

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

**MONDAY, AUGUST 26, 2002**

1:30 P.M.

1. CALL TO ORDER

2. Councillor Blanleil to check the minutes of the meeting.

3. UNFINISHED BUSINESS

- 3.1 (a) Planning & Development Services Department, dated August 7, 2002 re: Rezoning Application No. Z00-1026 – Total Mechanical Systems Inc. – 700 McCurdy Road (B/L 8573) **Deferred from the Regular Meeting of August 12, 2002 in order to hear from the applicant – see letter dated August 19<sup>th</sup> from applicant**  
*To consider a staff recommendation to not grant a further extension of the deadline for adoption of the zoning amending bylaw and to advance the bylaw for defeat at 4<sup>th</sup> reading.*

**(BYLAW PRESENTED FOR DEFEAT AT FOURTH READING)**

- (b) Bylaw No. 8573 (Z00-1026) – Total Mechanical Systems Inc. – 700 McCurdy Road  
*To rezone the property from A1 – Agriculture 1 to I2 – General Industrial in order to consolidate the lot with the adjacent property to the east and utilize the consolidated parcel for the existing business.*

4. CORRESPONDENCE

- 4.1 District of Wells Mayor and Council, dated August 14, 2002 re: Request to Support Emergency Resolution at 2002 UBCM Convention and AGM  
*The Quesnel School District has recently voted to close the only elementary school in the District of Wells and bus the children 160 km daily to attend school. The resolution is to lobby the Ministry of Education to continue to use the Small Community Supplement to keep rural schools open.*

5. PLANNING

- 5.1 Planning & Development Services Department, dated August 21, 2002 re: Rezoning Application No. Z02-1025 – Donald & Sharifah Luttmmer – 926 Lawrence Avenue  
*To consider a staff recommendation to **not** rezone the property from RU6 – Two Dwelling Housing to RM1 – Four-Plex Housing for development of a four-plex on currently vacant site.*
- 5.2 Planning & Development Services Department, dated August 21, 2002 re: Development Permit Application No. DP02-0054 – Johannes & Irma Schepp – 743-747 Francis Avenue  
*To approve the form and character of a proposed 4-unit, 2½ storey apartment building that would include room for an additional 2 basements units to be constructed in the future.*

5. PLANNING

- 5.3 Planning & Development Services Department, dated August 21, 2002 re: Rezoning Application No. Z02-1032 – Robert & Benigna Cummings – 1931 Abbott Street  
*To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to permit a secondary suite on the second storey of a proposed accessory building.*
- 5.4 Planning & Development Services Department, dated August 15, 2002 re: Rezoning Application No. Z02-1030 – Joanna Long (Marlin & Shanny Toews) – 255 Mail Road  
*To rezone the property from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite in order to add a suite on the main floor of a proposed new residential building.*
- 5.5 Planning & Development Services Department, dated August 20, 2002 re: Rezoning Application No. Z02-1029 – Barry & Sandi Domes – 1907 Abbott Street  
*To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to permit a secondary suite on the second storey of a proposed accessory building.*
- 5.6 Director of Planning & Development Services, dated August 21, 2002 re: The Mayor's Entertainment District Task Force – Terms of Reference  
*Establishment of a task force to investigate existing public safety problems related to the sale and consumption of alcohol in the downtown, its impact on existing and future residential development, as well as examine the need to establish a downtown entertainment district.*

6. BYLAWS (ZONING & DEVELOPMENT)

**BYLAWS PRESENTED FOR FIRST READING)**

- 6.0 Bylaw No. 8888 (TA02-0003) – City of Kelowna Zoning Bylaw Text Amendment  
**Bylaw to be circulated late**  
*To change the permitted height of accessory buildings with secondary suites.*

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

- 6.1 Bylaw No. 8530 (Z99-1002)- Excalibur Enterprises Ltd. and Carey Road Properties (Al Kleinfelder) – 2650, 2658, 2260 & 2590 Highway 97 North and North of Cary Road, and City of Kelowna Official Community Plan Amendment No. OCP99-003 **requires majority vote of Council (5)**  
*To rezone the property from A1 – Agriculture 1 to I1 – Business Industrial, C9 – Tourist Commercial, C10 – Service Commercial and P3 – Parks & Open Space for development of an industrial/commercial business park.*

7. REPORTS

- 7.1 Inspections Supervisor, dated August 21, 2002 re: Filing a Notice Against 845 Toovey Road (3220-20) **Mayor to invite the property owner to address Council**  
*Authorization to file a notice on title of the property to inform prospective buyers of certain works completed without required permits and inspections from the City of Kelowna and without input from a professional engineer.*

7. REPORTS

- 7.2 Director of Finance & Corporate Services, dated August 12, 2002 re: BC Gas Legacy Opportunity – 2001 Additions (B/L 8660; 5500-03)  
*Authorization to exercise the City's option to lease the 2001 natural gas distribution system capital additions within the City boundaries under the same basic terms and conditions as the original lease with BC Gas.*
- 7.3 City Clerk, dated August 16, 2002 re: Counter Petition – BC Gas Legacy Opportunity Fund – 2001 Additions (B/L 8660)  
*To set 4 p.m. on Monday, September 30, 2002 as the deadline for receipt of Counter Petitions by the City Clerk in relation to lease of the BC Gas distribution system 2001 additions.*
- 7.4 Wastewater Manager, dated August 16, 2002 re: Byrns/Benvoulin Road Water Specified Area No. 16 (B/L 8886; 5340-07)  
*Authorization to initiate a Water Specified Area to service 17 properties on Byrns Road and Benvoulin Road.*
- 7.5 City Clerk, dated August 20, 2002 re: Water Specified Area No. 16 (Byrns/Benvoulin Road) (B/L 8886)  
*To receive the Certificate of Sufficiency pertaining to the Specified Area and advance the required bylaw for reading consideration by Council.*
- 7.6 Recreation Supervisor – Programs, dated August 20, 2002 re: Recreation Opportunities Program Update – Coupon Book  
*Approval of a Recreational Opportunities Coupon Book initiative to provide for a combination of discounts and free admissions to programs and services, administered through Rainbow of Opportunities.*

8. PUBLIC MEETING TO RECEIVE INPUT ON LIQUOR LICENCE APPLICATION:

**NOTE: Council shall consider, based on the input received, whether the majority are in favour or not in favour of the licence to be granted by the Provincial Liquor Licencing Branch.**

- 8.1 Planning & Development Services Department, dated August 21, 2002 re: Liquor Licencing Application No. LL02-0008 – Fairhaven Enterprises (David Habib) – 1255/1265 Ellis Street **Mayor to invite anyone in the public gallery who deems themselves affected by this liquor licence application to come forward**  
*Request for Council support for the transfer of a Class “C” Cabaret liquor licence to relocate the Snooty Fox nite club from 540 Leon Avenue to 1255 Ellis Street.*

9. RESOLUTIONS

- 9.1 Draft Resolution re: Clarification of Voting Procedures – Statutory Council Committees (0540)  
*To clarify that the same rules for voting apply to Statutory Council Committees as apply in Council meetings and are applicable to all members of the committee, whether a Council member or a member of the public.*

10. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 10.1 Bylaw No. 8886 – Water Specified Area No. 16 - Byrns/Benvoulin Road  
*To create a specified area and authorize the borrowing of \$91,600 to be repaid over 20 years by the benefiting properties.*

**(BYLAWS PRESENTED FOR ADOPTION)**

- 10.2 Bylaw No. 8120 – Traffic Bylaw  
*To adopt a new Traffic Bylaw and repeal Traffic Bylaw No. 4495-78.*
- 10.3 Bylaw No. 8691 – Amendment No. 57 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89  
*To add new Traffic Bylaw No. 8120.*
- 10.4 Bylaw No. 8890 – Amendment No. 5 to Council Remuneration and Expense Bylaw No. 7547  
*To provide for salary increases for years 2003, 2004 and 2005.*
- 10.5 Bylaw No. 8891 – Housing Agreement Authorization Bylaw – Okanagan Families Society – 628 & 630 Cadder Avenue  
*To authorize a housing agreement for use of the property as a minor group home for up to 6 residents.*
11. COUNCILLOR ITEMS
12. TERMINATION