

Public HearingNovember 29, 2011

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, November 29<sup>th</sup>, 2011.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blancheil, Kevin Craig, Robert Hobson, Charlie Hodge, Graeme James, Angela Reid-Nagy, Michele Rule and Luke Stack.

Staff members in attendance were: Acting City Manager, Jim Paterson; City Clerk, Stephen Fleming; Director, Land Use Management, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:05 p.m.
2. Mayor Shepherd advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" 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 November 10, 2011 and by being placed in the Kelowna Capital News issues of November 18, 2011 and November 22, 2011, and by sending out or otherwise delivering 1,046 letters to the owners and occupiers of surrounding properties between November 10, 2011 and November 18, 2011. For convenience, information regarding this Public Hearing is also available at [kelowna.ca](http://kelowna.ca).

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. 10423 (TA10-0007) - New HD2 - Hospital and Health District Services Zone, City of Kelowna Zoning Bylaw No. 8000 - THAT Text Amendment No. TA10-0007 to add the proposed HD2 - Hospital & Health Support Services zone and the Retail Stores, Health Products definition Zoning Bylaw No. 8000 as outlined in Schedule "A" of the report of the Land Use Management Department dated November 1, 2011 be received by Council.

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

- Letters of Opposition:
  - Peter & Marianne Leimert, 2164 Pandosy Street
  - Bev Kalmakoff & Wayne Dods, Kelowna South-Central Association of Neighbourhoods, c/o Knowles House, 865 Bernard Avenue
- Letter of Concern:
  - Alana Marrington, 2100 Pandosy Street

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

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Gallery:

Wayne Dods, 420 Christleton Avenue

- Advised that he is a member of the executive of Kelowna South-Central Association of Neighbourhoods (KSAN).
- Advised that KSAN opposes the HD2 zone, in its present form, based on the following:
  - o No proper parking strategy;
  - o No provincially approved traffic strategy;
  - o Deterioration of the surrounding residential neighbourhood; and
  - o The commercial, retail, food and hotel elements should not be permitted uses in the subject area.
- Believes that a parking strategy and traffic strategy should be addressed prior to creating the HD2 zone.

Martin Gruenwald, 2160 Long Street

- Advised that he has serious concerns with the HD2 zone in its present form and agrees with the position taken by KSAN.
- Believes that the HD2 zone will intensify the parking problems in the area, particularly the commercial, retail and hotel elements of the zone.

Pat Richardson, 406 Christleton Avenue

- Expressed a concern with the parking regulations for the HD2 zone as she believes that the parking regulations are more relaxed in the HD2 zone than in other development zones.
- Believes that the Interior Health Authority should take responsibility and deal with the parking issues around the hospital.

Staff:

- Provided a more detailed explanation of the parking requirements under the HD2 zone.

Alana Marrington, 2100 Block of Pandosy Street

- Believes that a mixed-use building of any type will actually reduce traffic in the area.
- Advised that she has conducted her own traffic study for the area.
- Believes that the City is already making an impact with respect to the parking issues around the hospital.
- Believes that Pandosy Street is failing mainly due to the high volume of traffic coming from the Mission area.
- Believes that the text in the Bylaw is supported by previous studies.

There were no further comments.

- 3.2 Bylaw No. 10617 (OCP11-0003) and Bylaw No. 10618 (Z11-0033) - OCORP Development Ltd. (PC Urban Properties) - 1966-1968 Kane Road - THAT OCP Bylaw Amendment No. OCP 11-0003 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of a portion of Lot 44, Section 33, Township 26, ODYD, Plan KAP48643, located at 1966-1968 Kane Road, Kelowna, BC from the Multiple Unit Residential (Medium Density) designation to the Commercial designation, as shown on Map "A" attached to the report of Land Use Management Department dated September 23, 2011, be considered by Council;

AND THAT Council considers the APC public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Land Use Management Department dated September 23, 2011;

AND THAT Rezoning Application No. Z11-0033 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of portions of Lot 44, Section 33, Township 26, ODYD, Plan KAP48643, located at 1966-1968 Kane Road, Kelowna, BC from the A1 - Agriculture 1 zone to the C3 - Community Commercial, RM3 - Low Density Multiple Housing and RM5 - Medium Density Multiple Housing zones, be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch and Glenmore-Ellison Improvement District being completed to their satisfaction;

AND FURTHER THAT final adoption of Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit on the subject property.

This Public Hearing item was withdrawn by staff as the Applicant had not submitted a required Traffic Impact Analysis study.

- 3.3 Bylaw No. 10630 (Z11-0072) - Pinloco Holdings Inc. - 2311 Pandosy Street - THAT Rezoning Application No. Z11-0072 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot B, DL 14, ODYD, Plan 4463 Except Plan KAP88012, located at 2311 Pandosy Street, Kelowna, BC, from the RU6 -Two Dwelling Housing zone to the HD2 - Hospital and Health Support Services zone be considered by Council;

AND THAT Zone Amending Bylaw be forwarded to the November 29, 2011 Public Hearing for further consideration;

AND THAT Text Amendment Application No. TA10-0007 be forwarded to the November 29, 2011 Public Hearing for further consideration;

AND THAT final adoption of Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit on the subject property;

AND FURTHER THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

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

- o Letters of Opposition:
  - Bev Kalmakoff & Wayne Dods, Kelowna South-Central Association of Neighbourhoods, c/o Knowles House, 865 Bernard Avenue

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

Dr. Pina Michieletti and Dr. Lorne Fox, Applicants

- Advised that the building is approximately 800 square feet.
- Confirmed that there will be 5 parking stalls plus 1 handicap stall.
- Advised that the entrance to the site has been moved as far east on the property as possible in order to lessen the traffic and parking impacts.
- Would be willing to erect signage that will direct their patients to the appropriate parking area.

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- As Specialists, they have a relative low volume of patients and want to practice close to the hospital as they spend approximately 80% of their time at the hospital.
- Advised that there will only be 2 days per month that they will both be practicing out of the office. In general when one of them is at the office, the other is at the hospital.
- Confirmed that they share a medical assistant.
- Currently they park at the hospital and plan to continue that practice.

## Gallery:

Wayne Dods, 420 Christleton Avenue

- Advised that he is a member of the executive of Kelowna South-Central Association of Neighbourhoods (KSAN).
- Expressed a concern with the proposed parking as he feels that there are not enough parking stalls being provided.
- Believes that the traffic patterns in and out of the lot make it an unfortunate spot for a physician's office.

Martin Gruenwald, 2160 Long Street

- Advised that he does not have an issue with the proposed rezoning, but did express a concern with parking and traffic in the area.

Alana Marrington, 2100 Block of Pandosy Street

- In favour of the rezoning.

There were no further comments.

4. TERMINATION:

The Hearing was declared terminated at 7:07 p.m.

Certified Correct:

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Mayor

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City Clerk

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