

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, OCTOBER 19, 2009

1:30 P.M.

1. CALL TO ORDER

2. Councillor Hodge is requested to check the minutes of the meeting.

3. COMMITTEE REPORTS

3.1 Director, Recreation & Cultural Services, dated October 19, 2009, re: [International Children's Games](#)  
*To authorize the formation of the International Children's Games Steering Committee.*

4. DEVELOPMENT APPLICATION REPORTS

4.1 Community Sustainability Division, dated October 8, 2009, re: [Rezoning Application No. Z09-0040 - T 231 Enterprises Ltd. \(Olive Tree Holdings Ltd.\) - 2598, 2620 & 2636 Highway 97 North](#) Mayor to invite the Applicant or the Applicant's Representative to come forward.  
*To consider a staff recommendation NOT to rezone the subject property from the C9 - Tourist Commercial zone, C10 - Service Commercial zone & A1 - Agriculture 1 zone to the C3 - Community Commercial zone in order to facilitate the development of a restaurant and comprehensive general commercial uses.*

4.2 Community Sustainability Division, dated October 5, 2009, re: [Rezoning Application No. Z07-0070 - Sundowner Holdings Ltd. & Woodlawn Projects Inc. \(Protech Consultants Ltd.\) - 455 Cavell Place](#)  
*To rezone the subject property from the A1 - Agriculture 1 zone to the RU1h - Large Lot Residential (Hillside Area) zone in order to facilitate a residential subdivision.*

(a) [Community Sustainability Division report dated October 5, 2009.](#)

(b) BYLAW PRESENTED FOR FIRST READING

[Bylaw No. 10238 \(Z07-0070\)](#) - Sundowner Holdings Ltd. & Woodlawn Projects Inc. (Protech Consultants Ltd.) - 455 Cavell Place  
*To rezone the subject property from the A1 - Agriculture 1 zone to the RU1h - Large Lot Residential (Hillside Area) zone.*

- 4.3 Community Sustainability Division, dated October 8, 2009, re: [Rezoning Application No. Z09-0049 - Michael Gaspari - 685 Old Meadows Road](#)  
*To rezone the subject property from the RU2 - Medium Lot Housing zone to the RU2s - Medium Lot Housing with a Secondary Suite zone in order to legalize a suite within a single-family dwelling.*
- (a) [Community Sustainability Division report dated October 8, 2009.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**  
[Bylaw No. 10252 \(Z09-0049\)](#) - Michael Gaspari - 685 Old Meadows Road  
*To rezone the subject property from the RU2 - Medium Lot Housing zone to the RU2s - Medium Lot Housing with a Secondary Suite zone.*
- 4.4 Community Sustainability Division, dated October 7, 2009, re: [Heritage Alteration Permit Application No. HAP09-0002 - City of Kelowna - 1304 Ellis Street](#)  
*To authorize the issuance of a Heritage Alteration Permit for structural repairs and various additional internal and external alterations to the historic Laurel Packinghouse.*
- 4.5 Community Sustainability Division, dated October 14, 2009, re: [Development Permit Application No. DP09-0090 - The Governing Council of the Salvation Army in Canada \(Meiklejohn Architects\) - 200 Rutland Road South](#)  
*To authorize the issuance of a Development Permit for the form & character of the proposed exterior façade changes.*

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

**(BYLAW PRESENTED FOR FIRST READING)**

- 5.1 [Bylaw No. 10250 \(Z09-0027\)](#) - JQ Developments Inc. (QB Habitat Resources Inc.)  
- 248 Leon Avenue  
*To rezone the subject property from the C7 - Central Business Commercial zone to the C7LP - Central Business Commercial - Liquor Primary zone.*

6. **NON-DEVELOPMENT APPLICATION REPORTS**

- 6.1 General Manager, Community Sustainability; General Manager, Community Services and General Manager, Corporate Sustainability, dated October 14, 2009, re: [Quarterly Report Update](#)  
*To receive, for information, the Report from the General Manager, Community Sustainability; General Manager, Community Services and General Manager, Corporate Sustainability dated October 14, 2009.*

- 6.2 Airport Director, dated October 14, 2009, re: [Air Carrier Airport Use Agreement for CanJet Airlines, a Division of IMP Group Limited - Kelowna International Airport](#)  
*To approve the Air Carrier Airport Use Agreement allowing CanJet Airlines, a Division of IMP Group Limited, to operate at the Kelowna International Airport.*
- 6.3 Airport Director, dated October 14, 2009, re: [Air Carrier Airport Use Agreement for Bradley Air Service Limited dba First Air - Kelowna International Airport](#)  
*To approve the Air Carrier Airport Use Agreement allowing Bradley Air Service Limited dba as First Air to operate at the Kelowna International Airport.*
- 6.4 Director, Strategic Initiatives, dated September 30, 2009, re: [Corporate Priority Plan - Phase One](#)  
*To approve the use of up to \$45,000 from the Strategic Planning Reserve to cover the costs of a consultant to assist in the preparation of a Corporate Priority Plan - Phase One.*
- 6.5 Revenue Manager, dated October 14, 2009, re: [2010 Tax Exemption Bylaw No. 10247](#)  
*To receive the Report from the Revenue Manager dated October 14, 2009; To give reading consideration to Bylaw No. 10247.*
- 6.6 Park Services Manager, dated October 1, 2009, re: [Feral Rabbit Update](#)  
*To receive, for information, the Report of the Parks Services Manager dated October 1, 2009.*

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.1 [Bylaw No. 10247](#) - 2010 Permissive Tax Exemption Bylaw - Requires a 2/3 majority of Council  
*To establish a Bylaw pursuant to Sections 220, 224 & 225 of the Community Charter to exempt from taxation certain lands and improvements situated within the City of Kelowna.*

(BYLAWS PRESENTED FOR ADOPTION)

- 7.2 [Bylaw No. 9612](#) - A Bylaw to Regulate the Removal or Deposit of Soil within the City of Kelowna  
*To adopt Bylaw No. 9612 to regulate the removal and deposit of soil within the City of Kelowna.*

- 7.3 [Bylaw No. 10231](#) - Amendment No. 2 to City of Kelowna Fetal Alcohol Syndrome Warning Sign Bylaw No. 7538

*To amend Bylaw No. 7538 by (a) deleting from the enactment the words "Section 692(1) of the Municipal Act" and replacing it with the "Section 8(3)(i) of the Community Charter; (b) deleting all references to "Fetal Alcohol Syndrome Warning" and replacing it with "Fetal Alcohol Spectrum Disorder".*

- 7.4 [Bylaw No. 10232](#) - Amendment No. 76 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89

*To amend Bylaw No. 6550-89 by adding a new Schedule 28.*

8. MAYOR & COUNCILLOR ITEMS

- 8.1 Mayor Shepherd, re: "Spirit of Kelowna" Acknowledgment

9. TERMINATION