

Public HearingMay 13, 2008

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 13th, 2008.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre. Blanleil*, Colin Day, Brian Given, Norm Letnick and Michele Rule.

Council members absent: Councillors Barrie Clark, Carol Gran and Robert Hobson.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Stephen Fleming; Current Planning Supervisor, Shelley Gambacort; Planner, Paul McVey; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:02 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 April 25th, 2008, and by being placed in the Kelowna Daily Courier issues of May 5th, 2008 and May 6th, 2008, and in the Kelowna Capital News issue of May 4th, 2008, and by sending out or otherwise delivering 650 letters to the owners and occupiers of surrounding properties between April 25th, 2008 and April 30th, 2008.

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. 9973 (OCP08-0008) – City of Kelowna – Text Amendment to amend Kelowna 2020 – Official Community Plan Bylaw No. 7600 - THAT OCP Bylaw Text Amendment No. OCP08-0008 to amend Kelowna 2020 - Official Community Plan Bylaw No. 7600 to correct a typing error as outlined in the report of the Planning & Development Services Department dated April 9, 2008 be considered by Council;

AND THAT Council deems the consultation process conducted as part of the previous OCP Amendment Bylaw No. 9580 be considered sufficient.

Councillor Blanleil joined the meeting at 6:06 p.m.

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

Mayor Shepherd invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one came forward.

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- 3.2 Bylaw No. 9978 (Z07-0020) – Claude Casavant & Marie Casavant Theroux – 167 Homer Court – THAT Rezoning Application No. Z07-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Sec. 27, Twp. 26, O.D.Y.D., Plan 29877 located on Homer Court, Kelowna, B.C. from the RU1 – Large Lot Housing Zone to the RU1(s) – Large Lot Housing with Secondary Suite Zone be considered by Council.

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

- Letter of Opposition:
 - Sandy Carlson, 181 Homer Court

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

Sandy Carlson, 181 Homer Court:

- There is ample parking for tenants, but the parking is never utilized. Most of the time, the tenants park in front of her home.
- A solid fence would be more appropriate to give privacy to her property as the back door to the subject residence is very close to her property line. The current fence is chain link with privacy slats, which do not provide for much privacy.

Staff:

- Will investigate the neighbour's concerns regarding the fencing on the property prior to the bylaw being adopted.

Claude Casavant and Marie Casavant Theroux, Applicants:

- Feels that the fencing in place does provide enough privacy.
- Feels that the issue is really with Mrs. Carlson's dogs trying to dig under the fence rather than it being a privacy issue.

There were no further comments.

- 3.3 Bylaw No. 9979 (Z07-0076) – City of Kelowna/Meiklejohn Architects Inc.) – 3421 Lakeshore Road - THAT Rezoning Application No. Z07-0076 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, DL 134, O.D.Y.D. Plan 38150, located on Lakeshore Road, Kelowna, B.C. from the existing RU1 – Large Lot Housing zone to the proposed C9 – Tourist Commercial zone be considered by Council.

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

Mayor Shepherd 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.

Jim Meiklejohn, Meiklejohn Architects Inc., Applicant

- The development associated with this rezoning will be an apartment hotel.
- There will be retail included along the front of the development that borders the lake.
- There will also be a parking structure included in the development which includes an extensive landscaping plan.

There were no further comments.

- 3.4 Bylaw No. 9980 (OCP07-0014) and Bylaw No. 9981 (Z07-0043) – Glenwest Properties Ltd./Blenk Development Corp. – 2025 Begbie Road (Wilden Phase One) - THAT Council forward OCP Bylaw Amendment No. OCP07-0014 to amend Map 19.1 of the *Kelowna 2020* – Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of a portion of: Lot A Sections 4, 5, 8 and 9 Township 23 ODYD Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912 and KAP85278, located between the northeast end of Still Pond and Union Road at the Wilden Development, Kelowna, BC from Commercial to Multiple Unit Residential – Medium Density as shown on Map “A” attached to the report of the Planning and Development Services Department, dated April 4, 2008, 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 Planning & Development Services Department dated December 12, 2007;

AND THAT Rezoning Application No. Z07-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of: Lot A Sections 4, 5, 8 and 9 Township 23 ODYD Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912 and KAP85278, located between the northeast end of Still Pond and Union Road at the Wilden Development, Kelowna, BC from C3 – Community Commercial to RM5 – Medium Density Multiple Housing as shown on Map “B” attached to the report of the Planning and Development Services Department, dated April 4, 2008 be considered by Council.

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

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

Russ Foster, Applicant’s Representative:

- The proposed sports and recreation facility would be more suitable if it were located within the Village Centre should the residents of “Wilden” wish to proceed with its construction.

There were no further comments.

- 3.5 Bylaw No. 9983 (TA08-0001) – Al Stober Construction & T186 Enterprises Ltd./Meiklejohn Architects Inc. – 1610, 1615 and 1620-1632 Dickson Avenue - THAT Zoning Bylaw Text Amendment No. TA08-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by replacing existing “CD14 Map A” with revised “CD14 Map A” (new site plan), and by adding new “CD14 Map C” (new added building elevations)_ as outlined in the report of the Planning & Development Services Department dated April 8, 2008 be considered by Council.

Staff:

- The parking that is being created as part of the development does comply with the zoning bylaw requirements. There are an additional 250 parking stalls being created.

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

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Vince Fernandez, Meiklejohn Architects Inc., Applicant:

- Provided a concept plan of the parking structure and advised that there is an extensive landscaping plan proposed.
- The proposed pedestrian overpass will be located on the eastern side of the site crossing Harvey Avenue with ramping along the north side of the property which will connect to a path.

There were no further comments.

- 3.6 Bylaw No. 9984 (Z08-0023) – Gurjit & Amritpal Purewal – 423 McLennan Crescent - THAT Rezoning Application No. Z08-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 29, Plan KAP51596, Sec. 35, Twp 26, ODYD, located on McLennan Court, 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 Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Opposition:
 - Brenda Bulach, 392 McLennan Crescent

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

Amritpal Purewal, Applicant:

- Canvassed her neighbours and they were supportive of the rezoning.

There were no further comments.

- 3.7 Bylaw No. 9990 (TA07-0005) – City of Kelowna – Text Amendment to the City of Kelowna zoning Bylaw No. 8000 – THAT Text Amendment Application No. TA07-0005, to amend the City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule “A” of the report of the planning and Development Services Department, dated March 25, 2008, be considered by Council.

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

Mayor Shepherd 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.

4. TERMINATION:

The Hearing was declared terminated at 6:46 p.m.

Certified Correct:

Mayor

Deputy City Clerk

SLH/dld