

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

**TUESDAY, MARCH 9, 2004**

**5:00 P.M.**

(following the Public Hearing)

1. CALL TO ORDER
2. Prayer will be offered by Councillor Hobson.
3. CONFIRMATION OF MINUTES  
Regular Meeting, February 23, 2004  
Public Hearing, February 24, 2004  
Regular Meeting, February 24, 2004  
Regular Meeting, March 1, 2004
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. 9176 (Z03-0055) – Maxwell House Developments Ltd. – 245 Glenmore Road  
*To rezone the property from A1 – Agriculture 1 to RM3 – Low Density Multiple Housing and P3 – Parks and Open Space to accommodate the development of 24 townhouse residential units in a total of 8 buildings.*
- 5.2 Bylaw No. 9177 (Z03-0070) – 653332 BC Ltd. (George Barnes) – 415 Glenmore Road  
*To rezone the property from RR3 – Rural Residential 3 to C3 – Community Commercial to accommodate development of the site with a 2-storey commercial building.*
- 5.3 Bylaw No. 9183 (HRA03-0002) – Heritage Revitalization Agreement Authorization Bylaw - Robert & Beninga Cummings – 2034 Pandosy Street  
*To allow the site to be developed as if it was zoned RU6 – Two Dwelling Housing by constructing a second dwelling unit at the rear of the property currently occupied by the “Dr. J.W.N. Shepherd” heritage dwelling.*
- 5.4 Bylaw No. 9184 (HRA03-0003) – Heritage Revitalization Agreement Authorization Bylaw - Oak Lodge Centre Ltd. – 2124 Pandosy Street  
*To allow the “Cadder House” heritage building to be renovated to create two dwelling units on the main floor and two dwelling units on the second floor, to develop a fifth unit in the existing accessory building at the rear of the property, and to preserve the option for adding two additional units in the basement of the heritage house in future.*
- 5.5 Bylaw No. 9186 (LUC78-1009) – Vince & Giovannina Magaldi (R469 Enterprises Ltd.) – 2131 Scenic Road  
*To discharge the existing Land Use Contract currently governing use of the property.*

5. PLANNING BYLAWS CONSIDERED AT PUBLIC HEARING – Cont'd

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

- 5.6 Bylaw No. 9187 (Z03-0063) – Vince & Giovannina Magaldi (R469 Enterprises Ltd.) – 2131 Scenic Road  
*To rezone the property from A1 – Agriculture 1 to RM3 – Low Density Multiple Housing to facilitate the construction of 16 two-storey townhouse units developed in two 3-unit buildings and one 10-unit building.*

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

- 5.7 Bylaw No. 9182 (HRA03-0001) – Hughes-Games House Heritage Designation Bylaw – 2094 Abbott Street  
*To designate the Hughes-Games house a Municipal Heritage Building.*
- 5.8 Bylaw No. 9185 – Brent's Mill Heritage Park Heritage Designation Bylaw  
*To designate the "Brent's Mill" buildings as Municipal Heritage Buildings and to designate the future "Brent's Mill Heritage Park" as a Municipal Heritage Site.*

6. PUBLIC MEETING TO RECEIVE INPUT ON LIQUOR LICENCE APPLICATIONS

- 6.1 Planning & Corporate Services Department, dated February 4, 2004 re: Liquor Licensing Application No. LL03-0024 – City of Kelowna (Bert Hick/Rising Tide Consultants Ltd.) – 4105 Gordon Drive **Mayor to invite anyone in the public gallery who deems themselves affected by the liquor licence application to come forward**  
*For Council's support of a liquor primary license application for a bar and restaurant at the new Capital News Centre (in Mission Recreation Park) to be operated by RG Properties on behalf of the City of Kelowna, and for Council's support for a restaurant lounge endorsement and an audience participation endorsement to a food primary license also proposed at the Capital News Centre.*

7. PLANNING

- 7.1 Planning & Corporate Services Department, dated February 9, 2004 re: Heritage Alteration Permit Application No. HAP04-0001 – Richard & Jodie Bell (Jeff Robinson/RCI Interior Developments – 191 Beach 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 to come forward**  
*For authorization to add a new 3-car garage with office and living area above, and to vary the side yard setback from 4.5 m to 2.m.*

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

- 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.*

7. PLANNING – Cont'd

- 7.2 (b) Planning & Corporate Services Department, dated February 3, 2004 re: Development Permit Application No. DP03-0088 and Development Variance Permit Application No. DVP03-0120 – G. Toye Construction – 140-160 Woods 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 approve the form and character of the 14-units of row housing and grant variances to allow the private open space to be located in the required side yard setback and allow the maximum permitted site coverage to be increased from 50% of 51.66%*
- 7.3 Planning & Corporate Services Department, dated February 3, 2004 re: Development Variance Permit Application No. DVP03-179 – Dieter Scherfenberg (Wayne Danforth) – 5044 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 to come forward**  
*To allow for the construction of a tramway within the required 15 m riparian management area setback from Okanagan Lake.*
- 7.4 Planning & Corporate Services Department, dated January 29, 2004 re: Development Permit Application No. DP03-0113 and Development Variance Permit Application No. DVP03-0156 – Pointe of View Condominiums (Quail) Inc. - (Bellasera Land Corp.) – 3101 Country Club 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 variances to come forward**  
*To approve the form and character of 58-units of stacked row housing and grant variances to allow the permitted height of the row housing to be increased from 2.5 storeys/ 9.5 m to 3.5 storeys/12.8 m; reduce the front yard setback from 4.5 m to 3.3 m; allow the height of an accessory building to be increased from 4.5 m to 8.8 m; allow accessory buildings to be located in a required front yard; and allow parking within the required front yard.*
- 7.5 Planning & Corporate Services Department, dated February 11, 2004 re: Development Variance Permit Application No. DVP03-0166 – Ivanhoe Cambridge 1 (Paul Gioacchini/Stantech Consulting Ltd.) – 2430 Highway 97 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 variances to come forward**  
*To consider a staff recommendation to not vary the Sign Bylaw to allow Walmart to have a total of 8 signs on the building façade facing Banks Road, where the bylaw limits the number of signs to a total of 2 per business frontage.*

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

*Note: Agenda Items No. 8.1 to 8.5 **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 9191 (Z04-0003) – 684761 BC Ltd. (new owner) - (D.E. Pilling & Associates) – 5127 Chute Lake Road  
*To rezone the property from A1 – Agriculture 1 to RU1h – Large Lot Housing (Hillside Area) to facilitate a 43-lot, single family residential subdivision.*

**(BYLAWS PRESENTED FOR FIRST READING)** – Cont'd

- 8.2 Bylaw No. 9192 (OCP04-0003) – Tae Bong Yoo – 633 Lequime Road **requires majority vote of Council (5)**  
*To change the future land use designation in the OCP from Multiple Unit Residential Low Density to Multiple Unit Residential Medium Density.*
  - 8.3 Bylaw No. 9193 (Z04-0001) – Tae Bong Yoo – 633 Lequime Road  
*To rezone the property from RU1 – Large Lot Housing to RM4 – Transitional Low Density Housing to facilitate development of the site with a 3storey, 26-unit condo/apartment building.*
  - 8.4 Bylaw No. 9194 (OCP00-010) – Romesha Ventures Inc. – 1374 Highway 33 East **requires majority vote of Council (5)**  
*To amend the OCP by removing the Educational/Major Institutional future land use designation from the property.*
  - 8.5 Bylaw No. 9195 (Z00-1059) – Romesha Ventures Inc. – 1374 Highway 33 East  
*To rezone the property from A1 – Agriculture 1 to RU1 – Large Lot Housing to accommodate a future single family residential subdivision.*
9. REMINDERS
  10. TERMINATION