

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

TUESDAY, MAY 1, 2007

6:00 P.M.

1. CALL TO ORDER

2. Prayer will be offered by Councillor Letnick.

3. CONFIRMATION OF MINUTES

Regular Meeting A.M. – April 16, 2007

Regular Meeting P.M. – April 16, 2007

Public Hearing – April 17, 1007

Regular Meeting – April 17, 2007

Regular Meeting A.M. – April 23, 2007

Regular Meeting P.M. – April 23, 2007

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

5. BYLAWS CONSIDERED AT PUBLIC HEARING

**(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS)**

**WITHDRAWN**

5.1 Bylaw No. 9766 (TA07-0001) – Text Amendment No. TA07-0001 to the City of Kelowna Zoning Bylaw No. 8000 (City of Kelowna) – Housekeeping Amendments

*To adopt certain housekeeping text amendments to City of Kelowna Zoning Bylaw No. 8000.*

5.2 [Bylaw No. 9769 \(OCP06-0025\) – Maxwell House Developments Ltd. – 1967 Cross Road](#) Requires a majority of all Members of Council (5)

*To change the Future Land Use of the subject property from the “Single/Two Unit Residential”, “Multiple Unit Residential-Low Density”, “Major Park and Open Space” designations to the “Major Park and Open Space”, “Single/Two Unit Residential”, “Multiple Residential-Low Density” designations.*

- 5.3 [Bylaw No. 9770 \(Z06-0069\) – Maxwell House Developments Ltd. – 1967 Cross Road](#)  
*To rezone the subject property from the A1-Agriculture 1 zone to the RM3-Low Density Multiple Housing zone, RU1-Large Lot Housing zone and P3-Parks and Open Space zone.*
- 5.4 [Bylaw No. 9771 \(TA07-0003\) – Dr. Howard Davidson Inc. \(Howard Davidson\) – 764 Bernard Avenue](#)  
*To adopt a text amendment to add Health Services as a principal use within the CD10 zone.*
- 5.5 [Bylaw No. 9772 \(Z07-0022\) – Dr. Howard Davidson Inc. \(Howard Davidson\) – 764 Bernard Avenue](#)  
*To rezone the subject property from the RU6-Two Dwelling Housing zone to the CD10-Heritage Cultural zone.*

**(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS AND ADOPTION)**

- 5.6 [Bylaw No. 9768 \(Z07-0015\) – Bing Lin Li and Sio Ching Cheng – 299 Phipps Crescent](#)  
*To rezone the subject property from RU1-Large Lot Housing zone to RU1s-Large Lot Housing with Secondary Suite zone.*
6. LIQUOR LICENSE APPLICATION REPORTS
- 6.1 [Planning & Development Services Department, dated April 17, 2007 re: Liquor Licensing Application No. LL06-0013 – JQ Developments \(Quinn Best\) – 248 Leon Avenue](#) **Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward**  
*To NOT support a patron participation entertainment endorsement for the food primary liquor license of the Habitat Event Lounge.*
- 6.2 [Planning & Development Services Department, dated March 21, 2007 re: Liquor Licensing Application No. LL07-0001 – Willcliff Holdings Ltd. \(Ernie's Place Neighbourhood Pub\) – 1992 Dilworth Drive](#) **Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward**  
*To support a new patio with capacity of 33 persons and hours of operation from 9:00 a.m. to 11:00 p.m. proposed for Ernie's Place Neighbourhood Pub; To support an extension of the interior hours of operation from 11:00 a.m. to 12:00 a.m., Monday-Thursday, 11:00 a.m. to 1:00 a.m., Friday-Saturday, 11:00 a.m. to 11:00 p.m. Sunday to 9:00 a.m. to 2:00 a.m. (7 days per week) proposed.*

7. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

7.1 (a) **BYLAWS PRESENTED FOR ADOPTION**

- (i) [Bylaw No. 9544 \(Z05-0052\) – Cerco Developments Ltd. and Frank and Laura Pells \(Cerco Developments Ltd.\) – 950, 962, 970, 982, 994, 1004, 1010 Harvey Avenue, 951, 961, 971, 981, 991, 1001, 1011 Leon Avenue](#)

*To rezone the subject properties from the RU6-Two Dwelling Housing zone to RM5-Medium Density Multiple Housing zone.*

- (ii) [Bylaw No. 9727 – Housing Agreement Authorization Bylaw – Cerco Developments Ltd. – 955-1005 Leon Avenue](#)

*To enter into a Housing Agreement with Cerco Developments Ltd. with respect to 955-1005 Leon Avenue.*

- (b) [Planning & Development Services Department, dated March 29, 2007 re: Development Permit Application No. DP05-0131 and Development Variance Permit No. DVP05-0132 – Cerco Developments Ltd. – 955-1005 Leon 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(s) to come forward.**

*To obtain a Development Permit to authorize development of a 144 unit Apartment Complex in 4 buildings ranging in height from 4 storeys to 7 storeys; To obtain a Development Variance Permit to vary the front yard setback from Leon Avenue from 6.0m required to 4.3m proposed; To vary the maximum building height from 4 storeys permitted to 7 storeys proposed for building 1 and 6 storeys proposed for building 4; To vary the off-street parking from 196 stalls required to 159 stalls proposed.*

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

- [Bylaw No. 9611 \(Z06-0020\) – Steve Giesbrecht and James Paterson \(Steve Giesbrecht\) – 180 and 200 Pearson Road](#)

*To rezone the subject property from RU1-Large Lot Housing zone to RU6-Two Dwelling Housing zone.*

- (b) [Planning & Development Services Department, dated March 28, 2007 re: Development Variance Permit Application No. DVP06-0132 – James Paterson \(Steve Giesbrecht\) – 200 Pearson 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 obtain a Development Variance Permit to vary the western side yard setback from 2.0m required to 1.65m existing.*

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

- [Bylaw No. 9709 \(Z06-0063\) – Acorn Communities Ltd. – 449, 455, 461 and 465 West Avenue](#)

*To rezone the subject property from RU1-Large Lot Housing zone to RM5-Medium Density Multiple Housing zone.*

- (b) [Planning & Development Services Department, dated March 29, 2007 re: Development Permit Application No. DP06-0207 and Development Variance Permit Application No. DVP06-0208 – Acorn Communities – 457 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 variance(s) to come forward.**

*To obtain a Development Permit to construct a 4.5 storey, 36 unit multiple family condominium housing development; To obtain a Development Variance Permit to vary the height from 4 storeys permitted to 4.5 storeys proposed; To vary the front yard setback for parking from 6.0m required to 2.7m proposed; To vary the rear yard setback from 7.5m required to 2.9m proposed; To vary the maximum site coverage for buildings and parking from 60% permitted to 62% proposed.*

8. REMINDERS
9. TERMINATION