

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

**MONDAY, AUGUST 30, 2004**

1:30 P.M.

1. CALL TO ORDER

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

3. UNFINISHED BUSINESS

3.1 Planning & Corporate Services Department, dated August 4, 2004 re: Development Variance Permit Application No. DVP04-0062 – 634562 BC Ltd. (Ken Corcoran) - #6 – 4190 Lakeshore Road **Mayor to invite anyone in the public gallery who deems themselves affected by the required variance to come forward**

*To allow the Okanagan Lake sightline angle requirement to be reduced from 60° to 20° to accommodate a single family dwelling to be constructed on the property.*

3.2 Planning & Corporate Services Department, dated August 3, 2004 re: Development Variance Permit Application No. DVP04-0050 – R 370 Enterprises Ltd. (Kennedy Construction Ltd. and Kennedy Homes Ltd.) – 2455 Quail Ridge Boulevard

*To grant variances to allow retaining walls to be a maximum of 4.5 m in height where only 1.2 m is permitted, and to allow portions of the driveway width to be reduced from 7.0 m to 6.9 m. The variances are a result of a degrading slope and to facilitate better access to some of the units in a 25-unit strata development that is under construction in Quail Ridge.*

4. DEVELOPMENT APPLICATION REPORTS

4.1 (a) Planning & Corporate Services Department, dated August 20, 2004 re: Rezoning Application No. Z04-0043 and LUC04-0001 – K. Kaminski Construction Ltd. (Al Kleinfelder) – 2441-2453 Highway 97 and 2455 Highway 97 North

*To Discharge the Land Use Contract from one of the properties and rezone both properties from C10 – Service Commercial to C3 – Community Commercial to allow a broader range of commercial uses within the existing building.*

(b) **BYLAW PRESENTED FOR FIRST READING**

Bylaw No. 9299 (LUC04-0001) – K. Kaminski Construction Ltd. – 2441-2453 Highway 97 North

*To discharge Land Use Contract No. LUC76-1114 (M46624) which allows uses consistent with the C10 zone on the property.*

(b) **BYLAW PRESENTED FOR FIRST READING**

Bylaw No. 9300 (Z04-0043) – K. Kaminski Construction Ltd. and City of Kelowna – 2441-2453 Highway 97 North and 2455 Highway 97 North

*To rezone the properties to allow for a broader range of commercial uses within the existing building.*

4.2 (a) **BYLAW PRESENTED FOR ADOPTION**

Bylaw No. 9278 (Z04-0029) – Robert Bartz/City of Kelowna (Thomas Gaffney Architect Inc.) – 285 & 301 Glenmore Road

*To rezone the subject property from the A1 – Agriculture 1 zone to the RM3 – Low Density Multiple Housing zone in order to accommodate 42 row housing units.*

- (b) Planning & Corporate Services Department, dated August 19, 2004 re: Development Permit Application No. DP04-0049 – 698858 BC Ltd. and City of Kelowna (Thomas Gaffney Architect Ltd.) – 285 and 301 Glenmore Road

*To approve the form and character of a proposed development consisting of 42 row housing units in 15 separate buildings.*

5. **NON-DEVELOPMENT APPLICATION REPORTS**

- 5.1 Audit Committee, dated August 23, 2004 re: City of Kelowna Investment Policy (0540-20)  
*To approve a Council Policy for dealing with the investment of surplus funds and receive a Compliance & Benchmark report related to investments for 2003.*
- 5.2 Director of Financial Services, dated August 17, 2004 re: First Lutheran Church and School – Request for Tax Relief (1970-50)  
*To consider refunding the non-exempt municipal portion of 2004 property taxes in the amount of \$12,314.99.*
- 5.3 Director of Financial Services, dated August 19, 2004 re: Terasen Gas Inc. Legacy Opportunity – 2003 Additions (2240-20)  
*Authorization to exercise the City's option to lease the 2003 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 4:00 p.m. on Friday, October 8, 2004 as the deadline for receipt of Counter Petitions in relation to the 2003 additions.*
- 5.4 Urban Forestry Supervisor, and Manager of Policy, Research & Strategic Planning, dated August 18, 2004 re: Wildfire Protection Plan Funding (6300-09)  
*To authorize staff to apply for \$15,000 under a program administered by the UBCM to help cover the costs of preparing a wildfire protection plan for the City of Kelowna.*
- 5.5 Director of Works & Utilities, dated August 24, 2004 re: Funds to Address Drainage Issues in North Rutland – North Rutland Local Sewer Service Area No. 20 (5340-09-20)  
*To amend the 2004 Financial Plan by adding \$493,000 to address drainage issues in the North Rutland area with funding from the Downstream Storm Drain Reserve.*
- 5.6 Acting City Clerk, dated August 24, 2004 re: Alternative Approval Process – Watson Road Community School Agreement with School District No. 23 (2280-20-853)  
*To receive the Certificate of Sufficiency pertaining to the joint use agreement.*

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

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

- 6.1 Bylaw No. 9296 – Amendment No. 14 to Sewer Connection Bylaw No. 8469  
*To update the maps for South Rutland Sewer Service Connection Area 23 and  
Central Rutland Sewer Service Connection Area No. 22 to identify the remaining  
non-serviced properties within those areas.*

7. COUNCILLOR ITEMS

8. TERMINATION