

CITY OF KELOWNA

AGENDA

PUBLIC HEARING

OCTOBER 6, 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 September 18, 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. 10233 \(Z09-0043\)](#)

Legal Description:

LOCATION: 5268, 5278, 5288, 5298, 5308, 5318, 5328, 5338, 5348 Upper Mission Drive and 5127 Chute Lake Road

Lots 1-9 Section 24 Township 28 SDYD Plan KAP87908; A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908; A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908; A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908; A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908.

Owner/ (Applicant):

Pacifico Developments Ltd; THD Consulting Ltd; 0722955 BC Ltd; Clayface Stucco & Stone Corporation; Jonathan Schindelka and Victoria Carson; Chong-He Koh and Quentin Trollip; Jamie Klassen; Glenn Cho, 0768723 BC Ltd. / (City of Kelowna)

Requested Zoning Change:

From RR2h, RR3h, RU1h, P4 to RR2, RR3, RU1h, P4

Purpose:

A housekeeping rezoning to correct zoning designation for the Kelowna Mountain development and to update zoning boundaries for future subdivision phases.

Item 3.2

[BYLAW NO. 10235 \(TA09-0005\)](#)

Applicant:

Text Amendment to the City of Kelowna Zoning Bylaw 8000
City of Kelowna

Purpose:

- To allow licensed catering businesses to establish a second kitchen within a residence when required to do so by Interior Health Authority
- To amend the definition of "Non-Conforming Uses" to include RU1(s), or RU1(h) zones
- To amend the definition of "Accessory Development" to allow only one bathroom with a toilet and sink, to a maximum size of 3m². Showers and bathtubs are not permitted except where located in an accessory building used as a pool house.
- To amend "Fencing and Retaining Walls" S. 7.5.12 to be renumbered as S.7.5.13 in order to improve the readability and organization of the Bylaw
- To amend "Development Regulations" by removing "or an accessory building or structure" from S.12.3.6(d)

Item 3.3

[BYLAW NO. 10236 \(Z09-0034\)](#)

Legal Description:

LOCATION: 122 Wyndham Cr.

Lot 8, Section 4, Twp. 23, ODYD, Plan KAP52773

Owner/ (Applicant):

Malis & Raymond Seida, Elizabeth & Siegmur Seida / (Malis & Raymond Seida)

Requested Zoning Change:

From RU2 - Medium Lot Housing to RU2(s) Medium Lot Housing with a Secondary Suite

Purpose: The applicant is proposing to rezone the subject property in order to legalize a secondary suite within an existing single family dwelling.

Item 3.4

[BYLAW NO. 10237 \(Z09-0033\)](#)

Legal Description:

LOCATION: 124 Wyndham Cr.

Lot 17, Section 4, Twp. 23, ODYD, Plan KAP51847

Owner/ (Applicant):

Malis Seida & Raymond Seida

Requested Zoning Change:

From RU2 - Medium Lot Housing to RU2(s) Medium Lot Housing with a Secondary Suite

Purpose:

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

Item 3.5

[BYLAW NO. 10239 \(Z09-0028\)](#)

Legal Description:

LOCATION: 3832 Finch Road

Lot 1, Section 32, Twp. 23, ODYD, Plan 38647

Owner/ (Applicant):

Arlene Tuttle / (Chris Vickery)

Requested Zoning Change:

From A1 - Agriculture 1 Zone to A1(s) Agriculture 1 with a secondary suite.

Purpose:

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

Item 3.6

[BYLAW NO. 10240 \(Z09-0036\)](#)

Legal Description:

LOCATION: 745 Renshaw Road

Lot 3, District Lot 143, ODYD, Plan KAP76112

Owner/ (Applicant):

Satinderpal S. Ghuman & Rajandeep K. Ghuman

Requested Zoning Change:

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

Purpose:

The applicant is proposing to rezone the subject property in order to legalize a secondary suite within the principal dwelling located on the subject property.

Item 3.7

[BYLAW NO. 10241 \(Z09-0039\)](#)

Legal Description:

LOCATION: 4150 Lakeshore Road

Lot C, Section 6, Twp. 26 and of District Lot 5040, ODYD, Plan 39376

Owner/ (Applicant):

Colin Thomson, Brenda Thomson & Dorothy Thomson

Requested Zoning Change:

From RU1 - Large Lot Housing to RU2 - Medium Lot Housing

Purpose:

The applicant is proposing to rezone the subject property in order to facilitate a two lot subdivision on the subject property.

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**