

Public HearingFebruary 21, 2006

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, February 21, 2006.

Council members in attendance: Mayor Sharon Shepherd, Councillors A.F. Blanche, C.B. Day, B.D. Given, C.M. Gran, R.D. Hobson, N.J. Letnick and M.J. Rule.

Council members absent: Councillor B.A. Clark.

Staff members in attendance were: Acting City Manager/Director of Planning & Corporate Services, R.L. Mattiussi; Deputy City Clerk, S.C. Fleming; Manager of Development Services, A.V. Bruce; Subdivision Approving Officer, R.G. Shaughnessy; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 7:01 p.m.
2. Mayor Shepherd advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "*Kelowna 2020 - Official Community Plan* 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.

The Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on February 3, 2006, and by being placed in the Kelowna Daily Courier issues of February 13 & 14, 2006, and in the Kelowna Capital News issue of February 12, 2006, and by sending out or otherwise delivering 141 letters to the owners and occupiers of surrounding properties between February 3 - 8, 2006.

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(a) **565 South Crest Drive**

- 3.1(a) Bylaw No. 9432 (OCP05-0004) – Gazelle Enterprises et al (Grant Gaucher) – South Crest Drive – THAT Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 be amended by changing the Future Land Use designation of Lot 14, DL 16885, SDYD, Plan 74684, located on South Crest Drive, Kelowna, B.C., from the Educational/Major Institutional designation to the Single/Two Unit Residential and Major Park/Open Space designations, as shown on Map "A" attached to the report of Planning & Corporate Services Department dated May 20, 2005.

Staff:

- The Southwest Okanagan Mission Sector Plan includes three neighbourhoods. The subject property is in Neighbourhood Two. When the Neighbourhood Two Area Structure Plan was approved in January 2001 one of the requirements was the provision of an elementary school site.
- It was the School District's intention to determine the location for the school site and negotiate its acquisition within a two-year time frame.

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- The property owner has held this property for the past two years and would now like to proceed with development of the site.
- The School District has now identified an alternate site in Neighbourhood Three for the school and is prepared to release the school site reserve from the subject property.
The requested rezoning would facilitate a 15-lot single family residential subdivision.
- Showed proposed layout for the 15 lot subdivision.
- The Advisory Planning Commission recommends support as do staff.

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

Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

There were no further comments.

3.1(b) 565 South Crest Drive

- 3.1(b) Bylaw No. 9433 (Z05-0016) – Gazelle Enterprises et al (Grant Gaucher) – South Crest Drive – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 14, DL 16885, SDYD, Plan 74684, located on South Crest Drive, Kelowna, B.C., from the P2 – Education & Minor Institutional zone to the RU2 - Medium Lot Housing and P3 – Park and Open Space zones as shown on Map "B" attached to the report of Planning & Corporate Services Department dated May 20, 2005.

See discussion under 3.1(a).

3.2 758 Favell Court

- 3.2 Bylaw No. 9548 (Z05-0068) – Don Robinson – Favell Court – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, District Lot 358, O.D.Y.D. Plan 28978, located on Favell Court, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

Staff:

- The applicant is proposing to construct an addition onto the north side of the existing single family dwelling. The addition would include a carport and enclosed storage area at grade level with a suite above.
- Staff are concerned that the proposed design of the addition may not tie in well enough with the existing building or otherwise that the existing building may require some renovations. Staff will follow-up on that with the applicant if the rezoning is supported by Council.

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

- letter from Janice & Erling Fearn, 774 Favell Court, expressing concern about the impact on the neighbourhood if the density was to get too high, and asking the applicant be required to provide enough off-street parking to accommodate the extra people that would be living there.
- Letter of support from Glenn & Debbie Cross, 760 Favell Court.

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Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Don Robinson, applicant:

- Was waiting to get the zoning approved before worrying about the design. Will make whatever changes to the design are necessary in order to get the building permit.

There were no further comments.

3.3 4150 Seddon Road

- 3.3 Bylaw No. 9551 (Z05-0080) – Ray Bergen – Seddon Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Section 2, Township 26, ODYD Plan KAP55225, located on Seddon Road, Kelowna, B.C. from the RR2 – Rural Residential 2 zone to the RR2s – Rural Residential 2 with Secondary Suite zone.

Staff:

- The subject property fronts onto Jean Road but because of a grade separation is accessed via an easement road off Seddon.
- The applicant is proposing to construct a new single family dwelling on the property and to use the existing garage/accessory building as a secondary suite.
- The accessory building would be attached to the new dwelling by a breezeway.
- The applicants do not intend to rent the living space in the garage out at this time but may wish to in future.
- Displayed the plans for the living space in the garage.
- Approvals will be required from Interior Health for the septic disposal and from the water district for water service.

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

- letter of opposition from Cal and Darlene Green, 4110 Seddon Road, concerned about a negative affect on property values and that a precedent would be set for other similar applications in the neighbourhood.

Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:19 p.m.

Certified Correct:

Mayor

Deputy City Clerk

BLH/am