

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

TUESDAY, SEPTEMBER 2, 2003

7:00 P.M.

(following the Public Hearing)

1. CALL TO ORDER
2. Prayer will be offered by Councillor Hobson.
3. CONFIRMATION OF MINUTES
Regular Meeting, August 18, 2003
Public Hearing, August 19, 2003
Regular Meeting, August 19, 2003
4. Councillor Hobson 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. 9069 (Z03-0026) – Gary & Joan Norkum and William & Valerie Redston (New Town Planning Services) – 587 Fitzpatrick Road
To rezone the property from A1 – Agriculture 1 to RM3 – Low Density Multiple Housing, RU1s – Large Lot Housing with Secondary Suite and P3 – Parks and Open space to facilitate a subdivision to create 4 residential lots with suites on the land that is on the north side of Francis Brook, to develop 34 units of stacked row housing in a total of three 2-storey buildings on the south side of the brook, and dedicate public open space along either side of the brook.
6. PLANNING
 - 6.1 Planning & Corporate Services Department, dated August 12, 2003 re: Development Variance Permit Application No. DVP03-0084 – Laura & Donald Major – 1140 Lacombe 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 vary the flanking side yard setback from 4.5 m to 1.91 m for enclosure of an existing carport that is legally non-conforming.
 - 6.2 Planning & Corporate Services Department, dated August 12, 2003 re: Development Variance Permit Application No. DVP03-0087 – Ronnie & Beverly-Joan Robinson – 831 Royal Pine 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 vary the side yard setback from 2.3 m to 0.75 m to accommodate an addition to the deck and an open access stairway.

6. PLANNING – Cont'd

- 6.3 Planning & Corporate Services Department, dated August 26, 2003 re: Agricultural Land Reserve Appeal No. A98-104 – Alfred & Christine Kempf – Teasdale/Belgo
To give conditional support of an appeal to the Land Reserve Commission for subdivision within the Agricultural Land Reserve to accommodate a homesite severance.

7. REPORTS

- 7.1 Manager of Community Development & Real Estate, dated August 28, 2003 re: Kelowna and Area Okanagan Fire Recovery Trust Fund
To authorize the receipt of cash donations and issuance of Income Tax receipts as per Council Policy No. 306 for the Kelowna and Area Okanagan Fire Recovery Trust Fund.

8. BYLAWS

(BYLAWS PRESENTED FOR FIRST READING)

*Note: Agenda Items No. 7.1 to 7.5 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. 9064 (OCP03-0008) – Telus Communications (Kasian Kennedy, P.J. Mallen) – 1500 Hardy Street, and City of Kelowna Official Community Plan Amendment **Requires majority vote of Council (5)**
To change the future land use designation in the OCP from Public Services/Utilities to Commercial.
- 8.2 Bylaw No. 9073 (Z03-0027) – Telus Communications (Kasian Kennedy, P.J. Mallen) – 1500 Hardy Street
To rezone the property from P4 – Utilities to C4- Town Centre Commercial to facilitate a two lot subdivision with a commercial use on one property.
- 8.3 Bylaw No. 9074 (Z03-0038) – Rancar Services Ltd. – Randy Villeneuve – 644 Lequime Road
To rezone the property from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing in order for the operator of an existing group home on the site to increase the number of permitted residents from 6 to 8.
- 8.4 Bylaw No. 9075 (TA03-0006) – OK Corral (Gerald Bruggera) – 1978 Kirschner Road
To add Liquor Primary Establishment Major and Retail Liquor Sales Establishment as permitted uses in the C10 Zone.
- 8.5 Bylaw No. 9076 (Z03-0029) - OK Corral (Gerald Bruggera) – 1978 Kirschner Road
To rezone the subject property from C10 – Service Commercial to C10 - Service Commercial (lp/rls) to bring the zoning of the OK Corral property into conformity with the zoning bylaw and allow for a private liquor store on the site.

(BYLAWS PRESENTED FOR ADOPTION)

- 8.6 Bylaw No. 8971 – Road Exchange Bylaw – 3974 Todd Road
Authorization to dispose of an unconstructed portion of Todd Road in exchange for an alternate road alignment.
- 8.7 Bylaw No. 9042 – Kelowna Downtown Business Improvement Area
To renew a specified area for the purpose of annually funding, over a 5 year period, the Downtown Business Improvement Area.
- 8.8 Bylaw No. 9057 (HRA03-0001) – Heritage Revitalization Agreement – Cheryl & David Negrin – 2094 Abbott Street
Authorization to enter into an HRA to allow the property to be subdivided into two lots and allow for the relocation/restoration of the existing heritage house on one of the lots and for a new house that would not meet the side yard setbacks or lot width requirements of the zone to be built on the other.
- 8.9 Bylaw No. 9059 (Z03-0030) - Jaskaran Kandola (Axel Hilmer) – 934 Ackerman Crescent
To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to permit the development of a secondary suite in the basement a single family dwelling proposed for construction on the site.
- 8.10 Bylaw No. 9062 – Road Exchange Bylaw – Findlay Road
Authorization to dispose of an excess portion of Findlay Road in exchange for a road dedication to extend Findlay to McCurdy Road.
- 8.11 Bylaw No. 9063 – Housing Agreement Authorization Bylaw – RSSD Ventures Ltd. and R484 Enterprises Ltd. – 1959-1971 Pandosy Street
To set out the terms and conditions for development of a proposed 3.5 storey, 36-unit apartment building on the property.
- 8.12 Bylaw No. 9071 – Amendment No. 7 to City of Kelowna Parks Bylaw No. 6819-91
To prohibit camping in parks except in certain permitted circumstances and to provide for seizure and detention of camping equipment left in parks.
9. REMINDERS
10. TERMINATION