

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, JULY 23, 2007

1:30 P.M.

1. CALL TO ORDER
2. Councillor Gran to check the minutes of the meeting.
3. PUBLIC IN ATTENDANCE
 - 3.1 [Carol Suhan, Waste Reduction Manager, Regional Waste Reduction Office re: Automated Garbage, Yard Waste and Recycling Collection Service](#)
 - 3.2 [Superintendent McKinnon re: Monthly Policing Report](#)
4. DEVELOPMENT APPLICATION REPORTS
 - 4.1 [Planning & Development Services Department, dated July 17, 2007 re: Agricultural Land Reserve Appeal No. A07-0015 – Black Mountain Irrigation District \(New Town Planning Services Ltd.\) – \(N of\) Joe Riche Road and \(Off of\) Joe Riche Road](#)
To consider a staff recommendation to support an appeal to the Agricultural Land Commission for a non-farm use within the Agricultural Land Reserve to allow for the construction of an electrical substation.
 - 4.2 [Planning & Development Services Department, dated July 13, 2007 re: Official Community Plan Bylaw Amendment No. OCP07-0009 and Rezoning Application No. Z07-0026 – 0763831 BC Ltd. \(Bob Guy\) – 1315, 1325 and 1345 Highway 33 West and 145, 155 and 165 Taylor Road](#)
To consider a staff recommendation NOT to support an amendment to the Official Community Plan to change the existing future land use designation of the subject properties from “Multiple Unit Residential-Low Density” to “Multiple Unit Residential-Medium Density”; To consider a staff recommendation NOT to support rezoning the subject properties from the existing RU1-Large Lot Housing zone to the RM4-Transitional Low Density Housing zone.
 - 4.3 [Planning & Development Services Department, dated July 13, 2007 re: Rezoning Application No. Z07-0021 – Carl Enns and Lorraine Enns – 4150 Sealy Road](#)
To rezone the subject property from the A1-Agriculture 1 zone to the A1s-Agriculture 1 with Secondary Suite zone in order to allow for a suite in an accessory building.

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

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

[Bylaw No. 9835 \(Z07-0021\) – Carl and Lorraine Enns – 4150 Sealy Road](#)
To rezone the subject property from the A1-Agriculture 1 zone to the A1s-Agriculture 1 with Secondary Suite zone.

4.4 [Planning & Development Services Department, dated July 12, 2007 re: Rezoning Application No. Z06-0066 – Church of God \(Adla Ventures Ltd.\) – 515 Gerstmar Road](#)

To consider a staff recommendation to authorize the City of Kelowna to enter into a Housing Agreement with Adla Ventures Ltd.

(a) [Planning & Development Services report dated July 12, 2007.](#)

(b) **BYLAW PRESENTED FOR FIRST THREE READINGS**

[Bylaw No. 9834 – Housing Agreement Authorization Bylaw – Adla Ventures Ltd. – 515 Gerstmar Road](#)
To authorize entering into a Housing Agreement with Adla Ventures Ltd.

5. **NON-DEVELOPMENT APPLICATION REPORTS**

5.1 [Manager, Policy, Research and Strategic Planning, dated July 17, 2007 re: Downtown Plan Review](#)

To receive, for information, the July 17, 2007 report from the Planning and Development Services Department and the Downtown Plan Review; To forward a submission, for consideration as part of the 2008 budget deliberations, for completion of a new Downtown Plan.

5.2 [Environment & Solid Waste Manager, dated July 3, 2007 re: Mission Creek Restoration Plan and Compensation Banking Project](#)

To receive, as information, the Environment & Solid Waste Manager's report; To endorse using \$25,000.00 from the Casorso Bridge Compensation funds to match Provincial funds to hire a Mission Creek Restoration Plan Coordinator for a 1 year period.

5.3 [Wastewater Engineer, dated July 17, 2007 re: Award of Consulting Agreement – Detailed Design and Construction Services – Wastewater Treatment Facility Stage 2 Phase 1 Upgrade](#)

To award the Consulting Assignment for Detailed Design and Construction Services for the Stage 2 Phase 1 Upgrade of the Kelowna Wastewater Treatment Facility to Stantec Consulting Ltd. for the amount of \$6,130,642.00 (excluding GST).

5.4 [Transportation Manager, dated July 17, 2007 re: Award of Preliminary Design for Pedestrian Overpass – Highway 97 at Parkinson Recreation Centre](#)

To award the preliminary and functional design of a proposed pedestrian and cycling overpass of Highway 97 at the Parkinson Recreation Centre to MMM Group for the fee of \$167,000.00 plus GST.

- 5.5 [Acting Revenue Manager, dated July 17, 2007 re: Establishment of the Uptown Rutland Business Improvement Area Bylaw](#)
To approve a specified area for the Uptown Rutland Business Improvement Area pursuant to Sections 215 of the Community Charter.
- 5.6 [Assistant General Manager, Airport Development, dated July 16, 2007 re: Northern Air Support Ltd. Sub-Lease](#)
To approve extending the Northern Air Support Ltd. sub-lease to December 30, 2029.
- 5.7 [Property Manager, dated July 9, 2007 re: Grand Okanagan Resort Wharf](#)
To approve a 3 year sub-license with R335 Enterprises Ltd. for the sub-license of the foreshore and land covered by water fronting the area occupied by the Grand Okanagan Resort Wharf.
- 5.8 [Property Manager, dated July 16, 2007 re: Eldorado Yacht Harbour License to Use](#)
To approve a 3 year License to Use with Eldorado Yacht Harbour Ltd. for a section of Cook Street Boat Launch.
- 5.9 [Property Manager, dated July 17, 2007 re: Central Okanagan Regional District Sub-Lease of Kick Start Kelowna Space](#)
To approve a sub-licence with the Central Okanagan Regional District for the sub-lease of office space, and the use of the boardroom, at the Kick Start Kelowna Office.

6. RESOLUTIONS

- 6.1 [Draft Resolution re: Bill M 204 – 2007 – Manufactured Home Park Tenancy Agreement Act, 2007](#)
To authorize the Mayor, on behalf of Council, to write to the Premier expressing support for Bill M 204 – 2007.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

*NOTE: Agenda items No. 7.1 and 7.2 **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. 9813 – Uptown Rutland Business Improvement Area](#)
To establish a Local Area Service for the purposes of annually funding the Uptown Rutland Business Improvement Area (2008-2012).
- 7.2 [Bylaw No. 9818 – Road Closure Bylaw – A portion of Gaddes Avenue](#)
To obtain authorization to permanently close and remove the highway dedication of a portion of highway on Gaddes Avenue.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.3 [Bylaw No. 9572 – Amendment No. 4 to Clean Air and Smoking Regulation Bylaw No. 5980-86](#)
To ban smoking within 10 m of entrance/exits to the Kelowna International Airport main terminal building and to set fines for offences.
- 7.4 [Bylaw No. 9697 – Road Closure Bylaw – Unconstructed Road off Highway 97 N near Airport Way](#) - **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.**
To obtain authorization to permanently close and remove the highway dedication of a portion of highway off Highway 97 N near Airport Way.
- 7.5 [Bylaw No. 9826 – Amendment No. 15 to the Airport Fees Bylaw No. 7982](#)
To approve an increase in the Airport Improvement Fee.

8. COUNCILLOR ITEMS

9. TERMINATION