

CITY OF KELOWNA

AGENDA

PUBLIC HEARING

July 22, 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 July 4, 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 APPLICANT: City of Kelowna
OWNERS: Various
PURPOSE: To maintain conformity with the proposed text amendments in the Bylaw No. 8960 that have resulted from the changes to the Provincial Liquor regulations.

3.1a) **BYLAW NO. 9016 (Z03-0021a)**

LOCATION: 1992 Dilworth Drive (R.J. McMaster’s Pub)
LEGAL DESCRIPTION: Lot 1, District Lot 127 & 4646, ODYD, Plan KAP47930
APPLICANT: City of Kelowna
OWNER: Willcliff Holdings Ltd
PRESENT ZONING: C6 – Regional Commercial
REQUESTED ZONING: C6rls – Regional Commercial Retail Liquor Sales
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.1b) **BYLAW NO. 9017 (Z03-0021b)**

LOCATION: 1630 & 1654 Ellis Street and 466 & 484 Leon Ave (Yamas Taverna)
LEGAL DESCRIPTION: Lots 1 and 2, Blk 8, DL. 139, Plan 462
APPLICANT: City of Kelowna
OWNER: MS Developments Inc.
PRESENT ZONING: C7 – Central Business Commercial
REQUESTED ZONING: C7rls – Central Business Commercial Retail Liquor Sales
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.1c) **BYLAW NO. 9018 (Z03-0021c)**

LOCATION: 500 Cook Road (Hotel Eldorado)
LEGAL DESCRIPTION: Lot 1, Sec. 1&12, DL.134 and 5225, ODYD, Plan KAP67232
APPLICANT: City of Kelowna
OWNER: R93 Enterprises Ltd.
PRESENT ZONING: C9 – Tourist Commercial
REQUESTED ZONING: C9rls – Tourist Commercial retail liquor sales
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.1d) **BYLAW NO. 9019 (Z03-0021d)**

LOCATION: 235 Queensway Avenue (Willow Inn Hotel);
LEGAL DESCRIPTION: Lot 6 & 7, DL 139, ODYD, Plan 505 and Lot A, DL 139, ODYD, Plan 2180;
APPLICANT: City of Kelowna
OWNER: K&J Noble Holdings Ltd;
PRESENT ZONING: C7 – Central Business Commercial
REQUESTED ZONING: C7rls – Central Business Commercial Retail Liquor Sales
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.1e) **BYLAW NO. 9020 (Z03-0021e)**

LOCATION: 1180 Sunset Drive (Waterfont Wines)
LEGAL DESCRIPTION: Lot B, District Lot 139, ODYD, Plan KAP49982 except Strata Plan KAS1261
APPLICANT: City of Kelowna
OWNER: Corrigan
PRESENT ZONING: C7 – Central Business Commercial
REQUESTED ZONING: C7rls – Central Business Commercial Retail Liquor Sales
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.1f) **BYLAW NO. 9021 (Z03-0021f)**

LOCATION: 1675 Abbott Street (Prestige Inn);
LEGAL DESCRIPTION: Lot A, DL 139, ODYD, Plan 36244
APPLICANT: City of Kelowna
OWNER: Bill-Ed Logging Ltd;
PRESENT ZONING: C7 – Central Business Commercial
REQUESTED ZONING: C7rls – Central Business Commercial Retail Liquor Sales
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.1g) **BYLAW NO. 9022 (Z03-0021g)**

LOCATION: 238 Leon Avenue (Gotcha)
LEGAL DESCRIPTION: Lot 7, Blk 10, DL 139, ODYD, Plan 462
APPLICANT: City of Kelowna
OWNER: 475872 BC Ltd;
PRESENT ZONING: C7 – Central Business Commercial
REQUESTED ZONING: C7rls – Central Business Commercial Retail Liquor Sales
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.1h) **BYLAW NO. 9023 (Z03-0021h)**

LOCATION: 274 Lawrence Avenue (Senior Frogs)
LEGAL DESCRIPTION: Lot 3, Blk 13, DL 139, ODYD, Plan 462;
APPLICANT: City of Kelowna
OWNER: 614030 BC Ltd
PRESENT ZONING: C7 – Central Business Commercial
REQUESTED ZONING: C7rls – Central Business Commercial Retail Liquor Sales
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.1i) **BYLAW NO. 9024 (Z03-0021i)**

LOCATION: 1310 Water Street (Grand Okanagan Resort)
LEGAL DESCRIPTION: Lots A and B District Lot 139, 4041 and 4082 ODYD Plan KAP47378 except Strata Plan KAS1140
APPLICANT: City of Kelowna
OWNER: Grand Okanagan Resort Ltd.
PRESENT ZONING: C8 – Convention Hotel Commercial
REQUESTED ZONING: C8rls – Convention Hotel Commercial (retail liquor sales)
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.1j) **BYLAW NO. 9025 (Z03-0021j)**

LOCATION: 2130 Harvey Avenue (Sandman Inn)
LEGAL DESCRIPTION: Lot A, District Lot 127, ODYD, Plan 23746
APPLICANT: City of Kelowna
OWNER: Northland Properties Ltd
PRESENT ZONING: C9 – Tourist Commercial
REQUESTED ZONING: C9rls – Tourist Commercial retail liquor sales
PURPOSE: To permit the operation of a retail liquor sales establishment.

3.2a)

BYLAW NO. 9054 (OCP03-0009)

LOCATION: 145, 185 & 205 Clifton Road; 1630 & 1650 Glenmore Rd; E of Grainger Rd; E of Rio Dr and W & N of Union Rd; 2025 Begbie Rd

LEGAL DESCRIPTION: Lot A, Sec 6, Twp 23, ODYD, Plan KAP70041; NW ¼ of Sec 5, Twp 23, ODYD except Plan 20895; Lot 8, Sec 8, Twp 23, ODYD, Plan 29568; SW ¼ Sec 16, Twp 23, ODYD; SE ¼ Sec 17, Twp 23, ODYD; Lot A, Sec 32, Twp 26, ODYD, Plan KAP55949 except Plan KAP70047; SW ¼ of Sec 5, Twp 23, ODYD; NE ¼ of Sec 8, Twp 23, ODYD except Plan KAP69724; SE ¼ of Sec 8, Twp 23, ODYD except Plans 22400 and KAP69724; NE ¼ of Sec 5, Twp 23, ODYD except Plans 896, B645 and KAP69724; Lot A, Secs 4, 5, 8 and 9, Twp 23, ODYD, Plan KAP69724 except Plan KAP71944

APPLICANT: Ekistics Town Planning Inc. / Paul Rosenau

OWNER: Glenwest Properties Ltd./ City of Kelowna

OFFICIAL COMMUNITY PLAN AMENDMENT: To change **from** Single/Two Unit Residential, Multiple Unit Residential – low density, Multiple Unit Residential – low density transition, Mixed Residential Commercial, Major Park/Open Space, Future Urban Reserve designations **to** the Single/Two Unit Residential, Multiple Unit Residential – low density, Neighbourhood Commercial, Public Services/Utilities, Major Park/Open Space designations.

To amend the OCP Maps 6.2; 7.1; 14.2 and 19.1 to accommodate a Commercial Development Permit Area; Natural Environment/Hazardous Condition Development Permit; Linear Park Concept Plan Trail; Future Land use Designations.

3.2b)

BYLAW NO.9055 (TA03-0007)

APPLICANT: Ekistics Town Planning Inc./Paul Rosenau

PURPOSE: To allow the construction of the next Phase of the Glenmore Highlands Area Structure Plan the provisions of in the City of Kelowna Zoning Bylaw 8000 must be amended as follows:

- (a) Amend **Section 13.3 RU3 – Small Lot Housing** by adding:
- RU3hs – Small Lot Housing (Hillside Area) with Secondary Suite
- (b) Amend **Section 13.3.5 (c)** by adding:
- For the RU3hs zone the maximum height of any vertical wall element facing a front, side or rear yard (including walkout basements) is the lesser of 6.5m or 2 storeys, above which the building must be stepped back at least 1.2m.
- (c) Amend **Section 13.3.5** by adding:
- (h) For the RU3hs zone, all decks, supporting posts or columns shall not exceed the lesser of 4.5m or 1 storey in height, such measurements to include the height of any support structure or retaining wall.

3.2 c)

BYLAW NO. 9056 (Z02-1061)

LOCATION: 145, 185 & 205 Clifton Road; 1630 & 1650 Glenmore Rd; E of Grainger Rd; E of Rio Dr and W & N of Union Rd; 2025 Begbie Rd

LEGAL DESCRIPTION: Lot A, Sec 6, Twp 23, ODYD, Plan KAP70041; NW ¼ of Sec 5, Twp 23, ODYD except Plan 20895; Lot 8, Sec 8, Twp 23, ODYD, Plan 29568; SW ¼ Sec 16, Twp 23, ODYD; SE ¼ Sec 17, Twp 23, ODYD; Lot A, Sec 32, Twp 26, ODYD, Plan KAP55949 except Plan KAP70047; SW ¼ of Sec 5, Twp 23, ODYD; NE ¼ of Sec 8, Twp 23, ODYD except Plan KAP69724; SE ¼ of Sec 8, Twp 23, ODYD except Plans 22400 and KAP69724; NE ¼ of Sec 5, Twp 23, ODYD except Plans 896, B645 and KAP69724; Lot A, Secs 4, 5, 8 and 9, Twp 23, ODYD, Plan KAP69724 except Plan KAP71944

APPLICANT: Ekistics Town Planning Inc. / Paul Rosenau

OWNER: Glenwest Properties Ltd./ City of Kelowna

ZONING AMENDMENT: To rezone **from** A1 – Agriculture 1; RR3 – Rural Residential 3; RU1 – Large Lot Housing, RU4 – Low Density Cluster Housing, RM3 – Low Density Multiple Housing; RM5 – Medium Density Multiple Housing; C2 – Neighbourhood Commercial; P2 – Education & Minor Institutional; and P3 – Parks & Open Space **to** RU1h – Large Lot Housing (Hillside Area), RU2h – Medium Lot Housing (Hillside Area), RU3hs – Small Lot Housing (Hillside Area) with Secondary Suite, RU4 – Low Density Cluster Housing, RM2h – Low Density Row Housing (Hillside Area), RM3 – Low Density Multiple Housing; RM5 – Medium Density Multiple Housing; C1 – Local Commercial; C2 – Neighbourhood Commercial – Community Commercial; P2 – Education & Major Institutional; P3 – Parks & Open Space, and P4 – Utilities

REZONING PURPOSE: To rezone the next Phase of the Glenmore Highlands Area Structure Plan, adopted in 1983, to the various zones proposed to facilitate the development of approximately 1,222 units comprised of a mixture of single family and multi-family lots and containing a commercial component, parks & open space and associated utilities.

3.3

BYLAW NO. 9057 (HRA03-0001)

LOCATION: 2094 Abbott Street

LEGAL DESCRIPTION: Lot A, District Lot 14, ODYD, Plan KAP47142

APPLICANT/ OWNER: Cheryl & David Cross-Negrin

PRESENT ZONING: RU1 – Large Lot Housing

PURPOSE: The applicant is seeking to enter into a Heritage Revitalization Agreement with the City of Kelowna under Section 966 of the Local Government Act in order to relocate and restore the heritage house that currently exists on the subject property. The applicant is proposing to relocate the existing heritage house on the subject property to accommodate the addition of a second house and subdivision of the property. The property lies within the boundaries of the Abbott Street Heritage Conservation area and is listed on the Kelowna Heritage Register.

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