



CITY OF WEST KELOWNA
MINUTES OF THE PUBLIC HEARING

Monday, March 25, 2024
COUNCIL CHAMBERS
2760 CAMERON ROAD, WEST KELOWNA, BC

MEMBERS PRESENT: Mayor Gord Milsom
Councillor Tasha Da Silva
Councillor Rick de Jong
Councillor Jason Friesen
Councillor Stephen Johnston
Councillor Garrett Millsap (Arrived at 5:13pm)

MEMBERS ABSENT: Councillor Carol Zanon

Staff Present: Ron Mattiussi, Interim CAO
Bob Dargatz, Development Manager/Approving Officer
Chris Oliver, Planning Manager
Rebecca Narinesingh, Corporate Records Coordinator
Kandice Brzezynski, Senior Business Licensing and Building
Official

1. CALL THE PUBLIC HEARING TO ORDER

The Public Hearing was called to order at 5:01 pm.

It was acknowledged that this meeting was held on the traditional territory of the Syilx/Okanagan Peoples.

2. INTRODUCTION OF LATE ITEMS

2.1 Submission for Z 21-05, OCP and Zoning Bylaw Amendment (Public Hearing), 3636 McIver Road

Correspondence received from:

- Jay Ingham

3. **ADOPTION OF AGENDA**

It was moved and seconded

THAT the agenda be adopted as amended.

CARRIED UNANIMOUSLY

4. **OPENING STATEMENT**

This meeting was open to the public and public participation was available in person, by phone, and by written submission. All representations to Council form part of the public record. This meeting was webcast live and archived on the City's website.

The Mayor read the Public Hearing Opening Statement, advising that the Public Hearing has been advertised, the bylaws and supporting documentation have been made available for inspection at City of West Kelowna offices and on the City's website, and outlined the process for the public hearing.

5. **PUBLIC HEARING**

The Mayor explained the process of this public hearing being held pursuant to Division 3, Part 14 of the *Local Government Act* for the purpose of hearing representation from those persons who believe their interests may be affected by:

Official Community Plan Bylaw No. 0300.04 and Zoning Amendment Bylaw No. 0265.24, Boucherie Road, or

Official Community Plan Bylaw No. 0300.03 and Zoning Amendment Bylaw No. 0265.23, 3636 McIver Road, or

Zoning Amendment Bylaw No. 0265.20, Short Term Rentals

The Mayor noted that information has been available for inspection, which includes any written comments received to date for the applications, and that Notice of the Public Hearing was duly advertised in accordance with the requirements of the *Local Government Act*.

5.1 Z 23-12; OCP and Zoning Bylaw Amendment (Public Hearing); Unaddressed Boucherie Road

The Planning Manager introduced Official Community Plan Bylaw No. 0300.04 and Zoning Amendment Bylaw No. 0265.24.

The Mayor asked if the owner/applicant wished to address Council regarding this file. The owner/applicant was not present at the hearing.

The Mayor asked if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked for a first time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked a second time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked Council if they had any questions of staff or any specific information needed from staff in anticipation of this coming back to Council for consideration. There were no questions from Council.

The Mayor asked for a third and final time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor declared this portion of the public hearing closed at 5:11 p.m. and Council cannot accept any further information regarding this application.

5.2 Z 21-05; OCP and Zoning Bylaw Amendment (Public Hearing); 3636 McIver Road

The Planning Manager introduced Official Community Plan Bylaw No. 0300.03 and Zoning Amendment Bylaw No. 0265.23.

The Mayor asked if the owner/applicant wished to address Council regarding this file. The owner/applicant was not present at the hearing.

The Mayor asked if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked for a first time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked a second time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor asked Council if they had any questions of staff or any specific information needed from staff in anticipation of this coming back to Council for consideration. There were no questions from Council.

The Mayor asked for a third and final time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor declared this portion of the public hearing closed at 5:19 p.m. and Council cannot accept any further information regarding this application.

5.3 P 23-14 – Short-Term Rental Regulations (Public Hearing for Changes to Zoning Bylaw No.0265)

Pursuant to Section 100 of the *Community Charter*, Councillor Millsap declared a conflict of interest regarding Item 5.3 P 23-14 as he operates a Short Term Accommodation/Bed and Breakfast in West Kelowna.

Councillor Millsap left the meeting at 5:20 p.m.

The Planning Manager introduced Zoning Amendment Bylaw No. 0265.20.

The Senior Building and Licensing Official was available for questions from Council.

The Mayor asked if there were any members of the public who wished to address Council regarding this file.

Cameron Boniferro, 2180 Shelby Crescent

- In favour of proposed amendments, requesting a zoning addition to allow short term accommodations in R2, requesting RC3 zone to be added. RC3 same category as R2 zone, only piece of legislation cannot meet is having short term rental as a secondary use in zoning bylaw. RC3 meet provincial regulations had we opted in. RC3 can comply regarding parking, owner occupancy, fire protection, etc. Understands some homes will not meet the criteria for short term rentals. Statement at previous meeting to review RC3 a year from now was upsetting, the matter was brought forward in 2022 and was tabled for a year from then or when the bylaw was reviewed next, that time is now.

Jason Puetz, 3055 Shaleview Drive

- Speaking to same RC3 issue. Situation is unique, they have a ½ acre lot, 6 car driveway, 3 car garage. In 2020 built a home and put in a suite, not for long term rentals, was planning to air bnb home. Home meets all the same qualifications as R1, has off street parking, has a legal suite. Doesn't understand why he would be excluded. Taking a look at this would probably not add many homes to the current amount. Values our community and wants to continue to contribute. Lack of ability to provide further income makes it hard. Would appreciate the bylaw being amended.

The Mayor asked a second time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

Jason Puetz, 3055 Shaleview Drive

- Rebuttal against parking, has 2-bedroom legal suite because there is adequate off street parking, less of a parking burden than full time tenants, 365 days per year. Had house for sale for long period no inquiries, not worth renting long term due to risk, air bnb has been a great experience, provides great community support and investment in the community.

Cameron Boniferno, 2108 Shelby Crescent

- Re parking, not asking for any changes to what we have today, looking for same expectations as are set right now for R1. Understands there are a large amount of homes in RC3 that do not have the frontage and would expect that those ones would get declined.

The Mayor asked Council if they had any questions of staff or any specific information needed from staff in anticipation of this coming back to Council for consideration. There were no questions from Council.

The Mayor asked for a third and final time if there were any members of the public who wished to address Council regarding this file. There were no comments from the public.

The Mayor declared this portion of the public hearing closed at 5:50 p.m. and Council cannot accept any further information regarding this application.

6. ADJOURNMENT OF THE PUBLIC HEARING

The Public Hearing adjourned at 5:50 pm.

MAYOR

I hereby certify this to be a fair and accurate summary of the nature of the representations made by the public at the Public Hearing with regard to Official Community Plan Bylaw No. 0300.04 and Zoning Amendment Bylaw No. 0265.24, Boucherie Road, Official Community Plan Bylaw No. 0300.03 and Zoning Amendment Bylaw No. 0265.23, 3636 McIver Road and Zoning Amendment Bylaw No. 0265.20, Short Term Rentals, held on March 25, 2024.

LEGISLATIVE SERVICES MANAGER/CORPORATE OFFICER