

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, MAY 7, 2007

1:30 P.M.

1. CALL TO ORDER

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

3. DEVELOPMENT APPLICATION REPORTS

3.01 [Planning & Development Services Department, dated April 27, 2007 re: Agricultural Land Reserve Appeal No. A07-0005 – Larry & Wendy Simla – 1300 Latta Road](#)

*To consider a staff recommendation **NOT** to support an appeal to the Agricultural Land Commission to allow for a subdivision with the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act.*

3.02 [Planning & Development Services Department, dated May 1, 2007 re: Agricultural Land Reserve Appeal No. A07-0007 – 703941 BC Ltd. \(Robert Bennett\) – 3665 McCulloch Road](#)

To consider a staff recommendation to support an appeal to the Agricultural Land Commission to allow for an exclusion of the northern portion of the subject property from the Agricultural Land Reserve pursuant to Section 30(1) of the Agricultural Land Commission Act in accordance with the Official Community Plan future land use boundaries.

3.03 [Planning & Development Services Department, dated April 23, 2007 re: Rezoning Application No. Z07-0017 – Dennis & Corinne Wardell – 1496 Kloppenburg Road](#)

To rezone the subject property from RU1H – Large Lot Housing (Hillside) zone to RU1HS – Large Lot Housing (Hillside) with Secondary Suite zone.

(a) [Planning & Development Services report dated April 23, 2007.](#)

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

[Bylaw No. 9786 \(Z07-0017\) – Dennis & Corinne Wardell – 1496 Kloppenburg Road](#)

To rezone the subject property from RU1H – Large Lot Housing (Hillside) zone to RU1HS – Large Lot Housing (Hillside) with Secondary Suite zone.

- 3.04 [Planning & Development Services Department, dated April 26, 2007 re: Official Community Plan Bylaw Amendment No. OCP06-0005 and Rezoning Application No. Z06-0024 – Cara Glen Estates Ltd. \(Toby Nolitt\) – 1490 Cara Glen Way and 530 Caramillo Court](#)
To change the Future Land Use Designation of Lot L, Plan KAP53293 and Lot A, Plan KAP77707 from the existing Single/Two Unit Residential designation to the proposed Multiple Unit Residential, Low Density designation; To rezone Lot A, Plan KAP77707 from the existing A1 – Agriculture 1 and P3 – Parks and Open Space zones to the proposed RM3 – Low Density Multiple Housing zone.
- (a) [Planning & Development Services report dated April 26, 2007.](#)
- (b) **BYLAWS PRESENTED FOR FIRST READING**
- (i) [Bylaw No. 9787 \(OCP06-0005\) – Cara Glen Estates Ltd. – 1490 Cara Glen Way and 530 Caramillo Court - Requires a majority of all Members of Council \(5\)](#)
To change the Future Land Use Designation of Lot L, Plan KAP53293 and Lot A, Plan KAP77707 from the existing Single/Two Unit Residential designation to the proposed Multiple Unit Residential, Low Density designation.
- (ii) [Bylaw No. 9788 \(Z06-0024\) – Cara Glen Estates Ltd. – 530 Caramillo Court](#)
To rezone Lot A, Plan KAP77707 from the existing A1 – Agriculture 1 and P3 – Parks and Open Space zones to the proposed RM3 – Low Density Multiple Housing zone.
- 3.05 [Planning & Development Services Department, dated April 27, 2007 re: Official Community Plan Bylaw Amendment No. OCP07-0002 and Rezoning Application No. Z07-0003 – Troika Developments Inc., Tri-Moor Holdings Ltd. & Mamre Holdings Inc. \(Pat McCusker, New Town Architectural Services Inc.\) – 2209, 2219, 2227, 2235, 2241, 2247, 2255 & 2265 Pandosy Street](#)
To consider a staff recommendation NOT to support an amendment to the Official Community Plan Future Land Use Designation from Multiple Unit Residential – Low Density to Multiple Unit Residential – Medium Density; To consider a staff recommendation NOT to support a rezoning of the subject properties from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone to allow for the construction of a 4.5 storey, 52 unit condominium building.
- 3.06 [Planning & Development Services Department, dated April 23, 2007 re: Development Permit Application No. DP07-0050 – Dale Charles Forsythe \(Protech Consultants Ltd.\) – 200 & 225 Rutland Road](#) **Mayor to invite anyone in the public gallery who deems themselves affected by the development to come forward.**
To authorize the issuance of a Development Permit to construct a new four storey mixed-use commercial/residential building on the subject property.

4. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 4.01 [Bylaw No. 9752 \(TA06-0005\) – Tower Ranch Holding Corporation \(Emil Anderson Construction Inc.\) – Off Day Road](#)
To amend the CD6 – Comprehensive Residential Golf Resort zone.

5. NON-DEVELOPMENT APPLICATION REPORTS

- 5.01 [City Manager, dated April 24, 2007 re: Financial Statements for the Year Ending December 31, 2006](#)
To receive the Financial Statements for the City of Kelowna for the year ending December 31, 2006.
- 5.02 [City Manager, dated April 26, 2007 re: 2007 Financial Plan – Final Budget](#)
*To adopt the 2007-2011 Financial Plan and approve the formulation of 2007 Property Tax Rates resulting in an average net property owner impact of 2.81%;
To advance the required Bylaws for reading consideration.*
- 5.03 [Development Engineering Manager, dated April 16, 2007 re: Latecomer Charges – Glenwest Properties](#)
To require the owner of SW 1/4 , Sec 5, Twp 23, ODYD to provide the excess or extended services shown in Appendix E of the Latecomer Agreement No. 2250-70-83 and to enter into the Latecomer Agreement with the owner to be effective upon Substantial Performance of the Excess or Extended Services.
- 5.04 [Water/Drainage Manager, dated May 1, 2007 re: Improvement District Boundary Amendments](#)
To approve the requests of the Glenmore Ellison Improvement District, the South Okanagan Mission Improvement District and the Black Mountain Irrigation Improvement District to amend their water service area boundaries.
- 5.05 [Park Planning, Design and Construction Supervisor and Sport and Recreation Manager, dated May 1, 2007 re: Mission Recreation Park Softball Complex Project](#)
To approve additional funding of \$315,434 from the Major Facilities Reserve towards the development of two softball diamonds at the Mission Recreation Softball Complex.
- 5.06 [Sport and Recreation Manager, dated May 1, 2007 re: Mission Recreation Park Softball Facility Reserve Fund](#)
To approve the Mission Recreation Park Softball Facility Reserve Fund Policy #339.
- 5.07 [Community Planning Manager, dated May 2, 2007 re: 10 by 10 Challenge](#)
To support the City of Kelowna joining the Provincial 10 by 10 Challenge.

6. RESOLUTIONS

- 6.01 [Draft Resolution re: Appointments to the City of Kelowna Arts Foundation Board](#)
To appoint Marie McCrae, Leonard Lerner and Tania Meyer to the City of Kelowna Arts Foundation Board for the remainder of the 3-year term ending December 2008.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

*NOTE: Agenda items No. 7.01 to 7.08 **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)

- 7.01 [Bylaw No. 9789 – Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw, 2007](#)
To consider the Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw.
- 7.02 [Bylaw No. 9790 – Development Cost Charge Reserve Fund Expenditure Bylaw, 2007](#)
To consider the Development Cost Charge Reserve Fund Expenditure Bylaw.
- 7.03 [Bylaw No. 9791 – Parking Reserve Fund Expenditure Bylaw, 2007](#)
To consider the Parking Reserve Fund Expenditure Bylaw.
- 7.04 [Bylaw No. 9792 – Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2007](#)
To consider the Sale of City-Owned Land Reserve Fund Expenditure Bylaw.
- 7.05 [Bylaw No. 9793 – Five Year Financial Plan 2007-2011](#)
To consider the Five Year Financial Plan 2007-2011 Bylaw.
- 7.06 [Bylaw No. 9794 – Tax Structure Bylaw, 2007](#)
To consider the Tax Structure Bylaw.
- 7.07 [Bylaw No. 9795 – Annual Tax Rates Bylaw, 2007](#)
To consider the Annual Tax Rates Bylaw.
- 7.08 [Bylaw No. 9798 – Amendment No. 1 to Miscellaneous Fees and Charges Bylaw No. 9381](#)
To amend Miscellaneous Fees and Charges Bylaw No. 9381.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.09 [Bylaw No. 9590 – Bylaw to Set Purchasing Policy](#)
To adopt Purchasing Policy Bylaw No. 9590.
- 7.10 [Bylaw No. 9773 – Sterile Insect Release Program Parcel Tax Bylaw 2007](#)
To adopt Sterile Insect Release Program Parcel Tax Bylaw No. 9773.

- 7.11 [Bylaw No. 9779 – Discharge of Firearms within the City of Kelowna](#)
To adopt Discharge of Firearms within the City of Kelowna Bylaw No. 9779.
- 7.12 [Bylaw No. 9783 – Amendment No. 4 to Kelowna Memorial Park Cemetery Bylaw No. 8807 – Housekeeping Amendments](#)
To adopt the amendments to the Kelowna Memorial Park Cemetery Bylaw No. 8807.
- 8. COUNCILLOR ITEMS (including Committee Updates)
- 9. TERMINATION