

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, SEPTEMBER 10, 2007

1:30 P.M.

1. CALL TO ORDER

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

3. PUBLIC IN ATTENDANCE

3.01 Jon Buckle, Project Director, Ministry of Transportation, and Tom Tasaka, Project Director, SNC Lavalin re: William R. Bennett Bridge Project Update

4. COMMITTEE REPORTS

4.01 [Community Planning Manager, dated September 4, 2007 re: Social Planning and Housing Committee](#)

To appoint Michael Patten as a new member of the Social Planning and Housing Committee and to accept the resignation of Michael Loewen.

4.02 [Development Manager, Recreation Parks and Cultural Services, dated September 4, 2007 re: Final Report on the Mayor's Youth Forum on Environment Issues – The City's Role in Reducing Consumption and Land Fill Waste](#)

To receive the final report from the Mayor's Youth Forum on Environmental Issues.

5. DEVELOPMENT APPLICATION REPORTS

5.01 [Planning & Development Services Department, dated August 29, 2007 re: Agricultural Land Reserve Application No. A07-0016 – Gladys Crossley & Glen Auch – 2788 Highway 97](#)

*To consider a staff recommendation **NOT** to support an application to the Agricultural Land Commission to allow a non-farm use to accommodate outdoor storage of building materials on a 1,800m portion of the subject property under Section 20(3) of the Agricultural Land Commission Act.*

- 5.02 [Planning & Development Services Department, dated August 22, 2007 re: Agricultural Land Reserve Application No. A07-0018 – Porter Ramsay \(Adam Bullach\) – 3502 East Kelowna Road](#)
To consider a staff recommendation to support an application to the Agricultural Land Commission to complete a homesite severance subdivision under Section 21(2) of the Agricultural Land Commission Act.
- 5.03 [Planning & Development Services Department, dated August 30, 2007 re: Agricultural Land Reserve Appeal No. A07-0019 – George & Shirley Staley – 4039 June Springs Road](#)
To consider a staff recommendation to support an application to the Agricultural Land Commission to allow a non-farm use to allow the conversion of space within an existing accessory building to accommodate a secondary suite.
- 5.04 [Planning & Development Services Department, dated August 13, 2007 re: Rezoning Application No. Z07-0014 – 1314696 Alberta Ltd. \(Tessco Inc.\) – 1923, 1937, 1979 Ambrosi Road and 1926 Barlee Road](#)
To rezone the subject properties from the RU1-Large Lot Housing zone to the RM5-Medium Density Multiple Housing zone in order to allow for the construction of a 4 ½ storey, 72-unit apartment building.
- (a) [Planning & Development Services report dated August 13, 2007.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
[Bylaw No. 9865 \(Z07-0014\) – 1314694 Alberta Ltd. \(Tessco Inc.\) – 1923, 1937, 1979 Ambrosi Road and 1926 Barlee Road](#)
To rezone the subject properties from the RU1-Large Lot Housing zone to the RM5-Medium Density Multiple Housing zone.
- 5.05 [Planning & Development Services Department, dated August 23, 2007 re: Rezoning Application No. Z07-0065 – John Gorges & Patricia Gorges – 1989 Knox Crescent](#)
To rezone the subject property from the RU1-Large Lot Housing zone to the RU1s-Large Lot Housing with Secondary Suite zone in order to build a secondary suite in an accessory building.
- (a) [Planning & Development Services report dated August 23, 2007.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
[Bylaw No. 9864 \(Z07-0065\) – John Gorges & Patricia Gorges \(Oasis Design\) – 1989 Knox Crescent](#)
To rezone the subject property from the RU1-Large Lot Housing zone to the RU1s-Large Lot Housing with Secondary Suite zone.
- 5.06 [Planning & Development Services Department, dated July 25, 2007 re: Rezoning Application No. Z07-0061 – Ranjit & Onkar Dhillon \(Surej Dhillon\) – 456 Stetson Street](#)
To rezone the subject property from the RU1-Large Lot Housing zone to the RU1s-Large Lot Housing with Secondary Suite zone in order to construct a secondary suite.

- (a) [Planning & Development Services report dated July 25, 2007.](#)
 - (b) **BYLAW PRESENTED FOR FIRST READING**

[Bylaw No. 9863 \(Z07-0061\) – Ranjit & Onkar Dhillon \(Surej Dhillon\) – 456 Stetson Street](#)
To rezone the subject property from the RU1-Large Lot Housing zone to the RU1s-Large Lot Housing with Secondary Suite zone.
- 5.07 [Planning & Development Services Department, dated August 23, 2007 re: Rezoning Application No. Z07-0003 – Troika Developments Inc., Tri-Moor Holdings Ltd. & Mamre Holdings Inc. \(New Town Architectural Services Inc.\) – 2209, 2219, 2227, 2235, 2241, 2247, 2255 & 2265 Pandosy Street](#)
To obtain authorization for the City of Kelowna to enter into a Housing Agreement with Troika Developments Inc.
- (a) [Planning & Development Services report dated August 23, 2007.](#)
 - (b) **BYLAW PRESENTED FOR FIRST THREE READINGS**

[Bylaw No. 9855 \(Z07-0003\) – Housing Agreement Authorization Bylaw – Troika Developments Inc., Tri-Moor Holdings Ltd. & Mamre Holdings Inc. – 2209, 2219, 2227, 2235, 2241, 2247, 2255 & 2265 Pandosy Street](#)
To enter into a Housing Agreement with Troika Developments Inc.
- 5.08 (a) **BYLAW PRESENTED FOR ADOPTION**

[Bylaw No. 9715 \(Z06-0046\) – Simran Enterprises \(T. Thomas & Associates\) – 370 Hartman Road](#)
To rezone the subject property from the A1-Agriculture 1 zone to the RM1-Four Dwelling Housing zone.
- (b) [Planning & Development Services Department, dated August 31, 2007 re: Development Permit Application No. DP06-0154 – Simran Enterprises \(T. Thomas & Associates\) – 370 Hartman Road](#)
To obtain a Development Permit to authorize the construction of a 3-unit townhouse development.
- 5.09 [Planning & Development Services Department, dated August 21, 2007 re: Rezoning Application No. Z05-0082 – Bogdan Snarski & Benedicte Lee \(Canwest Design & Drafting Ltd.\) – 1886 Ambrosi Road](#)
To extend Council approval to rezone the subject property from August 22, 2007 to February 22, 2008.

6. BYLAWS (ZONING & DEVELOPMENT)

6.01 (BYLAWS PRESENTED FOR ADOPTION)

- (a) [Bylaw No. 9814 \(Z07-0004\) – No. 21 Great Projects Ltd. \(Stantec Consultants Ltd.\) – \(S. of\) Ivens Road](#)
To rezone a portion of the subject property from the A1-Agriculture 1 zone to the RU1h-Large Lot Housing (hillside) zone and P3-Parks and Open Space zone.
- (b) [Bylaw No. 9815 \(Z07-0005\) – No. 21 Great Projects Ltd. & City of Kelowna \(Stantec Consultants Ltd.\) – \(East of\) Ivens Road, 1920 Ivens Road & 890 Paret Road](#)
To rezone a portion of the subject properties from the A1-Agriculture 1 zone to the RU1h-Large Lot Housing (hillside) zone and P3-Parks and Open Space zone.

7. NON-DEVELOPMENT APPLICATION REPORTS

- 7.01 [Environment Division Supervisor, dated August 29, 2007 re: Okanagan Collaborative Conservation Program](#)
To endorse the vision, goals and principles of the Okanagan Collaborative Conservation Program prospectus through a signed statement of cooperation and to send a representative to the Okanagan Collaborative Conservation Program ceremony on September 19, 2007.
- 7.02 [Transportation Manager, dated August 28, 2007 re: Tender Award TE07-11 Rails with Trails and COB 1 Landscape](#)
To award Contract TE07-11 for the construction of Rails with Trails and COB 1 Landscape to Peter Bros. Construction Ltd. in the amount of \$3,615,642.76 excluding GST.
- 7.03 [Licence and Bylaw Enforcement Supervisor, dated July 30, 2007 re: Amendments to Panhandling Bylaw No. 8214, Parks and Public Spaces Bylaw No. 6819-91, Traffic Regulation Bylaw No. 8120 and Ticket Information Utilization Bylaw No. 6550](#)
To receive the recommendations of the Licence and Bylaw Enforcement Supervisor as outlined in the report dated July 30, 2007 and to authorize the amendments to the Panhandling Bylaw, Parks and Public Spaces Bylaw, Traffic Regulation Bylaw and Ticket Information Utilization Bylaw.
- 7.04 [City Clerk, dated September 5, 2007 re: Uptown Rutland Business Improvement Area – Establishing a BIA by Bylaw No. 9813](#)
To receive the Certificate of Sufficiency dated September 5, 2007 pertaining to the proposed establishment of the Uptown Rutland Business Improvement Area.

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAW READINGS TO BE RESCINDED)

- 8.01 [Bylaw No. 9848 - City of Kelowna Loan Authorization Bylaw for the Local Service Area on Elm Street](#)
To rescind the first three readings of Bylaw No. 9848.

*NOTE: Agenda items No. 8.02 to 8.05 **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)

- 8.02 [Bylaw No. 9851 – Amendment No. 1 to Panhandling Bylaw No. 8214](#)
To amend Section 8 of Panhandling Bylaw No. 8214.
- 8.03 [Bylaw No. 9852 – Amendment No. 13 to City of Kelowna Parks and Public Spaces Bylaw No. 6819-91](#)
To amend Part 3 and Part 6 of City of Kelowna Parks and Open Public Spaces Bylaw No. 6819-91.
- 8.04 [Bylaw No. 9853 – Amendment No. 10 to Traffic Bylaw No. 8120](#)
To amend Part 2 and Part 10 of Traffic Bylaw No. 8120.
- 8.05 [Bylaw No. 9854 – Amendment No. 69 to Ticket Information Utilization Bylaw No. 6550-89](#)
To amend Schedule 12 and Schedule 13 of City of Kelowna Ticket Information Utilization Bylaw No. 6550-89.

(BYLAWS PRESENTED FOR ADOPTION)

- 8.06 [Bylaw No. 9810 – Road Closure Bylaw – Portion of Benvoulin Court](#) – **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.**
To permanently close and remove the highway dedication of a portion of highway on Benvoulin Court.
- 8.07 [Bylaw No. 9813 – Uptown Rutland Business Improvement Area](#)
To adopt a bylaw to establish the Local Area Service for the purposes of annually funding the Uptown Rutland Business Improvement Area (2008-2012).
- 8.08 [Bylaw No. 9836 – Road Closure Bylaw – Portion of Swamp Road](#) – **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.**
To permanently close and remove the highway dedication of a portion of highway on Swamp Road.
- 8.09 [Bylaw No. 9847 – Elm Street Local Area Service Establishment Bylaw No. 9847](#)
To adopt a bylaw to establish a local service area for the purpose of providing improvements for the special benefit of the local service area.

8.10 [Bylaw No. 9849 - Amendment No. 9 to Traffic Bylaw No. 8120](#)
To adopt a bylaw to amend Part 1 and Part 4 of Traffic Bylaw No. 8120.

8.11 [Bylaw No. 9861 – Amendment No. 70 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89](#)
To adopt a bylaw to amend Schedule 13 of the City of Kelowna Ticket Information Utilization Bylaw No. 6550-89.

9. COUNCILLOR ITEMS

9.01 Mayor Shepherd re: [Proposal for Urban Mining Guideline Zones for the Central Okanagan](#)
To seek Council's endorsement of the Proposal for Urban Mining Guideline Zones for the Central Okanagan.

9.02 Mayor Shepherd re: [UBCM Request regarding The British Columbia Climate Change Charter](#)
To review the opportunity to sign on to the Charter.

10. TERMINATION