

Public HearingOctober 30, 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, October 30<sup>th</sup>, 2007.

Council members in attendance: Mayor Sharon Shepherd, Councillors Colin Day, Carol Gran, Norm Letnick and Michele Rule.

Council members absent: Councillors Blanleil, Clark, Given and Hobson

Staff members in attendance were: Acting City Manager, David Shipclark; City Clerk, Allison Flack; Current Planning Supervisor, Shelley Gambacort; and Council Recording Secretary, Arlene McClelland.

(\* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:02 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 City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on October 12, 2007, and by being placed in the Kelowna Daily Courier issues of October 22, 2007 and October 23, 2007, and in the Kelowna Capital News issue on October 21, 2007, and by sending out or otherwise delivering 816 letters to the owners and occupiers of surrounding properties between October 12, 2007 and October 15, 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. 9870 (HRA07-0002) – Murray Hindle & Sherry Briggs/(Peter Chataway) – 1869 Marshall Street - THAT Council consider a bylaw which would authorize the City of Kelowna to enter into a Heritage Revitalization Agreement for the property Lot 8, District Lot 14, ODYD, Plan 3286, located at 1869 Marshall Street, Kelowna, B.C., in the form of such agreement attached to the report from the Planning & Development Services Department dated September 21, 2007 as "Schedule A".

Staff:

- APC and Heritage Commission reviewed application and are supportive.

Council:

- How many people can live on this property?
- Confirmed there are five suites including addition at the back.

The 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.

Owner – Murray Hindle

- Current owners are from Jasper, Alberta. Both fell in love with the 100 year old house. This is our home and we plan on being here for a long time. We are endeavouring into this housing agreement to revitalize this property and to include accessory building, with parking in the rear. Overview is to clean up property, exterior painting with heritage colours, upgrade and maintenance of deck, revamp all windows with intent to restore rather than replace. Landscaping with pathways and underground irrigation as well will include fencing. On the main floor we want to take the two current suites and turn into one main suite which will include the original door on front of the building. Second floor currently has three suites and we want to reduce this to two suites. Both will be updated and slightly larger. The attic has 9 foot ceilings with 3 windows with checkered glass to be used as a family area. We have been welcomed by the neighbourhood and received 12 letters of support from the surrounding neighbours.

Eileen Robinson -1876 Marshall Street

- Expressed great support for this application.

Jason Marzinzik - 508 Sutherland Avenue

- There has been a decrease in RCMP visits in this area since new owners moved in. Very supportive of this development.

There were no further comments.

3.2 Bylaw No. 9871 (Z07-0054) – Rejinder Bhullar/(Suki Bhullar) – 495 Keithley Road

- THAT final adoption of the zone amending bylaw be considered subject to design acceptance of Development Permit DP07-0149 and satisfaction of the requirements of the Works and Utilities Department.

Staff:

- Recommends support for rezoning but will continue to work with applicant regarding the Development Permit.

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

Letter of Opposition

Dave Fuhrmann, 455 Eugene Road

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

Dave Fuhrmann – 455 Eugene Road

- Has lived on Eugene Road since 1987.
- This application shows that it will have 2 laundry rooms and I would suspect it will have two kitchens in the future as well.
- Strongly opposed to this type of development. Appears that this will turn into two duplexes on one property. Will the basement be wired to facilitate a kitchen?

Staff:

- Subdividing is not feasible on this property. They could stratify the two homes.
- Will ensure the layout is not easily converted to illegal suites.

Applicant – Suki Bhullar

- This is the largest lot in the area. The whole area is zoned RU6.
- The shop will be taken down. My brother and myself plan on living here.
- Laundry hook up for both upstairs or downstairs is to be either/or, it's just an option not intended to have two laundry rooms.
- All City requirements are being complied with.

There were no further comments.

- 3.3 Bylaw No. 9872 (Z07-0060) – Robert & Rena Mitchell; Mission Creek Homes Ltd.; Simon & Corie Griffiths; Amandeep & Bimy Sandhu; Victor Loewen; Umberto & Amanda Agnoni; Gazelle Enterprises Inc.; R 265 Enterprises Ltd.; Emil Anderson Construction Co. Ltd.; Gilmar Management Ltd.; Gillen Investments Inc.; / Gazelle Enterprises Inc.) – 601, 605, 609, 613 & 617 Horn Crescent and 581, 583, 585, 587, & 589 South Crest Drive - THAT Rezoning Application No. Z07-0060 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 5 – 15 District Lot 1688S Similkameen Division Yale District Plan KAP82290, located on Horn Crescent and South Crest Drive, Kelowna BC from RU2 – Medium Lot Housing Zone to RU2h – Medium Lot Housing (Hillside Area) Zone be considered by Council.

The 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.

Applicant – Gail Temple

- Almost everything in the Southridge received RUh zone except this area but when building permits were issued for this block no one noticed until construction was almost completed on a number of houses that the “h” was not added. We’re just coming back to rectify this situation. There was a stop work order but that was lifted. All homes meet the RU2h zone. None of the homes impact the slope.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 6:42 p.m.

Certified Correct:

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Mayor

City Clerk

ACM/dld