

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

TUESDAY, AUGUST 10, 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, July 12, 2004
Public Hearing, July 13, 2004
Regular Meeting, July 13, 2004
Regular Meeting, July 26, 2004
4. Councillor Blanleil requested to check the minutes of this meeting.
5. BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)

- 5.1 Bylaw No. 9276 (Z03-0069) – Mary Cresswell – 902 Skyline Street
To rezone the property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone to permit the use of an existing secondary building as a secondary suite.
- 5.2 Bylaw No. 9278 (Z04-0029) – Robert Bartz/City of Kelowna (Thomas Gaffney Architect Inc.) – 285 & 301 Glenmore Road
To rezone the subject property from the A1 – Agriculture 1 zone to the RM3 – Low Density Multiple Housing zone in order to accommodate 42 row housing units.
- 5.3 Bylaw No. 9279 (Z04-0036) – Paul & Donna Robinson – 1216 Graf Road
To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone to accommodate a secondary suite in the basement of an existing single family dwelling.

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 5.4 Bylaw No. 9119 (TA03-0010) – City of Kelowna Zoning Bylaw Amendments
Amendments to reduce or eliminate impacts from secondary suites in accessory buildings.
- 5.5 Bylaw No. 9277 (Z04-0027) – Sundowner Holdings Ltd and Woodlawn Projects Inc. (Protech Consultants Ltd./Grant Maddock) – 5377 Hedeman Court
To rezone the subject property from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone in order to facilitate a 16 lot single detached housing subdivision within the Southwest Okanagan Mission Sector.

6. PUBLIC MEETING TO RECEIVE INPUT ON LIQUOR LICENCE APPLICATIONS

- 6.1 Planning & Corporate Services Department, dated July 19, 2004 re: Liquor Licensing Application No. LL04-0010 – R522 Enterprises Ltd. (Franco Cocco) – 1451 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 permitted for the Food Primary License from 11:00 am to 12:00 am 7 days per week to 11:00 am to 1:00 am 7 days per week for La Bussola Restaurant.
- 6.2 Planning & Corporate Services Department, dated July 21, 2004 re: Liquor Licensing Application No. LL04-0002 – Springfield Plaza Inc. – 1585 Springfield Road **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 with a seating capacity of 425 persons with hours of operation from 9:00 am to 11:59 pm Monday to Sunday and to consider a staff recommendation to **NOT** support 6 temporary change permits per year that would allow the entire Bingo Kelowna facility to be licensed under the Liquor Primary License for a seating capacity equal to the buildings occupant load (1254 persons).*

7. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 7.1 Planning & Corporate Services Department, dated July 15, 2004 re: Development Variance Permit Application No. DVP04-0051 – Peter Oud & Randall Black (Marion Bremner) – 400 & 410 Milton 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 requirement from 30.00m to 21.33m to facilitate a 3 lot subdivision.
- 7.2 Planning & Corporate Services Department, dated July 13, 2004 re: Development Variance Permit Application No. DVP04-0038 – Aberdeen Holdings Ltd. (Protech Consultants Ltd./Grant Maddock) – 1405 Guisachan 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 setback requirements to allow this phase of the Balmoral Resort Community to be similar to the existing bareland strata development.
- 7.3 Planning & Corporate Services Department, dated July 16, 2004 re: Development Variance Permit Application No. DVP03-0181 – Kelowna General Hospital Foundation Inc. – 140 Dougall 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 staff recommendation to **NOT** waive the requirements to complete frontage and land improvements, or to reduce the parking requirements from 9 stalls to 3 to accommodate relocation of the KGH Foundation Thirft Store to the subject premises.*

- 7.4 Planning & Corporate Services Department, dated July 20, 2004 re: Development Variance Permit Application No. DVP04-0053 – Vedanta Educational Society (Vedanta Academy/Mike Guzzi) – 1180 Houghton 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 side yard setback from 4.5m to 1.0m and to reduce the required 27 parking spaces to 11 spaces to accommodate additional classroom space for the private school on the site.
- 7.5 (a) **BYLAW PRESENTED FOR ADOPTION**
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.
- (b) Planning & Corporate Services Department, dated June 10, 2004 re: Development Variance Permit Application No. DVP04-0060 – Isha Blue (Peter Chataway) – 822 Lawrence 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 eastern side yard setback from 2.3 m to 1.54 m.
- 7.6 Planning & Corporate Services Department, dated June 30, 2004 re: Development Variance Permit Application No. DVP04-0061 – Nelson Dale Brooks (H. Benson Electrical /Harvey Benson) – 1280-1282 Gordon 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 rear lane vehicular access requirement to allow one side of a proposed duplex to be accessed from the lane and the other side to be accessed from Cawston Avenue.

8. BYLAWS

(BYLAWS PRESENTED FOR FIRST READING)

*Note: Agenda Items No. 8.1 to 8.4 **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. 9282 (Z04-0042) – Jim Gretzinger (Serko Property Service) – 1703 Lynrick Road
To rezone the subject property from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing and the RU6 – Two Dwelling Housing zone in order to facilitate a 3 lot single and two unit residential subdivision.
- 8.2 Bylaw No. 9283 (OCP04-0004) – James & Linda Knight, Gerald & Delores Dignan, Daryl, Johnny, Danny & Lynette McLean, Jamie Davies and David & Charles Ross (Coast Architectural Group/Kevin Ryan) – 2901-2975 Abbott Street and 408-416 Groves Avenue
To amend the future land use designation of Lots 2 & 3 fronting Abbott Street from the Major Parks/Open Space designation to the Multiple Unity Residential – Medium Density designation in order to construct a 48-unit apartment building.

(BYLAWS PRESENTED FOR FIRST READING) – Cont'd

8.3 Bylaw No. 9284 (Z04-0010) – James & Linda Knight, Gerald & Delores Dignan, Daryl, Johnny, Danny & Lynette McLean, Jamie Davies and David & Charles Ross (Coast Architectural Group/Kevin Ryan) – 2901-2975 Abbott Street and 408-416 Groves Avenue
To rezone the subject properties from the RU1- Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone in order to construct a 48 – unit apartment building.

8.4 Bylaw No. 9286 (Z04-0037) – Rob Joyal & Bill Ferguson – 2490 Richter Street
To rezone the three existing subject properties from the P4 – Utilities zone to the proposed RU6 – Two Dwelling Housing zone to facilitate a two lot subdivision.

9. REMINDERS

10. TERMINATION