

Public HearingMay 16, 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, May 16, 2006.

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

Council members absent: Councillor N.J. Letnick.

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

1. Mayor Shepherd called the Hearing to order at 6:00 p.m.
2. Mayor Shepherd 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 Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on April 28, 2006, and by being placed in the Kelowna Daily Courier issues of May 8 & 9, 2006, and in the Kelowna Capital News issue of May 7, 2006, and by sending out or otherwise delivering 294 letters to the owners and occupiers of surrounding properties between April 28 & 30, 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 1749 KLO Road

- 3.1 Bylaw No. 9594 (Z06-0009) – Silvano and Domenica Vizzutti (Harvey Benson) – KLO Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 5, District Lot 131, O.D.Y.D. Plan 13722 except Plan KAP78946, located on K.L.O. Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RU6 – Two Dwelling Housing zone.

Staff:

- The rezoning is requested to facilitate a 3 lot subdivision.
- A Development Permit would be required to control form and character of development on the lots.
- A reciprocal access easement would be required for shared access from two access points off KLO Road.
- The Advisory Planning Commission recommends support as do staff.

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

Harvey Benson, applicant:

- Each lot would be developed with two single detached houses.
- Will work with staff on the location of the two access points off KLO Road.

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

There were no further comments.

3.2 4600 Lakeshore Road

- 3.2 Bylaw No. 9593 (Z06-0007) – Huber Developments Ltd. (F & H Homes) – Lakeshore Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Section 25, Township 28, SDYD Plan 25458, located on Lakeshore Road, Kelowna, B.C. from the C2 – Neighbourhood Commercial zone to the C2rls – Neighbourhood Commercial with Retail Liquor Store zone.

Staff:

- The rezoning is required to allow a retail liquor store to operate in the St. Andrews Square Mall.
- The store would be about 93 m² in size.
- The application is consistent with the recommendations of the Mayor's Entertainment District Task Force.
- This is one of the two remaining liquor license applications that were in the queue before the liquor licensing changes.

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.

Brenda Brown, Laughing Moon:

- Laughing Moon and Sunshine Market have no objection to the application. A liquor store will complement their businesses and the come and go traffic that comes with a liquor store will work well with the limited amount of on-site parking.

3.3 827 Wardlaw Avenue

- 3.3 Bylaw No. 9595 (Z06-0011) – Mark Elgood (Lynn Welder Consulting) – Wardlaw Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 3, DL 135, ODYD, Plan 7821 located on Wardlaw Avenue, Kelowna, B.C. from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.

Staff:

- There is an existing single family dwelling on the property. The rezoning would allow for future development potential of a second unit on the property. No plans have been submitted yet but a development permit would be required before building permit issuance for the second unit.
- The application is consistent with City Planning policies and the regulations of the RU6 zone.
- The Advisory Planning Commission recommends support as do staff.

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

- letter of opposition from Craig Fitzgerald, 817 Wardlaw Avenue.

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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.

Lynn Welder, applicant:

- Indicated she had nothing to add at this time.

There were no further comments.

3.4 324 Park Avenue

- 3.4 Bylaw No. 9596 (z06-0006) – Robert McArthur (Cassandra Tompkins and Robert McArthur) – Park Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 6, District Lot 14, O.D.Y.D. Plan 3998, located on Park Avenue, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

Staff:

- The property is in the Abbott Street Heritage Conservation Area but the existing single family dwelling is not on the Heritage Register.
- The intent is to demolish the existing house and develop the property with a new single family home along with an accessory building with a suite above a 2-car garage.
- On-site parking requirements can be met.
- A Heritage Alteration Permit would be required for approval of the form and character of the proposed new development.
- The application was reviewed and supported by the Community Heritage Commission with suggested changes that have been addressed by the applicant.
- The application is consistent with City Planning policies.

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

- letter of opposition from Frances Kirkpatrick & Nik Maissen, 359 Park Avenue
- letter of support from Michael Griffin & Clare McManus, 2021 Abbott Street.

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

Applicant:

- Nothing to add at this time.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 6:21 p.m.

Certified Correct:

Mayor

Deputy City Clerk

BLH/am