

CITY OF KELOWNA

AGENDA

PUBLIC HEARING

OCTOBER 28, 2008 – COUNCIL CHAMBER

CITY HALL – 1435 WATER STREET

6:00 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 October 10, 2008, 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 is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.
 - (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:

3.01

[BYLAW NO. 10031 \(Z07-0082\)](#)

LOCATION: 443 Christleton Avenue

Legal Description:

Lot 9, District Lot 14, ODYD, Plan 1335

Owner/Applicant:

Bruckal Developments Corp. / (New Town Architectural Services)

Requested Zoning Change:

From RU1 - Large Lot Housing zone to RU6 - Two Dwelling Housing zone

Purpose:

The applicant is proposing to rezone the subject property in order to accommodate two semi-detached housing developments on the subject property.

3.02

[BYLAW NO. 10073 \(OCP08-0015\)](#)

LOCATION: 1990 Raisanen Road

[BYLAW NO. 10074 \(Z08-0052\)](#)

Legal Description:

Lot 9, Section 32, Township 26, ODYD Plan 23353

Owner/(Applicant):

Harley and Joan Gariepy / (Harley Gariepy)

Requested Zoning Change:

From A1 – Agriculture 1 zone to RU6 – Two Dwelling Housing zone

Official Community Plan Amendment:

To amend the Official Community Plan Future Land Use designation from “Multiple Unit Residential (Low Density)” to “Single/Two Unit Residential”

Purpose:

The applicant is proposing to amend the OCP and rezone the subject property in order to accommodate a second single family dwelling.

3.03

[BYLAW NO. 10079 \(Z07-0063\)](#)

LOCATION: 1000 Graham Road

Legal Description:

Lot 42, Section 22, Township 26, ODYD, Plan 28367

Owner/ (Applicant):

Robert Anderson / (Roblyn Developments Ltd.)

Requested Zoning Change:

From RU1 - Large Lot Housing to RU6 - Two Dwelling Housing

Purpose:

The applicant is proposing to rezone the subject property in order to facilitate a two lot subdivision and the construction of two single-family homes on each of the proposed new lots.

3.04

[BYLAW NO. 10080 \(OCP07-0024\)](#)

LOCATION: (East of) Spencer Road – various addresses and 6060 Spencer Road

[BYLAW NO. 10081 \(Z07-0074\)](#)

Legal Description:

Lot B, DL 120, ODYD, Plan KAP51562, That Part of DL 119, Shown on Plan B3553, ODYD, Except Plan H17738, Strata Lots 1 - 133, DL 144, ODYD, Strata Plan KAS1411 together with an interest in the common property in proportion to the unit entitlement of the strata

Owner/(Applicant):

Baljit & Manjit Shokar & The Owners, Strata Plan No. KAS1411 / (City of Kelowna)

Requested Zoning Change:

From RC1 - Compact Housing / C3 - Gasoline Service Station / P1 - Park and Open Space to RU5 - Bareland Strata Housing / C1 - Local Commercial / P3 - Parks and Open Space

Official Community Plan Amendment:

To amend the OCP by changing the Future Land use designation of the site by adding "Commercial", "Major Park/Open Space", "Single/Two Unit Residential" designations.

Purpose:

The applicant is proposing to apply the City of Kelowna Official Community Plan and rezone the subject property in order to formalize the zoning in respect to the subject properties being included within the City of Kelowna's boundaries in 2006.

3.05

[BYLAW NO. 10084 \(Z08-0056\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 5110 Chute Lake Cr

Lot 12, Section 24, Township 28, SDYD, Plan 24416

Jason Moore & Yvette Toews

From RR2 - Rural Residential 2 Zone to RU1 - Large Lot Housing Zone

The applicant is proposing to rezone the subject property in order to subdivide into two lots and build a new single family dwelling.

3.06

[BYLAW NO. 10085 \(Z08-0051\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 391 Yates Road

Lot 14, Section 32, Township 26, ODYD, Plan 15293

Terry and Lynae Igel

From RU1 - Large Lot Housing to RU1(s) - Large Lot Housing with a Secondary Suite

The applicant is proposing to rezone the subject property in order to construct a secondary suite within a new accessory building.

3.07

[BYLAW NO. 10087 \(Z08-0045\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 1305 Highway 33

Lot 2, Section 13, Township 26, ODYD Plan 4283 Except Plans H8383 and KAP86139

Tommy and Sandra Ann Josiassen / (Milagro Advisory Services Inc.)

From A1 – Agriculture 1 zone to RR2 – Rural Residential 2 zone

The applicant is proposing to rezone the subject property in order to facilitate a two lot subdivision and the construction of a single family dwelling.

3.08

[BYLAW NO. 10089 \(Z08-0063\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 664 Balsam Rd

Lot 5, District Lot 358, ODYD Plan 19073

Rob and Dayna Selby/ (Rob Selby)

From RU1 – Large Lot Housing zone to RU1(s) – Large Lot Housing with a Secondary Suite zone

The applicant is proposing to rezone the subject property in order to allow construction of a secondary suite in an accessory building.

3.09

[BYLAW NO. 10090 \(Z07-0016\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 2059-2129 Benvoulin Ct, 2170 Benvoulin Rd and 2175 Benvoulin Ct

A portion of Lot A, District Lots 128 and 142, ODYD, Plan KAP85660, Except Plan KAP86951; Lot 1, District Lot 128, ODYD, Plan KAP84354; Lot A, District Lot 128, ODYD, Plan KAP86945, Except Plan KAP86951

National Society of Hope and Jabs Construction Ltd / (National Society of Hope)

From A1 – Agriculture 1 zone to RM5 – Medium Density Multiple Housing zone

The applicant is proposing to rezone a portion of the subject properties in order to develop a complex for affordable senior's housing

3.10

[BYLAW NO. 10091 \(Z08-0077\)](#)

LOCATION: 893 Hewetson Ave

Legal Description: Lot 24, District Lot 1688S SDYD Plan KAP82069
Owner/Applicant: Architecturally Distinct Solutions / (Architecturally Distinct Solutions)
Requested Zoning Change: From RU1h – Large Lot Housing (Hillside Area) zone to RU1hs – Large Lot Housing (Hillside Area) with Secondary Suite zone
Purpose: The applicant is proposing to rezone the subject property in order to allow for a secondary suite within the principal dwelling

3.11

[BYLAW NO. 10092 \(Z08-0078\)](#)

Legal Description: Lot 7, Section 24, Township 26, ODYD Plan KAP59957
Owner/Applicant: Robert & Cathy Schuh / (Robert Schuh)
Requested Zoning Change: From RU1 – Large Lot Housing zone to RU1s – Large Lot Housing with Secondary Suite zone
Purpose: The applicant is proposing to rezone the subject property in order to allow for legalization of an existing secondary suite within the principal dwelling

LOCATION: 808 Lone Pine Dr

3.12

[BYLAW NO. 10094 \(Z07-0088\)](#)

Legal Description: A portion of Lot A, Section 24, Township 28, SDYD Plan 30848
Owner/Applicant: B.H.K.T. Holdings Ltd / (Protech Consultants Ltd)
Requested Zoning Change: From A1 – Agriculture 1 to RU5 – Bareland Strata Housing
Purpose: The applicant is proposing to rezone a portion of the subject property in order to facilitate a single family residential subdivision

LOCATION: 5020 Killdeer Rd

3.13

[BYLAW NO. 10095 \(Z08-0069\)](#)

Legal Description: Lot A, District Lot 123, ODYD, Plans 16931 & 4784, except plans 14539, H16596 and H8110
Owner/Applicant: 0709128 BC Ltd / (Protech Consultants Ltd)
Requested Zoning Change: From RR3 – Rural Residential 3 zone to I2 – General Industrial zone
Purpose: The applicant is proposing to rezone the subject property in order to allow for the construction of a 2 storey industrial building

LOCATION: 128 & 158 Penno Road

3.14

[BYLAW NO. 10096 \(Z08-0054\)](#)

Legal Description: Lot 20, Section 26, Township 26, ODYD Plan 4414
Owner/Applicant: Ramen Ahuja
Requested Zoning Change: From RU1 – Large Lot Housing zone to RM1 – Four Dwelling Housing zone
Purpose: The applicant is proposing to rezone the subject property in order to allow for the construction of a fourplex.

LOCATION: 200 Ponto Road

3.15

[BYLAW NO. 10097 \(OCP07-0031\)](#)

LOCATION: 3650 & 4001 Finch Road, (W of) Glenmore Road North, 1890, 2230 & (N of) McKinley Road, and (W of) & 3280 Slater Road

Legal Description: Portions of Lot B, Section 33, Township 23, ODYD Plan KAP78845; Fractional Northeast ¼ of Section 29, Township 23, ODYD said to contain 91 acres more or less; The Northwest ¼ of Section 28, Township 23 ODYD; The Southwest ¼ of Section 28, Township 23, ODYD; Lot 1, Sections 21 and 28, Township 23 ODYD Plan KAP78846; The Northwest ¼ of Section 21, Township 23, ODYD except Plans DD24364 and 18402; That Part of the North West ¼ of Section 21 shown on Plan B3562, Township 23, ODYD except Plan 17265; Lot A, Section 21, Township 23, ODYD Plan 17265 except Plan KAP50960.

Owner/Applicant: Kinnikinnik Developments Inc and Glenmore-Ellison Improvement District / (Kinnikinnik Developments Inc.)

Official Community Plan Amendment: To amend the Official Community Plan by changing the Future Land Use Designation from “Future Urban Reserve”, “Commercial”, “Public Services/Utilities”, and “Private Recreation” designations to the “Future Urban Reserve”, “Commercial”, and “Private Recreation” designations

Purpose: The applicant is proposing to amend the OCP in order to incorporate refinements to the proposed Development Plan.

IN CONJUNCTION WITH:

[BYLAW NO. 10098 \(TA07-0006\)](#) **Text Amendment to City of Kelowna Zoning Bylaw No. 8000**

Purpose: To make minor amendments to the CD 18 Comprehensive Development Zone

3.16

[BYLAW NO. 10100 \(Z08-0061\)](#) **LOCATION: 265 & 275 Ponto Road**

Legal Description: Lot 10 and 11, Section 26, Township 26, ODYD Plan 4414

Owner/Applicant: Kusam, Sandip & Renu Khurana and Varinder Grover/ (Chilka Lake Properties Inc)

Requested Zoning Change: From RU1 – Large Lot Housing zone to RM1 – Four-Dwelling Housing zone

Purpose: The applicant is proposing to rezone the subject properties in order to facilitate the construction of a four-plex housing unit on two (2) adjacent lots.

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.
- (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) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.
- (f) **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.**
- (g) 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.

Note: Any applicant or member of the public may use visual aids (eg. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer station and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

5. **TERMINATION**

CITY OF KELOWNA

PUBLIC HEARING

6:00 P.M., OCTOBER 28, 2008 – COUNCIL CHAMBER
CITY HALL, 1435 WATER STREET, KELOWNA, B.C.

Notice of this *Public Hearing* was advertised by being posted on the Notice Board at City Hall on October 10, 2008, and by being placed in the Kelowna Daily Courier issues of October 20, 2008 and October 21, 2008, and in the Kelowna Capital News issue on October 19, 2008, and by sending out or otherwise delivering letters to the owners and occupiers of surrounding properties between October 10, 2008 to October 15, 2008.

REGULAR MEETING

Notice of Council's consideration of these *Development Variance Permit Applications and Heritage Alteration Permits* was given by sending out or otherwise delivering letters to the owners and occupiers of surrounding properties between October 10 to October 15, 2008.

Stephen Fleming
City Clerk