



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Tuesday, June 13, 2023
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Mohini Singh, Luke Stack*, Rick Webber and Loyal Wooldridge

Members Participating Remotely Councillors Charlie Hodge

Members Absent Councillor Gord Lovegrove

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning and Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton*; Urban Planning Manager, Jocelyn Black*; Development Engineering Manager, Nelson Chapman*; Long Range Policy Planning Manager, Robert Miles*; Legislative Coordinator (Confidential), Rebecca Van Huizen

Staff participating Remotely Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 4:01 p.m.

Councillor Stack joined the meeting at 4:03 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Stack.

3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Cannan

THAT the Minutes of the Public Hearing and Regular Meeting of May 9, 2023 be confirmed as circulated.

Carried

4. Regular Meeting

5. Liquor License Application Reports

5.1 START TIME 4:00 PM - Lawrence Ave 274 - LL23-0005 - Victor Projects Ltd., Inc. No. BC1326399

Staff:

- Displayed a PowerPoint Presentation summarizing the application and rationale for non-support.

David Habib, Liquid Zoo, Applicant

- Have been in the community and nightclub industry since 1993; being the longest standing liquor primary holder.
- President of the Downtown Nightclub Pub Association known as The Standard and works with the RCMP, City of Kelowna and the Liquor and Cannabis Regulation Branch.
- Commented that the Liquid Zoo was the first establishment to use the Patron Scan system in 2013 in coordination with RCMP and security measures.
- Indicated there have been no incidents of violence, inside or outside of the nightclub, to date in 2023.
- Spoke to closing protocols and patrons leaving.
- Commented that the Liquid Zoo has 16 security specialists that are licensed by the Ministry of Justice to assist with patrons; creating a safe environment.
- Commented that other establishments in the community have called upon them for assistance with security and they have assisted to make things safer.
- Spoke to the change in capacity to allow for flexibility in how the venue is used; have never gone over 500 patrons in the establishment and that is not the intention.
- Spoke to the proposed extended close time from 2:00 a.m. to 3:00 a.m. and the benefits of staggering closing times.
- Commented that two local RCMP Officers attended the Vancouver and Victoria Task Force and their number one recommendation was a 3:00 a.m. close time; extension of hours gives patrons time to leave and arrange for a cab or ride home and to exit downtown.
- Displayed photos of the street in front of the Liquid Zoo establishment at various times after closing between 2:00 a.m. and 3:00 a.m. on the weekend; to show there is no police presence as they are not needed to be there.
- The RCMP is never requested to be at the establishment due to hiring 16 security staff.
- The Liquid Zoo has been in business for 22 years and the number one goal is safety.

Deputy City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Gallery

Chris Williams, Walrod Street

- Retired RCMP member that was part of a special enforcement team addressing organized crime.
- Background in covert operations and gang enforcement.
- Developed an inadmissible patron policy applied across Kelowna and British Columbia.
- Commented on experience working with other downtown restaurants and venues.
- Commented that a 3:00 a.m. close time does help.
- Commented that the Liquid Zoo has adequate security measures.
- Suggested a trial period supporting the request.

Online:

Jennifer Thompson, Ellis Street

- Raised concern with increased noise from motorcycles, vehicles and patrons in the downtown.
- Suggested closing the Liquid Zoo at 1:00 a.m. and beat all the other bars in closing.

Gallery:

Les Bellamy, Ellis Street

- Kelowna resident for 35 years.
- Commented on the need for consistency in decision making; important to businesses that decisions are consistent so we can plan around that.
- Raised concern with later hour closing request as it sets a precedent and would have to allow that for other liquor primary establishments and do not think that is in our community's best interest.
- Spoke to consistency in decisions regarding capacity approvals for downtown establishments; recently an establishment asked for more patrons than this application and they received staff endorsement and this application is not.
- Commented on the number of nearby residents to the Liquid Zoo.

Lloyd Pederson, Doyle Avenue

- Resident of downtown for many years.
- Commented on the lack of consistency with staff decisions in providing support for one application and non-support of another that are nearly the same applications.
- Spoke to the other liquor primary establishments that were closer to residents that received support; asked that this application be considered on its own merit.

Chris Nichols, Old Okanagan Highway, West Kelowna

- Employed at the Liquid Zoo for 12 years.
- Spoke to the improvements over time at the Liquid Zoo.
- Commented on last call and closing time.
- Believes it would be better if closing time was 3:00 a.m. to spread out when patrons leave.

Daniel Mulgrew, Abbott Street

- Owner of Social 242.
- Have been in the restaurant and nightclub industry for 21 years.
- Commented on closing times and experience with patrons leaving.
- Commented that extended closing times would disperse the bar flush.

Braden Horoff, Stewart Road

- Employed at Liquid Zoo as security.
- Performs hundreds of searches making the establishment one of the safest places.
- Consistency is important and security standards should be higher for other establishments if seeking a 3:00 a.m. close time.
- A 3:00 a.m. close time would give patrons the time to filter out of the establishment.

Resident, Pacific Court

- Shared experience in general regarding late night noise from clubs and vehicles in the downtown core.

Resident, Clarissa Road

- Employed at the Liquid Zoo for 2 years.
- Commented on feeling safe as a female employee at this establishment because of the safety measures.
- Commented that female employees are able to leave work safely when closing time is 3:00 a.m. to spread out when patrons leave.

David Habib, Applicant in Response

- Suggested that noise issues are not from the Liquid Zoo as patrons leave or go elsewhere downtown.
- Commented on the attraction of downtown and it being a hub of activity where people live and want to attend places like the Liquid Zoo.
- Indicated there is no need for police presence at the Liquid Zoo due to security protocols in place.
- Agrees with consistency statements; spoke to their previous application just like this in 2020 and the process with the City and Province.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Singh

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with 'Division 9 (71)' of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council NOT recommend support of an application from Quail Place Estates for a liquor primary license amendment to extend the close time from 2 am to 3 am seven days a week for Lot 3 Block 13 District Lot 139 ODYD Plan 462, located at 274 Lawrence Avenue, Kelowna, BC for the following reasons:
 - A permanent change to the current hours of operation from 2 am to 3 am seven days a week will greatly impact policing resources which may adversely affect community/public safety and livability.
2. Council NOT recommend support of an application from Quail Place Estates for a liquor primary license amendment to increase the approved occupant load from the current 500 persons to 655 persons for Lot 3 Block 13 District Lot 139 ODYD Plan 462, located at 274 Lawrence Avenue, Kelowna, BC for the following reasons:
 - An increase to the approved occupant load from the current 500 persons to 655 persons will further tax existing policing resources and does not comply with Council Policy 359 which suggests a limit of 500 persons for a Liquor Primary.
3. Council's comments on LCRB's prescribed considerations are as follows:
 - a) The potential for noise if the application is approved:
 - The noise levels are not expected to increase due to the change of hours alone. However, the noise would occur later in the night with the proposed 3am close time which could negatively affect livability of the area.
 - The proposed increase in capacity could exacerbate existing noise levels. This area of downtown is transitioning to include more mixed-use developments and will see increased residential density in the coming years. The proposed amendments may negatively affect the downtown livability for surrounding residential dwelling units now and in the future.
 - b) The impact on the community if the application is approved:
 - The proposed later close time coupled with the increased capacity could encourage more excessive drinking which could increase community disturbance issues following the bar flush.
4. Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures.

Carried

5.2 START TIME 4:00 PM - Matrix Cr 7-2030 - LL23-0008 - 1301708 B.C. Ltd., Inc. No. BC1301708

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Melanie Raby, Sheldon Road and Kathy Von Kesteren, Kelglen Crescent, Applicant

- Requesting an occupancy of 30 persons capacity with a guided tasting area.
- Provided comments regarding on-site fermenting and canning processes and noted that brewing will not be on site.
- Spoke to the flexibility of hours for local events.

Deputy City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Gallery:

Les Bellamy, Ellis Street

- Raised concerns with the inconsistency and interpretation of liquor licence applications.
- Spoke to Council Policy 359 and concerned with the inconsistency and how it's being applied.
- In support of this application.

Online:

Troy Watts, Lakebreeze Court, Lake Country

- Owns Suite 10-2030 Matrix Court.
- In support of this application.
- Raised concerns with the lack of parking and noted that if the brewery is open during the day parking will be at a premium with existing businesses.

Applicant in Response

- Parking in the Plaza is mainly numbered but their business has been assigned 4 to 5 stalls; along with 10 visitor stalls and a lot of on-street parking.
- Will advise our customers through signage and social media regarding parking on and off site.

There were no further comments.

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with 'Division 9 (71)' of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Three Lakes Brewing Company for a lounge endorsement of a manufacturers licence for Strata Lot 7, Section 14 Township 23 Osoyoos Division Yale District Strata Plan EPS7897, located at 7-2030 Matrix Crescent, Kelowna, BC for the following reasons:
 - Establishment will have a small occupancy and appropriate hours for its location;
 - Establishment will have minimal impact on surrounding Industrial uses; and
 - Minimal residential impact within the area.
2. Council's comments on LCLB's prescribed considerations are as follows:

Criteria for a lounge endorsement:

 - a. The location of the winery/special event area:

The proposed location is suitable for a manufacturer - lounge endorsement as the property is within an industrial zone in close proximity to the Kelowna airport and the UBCO campus.
 - b. The proximity of the lounge area to other social or recreational facilities and public buildings:

The location is in close proximity to other lounge endorsements and food primary uses within the UBCO campus and the Kelowna airport.
The maximum occupancy load of this establishment is 30 persons which is considered to be minimal.
 - b. Traffic, noise, parking and zoning:

The potential impact for traffic, nuisance and parking issues is minimal. The I2 – Industrial zone supports the proposed use.

c. The impact on the community if the application is approved:

The potential for negative impact is minimal due to the low capacity.

- 3 Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures.

Carried

6. Temporary Use Permit

6.1 START TIME 4:30 PM - Bay Ave 515 - TUP23-0001 - 1068956 B.C. Ltd., Inc. No. BC1068956

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Kelsey Garner, Fuller Avenue, Applicant

- Registered Massage Therapist for seven years and owner of a massage therapy clinic.
- Provides specialized care for women's health issues but accepts patients in any form.
- Has a full patient load that will be transferring to the new space.
- Believes this is a holistic approach for the wellbeing of all entering this clinic.

Deputy City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Gallery:

Vickie Finn, Stillingfleet Road

- Kelsey Garner has been their practitioner for over 2 years.
- In support of this application.
- Spoke to the care, professionalism and important role provided by this clinic.
- Owner of a commercial building in the Kootenays and spoke to the costs of starting a business.

There were no further comments.

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Council authorizes the issuance of Temporary Use Permit No. TUP23-0001 to allow for a health service business to operate for Lot A District Lot 139 ODYD Plan 33143, located at 515 Bay Avenue, Kelowna, BC for a three (3) year period commencing from Council approval subject to the following conditions:

- a. The dimensions and siting of building to operate in the existing building as per Schedule "A";

AND FURTHER THAT any application to extend the permit must be approved by Council prior to this permit expiring.

Carried

7. Development Permit and Development Variance Permit Reports

7.1 START TIME 4:30 PM - Hilltop Cr 1810 - DP22-0200 DVP23-0076 - 1810 Hilltop Crescent Ltd., Inc. No. BC1303132

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Jamela Van Steinburg, Water Edges Lane, Applicant

- Owner of development and construction company on this project.
- The intent was to design larger townhomes and condo spaces for families as an alternative to single family homes in the McKinley area.
- Providing 3 bedroom units in all of their townhome and condo units.
- Spoke to fully utilizing the parkade so that there will be 2 parking stalls for every single unit.
- Will provide landscaping to mitigate the exposed parkade wall.

Deputy City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one came forward.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council authorizes the issuance of Development Permit No. DP22-0200 and Development Variance Permit DVP23-0076 for Lot 4 Section 28 Township 23 ODYD PLAN EPP76020, located at 1810 Hilltop Crescent, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT variances to the following section of the Zoning Bylaw No. 12375 be granted:

Section 15.4.5[.3]: CD18 Development Regulations

To vary the minimum amount of habitable space within an exposed storey from 60% required to 0% proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit and Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

8. Termination

The meeting was terminated at 6:00 p.m.

The meeting adjourned at 6:00 p.m.

The meeting reconvened at 6:12 p.m.

9. Call to Order the Public Hearing

The Hearing was called to order at 6:12 p.m.

10. Individual Bylaw Submissions

**10.1 START TIME 5:00 PM - Killdeer Rd 5081 - OCP22-0002 (BL12525) Z22-0004
(BL12526) - Frazer Lake Developments GP Ltd., Inc. No. BC1313068**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Karmen Chanasyk, Emil Anderson Properties, Applicant

- Displayed a PowerPoint Presentation.
- The property is referred to as Sage Water Community and located in the Upper Mission neighbourhood in South Kelowna.
- Spoke to the history of the neighbourhood and Emil Anderson's role in developing neighbourhoods in the area over the past 20 years.
- Spoke to the proposed development through the Area Structure Plan that dedicated the subject property for residential and park use.
- Commented that the owner of the subject property has owned the land for decades and that the property was fenced until the 2003 wildfire.
- Presented background of Emil Anderson Group, highlighting that it is currently a fourth generation company.
- Spoke to the visions of the property including maintaining Frazer Lake and riparian protection area.
- Spoke to the riparian areas being protective through a covenant and a no build and no disturb covenant at the back of lots to protect the ravine.
- Displayed the subdivision plan that includes 12 single family lots, 7 of which will be bareland strata and 5 fee simple lots.
- Commented on road reserves for Southcrest and Killdeer extensions through to Cobble Crescent with construction to take place at a later unknown date.
- Commented that this is private land, however, the intention is to ensure public trails and connections are established and maintained long term.
- Commented that Parkland dedication includes stream, wetland, riparian area, steep hillside and established trail network.
- Displayed architectural styles for the development that will compliment existing land uses and existing styles of homes in the area.
- Spoke to construction practices and noted that strict adherence to all City of Kelowna bylaws will be undertaken including hours of operation, traffic management, soil erosion management and dust control.

Deputy City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Gallery:

Brad Elding, Cobble Crescent

- Opposed to this application.
- Raised concern regarding the pressure the development will have on the habitat and fragile ecosystem; 20 m to 30 m protective setbacks are not enough.
- Spoke to endangered species list.
- Believes that adding traffic will increase safety risk.
- Residents strongly oppose road connections throughout the neighbourhood due to safety concerns.
- Commented on the recent dam remediation impacts on the ecosystem.

Gary Parmar, Cobble Crescent

- Opposed to this application.
- Commented on timing and distribution for the notice of proposal and signage; believes 2 weeks was not enough time for residents to collect their thoughts.
- Displayed the notice of Public Hearing received on ELMO and questioned why some neighbours did not receive the notice.
- Commented on the timing and amount of correspondence posted online and provided to Council; questioned if Council had enough time to read all of the resident's concerns.

Alanna Geisheimer, Benmore Court

- Strongly opposed to this application.
- Raised concern with the negative impacts the development would have on the ecosystem and habitat.
- The proposed architectural styles do not look similar to the current houses on the street and would not fit the character of the neighbourhood.
- Raised safety concerns for children with additional traffic and congestion in the area.

Richard Murphy, Killdeer Road

- Opposed to this application.
- Has been a resident for 17 years.
- Made comment that it's a beautiful park and nice development they are proposing.
- Raised concerns with plans to extend and connect roads and increased traffic.
- Raised concerns with the traffic flow out of this development.

John Pennington, South Crest Drive

- Opposed to this application.
- Raised concern with road connection and traffic safety.
- Petitioned the neighbourhood regarding this development.
- Raised concerns with dam remediation and drop in water level.
- Would like the wildlife and ecosystem to be protected.

Hugh Pelmore, Cobble Crescent

- Opposed to this application.
- A resident for 11 years; wanted to live on a cul de sac near a lake.
- Commented that they received 125 signed petitions in a brief period of time against the proposal with only 1 neighbour in support.
- Raised safety concerns for children playing.
- Raised concerns with the preservation of Frazer lake and habitat.

Fred Cardwell, Cobble Crescent

- Opposed to this application.
- A resident for 10 years.
- The subject property is the recreational centre of our community; the importance of the area cannot be overstated.
- Referenced to the 2040 OCP designating the area as park and natural area.
- Raised concerns with the removal of mature trees.
- Questioned the need for a road connection between Killdeer Road and Cobble Crescent.

Sylvia Johnston, South Crest Drive

- Opposed to this application.
- A resident for 20 years.
- Familiar with governance and strategic planning.
- Quoted from the Oath of Office.
- Commented that Frazer Lake is an educational component for Canyon Falls School.
- Raised concerns with the environmental impacts on Frazer lake with reduced water levels.
- Questioned whether 12 lots are worth negative environmental and cultural impacts.
- Raised safety concerns with increased traffic.
- Believes that Council does not have enough information regarding the impacts of the proposal.

Bob McFarland, Cobble Crescent

- Opposed to this application.
- Raised concern with limited consultation process and mailed notices.
- Questioned why there was a City request for the extension of Killdeer Road.
- Believes Frazer Lake is a critical habitat for many species and enjoyed by many in the neighbourhood.
- Raised concern that Emil Anderson did not provide an information session to address neighbourhood concerns.

Trish Graumann, South Crest Drive

- Opposed to this application.
- Raised traffic concerns with getting down the mountain.
- Commented that she was only made aware of this development a week ago.
- Referenced a previous petition signed years ago so that Frazer Lake would stay the same and there would be no road connection from Killdeer Road to South Crest Drive.

Richard Salsa, Arrowleaf Lane

- Opposed to this application.
- Resident for 19 years.
- Only made aware of this proposal 2 weeks ago when the sign was erected.
- Emil Anderson mentioned this is private land and the community has known this and respects that and treats the area with care.
- Asked the City to consider consultation with local residents and the developer to discuss a plan that respects the place and wildlife space.

Jessica & Dallas Stokes, Tungsten Court

- Opposed to this application.
- Raised concern that the maps submitted by Emil Anderson are not accurate and do not include reference to the extension of Tungsten Court; this development goes right through our property.
- We wanted accessibility to nature and currently have that but with a road being built and more development we will lose that.

Online:

Karen Christie, South Crest Drive

- Opposed to this application.
- A resident for 16 years.
- There needs to be a form of affordable housing and not additional single family lots being proposed.
- Raised concerns with protecting the environment.
- Raised concern with road connection and traffic safety.
- Commented that no notice was received regarding this proposal.

Gallery:

Demian Richardson, Benmore Court

- Opposed to this application.
- Lives adjacent to the proposed development.
- Raised concerns for wildlife in the area.

Karmen Chanasyk, Applicant in Response:

- On April 3, 2023 notification letters were sent to all properties within the 50 m buffer per city requirement.
- A follow up letter was sent to advertise the Public Hearing in advance of this evening and signs were put up at all points of access 2 weeks ago in accordance with the Council Policy.
- Met with residents on their property regarding concerns.
- Frazer Lake dam was a City project paid for by a grant and not tax payers.
- Spoke to wildlife and eco system studies that have been conducted on the subject property.
- Spoke to road dedication for future development on the property; the City asked we dedicate those roads in advance.
- Spoke to the subject property being private, even though used by residents, they will make public trails for public use.
- Commented on the housing crisis in Canada that is felt across all classes and entire housing market; this proposal represents the missing middle.
- Responded to questions from Council.

Mike Jacobs, Applicant in Response

- Spoke to the history of the property and the neighbourhood development following the Area Structure Plan.
- There has not been an application previously on this land; Frazer Lake was part of a broader plan and the owner was not ready to develop.
- Spoke to Frazer Lake levels and the creation of the dam for irrigation purposes.
- Spoke to parkland dedication.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.
- Displayed a map showing the proposed road connection.

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Council continue the Public Hearing past 8:00 p.m.

Carried

Staff:

- Continued to respond to questions from Council.

There were no further comments.

11. Termination

The Hearing was declared terminated at 8:15 p.m.

12. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 8:15 p.m.

13. Bylaws Considered at Public Hearing

13.1 START TIME 5:00 PM - Killdeer Rd 5081 - BL12525 (OCP22-0002) - Frazer Lake Developments GP Ltd., Inc. No. BC1313068

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Bylaw No. 12525 be read a second and third time.

Carried
Councillor Cannan - Opposed

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council continue the meeting past 8:30 p.m.

Carried

13.2 START TIME 5:00 PM - Killdeer Rd 5081 - BL12526 (Z22-0004) - Frazer Lake Developments GP Ltd., Inc. No. BC1313068

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Council remove the requirement for the conditions of approval as set out in Attachment "A" to the report from the Development Planning Department dated May 8, 2023 to be met prior to final adoption of the Rezoning Bylaw.

Carried

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw No. 12526 be read a second and third time.

Carried

14. Termination

The meeting was declared terminated at 8:36 p.m.

The meeting adjourned at 8:36 p.m.

The meeting reconvened at 8:50 p.m.

15. Call to Order the Public Hearing

The Hearing was called to order at 8:50 p.m.

16. Individual Bylaw Submissions

16.1 START TIME 5:00 PM - Wilkinson St 2110, 2120-2122, 2128-2130 and 2140 - Z22-0068 (BL12517) - Wilkinson St Holdings Ltd., Inc. No. BC1321697

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Brian Banman, Aligned Properties Inc., Applicant

- Displayed a PowerPoint Presentation.
- Spoke to future and current housing needs and current vacancy rates.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council continue the Public Hearing past 9:00 p.m.

Carried

Chad Davidson, Traine Developments, Applicant

- Continued with the PowerPoint Presentation.
- Spoke to the Healthy Housing Strategy.
- The proposed site is in a central location near high arterial roads with access to transit and bike paths.
- Made comment on investments in nearby park and recreation facilities.
- Spoke to neighbourhood amenities and surrounding developments.
- Addressed comments raised by neighbours through the neighbourhood consultation.
- Spoke to the traffic analysis and safety concerns.
- Spoke to next steps including, affordable component, energy efficient construction, accessible friendly suites, professional on-site management, site security and providing housing diversity in a key neighbourhood.

Deputy City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Gallery

Justine Bhullar, Wilkinson Street

- Displayed a PowerPoint Presentation.
- RN at KGH and mother to 6 month old daughter that she'd like to raise in this neighbourhood.

- Not opposed to densification but opposed to this application as it is over-densifying this area and is not sensitive to the neighbourhood character.
- Asked Council to consider MF1 or MF2 zoning as it would be appropriate density and massing for this residential area and support the "missing middle" housing.
- Displayed a photo showing the height estimation of a 4 storey building adjacent to the neighbouring property and a large mature tree that is believed to be cut down.
- Spoke to Section 13-Multiple Dwelling Zone in the Zoning Bylaw and Official Community Plan Objectives.
- Spoke to transition policies.
- Opposed to this application.

Tamera Hunt, Wilkinson Street

- Continued sharing PowerPoint Presentation.
- Displayed the Capri Future Land Use Map and spoke to the Capri Landmark Urban Centre Plan policies.
- Showed the surrounding neighbourhood housing types and heights and noted that height is to decrease as you move away from the Capri Landmark Urban Centre.
- The proposed development is in a core neighbourhood and not in the Urban Centre.
- Believes this proposal will set a precedent and will change the character of the neighbourhood.
- Opposed to this application.

Paramit Dhami, Turri Avenue

- Continued sharing PowerPoint Presentation.
- Lives directly behind the subject property.
- Raised concerns with increased traffic and safety in their community.
- Raised concerns with lack of traffic calming measures.
- Commented on ICBC Accident data on Wilkinson Street and connecting roads.
- Spoke to sidewalks and crosswalks in need of updating in the area.
- Spoke to infrastructure support for the area and displayed Section 5 of the Capri Landmark Neighbourhood Plan.
- Opposed to this application.

Jess Dhami, Turri Avenue

- Continued sharing PowerPoint Presentation.
- Lives directly behind the subject property with husband and daughter.
- Spoke to the Missing Middle housing types in scale and form with detached single family homes.
- Spoke to housing affordability and the need to supply a range of housing options.
- Displayed a chart referencing Building Permit approvals with a high percentage for mainly apartment buildings when compared to other forms of housing types; questioned if this is the reason for the missing middle housing types.
- Spoke to the impacts of the proposal including over densification that can lead to strain on infrastructure and community resources as well as changing the character of the neighbourhood drastically.
- Opposed to this application.

Oliver Butterfield, Wilkinson Street

- Rents in the neighbourhood.
- The location of this proposal will have all apartment windows looking directly into their bedroom.
- Read comments on behalf of landlord who is strongly opposed to a 4 storey apartment building directly across from their home.
- Raised concern with increased traffic.
- Raised concern that this proposal will alter the character and small town feel of the area.
- Raised concern with lack of parking.
- Raised concern with the size and density of the building.
- Raised concerns with increase in noise, loss of privacy, loss of sun and shadowing.
- Opposed to this application.

Jenny Hutchinson, Wilkinson Street

- Resident for 10 years.
- Raised concern that the proposal will negatively impact the character of the neighbourhood.
- Raised concern with lack of sidewalks.
- Raised concern with increased traffic volume and congestion.
- Commented that there should be a left hand turn onto Springfield Road.
- Questioned whether a traffic study will be provided.
- Raised concern that there is only one way in and out of the proposal.
- Referenced Official Community Plan Policies about development transition to existing neighbourhoods.
- Inquired if a hydrology report would be conducted as there is a high water table on Wilkinson Street.
- Raised concern with stormwater runoff with the high water table.
- Opposed to this application.

Douglas Rein, Wilkinson Street

- Opposed to this application.
- Spoke to the proposed height of the building.
- Raised concern that the overall size of this proposed building does not fit into the character of this neighbourhood.
- Raised concern that there is only one entry and exit from this development that goes onto Wilkinson Street; there should be 2 entry points.
- Raised safety concerns with vehicle trips.
- Displayed a map of the neighbourhood showing overflow of street parking.
- Opposed to this application.

Tom Read, McBride Road

- The Official Community Plan designation and application is not what was expected.
- Had approached neighbours to sign a petition of opposition.
- Believes there will be too many small rental suites soon and that this rezoning to an apartment building reduces the equity in their homes.
- Commented that the Provincial government housing requirements destroy neighbourhoods.
- Commented that 3 bedroom residences are required to house families and asked to allow RU-4 zone to continue.
- Opposed to this application.

Lynne Hooper, McBride Road

- Resident for 17 years.
- Shocked someone would insert an apartment building in their neighbourhood.
- Raised concern with increased traffic and access to Springfield and Guisachan Roads.
- Raised concern with amount of on-street parking currently on Wilkinson Street.
- Raised concern with walking across Wilkinson Street to the park and that there should be pedestrian walkways.
- Opposed to this application.

Resident, Wilkinson Street

- Transit in the area is not sufficient for the amount of people in an apartment building or currently.
- Commented that increased crime on transit reduces ridership.
- Need high density housing to be near transit.

Tyler Galan, Burnett Street

- In support of this application.
- As a property manager there is not enough inventory for tenants.
- Likes the location for an apartment building as it is central with different options for transportation.

Armiel Abella, Turri Avenue

- Extremely opposed to this application.
- Raised traffic and pedestrian safety concerns.
- Raised concern with lack of parking.

- Raised concern with loss of privacy with large building beside backyards.

Calli Lange, Wilkinson Street

- Resident for 27 years.
- There is huge opposition to this proposal.
- Spoke to Official Community Plan Policies regarding new development and transition to existing neighbourhoods.
- Not opposed to infill but to have this proposal is an extreme change to the neighbourhood.
- Raised concern with vehicle traffic and pedestrian safety.
- Raised concern with the height of the building.
- Space is needed for families in a family neighbourhood and this could be the missing middle area.
- Opposed to this application.

Vernon Lange, Wilkinson Street

- Resident for 50 years.
- In Transportation industry in British Columbia.
- Raised concern with increased traffic and traffic safety.
- Raised concern with lack of sidewalks and pedestrian safety.
- Raised concern with access and egress congestion on top of what already exists.
- Commented that flashing pedestrian light and intersections will jam up traffic.
- Questioned if there is a traffic impact study completed.
- Transportation and infrastructure improvements should be dealt with before the project is built.
- Opposed to the extreme density.

Jocelyn Levesque, Wilkinson Street

- Representing parents who live on Wilkinson Street
- Parents oppose this application.
- Commented on the public input process.
- Suggested a townhouse development as it would densify the area and would not shift the character of the neighbourhood.

Online:

Islam Mohamed, Kaslo Court

- Resides 2 blocks away from the subject property.
- The existing zoning for this neighbourhood and property should remain.
- Believes the site cannot accommodate a development of this size.
- This is the right development in the wrong place.
- Strongly oppose this application.

Fred Jarvis, Wilkinson Street

- Resident for 35 years.
- Opposed to this application due to height and density.

Gallery:

Mary Read, McBride Road

- Lived in the area since 1989.
- Spoke to Official Community Plan Policies regarding new development and transition to existing neighbourhoods.
- Opposed to this application.

Julie Partridge, Wilkinson Street

- Raised concern with increased traffic and safety issue with no sidewalks.
- Raised safety concerns for children.
- Raised concern with height of the building and shadowing being next to her home.
- Commented on the 151 petition signatures that are opposed to this proposal.
- Residents do not want this development.
- Would welcome the missing middle development in this neighbourhood.

- Opposed to this application.

Richard Wolfe, Mount Baldy Drive

- Former resident of Wilkinson Street.
- In support of the application as it meets housing need.

Randy Engman, Stillingfleet Road

- Displayed a model of the subject property and neighbourhood.
- Showed development option for the property on the model.
- Commented on the development timeline and intent to acquire more properties.
- Believes this negative impact of this proposal is massive.
- Four-plexes and townhomes would easily be placed on this site and easily rented.
- Believes there are more options than the one that is being proposed.
- Opposed to this application.

Darren Mathison, Wilkinson Street

- Purchased home in 2011.
- Support broad demographic in the community.
- Believes the proposal is inconsistent with the neighbourhood character and past zoning decisions.
- Commented that other housing forms would be more appropriate for this neighbourhood.
- Opposed to this application.

Julie Cruise, Wilkinson Street

- Resident for 8 years.
- Raised safety concerns with 200 plus residents moving into the community.
- Raised concerns with traffic and parking.
- Believes this is a perfect location for the missing middle housing to meet family needs.
- Opposed to this application.

Shane Styles, McClure Road

- In support of this application.
- Commented on the integrity of the Official Community Plan and development process.
- Believes this is the right location for this project as it's in a major urban centre and on a major transit corridor.
- There is a continued rental demand and there is not enough stock being built.
- Spoke to the cost of a townhome development and sale price.

Davis Kyle, Stewart Road W.

- In support of this application.
- Statistics show a 54% increase in market rental rates in 4 years.
- There is an extreme shortage of 1 bedroom rentals.
- The Official Community Plan should be respected.
- Would like to see a Zero Vision policy implemented to support cyclist and pedestrian safety.
- The city should conduct traffic management studies so it is not an issue for residents.

Heather Friesen, Kriese Road

- In support of the proposal.
- It is great that the Applicant is in the process of applying for affordable housing funding through CMHC.
- It is a benefit that the Applicant is also providing accessible housing for the disabled.
- This housing type is very much need in this community.

Online:

Josh Blythe, Wilkinson Street

- Moved into the neighbourhood based on the Official Community Plan guidance for the community.
- How can long term decisions be made if the Official Community Plan is not followed.

Gallery:

Jennifer Bomford, McBride Road

- Multigenerational house with parents and children for 20 years.
- Raised concern with too much height and density in neighbourhood.
- Raised concern with increased traffic levels and pedestrian safety.
- Raised concern with existing on-street parking from suites and rentals.
- Would like townhomes and 4-plexes as rentals in the neighbourhood.

Jason Siebenga, Glenview Court

- Works with Metro Community.
- Raised concern with affordability impacts in the city and sees the downstream effects.
- There is a great need for more housing and lower cost housing in our city.
- Speaking for the broader community.
- In support of this application.

Resident, Pacific Court

- Longtime renter.
- Noticed that new developments are not improving rental affordability.
- Chose to live here because of the quiet, natural beauty but has become busier over time with more development.
- Cherish rental buildings as no hope to buy a home.
- Could make lower rise rentals.
- Commented on impact on Mill Creek with density and noted importance to maintain natural and safe environment as much as possible.

City Manager:

- Spoke to Council's options to complete the Public Hearing and consider the bylaws.

Chad Davidson, Applicant in Response:

- There are no micro-suites in this project; unit mix and design is not complete.
- The demand for apartment units are extremely high.
- The Capri Urban Centre Plan was a constrained longer term plan with very different objectives.
- Density at high service roads is the right location.
- The transportation study continues with City Engineering.
- Working with staff regarding infrastructure concerns.
- Creating density creates a need for improved transit.
- Responded to questions from Council.

Brian Banman, Applicant in Response

- Spoke to the intent of the development.
- The market has to be right for rental housing and can change quickly.
- Have explored building townhomes and they are closer to neighbour property lines; have looked into different options.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

17. Termination

The Hearing was declared terminated at 11:31 p.m.

Bylaw consideration for Wilkinson St 2110, 2120-2122, 2128-2130, 2140 - BL12517 (Z22-0068) deferred to a future Regular Meeting of Council.

Mayor Dyas

/acm





Deputy City Clerk

DRAFT