

Public HearingOctober 19, 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, October 19, 1999.

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

Council members absent: Councillor J.D. Leask.

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.

(* denotes partial attendance)

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 "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 October 1st, 1999, and by being placed in the Kelowna Daily Courier issues of October 12th and 13th, and in the Kelowna Capital News issue of October 10th, 1999, and by sending out or otherwise delivering 509 letters to the owners and occupiers of surrounding properties between September 30th and October 1st, 1999.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8470 (Z99-1039) – Berndt & Bettina Breitkreuz (Peter Klimuk/ Milagro Advisory Services) – 3753 Lakeshore Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, DL 134, O.D.Y.D., Plan 12063, located on Lakeshore Road, Kelowna, B.C., from the A1 – Agriculture 1 and RR3 – Rural Residential 3 zones to the RM3 – Low Density Multiple Housing zone in order to allow development of the site for uses permitted in the RM3 zone.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and advised that the applicant is proposing to develop a 12-unit, multi-family project comprising 6 duplex units along with two accessory buildings on the site. Four of the residential buildings are designed as 2-storey, 3 bedroom units; the other two would be 1-storey, 3-bedroom units with wheelchair accessibility features. The floor slabs of the two accessory buildings would be constructed below grade. Office space is proposed within the roof space of one of the accessory buildings with 4 visitor parking stalls below and the other building would have a workshop within the roof space with 2 parking spaces below. The landscape plan indicates significant landscaping at the front entry as well as significant perimeter landscaping around the units. An existing house on the property would be removed. The adjoining land uses are mobile home parks to the south and north.

Councillors Cannan and Hobson entered the Council Chamber at 7:03 and 7:04 p.m. respectively and took their place at the Council Table.

The Current Planning Manager responded to concerns raised by Council at initial consideration of the subject application advising that the Official Community Plan

designation the subject area for future multi-family development, the future road network would depend on how the adjacent mobile home parks develop, and allowing this application to proceed would not interfere with the proposed future road connections. A Development Variance Permit would be required to address the lot frontage deficiency at Lakeshore Road and permit a reduced side yard setback for one of the accessory buildings.

The Current Planning Manager advised that staff have no major concerns with the proposed rezoning. The site is a difficult site to develop and the applicant has been encouraged to work with the adjoining property owners for redevelopment in conjunction with them but redevelopment of the mobile home sites is indeterminate at this time.

The City Clerk advised that the following correspondence was received as a result of the advertising for this public hearing:

- late letter from Florindo & Anna Pucci, 3763 Lakeshore Road, expressing concern that parking is inadequate and there is no safe pedestrian crossing over Lakeshore Road for children living in the development to access Rotary Beach, and asking for clarification of specifics in the rezoning application.

The City Clerk further advised that 2 letters that were received by the Advisory Planning Commission concerning this application have also been circulated for Council's additional information.

Responding to questions of Council, the Current Planning Manager advised that the project would not be strata units; the intent is for the units to be available for rent in the marketplace. The final design for Lakeshore Road has not yet been determined for this area and therefore the applicant will pay cash in lieu for future works on Lakeshore Road. In future there may be excess land that could be sold to adjacent landowners.

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

Peter Klimuk, applicant, confirmed that the proposed development would be a rental project retained by the owners for their own investment portfolio. He responded to the comments from the Advisory Planning Commission regarding the Development Permit and Development Variance Permit advising that the floor area ratio is well below what the RM3 zone permits, the standards are met for a residential private road, and the visitor parking exceeds zone requirements. He showed a sketch to indicate the daylighting impact on adjacent properties and advised that the accessory buildings are actually 1 storey buildings but they are defined in the zoning bylaw as 1½ storeys because the attic space is being utilized. Mr. Klimuk submitted that the project meets with objectives which he read from the City of Kelowna OCP, the Strategic Plan and the South Padosy/KLO Sector Plan and advised that his client is pursuing the ability to acquire excess land along the Lakeshore Road frontage from the City before completing the entry to the development.

Responding to questions of Council, Mr. Klimuk advised that if the market conditions warrant a play area, there is a green space area within the development that could be so developed.

There were no further comments.

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- (b) Bylaw No. 8474 (Z99-1045) – James & Terricia Anderson – 2495 Maquinna Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, Sec. 16, Twp. 26, O.D.Y.D., Plan 19534, located on Maquinna Road, Kelowna, B.C., from the RR3 – Rural Residential 3 zone to the RR3s – Rural Residential 3 with Secondary Suite zone in order to allow development of the site for uses permitted in the RR3s zone.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and advised that the applicant is proposing to construct a suite in the lower floor of the existing dwelling. At this time the lower floor is only partially finished and a building permit would be required to construct the necessary improvements. No complaints have been received about the subject property or about suites in the area. Staff have no concerns with the application and recommend favourable consideration.

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

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

Terricia Anderson, applicant, advised that they are in the process of applying for the additional line for the septic field and there is space for a reserve field if that is necessary.

Mike McLouchlin stated that he is a resident in the Hall Road area and asked about the concentration of secondary suites in the area and whether the neighbourhood association had been contacted about this application.

The Current Planning Manager responded advising that this is the first secondary suite application in the area and no neighbourhood association was contacted about the application.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:43 p.m.

Certified Correct:

Mayor

City Clerk

BLH/bn