

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

TUESDAY, APRIL 7, 2009

6:00 P.M.

1. CALL TO ORDER
2. Prayer will be offered by Councillor Given.
3. CONFIRMATION OF MINUTES

Regular A.M. Meeting – March 23, 2009
Regular P.M. Meeting – March 23, 2009
Public Hearing – March 24, 2009
Regular Meeting – March 24, 2009
Regular A.M. Meeting – March 30, 2009
Regular P.M. Meeting – March 30, 2009
4. Councillor Rule is requested to check the minutes of this meeting.
5. BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS)

- 5.1 [Bylaw No. 10077 \(OCP07-0037\)](#) – FortisBC Inc. (New Town Planning Services Inc.) – 3550 Lochrem Road – **Requires a majority of all Members of Council (5)**
To change the future land use designation of portions of the subject property from the “Rural Agriculture” designation to the “Public Services/Utilities” designation.
- 5.2 [Bylaw No. 10078 \(Z07-0107\)](#) – FortisBC Inc. (New Town Planning Services Inc.) – 3550 Lochrem Road
To rezone a portion of the subject property from the A1 – Agriculture 1 zone to the P4 – Utilities zone.
- 5.3 [Bylaw No. 10161 \(OCP08-0027\)](#) – 0823250 BC Ltd. (Architecturally Distinct Solutions) – 695 Webster Road – **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 “Multiple Unit Residential – Low Density” designation.

- 5.4 [Bylaw No. 10162 \(Z08-0104\)](#) – 0823250 BC Ltd. (Architecturally Distinct Solutions) – 695 Webster Road
To rezone the subject property from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone.
- 5.5 [Bylaw No. 10168 \(Z08-0118\)](#) – Robert & Lula Mills – 684 Barnaby Road
To rezone the subject property from the RR1 – Rural Residential 1 zone to the RR3 – Rural Residential 3 zone.

6. LIQUOR LICENSE APPLICATION REPORTS

- 6.1 Community Sustainability Division, dated March 13, 2009 re: [Liquor Licensing Application No. LL09-0001 – City of Kelowna – 1375 Water Street](#) **Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.**
To support an amendment to the existing Liquor Primary License at the Kelowna Community Theatre to expand the licensed area to include the auditorium and green room.
- 6.2 Community Sustainability Division, dated February 27, 2009, re: [Liquor Licensing Application No. LL09-0002 – Okanagan Princess Dining Tours \(DNA's Juice Joint Ltd.\) – M.V. Okanagan Princess berthed at 200-210 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 patron participant entertainment endorsement for an existing food primary liquor licence on the MV The Boardroom.

7. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

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

[Bylaw No. 10083 \(Z08-0035\)](#) – Dwayne & Sandra Jeurond – 890 Juniper Road
To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

- (b) Community Sustainability Division, dated February 10, 2009, re: [Development Variance Permit Application No. DVP08-0085 – Dwayne & Sandra Jeurond – 890 Juniper 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 rear yard setback from 7.5m required to 2.06m proposed in order to construct an addition to the rear (western side) of the subject property.

- 7.2 Community Sustainability Division, dated March 9, 2009 re: [Development Variance Permit Application No. DVP09-0022 – Keith & Britta Morrice \(Ruth Hall\) – 3975 June Springs 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 permitted size of a secondary suite in an accessory building (mobile home) from 90m² required to 113m² proposed.
- 7.3. Community Sustainability Division, dated March 11, 2009 re: [Development Variance Permit Application No. DVP07-0259 – Gurmail & Manjit Dhillon – 269 Kneller Road](#) **Mayor to advise that consideration of the Development Variance Permit Application by Council is to be deferred as the Development Sign was not properly displayed.**
To defer consideration of Development Variance Permit Application No. DVP07-0259 to a date acceptable to Council.
- 7.4 Community Sustainability Division, dated March 11, 2009 re: [Development Permit Application No. DP09-0010 and Development Variance Permit Application No. DVP09-0011 – Elisa Valoroso \(Renaissance Architecture Planning Inc.\) – 1467 Sutherland 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 façade improvements to a commercial building and additions to the rear of the building; To authorize the issuance of a Development Permit Variance to vary the rear yard setback from 6.0m required to 1.54m proposed.
- 7.5 Community Sustainability Division, dated March 12, 2009 re: [Development Permit Application No. DP08-0187 and Development Variance Permit Application No. DVP08-0188 – 0804815 BC Ltd. \(Bevanda Architecture Inc. – 426-436, 440-446 & 450-454 Bernard 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 the construction of a 27 storey, mixed-use development comprised of 205 residential units and 427 m² commercial area at grade; To authorize the issuance of a Development Variance Permit to (1) vary the building height from 44m permitted to 78m proposed (27 stories) and (2) vary the daylight angles from 80° permitted to 83° proposed.
- 7.6 (a) **BYLAW CONSIDERED AT THE PUBLIC HEARING AND PRESENTED FOR SECOND AND THIRD READINGS AND ADOPTION**
[Bylaw No. 10164 \(Z09-0009\)](#) – Detailed Developments Ltd. (Carl Scholl) – 2488 Abbott Street
To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

- (b) Community Sustainability Division, dated March 13, 2009 re: [Development Variance Permit Application No. DVP09-0014 – Detailed Developments Ltd. \(Carl Scholl\) – 2488 Abbott 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 variance(s) to come forward.**

To authorize the issuance of a Development Variance Permit to vary the requirements of the Zoning Bylaw No. 8000 in order to allow the siting of an accessory building with a suite to be located between the principal dwelling unit and the front yard.

8. REMINDERS

9. TERMINATION