

Public HearingMarch 9, 1999

A Public Hearing of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, March 9, 1999.

Council members in attendance were: Acting-Mayor M.I. Bremner, Councillors A.F. Blanleil, R.D. Cannan, C.B. Day, R.D. Hobson, J.D. Leask and J.D. Nelson.

Council members absent: Mayor Walter Gray and Councillor S.A. Shepherd.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi; Current Planning Manager, F.B. Pritchard; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. Acting-Mayor Bremner called the Hearing to order at 7:00 p.m.
2. Acting-Mayor Bremner advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna Official Community Plan (1994-2013) Bylaw No. 7600" 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.

The City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on February 19, 1999, and by being placed in the Kelowna Daily Courier issues of March 1 & 2, 1999, and in the Kelowna Capital News issue of February 28, 1999, and by sending out or otherwise delivering 581 letters to the owners and occupiers of surrounding properties between February 18 & 21, 1999.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8354(Z98-1044) – Ken Dempsey (Wenson Holdings Ltd.) – 304 Hartman Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 65, Sec. 26, Twp. 26, O.D.Y.D., Plan KAP53321, located on Hartman Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

The Current Planning Manager indicated the property on maps and photos displayed on the overhead projector and advised the rezoning would facilitate the construction of a single detached house containing a secondary suite. The property is currently vacant. The application is consistent with the intent of the secondary suite zone to densify within the single family form. Staff recommend support.

The City Clerk advised that no correspondence or petitions had been received.

Acting-Mayor Bremner invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

There were no further comments.

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- (b) Bylaw No. 8359 (Z98-1043) – Ken Dempsey (Wenson Holdings Ltd.) – 316 Hartman Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 64, Sec. 26, Twp. 26, O.D.Y.D., Plan KAP53321, located on Hartman Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone

The Current Planning Manager indicated the property on a map displayed on the overhead projector and advised the rezoning would facilitate the construction of a single detached house containing a secondary suite. The lot is currently vacant and is immediately adjacent to the property dealt with under agenda item 3(a). The application is consistent with the intent of the secondary suite zone. Staff recommend support.

The City Clerk advised that no correspondence or petitions had been received.

Acting-Mayor Bremner invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

There were no further comments.

- (c) Bylaw No. 8363 (Z98-1025) – Frank & Florinda Manfredi – 312 Uplands Drive – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 4, Sec. 23, Twp. 28, S.D.Y.D., Plan KAP53665, located on Uplands Drive, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and advised the rezoning would facilitate the construction of a single detached house with a secondary suite. The lot is currently vacant. Indications of non-support have been received from several properties in the area and a letter of support has been received from the owner of the adjacent property to the west which is also vacant. The concern is that this application would be a down-zoning and as such could negatively impact the value of properties in the area. City Planning staff do not view the application as a down-zone to the property. Also, it should be noted that the applicant does not intent to introduce a secondary suite, but rather to introduce a second kitchen in the dwelling and that requires rezoning the property to the 's' designation. Staff recommend support.

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

- 5 letters of opposition from:
 - Lyle & Jerry Isenor, 452 Curlew Drive
 - Margaret Mirko, 5123 Lakeshore Road
 - Eric & Hilda Weiss, 437 Okaview Road
 - Mr. & Mrs. Arthur Taylor, 5122 Lakeshore Road
 - William & Fern Jones, 351 Braeloch Road North

Acting-Mayor Bremner invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

Mr. Fred Manfredi, applicant, advised he was told when he applied for his building permit that it would be necessary to apply for the 's' zone in order to put a second kitchen in his home. With the exception of one, the neighbours are all in support of the subject application; the opposition is from property owners outside the immediate area. Most of the area residences already have a second kitchen. Mr. Manfredi would like the second kitchen in case his children ever need to move back home and also for his own use when making wine, salsa, etc.

The Current Planning Manager recognized that there could be a desire by others in the area to introduce a secondary suite and advised that the notion of a secondary suite is one City Planning staff would be supporting in most cases unless there was opposition from area residents identifying reasons for non-support.

There were no further comments.

- (d) Bylaw No. 8361 (Z98-1049) – Orval & Lynn Kutny – 2202 Bennett Road – THAT City of Kelowna Zoning Bylaw No. 8000, be amended by changing the zoning classification of Lot 24, Secs. 17 and 20, Twp. 23, O.D.Y.D., Plan 16573, located on Bennett Road, Kelowna, B.C., from the RR3 - Rural Residential 3 zone to the RR3s - Rural Residential 3 with Secondary Suite zone;

The Current Planning Manager indicated the property on maps displayed on the overhead projector and advised the rezoning would facilitate the construction of a single detached dwelling, with a secondary suite on the second floor of an attached 3-car garage. The application meets the intent of the zone. Staff recommend support.

The City Clerk advised that no correspondence or petitions had been received.

Acting-Mayor Bremner invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

The applicant indicated he was available if needed.

There were no further comments.

- (e) Bylaw No. 8362 (Z98-1051 and OCP Amendment No. OCP98-012) – Roy & Patricia Presley and Donald Reilly (Lynn Welder Consulting) – 760 Highway 33 West – THAT Map 15.1 – General Future Land Use of Schedule "A" of the Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 be amended by changing the Future Land Use designation of Lot D, Sec. 27, Twp. 26, O.D.Y.D., Plan 22268, Located on Highway 33 W., Kelowna, B.C, from *Multiple Family – Low Density to Education/Major Institutional* as shown on Map "A";

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot D, Sec. 27, Twp. 26, O.D.Y.D. Plan 22268, located on Highway 33 W., Kelowna, B.C., from the RM3 - Low Density Multiple Housing zone to the P1 – Major Institutional zone.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and advised the rezoning would allow the conversion of an existing apartment building into a detoxification facility to be operated in conjunction with the adjacent Crossroads Treatment Centre. The subject property is within the Rutland Town Centre. The intent would be to renovate the lower floor of the apartment building to use 2 or 3 of the units as the detoxification facility and the remaining units would be used for residential apartment living.

The Current Planning Manager showed photos of the existing building noting a large portion of the subject property is undeveloped and would remain so for the immediate future. He showed the location of properties that have indicated opposition to the application plotted on a map and advised the area residents are primarily concerned that the detoxification facility could encourage more crime moving into the area. The detoxification facility would be managed by the Crossroads facility which is well managed and has introduced no problems into the area. Staff recommend support of the application.

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

- letter of support from the Chief and Council of Westbank First Nations
- 2 petitions of opposition bearing a total of 57 signatures of area residents
- late letter of opposition from Roy & Doreen Harris, 200 Hollywood Road
- letter from the applicant's consultant to the City's Planning Department regarding a public information meeting held on December 21, 1998 at Crossroads Treatment Centre
- memo to the applicant's consultant from the Executive Director of Crossroads Treatment Centre regarding a neighbourhood meeting held on March 9, 1999.

Acting-Mayor Bremner invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

Ms. Lynn Welder, consultant for the applicant, advised that two information meetings were held with residents in the area. There have never been any major problems as a result of the Crossroads treatment facility and the proposed detoxification facility would have minimal impact on the surrounding neighbourhood because the clients are confined to the building and are under strict surveillance around the clock.

Mr. Paul MacDonald, Executive Director of Crossroads Treatment Centre, spoke in support of the application advising that Crossroads provides 4 weeks of treatment and is a 36-bed facility that has been in existence since 1980. Currently the nearest detoxification facility is in Kamloops where there can be up to a 2 week wait for admittance. If this application is approved and the necessary funding can be raised in the community, the intent would be to renovate 3 apartments to provide 17 beds on the main floor of the apartment building for use as the detoxification facility. The remaining 9 apartments could provide housing for clients completing their recovery. The support recovery portion of the project would be self-supporting and could help subsidize the detoxification facility. Treatment for addictions is voluntary and people withdrawing from addictions are generally physically very ill and are mostly bed-ridden. Following detoxification, the support recovery housing would allow the client to stay in a supervised, safe, sober environment until such time as they could be admitted into the Crossroad treatment program. People using these facilities are often very solid business people from all types of professions. Crossroads does not accept anyone who is not seeking help voluntarily and the clients have to have a return ticket home as a requirement of entering the facility. There is nothing for an active addict to gain by being around a detoxification facility. There would be a sharing of services and staff between the two facilities. The detoxification facility would not have a kitchen; food would be prepared and brought over from Crossroads.

There were no further comments.

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4. TERMINATION:

The Hearing was declared terminated at 8:12 p.m.

Certified Correct:

Acting-Mayor Bremner

City Clerk

BLH/am