

CITY OF KELOWNA

****REVISION 2****

AGENDA

PUBLIC HEARING

November 25, 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 November 7, 2008 (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 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 \(Z07-0082\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 443 Christleton Avenue

Lot 9, District Lot 14, ODYD, Plan 1335

Bruckal Developments Corp.

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

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. 10102 \(OCP08-0024\) and Temporary Use Permit No. TUP08-0001](#)

Legal Description:

Owner/Applicant:

Official Community Plan Amendment:

Purpose:

LOCATION: 575-599 Harvey Avenue

Lot A, DL 14 & 139, ODYD, Plan KAP52333 Except Plan KAP81471

City of Kelowna

To amend the OCP to allow a temporary use permit to be applied to the subject property which is currently designated "Education/Major Institutional".

The applicant is proposing to amend the OCP and obtain a temporary industrial use permit to allow a 2.0 acre portion of the subject property to be used for the storage and distribution of the carts required for the City's automated garbage collection program.

3.03

[BYLAW NO. 10103 \(Z08-0085\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 2260 Wilkinson St

Lot 2, District Lot 136, ODYD, Plan 32304

Lance Pilott

From RU2 – Medium Lot Housing zone to RU2s – Medium Lot Housing with Secondary Suite zone

The applicant is proposing to rezone the subject property in order to allow a secondary suite within an existing principal dwelling on the subject property.

3.04

[BYLAW NO. 10104 \(Z07-0062\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 3432 Scott Road

Lot 6, District Lot 135, ODYD, Plan 3886

Kelly and Clayton Robinson/ (Peter Chataway)

From RU1 – Large Lot Housing zone to RU1s – Large Lot Housing with Secondary Suite zone

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

3.05

[BYLAW NO. 10105 \(Z08-0030\)](#)

Legal Description:

LOCATION: 1230 and 1220-1222 Brookside Avenue

Portions of Lot 5, Block 2, District Lot 137, ODYD, Plan 5042 and Lot 1, District Lot 137, ODYD, Plan 4386

Owner/Applicant: Paul Warnock
Requested Zoning Change: From RU6 – Two Dwelling Housing zone to RM5 – Medium Density Multiple Housing zone and P3 – Parks and Open Space
Purpose: The applicant is proposing to rezone the subject property in order to accommodate 41 residential, assisted-living units for seniors.

3.06

[BYLAW NO. 10107 \(Z08-0073\)](#)

Legal Description: South East ¼ of Section 24, Township 26, ODYD, except Plans KAP54413, KAP58342, KAP59957, KAP63620, KAP69503 and KAP79411

Owner/Applicant: Colin Day/ (Lone Pine Estates)

Requested Zoning Change: From RU1 – Large Lot Housing and A1 – Agriculture 1 to RU1h – Large Lot Housing (Hillside Area)

Purpose: The applicant is proposing to rezone the subject property in order to allow for the use of hillside design criteria for future subdivision.

3.07

[BYLAW NO. 10108 \(Z08-0076\)](#)

Legal Description: Lot A, Section 25, Township 26, ODYD, Plan 22778

Owner/Applicant: Corey Knorr Construction Ltd/ (Protech Consultants Ltd)

Requested Zoning Change: From A1 – Agriculture 1 zone to RU1 – Large Lot Housing zone

Purpose: The applicant is proposing to rezone the subject property in order to subdivide the parcel into six single family residential lots.

3.08

[BYLAW NO. 10109 \(Z08-0086\)](#)

Legal Description: Lot 6, Section 16, Township 26, ODYD, Plan 23034

Owner/Applicant: Frank and Carmen Prehofer

Requested Zoning Change: From A1 – Agriculture 1 zone to A1s – Agriculture 1 with Secondary Suite zone

Purpose: The applicant is proposing to rezone the subject property in order to allow the construction of a secondary suite within a new principal dwelling.

3.09

[BYLAW NO. 10110 \(Z08-0083\)](#)

Legal Description: Lot 18, Section 14, Township 26, ODYD, Plan 25160

Owner/Applicant: Jean Tinling

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 legalize a secondary suite within a detached accessory building.

3.10

[BYLAW NO. 10111 \(Z08-0093\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 1441 Flemish Street

Lot 43, DL 137, ODYD, Plan 15035

Shelley Nicholl-Smith

From RU1 – Large Lot Housing zone to RU1s – Large Lot Housing with Secondary Suite zone

The applicant is proposing to rezone the subject property in order to legalize a secondary suite existing in the basement of the principal dwelling.

3.11

[BYLAW NO. 10112 \(Z08-0079\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 4150 McClain Road

Lot 1, Sec 2, Twp 26, ODYD, Plan 20428

Sherry & Micheal Belanger

From A1 – Agriculture 1 zone to A1s – Agriculture 1 with Secondary Suite zone

The applicant is proposing to rezone the subject property in order to provide a secondary suite within a mobile home.

3.12

[BYLAW NO. 10113 \(Z08-0075\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 1870 Maple Street

Lot 19, Block B, DL 14, ODYD, Plan 2220

Paula Craig / (K. Kingston)

From RU1 – Large Lot Housing zone to RU1s – Large Lot Housing with Secondary Suite zone

The applicant is proposing to rezone the subject property in order to establish a secondary suite within an existing accessory building.

3.13

[BYLAW NO. 10114 \(OCP08-0023\)](#)

[BYLAW NO. 10115 \(Z08-0089\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Official Community Plan Amendment:

Purpose:

LOCATION: 4534 Gordon Drive

Lot A, DL 167, ODYD, Plan 25832

The Board of Education of School District No. 23 (Central Okanagan) / (MQN Architects)

From RU1 – Large Lot Housing zone to P2 – Educational & Minor Institutional zone

To amend the OCP by changing the Future Land Use designation from the “Single/Two Unit Residential” designation to the “Educational/Major Institutional” designation.

The applicant is proposing to amend the OCP and rezone the subject property in order to move a portable annex from the old Dr. Knox Middle school site to this property and utilize it for teaching classrooms to supplement the Okanagan Mission School.

WITHDRAWN 3.14

(PREVIOUSLY ADDED
NOVEMBER 10/08)

BYLAW NO. 10077 (OCP07-0037)

LOCATION: 3550 Lochrem Road

BYLAW NO. 10078 (Z07-0107)

Legal Description:

A portion of Lot 2, Section 23, Township 23, ODYD, Plan 2257, Except Plan H15414

Owner/ (Applicant):

FortisBC Inc. / (New Town Planning Services Inc.)

Requested Zoning Change:

From A1 - Agriculture 1 to P4 - Utilities

Official Community Plan Amendment:

To amend the OCP by changing the Future Land Use designation, on a portion of the site from " Rural / Agricultural" designation to "Public Services / Utilities" designation.

Purpose:

The applicant is proposing to amend the City of Kelowna Official Community Plan and rezone a portion of the subject property in order to allow for the construction of an electrical substation.

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