

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

MONDAY, NOVEMBER 7, 2005

1:30 P.M.

1. CALL TO ORDER

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

3. PUBLIC IN ATTENDANCE

3.1 Andrew Spoeth, Marketing/Programming Manager, Rotary Centre for the Arts re: RE/MAX ArtsCard

4. DEVELOPMENT APPLICATIONS

4.1 Planning & Corporate Services report dated November 2, 2005 re: Agricultural Land Reserve Appeal No. A05-0011 – Richard & Marie Dempster – 1325 McKenzie Road

*To consider a staff recommendation to **NOT** support a subdivision within the Agricultural Land Reserve to create a 2.0 ha lot and a 1.91 ha lot from a 3.91 ha parent parcel.*

4.2 Planning & Corporate Services report dated November 2, 2005 re: Agricultural Land Reserve Appeal No. A05-0014 – Gordon Ivans – 1355 McKenzie Road

*To consider a staff recommendation to **NOT** support a subdivision within the Agricultural Land Reserve to create two 2.1 ha parcels from a 4.2 ha parent parcel.*

4.3 Planning & Corporate Services report dated November 2, 2005 re: Agricultural Land Reserve Appeal No. A05-0015 – Carolyn and Gillian Lee (Colin Lee) – 1998-2020 Heimlich Road

*To consider a staff recommendation to **NOT** support a subdivision within the Agricultural Land Reserve to create a 0.83 ha lot and a 2.0 ha lot from a 2.83 ha parent parcel.*

4.4 Housing Agreement (linked to DP05-0114) – Ziprick Place BC Ltd. (Garry Tomporowski Architects) – 135 Ziprick Road (BL9525)

*For authorization to enter into a Housing Agreement to allow for a density bonus in exchange for the provision of five affordable units for ownership within the proposed 45-unit apartment building.*

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

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

Bylaw No. 9525 – Housing Agreement Authorization Bylaw – Ziprick Place BC Ltd. (Garry Tomporowski Architects) – 135 Ziprick Road

*For authorization to enter into a Housing Agreement to allow for a density bonus in exchange for the provision of five affordable units for ownership within the proposed 45-unit apartment building.*

#### 4. DEVELOPMENT APPLICATIONS – Cont'd

4.5 Rezoning Application No. Z05-0059 – 448473 BC Ltd. (Gary Tebbutt) – 440 & 460 Hartman Road (BL9528)

*To rezone the property from A1 – Agriculture 1 and RR3 – Rural Residential 3 to RM3 – Low Density Multiple Housing to accommodate 32 units of 3-storey row housing in a total of 3ight 4-plex buildings.*

(a) Planning & Corporate Services report dated October 14, 2005.

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

Bylaw No. 9528 (Z05-0059) - 448473 BC Ltd. (Gary Tebbutt) – 440 & 460 Hartman Road

*To rezone the property from A1 – Agriculture 1 and RR3 – Rural Residential 3 to RM3 – Low Density Multiple Housing to accommodate 32 units of 3-storey row housing in a total of 3ight 4-plex buildings.*

4.6 Rezoning Application No. Z05-0040 – Northland Properties Ltd. (Scott Thomson) – 2130 Harvey Avenue (BL9527)

*To rezone the property from C9lp – Tourist Commercial (Liquor Primary) to C4lp (Urban Centre Commercial (Liquor Primary) to allow for an 11-storey, 82-unit one bedroom apartment hotel tower addition on the northwest portion of the Sandman Inn hotel site.*

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

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

Bylaw No. 9527 (Z05-0040) - Northland Properties Ltd. (Scott Thomson) – 2130 Harvey Avenue

4.7 Rezoning Application No. Z05-0048 – School District No. 23 (Judy Shoemaker) – 2058 Cross Road and 106 Valley Road (BL9526)

*To rezone the properties from A1 – Agriculture 1 and RU2 – Medium Lot Housing to P2 – Education and Minor Institutional to accommodate development of the site with a new Dr. Knox middle school.*

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

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

Bylaw No. 9526 (Z05-0048) – The Board of School Trustees of School District No. 23 (Central Okanagan) – 2058 Cross Road and 106 Valley Road

*To rezone the properties from A1 – Agriculture 1 and RU2 – Medium Lot Housing to P2 – Education and Minor Institutional to accommodate development of the site with a new Dr. Knox middle school.*

#### 5. NON-DEVELOPMENT APPLICATION REPORTS

5.1 Director of Financial Services, dated November 1, 2005 re: Community Works Fund Agreement (0230-20)

*Authorization for the Mayor and Clerk to execute the Community Works Fund Agreement with the UBCM in order for the City of Kelowna to receive \$834,090.79 from Federal Gas Tax Revenues.*

5. NON-DEVELOPMENT APPLICATION REPORTS – Cont'd

- 5.2 Water/Drainage Manager, dated November 2, 2005 re: Award of Construction Contract TE05-10 – Poplar Point Electrical Upgrade (5600-07)  
*To award the contract for the completion of the Poplar Point Electrical Upgrades to Graham Construction Ltd. at a cost of \$1,612,033.29, GST excluded.*
- 5.3 Transportation Manager, dated November 2, 2005 re: Equipment Purchase of Landfill Compactor (1240-01)  
*To award the purchase of a landfill compactor to Finning Canada and to allocate an additional \$30,000 for this acquisition.*
- 5.4 Recreation Manager, dated October 31, 2005 re: Council Policy 330 – Unclaimed Funds on Recreation Customer Accounts (1840-00)  
*To establish a policy for determining when a customer account credit balance becomes unclaimed funds and defining a procedure for the City to deal with the unclaimed funds.*
- 5.5 Planning & Corporate Services Department, dated November 2, 2005 re: Rutland Height/Massing Review (0360-20)  
*To endorse the concept of extending the C7 Central Business Commercial zoning to the Rutland Town Centre to provide potential for taller buildings and create a pedestrian-friendly transit-oriented town centre.*
- 5.6 Community Planning Manager, dated October 28, 2005 re: Gospel Mission and City of Kelowna Memorandum of Understanding (0910-20-247; 0550-01)  
*Authorization to enter into a Memorandum of Understanding to define a set of guidelines that will help facilitate the ultimate relocation of the Kelowna Gospel Mission facility.*
- 5.7 Special Projects Planning Manager, dated October 28, 2005 re: Kelowna Yacht Club Moorage and Breakwater Lease Extensions (0917-20-026; 0550-01)  
*Authorization to prepare lease agreements to extend the termination date of Kelowna Yacht Club's lease of the floating breakwater, the moorage basin and Pensioner's Wharf to July 31, 2017; and to extend the termination of the their lease of the Yacht Club buildings to December 31, 2010.*

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

- 6.1 Bylaw No. 9521 – Road Closure Bylaw – Crowley Avenue at Richter Street  
*To remove the highway dedication from a portion of Crowley Avenue at Richter Street.*

(BYLAWS PRESENTED FOR ADOPTION)

- 6.2 Bylaw No. 9452 – Road Closure Bylaw – 2530 Enterprise Way **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward**  
*To remove the highway dedication from a portion of the property.*
- 6.3 Bylaw No. 9508 – Road Closure Bylaw – Kensington Drive **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward**  
*To remove the highway dedication from a portion of Kensington Drive.*

**(BYLAWS PRESENTED FOR ADOPTION)** – Cont'd

- 6.4 Bylaw No. 9520 – Amendment No. 1 to Five Year Financial Plan 2005-2009  
Bylaw No. 9414  
*Amends the plan to reflect changes in the operating budget and capital expenditure program for 2005.*
- 6.5 Bylaw No. 9523 – Amendment No. 12 to Fire Prevention Regulations Bylaw No. 6110-88  
*Amends the bylaw to authorize burning of Pine Beetle infested trees that have not dried for the required 2-year period provided the venting index is 54 or better.*
7. COUNCILLOR ITEMS
8. TERMINATION