

Public HearingSeptember 4, 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, September 4th, 2007.

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

Council members absent: Mayor Sharon Shepherd and Councillor Andre Blanleil

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Director of Corporate Services/Acting Director of Planning and Development Services, David Shipclark; Current Planning Supervisor, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Deputy Mayor Rule called the Hearing to order at 6:02 p.m.
2. Deputy Mayor Rule 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 August 17th, 2007, and by being placed in the Kelowna Daily Courier issues of August 27, 2007 and August 28, 2007, and in the Kelowna Capital News issue of August 26th, 2007, and by sending out or otherwise delivering 286 letters to the owners and occupiers of surrounding properties between August 17th, 2007 and August 23rd, 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. 9841 (Z07-0048) – Tracy Hayes/ (Alf Wiens Construction) – 845 Mayfair Road - THAT Rezoning Application No. Z07-0048 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 143, ODYD, Plan 22026, located at 845 Mayfair Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council.

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

Deputy Mayor Rule 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.

- 3.2 Bylaw No. 9844 (Z06-0038) – City of Kelowna – 1410, 1414, 1364 Water Street and 238 Queensway - THAT Rezoning Application No. Z06-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Part of Lot 2, D.L. 139, ODYD Plan 8654, located on Water Street, Kelowna, BC, from the P1 – Major Institutional Zone to the P3 – Parks and Open Space zone and W2 – Intensive Water Use zone as shown on Map "A" attached to the report of Planning & Development Services Department, dated July 27, 2007, be considered by Council;

AND THAT Rezoning Application No. Z06-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Part of Lot A, DL 139, ODYD, Plan 16592, located on Water Street, Kelowna, BC, from the P1 – Major Institutional zone to the P3 – Parks and Open Space zone and the W2 – Intensive Water Use Zone as shown on Map “A”, attached to the report of Planning & Development Services Department, dated July 27, 2007, be considered by Council;

AND THAT Rezoning Application No. Z06-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of DL1313, ODYD, and Part of Block G, DL 1526, ODYD, located on Water Street, Kelowna, BC, from the P1 – Major Institutional zone to the W2 – Intensive Water Use Zone as shown on Map “A”, attached to the report of Planning & Development Services Department, dated July 27, 2007, be considered by Council;

AND THAT Rezoning Application No. Z06-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Part of Block F, District Lot 1527, and Lot 1, Plan KAP83363, ODYD, located on Queensway Avenue, Kelowna, BC, from the P1 – Major Institutional zone to the P3 – Parks and Open Space zone (as shown on Map “A”, attached to this report) be considered by Council.

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

Deputy Mayor Rule reminded the gallery to keep their comments relative to the rezoning of the subject properties.

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

Sharron Simpson, 260 Magic Drive

- Provided background information regarding the transfer of the lands that occurred in 1945.
- In favour of the rezoning; however she feels that the Covenant should remain on title.

Robert Radcliffe, 2320 Cascade Court

- In favour of the rezoning.
- Concerned about the map that was provided with the rezoning application as the portion of the property that is adjacent to Smith Avenue could potentially impact some of the operations of the Kelowna Yacht Club, in particular the Muster station.

Staff:

- Confirmed that the operations of the Muster Station would not be affected.

Michael Neil, Mosaic Books

- In favour of the rezoning.
- Inquired why a newspaper article he read indicated that Stuart Park could not be developed until the Simpson Covenant was removed from the property.

Council:

- Advised that Council cannot comment on an article from the newspaper.

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4. TERMINATION:

The Hearing was declared terminated at 6:25 p.m.

Certified Correct:

Deputy Mayor Rule

City Clerk

SLH/dld