

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

**TUESDAY, NOVEMBER 25, 2008**

**6:00 P.M.**

1. CALL TO ORDER

2. Prayer will be offered by Councillor Given.

3. CONFIRMATION OF MINUTES

Regular Meeting A.M. – October 27, 2008

Regular Meeting P.M. – October 27, 2008

Public Hearing – October 28, 2008

Regular Meeting – October 28, 2008

Regular Meeting A.M. – November 3, 2008

Regular Meeting P.M. – November 3, 2008

Regular Meeting P.M. – November 10, 2008

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

5. BYLAWS CONSIDERED AT PUBLIC HEARING

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

5.01 [Bylaw No. 10031 \(Z07-0082\)](#) – Bruckal Developments Corp. – 443 Christleton Avenue

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

5.02 [Bylaw No. 10103 \(Z08-0085\)](#) – Lance Pilott – 2260 Wilkinson Street

*To rezone the subject property from the RU2 – Medium Lot Housing zone to the RU2(s) – Medium Lot Housing with Secondary Suite zone.*

5.03 [Bylaw No. 10104 \(Z07-0062\)](#) – Kelly & Clayton Robinson (Peter Chataway) – 3432 Scott Road

*To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.*

- 5.04 [Bylaw No. 10105 \(Z08-0030\)](#) – Paul Warnock – 1220-1222 & 1230 Brookside Avenue  
*To rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Housing and P3 – Parks and Open Space zones.*
- 5.05 [Bylaw No. 10107 \(Z08-0073\)](#) – Colin Day (Lone Pine Estates) – 685 Lone Pine Drive  
*To rezone the subject property from the RU1 – Large Lot Housing and A1 – Agriculture 1 zones to the RU1h – Large Lot Housing (Hillside Area) zone.*
- 5.06 [Bylaw No. 10108 \(Z08-0076\)](#) – Corey Knorr Construction Ltd. (Protech Consultants Ltd.) – 935 Gibson Road  
*To rezone the subject property from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone.*
- 5.07 [Bylaw No. 10110 \(Z08-0083\)](#) – Jean Tinling – 560 Peck Court  
*To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.*
- 5.08 [Bylaw No. 10111 \(Z08-0093\)](#) – Shelley Nicholl-Smith – 1441 Flemish Street  
*To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.*
- 5.09 [Bylaw No. 10113 \(Z08-0075\)](#) – Paula Craig (K. Kingston) – 1870 Maple Street  
*To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.*
- 5.10 [Bylaw No. 10114 \(OCP08-0023\)](#) – School District No. 23, Central Okanagan (MQN Architects) – 4534 Gordon Drive – **Requires a majority of all Members of Council (5)**  
*To change the future land use designation of the subject property from the “Single/Two Unit Residential” designation to the “Educational/Minor Institutional” designation.*
- 5.11 [Bylaw No. 10115 \(Z08-0089\)](#) – School District No. 23, Central Okanagan (MQN Architects) – 4534 Gordon Drive  
*To rezone the subject property from the RU1 – Large Lot Housing zone to the P2 – Education and Minor Institutional zone.*

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

- 5.12 [Bylaw No. 10102 \(OCP08-0024\)](#) – City of Kelowna – **Requires a majority of all Members of Council (5)**  
*To amend Chapter 19 – Temporary and Commercial Use Permits by deleting and replacing the Temporary Use Permit Area Table.*
- 5.13 [Bylaw No. 10112 \(Z08-0079\)](#) – Sherry & Michael Belanger – 4150 McClain Road  
*To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.*

6. LIQUOR LICENSE APPLICATION REPORTS

- 6.01 Land Use Management Department, dated October 31, 2008 re: [Liquor Licensing Application No. LL08-0005 – 507 Bernard Joint Venture & Western Interior Financial Ltd. \(The Grateful Fed\) – 509 Bernard Avenue](#) **Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.**

*To support a liquor primary license with an interior capacity of 41 patrons, and a patio capacity of 49 patrons, with hours of operation from 9:00 a.m. to 1:00 a.m. daily.*

7. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 7.01 (a) BYLAW CONSIDERED AT PUBLIC HEARING

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

[Bylaw No. 10109 \(Z08-0086\)](#) – Frank & Carmen Prehofer – 2652 Woodland Crescent

*To rezone the subject property from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone.*

- (b) Land Use Management Department, dated October 28, 2008, re: [Development Variance Permit Application No. DVP08-0217 – Frank & Carmen Prehofer – 2652 Woodland Crescent](#) **City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected the required variance(s) to come forward.**

*To authorize the issuance of a Development Variance Permit to vary site coverage from 10% permitted to 13.7% proposed in order to construct a new single-family dwelling containing a secondary suite.*

- 7.02 Land Use Management Department, dated October 10, 2008 re: [Development Permit Application No. DP08-0222 and Development Variance Permit Application No. DVP08-0223 – 3752 Investments Ltd. \(Argus Properties Ltd.\) – 1040 Manhattan 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 variance(s) to come forward.**

*To authorize the issuance of a Development Permit for the form and character of the proposed office building; To authorize the issuance of a Development Variance Permit to vary the height of the proposed office building from 3 storeys permitted to 8 storeys proposed.*

- 7.03 (a) **(BYLAW PRESENTED FOR ADOPTION)**

[Bylaw No. 10038 \(TA07-0007\)](#) – P216 Enterprises Ltd. et al (Busby Perkins & Will) – 2970-2974, 2978, 3000, 3006 & 3010 Pandosy Street and 475 Groves Avenue

*To add density bonuses for “green developments” in the C4 zone and to add definitions for “green roof” and “public courtyard”.*

- (b) Land Use Management Department, dated October 29, 2008, re: [Development Permit Application No. DP07-0261 and Development Variance Permit Application No. DVP08-0212 – P216 Enterprises Ltd. et al \(Busby Perkins & Will\) - 2970-2974, 2978, 3000, 3006 & 3010 Pandosy Street and 475 Groves 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 authorize the issuance of a Development Permit for a 16,990 m<sup>2</sup> mixed use development comprised of a 2 storey podium with 4 storey townhouse building and 9 storey apartment building on top; To authorize the issuance of a Development Variance Permit to vary the maximum site coverage from 70% permitted to 77% proposed and to vary building height from 25.0m, 7 storeys permitted to 36.5m, 11 storeys proposed.*

- 7.04 (a) Land Use Management Department, dated November 14, 2008, re: [Development Permit Application No. DP08-0215 – Springfield Plaza Inc. \(Chances Gaming Entertainment\) – 1585 Springfield Road](#)

*To authorize the issuance of a Development Permit for the placement of an emergency backup electrical generator on the site.*

- (b) Land Use Management Department, dated October 31, 2008, re: [Development Variance Permit Application No. DVP08-0216 – Springfield Plaza Inc. \(Chances Gaming Entertainment\) – 1585 Springfield 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 authorize the issuance of a Development Variance Permit to vary the side yard setback from 15.0m required to 1.5m proposed and to vary the rear yard setback from 21.0m required to 1.0m proposed in order to facilitate the placement of an emergency backup electrical generator on the site.*

- 7.05 Land Use Management Department, dated October 31, 2008 re: [Development Variance Permit Application No. DVP08-0102 – Juliana Wilgar \(RLJ Homes Inc.\) – 3909 Bluebird 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 authorize the issuance of a Development Variance Permit to vary the front yard setback from 6.0m required to 0.8m proposed, to vary the side yard setback from 2.3m required to 0.2m proposed and to vary the rear yard setback from 4.5m required to 1.0m proposed.*

8. REMINDERS

9. TERMINATION