

Public HearingOctober 2, 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, October 2, 2001.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blancheil, R.D. Cannan, B.A. Clark, C.B. Day and S.A. Shepherd.

Council members absent: Councillors B.D. Given, R.D. Hobson and J.D. Nelson.

Staff members in attendance were: Acting-City Manager/Director of Planning & Development Services, R.L. Mattiussi; City Clerk, D.L. Shipclark; Subdivision Approving Officer, R.G. Shaughnessy; 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.

Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on September 12, 2001, and by being placed in the Kelowna Daily Courier issues of September 24 & 25, 2001, and in the Kelowna Capital News issue of September 23, 2001, and by sending out or otherwise delivering 205 letters to the owners and occupiers of surrounding properties on September 12, 2001.

3. INDIVIDUAL BYLAW SUBMISSIONS

- (a) Bylaw No. 8726 (Z00-1052) – Bradshaw Enterprises Ltd. (Rob Archibald) – 1561 Sutherland Avenue- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 7, DL 141, ODYD, Plan 3736, located on Sutherland Avenue, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the C3 – Community Commercial zone in order to allow development of the site for uses permitted in the C3 zone.

Staff:

- The rezoning would facilitate construction of a 1-storey, 320 m² (2,400 sq. ft.) office building with parking at the front and rear of the site.
- The applicant has submitted a Development Variance Permit application seeking approval to reduce the parking requirements from 16 to 15 parking stalls.
- The property is not within a Development Permit area; however a site plan has been provided to show how the site would be developed.
- The application was reviewed and supported by the Advisory Planning Commission in December 2000 with no conditions. The delay in processing the application to Public Hearing was because of trying to fine-tune the site layout and parking was the main issue.

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.

There were no further comments.

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- (b) Bylaw No. 8727 (Z01-1038) – Shaida Langley (Shaida & Jim Langley) – 1930 Abbott Street – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of that part Lot 9 shown on Plan B2020, D.L. 14, ODYD, Plan 1782, located on 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 subject property is in the Abbott Street Heritage Conservation Area and a major Heritage Alteration Permit application is being processed concurrent with this Rezoning application in order to deal with heritage design guideline issues and a variance of the rear yard setback.
- Initially the applicant was proposing to remove a small cottage that exists on the site to make room for an addition to the principal dwelling. The building addition was to include a secondary suite above a 3-bay garage.
- The applicant has recently revised his proposal to no longer request the building addition, but instead to allow continuing use of the existing cottage in addition to the principal residence and with a variance to legalize the rear yard building setback of the cottage.
- The cottage has been inspected by City building inspectors and will require minor upgrades before issuance of the Heritage Alteration Permit.

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

- 2 letters from Friends and Residents of the Abbott Street Heritage Conservation area Society (FRACAS)
- letter from Kelowna South-Central Association of Neighbourhoods (KSAN) both opposing the applicant's original request on the basis that the scale/mass of the proposed addition is too large for the lot, would not conform to the character of the area, and could set a precedent.
- 11 form letters in support of the application.
- late letter from Sheilagh Clarke, 1935 McDougall Street opposing the applicant's original proposal which is now off the table.

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

Jim Langley, co-owner of the property:

- Reserved the right to respond to public comments.

David Lovell, representing KSAN:

- KSAN opposed the initial proposal mainly because of the massing of the building and the potential precedent it would set for future development in the heritage conservation area.
- KSAN supports the revised proposal to rezone the property to acknowledge the secondary suite.

Valerie Hallford, president of FRACAS:

- The two letters reference by the City Clerk were written to the Advisory Planning Commission and to the Community Heritage Commission and were responding to the applicant's initial proposal for the site.
- FRACAS supports the revised proposal to rezone the property to acknowledge the secondary suite.

Terry Kelly, 197 Vimy Avenue:

- Supports the rezoning and what is proposed by the owner of the subject property.

There were no further comments.

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4. TERMINATION:

The Hearing was declared terminated at 7:21 p.m.

Certified Correct:

Mayor

City Clerk

BLH/am