

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

TUESDAY, APRIL 15, 2003

7:00 P.M.

(following the Public Hearing)

1. CALL TO ORDER
2. Prayer will be offered by Councillor Given.
3. CONFIRMATION OF MINUTES
Regular Meeting, March 31, 2003
Public Hearing, April 1, 2003
Regular Meeting, April 1, 2003
Regular Meeting, April 7, 2003
4. Councillor Clark 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. 8460 (Z98-1032) – Hilltop Sand & Gravel Co. Ltd. (New Town Planning Services) – 5065 Frost Road and 611 & 625 Barnaby Road
To amend the zoning boundaries to reflect a revised subdivision layout for the proposed 207 single family residential lots being created.
- 5.2 Bylaw No. 8960 (TA02-0007) – City of Kelowna Zoning Bylaw Text Amendment
Amendments to address new Provincial Liquor Control Policies.
- 5.3 Bylaw No. 8980 (Z03-0007) – Various Properties (City of Kelowna)
To add the LP (Liquor Primary) and RLS (Retail Liquor Sales) designation to the current zoning of properties that will become non-conforming with amendments to the City of Kelowna Zoning (TA02-0007) that are required in response to Provincial Government changes to liquor licensing regulations.
- 5.4 Bylaw No. 8990 (Z03-0001) – Darrell Helfrich – 240 Sadler Road
To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to allow for the development of a suite in the basement of the existing dwelling.
- 5.5 Bylaw No. 8996 (Z03-0005) – Jean-Anne Copley and Joseph Popoff – 477 Osprey Avenue
To rezone the property from P2 – Education and Minor Institutional to RU6 – Two Dwelling Housing in order to acknowledge the existing semi-detached housing on the site.
- 5.6 Bylaw No. 8999 (TA03-0003) - Al Stober Construction (Mark Stober) – 1620/1632 Dickson Avenue
To amend the CD14 – Comprehensive High Tech Business Campus Zone to allow construction of the phase II building as a 6-storey building rather than a 4 storey building.

5. PLANNING BYLAWS CONSIDERED AT PUBLIC HEARING – Cont'd**(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)** – Cont'd

- 5.7 Bylaw No. 9000 (Z03-0006) – Bob Volk – 795 Hollywood Road
To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to legalize an existing secondary suite in an accessory building.

6. PLANNING

- 6.1 Planning & Development Services Department, dated February 24, 2003 re: Development Permit Application No. DP03-0002 and Development Variance Permit Application No. DVP03-0003 – Jacqueline & Paul Kurkjian – 4480 Lakeshore Road **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 allow for construction of a storage shed on the lake shore and reduce the riparian management setback from 15 m to 5 m.

6.2 (a) **BYLAWS PRESENTED FOR ADOPTION**

- (i) 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).

- (ii) 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.

- (b) Planning & Development Services Department, dated February 20, 2003 re: Development Permit Application No. DP02-0083 and Development Variance Permit Application No. DVP02-0084 – Salem's Developments Ltd., Abougoush Holdings Ltd., T. Abougoush (MKS Resources Inc.) – 1075 & 1095 Highway 33 and 145, 165 & 175 Gerstmar Road **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 approve the form and character of a proposed 89-unit strata apartment building and grant variances to increase the maximum height permitted from 3-storeys to 4.5 storeys and reduce the north side yard accessory setback from 2.3 m to 0.0 m.

- 6.3 Planning & Development Services Department, dated February 18, 2003 re: Development Variance Permit Application No. DVP03-0008 – Brad Garth – 739 South Crest Drive **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 consider a request to vary the maximum permitted height for a newly constructed retaining wall from 1.2 m to 2.4 m.

- 6.4 Planning & Development Services Department, dated February 29, 2003 re: Development Variance Permit Application No. DVP03-0001 – Prospero Canadian Land Investment (Kildare Sign Service & Installation Ltd.) – 1835 Gordon Drive **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 consider a request to increase the maximum permitted height and the maximum permitted sign area for a free-standing sign.

7. BYLAWS

(BYLAWS PRESENTED FOR FIRST READING)

*Note: Agenda Items No. 7.1 to 7.3 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.*

- 7.1 Bylaw No. 9002 (Z03-0010) – Kevin & Janet Hertz – 2337 Abbott Street
To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to permit construction of a secondary suite in an accessory building.
- 7.2 Bylaw No. 9003 (TA03-0002) – To amend the A1s Zone
To amend the Zoning Bylaw to allow a mobile home to be considered an accessory building on lots outside that are zoned A1s and are outside the ALR.
- 7.3 Bylaw No. 9004 (Z03-0008) - Wendy Cunningham – 2290 Saucier Road
To rezone the subject property from A1 – Agricultural 1 to A1s – Agricultural 1 with Secondary Suite to allow for a secondary suite within a mobile home.

8. REMINDERS

9. TERMINATION