

CITY OF KELOWNA

AGENDA

PUBLIC HEARING

APRIL 15, 2003 – COUNCIL CHAMBER

CITY HALL – 1435 WATER STREET

7:00 P.M.

CHAIRMAN WILL CALL THE HEARING TO ORDER:

1.
 - (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600 and Zoning Bylaw No. 8000.
 - (b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing.
 - (c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after March 28, 2003 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.
 - (d) Council debate on the proposed bylaws will take place when they are considered by Council during the Regular Council meeting after the conclusion of this Hearing.
 - (e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.
2. The City Clerk will provide information as to how the meeting was publicized.

3. INDIVIDUAL BYLAW SUBMISSIONS:

3.1 **BYLAW NO. 8460 (Z98-1032)**

LOCATION: 611 & 625 Barnaby Road and 5065 Frost Road
LEGAL DESCRIPTION: Lot 1, DL 357, ODYD,, Plan 18352; Part of Lot 1 shown on Plan B7484, DL's 357 & 358, ODYD,, Plan 4207; and Lot 1, DL 357, SDYD, Plan KAP51584
APPLICANT: Protech Consultants (1989) Ltd./Mike Young
OWNER: Hilltop Sand & Gravel Co. Ltd./ Kathleen Mackenzie
PRESENT ZONING: A1 – Agriculture 1 zone
REQUESTED ZONING: RU1 – Large Lot Housing, RU2 – Medium Lot Housing, RU4 – Low Density Cluster Housing, P3 – Parks and Open Space and P4 – Utilities zones
PURPOSE: To permit a subdivision with a variety of residential and open space uses.

3.2 **BYLAW NO. 8990 (Z03-0001)**

LOCATION: 240 Sadler Road
LEGAL DESCRIPTION: Lot 2, Section 26, Township 26, ODYD,, Plan 13119
OWNER/APPLICANT: Darrell Helfrich
PRESENT ZONING: RU1 – Large Lot Housing zone
REQUESTED ZONING: RU1s – Large Lot Housing with Secondary Suite zone
PURPOSE: To permit a secondary suite in the basement of the existing single detached dwelling.

3.3 **BYLAW NO. 8996 (Z03-0005)**

LOCATION: 477 Osprey Avenue
LEGAL DESCRIPTION: Lot 1, District Lot 14, ODYD,, Plan 4280
OWNER/APPLICANT: Jean-Anne Copley and Joseph Popoff
PRESENT ZONING: P2 – Education and Minor Institutional zone
REQUESTED ZONING: RU6 – Two Dwelling Housing zone
PURPOSE: To legalize the conversion of a previous childcare facility to an additional dwelling unit.

3.4 **BYLAW NO. 9000 (Z03-0006)**

LOCATION: 795 Hollywood Road
LEGAL DESCRIPTION: Lot 2 Section 26 Township 26 DL 143 ODYD, Plan 31306
OWNER/APPLICANT: Bob Volk
PRESENT ZONING: RU1 – Large Lot Housing zone
REQUESTED ZONING: RU1s – Large Lot Housing with Secondary Suite zone
PURPOSE: To legalize an existing secondary suite in an accessory building located in the rear yard.

3.5 **BYLAW NO. 8999 (TA03-0003)**

LOCATION: 1620 & 1632 Dickson Avenue
LEGAL DESCRIPTION: Lot A DL 129 ODYD, Plan KAP68674
OWNER/APPLICANT: Al Stober Construction
PURPOSE: Amend the provisions of the CD14 – Comprehensive High Tech Business Campus zone to permit the construction of a 6-storey building in the second phase of the development.

ITEMS 3.6(a) and (b) may be considered together

3.6a BYLAW NO. 8960 (TA02-0007)

APPLICANT: City of Kelowna

PURPOSE: Amendments to the Zoning Bylaw No. 8000 resulting from the new BC Liquor Control Board regulations that came into effect December 2, 2002. In general terms, these amendments will increase Council's control over the location of Licensed Liquor Primary establishments and Licensed Retail Liquor sales businesses by requiring either one of these uses to apply for a rezoning.

Licensed Liquor Primary establishments include bars, pubs, lounges and nightclubs where the serving of liquor, rather than food, is the primary business.

Licensed Retail Liquor Sales include both the existing Provincial run liquor stores and the proposed private liquor stores that will result from the Provincial deregulation of liquor sales.

3.6b BYLAW NO. 8980 (Z03-0007)

CIVICADDRESS & LEGAL DESCRIPTION: Rezone from C2 – Neighbourhood Commercial to C2rls – Neighbourhood Commercial (Retail Liquor Sales):

1. 3929 Lakeshore Road; Lot A, Sec. 6, Twp. 26, ODYD, Plan 36411

2. 2789 KLO Road; Lot A, Sec. 9 & 10, Twp. 26, ODYD, Plan 43297

3. 663 Finns Road; Lot 1, Sec. 34, Twp. 26, ODYD, Plan 42743

Rezone from C3 – Community Commercial to C3lp – Community Commercial (Liquor Primary):

1. #129-948 McCurdy Road; Lot 1, DL 143, ODYD, Plan KAP65021

Rezone from C3 – Community Commercial to C3lp/rls – Community Commercial (Liquor Primary/Retail Liquor Sales):

1. 435 Glenmore Road; Lot B, Sec. 32, Twp. 26, ODYD, Plan KAP54790

Rezone from C4 – Town Centre Commercial to C4lp – Town Centre Commercial (Liquor Primary):

1. 200 Rutland Road South; Lots 11 & 12, Sec. 23, Twp. 26, ODYD, Plan 12078

2. 3-1745 Spall Road; Lot 2, DL 140, ODYD, Plan 24969

Rezone from C4 – Town Centre Commercial to C4rls – Town Centre Commercial (Retail Liquor Sales)

1. #100-1740 Gordon Drive; Lot A, DL.138, ODYD, Plan KAP55098

2. 1937 Gordon Drive; Lot 1, DL.137, ODYD, Plan 3543

3. #41-3155 Lakeshore Road; Lot 2, DL 14 & 135, ODYD, Plan KAP54407;

4. 1840 & 1920 Cooper Road; Lot A, DL 127, ODYD, Plan KAP48113

5. #14-590 Highway 33 West; Lot B, Sec 26 & 27, Twp. 26, ODYD, Plan 30302

Rezone from C4 – Town Centre Commercial to C4lp/rls – Town Centre Commercial (Liquor Primary/Retail Liquor Sales)

1. 1171 Harvey Avenue; Lot B, DL 137, ODYD, Plan KAP64836
2. 3110 Lakeshore Road; Lot C, DL 14, ODYD, Plan 22527 except Plan 35659
3. 155 Rutland Road South; Lot 3, Sec. 23,Twp. 26, ODYD, Plan 2221 except Plan 35578 and 43627

Rezone from C6 – Regional Commercial to C6lp – Regional Commercial (Liquor Primary)

1. 1992 Dilworth Drive; Lot 1, DL 127 & 4646, ODYD, Plan KAP47930

Rezone from C6 – Regional Commercial to C6rls – Regional Commercial (Retail Liquor Sales):

1. #109-1835 Dilworth Drive; Lot 4, DL. 127, ODYD, Plan KAP59534

Rezone from C7 – Central Business Commercial to C7lp – Central Business Commercial (Liquor Primary):

1. 262 Bernard Avenue; Lot B, Sec. 32, Twp. 26, ODYD, Plan KAP54790
2. 220 Lawrence Avenue; Lot 9, Block 13, D.L. 139, ODYD, Plan 462
3. 238 Leon Ave; Lot 7, Block 10, DL. 139, ODYD, Plan 462
4. 275 Leon Avenue; Lot 1, DL.139, ODYD, Plan 32713;
5. 235 Queensway Avenue; Lot A, DL.139, ODYD, Plan 2180
6. 1630-1654 Ellis Street; Lots 1 & 2, Blk 8 DI 139 ODYD, Plan 462
7. 540 Leon Avenue; Lot A, DL.139, ODYD, Plan 16322

Rezone from C7 – Central Business Commercial to C7rls – Central Business Commercial (Retail Liquor Sales)

1. 575 Bernard Avenue; Lot B, DL.139, ODYD, Plan 14322

Rezone from C7 – Central Business Commercial to C4lp/rls – Town Centre Commercial (Liquor Primary/Retail Liquor Sales)

1. 353 Bernard Avenue; Lot 9, Block 14, DL 139, ODYD, Plan 462 except the east 15 feet thereof
2. 348 Bernard Avenue; Lot 3, Block17, DL.139, ODYD, Plan 462

Rezone from C8 – Convention Hotel Commercial to C8lp – Convention Hotel Commercial (Liquor Primary)

1. 1310 Water Street; Lot A DL 139,4041 & 4082 ODYD, Plan KAP47378 except KAP47378 and Lot B DL139, 3454 & 4082 ODYD, Plan KAP47378

Rezone from C9 – Tourist Commercial to C9lp – Tourist Commercial (Liquor Primary)

1. 500 Cook Road; Lot 1, Sec. 1 & 12, DL 134 & 5225 ODYD, Plan KAP67232
2. 3766 Lakeshore Road; Lot A, DL 134 Sec.6, Twp.26, ODYD, Plan KAP56428 Except Plan KAS1776

Rezone from C9 – Tourist Commercial to C9lp/rls – Tourist Commercial (Liquor Primary/Retail Liquor Sales)

1. 2402 Highway 97 North; Lot A, DL. 125, ODYD, Plan19786 except Plans H18058 and KAP44339
2. 2170 Harvey Avenue; Lot A, DL.127, ODYD, Plan 42733

Rezone from CD12 – Airport Comprehensive Development to CD12lp/rls – Airport Comprehensive Development (Liquor Primary/Retail Liquor Sales)

1. 5415 Airport Way; Lot 3, DL 32 & 120, Sec. 14, Twp. 23, ODYD, Plan 11796

Rezone from CD5 – Multi-Purpose Facility Comprehensive Development to CD5lp – Multi-Purpose Facility Comprehensive Development (Liquor Primary)

1. 1223 Water Street; Lot 1, DL.139, ODYD, Plan KAP60698 except Air Space Plan KAP60701

Rezone from CD8 – Heritage Industrial Comprehensive Development to CD8lp/rls – Heritage Industrial Comprehensive Development (Liquor Primary/Retail Liquor Sales)

1. 1304 Ellis Street; Lot 1, DL.139, ODYD, Plan 42511

Rezone from P1 – Major Institutional to P1lp – Major Institutional (Liquor Primary)

1. 1557 Burtch Road; Lot 2, Sec. 20, Twp. 26. ODYD, Plan 32159
2. 663 Recreation Avenue and 552 Gaston Avenue; Lot 2, DL 139, ODYD, Plan 19829
3. 551 Recreation Avenue; Lot B, DL 139, ODYD, Plan 18028

Rezone from P3 – Parks and Open Space to P3lp – Parks and Open Space (Liquor Primary)

1. 2725 KLO Road; Lot A, Sec. 9 & 10, Twp. 26, ODYD, Plan KAP45934
2. 1297 Glenmore Drive; Lot A, Sec. 29, Twp. 26, ODYD, Plan 23125 Except Plan KAP60640
3. 2777 KLO Road; Lot A, Sec. 9 & 10, Twp. 26, ODYD, Plan 43297
4. 1085 Lexington Drive; Lot 1, DL. 168 Sec. 6, Twp. 26, ODYD, Plan KAP49584
5. 1959 KLO Road; Lot A, DL 131, Sec. 8, Twp. 26, ODYD, Plan 35770

APPLICANT: City of Kelowna
OWNERS: Various
PURPOSE: To maintain conformity with the proposed text amendments in the proposed Bylaw No. 8960 that have resulted from the changes to the Provincial Liquor regulations.

4. PROCEDURE ON EACH BYLAW SUBMISSION:

- (a) Brief description of the application by City Staff (Planning).
- (b) The Chairman will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes. Where appropriate, the applicant should have sufficient visual aids, e.g. schematics, sketches, etc. to describe the project to the Council and to the public in attendance.
- (d) The Chairman will call for representation from the public in attendance.
 - (i) The microphone at the podium has been provided for any person(s) wishing to make representation to the meeting.

- (ii) The Chair will recognize ONLY speakers at podium.
- (iii) Speakers are encouraged to limit their remarks to 5 minutes. However, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Members of Council may ask questions of the applicant and/or City Staff in order to clarify details of the project, etc.
- (f) Final calls for representation.

5. TERMINATION