

Public HearingDecember 21, 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 21, 2004.

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

Council members absent: Councillor R.D. Cannan.

Staff members in attendance were: Acting City Manager, Director of Planning & Corporate Services, R.L. Mattiussi; Acting City Clerk, S.C. Fleming; Manager of Development Services, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

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

The Acting City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on December 3, 2004, and by being placed in the Kelowna Daily Courier issues of December 13 and 14, 2004, and in the Kelowna Capital News issue of December 12, 2004, and by sending out or otherwise delivering 311 letters to the owners and occupiers of surrounding properties between December 3 and 5, 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 Bylaw No. 9332 (TA04-0010) – City of Kelowna – THAT City of Kelowna Zoning Bylaw No. 8000 be amended to make the following changes to the C-7– Central Business Commercial Zone:
 - 1) to add a new paragraph to Section 14.7.5 that reads as follows:
 - “(k) In reference to the provisions restricting **building** envelope, the F.A.R is 9.0.”;
 - 2) to change Section 14.7.6(d) to delete reference to ‘mixed use” and to indicate that Area 2 instead of Area 1 is exempt from the requirement that all multi-family residential development within the C7 - Central Business Commercial zone contain a specified minimum commercial component on the ground floor.

Staff:

- The amendments are considered housekeeping in nature and have been initiated in-house. They correct a mapping error by clarifying the intent that new development in Area 2 would allow purely residential buildings and Area 1 would have 90% of the frontage and 50% of the floor area as commercial with residential above.
- The bylaw also amends the C7 zone to add a minimum Floor Area Ratio of 9.0. Adding the F.A.R. requirement allows the building envelope requirements to be varied.

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Councillor Blanleil joined the meeting at 7:04 p.m.

The Acting 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, followed by comments of Council. There was no response.

- 3.2 Bylaw No. 9335 (Z04-0019) – Gordon Alan Cohoe – 467 Ziprick Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, Sec. 22, Twp. 26, ODYD Plan KAP74733, located on Ziprick Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.

Withdrawn from the agenda.

- 3.3 Bylaw No. 9336 (Z04-0057) – Okanagan Halfway House Society (Pacific Sun Enterprises Ltd.) – 1865-1869 Chandler Street - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 40, DL 137, ODYD Plan 10011, located on Chandler Street, Kelowna, B.C. from the RU6 - Two Dwelling Housing to the P1 - Major Institutional zone.

Staff:

- The applicants rezoned three lots fronting onto Chandler Street that they had acquired in 1991 for expansion of the Still Waters hospital facility. At that time they put forward a conceptual plan showing there was one lot they still required. They have now acquired that lot (the subject property) and made arrangements to move the building from the property to a property across the road and the intent is now to rezone the subject property to facilitate their redevelopment plans.
- The Advisory Planning Commission recommends support.
- The proposal is considered to be a logical consolidation of land for the proposed redevelopment.

The Acting 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, followed by comments of Council.

Applicant:

- No residents would be displaced as a result of the proposed redevelopment of Still Waters.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:09 p.m.

Certified Correct:

Mayor

Acting City Clerk

/BLH