

CITY OF KELOWNA

AGENDA

PUBLIC HEARING

January 13, 2004 – COUNCIL CHAMBER

CITY HALL – 1435 WATER STREET

5:00 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 December 29, 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. 9128 (Z03-0059)

LOCATION: 2040 Joe Riche Road
LEGAL DESCRIPTION: That part of Lot 5 shown on Plan B4079 Sec 18, Twp 27, ODYD, Plan 1991
APPLICANT: Black Mountain Pub (Steve Berezan)
OWNER: 641300 BC Ltd
PRESENT ZONING: C2 – Neighbourhood Commercial zone
REQUESTED ZONING: C2RLS – Neighbourhood Commercial Retail Liquor Sales zone
PURPOSE: The applicant wishes to resurrect the old Black Mountain Pub and would like to rezone the subject property in order to add a restaurant and retail liquor store on site.

3.2(a)

LUC03-0002 – Discharge of Land Use Contract 78-1029

LOCATION: 1094 Lawson Avenue
LEGAL DESCRIPTION: Lot 2, District Lot 138, ODYD, Plan 3809
OWNER/APPLICANT: LCC Holdings Inc./Terry Feeny
PRESENT ZONING: Land Use Contract 78-1029 (RU6 is the underlying zone)
REQUESTED ZONING: RM4 - Transitional Low Density Housing
REZONING PURPOSE: The applicant is proposing to Discharge the Land Use Contract through Council resolution prior to Council consideration of the rezoning and amendment to the Official Community Plan for the subject property. The applicant wishes to construct a 15 unit condo/apartment development.

3.2(b)

BYLAW NO. 9135 (OCP03-0011)

LOCATION: 1094 Lawson Avenue
LEGAL DESCRIPTION: Lot 2, District Lot 138, ODYD, Plan 3809
OWNER/APPLICANT: LCC Holdings Inc./Terry Feeny
OFFICIAL COMMUNITY PLAN AMENDMENT: Multiple Unit Residential Low Density to Multiple Unit Residential Low Density Transition
PURPOSE: The applicant is proposing to Discharge the Land Use Contract through Council resolution prior to Council consideration of the rezoning and amendment to the Official Community Plan for the subject property. The applicant wishes to construct a 15 unit condo/apartment development.

3.2(c)

BYLAW NO. 9136 (Z03-0047)

LOCATION: 1094 Lawson Avenue

LEGAL DESCRIPTION: Lot 2, District Lot 138, ODYD, Plan 3809

OWNER/APPLICANT: LCC Holdings Inc./Terry Feeny

PRESENT ZONING: Land Use Contract 78-1029 (RU6 is the underlying zone)

REQUESTED ZONING: RM4 - Transitional Low Density Housing

REZONING PURPOSE: The applicant is proposing to Discharge the Land Use Contract through Council resolution prior to Council consideration of the rezoning and amendment to the Official Community Plan for the subject property. The applicant wishes to construct a 15 unit condo/apartment development.

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 (Ask three times) Unless Council directs that the public hearing on the bylaw in question be adjourned (held open), the chairman shall state to the gallery that the public hearing on that bylaw is closed.

5. TERMINATION