

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, APRIL 18, 2011

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 and a delayed broadcast is shown on Shaw Cable.

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

3. PUBLIC IN ATTENDANCE

3.1 Daisy Foster, CEO, British Columbia Water and Waste Association, re: [Drinking Water Week](#)

3.2 Superintendent McKinnon, re: [Bi-Monthly Policing Report](#)

3.3 Lesley Dieno, Executive Director, Okanagan Regional Library, re: [Annual Report](#)

3.4 Sharon Peterson, CEO, YMCA-YWCA, re: [Strategic Plan](#)

4. COMMITTEE REPORTS

4.1 Accessibility Advisory Committee, dated April 11, 2011, re: [Accessibility Advisory Committee 2010](#)

To receive, for information, the Report from the Accessibility Advisory Committee regarding the committee work for 2010; To endorse the 2011 goals of the Committee.

5. UNFINISHED BUSINESS

5.1 (a) Director, Land Use Management, dated April 13, 2011, re: [Cedar Avenue](#)

To receive, for information, the Report from the Director, Land Use Management regarding Cedar Avenue.

(b) **(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS)**

- (i) [Bylaw No. 10505 \(OCP10-0016\)](#) - City of Kelowna - 3030, 3040, 3050, 3060, 3070 and 3080 Abbott Street - **Requires a majority of all Members of Council (5)**
To change the future land use designation of portions of the subject properties from the "Commercial" designation to the 'Major Park/Open Space" designation.
- (ii) [Bylaw No. 10506 \(Z10-0090\)](#) - City of Kelowna - 3020, 3030, 3040, 3050, 3060, 3070 and 3080 Abbott Street
To rezone Lot 1, Plan KAP53240 from the RU3 - Small Lot Housing zone to the P3 - Parks & Open Space zone; To rezone a portion of Lots 2 & 3, Plan KAP53240 from the RU3 - Small Lot Housing zone to the P3 - Parks & Open Space and C9 - Tourist Commercial zones; To rezone a portion of Lots 12-14, Plan 2708 from the RU1 - Large Lot Housing zone to the P3 - Parks & Open Space and C9 - Tourist Commercial zones.

6. **DEVELOPMENT APPLICATION REPORTS**

- 6.1 Land Use Management Department, dated April 8, 2011, re: Rezoning Application No. Z11-0009 - Beverly Druitt Hazzard - 1565 Lewis Road
To rezone the subject property from the A1 - Agriculture 1 zone to the RR2 - Rural Residential 2 zone in order to facilitate a two (2) lot subdivision within the Agricultural Land Reserve.
- (a) [Land Use Management Department report dated April 8, 2011.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10526 \(Z11-0009\)](#) - Beverly Druitt Hazzard - 1565 Lewis Road
To rezone the subject property from the A1 - Agriculture 1 zone to the RR2 - Rural Residential 2 zone.
- 6.2 Land Use Management Department, dated April 7, 2011 re: Rezoning Application No. Z11-0022 - Daniel S. Lobsinger - 2142 Stillingfleet 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 legalize a secondary suite within the single family dwelling.
- (a) [Land Use Management Department report dated April 7, 2011.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10527 \(Z11-0022\)](#) - Daniel Lobsinger - 2142 Stillingfleet Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.

- 6.3 Land Use Management Department, dated April 4, 2011, re: [Rezoning Application No. Z07-0070 - Sundowner Holdings Ltd. & Woodlawn Projects Inc. \(Protech Consultants Ltd.\) - 455 Cavell Place](#)
To extend the deadline for adoption of Zone Amending Bylaw No. 10238 from May 18, 2011 to November 18, 2011.
- 6.4 Land Use Management Department, dated April 4, 2011, re: [Rezoning Application No. Z08-0012 - 703941 BC Ltd. \(Hanington Properties\) - 3665 McCulloch Road](#)
To extend the deadline for adoption of Zone Amending Bylaw No. 9998 from November 27, 2010 to May 27, 2011.
- 6.5 Land Use Management Department, dated April 5, 2011, re: [Official Community Plan Bylaw Amendment Application No. OCP07-0037 and Rezoning Application No. Z07-0093 - 0781540 BC Ltd. - 560, 561, 580 & 583 McKay Avenue](#)
To extend the deadline for adoption of OCP Amending Bylaw No. 10245 and Zone Amending Bylaw No. 10246 from May 3, 2011 to November 3, 2011.
- 6.6 Land Use Management Department, dated April 7, 2011, re: [Rezoning Application No. Z07-0054 - Roger Bhullar - 495 Keithley Road](#)
To extend the deadline for adoption of Zone Amending Bylaw No. 9871 from April 30, 2011 to October 30, 2011.

7. BYLAWS (ZONING & DEVELOPMENT)

(BYLAW PRESENTED FOR RESCINDMENT AT THIRD READING)

- 7.1 [Bylaw No. 10185 \(OCP09-0005\)](#) - Dorion Developments Ltd. - 565, 591, 615, 641, 657 & 683 Osprey Avenue, 564, 594, 616, 636 and 656 Raymer Avenue and 2764 Richter Street
To rescind first three readings given to Bylaw No. 10185 and to direct staff to close the file.
- 7.2 [Bylaw No. 10186 \(Z09-0015\)](#) - Dorion Developments Ltd. - 565, 591, 615, 641, 657 & 683 Osprey Avenue, 564, 594, 616, 636 and 656 Raymer Avenue and 2764 Richter Street
To rescind first three readings given to Bylaw No. 10186 and to direct staff to close the file.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.3 [Bylaw No. 10495 \(HRA10-0002\)](#) - 0828609 BC Ltd. (William Clark) - 862 Bernard Avenue
To authorize the City to enter into a Heritage Revitalization Agreement with 0828609 BC Ltd.
- 7.4 [Bylaw No. 10494](#) - Housing Agreement Authorization Bylaw - 0828609 BC Ltd. - 862 Bernard Avenue
To authorize the City to enter into a Housing Agreement with 0828609 BC Ltd.

8. NON-DEVELOPMENT APPLICATION REPORTS

- 8.1 General Manager, Corporate Sustainability, General Manager, Community Sustainability and General Manager, Community Services, dated April 12, 2011, re: [Quarterly Report Update](#)
To receive, for information, the Quarterly Report dated April 12, 2011.
- 8.2 Director, Infrastructure Planning, dated April 13, 2011, re: [2030 - 20 Year Servicing Plan & Financing Strategy/Development Cost Charges Bylaw No. 10515](#)
To receive, for information, the Report from the Director, Infrastructure Planning; To endorse the new 2030 20-Year Servicing Plan and Financing Strategy; To approve expansion of the Water Sector Boundary for various properties; To approve the expansion of the Wastewater Sector Boundary for various properties; To give reading consideration to the Development Cost Charge Bylaw No. 10515 and to repeal the City of Kelowna Development Cost Charges Bylaw No. 9095.
- 8.3 Policy & Planning Department, dated April 13, 2011, re: [Bylaw No. 10500, Kelowna 2030 Official Community Plan](#)
To receive, for information, the Report from the Policy & Planning Department; To direct staff to forward Bylaw No. 10500 being Kelowna 2030 Official Community Plan to the Agricultural Land Commission for comments; To forward the Kelowna 2030 Official Community Plan, Bylaw No. 10500 to a Public Hearing scheduled for May 24, 2011.
- 8.4 Director, Financial Services, dated April 13, 2011, re: [Transit - 2011/12 Annual Operating Agreements](#)
To approve the 2011/2012 Annual Operating Agreements for conventional and custom transit services for the City of Kelowna.
- 8.5 Financial Planning Manager, dated April 18, 2011, re: [Amendment No.1 to Five Year Financial Plan, 2010-2014](#)
To direct staff to amend the Five Year Financial Plan 2010-2014, Bylaw No. 10334 as required by the Community Charter to reflect the changes in the Operating Budget and Capital Expenditure Program for 2010; To advance Bylaw No. 10525 for reading consideration.
- 8.6 Revenue Manager, dated April 18, 2011, re: [2011 Tax Distribution Policy](#)
To approve the Municipal Tax Distribution Policy for the year 2011; To approve development of 2011 tax rates to reflect the 2011 assessment changes in property market values.

- 8.7 Director, Regional Services, dated April 12, 2011, re: [Rutland Centre Transit Investments](#)
*To receive, for information, the Report from the Director, Regional Services;
To support various transit capital investments in the Rutland Centre.*
- 8.8 Manager, Building Services, dated April 13, 2011, re: [Staff Relocation Resulting from Fire at the City Park Pavilion Building](#)
*To receive, for information, the Report from the Manager, Building Services;
To amend the 2011 Financial Plan.*

9. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 9.1 [Bylaw No. 10515](#) - Development Cost Charge Bylaw
To impose development cost charges pursuant to Section 933 of the Local Government Act.
- 9.2 [Bylaw No. 10525](#) - Amendment No. 1 to the Five Year Financial Plan 2010-2014 Bylaw No. 10334
To amend Five Year Financial Plan 2010-2014 Bylaw No. 10334 by deleting Schedules "A" and "B" in their entirety and replacing them with new Schedules "A" and "B".

(BYLAWS PRESENTED FOR ADOPTION)

- 9.3 [Bylaw No. 10499](#) - Brandt's Creek Trade Waste Treatment Plant Local Service Area No. 40 - Parcel Tax Bylaw
To authorize the City to impose a parcel tax under Section 200 of the Community Charter on the benefiting parcels in the Brandt's Creek Trade Waste Treatment Plan Local Service Area No. 40.
- 9.4 [Bylaw No. 10519](#) - Sterile Insect Release Program Parcel Tax Bylaw 2011
To impose and levy a Parcel Tax upon the owners of land or real property within the City of Kelowna being served by the Sterile Insect Release Program.

10. MAYOR & COUNCILLOR ITEMS

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

11. TERMINATION