

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, AUGUST 20, 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 PM Meeting - August 7, 2012

3. DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

3.1 Land Use Management Department, dated August 8, 2012, re: [Agricultural Land Reserve Appeal Application No. A12-0001 - H-12 Enterprises Ltd. \(New Town Planning Services Inc.\) - 3010 Highway 97 North](#) - 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 30(1) of the Agricultural Land Commission Act for exclusion of a 3.3 ha portion of the subject property from the Agricultural Land Reserve.

3.2 Land Use Management Department, dated August 9, 2012, re: [Rezoning Application No. Z08-0030 - Paul Warnock - 1220-1222 & 1230 Brookside Avenue](#) - Mayor to invite the Applicant, or Applicant's Representative, to come forward.

To consider a staff recommendation NOT to extend the date for adoption of Zone Amending Bylaw No. 10105 from May 25, 2012 to November 25, 2012.

3.2.1 [Bylaw No. 10105 \(Z08-0030\)](#) - Paul Warnock - 1220-1222 & 1230 Brookside Avenue

To rescind first, second and third readings given to Bylaw No. 10105 and to direct staff to close the file for Rezoning Application No. Z08-0030.

- 3.3 Land Use Management Department, dated August 10, 2012, re: [Official Community Plan Bylaw Amendment Application No. OCP12-0003 and Rezoning Application No. Z12-0023 - Various Owners \(Blenk Development Corporation\) - Various Wilden Properties](#)
To consider a minor amendment to the Phase 2C Wilden neighbourhood in order to address inconsistencies with the approved subdivision plan and the existing Official Community Plan Future Land Use Designations and Zones; To consider a minor amendment to the Phase 2D Wilden neighbourhood in order to deal with block zoning and future land use designations that have shifted slightly as a result of the establishment of detailed road and lot layouts.
- 3.3.1 [Bylaw No. 10751 \(OCP12-0003\)](#) - Various Owners (Blenk Development Corporation) - Various Wilden Properties - **Requires a majority of all Members of Council (5)**
To give first reading to Bylaw No. 10751 in order to amend the future land use designations of certain properties located within the Phase 2C and Phase 2D Wilden neighbourhoods.
- 3.3.2 [Bylaw No. 10752 \(Z12-0023\)](#) - Various Owners (Blenk Development Corporation) - Various Wilden Addresses
To give first reading to Bylaw No. 10752 in order to rezone certain properties located within the Phase 2C and Phase 2D Wilden neighbourhoods.
- 3.4 Land Use Management Department, dated August 10, 2012, re: [Rezoning Application No. Z12-0048 - 4G Developments Ltd. \(Robert Gaspari\) - 2463 & 2473 Pandosy Street](#)
To amend Rezoning Application No. Z12-0048 in order to correctly signify the original zone of the subject property.
- 3.4.1 [Bylaw No. 10733 \(Z12-0048\)](#) - 4G Developments Ltd. (Robert Gaspari) - 2463 & 2473 Pandosy Street
To amend Bylaw No. 10733 at first reading in order correctly signify the original zone of the subject property.
- 3.5 Land Use Management Department, dated August 9, 2012, re: [Rezoning Application No. Z11-0035 - Robert & Michelle Geismayr - 1599 KLO Road](#)
To extend the deadline for adoption of Zone Amending Bylaw No. 10569 from August 9, 2012 to February 9, 2013.
- 3.6 Land Use Management Department, dated August 9, 2012, re: [Official Community Plan Bylaw Amendment Application No. OCP10-0006 and Rezoning Application No. Z10-0031 - Jasvinder & Navjot Kandola \(GTA Tomporowski\) - 1045, 1053 & 1069 Laurier Avenue](#)
To extend the deadline for adoption of OCP Amending Bylaw No. 10379 and Zone Amending Bylaw No. 10379 from August 10, 2012 to February 10, 2013.

4. BYLAWS FOR ADOPTION (Development Related)

- 4.1 [Bylaw No. 10724 \(Z11-0081\)](#) - Regional District of Central Okanagan, Central Okanagan Land Trust and Crown (Regional District of Central Okanagan) - Various Addresses
To adopt Bylaw No. 10724 in order to rezone the subject properties from the A1 - Agriculture 1, the RU1 - Large Lot Housing, the P3 - Major Park/Open Space and the P4 - Utilities zones to the P3 - Major Park/Open Space and P4 - Utilities zone.

5. NON-DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

- 5.1 Director, Recreation & Cultural Services, dated August 15, 2012, re: [Fees and Charges Bylaw No. 9609 - Update](#)
To seek Council's endorsement on amendments to the Recreation and Cultural Services Fees and Charges Bylaw No. 9609.
- 5.1.1 [Bylaw No. 10728](#) - Amendment No. 4 to Recreation and Cultural Services Fees and Charges Bylaw No. 9609
To give first, second and third readings to Bylaw No. 10728 in order to amend the Recreation and Cultural Services Fees and Charges Bylaw No. 9609.
- 5.2 Manager, Utilities Planning, dated August 11, 2012, re: [Lawrence Avenue \(Richter to Ethel\) Local Area Service](#)
To inform Council of a proposed owner-initiated petitioning process for streetscape improvements on Lawrence Avenue (Richter to Ethel) where the City will borrow the money on behalf of the owners.
- 5.2.1 [Bylaw No. 10748](#) - Establishment of Local Area Service and Borrowing Bylaw for Lawrence Avenue Local Area Service
To give first, second and third readings to Bylaw No. 10748 in order to establish a Local Area Service, authorize the borrowing of the estimated costs to construct works within the Local Area Service and establish the property owner's portion of the cost within the Local Area Service.
- 5.3 Manager, Utilities Planning, dated August 13, 2012, re: [Cost Sharing Agreement - Frost Road Water Main Over-Sizing](#)
To provide funds necessary to partner with the developer of 5000 Gordon Drive, No. 21 Great Projects Ltd., in order to oversize a portion of pipe that is required for the City to meet its Interior Health filtration deferral requirements.
- 5.4 Community Planning Manager, dated August 10, 2012, re: [Request to Change Housing Agreement for "Mode" - 1550 Dickson Avenue](#)
To consider amendments to the Housing Agreement with Mode Properties Ltd. for the property located at 1550 Dickson Avenue.

5.4.1 [Bylaw No. 10750](#) - Amendment No. 1 to Housing Agreement Authorization Bylaw No. 10183 - Mode Properties Ltd.
To give first, second and third readings to Bylaw No. 10750 in order to amend the Housing Agreement with Mode Properties Ltd. for the property located at 1550 Dickson Avenue.

5.5 Director, Regional Services, dated August 15, 2012, re: [Transit 3 Year Service Plan](#)
To review and receive Council's endorsement of a strategy for public transit expansions from 2013 to 2015, to inform council of a one-time supplemental funding provided from the Federal Gas Taxes and to receive Council's direction to make the necessary budget submissions in the up-coming 2013 Budget preparation for Council's consideration along with other budget requests.

5.6 Manager, Real Estate Services, dated August 20, 2012, re: [Proposed Road Closure - Jenkins Road](#)
To consider a road closure to close a portion of Jenkins Road in order to consolidate the excess closed road with the adjacent parcels in return for a road dedication and an easement.

5.6.1 [Bylaw No. 10726](#) - Road Closure Bylaw - Portion of Jenkins Road
To give first, second and third readings to Bylaw No. 10726 in order to authorize the City to permanently close and remove the highway dedication of a portion of Jenkins Road.

5.7 Acting General Manager, Corporate Sustainability, dated August 14, 2012, re: [Downtown Revitalization - Interior Health](#)
To obtain Council approval to proceed with the necessary steps to (a) dispose of City-owned land for the purpose of accommodating a downtown redevelopment project with Interior Health, (b) to develop two (2) new parking facilities in the downtown core, (c) to approve an amendment to the Five (5) Year Financial Plan; and (d) initiate an Alternative Approval Process for the borrowing of \$15,000,000.00 for the development of the parking facilities.

LATE
ADDITION

5.7.1 [Bylaw No. 10742](#) - Extension and New Facility Loan Authorization Bylaw
To give first, second and third readings to Bylaw No. 10742 in order to authorize the borrowing of the \$15,000,000.00 to construct a new parkade for public use and to expand a current parkade.

6. UNFINISHED BUSINESS

6.1 Land Use Management Department, dated June 28, 2012, re: [Rezoning Application No. Z12-0017 - Michael Gaspari - 614-624 Francis Avenue](#) - Reconsideration of a Council Decision from the Regular P.M. Meeting of July 9, 2012
To rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing zone in order to legalize a converted duplex.

LATE
ADDITION

- 6.1.1 [Bylaw No. 10739 \(Z12-0017\)](#) - Michael Gaspari - 614-624 Francis Avenue
To give first reading to Bylaw No. 10739 in order to rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing zone.

7. MAYOR & COUNCILLOR ITEMS

8. TERMINATION