

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

**MONDAY, FEBRUARY 7, 2005**

1:30 P.M.

1. CALL TO ORDER

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

3. PUBLIC IN ATTENDANCE

3.1 Patrick Allwood, Town Crier, District of Salmon Arm re: Salmon Arm Centennial in 2005

4. UNFINISHED BUSINESS

4.1 **Deferred from Regular Meeting of January 24, 2005** Planning & Corporate Services Department, dated February 2, 2005 re: City of Kelowna Strategic Plan (2004)

*To endorse amendments to the document in response to Council's comments at the Regular Meeting of January 24<sup>th</sup>.*

5. DEVELOPMENT APPLICATIONS

5.1 Rezoning Application No. Z04-0072 – Richard & Linda Monti (Rob Webster/D.E. Pilling & Associates Ltd.) – 1160 Band Road (BL9459)

*To rezone the property from A1 – Agriculture 1 to RU1 – Large Lot Housing to facilitate a 20 lot single family residential subdivision.*

(a) Planning & Corporate Services report dated January 20, 2005.

**BYLAW PRESENTED FOR FIRST READING**

(b) Bylaw No. 9459 (Z04-0072) - Richard & Linda Monti (Rob Webster/D.E. Pilling & Associates Ltd.) – 1160 Band Road

5.2 Rezoning Application No. Z04-0079 and OCP04-0022 – Ravinderdeep Poonian – 908 El Paso Road (BL9367; BL9368)

*To change the future land use designation in the OCP from Rural/Agricultural to Single/Two Unit Residential and rezone the property from A1 – Agriculture 1 to RU1 – Large Lot Housing, RU2 – Medium Lot Housing and RU4 – Low Density Cluster Housing to facilitate a 24-lot single family residential subdivision and 31-unit single and two family cluster housing development.*

(a) Planning & Corporate Services report dated January 28, 2005.

**BYLAWS PRESENTED FOR FIRST READING**

(b) Bylaw No. 9367 (OCP04-0022) - Ravinderdeep Poonian – 908 El Paso Road **Requires majority vote of Council (5)**

**Mayor to request procedural statement from the Planning Dept. following Council's reading of the OCP amending bylaw.**

(c) Bylaw No. 9368 (Z04-0079) - Ravinderdeep Poonian – 908 El Paso Road

- 5.3 Rezoning Application No. Z04-0062 – 694230 B.C. Ltd. (Harold Schneider/Mill Creek Developments Ltd.) – 3301 Appaloosa Road (BL9365)  
*To rezone part of the property from A1 – Agriculture 1 to I2 – General Industrial to accommodate development of the site as an industrial park with eight warehouse buildings.*

(a) Planning & Corporate Services report dated January 27, 2005.

**BYLAW PRESENTED FOR FIRST READING**

- (b) Bylaw No. 9365 (Z04-0062) - 694230 B.C. Ltd. (Harold Schneider/Mill Creek Developments Ltd.) – 3301 Appaloosa Road

- 5.4 Rezoning Application No. Z04-0084 and OCP04-0024 – Steam Harbor Enterprises Ltd. – 2767 Saucier Road (BL9361; BL9362)  
*To amend the future land use designation in the OCP from Commercial to Rural/Agricultural and rezone the property from C1 – Local Commercial to RR3 – Rural Residential 3 in order to correct an existing legal non-conformity and allow for the addition of an accessory building to the site.*

(a) Planning & Corporate Services report dated January 26, 2005.

**BYLAWS PRESENTED FOR FIRST READING**

- (b) Bylaw No. 9361 (OCP04-0024) - Steam Harbor Enterprises Ltd. – 2767 Saucier Road **Requires majority vote of Council (5)**

**Mayor to request procedural statement from the Planning Dept. following Council's reading of the OCP amending bylaw.**

- (c) Bylaw No. 9362 (Z04-0084) - Steam Harbor Enterprises Ltd. – 2767 Saucier Road

- 5.5 Rezoning Application No. Z05-0001 – Chris Young and Nadia Spodarek (Peter Chataway) – 358 Cadder Avenue (BL9366)  
*To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to facilitate construction of a 1½ storey accessory building with a secondary suite.*

(a) Planning & Corporate Services report dated January 27, 2005.

**BYLAW PRESENTED FOR FIRST READING**

- (b) Bylaw No. 9366 (Z05-0001) - Chris Young and Nadia Spodarek (Peter Chataway) – 358 Cadder Avenue

- 5.6 Rezoning Application No. Z04-0081 – Elizabeth Csiki and Lisa & Doug Lundquist – 713 Royal Pine Drive (BL9458)  
*To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to facilitate construction of a new 2-storey single family dwelling with a secondary suite above an attached garage.*

(a) Planning & Corporate Services report dated January 21, 2005.

**BYLAW PRESENTED FOR FIRST READING**

- (b) Bylaw No. 9458 (Z04-0081) – Elizabeth Csiki and Lisa & Doug Lundquist – 713 Royal Pine Drive

- 5.7 Zoning Bylaw Text Amendment No. TA04-0009 – City of Kelowna  
*To amend the definition of ‘Storey, Half’ and the provisions for Building Height with regard to walkout basements.*

(a) Planning & Corporate Services report dated January 24, 2005.

**BYLAW PRESENTED FOR FIRST READING**

(b) Bylaw No. 9364 (TA04-0009) – City of Kelowna (Walk-Out Basements)

- 5.8 Planning & Corporate Services Department, dated February 2, 2005 re: Development Permit Application No. DP05-0009 – Sunstone Resorts (Kelowna) Ltd. (FWS Construction Ltd.) – 660 Lequime Road  
*To allow upper floor units to extend to the ends of a proposed 4-storey apartment building as opposed to the stepping down of the corner units at the building ends as was previously approved in DP02-0117.*

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 Inspection Services Manager, dated February 2, 2005 re: ST04-26 - Application for Stratification of a Sixplex at 220-240 Asher Road **Mayor to invite anyone in the public gallery who deems themselves affected to come forward**  
*To stratify the structure in the name of L & M Marketing Ltd. with no conditions.*
- 6.2 Financial Planning Manager, dated February 2, 2005 re: Transit – Annual Operating Agreement Amendments (8501-01)  
*To approve amendments to the 2004/2005 Annual Operating Agreements for conventional and custom transit services to reflect the cost savings due to changes in GST regulations, and for approval to renew the operating contract for two 12-month periods for both conventional and custom transit services.*
- 6.3 Wastewater Manager, dated January 31, 2005 re: Abandoning Arbitrary Sewer Credits (1822-02)  
*For approval to abandon the practice of allowing sewer use credits **based on arbitrary or estimated use** of water that will not be returned to the sanitary sewer system.*

7. DRAFT RESOLUTIONS

- 7.1 Draft Resolution re: Start Time – March 8, 2005 Public Hearing/Regular Meeting (0550-01)  
*To change the start time from 7:00 p.m. to 5:00 p.m.*

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

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

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

- 8.1 Bylaw No. 9360 – Amendment to Sewerage System User Bylaw, 1972, No. 3480  
*To require installation of a **secondary water meter** to measure the volume of water that is used by a customer for a use that cannot return any of the water to the sewer system.*
- 8.2 Bylaw No. 9363 – Parcel Tax Bylaw – Bertram Street Local Area Service  
*To impose a parcel tax on 1425 Bertram Street.*



**(BYLAWS PRESENTED FOR ADOPTION)**

- 8.3 Bylaw No. 9355 – Amendment No. 1 to Bylaw No. 9244 - Local Service Area No. 23 – South West Rutland  
*Removes the loan authorization from the service area establishment bylaw. A separate loan authorization bylaw will come forward when the work is complete.*
- 8.4 Bylaw No. 9356 – Local Service Area No. 20/23 Merger Bylaw – North Rutland/South West Rutland  
*To merge the two local service areas into one local service area.*
- 8.5 Bylaw No. 9357 – Amendment to Water Regulation Bylaw No. 2173  
*To implement new water rates effective with the first billing cycle in April 2005.*

9. COUNCILLOR ITEMS

10. TERMINATION