

Public HearingFebruary 24, 2009

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 24th, 2009.

Council members in attendance: Mayor Sharon Shepherd, Councillors Brian Given, Charlie Hodge, Graeme James, Angela Reid, Michele Rule and Luke Stack.

Council members absent: Councillors Andre Blanleil and Robert Hobson.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Urban Land Use Manager, Danielle Noble; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:12 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 6, 2009, and by being placed in the Kelowna Daily Courier issues of February 16, 2009 and February 17, 2009, and in the Kelowna Capital News issue of February 15, 2009, and by sending out or otherwise delivering 183 letters to the owners and occupiers of surrounding properties between February 6, 2009 and February 11, 2009.

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. 10148 (Z08-0102) – Keith and Britta Morrice/(Ruth Hall) – 3975 June Springs Road - THAT Rezoning Application No. Z08-0102 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 3, Township 26, ODYD, Plan KAP61317, located at 3975 June Springs Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the South East Kelowna Irrigation District and Interior Health Authority being completed to their satisfaction.

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.

Ruth Hall, Applicant

- Recently purchased the property from Mr. & Mrs. Morrice.
- Her husband has a debilitating disease that will eventually put him in a wheelchair and the mobile home will be used for family members to help assist with the care of her husband.
- The current dwelling on the site is not wheelchair accessible and would be too expensive to convert.

There were no further comments.

- 3.2 Bylaw No. 10150 (Z08-0115) – Coraleen Priebe/(Flywheel Building Solutions) – 1619 Oswell Drive - THAT Rezoning Application No. Z08-0115 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 2, Section 18, Township 27, ODYD, Plan 24361 located on 1619 Oswell Drive, Kelowna, BC from the A1- Agricultural 1 zone to the A1- Agricultural 1 with Secondary Suite zone, be considered by Council.

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Black Mountain Irrigation District being completed to their satisfaction.

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.

Ken Kunka, Applicant's Representative

- Advised that the owners are redeveloping their basement and that there will be sufficient parking on site.
- Advised that the owners canvassed the neighbourhood and obtained support for this application that is why this application did not have to go before the Advisory Planning Commission.

There were no further comments.

- 3.3 Bylaw No. 10151 (Z08-0112) – Karen Dilullo/(Rick and Karen Dillulo) – 2315 Brentwood Road - THAT Rezoning Application No. Z08-0112 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 25, Section 18, Township 27, O.D.Y.D., Plan 24161, located on Brentwood Road, Kelowna, B.C. from the A1 Agriculture zone to the A1(s) Agriculture with a Secondary Suite zone be considered by Council;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department, Black Mountain Irrigation District and Ministry of Highways, being completed to their satisfaction.

Staff:

- Advised that a Building Permit for the structure has been issued; however it did not include a secondary suite.

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

- o Letter of Opposition
 - Stan Globush, 2116 Hadden Court

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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.

Rick & Karen Dilullo, Applicants

- The secondary suite will be located on top of the garage and they have no intention of renting out the suite as it may be used in the future by one of their children.
- Advised that they will not be using the secondary suite as a home-based business location.
- Confirmed that there will be a stove and fridge in the suite which could be used by guests if necessary.
- Advised that the garage is currently under construction and they have now decided to add a secondary suite.

Gallery:

Andy Lawson, 2338 Brentwood Road

- Concerned about the traffic in the area and the fact that the owner has business vehicles that are currently kept on the site.
- Believes that the structure is taller than the main house and therefore dominates the area.
- Believes that this will set a precedent in the area.
- Advised that this structure is a bone of contention with the neighbourhood.

Staff:

- Reviewed how the height of the building is determined and how it meets the current zoning in the area.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 6:33 p.m.

Certified Correct:

Mayor

SLH/dld

City Clerk