



City of Kelowna Public Hearing Minutes

Date: Tuesday, April 1, 2014
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann

Council Members Absent: Councillor Andre Blanleil

Staff Present: Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Real Estate, Doug Gilchrist*; Manager, Urban Planning, Ryan Smith; Director, Subdivision, Agriculture & Environment, Shelley Gambacort*; Planner II, Damien Burggraeve*; and Council Recording Secretary, Tania Tishenko

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the Hearing to order at 6:06 p.m.

Mayor Gray 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 18th, 2014 and by being placed in the Kelowna Capital

News issues on March 21, 2014 and March 25, 2014 and by sending out or otherwise delivering 443 Statutory Notices to the owners and occupiers of adjacent and adjoining properties, and 2651 "It's Your Neighborhood" Informational Notices to residents in the postal delivery area between March 18, 2014 and March 21, 2014. 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. 369.

3. Individual Bylaw Submissions

3.1. Bylaw No. 10918 (Z13-0042) - 3112 Watt Road, Ian & Marguerite Sissett

Councillor Hobson declared a conflict of interest as he has family living in the area and left the meeting at 6:12 p.m.

Staff:

- Summarized the application before Council and responded to questions from Council.

City Clerk advised that the following correspondence and/or petitions had been received:

- Letters of Support:
 - 13 page correspondence package submitted by the Applicant containing 14 responses of support, from surrounding neighbors.
 - Paul Lee, 3122 Watt Road

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

Ian Sissett, Applicant/Owner

- Raised procedural issues regarding whether specific Councillors should hear the application.
- Verified that he had contact with neighbors and majority of support from the neighbors.
- Does not want to have trade off of beach or water rights.
- Responded to questions from Council.

City Clerk:

- Confirmed no reasons for any Council members to excuse themselves from hearing this application.

Gallery:

Albert Van Diest, friend of neighbour (Jim Walasko)

- Not in favor of application.
- Has a concern with creek undermining the side of the building.

Kevin Johnson, representing 3126 Watt Road

- In support of the application.
- Wanted to know about blanket zoning for the future, as he wants to put in a carriage house on his personal property.
- Questioned foreshore rights.

- In support of neighborhood wide carriage house rezoning.
Ian Sissett
- Responded to Albert Van Diest's comments concerning the wall.

There were no further comments.

Councillor Hobson rejoined the meeting at 6:42 p.m.

3.2. WITHDRAWN BY STAFF - Bylaw No. 10924 (OCP13-0021) - Thomson Flats, Melcor Development Ltd.

3.3. Bylaw No. 10930 (Z14-0007) - 375 Gibson Road, Robert Holden

Staff:

- Summarized the application before Council and responded to questions from Council.

City Clerk clarified if this application proceeded, it would be the first of this type.

The City Clerk advised that the following correspondence and/or petitions had been received:

- Letters of Opposition:
 - Scott and Teresa Reid
 - John N. Ringness
 - Jan Rauter
 - Leanne Wilson
 - Alexander Strauch
 - Cyndie Ludba
 - Wes Wilson
 - Jack and Linda Wolfe
 - Astrid Jaago and James Weedon
 - Diana Reynolds
- Letters of Concern:
 - Wayne Parser
 - Henry Wiebe
 - Loree Wright
 - Bruce G. Wilson
 - Garry and Elizabeth Heier

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

Robert Holden, Applicant, Owner's Representative

- Advised that property had been cleaned up by removing recyclable products and debris.
- Ensured that all construction will be done at the same time, or as close as possible, to complete project in a timely manner.
- Advised that he had spoken with 7 RV sales companies in the area, and they were thrilled that someone was putting in recreational vehicle lots. They were even willing to advertise and promote Mr. Gill's RV lots.

- Assured that the newly constructed home is for a family member to manage the fruit stand and RV lots.
- Advised that owner Mr. Gill wants to take a portion of the building and make it into an education centre for the community.
- Felt that the resulting traffic should only be minimal, with only be 9 RV lots.
- Expressed that the owner wanted to give back to the community with this project.
- Responded to questions from Council.

Mr. Gill, Owner

- Came forward and spoke of all the fruit he grows, and the education centre he wants to build.
- Confirmed that there will be onsite management with supervision on property 24 hours.
- Responded to questions from Council.

John Ringness, Neighbor (letter on file)

- Opposes the application.
- Wanted to know when Agri-Tourism started in Kelowna.
- His family moved to this area to enjoy the agricultural setting.
- Does not want the RV rental lots to begin to look like a mobile home park.
- Believes there will be an increase in traffic with more RV's on the road in the area.
- Does not want issues of RV's being in one spot year round (should be a 3 week maximum stay).
- Does not think it's a good idea of increased traffic flow on Gibson.
- Responded to questions from Council.

Simon Grant, (letter on file)

- In opposition of application.
- Concerned with discharge from RV pad sites going in to Creek.
- Stated that Mr. Gill has an impeccable orchard, but wetlands have been filled.
- There is a conflict with septic system and flow of water.
- This area has one of *the* major water features left in Kelowna.
- Responded to questions from Council.

Albert Van Diest

- Not supporting this application.
- Concerned with the impact of large RV's coming onto roadways in this area.
- Responded to questions from Council.

Tyler, Gibson Road Resident

- Not in support of this application.
- Concerned with extra traffic in this area.

Astrid Jaago (letter on file)

- Advised that she drives that road everyday as a mail carrier, and is concerned with the extra traffic that may be a hazard.
- She has concerns with the environmental impact from the RV Park.
- Responded to questions from Council

Dave Sollosy Mackenzie Road Resident

- Stated he read in the application that there were 150 seasonal workers coming to work on the proposed land.
- Expressed that he already has seasonal workers living in front of his property, and is concerned that he's going to have seasonal workers beside him as well.
- Has a concern that the community centre will be used as a café and not an education centre as stated.
- Feels that Bylaw Enforcement does what they can between 8 a.m. and 4 p.m, and is concerned for all the other hours in between.
- Is not happy with the extra traffic that is coming to the area.

City Clerk clarified Bylaw's hours of operation, and contact phone numbers after hours.

Deputy, City Manager

- Clarified how Bylaws could be contacted after hours through fire dispatch.

City Clerk confirmed that ALR rules on duration of stay is maximum 30 day, and that the City does not have the power to enforce these rules.

Wayne Parser, Gibson Road Resident

- Would like Mr. Gill to plant cedars to obscure the view of the RV's and existing cherry tree circle.
- Stated that reference was made to a dwelling located across from his residence as used by Mr. Gill for "farm help".
- Confirmed that this house has had tenants in it year round and these tenants are not farm help.
- Has mixed feeling as past history of this landowner and farmer has shown otherwise.
- Wanted reassurance of what exactly is going to be done on the farm.

Mike Shear Gibson Road Resident

- Has been a resident in the area for 40 years, and the last 30 years the subject property has been a mess.
- Is pleased that the property owner has cleaned up his land, and is looking forward to future development on the land.
- Would like to see trees planted on Gibson Road and not just on McKenzie Road..

Graham Marvus, Gibson Road Resident

- Opposed to an RV Park coming into the area.
- Concerned for the well being of his family, with the increase of traffic flow on both Gibson and McKenzie roads.
- Feels that the speed limit has gone up.
- Would like the area to stay agricultural.
- Has been a professional tour guide for the last 4 years, and expressed he understood the noise issues of extra vehicles picking up and dropping off workers, and feels this would be a detriment to the area.
- Responded to questions from Council.

There were no further comments from gallery.

Tars Saran, Applicant Representative

- Expressed that Mr. Gill has invested a lot of money into this property.
- Reassured that RV traffic will be minimal as RV's will only move once a month.
- Clarified that there will not be a restaurant or café on this property.
- Responded to questions from Council.

Mr. Gill, Owner

- Responded to questions from Council.
- Clarified that there will not be any migrant housing on this property, and the housing will be management housing for year round lodging.
- There were no further questions or comments.

3.4. Bylaw No. 10929 (OCP14-0003) and Bylaw No. 10931 (Z14-0004) - 103 Clifton Road N, 145 Clifton Road, 185 Clifton Road N, and (E of) Upper Canyon Drive, Glenwest Properties Ltd.

Staff:

- Summarized the application before Council.

The City Clerk advised that the following correspondence and/or petitions had been received:

- Letters of Opposition:
 - Eric and Nives Zvaniga
 - D. Horton
- Letters of Concern:
 - Richard Stephure
 - Ken Campbell

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

Russ Foster, Wilden Project Manager

- Did not have anything further to add.

Gallery:

Eric Zvaniga, Clifton Road Resident

- Raised a concern with the OCP and rezoning mapping designations.
- Objects to application.

Richard Stephure, Area Resident

- Resides immediately adjacent to the proposed land.
- Objects to application.
- Not happy with financial and land value impact to his home due to this application.
- There were no further comments.

4. Termination

The Hearing was declared terminated at 8:30 p.m.

Mayor

City Clerk