

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

MONDAY, FEBRUARY 16, 2004

1:30 P.M.

1. CALL TO ORDER
2. Councillor Horning to check the minutes of the meeting.
3. PUBLIC IN ATTENDANCE
 - 3.1 Community Heritage Commission re: Heritage Week – February 16-22, 2004
To present an overview of events scheduled for Heritage Week 2004 and on the history of military places in Kelowna; and to acknowledge the 2003 Kelowna Heritage Foundation grant recipients.
4. PLANNING
 - 4.1 Planning & Corporate Services Department, dated February 9, 2004 re: Rezoning Application No. Z01-1045 – Rychjohn Investments Ltd. – 3163 Richter Street
To authorize a 6month extension to the deadline for adoption of the zone amending bylaw, No. 8757.
 - 4.2 Planning & Corporate Services Department, dated February 3, 2004 re: Rezoning Application No. Z00-1013 – Vincent & Giovannina Magaldi – 2131 Scenic Road
*To advance Zone Amending Bylaw No. 8714 for **defeat** at 4th reading.*
 - 4.3 Planning & Corporate Services Department, dated February 4, 2004 re: Rezoning Application No. Z03-0063 – Vincent & Giovannina Magaldi – 2131 Scenic Road
To discharge the existing Land Use Contract from the property and rezone the property from A1 – Agriculture 1 to RM3 – Low Density Multiple Housing to facilitate the construction of 16 two-storey townhouse units developed in two 3-unit buildings and one 10-unit building.
 - 4.4 Planning & Corporate Services Department, dated February 5, 2004 re: Heritage Revitalization Agreement No. HRA03-0001 - Hughes-Games House – 2094 Abbott Street
To consider the designation of the Hughes-Games House as a Municipal Heritage Building.
 - 4.5 Planning & Corporate Services Department, dated February 10, 2004 re: Heritage Revitalization Agreement No. HRA03-0002 – Robert & Benigna Cummings – 2034 Pandosy Street
To consider allowing the site to be developed as if it was zoned RU6 – Two Dwelling Housing by constructing a second dwelling unit at the rear of the property currently occupied by the Dr. J.W.N. Shepherd heritage dwelling.

4. PLANNING – Cont'd

- 4.6 Planning & Corporate Services Department, dated February 10, 2004 re: Heritage Revitalization Agreement No. HRA03-0003 – Oak Lodge Centre Ltd. (Wayne Ross) – 2124 Pandosy Street

To consider allowing the 'Cadder House' to be renovated to create two dwelling units on the main floor and two dwelling units on the second floor, to develop a fifth unit in the existing accessory building at the rear of the property, and to preserve the option for adding two additional units in the basement of the heritage house in future.

- 4.7 Planning & Corporate Services Department, dated February 11, 2004 re: Brent's Mill Buildings (6800-00)

To consider the designation of the future "Brent's Mill Heritage Park" as a Municipal Heritage Site.

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST READING)

*Note: Agenda Items No. 5.1 and 5.2 **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.*

- 5.1 Bylaw No. 9176 (Z03-0055) – Maxwell House Developments Ltd. – 245 Glenmore Road

To rezone the property from A1 – Agriculture 1 to RM3 – Low Density Multiple Housing and P3 – Parks and Open Space to accommodate the development of 24 townhouse residential units in a total of 8 buildings.

- 5.2 Bylaw No. 9177 (Z03-0070) – 653332 BC Ltd. (George Barnes) – 415 Glenmore Road

To rezone the property from RR3 – Rural Residential 3 to C3 – Community Commercial to accommodate development of the site with a 2-storey commercial building.

(BYLAW PRESENTED FOR ADOPTION)

- 5.3 Bylaw No. 8985 (Z03-0004) – Al Stober Construction Ltd. & R.A. McKenzie Enterprises Ltd. – 1699 Powick Road (see information report)

To rezone the property from I2 – General Industrial to I1 – Business Industrial in order to allow for more office type uses within the existing development.

- 5.4 Bylaw No. 9098 (LUC03-0003) – Discharge Land Use Contract No. LUC76-1109 - 1889 Spall Road

To discharge the Land Use Contract which currently governs development of the subject property.

(BYLAW PRESENTED FOR DEFEAT AT FOURTH READING)

- 5.5 Bylaw No. 8714 (Z00-1013) – Vincent & Giovannina Magaldi – 2131 Scenic Road, and Discharge Land Use Contract No. LUC78-1009

To rezone the property from A1 – Agriculture 1 to RM3 – Low Density Multiple Housing to permit the construction of seven 2-storey residential duplexes.

6. REPORTS

- 6.1 Transportation Manager, dated February 10, 2004 re: Amendment to City of Kelowna Parks and MTI Bylaws with Respect to Temporary or Permanent Abode in a Public Space (BL9174; BL9175; 5480-08)
Authorization to amend the Parks and Municipal Ticketing bylaws with respect to temporary or permanent abode in any public place.
- 6.2 Transportation Manager, dated February 11, 2004 re: Logging Operations for South Slopes (BL9178; 5460-09)
Authorization to allow a 4:00 a.m. start time for logging the City's south slopes to continue until March 31, 2004.
- 6.3 Water Manager, dated February 10, 2004 re: South Mission Water Quality (5600-07)
Authorization to proceed with improvements to the McClure and Steele Road booster pump stations at an estimated cost of \$235,000.
- 6.4 Drainage/Solid Waste Manager, dated February 11, 2004 re: Signing Authority – Fire Related Drainage Upgrades (5225-05)
Authorization for the City Manager to award contracts in excess of \$250,000 for drainage upgrades related to the Okanagan Mountain Park Fire.
- 6.5 Director of Financial Services, dated February 11, 2004 re: Council Policy No. 164 – Travel Expenses (1800-00)
To amend the policy to reflect changes in travel expense payment options, flight booking privileges and references to Human Resource administrative policies.
- 6.6 Environment Manager, dated February 11, 2004 re: Agricultural Wood Waste Chipping Project (5280-02)
To explain how the project will be used to test and showcase the feasibility of operating a full scale agricultural wood waste program within the Central Okanagan.
- 6.7 Electrical Utilities Manager, dated February 12, 2004 re: Assignment of the UCBC/Aquila Master Services Agreement to Fortis Pacific Holdings Inc. (5520-06; 2240-01)
Authorization for City officials to execute an Assignment, Consent and Release Agreement required as a result of the sale of shares by Aquila to Fortis.

7. DRAFT RESOLUTIONS

- 7.1 Draft Resolution re: Start Time for March 9, 2004 Public Hearing (0550-01)
To change the start time for the meeting from 7:00 p.m. to 5:00 p.m.

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

*Note: Agenda Items No. 8.1 to 8.3 **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. 9174 – Amendment No. 62 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89 **bylaw circulated with report under agenda item No. 6.1**
Adds a fine for taking up abode or establishing a campsite in a park or public space.

(BYLAWS PRESENTED FOR FIRST THREE READINGS) – Cont'd

- 8.2 Bylaw No. 9175 – Amendment No. 8 to City of Kelowna Parks Bylaw No. 6819-91 **bylaw circulated with report under agenda item No. 6.1**
Extends the application of certain provisions to other public property as well as parks.
- 8.3 Bylaw No. 9178 – Amendment No. 3 to Kelowna Noise Control Bylaw No. 6647-90
Extends the deadline for allowing logging trucks to start at 4:00 a.m. to log the south slopes from March 1, 2004 to March 31, 2004.

(BYLAWS PRESENTED FOR ADOPTION)

- 8.4 Bylaw No. 9085 – Amendment No. 1 to Sewer Specified Area No. 30, Bylaw No. 8917 (Acland Road)
Adds two properties to the specified area.
 - 8.5 Bylaw No. 9129 – Amendment No. 3 to Traffic Bylaw No. 8120
Amends the section of the bylaw dealing with sidewalk/roadway occupancy permits for the sidewalk cafes program.
 - 8.6 Bylaw No. 9171 – Dease Road Local Improvement Parcel Tax Bylaw
To impose a parcel tax on properties within the local improvement area.
 - 8.7 Bylaw No. 9172 – Hein Road Local Improvement Parcel Tax Bylaw
To impose a parcel tax on properties within the local improvement area.
9. COUNCILLOR ITEMS
10. TERMINATION