

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

MONDAY, DECEMBER 12, 2005

1:30 P.M.

1. **CALL TO ORDER**
2. Councillor Rule to check the minutes of the meeting.
3. **PUBLIC IN ATTENDANCE**
 - 3.1 Heather Stewart, Project Director, Strategic Planning, Okanagan College re: Designing the Future of the New Okanagan College
 - 3.2 Nancy Cameron, General Manager, Tourism Kelowna re: Tourism Kelowna Activities
4. **DEVELOPMENT APPLICATION REPORTS**
 - 4.1 Planning & Corporate Services Department dated December 7, 2005 re: Rezoning Application No. Z04-0020 – 417860 Alberta Ltd., et al (Grant Maddock/Protech Consultants Ltd.) – 5050 McCulloch Road (BL9313)
To approve a 6 month extension of the deadline for adoption of Bylaw No. 9313 which would rezone the property from A1 – Agriculture 1 to RR1 – Rural Residential 1, RR2 – Rural Residential 2 and P3 – Parks & Open Space to facilitate a 110 lot bareland strata subdivision and park dedication.
 - 4.2 Planning & Corporate Services Department dated November 23, 2005 re: Agricultural Land Reserve Appeal No. A05-0017 – Al's Construction Ltd. (D.E. Pilling & Associates Ltd.) – 1095 Crawford Road
*To consider a recommendation to **not** support an appeal to the Agricultural Land Commission to exclude a 6.21 ha portion of the property from the ALR to facilitate subdivision of the property into two lots.*
 - 4.3 OCP04-0018 and Rezoning Application No. Z04-0075 – Kirschner Mountain Estates Ltd., et al (Keith Funk/New Town Planning Services Inc.) – 2980 Gallagher Road, 2045 & 2061 Garner Road and 1625 Verdure Road (BL9533; BL9534)
To amend the OCP future land use map to accurately reflect the boundaries of the designated land use areas within the next phase of development, and to rezone the lands for development with a mixture of single dwelling and multi-family lots with parks & open space components and an associated utility lot.
 - (a) Planning & Corporate Services report dated November 28, 2005.

4. DEVELOPMENT APPLICATION REPORTS – Cont'd4.3 (b) **BYLAWS PRESENTED FOR FIRST READING**

- (i) Bylaw No. 9429 (OCP04-0018) - Kirschner Mountain Estates Ltd. (New Town Planning Services Inc./Keith Funk) – 2980 Gallagher Road, 2045 & 2061 Garner Road and 1625 Verdure Road **Requires majority vote of Council (5)**
Adjusts the boundaries of the future land uses in the OCP to reflect the proposed zoning designations for future development of the remaining Kirschner Mountain Estates Area Structure Plan area.
- (ii) Bylaw No. 9430 (Z04-0075) - Kirschner Mountain Estates Ltd. (New Town Planning Services Inc./Keith Funk) – 2980 Gallagher Road, 2045 & 2061 Garner Road and 1625 Verdure Road
Rezones the lands from A1 – Agriculture 1 to P3 – Parks & Open Space, P4 – Utilities, RU1h – Large Lot Housing (Hillside Area) and RM3h – Low Density Multiple Housing (Hillside Area) to facilitate development with a mixture of single dwelling and multi-family lots with parks & open space components and an associated utility lot.

- 4.4 Planning & Corporate Services Department dated November 18, 2005 re: Heritage Alteration Permit Application No. HAP05-0018 – Kelowna Thoracic Surgical Group Ltd. (MQN Architects) – 2178 Pandosy Street
To authorize the alteration of the heritage building known as the 'Annie Sterling House' by removal of an existing addition and construction of a new 2-storey addition.

4.5 (a) **BYLAWS PRESENTED FOR ADOPTION**

- (i) Bylaw No. 9442 (OCP04-0021) - Marona Estates Ltd./Vintage Properties (Keith Funk/New Town Planning Services) – 492 Clifton Road **Requires majority vote of Council (5)**
Amends the future land use designation of the property from Single/Two Unit Residential to Multiple Unit Residential – Medium Density to facilitate a transitional low density multi-family residential development.
 - (iii) Bylaw No. 9443 (Z04-0078) - Marona Estates Ltd./Vintage Properties (Keith Funk/New Town Planning Services) – 492 Clifton Road
Rezones the property from A1 – Agriculture 1 to RM4 – Transitional Low Density Housing to accommodate development of the property with between 925 to 1200 residential units.
- (b) Planning & Corporate Services Department dated December 6, 2005 re: Development Permit Application No. DP05-0116 – Vintage Properties (Keith Funk/New Town Planning Services) – 492 Clifton Road
To authorize issuance of a Development Permit for the general concept for a future transitional low density multi-family development with a potential density of between 925 to 1,325 units.

4. DEVELOPMENT APPLICATION REPORTS – Cont'd

- WITHDRAWN 4.6 Planning & Corporate Services Department dated December 7, 2005 re: Development Permit Application No. DP05-0160 – 672499 BC Ltd. (Don Lloyd) – 3690 Gordon Drive
To authorize issuance of a Development Permit to allow for the construction of 252 apartment housing units within four 4-storey buildings.
- 4.7 Rezoning Application No. Z04-0087 – JJW Holdings Ltd./Jake Warkentin (New Town Planning Services Inc.) – 921, 923 Richter Street (BL9410)
To advance zone amending bylaw No. 9410 for second and third reading consideration and require that final adoption of the bylaw be in conjunction with a Development Permit and Development Variance Permit on the property.
- (a) Planning & Corporate Services report dated December 2, 2005
- (b) **BYLAW PRESENTED FOR SECOND & THIRD READINGS**
- Bylaw No. 9410 (Z04-0087) – JJW Holdings Ltd./Jacob Warkentin (New Town Planning Services Inc.) – 921, 923 Richter Street
Rezoned the properties from RU6 – Two Dwelling Housing to I4 – Central Industrial to allow for the expansion of the Kelowna Steel Fabricators operation.
- 4.8 Rezoning Application No. Z05-0069 – Jud & Karen Wickwire – 1281 Highway 33 East (BL9536)
To rezone the property from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite to permit development of a suite in a proposed accessory building.
- (a) Planning & Corporate Services report dated November 15, 2005
- (b) **BYLAW PRESENTED FOR FIRST READING**
- Bylaw No. 9536 (Z05-0069) – Jud & Karen Wickwire – 1281 Highway 33 East
To rezone the property from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite to permit development of a suite in a proposed accessory building.
- 4.9 Rezoning Application No. Z05-0071 – Todd & Cheryl Blasco (Todd Blasco) – 2330 Silver Place (BL9535)
To rezone the property from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite to permit development of a suite in an accessory building that is currently under construction as a garage/workshop.
- (a) Planning & Corporate Services report dated November 15, 2005
- (b) **BYLAW PRESENTED FOR FIRST READING**
- Bylaw No. 9535 (Z05-0071) – Todd & Cheryl Blasco (Todd Blasco) – 2330 Silver Place
To rezone the property from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite to permit development of a suite in an accessory building that is currently under construction as a garage/workshop.

4. DEVELOPMENT APPLICATION REPORTS – Cont'd

- 4.10 Text Amendment No. TA05-0009 – City of Kelowna (BL9530; BL9531)
Miscellaneous housekeeping amendments to the Zoning Bylaw to clarify side yard setback requirements in several urban residential zones, update several definitions, and change drive-through food services from a land use definition to a development regulation; and to amend the Sign Bylaw to add an 'exemption from permits' clause.
- (a) Planning & Corporate Services report dated November 17, 2005
- (b) **BYLAW PRESENTED FOR FIRST READING**
- Bylaw No. 9530 (TA05-0009) – City of Kelowna
Miscellaneous housekeeping amendments to the Zoning Bylaw to clarify side yard setback requirements in several urban residential zones, update several definitions, and change drive-through food services from a land use definition to a development regulation;
- (c) **BYLAW PRESENTED FOR FIRST THREE READINGS**
- Bylaw No. 9531 – Amendment No. 14 to Sign Bylaw No. 8235
To add an 'exemption from permits' clause.
- 4.11 Text Amendment No. TA05-0010 – City of Kelowna (BL9532)
To amend the height restriction for secondary suites in the A1 – Agriculture 1 zone, subject to compliance with Section 9.5.3 of the Zoning Bylaw
- (a) Planning & Corporate Services – report dated November 17, 2005
- (b) **BYLAW PRESENTED FOR FIRST READING**
- Bylaw No. 9532 (TA05-0010) – City of Kelowna
To amend the height restriction for secondary suites in the A1 – Agriculture 1 zone, subject to compliance with Section 9.5.3 of the Zoning Bylaw

4:00 P.M. ARRIVAL OF SANTA & MRS. CLAUS – COUNCIL TO VIEW SANTA SLEIGH BUS

5. NON-DEVELOPMENT APPLICATION REPORTS

- 5.1 Planning & Corporate Services Department, dated November 25, 2005 re: Request for Clarification on Mayor's Entertainment District Task Force Policy Contained in Council Policy No. 315 – Liquor Licensing Procedures (lp) and Retail Liquor Sales (rls)
For authorization to amend the policy to prohibit the issuance of any Special Occasion Liquor Licences in the 'yellow area' as identified by the Downtown Plan and direct the RCMP to not endorse such licence requests effective December 1, 2005.
- 5.2 Inspection Services Manager, dated November 30, 2005 re: ST05-21 – Application for Stratification of Four-Plex at 444-450 Laurel Road
For approval to stratify the 4-plex in the name of L & M Marketing Ltd. with no conditions.
- 5.3 Transportation Manager, dated November 29, 2005 re: Award of Construction Contract TE05-13 – 2005 Sidewalk Construction Program (5400-09)
To award the contract for a portion of the 2005 Sidewalk Construction Program to Ansell Construction Ltd. in the amount of \$448,426.30 GST included.

5. NON-DEVELOPMENT APPLICATION REPORTS – Cont'd

5.4 Director of Works & Utilities, dated December 6, 2005 re: Amendment to City of Kelowna Subdivision, Development & Servicing Bylaw No. 7900 re Sidewalk Requirements for New Developments (5400-09)

To consider whether to amend the bylaw to incorporate revised requirements for sidewalks in new development.

5.5 Development Manager, Recreation Parks & Cultural Services, dated December 5, 2005 re: UBCM Grant – Community Health Promotion Fund (4940-20)

Authorization to apply to the UBCM for the Community Health Promotion Fund – Pilot Project for a \$35,000 grant for the KickStart Kelowna Community Wide Passport to Activity Program.

5.6 Kelowna Partners – Premier's Task Force on Homelessness, dated December 8, 2005 re: St. Paul Street Supportive Housing Project – Premier's Task Force (0360-20; 0550-01)

To receive an information report updating Council on the status of the project.

6. RESOLUTIONS

6.1 Draft Resolution re: Start Time for January 10, 2006 Public Hearing

To change the start time for the January 10, 2006 Public Hearing from 7:00 p.m. to 5:00 p.m.

7. COUNCILLOR ITEMS

8. TERMINATION