



**City of Kelowna  
Public Hearing  
Minutes**

Date:	Tuesday, August 11, 2020
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Brad Sieben, Mohini Singh, Luke Stack and Loyal Woolldridge
Members Participating Remotely	Councillor Charlie Hodge
Members Absent	Councillor Ryan Donn
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Community Planning & Development Manager, Dean Strachan*; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

1. **Due to COVID-19 a Public Hearing Agenda will also include Regular Council Meeting Items**
2. **Call to Order the Public Hearing - START TIME 6:00 PM - Park Ave 409 - Z20-0042 (BL12085) - Brenda Rusnak**

Mayor Basran called the Hearing to order at 6:06 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.

**3. Individual Bylaw Submissions**

**3.1 START TIME - 6:00 PM - Park Ave 409 - Z20-0042 (BL12085) - Brenda Rusnak**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Dave Cullen, Cadder Avenue, Applicant

- Provided history of living in Kelowna and described the process of purchasing the subject property, along with submitting building and development applications.

- Spoke to the correspondence submitted by Kelowna South-Central Association of Neighbourhoods (KSAN) and The Friends and Residents of the Abbott Street Heritage Conservation Area Society (FRAHCAS) and provided clarification on the information.
- Hired professionals to look at the hazardous materials, trees on the property and structural engineering.
- Previous additions to the house caused structural deficiencies and it was impractical to salvage the home.
- Displayed a map of the Abbott Street Heritage Conservation Area identifying the properties that do not conform to the RU1 zone.
- This proposal is consistent with the Official Community Plan and infill.
- Displayed the proposed subdivision plan, conceptual site plan and proposed rendering of the new house; no variances are required.
- Hired a Heritage Consultant that drafted the plans for a modern farm style home with white brick; an elevator is included in the design to allow aging in place.
- Spoke to the surrounding properties and zoning and believes that this proposal is consistent with the neighbourhood and is also enabling another family to move into the neighbourhood.

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

Gallery:

Brian Anderson, West Kelowna

- Spoke to his profession as a Structural Engineer and previous Chair of the City's Heritage Advisory Committee; very familiar with the conservation area and heritage buildings.
- Advised that the roof structure of the building was compromised and the foundation had some damage; the building was not in good condition.
- Outlined previous alterations to the home throughout the years.
- Responded to questions from Council.
- Does not believe the subdivision will alter the character or negatively impact the heritage area.
- The house proposed is a unique design and gives character to the conservation area.

Pat Munro, Cadder Avenue, KSAN Director

- Opposed to the proposed rezoning as this will change the heritage conservation area.
- Believes the new design of the proposed house is not in keeping with character of the neighbourhood.
- Spoke to the heritage conservation area being the top 5 must see of Tourism Kelowna.

David Cullen Sr., Resident

- Lived in a heritage house on Christleton Avenue for 50 years.
- Spoke to the work and expense to maintain a heritage home.
- Supports how much effort the applicants have put into this project.

Sean Upshaw, Knox Crescent

- Raised concern with subdividing and building two homes on a previous single lot.
- Spoke to interactions with the property owner regarding renovations to the heritage house that changed drastically since originally buying the lot.
- Raised concern that this proposal will set a precedent of others subdividing and stratifying lots in the neighbourhood.
- Opposed to this application.

Ian Crichton, Park Avenue

- Asked Council to deny this application as subdividing large lots in the heritage area will only open the door for investors to profit, increases the number of residents and will destroy the character of the area.
- Opposed to this application.

Marilyn Fine, Burtch Avenue

- The lot is huge and can accommodate another home which gives another family a chance to live in the area.
- In support of this application.

Manuella Farnsworth, Park Avenue

- Have no issues with the proposed house specifically.
- Raised concern with rezoning to subdivide into two lots.
- Would support a house and a carriage house that allows for two families but subdividing into two lots changes the character of the neighbourhood.
- Opposed to this application.

Peter Chataway, Cadder Avenue

- Believes that zoning is the largest determinant of form and character; the RU1 zone retains landscaping and mature trees that define an area and supports sustainability.
- Increasing the density negates characteristics of the RU1 zone and is not appropriate everywhere in the city.
- Asked Council to commit to protecting the heritage area that is 0.5% of the city.
- Past changes in the conservation area was for the common good, for example hospital uses but believes this proposal erodes the common good.
- Opposed to this application.

Susan Ames, Abbott Street, KSAN President

- Spoke to the history of the heritage conservation area in Kelowna.
- The heritage conservation area has an economic importance for tourism.
- Raised concern with the process of demolishing a heritage house then subdividing the lot; could present risk for other houses in the area.
- Believes the RU1c zone would be more appropriate without subdividing and would be similar to other homes in the area.
- Opposed to this application.

Valerie Hallford, Sutherland Avenue

- Had lived next door to the subject property for several years.
- Displayed a photo of the vacant subject property and 429 Park Avenue in the background.
- Displayed a photo of what the house at 429 Park Avenue used to look like and a photo during construction.
- Described renovations previously done to the neighbouring house to refurbish and restore its heritage character.
- Does not believe that heritage buildings should be judged on basis of additions made or condition of their structure.
- Opposed to rezoning and subdivision of this property.

Dave Cullen, Applicant

- Outlined the cost incurred on design to retrofit the heritage house, remediation and landscaping; was very much invested in the home.
- Redevelopment requires completing improvements along the entire property frontage.
- Spoke to many people in the neighbourhood; not once was contacted by KSAN or FRAHCAS about this proposal.
- Intention is to live and be a part of this neighbourhood.
- Responded to questions from Council.

## Staff:

- Clarified how proposed properties meet subdivision regulations.
- Responded to questions from Council.

There were no further comments.

#### 4. Termination

The Hearing was declared terminated at 7:13 p.m.

**5. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 7:13 p.m.

**5.1 START TIME - 6:00 PM - Park Ave 409 - BL12085 (Z20-0042) - Brenda Rusnak**

Staff:

- Clarified the process of Council consideration of Heritage Alteration Permits and the Heritage Advisory Committee Terms of Reference.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

**R0536/20/08/11** THAT Bylaw No. 12085 be read a second and third time.

**Carried**  
Councillor Hodge - Opposed

**6. Termination**

The meeting was declared terminated at 7:37 p.m.

The meeting was adjourned at 7:37 p.m.

**7. Call to Order Public Hearing - START TIME 7:00 PM - Highway 97 N 2339-2397 - Z20-0014 (BL12083) - Dilworth Shopping Centre Ltd., Inc. No. 319846**

Mayor Basran called the Hearing to order at 7:44 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.

**7.1 START TIME 7:00 PM - Highway 97 N 2339-2397 - Z20-0014 (BL12083) - Dilworth Shopping Centre Ltd., Inc. No. 319846**

Staff:

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

The Applicant was present and available for questions.

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

No one from the Gallery came forward.

There were no further comments.

**8. Termination**

The Hearing was declared terminated at 7:47 p.m.

**9. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 7:47 p.m.

**9.1 START TIME - 7:00 PM - Highway 97 N 2339-2397 - BL12083 (Z20-0014) - Dilworth Shopping Centre Ltd., Inc. No. 319846**

Moved By Councillor Singh/Seconded By Councillor Wooldridge

**R0537/20/08/11** THAT Bylaw No. 12083 be read a second and third time.

Carried

**10. Termination**

The meeting was declared terminated at 7:47 p.m.

**11. Call to Order Public Hearing - START TIME 7:00 PM - Pacific Ave 1144 - Z20-0013 (BL12084) - 1217799 BC Ltd., Inc. No. BC1217799**

Mayor Basran called the Hearing to order at 7:47 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.

**11.1 START TIME 7:00 PM - Pacific Ave 1144 - Z20-0013 (BL12084) - 1217799 BC Ltd., Inc. No. BC1217799**

Staff:

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

Jesse Alexander, New Town Architecture & Engineering Inc., Applicant

- The long term plan for Pacific Avenue is to be a collector standard road in this area.
- This proposal for a mixed use building is the first on this portion of the street.
- The proposal meets the Official Community Plan and Urban Centre Plan for the C4 zone.
- The C4 zone is similar in scale as the RM5 zone to the south; massing wise this building will not be out of place.
- Responded to questions from Council.

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

Gallery:

Jim Crane, Pacific Avenue

- Posted notices about this project in his building, however, many residents are not computer savvy.
- Pacific Avenue is a short street off of Gordon and raised concern with making a left or right hand turn.
- Commented that there are already several new buildings in the area.
- No issue with the residential component but would rather see commercial fronting Sutherland Avenue only.
- Responded to questions from Council.

There were no further comments.

**12. Termination**

The Hearing was declared terminated at 8:05 p.m.

**13. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 8:05 p.m.

**13.1 START TIME - 7:00 PM - Pacific Ave 1144 - BL12084 (Z20-0013) - 1217799 BC Ltd., Inc. No. BC1217799**

Moved By Councillor Stack/Seconded By Councillor DeHart

R0538/20/08/11 THAT Bylaw No. 12084 be read a second and third time.

Carried

**14. Termination**

The meeting was declared terminated at 8:13 p.m.

**15. Call to Order Public Hearing - START TIME 7:00 PM - Robson Rd W 235, 285 and Rutland Rd S 240 - Z20-0010 (BL12086) - 1918951 Alberta Ltd., Inc. No. A0110539**

Mayor Basran called the Hearing to order at 8:13 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.

**15.1 START TIME 7:00 PM - Robson Rd W 235, 285 and Rutland Rd S 240 - Z20-0010 (BL12086) - 1918951 Alberta Ltd., Inc. No. A0110539**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Jesse Alexander, New Town Architecture & Engineering Inc., Applicant

- Responded to questions from Council.

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

No one from the Gallery came forward.

There were no further comments.

**16. Termination**

The Hearing was declared terminated at 8:20 p.m.

**17. Call to Order the Regular Meeting**

Mayor Basran called the meeting to order at 8:20 p.m.

17.1 START TIME - 7:00 PM - Robson Rd W 235, 285 and Rutland Rd S 240 - BL12086  
(Z20-0010) - 1918951 Alberta Ltd., Inc. No. A0110539

Moved By Councillor DeHart/Seconded By Councillor Stack

R0539/20/08/11 THAT Bylaw No. 12086 be read a second and third time.

Carried

18. Termination

The meeting was declared terminated at 8:24 p.m.

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Mayor Basran

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Deputy City Clerk

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