

Public HearingApril 29, 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, April 29th, 2008.

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

Council members absent: Brian Given, Carol Gran and Barrie Clark

Staff members in attendance were: City Manager, Ron Mattiussi; 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 6:01 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 City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on April 11th, 2008, and by being placed in the Kelowna Daily Courier issues of April 21st 2008 and April 22nd, 2008, and in the Kelowna Capital News issue of April 20th, 2008, and by sending out or otherwise delivering 665 letters to the owners and occupiers of surrounding properties between April 11th, 2008 and April 16th, 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. 9945 (Z07-0011) – 605 Monterey Road – Marcel & Bertha Gal/(Axel Hilmer) – 605 Monterey Road - THAT Rezoning Application No. Z07-0011 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13, Section 23, Township 26, O.D.Y.D., Plan 25160, on Monterey Rd, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone, be considered by Council;

Staff:

- APC recommended support of rezoning but did not support DVP application, felt it was too tight.
- Reluctance to support this application. Limited area for second home and yard space. Options - remove and relocate the house, offer a suite within the house or a carriage home. Applicant wants to proceed with RU6 zone.

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

Letters of Opposition

Eric Foster, 535 Monterey Road

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

Axel Hilmer, Applicant

- The property is large enough to provide two homes but the Planning Department is concerned with the location of the current home. What we are proposing is not unreasonable because the distance between the two homes is not that much different from other homes in the area, although the distance between these two homes is less than what is required. The proposed second home is larger than a carriage home but not by much. I asked the adjoining property owners if they were opposed and three of the four neighbours said they were not. Moving the house is not an option because it would not make it profitable or practical.

Staff:

- A petition of support was received late today but wasn't received in time to circulate in the package.
- There are other lots in the neighbourhood zoned RU6.

There were no further comments.

- 3.2 Bylaw No. 9966 (Z07-0097) – Lauren Nielsen/(Ingrid Davison Consulting) – 325 Rutland Road South – THAT Rezoning Application No. Z07-0097 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 28, SEC. 23, TWP 26, O.D.Y.D., Plan 17102, located on Rutland Road South, Kelowna, B.C. from the RU1 – Large Lot Housing Zone to the RU1(s) – Large Lot Housing with a Secondary Suite Zone be considered by Council;

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

- **NIL**

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

There were no further comments.

- 3.3 Bylaw No. 9968 (Z08-0018) – David & Corrina Pazdzierski – 4439 Gordon Drive – THAT Rezoning Application No. Z08-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, D.L. 358, ODYD, Plan KAP54772, located at 4439 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.

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

Letters of Opposition

Randall & Elizabeth Hart, 4437 Gordon Drive

Letters of Support

Mathew Dober, Pasadena Estates Dev. Corp., 4433 Gordon Drive

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

Dave Pazdzierski - 4439 Gordon Drive

- Would like to have a RU1s zone to have a suite downstairs. We have a permit for a deck out front and an addition out back. We are waiting for the contractors to finish so we can finish our landscaping. The suite is already there and that is why we are applying for the application. There are a few project trailers in the back yard due to limited access to the neighbouring construction site. They can

park there until the project (Pasadena Estates) is finished. Unsure of how long the area will be a construction zone but hopefully not for much longer.

- The opposing neighbour never really looked at the plan that is accessible on the internet. The parking out front so that we can turn around and drive out onto Gordon Drive instead of backing out onto Gordon Drive. Other neighbours have no concerns about it. We were unsure of what we were going to do with the suite and thought we'd use it as a day care. Everything in basement suite could be flipped around very easily and built as dual purpose and we just couldn't decide what to use it for. We wanted to keep our options open. We had a plan so that there could be an option for either suite or day care.

Council;

- Confirmed by staff that there were no bylaw complaints.

There were no further comments.

- 3.4 Bylaw No. 9969 (Z07-0078) – Kane #2 Resources Ltd./(Protech Consultants Ltd.) – 280 McIntosh Road - THAT Rezoning Application No. Z07-0078 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 26 Township 26 Osoyoos Division Yale District Plan 6518, located at 280 McIntosh Road, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone be considered by Council;

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

Letters of Opposition

Ms. Iris Cousineau, 302 – 255 McIntosh Road

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

Grant Maddock, Applicant

- Noted that the rendering shown was incorrect, there is no front turn around entrance. We have incorporated a children's play area in the front as part of the landscaping. We have expanded the underground parking structure so that we can put most of the parking underground, we exceed the standard for parking. Great form and character and entrances off of Asher Road.

Staff:

- Unaware of the revision to the entrance, but confirmed that the updated plan/rendering will be present when the development permit comes forward.

There were no further comments.

- 3.5 Bylaw No. 9970 (Z08-0013) – Cory Davies/(Renee Bauer) – 1831 Lipsett Court - THAT Rezoning Application No. Z08-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13 Section 32 Township 26 Osoyoos Division Yale District Plan KAP49511, located at 1831 Lipsett Court, Kelowna, B.C. from the RU2 – Medium Lot Housing Zone to RU2s – Medium Lot Housing with Secondary Suite Zone be considered by Council

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

Letters of Opposition

Loudmila Zagaliouk, 1819 Lipsett Court

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Letters of Support

Ken & Betti Smith, 1813 Lipsett Court

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

Renee Bauer, Applicant

- Concerns seem to pertain to parking, particularly in front of the mail boxes. Parking has been addressed. There is also concern that we may sell it and it could be used as a rental suite in the future. We are hoping this will be a mortgage helper for us and have no intentions of selling.

John Harling, #106-550 Glenmeadows Road

- There are 14 strata units on Glenmeadows Road and they have asked me to speak on this issue. There are several suites that are occupied in the region and those occupants are parking along Glenmeadows Road. People do park beside the mailbox. There is a very steep incline and in the winter we complain every year about access to the mail boxes. Canada Post said they would not relocate the mailboxes. Major problem is we have to walk on side of Glenmeadows Road or Lipsett Court and there are no sidewalks to get to the mailboxes. Our main concern is mail box issue. Will send a letter in writing to Mayor and Council regarding mailboxes.

Bruce Gillon, #101-550 Glenmeadows Road

- Concerned over parking and relocation of mailbox.

There were no further comments.

4. TERMINATION:

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

Certified Correct:

Mayor

ACM/dld

City Clerk