

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, June 24, 2003.

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, E.A. Horning and S.A. Shepherd.

Staff members in attendance were: Acting City Manager/Director of Planning & Corporate Services, R.L. Mattiussi; City Clerk, A.M. Flack; Manager of Development Services, A.V. Bruce; 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 the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on June 6, 2003, and by being placed in the Kelowna Daily Courier issues of June 16 & 17, 2003, and in the Kelowna Capital News issue of June 15, 2003, and by sending out or otherwise delivering 58 letters to the owners and occupiers of surrounding properties between June 6-7, 2003.

The City Clerk also advised that the correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy 309.

### 3. INDIVIDUAL BYLAW SUBMISSIONS

#### 3.1 **942 Nassau Crescent**

- 3.1 Bylaw No. 9040 (Z03-0014) – Shelly Gellner – 942 Nassau Crescent – THAT Rezoning Application No. Z03-0014 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, Section 29, Township 26, ODYD, Plan 17492, located on Nassau Crescent, 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:

- The rezoning is a result of a bylaw enforcement complaint about an illegal suite in the basement of the dwelling on the subject property.
- Zoning requirements can be met and Building Code issues will be dealt with through the Building Permit process.
- There is one other property in the neighbourhood that is also under rezoning for the secondary suite zoning designation. The balance of the area is zoned RU1.
- Identified that bus routes that service the area.

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

- letter of support from Al McCollom, 925 Eagle Drive
- letters of opposition from the following property owners, all concerned about increased traffic, home and property values would decrease, lack of parking, it could lead to more suites and attract transients:
  - Pat & Bernie Vogel, 968 Nassau Crescent
  - Am & Jan Corrado, 974 Nassau Crescent
  - Dr. & Mrs. J. R. Nicholson, 965 Nassau Crescent
  - Marilyn & Patrick Wood, 918 Nassau Crescent
  - Peter & Mildred MacQueen, 926 Nassau Crescent
  - Sophie Armitage, 956 Nassau Crescent

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

Stuart Henderson, 921 Nassau Crescent:

- Opposed because of concern that traffic would increase and property values would decrease.

Shelly Gellner, applicant:

- The suite was there when he became the property owner five years ago.
- The same tenant has been in the suite for three years. The tenant is a single father whose children do not live with him. He is a very quiet tenant with only one vehicle.

Staff:

- Indicated the location of the properties where the owners have expressed support and opposition.

There were no further comments.

#### 4. TERMINATION:

The Hearing was declared terminated at 7:13 p.m.

Certified Correct:

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Mayor

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City Clerk

BLH/am