

CITY OF KELOWNA
AGENDA
PUBLIC HEARING
AUGUST 25, 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 August 07, 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. 10210 (LUC09-0002)

LOCATION: 2009-2015 Enterprise Way

Legal Description:

Lot 1, District Lot 140, ODYD, Plan 27785

Owner/Applicant:

WGP-241 Holdings Ltd

Requested Zoning Change:

C4 – Urban Centre Commercial

Purpose:

The applicant is proposing to discharge the Land Use Contract which currently governs the use of the property. The property has been fully developed and some of the current commercial uses – a tanning salon, flower shop and travel agency – are not permitted uses under the Land Use Contract. If the property was not governed by the Land Use Contract it would come under the C4-Urban Centre Commercial zoning, under which the existing uses would be permitted. By discharging the Land Use Contract, the use of the property would be governed by the C4 zoning.

TO BE DEFERRED
BY COUNCIL – SEE
ITEM 6.1 ON THE
AUG 24/09 AGENDA

Item 3.2

BYLAW NO. 10218 (Z09-0031)

LOCATION: 3975 and 3985 Lakeshore Road

Legal Description:

Lots 7 and 8, Section 6, township 26, ODYD, Plan 8758

Owner/Applicant:

Louis Spartin, Tracey Spartin, Gary Taylor and Maureen Ryan (Troika Developments Inc.)

Requested Zoning Change:

C1 – Local Commercial to
C3 – Community Commercial

Purpose:

The applicant is proposing to rezone the subject property in order to allow for the construction of a four storey commercial building.

Item 3.3

BYLAW NO. 10219 (OCP09-0003)

LOCATION: 3985 Casorso Road

BYLAW NO. 10220 (Z09-0012)

Legal Description:

A portion of Lot C, Section 5, Township 26, ODYD, Plan KAP58972

Owner/Applicant:

Kenneth and Belva Casorso
(New Town Planning Services)

Requested Zoning Change:

A1–Agriculture 1 to P4–Utilities and P3–Parks and Open Space

Purpose:

The applicant is proposing to amend the OCP and rezone 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 (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