

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

MONDAY, SEPTEMBER 11, 2006

1:30 P.M.

1. CALL TO ORDER

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

3. DEVELOPMENT APPLICATION REPORTS

3.1 [Official Community Plan Amendment No. OCP06-0009 and Rezoning Application No. Z06-0031 – Kelowna Elks Lodge No. 52 of the Benevolent and Protective Order of Elks of Canada \(Herman Design Group Inc.\) – 2040 Springfield Road \(BL9669; BL9670\)](#)

To change the OCP future land use and rezone the property to accommodate a proposed 75-unit, 12-storey mixed use development.

(a) Planning & Development Services report dated August 30, 2006.

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

(i) [Bylaw No. 9669 \(OCP06-0009\)](#) - Kelowna Elks Lodge No. 52 of the Benevolent and Protective Order of Elks of Canada (Herman Design Group Inc.) – 2040 Springfield Road
To change the future land use designation from Education/Major Institutional to Commercial.

(ii) [Bylaw No. 9670 \(Z06-0031\)](#) - Kelowna Elks Lodge No. 52 of the Benevolent and Protective Order of Elks of Canada (Herman Design Group Inc.) – 2040 Springfield Road
To rezone the property from P2 – Education and Minor Institutional to C4 – Urban Centre Commercial to allow for development of the site with a 75-unit, 12-storey mixed use building.

3.2 [Rezoning Application No. Z06-0035 – Anita D’Angelo – 578 Cawston Avenue \(BL9671\)](#)

To rezone the property to allow for a secondary suite in a proposed accessory building.

(a) Planning & Development Services report dated August 29, 2006.

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

[Bylaw No. 9671 \(Z06-0035\)](#) – Anita D’Angelo – 578 Cawston Avenue
To rezone the property from RU2 – Medium Lot Housing to RU2s – Medium Lot Housing with Secondary Suite to accommodate a suite in an accessory building that would also serve as a garage.

3. DEVELOPMENT APPLICATION REPORTS – Cont'd

3.3 [Rezoning Application No. Z06-0037 – City of Kelowna – 200-210 Bernard Avenue, 220 Mill Street, 222 Queensway Avenue and 1414 Water Street \(BL9668\)](#)

To rezone the property to conform with the existing use of the water lots for moorage.

(a) Planning & Development Services report dated August 29, 2006.

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

[Bylaw No. 9668 \(Z06-0037\)](#) - City of Kelowna – 200-210 Bernard Avenue, 220 Mill Street, 222 Queensway Avenue and 1414 Water Street
To rezone the property from P3 – Parks and Open Space to W2 – Intensive Water Use to reflect the moorage use of the water lots.

3.4 Planning & Development Services Department, dated August 21, 2006 re: [Rezoning Application No. Z04-0048 – Wayne Rains/Advance Precast Ltd. – 745, 765 & 793 Stremel Road \(BL9354\)](#)

To extend the deadline for adoption of the bylaw to rezone the property from RU1 – Large Lot Housing to I2 – General Industrial to February 22, 2007.

3.5 Planning & Development Services Department, dated August 22, 2006 re: [Heritage Alteration Permit Application No. HAP06-0007 – Kane Resources – 770-772 Rutland Road North](#)

To authorize the conversion of the former Rutland Elementary School heritage building into 8 residential units and the development of the southern portion of the school site with a 70 unit, 4-storey apartment building.

3.6 Planning & Development Services Department, dated September 6, 2006 re: [Heritage Revitalization Agreement Application No. HRA06-0001 – Valerie Hallford - 429 Park Avenue \(BL9673; BL9674\)](#)

To advance HRA and Heritage Designation bylaws to Public Hearing to allow for relaxations to requirements of the RU1 – Large Lot Housing zone in order to facilitate a subdivision and the construction of a single family dwelling on the newly created lot, allow a building addition to the rear of the existing heritage dwelling for use as a secondary suite; and designate the existing heritage building (known as the Reekie House) as a Municipal Heritage Site.

4. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

4.1 [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)**

To adjust 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.

4.2 [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

To rezone 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.

5. NON-DEVELOPMENT APPLICATION REPORTS

- 5.1 [Director of Planning & Development Services, dated September 5, 2006 re: Results of Regional Consultation and Actions for a Sustainable City \(6430-05\)](#)
To receive the results of the 'FUTURE OK' 4-week regional public consultation on sustainability that ran from May 25 to June 25, 2006, endorse retaining the Future OK website as a measure for continuing to engage stakeholders, and direct staff to form a Sustainability Working Group to develop a strategy for how to improve the sustainability of City actions.
- 5.2 [Inspection Services Manager, dated August 25, 2006 re: ST06-11 – Application for Stratification of 6-Unit Row Housing at 170, 174, 178, 182, 190 Briarwood Road](#)
To approve the application to stratify in the name of L & M Marketing Ltd. with no conditions.
- 5.3 [Transportation Manager, dated August 28, 2006 re: WR Bennett Bridge – Noise Bylaw Amendment \(BL9672; 3900-20; 5400-02\)](#)
To amend the bylaw to allow construction activities associated with the east approach to the bridge to occur at night between 8 p.m. and 6 a.m. starting in October 2006.
- 5.4 [Parks Manager, dated July 31, 2006 re: Goose Management Strategy and Action Plan \(6130-00\)](#)
To refer the proposed strategy and action plan for consideration of the funding required for implementation to 2007 budget discussions, authorize staff to continue to participate on the Okanagan Regional Goose Management Committee to minimize the impact of geese on beach parks and sportsfields, adopt a zero tolerance waterfowl policy on beach parks, and strictly enforce NO feeding of waterfowl.
- 5.5 [Director of Recreation, Parks & Cultural Services, dated August 30, 2006 re: Shore Facilities for Boaters on Okanagan Lake \(0550-04\)](#)
To support, in principle, the Regional District of Central Okanagan undertaking the preparation of a plan for the development of amenities to support boating activity on Okanagan, Wood, and Kalamalka Lakes.
- 5.6 [Cultural Facilities Manager, dated September 6, 2006 re: Waterfront Park Lagoons Operating Agreement \(2240-20\)](#)
To authorize the Mayor and Clerk to execute the agreement.
- 5.7 [Development Manager Recreation Parks & Cultural Services, dated September 5, 2006 re: UBCM Grant – Community Health Promotion Fund – Round 2 \(4940-20\)](#)
To reaffirm support for the KickStart Kelowna program and authorize staff to apply for a further grant (\$35,000) to continue with the program.
- 5.8 [City Clerk, dated September 6, 2006 re: Alternative Approval Process – Loan Authorization Bylaw – Poplar Point Pump Station Upgrade \(0155-30\)](#)
To set 4:00 p.m. Monday, October 30, 2006 as the deadline for receipt of petitions opposing the borrowing for the proposed upgrade.

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 6.1 [Bylaw No. 9672](#) – Amendment No. 7 to Kelowna Noise and Disturbances Control Bylaw No. 6647-90
To allow construction activities associated with the east approach to the bridge to occur at night between 8 p.m. and 6 a.m. starting in October 2006.

(BYLAWS PRESENTED FOR ADOPTION)

- 6.2 [Bylaw No. 9637](#) – Amendment No. 1 to Second Hand Dealer and Pawnbrokers Bylaw No. 9227
Miscellaneous amendments intended to improve and enhance inspection services for enforcement purposes and to expedite court processes.
- 6.3 [Bylaw No. 9638](#) – Amendment No. 68 to Ticket Information Utilization Bylaw No. 6550-89
Adds to the list of violations that can be fined under the MTI system.

7. COUNCILLOR ITEMS

(Committee Updates)

8. TERMINATION