

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, NOVEMBER 24, 2008

1:30 P.M.

1. CALL TO ORDER
2. Councillor Blanleil to check the minutes of the meeting.
3. PUBLIC IN ATTENDANCE
 - 3.1 Superintendent McKinnon, re: [Monthly Policing Report](#)
 - 3.2 Deborah Guthrie, Executive Director, Uptown Rutland Business Improvement Area, re: [2008 Activity Report](#)
4. COMMITTEE REPORTS
 - 4.1 Youth Advisory Committee, Verbal Report, re: [Mayor's Youth Forum on "Youth Speak Out on Water Conservation"](#)
To update Council with respect to the "Youth Speak Out on Water Conservation" Youth Forum held on November 7, 2008.
 - 4.2 Downtown Centre Strategy Task Force, dated November 20, 2008, re: [Downtown Centre Strategy Task Force Activities \(2008\)](#)
To receive the activity update from the Downtown Centre Strategy Task Force for information.
 - 4.3 Council Policy Review Committee, dated October 31, 2008, re: [Council Policy Review 2006-2008](#)
To revise and/or rescind various Council Policies.
 - 4.4 Recreation, Parks & Culture Task Force, dated November 20, 2008, re: [Recreation, Parks & Culture Task Force Activities \(2008\)](#)
To update Council with respect to the 2008 activities of the Recreation, Parks & Culture Task Force Activities.
5. UNFINISHED BUSINESS
 - 5.1 Property Manager, dated November 19, 2008, re: [Guisachan House Restaurant Lease – Supplementary Report](#)
To approve the Guisachan House Lease Agreement and to initiate an Alternative Approval Process.

- 5.2 Community Planning Manager, dated November 19, 2008, re: [Report from Land Economist](#)
To receive the report of the Community Planning Manager dated November 19, 2008; To adopt a Council Policy which sets out provision for amenities, affordable housing or cash-in-lieu thereof in return for the existing density bonus provisions in the Zoning Bylaw and for amendments to the Official Community Plan which increase density.
- 5.3 Land Use Management Department, dated November 19, 2008, re: [Official Community Plan Bylaw Amendment Application No. OCP07-0031 and Text Amendment Application No. TA07-0006 – Kinnikinnik Developments & Glenmore-Ellison Improvement District \(Kinnikinnik Developments\) – 3650 & 4001 Finch Road, \(W of\) Glenmore Road North, 1890, 2230 & \(N of\) McKinley Road, and \(W of\) & 3280 Slater Road \(B/L 10097 & B/L 10098\)](#)
To change the future land use designations of portions of the subject properties from the “Future Urban Reserve”, “Commercial”, “Public Services/Utilities” and “Private Recreation” designations to the “Future Urban Reserve”, “Commercial” and “Private Recreation” designations in order to incorporate refinements to the proposed development plan; To make minor amendments to the CD18 – Vintage Landing Comprehensive Development zone.
- (a) [Land Use Management Department report dated November 19, 2009.](#)
- (b) **BYLAWS PRESENTED FOR SECOND AND THIRD READINGS**
- (i) [Bylaw No. 10097 \(OCP07-0031\)](#) – Kinnikinnik Developments & Glenmore-Ellison Improvement District (Kinnikinnik Developments) – 3650 & 4001 Finch Road, (W of) Glenmore Road North, 1890, 2230 & (N of) McKinley Road, and (W of) & 3280 Slater Road – **Requires a majority of all Members of Council (5)**
To change the future land use designations of portions of the subject properties from the “Future Urban Reserve”, “Commercial”, “Public Services/Utilities” and “Private Recreation” designations to the “Future Urban Reserve”, “Commercial” and “Private Recreation” designations.
- (ii) [Bylaw No. 10098 \(TA07-0006\)](#) - Kinnikinnik Developments & Glenmore-Ellison Improvement District (Kinnikinnik Developments) – 3650 & 4001 Finch Road, (W of) Glenmore Road North, 1890, 2230 & (N of) McKinley Road, and (W of) & 3280 Slater Road
To make minor amendments to the CD18 zone.

6. DEVELOPMENT APPLICATION REPORTS

- 6.1 Land Use Management Department, dated November 18, 2008, re: [Agricultural Land Reserve Appeal No. A08-0006 – Olga Stuhlberg \(Van Gorp & Company\) – 1785 Swainson Road](#)

To support an application to the Agricultural Land Commission under Section 21(2) of the Agricultural Land Commission Act to complete a subdivision within the Agricultural Land Reserve to create one (1) 0.87 ha. parcel and one (1) 7.02 ha. parcel.

- 6.2 Land Use Management Department, dated November 7, 2008, re: [Rezoning Application No. Z08-0088 – Rodney & Nathalie Dueck – 900 Graham Road \(B/L 10121\)](#)

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone in order to allow for the construction of a second dwelling on the site.

- (a) [Land Use Management Department report dated November 7, 2008.](#)

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

[Bylaw No. 10121 \(Z08-0088\)](#) – Rodney & Nathalie Dueck – 900 Graham Road

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.

- 6.3 Land Use Management Department, dated November 7, 2008, re: [Rezoning Application No. Z08-0026 – Simran Enterprises Limited \(T. Thomas & Associates\) – 370 Hartman Road \(B/L 10120\)](#)

To rezone the subject property from the RM1 – Four Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone in order to allow additional units in the buildings.

- (a) [Land Use Management Department report dated November 7, 2008.](#)

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

[Bylaw No. 10120 \(Z08-0026\)](#) – Simran Enterprises Limited (T. Thomas & Associates) – 370 Hartman Road

To rezone the subject property from the RM1 – Four Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.

- 6.4 Land Use Management Department, dated November 7, 2008, re: [Heritage Alteration Permit Application No. HAP08-0011 – City of Kelowna \(Central Okanagan Heritage Society\) – 2128 Leckie Place](#)

To authorize the issuance of a Heritage Alteration Permit to remove the 1960's addition from the front and to replace the old roof coverings with cedar shingles.

7. BYLAWS (ZONING & DEVELOPMENT)

(BYLAW PRESENTED FOR ADOPTION)

- 7.1 [Bylaw No. 9943 \(Z07-0100\)](#) – AMDI Investments Inc. and Isaac & Helen Unrau (Grant Maddock) – 1320 & 1340 Guisachan Road
To rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.

8. NON-DEVELOPMENT APPLICATION REPORTS

- 8.1 General Manager, Citizen Services, dated November 10, 2008, re: [Okanagan Basin Water Board – Water Management Program Review](#)
To endorse the Central Okanagan Regional District's September 14, 2008 resolution #215/08 for renewal of the OBWB Water Management Program.
- 8.2 Director of Regional Services, dated November 19, 2008, re: [Design of Lakeshore Road Bridge over Mission Creek](#)
To receive the report of the Director of Regional Services dated November 19, 2008 for information.
- 8.3 Revenue Manager, dated November 16, 2008, re: [Provincial News Releases – Assessments & Taxation Issues](#)
To receive the report of the Revenue Manager dated November 16, 2008.

9. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

*NOTE: Agenda items No. 9.1 to 9.4 **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)

- 9.1 [Bylaw No. 10117](#) – Amendment No. 5 to Development Cost Charge Bylaw No. 9095
To amend Development Cost Charge Bylaw No. 9095 by deleting Schedule “A” and replacing it with a new Schedule “A”.
- 9.2 [Bylaw No. 10118](#) – Amendment No. 19 to Airport Fees Bylaw No. 7982
To amend Airport Fees Bylaw No. 7982 by deleting Section 23 of Schedule ‘A’ in its entirety and replacing it with a new Section 23.
- 9.3 [Bylaw No. 10119](#) – Amendment No. 1 to Recreation, Parks and Cultural Services Fees and Charges Bylaw No. 9609
To amend Recreation, Parks and Cultural Services Fees and Charges Bylaw No. 9609 by (a) adding a new Schedule B1 and (b) deleting the columns with the headings “Swim Club With Lifeguard”, “Swim Club Without Lifeguard” and “Swim Meets” under the common heading “Swimming Pool” in their entirety.

- 9.4 [Bylaw No. 10123](#) – A Bylaw to Change the Name of a Portion of McCurdy Road East to Tower Ranch Boulevard
To consider changing the name of the portion of McCurdy Road East commencing at the Telus substation to Tower Ranch Boulevard.

(BYLAWS PRESENTED FOR ADOPTION)

- 9.5 [Bylaw No. 10032](#) – Amendment No. 14 to the Parks and Public Spaces Bylaw No. 6819-91
To amend Parks and Public Spaces Bylaw No. 6819-91 by deleting Section 3.10 and replacing it with a new Section 3.10.
- 9.6 [Bylaw No. 10033](#) – Amendment No. 5 to Animal and Poultry Regulation and Animal Pound Bylaw No. 5421-82
To amend Animal and Poultry Regulation and Animal Pound Bylaw No. 5421-82 by amending Section 1 – Definitions, Section 2 – Regulations, Section 4 – Impounding of Animals, Section 5 – Notice of Impounding, Section 6 – Sale of Impounded Animals, Section 7 – Proceeds of Sale and Section 8 – General Provisions.
- 9.7 [Bylaw No. 10034](#) – Amendment No. 73 to Ticket Information Utilization Bylaw No. 6550-89
To amend Ticket Information Utilization Bylaw No. 6550-89 by deleting Schedule 17 – Animal & Poultry Regulation and Animal Pound Bylaw No. 5421-82 in its entirety and replacing it with a new Schedule 17.
10. COUNCILLOR ITEMS
11. TERMINATION