

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

TUESDAY, SEPTEMBER 28, 2004

7:00 P.M.

(following the Public Hearing)

1. CALL TO ORDER

2. Prayer will be offered by Councillor Cannan.

3. CONFIRMATION OF MINUTES

Regular Meeting, August 23, 2004
Public Hearing, August 24, 2004
Regular Meeting, August 24, 2004
Regular Meeting, August 30, 2004
Regular Meeting, September 13, 2004
Public Hearing, September 14, 2004
Regular Meeting, September 14, 2004

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

5. BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)

5.1 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.

5.2 Bylaw No. 9299 (LUC04-0001) – K. Kaminski Construction Ltd. – 2441-2453 Highway 97 North
To discharge Land Use Contract No. LUC76-1114 (M46624) which allows uses consistent with the C10 zone on the property.

5.3 Bylaw No. 9300 (Z04-0043) – K. Kaminski Construction Ltd. and City of Kelowna – 2441-2453 Highway 97 North and 2455 Highway 97 North
To rezone the properties to allow for a broader range of commercial uses within the existing building.

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

6.1 Planning & Corporate Services Department, dated August 26, 2004 re: Development Variance Permit Application No. DVP04-0081 – John & Evelyn Carr (Sherri Simson/Simson Construction Management & Design Ltd.) – 2160 Bennett 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 grant a variance to reduce the rear yard setback requirement from 7.5 m to 2.06 m.

- 6.2 Planning & Corporate Services Department, dated September 3, 2004 re: Development Variance Permit Application No. DVP04-0087 – Stephen & Jane May – 955 Clement 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 grant a variance to reduce the minimum side yard setback requirement for a proposed second storey addition to a portion of the house from 2.3 m to 1.35 m on the east side and 1.61 m on the west side.
- 6.3 Planning & Corporate Services Department, dated September 3, 2004 re: Development Variance Permit Application No. DVP04-0079 – Donald Robertson – 795 Elliot 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 grant a variance to reduce the minimum lot width requirement from 18.0 m to 17.14 m for a site with two principal dwellings.
- 6.4 (a) **BYLAW PRESENTED FOR ADOPTION**
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.
- (b) Planning & Corporate Services Department, dated August 27, 2004 re: Development Variance Permit Application No. DVP04-0072 – Charlene Madden (Charlene Madden or Rick Coyette) – 335 Hardie 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 grant a variance to allow the permitted floor area for a proposed secondary suite in an accessory building to be increased from 75% to 79% of the principal dwelling floor area; and to allow uncovered parking for the secondary suite rather than an attached garage or carport.
- 6.5 Planning & Corporate Services Department, dated August 26, 2004 re: Development Permit Application No. DP04-0064 and Development Variance Permit Application No. DVP04-0070 – Ladner Ventures Inc. (Mike Reibin) – 345-365 Mills 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 permitted height of a proposed 28-unit apartment building from 3 storeys to 3.5 storeys.
- 6.6 Planning & Corporate Services Department, dated September 1, 2004 re: Development Variance Permit Application No. DVP04-0098 – Lisa Stewart and Vernon Nielson (Vernon Nielson) – 5460 & 5462 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 grant a variance to allow retaining walls that are 1.6 m and 2.2 m in height where only 1.2 metres is permitted.

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

- (i) 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.

- (ii) 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.

- (b) Planning & Corporate Services Department, dated August 18, 2004 re: Development Permit Application No. DP04-0016 and Development Variance Permit Application No. DVP04-0017 – James & Linda Knight; Gerald & Delores Dignan; Daryl, Johnny, Danny & Lynette McLean; Jamie Davies; and David & Charles Ross (Kevin Ryan/Coast Architectural Group) – 2901-2975 Abbott Street and 408-416 Groves 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 vary the permitted height of a proposed 48-unit apartment building from 4 storeys to 4.5 storeys.

7. REMINDERS

8. TERMINATION