

CITY OF KELOWNA
REGULAR COUNCIL AGENDA
COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, JULY 30, 2001

1:30 P.M.

1. CALL TO ORDER
2. Councillor Blanleil to check the minutes of the meeting.
3. PUBLIC IN ATTENDANCE
 - 3.1 Shannon Bews Croft, Director, Kelowna Royalty Association re: Introduction of New Royalty – Lady of the Lake
4. PLANNING
 - 4.1 Community Planning Manager, dated July 25, 2001 re: Community Housing Needs Committee Membership (0540-20)
To accept the resignation of Glenn Bowden and appoint Michelle Rule to the Committee for the balance of the term ending December 2002.
 - 4.2 Community Planning Manager, dated July 25, 2001 re: Social Planning Board (0540-20)
To appoint Jeff Gunn for the balance of the term ending December 2002.
 - 4.3 Planning & Development Services Department, dated July 18, 2001 re: Lease Agreement Application LA01-011 – Patricia Vineyards Ltd. (Wageman Glazier & Polley, Barristers & Solicitors) – 1690 Saucier Road (B/L 8706)
To create a lease for more than 20 years on a fee simple property and advance the necessary bylaw for initial reading consideration by Council.
 - 4.4 Planning & Development Services Department, dated July 23, 2001 re: Rezoning Application No. Z01-1032 – Nancy & Lyle Howlett – 4355 June Springs Road (3360-20)
To rezone a portion of the property from A1 – Agriculture 1 to RR1 – Rural Residential 1 to accommodate a lot line adjustment.
 - 4.5 Planning & Development Services Department, dated July 25, 2001 re: Rezoning Application No. Z00-1013 – Vince & Giovannia Magaldi (Vince Magaldi) – 2131 Scenic Road (3360-20)
To rezone the property from A1 – Agriculture 1 to RM3 – Low Density Multiple Housing to permit the development of 7 two-storey duplexes for a total of 14 residential units on the site.
 - 4.6 Planning & Development Services Department, dated July 25, 2001 re: Rezoning Application No. Z01-1029 – Pacific Sun Enterprises Ltd. (David Kornell) – 1889/1879/1859 Chandler Street and 1450 Sutherland Avenue (3360-20)
To rezone the 3 properties on Chandler Street from RU6 – Two Dwelling Housing to P1 – Major Institutional and to change the Future Land Use Designation of all 4 properties to Educational/Major Institutional to permit expansion of the Still Waters Private Hospital.

4. PLANNING – Cont'd

- 4.7 Planning & Development Services Department, dated July 25, 2001 re: Rezoning Application No. Z00-1042 – T172 Enterprises Ltd. (Jim Langley) – 2678 Highway 97 North (3360-20)
To rezone the property from A1 – Agriculture 1 to C10 – Service Commercial to facilitate a proposed automotive sales use in the existing single family dwelling which is to be renovated.
- 4.8 (a) **BYLAW PRESENTED FOR ADOPTION**
Bylaw No. 8480 (Z99-1043) – 544805 B.C. Ltd. (Culos Developments Ltd.) – 120 Leathead Road, and City of Kelowna Official Community Plan Amendment No. OCP99-014 requires majority vote of Council (5)
To rezone the property from RU1 – Large Lot Housing and RU6 – Two Dwelling Housing to C2 – Neighbourhood Commercial.
- (b) Planning & Development Services Department, dated July 24, 2001 re: Development Permit Application No. DP01-10,035 – 544805 BC Ltd. (Michael Culos) – 120 Leathead Road (3060-20)
Authorization to construct a 2-storey mixed use commercial and residential development over an underground parking structure.
- 4.9 (a) **BYLAW PRESENTED FOR ADOPTION**
Bylaw No. 8678 (Z01-1021) – 482627 BC Ltd., Envirotech Real Estate Inc., Gordon & Emelie Wallace, Dorothy & Elizabeth Howe and W & S Bernard Investments Ltd. (Envirotech Real Estate Inc.) – 1681, 1683, 1659 & 1667 Ethel Street, 931 & 941 Leon Avenue, 932 & 942 Harvey Avenue
To rezone the properties from RU6 – Two Dwelling Housing to RM6 – High Rise Apartment Housing to permit the development of a 12-storey seniors congregate housing facility.
- (b) Planning & Development Services Department, dated July 25, 2001 re: Development Permit Application No. DP00-10,053 – 482627 BC Ltd., Envirotech Real Estate Inc., Gordon & Emelie Wallace, Dorothy & Elizabeth Howe, W & S Bernard Investments Ltd. (Envirotech Real Estate Inc.) – 1681, 1983, 1659 & 1667 Ethel Street; 931 & 941 Leon Avenue; 932 & 942 Harvey Avenue (3060-20)
Approval to develop the site with a 12-storey, 136-unit seniors congregate housing facility.
- 4.10 Planning & Development Services Department, dated July 23, 2001 re: Development Permit Application No. DP01-10,036 – Gallaghers Canyon Land Development Ltd. (Tom Weisbeck) – 3980 Field Road (3060-20)
Authorization to proceed with the development of 14 semi-detached, multi-family dwelling units as part of the Gallaghers Canyon Golf Resort.
- 4.11 Planning & Development Services Department, dated July 26, 2001 re: Proposed Amendment to Bylaw No. 7878 – Class “C” Liquor Licensed Cabaret Establishments Downtown (B/L 8709)
Consideration of a staff recommendation with respect to the permitted number of business licenses and maximum occupant load for Class C liquor licensed cabaret establishments within the defined downtown area.

4. PLANNING – Cont'd

- 4.12 Planning & Development Services Department, dated July 5, 2001 re: Private Docks Abutting City-Owned Lots Severed from Upland Lakefront Parcels (0910-20-199-008)

To adopt a policy to provide staff with criteria by which to assess the conditions under which the City would support an application for a dock license by an owner of an upland "remainder" lot where the City purchases an entire lakefront parcel of land, severs a portion to create a separate parcel adjacent to the foreshore, and sells the remainder of the original parcel to create a "remainder" lot.

- 4.13 Planning & Development Services Department, dated July 19, 2001 re: Hillside Development Guidelines and Proposed Bylaw Amendments (6660-00)

To receive an information report on proposed amendments to the City of Kelowna Official Community Plan, Zoning Bylaw, and Subdivision, Development & Servicing Bylaw with respect to Kelowna Hillside Development Guidelines.

5. BYLAWS (ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR FIRST READING)**

- 5.1 Bylaw No. 8707 (Z01-1033) – Hannu & Sharon Tukkimaki – 1555 Blondeaux Crescent

To rezone the property from RU1 – Large Lot Housing to RU2 – Medium Lot Housing to accommodate subdivision of the parcel into 2 lots.

6. REPORTS

- 6.1 Wastewater Manager, dated July 20, 2001 re: 2001 Sewer Rates (B/L 8708)
Approval for an increase to both Residential and Industrial/Commercial/Institutional sewer rates effective with the September 16, 2001 billing.

- 6.2 Cemetery Manager, dated July 25, 2001 re: Kelowna Memorial Park Cemetery Bylaw Amendment (B/L 8703)

- 6.3 Transportation Manager, dated re: Draft Traffic Bylaw No. 8120
To amend the bylaw in response to Council input at initial consideration of the bylaw, adopt the new Traffic Bylaw, and repeal Traffic Bylaw No. 4495-78.

- 6.4 Transportation Manager, dated July 26, 2001 re: Downtown Parking Management & Financial Plan (0540-20)
Approval of rates and fines for parking in the downtown area, effective January 1, 2002.

- 6.5 City Clerk, dated July 24, 2001 re: Legacy Fund Bylaws (BC Gas) (B/Ls 8660; 8661, 8690 & 8705)

To receive the Certificate of Sufficiency pertaining to Loan Authorization Bylaw 8660 and Agreement Authorization Bylaw No. 8661 and advance all four bylaws for adoption consideration by Council.

- 6.6 City Clerk, dated July 30, 2001 re: Chapman Parkade Loan Authorization Bylaw No. 8686 Report to be circulated late

To receive the Certificate of Sufficiency pertaining to the bylaw and advance the bylaw for adoption by Council.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 7.1 Bylaw No. 8691 – Amendment No. 57 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89
To add new Traffic Bylaw No. 8120.
- 7.2 Bylaw No. 8703 – Amendment No. 5 to Kelowna Memorial Park Cemetery Bylaw No. 7627
To add provisions for the Promontory Green Interment Gardens and authorize entering into an Agency Agreement with local Funeral Directors to market options in the Promontory Green.
- 7.3 Bylaw No. 8706 – Patricia Vineyards Ltd. Tenancy Agreement Approval Bylaw – 1690 Saucier Road
To authorize lease of the property for a 30-year term.
- 7.4 Bylaw No. 8708 – Amend Sewerage System User Bylaw No. 3480
To set the 2001 rates for use of the sewerage system.

(BYLAW PRESENTED FOR AMENDMENT AT 1ST READING, AND 2ND & 3RD READINGS, AS AMENDED)

- 7.5 Bylaw No. 8120 – Traffic Bylaw
To amend the bylaw in response to Council input at initial consideration of the bylaw, adopt the new Traffic Bylaw, and repeal Traffic Bylaw No. 4495-78.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.6 Bylaw No. 8660 – B.C. Gas Loan Authorization Bylaw
Authorization for the City to borrow \$49,300,000 for the purpose of prepaying the rent payable under the terms of the Capital Lease to BCGU as authorized by City of Kelowna B.C. Gas Agreements Authorization Bylaw No. 8661.
- 7.7 Bylaw No. 8661 – B.C. Gas Agreements Authorization Bylaw
Authorization to enter into the following agreements related to the natural gas distribution system: Capital Lease, Operating Lease, Additions Option, and Cost Recovery Agreement.
- 7.8 Bylaw No. 8686 – Chapman Parkade Loan Authorization (the report under agenda item No. 6.6 must be approved by Council prior to adoption of this bylaw)
To authorize the borrowing of \$5,750,000 for reconstruction of the Chapman Parkade.
- 7.9 Bylaw No. 8690 – B.C. Gas Franchise Renewal Agreement Authorization Bylaw
Authorization to enter into and carry out the Renewal Franchise Agreement with B.C. Gas Utility Ltd.
- 7.10 Bylaw No. 8702 – Gymnastics Facility Construction Security Issuing Bylaw
To issue debentures for \$500,000 borrowing as authorized by Gymnastics Facility Construction Loan Authorization Bylaw 8624.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT) – Cont'd

7.11 Bylaw No. 8704 – Marshall Street Local Improvement Construction Bylaw (File No. 649)
For installation of underground conduits, wiring and works for street lighting along both sides of Marshall Street from Buckland Avenue to Rowcliffe Avenue.

7.12 Bylaw No. 8705 – Gas Distribution Service Establishment Bylaw
To establish a natural gas distribution service within the City of Kelowna.

8. COUNCILLOR ITEMS

9. TERMINATION