

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

TUESDAY, MARCH 23, 2010

6:00 P.M.

1. CALL TO ORDER

2. Prayer will be offered by Councillor Rule.

3. CONFIRMATION OF MINUTES

Regular A.M. Meeting - March 8, 2010
Regular P.M. Meeting - March 8, 2010
Public Hearing - March 9, 2010
Regular Meeting - March 9, 2010
Regular A.M. Meeting - March 15, 2010
Regular P.M. Meeting - March 15, 2010

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. 10295 \(TA10-0003\)](#) - City of Kelowna - Text Amendment to Zoning Bylaw No. 8000 - Breweries and Distilleries Major and Minor
To consider amendments to Zoning Bylaw No. 8000 to create two (2) use categories, "Breweries and Distilleries", Major" and "Breweries and Distilleries, Minor".
- 5.2 [Bylaw No. 10296 \(Z10-0006\)](#) - Kevin & Janet Hertz (Peter Chataway) - 334 Christleton Avenue
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.

- 5.3 [Bylaw No. 10297 \(OCP09-0017\)](#) - Natisa Development Corporation & City of Kelowna (Meiklejohn Architects Inc.) - 3441 & 3451 Lakeshore Road - **Requires a majority of all Members of Council (5)**
To change the future land use designation of the subject properties from the "Major Park/Open Space" designation to the "Commercial" designation.
- 5.4 [Bylaw No. 10298 \(Z09-0079\)](#) - Natisa Development Corporation and City of Kelowna (Meiklejohn Architects Inc.) - 3441, 3451 & 3471 Lakeshore Road
To rezone the subject properties from the P3 - Park and Open Space zone and RU6 - Two Dwelling Housing zone to the C9 - Tourist Commercial zone.
6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS
- 6.1 (a) BYLAW PRESENTED FOR ADOPTION
- [Bylaw No. 10215 \(Z08-0114\)](#) - Windmill Ventures Ltd. - 332 Lake Avenue, 1853 & 1869 Water Street
To rezone the subject properties from the RU1 - Large Lot Housing zone to the RM5 - Medium Density Multiple Housing zone.
- (b) Community Sustainability Division, dated February 25, 2010 re: [Development Permit Application No. DP08-0250 and Development Variance Permit Application No. DVP08-0251 - Windmill Ventures Ltd. - 332 Lake Avenue, 1853 & 1869 Water 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 Permit for the form and character of the proposed 32-unit apartment condominium building; To authorize the issuance of a Development Variance Permit to (a) vary the maximum height from 4 storeys permitted to 5 storeys proposed; and (b) vary the required rear yard setback from 7.5m required to 4.5m proposed.
- 6.2 Community Sustainability Division, dated February 23, 2010 re: [Development Variance Permit Application No. DVP10-0012 - Henry & Marilyn Thalheimer \(Henry Thalheimer\) - 1023 Borden 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 Variance Permit to vary the east side yard setback from 2.0m required to 1.08m proposed in order to enclose a stair case that leads to the basement of an existing dwelling.

- 6.3 Community Sustainability Division, dated February 24, 2010 re: [Development Variance Permit Application No. DVP10-0015 - Joseph R. Heathcote \(Axel Hilmer\) - 4454 Lakeland 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 6.0m proposed in order to construct an addition to an existing single-family dwelling.

DEFERRED BY
COUNCIL AT
THE MARCH 9,
2010 REGULAR
MEETING

- 6.4 Development Services Division, dated February 11, 2010, re: [Development Variance Permit Application No. DVP09-0073 - Michael Matvieshen \(Paramount Holdings Inc.\) - 1425 McCurdy Road East](#) 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 consider a staff recommendation NOT to authorize the issuance of a Development Variance Permit to Subdivision, Development and Servicing Bylaw No. 7900 in order to use a septic system where sewer service is available.

7. UNFINISHED BUSINESS

- 7.1 Community Sustainability Division, dated March 23, 2010, re: [Development Permit Application No. DP07-0261 and Development Variance Permit Application No. DVP08-0212 - P218 Enterprises Ltd. & Wayne Holdings Ltd. \(Busby Perkins & Will\) - 2970-3030 Pandosy Street](#)
To authorize the City of Kelowna to enter into a Housing Agreement with P128 Enterprises Ltd. & Wayne Holdings Ltd. for 2970-3030 Pandosy Street.

ADDED BY STAFF ON
MARCH 23, 2010

- (a) [Community Sustainability Division supplemental report dated March 23, 2010.](#)
- (b) BYLAW PRESENTED FOR FIRST THREE READINGS
[Bylaw No. 10308](#) - Housing Agreement Authorization Bylaw - P218 Enterprises Ltd. & Wayne Holdings Ltd. - 2970-3030 Pandosy Street
To enter into a Housing Agreement with P128 Enterprises Ltd. & Wayne Holdings Ltd.

8. REMINDERS

9. TERMINATION