

Public HearingJune 29, 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, June 29<sup>th</sup>, 2010.

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

Council members absent: Councillors Andre Blanleil and Angela Reid.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Manager, Urban Land Use, Danielle Noble; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:03 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 June 11, 2010, and by being placed in the Kelowna Daily Courier issues of June 21, 2010 and June 22, 2010, and in the Kelowna Capital News issue of June 20, 2010, and by sending out or otherwise delivering 3,187 letters to the owners and occupiers of surrounding properties between June 11, 2010 and June 18, 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. 10322 (LUC09-0003); Bylaw No. 10323 (OCP09-0013) and Bylaw No. 10324 (Z09-0044) - Various Owners/City of Kelowna - Dilworth Mountain Estates - THAT Bylaw No. 10323 (OCP09-0013) be amended at first reading as outlined in revised Map "A" attached to the Report of the Land Use Management Department dated May 28, 2010;  
AND THAT Bylaw No. 10324 (Z09-0044) be amended at first reading as outlined in revised Map "B" attached to the Report of the Land Use Management Department dated May 28, 2010;  
AND FURTHER THAT Bylaw No. 10323 (OCP09-0013) and Bylaw No. 10324 (Z09-0044) be forwarded to a Public Hearing for further consideration.

Staff:

- Provided a brief summary of the application.

The City Clerk advised that no correspondence and/or petitions had been received.

Mayor Shepherd invited 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. 10347 (Z10-0027 - Robert Hutchison - 3514 Casorso Road - THAT Rezoning Application No. Z10-0027 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 134 ODYD Plan 35145, located at 3514 Casorso Rd, Kelowna, B.C. from the RU2 - Medium

Lot Housing zone to the RU2s - Medium Lot Housing with Secondary Suite zone be considered by Council;

AND 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 Branch being completed to their satisfaction;

AND FURTHER THAT a building permit for the suite be issued and the requirements for an occupancy permit be completed prior to final adoption of the zone.

This Agenda Item was withdrawn by the Applicant.

- 3.3 Bylaw No. 10348 (Z10-0030) - Douglas and Lindsey Neyedli - 4631 Darin Place - THAT Rezoning Application No. Z10-0030 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 13, District Lot 357, ODYD Plan KAP57058, located at Darin Place, Kelowna, BC, from the RU1 - Large Lot Housing zone to the RU1s Large Lot Housing with a secondary suite zone be considered by Council;

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

AND FURTHER THAT a building permit for the suite be applied for prior to final adoption of the zone.

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

- o Letter of Opposition:
  - Willie & Elaine Mackle, 751 McClure Road

Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Lindsey Neyedli, Applicant

- The people who wrote in opposition to the application are down the block and around the road and therefore this rezoning would not adversely affect them.

There were no further comments.

- 3.4 Bylaw No. 10349 (Z10-0007) - Skoglund Enterprises Ltd/Worman Resources Inc. - 1830-1836 Underhill Street - THAT Rezoning Application No. Z10-0007 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A, District Lot 127, ODYD, Plan KAP90650, located at 1830-1836 Underhill Street, Kelowna, B.C. from the C2 - Neighbourhood Commercial zone to the C4 - Urban Centre Commercial zone as shown on Map "A" attached to the report of the Land Use Management Department, dated May 7, 2010, be considered by Council;

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

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- The physical consolidation of the lots has now been completed and even though a rezoning is not required, the applicant wishes to rezone the property in order to provide consistency.

The City Clerk advised that no correspondence and/or petitions had been received.

Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Shane Worman, Worman Resources Inc., Applicant's Representative

- Nothing further to add to staff's comments.
- Willing to address any questions or concerns.

There were no further comments.

- 3.5 Bylaw No. 10353 (Z10-0017) - Dorothy Marshall/Jim Andrews - 1361 Mountain Avenue - THAT Rezoning Application No. Z10-0017 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 1, Section 30, Township 26, ODYD, Plan KAP63287, located at Mountain Avenue, Kelowna, BC, from the RU1 - Large Lot Housing zone to the RU1s Large Lot Housing with a secondary suite zone be considered by Council;

AND 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 Development Engineering Department being completed to their satisfaction.

The City Clerk advised that no correspondence and/or petitions had been received.

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.

- 3.6 Bylaw No. 10354 (Z10-0036 - Jeffrey Kohn/RC Alliance Ltd. - 4224 Hobson Road - THAT Rezoning Application No. Z10-0036 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 167 ODYD Plan 30147, located at 4224 Hobson Rd, Kelowna, B.C. from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone be considered by Council;

AND 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 Branch and Environment & Land Use Branch being completed to their satisfaction;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to receipt of a Building Permit application for the secondary suite.

Councillor Hobson declared a conflict of interest as he lives very close to the notification area and left the meeting at 6:17 p.m.

The City Clerk advised that no correspondence and/or petitions had been received.

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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.

Councillor Hobson rejoined the meeting at 6:20 p.m.

- 3.7 Bylaw No. 10356 (Z10-0032) - Wallace Westnedge - 450 Donhauser Road - THAT Rezoning Application No. Z10-0032 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8, Block A, Section 26, Township 26, ODYD, Plan 8606, located at 450 Donhauser Road, Kelowna BC, from the from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone be considered by Council;

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

AND THAT final adoption be considered subject to a Building Permit application being made for the suite.

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

- o Letter of Support:
  - Al & Barbara Schmalz, 520 Donhauser Road

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.

4. TERMINATION:

The Hearing was declared terminated at 6:21 p.m.

Certified Correct:

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Mayor

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City Clerk

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