



City of Kelowna Public Hearing Minutes

Date: Tuesday, February 26, 2013
Time: 6:00 pm
Location: Council Chamber
City Hall, 1435 Water Street

Council members in attendance: Mayor Walter Gray, Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack, and Gerry Zimmermann

Staff members in attendance: Acting City Manager, John Vos; Deputy City Clerk, Karen Needham; Manager, Urban Land Use, Danielle Noble; and Council Recording Secretary, Arlene McClelland

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the Hearing to order at 6:00 p.m.

Mayor Gray advised the Gallery that Item 6.4 is to be deferred to the March 12, 2013 Public Hearing.

Mayor Gray 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.

2. Notification of Meeting

The City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on February 12, 2013 and by being placed in the Kelowna Capital News issues on February 15, 2013 and February 19, 2013, and by sending out or otherwise delivering 972 letters to the owners and occupiers of surrounding properties between February 12, 2013 and February 19, 2013.

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 No. 309.

3. The Mayor will provide comment on procedures for each bylaw submission.

4. Individual Bylaw Submissions

4.1. Bylaw No. 10796 - Text Amendment Application No. TA12-0013 - Text Amendment to Zoning Bylaw for various section updates

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

Mayor Gray 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.

There were no further comments.

4.2. Bylaw No. 10801 - Text Amendment Application No. TA12-0010 - 1310-1352 Water Street

Councillor DeHart declared a conflict of interest she is employed in the industry and departed the meeting at 6:06 p.m.

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

Mayor Gray 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.

There were no further comments.

4.3. Bylaw No. 10802 - Rezoning Application No. Z12-0071 - 1789 KLO Road

Staff:

- Addressed questions on restrictive covenant permitting use.

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

Letters of Opposition:

Diane and James Miller, 3089 Benvoulin Road

David Dingledine, 1759 KLO Road

Margit Christl, 2027 Fisher Road

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

Greg Dusik, 609 Spruceview Place, Applicant Representative

- Everything has been noted in the staff report, however has a copy of Council minutes from August 30, 2006 which addresses the restrictive covenant on the property regarding access, food primary and gas bars.
- Confirmed that the Tom Collins Pub is not moving and that only the retail store is being relocated.
- Available to answer any questions.

Gallery:

Kelly Frame, 1720 Chamberlain Road:

- Concerned with clientele, restrictive access and possible traffic circling.
- In opposition as a residential daycare is located next door and there are young children in the neighbourhood.

Greg Dusik, Applicant Representative

- Confirmed licensing specific to retail sales, not consumption.
- There will be landscape screening. Buffers recommended when rezoning to C2 zone.
- Confirmed that a liquor store was not intended during the initial rezoning.
- Traffic study was done in the Fall of 2009 with rezoning. Access is right in, right out.

There were no further questions.

Councillor Dehart rejoined the meeting at 6:24 p.m.

5. Termination

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

Mayor

/acm

Deputy City Clerk