

CITY OF KELOWNA

AGENDA

PUBLIC HEARING

January 10, 2006 – COUNCIL CHAMBER

CITY HALL – 1435 WATER STREET

5:00 P.M.

CHAIRMAN WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2020* - Official Community Plan Bylaw No. 7600 and Zoning Bylaw No. 8000.
 - (b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing.
 - (c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after December 23, 2005 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.
 - (d) Council debate on the proposed bylaws will take place when they are considered by Council during the Regular Council meeting after the conclusion of this Hearing.
 - (e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.
2. The City Clerk will provide information as to how the meeting was publicized.

3. INDIVIDUAL BYLAW SUBMISSIONS:

3.1(a)

BYLAW NO. 9429 (OCP04-0018)

LOCATION: 2980 Gallagher Road, 2045 & 2061 Garner Road & 1625 Verdure Road

LEGAL DESCRIPTION: Lot 1, Sec. 12 & 13, Twp. 26, and Sec. 7 & 18, Twp. 27, ODYD, Plan KAP71697, Lot A, Sec. 13, Twp. 26, ODYD, Plan KAP48770, except Plans KAP75167 and KAP76806, Lot D, Sec. 13, Twp. 26, ODYD, Plan KAP48770, except plans KAP75167 & KAP76806, Lot D, Sec. 13, Twp. 26, ODYD, Plan KAP48770, Lot 3, Sec. 13, Twp. 26 and of Sec. 18, Twp. 27, ODYD, Plan KAP44995, except plan KAP76806

APPLICANT: New Town Planning Services

OWNER: Gordon Kirschner, Heidi-Sabine Kirschner, Donald Kirschner, Amy Kirschner, Allan Kirschner, Angelica Kirschner and Kirschner Mountain Estates Ltd.

OFFICIAL COMMUNITY PLAN AMENDMENT: To adjust the boundaries of the Single/Two Unit Residential, Multiple Unit Residential – Low density and Major Park/Open Space designations

PURPOSE: The applicant is proposing to amend the Official Community Plan Future Land Use Map to accurately reflect the proposed refined zoning designations for the next phase of development within the Kirschner Mountain Estates Area Structure Plan boundaries.

3.1(b)

BYLAW NO. 9430 (Z04-0075)

LOCATION: 2980 Gallagher Road, 2045 & 2061 Garner Road & 1625 Verdure Road

LEGAL DESCRIPTION: Lot 1, Sec. 12 & 13, Twp. 26, and Sec. 7 & 18, Twp. 27, ODYD, Plan KAP71697, Lot A, Sec. 13, Twp. 26, ODYD, Plan KAP48770, except Plans KAP75167 and KAP76806, Lot D, Sec. 13, Twp. 26, ODYD, Plan KAP48770, except plans KAP75167 & KAP76806, Lot D, Sec. 13, Twp. 26, ODYD, Plan KAP48770, Lot 3, Sec. 13, Twp. 26 and of Sec. 18, Twp. 27, ODYD, Plan KAP44995, except plan KAP76806

APPLICANT: New Town Planning Services

OWNER: Gordon Kirschner, Heidi-Sabine Kirschner, Donald Kirschner, Amy Kirschner, Allan Kirschner, Angelica Kirschner and Kirschner Mountain Estates Ltd.

PRESENT ZONING: A1 – Agriculture 1

REQUESTED ZONING: P3 – Parks & Open Space, RU1h – Large Lot Housing (Hillside Area), and RM3h – Low Density Multiple Housing (Hillside Area)

PURPOSE: The applicant is proposing to rezone the subject properties for the next phase of the Kirschner Mountain Estates development in order to facilitate the future development of single dwelling lots, multi-family housing lots and Parks & Open Space components.

3.2

BYLAW NO. 9501 (Z05-0057)

LOCATION: 570 Bach Road
LEGAL DESCRIPTION: Lot 25, Section 26, Township 26, ODYD, Plan 22499
APPLICANT: United Homes
OWNER: Nagina & Kuldip Johal
PRESENT ZONING: RU1 – Large Lot Housing
REQUESTED ZONING: RU6 – Two Dwelling Housing
PURPOSE: The applicant is proposing to rezone the subject property in order to allow for the addition of a second single detached dwelling.

3.3

BYLAW NO. 9530 (TA05-0009) – Miscellaneous Housekeeping Amendments to the Zoning Bylaw No. 8000

APPLICANT: City of Kelowna
PURPOSE: To clarify the side yard set back requirements in several urban residential zones; clarify the definition of TOP OF BANK and FOOD PRIMARY ESTABLISHMENT; and to change DRIVE-IN FOOD SERVICES from a land use permitted in certain zones to a development regulation.

3.4

BYLAW NO. 9532 (TA05-0010) – Amendments to Section 9 – Specific Use Regulations of Zoning Bylaw No. 8000.

APPLICANT: City of Kelowna
PURPOSE: -To amend the height restriction for secondary suites in the A1s – Agriculture 1 with secondary suite zone from: the lesser of 4.5m or the height of the existing principal dwelling unit on the same property, to the lesser of 9.5m or the height of the existing principal dwelling unit on the existing property.
-To require that a development in which a Mobile Home is considered a secondary suite zone, comply with *British Columbia Agricultural Land Commission Act*, Regulations and Orders.

3.5

BYLAW NO. 9535 (Z05-0071)

LOCATION: 2330 Silver Place
LEGAL DESCRIPTION: Lot A, Section 33, Twp. 26, ODYD, Plan KAP61113
APPLICANT: Robert (Todd) Blasco
OWNER: Robert & Cheryl Blasco
PRESENT ZONING: A1 – Agriculture 1
REQUESTED ZONING: A1s – Agriculture with Secondary Suite
PURPOSE: The applicant is proposing to rezone the subject property in order to construct a secondary suite in an accessory building above a garage/workshop.

3.6

BYLAW NO. 9536 (Z05-0069)

LOCATION: 1281 Hwy 33 E
LEGAL DESCRIPTION: Lot 2, Section 13, Twp. 26, ODYD, Plan 15924 except Plans 22851 and H8383
APPLICANT: Jud Wickwire
OWNER: Judston & Karen Wickwire
PRESENT ZONING: A1 – Agriculture 1
REQUESTED ZONING: A1s – Agriculture 1 with Secondary Suite
PURPOSE: The applicant is proposing to rezone the subject property in order to construct a secondary suite in an accessory building.

4. **PROCEDURE ON EACH BYLAW SUBMISSION:**

- (a) Brief description of the application by City Staff (Planning).
- (b) The Chairman will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes. Where appropriate, the applicant should have sufficient visual aids, e.g. schematics, sketches, etc. to describe the project to the Council and to the public in attendance.
- (d) The Chairman will call for representation from the public in attendance.
 - (i) The microphone at the podium has been provided for any person(s) wishing to make representation to the meeting.
 - (ii) The Chair will recognize ONLY speakers at podium.
 - (iii) Speakers are encouraged to limit their remarks to 5 minutes. However, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) **Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.**
- (f) Final calls for representation (Ask three times) Unless Council directs that the public hearing on the bylaw in question be adjourned (held open), the chairman shall state to the gallery that the public hearing on that bylaw is closed.

5. **TERMINATION**