

**CITY OF KELOWNA
REGULAR COUNCIL AGENDA
COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET**

MONDAY, JULY 23, 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**

Regular P.M. Meeting - July 9, 2012

3. **UNFINISHED BUSINESS**

3.1 Land Use Management Department, Supplemental Report dated July 18, 2012, re: [Amendment to Housing Agreement Attachments - Klassen Ventures Ltd. - 3281 Hall Road](#)

To receive, for information, the Supplemental Report with respect to the Housing Agreement between the City of Kelowna and Klassen Ventures Ltd.

3.1.1 Land Use Management Department, dated May 30, 2012, re: [Housing Agreement Authorization - Klassen Ventures Ltd. - 3281 Hall Road](#)

To consider the City of Kelowna entering into a Housing Agreement to facilitate a building permit to construct special needs housing for seniors and special needs individuals in the form of a "Group Home, Minor".

3.1.2 [Bylaw No. 10718](#) - Housing Agreement Authorization Bylaw - Klassen Ventures Ltd. - 3281 Hall Road

To give Bylaw No. 10718 first, second and third readings in order to authorize the City of Kelowna to enter into a Housing Agreement with Klassen Ventures Ltd.

4. **DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS**

4.1 Land Use Management Department, dated July 3, 2012, re: [Agricultural Land Reserve Appeal Application No. A12-0007 - Kulwant, Kulwinder & Gurdev Kohar \(Kulwnat Kohar\) - 1306-1308 McKenzie Road](#) - Mayor to invite the Applicant, or Applicant's Representative, to come forward.

To consider a staff recommendation NOT to support an application to the Agricultural Land Commission pursuant to Section 20(3) of the Agricultural Land Commission Act for a non-farm use within the Agricultural Land Reserve to allow a detached secondary suite.

- 4.2 Land Use Management Department, dated July 17, 2012, re: [Agricultural Land Reserve Appeal Application No. A12-0006 - Nirmal & Rimplejeet Dhaliwal \(Nirmal Dhaliwal\) - 2940-2960 Dunster Road](#) - Mayor to invite the Applicant, or Applicant's Representative, to come forward.
To consider a staff recommendation NOT to support an application to the Agricultural Land Commission pursuant to Section 21(2) of the Agricultural Land Commission Act for a subdivision within the Agricultural Land Reserve.
- 4.3 Land Use Management Department, dated June 27, 2012, re: [Rezoning Application No. Z12-0048 - 4G Developments Ltd. \(Robert Gaspari\) - 2463 & 2473 Pandosy Street](#)
To rezone the subject properties from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone in order to develop a six-plex on the consolidate site.
- 4.3.1 [Bylaw No. 10733 \(Z12-0048\)](#) - 4G Developments Ltd. (Robert Gaspari) - 2463 & 2473 Pandosy Street
To give first reading to Bylaw No. 10733 in order to rezone the subject properties from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.
- 4.3.2 [Bylaw No. 10732](#) - Housing Agreement Authorization Bylaw - 4G Developments Ltd. - 2463 & 2473 Pandosy Street
To give Bylaw No. 10732 first, second and third readings in order to authorize the City of Kelowna to enter into a Housing Agreement with 4G Developments Ltd.
- 4.4 Land Use Management Department, dated June 25, 2012, re: [Rezoning Application No. Z12-0032 - KNL Properties Ltd. \(Davara Holdings Ltd.\) - 260 Davie Road](#)
To rezone the subject property from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone in order to construct a 7-unit, multi-family building.
- 4.4.1 [Bylaw No. 10734 \(Z12-0032\)](#) - KNL Properties Ltd. (Davara Holdings Ltd.) - 260 Davie Road
To give first reading to Bylaw No. 10734 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.
- 4.4.2 [Bylaw No. 10729](#) - Housing Agreement Authorization - KNL Properties Ltd. - 260 Davie Road
To give Bylaw No. 10729 first, second and third readings in order to authorize the City of Kelowna to enter into a Housing Agreement with KNL Properties Ltd.

- 4.5 Land Use Management Department, dated July 12, 2012, re: [Rezoning Application No. Z12-0030 - City of Kelowna - Various Addresses](#)
To rezone the subject properties from the A1 - Agriculture 1, the RR2 - Rural Residential 2, the RR3 - Rural Residential 3, the RU1 - Large Lot Housing, the RU2 - Medium Lot Housing, RU6 - Two Dwelling Housing and I4 - Central Industrial zones to the P3 - Parks and Open Space zone in order to formalize the current park use.
- 4.5.1 [Bylaw No. 10743 \(Z12-0030\)](#) - City of Kelowna - Various Addresses
To give first reading to Bylaw No. 10743 in order to rezone the subject properties from the A1 - Agriculture 1, the RR2 - Rural Residential 2, the RR3 - Rural Residential 3, the RU1 - Large Lot Housing, the RU2 - Medium Lot Housing, RU6 - Two Dwelling Housing and I4 - Central Industrial zones to the P3 - Parks and Open Space zone.
- 4.6 Land Use Management Department, dated July 5, 2012, re: [Rezoning Application No. Z12-0042 - Lane & Maegan Merrifield \(MGC Construction Ltd.\) - 10-180 Sheerwater Court](#)
To rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1s - Rural Residential 1 with Secondary Suite zone in order to permit a detached secondary suite on the subject property in the form of a guest house.
- 4.6.1 [Bylaw No. 10744 \(Z12-0042\)](#) - Lane & Maegan Merrifield (MGC Construction Ltd.) - 10-180 Sheerwater Court
To give first reading to Bylaw No. 10744 in order to To rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1s - Rural Residential 1 with Secondary Suite zone.
- 4.7 Land Use Management Department, dated July 5, 2012, re: [Rezoning Application No. Z12-0027 - Willow West Homes Ltd., Karl & Hildegard Sauter and Kenji & Mieko Oishi \(Pacific Capital Real Estate\) - 1954, 1956, 1960, 1970 & 1974 KLO Road](#)
To rezone the subject properties from the A1 - Agriculture 1 zone to the RU5 - Bareland Strata Housing zone in order to facilitate a phased strata development of 74 units in duplex/semi-detached forms.
- 4.7.1 [Bylaw No. 10745 \(Z12-0027\)](#) - Willow West Homes Ltd., Karl & Hildegard Sauter and Kenji & Mieko Oishi (Pacific Capital Real Estate) - 1954, 1956, 1960, 1970 & 1974 KLO Road
To give first reading to Bylaw No. 10745 in order to rezone the subject properties from the A1 - Agriculture 1 zone to the RU5 - Bareland Strata Housing zone.
- 4.8 Land Use Management Department, Supplemental Report dated July 18, 2012, re: [Rezoning Application No. Z12-0035 - Various Owners \(City of Kelowna\) - Various Addresses](#)
To amend Rezoning Application No. Z12-0035 in order to correctly identify those legal parcels with the appropriate change in zoning designation.

- 4.8.1 [Bylaw No. 10714 \(Z12-0035\)](#) - Various Owners (City of Kelowna) - Various Addresses
To amend Bylaw No. 10714 at first reading in order to correctly identify those legal parcels with the appropriate change in zoning designation.
- 4.9 Land Use Management Department, dated July 11, 2012, re: [Rezoning Application No. Z10-0028 - Lyall Grexton \(Peter Chataway\) - 1020 Graham Road](#)
To extend the deadline for adoption of Zone Amending Bylaw No. 10551 from July 11, 2012 to January 11, 2013.
5. BYLAWS FOR ADOPTION (Development Related)
- 5.1 [Bylaw No. 10716 \(Z12-0025\)](#) - David & Monica Haiworonsky - 4155 McClain Road
To adopt Bylaw No. 10716 in order 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 & RELATED BYLAWS
- 6.1 Acting General Manager, Corporate Sustainability, General Manager, Community Sustainability and General Manager, Community Services, dated July 17, 2012, re: [Quarterly Report Update](#)
To provide Council with an update of the City's activities.
- 6.2 General Manager, Community Services, dated July 18, 2012, re: [Electric Utility Restructuring Opportunity](#)
To approve the Memorandum of Understanding between the City of Kelowna and FortisBC Inc. allowing the City to continue negotiations with FortisBC for future options regarding the City's electric utility.
- 6.3 General Manager, Community Sustainability and Director, Regional Services, dated July 17, 2012, re: [Bernard Avenue Revitalization - Parking Management during Construction](#)
To provide Council with information on the management of parking during the Bernard Avenue Revitalization Project.
- 6.4 Director, Regional Services, dated July 17, 2012, re: [September Transit Expansion & Transit Performance Report](#)
To provide Council with information relating to the planned transit service expansion in September 2012.
- 6.5 Director, Financial Services, dated July 13, 2012, re: [RCMP Crime Reduction Strategy](#)
To provide Council with information on the RCMP crime reduction strategy.
- 6.6 Development Services, dated July 4, 2012, re: [Stratification of 1737 Pandosy Street](#)
To obtain Council's approval to allow the stratification of four (4) residential units within one (1) building located at 1737 Pandosy Street.

- 6.7 Building & Facility Planner, dated July 16, 2012, re: [Relocation of Public Art in City Park](#)
To direct staff to proceed with the relocation of the sculptures (Renaissance of a Tree and Zephyr) in City Park.
- 6.8 Acting Manager, Utility Services, Civic Operations, dated July 5, 2012, re: [Wastewater Bio-Solids Hauling Services Tender](#)
To obtain Council's approval to award the bio-solids hauling contract to Grassmick's Excavating LTD.
- 6.9 Acting Manager, Utility Services, Civic Operations, dated July 12, 2012, re: [2012 Water Sustainability Action Plan Update](#)
To provide an update on the Water Sustainability Action Plan and seek Council's approval of an incentive program.
7. RESOLUTIONS
- 7.1 City Clerk, Draft Resolution, re: [Deputy Mayor Schedule](#)
To adopt the Deputy Mayor Schedule for August 2012 through March 2013.
8. BYLAWS FOR ADOPTION (Non-Development Related)
- 8.1 [Bylaw No. 10674](#) - Amendment No. 2 to City of Kelowna Revitalization Tax Exemption Bylaw No. 9561
To adopt Bylaw No. 10674 in order to amend City of Kelowna Revitalization Tax Exemption Bylaw No. 9561.
- 8.2 [Bylaw No. 10687](#) - Amendment No. 20 to Traffic Bylaw No. 8120
To adopt Bylaw No. 10687 to amend Traffic Bylaw No. 8120 in order to implement a fee for Residential Parking Permits.
- 8.3 [Bylaw No. 10725](#) - Road Closure Bylaw - Portion of Road South of Doyle between 1415 Ellis Street and 1402, 1408 & 1414 St. Paul Street - **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.**
To adopt Bylaw No. 10725 in order to authorize the City to permanently close and remove the highway dedication of a portion of road South of Doyle Avenue between Ellis Street and St. Paul street.
9. MAYOR & COUNCILLOR ITEMS
10. TERMINATION