

CITY OF KELOWNA

AGENDA

PUBLIC HEARING

April 5, 2011 – COUNCIL CHAMBER

CITY HALL – 1435 WATER STREET

5:00 P.M.

CHAIRPERSON 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 February 18, 2011 (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) All representations to Council form part of the public record and a live audio feed is being broadcast and recorded by CastaNet.
- (e) 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.
- (f) 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.10495 \(HRA10-0002\)](#)

Legal Description:

Owner/Applicant:

Present Zoning:

Purpose:

LOCATION: 862 Bernard Avenue

Lot 22, Block 12, Section 30, Township 26, ODYD, Plan 202 0828609 BC Ltd / William T. Clarke

RU6 - Two Dwelling Housing

The applicant is seeking to enter into a Heritage Revitalization Agreement with the City of Kelowna under section 966 of the Local Government Act, in order to allow for the reconfiguration of the existing single family dwelling to accommodate a law office and proposes the construction of an accessory building that will contain a residential dwelling unit to satisfy the residential requirement.

Item 3.2

[BYLAW NO. 10497 \(Z11-0008\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 935 Gibson Road

Lot 5, Section 25, Township 26, ODYD, Plan KAP89147
Corey Knorr Construction Ltd.

from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.

The applicant is proposing to rezone the subject property in order to construct a secondary suite within a single family dwelling.

Item 3.3

[BYLAW NO. 10498 \(Z11-0004\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 3399 East Kelowna Road

Lot A, Section 15, Township 26, ODYD, Plan KAP68999
Clayton Bruce Ivan

from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone.

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

Item 3.4

BYLAW NO. 10503 (Z10-0103)

LOCATION: 1810-1824 Gordon Drive

Legal Description:

Lot A, District Lot 138, ODYD, Plan KAP73230

Owner/Applicant:

T&A Synergy Enterprises Ltd / Worman Commercial

Requested Zoning Change:

from the C9 - Tourist Commercial zone to the C3 - Community Commercial zone.

Purpose:

The applicant is proposing to rezone the subject property in order to facilitate the construction of two, 2-storey buildings for mixed commercial uses.

3.4(a) **PUBLIC HEARING LEFT OPEN/ADJOURN TO REGULAR MEETING FOR ITEMS 1 – 7.3 (See April 5, 2011 Regular Meeting Agenda)**

3.4(b) **RECONVENE PUBLIC HEARING**

Item 3.5

**BYLAW NO. 10505 (OCP10-0016) and
BYLAW NO. 10506 (Z10-0090)**

**LOCATION: 3020, 3030, 3040, 3050, 3060, 3070 and 3080
Abbott Street**

Legal Description:

Lot 1, District Lot 14, ODYD, Plan KAP53240;
Portion of Lots 2 and 3, District Lot 14, ODYD,
Plan KAP53240; Portion of Lot B, District Lot
14, ODYD, Plan 10727; Portion of Lots 12-14,
District Lot 14, ODYD, Plan 2708

Owner/Applicant:

City of Kelowna

Official Community Plan Amendment:

To change the Future Land Use designation for portions of the subject properties from the "Commercial" designation to the "Major Park/Open Space" designation.

Requested Zoning Change:

from the RU1 - Large Lot Housing zone and the RU3 - Small Lot Housing zone to the C9 - Tourist Commercial zone and the P3 - Parks & Open Space zone.

Purpose:

The applicant is proposing to amend the City of Kelowna Official Community Plan and rezone portions of the subject properties in order to allow for a linear waterfront park and a comprehensive mixed-use development parcel.

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. **TERMINATE PUBLIC HEARING/RECONVENE REGULAR MEETING FOR ITEMS 10.1 – 10.2** (See April 5, 2011 Regular Meeting Agenda)