

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

**MONDAY, OCTOBER 15, 2007**

1:30 P.M.

1. CALL TO ORDER
2. Councillor Given to check the minutes of the meeting.
3. PUBLIC IN ATTENDANCE
  - 3.1 The Communities in Bloom Committee re: 2007 Activities and Events
  - 3.2 Tracie Ward, Executive Director, Rotary Centre for the Arts, re: [Annual Report to the City](#)
  - 3.3 Ian Graham, Poverty and Homelessness Action Team of the Central Okanagan re: Homelessness Action Week
4. COMMITTEE REPORTS
  - 4.1 [Advisory Committee on Community and Women's Issues](#), Staff Liaison, dated October 1, 2007, re: Domestic Violence Recommendations  
*To receive the report and refer recommendations to appropriate staff and to the 2008 budget discussions.*
5. DEVELOPMENT APPLICATION REPORTS
  - 5.1 [Planning & Development Services Department](#), dated June 26, 2007 re: Agriculture Land Reserve Application No. ALR07-0012 – Danco Developments Ltd. (Gary Feeny) – 1650 KLO Road  
*To consider a staff recommendation **NOT** to support an application for the exclusion of the subject property.*
  - 5.2 [Planning & Development Services Department, dated October 5, 2007](#) re: Official Community Plan Amendment Application No. OCP07-0021 and Rezoning Application No. Z07-0069 – Bhushan Singla, Radha and Roshni Reddy (Lavina Gaucher) – 360 Gerstmar Road  
*To consider a staff recommendation to **NOT** support an application to change the future land use designation and the zoning of the subject property.*

- WITHDRAWN** 5.3 Planning & Development Services Department, dated September 26, 2007 re: Rezoning Application No. Z07-0064 – Eckhard and Doris Krenz (Lynn Welder Consulting Ltd.) – 932-934 Borden Avenue  
*To consider a staff recommendation to **NOT** support an application to change the zoning of the subject properties.*
- 5.4 Planning & Development Services Department, dated October 4, 2007 re: Rezoning Application No. Z07-0057 – Ursula Jakubeit (BC Life Builders Rehabilitation Society) – 2473 Ethel Street  
*To rezone the subject property from RU1 – Large Lot Housing zone to RU6B – Two Dwelling Housing zone with Boarding or Lodging in order to allow for Boarding or Lodging within the existing house.*
- (a) Planning & Development Services report dated October 4, 2007.
- (b) **BYLAW PRESENTED FOR FIRST READING**
- Bylaw No. 9882 (Z07-0057) - Ursula Jakubeit (BC Life Builders Rehabilitation Society) – 2473 Ethel Street  
*To rezone the subject property from RU1 – Large Lot Housing zone to RU6B – Two Dwelling Housing zone with Boarding or Lodging in order to allow for Boarding or Lodging within the existing house.*
- 5.5 Planning & Development Services Department, dated September 19, 2007 re: Rezoning Application No. Z07-0071 – John and Terri Pratch – 644 Bonjou Road  
*To rezone the subject property from RU1 – Large Lot Housing zone to RU6B – Two Dwelling Housing zone in order to allow for two single detached dwellings on the subject property.*
- (a) Planning & Development Services report dated September 19, 2007.
- (b) **BYLAW PRESENTED FOR FIRST READING**
- Bylaw No. 9877 (Z07-0071) - John and Terri Pratch – 644 Bonjou Road  
*To rezone the subject property from RU1 – Large Lot Housing zone to RU6B – Two Dwelling Housing zone in order to allow for two single detached dwellings on the subject property.*
- 5.6 Planning & Development Services Department, dated October 4, 2007 re: Heritage Revitalization Agreement Application No. HRA07-0001 – Country Cottage and Décor Ltd. (Peter J. Chataway) – 763 Bernard Avenue  
*To designate the Heritage House at 763 Bernard Avenue as a Municipal Heritage Building under Section 967 of the Local Government Act to allow (1) the restoration/relocation of the Heritage House (2) to allow the adaptive re-use of the Heritage House as a Gift, Craft and Décor retail store (3) and to allow the construction of an accessory building at the rear of the subject property.*
- (a) Planning & Development Services report dated October 4, 2007.

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

[Bylaw No. 9883](#) (HRA07-0001) – Country Gifts and Décor Ltd. – 763 Bernard Avenue

*To designate the Heritage House at 763 Bernard Avenue as a Municipal Heritage Building under Section 967 of the Local Government Act to allow (1) the restoration/relocation of the Heritage House (2) to allow the adaptive re-use of the Heritage House as a Gift, Craft and Décor retail store (3) and to allow the construction of an accessory building at the rear of the subject property.*

5.7 **BYLAWS PRESENTED FOR FIRST READING**

- (a) [Bylaw No. 9875](#) (OCP07-0016) – Katherine Schramm, Gurdev Kaur Bains, Kulbir Kaur Shahi, Theodore Rippel, Davie and Loleta Gallis, Susan Lund, Sabrina and Eric Schramm, Raymond Schramm, Danny and Mary Cresswell, Barry and Patricia Radley (Canadian Adult Communities) – 1255, 1265-1269, 1275, 1285, 1295 Gordon Drive and 1254, 1262-1264, 1274, 1284, 1290 Pheasant Street – **Requires a majority vote of all Members of Council (5)**

*To change the future land use designation of the subject properties from existing Single/Two Unit Residential and Commercial designations to proposed Multiple Unit Residential – Medium Density designation.*

- (b) [Bylaw No. 9876](#) (Z07-0050) - Katherine Schramm, Gurdev Kaur Bains, Kulbir Kaur Shahi, Theodore Rippel, Davie and Loleta Gallis, Susan Lund, Sabrina and Eric Schramm, Raymond Schramm, Danny and Mary Cresswell, Barry and Patricia Radley (Canadian Adult Communities) – 1255, 1265-1269, 1275, 1285, 1295 Gordon Drive and 1254, 1262-1264, 1274, 1284, 1290 Pheasant Street

*To rezone the subject properties from the existing RU6 – Two Dwelling Housing and C1 – Local Commercial zone to the proposed RM5 – Medium Density Multiple Housing zone to permit development of a Senior's Congregate Housing Development.*

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

**(BYLAWS PRESENTED FOR ADOPTION)**

- 6.1 [Bylaw No. 9860](#) (TA07-0004) – Langley Development (Jim Langley) – 601 Burne Avenue

*To amend the City of Kelowna Zoning Bylaw No. 8000 to permit Bed and Breakfasts as a Secondary Use in the RU3 – Small Lot Housing zone.*

7. **NON-DEVELOPMENT APPLICATION REPORTS**

- 7.1 [Assistant General Manager, dated September 26, 2007](#) re: Common Use Equipment Railway Crossing Mile 110.64 – Kelowna International Airport

*To authorize entering into a long term crossing agreement with Kelowna Pacific Railway Ltd and CN for an equipment and pedestrian crossing for the sum of \$9,811.00 plus an annual rental of \$424.00.*

- 7.2 [Financial Planning Manager, dated October 9](#), 2007 re: [2007 Borrowing Requirements](#)  
*To receive the 2007 Borrowing Requirements report for Council consideration and advance loan authorization bylaws for expansion of the Waste Water Treatment Facility, Cedar Creed Pump Station, and DCC road projects.*
- 7.3 [Civic Properties Manager, dated October 10](#), 2007 re: [RCMP – Transfer Operational Surplus to Capital](#)  
*To approve the transfer of \$300,000 from the RCMP contract service operating budget to Civic Properties capital budget.*
- 7.4 [Parks and Landscape Planner, dated October 10](#), 2007 re: [Rutland Town Centre Parks and Open Space Plan](#)  
*To authorize staff to follow the consultation process as outlined and presented for public input in the Rutland Town Centre Parks and Open Space Plan prior to the OCP Amendment.*
- 7.5 [City Clerk, dated October 2](#), 2007 re: [Proposed Changes to Council Committees and Council Representation on External Boards of Directors](#)  
*To authorize the changes to the respective Terms of Reference for the Social Planning and Housing Committee and the Advisory Committee on Community and Women’s Issues.*

8. [BYLAWS \(OTHER THAN ZONING & DEVELOPMENT\)](#)

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

- 8.01 [Bylaw No. 9878](#) – Wastewater Treatment Facility Expansion Loan Authorization Bylaw  
*To construct an expansion to the Wastewater Treatment Facility*
- 8.02 [Bylaw No. 9879](#) – Cedar Creek Pump Station Loan Authorization Bylaw  
*To construct a pump station and an ultra violet water treatment facility at 5200 Lakeshore Road.*
- 8.03 [Bylaw No. 9880](#) – DCC Road Projects Loan Authorization Bylaw  
*To construct road improvements located at Clifton Road, Pandosy Street, High Road, Richter Street and the Central Okanagan Bypass.*
- 8.04 [Bylaw No. 9874](#) – Road Closure Bylaw – Portions of Union Road  
*To authorize the City to permanently close and remove the highway dedication being portions of highway on Union Road.*

**(BYLAWS PRESENTED FOR ADOPTION)**

- 8.05 [Bylaw No. 9843](#) – Road Closure Bylaw – Portions of Truswell Road and Martin Road **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward**  
*To authorize the City to permanently close and remove the highway dedication of a portion of highway on Truswell Road and Martin Road*

- 8.06 [Bylaw No. 9845](#) – Road Closure Bylaw – Portion of Lane near Pandosy Street  
**Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward**  
*To authorize the City to permanently close and remove the highway dedication of a portion of lane near Pandosy Street.*
- 8.07 [Bylaw No. 9866](#) – Amendment No. 2 to Second –Hand Dealers and Pawnbrokers Bylaw No. 9227 **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed amendment to come forward**  
*To adopt a bylaw to amend Section 2 of the City of Kelowna Second Hand Dealers and Pawnbrokers Bylaw.*
- 8.08 [Bylaw No. 9868](#) – Amendment No. 13 to Fire Prevention Regulation Bylaw No. 6110-88  
*To adopt a bylaw to amend Section 6.1 of the City of Kelowna Fire Prevention Regulation Bylaw.*
- 8.09 [Bylaw No. 9869](#) – 2008 Permissive Tax Exemption Bylaw  
*To adopt a bylaw to exempt from taxation certain lands and improvements situated in the City of Kelowna.*
- 8.10 [Bylaw No. 9873](#) – Amendment No. 71 to Ticket Information Utilization Bylaw No. 6550-89  
*To adopt a bylaw to amend Schedule 27 of the City of Kelowna Ticket Information Utilization Bylaw.*
9. COUNCILLOR ITEMS
- 9.1 Mayor Shepherd re: [Vehicle Engine “Anti-idling” Signage](#)  
*To seek Council’s support for “idle Free-Zone Turn Engine Off” signage to voluntarily encourage vehicle operations to turn off their engines while parked.*
- 9.2 Mayor Shepherd re: [Mayors for Peace](#)  
*To seek Council’s support to sign on to the Mayors for Peace website.*
10. TERMINATION