



City of Kelowna Public Hearing Minutes

Date: Tuesday, February 16, 2016
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 City Manager, Ron Mattiussi; City Clerk, Stephen Fleming Suburban & Rural Planning Manager, Todd Cashin*; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Council Recording Secretary, 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 February 2, 2016 and by being placed in the Kelowna Capital News issues on February 5 and February 10, 2016 and by sending out or otherwise delivering 254 statutory notices to the owners and occupiers of surrounding properties, and 7816 informational notices to residents in the same postal delivery route, between February 2 and February 5, 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

3.1 565 Coronation Avenue, BL11184 (Z15-0025) - Christian Lee Bond

Staff:

- Displayed a PowerPoint presentation summarizing the application.

- Displayed materials to be used for the front facade submitted by the Applicant.

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.

Christian Lee Bond, Applicant

- The house had been a rental for several years but will no longer be.
- Advised that due to poor health he will now be living in the house.
- Advised that the carriage house will be used for a caregiver and will be well maintained.

There were no further comments.

3.2 2075 KLO Road, BL11188 (TA15-0010) & BL11189 (Z15-0045) - Eva Lintell

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 Support

Ian Robertson, Kelowna Springs Golf Club
 Erika Podewils, Cameron Avenue
 Don McCargar, Depot Road, Squamish
 Natalie Bickert, Gerstmar Road
 Trent Karius, Fisher Road
 Julie and Mark Kent, Cascia Drive
 Amy Forsberg, Gallagher Road
 Rusty Bracken, Almandine Court
 Bertha and Lenard Peacock, Gallaghers Terrace
 Robert and Colleen Lintell, Gallaghers Green
 Angela and Rick Becker, Polo Road
 Rene Spielmann, Dubbin Road
 Peter Raja, Adams Road
 Gerald Goertsen, James Road
 Lorna and Scott Soderling, Gallagher's Parkland Drive
 Peter Hopley, General Manager, Gallagher's Canyon Golf Club
 Melanie Durban, Patterson Avenue
 Kevin Edgecombe, Purcell Drive
 David Shevchuk, Benyoulin Road
 Eileen and Vern Kennedy, Gallagher's Terrace
 Dave Bingham, Pretty Road
 Bob and Susan Borrowman, Gallagher's Terrace
 Steven J. Merrill, Bernard Avenue
 Al Popoff, Gallaghers Circle

Greg Mazur, President, Kelowna Metis Association
 Andre de Zwaan, Burne Avenue
 Larry and Donna Mazur, Derrickson Place
 Matt Briscoe, Pandosy Street

Letters of Opposition or Concern

Bill and Christine Daniels, KLO Road
 Robert and Elizabeth Hobart, KLO Road
 Jeff Neuss, Heimlich Road
 Lucy and Harry Hauk, KLO Road

Paul and Diane Clement, KLO Road
 Floyd Robbins, Parsons Road
 Eileen Chappell, Fisher Road
 Laura and Gerald Baron, Fisher Road
 Jennifer Maitland, Heimlich Road
 Glen Hornseth, Heimlich Road
 Margit Christl, Fisher Road
 Brian Baron, KLO Road
 Brian Baillie, KLO Road
 Florindo and Anna Pucci, KLO Road
 Angela and Drew Petrie, Packers Road
 Brenda and Graham Bell, no address
 P. Poole, Polo Road
 Malcolm and Danielle Scott, Hall Road
 Keith Recsky, O'Reilly Road
 Ernest and Irene Campbell, KLO Road
 Trisha B. Eddy-Wright, KLO Road
 James A. Wright, KLO Road
 Carol Drury, Friends of the Mission Creek Society
 Bill and Linda Knowles, Oliver Court

Petition of Opposition:

A petition of opposition containing 74 signatures from the owners/occupants of the surrounding properties as submitted by Irene Campbell, KLO Road.

Online Petition of Support:

An online petition of support containing approximately 223 names as submitted by the applicant, Eva Linttell, KLO Road.

Additional Information Submitted by Applicant:

Package of additional information including 2 letters of support and a petition of support containing 62 signatures from the owners of the surrounding properties as submitted by the applicant, Eva Linttell, KLO Road.

Package of additional information containing 13 pages of background information and photographs as submitted by the applicants, Scott, Evan and Tyler Linttell, KLO Road

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

Tyler Linttell and Scott Linttell, KLO Road, Applicant

- Displayed a PowerPoint presentation summarizing the application.
- Confirmed farm status for past 12 years and are considered bona fide farmers.
- Advised they will have 300 chickens and 99 laying hens and 8 colonies of bees implemented in the Spring.
- Vowed to be hands on with farming operation.
- Believes their plan does not work without 10 RV sites.
- Offered to enter into some form of contract with the City to ensure agriculture is undertaken if permitted to proceed.
- Responded to questions from Council.

Gallery:

John Hofer, Fisher Road

- Neighbouring farmer referred to in Applicant's presentation.
- Provided explanation of farming practices proposed for this site.
- Confirmed mentorship program with the Applicant.
- Partnering with the Linttell's as I believe they will adhere to their plans.

- Confirmed costs for improvements is a shared venture in partnership.
- In support of the application.
- Responded to questions from Council.

Resident, Springfield Road

- In support of this application.
- Believes this is a solid long term farming plan.
- Believes Kelowna is in need of more RV sites.

Carl Withler, Woodland Crescent

- Spoke to his 30-year agriculture background and employment with the Ministry of Agriculture.
- Fully supportive of this application.
- Believes this is a viable farming proposal and the area designated for the RV site is good from a land use perspective.
- Questioned whether the A1(t) zone regulations were enforceable.
- Responded to questions from Council.

Afshin Khodarahmi, KLO Road

- Resident for the past 8 years.
- Opposed to the RV site.
- Supportive of the farming plan.
- Believes farming does not require an RV component.
- Raised concern with traffic volume impacts.
- Raised concerns with bicycle and pedestrian safety due to the increased RV traffic.
- Raised concern with the increase in traffic noise.
- Raised concern with the RV site so close to the Mission Greenway.

Paul Vincent, Cherry Crescent East

- Spoke to the Lintell family's high level of integrity.
- Supportive of this application.
- Believes this plan is a benefit to both agriculture and tourism.

Doug Sperling, Oakridge Road

- Family has farmed in the area for 100 years.
- Supportive of this application.
- Believes that investing in intense agriculture is positive.
- Believes the RV site is in an appropriate location and is supportive of the number of sites.

Carol Drury, Friends of Mission Creek Society

- Opposed to this application.
- Raised concern with the location of the RV site being so close to the Greenway and the adverse effects to the enjoyment of the Greenway.
- Raised concern with the impact of the RV sites on adjacent Cottonwood trees.

Ryan Morowich, Kelowna BC

- Fully supportive of this application.
- Believes the site location for the RV's is not farmable.

Patrick Rooney, Hall Road

- Raised concern with the RV sites close proximity to the Greenway.
- Believes the parcel is too small for proposed RV uses.
- Was not consulted by the Applicants.
- Raised concern with enforcement of RV compliance.

David Bingham, Lake Country BC

- Spoke to his experience as a farm labourer and the financial difficulties of a farming business. Believes farmers need to be creative to stabilize income.

- Spoke to the integrity of the Linttell family character.
- Supportive of this application.

Ian Robertson, Lost Creek Court

- Spoke to the integrity of the Linttell family character.
- Spoke to the need for more RV Parks in Kelowna.
- Supportive of this application.

John Casorso, Casorso Road

- Member of a farming family since 1885.
- Encouraged as a farmer to see another generation willing to seriously step into agriculture.
- Spoke to the Linttell family's good character.
- Supportive of this application.

Mark McPhail, Elm Road

- Beekeeper for the proposed site.
- Commented that his business needs projects and sites like this proposal.
- Fully supportive of this application.

Colin Berry, KLO Road

- Opposed to this application.
- Raised concern with increased traffic and close proximity to the Greenway.

Bernard Shelby, KLO Road

- Opposed to the RV site.
- Supportive of the garden.
- Raised concern with increased traffic.
- Raised concern with the close proximity to the Greenway and the visual impact.

Joy Lambert, Gordon Drive

- Supportive of this application
- Believes RV site is in a good location.

Sal Dimaria, Mail Road

- Member of a tree fruit farming family for several years.
- Questioned whether RV sites are a necessity to farm land.
- Provided history of other RV sites created on Agriculture land in Glenmore and other areas of the city.
- Current RV sites have become the principle use on farm lands. The RV use takes over farming rather than enhancing it.
- Suggested a covenant be placed on the lands as part of a solution.
- Opposed to this application.
- Responded to questions from Council.

Ernie Campbell, KLO Road

- Opposed to this application.

Lucy Hought, 1960 KLO Road

- Has had 30 years of RV experience and do not believe proposed farming uses and RV sites are a good mix.
- Raised concern with increased traffic volume and traffic noise.
- Raised safety concern with children walking to school.
- Strongly opposed to the RV site.

Irene Campbell, KLO Road

- Opposed to this application.
- Main concern is increased traffic and traffic safety on KLO Road.

- Opposed to RV sites adjacent to the Greenway.
- Opposed to combination of agriculture and RV sites put together.
- Suggested the city develop and operate an RV Park camp site at some other location instead.
- Responded to questions from Council.

Don McCarter, Squamish BC

- Brother-in-law and uncle to the Linttell family.
- Supportive of diversified income to farming in order to remain successful.
- RV sites are required to supplement the farming operations.
- Supportive of this application.

Brenda Patterson, Fisher Road

- Currently a farm operator.
- Spoke to the difficulties with affordability of farm land in Kelowna.
- Supportive of this application.
- Responded to questions from Council.

Guseppina Szady, Gulley Road

- Farm operator on Gulley Road.
- Do not know the Linttell family.
- Supportive of this application and covenant option.
- This proposal could be used for other combined RV and Farmland applications.

Dewey Lotoski, Goodison Road

- Owns 8 acres of ALR property and interested in this rezoning outcome.
- Believes this is an excellent location for an RV site and the addition is also good for tourism.
- Believes revenue from RV site would assist farming operations.
- Believes there will be no traffic issues.
- Questioned the city's ability to regulate the number of sites.
- Encouraged the use of business license as an enforcement tool rather than registering a covenant.
- Supportive of this Application.
- Responded to questions from Council.

Leo Bartels, Lowe Court

- Fully in support of this application.
- Believes the portion of land used for the RV site is not farmable.
- Will be able to see the RV site from the Greenway but believes it will not negatively impact the use or enjoyment of the Greenway.

Mark Lowen, Kloppenburg Court

- Supportive of this application.
- Believes Applicant has integrity.

Jeff News, Heimlich Road

- Believes the farming and RV components are two independent items. The applicant and farmer are two different entities.
- Without the revenue from the RV Park determined there's an uncertainty of business success of the operation.
- Believes the land is currently being hayed by a third party rather than the applicant.
- Raised concern that RV site enforcement is a challenge.
- Opposed to this application.
- Responded to questions from Council.

Tyler Linttell and Scott Linttell, KLO Road, Applicant

- Traffic impacts on KLO Road would be minimal.

- Confirmed all turns onto the property are right hand.
- Farm commitment is firm and is for a period of 10 years. Willing to put that in writing with the City.
- Does not believe this proposal is precedent setting.
- Does not believe there is a negative impact to pedestrians on KLO Road. With road widening on Fisher Road and gravel strip along the side creates a shoulder for walking paths.
- Good visibility of site lines for exit and entry onto RV site.
- Spoke to the comprehensive agri tourism development which benefits guests and improved food production.
- Agreed to work within the ALC and City regulations.
- Not impossible to farm without an RV Park, however, it provides a safety net to farm.
- Most RV'ers are seniors or young families and will not pose much risk or noise.
- Modelling the RV Park after a similar successful operation adjacent to Gallagher's Canyon.
- Confirmed plans to mitigate any impacts on Mission Creek Greenway with appropriate setback and signage.
- Confirmed there would be no concrete pads for RV's.
- Responded to questions from Council.

There were no further comments.

Adjourned the meeting at 9:38 p.m.
Reconvened the meeting at 9:50 p.m.

3.3 1889 Spall Road, BL11190 (OCP15-0001) & BL11191 (Z15-0002) - Simple Pursuits Inc.

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.

Applicant

- Present and available for questions.

No one came forward.

There were no further comments.

3.4 BL11192 (TA15-0015) - Amendments to the RU6 - Two Dwelling Housing Zone

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.

No one came forward.

There were no further comments.

3.5 145 Dougall Road, BL11193 (Z15-0052) - Narish Kathpal

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 Support

Mike Koutsantonis, President, Uptown Rutland Business Association, Valleyview Rd.

Letters of Opposition or Concern

Gale Jackson, President Strata KAS3122, Asher Rd
David Gobeil, Dougall Road North
Graham Doyle, Asher Place

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

Birte Decloux, Applicant Representative

- Provided a PowerPoint Presentation summarizing the application.
- Spoke to the future land use with mixed Residential/Commercial uses.
- Consistent with the Official Community Plan.
- Spoke to the sound attenuation details.
- Advised all carwash patrons will leave the site via the laneway.
- Responded to questions from Council.

Gallery:

Maryanne Summer, Vernon BC

- Owner of unit at Asher Place and Strata Council Member
- Raised concern with increased laneway use. Noted that the laneway is only 20 feet wide and currently used for service vehicles, recycling/trash removal and window washing equipment.
- Raised concern there may be issues for emergency vehicles and service vehicles to access laneway.
- Would prefer Dougall Road laneway access.
- Raised concern with noise impacts.
- Opposed to this application.
- Responded to questions from Council.

Laurel D'Andrea, Uptown Rutland Business Association, Valleyview Road

- Do not believe vehicles will be an issue.
- Supportive of this application.

Ted Belfour, North side of Development

- Property Owner.
- Opposed to this application.
- Raised concern with noise and additional traffic impacts.
- Raised concern with the 20 foot wall impacting site lines and blocking of sunlight.
- Raised concern with devaluation of property value.
- Responded to questions from Council.

David Gobeil, Dougall Road North

- Also speaking on behalf of Lorne Honeybourne, Dougall Road North
- Opposed to this application.
- Raised concern with noise impacts.
- Raised concern with pedestrian safety.
- Commented that there are other car washes nearby and this is not needed.

Birte Decloux, Applicant Representative and Ted Tomswith, Architect

- Met with Strata Council Member last week and reiterated that the Applicant intends to be a good neighbour to ensure use of the laneway cooperatively.
- Worked diligently with staff regarding layouts for traffic and it was suggested to move forward with this plan. The only option for cars exiting the car wash is a right turn on Highway 33.
- Made reference to the noise impacts and mitigation from the presentation.
- Staying within City of Kelowna Noise Bylaw and operating between 7:00 a.m. and 9:00 p.m.
- Spoke to the height of the building compared with the neighbouring building. The wall is textured and is only 4 feet higher than the Centex Building.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Hodge

R124/16/02/16 THAT Council continue the February 16, 2016 Public Hearing past 11:00 p.m.

Carried

**3.6 1035 Hollywood Road South, BL11194 (OCP15-0014) & BL11195 (Z15-0043)
- Seventh Day Adventist Church (BC Conference)**

Mayor Basran advised that the item was withdrawn by the Applicant.

3.7 619 McClure Road, BL11196 (Z15-0061) - Folio Building Group Inc.

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.

Applicant

- Present and available for questions.

No one came forward.

There were no further comments.

3.8 665 Harmony Court, BL11197 (Z15-0035) - John Keith & Nicolette Keith

Staff

- Displayed a PowerPoint presentation summarizing the application.

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

Letters of Opposition or Concern
Carol Enns, Bonjou Road

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.

3.9 5008 South Ridge Drive, BL11198 (Z15-0064) - Emil Anderson Construction Co. Ltd. et al

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions of Council.

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

Letters of Opposition or Concern

Peter Dietze, South Crest Drive
 John & Anita Carpenter, South Ridge Drive
 Jim Insley, South Crest Drive
 Bill Shumborski, Devonian Avenue
 Stewart and Dixie Henderson, South Crest Drive
 Linda and David Hoffart, South Ridge Drive
 Grant Smith, Lefevere Avenue
 Don and Marilynne Morrison, Lefevere Avenue
 Rob Desjardins, Windsong Crescent
 Kevin Highfield, South Crest Drive
 Felicia Mauro, South Crest Drive
 Lea Salsa, no address Rick Salsa, no address
 Heidi and Garry Handley, South Crest Drive
 Kerry and David Brough, Devonian Avenue

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.

3.10 1170 Highway 33 W, BL11199 (Z15-0041) - Kneller Holdings Ltd.

Staff

- Displayed a PowerPoint presentation summarizing the application.

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

Letters of Opposition or Concern

Lorraine and Ed Stang, Houghton Court
 Dave & Connie Bergen, Theodora Road

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.

Gallery:

Anne Tataryn, 1220 Highway 33

- Owner of neighbouring property.
- Raised concern with parking option impact and laneway access impacts on ability to sell their property.

Staff:

- Continuing to work with Ministry of Transportation regarding laneway access for a long term solution.

There were no further comments.

4. Termination

The Hearing was declared terminated at 11:30 p.m.

Mayor

/acm

[Signature]

City Clerk