



## City of Kelowna Public Hearing Minutes

Date: Tuesday, December 1, 2015  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Staff Present Acting City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham; Community Planning Department Manager, Ryan Smith\*; Urban Planning Manager, Terry Barton; Planner, Laura Bentley; Planner, Adam Cseke; Council Recording Secretary, Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the Hearing to order at 6:02 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 17, 2015 and by being placed in the Kelowna Capital News issues on November 20 and 25, 2015 and by sending out or otherwise delivering 203 statutory notices to the owners and occupiers of surrounding properties, and 5602 informational notices to residents in the same postal delivery route, between November 17 and 20, 2015. 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 1295 St. Paul Street, BL11163 (TA15-0014) & BL11162 (Z15-0023) - ML Holdings Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

- Responded to questions from Council.

The Deputy City Clerk advised that no correspondence 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.

Kevin Edgecombe, Applicant

- This is a unique and creative urban infill.
- Architecturally it plays well into the transition of the St. Paul corridor and residents to the east.
- Noted that office is located across the street with office window facing this development.
- This development provides an urban feel that many communities strive for and will be achieved with this project.
- Transition and height of this structure works well in context of the building next door.
- This project is a good fit in this neighbourhood.
- Believes the text amendment opening up the RM4 zone will inspire unique infill projects and is a great business model moving forward.
- Commented that two cars will fit but the goal is to create less traffic in the downtown core and believes one car will be satisfactory to most people as all amenities are within walking distance.
- Responded to questions from Council.

No one else came forward.

There were no further comments.

**3.2 260 Davie Road, BL11164 (Z15-0047) - Urban Cottage Homes Ltd.**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Deputy City Clerk advised that no correspondence 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.

Applicant

- Present and available for questions.

No one came forward.

There were no further comments.

**3.3 125 Dundas Road & 815 Highway 33 W, BL11165 (Z15-0046) - Unico One Developments Ltd.**

Staff:

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

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

Letters of Concern

Lynda Reis, Cupar Road  
Angi Daniel, Dundee Road

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

Dave Hallonquist, Applicant Representative; Wendy Rempel, Architect

- Clarified that after further discussions with staff approach was modified regarding parking and agreed to pay the entire cash in lieu for the shortfall of 19 spaces as well as implement a car share program.
- Have had discussions with OGO Car Share Co-op regarding the program.
- As an organization will become a Co-op Member; pay the sign up fees for the students and be the master account handlers for the students.
- Responded to questions from Council.

Gallery:

Joanne Reiber, Fife Road

- Raised concern regarding parking and lack of parking spaces for amount of units.
- Questioned who would be looking after the units.
- Opposed to this application.

Sheila Fitzpatrick, Barber Road

- Raised concern regarding parking.
- Questioned who would be managing the building.
- Raised concern with a large number of students based next to a residential area.
- Questioned who was responsible for the students.
- Questioned whether the units could be sublet.

Dave Hallonquist, Applicant Representative

- Advised there will be a team of 3; the Applicant will be responsible for the building, a property manager looking after maintenance and upkeep of the grounds, and an administrator looking after rental applications.
- Rules and Regulations similar to UBCO will be implemented.
- Advised there will be roving security on Friday and Saturday nights.
- Provided information on volunteer Resident Advisors on site to facilitate between residents and management. Indicated Resident Advisors will have incentives.
- UBCO has offered training for the Resident Advisors.
- Confirmed residents will sign a one year fixed lease and that there will not be any transient rental groups.
- Confirmed tenants cannot sublet.
- Confirmed tenancy restricted to students from Okanagan College and UBCO.
- Plan to match rental costs at UBCO but offer free parking; if the demand is high will charge a fee for parking.
- Will have an App for students to contact management.
- Responded to questions from Council.

There were no further comments.

**3.4 305 Homer Road, BL11166 (Z15-0049) - Davara Holdings Ltd.**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

Letters of Support

Mike Guzzi, CEO, Studio Independent School of the Arts, 1180 Houghton Road  
Bruce & Tanice Faden, 1033 Houghton Road

Petition of Opposition

Package submitted by Peter Harshenin, 1090 Houghton Rd, including a petition of opposition containing 304 signatures

**Letters of Opposition**

Shauneen Hicks, Fleming Road  
 Trudy Hurst, Houghton Road  
 Bev Turner, Houghton Road  
 Janet O'Flynn, Homer Road  
 Randell Smith, Kneller Road  
 Margaret Lahey, Houghton Road  
 Rashena Arlotta & Norman Harbuz, Homer Road  
 Steve & Sandy Beskidny, Temple Court  
 Margaret Wouters & Jim Dunc, Kneller Road  
 Mary Robinson, Houghton Road  
 Myrna Nelson, Houghton Road  
 Norman Harbuz, Homer Road

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

**Dave Sargent, Applicant**

- Provided a brief overview of Davara Holdings noting they are a boutique developer and each project is unique.
- Displayed a PowerPoint Presentation summarizing the application highlighting:
  - o CMHC Annual Rental Market Report
  - o OCP Goals Met
  - o Central Okanagan Rental Demand Projections
  - o Renter Workforce Profile Top 5 Occupations
  - o Site Plan of proposed 9 unit 3 bedroom townhouse
- Chose rental project to meet the needs in the community. This project is close to schools and parks.
- Meeting Official Community Plan and all planning principles for the area.
- Based on neighbourhood feedback units were kept at two stories.
- Responded to questions from Council.

Gallery:

**Greg Harshenin, Fleming Road**

- Parents have been residents for 50 years.
- Spoke to the petition signed by 304 owner/tenants opposing this development.
- Raised concern regarding increased traffic; safety, lack of parking and on street parking.
- Raised concern that this application will set a precedent.
- Spoke of Hein Road as a negative example of rentals.
- Believes there are enough rental properties currently in the area.
- Noted the building is not aesthetically appealing and has little storage.
- Believes the units are too close to the multi-use corridor .
- Nine units is too much for the property.
- Opposed to this application.
- Responded to questions from Council.

**Shauneen Hicks, Fleming Road**

- Homeowner since 1994.
- Read a letter outlining concerns with more rental housing in the area.
- Raised concern with increased traffic and speeding.
- Raised concern with lack of greenspace within the proposal.
- Raised concern with parking on site.
- Raised concern with the building proximity to the multi-use corridor.

- Opposed to the development and rezoning.

Keith Atkinson , Fleming Road

- Homeowner since 1995.
- Have seen many rentals in the area move to homeownership and believes they are going backwards by introducing more rentals.
- Raised concern with density of 9 units and suggested this development does not fit on the small lot.
- Raised concern with lack of visitor parking; believes visitors will use Fleming and Homer Road.
- Raised concerns with Fleming Road being used as a drag strip and suggested traffic calming measures.
- Raised concern with the original drawing of the townhouses as it resembled a hotel.
- Two schools in the area are private schools and not likely to be attended by rental family.
- Opposed to this application.

Gordon Harris, Bryden Road

- Moved to Kelowna from Vancouver in 2007.
- Has witnessed a steady improvement in the neighbourhood over the last 7 years as owners take more pride in their homes.
- Raised concern with the amount of units and believes it is too many.
- Concerned with the original drawings of the proposal as it looked like a row house but noted the improvements as displayed were better.
- Raised concern with increased vehicles in the area.
- Opposed to this application.
- Responded to questions from Council.

Darren McClelland, Bryden Road

- Has lived in the area for 30 years.
- Believed the Applicant's public consultation meeting should have been held in the evening so more residents could attend as opposed to 1 pm in the afternoon.
- Believes 9 units is too many for the lot
- Questioned who was going to monitor the rental units.
- Would like the project to be scaled appropriately with a home and a carriage house.
- Spoke to the 305 homeowner signatures on the petition that is against this proposal and believes that is worth Council's close consideration.
- Raised concern with the height overlooking the adjacent neighbour's property.
- Opposed to this application.

Dyral Sepp, Bryden Road

- Has lived in the area for 14 years.
- Was not aware of the Official Community Plan process and changes.
- Opposed to this application.

Lynn Harshenin, Fleming Road

- Raising two children across the street from this proposal and concerned with increased traffic and safety.
- Believes there should be a dispersion of rental properties throughout Kelowna not just in this area.
- Believes the density is too much for this area.
- The floor plan for this rental property does not have enough storage. Raised concern with it being an unsightly premise.
- Raised concern that the quality of life in the neighbourhood will be affected by this level of density.
- Opposed to this application.
- Responded to questions from Council.

Mischa, Tenant Hein Road

- Opposed to the 9 units proposed.
- Believes something smaller should be built on the lot.
- Commented on the unfair assessment of Hein Road during this Hearing.

Bruce Fadden, Houghton Road

- Closest neighbour to this development.
- Believes this will be a mis-use of the corridor.
- Believes the front yard is not large enough for children.
- Density is too much for that area.
- Opposed to this application.

Alfred Bannerman, Bryden Road

- Believes there are too many units on a small piece of property.
- Opposed to this application.

Vicki Sanderson, Homer Road

- Homeowner since 1990.
- Believes there are too many units on a small lot with no space outside.

Resident, Fleming Road

- Believes there is too much density on this property.
- Raised concern with lack of storage and greenspace.
- Raised concern with previous drainage issues.
- Opposed to this application.

Dan Uhl, Homer Road

- Lives directly across from this development
- Believes the development is too congested. Too many units on the lot.
- Raised concern that there is no play area for children. Schools close by are private and it's a fair walk to other schools.
- Asked Council to be considerate of the residents.
- Opposed to this application.

Lynn Antonson, Fleming Road

- Homeowner for 20 years.
- Raising 2 young children and concerned with increased traffic and safety.
- The corridor has improved safety however vehicles still speed around the corner and this is an ongoing issue.
- Believes density of this development will increase traffic and safety concerns.
- Opposed to this application.

Dave Sargent, Applicant

- Adequate parking has been provided for 3 bedroom units with 2 stall per unit and 2 visitor stalls.
- Believes with the proximity of Ben Lee Park there wasn't a need for more greenspace.
- Along the corridor is park like and children can come to and from schools and the park on their own.
- Commented that this project is market rental housing, applicant based rental housing, not social housing.
- Davara Holdings will be responsible for the building and outside maintenance.
- This is a large investment and will not allow it to deteriorate.
- There will be contractors providing building maintenance and landscaping maintenance.
- Will work with neighbours regarding fencing and privacy screening.
- Storm drainage is part of the engineering requirements with the City.

- A landscaping plan bonded with the City is also a requirement.
- Believes townhomes have enough space, are adequate for families, and are meeting open space requirements.
- Acknowledged there are property tax exemptions to promote purpose built rental housing.
- Clarified that financially the project needed 9 units to make it work.
- Commented that the RM3 zone allows for more and also allows for 3 storeys.
- Suggested the amount of storage will be revisited; possible underground storage under one unit. There is some storage in each unit and a storage closet to the exterior of the units.
- Committed to providing both fencing and landscaping buffering suitable to the neighbours.
- Clarified it was the Rutland Residents Association who coordinated the meeting day and time.
- Subletting and long term lease works within the parameters of the Residential Tenancy Act. Will still require application process.
- Responded to questions from Council.

Staff:

- Demonstrated egress from the property onto Homer Road entry.
- Confirmed that the Applicant must hire a consulting civil engineer to address flooding issues. Must also have an overflow service to and from the property.
- Confirmed the Applicant will provide Homer Road improvements.

There were no further comments.

#### 4. Termination

The Hearing was declared terminated at 8:26 p.m.

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Mayor

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Deputy City Clerk