

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

MONDAY, NOVEMBER 28, 2005

1:30 P.M.

1. CALL TO ORDER
2. Councillor Hobson to check the minutes of the meeting.
3. DEVELOPMENT APPLICATION REPORTS
 - 3.1 Planning & Corporate Services Department, dated October 6, 2005 re: [Agricultural Land Reserve Appeal No. A05-0016 – Otto & Mary Balaskovits – 1360 Latta Road](#)
For Council's support of an appeal to the Agricultural Land Commission for permission to subdivide within the ALR for a homesite severance.
 - 3.2 Planning & Corporate Services Department, dated November 23, 2005 re: [Agricultural Land Reserve Appeal No. A05-0002 – Martin & Inez Palatin – 1750 McKenzie Road](#)
For Council's support of an appeal to the Agricultural Land Commission for permission to subdivide off a 0.4 h parcel within the ALR in lieu of a homesite severance.
 - 3.3 Planning & Corporate Services Department, dated November 16, 2005 re: [Agricultural Land Reserve Appeal No. A05-0010 – Siegfried Achermann – 1810 Garner Road and 1959 Walburn Road](#)
For Council's support of an appeal to the Agricultural Land Commission for permission to subdivide off a 1.2 ha parcel in lieu of a homesite severance, and for lot line adjustment between the two properties.
 - 3.4 Planning & Corporate Services Department, dated November 8, 2005 re: [Heritage Alteration Permit No. HAP05-0017 – Richard Lee \(Fine Home Designs\) – 781 Bernard Avenue](#)
To approve the form and character of a 1½ storey accessory building with secondary suite that is proposed for construction on the property.
 - 3.5 Planning & Corporate Services Department, dated November 9, 2005 re: [Rezoning Application No. Z03-0066 – Melcor Lakeside Inc. \(David Poppitt/Melcor Developments Ltd.\) – South of Swainson & Treetop Roads, North of Highway 33, Lund & Begley Roads, and East of Henderson Drive \(BL9208\)](#)
To extend the deadline for adoption of the Zone Amending Bylaw No. 9208 to May 4, 2006.
 - 3.6 Planning & Corporate Services Department, dated November 10, 2005 re: [Rezoning Application No. Z04-0037 – Bill Ferguson and Rob Joyal – 2480 & 2490 Richter Street \(BL9286\)](#)
To extend the deadline for adoption of Zone Amending Bylaw No. 9286 to February 24, 2006.

4. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 4.1 [Bylaw No. 9208 \(Z03-0066\)](#) – Bell Mountain Estates Ltd./Black Mountain Irrigation District (Marlin Weninger/Bell Mountain Estates) – Swainson and Joe Riche Roads
Rezones a portion of the property from A1 – Agriculture 1 to RU1h – Large Lot Housing (Hillside), RU1hs – Large Lot Housing (Hillside/Suite), RU4 – Low Density Cluster Housing, RM3 – Low Density Multiple Housing, and P3 – Parks and Open Space in order to facilitate a residential golf development.
- 4.2 [Bylaw No. 9386 \(Z04-0073\)](#) – Bell Mountain Estates – Swainson Road
Rezones part of the property from A1 – Agriculture 1 to RU4 – Low Density Cluster Housing to facilitate development of the site with 41 cluster housing units.
- 4.3 [Bylaw No. 9387 \(Z04-0074\)](#) – City of Kelowna (Bell Mountain Estates) – 2030 Highway 33 East
Rezones a portion of the property from RR3 – Rural Residential 3 to RU1 – Large Lot Housing, P3 - Parks & Open Space, and P4 – Utilities to facilitate a 46-lot single family subdivision, public park site, and storm detention pond.
- 4.4 [Bylaw No. 9460 \(Z05-0019\)](#) – 564913 BC Ltd. (Hans Neumann) – 1347 Ellis Street
Rezones the southerly portion of Lot 1 to Commercial so that it can be incorporated into the adjacent Lot 2 via a lot line adjustment to accommodate façade improvements proposed for the north building elevation of the commercial building on that lot.
- 4.5 [Bylaw No. 9502 \(Z05-0050\)](#) - 694230 BC Ltd. (Harold Schneider) – 3302-3316 Appaloosa Road
Rezones the westerly portion of the property from I2 – General Industrial to I1 – Business Industrial to allow for a broader range of uses on that portion of the site.
- 4.6 [Bylaw No. 9506 \(Z05-0063\)](#) – University of British Columbia – Okanagan (HMA Architects) – 4990 Highway 97 North
Rezones a portion of the property from A1 – Agriculture 1 to P2 – Education and Minor Institutional to allow for a minor realignment of the P2 zoning boundary to accommodate construction of two new student residence buildings.
- 4.7 [Bylaw No. 9513 \(Z05-0044\)](#) - Giovanni & Michelina Molinaro – 4002 Santa Anita Place
Rezones the property from RU2 – Medium Lot Housing to RU2s – Medium Lot Housing with Secondary Suite to legalize an existing suite within the dwelling.
- 4.8 [Bylaw No. 9514 \(Z05-0030\)](#) - Jarnail and Gurmej Khun-Khun (Madan Kanda) – 740 Tartan Road
Rezones the property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing to allow for a second principal dwelling on the site.

5. NON-DEVELOPMENT APPLICATION REPORTS

- 5.1 Airport General Manager, dated November 21, 2005 re: [NAV Canada Aviation Services and Facilities Agreement – Kelowna International Airport](#) (2380-20-8095; 0550-05)
Authorization for the Mayor and Clerk to sign an amendment to the agreement to delete a sub-lease for space in the air terminal building that NAV Canada is no longer using.

5. NON-DEVELOPMENT APPLICATION REPORTS – Cont'd

- 5.2 Director of Financial Services, dated November 15, 2005 re: [Cenotaph Financial Aid Request – Kelowna-Veendam Sister City Association](#) (0450-30)
Approval of a request for funding assistance in the amount of \$100,000 for phase 2 of the project to refurbish and improve the cenotaph in City Park.
- 5.3 Development Engineering Manager, dated November 21, 2005 re: [Latecomer Charges – 460531 BC Ltd. – Feedham Avenue](#) (2250-70-72)
Authorization to enter into a latecomer agreement with 460531 BC Ltd. (John Weisbeck) for partial recovery (from benefiting properties) of costs to extend sanitary and storm sewer along Feedham Avenue.
- 5.4 Development Engineering Manager, dated November 21, 2005 re: [Latecomer Charges – First National Properties Ltd. – Terrace Road/Rio Drive](#) (2250-70-70)
Authorization to enter into a latecomer agreement with First National for partial recovery (from benefiting properties) of costs to extend storm sewer along Terrace Road.
- 5.5 Development Engineering Manager, dated November 21, 2005 re: [Latecomer Charges – Authentech Developments Ltd. – Capistrano Drive](#) (2250-70-73)
Authorization to enter into a latecomer agreement with Authentech for partial recovery (from benefiting properties) of costs to extend Capistrano Drive and install sanitary/storm sewer in the extended road.
- 5.6 Transportation Manager, dated November 21, 2005 re: [Transit Service Expansion](#) (8500-07)
For interim approval of a public transit service expansion that will be debated by Council along with other transit service expansions at 2006 budget discussions.
- 5.7 Water/Drainage Manager, dated November 25, 2006 re: [Water Supply – Kelowna International Airport and North Industrial Area](#) (5600-04)
To authorize the expenditure of \$888,510 by the City Water Utility as the City's share of costs for construction of the first phase of works to supply water to the City's north industrial area.
- 5.8 Parks Manager, dated November 23, 2005 re: [Millbridge Park – Petition](#) (6130-02)
To consider a staff recommendation that Millbridge Park remain as an on-leash dog park.
- 5.9 Roads & Equipment Superintendent, dated November 23, 2005 re: [Purchase of Snowplow Truck](#) (1280-01)
Approval to purchase a 1997 single axle truck with snow and ice control equipment from VSA Maintenance Contractor at a cost of \$57,000.
- 5.10 Chief Election Officer, dated November 23, 2005 re: [2005 General Local Government Elections](#) (4200-03)
To receive the final report for the 2005 election and send a letter to the Minister of Community Services asking for amendments to the Local Government Act that would include allowing electors to cast absentee ballots.
- 5.11 City Clerk, dated November 22, 2005 re: [Alternative Approval Process – Disposition of City Land – 510 Bernard Avenue](#) (0930-20-097)
To set 4 p.m. on Thursday, January 12, 2006 as the deadline for receipt of elector responses regarding the City's intent to enter into a Licence of Occupation agreement with 0726550 BC Ltd. to allow the Licencee to use a portion of dedicated road to complete building façade renovations at 510 Bernard Avenue.

6. RESOLUTIONS

- 6.1 Draft Resolution re: [Helicopter Landing – Santa Claus](#) (8400-01)
Approval for Northern Air Support to fly Santa Claus from the Kelowna Airport to the Kelowna Golf & Country Club and back on December 4 and 11, 2005.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 7.1 [Bylaw No. 9524](#) – Amendment No. 10 to City of Kelowna Parks and Public Spaces Bylaw No. 6819-91
Amends the Parks Bylaw to prohibit dangerous or aggressive dogs from entering City parks.

8. COUNCILLOR ITEMS

9. TERMINATION