

CITY OF KELOWNA

**REVISED**

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

**MONDAY, APRIL 23, 2007**

1:30 P.M.

1. CALL TO ORDER
2. Councillor Hobson to check the minutes of the meeting.
3. PUBLIC IN ATTENDANCE
  - 3.1 Patti Kilback, Curator of Education, Kelowna Museums Society re: BC Arts & Culture Week and Taste of Culture Educational Program
  - 3.2 [Sandi Oloffs, Grants Coordinator, Central Okanagan Foundation re: Community Social Development Grants and Grants to Address the Sexual Exploitation of Youth](#)
  - 3.3 [Superintendent McKinnon re: Monthly Policing Report](#)
4. DEVELOPMENT APPLICATION REPORTS
  - 4.1 Planning & Development Services Department, dated April 5, 2007 re: Z07-0009 – George Tivy and Marilyn Miller – 4573 Horak Road  
*To rezone the subject property from RU1 – Large Lot Housing zone to RU1s – Large Lot Housing with Secondary Suite zone I order to establish a secondary suite within an existing accessory building.*
    - (a) [Planning & Development Services report dated April 5, 2007.](#)
    - (b) **BYLAW PRESENTED FOR FIRST READING**  
[Bylaw No. 9778 \(Z07-0009\) – George Tivy and Marilyn Miller – 4573 Horak Road](#)  
*To rezone the subject property from RU1 – Large Lot Housing zone to RU1s – Large Lot Housing with Secondary Suite zone.*
  - 4.2 Planning & Development Services Department, dated April 13, 2007 re: OCP06-0022, TA06-0006 and Z06-0062 – Interior Health Authority (Bevanda Architecture Inc.) – 2035 Ethel Street  
*To change the future land use designation of the subject property from “Multiple Unit Residential – Medium Density” designation to “Education/Major Institutional” designation; To amend the CD1 – Comprehensive One zone to remove the*

portion of the subject property south of Mill Creek from CD1-Map 1; To rezone the subject property from the existing "CD1 – Comprehensive One" zone to the proposed "P1 – Major Institutional" zone to allow institutional uses.

(a) [Planning & Development Services report dated April 13, 2007.](#)

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

(i) [Bylaw No. 9780 \(OCP06-0022\) – Interior Health Authority \(Bevanda Architecture Inc.\) – 2035 Ethel Street](#) **Requires a majority of all Members of Council (5)**

*To change the future land use designation of the subject property from "Multiple Unit Residential – Medium Density" designation to "Education/Major Institutional" designation.*

(ii) [Bylaw No. 9781 \(TA07-0003/Z06-0062\) – Interior Health Authority \(Bevanda Architecture Inc.\) – 2035 Ethel Street](#)

*To amend the CD1 – Comprehensive One zone to remove the subject property (south of Mill Creek) from CD1-Map 1; To rezone the subject property from the existing "CD1 – Comprehensive One" zone to the proposed "P1 – Major Institutional" zone to allow institutional uses.*

4.3 (a) **BYLAW PRESENTED FOR ADOPTION**

[Bylaw No. 9756 \(Z06-0061\) – Anton and Maria Wolf \(Sunstar Ventures Ltd.\) – 860 McCurdy Road](#)

*To rezone the subject property from C9-Tourist Commercial zone to I2-General Industrial zone.*

(b) [Planning & Development Services Department, dated April 13, 2007 re: DP06-0209 – Anton and Maria Wolf \(Sunstar Ventures Ltd.\) – 860 McCurdy Road](#)

*To obtain a Development Permit to allow for the construction of two industrial buildings on the subject property.*

5. **BYLAWS (ZONING & DEVELOPMENT)**

**(BYLAWS PRESENTED FOR ADOPTION)**

WITHDRAWN 5.1 [Bylaw No. 9447 \(OCP05-0008\) – 684761 BC Ltd. \(Nicola Consiglio\) – 5127 Chute Lake Road](#) – **Requires a majority of all Members of Council (5)**

*To change the future land use designation of the subject property from "Single/Two Unit Residential & Future Urban Reserve" designation to "Single/Two Unit Residential & Major Park/Open Space" designation.*

WITHDRAWN 5.2 [Bylaw No. 9448 \(Z05-0020\) – 684761 BC Ltd. \(Nicola Consiglio\) – 5127 Chute Lake Road](#)

*To rezone the subject property from A1 – Agriculture 1 zone to RR2 – Rural Residential 2 zone, RR3 – Rural Residential 3 zone, RU1h – Large Lot Housing (Hillside area) zone, P3 – Parks & Open Space zone and P4 – Utilities zone.*

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 [Police Administration Manager, dated April 17, 2007 re: Supply of Meals for RCMP Prisoners – May 1, 2007 to April 30, 2009](#)  
*To approve entering into a contract to supply meals for the RCMP prisoners for the period from May 1, 2007 to April 20, 2009.*
- 6.2 [Director of Financial Services, dated April 16, 2007 re: Amendment #2 to Five Year Financial Plan, 2006-2010](#)  
*To approve amendments to the Five Year Financial Plan, 2006-2010 Bylaw No. 9599 to reflect changes in the Operating Budget and Capital Expenditures Program for 2006.*
- 6.3 [Financial Planning Manager, dated April 5, 2007 re: Transit – 2006/2007 Annual Operating Agreement Amendments](#)  
*To approve the 2006/2007 Annual Operating Agreement Amendments for conventional and custom transit services for the City of Kelowna.*
- 6.4 [Financial Planning Manager, dated April 18, 2007 re: Transit – 2007/2008 Annual Operating Agreements](#)  
*To approve the 2007/2008 Annual Operating Agreements for conventional and custom transit services for the City of Kelowna.*
- 6.5 [Financial Planning Manager, dated April 16, 2007 re: 2007 Tax Distribution Policy](#)  
*To approve a Municipal Tax Distribution Policy for the year 2007 that will result in a modification of the 2006 Tax Class Ratios to reflect the uneven market value changes which have been experienced between property classes.*
- 6.6 [Licence and Bylaw Enforcement Supervisor, dated April 2, 2007 re: Nuisance Trees and Shrubs Bylaw No. 6469-89](#)  
*To receive the Report of the Licence and Bylaw Enforcement Supervisor; To authorize staff to prepare an amending bylaw to reflect the changes to the City of Kelowna Nuisance Trees and Shrubs Bylaw No. 6469-89.*
- WITHDRAWN 6.7 [Manager, Community Development and Real Estate, dated April 17, 2007 re: BRW Restaurants Ltd. \(Quizno's\) – Lease Renewal](#)  
*To renew the Lease to BRW Restaurants Ltd. (Quizno's) for two (2) renewal terms of five (5) years each.*
- 6.8 [Community Planning Manager, dated April 12, 2007 re: Social Planning and Housing Committee](#)  
*To appoint Randy Murray as a new member of the Social Planning and Housing Committee.*
- 6.9 [City Clerk, dated April 18, 2007 re: 2007 Parcel Tax Review Panel](#)  
*To set the time place for the sitting of the 2007 Parcel Tax Review Panel.*

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

*NOTE: Agenda items No. 7.1 to 7.3 **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.*

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

- 7.1 [Bylaw No. 9775 – Amendment No. 2 to Five Year Financial Plan, 2006-2010](#)  
*To amend the Five Year Financial Plan, 2006-2010 Bylaw No. 9599 to reflect changes in the Operating Budget and Capital Expenditures Program for 2006.*
- 7.2 [Bylaw No. 9776 – Amendment No. 1 to Sale of City-Owned Land Reserve Fund Expenditure Bylaw No. 9604 - 2006.](#) **Requires a two-thirds vote of Members (6)**  
*To amend the Sale of City-Owned Land Reserve Fund Expenditure Bylaw No. 9604 – 2006.*
- 7.3 [Bylaw No. 9782 – Amendment No. 3 to the City of Kelowna Nuisance Trees and Shrubs Bylaw No. 6469](#)  
*To amend the City of Kelowna Nuisance Trees and Shrubs Bylaw No. 6469.*

**(BYLAWS PRESENTED FOR ADOPTION)**

- 7.4 [Bylaw No. 9777 – Amendment No. 15 to City of Kelowna Electricity Regulation Bylaw No. 7639](#)  
*To amend the City of Kelowna Electricity Regulation Bylaw No. 7639.*
- 8. COUNCILLOR ITEMS (including Committee Updates)
  - 8.1 Councillor Given re: [Rutland Town Centre Strategy Task Force](#)
- 9. TERMINATION