

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, OCTOBER 17, 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 Rule is requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Cheryl Miller, Grants Manager, Central Okanagan Foundation, re: [City of Kelowna Emergency Grant](#)

3.2 Robert Fine, Executive Director, Central Okanagan Economic Development Commission, re: [Update of Activities](#)

3.3 Director, Infrastructure Planning, dated October 12, 2011, re: [Heritage BC Award - Rehabilitation of the Laurel Packing House](#)

4. DEVELOPMENT APPLICATION REPORTS

4.1 Land Use Management Department, dated September 23, 2011, re: Rezoning Application No. Z11-0071 - David Mathieson & Nancy Doehring (David Mathieson) - 3990 Hart Road

To rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone in order to legalize an existing secondary suite within the principal dwelling.

(a) [Land Use Management Department report dated September 23, 2011.](#)

(b) BYLAW PRESENTED FOR FIRST READING

[Bylaw No. 10622 \(Z11-0071\)](#) - David Mathieson & Nancy Doehring (David Mathieson) - 3990 Hart Road

To rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone.

- 4.2 Land Use Management Department, dated September 30, 2011, re: Rezoning Application No. Z11-0041 - Craig Winnick & Nigel Allan (Craig Winnick) - 865 Paret Road
To rezone portions of the subject property from the RR1 - Rural Residential 1 zone, RU1 - Large Lot Housing zone and A1 - Agriculture 1 zone to the RU1s - Large Lot Housing with Secondary Suite zone in order to construct a secondary suite within the proposed principal dwelling.
- (a) [Land Use Management Department report dated September 30, 2011.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10623 \(Z11-0041\)](#) - Craig Winnick & Nigel Allan (Craig Winnick) - 865 Paret Road
To rezone portions of the subject property from the RR1 - Rural Residential 1 zone, RU1 - Large Lot Housing zone and A1 - Agriculture 1 zone to the RU1s - Large Lot Housing with Secondary Suite zone.
- 4.3 Land Use Management Department, dated October 11, 2011, re: Agricultural Land Reserve Appeal Application No. A11-0010 - Kinnikinnik Developments Inc. (Society for Enlightenment of Humanity) - 1890 McKinley Road
To support an application to the Agricultural Land Commission pursuant to Section 20(3) of the Agricultural Land Commission Act to use a portion of the subject property for non-farm uses.
- 4.4 (a) **BYLAW PRESENTED FOR ADOPTION**
- [Bylaw No. 10552 \(Z11-0019\)](#) - Alice Schram (Worman Commercial) - 1064 Borden Avenue
To rezone the subject property from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre Commercial zone.
- (b) Land Use Management Department, dated October 7, 2011, re: Development Permit Application No. DP11-0087 - Scott Brown (Worman Commercial) - 1064 Borden Avenue
To authorize the issuance of a Development Permit for the form and character of a proposed two-storey commercial development.
- 4.5 Land Use Management Department, dated October 7, 2011, re: Rezoning Application No. Z07-0029 - Kevin Patterson - 530 Ziprick Road
To forward Bylaw No. 9890 for rescindment consideration; To direct staff to close the file with respect to Rezoning Application No. Z07-0029.
- (a) [Land Use Management Department report dated October 7, 2011.](#)
- (b) **BYLAW PRESENTED FOR RESCINDMENT AT THIRD READING**
- [Bylaw No. 9890 \(Z07-0029\)](#) - Kevin & Cynthia Patterson - 530 Ziprick Road
To rescind first, second and third readings given to Bylaw No. 9890; To close the file with respect to Rezoning Application No. Z07-0029.

- 4.6 Land Use Management Department, dated September 27, 2011 re: [Rezoning Application No. Z07-0088 - 655888 BC Ltd. \(Protech Consultants Ltd.\) - 5020 Killdeer Road](#)
To consider a series of extensions to extend the deadline for adoption of Zone Amending Bylaw No. 10094 from November 3, 2009 to November 3, 2011.
- 4.7 Land Use Management Department, dated October 4, 2011, re: [Official Community Plan Bylaw Amendment Application No. OCP08-0027 and Rezoning Application No. Z08-0104 - 0823250 BC Ltd. \(Architecturally Distinct Solutions\) - 695 Webster Road](#)
To extend the deadline for adoption of OCP Amending Bylaw No. 10161 and Zone Amending Bylaw No. 10162 from October 4, 2011 to April 4, 2012.

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 5.1 [Bylaw No. 10590 \(TA11-0005\)](#) - City of Kelowna - Miscellaneous Housekeeping Text Amendments to City of Kelowna Zoning Bylaw No. 8000
To consider various housekeeping amendments to City of Kelowna Zoning Bylaw No. 8000.
- 5.2 [Bylaw No. 10591 \(TA11-0007\)](#) - City of Kelowna - CD2 - Kettle Valley Comprehensive Residential Development to City of Kelowna Zoning Bylaw No. 8000
To amend the signage regulations in City of Kelowna Zoning Bylaw No. 8000 with respect to the CD2 - Kettle Valley Comprehensive Residential Development zone.

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 Revenue Manager, dated October 12, 2011, re: [2012 Permissive Tax Exemption Bylaw No. 10620](#)
To receive, for information, the Report from the Revenue Manager with respect to the 2012 Permissive Tax Exemption Bylaw; To forward Bylaw No. 10620 for reading consideration.
- 6.2 Director, Communications, dated October 12, 2011, re: [Social Media Update](#)
To receive, for information, the Report from the Director, Communications regarding the use of social media by the City of Kelowna and Council members.
- 6.3 City Clerk, dated October 4, 2011, re: [Sufficiency Report for the Local Area Service Bernard Avenue Revitalization Project](#)
To receive, for information, the Report from the City Clerk regarding the Certificate of Sufficiency pertaining to the adoption of the Establishment and Loan Authorization Bylaws for the Local Area Service for the Bernard Avenue Revitalization Project; To forward Bylaw Nos. 10557 and 10558 for adoption.

- 6.4 General Manager, Community Services, dated October 12, 2011, re: [Bernard Avenue - Construction Timing](#)
To receive, for information, the Report from the General Manager, Community Services regarding the preferred option for construction timing on the Bernard Avenue Revitalization Project; To support "Scenario 1" as the recommended option for construction timing.

7. RESOLUTIONS

- 7.1 City Clerk, Draft Resolution, dated October 12, 2011, re: [Reschedule Council Meeting - 2012 Budget Deliberations](#)
To reschedule the Regular Council Meeting of Thursday, January 12, 2012 to Thursday, January 5, 2012 and Friday, January 6, 2012.

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

NOTE: Agenda items No. 8.1 and 8.2 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)

- 8.1 [Bylaw No. 10609](#) - Road Closure Bylaw - Portion of Rose Avenue
To authorize the City to permanently close and remove the highway dedication from a portion of highway on Rose Avenue.
- 8.2 [Bylaw No. 10620](#) - 2012 Tax Exemption Bylaw
To consider a Bylaw pursuant to Sections 220, 224 and 225 of the Community Charter to exempt from taxation certain lands and improvements situated in the City of Kelowna.

(BYLAWS PRESENTED FOR ADOPTION)

- 8.3 [Bylaw No. 10557](#) - Establishment of Local Area Service for the Bernard Avenue Revitalization
To establish a local area service for the purpose of creating a Local Area Service for the Bernard Avenue Revitalization Project.
- 8.4 [Bylaw No. 10558](#) - Loan Authorization of Local Area Service for the Bernard Avenue Revitalization
To establish a loan authorization bylaw for the Local Area Service for the Bernard Avenue Revitalization Project.
- 8.5 [Bylaw No. 10589](#) - Amendment No. 1 to Development Cost Charge Bylaw No. 10515
To consider various amendments to Development Cost Charge Bylaw No. 10515.

- 8.6 [Bylaw No. 10595](#) - Amendment No. 18 to Sign Bylaw No. 8235
To consider various amendments to the City of Kelowna's Sign Bylaw No. 8235 in order to clarify the regulations related to the operation of Electronic Changeable Copy Signs, and the use of temporary marketing signs comprised of Project Signs and Project Banner Signs related to development project marketing and directional way-finding.
- 8.7 [Bylaw No. 10608](#) - Amendment No. 25 to the Airport Fees Bylaw No. 7982
To consider various amendments to City of Kelowna Airport Fees Bylaw No. 7982.
- 8.8 [Bylaw No. 10610](#) - Amendment No. 9 to Council Remuneration and Expense Bylaw No. 7547
To consider various amendments to City of Kelowna Council Remuneration and Expense Bylaw No. 7547.
9. MAYOR & COUNCILLOR ITEMS
 - 9.1 Mayor Shepherd, re: "Spirit of Kelowna" Acknowledgment
10. TERMINATION