

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

TUESDAY, AUGUST 24, 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 26, 2004  
Public Hearing, July 27, 2004  
Regular Meeting, July 27, 2004  
Regular Meeting, August 9, 2004  
Public Hearing, August 10, 2004  
Regular Meeting, August 10, 2004

4. Councillor Given requested to check the minutes of this meeting.

5. BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)

- 5.1 Bylaw No. 9211 (OCP03-0014) – John & Ingrid Paavilainen (Keith Funk/New Town Planning) – 1170 Band Road **requires majority vote of Council (5)**  
*To amend the OCP designation on a portion of the property from “Single/Two Unit Residential” to “Multiple Unit Residential (Low Density) in order to reactivate a congregate housing facility that at one time operated on the property as a legally non-conforming use.*
- 5.2 Bylaw No. 9212 (Z03-0071) - John & Ingrid Paavilainen (Keith Funk/New Town Planning) – 1170 Band Road  
*To rezone a portion of the property from A1 – Agriculture 1 to RM3 – Low Density Multiple Housing in order to reactivate a congregate housing facility that at one time operated on the property as a legally non-conforming use.*
- 5.3 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.*
- 5.4 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 **Requires majority vote of Council (5)**  
*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 SECOND & THIRD READINGS)** – Cont'd

- 5.5 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.*
- 5.6 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.*
6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS
- 6.1 Planning & Corporate Services Department, dated July 27, 2004 re: Development Permit Application No. DP04-0068 and Development Variance Permit Application No. DVP04-0069 – 565401 BC Ltd. (Lyle Isenor) – 1015 Richter Street **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 authorize construction of a 6-unit, 2-storey industrial building on the property and allow a reduced front yard setback from 6.0 m to 1.5 m.*
- 6.2 Planning & Corporate Services Department, dated August 6, 2004 re: Development Variance Permit Application No. DVP04-0048 – The Roman Catholic Bishop of Nelson (Protech Consultants Ltd.) – 1077 Fuller 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 authorize variances to the front yard setback from 6.0 m to 4.0 m; the side yard setback to a flanking street from 6.0 m to 4.5 m; to vary the number of parking spaces from 84 stalls to 71 stalls; to vary the site coverage for buildings, parking and roads from 60% to 77%; to vary the landscape buffer next to parking from 2.0 m and 1.5 m to 0.0 m; to vary the setback to parking abutting a residential zone from 1.5 m to 0.0 m; to vary the setback to parking abutting a street from 2.0 m to 0.0 m; and to consider a staff recommendation to **NOT** vary the minimum front yard setback from 6.0 m to 4.0 m, all being requested in order to accommodate an addition to the front of the church.*
- 6.3 Planning & Corporate Services Department, dated August 6, 2004 re: Development Variance Permit Application No. DVP04-0063 – Shauna Bodnar (Cheryll Gillespie) – 3602 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 the Okanagan Lake sightline angle requirement to be reduced from 60° to 10° in order that an existing dwelling that is legally non-conforming with regard to the sightline requirement can be replaced with a new home in the same location.*
- 6.4 Planning & Corporate Services Department, dated August 4, 2004 re: Development Variance Permit Application No. DVP04-0062 – 634562 BC Ltd. (Ken Corcoran) - #6 – 4190 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 the Okanagan Lake sightline angle requirement to be reduced from 60° to 20° to accommodate a single family dwelling to be constructed on the property.*

- 6.5 Planning & Corporate Services Department, dated August 3, 2004 re: Development Variance Permit Application No. DVP04-0050 – R 370 Enterprises Ltd. (Kennedy Construction Ltd. and Kennedy Homes Ltd.) – 2455 Quail Ridge Boulevard **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 grant variances to allow retaining walls to be a maximum of 4.5 m in height where only 1.2 m is permitted, and to allow portions of the driveway width to be reduced from 7.0 m to 6.9 m. The variances are a result of a degrading slope and to facilitate better access to some of the units in a 25-unit strata development that is under construction in Quail Ridge.*

## 7. BYLAWS

### (BYLAWS PRESENTED FOR FIRST READING)

*Note: Agenda Items No. 7.1 to 7.5 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.*

- 7.1 Bylaw No. 9291 (Z04-0044) – Charlene Madden – 335 Hardie Road  
*To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to accommodate a secondary suite in an accessory building that is proposed to replace an existing garage that would be demolished.*
- 7.2 Bylaw No. 9292 (TA03-0008) – Amendment to City of Kelowna Zoning Bylaw No. 8000.  
*Adds ‘Community Recreation Services’ as a secondary use in the RM3, RM4, RM5 and RM6 zones.*
- 7.3 Bylaw No. 9293 (Z03-0043) – City of Kelowna – 260 Franklyn Road  
*To rezone the subject property from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone to allow for the future development of a multi-dwelling housing project.*
- 7.4 Bylaw No. 9294 (Z04-0040) – Merbil Investments Ltd. (Harold Kullman) – 464 Trumpeter Road and North of Trumpeter Road  
*To facilitate subdivision of the two properties to create two lots of an equal size.*
- 7.5 Bylaw No. 9295 (Z04-0034) – Don Wilkinson & Brenda Gorrie – 5267 Chute Lake Road and 5267 Trumpeter Road  
*To facilitate subdivision of the two properties to create two lots that are more equivalent in size.*

### (BYLAWS PRESENTED FOR ADOPTION)

- 7.6 Bylaw No. 9255 – Road Closure Bylaw – 3200 Block Appaloosa Road **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward**  
*To permanently close and remove the highway dedication of a portion of Appaloosa Road.*
- 7.7 Bylaw No. 9265 – Road Closure Bylaw – Loseth Road **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward**  
*To permanently close and remove the highway dedication of a portion of Loseth Road.*

**(BYLAWS PRESENTED FOR ADOPTION)** – Cont'd

- 7.8 Bylaw No. 9281 – Road Closure Bylaw – Haug Road **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward**  
*To permanently close and remove the highway dedication of a portion of Haug Road adjacent to 3957 Lakeshore Road.*
- 7.9 Bylaw No. 9285 – Amendment No. 5 to Disbursement of City Funds Bylaw No. 6090-87  
*To approve changes to the Disbursement of City Funds Bylaw.*
8. REMINDERS
9. TERMINATION