

Public HearingMarch 4, 2008

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, March 4th, 2008.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Barrie Clark, Colin Day, Norm Letnick and Michele Rule.

Council members absent: Councillors Brian Given, Carol Gran and Robert Hobson.

Staff members in attendance were: Acting City Manager, John Vos; City Clerk, Allison Flack; Current Planning Supervisor, Shelley Gambacort; Planner, Nelson Wight and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

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 "*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 15th, 2008, and by being placed in the Kelowna Daily Courier issues of February 25th, 2008 and February 26th, 2008, and in the Kelowna Capital News issue of February 24th, 2008, and by sending out or otherwise delivering 887 letters to the owners and occupiers of surrounding properties between February 15th and February 20th, 2008.

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. 9928 (OCP06-0010) and Bylaw No. 9929 (Z06-0033) – Seventh-Day Adventist Church (British Columbia Conference)/(Rutland Seventh-Day Adventist Church – 1215 Highway 33 W - THAT OCP Bylaw Amendment No. OCP06-0010 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Lot B, Sec. 22, Twp. 26, O.D.Y.D., Plan 12600, Exc. Plan 39705, located on Highway 33, Kelowna, B.C., from the existing "Single/Two Unit Residential" designation to the proposed "Education/Major Institutional" Park and Open Space designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated January 21, 2008, be considered by Council;

AND THAT Council considers APC public process to be appropriate consultation for the purpose of section 879 of the *Local Government Act*, as outlined in the report of the Planning & Development Services Department dated January 21, 2008.

AND THAT Rezoning Application No. Z06-0033 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Sec. 22, Twp. 26, O.D.Y.D., Plan 12600, Exc. Plan 39705, located on Highway 33, Kelowna, B.C. from the existing RU1 – Large Lot Housing zone to the proposed P2 – Education and Minor Institutional zone as shown on Map "B" attached to the

report of Planning & Development Services Department, dated January 21, 2008 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. No one came forward.

- 3.2 Bylaw No. 9932 (OCP07-0013) and Bylaw No. 9933 (Z07-0039) – Renee & Thomas Burzuk – 3089-3091 Gordon Drive - THAT OCP Bylaw Amendment No. OCP07-0013 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot C, District Lot 131, ODYD, Plan 30008, located at 3089-3091 Gordon Drive, Kelowna, B.C., from the Single/Two Unit Residential designation to the Multiple Unit Residential - Low Density designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated January 18, 2008, be considered by Council;

AND THAT Council considers the APC public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Planning & Development Services Department dated January 18, 2008;

THAT Rezoning Application No. Z07-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C, District Lot 131, ODYD, Plan 30008, located at 3089-3091 Gordon Drive, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM1 – Four Plex Housing zone be considered by Council;

THAT Council forward Bylaw No. 9924 authorizing a Housing Agreement between the City of Kelowna and Renee & Thomas Burzuk which requires the owners to designate *1 dwelling unit for rental affordable* housing on Lot C, District Lot 131, ODYD, Plan 30008, located at 3089-3091 Gordon Drive, Kelowna, B.C., for reading consideration.

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

- Letters of Support:
 - A package of letters of support submitted by the applicant on behalf of five (5) neighbours of the surrounding area and seven (7) renters residing on the subject property.
 - Annie Frankie, 3070 Holland Road

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

Tom Smithwick, Applicant's Representative

- Dwelling was built in the mid 1990's and the current owners purchased the property in 2003.
- The suites on both sides were subsequently completed without following the proper City process, which is why the application is before Council.
- The property houses high-quality, low cost rental units. The units are extremely spacious and bright and are built primarily above ground.
- A housing agreement is in place on one (1) of the units to ensure that it remains affordable.
- There are six (6) parking spots available on site. Four (4) in the garage and two (2) on the sides. The site also has sufficient visitor parking.

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Marie Houde-Gaucher, Basement Tenant residing at 3089 Gordon Drive

- Feels fortunate to find an affordable basement suite and have lived there for the past three (3) years.
- In favour of the rezoning.

Dennis Drexel, Upstairs Tenant residing at 3089 Gordon Drive

- Has lived there for the past three (3) years.
- The property has a lot of parking and there have never been any problems with any of the tenants or neighbours.
- In favour of the rezoning.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 6:15 p.m.

Certified Correct:

Mayor

SLH/dld

City Clerk