

Public HearingJune 24, 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, June 24<sup>th</sup>, 2008.

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

Council members absent: Robert Hobson, Barrie Clark and Brian Given

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Planner, Danielle Noble\*; Planner, Nelson Wight\*; and Council Recording Secretary, Arlene McClelland.

(\* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:03 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 June 6<sup>th</sup>, 2008, and by being placed in the Kelowna Daily Courier issues of June 16<sup>th</sup>, 2008 and June 17<sup>th</sup>, 2008, and in the Kelowna Capital News issue of June 15<sup>th</sup>, 2008, and by sending out or otherwise delivering 576 letters to the owners and occupiers of surrounding properties between June 6<sup>th</sup>, 2008 and June 11<sup>th</sup>, 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. 10002 (Z08-0033) – Myrna White – 4304 Lakeshore Road – THAT Rezoning Application No. Z08-0033 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 167 ODYD, Plan 13205 except Plan KAP78978, located on Lakeshore Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council.

Staff:

- Staff confirmed that a B & B is controlled by a business license application and would have to be dealt with under specific application for that use.

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

- Letters of Opposition

G.B. & M.M. Ruhnke, 4288 Simeon Crt.

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

Myrna White, 4304 Lakeshore Road, Applicant:

- Requesting that my property be rezoned so I can build another house out front. My intent is to move into the new home when the home in the back is sold. My hope is to not be running a bed and breakfast but would like to continue until both homes are occupied. There is some controversy as to the approach to the first house. I could use the normal access I have but I think it would be better if I had a straight access. There is a Fortis post that blocks part of my driveway and that is a concern. I believe it would be safer if there was another driveway. Two accesses would be preferable.

There were no further comments.

- 3.2 Bylaw No. 10004 (Z08-0036) – Edward & Donna Nicholas/Pam Carter – 4135 June Springs Road – THAT Rezoning Application No. Z08-0036 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Sections 2 & 3, Twp 26, ODYD, Plan 34080, located on June Springs Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RR1 – Rural Residential 1 zone be considered by Council.

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

NIL

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

Donna Nicholas, 4145 June Springs Road, Applicant:

- My husband and I are the owners and have lived here for 48 years. Our intent is to live on the property as long as possible but we want to protect our daughter's home which is on the same property.

There were no further comments.

- 3.3 Bylaw No. 10005 (OCP08-0009) and Bylaw No. 10006 (Z08-0038) – Beryle Rackow & Eric Moller – 764 Patterson Avenue - THAT OCP Bylaw Amendment No. OCP08-0009 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot D, DL 136 ODYD Plan 4572, located on Patterson Avenue, Kelowna, B.C., from the Single/Two Unit Residential designation to the Multiple Unit Residential - Low Density designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated May 8, 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 May 8, 2008;

AND THAT Rezoning Application No. Z08-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot D, DL 136 ODYD Plan 4572, located on Patterson Avenue, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone be considered by Council.

Staff:

- Applicant will provide \$10,000.00 cash in lieu for affordable housing.

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

**- Letters of Opposition**

Gord & Jean Tucker, 817 Patterson Ave  
Mary Drzewiecki, 811 Patterson Ave

**Letters of Support**

Gwen Rundle, 834 & 836 Patterson Ave

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

**Beryle Rackow and Eric Moller, 764 Patterson Avenue, Applicant:**

- Requesting a zoning change. Confirmed that home has not been previously used as a four-plex.

There were no further comments.

- 3.4 **Bylaw No. 10007 (Z08-0009) – Protech Consultants Ltd./AJL Holdings Ltd. – 1368 St. Paul Street - THAT Rezoning Application No. Z08-0009 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 11, DL 139, O.D.Y.D., Plan 432, located on St. Paul Street, Kelowna, B.C. from the existing I2 – General Industrial zone to the proposed C7 – Central Business Commercial zone be considered by Council.**

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

- NIL

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

**Grant Maddock, Protech Consultants, Applicant:**

- There is an ownership change. We are under a timeline to renovate and have the law firm up and running. Exterior update to be done at a later date and frontage updates by the fall.
- Available to answer any further questions.

There were no further comments.

4. **TERMINATION:**

The Hearing was declared terminated at 6:21 p.m.

**Certified Correct:**

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Mayor

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City Clerk

ACM/dld