

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, OCTOBER 4, 2010

1:30 P.M.

1. CALL TO ORDER

This meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet.

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

3. PUBLIC IN ATTENDANCE

3.1 Nancy Cameron, Executive Director, Tourism Kelowna, re: [2010 Activities](#)

3.2 Nataley Nagy, Executive Director, Kelowna Art Gallery, re: [2010 Activities](#)

4. DEVELOPMENT APPLICATION REPORTS

4.1 Community Sustainability Division, dated September 15, 2010, re: Rezoning Application No. Z10-0069 - Balbir & Baldev Kang (DE Pilling and Associates Ltd.) - 435 Gerstmar Road

*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU2s - Medium Lot Housing with Secondary Suite zone in order to facilitate a future two (2) lot subdivision.*

(a) [Community Sustainability Division report dated September 15, 2010.](#)

(b) BYLAW PRESENTED FOR FIRST READING

[Bylaw No. 10427 \(Z10-0069\)](#) - Balbir & Baldev Kang (DE Pilling and Associates Ltd. - 435 Gerstmar Road

*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU2s - Medium Lot Housing with Secondary Suite zone.*

4.2 Community Sustainability Division, dated September 24, 2010, re: Rezoning Application No. Z10-0076 - Hugh & Bernice Westen - 1070 Henderson Drive

*To rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite zone in order to allow a secondary suite within the basement of a single-family dwelling.*

- (a) [Community Sustainability Division report dated September 24, 2010.](#)
  - (b) **BYLAW PRESENTED FOR FIRST READING**  
[Bylaw No. 10428 \(Z10-0076\)](#) - Hugh & Bernice Westen - 1070 Henderson Drive  
*To rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite zone.*
- 4.3 Community Sustainability Division, dated September 15, 2010, re: Rezoning Application No. Z10-0063 - Morley & Lorraine Slotys (Wolverine Construction) - 1549 Blondeaux Crescent  
*To rezone the subject property from the RU2 - Medium Lot Housing zone to the RU2s - Medium Lot Housing with Secondary Suite zone in order to construct a secondary suite within a single-family dwelling.*
- (a) [Community Sustainability Division report dated September 15, 2010.](#)
  - (b) **BYLAW PRESENTED FOR FIRST READING**  
[Bylaw No. 10429 \(Z10-0063\)](#) - Morley & Lorraine Soltys (Wolverine Construction) - 1549 Blondeaux Crescent  
*To rezone the subject property from the RU2 - Medium Lot Housing zone to the RU2s - Medium Lot Housing with Secondary Suite zone.*
- 4.4 Community Sustainability Division, dated September 21, 2010, re: Rezoning Application No. Z10-0066 - Parmajit & Kiranjit Gill (Axel Hilmer Planning Consultant) - 1331 Samurai Court  
*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 September 21, 2010.](#)
  - (b) **BYLAW PRESENTED FOR FIRST READING**  
[Bylaw No. 10431 \(Z10-0066\)](#) - Parmajit & Kiranjit Gill (Axel Hilmer Planning Consultant) - 1331 Samurai Court  
*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.*
- 4.5 Community Sustainability Division, dated September 24, 2010, re: Rezoning Application No. Z10-0072 - Darren & GERALYN Turner (Billeck Construction dba New Kastle Homes) - 2575 Grenfell Road  
*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 construct a secondary suite within an accessory building.*

- (a) [Community Sustainability Division report dated September 24, 2010.](#)
  - (b) **BYLAW PRESENTED FOR FIRST READING**  
[Bylaw No. 10432 \(Z10-0072\)](#) - Darren & Geralyn Turner (Billeck Construction dba New Kastle Homes) - 2575 Grenfell Road  
*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.*
- 4.6 (a) **BYLAW PRESENTED FOR ADOPTION**  
[Bylaw No. 10280 \(Z09-0066\)](#) - T231 Enterprises Ltd. - 1677 Commerce Avenue (formerly 1598, 2620 & 2636 Highway 97 North)  
*To rezone the subject properties from the C9 - Tourist Commercial zone, the C10 - Service Commercial zone and the A1 - Agriculture 1 zone to the C10lp/rls - Service Commercial (Liquor Primary/Retail Liquor Sales) zone.*
- (b) Community Sustainability Division, dated September 24, 2010, re: [Development Permit Application No. DP10-0098 - T231 Enterprises Ltd. - 1677 Commerce Avenue](#)  
*To authorize the issuance of a Development Permit for the form and character of a proposed Highway commercial development.*
- 4.7 Community Sustainability Division, dated September 13, 2010 re: [Rezoning Application No. Z05-0069 - Judston & Karen Wickwire - 1281 Highway 33 East](#)  
*To extend the deadline for adoption of Zone Amending Bylaw No. 9536 from December 10, 2008 to December 10, 2010.*

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

**(BYLAWS PRESENTED FOR ADOPTION)**

- 5.1 [Bylaw No. 10232 \(Z10-0049\)](#) - Nancy & Stephen Moretti - 1422 Alta Vista Road  
*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. 10331 \(Z10-0021\)](#) - Gerard & Theresa Fougere - 5267 Chute Lake Road  
*To rezone the subject property from the RR3 - Rural Residential 3 zone to the RR3s - Rural Residential 3 with Secondary Suite zone.*
- 5.3 [Bylaw No. 10341 \(Z10-0022\)](#) - Andrew & Yvonne Moore (Andrew Moore) - 720 Turner Road  
*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.*
- 5.4 [Bylaw No. 10385 \(Z10-0041\)](#) - Harjit & Sukhwinder Randhawa - 1321 Tanemura Crescent  
*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.*

- 5.5 [Bylaw No. 10386 \(Z10-0047\)](#) - Gregory & Dixie Lefebvre (Architecturally Distinc Solutions Inc.) - 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.*
- 5.6 [Bylaw No. 10395 \(Z10-0053\)](#) - Cindy Ferguson (New Town Planning Services) - 195 Swick Road  
*To rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1s - Rural Residential 1 with Secondary Suite zone.*

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 Development Services, dated September 22, 2010, re: [Stratification of 250 Prior Road South, Kelowna, BC - Lots 7 & 8, Plan 17102](#) - Mayor to invite any tenant(s), or their representative(s), who deem themselves affected by the multiple housing strata conversion application to come forward.  
*To approve the application to stratify a five (5) unit residential building located at 250 Prior Road South.*
- 6.2 Development Services, dated September 23, 2010, re: [Stratification of 400-420 Laurel Road, Kelowna, BC - Lot C, Plan 22313](#) - Mayor to invite any tenant(s), or their representative(s), who deem themselves affected by the multiple housing strata conversion application to come forward.  
*To approve the application to stratify an eleven (11) residential units within three (3) buildings located at 400-420 Laurel Road.*
- 6.3 Grants Manager, dated September 23, 2010, re: [Kelowna-Kasugai Economic Development Initiative Report](#)  
*To support all of the recommendations within the Kelowna-Kasugai Economic Development Initiative Report; To direct staff to work with the Central Okanagan Economic Development Commission and the Kelowna-Kasugai Sister City Association to strengthen the Cities' relationship in terms of furthering economic development.*
- 6.4 Grants Manager, dated September 27, 2010, re: [Sister City Funding Policy](#)  
*To adopt Council Policy No. 355 - Sister City Funding.*
- 6.5 Planner Specialist, dated September 29, 2010, re: [Heritage Interpretation and Recognition](#)  
*To direct staff to implement heritage recognition measures for two (2) significant heritage sites in Kelowna.*
- 6.6 Planner Specialist, dated September 29, 2010, re: [Heritage Revitalization Agreements Update](#)  
*To direct staff to make the best use of Heritage Revitalization Agreements throughout Kelowna while protecting the residential character of significant heritage neighbourhoods.*

- 6.7 Manager, Purchasing and Stores, dated September 27, 2010, re: [Update Purchasing Bylaw No. 9590](#)  
*To consider amendments to Purchasing Bylaw No. 9590.*
- 6.8 Director, Financial Services, dated September 28, 2010, re: [Special Events Policing Charges](#)  
*To receive, for information, the Report from the Director, Financial Services with respect to Special Events Policing Charges.*
- 6.9 Manager, Real Estate & Building Services, dated September 29, 2010, re: [Kelowna Pacific Railway \(KnightHawk Inc.\) - 20 Year Lease Renewal of 16 Expired Crossing Agreements](#)  
*To direct staff to proceed with the steps necessary to renew and make payment on sixteen (16) Kelowna Pacific Railway Crossing Agreements within the City at a cost of \$75,500.00.*

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

*NOTE: Agenda items No. 7.1 to 7.3 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)

- 7.1 [Bylaw No. 10420](#) - Road Closure Bylaw - Portion of Pandosy Street  
*To authorize the City to permanently close and remove the highway dedication of a portion of highway on Pandosy Street.*
- 7.2 [Bylaw No. 10421](#) - Road Closure Bylaw - Portion of Pandosy Street - Walkway  
*To authorize the City to permanently close and remove the highway dedication of a portion of highway on Pandosy Street.*
- 7.3 [Bylaw No. 10422](#) - Amendment No. 1 to Purchasing Bylaw No. 9590.  
*To amend various sections of Purchasing Bylaw No. 9590.*

(BYLAWS PRESENTED FOR ADOPTION)

- 7.4 [Bylaw No. 10399](#) - Road Closure Bylaw - Portion of Ivens Road - Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.  
*To authorize the City to permanently close and remove the highway dedication of a portion of highway on Ivens Road.*
- 7.5 [Bylaw No. 10417](#) - Name Change Bylaw - Portion of Caramillo Road to Boynton Place  
*To authorize the City to rename a portion of Caramillo Road to Boynton Place.*

8. MAYOR & COUNCILLOR ITEMS

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

9. TERMINATION