

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

**TUESDAY, DECEMBER 16, 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, December 1, 2003  
Regular Meeting, December 2, 2003  
Regular Meeting, December 8, 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. 9116 (Z03-0042) – G. Toye Construction – 140 & 160 Woods Road  
*To rezone the property from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing for the development of 14 units of 2 storey row housing in a total of 4 buildings.*
  - 5.2 Bylaw No. 9118 (Z03-0024) – Jack Scherle and 481124 BC Ltd (Don Green) – 1430, 1440, 1460, 1480 Hwy 33 W  
*To rezone the property from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing for the development of 28 units of 2 storey row housing in a total of eight buildings.*
  - 5.3 Bylaw No. 9119 (TA03-0010) – A bylaw to amend the regulations for secondary suites in accessory buildings  
*Amendments to reduce or eliminate impacts from secondary suites in accessory buildings.*
- WITHDRAWN**

**(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)**

- 5.4 Bylaw No. 8952 (Z03-0054) – Robert & LeeAnne Ursel – 4684 Fordham Road  
*To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to allow for the construction of an accessory building with a secondary suite.*

6. PUBLIC MEETING TO RECEIVE INPUT ON LIQUOR LICENCE APPLICATIONS

- 6.1 Planning & Corporate Services Department, dated November 19, 2003 re: Liquor Licensing Application No. LL03-0020 – M.S. Developments Inc. (Nicholas Sintichakis – 1630 Ellis Street) **Mayor to invite anyone in the public gallery who deems themselves affected by the liquor licence application to come forward**

*To obtain Council support for a change to the permitted hours of operation for Tonics Pub from 11 a.m. to 1 a.m. to 9 a.m. to 2 a.m. 7 days per week.*

7. PLANNING

- 7.1 Planning & Corporate Services Department, dated November 19, 2003 re: Development Variance Permit Application No. DVP03-0147 – Joyce & Don Patterson – 195 Keithley 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 lot depth from 30.00 m to 20.46 m and the rear yard setback from 7.50 m to 4.82 m.*

- 7.2 Planning & Corporate Services Department, dated November 24, 2003 re: Development Variance Permit Application No. DVP03-0163 – Hilltop Sand & Gravel Co. Ltd. (Lloyd Nestman) – Almandine Court **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 rear yard setback from 7.5 m to 6.0 m and to require a front yard setback of 7.5 m rather than the 4.5 m permitted.*

- 7.3 Planning & Corporate Services Department, dated November 25, 2003 re: Development Permit Application No. DP03-0079 and Development Variance Permit Application No. DVP03-0060 – Pacific Sun Enterprises Ltd. (David Kornell) – 1450 Sutherland 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 approve the form and character of a 4-storey building with 50 units of supportive housing on a portion of the Stillwaters site with variances to front and rear yard setbacks and the setback requirement from Mill Creek.*

- 7.4 Planning & Corporate Services Department, dated November 14, 2003 re: Development Variance Permit Application No. DVP03-0132 – Canadian Imperial Bank of Commerce (Best Canadian Signs & Lighting) – 310-328 Bernard 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 vary the maximum permitted number of fascia signs per business frontage from 2 to 3 on both the south and west facades and to vary the maximum permitted area per lineal metre of building frontage for fascia signage.*

- 7.5 Planning & Corporate Services Department, dated November 13, 2003 re: Development Variance Permit Application No. DVP03-0110 – Callahan Construction Co. Ltd. and 3723 Investments Ltd. (Argus Properties Ltd.) – 2007-2031 Harvey 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 vary the maximum area for a free standing sign from 12 m<sup>2</sup> to 18.58 m<sup>2</sup> and vary the minimum setback from a property line at intersecting streets from 8 m to 0 m and to vary the minimum setback from a property line from 1.5 m to 0 m.*

7. PLANNING – Cont'd

7.6 (a) **BYLAW PRESENTED FOR ADOPTION**

**Revised**

Bylaw No. 9101 (Z03-0035) – Zodiac (Steve Berezan) – 200-210 Highway 33 West

*To rezone the property to add the Retail Liquor Sales (rls) designation to the parent zone to accommodate a private liquor store at the proposed new location.*

- (b) Planning & Corporate Services Department, dated November 17, 2003 re: Development Permit Application No. DP03-0123 and Development Variance Permit Application No. DVP03-0124 – Terry Gold Realty (Steve Berezan/Zodiac Pub Beer and Wine Store) – 200-210 Highway 33 **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 renovations and new development proposed for the subject property and to vary the maximum permitted size for a retail liquor sales establishment.*

8. BYLAWS

**(BYLAWS PRESENTED FOR FIRST READING)**

*Note: Agenda Items No. 8.1 to 8.3 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.*

- 8.1 Bylaw No. 9128 (Z03-0059) – 641300 BC Ltd (Steve Berezan – Black Mtn Pub) – 2040 Joe Riche Road

*To rezone the property from C2 - Neighbourhood Commercial to C2rls – Neighbourhood Commercial with retail liquor sales to allow for a retail liquor store in conjunction with the Black Mountain Pub.*

- 8.2 Bylaw No. 9135 (OCP03-0011) – LCC Holdings Inc. – 1094 Lawson Avenue **Requires majority vote of Council (5)**

*To amend the OCP designation on the property from Multiple Unit Residential Low Density to Multiple Unit Residential Low Density Transition.*

- 8.3 Bylaw No. 9136 (Z03-0047) – LCC Holdings Inc. – 1094 Lawson Avenue

*To rezone the property from RU6 – Two Dwelling Housing to RM4 – Transition Low Density Housing to accommodate a proposed 3.5 storey, 15 unit condominium/apartment building.*

9. REMINDERS

10. TERMINATION