

Public HearingJuly 11, 2000

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 11, 2000.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil*, R.D. Cannan*, B.A. Clark, C.B. Day, B.D. Given, 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.

(* 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 June 21, 2000 and by being placed in the Kelowna Daily Courier issues of July 3 & 4, 2000 and in the Kelowna Capital News issue of July 2, 2000, and by sending out or otherwise delivering 173 letters to the owners and occupiers of surrounding properties between June 21 & 22, 2000.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8574 (Z00-1031) – Jeannette Mergens (Sheri Simson/Simson Construction Management & Design Ltd.) – 1922 Abbott Street - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of That Part of Lot 10 shown on Plan B4136, D.L.14, O.D.Y.D., Plan 1782, located on 1922 Abbott Street, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone in order to allow development of the site for uses permitted in the RU1s zone.

Staff:

- The applicant is proposing to demolish the existing garage and construct a 2-car garage with a secondary suite above.
- The property is located within the Abbott Street Heritage Conservation Area and there is a Major Heritage Alteration Permit on the Regular Meeting agenda tonight to address the changes on the subject property and deal with variances required for the new structure.
- The rezoning application was reviewed and supported by both the Advisory Planning Commission and the Community Heritage Commission without conditions.

Councillor Blanleil entered the Council Chamber at 7:04 p.m. and took his place at the Council Table.

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

Public HearingJuly 11, 2000

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

Sheri Simson, applicant:

- Advised she had nothing to add but was available to answer questions of Council.

Councillor Cannan entered the Council Chamber at 7:07 p.m. and took his place at the Council Table.

Valerie Halford, representing FRACAS:

- Learned this afternoon that a letter submitted by FRACAS to the Advisory Planning Commission (APC) was not circulated to Council.
- Submitted copies of the letter and read it for Council's information indicating support in principle for suites in the heritage conservation area, suggesting a restriction be imposed in the heritage conservation area for owner occupancy where secondary suites are introduced, and stating support for the subject application.

Staff:

- The Municipal Act does not give municipalities control over residency other than through a Housing Agreement.
- The letter from FRACAS was in fact a positive letter to the APC and since there was nothing for staff to deal with, it was not circulated. Only letters expressing concerns that have not yet been dealt with by staff are circulated to Council when applications come forward at a Public Hearing.

There were no further comments.

- (b) Bylaw No. 8576 (Z00-1023) – B. Lawrence Contracting Ltd. (New Town Planning Services Ltd.) – 188 Penno Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of That Part of Lot 10 shown on Plan B4136, D.L.14, O.D.Y.D., Plan 1782, located on 1922 Abbott Street, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone to allow development of the site for uses permitted in the I2 zone.

Staff:

- The subject property is a consolidation of two lots.
- The applicant is proposing to rezone the western portion of the property to eliminate the split zoning that currently exists and allow for consistent development of the entire site as a truck service station on the site.
- The subject property will not become a mandatory development permit (DP) area because only properties fronting major roads become DP areas for industrial uses.
- At initial consideration Council enquired what control the City has over landscaping. The landscape standards of the zoning bylaw would be imposed through the Building Permit. The proposed landscaping would include a 4.5 m buffer around both sides with low plant spacing and tree planting at 10 m.
- The Advisory Planning Commission reviewed and supported the application subject to the provision of on-site parking for trucks. The applicant has not responded to that request to date.

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

Public Hearing

July 11, 2000

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

Keith Funk of New Town Planning, representing the applicant:

- There is sufficient area at the northeast quadrant of the site to accommodate on-site parking requirements. Trucks/trailers are not likely to be parking on the site for any length of time.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:19 p.m.

Certified Correct:

Mayor

BLH/bn

City Clerk