



## City of Kelowna Public Hearing Minutes

Date: Tuesday, April 4, 2017  
 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, Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton, Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist; Planner, Trisa Brandt\*; Legislative Coordinator (Confidential), Arlene McClelland

(\* denotes partial attendance)

### 1. Call to Order

Mayor Basran called the Hearing to order at 6:00 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 March 21, 2017 and by being placed in the Kelowna Daily Courier issues on Friday March 24 and Wednesday March 29, 2017 and by sending out or otherwise mailing 282 statutory notices to the owners and occupiers of surrounding properties on March 22, 2017.

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.

Councillor Sieben joined the meeting at 6:04 p.m.

### 3. Individual Bylaw Submissions

3.1 4377 Kensington Drive, (BL11361) Z16-0042 - Gary Lupul

## Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

**Letters of Opposition or Concern:**

John and Suzanne Falconer, Sarsons Rd  
 Steve and Bonnie Reily, Sarsons Rd  
 Quentin Dyck and Alison Cook, Kensington Dr  
 Rene Beaumier, Sarsons Rd  
 Marion and Graham Bender, Sarsons Rd  
 Allan Fabbj, Sarsons Rd  
 Wayne & Donna Jessee, Sarsons Rd  
 Petition and package submitted by Gary and Kathleen Turner, Kensington Drive  
 Christy Lovig & William Trent Green, Kensington Drive

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

**Birte Decloux, Urban Options Planning & Permits, Applicant Representative**

- Displayed a PowerPoint Presentation summarizing the application.
- Believes this is good infill as the property is very large in size to house another building and it is also close to amenities.
- Believes this application provides a good transition and a gentle increase in density.
- Intend to maintain mature vegetation on site; a landscape architect was retained to ensure the site is well planned.
- The current owner will be moving into the smaller dwelling which is just over 2000 square feet in size.
- Commented on surprise with neighbourhood concerns as many were supportive of the project.
- Does not anticipate noise to be an issue with the large size of the lot.
- The closest distance between neighbours is 6 meters and the furthest is 12 meters as well there is a 6-foot concrete wall that will act as a buffer for noise.
- There will be 5 dedicated parking stalls with the driveway being expanded on site so there will be no congestion of vehicles having to stack up.

**Gary Lupul, Owner**

- Confirmed the larger home will be sold and he will reside in the smaller home which will be more suitable for his retirement needs.
- The proposed single storey home is also in an attempt to minimize impact to neighbouring properties.
- There will be an extensive landscape plan and believes the property will be aesthetically pleasing.
- Responded to questions from Council.

## Staff:

- Responded to questions from Council.

## Gallery:

**Steve Reily, Sarsons Road**

- Resides directly behind the subject property.
- Read from letter previously submitted.
- Raised concern with the proximity of the subject property to his patio and the negative impacts this proposal would have on the use, quietness and privacy of their backyard.
- Believes this development does not fit within the character of the RU1 lots and raised concern with keeping the neighbourhood single family as it is now.
- Raised concern that this proposal will create more noise and pollution in the area.
- Raised concern that this will set a precedence allowing a second home on large lots and will change the quality of the neighbourhood.
- Opposed to this application.
- Responded to questions from Council.

Gary Turner, Kensington Drive

- Resides two houses from the subject property.
- Opposed to this application.
- Spoke to the Statutory Building Scheme on title prohibiting a second dwelling on lots in this neighbourhood and rezoning this lot to an RU-6 would expose the City to a legal challenge.
- Suggested that the lot be subdivided and sold as two lots rather than be rezoned to RU6 in order to maintain the feel and integrity of neighbourhood.
- Believes this application is out of character with a neighbourhood made up of RU1 lots.
- Responded to questions from Council.

Rene Beaumier, Sarsons Road

- Displayed cell phone photographs on the ELMO.
- Does not believe this is the right neighbourhood for higher density.
- Has been negatively impacted by neighbourhood wood smoke and late night party noise.
- Raised concern with pollution that a second dwelling bring.
- Raised concern with increased traffic, noise and parking issues.
- Raised concern with the new building blocking sunlight to her property.
- Raised concern with the poor upkeep of the current property.

Trent Green, Kensington Drive

- Resides next door to the subject property.
- Opposed to this application.
- Raised concern that this development will devalue his property.
- There is no development like this in the area as the neighbourhood is made up of large single family homes; these lots and houses are very expensive.
- Believes the extended driveway will negatively impact his property.
- The current owner does not keep his property well maintained.
- There is an issue with rats in the neighbourhood and believes they may be originating from the subject property.
- Believes this application is not in keeping with the neighbourhood.
- Responded to questions from Council.

Birte Decloux, Applicant Representative

- Confirmed that the site coverage has not been exceeded.
- Advised that it is not possible to subdivide the lot due to frontage requirements.
- There is a wall encroaching onto the subject property.
- The owner intends to have less items on the property once the second dwelling is built and will implement the landscape plan as provided.

Gary Lupul, Owner

- Spoke to the proposed terms of easement that would be given to his neighbor to maintain access for their trailer.
- Responded to questions from Council.

There were no further comments.

### 3.2 757 Raymer Road, (BL11368) Z17-0005 - Daniel Joinson

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence had been received.

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

Sid Molenaar, Integrity Service Inc., Applicant Representative

- The existing building is being retired and will be building two new contemporary homes.
- Available for any questions.

Gallery:

Rory Kapchimsky, Nathan Road

- Adjacent property owner.
- Not against infill or this type of change.
- Raised concern that once the subject property is rezoned it could further be rezoned to permit carriage homes.

Staff:

- Advised that an owner could rezone to RU2(c) which would require a public process.

There were no further comments.

**3.3 1449 Ethel Street, (BL11371) HRA16-0001 - Donald McDonald and Linda Scott-McDonald**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence had been received.

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

The Applicant was present and available for questions.

No one from the Gallery came forward.

There were no further comments.

**3.4 289-291 Valley Road, (BL11372) Z17-0002 - City of Kelowna**

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 with Comment:**  
Brandt's Creek Mews, Cross Road

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

No one from the Gallery came forward.

There were no further comments.

**4. Termination**

The Hearing was declared terminated at 7:27 p.m.

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Mayor



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City Clerk

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