

Public HearingNovember 2, 2010

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, November 2nd, 2010.

Council members in attendance: Mayor Sharon Shepherd, Councillors Kevin Craig, Robert Hobson, Graeme James, Angela Reid, Michele Rule and Luke Stack*.

Council members absent: Councillors Andre Blanleil and Charlie Hodge.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Director, Land Use Management, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:03 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.

Councillor Stack joined the meeting at 6:04 p.m.

The City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on October 20, 2010, and by being placed in the Kelowna Daily Courier issues of October 25, 2010 and October 26, 2010, and in the Kelowna Capital News issue of October 24, 2010, and by sending out or otherwise delivering 1,289 letters to the owners and occupiers of surrounding properties between October 15, 2010 and October 22, 2010.

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. 10427 (Z10-0069) - Balbir and Baldev Kang (DE Pilling and Associates Ltd.) - 435 Gerstmar Road - THAT Rezoning Application No. Z10-0069 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 1, Section 22, Township 26 ODYD Plan 39039 located at Gertsmar Road, Kelowna, BC, from the RU1 - Large Lot Housing zone to the RU2s - Medium Lot Housing 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 Development Engineering Branch and Rutland Water Works 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.

Rob, DE Pilling and Associates Ltd., Applicants' Representative

- Would like to improve the neighbourhood by demolishing the current structure, subdividing the property and constructing two (2) separate dwellings.

There were no further comments.

- 3.2 Bylaw No. 10428 (Z10-0076) - Hugh and Bernice Westen - 1070 Henderson Drive
 - THAT Rezoning Application No. Z10-0076 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8 Section 24 Township 26 ODYD Plan KAP89034, located at 1070 Henderson Drive, Kelowna BC, from the from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1s - Large Lot Housing (Hillside Area) 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 be considered subject to the requirements of the Black Mountain Irrigation District being completed to their satisfaction;

AND THAT final adoption be considered subject to a Building Permit application being made for the suite.

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

- Letter of Opposition:
 - Craig Wilson, 1225 Oswell Drive

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

Hugh Westen, Applicant

- Would like to add a secondary suite to the dwelling so that his 90 year old mother-in-law can live in the suite.
- Advised that he did not speak with Craig Wilson of 1225 Oswell Drive regarding the rezoning application.

There were no further comments.

- 3.3 Bylaw No. 10429 (Z10-0063) - Morley and Lorraine Soltys (Wolverine Construction) - 1549 Blondeaux Crescent - THAT Rezoning Application No. Z10-0063 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot B, Section 29, Township 26 ODYD Plan KAP72251 located at Blondeaux Crescent, Kelowna, BC, from the RU2 -Medium Lot Housing zone to the RU2s - Medium Lot Housing with a secondary suite zone be considered by Council;

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

AND THAT a building permit for the suite be applied for prior to final adoption of the zone.

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

- Letter of Conditional Support:
 - Cornelis & Sarah V. Wallenburg, 1590 Blondeaux Crescent

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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.

Morley & Lorraine Soltys, Applicants

- Would like to incorporate a legal suite into the dwelling so that their son can reside in the suite.

There were no further comments.

- 3.4 Bylaw No. 10431 (Z10-0066) - Parmajit and Kiranjit Gill (Axel Hilmer Planning Consultant) - 1331 Samurai Court - THAT Rezoning Application No. Z10-0066 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 19, Section 13, Township 26, ODYD Plan KAP87484 located at Samurai Court, Kelowna, BC, from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with a secondary suite zone be considered by Council;

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

AND THAT a building permit for the suite be applied for prior to final adoption of the zone.

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

- Letter of Opposition:
 - BSR Projects, 1294 Samurai Court

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, Axel Hilmer Planning Consultant, Applicants' Representative

- Does not believe that there are any issues with respect to traffic, parking or street grading in relation to this application.
- Advised that he did not speak directly with any of the adjoining neighbours.

There were no further comments.

- 3.5 Bylaw No. 10432 (Z10-0072) - Darren and Geralyn Turner (Billeck Construction dba New Kastle Homes) - 2575 Grenfell Road - THAT Rezoning Application No. Z10-0072 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 2, D.L. 136, ODYD, Plan 27284, located at 2575 Grenfell Road, Kelowna, BC, from the RU1 - Large Lot Housing zone to the RU1s Large Lot Housing with a secondary suite zone be considered by Council;

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

THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction;

AND THAT a building permit for the suite be applied for prior to final adoption of the zone.

Staff:

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- Advised that the Applicant has done some improvements to the driveway of the dwelling.

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

- Letter of Opposition:
 - Ilona Erlendson, 963 Campus Court

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

Darren Turner, Applicant

- Would like to construct a suite in the dwelling for his mother.
- Advised that he spoke to his neighbours and no concerns were raised.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 6:21 p.m.

Certified Correct:

Mayor

SLH/dld

Deputy City Clerk