

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

TUESDAY, JUNE 29, 2004

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, June 14, 2004
Regular Meeting, June 15, 2004
Regular Meeting, June 21, 2004
4. Councillor Given 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. 9246 (Z04-0026) – Mailey Developments Ltd. – 518, 548 McKay Avenue
To rezone the properties from RU6 – Two Dwelling Housing to C4 – Town Centre Commercial to facilitate consolidation of the lots to accommodate development of the site with a 4-storey mixed use building with commercial space on the main floor and three storeys of residential units above.
- 5.2 Bylaw No. 9250 (TA04-0002) – City of Kelowna
To amend City of Kelowna Zoning Bylaw No. 8000 with respect to structural projections in required yards.
- 5.3 Bylaw No. 9251 (TA04-0003) – City of Kelowna
To amend the RU1/RU1s/RU1h/RU2/RU2s/RU2h/RU2hs zones to correct inconsistencies in the setback requirements and building height requirements.
- 5.4 Bylaw No. 9252 (Z04-0016) – Gary Grant & Joyce Decock (Emeral Developments Inc.) – 993 & 1003 Harvey Avenue
To rezone the property from RU6 – Two Dwelling Housing to RM5 – Medium Density Multiple Housing to facilitate a 4-storey, 47-unit apartment housing development.

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 5.5 Bylaw No. 9245 (Z04-0031) – Candace & Andrew Wheeler – 3195 Hall Road
To rezone the property from RR3 – Rural Residential 3 to RR3s – Rural Residential 3 with Secondary Suite to accommodate a suite in the upper level of a garage proposed for construction as an addition to the existing single family dwelling.

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

- 5.6 Bylaw No. 9247 (OCP04-0007) – Aberdeen Holdings Ltd. (Protech Consultants Ltd.) – 2350 Byrns Road **requires majority vote of Council (5)**
To amend the OCP future land use designation from Multiple Unit Residential Low Density to Single/Two Unit Residential to facilitate subdivision of the property.
- 5.7 Bylaw No. 9248 (Z04-0021) – Aberdeen Holdings Ltd. (Protech Consultants Ltd.) – 2350 Byrns Road
To rezone the property from A1 – Agriculture 1 to RU5 – Bareland Strata Housing to accommodate a 50-unit bareland strata subdivision.

6. PLANNING

- WITHDRAWN 6.1 Planning & Corporate Services Department, dated May 21, 2004 re: Development Variance Permit Application No. DVP04-0038 – Aberdeen Holdings Ltd. (Grant Maddock/Protech Consultants Ltd.) – 2350 Byrns 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 from the back of curb for garages (for 3 lots only) from 6.0 m to 4.0 m and allow for the sum of both side yards to be minimum 1.5 m instead of 3.0 m (for all 50 building lots).
- 6.2 Planning & Corporate Services Department, dated May 25, 2004 re: Development Variance Permit Application No. DVP04-0052 – Progressive Construction Ltd. (Protech Consultants Ltd.) – 407 Woodpark 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 vary the height of a proposed retaining wall from 1.2 m permitted to a maximum of 7.5 m.
- 6.3 Planning & Corporate Services Department, dated April 14, 2004 re: Development Variance Permit Application No. DVP04-0024 – WB-133 Holdings Ltd. (Pattison Sign Group) – 2106-2112 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 to come forward**
To consider a staff recommendation to not increase the number of fascia signs permitted on the southern façade of the Prospera Credit Union from 2 to 3.
- 6.4 (a) **BYLAW PRESENTED FOR ADOPTION**
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.

- (b) Planning & Corporate Services Department, dated June 9, 2004 re: Development Permit Application No. DP03-0046 and Development Variance Permit Application No. DVP03-0047 – Scherle Enterprises Ltd. (Don Green/Jerry Scherle) – 1430, 1440, 1460 & 1480 Highway 33 West
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 27 units of 3-storey row housing in a total of eight buildings and to grant variances to increase the permitted site coverage from 50% to 57%; reduce the rear yard setback from 7.5 m to 4.5 m; and increase the permitted building height from 2.5 storeys to 3 storeys.

7. BYLAWS

(BYLAWS PRESENTED FOR FIRST READING)

*Note: Agenda Items No. 7.1 to 7.8 **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. 9256 (OCP02-0003) – Gazelle Enterprise/Green Projects Ltd. (Grant Gaucher) – 530 Sarsons Road and 4392 Lakeshore Road **requires majority vote of Council (5)**
To amend the OCP future land use designation of the subject property from Multiple Unit Residential-Low Density to Commercial.
- ADDITION 7.1.1 Bylaw No. 9257 (TA04-0004) – A bylaw to add permitted uses to the C3 – Community Commercial Zone
To add Public Libraries and Cultural Exhibits as a Principal Use and add Community Recreation Services as a Secondary Use in the C3 zone.
- 7.2 Bylaw No. 9258 (Z02-1012) - Gazelle Enterprise/Green Projects Ltd. (Grant Gaucher) – 530 Sarsons Road and 4392 Lakeshore Road
To rezone the subject property from RU1 – Large Lot Housing to RU1 – Large Lot Housing, RM3 – Low Density Multiple Housing and C3 – Community Commercial to facilitate a mixed use commercial and residential project and multiple unit residential development.
- 7.3 Bylaw No. 9259 (OCP04-0005) – J97 Construction Ltd. (Gary Tebbutt) – 914 Craig Road **requires majority vote of Council (5)**
To amend the OCP future land use designation of the property from Single/Two Family Dwelling to Low Density Multiple Dwelling to facilitate development of the property with row housing.
- 7.4 Bylaw No. 9260 (Z04-0012) – J97 Construction Ltd. (Gary Tebbutt) – 914 Craig Road
To rezone the property from A1 – Large Lot Housing to RM3 – Low Density Multiple Housing to facilitate development of the site with 60 units of 2-storey row houses in a total of 11 buildings.
- 7.5 Bylaw No. 9261 (Z04-0028) – Isha Blue (Peter Chataway) – 822 Lawrence Avenue
To rezone the property from RU6 – Two Dwelling Housing to RU6b – Two Dwelling Housing with Boarding House to facilitate a 7 bedroom boarding house.

(BYLAWS PRESENTED FOR FIRST READING) – Cont'd

- 7.6 Bylaw No. 9262 (Z04-0039) - Beverly & Gary Billings (Liz Bennett) – 142 Celano Crescent
To rezone the property from RU2 – Medium Lot Housing to RU2s – Medium Lot Housing with Secondary Suite to allow for construction of a secondary suite in the basement of the new dwelling.
8. REMINDERS
9. TERMINATION