

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

TUESDAY, NOVEMBER 1, 2005

5:00 P.M.

(following the Public Hearing)

1. CALL TO ORDER

2. Prayer will be offered by Councillor Cannan.

3. CONFIRMATION OF MINUTES

Regular Meeting, October 17, 2005
Public Hearing, October 18, 2005
Regular Meeting, October 18, 2005
Regular Meeting, October 24, 2005

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. 9497 \(Z05-0042\)](#) - 0713522 BC Ltd. – 1957 & 1961 Kane Road
Rezones the property from A1 – Agriculture 1 to RM5 – Medium Density Multiple Housing to accommodate a 4-storey, 36-unit apartment housing development.
- 5.2 [Bylaw No. 9498 \(Z05-0055\)](#) – Armogan & Elizabeth Odiyar – 375 Taylor Road
Rezones the property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to allow for a second house at the rear of the lot.
- 5.3 [Bylaw No. 9500 \(Z05-0029\)](#) - Tony Balisky (D.E. Pilling & Associates Ltd./David Pauls) – 1240 Band Road
Rezones the property from A1 – Agriculture 1 to RU1 – Large Lot Housing to facilitate a 21 lot single family subdivision.
- 5.4 [Bylaw No. 9501 \(Z05-0057\)](#) – Nagina & Kuldip Johal (United Homes) – 570 Bach Road
Rezones the property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to allow for a second house at the rear of the lot.
- 5.5 [Bylaw No. 9502 \(Z05-0050\)](#) - 694230 BC Ltd. (Harold Schneider) – 3302-3316 Appaloosa Road
Rezones the westerly portion of the property from I2 – General Industrial to I1 – Business Industrial to allow for a broader range of uses on that portion of the site.
- 5.6 [Bylaw No. 9503 \(Z05-0035\)](#) - Donald, Steven, Gordon, Heidi, Allan & Angelica Kirschner and Neil & Deborah Lachelt (New Town Planning Services) - 470 & 500 Fleming Road and 1065 & 1075 Leathead Road
Rezones the properties from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to facilitate a subdivision resulting in the creation of 6 new lots from the 4 existing lots.

5. BYLAWS CONSIDERED AT PUBLIC HEARING – Cont'd**(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)** – Cont'd

- 5.7 [Bylaw No. 9506 \(Z05-0063\)](#) – University of British Columbia – Okanagan (HMA Architects) – 4990 Highway 97 North (BL9506)
Rezones a portion of the property from A1 – Agriculture 1 to P2 – Education and Minor Institutional to allow for a minor realignment of the P2 zoning boundary to accommodate construction of two new student residence buildings.
- 5.8 [Bylaw No. 9507 \(Z05-0053\)](#) - William Grover and Sing & Kayea Wong (J Herman Group Inc.) – 710 & 730 Martin Avenue and 1490 Richter Street
Rezones the property from RU6 – Two Dwelling Housing to RM5 – Medium Density Multiple Housing to facilitate development of the site with a 4.5 storey, 30 unit apartment building.

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 5.9 [Bylaw No. 9499 \(Z05-0047\)](#) - Ross Grieve (Burrows Huggins Architect) – 2750 Arthur Road
Rezones the property from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite to facilitate a secondary suite within a proposed accessory building.
- 5.10 [Bylaw No. 9504 \(OCP04-0019\)](#) – 616507 BC Ltd. (D.E. Pilling & Associates Ltd./David Pauls) – North of McKinley Road **requires majority vote of Council (5)**
Amends the OCP future land use designation of the property from Future Urban Reserve to Rural/Agricultural.
- 5.11 [Bylaw No. 9505 \(Z05-0009\)](#) – 616507 BC Ltd. (D.E. Pilling & Associates Ltd./David Pauls) – North of McKinley Road
Rezones the property from A1 – Agriculture 1 to RR1 – Rural Residential 1 to facilitate a proposed 15 lot rural residential subdivision.

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

NOTE: The bylaw under agenda item No. 5.8 must have been adopted for Council to consider the next application (No. 6.1)

- 6.1 Planning & Corporate Services Department, dated September 19, 2005 re: [Development Variance Permit Application No. DVP05-0118 – Ross Grieve \(Burrows Huggins Architect\) – 2750 Arthur 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 requirements of the Zoning Bylaw to allow the height of the principal building to be 10.0 m rather than 9.5 m, to allow the height of the accessory building with secondary suite to be 6.4 m instead of 4.5 m and to allow portions of the buildings to encroach within the required 15.0 m riparian management area setback from Okanagan Lake.
- 6.2 Planning & Corporate Services Department, dated September 28, 2005 re: [Development Variance Permit Application No. DVP05-0086 – Maryanna Prodan – 2292 Scenic 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** vary the front and rear yard setback requirements from 4.5 m to 1.48 m and 0.90 m respectively.*

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS – Cont'd

- 6.3 Planning & Corporate Services Department, dated September 21, 2005 re: [Development Permit Application No. DP05-0011 and Development Variance Permit Application No. DVP05-0012 – Pasadena Estates Ltd./Gary Dober \(Canwest Design Group/John Schlosser\) – 4427, 4431 and 4433 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 variances to come forward**

*To authorize the form and character of the proposed 55 units of stacked row housing; to grant variances to the setback requirements for the north and south side yards and for the separation between some of the buildings; and to consider a staff recommendation to **not** vary the parking requirements from 73 stalls to 41 stalls.*

7. BYLAWS

(BYLAWS PRESENTED FOR ADOPTION)

- 7.1 [Bylaw No. 9484](#) – Road Closure Bylaw – Pandosy Street **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 Pandosy Street adjacent to 1897 Pandosy Street.

8. REMINDERS

9. TERMINATION