

Public HearingJuly 13, 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, July 13, 1999.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, M.I. Bremner, R.D. Cannan, C.B. Day, J.D. Leask, J.D. Nelson and S.A. Shepherd.

Council members absent: Councillor R.D. Hobson.

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, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

1. Mayor Gray called the Hearing to order at 7:00 p.m.
2. Mayor Gray 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 June 23, 1999, and by being placed in the Kelowna Daily Courier issues of July 5 & 6, 1999 and in the Kelowna Capital News issue of July 4, 1999, and by sending out or otherwise delivering 298 letters to the owners and occupiers of surrounding properties between June 23 & 27, 1999.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8438 (Z99-1033) Barbara Lane, Derrick Elliott and Sharon Loudoun (Brian Wurst) – 1193 Cerise Drive – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 14, Sec. 30, Twp. 26, O.D.Y.D., Plan KAP53262, located on 1193 Cerise Drive, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone to allow the construction of a secondary suite within the basement of the single family dwelling.

The Current Planning Manager indicated the property on a map displayed on the overhead projector and advised that the applicant is proposing to construct a secondary suite within the basement of the single family dwelling. He showed the layout of the proposed dwelling unit and the proposed suite. He advised that there has been one other application for a secondary suite in the neighbourhood and it was considered and approved a few weeks back. A few years back a complaint was received about an illegal suite at 1209 Cerise Drive; there was a suite and it was rectified and there are now family members living there. At initial consideration of this application Council expressed concern about the volume and speed of traffic funnelling through Cerise Drive. Cerise Drive functions as a collector road to provide access to High Road. In 1997 traffic counts were approximately 2,000 trips per day which is below industry standards for the number of houses in the area. That would indicate that routes other than Cerise Drive are also being used; if only Cerise Drive was being used it would be more like 3,000 trips per day. The Works & Utilities transportation division will be looking at doing a traffic speed study in this area in the fall. The application meets all requirements of the zone and staff recommend favourable consideration.

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

- letter of opposition from Fred Mark, 879 Mount Royal Drive, alleging that the City is breaking the law with this application. Normally the Clerk's office would not comment on correspondence received but in this case we would assure Council that the City is not breaking the law and Council has every right to deal with the application after the close of the public hearing.
- letter of opposition from William & K. Krieg, 1156 Cerise Drive, objecting to suites in their neighbourhood and expressing concern about vehicles parking on the street and making it difficult to see traffic coming.
- letter of opposition from Karl Zadavec, 1153 Cerise Drive, suggesting the applicant should build their house in an area already zoned for suites.
- letter from the owners of the subject property giving their reasons for the application.
- late letter of support from Andrew Port, 1201 Cerise Drive.

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

Barbara Lane, co-applicant, indicated she had nothing to add at this time but that she was available to answer questions of Council.

There were no further comments.

- (b) Bylaw No. 8439 (Z99-1036) – Luigi D. Rossi Professional Corporation (G. Toye Construction and Kildare Developments Ltd. – Gerry Toye) – 548 Francis Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 3, D.L. 14, O.D.Y.D., Plan 4293, located on Francis Avenue, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the RU6b – Two Dwelling Housing with Boarding and Lodging House zone to allow the construction of a lodging/boarding house for seniors.

The Current Planning Manager indicated the property and the proposed building elevations on maps displayed on the overhead projector and advised that the 'b' designation was added specifically to deal with boarding and lodging houses with 10 occupants or less. The existing house would be removed from the site and parking would be off the lane at the rear of the lot. The proposed floor plan indicates 9 rooms for the boarding and lodging use as well as a caretaker's suite located in the upstairs. The suite does not have a self-contained kitchen; the caretaker would use the common kitchen on the main floor. The Planning Department have no concerns and recommend favourable consideration of the application.

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

- late letter from Drs. James & Frances Vargo, out-of-town (Edmonton) owners of 559 Francis Avenue, opposing the application on the basis of increased noise, traffic and parking on the street and that the gradual evolution to multiple-unit dwellings would have a detrimental impact on the character of the neighbourhood and devalue neighbouring properties.

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

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The Current Planning Manager responded to questions of Council advising that he would not anticipate a great impact from traffic or service deliveries to this type of development, and that the project is intended for seniors.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:17 p.m.

Certified Correct:

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Mayor

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City Clerk

BLH/am