

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, AUGUST 9, 2010

1:30 P.M.

1. CALL TO ORDER

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

3. PUBLIC IN ATTENDANCE

3.1 Glenn Mandziuk, Chief Executive Officer, re: [Thompson-Okanagan Tourism Association's 2010 Activities](#)

COMMUNITY UPDATE

3.2 Assistant Fire Chief, verbal report, re: Stewart Centre Fire - Mill Creek Testing Update

4. DEVELOPMENT APPLICATION REPORTS

4.1 Community Sustainability Division, dated July 20, 2010 re: [Agricultural Land Reserve Application No. A10-0003 - Clayton Bruce Ivan - 3399 East Kelowna Road](#)

*To support an application to the Agricultural Land Commission under Section 20(3) of the Agricultural Land Commission Act for a non-farm use to allow a detached secondary suite on the property.*

4.2 Community Sustainability Division, dated July 12, 2010 re: Rezoning Application No. Z10-0047 - Architecturally District Solutions Inc. (M. Johnson) - 700 Barnaby Road

*To rezone the subject property from the RR2 - Rural Residential 2 zone to the RR2S - Rural Residential 2 with Secondary Suite zone in order a secondary suite within tan addition to a single family dwelling.*

(a) [Community Sustainability Division report dated July 12, 2010.](#)

(b) BYLAW PRESENTED FOR FIRST READING

[Bylaw No. 10386 \(Z10-0047\)](#) - Architecturally District Solutions Inc. (M. Johnson) - 700 Barnaby Road

*To rezone the subject property from the RR2 - Rural Residential 2 zone to the RR2S - Rural Residential 2 with Secondary Suite zone.*

- 4.3 Community Sustainability Division, dated July 21, 2010 re: Rezoning Application No. Z10-0062 - Gursewak and Ramandeep Bains - 1494 Montenegro Drive  
*To rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with a secondary suite zone in order to construct a secondary suite within a single family dwelling.*
- (a) [Community Sustainability Division report dated July 21, 2010.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10393 \(Z10-0062\)](#) - Gursewak and Ramandeep Bains - 1494 Montenegro Drive  
*To rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with a secondary suite zone.*
- 4.4 Community Sustainability Division, dated July 28, 2010 re: Rezoning Application No. Z10-0045 - Interior BC Holdings Ltd. - 1750 McKenzie Road  
*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 a basement suite within the existing dwelling.*
- (a) [Community Sustainability Division report dated July 28, 2010.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10394 \(Z10-0045\)](#) - Interior BC Holdings Ltd. - 1750 McKenzie Road  
*To rezone the subject property from the A1 - Agriculture 1 zone to the A1(s) - Agriculture 1 with Secondary Suite zone*
- 4.5 Community Sustainability Division, dated July 15, 2010 re: Rezoning Application No. Z10-0053 - New Town Planning Services (Jeanette Elmore) - 195 Swick Road  
*To rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1s - Rural Residential 1 with a Secondary Suite zone in order to construct a secondary suite in an accessory building.*
- (a) [Community Sustainability Division report dated July 15, 2010.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10395 \(Z10-0053\)](#) - New Town Planning Services (Jeanette Elmore) - 195 Swick Road  
*To rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1s - Rural Residential 1 with a Secondary Suite zone*

- 4.6 Community Sustainability Division, dated July 29, 2010 re: Official Community Plan Amendment No. OCP10-0010 and Rezoning Application No. Z10-057 - Mission Group Creations Ltd. (Donald and Amy Kirschner) - 2061 Garner Road and 2045 Loseth Road

*To amend the boundaries of the Major Park/Open Space and Single/Two Unit Residential Official Community Plan Future Land Use Designations for the subject properties; To rezone the subject properties from RU4H - Low Density Cluster Housing zone to the P3 - Parks and Open Space, and a portion from P3 - Parks and Open Space to RU4 - Low Density Cluster Housing zone.*

(a) [Community Sustainability Division report dated July 9, 2010.](#)

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

- (i) [Bylaw No. 10396 \(OCP10-0010\)](#) - Mission Group Creations Ltd. (Donald and Amy Kirschner) - 2061 Garner Road and 2045 Loseth Road - **Requires a majority of all Members of Council (5)**

*To amend the boundaries of the Major Park/Open Space and Single/Two Unit Residential Official Community Plan Future Land Use Designations for the subject properties.*

- (ii) [Bylaw No. 10397 \(Z10-0057\)](#) - Mission Group Creations Ltd. (Donald and Amy Kirschner) - 2061 Garner Road and 2045 Loseth Road

*To rezone the subject properties from RU4H - Low Density Cluster Housing zone to the P3 - Parks and Open Space, and a portion from P3 - Parks and Open Space to RU4 - Low Density Cluster Housing zone.*

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

**(BYLAWS PRESENTED FOR ADOPTION)**

- 5.1 [Bylaw No. 10353 \(Z10-0017\)](#) - Dorothy Marshall (Jim Andrews) - 1361 Mountain Avenue

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

- 5.2 [Bylaw No. 10294 \(Z10-0004\)](#) - 0765777 BC Ltd. (Gail Temple) - 1690-1698 Powick Road

*To rezone the subject property from the C10 - Service Commercial zone to the C3 - Community Commercial zone.*

6. **NON-DEVELOPMENT APPLICATION REPORTS**

- 6.1 Planner Specialist, dated July 20, 2010, re: [City of Kelowna Heritage Grants Program Mid-Year Update](#)

*To receive, for information, the report of the Planner Specialist dated July 20, 2010 with respect to the Heritage Grants Program.*

- 6.2 Utility Services Manager, dated July 25, 2010, re: [Compost Pricing](#)  
*To authorize the update of the Solid Waste Management Bylaw for compost product fees as it is a requirement of the Community Charter that any fees or charges levied by a Municipality be included in the bylaw.*
- 6.3 Director, Recreation & Cultural Services, dated July 19, 2010, re: [Annual Civic and Community Awards Format and Venue](#)  
*To endorse the format change for the 2011 Annual Civic and Community Awards; To direct the Civic & Community Steering Committee to report back with an update after the 2011 Event prior to planning for 2012.*
- 6.4 Manager, Utility and Building Projects, dated August 3, 2010, re: [Family Y Expansion T10-062](#)  
*To receive, for information, the report of the Utility and Building Projects Manager, dated August 3, 2010.*

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.1 [Bylaw No. 10374](#) - Amendment No. 4 to Solid Waste Management Regulation Bylaw No. 10106  
*To update the Solid Waste Management Bylaw for compost product fees as it is a requirement of the Community Charter.*

(BYLAWS PRESENTED FOR ADOPTION)

- 7.2 [Bylaw No. 10248](#) - City of Kelowna Mill Creek Floodplain Bylaw  
*To designate land as flood plain for Mill Creek and to regulate the development of land this is subject to flooding by Mill Creek.*
- 7.3 [Bylaw No. 10392](#) - Amendment No. 8 to Kelowna Noise and Disturbances Control Bylaw No. 6647-90  
*To amend Kelowna Noise and Disturbances Control Bylaw No. 6647-90 by deleting Section 5, subsection 5.2 in its entirety and replacing it with a new Section 5, subsection 5.2.*
- 7.4 [Bylaw No. 10384](#) - Amendment No. 76 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89  
*To amend City of Kelowna Ticket Information Utilization Bylaw No. 6550-89 by (a) deleting and replacing certain words contained within the Bylaw; (b) deleting Schedule 1 in its entirety and replacing it with a new Schedule 1; (c) deleting Schedule 10 in its entirety and replacing it with a new Schedule 10; (d) deleting and replacing certain words in Schedule 11; (e) deleting and replacing certain phrases in Schedule 12; (f) deleting and replacing certain phrases in Schedule 13; and (g) deleting and replacing certain words in Schedule 15.*

8. MAYOR & COUNCILLOR ITEMS

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

9. TERMINATION