road  
 Yolonda Beaudry, Leon Avenue

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

Jim Meiklejohn, Ellis Street, Applicant Representative

- Displayed a PowerPoint Presentation summarizing the application.
- Provided history of the project and spoke to how the scope of the project has reduced over time and that the staff report and attachments refer to an earlier larger proposal.
- Confirmed that there will be no parking variances.
- Noted that tall tree landscaping will be used to screen the parking.

Paul Hamilton, Alberta, Applicant Representative

- Spoke to the concerns raised in the correspondence that was submitted.
- This proposal is in-keeping with the RU6 zone which is the same as neighbouring properties.
- Advised that a traffic study was performed in 2015 for a proposed 115 units and now the proposal has been brought down to 93 units; the Ministry of Transportation has no objections.
- Advised that the building will be a mix of owner/occupied and rental units.
- This is not a large excavation and there will not be any heavy piles driven into the ground, therefore, do not anticipate construction damage to the neighbouring building; insurance will be taken out to address that type of concern.
- Questioned the need for a walkway between Leon and Harvey Avenues as there is one in the next building. Does not believe there is much foot traffic on Harvey Avenue.
- Responded to questions from Council.

Gallery:

Alan Atkins, on behalf of Kooley Investments Ltd.

- In favour of this application.
- Believes there is a lot of foot traffic and would like to see easy access along Harvey Avenue.
- Pleased that there is proper parking.
- Believes a very good job was done on the building design but thinks there should be higher density on this property.
- Responded to questions from Council.

There were no further comments.

**3.6 1945 Bennett Rd, (BL11356) LUC16-0002 - Edward & Linda De Cazalet**

Councillor Singh declared a conflict of interest as she resides on Bennett Road and departed the meeting at 7:01 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 anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

The Applicant was not present.

Gallery:

Dan Pretty, Bennett Road

- Raised concerns with the discharge of land use contracts in general.
- Raised concern with lack of sanitary sewer and that development should be limited until sewer is put in.

There were no further comments.

Councillor Singh returned to the meeting at 7:06 p.m.

### 3.7 (E of) Upper Canyon Dr, (BL11355) OCP16-0027 & (BL11357) Z16-0075 - Glenwest Properties 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 Opposition or Concern:**

Joshua Trowsse Freeman, Uppercanyon Drive  
 Brandy & Dustin Clevette, Lost Creek Lane  
 Dubravka and Andrew Van Bergen, Lost Creek Lane  
 Jeanie & Scott McLean, Lost Creek Lane  
 Tacey Spence, formerly of Lost Creek Place  
 Kristen Thompson and Dylan Tomlin, Lost Creek Lane  
 Terry and Jan Gibbon, Lost Creek Lane  
 Erik Larson, Triple Tree Place  
 Jenny and Jon Adrian, Wilden Ridge Drive  
 Sheila Millar, Lost Creek Lane  
 Steve and Blake McAllister, Upper Canyon Drive

Mayor Basran invited 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.

Gallery:

Jenny Adrian, Wilden Ridge Drive

- Resides adjacent to the proposal.
- Opposed to this application.
- Displayed a photograph of the area on the ELMO.
- Made reference to the City Hillside standards and stated that Wilden is not following those guidelines.
- Referenced correspondence that had been submitted outlining policies that she is referring to.
- Made reference to statements and assurances Wilden made to them as property owners that are not being honoured; what is being proposed is significantly different.
- Believes this proposal is negatively impacting her lot and privacy.
- Responded to questions from Council.

Sheila Millar, Lost Creek Lane

- Opposed to the application.
- Displayed maps and sketches on the EMLO showing what was stated by Wilden when they purchased and what is being proposed today which is in conflict.
- Believes this proposed development is not in keeping with the character of the Lost Creek neighbourhood.
- Believes this development will devalue their properties and undermine their privacy.
- Responded to questions from Council.

Dustin Clevette, Lost Creek Lane

- Opposed to this application.
- Raised concern whether three featured trees proposed to remain would survive the development.
- Raised concern with the 40 foot high gable retaining walls.
- Believes the proposal is trying to put in too many homes for the area.
- This proposal is different from what was shown upon the purchase of their lot.

Tammy Hutton, Wilden Ridge Drive

- Opposed to the retaining wall that will be constructed behind her property.
- Was aware there would be development behind her lot but never to this extent.
- Responded to questions from Council.

Eric Larson, Triple Tree Place

- Displayed a map on the overhead and the proposed additional P3 space.
- Suggested expanding and extending the P3 zoning to create a buffer to single family residents and higher units to provide a natural buffer.

Steve McAllister, Upper Canyon Drive

- Opposed to the application.
- Raised concern with lack of buffer between proposed development and his property.
- Raised concern with the large retaining wall and impact it will have on his views as well as the impact on property value.
- This development proposal is against what Wilden sold property owners on.

Russ Foster, Project Manager Wilden, Applicant

- Spoke to the Area Structure Plan undertaken for Wilden in the early 2000's and this development is in keeping with those studies.
- It was determined in 2007-2008 that duplexes would be a better land use than single family homes as duplexes are lower in building height than the RU1 homes would be.
- All owners who purchased lots since 2009 were aware that this area was to be developed as duplexes.
- Confirmed that the development is still encumbered by the Hillside Guidelines.
- Displayed a photo noting areas of natural forest and natural tree buffer for homes.
- Responded to questions from Council.

## Staff:

- Responded to questions from Council on details of differences between the Ru1h vs RU4h zones.

There were no further comments.

**4. Termination**

The Hearing was declared terminated at 8:14 p.m.

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Mayor

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City Clerk

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