

CITY OF KELOWNA
REGULAR COUNCIL AGENDA
COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

TUESDAY, DECEMBER 3, 2002

7:00 P.M.

(following the Public Hearing)

1. CALL TO ORDER
2. Prayer will be offered by Councillor Cannan.
3. CONFIRMATION OF MINUTES

Regular Meeting, November 18, 2002
Public Hearing, November 19, 2002
Regular Meeting, November 19, 2002
Regular Meeting, November 25, 2002
4. Councillor Blanleil requested to check the minutes of this meeting.
5. PLANNING BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)

- 5.1 Bylaw No. 8905 (OCP02-0010) – Lutheran Church of Canada, The Alberta-British Columbia District (Brian Quiring, MQLN Architects) – 4091 Lakeshore Road **requires majority vote of Council (5)**
To change the future land use designation in the OCP to Education/Major Institutional, Multiple Unit Residential (Low Density) and Multiple Unit Residential (Medium Density) to accommodate the development of a church and school facility along with a housing component.
- 5.2 Bylaw No. 8906 (Z02-1018) – Lutheran Church of Canada, The Alberta-British Columbia District (Brian Quiring, MQLN Architects) – 4091 Lakeshore Road
To rezone the property to add the P2 – Education and Minor Institutional zone to the site and to adjust the boundaries of the RM3 – Low Density Multiple Housing and RM5 – Medium Density Multiple Housing zone sites to permit development of a school and church facility along with a multiple housing component.
- 5.3 Bylaw No. 8932 (OCP02-0011) – Salem's Developments Ltd., et al (MKS Resources Inc.) – 1075/1095 Highway 33 West **requires majority vote of Council (5)**
To change the Future Land Use designation in the OCP to Multiple Unit Residential (Low Density-Transitional).
- 5.4 Bylaw No. 8933 (Z02-1038) – Salem's Developments Ltd., et al (MKS Resources Inc.) – 1075/1095 Highway 33 West and 145/165/175 Gerstmar Road
To rezone the five properties from RU1 – Large Lot Housing to RM4 – Transitional Low Density Housing to permit development of the site with a proposed 4½ storey, 89-unit strata apartment building.
- 5.5 Bylaw No. 8935 (OCP02-0009) – 352039 BC Ltd. (PSC Planning Solutions Consulting Inc.) – 1910 KLO Road **requires majority vote of Council (5)**
To change the Future Land Use designation in the OCP to Neighbourhood Commercial.

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS) – Cont'd

- 5.6 Bylaw No. 8936 (Z02-1035) – 352039 BC Ltd. (Kim McKechnie/PSC Planning Solutions Consulting Inc.) – 1910 KLO Road
To rezone the property from A1 – Agriculture 1 to C2 – Neighbourhood Commercial in order to consolidate the property with the existing gas bar and convenience store development at 1850 KLO Road so that the entire site can be redeveloped with a new gas bar, convenience store and automated car wash.

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 5.7 Bylaw No. 8931 (Z02-1047) – David & Joan Poole (Rob Richardson) – 464 Morrison Avenue
To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to permit development of a secondary suite in a 1-storey accessory building proposed for construction on the site.

6. PLANNING

- 6.1 Planning & Development Services Department, dated November 5, 2002 re: Development Variance Permit Application No. DVP02-0097 – Randy Haverchuck – 510 Dougall Road North **City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward**
To reduce the minimum side yard setback requirement from 2.3 m to 1.25 m to allow the owner to add dormers to the existing house.
- 6.2 Planning & Development Services Department, dated October 29, 2002 re: Development Variance Permit Application No. DVP02-0091 – Alan O'Brien – 799 Elliot Avenue **City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward**
To reduce the minimum frontage requirement from 18 m to 17.15 m to allow the owner to construct a second single family dwelling on the property.

7. REPORTS

- 7.1 City Clerk, dated November 19, 2002 re: Repeat Applications – Proposed Council Policy
To ensure that no application is brought back before Council for reconsideration within 6 months of being refused by Council unless the application has been substantially changed or is brought back under circumstances outlined in Council Bylaw No. 7906.

8. BYLAWS**(BYLAWS PRESENTED FOR FIRST READING)**

*Note: Agenda Items No. 8.1 and 8.4 inclusive **may** be dealt with in one resolution. Mayor shall confirm with Council whether they wish to do so, or to remove one or more of the bylaws to be read individually.*

- 8.1 Bylaw No. 8938 (Z02-1043) – 569726 BC Ltd. (Hans Newmann) – 1358 St. Paul Street
To rezone the property from I2 – General Industrial to C7 – Central Business Commercial to facilitate the development of a 3-storey office building on the site.

(BYLAWS PRESENTED FOR FIRST READING) – Cont'd

- 8.2 Bylaw No. 8941 (Z02-1034) – Markui Contracting Ltd. (David Pauls/D.E. Pilling & Associates Ltd.) – 1504 Highway 33 East
To rezone the property from A1 – Agriculture 1 to RU1 – Large Lot Housing to facilitate a 40-lot single family residential subdivision.
- 8.3 Bylaw No. 8942 (Z02-1033) – Robert (Bob) Harasin – 1665 Begley Road
To rezone the property from RR3 – Rural Residential 3 to RR2 – Rural Residential 2 to facilitate a 2-lot subdivision.
- 8.4 Bylaw No. 8943 (Z02-1041) – Peter & Marlene Sieben (M105 Enterprises Ltd.) – 1915 Enterprise Way
To rezone the property from RM5 – Medium Density Multiple Housing to C4 – Town Centre Commercial to allow for construction of a 2½ storey commercial building on the site.

(BYLAWS PRESENTED FOR ADOPTION)

- 8.5 Bylaw No. 8911 - Sewer Specified Area No. 22B (Vista Road)
To create a specified area and authorize the borrowing of \$119,836 to be repaid over 20 years by benefiting properties.
 - 8.6 Bylaw No. 8937 – Road Exchange Bylaw – Westpoint Drive
Authorization to dispose of a portion of Westpoint Drive in exchange for a portion of Lot A, Plan 18576.
 - 8.7 Bylaw No. 8939 – Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw, 2002 **requires 2/3 majority vote of Council (6)**
Approval to reallocate funds identified for expenditure in Capital Works, Machinery & Equipment Reserve Fund established under Bylaw No. 5436-82.
 - 8.8 Bylaw No. 8940 – Sewerage System User Bylaw, 1972, No. 3480, Amendment Bylaw No. 8940
To set the 2003 sewer rates.
9. REMINDERS
10. TERMINATION