

Public HearingApril 12, 2005

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, April 12, 2005.

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

Council members absent: Councillor E.A. Horning.

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 7:04 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 March 18, 2005, and by being placed in the Kelowna Daily Courier issues of April 4 & 5, 2005, and in the Kelowna Capital News issue of April 3, 2005, and by sending out or otherwise delivering 65 letters to the owners and occupiers of surrounding properties on March 18, 2005.

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 OCP Future Land Use Designation – 1795 Country Club Drive

- 3.1 Bylaw No. 9378 (OCP04-0023) - Bellasera Land Corp. (New Town Planning) - 1795 Country Club Drive – THAT Map 19.1 of *Kelowna 2020* Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot C, Section 15, Township 23, ODYD Plan KAP76105 located on Country Club Drive, Kelowna, B.C., from the Low Density Multiple Unit Residential designation to the Commercial designation.

Withdrawn from the agenda at the request of the applicant.

3.2 Front Yard Setback Requirement – I4 – Central Industrial Zone

- 3.2 Bylaw No. 9379 (TA05-0002) – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by reducing the front yard setback requirement in the I4 – Central Industrial zone from 6.0 m to 0.0 m, except where the front yard is directly across a street from residential development in which case the 6.0 m setback is required.

Staff:

- Most of the lots that are zoned I4 Central Industrial already have a building on them that does not meet the setback because the buildings are old and non-conforming in their siting. To avoid going through variances whenever those lots redevelop, staff recommend changing the setback to 0.0 m except when the front yard is across the street from residential development. If it is Council's wish, the exception could be expanded to also include when the front yard is adjacent or abutting residential development.
- In most cases having a 6 m setback creates a dead zone that remains a dirt strip between the sidewalk and the building.

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.

Lynn Watson, 730 Kingsway Street:

- The people who attended the APC meeting on this proposed amendment indicated that they would like the larger setback for residential properties that are adjacent to and abutting I4 zoned lots.
- Residents of the Knox Mountain area have to pass through an industrial area to access town. The City needs to do something to improve that corridor (i.e. widen the sidewalk, boulevard planting, etc.)
- Promoting blooms to beautify the fronts of industrial buildings makes for a pleasant walk. The opportunity to provide that would be lost with the proposed amendment.

Hans Newmann, 1520 Highland Drive North:

- Asked how many properties would be affected if the 6 m setback was retained for residential properties either across the street or adjacent to properties zoned I4 - Central Industrial.

Staff:

- Indicated the properties on a map displayed on the overhead projector.

4. TERMINATION:

The Hearing was declared terminated at 7:21 p.m.

Certified Correct:

Mayor

Acting City Clerk

BLH/am