

Public HearingMarch 27, 2001

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 27, 2001.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, J.D. Nelson and 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, 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 March 8, 2001, and by being placed in the Kelowna Daily Courier issues of March 19 & 20, 2001, and in the Kelowna Capital News issue of March 18, 2001, and by sending out or otherwise delivering 105 letters to the owners and occupiers of surrounding properties between March 7 & 9, 2001.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8648 (Z01-1006) - Kneller Holdings Ltd. (Hans Kruiswyk) – 1156 Kneller Court - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Sec. 27, Twp. 26, O.D.Y.D., Plan KAP68048, located on Kneller Court, Kelowna, B.C., from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing with Secondary Suite zone in order to allow development of the site for uses permitted in the RU2s zone.

Staff:

- The subject property is a vacant lot and is serviced with sanitary sewer.
- The concept plan provided by the applicant demonstrates that adequate on-site parking can be provided within setback requirements for a house with a suite.

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

- Adine & W. Roloff, 305 Homer Road
- Dan & Mavis Uhl, 300 Homer Road
- Peter & Margaret Harshenin and Mary Robinson, 1090 Houghton Road

all opposed because the lots in the area are too small for more than single family development, parking and traffic problems in the area will increase, and properties will decrease in value.

Public HearingMarch 27, 2001

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

Hans Kruiswyk, applicant:

- Polled about 23 residents in the area.
- Submitted a petition bearing 15 signatures supporting the application.
- The owner lives on the cul-de-sac and so is motivated to make the subdivision appealing.
- The subdivision is pre-surveyed and probably only the lot on the southwest corner of the cul-de-sac would be large enough to accommodate a house with a secondary suite. The rest of the lots would be too small.
- The only lot on the cul-de-sac that has been sold is adjacent to and west of the subject property and the owner is opposed to the rezoning.

The City Clerk read the petition into the minutes advising the petition is dated February 1, 2001 and also includes a letter of support from Watson Brothers (Coldwell Banker Realty) to the applicant.

Bill Brash, 1160 Kneller Court:

- Purchased the adjacent lot west of the subject property and built on the site assuming it would remain single family. It is not fair to change the rules and change the zoning from single family now.
- A suite is a duplex because two families can live in the dwelling.
- Visitor parking would be a problem on the cul-de-sac.
- Changing the zoning is just a ploy to sell lots.
- If the owner cleaned up the garbage, which includes a couch, microwave and wagon wheel among other things, and cut down the weeds maybe the lots could be sold without rezoning. The place is a disgrace and should be cleaned up.
- There are already enough multi-family units in the area.
- The applicant never mentioned potential zoning for secondary suites on any of the lots, neither before nor after purchase of his lot.

Staff:

- Under the present zoning, Lot 4 which is linked across the cul-de-sac could potentially be subdivided into 2 lots on the north side and 3 lots on the south side, and Lot B to the south is also subject to future development down the road.

Hans Kruiswyk, applicant:

- The owner has given a nod that the property will be cleaned up.
- The RU1s zoning would enhance the selling potential and affordability of the subject property.
- The plan of how the property could be developed under the requested zoning is conceptual. It would be up to the purchaser of the property to determine the lot layout and the location of the parking pad which on the concept plan is shown next to the neighbour's lot to the west.
- The zone also would allow a suite above a garage and that could also be done on the subject property.
- It is a well known fact that a lot of people have illegal suites in their homes.

There were no further comments.

Public HearingMarch 27, 2001

- (b) Bylaw No. 8649 (Z00-1062) - Joseph Allan Robert Marshall – 9590 McCarthy Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 3, Sec. 11, Twp. 20, O.D.Y.D., Plan 3997, located on McCarthy Road, Kelowna, B.C., from the I2 – General Industrial zone to the I3 – Heavy Industrial zone in order to allow development of the site for uses permitted in the I3 zone.

Councillor Day declared a conflict of interest because the subject property is owned by a family member and left the Council Chamber at 7:35 p.m.

## Staff:

- The applicant has submitted several applications over the years but they have always come down to the issue of servicing and never advanced.
- The subject application was reactivated at the request of the applicant who has now agreed to the servicing requirements in order to obtain the correct zoning in order to complete a sale of the property.
- The requested rezoning would allow the existing process of dismantling automobiles for parts to continue and brings the zoning into conformity with the zoning bylaw to allow business to continue as usual.

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

- letter of support from Caterina & Lorenzo Bortolotto, 12626 Pow Road, Winfield, B.C.

Mayor Gray 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 had nothing to add at this time.

There were no further comments.

Councillor Day returned to the Council Chamber at 7:40 p.m. and took his place at the Council Table.

- (c) Bylaw No. 8650 (TA01-002) - To amend the exemption clause in the Uses and Regulations Section of Zoning Bylaw 8000 to include constituency offices for federally and provincially elected representatives when located in a Commercial, Industrial or Institutional zone.

## Staff:

- The exemption is proposed for federal and provincial candidates.
- Constituency offices are exempted from the bylaw during the election period. This extends that exemption to after the election.
- The campaign office exemption would remain unchanged.

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

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

There were no further comments.

Public Hearing

March 27, 2001

4. TERMINATION:

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

Certified Correct:

---

Mayor

BLH/bn

---

City Clerk