

Public HearingApril 18, 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, April 18, 2006.

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

Council members absent: Councillors A.F. Blanleil and C.M. Gran.

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; and Council Recording Secretary, B.L. Harder.

1. Mayor Shepherd called the Hearing to order at 6:01 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 March 31, 2006, and by being placed in the Kelowna Daily Courier issues of April 10 & 11, 2006, and in the Kelowna Capital News issue of April 9, 2006, and by sending out or otherwise delivering 151 letters to the owners and occupiers of surrounding properties between March 31 and April 3, 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 **226 Poonian Street**

- 3.1 Bylaw No. 9579 (Z06-0008) – Jennifer Shanko – Poonian Street – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 6, Section 25, Township 26, ODYD Plan KAP75858, located on Poonian Street, Kelowna, B.C. from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing zone with Secondary Suite zone.

Staff:

- The property is in a relatively new subdivision in the Rutland area.
- The rezoning would allow a 2-bedroom suite to be built in the lower portion of the building.
- There is sufficient room in the driveway to accommodate the required parking stall.

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

- letter of opposition from Garry & Elizabeth Benson, 351 Stetson Street.

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

Brian Shanko, representing the owner:

- The rezoning is consistent with the OCP which encourages second dwellings for more efficient use of land in single detached neighbourhoods, and meets or exceeds all requirements of the Zoning Bylaw.
- There were no concerns from any of the technical agencies.
- A minimum of three on-site parking stalls are required; there are four parking stalls on-site and all are larger than required.
- The suite would be in the basement so there would be no visual impact.
- The back yard is large and could accommodate children playing.
- Kelowna is at an all-time low vacancy rate for rental accommodation. The proposed suite would help fill need for rental accommodation in the community and at the same time preserve the existing appearance of the neighbourhood.

There were no further comments.

3.2(a) 5520 Highway 97 North

3.2(a) Bylaw No. 9582 (OCP06-0002) – Pier Mac Petroleum Installation Ltd. – Highway 97 North – THAT Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 be amended by changing the Future Land Use designation of Part of The West ½ of Sec. 14, Twp. 23, O.D.Y.D., Except Plans H16596, KAP47192, KAP51877, KAP53641, KAP53790, KAP57365 Exc. Plan KAP73608, located on Highway 97 North, Kelowna, B.C., from the “Commercial” designation to the “Industrial” designation, as shown on Map “A” attached to the report of Planning & Corporate Services Department dated March 8, 2006.

Staff:

- The CD15 – Airport Business Park zone is specific to the subject property which is in its initial phases of development. The zone provides for Industrial and Commercial uses. The applicant wishes to change the designation of the area that was intended for Commercial to Industrial. This necessitates amendments to both the Official Community Plan and the Zoning Bylaw.
- Staff have no concerns with the application and expect that the Commercial would be made up in future phases.

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 was no response.

3.2(b) 5520 Highway 97 North

3.2(b) Bylaw No. 9583 (TA06-0002) – Pier Mac Petroleum Installation Ltd. – Highway 97 North – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by replacing the existing CD15 Map 1 (Zoning Map) with a revised CD15 Map 1 (Zoning Map) as outlined in the report of the Planning & Corporate Services Department dated March 8, 2006.

See discussion under 3.2(a) above.

3.3 456 McPhee Street

- 3.3 Bylaw No. 9584 (Z05-0078) – Siegfried & Gerda Walter (Country Ventures Ltd.) – McPhee Street – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 9, Sec. 27, Twp. 27, O.D.Y.D., Plan 33454, located on McPhee Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone.

Staff:

- The requested zoning is consistent with the OCP future land use designation for the property.
- The cul-de-sac at the end of McPhee would be completed and two rows of housing units would be developed on the property. One row would face east onto Ben Lee Park. The other row would face west and have amenity space in the rear yards.
- Parking would be at a relatively level/even grade between the two buildings.
- The housing units would be 3-storeys on the internal elevations and 2-storeys on the outward elevations. The front door of each unit would have access at grade level.
- Two minor variances would also be required.

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.

Larry Salloum, representing the developer, Country Ventures:

- Indicated he had nothing to add at this time.

Keith Antonson, 405 Fleming Road:

- His property backs onto this development and he understood the proposed dwelling units were going to be 2.5 storeys.
- The street is not very attractive and so they spend their time in their back yard. Will wait to see what the development looks like once the roofs are on.

Staff:

- The maximum height permitted by the zone is 2.5 storeys; a height variance would be required. The 3 storey element would be limited to the internal portion of the site.
- A 2.5 ft. to 3 ft. berm would be required in order for the units facing the Antonsons to have at-grade entry.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 6:25 p.m.

Certified Correct:

Mayor

Deputy City Clerk

BLH/AM