

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, MARCH 10, 2008

1:30 P.M.

1. CALL TO ORDER
2. Councillor Letnick to check the minutes of the meeting.
3. PUBLIC IN ATTENDANCE
 - 3.1 Ken Fix, Past President, and Cathy Jennings, Current President, Kelowna-Kasugai Sister City Association re: Year in Review
 - 3.2 Toby Pike, South East Kelowna Irrigation District re: Capital Works and Water Quality Improvement Plans
4. COMMITTEE REPORTS
 - 4.1 Public Art Coordinator, Public Art Committee, dated March 3, 2008, re: [Proposed New Appointments to Public Art Committee](#)
To approve the appointments of Sarah Campbell, Jane Everett and Tracy Satin to the Public Art Committee.
 - 4.2 Youth Advisory Committee, dated March 4, 2008, re: [Final Report on the Mayor's Youth Forum on Parks and Open Spaces](#)
To receive the final report from the Mayor's Youth Forum on Parks and Open Spaces held November 23, 2007.
5. UNFINISHED BUSINESS
 - 5.1 Resolution re: [Proposed Argus Properties Ltd. Heliport – Manhattan Drive, Kelowna, B.C.](#) **Mayor to invite the Applicant to come forward followed by a representative from each of the Joint Council of Sunset Stratas, Friends of Brandt's Creek, Ledingham McAllister and North End Residents Association**
To consider additional information relevant to Council's position regarding the Heliport for downtown Kelowna as proposed by Argus Properties.

6. DEVELOPMENT APPLICATION REPORTS

- 6.1 Planning & Development Services Department, dated February 26, 2008, re: [Agricultural Land Reserve Appeal No. A07-0024 – Lynda Mayers – 3430 Benvoulin Road](#)
To consider a staff recommendation to support an application to the Agricultural Land Commission for a non-farm use within the Agricultural Land Reserve to allow for the adaptive re-use of a heritage home for commercial use (office/design studio).
- 6.2 Planning & Development Services Department, dated February 26, 2008, re: [Rezoning Application No. Z07-0030 – Michelle & Randy Grasser \(Jarrett Cuff\) – 465 Hardie Road \(B/L9956\)](#)
To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone in order to allow for construction of a duplex.
- (a) [Planning & Development Services report dated February 26, 2008.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 9956 \(Z07-0030\)](#) – Michelle & Randy Grasser (Jarrett Cuff) – 465 Hardie Road
To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
- 6.3 Planning & Development Services Department, dated February 22, 2008, re: [Text Amendment Application No. TA06-0004 – City of Kelowna \(B/L9953\)](#)
To amend Zoning Bylaw No. 8000 to eliminate second kitchens as a use category in addition to other miscellaneous amendments.
- (a) [Planning & Development Services report dated February 22, 2008.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 9953 \(TA06-0004\)](#) – City of Kelowna
To amend Zoning Bylaw No. 8000 to eliminate second kitchens as a use category in addition to other miscellaneous amendments.
- 6.4 Planning & Development Services Department, dated February 25, 2008, re: [Rezoning Application No. Z08-0006 – Michael Kirby & Paula Jameson \(Michael Kirby\) – 1291 Morrison Road \(B/L9955\)](#)
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 February 25, 2008.](#)

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

[Bylaw No. 9955 \(Z08-0006\)](#) – Michael Kirby & Paula Jameson (Michael Kirby) – 1291 Morrison Road
To rezone the subject property from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone.

6.5 (a) **BYLAWS PRESENTED FOR ADOPTION**

(i) [Bylaw No. 9932 \(OCP07-0013\)](#) – Renee & Thomas Burzuk – 3089-3091 Gordon Drive – **Requires a Majority of Council (5)**
To change the future land use designation of the subject property from the “Single/Two Unit Residential” designation to the “Multiple Unit Residential – Low Density” designation.

(ii) [Bylaw No. 9935 \(Housing Agreement\)](#) – Renee & Thomas Burzuk – 3089-3091 Gordon Drive
To enter into a Housing Agreement with Renee & Thomas Burzuk.

(iii) [Bylaw No. 9933 \(Z07-0039\)](#) – Renee & Thomas Burzuk – 3089-3091 Gordon Drive
To rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM1 – Four-plex Housing zone.

(b) Planning & Development Services Department, dated February 28, 2008, re: [Development Permit Application No. DP07-0091 – Renee & Thomas Burzuk – 3089-3091 Gordon Drive](#)
To obtain a Development Permit to authorize the development of two additional dwelling units in the basement of the existing semi-detached housing.

6.6 Planning & Development Services Department, dated February 27, 2008, re: [Official Community Plan Bylaw Amendment No. OCP08-0004 and Rezoning Application No. Z07-0087 – Kirschner Mountain Estates et al \(D.E. Pilling & Associates Ltd.\) – Loseth/Montenegro & Kloppenburg Roads \(B/L9957 & B/L9958\)](#)
To change the future land use designation of a portion of the subject properties from the “Multiple Unit Residential – Low Density” and “Major Park/Open Space” designations to the “Single/Two Unit Residential” designation and to rezone a portion of the subject properties from the A1 – Agriculture 1, RU1h – Large Lot Housing (Hillside Area), RM3 – Low Density Multiple Housing and P3 – Parks and Open Space zones to the RU1h – Large Lot Housing (Hillside Area) and RU4h – Low Density Cluster Housing (Hillside Area) zones.

(a) [Planning & Development Services report dated February 27, 2008.](#)

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

- (i) [Bylaw No. 9957 \(OCP08-0004\)](#) – Kirschner Mountain Estates Ltd. et al (D.E. Pilling & Associates Ltd.) – The south end of Loseth Road at Kirschner Mountain Estates – **Requires a Majority of Council (5)**

To change the future land use designation of the subject properties from the “Multiple Unit Residential – Low Density” and “Major Park/Open Space” designations to the “Single/Two Unit Residential” designation

- (ii) [Bylaw No. 9958 \(Z07-0087\)](#) – Kirschner Mountain Estates Ltd. et al (D.E. Pilling & Associates Ltd.) – 1374, 1392, 1410, 1424, 1438, 1452, 1466, 1480, 1494, 1508, 1522, 1536, 1564, 1475, 1467, 1459, 1451, 1435, 1419 Montenegro Drive and at the south end of Loseth Road at Kirschner Mountain Estates

To rezone the subject properties from the A1 – Agriculture 1, RU1h – Large Lot Housing (Hillside Area), RM3 – Low Density Multiple Housing and P3 – Parks and Open Space zones to the RU1h – Large Lot Housing (Hillside Area) and RU4h – Low Density Cluster Housing (Hillside Area) zones.

7. **NON-DEVELOPMENT APPLICATION REPORTS**

- 7.1 Building Inspector, dated February 4, 2008, re: [Notice on Title – 2600 Dubbin Road, Kelowna, BC](#) **Mayor to invite the registered owner to come forward.**

To direct the City Clerk to file a notice on title to the subject property pursuant to Section 57 of the Community Charter.

- 7.2 Cultural Services Manager, dated March 5, 2008, re: [Kelowna Visual and Performing Arts Centre Society operating the Rotary Centre for the Arts](#)

To approve the Management and Operating Agreement between the Kelowna Visual Performing Arts Centre Society and the City of Kelowna for the Rotary Centre for the Arts.

- 7.3 Water & Drainage Manager, dated March 5, 2008, re: [Award of Harvey Avenue Utility Upgrades \(TE08-01 & TE08-02\)](#)

To award the contract for the construction of the Harvey Avenue watermain and sewer upgrades to R355 Enterprises Ltd. for the amount of \$929,943.91 plus GST; To award the contract for the construction of the Harvey Avenue watermain re-lining work to Insituform Technologies Limited for the amount of \$278,562.16 plus GST.

- 7.4 Water & Drainage Manager, dated March 5, 2008, re: [Water Sustainability Action Plan Update and 2008 Plan](#)

To receive for information an update on the Water Sustainability Action Plan.

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

*NOTE: Agenda Items No. 8.1 to 8.3 **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)

- 8.1 [Bylaw No. 9936](#) – Local Area Service No. 36 – Clifton Road N. – Parcel Tax Bylaw
To authorize a parcel tax under Section 200 of the Community Charter on all benefiting parcels in Local Area Service No. 36 – Clifton Road N.
- 8.2 [Bylaw No. 9937](#) – Local Area Service No. 26 – Sewer (Fisher Road) – Parcel Tax Bylaw
To authorize a parcel tax under Section 200 of the Community Charter on all benefiting parcels in Local Area Service No. 26 – Sewer (Fisher Road).
- 8.3 [Bylaw No. 9938](#) – Local Area Service No. 28 – Water (Fisher Road) – Parcel Tax Bylaw
To authorize a parcel tax under Section 200 of the Community Charter on all benefiting parcels in Local Area Service No. 28 – Water (Fisher Road).

9. COUNCILLOR ITEMS

10. TERMINATION