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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** January 10, 2006  
**File No.:** BL 9723; TA06-0007

**To:** City Manager

**From:** Deputy City Clerk

**Subject:** Advertising Options – TA06-0007 P2 Zone Health Services Minor (1369 Richter Street)

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### RECOMMENDATION:

THAT Notice and advertising for Text Amendment Bylaw 9723 be carried out as per Option #2 as described in the report from the Deputy City Clerk dated January 10, 2007.

### BACKGROUND

Notification and advertising for bylaws that are subject to a Public Hearing is governed by the *Local Government Act* and Council's Development Applications Procedure Bylaw No. 8140. The requirement to mail notice to nearby property owners does not apply if ten (10) or more parcels owned by ten (10) or more persons are subject to the bylaw. Staff follow the provisions of the *Act* and Bylaw unless specifically directed to place additional notice or advertising by Council.

During the January 8, 2007 Regular Meeting, Council considered a proposed Text Amendment bylaw that would amend the Zoning Bylaw to include regulations relating to a new use, "Health Care Services, Minor," on properties in the P2 zone that are less than 1000 square metres. Council directed staff to prepare a text amendment bylaw and requested that staff review options as to how the bylaw could be advertised. There are twenty-three (23) properties that would be affected by the proposed change (see attached Map).

The various options for Council's consideration are listed below. Although staff has not had time to provide detailed costs for each of the listed options, the staff time and notification costs are progressively more expensive with each successive option (i.e. Option #1 is the least expensive option and Option #5 the most expensive option). Options 3, 4 or 5 would require additional time to prepare the notifications and have them delivered and would delay the date of the Public Hearing.

#### Option #1:

Notice and advertising is done as per the *Act* and Bylaw, with notice of the public hearing being placed in both newspapers.

#### Option #2:

Notice and advertising is done as per the *Act* and Bylaw, with notice of the public hearing being placed in both newspapers, along with a list of the twenty-three properties that are currently in the P2 zone and are less than 1000 sq. metres.

Option #3:

Notice and advertising is done as per the *Act* and Bylaw, with notice of the public hearing being placed in both newspapers, along with a mailed notification to the owners and occupiers of the twenty-two properties.

Option #4:

Notice and advertising is done as per the *Act* and Bylaw, with notice of the public hearing being placed in both newspapers, along with a mailed notification to the owners and occupiers of the twenty-two properties and to the approximate 130 abutting and adjacent properties.

Option #5:

Notice and advertising is done as per the *Act* and Bylaw, with notice of the public hearing being placed in both newspapers, along with a mailed notification to the owners and occupiers of the twenty-two properties and all the properties within 100 m of the 22 subject properties.

Given Council's discussion regarding notification for this bylaw during the January 8<sup>th</sup>, Regular Meeting of Council, staff is recommending notification being carried out as identified in Option #2.

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Stephen Fleming  
Deputy City Clerk

Approved for inclusion	
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D.L. Shipclark  
Director of Corporate Services

cc: Director of Planning and Development Services  
City Clerk