

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, MAY 14, 2012

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. CONFIRMATION OF MINUTES

Special Committee-of-the-Whole Meeting - April 19, 2012
Regular AM Meeting - April 23, 2012
Regular PM Meeting - April 23, 2012
Special Committee-of-the-Whole Meeting - April 25, 2012
Regular AM Meeting - April 30, 2012
Regular PM Meeting - April 30, 2012

3. COMMITTEE REPORTS

3.1 Audit Committee, dated May 1, 2012, re: [Financial Statements for the Year Ending December 31, 2011](#)
To present the Financial Statements to Council for acceptance; To provide Council with a recommendation on the appropriation of \$400,000.00 of surplus to general reserves and to seek approval to include the Financial Statements in the Annual Report.

4. DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

4.1 Land Use Management Department, dated May 4, 2012, re: [Rezoning Application No. Z12-0013 - Jakob & Elsa Peters - 3096 Appaloosa 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 to permit the development of a secondary suite in the second storey of an existing accessory building (garage).

4.1.1 [Bylaw No. 10707 \(Z12-0013\)](#) - Jakob & Elsa Peters - 3096 Appaloosa Road
To give Bylaw No. 10707 first reading in order to rezone the subject property from the RR2 - Rural Residential 2 zone to the RR2s - Rural Residential 2 with Secondary Suite zone.

- 4.2 Land Use Management Department, dated May 4, 2012, re: [Rezoning Application No. Z12-0019 - Victor Projects Ltd. \(CEI Architecture\) - 1850 Underhill Street](#)
To rezone the subject property from the A1 - Agriculture 1 zone to the C3 - Community Commercial zone in order to permit an express oil change operation.
- 4.2.1 [Bylaw No. 10708 \(Z12-0019\)](#) - Victor Projects Ltd. (CEI Architecture) - 1850 Underhill Street
To give Bylaw No. 10708 first reading in order to rezone the subject property from the A1 - Agriculture 1 zone to the C3 - Community Commercial zone.
- 4.3 Land Use Management Department, dated May 4, 2012, re: [Official Community Plan Bylaw Amendment Application No. OCP12-0002 and Rezoning Application No. Z12-0021 - No. 21 Great Projects Ltd. - 1355 Steele Road and 5000 Gordon Drive](#)
To change the future land use designation of a portion of the property located at 1355 Steele Road from the Commercial designation to the Major Park & Open Space and Public Service Utilities designation in order to recognize the Fortis High Voltage lines and planned public trails; To rezone a portion of the property located at 1355 Steele Road and the property located at 5000 Gordon Drive from the A1 - Agriculture 1 zone to the C3 - Community Commercial zone and P3 - Parks & Open Space zone in order to accommodate the Village Centre commercial development and public trails located beneath the high voltage power lines.
- 4.3.1 [Bylaw No. 10709 \(OCP12-0002\)](#) - No. 21 Great Projects Ltd. - 1355 Steele Road - Requires a majority of all Members of Council (5)
To give Bylaw No. 10709 first reading in order to change the future land use designation of a portion of the property located at 1355 Steele Road from the Commercial designation to the Major Park & Open Space and Public Service Utilities designation.
- 4.3.2 [Bylaw No. 10710 \(Z12-0021\)](#) - No. 21 Great Projects Ltd. - 1355 Steele Road and 5000 Gordon Drive
To give Bylaw No. 10710 first reading in order to rezone a portion of the property located at 1355 Steele Road and the property located at 5000 Gordon Drive from the A1 - Agriculture 1 zone to the C3 - Community Commercial zone and P3 - Parks & Open Space zone.
- 4.4 Land Use Management Department, dated May 3, 2012, re: [Land Use Contract Application No. LUC12-0002 - Joseph Takacs Holdings Ltd. \(Standard Land Company\) - 1735 Dolphin Avenue](#)
To discharge Land Use Contract No. LUC76-1048 in order to allow the underlying C10 - Service Commercial zone to become the active land-use regulation.

5. BYLAWS FOR ADOPTION (Development Related)

- 5.1 [Bylaw No. 10584 \(Z11-0046\)](#) - Helen Van Ruskenveld - 631 Royal Pine Drive
To adopt Bylaw No. 10584 in order 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. 10661 \(Z12-0003\)](#) - Avtar & Ramandeep Pannu (DE Pilling & Associates) - 482 Knowles Road
To adopt Bylaw No. 10661 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.

6. NON-DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

- 6.1 Manager, Urban Land Use, dated May 4, 2012, re: [110-150 Hwy 33 W - Revitalization Tax Exemption Agreement](#)
To authorize the City to enter into a Revitalization Tax Exemption Agreement with Western Sandpiper Holdings Ltd. in accordance with Revitalization Tax Exemption Bylaw No. 9561.
- 6.2 Community Planning Manager, dated April 23, 2012, re: [Revisions to Rental Housing Grants Policy and Housing Opportunities Reserve Fund Bylaw No. 8593](#)
To amend the Housing Opportunities Reserve Fund Bylaw and Council Policy No. 335 for the Affordable Rental Housing Grants in order to expand the use of the grants to generate new affordable rental housing.
- 6.2.1 [Bylaw No. 10697](#) - Amendment No. 4 to Housing Opportunities Reserve Fund Bylaw No. 8593
To give Bylaw No. 10697 first three readings in order to expand the use of the grants to general new affordable rental housing.
- 6.3 Urban Forestry Supervisor, dated May 7, 2012, re: [Pine Beetle Update](#)
To obtain authorization for staff to apply for funding through UBCM for the purpose of pine beetle and fire hazard management.
- 6.4 Manager, Park Services, dated May 4, 2012, re: [Beach Water Quality Sampling](#)
To authorize staff to work with the Interior Health Authority with collection of water samples.
- 6.5 Manager, Park Services, dated May 4, 2012, re: [Kelowna Memorial Park Cemetery Bylaw Update](#)
To consider various amendments to Kelowna Memorial Park Cemetery Bylaw No. 8807.
- 6.5.1 [Bylaw No. 10698](#) - Amendment No. 5 to Kelowna Memorial Park Cemetery Bylaw No. 8807
To give Bylaw No. 10698 first three readings in order to amend Kelowna Memorial Park Cemetery Bylaw No. 8807.

- 6.6 Manager, Property Management, dated May 3, 2012, re: [Concession Bid Award - Hot Sands Beach \(City Park\)](#)
To obtain Council endorsement to award a three (3) year concession contract to operate a food concession at Hot Sands Beach for the summer seasons.
- 6.7 Budget Performance Accountant, Infrastructure Planning, dated May 8, 2012, re: [Federal Gas Tax Project Applications](#)
To seek Council approval to apply for 2012 Federal Gas Tax grants (Capital Projects and Capacity Building Projects) under the General Strategic Priorities Fund and the Innovations Fund administered by UBCM.
- 6.8 City Clerk, dated May 1, 2012, re: [Sufficiency Report for the Owner-Initiated Local Area Service for Lawson Avenue](#)
To receive the Sufficiency Report as per the Community Charter.
7. BYLAWS FOR ADOPTION (Non-Development Related)
- 7.1 [Bylaw No. 10666](#) - Amendment No. 19 to Traffic Bylaw No. 8120
To adopt Bylaw No. 10666 in order to amend City of Kelowna Traffic Bylaw No. 8120.
- 7.2 [Bylaw No. 10667](#) - Amendment No. 4 to Bylaw Notice Enforcement Bylaw No. 10475
To adopt Bylaw No. 10667 in order to amend City of Kelowna Bylaw Notice Enforcement Bylaw No. 10475.
- 7.3 [Bylaw No. 10688](#) - Five Year Financial Plan 2012-2016
To adopt Bylaw No. 10688 in order to establish a Five Year Financial Plan for the City of Kelowna for the period of January 1, 2012 to December 31, 2016.
- 7.4 [Bylaw No. 10689](#) - Tax Structure Bylaw
To adopt Bylaw No. 10689 in order to establish the 2012 Tax Structure.
- 7.5 [Bylaw No. 10690](#) - Annual Tax Rates Bylaw
To adopt Bylaw No. 10690 in order to establish the 2012 Annual Tax Rates.
- 7.6 [Bylaw No. 10691](#) - Development Cost Charge Reserve Fund Expenditure Bylaw, 2012
To adopt Bylaw No. 10691 in order to establish the 2012 Development Cost Charge Reserve Fund Expenditures.
- 7.7 [Bylaw No. 10692](#) - Sale of City-owned Land Reserve Fund Expenditure Bylaw
To adopt Bylaw No. 10692 in order to establish the 2012 Sale of City-owned Land Reserve Fund Expenditures.
- 7.8 [Bylaw No. 10696](#) - Amendment No. 16 to Subdivision, Development and Servicing Bylaw No. 7900 - **Requires a 2/3 majority**
To adopt Bylaw No. 10696 in order to amend City of Kelowna Subdivision, Development and Servicing Bylaw No. 7900.

8. MAYOR & COUNCILLOR ITEMS

9. TERMINATION