

Public HearingMay 4, 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, May 4th, 2010.

Council members in attendance: Mayor Sharon Shepherd, Councillors, Kevin Craig, Charlie Hodge, Graeme James and Luke Stack.

Council members absent: Councillors Angela Reid, Michele Rule, Andre Blanleil and Robert Hobson.

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

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 6:06 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 April 16, 2010, and by being placed in the Kelowna Daily Courier issues of April 26, 2010 and April 27, 2010, and in the Kelowna Capital News issue of April 25, 2010, and by sending out or otherwise delivering 1936 letters to the owners and occupiers of surrounding properties between April 16, 2010 and April 23, 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(a) Bylaw No. 10320 (TA10-0004) - T 252 Enterprises Ltd. (John Adams) - THAT Text Amendment No. TA10-0004 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" of the report of the Land Use Management Department dated April 1st, 2010 be considered by Council;

AND THAT Text Amendment No. TA10-0004 and the zone amending bylaw be forwarded to a Public Hearing for further consideration;
 - 3.1(b) Bylaw No. 10311 (Z10-0001) - T252 Enterprises Ltd./John Adams - 435 Harvey Avenue - THAT Rezoning Application No. Z10-0001 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, D.L. 139, ODYD, Plan 35149 located at 435 Harvey Avenue, Kelowna, B.C. from C4 - Urban Centre Commercial to C3 - Community Commercial be considered by Council;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property;

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.

Public HearingMay 4, 2010

Council:

- Confirmed that the text amendment if adopted, would apply to any land that had this as a secondary use for any service station with minor uses.

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

Letters of Concern:

Bob Dryden, 2148 Capistrano Crescent
 Michael Parker, 3632 W 14th Avenue, Vancouver
 Grant Sroka, 63 Street and Railway Avenue, Edson, AB

Letter of Opposition:

John Scholtz, 168 Roe Drive, Port Moody

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

Applicant:

- John Adams commented that it is important to note that under present zoning a car wash is allowed. We want the same use without an attached gas bar to the property. With respect to the building, we have worked closely with the Planning Department. Upon the Planning Department's request we have incorporated extensive use of material landscape and from the mechanical aspect it will be as eco friendly as possible with hot water on demand, bio friendly soaps and the possibility of geothermal. An average car wash lasts 10 minutes; a garden hose uses 100 to 300 gallons of water and we would be using 15 gallons in 10 minutes. All design and specs to be met with the Planning Departments assistance. This project will give residents and tourists a facility to wash their vehicles in an eco friendly manner. I believe this project is well suited for this site and location.

Council:

- Confirmed with the Applicant that Harvey Avenue will be used as an access on and off the site.

There were no further comments.

- 3.2 Bylaw No. 10321 (Z10-0014) - Zhen Hong Luo and Min He/Robert Zhen Hong Luo
 - THAT Rezoning Application No. Z10-0014 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 39, Section 26, Township 26, ODYD, Plan KAP52738, located at Fizet 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 a building permit for the suite be applied for prior to final adoption of the zone;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of Black Mountain Irrigation District being completed to their satisfaction.

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

Applicant:

- Present and available to answer any questions.

Public Hearing

May 4, 2010

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

There were no further comments.

4. TERMINATION:

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

Certified Correct:

Mayor

City Clerk

ACM/dld