

Public HearingJanuary 26, 2010

A Public Hearing of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, January 26, 2010.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Kevin Craig, Robert Hobson, Charlie Hodge, Graeme James, Michele Rule and Luke Stack.

Council members absent: Councillor Angela Reid.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Director, Land Use Management, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:13 p.m.
2. Mayor Shepherd advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "*Kelowna 2020 - Official Community Plan Bylaw No. 7600*" and "Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

The City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on January 8, 2010, and by being placed in the Kelowna Daily Courier issues of January 18, 2010 and January 19, 2010, and in the Kelowna Capital News issue of January 18, 2010, and by sending out or otherwise delivering 309 letters to the owners and occupiers of surrounding properties between January 8, 2010 and January 13, 2010.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy 309.

3. INDIVIDUAL BYLAW SUBMISSIONS
- 3.1 Bylaw No. 10274 (Z09-0053) - Alex and Cecilia Piercey - 3458 Scott Road - THAT Rezoning Application No. Z09-0053 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24, D.L. 134, ODYD, Plan 3886, located at 3458 Scott Road, Kelowna, B.C. from the from the RU1 - Large Lot Housing zone to the RU1(s) - Large Lot Housing with Secondary Suite zone be considered by Council;

THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering and building and Permitting Department being completed to their satisfaction.

The City Clerk advised that the following correspondence and/or petitions had been received:

- o Letter of No Objection:
 - Krista List, Terasen Gas Inc., 16705 Fraser Highway, Surrey BC

Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one came forward.

3.2 Bylaw No. 10276 (Z09-0058) - 0722955 BC Ltd, Pacifico Developments Inc, THD Consulting Ltd, 0768723 BC Ltd, Ryan Volk, Jonathan Schindelka, Victoria Carson, Chong-He Koh, Quentin Trollip, Jamie Klassen and Glenn Cho/0722955 BC Ltd - 5268-5348 Upper Mission Drive and 5127 Chute Lake Road - THAT Rezoning Application No. Z09-0058 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

- i. Lots 1-9 Section 24 Township 28 SDYD Plan KAP87908, located at 5268, 5278, 5288, 5298, 5308, 5318, 5328, 5338, and 5348 Upper Mission Dr, Kelowna, B.C. from the RR2 - Rural Residential zone to the RR2s - Rural Residential 2 with Secondary Suite zone;
- ii. A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908, located on 5127 Chute Lake Rd, Kelowna, B.C., from the RU1h - Large Lot Residential (Hillside Area) zone to the RU1hs - Large Lot Residential with Secondary Suite (Hillside Area) zone;
- iii. A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908, located on 5127 Chute Lake Rd, Kelowna, B.C., from the RR3 - Rural Residential 3 zone to the RR3s - Rural Residential 3 with Secondary Suite zone
- iv. A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908, located on 5127 Chute Lake Rd, Kelowna, B.C., from the RR2 - Rural Residential 2 zone to the RR2s - Rural Residential 2 with Secondary Suite zone;

all as shown on Map "A" attached to the report of the Community Sustainability Division, dated November 30, 2009, be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the amendment of the covenants (of the affected properties) that serve to restrict second kitchens.

This Agenda Item was deferred by staff to the February 9, 2010 Public Hearing.

4. TERMINATION:

The Hearing was declared terminated at 6:18 p.m.

Certified Correct:

Mayor

City Clerk

SLH/dld