



City of Kelowna Public Hearing Minutes

Date: Tuesday, October 20, 2015
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Members Absent Councillor Maxine DeHart

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Urban Planning Manager, Terry Barton; Urban Planner, Adam Cseke; Council Recording Secretary, 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 October 6, 2015 and by being placed in the Kelowna Capital News issues on October 9 and October 14, 2015 and by sending out or otherwise delivering 385 statutory notices to the owners and occupiers of surrounding properties, and 3938 informational notices to residents in the same postal delivery route, between October 6 and October 9, 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

3.1 975 - 985 Academy Way, BL11148 (Z15-0033) - Academy Apartments Ltd.

Councillor Sieben declared a conflict of interest as his in-laws have business interests in close proximity to the subject property that would be in direct competition and left the meeting at 6:05 p.m.

Staff:

- Displayed a PowerPoint presentation summarizing the application.

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

Letters of Opposition or Concern

Janet Ingram and Ken Love, Academy Way
Cecilia Tan and Lewis Louie, Academy Way
John and Doreen Jack, Capistrano Dr.
Jean Bulach, Quail Run Drive

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

John Hertay, Kyndree Court, Applicant

- Advised that the other uses going into the complex are an Asian Restaurant, Medical Walk In Clinic, Convenience Store/ Coffee Shop and Offices.

Gallery:

Ed Neeland, Dead Pine Drive

- Professor at UBC Okanagan.
- Opposed to this application.
- Raised concerns with student drinking.
- Raised concerns with liquor store being too close to campus and hard liquor being too accessible to students.
- Provided his perspective on the differences between beer and hard liquor.
- Responded to questions from Council.

John Hertay, Kyndree Court, Applicant

- Confirmed that this is a retail store with liquor sales and that the store will concentrate on beer sales.

There were no further comments.

Councillor Sieben returned to the meeting at 6:20 p.m.

3.2 3473 Scott Road, BL11151 (Z15-0040) - Frank & Dawn Filice

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

Paul Schuster, Applicants Agent

- Advised that the owner will be bringing forward another application following this one and that this is not infill but a master plan to revitalize the area.
- Confirmed the development meets all setback and site coverages.

There were no further comments.

3.3 980 Mayfair Road, BL11152 (Z15-0038) - Justin & Rebecca Bullock

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The 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.

Justin Bullock, Applicant

- Confirmed he resides at the residence and expressed his ambition to make the area aesthetically pleasing.

There were no further comments.

3.4 3461 Scott Road, BL11153 (Z15-0042) - Frank & Dawn Filice

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

Applicant not present.

No one came forward.

There were no further comments.

3.5 2982 Volterra Court, BL11155 (Z15-0039) - Franklin Talbot

Staff:

- Displayed a PowerPoint presentation summarizing the application.

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

Letters of Opposition or Concern

Joanne Garrard-Barton, 3067 Quail Run Drive
 Rod McLeod, Lois McLeod, Shawne McLeod, 3020 Quail Crescent
 John Jack, 114-1950 Capistrano Dr.
 Valerie Archer and Mike McBurney, 2093 Capistrano Drive
 James D. King, 3058 Quail Run Drive
 Larry Bigler and Terry Fraser, 2279 Capistrano Drive
 Al and Sandra Ohlhauser, #103 - 1910 Capistrano Drive
 Sheila Inose, 2513 Quail Place
 Sid Bildfell (Quail Ridge Residents Association), 2215 Salerno Court
 Dirwyn R. Hayes, 2029 Capistrano Drive
 Mac Campbell, 2502 Quail Place

Letters of Support

Donald K. Steer, 2516 Quail Lane
 Denis Showler and Jacki Morgan, 2988 Volterra Court
 Don and Dale Driscoll, 2994 Volterra Court

Additional Information from Applicant

Letter of additional information as submitted by the applicant, Frank Talbot, 2982 Volterra Court

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

Frank Talbot, Volterra Court, Applicant

- Lived in the home since April 2010.

- Believes the application will provide affordable housing in the Quail Ridge area.
- Appreciates and values the quiet neighbourhood and will rent to those who share those values.
- Tenants will park in the driveway and will share half of the garage.
- Confirmed that all short term rentals have stopped since non-compliance was brought to his attention by the City.
- Responded to questions from Council.

Gallery:

Blair Donnelly, Allegro Mews

- President of Strata for 11 years however not representing Strata at this time.
- Lives directly above the property in question.
- Spoke to the numerous bylaw infractions and fines against the Applicant.
- Advised that the pool in the backyard has not been shown in any plans.
- Responded to questions from Council.

City Clerk:

- Made general comment on the bylaw non-compliance for uses contrary to the zone for suite and for short term rentals.
- Responded to questions from Council.

Richard Newton, Quail Place

- Opposed to this proposal.
- Bought his home on the basis that the CD6 zone did not permit suites.
- Raised concern with increased traffic in the area.
- Believed the area was not developed properly for secondary suites as services are limited.
- Raised concern with the history of complaints on this property.
- Responded to questions from Council.

Harland Lockhart, Quail Run Drive

- Strata President speaking on his own behalf.
- Raised concern this will set a precedent of rezoning from CD6 to RU1 as it has already happened once.
- Raised concern that there is not adequate parking for suites.
- Raised concern with increasing the density in an area that was not designed for it.
- Raised concern with being outside of the fire coverage area.
- Responded to questions from Council.

Frank Talbot, Applicant

- Confirmed that they had never received a fine for noise complaints.
- Received 5 tickets from Bylaw Enforcement for one occurrence.
- Stated that the most recent fines were issued when a family member and her children stayed.
- Confirmed that the fines will go through the Adjudication process.
- Confirmed that in the past the suite had been rented out as a short term rental. Have since removed the vacation rental site from the Web.
- Was told by Bylaw Enforcement to legalize or decommission the suite.
- Responded to questions from Council.

There were no further comments.

4. Termination

The Hearing was declared terminated at 7:15 p.m.

Mayor

/acm

City Clerk