



## City of Kelowna Public Hearing Minutes

Date:	Tuesday, April 28, 2015
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Deputy Mayor Brad Sieben, Councillors Maxine DeHart, Gail Given, Tracy Gray, Mohini Singh, Luke Stack
Members Absent	Mayor Colin Basran, Councillors Ryan Donn, Charlie Hodge
Staff Present	Deputy City Manager, Paul Macklem; Deputy City Clerk, Karen Needham; Urban Planner, Ryan Roycroft; Urban Planning Supervisor, Lindsey Ganczar; Urban Planning Manager, Ryan Smith; Council Recording Secretary, Arlene McClelland

(\* denotes partial attendance)

### 1. Call to Order

Deputy Mayor Sieben called the Hearing to order at 6:00 p.m.

Deputy Mayor Sieben 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 Deputy City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on April 14, 2015 and by being placed in the Kelowna Capital News issues on April 17 and April 22, 2015 and by sending out or otherwise delivering 10 statutory notices to the owners and occupiers of surrounding properties, and 294 informational notices to residents in the same postal delivery route, between April 14 and April 17, 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

- 3.1 605 Wallace Road, BL11079 (Z15-0003) - Robert John Volk & Gwendlyn Genevive Miller

Staff:

- Provided a PowerPoint Presentation summarizing the application.

The Deputy City Clerk advised that the following correspondence was received:

Letters of Opposition or Concern  
 Sarah Cherrey and Craig Woolford, Lacombe Road  
 Linda & Hector Joly, Wallace Road  
 Dan & Darlene Lwowski, Wallace Road

Petition of Opposition  
 A petition of opposition signed by 5 owners/occupants of the surrounding properties as submitted by Dan Lwowski, Wallace Road.

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

Robert Volk, Burne Avenue, Applicant

- The intent is to build a one storey wheelchair accessible unit.
- Described planned green space between the main house and carriage house.
- There is adequate parking on site and will not have any traffic issues.
- Confirmed the main house is currently being rented out; only two rentals are permitted; one in the main house and one in the carriage house.
- No intention of creating a basement suite in the main house.
- Confirmed support for a Restrictive Covenant to limit to one storey.
- Commented on strict development guidelines relating to the height of a secondary building.
- Responded to questions from Council.

Gallery:

Alfred Caron, Wallace Road

- Resident in the neighbourhood for twenty years and lives across the street from Applicant.
- All but one house has been owner occupied since 1977; concerned with renters and care of the homes.
- Confirmed concerns related mostly to rental property than carriage house; would be acceptable if the applicant lived in carriage house.
- Raised concern of possibility of renting another suite.
- Concerned there will not be enough onsite parking and those vehicles will spill out onto street.

Robert Volk, Applicant:

- Owns several properties in Kelowna and ensures all are professionally maintained.
- Can have bad renters but believes everyone deserves a nice home.
- Confirmed there is a single car garage. Displayed driveway access and parking.
- Current tenants in for 6 months. Confirmed he is aware of regulations and that two rentals in the main house is not permitted.

There were no further comments.

### 3.2 BL11077 (OCP14-0002) & BL11082 (TA14-0001) - I6 Zoning Bylaw Text Amendment

Staff:

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

The Deputy City Clerk advised that no correspondence was received.

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

Gallery:

Pam Price, Appaloosa Road

- Owner of property zoned A1 with horses and chickens.
- Industrial uses are changing the character of the neighbourhood and want clarity with the move to the I6 zone.
- Questioned who incurs cost of road upgrades with these amendments; as well as servicing costs to Academy Way.
- Raised concern that it will be difficult to sell their property if expensive to service.
- Responded to questions from Council.

Staff:

- Confirmed that the recently constructed building at 3190 Sexsmith Road meets the new bylaw amendments. Worked with property owners to ensure that the property would meet requirements and will allow for some additional development further north on the site.

Corinne Dewhurst, Appaloosa Road

- Confirmed that outdoor storage would require servicing and upgrades.
- The Focus Group report stated a cost of \$180,000 to \$208,000 to connect services; questioned the feasibility if this is a requirement. Believes property owners will never be able to recoup that money.
- Believes these uses may not be viable in the neighbourhood.
- Asking for buffering for any development in this area yet allowing UBCO to dump fill behind properties. Not allowing property owners to stay rural.
- Believes value of property for current owners is low; as well, there is now going to be a highway right next to our homes.

Staff

- Servicing issues on these 47 properties to full industrial standards has been raised a number of times. Engineering and Infrastructure Planning Divisions will reach out to the community through surveys and Open Houses to determine servicing levels and what funding mechanisms will be put in place to address services; those findings and recommendations will be brought to Council.

Gallery:

Wayne Long, Appaloosa Road

- Owner of Lot 4.
- Lot 5 was developed without any requirements and would like know why so many requirements are being placed on other property owners.
- All current owners should have the same opportunity as the owner of Lot 5 with fewer requirements.

Chantelle Kshyk, Appaloosa Road

- Newest resident and looking for some clarity this evening.
- Believes the way the I6 zone was presented and sold was as transitional which is not reflective of the building that was just built and now exists.
- Concerned that there will be concrete towers back to back.
- Raised concern that their property along with other property owners will be difficult to sell. Feels misinformed.
- The idea of work, play and live on your land will not occur being surrounded by so much commercial and industrial. Soon there will be no neighbours.

- Would like clarity on what orderly development means. It sounds vague when clarity is needed.

Joe Maholvich, Sexsmith Road

- Builder of the Whitman Building.
- Exceeded the I6 zoning requirements; provided more landscaping; increased setbacks on 3 sides of the property; lowered the building height by 4 feet than what was allowed.
- The building will be painted and will look nice. Plan to do even more in the area.
- Confirmed the developers pay for upgrades and servicing as we develop. Have done our best to give more and make everyone happy.
- Believe we have done a good job to work with the city and residents.
- Agrees with all amendments, except would like less side yard setbacks between industrial.

Jerry Weninger, Building Owner, Sexsmith Road

- Believes the amendments make sense and hope they are approved.
- Have worked on this project with the city for many years and it has been very frustrating.
- Have lived in Kelowna for 52 years and would like the building to be appealing and something that fits within the community.
- Once the building is complete believes everyone will be pleasantly surprised.
- Commented on a city owned property in the area that looks like a dump. Believes this building will help the look of the whole area.

Staff:

- Will put in a service request to review the condition of city properties that adjoin 3190 Sexsmith Road.
- Transitional industrial zone is a difficult zone to craft. The zone is intended to be low intensity that allows residents to remain in the area and enjoy amenities. Can also live and work on property zoned transitional industrial.
- Confirmed amendment to 60% site coverage including driveway and parking restricts the maximum building footprint.
- Confirmed that side yard setback can be varied.

There were no further comments.

#### 4. Termination

The Hearing was declared terminated at 7:21 p.m.

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Deputy Mayor

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Deputy City Clerk

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