

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, OCTOBER 27, 2008

1:30 P.M.

1. CALL TO ORDER

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

3. PUBLIC IN ATTENDANCE

3.01 Ron Rubadeau, President, Kelowna 2008 BC Summer Games Society, re: Summary Report – 2008 BC Summer Games

3.02 Superintendent McKinnon, re: [Monthly Policing Report](#)

4. DEVELOPMENT APPLICATION REPORTS

4.01 Planning & Development Services Department, dated October 2, 2008, re: [Development Permit Application No. DP06-0141 – Ca'Solare Developments Inc. \(G Group of Companies\) – 4760 Lakeshore Road](#)

To consider a staff recommendation NOT to authorize various amendments to the previously approved Development Permit allowing a 2 ½ storey, 25-unit apartment building.

4.02 Planning & Development Services Department, dated October 16, 2008, re: [Official Community Plan Amendment Application No. OCP07-0036 and Rezoning Application No. Z07-0106 – Tapestry Homes Ltd. \(Ledingham McAllister Communities Ltd.\) – 2241 Springfield Road](#)

To consider a staff recommendation NOT to amend the future land use designation of the subject property from the “Multiple Unit Residential (Medium Density)” designation to the “Multiple Unit Residential (High Density)” designation; To consider a staff recommendation NOT to rezone the subject property from the A1 – Agriculture 1 zone to a Comprehensive Development zone.

4.03 Planning & Development Services Department, dated September 20, 2008, re: [Rezoning Application No. Z07-0062 – Kelly & Clayton Robinson \(Peter Chataway\) – 3432 Scott Road \(B/L 10104\)](#)

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 allow for the construction of a suite within an accessory building.

- (a) [Planning & Development Services report dated September 20, 2008.](#)

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

[Bylaw No. 10104 \(Z07-0062\)](#) – Kelly & Clayton Robinson (Peter Chataway) – 3432 Scott Road

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

- 4.04 Planning & Development Services Department, dated September 20, 2008, re: Rezoning Application No. Z08-0030 – Paul Warnock – 1220-1222 & 1230 Brookside Avenue (B/L 10105)

To rezone portions of the subject properties from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone and P3 – Parks and Open Space zone in order to accommodate 41 residential, assisted-living units for seniors.

- (a) [Planning & Development Services report dated September 20, 2008.](#)

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

[Bylaw No. 10105 \(Z08-0030\)](#) – Paul Warnock – 1220-1222 & 1230 Brookside Avenue

To rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone and P3 – Parks and Open Space zone.

- 4.05 Planning & Development Services Department, dated October 2, 2008, re: Rezoning Application No. Z08-0076 – Corey Knorr Construction Ltd. (Protech Consultants Ltd.) – 935 Gibson Road (B/L 10108)

To rezone the subject property from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone in order to subdivide the parcel into six (6) single-family residential lots.

- (a) [Planning & Development Services report dated October 2, 2008.](#)

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

[Bylaw No. 10108 \(Z08-0076\)](#) – Corey Knorr Construction Ltd. (Protech Consultants Ltd.) – 935 Gibson Road

To rezone the subject property from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone.

- 4.06 Planning & Development Services Department, dated October 9, 2008, re: Rezoning Application No. Z08-0085 – Lance Pilott – 2260 Wilkinson Street (B/L 10103)

To rezone the subject property from the RU2 – Medium Lot Housing zone to the RU2(s) – Medium Lot Housing with s Secondary Suite zone in order to legalize a secondary suite within an existing principal dwelling.

- (a) [Planning & Development Services report dated October 9, 2008.](#)

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

[Bylaw No. 10103 \(Z08-0085\)](#) – Lance Pilott – 2260 Wilkinson Street
To rezone the subject property from the RU2 – Medium Lot Housing zone to the RU2(s) – Medium Lot Housing with Secondary Suite zone.

- 4.07 Planning & Development Services Department, dated October 14, 2008, re: Rezoning Application No. Z08-0086 – Frank & Carmen Prehofer – 2652 Woodland Court (B/L 10109)

To rezone the subject property from the A1 – Agriculture 1 zone to the A1(s) – Agriculture 1 with Secondary Suite zone in order to allow the construction of a secondary suite within a new principal dwelling on the subject property.

- (a) [Planning & Development Services report dated October 14, 2008.](#)

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

[Bylaw No. 10109 \(Z08-0086\)](#) – Frank & Carmen Prehofer – 2652 Woodland Court
To rezone the subject property from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone.

- 4.08 Planning & Development Services Department, dated September 30, 2008, re: [Official Community Plan Amendment Application No. OCP07-0007 and Rezoning Application No. Z07-0019 – Okanagan Families Society – 630 Cadder Avenue](#)
To extend the deadline for adoption of Zone Amending Bylaw No. 9806 and Official Community Plan Amendment Bylaw No. 9805 from June 26, 2008 to December 26, 2008.

- 4.09 Planning & Development Services Department, dated October 15, 2008, re: Rezoning Application No. Z08-0083 – Jean Tinling – 560 Peck Road (B/L 10110)
To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1(s) – Large Lot Housing with Secondary Suite zone in order to legalize a secondary suite within a detached accessory building.

- (a) [Planning & Development Services report dated October 15, 2008.](#)

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

[Bylaw No. 10110 \(Z08-0083\)](#) – Jean Tinling – 560 Peck Court
To rezone subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone.

- 4.10 Planning & Development Services Department, dated October 10, 2008, re: Temporary Use Permit Application No. TUP08-0001 and Official Community Plan Amendment Application No. OCP08-0024 – City of Kelowna – 575-599 Harvey Avenue (B/L 10102)

To temporarily amend the Official Community Plan to permit an industrial use on the subject property which is designated “Education & Major Institutional”; To obtain a Temporary Use Permit to allow a 2.0 acre portion of the subject property to be used for the storage and distribution of the carts required for the City’s automated garbage collection program.

- (a) [Planning & Development Services report dated October 10, 2008.](#)

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

[Bylaw No. 10102 \(OCP08-0024\)](#) – City of Kelowna – **Requires a majority of all Members of Council (5)**

To amend Chapter 19 – Temporary and Commercial Use Permits by deleting and replacing the Temporary Use Permit Area Table.

- 4.11 Planning & Development Services Department, dated October 17, 2008, re: [Rezoning Application No. Z05-0082 – Bogdan Snarski & Benedicte Lee \(Canwest Design & Drafting Ltd.\) – 1886 Ambrosi Road](#)
To extend the deadline for adoption of Zone Amending Bylaw No. 9653 be extended to February 22, 2009.

- 4.12 Planning & Development Services Department, dated October 14, 2008, re: [Rezoning Application No. Z08-0073 – Colin Day \(Lone Pine Estates\) – 685 Lone Pine Drive \(B/L 10107\)](#)
To rezone the subject property from the RU1 – Large Lot Housing and A1 – Agriculture 1 zones to the RU1h – Large Lot Housing (Hillside Area) zone in order to allow for the use of hillside design criteria for future subdivision.

- (a) [Planning & Development Services report dated October 14, 2008.](#)

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

[Bylaw No. 10107 \(Z08-0073\)](#) – Colin Day (Lone Pine Estates) – 685 Lone Pine Drive

To rezone the subject property from the RU1 – Large Lot Housing and A1 – Agriculture 1 zones to the RU1h – Large Lot Housing (Hillside Area) zone.

- 4.13 Planning & Development Services Department, dated October 20, 2008, re: [Development Permit Application No. DP08-0090 – Kelmat Ventures Inc. & Southkel Ventures Inc. \(Porter Ramsay Lawyers\) – 3960 Lakeshore Road](#)
To obtain a Development Permit to authorize construction of a new 94m² addition to an existing car wash building.

5 **BYLAWS (ZONING & DEVELOPMENT)**

(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS)

- 5.01 (a) [Bylaw No. 10019 \(OCP08-0016\)](#) – Various Owners (City of Kelowna) – The area bounded by Harvey Avenue, Abbott Street, Water Street and Queenway Avenue – **Requires a majority of all Members of Council (5)**
To change the future land use designation of specific sections of the subject properties as they relate to the proposed downtown development.

- (b) [Bylaw No. 10020 \(TA08-0004 & Z08-0044\)](#) – Various Owners (City of Kelowna – The area bounded by Harvey Avenue, Abbott Street, Water Street and Queensway Avenue
To create a New Comprehensive Development Zone for the subject properties; To rezone the subject properties to the new CD21 – Downtown Comprehensive Development Zone to facilitate the orderly redevelopment of the subject properties.
- (c) [Bylaw No. 10101](#) – CD21 Downtown Area Amenity Provision Reserve Fund Bylaw 2008
To create a CD21 Downtown Area Amenity Provision Reserve Fund Bylaw 2008.

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.01 Assistant General Manager, Airport Operations, dated October 17, 2008, re: [Airport Use Agreement for Hawkair Aviation Ltd. – Kelowna International Airport](#)
To authorize the Mayor and City Clerk to sign the Air Carrier Airport Use Agreement allowing Hawkair Aviation Ltd. to operate at the Kelowna International Airport.
- 6.02 Risk Manager, dated October 22, 2008, re: [Liability Insurance – Subscribing to the Municipal Insurance Association of British Columbia](#)
To approve the City of Kelowna joining the Municipal Insurance Association of British Columbia for the purpose of obtaining insurance coverage for municipal general liability and errors and omissions liability protection.
- 6.03 Transportation Manager, dated September 30, 2008, re: [Snow and Ice Control Policy](#)
To receive, for information, the Report of the Transportation Manager dated September 30, 2008; To adopt the revised Snow and Ice Control Policy No. 332.
- 6.04 Civic Properties Manager, dated October 21, 2008, re: [Mission Recreation Park Aquatic Centre, Construction Progress Report](#)
To receive for information the Construction Progress Report.
- 6.05 Development Manager, Recreation, Parks and Cultural Services, dated October 20, 2008, re: [Memorandum of Understanding – RG Facilities \(Mission\) Ltd.](#)
To approve the Memorandum of Understanding between the City and RG Facilities (Mission) Ltd. for the use of the second floor mezzanine area of the Capital News Centre for a Participating Athlete Development Centre.
- 6.06 Development Manager, Recreation, Parks and Cultural Services, dated October 20, 2008, re: [Aquatic Centre Management and Operating Agreement – YMCA-YWCA of the Central Okanagan](#)
To approve the Management and Operating Agreement between the City and the YMCA-YWCA of the Central Okanagan for the Mission Recreation Park Aquatic Centre.

- 6.07 Development Manager, Recreation, Parks and Cultural Services, dated October 20, 2008, re: [Aquatic Centre Concession Lease in Mission Recreation Park](#)
To approve a five (5) year lease with two (2) 2-year options to renew with "Jugo Juice Canada Inc." for the lease of the concession at the Aquatic Centre in Mission Recreation Park.
- 6.08 Development Manager, Recreation, Parks and Cultural Services, dated October 15, 2008, re: [Aquatic Facilities Allocation Policy for Aquatic Sports Clubs](#)
To approve the Aquatic Facilities Allocation Policy for Aquatic Sports Clubs.
- 6.09 City Clerk, dated October 22, 2008, re: [Future of Stuart Park and City Hall Properties](#)
To instruct staff to create a Civic Centre Precinct plan, including a comprehensive public consultation process, to determine the appropriate municipal and commercial purposes for Stuart Park and the City Hall block.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.01 [Bylaw No. 10060](#) – Road Closure & Removal of Highway Dedication Bylaw – A portion of Clifton Road near Caldrow Court
To permanently close and remove the highway dedication of a portion of Clifton Road near Caldrow Court.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.02 [Bylaw No. 10093](#) – 2009 Permissive Tax Exempt Bylaw
To establish a Bylaw pursuant to Sections 220, 224 and 225 of the Community Charter to exempt from taxation certain lands and improvements situated in the City of Kelowna.

8. COUNCILLOR ITEMS

9. TERMINATION