

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 4, 2003.

Council members in attendance were: Mayor Walter Gray, Councillors R.D. Cannan, B.A. Clark*, C.B. Day, B.D. Given, E.A. Horning and S.A. Shepherd.

Council members absent: Councillors A.F. Blanleil and R.D. Hobson.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi; Current Planning Manager, A.V. Bruce; Long Range Planning Manager, S. Bagh; Urban Design Planner, P. McCormick; and Assistant City Clerk, L.M. Taylor acting as Council Recording Secretary.

(* denotes partial attendance)

1. Mayor Gray called the Hearing to order at 7:00 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "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.

Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on January 17, 2003, and by being placed in the Kelowna Daily Courier issues of January 27, 2003 and January 28, 2003, and in the Kelowna Capital News issue of January 26, 2003, and by sending out or otherwise delivering 311 letters to the owners and occupiers of surrounding properties between January 17, 2003 and January 21, 2003.

3. INDIVIDUAL BYLAW SUBMISSIONS

- 3.1 Bylaw No. 8953 (Z02-1027) – No. 21 Great Projects Ltd. and Michal & Suzanne Jilek (Runnalls Denby and Associates/Neil Denby) – 1228 Paret Road and 889 & 904 Steele Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot A, DL 579, SDYD, Plan KAP68860; part of the N½ of DL 579, SDYD, except Plans 5648, 9458 and 9459; and Lots 9 & 10, DL 579, SDYD, Plan KAP68542, located on Paret/Steele Roads, Kelowna, B.C. from the A1 – Agriculture 1 zone and the RR2 – Rural Residential 2 zone to the RU1 – Large Lot Housing zone as shown on Map "A" attached to the report of Planning & Development Services Department dated December 27, 2002.

Councillor Clark declared a conflict as the property is adjacent to his property and left the Council Chamber at 7:03 p.m.

Staff:

- Application is for a 46-lot single family residential subdivision and is consistent with the Official Community Plan and the Southwest Okanagan Mission Sector Plan.
- Access to the proposed subdivision will be from a proposed road that will extend off Steele Road and will connect to the proposed development to the west.
- Proposed subdivision serves as an infill development for the existing single family development to the east and the proposed single family development to the west.
- Subdivision layout configuration will require refinements through the concurrent subdivision application process.
- Final adoption on bylaw will be held pending endorsement of Area Structure Plan for Neighbourhood 3.

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

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

The applicant indicated he had nothing to add at this time.

There were no further comments.

Councillor Clark returned to the Council Chamber at 7:12 p.m.

- 3.2 Bylaw No. 8954 (Z02-1050) – 1931 Venture Inc. and Orlando Ungaro (Brian Wyatt/Miller & Wyatt Ltd.) – 1955 Baron Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, DL 532, O.D.Y.D., Plan KAP58763, located on Baron Road, Kelowna, B.C., from the C4 – Town Centre Commercial zone to the C10 – Service Commercial zone.

Staff:

- Rezoning to permit development of the subject property with a commercial building for use as an automotive parts sales and distribution centre.
- Development permit application to authorize construction of a 1,402 m² commercial building has been made concurrently with rezoning.
- Site plan for the proposed development indicates access from Baron Road at both the northwest and southwest corners.
- A one-way access driveway located along the south property line will provide access to the rear parking area and loading dock area located at the rear of the building.

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

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

The applicant indicated he had nothing to add at this time.

There were no further comments.

- 3.3 Bylaw No. 8900 (TA01-003) – To amend the C7 – Central Business Commercial Zone of City of Kelowna Zoning Bylaw No. 8000 to permit increased building heights in the downtown areas while at the same time protecting sunlight access at street level and preventing the generation of undesirable wind movements at street level.

Staff:

- Direction to increase allowable building heights comes from the Downtown Plan endorsed by Council in January 2000.
- Three urban design criteria: protect sunlight at street level; prevent undesirable winds; and encourage definition of the street and interesting building forms.
- Changes increase the maximum allowable height to 44 m within Areas 1 and 2 and eliminates daylighting angle requirements.
- Setback would be zero at ground level and 3 m above 15 m in height.
- Area 1 would require a minimum of commercial space on the ground floor whereas Area 2 would allow building to have 100% residential occupancy.
- A reduction in the number of parking spaces for residential units to 1 stall per unit regardless of the number of bedrooms.
- Reduction in number of loading stalls to 1 stall per development regardless of use.
- Addition of artist's studio and public education services as principal uses.
- Elimination of requirement for separate entrances for commercial and residential components of a mixed use building.

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

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

Ken Webster – UDI, Kelowna Chapter:

- Generally agree with proposed amendments to C7 zone but have three concerns.
 - (i) Should further reduce the parking requirements or have the parking in lieu payment guarantee parking for the residents in the near vicinity (i.e. provide designated spaces in parkade);
 - (ii) Should further reduce private open space requirement, potentially to zero as urban dwellers would take advantage of public open space.
 - (iii) Should increase the building setback to above 18m to permit the construction of 4 wood-frame storeys above a one-storey concrete suspended slab.
- Continue to encourage City to create an incentive program to stimulate development downtown.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 8:10 p.m.

Certified Correct:

Mayor

LMT/am

City Clerk