

Public Hearing

September 18, 2012

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, September 17th, 2012.

Council members in attendance: Mayor Walter Gray, Councillors Colin Basran, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann.

Council members absent: Councillor Andre Blankeil.

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

(* denotes partial attendance)

1. Mayor Gray called the Hearing to order at 6:02 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" 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 Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on August 31, 2012 and by being placed in the Kelowna Capital News issues of September 7, 2012 and September 11, 2012, and by sending out or otherwise delivering 865 letters to the owners and occupiers of surrounding properties between August 31, 2012 and September 7, 2012.

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. 10739 (Z12-0017) - Michael Gaspari - 614-624 Francis Avenue - THAT Rezoning Application No. Z12-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 14, ODYD, Plan 3438, located on Francis Avenue, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the RM1 - Four-plex Housing 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 in conjunction with Council's consideration of a Development Permit and a Development Variance Permit for the subject property;

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

Mayor Gray advised that this Agenda Item will be deferred by Council during the Regular Meeting of September 18, 2012.

- 3.2 Bylaw No. 10751 (OCP12-0003) and Bylaw No. 10752 (Z12-0023) - THAT OCP Bylaw Amendment No. OCP12-0003 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 53, Section 5, Township 23, ODYD, Plan EPP9195, located at 155 Lost Creek Court from Single / Two Unit Residential to Major Parks & Open Space as shown on Map 'A1' attached to the report of the Land Use Management Department, dated August 10th, 2012 and by changing the Future Land Use Designation for a portion of:

STREET ADDRESS	LEGAL DESCRIPTION
225 Clifton Road	Lot D, Section 8, Township 23, ODYD, Plan KAP75116
185 Clifton Road North	The North West ¼ of Section 5, Township 23, ODYD, Except Plans 20895 and KAP88266
(W OF) Union Road	The North East ¼ of Section 5, Township 23, ODYD, Except Plans 896, B645 and KAP69724

from Multiple Unit Residential, Single / Two Unit Residential, Single / Two Unit Residential - Hillside and Major Park and Open Space to Single / Two Unit Residential - Hillside and Major Park and Open Space as shown on Map "A2" attached to the report of the Land Use Management Department dated August 10th, 2012, be considered by Council;

AND THAT Council considers the Public Hearing process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Land Use Management Department dated August 10th, 2012;

AND THAT Rezoning Application No. Z12-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

STREET ADDRESS	LEGAL DESCRIPTION	PROPOSED ZONE	EXISTING ZONE
123 Lost Creek Court	Lot 54, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
117 Lost Creek Court	Lot 55, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
111 Lost Creek Court	Lot 56, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h

and by rezoning a portion of:

STREET ADDRESS	LEGAL DESCRIPTION	PROPOSED ZONE	EXISTING ZONE
155 Lost Creek Court	Lot 53, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
208 Lost Creek Place	Lot 57, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
183 Lost Creek Court	Lot 52, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
189 Lost Creek Court	Lot 51, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
195 Lost Creek Court	Lot 50, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
201 Lost Creek	Lot 49, Section 5, Township 23,	P3	RU2h

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Court	ODYD, Plan EPP9195		
207 Lost Creek Court	Lot 48, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
1409 Rocky Point Drive	Lot 13, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
146 Lost Creek Court	Lot 25, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
152 Lost Creek Court	Lot 26, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
158 Lost Creek Court	Lot 27, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
194 Lost Creek Court	Lot 31, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
200 Lost Creek Court	Lot 32, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
206 Lost Creek Court	Lot 33, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
212 Lost Creek Court	Lot 34, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
249 Lost Creek Court	Lot 41, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
246 Lost Creek Lane	Lot 63, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
240 Lost Creek Lane	Lot 64, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
234 Lost Creek Lane	Lot 65, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
228 Lost Creek Lane	Lot 66, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
222 Lost Creek Lane	Lot 67, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
216 Lost Creek Lane	Lot 68, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
210 Lost Creek Lane	Lot 69, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
191 Lost Creek Place	Lot 72, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
179 Lost Creek Place	Lot 73, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
1285 Rio Drive	Lot 74, Section 5, Township 23, ODYD, Plan EPP9195	RU1h & RU2h	P3

as shown on Map 'B1' attached to the report of the Land Use Management Department, dated August 10th, 2012 and by changing the zoning classification for a portion of:

STREET ADDRESS	LEGAL DESCRIPTION	PROPOSED ZONE	EXISTING ZONE
185 Clifton Road North	The North West ¼ of Section 5, Township 23, ODYD, Except Plans 20895 and KAP88266	RU1h & P3	RU1h & P3
(E OF) Upper Canyon Drive	The South West ¼ of Section 5, Township 23, ODYD, Except Plans KAP83526, KAP88266 and EPP9195	RU1h & P3	RU1h & P3
(W OF) Union Road	The North East ¼ of Section 5, Township 23, ODYD, Except Plans	RU1h & P3	RU1h & P3

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2025 Begbie Road	896, B645 and KAP69724 Lot A, Sections 4,5,8 and 9, Township 23, ODYD, Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278 and KAP86750	RU1h & P3	RU1h & P3
225 Clifton Road	Lot D, Section 8, Township 23, ODYD, Plan KAP75116	RM3	RU1h

as shown on Map 'B2' attached to the report of the Land Use Management Department, dated August 10th, 2012 be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP12-0003 bylaw and 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 Parks Department and Fortis BC requirements being completed to their satisfaction.

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

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. The Applicant was present, but did not have anything further to add to staff's comments. No one came forward.

4. TERMINATION:

The Hearing was declared terminated at 6:06 p.m.

Certified Correct:

Mayor

SLH/dld



Deputy City Clerk