

Public HearingMay 15, 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 15, 2007.

Council members in attendance: Mayor Sharon Shepherd, Councillors Barrie Clark, Colin Day, Brian Given, Robert Hobson and Norm Letnick.

Council members absent: Councillors Andre Blanleil, Carol Gran and Michele Rule.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Director of Planning & Development Services, Mary Pynenburg*; Acting Manager of Development Services, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:01 p.m.
2. Mayor Shepherd 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 City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on Friday, April 27th, 2007, and by being placed in the Kelowna Daily Courier issues of Monday, May 7th and Tuesday, May 8th, 2007, and in the Kelowna Capital News issue of Sunday, May 6th, 2007, and by sending out or otherwise delivering 755 letters to the owners and occupiers of surrounding properties between April 27th and May 1st, 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. 9774 (Z07-0018) – Stephen Bigwood/(Peter Chataway) – 359 Burne Avenue - THAT Rezoning Application No. Z07-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 14, ODYD Plan 3514, located on Burne Avenue, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered.

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

- Letters of Support:
 - Nadia Spodarek & Chris Young, 358 Cadder Avenue
 - William R. Thurston, 338 Cadder Avenue
 - Neil Clark, 363 Burne Avenue
 - Cory Edwards, 349 Burne Avenue
 - Chad Gerard, 370 Burne Avenue
 - Pam Couves, 354 Burne Avenue
 - Kevin Fierbach, 369 Burne Avenue
 - Ron Rubadeau, 2076 Long Street
 - Patricia Munro, 368 Cadder Avenue
 - Neil Cadger & Arlette Waygers, 379 Burne Avenue

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- Maureen Stephens, President on behalf of Kelowna South Central Association of Neighbourhoods

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

Peter Chataway, Applicant

- The building was originally started in October 2002 by way of a Heritage Alteration Permit.
- A complaint was investigated by the Bylaw Department which subsequently terminated the work that was in progress.
- In order to comply with the Heritage Alteration Permit, a rezoning of the property must be applied for.

Mathew Bigwood, 359 Burne Avenue

- Supportive of the application.

There were no further comments.

- 3.2 Bylaw No. 9778 (Z07-0009) – George Tivy & Marilyn Miller – 4573 Horak Road - THAT Rezoning Application No. Z07-0009 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C, District Lot 357, S.D.Y.D., Plan 18353, located on Horak Road, 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 City Clerk advised that the following correspondence and/or petitions had been received:

- Letters of Support:
 - Dawn Taplay, c/o Interior Health Authority, #106–1626 Richter Street
 - Douglas & Delna Evans, 4574 Horak Road
 - Neil & Carol Culbard, 756 Nathan Road
 - Wayne Badlik, 765 Nathan Road
 - Richard Visscher, c/o ROV Consulting, #236-1200 Cameron Avenue

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

Marilyn Miller, Applicant

- The rezoning and proposed secondary suite is required to provide housing to her elderly parents.

There were no further comments.

- 3.3(a) Bylaw No. 9780 (OCP06-0022) – Interior Health Authority – Ethel Street - THAT OCP Bylaw Amendment No. OCP06-0022 to amend Map 19.1 of the Kelowna 2020 - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot B, DL 138 & Sec. 19, Twp. 26, O.D.Y.D., Plan KAP60415, located on Ellis Street, Kelowna, B.C., from the existing “Multiple Unit Residential (Medium Density)” designation to the proposed “Education / Major Institutional” designation, as shown on Map “A” attached to the report of Planning & Development Services Department, dated February 10, 2007, be considered by Council;

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

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

Tom Michaluk, Interior Health Authority

- Explained how the building on the site would be constructed.
- Confirmed that there will not be any variances required.
- Will be working with staff concerning the Environmental Development Permit that is required.

Peter Chataway, 368 Cadder Avenue

- Would like to see a bike passage lane from Mill Creek through to Ethel Street so that bike access would not be interrupted.

Staff:

- Advised that there will eventually be a pathway along Mill Creek; however due to the sensitive environmental nature of the area, the pathway may not be a "hard surface" pathway.

Doris Schreiber, 884 Burne Avenue

- Inquired how long this project would take to build and whether or not traffic in the care would increase.

Ms. Boyer, Interior Health Authority

- Advised that construction will commence in June 2007 and be completed by June 2008.
- Advised that there will be on-site parking for employees and family members. There will be 32 parking stalls available; however there may be rare times when parking may occur on the street. Due to the nature of the residents, this will not be a high traffic building.

There were no further comments.

- 3.3(b) Bylaw No. 9781 (TA06-0006/Z06-0062) – Interior Health Authority – Ethel Street - THAT Zoning Bylaw Text Amendment No. TA06-0006 to amend City of Kelowna Zoning Bylaw No. 8000 by replacing the existing map CD1 – Map 1 with a new map CD1 – Map 1 dated February 10, 2007 as outlined in the report of the Planning & Development Services Department dated February 10, 2007 be considered by Council;

THAT Rezoning Application No. Z06-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, DL 138 & Sec. 19, Twp. 26, O.D.Y.D., Plan KAP60415, located on Ellis Street, Kelowna, B.C. from the existing CD1 – Comprehensive Development One zone to the proposed P1 – Major Institutional zone be considered by Council.

See Item 3.3(a) above.

4. TERMINATION:

The Hearing was declared terminated at 6:24 p.m.

Certified Correct:

Mayor

City Clerk

SLH/dd