

Public HearingNovember 19, 2002

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 19, 2002.

Council members in attendance were: Deputy Mayor R.D. Hobson, Councillors R.D. Cannan, B.A. Clark, C.B. Day, J.D. Nelson and S.A. Shepherd.

Council members absent: Mayor Walter Gray and Councillors A.F. Blanleil and B.D. Given.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, A.M. Flack; Director of Planning & Development Services, R.L. Mattiussi; Subdivision Approving Officer, R.G. Shaughnessy; Special Projects Planning Manager, H.M. Christy; and Council Recording Secretary, B.L. Harder.

1. Deputy Mayor Hobson called the Hearing to order at 7:00 p.m.
2. Deputy Mayor Hobson advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Zoning Bylaw No. 8000" and authorize a Heritage Revitalization Agreement. 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 Deputy City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on November 1, 2002, and by being placed in the Kelowna Daily Courier issues of Tuesday, November 12 and Wednesday, November 13, 2002, and in the Kelowna Capital News issue of Sunday, November 10, 2002, and by sending out or otherwise delivering 83 letters to the owners and occupiers of surrounding properties between November 1 and November 4, 2002.

3. INDIVIDUAL BYLAW SUBMISSIONS

- 3.1 Bylaw No. 8925 (Z02-1036) – Double-Day Development Corporation (City of Kelowna) – 1585 Lewis Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Section 13, Township 26, ODYD, Plan 4636, located on Lewis Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RR2 – Rural Residential 2 and P3 – Parks and Open Space zones as shown on Map "A" attached to the report of Planning & Development Services Department dated October 10, 2002.

Staff:

- The property is within the Agricultural Land Reserve and an application for exclusion was turned down by the Land Reserve Commission but the LRC did allow a subdivision of the property as determined by the City of Kelowna.
- The applicant is proposing to subdivide the subject property into two lots, creating a public park on the southern portion and a rural residential lot for the existing residence on the northern portion of the property. The residential lot would be serviced with sanitary sewer.
- The portion of Garner Pond which is located on a portion of the property would be returned to Crown with the subdivision application.
- The application was reviewed and supported by the Advisory Planning Commission.

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The Deputy City Clerk advised that no correspondence or petitions had been received.

Deputy Mayor Hobson invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

Don Day, applicant:

- Indicated he had nothing to add at this time.

There were no further comments.

- 3.2 Bylaw No. 8928 (HRA02-0001) – Kelowna Thoracic Surgical Group Ltd. – 2178 Pandosy Street – THAT Council authorize the City of Kelowna to enter into a Heritage Revitalization Agreement for the property legally described as Lot 3, Twp. 25, Secs. 13 & 24, ODYD, Plan 7535, located on Pandosy Street, Kelowna B.C., in the form of such agreement attached to and forming part of this bylaw as “Schedule A”.

Staff:

- The building on the subject property is known as the Annie Stirling House and is listed in the Kelowna Heritage Register.
- The property meets all zoning requirements of the existing single family zone; however it does not meet the 15-stall parking requirement of the zoning bylaw for the proposed health services use. The site has 4 parking stalls that would be accessed from the rear lane. The parking shortfall would be addressed through the proposed Heritage Revitalization Agreement which stipulates that the doctors’ and their support staff would park at Kelowna General Hospital and that there would be no more than three patients on site at any one time.
- The office would also be used as a video teleconferencing facility to see patients in other communities and a residential unit is proposed on the upper floor of the building.

The Deputy City Clerk advised that the following correspondence had been received:

- Letter of support from the Kelowna South-Central Association of Neighbourhoods.

Deputy Mayor Hobson invited the applicant or anyone in the public gallery who deemed themselves affected to come forward or any comments from Council.

Brian Quiring of MQLN Architects, representing the applicant:

- An equivalency engineer has been retained and he sees no problems with negotiating the necessary upgrades to the house with City Building Inspections staff for fire protection.

Marianne Leimert, 2164 Pandosy Street:

- The alley is already used for parking by people at Kelowna General Hospital. Concerned that the patients and staff of the proposed facility will also park in the alley. Would not object to the proposed use of the property if that could somehow be controlled.

Council:

- The Community Heritage Commission also has concerns about the parking and suggests that signage will be very important for directing patients to the on-site parking. It may also be necessary to put up no parking signs in the rear lane.

There were no further comments.

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4. TERMINATION:

The Hearing was declared terminated at 7:16 p.m.

Certified Correct:

Deputy Mayor Hobson

Deputy City Clerk

BLH/am