

CITY OF KELOWNA

AGENDA

PUBLIC HEARING

JULY 14, 2009 – 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 June 26, 2009 (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:

Item 3.1

BYLAW NO. 10208 (TA09-0003) - Text Amendment to the City of Kelowna Zoning Bylaw No. 8000

Applicant:

City of Kelowna

Purpose:

To add "Participant Recreation Services, Indoor" as a principal use to the industrial areas in the airport business park as noted on Comprehensive Development Zone 15 Map 1.

Item 3.2

BYLAW NO.10210 (LUC09-0002)

LOCATION: 2009-2015 Enterprise Way

LEGAL DESCRIPTION:

Lot 1, District Lot 140, ODYD, Plan 27785

OWNER:

WGP-241 Holdings Ltd

PRESENT ZONING:

C4 – Urban Centre Commercial zone (LUC77-1028)

REQUESTED ZONING:

C4 – Urban Centre Commercial zone

PURPOSE:

The applicant is proposing to discharge the Land Use Contract which will return the property to the underlying zone, C4 – Urban Centre Commercial, as the property has been fully developed.

Item 3.3

BYLAW NO. 10211 (OCP09-0009)

BYLAW NO. 10212 (Z09-0026)

LOCATION: (S OF) South Perimeter Way, (W OF) Mountainside Drive, 5570 Mountainside Drive, 5635 Chute Lake Road

Legal Description:

- i.
- ii. a portion of LOT A SECTION 23 TOWNSHIP 28 SDYD PLAN KAP88802 ("LOT A PLAN KAP88802"), located on (S OF) South Perimeter Way, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone and a portion of LOT A PLAN KAP88802 from the A1 – Agriculture 1 zone to the CD2 – Kettle Valley Comprehensive Residential Development zone;
- iii. a portion of LOT 1 SECTION 23 TOWNSHIP 28 SDYD PLAN KAP71865 EXCEPT PLANS KAP71954, KAP72416, KAP72846, KAP73329, KAP74924, KAP75525, KAP76664, KAP79583, KAP80284, KAP80574, KAP81737, KAP82635, KAP84295, KAP85435 AND KAP88803, located on (W OF) Mountainside Drive, Kelowna, B.C., from the CD2 – Kettle Valley Comprehensive Residential Development zone to the RU1 – Large Lot Housing zone;
- iv. a portion of LOT A SECTION 14 TOWNSHIP 28 SDYD PLAN KAP57304 EXCEPT PLANS KAP82635, KAP84031 AND KAP84295, located on 5570 Mountainside Drive, Kelowna, B.C., from the CD2 – Kettle Valley Comprehensive Residential Development zone to the RU1 – Large Lot Housing zone;
- v. a portion of THE NORTHWEST 1/4 OF SECTION 14 TOWNSHIP 28 SDYD, located on 5635 Chute Lake Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the CD2 – Kettle Valley Comprehensive Residential Development zone;

Owner/Applicant:

Cedar Creek Developments Ltd, 0775362 BC Ltd, Kettle Valley Holdings Ltd / (Protech Consultants Ltd)

Requested Zoning Change:

From the A1 – Agriculture 1 zone, the RU1 – Large Lot Housing zone and the CD2 – Kettle Valley Comprehensive Residential Development zone to the RU1 – Large Lot Housing zone and the CD2 – Kettle Valley Comprehensive Residential Development zone

Official Community Plan Amendment:

To amend the OCP by changing the Future Land Use designation on a portion of the subject property from the "Major Park/Open Space" designation to the "Single/Two Unit Residential" designation.

Purpose:

The applicant is proposing to amend the OCP and rezone the subject property in order to reconcile the OCP future land use and zoning boundaries between Kettle Valley and adjacent property owners.

WITHDRAWN
BY STAFF

DEFERRED
FROM
JUNE 30/09

Item 3.4

[BYLAW NO. 10205 \(Z09-0019\)](#)

LOCATION: 1290 Clark Court

Legal Description:

Lot 17, Section 35, Township 26, ODYD, Plan 31160

Owner/Applicant:

Thomas and Naomi Stapleton/ (Thomas Stapleton)

Requested Zoning Change:

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

Purpose:

The applicant is proposing to rezone the subject property in order to legalize an existing secondary suite.

ADDED
JULY 3/09

Item 3.5

[BYLAW NO. 10198 \(OCP09-0001\)](#)

LOCATION: 245 Briarwood Road

[BYLAW NO. 10199 \(Z09-0007\)](#)

Legal Description:

Lot B, Section 26, Township 26, ODYD, Plan 20270

Owner/Applicant:

0720229 BC Ltd / (Troika Developments Inc.)

Requested Zoning Change:

From the RM3 – Low Density Multiple Housing zone to the RM5 – Medium Density Multiple Housing zone

**Official Community Plan
Amendment:**

To amend the OCP by changing the Future Land Use designation from the “Multiple Unit Residential (Low Density)” designation to the “Multiple Unit Residential (Medium Density)” designation.

Purpose:

The applicant is proposing to amend the OCP and rezone the subject property in order to allow for a 67 unit rental apartment project.

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

- (a) Brief description of the application by City Staff (Land Use Management).
- (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