

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

MONDAY, APRIL 18, 2005

1:30 P.M.

1. CALL TO ORDER

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

3. PUBLIC IN ATTENDANCE

WITHDRAWN 3.1 Presentation of the Government Finance Officers Association's Distinguished Budget Presentation Award to the City of Kelowna Financial Services Department

3.2 Presentation by Harley Nyen and Clara Munro, Citizens' Assembly on Electoral Reform re: Proposed New Electoral System and Citizens' Engagement in City Issues

4. DEVELOPMENT APPLICATIONS

4.1 Rezoning Application No. Z05-0013 and LUC05-0004 – Verena & Dirk Stroda – 394 Stellar Drive (BL9406)  
*To discharge the Land Use Contract from the property and rezone the property from RR1 – Rural Residential 1 to RU1 – Large Lot Housing to facilitate a 2-lot subdivision.*

(a) Planning & Corporate Services report dated April 7, 2005

**BYLAW PRESENTED FOR FIRST READING**

(b) Bylaw No. 9406 (Z05-0013) – Verena & Dirk Stoda – 394 Stellar Drive  
*Rezones the property from RR1 – Rural Residential 1 to RU1 – Large Lot Housing to allow the property to be subdivided into two lots.*

4.2 Rezoning Application No. Z05-0010 – Tessco Inc. (Ross Manning) – 1327 St. Paul Street (BL9407)  
*To rezone the property from RU6 – Two Dwelling Housing to C7 – Central Business Commercial to accommodate development of the site with a 4 ½ storey building with commercial uses on the main level and 54 residential units above.*

(a) Planning & Corporate Services report dated April 8, 2005

**BYLAW PRESENTED FOR FIRST READING**

(b) Bylaw No. 9407 (Z05-0010) – Tessco Inc. – 1327 St. Paul Street  
*Rezones the property from RU6 – Two Dwelling Housing to C7 – Central Business Commercial to accommodate development of the site with a 4 ½ storey building with commercial uses on the main level and 54 residential units above.*

- 4.3 Rezoning Application No. Z04-0087 – JJW Holdings Ltd./Jacob Warkentin (New Town Planning Services Inc.) – 921, 923 Richter Street (BL9410)  
*To rezone the properties from RU6 – Two Dwelling Housing to I4 – Central Industrial to allow for the expansion of the Kelowna Steel Fabricators operation.*

(a) Planning & Corporate Services report dated April 11, 2005

**BYLAW PRESENTED FOR FIRST READING**

- (b) Bylaw No. 9410 (Z04-0087) – JJW Holdings Ltd./Jacob Warkentin (New Town Planning Services Inc.) – 921, 923 Richter Street  
*Rezones the properties from RU6 – Two Dwelling Housing to I4 – Central Industrial to allow for the expansion of the Kelowna Steel Fabricators operation.*

- 4.4 Official Community Plan Amendment Application No. OCP04-0014 – Valendas Enterprises Ltd. (The Hulbert Group) – 180 Clifton Road North (BL9405)  
*To amend the future land use designation in the OCP from Rural/Agricultural to Multiple Unit Residential – low density for the upland portion of the property.*

(a) Planning & Corporate Services report dated April 12, 2005

**BYLAW PRESENTED FOR FIRST READING**

- (b) Bylaw No. 9405 (OCP04-0014) – Valendas Enterprises Ltd. (The Hulbert Group) – 180 Clifton Road North **requires majority vote of Council (5)**  
*To amend the future land use designation from Rural/Agricultural to Multiple Unit Residential – low density to accommodate a multiple unit residential-hillside development proposed for the upland portion of the property.*

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

- 4.5 Planning & Corporate Services Department, dated April 13, 2005 re: Development Permit Application No. DP05-0005 – 698848 BC Ltd./Bob Buvyer (Thomas Gaffney) – 330 Highway 33 West  
*For development of the site with a 33-unit apartment building with ground floor commercial space and below ground parking.*

5. **NON-DEVELOPMENT APPLICATION REPORTS**

- 5.1 Revenue Supervisor, dated April 13, 2005 re: Bylaw to Charge the 2005 Sterile Insect Release (SIR) Parcel Tax to Specific Rolls (BL9409; 1970-02)  
*To set the annual SIR charge for 2005 at \$101.35 per assessed acre.*
- 5.2 Financial Planning Manager, dated April 11, 2005 re: Amendment No. 2 to Bylaw No. 9220 – Five Year Financial Plan, 2004-2008 (BL9411)  
*To approve amendments to the Financial Plan to reflect changes in the operating budget and capital expenditure program for 2004.*
- 5.3 Financial Planning Manager, dated April 7, 2005 re: 2005 Tax Distribution Policy (1970-01)  
*To approve a municipal tax distribution policy for the year 2005 and approve development of 2005 tax rates to reflect the 2005 assessment changes in property market values.*

5. NON-DEVELOPMENT APPLICATION REPORTS – Cont'd

- 5.4 Transportation Manager, dated April 12, 2005 re: Free On-Street Parking for Centennial Celebrations (5480-09)  
*To authorize free on-street parking from Thursday, May 5, 2005 through Saturday, May 7, 2005 for the Kelowna Centennial Celebrations.*
- 5.5 Director of Works & Utilities, dated April 11, 2005 re: Amendment to City of Kelowna Subdivision, Development & Servicing Bylaw re Sidewalk Requirements for New Developments (5400-09)  
*To approve in principle an amendment to the bylaw to require sidewalks on both sides of all arterial and collector roads and on one side of all local roads as a new development standard.*
- 5.6 Transportation Manager, dated April 18, 2005 re: Award of Construction Contract TE05-01 – Benvoulin 2 – Benvoulin Road Realignment, Springfield to Cooper Roads (5400-20)  
*To award the contract to Ansell Construction Ltd. for the amount of \$2,442,782.18 GST included.*
- 5.7 Transportation Manager, dated April 18, 2005 re: Award of 2005 Asphalt Overlay Contract T05-043 (5400-10)  
*To award the contract to Emil Anderson Construction Ltd. in the amount of \$497,608.10 GST included.*
- 5.8 Transportation Manager, dated April 18, 2005 re: Award of 2005 Asphalt Mill and Fill Contract T05-046 (5400-10)  
*To award the contract to Peters Bros Paving Ltd. in the amount of \$651,961.70 GST included.*
- 5.9 Special Projects Planning Manager, dated April 13, 2005 and consultant's presentation re: Rutland Community Connections Concept Plan (0920-20; 0550-01)  
*To endorse the concept plan for the community connections initiative in principle and direct staff to commence with detailed design planning for the first phase.*
- 5.10 Community Planning Manager, dated April 13, 2005 re: Community Social Development Grants & Grants to Address the Sexual Exploitation of Youth (18550-20)  
*To endorse 2005 grant allocations totalling \$82,750 for Social Development and \$22,000 for Sexual Exploitation, as recommended by the Central Okanagan Foundation.*
- 5.11 Parks Manager, dated April 11, 2005 re: Community Gardens Pilot Project – Rutland Recreation Park (6120-20)  
*To authorize staff to enter into an agreement with the Central Okanagan Community Gardens to develop a community gardens, as a pilot project, in Rutland Recreation Park.*
- 5.12 Recreation Manager, dated April 11, 2005 re: Future Legacy Aquatic Centre (6240-20)  
*To approve the financing plan and proposed public communication campaign for the aquatic centre.*
- 5.13 Director of Parks & Leisure Services, dated April 12, 2005 re: Request for Authorization to Negotiate a Partnership for a New Indoor Tennis Facility  
*Authorization for staff to negotiate with the TennisKelowna.com group to establish a Partnering Agreement for an indoor and outdoor tennis facility in Recreation Park (Gaston/Recreation Avenues)*

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

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

*Note: Agenda Items No. 6.1 to 6.3 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.*

- 6.1 Bylaw No. 9359 – Legacy Aquatic Centre Construction Loan Authorization Bylaw  
*Authorizes the borrowing of \$20 Million for construction of a 50 m swimming pool and leisure waterpark facility.*
- 6.2 Bylaw No. 9409 – Sterile Insect Release Program Parcel Tax Bylaw 2005  
*Authorizes a \$101.35 tax levy for the 2005 tax year on specific parcels of land (see Schedule A attached to report under agenda item No. 5.1)*
- 6.3 Bylaw No. 9411 – Amendment No. 2 to Five Year Financial Plan, 2004-2008, Bylaw No. 9220  
*Amendment to reflect changes in the Operating Budget & Capital Expenditure Program for 2004.*

**(BYLAWS PRESENTED FOR ADOPTION)**

- 6.4 Bylaw No. 9373 – Parcel Tax Bylaw for Local Service Area (Sewer Specified Area) No. 20 – North Rutland  
*Authorizes imposing a parcel tax on all benefiting parcels in North Rutland Sewer Specified Area No. 20.*
- 6.5 Bylaw No. 9396 – Parcel Tax Bylaw – Local Area Service (Sewer Specified Area) No. 28A - Okaview  
*Authorizes Council to impose a parcel tax on all benefiting parcels in Okaview local service area No. 28A.*
- 6.6 Bylaw No. 9398 – Amendment No. 16 to Sewer Connection Charge Bylaw No. 8469  
*Changes the Okaview connection charge from \$10,900 to \$17,200 per single family equivalent unit.*
- 6.7 Bylaw No. 9384 – Amendment No. 9 to Airport Fees Bylaw No. 7982  
*The bylaw increases the vehicle concession fee for the four on-site vehicle rental companies at the airport and caps the recovery fee that the vehicle rental companies charge their customers. This amendment increases the cap on the recovery fee from 11.0% to 11.1%.*

7. COUNCILLOR ITEMS

8. TERMINATION