

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

**MONDAY, JULY 21, 2003**

1:30 P.M.

1. CALL TO ORDER
2. Councillor Blanleil to check the minutes of the meeting.
3. PUBLIC IN ATTENDANCE
  - 3.1 Sandra Kochan, Coordinator of Okanagan Cultural Corridor Project
4. UNFINISHED BUSINESS
  - 4.1 **Deferred from June 9, 2003 Regular Meeting** – Parks Manager, dated July 15, 2003 re: Paws in Parks Program (6130-02)  
*To consider allowing dogs in parks that ordinarily prohibit dogs, under certain conditions.*
5. PLANNING
  - 5.1 Planning & Corporate Services Department, dated July 9, 2003 re: Agricultural Advisory Committee (0540-20)  
*Request for approval to arrange and host an informal meeting with the Regional District Agricultural Advisory Committee to gather information and share ideas.*
  - 5.2 Planning & Corporate Services Department, dated July 11, 2003 re: Rezoning Application No. Z03-0032 – David & Karen Desjardins – 5399 Chute Lake Road  
*To rezone the property from RU3 – Rural Residential to RU1 – Large Lot Housing to facilitate a 2-lot subdivision.*
  - 5.3 Planning & Corporate Services Department, dated July 15, 2003 re: Rezoning Application No. Z03-0020 – John & Sarina Weisbeck/Romesha Ventures Inc. (David Pauls/D.E. Pilling & Associates Ltd.) – 1494 Highway 33 East  
*To rezone the property from A1 – Agriculture 1 to RU1 – Large Lot Housing to facilitate a 42-lot single family residential subdivision.*
  - 5.4 Planning & Corporate Services Department, dated June 25, 2003 re: Rezoning Application No. Z03-0025 and OCP03-0006 – Mike Jacobs/Summit South Developments Joint Venture – 5198 South Ridge Drive  
*To amend the future land use in the OCP and rezone the subject property to allow for a 13-lot single family residential subdivision and a potential school site.*
  - 5.5 Planning & Corporate Services Department, dated June 10, 2003 re: Rezoning Application No. Z03-0019 and OCP03-0005 – George Kasdorf – 1038-1040 Cawston Avenue  
*To change the future land use designation in the OCP from “Single/Two Unit Housing” to Multi-Unit Residential (Low Density) and rezone the property from RU6 – Two Dwelling Housing to RM1 – Four-Plex Housing in order to legalize an existing four-plex.*

- 5.6 Planning & Corporate Services Department, dated July 10, 2003 re: Rezoning Application No. Z03-0026 – Gary Norkum (New Town Planning Services) – 587 Fitzpatrick Road  
*To rezone the property from A1 – Agriculture 1 to RM3 – Low Density Multiple Housing, RU1s – Large Lot Housing with Secondary Suite, and P3 – Parks & Open Space in order to facilitate a subdivision to create 4 residential lots with suites on the land that is on the north side of Francis Brook, to develop 34-units of stacked row housing in a total of three 2-storey buildings on the south side of the brook, and dedicate public open space along either side of the brook.*
- 5.7 Planning & Corporate Services Department, dated July 16, 2003 re: Development Permit Application No. DP03-0063 – Stober Construction Ltd. (Ken Stober) – 460 Buckland Avenue and 1760 Ellis Street  
*To authorize façade improvements to two existing multi-unit residential buildings.*
- 5.8 Planning & Corporate Services Department, dated July 16, 2003 re: Development Permit Application No. DP03-0044 – CPAC (Lakeshore Gardens) Inc. (Tom Smithwick/Porter Ramsay Lawyers) – 654 Cook Road  
*To authorize construction of a 6-storey, 215-unit apartment hotel with commercial space on the ground level.*
- 5.9 Planning & Corporate Services Department, dated July 16, 2003 re: Development Permit Application No. DP03-0048 – Gallaghers Canyon Land Development Ltd. (Tom Weisbeck) – 4575 Gallaghers Parkland  
*To approve the form and character of 18 semi-detached multi-family units proposed as part of the Golf Resort development.*
- 5.10 Planning & Corporate Services Department, dated July 15, 2003 re: 260 Franklyn Road  
*Authorization for staff to proceed with a Call for Proposals for development of the property at 260 Franklyn Road with affordable housing and a non-profit community recreation service.*
- 5.11 Planning & Corporate Services Department, dated July 15, 2003 re: Text Amendment – Community Recreation Services & Rezoning of 260 Franklyn Road  
*To add “Community Recreation Services” as a permitted secondary use in the higher density residential zones (RM3, RM4, RM5 and RM6) and proceed with a City-initiated rezoning for 260 Franklyn Road from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing so that the lot could potentially be developed with a community recreation service.*
- 5.12 Planning & Corporate Services Department, dated July 16, 2003 re: Process for Emergency Grants from the Social Development Grant Reserve (1850-20)  
*To establish a policy outlining the process for providing emergency funds to assist non-profit/community organizations offering social programs in times of financial crisis.*

## 6. BYLAWS (ZONING & DEVELOPMENT)

### (BYLAWS PRESENTED FOR ADOPTION)

- 6.1 Bylaw No. 8460 (Z98-1032) – Hilltop Sand & Gravel Co. Ltd. (New Town Planning Services) – 5065 Frost Road and 611 & 625 Barnaby Road  
*To amend the zoning boundaries to reflect a revised subdivision layout for the proposed 207 single family residential lots being created.*

**(BYLAWS PRESENTED FOR ADOPTION)** – Cont'd

- 6.2 Bylaw No. 9041 (TA03-0001) – City of Kelowna Zoning Bylaw Text Amendment  
*To amend the Apartment Hotel definition by deleting reference to the maximum residency period of 240 days in one year, and adding a 240 days/year maximum residency period to the Hotel and Motel definitions.*
- 6.3 Bylaw No. 9046 (Z03-0011) – VGM Holdings Ltd. (Axel Hilmer) – 1250 Gaggin Road  
*To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to permit the development of a secondary suite within an existing accessory building on the site.*

**7. REPORTS**

- 7.1 Director of Financial Services, dated July 16, 2003 re: Terasen Utility Services Inc. Legacy Opportunity – 2001/02 Additions (2240-20)  
*Authorization to exercise the City's option to lease the 2002 natural gas distribution system capital additions within the City boundaries under the same basic terms and conditions as the original lease with BC Gas., and to set Wednesday, August 27, 2003 at 4:00 p.m. as the deadline for receipt of Counter Petitions in relation to the 2001/02 additions.*
- 7.2 Director of Financial Services, dated July 4, 2003 re: Council Appointment of the Library Society Directors (1830-20)  
*To accept the resignations of the current directors and appoint Phyllis Payne, Barry Williamson, Eileen Sadlowski and Wayne Wilson as directors of the Library Society effective June 19, 2003.*
- 7.3 Director of Financial Services, dated July 15, 2003 re: Renewal of Downtown Kelowna Business Improvement Area (B/L 9042; 1950-06)  
*Approval to renew a specified area for the purpose of annually funding, over a 5 year period, the Downtown Business Improvement Area.*
- 7.4 Assistant Airport General Manager, dated July 10, 2003 re: Shell Canada Products – Land Sub-Lease – Kelowna International Airport (2380-20-8037;0550-05)  
*Approval to enter into a new land sub-lease with Shell Canada for an aviation fuel and lubricating oil bulk storage facility to service general aviation, commercial and corporate aircraft at the Airport.*
- 7.5 City Clerk, dated July 16, 2003 re: Shell Canada Products – Land Sub-Lease at Kelowna International Airport (2380-20-8037)  
*To set Wednesday, August 27, 2003 at 4:00 p.m. as the deadline for receipt of Counter Petitions in relation to the proposed sub-lease of land at the Airport to Shell Canada.*
- 7.6 Licence & Bylaw Enforcement Supervisor, dated July 16, 2003 re: Prohibited Animal Bylaw (4000-03)  
*Approval for the City of Kelowna to become a participating municipality in the Regional District of Central Okanagan's new Prohibited Animal Bylaw.*
- 7.7 Wastewater Manager, dated July 15, 2003 re: Federal/Provincial Infrastructure Grant – 2003 Applications (0410-01)  
*To endorse the list of priorities for projects to be submitted to the Federal Government for consideration of 2003 grant applications under the Infrastructure program.*

7. REPORTS – Cont'd

- 7.8 Drainage/Solid Waste Manager, dated July 15, 2003 re: Award of Construction Contract Tender TE03-16 – Greenwood Court/June Springs Road Drainage Upgrade (5225-40)  
*To award the contract to Ansell Construction Ltd. at a cost of \$274,482.82 GST included.*
- 7.9 Sport & Facilities Manager, dated July 15, 2003 re: Liquor Primary (Stadium) Temporary Extensions  
*To endorse the temporary extension of the licensed area of the City's existing Liquor Primary (Stadium) Liquor License from the Apple Bowl Stadium to City Park during the August 1 & 2, 2003 Heartland Music Festival, and to Waterfront Park during the September 12-14, 2003 Dragon Boat Festival.*

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

Note: Agenda Items No. 8.1 and 8.2 inclusive) **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.

- 8.1 Bylaw No. 9042 – Kelowna Downtown Business Improvement Area **bylaw circulated with agenda item No. 7.3**  
To renew a specified area for the purpose of annually funding, over a 5 year period, the Downtown Business Improvement Area.
- 8.2 Bylaw No. 9061 – Amendment No. 6 to City of Kelowna Parks Bylaw No. 6819-91  
*To permit dogs in certain parks for certain special events.*

**(BYLAWS PRESENTED FOR ADOPTION)**

- 8.3 Bylaw No. 8981 – Amendment No. 9 to Subdivision, Development & Servicing Bylaw No. 7900  
*Adds provisions for the new 'LP' and 'RLS' designations created in the Zoning Bylaw.*
- 8.4 Bylaw No. 8982 – Amendment No. 8 to Sign Bylaw No. 8235  
*Adds provisions for the new 'LP' and 'RLS' designations created in the Zoning Bylaw.*
- 8.5 Bylaw No. 8983 – Amendment No. 18 to Development Application Fees Bylaw No. 8034  
*Adds provisions for the new 'LP' and 'RLS' designations created in the Zoning Bylaw.*
- 8.6 Bylaw No. 9037 – Road Exchange Bylaw – Haynes Road and Underhill Road  
*Authorization to dispose of a portion of Haynes and Underhill Roads in exchange for a portion of Lot A, Plan 15378.*
- 8.7 Bylaw No. 9049 – Byrns Road Water Specified Area No. 16 Security Issuing Bylaw  
*To authorize the borrowing of \$39,186.48 for the Byrns Road Specified Area Project*

**(BYLAWS PRESENTED FOR ADOPTION)** – Cont'd

8.8 Bylaw No. 9051 – Amendment No. 11 to Subdivision, Development & Servicing  
Bylaw No. 7900 **requires 2/3 majority vote of Council (6)**  
Adds cross-sections for road design standards in Hillside Guidelines.

8.9 Bylaw No. 9053 – Additional Hotel Room Tax  
*To request that the Province implement a 2% hotel room tax within the City of Kelowna, effective January 1, 2004.*

9. COUNCILLOR ITEMS

10. TERMINATION