

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

TUESDAY, OCTOBER 5, 2010

6:00 P.M.

1. CALL TO ORDER

This meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet.

2. Prayer will be offered by Councillor Rule.

3. CONFIRMATION OF MINUTES

Regular A.M. Meeting - September 20, 2010
Regular P.M. Meeting - September 20, 2010
Public Hearing - September 21, 2010
Regular Meeting - September 21, 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. 10412 \(Z10-0042\)](#) - Timothy Valeriotte - 2569 Benvoulin Road
To rezone the subject property from the A1 - Agriculture 1 zone to the A1s-Agriculture 1 with Secondary Suite zone.
- 5.2 [Bylaw No. 10414 \(Z10-0050\)](#) - Philip & Donna Long - 939 Mount Royal Drive
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. 10415 \(Z10-0064\)](#) - Bradley Westen - 1071 Henderson Drive
To rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite zone.

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Community Sustainability Division, dated September 10, 2010 re: [Heritage Alteration Permit Application No. HAP10-0010 - City of Kelowna - 1304 Ellis 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 Heritage Alteration Permit to vary the provisions of Sign Bylaw No. 8235 in order to permit a roof-top sign where roof-top signs are not permitted and to permit a projecting sign where projecting signs are not permitted within in the CD8LP/LRS - Heritage Industrial (Liquor Primary/Retail Liquor Sales) zone.

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

[Bylaw No. 9313 \(Z04-0020\)](#) - Otto Babichuk, 417860 Alberta Ltd., Newport Investments Ltd., 244584 Alberta Ltd., 537584 Alberta Ltd., Cher-Ken Holdings Ltd., MJC Development Corporation, Joric Holdings Ltd., Seadrift Properties Ltd., Dianor Developments Ltd., 407904 BC Ltd. (Protech Consultants Ltd.) - 5050 McCulloch Road

To rezone the subject properties from the A1 - Agriculture 1 zone to the P3 - Parks & Open Space, RR1 - Rural Residential 1 and RR2 - Rural Residential 2 zones.

- (b) Community Sustainability Division, dated September 16, 2010, re: [Development Variance Permit Application No. DVP04-0044 - Otto Babichuk et al \(SmartPlans Ltd.\) - 5050 McCulloch 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 requirements of Sections 12.1.5(c) and 12.2.5(c) of Zoning Bylaw No. 8000 to allow the minimum parcel size of 8000m² for the RR1 zone and 4000m² for the RR2 zone to apply, if properties are connected to a private sanitary sewer collection system, in order to facilitate a bareland strata, rural residential subdivision.

- 6.3 (a) **BYLAW CONSIDERED AT PUBLIC HEARING AND PRESENTED FOR SECOND AND THIRD READINGS AND ADOPTION**

[Bylaw No. 10416 \(OCP10-0013/TUP10-0002\)](#) - Becky & Andrew Habib and Sally Bloomfield (Croc Talk - Doug Illman & Brenda Bruce) - 4493 Stewart Road East - **Requires a majority of all Members of Council (5)**

To temporarily change the future land use designation of the subject property from the "Rural/Agricultural" designation to the "Commercial" designation.

- (b) Community Sustainability Division, dated August 25, 2010 re: [Temporary Use Permit Application No. TUP10-0002 - Becky & Andrew Habib and Sally Bloomfield \(Croc Talk - Doug Illman & Brenda Bruce\) - 4493 Stewart 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 requested Temporary Use Permit to come forward.

To authorize the issuance of a Temporary Use Permit to allow an exotic animal rescue/education facility to operate on the subject property on an interim basis.

7. REMINDERS
8. TERMINATION