

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

TUESDAY, OCTOBER 18, 2005

7:00 P.M.

(following the Public Hearing)

1. CALL TO ORDER

2. Prayer will be offered by Councillor Day.

3. CONFIRMATION OF MINUTES

Regular Meeting, October 3, 2005
Public Hearing, October 4, 2005
Regular Meeting, October 4, 2005

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

5. BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)

5.1 Bylaw No. 9493 (OCP05-0007) – Pier Mac Petroleum Installation Ltd. (678502 BC Ltd./Gary Yates) – 3205 Quail Ridge Boulevard requires majority vote of Council (5)
To amend the OCP future land use designation of the property from Rural/Agricultural to Single/Two Unit Residential to facilitate a single family residential subdivision.

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

6.1 (a) BYLAW PRESENTED FOR ADOPTION

Bylaw No. 9489 (Z05-0054) – Bruckal Holdings Inc. (New Town Architectural Services Inc./Patrick McCusker) – 446 West Avenue Rezones the property from RU1 – Large Lot Housing and RU6 – Two Dwelling Housing to RM4 – Transitional Low Density Housing to accommodate a proposed 3-storey, 9-unit residential building.

(b) Planning & Corporate Services Department, dated September 23, 2005 re: Development Permit Application No. DP05-0128 and Development Variance Permit Application No. DVP05-0130 – Bruckal Developments Corp. (New Town Architectural Services Inc./Patrick McCusker) – 446 West 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 approve the form and character of a 3-storey, 9-unit residential development and grant variances to reduce the minimum lot width requirement from 30 m to 25.3 m and to vary the rear yard setback for portions of the building under 2 storeys from 7.5 m to 4.5 m.

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

Bylaw No. 9404 (Z05-0007) – Kevin & Pamela Purnell – 4110 Tatlow Road

Rezones the property from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite to accommodate a suite within a proposed accessory building.

- (b) Planning & Corporate Services Department, dated September 15, 2005 re: Development Variance Permit Application No. DVP05-0014 – Kevin & Pamela Purnell – 4110 Tatlow 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 an accessory building with secondary suite to be 6.4 m in height where only 4.5 m is permitted.

- 6.3 Planning & Corporate Services Department, dated September 15, 2005 re: Development Variance Permit Application No. DVP05-0155 – University of British Columbia – Okanagan – 3333 University Way **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 proposed building height from 3 storeys (13.5 m) to 4 storeys (14.2 m) for two new student residence buildings.

- 6.4 (a) Planning & Corporate Services Department, dated October 13, 2005 re: Development Permit Application No. DP05-0143 – Canada Lands Co. (VIA Architecture) - 1187 Sunset Drive

To approve the form and character of a proposed 218 unit, 20 storey hotel development.

- (b) Planning & Corporate Services Department, dated September 20, 2005 re: Development Variance Permit Application No. DVP05-0144 – Canada Lands Co. (VIA Architecture) – 1187 Sunset 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 grant variances to reduce the number of parking spaces from 357 stalls to 332, reduce the number of off-street loading spaces from 9 stalls to 3 stalls, and to vary the maximum permitted height from 25.0 m or 7 storeys to 63.39 m or 20 storeys.

- 6.5 Planning & Corporate Services Department, dated September 14, 2005 re: Development Variance Permit Application No. DVP05-0069 – John & Sarina Weisbeck (D.E. Pilling & Associates/David Pauls) – 1494 Highway 33 East **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 setback requirement for buildings and structures on lots abutting Highway 33 from 15 m to 7.5 m for Lots 9-15.

- 6.6 Planning & Corporate Services Department, dated September 19, 2005 re: Development Permit Application No. DP05-0148/Development Variance Permit Application No. DVP05-0149 – Blanleil Holdings Ltd. (Kim McKechnie) – 1810 Spall 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 a proposed new 2-storey commercial building and to grant variances to the allow parking within the required 2.0 m setback and allow a site coverage of 51.6% where only 50% is permitted.
- 6.7 Planning & Corporate Services Department, dated September 13, 2005 re: Development Variance Permit Application No. DVP05-0146 – Mike Bille (Chris Vickery) – 2401 Selkirk 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 grant a variance to reduce the east side yard setback requirement from 2.0 m to 1.85 m and to consider a staff recommendation to **not** vary the side yard setback requirement from 6.0 m to 5.81 m.*
- 6.8 Planning & Corporate Services Department, dated September 15, 2005 re: Development Variance Permit Application No. DVP05-0147 – Stream Harbor Enterprises Ltd. – 2767 Saucier 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 consider a staff recommendation to **not** grant variances to allow an accessory building within a front yard setback and to reduce the front yard setback requirement from 12.0 m to 3.0 m to allow for the encroachment of an accessory building.*

7.0 RESOLUTIONS

- ADDITION 7.0.1 Draft Resolution – Start Time – November 1, 2005 and 15, 2005 Public Hearings (0550-01)
To change the start time for both Public Hearings from 7:00 p.m. to 5:00 p.m.

7. BYLAWS

(BYLAWS PRESENTED FOR ADOPTION)

- 7.1 Bylaw No. 9482 – Road Closure Bylaw – Palmer Road **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward**
To remove the highway dedication from a portion of Palmer Road

8. REMINDERS

9. TERMINATION