

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, January 21, 2003.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanche, R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, E.A. Horning 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 Assistant City Clerk, L.M. Taylor acting as Council Recording Secretary.

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 "Kelowna Official Community Plan (1994-2013) Bylaw No. 7600" and "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 January 3, 2002, and by being placed in the Kelowna Daily Courier issues of Monday, January 13, 2003 and Tuesday, January 14, 2003, and in the Kelowna Capital News issue of January 12, 2003, and by sending out or otherwise delivering 202 letters to the owners and occupiers of surrounding properties between January 3, 2003 and January 7, 2003.

### 3. INDIVIDUAL BYLAW SUBMISSIONS

- 3.1(a) Bylaw No. 8949 (OCP02-0012) – R&B Construction Ltd. (Protech Consultants (1989) Ltd./Grant Maddock) – El Paso Road – THAT OCP Bylaw Amendment No. OCP02-0012 to amend Map 19.1 of the Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600 by changing the Future Land Use designation of part of Lot B Sec. 25, Twp. 26, ODYD, Plan KAP49886, located on El Paso Road, Kelowna, B.C., from the Rural/Agricultural designation to the single/Two Unit Residential designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated November 21, 2002, be considered by Council.
- 3.1(b) Bylaw No. 8950 (Z02-1039) – Kiyomatsu & Toshiye Yamaoka and R&B Construction Ltd. (Protech Consultants (1989) Ltd./Grant Maddock) – McKenzie Road and El Paso Road – THAT Rezoning Application No. Z02-1039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Sec. 25, Twp. 26, ODYD, Plan KAP49886, located on McKenzie Road, Kelowna, B.C. from the RR1 – Rural Residential 1 zone to the RU2 – Medium Lot Housing zone be considered by Council;

AND THAT Rezoning Application No. Z02-1039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot B Sec. 25, Twp. 26, ODYD, Plan KAP49886, located on El Paso Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RU2 – Medium Lot Housing zone as shown on Map "B" attached to the report of Planning & Development Services Department, dated November 21, 2002, be considered by Council.

#### Staff

- Permit 31-lot single unit urban residential subdivision.
- Properties proposed for subdivision have been conditionally removed from ALR.
- Proposed north-south road will act as buffer between ALR lands and subdivision.

Public Hearing

January 21, 2003

- Planning and Development Services support the application.

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 was no response

There were no further comments.

- 3.2 Bylaw No. 8948 (Z02-1040) – Antony and Tracy Hutton – Luxmoore Road – THAT Rezoning Application No. Z02-1040 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Plan 37950, Sec. 34 & 35, Twp. 29, ODYD, located on Luxmoore Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RR1 – Rural Residential 1 zone be considered by Council.

Staff

- Creation of an additional rural residential lot to permit the applicant to build a handicapped accessible dwelling for his disabled son.
- The proposed lots meet the minimum lot area requirements for rural residential lots not connected to sewer.
- Planning & Development Services do not support the application as development policies do not support further parcelization in this area

The City Clerk advised the following correspondence had been received.

- 12 letters of support (submitted by Mr. Hutton)

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

Antony Hutton, Applicant

- Submitted letters of support from neighbours

There were no further comments.

- 3.3 Bylaw No. 8947 (Z02-1055) – David and Monica Russelle – 510 El Camino Road – THAT Rezoning Application No. Z02-1055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8, Sec. 25, Twp. 26, ODYD, Plan 20308, located on, located on El Camino Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone be considered by Council.

Staff

- Permit secondary suite in basement of existing one-storey dwelling.
- Access to suite will be through private entrance at rear of building.
- Planning & Development Services supports the proposal, as it is consistent with the OCP, Strategic Plan and Rutland Sector Plan.

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 was no response.

There were no further comments.

Public Hearing

January 21, 2003

- 3.4 Bylaw No. 8951 (Z02-1053) – Ned and Stana Kos – McClure Road – THAT Rezoning Application No. Z02-1053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, DL 357, SDYD, Plan KAP68500, located on McClure Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council.

Staff

- To permit a secondary suite in an accessory building.
- Propose to construct new house at front of the lot with a three-car garage at rear of property. Secondary suite would be located above garage.
- Planning & Development Services supports the rezoning.

The City Clerk advised the following correspondence had been received:

- Two letters of opposition
- Five form letters of support

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

Peter Chataway, agent for the applicant

- Benefits the neighbourhood to have secondary suites as it allows more eyes and ears for crime prevention.
- Provides affordable housing option and increases density without impact on infrastructure

There were no further comments.

- 3.5 Bylaw No. 8881 (TA02-0003) – To amend the Zoning Bylaw No. 8000 to permit “**Second Kitchens**” as a secondary use in residential zones where the lot sizes are larger. (i.e., A1, RR1, RR2, RR3, RU1, RU2 and corresponding “h” zones)

Staff

- Council directed staff to prepare this text amendment to the zoning bylaw that would permit second kitchens in single detached housing for use by members of the household.
- The second kitchen must be freely and fully accessible from the remainder of the dwelling without any intervening doors equipped with a locking device of any kind.
- Require one additional parking stall for a second kitchen
- Require the owner of the property to sign an affidavit indicating the second kitchen does not constitute a legal secondary suite.
- Second kitchen regulations will only apply to those Comprehensive Development zones where development is permitted in accordance with the A1, RR1, RR2, RR3, RU1 or RU2 zones.

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

- Email of support for second kitchen initiatives

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

There was no response.

There were no further comments.

Public Hearing

January 21, 2003

4. TERMINATION:

The Hearing was declared terminated at 7:44 p.m.

Certified Correct:

---

Mayor

City Clerk

LNT/am