



## **PUBLIC HEARING MINUTES**

**MINUTES OF THE PUBLIC HEARING  
HELD AT THE CITY OF WEST KELOWNA COUNCIL CHAMBERS,  
2760 CAMERON ROAD, WEST KELOWNA, BC  
TUESDAY, MARCH 23, 2021**

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**MEMBERS PRESENT:** Mayor Gord Milsom  
Councillor Rick de Jong  
Councillor Doug Findlater  
Councillor Jason Friesen (arrived at 6:04 p.m.)  
Councillor Stephen Johnson  
Councillor Carol Zanon  
Councillor Jayson Zilkie (attended via electronic means)

**Staff Present:** Paul Gipps, CAO  
Mark Koch, Director of Development Services  
Allen Fillion, Director of Engineering and Public Works  
Jason Brolund, Fire Chief  
Sandy Webster, Director of Corporate Initiatives  
Brad Savoury, Director of Legal Services  
Bob Dargatz, Development and Engineering Manager  
Shelley Schnitzler, Legislative Services Manager/Corporate Officer  
Duncan Dixon, Staff Sergeant, RCMP  
Rob Hillis, Engineering Manager  
Nilton Praticante, Engineering Supervisor

**1. CALL THE PUBLIC HEARING TO ORDER:**

The Public Hearing was called to order at 6:02 p.m.

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

**2. INTRODUCTION OF LATE ITEMS:**

**2.1 Correspondence was received from the following:**

- Julia Hargreaves
- Hayley Newmarch
- Steve and Loree Fagan
- Foks and Wisniewska
- Reinhard and Michelle Kapelle
- Nuska Mustoevic
- Lionel Bateman
- Jeff Fuller

- Jeff Fuller
- Katie Leslie Timmermans
- Betty Maurice
- Renee Hyettem
- Brent Soroka
- Arlene Henderson
- Jia Lanlian
- David Blanchette
- Karin Herzog (5 submissions)
- Chantelle Shardelow
- Jeanette Girardi
- Stefanie Girardi
- Lohn
- Otto Lohn
- Annika Gyori
- Greg Gyori
- Victoria Gyori
- Garson Gyori
- 59 name Petition

3. **ADOPTION OF AGENDA:**

It was moved and seconded that the agenda be adopted as amended. The motion carried unanimously (Councillor Friesen was not present for the vote).

4. **OPENING STATEMENT:**

In accordance with the Provincial Health Officer Order on Gatherings and Events, members of the public were restricted from attending the public hearing in person. Public participation was available by phone or by written submission and all representations to Council form part of the public record. The 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 bylaw and supporting documentation has 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 Zoning Amendment Bylaw No. 154.100.

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 20-13, Zoning Amendment Bylaw No. 154.100, 2485 Hayman Road

The Director of Development Services introduced Zoning Amendment Bylaw No. 154.100 to amend the Zoning Bylaw from Single Family Residential (R1) to Compact Single Detached Residential (RC3) to provide for a two-lot subdivision at 2485 Hayman Road.

The Mayor asked if the owner/agent wished to address Council regarding this application.

The owner/applicant was not available at this time.

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

Jason Hudson

- Lives two houses down from the proposed development;
- Adamantly opposed to the rezoning;
- Purchased his house four years ago;
- Chose Lakeview Heights due to low density, calm streets and large lots;
- This home is their life long investment;
- Understands the need for compact housing and the increase in density;
- Don't believe it should be done in these existing neighbourhoods where people purchased in the area for the larger lots;
- The neighbourhoods were built for low density;
- There are no sidewalks, cross walks, or bike lanes;
- Has young children who walk to Hudson Road Elementary; lots of traffic on the roads, especially on Hayman Road;
- With new wineries comes an increase in traffic in the area;
- If density in these neighbourhoods is going to change, then there needs to be sidewalks built;
- Need to be able to go for walks without all the oncoming traffic on very small streets and cars parking on the sides of the roads;
- Concern with visibility around that location; when the proposed house is built on the corner, it will create a blind corner on Hayman Road;
- A house on that corner will further decrease sight lines;
- The Developer's proposal is for an up/down rental unit in the existing house; hence, adding three families in that one lot;
- There potentially could be a carriage house on the other side resulting in four or more families coming into one parcel of land that was originally one house;
- There are over 100 properties in Lakeview Heights that could potentially go through this RC3 zoning;
- Need to build the infrastructure to increase density;
- Build sidewalks first and increase transit system within the neighbourhood before increasing density.

Lynton Shardelow

- Strongly object to the rezoning proposal;
- Believe this is a precedent setting event in Lakeview Heights;
- Will fundamentally change the unique character of the area;
- Moved to the area because of the space, the large lots and the low density of the area;
- With a carriage home and another potential up and down rental, rezoning of this package can potentially have five more families living on the original R1 zoned property;
- Building a house forward on the street when all others are further set back on the street, will contradict the existing housing layout and would be out of place;
- This proposal will compound parking, noise, density and safety issues on an already difficult corner and make it more difficult to see around the blind curve;
- Lots of people walk their pets and use Hayman Road and Crestview Road to ride bicycles;
- Many children walk to school on this road; there are no sidewalks or bus services to support this increased density;
- When there are closures on Boucherie Road, Hayman Road becomes the main thoroughfare;
- Having increased density and traffic and parking complications, without adequate safety measures, will increase the risk on an already dangerous section of road;
- Oppose more rental properties in the neighbourhood where owners are not present;
- This proposal will result in more cars parked on Hayman and Crestview Roads and will cause traffic issues for existing driveways;
- Totally opposed to the rezoning as it will negatively impact the safety of families and negatively impact the character of Lakeview Heights;
- Approximately 19 residents within 100 metres were notified of the proposal;
- More than 83 homeowners have signed a petition opposing the proposal in last few days;
- Please don't allow this proposal to continue.

Laurine Semeniuk

- Lives next door to the subject property;
- Lived there for 47 years and is the original owner;
- Bought their lot and built the house with open space surrounding it;
- The lots are spacious;
- Many of the lots were for gardens and growing fruit trees;
- Now the lots are becoming smaller as they are being subdivided;
- There is more congestion on the roads;
- With more traffic, the roads have become busier and more dangerous;
- Concern with increased traffic and safety for pedestrians;
- Intersection of Crestview and Hayman Roads can be dangerous;
- Many pedestrians use the roads for walking;
- There are no sidewalks on any of the roads;
- Approaching Hayman Road at Crestview Road the view is open to cars coming due to the openness of Lot 5;
- Entering Hayman from Crestview, going south, will be a dangerous entry should a house be built there;

- There is some safety there now due to openness of Lot 5;
- Should a house be built there, it would take away that safety factor and become a more hazardous corner;
- Concern for safety at the intersection when there are snow conditions present;
- Will lose the open view she has from her front door;
- If built, she will see the back of the house, blocking her view, and a deck in close proximity to her house;
- Concern with smoking on decks and the odors;
- Concern with devaluing her property;
- Please don't let this project go through.

Julia Hargreaves

- Object to the proposed development;
- The Developer is doing this for profit; while the neighbour is losing value due to noise and loss of privacy;
- Concern with parking; rental properties tend to have several cars;
- Concern with noise from partying from people in rentals;
- This will be setting a precedent for anyone to build something similar in their back yard;
- Lakeview Heights is rural; there are no sidewalks or street lights;
- Putting developments into backyards will make it a high density area;
- Please don't approve this proposal.

Pamela Morgan

- Lives just outside the 100 m notification area;
- Her neighbour brought to her attention the rezoning proposal;
- This proposal impacts more than just residents within 100 m radius;
- Submitted a letter objecting the re-zoning;
- The proposed rezoning would cause a change to the character of Lakeview Heights;
- The area has large, open properties conducive to families;
- Putting a house on the proposed lot will change the site of Crestview Road;
- Concern that this will impact road safety at the Hayman and Crestview intersection;
- This is a main intersection and is a blind corner on the Hayman 'T' intersection;
- If the proposed building is put closer to Hayman and Crestview frontages, the sightline will be impacted significantly;
- Concern with vehicles and traffic in winter conditions and having to navigate the blind corner;
- Concern with where the parking is going to be;
- The sightline will be further impacted if street parking is permitted;
- Lots of foot traffic in the neighbourhood and there are no sidewalks;
- Additional vehicles will impact vehicle and foot traffic;
- This site is not a safe one to put another building on;
- There is already a blind intersection and putting a house on the site will cause greater risk.

Sherwin Goerlitz (Owner/Applicant of the subject property)

- Stewardship is good management of what has been entrusted to our care;

- The OCP shows Lakeview Heights with a mix of different forms of housing;
- This includes single family homes, duplexes, carriage homes, and compact/cluster homes, which are more efficient and less expensive;
- Not every street has to be the same; variety adds interest;
- OCP encourages sensitive integration of different housing forms in support of neighbourhood diversity;
- Currently, a single lot in Lakeview Heights is approximately 1/3 of an acre or more;
- The OCP encourages subdividing a portion off a large lot and building a smaller home;
- There is a need for infill;
- There is a need for smaller homes on smaller lots;
- Building costs are increasing and real estate prices are soaring;
- Smaller lots can cost less and have lower maintenance costs;
- The home site will be easier to manage and maintain;
- Lakeview Heights was mostly developed before sewers were available, having larger lots to accommodate septic systems;
- Now there is sanitary sewer available;
- This is the first time the RC3 zoning has been introduced into an existing residential community;
- The subject lot is 444 square metres, 25% greater than the minimum requirement for an RC3;
- Adequate parking is important and will commit to having a minimum of 5 parking spaces on the subject lot with a double car garage and 3 additional parking spaces; there will be no need for on street parking;
- Recommend a No Parking sign be posted from the proposed site to the corner;
- Visibility requirements have been met;
- An RC3 lot cannot have a rental suite; it will be a single family dwelling with no additional suite allowance;
- A legal suite will be built in the existing home, but it will not be a carriage home;
- Sidewalks will either be built fronting the site or cash in lieu will be paid for future sidewalks; the shoulder will be built with crushed gravel chips;
- The main house will be sold to an owner who will manage the tenant;
- No additional trees will be cut down until final construction is approved;
- This proposed zoning will not set a precedent; every application is different;
- Has withdrawn the variance, so there will be more space around the house.

The Mayor asked 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.

- Clarification on the driveway;
- Confirmation of no variance on application;

- Blind corner and visibility requirements at the intersection of Hayman and Crestview Roads;
- How can the 5 parking spots be committed to;
- Comments regarding City bylaws with reference to multiple long-term rentals within the same house.

The Mayor asked a third and final time if there were any members of the public who wished to address Council regarding this application.

Lynton Shardelow

- With reference to the August 13, 2020 letter to the City, the Developer noted the proposal will be worth around \$900,000 – \$950,000 for the main house and \$750,000 - \$850,000 for a separate lot; this is not considered affordable housing.

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

Betty Maurice

- Opposed to the amendment for all reasons the others have stated;
- Lives outside the 100 m notice area so did not get a notice;
- This application affects more than just the 100 m properties;
- Concern with parking;
- Concern with going from R1 to RC3 without more input from the public;
- Agree that we need to increase density to make more housing;
- Need proper consultation with all the neighbours in the community;
- This proposal is a drastic change;
- There are big lots with no sidewalks;
- Concern with parking and density;
- Ask that you reject this amendment;
- Concern that the trees have been removed and grading is occurring.

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.

- Has the developer talked to the neighbours in a consultative way?

The Mayor asked 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 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 the public hearing closed at 7:11 p.m. and Council cannot accept any further information regarding this application.

6. Termination of Public Hearing

The Public Hearing terminated at 7:11 p.m.

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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 Zoning Amendment Bylaw No. 154.100, 2485 Hayman Road, held on March 23, 2021.

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Legislative Services Manager/Corporate Officer