

CITY OF KELOWNA

AGENDA

PUBLIC HEARING

FEBRUARY 9, 2010 - 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 January 22, 2010 (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 3.01

[BYLAW NO. 10269 \(TA09-0006\)](#)

Owner/Applicant: City of Kelowna

Purpose: The City of Kelowna is proposing housekeeping amendments to City of Kelowna Zoning Bylaw No. 8000 with respect to general definitions, agri-tourist accommodation and the A1 - Agriculture 1 zone.

Item 3.02

[BYLAW NO. 10277 \(TA09-0008\)](#)

Owner/Applicant: City of Kelowna

Purpose: The City of Kelowna is proposing to amend Section 13 - Urban Residential Zones of the City of Kelowna Zoning Bylaw No. 8000 to include the RU1hs - Large Lot Housing Hillside Area with a Secondary Suite zone.

Item 3.03

[BYLAW NO. 10276 \(Z09-0058\)](#)

Legal Description:

LOCATION: 5127 Chute Lake Road & 5268-5348 Upper Mission Drive

- 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.
- 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.
- 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.
- 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.

Owner/Applicant: Various owners / 0722955 BC Ltd.

Requested Zoning Change: From the RR2 - Rural Residential 2, RR3 - Rural Residential 3, RU1h - Large Lot Residential (Hillside Area) to the RR2s - Rural Residential 2 with Secondary Suite, RR3s - Rural Residential 3 with Secondary Suite, RU1hs - Large Lot Residential with Secondary Suite (Hillside Area)

Purpose: The applicant is proposing to rezone the "Kelowna Mountain" development to allow secondary suites

Item 3.04

[BYLAW NO. 10278 \(Z09-0065\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 835 Quigley Road

Lot 20, Section 22, Township 26, ODYD, Plan 19576

Mike A. Buchner & Sandra C. Buchner /Mike Buchner

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

To construct a secondary suite within a single family dwelling.

Item 3.05

[BYLAW NO. 10279 \(Z09-0070\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 1199 Loseth Drive

Lot 3, Section 13, Township 26, ODYD, Plan KAP87484

Mathew & Donna Isabelle / Mathew & Donna Isabelle

From the RU1h - Large Lot Housing (Hillside Area) zone to the RU1h(s) Large Lot Housing (Hillside Area) with a Secondary Suite zone

The applicant is proposing to construct a secondary suite within single family dwelling

Item 3.06

[BYLAW NO. 10280 \(Z09-0066\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

Purpose:

LOCATION: 2598, 2620 & 2636 Highway 97 N

Lot 1, District Lot 125, ODYD, Plan 3522, located at 2636 Highway 97 North, Lot 2, District Lot 125, ODYD, Plan 35785 Except Plan KAP83939, located at 2598 Highway 97 North, Lot 1, District Lot 125, ODYD, Plan 35785 Except Plan KAP83940

T 231 Enterprises Ltd., Inc. No. 658931 / T231 Enterprises Ltd., dba Braemar Group

From the A1 - Agriculture 1 to the C10 - Service Commercial (Liquor Primary / Retail Liquor Sales)

The applicant is proposing to rezone the subject properties from C9 - Tourist Commercial, C10 - Service Commercial & A1 - Agriculture 1 to C10 - Service Commercial (Liquor Primary/Retail Liquor Sales) to allow for a restaurant and commercial uses

Item 3.07

[BYLAW NO. 10282 \(Z09-0074\)](#)

Legal Description:

Owner/Applicant:

LOCATION: 1305 Roth Avenue

Lot 15, Section 13, Township 26, ODYD, Plan KAP85143

Satinderpal Ghuman & Rajandeep Ghuman / Axel Hilmer

Requested Zoning Change:

From the RU1 - Large Lot Housing zone to the RU1s Large Lot Housing with a Secondary Suite zone

Purpose:

The applicant is proposing to construct a secondary suite within a single family dwelling

Item 3.08

[BYLAW NO. 10283 \(Z09-0075\)](#)

LOCATION: 1299 Nishi Court

Legal Description:

Lot 24, Section 13, Township 26, ODYD, Plan KAP87484

Owner/Applicant:

Cody and Andrea Klassen / Cody and Andrea Klassen

Requested Zoning Change:

From the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs Large Lot Housing (Hillside Area) with a Secondary Suite zone

Purpose:

The applicant is proposing to construct a secondary suite within a single family dwelling

Item 3.09

[BYLAW NO. 10284 \(Z09-0072\)](#)

LOCATION: 1495 Kloppenburg Road

Legal Description:

Lot 12, Section 13, Township 26, ODYD, Plan KAP80103

Owner/Applicant:

Ryan Twordik, Joseph and Delores Twordik / Ryan Twordik

Requested Zoning Change:

From the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with a Secondary Suite zone

Purpose:

The applicant is proposing to legalize a secondary suite within a single family dwelling

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