

Public HearingDecember 7, 2004

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, December 7, 2004.

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

Staff members in attendance were: Acting Deputy City Clerk, D.M. Fediuk; and Manager of Development Services, A.V. Bruce.

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 "*Kelowna 2020 - Official Community Plan Bylaw No. 7600*", 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.

The Acting Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on November 19, 2004, and by being placed in the Kelowna Daily Courier issues of November 29, 2004, December 1, 2004, and December 2, 2004, and in the Kelowna Capital News issue of November 28, 2004, and by sending out or otherwise delivering 111 letters to the owners and occupiers of surrounding properties on November 19, 2004.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy 309.

3. INDIVIDUAL BYLAW SUBMISSIONS

- 3.1 **2355-2455 Acland Road**

- 3.1 Bylaw No. 9326 (OCP04-0017) Temporary Use Permit No. TUP04-0001 – R354 Enterprises Ltd. (Okanagan Independent School Society) – Acland Road – THAT Chapter 19 – Temporary Commercial and Industrial Use Permits of "Kelowna 2020 – Official Community Plan Bylaw No. 7600" be amended to identify Part of Lot 1, Sec. 2, Twp. 23, ODYD Plan 11263 (2355-2455 Acland Road) as a Temporary Commercial Use Permit Area to allow for use of the I1 – Business Industrial property by the Okanagan Independent School Society for a private school for the period of December 7, 2004 to November 10, 2006.

Staff:

- The private school was recently forced to vacate its premises, and is in need of an appropriate school location in order to continue operating.
- The applicant previously occupied this site and would use the existing building and add up to four portable classrooms as was done previously. As this is a repeat occupancy, no Code issues will be examined.
- The property has been rezoned to Industrial and therefore an amendment to the OCP Future Land Use designation is required to allow for the temporary school use.
- A Temporary Use Permit may only be issued for a period of up to two years, with the ability for the applicant to apply for one renewal for a further 2 year period. However, staff anticipate that the initial 2-year permit duration should be sufficient for the tenant to make an alternative arrangement for a permanent school location.

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

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Applicant:

- Indicated he had nothing to add at this time.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:05 p.m.

Certified Correct:

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Mayor

DMF/blh

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Acting Deputy City Clerk