

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

KELOWNA COMMUNITY THEATRE - 1375 WATER STREET

TUESDAY, MARCH 6, 2007

6:00 P.M.

1. **CALL TO ORDER**

2. Prayer will be offered by Councillor Hobson.

3. **CONFIRMATION OF MINUTES**

Regular Meeting A.M. – February 19, 2007

Regular Meeting P.M. – February 19, 2007

Public Hearing – February 20, 2007

Regular Meeting – February 20, 2007

Regular Meeting A.M. – February 26, 2007

Regular Meeting P.M. – February 26, 2007

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

5. **BYLAWS CONSIDERED AT PUBLIC HEARING**

(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS AND ADOPTION)

5.1 [Bylaw No. 9648 \(OCP06-0016\)](#) – Amendment to Chapter 8 – Housing
To amend the Official Community Plan to add a new policy to Chapter 8 - Housing

5.2 [Bylaw No. 9739 \(LUC06-0002\)](#) – Shaw Cablesystems Ltd. (Gordon McKenzie Architect Inc.) – 2300 Leckie Road – Discharge of Land Use Contract LUC77-1085 (P1869)
To discharge Land Use Contract LUC77-1085 (P1869)

5.3 [Bylaw No. 9740 \(Z06-0029\)](#) – Shaw Cablesystems Ltd. (Gordon McKenzie Architect Inc.) – 2300 Leckie Road
To rezone the subject property from A1 – Agriculture 1 zone to C4 – Urban Commercial zone

6. LIQUOR LICENSE APPLICATION REPORTS

WITHDRAWN

- 6.1. [Planning & Development Services Department, dated February 8, 2007 re: Liquor Licensing Application No. LL05-0010 – Grand Okanagan Resort Ltd. \(Lake City Casino Ltd.\) – 1300 Water Street](#) **Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward**
To seek Council's permanent endorsement for a Liquor Primary License at Lake City Casino with proposed hours of operation from 10:00 a.m. to 2:00 a.m., seven (7) days per week.

7. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 7.1 [Planning & Development Services Department, dated February 9, 2007 re: Development Permit Application No. DP06-0149 and Development Variance Permit No. DVP06-0150 – Gordon McKenzie Architect Inc. \(Shaw Cablesystems Ltd.\) – 2300 Leckie 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.**
(Note: The Bylaws under items 5.2 and 5.3 must have been adopted for Council to consider this item.)
To obtain a Development Permit in order to construct the first phase of a 5-storey office/utility building; To obtain a Development Variance Permit in order to vary certain regulations of Zoning Bylaw No. 8000 including varying the maximum height from 4-storeys to 5-storeys, varying the loading stall count to allow 3 loading stalls where 8 are required, and to vary the bicycle stall count to allow 10 visitor stalls where 69 are required.

7.2 (a) BYLAW PRESENTED FOR ADOPTION

WITHDRAWN

- (i) [Bylaw No. 9684 \(Z06-0039\) – George William Hall & Roy Lazic \(Kim McKenzie\) – 3998 Highway 97 North](#)
To rezone the subject property from A1 – Agriculture 1 zone to I2 – General Industrial zone.

WITHDRAWN

- (b) [Planning & Development Services Department, dated January 29, 2007 re: Development Permit Application No. DP07-0036 and Development Variance Permit No. DVP06-0133 – George William Hall & Roy Lazic \(Kim McKenzie\) – 3998 Highway 97 North.](#) **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 minimum lot width from 40.0m required to 38.1m proposed and minimum lot area from 4,000m² required to 2.897m² proposed for an I2 – General Industrial zoned lot in order to accommodate the proposed rezoning application; To approve the form and character of a two storey building for general industrial use on the subject property.

- 7.3 (a) **BYLAWS PRESENTED FOR ADOPTION**
- (i) [Bylaw No. 9664](#) (OCP06-0007) – 0701849 BC Ltd. – (Herman Planning Group Inc.) – 1094 Lawson Avenue
To amend the Generalized Future Land Use designation of the subject property from “multiple unit residential – low density” to “multiple unit residential – medium density.
- (ii) [Bylaw No. 9665](#) (Z06-0028) – 0701849 BC Ltd. – (Herman Planning Group Inc.) – 1094 Lawson Avenue
To rezone the subject property from RU6 – Two Dwelling Housing zone to RM4 – Transitional Low Density Housing zone.
- (iii) [Bylaw No. 9713](#) – Housing Agreement - – 0701849 BC Ltd. – (Herman Planning Group Inc.) – 1094 Lawson Avenue
To enter into a Housing Agreement with 0701849 BC Ltd.
- (b) [Planning & Development Services Department, dated February 8, 2007 re: Development Permit Application No. DP06-0092 and Development Variance Permit No. DVP06-0093 – 0701849 BC Ltd. – \(Herman Planning Group Inc.\) – 1094 Lawson 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 construct a 13-unit condo/apartment building on the subject property; To vary the lot width in the RM4 zone from 30.0m required to 27.48m proposed; To vary the site coverage for buildings, parking and paved areas from 60% permitted to 61.4% proposed; To vary the proposed height from 3 storeys permitted to 3.5 storeys proposed; To vary the front yard setback for the encroachment of the top of the parkade structure from 6.0m required to 3.92m proposed; To vary the rear yard setback from the encroachment of the top of the parkade structure from 9.0m required to 7.95m proposed; To vary the northern side yard setback from the encroachment of the top of the parkade structure from 4.5m required to 1.89m proposed; To vary the private open space from 290m² required to 190.01m² proposed.
- 7.4 [Planning & Development Services Department, dated January 26, 2007 re: Development Variance Permit Application No. DVP06-0215 – Pattie Lee Leigh \(Worman Resources Inc.\) – 380 Braeloch 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(s) to come forward**
To vary the restriction of accessory buildings within the front yard setback to allow an accessory building in the required front yard and to vary the front yard setback from 18.0m required to 3.32m proposed for the construction of an accessory building on the subject property.
- 7.5. [Planning & Development Services Department, dated January 26, 2007 re: Development Variance Permit Application No. DVP06-0236 – Brandon Barrett Thompson & Corinne Marti Thompson \(Authentech Homes Ltd.\) – 449 Still Pond](#)

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 variance(s) to come forward

To vary the northern side yard setback from 1.5m required to 1.02m proposed.

- 7.6. Planning & Development Services Department, dated January 30, 2007 re: Development Variance Permit Application No. DVP06-0161 – Alan Schuler (Alan & Tracy Schuler) – 5118 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(s) to come forward

To vary the front yard setback (Lakeshore Rd) from 6.0m required to 3.5m proposed and to vary the west side yard setback from 3.0m required to 1.5m required.

8. BYLAWS

9. REMINDERS

10. TERMINATION