

PUBLIC HEARING

July 10, 2012 - 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 2030* - Official Community Plan Bylaw No. 10500 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 June 22, 2012 (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. 10621 \(OCP11-0016\)](#)

Applicant:

Purpose:

Text Amendment

City of Kelowna

To consider miscellaneous housekeeping amendments to City of Kelowna Official Community Plan Bylaw No. 10500

Item 3.02

[BYLAW NO. 10634 \(OCP11-0009\)](#)

[BYLAW NO. 10635 \(TA11-0008\)](#)

[BYLAW NO. 10636 \(Z11-0063\)](#)

Legal Description:

Owner/Applicant:

Official Community Plan Amendment:

Proposed Text Amendment:

Requested Zoning Change:

Purpose:

LOCATION: 2030 Benvoulin Road and 2190 Mayer Road

Lots 3 and 4, District Lot 142, ODYD, Plan KAP82214

R 366 Enterprises Ltd. / Ekistics Town Planning Inc.

To amend the Official Community Plan Bylaw No. 10500 create the new Agri-business designation and to change the Future Land Use designation from the Natural Resource Protection designation to the Agri-Business designation

To amend the City of Kelowna Zoning Bylaw No. 8000 to create the CD23 - Public Market and Open Air Market zone.

From the A1 - Agriculture 1 zone to the CD23 - Public Market and Open Air Market zone

The applicant is proposing to amend the Official Community Plan and the City of Kelowna Zoning Bylaw in order to develop a public market and open-air market (farmers' style) on land which is within the Agricultural Land Reserve (ALR).

Item 3.03

[BYLAW NO. 10638 \(OCP11-0008\)](#)

[BYLAW NO. 10639 \(Z11-0062\)](#)

Legal Description:

Owner/Applicant:

Official Community Plan:

Requested Zoning Change:

Purpose:

LOCATION: 2241 Springfield Road

Lot B, District Lots 128 and 142, ODYD, Plan KAP85660

R 366 Enterprises Ltd. / Ekistics Town Planning Inc.

To change the Future Land Use designation from the Multiple Unit Residential (Medium Density) designation to the Mixed Use (Residential/Commercial) designation.

From the A1 - Agriculture 1 zone to the C4 - Urban Centre Commercial zone.

The applicant is proposing to amend the Official Community Plan and rezone the subject property in order to facilitate a commercial and office development.

Item 3.04

[BYLAW NO. 10702 \(OCP12-0004\)](#)

Applicant:

Purpose:

Text Amendment

City of Kelowna

To consider miscellaneous amendments to the Official Community Plan (OCP) Bylaw No. 10500

Item 3.05

[BYLAW NO. 10719 \(Z12-0034\)](#)

Legal Description:

Owner/Applicant:

Requested Zoning Change:

LOCATION: 1563 Large Avenue

Lot 5, Section 13, Township 26, ODYD, Plan KAP74112

Shawn and Christina Smith

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

Purpose:

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

Item 3.06

BYLAW NO. 10720 (Z12-0033)

Legal Description:

LOCATION: 570 Brighton Road

Lot 101, Section 24, Township 26, ODYD, Plan 24631

Owner/Applicant:

Harry and Judith Van Asseldonk

Requested Zoning Change:

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

Purpose:

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

Item 3.07

BYLAW NO. 10721 (Z12-0028)

Legal Description:

LOCATION: 909 Mount Royal Drive

Lot 32, Section 30, Township 26, ODYD, Plan 17272

Owner/Applicant:

Jens Christensen

Requested Zoning Change:

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

Purpose:

The applicant is proposing to rezone the subject property in order to construct a new single family dwelling which will contain a secondary suite.

Item 3.08

BYLAW NO. 10722 (Z12-0038)

Legal Description:

LOCATION: 811 Tamarack Drive

Lot 29, Section 15, Township 26, ODYD, Plan 24818

Owner/Applicant:

Paulyn Chua

Requested Zoning Change:

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

Purpose:

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

Item 3.09

BYLAW NO. 10723 (TA12-0006)

Owner/Applicant:

City of Kelowna

Proposed Text Amendment:

To amend City of Kelowna Zoning Bylaw No. 8000 by adding the definition of Mobile Home Sales and by amending Comprehensive Development Zone CD15 - Airport Business Park by adding a new sub-paragraph (v) mobile home sales.

Purpose:

To create a new definition of Mobile Home Sales and include this use in the CD15 zone to allow the display of mobile and manufactured homes.

Withdrawn
by Staff

Item 3.10

BYLAW NO. 10724 (Z11-0081)

Legal Description:

LOCATION: Various Addresses

Various legal descriptions

Owner/Applicant:

Regional District Central Okanagan, Central Okanagan Land Trust, Crown / Regional District Central Okanagan
From the A1 - Agriculture 1 zone, the RU1 - Large Lot Housing zone, the P3 - Major Park/Open Space zone and the P4 - Utilities zone to the P3 - Major Park/Open Space zone and the P4 - Utilities zone.

Requested Zoning Change:

Purpose:

The applicant is proposing to rezone the subject properties in order to formalize the existing park use.

4. **PROCEDURE ON EACH BYLAW SUBMISSION:**

- (a) Brief description of the application by City Staff (Planning).
- (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**