

Public HearingMay 1, 2007

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, May 1, 2007.

Council members in attendance: Deputy Mayor Andre Blanleil, Councillors Barrie Clark, Colin Day, Brian Given, Carol Gran, Robert Hobson, and Norm Letnick .

Council members absent: Mayor Sharon Shepherd and Councillor Michele Rule

Staff members in attendance were: Acting City Manager, Paul Macklem, Deputy City Clerk, Stephen Fleming; Acting Manager of Development Services, Shelley Gambacort; Planner, Ryan Smith; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Deputy Mayor Blanleil called the Hearing to order at 6:01 p.m.
2. Deputy Mayor Blanleil 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 Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on April 13, 2007, and by being placed in the Kelowna Daily Courier issues of April 23, 2007 and April 24, 2007, and in the Kelowna Capital News issue of April 22, 2007, and by sending out or otherwise delivering 599 letters to the owners and occupiers of surrounding properties between April 13, 2007 and April 17, 2007.

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. 9766 (TA07-0001) - Text Amendment No. TA07-0001 is proposing to amend the City of Kelowna Zoning Bylaw No. 8000, with housekeeping type changes. The proposed amendments include: to create a definition of Supportive Housing and add as a permitted use in several zones; to amend the definition of Winery/Cideries; to amend provisions pertaining to Mechanical Equipment; and to add Congregate Housing as a permitted use in two Commercial Zones.

This item was withdrawn from the Agenda.

- 3.2 Bylaw No. 9768 (Z07-0015) – Bing Lin Li & Sio Ching Cheng – Phipps Crescent - THAT Rezoning Application No. Z07-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan KAP52738, located at 299 Phipps Crescent, Kelowna, B.C. from the RU1 – Large Lot Housing Zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council;

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Concern:
 - o Jim Roe, 312 Phipps Crescent

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Deputy Mayor Blanleil invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one came forward.

- 3.3 (a) Bylaw No. 9769 (OCP06-0025) – Maxwell House Developments Ltd. – Cross Road – THAT OCP Bylaw Amendment No. OCP06-0025 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of part of Lot 10, Blk. 6, Sec. 4, Twp. 23, O.D.Y.D., Plan 896, Exc. Plans 10134, 18662, KAP48643, & H8323, located on Cross Road, Kelowna, B.C., from the existing Single/Two Unit Residential designation to the proposed Major Park and Open Space and Single/Two Unit Residential designations, and by changing the Future Land Use designation of part of Lot 10, Blk. 6, Sec. 4, Twp. 23, O.D.Y.D., Plan 896, Exc. Plans 10134, 18662, KAP48643, & H8323, located on Cross Road, Kelowna, B.C., from the existing Multiple Unit Residential – Low Density, Major Park and Open Space and Single/Two Unit Residential designations to the proposed Multiple Unit Residential – Low Density designation, as shown on Map “A” attached to the report of Planning & Corporate Services Department, dated March 21, 2007, be considered by Council.

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Opposition:
 - o Lauren Gault, #133 – 160 Celano Crescent
- Letters of Support:
 - o Lorne & Dorene Pearson, 1981 Cross Road
 - o Lois Samson, #107 – 265 Glenmore Road
 - o Gordon & Linda Shea, 245 Glenmore Road
 - o Hugh & Olive Clark, 235 Glenpark Drive (also signed by Craig & Bette Jones, 1961 Hemmerling)
 - o Ted Berg, 1973 Cross Road

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

Ken Gulenchyn and John Groves, Applicant’s Agents:

- Advised that Mill Creek has been realigned to provide for the crossing for the new Glenmore Bypass.

There were no further comments.

- 3.3 (b) Bylaw No. 9770 (Z06-0069) – Maxwell House Developments Ltd. – Cross Road - THAT Rezoning Application No. Z06-0069 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 10, Blk. 6, Sec. 4, Twp. 23, O.D.Y.D., Plan 896, Exc. Plans 10134, 18662, KAP48643, & H8323, located on Cross Road,, Kelowna, B.C. from the existing A1 – Agriculture 1 zone to the proposed RU1 – Large Lot Housing, RM3 – Low Density Multiple Housing and P3 – Parks and Open Space zones as shown on Map "B" attached to the report of Planning & Corporate Services Department, dated March 21, 2007 be considered by Council;

See Item 3.3(a) above.

- 3.4 (a) Bylaw No. 9771 (TA07-0003) – Dr. Howard Davidson Inc./(Howard Davidson) – Bernard Avenue - The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Opposition:

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- o Clark & Marguerite Berry, 806 Bernard Avenue

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

Dr. Howard Davidson, Applicant

- The property was purchased in 2006 and will be used as a community-based family medical practice.
- The only exterior change that will be made to the building will be a ramp in order to accommodate disabled patients.
- There is a legal suite in the building which will be rented out.
- Feels that the parking in the back of the building will be sufficient in order to accommodate the employees and patients.

Marguerite Berry, 806 Bernard Avenue

- Concerned about the rezoning, parking, signage, safety and drug distribution.
- Wants the exteriors of the buildings in the neighbourhood to stay the same.

Dr. Howard Davidson, Applicant

- Confirmed that there is currently a tenant in the property.
- Confirmed that there will not be any narcotics stored on site.
- Confirmed that the property is already equipped with an alarm system for added safety measures.

There were no further comments.

3.4 (b) Bylaw No. 9772 (Z07-0022) – Dr. Howard Davidson Inc./ (Howard Davidson) – Bernard Avenue -

See Item 3.4(a) above.

4. TERMINATION:

The Hearing was declared terminated at 6:35 p.m.

Certified Correct:

Deputy Mayor, Andre Blanleil

Deputy City Clerk

SLH/dd