

Public HearingFebruary 20, 2007

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 20, 2007

Council members in attendance: Deputy Mayor Colin Day* and Councillors Andre. Blanleil, Barrie Clark, Brian Given, Carol Gran, Robert Hobson, Norm Letnick and Michele Rule*.

Council members absent: Mayor Sharon Shepherd.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Acting Manager of Development Services, Shelley Gambacort; Planner, Cory Gain.

Non-Staff: Acting-Council Recording Secretary, Connie Neid.

(* denotes partial attendance)

1. Deputy Mayor Colin Day called the Hearing to order at 6:00 p.m.
2. Deputy Mayor Colin Day 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 City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on February 2, 2007, and by being placed in the Kelowna Daily Courier issues of Tuesday February 13, 2007 and Wednesday February 14, 2007, and in the Kelowna Capital News issue of Sunday February 11, 2007, and by sending out or otherwise delivering 600 letters to the owners and occupiers of surrounding properties between February 2, 2007 and February 6, 2007.

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 Bylaw No. 9729 (Z05-0021) – Colin B. Colin Day (Kathleen MacKenzie) – Henderson Drive – THAT Rezoning Application No. Z05-0021 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of Lot A Section 24 Township 26 Osoyoos Division Yale District Plan KAP79411 located between the west end of Henderson Drive and east of Long Pine Drive, Kelowna, BC from A1 Agriculture 1 Zone to RU1h – Large Lot Housing (Hillside Area) zone, RU4h - Low Density Cluster Housing (Hillside Area) zone and the P3 – Parks & Open Space zone as shown on Map 'A' attached to the report of the Planning and Development Services Department dated January 11, 2007 be considered by Council.

Deputy Mayor Colin Day declared a conflict of interest on items 3.1, 3.2(a) and 3.2(b) because he has an ownership interest in one of the subject properties, which directly borders the other, and left the Chamber at 6:04 p.m.

Councillor Carol Gran took the chair.

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

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- Letter of Opposition
 - Wallace Vanin, 1591 Wilmot Avenue
- Letters in Favour
 - T.E. Morimoto, 1215 Toovey Road
 - Mary-Ann Graham, President, Rutland Residents Association

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

Applicant, Kathleen MacKenzie

- described project and recent projects, team of consultants

Nancy Johnson, a resident of Begley Rd.

- wants to be sure present no disturb areas are going to remain no disturb and not be built upon

Dave Koivukangas, 1236 Loseth

- will there be a light at the intersection with Hwy 33 as it is a very dangerous intersection

Staff:

- confirmed there will be a light in the future at the intersection with Hwy 33

There were no further comments.

- 3.2(a) Bylaw No. 9732 (OCP06-0021) –Melcor Lakeside Inc. (Stantec Consulting Ltd.) – North End of Black Mountain Drive and South of Swainson and Treetop Roads – THAT OCP Bylaw Amendment No. OCP06-0021 to amend Map 19.1 of Kelowna 2020 – Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot A Section 19 Township 27 Osoyoos Division Yale District Plan KAP80286; Lot B Section 19 Township 27 Osoyoos Division Yale District Plan KAP80286 and Lot 3 Section 19 Township 27 Osoyoos Division Yale District Plan 33849, located between the north end of Black Mountain Drive and south of Swainson/Treetop Roads, Kelowna, BC to amend the Official Community Plan Future Land Use designations on the subject property to those shown on Map 'A' attached to the report of the Planning and Development Services Department dated November 30, 2006 be considered by Council.

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

- Letters of Opposition
 - Dennis Averill, 2010 Swainson Road
 - Richard Drinnan, 669 Greene Road
- Letter of Concern
 - Sharron Bartman, 1940 Treetop Road

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

Applicant's Representative, Randy Sieben

- introduced the project and noted other projects being undertaken by the applicant

Applicant's Consultant, Marnie Skobalski

- outlined the application and showed numerous photos of the development area

Nancy Johnson, a resident of Begley Road

- wants to be sure present no disturb areas are going to remain no disturb and not be built upon

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Staff:

- the present no disturb areas will remain no disturb; there will be other no disturb areas identified and required to be covenanted via the subdivision process if this application is approved

There were no further comments.

- 3.2(b) Bylaw No. 9733 (Z06-0054) – Melcor Lakeside Inc. (Stantec Consulting Ltd.) – North End of Black Mountain Drive and South of Swainson and Treetop Roads - THAT Rezoning Application No. Z06-0054 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of Lot A Section 19 Township 27 Osoyoos Division Yale District Plan KAP80286; Lot B Section 19 Township 27 Osoyoos Division Yale District Plan KAP80286 and Lot 3 Section 19 Township 27 Osoyoos Division Yale District Plan 33849, located between the north end of Black Mountain Drive and south of Swainson/Treetop Roads, Kelowna, BC to those shown on Map 'B' attached to the report of the Planning and Development Services Department dated November 20, 2006 be considered by Council.

See 3.2(a) above.

Deputy Mayor Colin Day returned to the Chamber at 6:39 p.m. and resumed the chair.

- 3.3 Bylaw No. 9714 (Z06-0060) – Paul and Richarda Leinemann – Raymer Avenue – THAT Rezoning Application No. Z06-0060 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, District Lot 135, ODYD Plan 10079, located on Raymer Avenue, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council.

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

Deputy Mayor Colin Day 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.

- 3.4 Bylaw No. 9715 (Z06-0046) – Simran Enterprises Limited (T. Thomas and Associates) – Hartman Road – THAT Rezoning Application No. Z06-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of East ½ Block 30, Sec. 26, Twp 26, O.D.Y.D. Plan 264, Except Plans B3948, B5293 and KAP76444, located on Hartman Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RM1 – Four Dwelling Housing zone be considered by Council.

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

- Letter of Concern
- Linda Pearson, 354 Hartman Road

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

Linda Pearson, 354 Hartman Rd

- lives next door to proposed development; would like privacy screening, and is concerned about being overlooked by new homes

Applicant's Representative, Ted Thomas

- could have actually put four units on site, but wanted to make sure development fit with the neighbourhood; sensitive design in keeping with neighbourhood; will be only two windows on the sides of the building(s) adjacent to Ms. Pearson's property; is happy to look at screening/landscaping to ensure privacy for neighbours

There were no further comments.

- 3.5 Bylaw No. 9719 (Z06-0059) – Leigh and Carrie Sloan – Raymer Road – THAT Rezoning Application No. Z06-0059 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 357, O.D.Y.D., Plan 20078, located on Raymer Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council.

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

- Letter of Opposition
 - Graham and Dieuwertje Allan, 4590 Raymer Road & 784 McClure Road
- Letter in Favour
 - Brian and Cheryl Kokayko

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

Applicants, Leigh and Carrie Sloan

- outlined the project

There were no further comments.

- 3.6 Bylaw No. 9721 (Z06-0056) – Brian and Cheryl Kokayko (Brian Kokayko) – Gordon Drive – THAT Rezoning Application No. Z06-0056 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 358, O.D.Y.D. Plan 24635, located on Gordon Drive, 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 application has proceeded on the basis of construction of a house with a basement suite, but the applicants have recently advised, and would be permitted if the zoning were approved, that they would like to pursue a house with a carriage home instead.

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

- Letter of Opposition
 - Terri Szabics and Bob Wilson, 716 Raymer Road
- Letters in Favour
 - Jeanne Browne-Clayton, 4534 Gordon Drive
 - Leigh Sloan, 4584 Raymer Road
- Letters of Concern
 - Carol and Paul St. Maurice, 709 Raymer Road
 - 34 Form Letters from the surrounding area residents

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

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- outlined plans for a house with a carriage home and showed photographs of similar styled houses with carriage homes in the neighbourhood

Dave Desjardins, 707 Raymer Rd.

- concerned about traffic and moving the driveway to the property closer to the intersection of Raymer and Gordon

Carol St. Maurice, 709 Raymer Rd.

- lives beside Mr. Kokayko; not opposing zone change, but worried about design and ensuring scale and size of new home and carriage home fit with the neighbourhood; concerned also about traffic and the Raymer and Gordon intersection

Carrie Sloan, 4584 Raymer Rd

- application does not look unreasonable; will be a new house so will look modern in comparison to much of the neighbourhood no matter what

Joan McClelland, 709 Raymer Rd.

- concerned about size and scale of the new house to be built on the property, and fit with the neighbourhood

Applicant, Brian Kokayko

- confirmed that the house he plans to build will be very similar to the concept drawing shown, but that he is not required to submit final plans or to commit to plans until zoning is approved

Staff:

- confirmed that subject property is large enough to be considered for subdivision, and if buildings were situated properly on the lot(s), there could theoretically be four permitted units if the requested zoning were approved and subdivision occurred; noted that staff have not received any subdivision application, and the applicant has not indicated this is planned at this time.

There were no further comments.

- 3.7(a) Bylaw No. 9724 (OCP06-0008) – Okanagan Jewish Community Association (Hans Neumann, MAIBC) – Glenmore Road North – THAT OCP Bylaw Amendment No. OCP06-0008 to amend Map 19.1 of the Kelowna 2020 - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 1, Sec. 4, Twp 23, O.D.Y.D., Plan 10855, located on Glenmore Road N., Kelowna, B.C., from the existing Single/Two Unit Residential designation to the Proposed Education/Major Institutional designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated December 21, 2006, be considered by Council.

Councillor Rule declared a conflict of interest on items 3.7(a) and (b) because she owns property in the notification area, and left the Chamber at 7:39 p.m.

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

- Letter of Concern
- Sharon Choma, 114 Glenmore Road North

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

Applicant's Representative, Hans Neuman

- outlined the application, and consultation that has already taken place with the neighbourhood

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There were no further comments.

3.7(b) Bylaw No. 9725 (Z06-0030) – Okanagan Jewish Community Association (Hans Neumann, MAIBC) – Glenmore Road North – THAT Rezoning Application No. Z06-0030 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Sec. 4, Twp 23, O.D.Y.D., Plan 10855, located on Glenmore Road N., Kelowna, B.C. from the existing RR3 – Rural Residential 3 zone to the proposed P2 – Education and Minor Institutional zone be considered by Council.

See 3.7(a) above.

Councillor Rule returned to the Chamber at 7:46 p.m.

4. TERMINATION:

The Hearing was declared terminated at 7:46 p.m.

Certified Correct:

Deputy Mayor, Colin Day

Councillor Carol Gran

City Clerk

CN/af/slh