



City of Kelowna Public Hearing Minutes

Date:	Monday, May 30, 2017
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Mohini Singh and Luke Stack
Members Absent	Councillors Charlie Hodge, Tracy Gray and Brad Sieben
Staff Present	Deputy City Manager, Joe Creron; Deputy City Clerk, Karen Needham; Community Planning Department Manager, Ryan Smith; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist; Urban Planning Manager, Terry Barton; 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 Wednesday, May 17, 2017 and by being placed in the Kelowna Daily Courier issues on Friday, May 19, 2017 and Wednesday, May 24, 2017 and by sending out or otherwise mailing 158 statutory notices to the owners and occupiers of surrounding properties on Tuesday, May 16, 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

3.1 280 Nickel Road, Z16-0064 (BL11403) - Clinton and Barry Senko

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence 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.

No one from the gallery came forward.

There were no further comments.

3.2 2800 Hwy 97 N, OCP16-0021(BL11405) and Z16-0072 (BL11406) - o802333 BC Ltd

Staff:

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

The City Clerk advised that no correspondence 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.

No one from the gallery came forward.

There were no further comments.

3.3 105-115 Hwy 33 W, Z16-0080 (BL11407) - Chi Quang Ly

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:
Layton Park, Riverside Avenue

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

Randi Fox, Fox Architecture, Applicant Representative

- Displayed a PowerPoint Presentation displaying photos of the proposal and examples of models the same as this project.
- Displayed photos of the existing building and proposal and believes it is a positive upgrade.
- The applicant is the business owner of the successful jewelry store on site; wants to create a legacy building and give back to the community.
- The existing commercial uses, services and patron parking will be unchanged from existing.
- Residential parking will be addressed through the City's cash-in-lieu program as is expected in an identified Urban Centre.
- Residential recycling and garbage pickup will use conventional residential roadside bins.
- Confirmed there would be rental housing above the business and noted that this location is pedestrian and transit oriented with amenities all within walking distance.
- Confirmed the owner will be managing the rental units.

- Responded to questions from Council.

Gallery:

Lawrence Ort, Highway 33

- Owns adjoining parcels to this development for the past 25 years.
- Understands the complexity of this particular corner of Highway 33 and Rutland Road very well.
- Parking is an issue in front of businesses; Ministry of Transportation could eliminate curb side parking; wouldn't be good for those businesses.
- All businesses in the area comply with zoning and on-site parking; we work together as good neighbours to make it work.
- This site is non-conforming and exceeds lot coverage.
- Payment in lieu of parking was applied in cases where parking was provided but not what was fully required; does not believe payment in lieu means zero parking provided.
- Believes that most tenants have vehicles.

Myrna Park, Highway 33

- Co-owner of Century 21 on Highway 33.
- Raised concerns with tenants and their guests parking on their private lots and that parking meant for businesses will be used by tenants.
- Raised concerns with garbage and recycling and no access for garbage trucks for pick-up.
- Believes this proposal is too large for the size of land.
- Opposed to this application.

Layton Park, Highway 33

- Co-owner of Century 21 on Highway 33.
- Raised concern of garbage bins being placed on sidewalk.
- Raised concern with garbage pick-up and garbage truck access.
- Suggested a 2-hour maximum parking restriction on Highway 33 or businesses will suffer if clients are unable to park.

Randi Fox, Applicant Representative

- Met with Ministry of Transportation at length and discussed street side parking and though they would prefer not to have parking on highways they accept it is there; there is no intent to activate a wider radius on that corner as their 30-year plan is for a single lane.
- There is no direct access from the building to neighbours private parking lots and does not believe there will be parking concerns.
- Proposing wheel bins that tenants are responsible to place and remove from the curb.
- Demonstrated the location for pick-up of garbage on Rutland Road directly in front of the building and confirmed 5 bins will be placed on the sidewalk and possible 10 bins every other week for recycling.
- Does not believe that vehicles and parking will be an issue and that those tenants who have vehicles will solve their own parking issues.
- Responded to questions from Council.

Staff:

- Confirmed the application meets many objectives, is small in scale and is a pilot project and believes will attract a certain clientele that does not have vehicles.
- Confirmed that maximum parking on Highway 33 is 72 hours and is enforced by the province.

Deputy City Manager

- Advised that a commercial garbage contractor would be responsible for garbage pick-up and not the city.

Staff:

- At the Development Permit stage will challenge the applicant to resolve the garbage issue with neighbours and perhaps a shared dumpster could be arranged.

There were no further comments.

3.4 4629 Lakeshore Rd, HRA17-0001 (BL11408) - City of Kelowna and JEM HTB Properties Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

Letter of Support:

Don Knox, Central Okanagan Heritage Society, Bernard Ave

Letter of Concern:

Janice Henry, Mountain Ave

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

Shane Worman, West Avenue, Applicant

- Spoke to the process of this application and thanked various staff departments involved as well as those in the heritage community for their input.
- Retained heritage expert Don Luxton who provided a statement of significance in the report that is very detailed.
- Believes there is no need for extra expense in hiring a consultant for the project.
- Spoke to the neighbourhood consultation during the process.
- Available for any questions.

Gallery:

Don Knox, Central Okanagan Heritage Society President

- The Heritage Society is in full support of the proposal and are happy to assist with heritage assets and sourcing materials.

Janice Henry, Mountain Avenue

- Reviewed requirements under the City of Kelowna Heritage Strategy that was adopted in 2007.
- Believes the Grist Mill project was done properly with a contractor with heritage expertise and a consultant to sign off of the project.
- Believes this building is a community asset and would benefit with having a heritage consultant.
- Raised concern with original materials being lost and believes the historic fabric helps to retain and maintain its value.

Cathy Moreau, Collett Road

- Has no issue with the heritage site.
- Raised concern with increased traffic in the area and congestion in the proposed traffic circle.
- Inquired what type of retail will be implemented.

Derek Straw, Drummond Court

- Raised concern with increased traffic and the impacts.
- Believes the traffic circle will create issues with large trucks going to and from Kettle Valley and will have a negative impact on traffic flow.
- Would like to see a long term plan for a second access out of Kettle Valley.
- Raised concern for citizen's safety if there is an emergency on Lakeshore Road with only one way out.

Shane Worman, West Avenue, Applicant

- Assured that they will work within the heritage guidelines and will save windows and materials that are savable.

- The traffic circle was not our idea but that of the City Transportation Division as it will slow traffic coming down the hill.

There were no further comments.

4. Termination

The Hearing was declared terminated at 7:34 p.m.

Mayor

Deputy City Clerk

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