

Public HearingJuly 16, 2002

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 16, 2002.

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; Subdivision Approving Officer, R.G. Shaughnessy; 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 "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 Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on June 28, 2002, and by being placed in the Kelowna Daily Courier issues of July 8 & 9, 2002, and in the Kelowna Capital News issue of July 7, 2002, and by sending out or otherwise delivering 166 letters to the owners and occupiers of surrounding properties between June 28 and July 2, 2002.

3. INDIVIDUAL BYLAW SUBMISSIONS

- 3.1 **Hernani & Willa-Mae Silva**

- 3.1 Bylaw No. 8869 (Z02-1014)- Hernani & Willa-Mae Silva – 308 Uplands Drive - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 3, Section 23, Township 28, SDYD, Plan KAP53665, located on Uplands Drive, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

Staff:

- The rezoning is requested to allow development of a secondary suite in the lower level of a house that is currently under construction.
- There are two other RU1s zoned properties in the immediate vicinity.

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

- Letter of opposition from Lyle & Geraldine Isenor, 380 Uplands Court, expressing concern about available parking and submitting that the nature of the area would be materially changed and negatively impacted, property values would be reduced, and enjoyment of property would be diminished.
- Letter of Opposition from Margaret E. Mirko, 5123 Lakeshore Road, stating she considers this rezoning to be downzoning which would adversely affect the value of her property.
- Petition of opposition bearing 11 signatures of residents in area strongly opposing the granting of this application.

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

Willa-Mae Silva, applicant:

- Was not aware of the petition.
- The suite would be occupied by her daughter and her 2 children who will live in the home with or without the suite; the suite would allow the daughter to have her own kitchen.
- One abutting neighbour (on the west side) has indicated support for the application. The neighbour on the other side indicated he would write a letter of support but went on vacation before she could collect it.

Council:

- The neighbourhood is on sewer allowing for a higher density than surrounding neighbourhoods not on sewer.
- The house would fit the criteria that is coming forward soon for allowing a summer kitchen without rezoning.

Staff:

- Confirmed that the subject property would qualify for a summer kitchen under the new criteria but the staff report for that will not be coming forward to Council until the end of July or the beginning of August.

There were no further comments.

### **3.2 Gordon Zarr**

3.2 Bylaw No. 8870 (Z02-1016) – Gordon Zarr – 1045 Elwyn Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Sec. 22, Twp. 26, ODYD, Plan 28932, located on Elwyn Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

Staff:

- The rezoning is needed to legalize an existing suite in the basement of the house.
- There are other RU1s zoned properties and an RU6 zone property in the area.
- The application meets all the requirements of the requested zone.

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.

Gordon Zarr, applicant:

- Indicated he had nothing to add at this time.

There were no further comments.

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4. TERMINATION:

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

Certified Correct:

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Mayor

BLH/pp

City Clerk