

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

**MONDAY, DECEMBER 22, 2003**

**1:30 P.M.**

1. **CALL TO ORDER**

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

3. **PLANNING**

3.1 Planning & Corporate Services Department, dated December 17, 2003 re: Rezoning Application No. Z03-0056 (TA03-0011) – Petro-Canada (Ken Webster/R492 Enterprises) – 520 Cawston Avenue and 1265 Ellis Street  
*To rezone the property from I2 – General Industrial and I4 – Central Industrial to C7 – Central Business Commercial to facilitate a proposed 4.5 storey, mixed-use commercial/residential development.*

3.2 Planning & Corporate Services Department, dated December 15, 2003 re: Agricultural Land Reserve Appeal No. A03-0013 – Edward & Mary Holitzki – 3257 Reid Road  
*To obtain Council support of an appeal to the Land Reserve Commission for permission to subdivide the property into two to accommodate a homesite severance.*

3.3 Planning & Corporate Services Department, dated December 15, 2003 re: Agricultural Land Reserve Appeal No. A03-0012 – Dennis & Phyllis Pilon – 1145 McKenzie Road  
*To consider a staff recommendation for Council to **not** support an appeal to the Land Reserve Commission for a partial inclusion into and a partial exclusion of the property from the Agricultural Land Reserve.*

4. **BYLAWS (ZONING & DEVELOPMENT)**

**(BYLAWS PRESENTED FOR ADOPTION)**

4.1 Bylaw No. 9113 (TA03-0009) – WGP 236 Holdings Ltd. (Breakers Billiards & Bistro) - #1-1525 Dilworth Drive  
*To create the C10lp – Service Commercial (Liquor Primary) zone to accommodate a proposed liquor primary license for Breakers Billiards and Bistro (formerly the “Q” Club).*

4.2 Bylaw No. 9107 (Z03-0053) – WGP 236 Holdings Ltd. (Breakers Billiards & Bistro) - #1-1525 Dilworth Drive  
*To rezone the property from C10 – Service Commercial to C10lp – Service Commercial (Liquor Primary) zone to accommodate a proposed liquor primary license for Breakers Billiards and Bistro (formerly the “Q” Club).*

5. **REPORTS**

5.1 Planning & Corporate Services Department, dated December 17, 2003 re: 2003 Public Art Committee Report (7800-01)  
*To receive the annual report of the committee.*

5. REPORTS – Cont'd

- 5.2 Roadways Superintendent, dated December 16, 2003 re: Award of Tender for Operation of Compost Facility (T03-106) (1280-01)  
*To award the tender for operation of the composting facility to Ansell Construction at a bid price of \$279,775.*
- 5.3 Director of Parks & Leisure Services, dated December 18, 2003 re: Future Lease to Central Okanagan Heritage Society (0870-20)  
*Approval in principle to enter into a lease with the Central Okanagan Heritage Society for City land at Leckie Place and Dilworth Drive for development and operation of Brent's Mill Heritage Park.*
- 5.4 Recreation Manager, dated December 17, 2003 re: Future Aquatic Facility – Survey Results (6240-20)  
*To receive the survey results and authorize staff to proceed with conceptual design work for an aquatic facility at Mission District Park with a target completion date in 2007.*
- 5.5 Transportation Manager, dated December 18, 2003 re: Logging Operations for South Slopes (5460-09)  
*Authorization for logging trucks accessing the burnt areas on the slouth slopes to start operation on City roads beginning at 4:00 a.m. instead of 7:00 a.m. between the period of December 29, 2003 and March 1, 2004.*

## 6. RESOLUTIONS

- 6.1 Draft Resolution re: Start Time for January 13, 2004 Public Hearing (0550-01)  
*To change the start time for the meeting from 7:00 p.m. to 5:00 p.m.*

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

*Note: Agenda Items No. 7.1 and 7.2 **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.*

- 7.1 Bylaw No. 9138 – Amendment to Sewerage System User Bylaw No. 3480  
*Housekeeping amendment to make the milligrams per litre biochemical oxygen demand consistent through out the bylaw.*
- 7.2 Bylaw No. 9139 – Amendment No. 1 to Housing Opportunities Reserve Fund Bylaw No. 8593  
*To clarify how the monies in the reserve fund are to be used.*

**ADDITION 7.2.1** Bylaw No. 9141 – Road Renaming Bylaw – Leathead Road  
*To rename the portion of Leathead Road north of Highway 97 to Enterprise Way*

**ADDITION 7.2.2** Bylaw No. 9143 – Amendment No. 2 to Kelowna Noise Control Bylaw No. 6647-90  
*Authorization for logging trucks accessing the burnt areas on the slouth slopes to start operation on City roads beginning at 4:00 a.m. instead of 7:00 a.m. between the period of December 29, 2003 and March 1, 2004.*

**(BYLAWS PRESENTED FOR ADOPTION)**

- 7.3 Bylaw No. 9079 – Amendment No. 61 to Municipal Ticketing Information Bylaw 6550-89  
*To add a \$30 fee for parked vehicles obstructing traffic flow.*
- 7.4 Bylaw No. 9126 – Land Sales Reserve Fund Expenditure Bylaw **Requires 2/3 majority vote of Council (6)**  
*To provide for expenditures up to a maximum of \$4 million from the reserve in 2003.*
- 7.5 Bylaw No. 9127 - Amendment No. 1 to Bylaw No. 9027 – Five Year Financial Plan, 2003-2007  
*Authorization to amend the 5-year financial plan to reflect changes in the operating budget and capital expenditure program for 2003.*
- 7.6 Bylaw No. 9132 – A bylaw to amend Sewer System User Rates Bylaw, 1972, No. 3480  
*Sets new user rates for 2004.*
- 7.7 Bylaw No. 9133 – A bylaw to amend Sewer Service Parcel Tax Bylaw No. 8924  
*Reduces the annual parcel tax from \$70 to \$60 per parcel per year.*
- 7.8 Bylaw No. 9137 – Amendment No. 3 to Petroleum Storage Tank Bylaw  
*Housekeeping amendments made necessary through recent changes to the CCME (Canadian Council of Ministers of the Environment) Codes of Practice.*
- 8. COUNCILLOR ITEMS
- 9. TERMINATION