

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

**MONDAY, NOVEMBER 4, 2002**

1:30 P.M.

1. CALL TO ORDER
2. Councillor Clark to check the minutes of the meeting.
3. PUBLIC IN ATTENDANCE
  - 3.1 Presentation by Allyson Fagan-Graf, Manager, YMCA-YWCA of the Central Okanagan re: Asset Building
4. UNFINISHED BUSINESS
  - 4.1 Water Manager, dated October 23, 2002 re: Okanagan Lake Limnology Study – Water Quality Task Force (5260-02)  
*To receive a report on the results of a study undertaken to investigate ways to improve the quality and safety of the City's water supply.*

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

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

- 5.1 Planning & Development Services Department, dated October 18, 2002 re: Liquor Licencing Application No. LL02-0009 – 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.*
6. PLANNING
  - 6.1 Planning & Development Services Department, dated October 29, 2002 re: Options for 2490 Richter Street (Richter/Morrison) (5040-20)  
*To endorse a process to be followed in order to realize special needs housing on the City-owned land at the corner of Richter Street and Morrison Avenue.*
  - 6.2 Planning & Development Services Department, dated October 28, 2002 re: Rezoning Application No. Z01-1019 – Emil Anderson Construction Co. Ltd., et al (Mike Jacobs/Emil Anderson Construction Co. Ltd.) – 902 Summit Drive (B/L 8734)  
*To extend the deadline for adoption of the Zone Amending Bylaw to April 30, 2003.*
  - 6.3 Planning & Development Services Department, dated October 30, 2002 re: Rezoning Application No. Z98-1032 – Hilltop Sand & Gravel Co. Ltd. (Mike Young/Protech Consultants Ltd.) – 5065 Frost Road (B/L 8460)  
*To extend the deadline for adoption of the Zone Amending Bylaw to April 25, 2003.*

6. PLANNING – Cont'd

- 6.4 Planning & Development Services Department, dated October 30, 2002 re: Rezoning Application No. Z02-1047 – David & Joan Poole (Rob Richardson) – 464 Morrison Avenue  
*To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to permit development of a secondary suite in a 1-storey accessory building proposed for construction on the site.*
- 6.5 Planning & Development Services Department, dated October 30, 2002 re: Rezoning Application No. Z02-1038 – Salem's Developments Ltd., et al (MKS Resources Inc.) – 1075/1095 Highway 33 West and 145/165/175 Gerstmar Road  
*To rezone the five properties from RU1 – Large Lot Housing to RM4 – Transitional Low Density Housing to permit development of the site with a proposed 4½ storey, 89-unit strata apartment building.*
- 6.6 Planning & Development Services Department, dated October 29, 2002 re: Rezoning Application No. Z02-1018 – Lutheran Church (Brian Quiring/MQLN Architects) – 4091 Lakeshore Road  
*To rezone the property to add the P2 – Education and Minor Institutional zone to the site and to adjust the boundaries of the RM3 – Low Density Multiple Housing and RM5 – Medium Density Multiple Housing zone sites to permit development of a school and church facility along with a multiple housing component.*
- 6.7 Planning & Development Services Department, dated October 29, 2002 re: Rezoning Application No. Z02-1035 – 352039 BC Ltd. (Kim McKechnie/PSC Planning Solutions Consulting Inc.) – 1850/1910 KLO Road  
*To rezone the property at 1910 KLO Road from A1 – Agriculture 1 to C2 – Neighbourhood Commercial in order to consolidate the property with the existing gas bar and convenience store development at 1850 KLO Road so that the entire site can be redeveloped with a new gas bar, convenience store and automated car wash.*

NOTE: Staff recommend a further deferral of DVP02-0081 (next on this agenda) to Tuesday, November 19, 2002 to give the applicant additional time to meet Ministry of Transportation requirements for their approval of the zone amending bylaw that is to be adopted concurrent with Council consideration of the DVP.

- 6.8 Planning & Development Services Department, dated October 3, 2002 re: Development Variance Permit Application No. DVP02-0081 – Interior Health Authority – 135 Davie Road **Report not circulated – for further deferral to November 19, 2002**  
*Authorization to reduce the east side yard setback from 4.5 m to 1.5 m.*

7. BYLAWS (ZONING & DEVELOPMENT)(BYLAWS PRESENTED FOR FIRST READING)

- 7.1 Bylaw No. 8921 (Z02-1044) – Progressive Lands Ltd. (Protech Consultants Ltd.) – 5065 Frost Road  
*To rezone a portion of the property from RU1 – Large Lot Housing to RU2 – Medium Lot Housing to correct a mapping inaccuracy.*
- 7.2 Bylaw No. 8925 (Z02-1036) – Double-Day Development Corporation (City of Kelowna) – 1585 Lewis Road  
*To rezone the property from A1 – Agriculture 1 to RR2 – Rural Residential 2 and PC – Parks & Open Space to facilitate the creation of a public park and a rural residential lot.*

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

**(BYLAWS PRESENTED FOR FIRST READING)** – Cont'd

- 7.3 Bylaw No. 8928 (HRA02-0001) – Kelowna Thoracic Surgical Group Ltd. (Brian Quiring/MQLN Architects) – 2178 Pandosy Street  
*Authorization to enter into a Heritage Revitalization Agreement to facilitate use of the property as a medical office for three physicians.*

**(BYLAWS PRESENTED FOR ADOPTION)**

- 7.4 Bylaw No. 8894 (OCP01-009) – City of Kelowna (Mission District Park) – Gordon Drive **requires majority vote of Council (5)**  
*To change the future land use designation in the Official Community Plan from City-Owned Lands to Major Park/ Open Space.*
- 7.5 Bylaw No. 8895 (TA01-008) – City of Kelowna (Mission District Park) – Gordon Drive  
*To create the P5 – Municipal District Park zone.*
- 7.6 Bylaw No. 8896 (Z01-1040) – City of Kelowna (Mission District Park) – Gordon Drive  
*To rezone the site from A1 – Agriculture 1 and P1 – Major Institutional to P5 – Municipal District Park.*

8. REPORTS

- 8.1 Wastewater Manager, dated October 30, 2002 re: Award of Construction Contract TE02-12 – Acland Road Sanitary Sewer Specified Area No. 30 (5340-09-30)  
*To award the contract for construction of the Acland Road Sanitary Sewer to R & L Excavating at a cost of \$322,810.96 (GST included).*

9. RESOLUTIONS

- 9.1 Draft Resolution re: Proposed Council Policy No. 307 – Waiver of Public Hearing (B/L 8927)  
*For adoption of a policy to permit Council the flexibility of waiving the public hearing requirement for certain development applications.*

10. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

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

*Note: Agenda Items No. 10.1 and 10.2 **may** be dealt with in one resolution. Mayor shall confirm with Council whether they wish to do so, or to remove one or more of the bylaws to be read individually.*

- 10.1 Bylaw No. 8920 – Road Exchange Bylaw – Lane off Glenmore Road  
*Authorization to dispose of a portion of lane off Glenmore Road in exchange for a lane off Mountain Avenue.*
- 10.2 Bylaw No. 8929 – Sewer Specified Area No. 20 – North Rutland  
*To establish a specified area for the purpose of providing sanitary sewer to North Rutland.*

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

**(BYLAWS PRESENTED FOR ADOPTION)**

10.3 Bylaw No. 8926 – Amendment No. 3 to Five Year Financial Plan Bylaw, 2002-2006, No. 8788  
*Reflects changes in the Operating Budget and Capital Expenditure Program for 2002.*

10.4 Bylaw No. 8927 – Amendment No. 6 to Development Application Procedures Bylaw No. 8140  
*Removes conditions on the types of rezoning applications that may have the public hearing waived.*

11. COUNCILLOR ITEMS

12. TERMINATION