

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

MONDAY, MAY 10, 2004

1:30 P.M.

1. CALL TO ORDER

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

3. UNFINISHED BUSINESS

3.1 Community Planning Manager, dated May 6, 2004 re: 4 Pillars Strategy Funding Request

Direction for the City to continue to assist the 4 Pillars Initiative with in-kind costs, including meeting space, minor administrative costs and staff time from existing, approved budgets, and in cooperation with the Social Planning and Housing Committee.

4. PLANNING

4.1 Planning & Corporate Services Department, dated April 23, 2004 re: Liquor Licensing Application No. LL04-0006 – Do Gi Enterprises Ltd. (Gotcha Nightclub) – 238 Leon Avenue

To consider an appeal by the applicant of the Director of Planning & Corporate Services' decision to deny a request for a temporary extension to the hours of liquor service from 2:00 a.m. to 4:00 a.m. for Gotchas Nightclub on the evenings of May 22 and 23, 2004.

4.2 Planning & Corporate Services Department, dated April 28, 2004 re: Rezoning Application No. Z00-1012 – Edward and Kazimere Surowiec/Exclusive Investments – 145, 1555, 165 Taylor Road, 1315, 1325 and 1345 Highway 33 West

To extend the deadline for adoption of the Zone Amending Bylaw (No. 8587) to September 12, 2004.

4.3 Planning & Corporate Services Department, dated May 5, 2004 re: Bylaw No. 9236 – Amendment to Official Community Plan Bylaw No. 7600

Approval to proceed with housekeeping amendments including minor wording changes for clarification, mapping updates based on recent subdivision approvals, and clarifying OCP provisions with respect to institutional DP requirements.

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

5.1 Bylaw No. 9064 (OCP03-0008) – Telus Communications (Kasian Kennedy, P.J. Mallen) – 1500 Hardy Street, and City of Kelowna Official Community Plan Amendment Requires majority vote of Council (5)

To change the future land use designation in the OCP from Public Services/Utilities to Commercial.

(BYLAWS PRESENTED FOR ADOPTION) – Cont'd

- 5.2 Bylaw No. 9073 (Z03-0027) – Telus Communications (Kasian Kennedy, P.J. Mallen) – 1500 Hardy Street
To rezone the property from P4 – Utilities to C4- Town Centre Commercial to facilitate a two lot subdivision with a commercial use on one property.
- ADDITION 5.3 Bylaw No. 8978 (Z02-1056) - 417860 Alberta Ltd. (Robert Bennett) – 5065 Frost Road
To rezone the property from A1 – Agriculture 1 to RU1 – Large Lot Housing to permit the development of a 15-lot single family subdivision within Neighbourhood Two in the SW Okanagan Mission area.

6. REPORTS

- 6.1 Transportation Manager, dated April 28, 2004 re: Monthly Parking Rate – Waterfront Park Lot (5480-06)
Approval to implement a monthly parking rate of \$51.70 per stall/per month (GST included) to a maximum of 22 stalls or 20% of the lot to facilitate tenants of the new building at 1180 Sunset Drive
- 6.2 Director of Parks & Leisure Services, dated May 5, 2004 re: Okanagan Symphony Society (0230-20)
To approve a financial assistance loan to a maximum of \$75,000 for use by the Okanagan Symphony Society subject to the conditions outlined in the report.
- 6.3 Licence and Bylaw Enforcement Supervisor, dated April 23, 2004 re: Second-Hand Dealer and Pawnbroker Regulation Bylaw (4000-00)
To approve and advance a proposed new second hand dealer and pawnbroker regulation bylaw for reading consideration by Council.
- 6.4 Wastewater Manager, dated May 4, 2004 re: Award of Construction Contract TE04-03 – Okaview Sanitary Sewer Specified Area No. 28A – Contract 2 (5340-099-28A)
To award the contract to Greenleaf Enterprises Ltd. for the amount of \$2,250,079 GST included.
- 6.5 Electrical Utility Manager, dated May 5, 2004 re: Undergrounding of Wires – Rutland Road (Highway 33 to Leathead Road) (5520-01)
Approval for Aquilla to rebuild the electrical distribution along Rutland Road North from Highway 33 to Leathead Road with overhead wires based on the high cost to bury the system.
- 6.6 Director of Works & Utilities, dated May 5, 2004 re: Roads Task Force (0540-20)
To approve the Terms of Reference for the Task Force that will evaluate roadway alternatives to the one-way couplet, and appoint the task force members.

7. RESOLUTIONS

- 7.1 Draft Resolution re: Appointment of Deputy City Clerk as Acting City Clerk (2630-40)
To appoint Stephen Fleming as Acting City Clerk during the period of Allison Flack's maternity leave which is anticipated to be from May 17, 2004 to May 13, 2005.

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 8.1 Bylaw No. 9237 – Amendment No. 2 to Nuisance Trees & Shrubs Bylaw No. 6469-89
Amends the bylaw to enable staff to more efficiently handle complaints concerning standing dead or hazardous trees that affect public property.

(BYLAWS PRESENTED FOR ADOPTION)

- 8.2 Bylaw No. 9216 – Sterile Insect Release Program Parcel Tax Bylaw 2004
Sets the 2004 SIR parcel tax at \$98.40 per acre.
- 8.3 Bylaw No. 9220 – Five Year Financial Plan, 2004-2008
To approve the financial plan for the City of Kelowna to year 2008.
- 8.4 Bylaw No. 9221 – Tax Structure Bylaw, 2004
Sets the tax structure for the 2004 taxation year.
- 8.5 Bylaw No. 9222 – Annual Tax Rates Bylaw, 2004
Sets mill rates for the 2004 taxation year.
- 8.6 Bylaw No. 9223 – Parking Reserve Fund Expenditure Bylaw, 2004 **requires 2/3 majority vote of Council (6)**
Authorizes the expenditure of monies in the fund for 2004.
- 8.7 Bylaw No. 9224 – Development Cost Charge Reserve Fund Expenditure Bylaw, 2004 **requires 2/3 majority vote of Council (6)**
Authorizes the expenditure of monies in the fund for 2004.
- 8.8 Bylaw No. 9225 – Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw, 2004 **requires 2/3 majority vote of Council (6)**
Authorizes the expenditure of monies in the fund for 2004.
- 8.9 Bylaw No. 9226 – Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2004 **requires 2/3 majority vote of Council (6)**
Authorizes the expenditure of monies in the fund for 2004.

9. COUNCILLOR ITEMS

10. TERMINATION