

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

TUESDAY, NOVEMBER 15, 2005

5:00 P.M.

(following the Public Hearing)

1. CALL TO ORDER
2. Prayer will be offered by Councillor Shepherd.
3. CONFIRMATION OF MINUTES
Regular Meeting, October 31, 2005
Public Hearing, November 1, 2005
Regular Meeting, November 1, 2005
Regular Meeting, November 7, 2005
4. Councillor Shepherd requested to check the minutes of this meeting.
5. BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)

- 5.1 [Bylaw No. 9512 \(Z05-0051\)](#) – Irandokht Khodarahmi (Grant Maddock/ Protech Consultants Ltd.) – 5110 Frost Road
Rezones the property from A1 – Agriculture 1 to RU2 – Medium Lot Housing and P3 – Parks & Open Space to facilitate an 18-lot single family residential subdivision.
- 5.2 [Bylaw No. 9513 \(Z05-0044\)](#) - Giovanni & Michelina Molinaro – 4002 Santa Anita Place
Rezones the property from RU2 – Medium Lot Housing to RU2s – Medium Lot Housing with Secondary Suite to legalize an existing suite within the dwelling.
- 5.3 [Bylaw No. 9514 \(Z05-0030\)](#) - Jarnail and Gurmej Khun-Khun (Madan Kanda) – 740 Tartan Road
Rezones the property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to allow for a second principal dwelling on the site.
- 5.4 [Bylaw No. 9516 \(Z05-0056\)](#) - Henry & Zofia Dalba – 3464 Casorso Road
To rezone the property from RU1 – Large Lot Housing to RU6 –a Two Dwelling Housing to allow for the construction of a second single family residence on the property.

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 5.5 [Bylaw No. 9479 \(Z05-0062\)](#) – Jack Peters and Cynthia Waldeck-Peters (Jack Peters) – 1857 Barlee Road
To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to legalize an existing basement suite.

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

- 5.6 [Bylaw No. 9517 \(Z05-0012\)](#) - Susan Snow (Runnalls Denby) – 438 Trumpeter Road and North of Trumpeter Road
Rezones the properties from RR2 – Rural Residential 2 to RU1 – Large Lot Housing to facilitate consolidation of the two lots and then subdivision to create two new lots.
- 5.7 [Bylaw No. 9518 \(Z05-0058\)](#) - Tessco Inc. (Ross Manning – 1331, 1341 & 1347 Ellis Street (BL9518)
Rezones the property from I4 – Central Business Commercial to C7 – Central Business Commercial to allow for the construction of a mixed use 4½ storey 86-unit apartment building above ground floor commercial space and parking.
- 5.8 [Bylaw No. 9519 \(HD05-0001\)](#) – City of Kelowna - 732 Dehart Avenue
To designate the property a municipal heritage site.

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Planning & Corporate Services Department, dated October 21, 2005 re: [Development Variance Permit Application No. DVP05-0181 – Aberdeen Holdings Ltd. \(Peter Brenneman/Sandpiper Development Ltd.\) - #129 – 1405 Guisachan Place](#) **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 maximum permitted length for a cantilevered section of a building from 3.0 m to 5.78 m and to increase the maximum allowed area for a cantilevered section of a building from 30% to 35%.
- 6.2 (a) **BYLAWS PRESENTED FOR ADOPTION**
- (i) [Bylaw No. 9490 \(OCP05-0012\)](#) – Ziprick Place BC Ltd. (Garry Tomporowski Architects) – 135 Ziprick Road **requires majority vote of Council (5)**
Amends the OCP future land use designation for the property from Low Density Multiple Unit Housing to Medium Density Multiple Unit Residential.
- (ii) [Bylaw No. 9491 \(Z05-0045\)](#) – Ziprick Place BC Ltd. (Garry Tomporowski Architects) – 135 Ziprick Road
Rezones the property from RM3 – Low Density Multiple Housing to RM4 – Transitional Low Density Housing to facilitate development of the site with a 3-storey, 43-unit apartment building proposed for development on the site.
- (iii) [Bylaw No. 9525](#) – Housing Agreement Authorization Bylaw – Ziprick Place BC Ltd. (Garry Tomporowski Architects) – 135 Ziprick Road
For authorization to enter into a Housing Agreement to allow for a density bonus in exchange for the provision of five affordable units for ownership within the proposed 45-unit apartment building.

- 6.2 (b) Planning & Corporate Services Department, dated October 18, 2005 re: [Development Permit Application No. DP05-0114 and Development Variance Permit Application No. DVP05-0187 – Ziprick Place BC Ltd. \(Garry Tomporowski Architects\) – 135 Ziprick 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 4-storey, 45-unit apartment building, and to grant variances to increase the permitted building height from 3 storeys to 4 storeys, reduce the rear yard setback requirement from 9.0 m to 6.8 m; reduce the Highway 33 setback requirement from 15.0 m to 9.2 m; and to allow decks to project 2.8 m into the rear yard setback where only 2.5 m is permitted.
- 6.3 Planning & Corporate Services Department, dated October 24, 2005 re: [Development Variance Permit Application No. DVP05-0183 – TESCO Inc \(Ross Manning\) – 1331, 1341 and 1347 Ellis 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 variances to come forward**
To vary the setback requirement for the portion of the proposed 4½ storey apartment building that is above 15 m in height from 3.0 m to 0.0 m; and to vary development standards for bicycle parking to allow for vertical bicycle storage within the building.
- 6.4 (a) Planning & Corporate Services Department, dated November 4, 2005 re: [Development Permit Application No. DP05-0154 – Sunstone Resort Communities Corp. \(FWS Construction Ltd.\) – 1570 KLO Road](#)
To approve the form and character of the proposed development which includes a 90-bed, 3-storey residential care facility along with a 47-unit, 3-storey apartment housing complex.
- (b) Planning & Corporate Services Department, dated October 18, 2005 re: [Development Variance Permit Application No. DVP05-0184 – Sunstone Resort Communities Corp. \(FWS Construction Ltd.\) – 1570 KLO 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**
The vary the maximum permitted site coverage for buildings and paved areas from 60% to 75% and to reduce the minimum front yard requirement from 6.0 m to 4.5 m for the residential care building; and to vary the maximum continuous building frontage from 40 m to 63.7 m for the residential care building and to 46.3 m for the apartment building.
- 6.5 Planning & Corporate Services Department, dated October 4, 2005 re: [Development Variance Permit Application No. DVP05-0180 – Jack Peters and Cynthia Waldek-Peters \(Jack Peters\) – 1857 Barlee 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 vary the maximum permitted area for a secondary suite from 90 m² to 106.2 m².

- WITHDRAWN 6.6** Planning & Corporate Services Department, dated October 12, 2005 re: Development Permit Application No. DP04-0078 and Development Variance Permit Application No. DVP05-0164 -622632 BC Ltd. (HMA Architects) – 110, 150-154 Highway 33 West **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 approve the form and character of a proposed 7-storey mixed-use commercial/residential building and to vary the maximum permitted height from 4 storeys to 7 storeys.

7. REMINDERS
8. TERMINATION