

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

TUESDAY, JANUARY 13, 2004

5:00 P.M.

(following the Public Hearing)

1. CALL TO ORDER
2. Prayer will be offered by Councillor Cannan.
3. CONFIRMATION OF MINUTES
Regular Meeting, December 15, 2003
Public Hearing, December 16, 2003
Regular Meeting, December 16, 2003
Regular Meeting, December 22, 2003
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. 9128 (Z03-0059) – 641300 BC Ltd (Steve Berezan – Black Mountain Pub) – 2040 Joe Riche Road
To rezone the property from C2 - Neighbourhood Commercial to C2r1s – Neighbourhood Commercial with retail liquor sales to allow for a retail liquor store in conjunction with the Black Mountain Pub.
- 5.2 LUC03-0002 – Discharge of Land Use Contract 78-1029 **(no bylaw)**
To discharge Land Use Contract 78-1029 from Lot 2, District Lot 138, ODYD Plan 3809 (1094 Lawson Avenue) to allow the property to be used for other than parking.
- 5.3 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.
- 5.4 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.

6. PUBLIC MEETING TO RECEIVE INPUT ON LIQUOR LICENCE APPLICATIONS

- 6.1 Planning & Corporate Services Department, dated December 2, 2003 re: Liquor Licensing Application No. LL03-0021 – C.2K Holdings Ltd. (Sal Gupta/Ric's Grill Kelowna Ltd.) – 1585 Abbott 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 in hours of operation for the food primary license to extend the closing time from 12 a.m. 7 days per week to 1 a.m. 7 days per week.

- 6.2 Planning & Corporate Services Department, dated November 24, 2003 re: Liquor Licensing Application No. LL03-0019 – WGP 236 Holdings Ltd. (Terry Hales/Breakers Billiards & Bistro - #1-1525 Dilworth Drive **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 liquor primary license for Breakers Billiards & Bistro to operate from 11 a.m. to 2 a.m. 7 days per week at a proposed 149 person capacity.

7. PLANNING

- 7.1 Planning & Corporate Services Department, dated December 9, 2003 re: Development Variance Permit Application No. DVP03-0167 – Double Day Development (Dave Davies) – 1585 Lewis 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 to come forward**

*To consider a recommendation to **not** waive the improvement requirements for the Lewis Road street frontage.*

- 7.2 (a) **BYLAW PRESENTED FOR ADOPTION**

WITHDRAWN

Bylaw No. 9099 (Z03-0036) – Royce & Leeann Dockrill – 3517 Lakeshore Road

To rezone the property from RU1-Large Lot Housing to RU6 – Two Dwelling Housing zone in order to remove the existing house and construct a 2-storey, semi-detached building on the site.

WITHDRAWN

- (b) Planning & Corporate Services Department, dated November 24, 2003 re: Development Variance Permit Application No. DVP03-0074 – Eric Weiss (Royce Dockrill) – 3517 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 consider a recommendation to **not** authorize a variance of the minimum lot width requirement from 18.0 m to 17.6 m.*

- 7.3 Planning & Corporate Services Department, dated December 11, 2003 re: Development Variance Permit Application No. DVP03-0158 – Ronald & Violet McKinney – 1181 Montrose Place **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 variances to come forward**

To vary the front yard setback from 6.0 m to 4.5 m and the side yard setback from 2.0 m to 1.8 m to accommodate expansion and enclosure of the existing carport.

7. PLANNING – Cont'd

- 7.4 Planning & Corporate Services Department, dated December 11, 2003 re: Development Variance Permit Application No. DVP03-0162 – David A. Glendinning – 689 Welke 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 to come forward**
To vary the maximum permitted lot coverage for an accessory building in an urban residential zone from 90 m² to 98.1 m².
- 7.5 Planning & Corporate Services Department, dated November 25, 2003 re: Development Variance Permit Application No. DVP03-0070 – Ian & Marguerite Sissett – 3112 Watt 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 variances to come forward**
To vary the setback requirement from Fascieux Creek from 15.0 m to 7.32 m and to vary the maximum permitted height for a single detached dwelling from 2.5 storeys to 3 storeys.
- 7.6 Planning & Corporate Services Department, dated December 8, 2003 re: Development Variance Permit Application No. DVP03-0117 – Varitec Enterprises Ltd. – 675 Westpoint 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 to come forward**
*To consider a recommendation to **not** allow the cantilevered portions of the exterior of the existing single dwelling on the property to comprise 57.3% of the building where only 20% is permitted.*
- 7.7 Planning & Corporate Services Department, dated December 8, 2003 re: Heritage Alteration Permit Application No. HAP03-0008 – John Skelton (Sherri Simpson) – 247 Vimy 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 variances to come forward**
To vary the rear yard setback from 7.5 m to 5.32 m; the side yard setback from 2.0 m to 0.0 m; the front yard setback from 6.0 m to 0.0 m; and allow the maximum permitted site coverage to be increased from 40% to 47.0%; and to allow the required parking to be in a carport in the front yard instead of on a driveway that provides access to an off-street parking space that is not in the front yard.

8.0 DRAFT RESOLUTIONS

- ADDITION** 8.0.1 Draft Resolution re: OCP Amendment Bylaw No. 9096
To confirm that the proposed amendments to the Official Community Plan are consistent with both the City's 20 Year Servicing Plan and Financing Strategy and the Waste Management Plan.

8. BYLAWS

(BYLAWS PRESENTED FOR FIRST READING)

*Note: Agenda Items No. 8.1 and 8.2 **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. 9144 (TA03-0011) – City of Kelowna Zoning Bylaw Amendment (Petro Canada Inc.) - 520 Cawston Avenue and 1265 Ellis Street
Amends Diagram “A” which forms part of the C7 – Central Business Commercial zones to include 4 properties at the northeast corner of Cawston and Ellis.

- 8.2 Bylaw No. 9145 (Z03-0056) – Petro Canada Inc. (Ken Webster/R492 Enterprises Ltd.) – 520 Cawston Avenue and 1265 Ellis Street
Rezones the property from I2 – General Industrial and I4 – Central Industrial to C7 – Central Business Commercial to facilitate a proposed 4.5 storey, mixed-use commercial/residential development.

9. REMINDERS

10. TERMINATION