

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, MARCH 15, 2010

1:30 P.M.

1. CALL TO ORDER

2. Councillor Craig to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Alison Moore, Development Manager, and David LaHay, Artistic Director, Ballet Kelowna, re: [City of Kelowna Professional Arts Grant Recipient Presentation](#)

3.2 Cheryl Miller, Central Okanagan Foundation, re: [Arts, Cultural & Heritage Operating Grants and Community Festival, Event and Project Grants](#)

4. COMMITTEE REPORTS

4.1 Public Art Committee, dated March 10, 2010, re: [Appointments to the Public Art Committee](#)  
*To appoint Amanda Parks and Phred Martin as new members to the Public Art Committee; To accept the resignations of Kristine Bouw and Sarah Campbell as members of the Public Art Committee.*

4.2 Land Use Management, dated March 10, 2010, re: [Liquor Control Review Task Force](#)  
*To rescind the establishment of the Liquor Control Review Task Force; To direct staff to proceed with a Liquor Control Review by establishing a Committee of the Whole as per Council Procedures Bylaw 9200.*

5. DEVELOPMENT APPLICATION REPORTS

5.1 Community Sustainability Division, dated February 8, 2010, re: [Rezoning Application No. Z09-0073 - Beate & Franz Bauer and Alice and Friedrich Merz \(Colbee Holdings Ltd.\) - 3700 Jean Road and 4185 McClain Road](#)  
*To rezone the subject properties from the A1 - Agriculture 1 zone to the RR1 - Rural Residential zone in order to facilitate a four lot residential subdivision.*

(a) [Community Sustainability Division report dated March 4, 2010.](#)

(b) **BYLAW PRESENTED FOR FIRST READING**

[Bylaw No. 10305 \(Z09-0073\)](#) - Beate & Franz Bauer and Alice and Friedrich Merz - 3700 Jean Road and 4185 McClain Road  
*To rezone the subject properties from the A1 - Agriculture 1 zone to the RR1 - Rural Residential zone.*

- 5.2 Community Sustainability Division, dated February 8, 2010, re: [Rezoning Application No. Z10-0005 - Jason and Natalie Twamley - 1445 Crawford Road](#)  
*To rezone the subject property from the RR3 - Rural Residential 3 zone to the RR3s - Rural Residential 3 with Secondary Suite zone in order to construct a secondary suite within an accessory building.*

(a) [Community Sustainability Division report dated February 10, 2010.](#)

(b) **BYLAW PRESENTED FOR FIRST READING**

[Bylaw No. 10303 \(Z10-0005\)](#) - [Jason and Natalie Twamley - 1445 Crawford Road](#)  
*To rezone the subject property from the RR3 - Rural Residential 3 zone to the RR3s - Rural Residential 3 with Secondary Suite zone.*

- 5.3 Community Sustainability Division, dated March 4, 2010, re: [Rezoning Application No. Z09-0077 - Rex Jardine - 4064 Lakeshore Road](#)  
*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone in order to subdivide and create a second Lakeshore lot.*

Item 5.3  
Withdrawn by  
Applicant

(a) [Community Sustainability Division report dated March 4, 2010.](#)

(b) **BYLAW PRESENTED FOR FIRST READING**

[Bylaw No. 10306 \(Z09-0077\)](#) - Rex Jardine - 4064 Lakeshore Road  
*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.*

- 5.4 Community Sustainability Division, dated March 5, 2010, re: [Agricultural Land Reserve Appeal No. A09-0006 - Lawrence and Ynez Kates \(Site 360 Consulting\) - 5790 and 5880 Lakeshore Road and 180 Swick Road](#)  
*To obtain approval from the Agricultural Land Commission under Section 21(2) of the Agricultural Land Commission Act for subdivision / lot line adjustments within the Agricultural Land Reserve.*

6. **BYLAWS (ZONING & DEVELOPMENT)**

**(BYLAWS PRESENTED FOR ADOPTION)**

- 6.1 [Bylaw No. 10274 \(Z09-0053\)](#) - Alex & Cecilia Piercey - 3458 Scott Road  
*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.*

- 6.2 [Bylaw No. 10279 \(Z09-0070\)](#) - Mathew & Donna Isabelle - 1199 Loseth Drive  
*To rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite zone.*
- 6.3 [Bylaw No. 10284 \(Z09-0072\)](#) - Ryan, Joseph & Delores Twordik (Ryan Twordik) - 1495 Kloppenburg Road  
*To rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite zone.*
- 6.4 [Bylaw No. 10289 \(Z09-0081\)](#) - Diane & Guy Delaurier (Diane Delaurier) - 916 Arbor View Drive  
*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.*
7. NON-DEVELOPMENT APPLICATION REPORTS
- 7.01 Director, Design & Construction Services, dated March 10, 2010, re: [2010 Capital Projects](#)  
*To receive, for information, the presentation of the Director of Design and Construction Services dated March 10, 2010.*
- 7.02 Utility Services Manager, dated March 2, 2010, re: [Award of Contract T10-009 for Solid Waste Organic Grinding](#)  
*To award a contract for solid waste organic grinding to 620241 BC Ltd (AB Contracting), in the amount of \$1,684,800; and to authorize the Purchasing Department to enter into an agreement for the grinding of organic wood waste at the Glenmore Landfill for a three year period commencing on the date of issue to proceed.*
- 7.03 Utility Services Manager, dated March 5, 2010, re: [Trash 2 Treasure Event](#)  
*To receive, for information, the report of the Utility Services Manager dated March 5, 2010 regarding the recommendation NOT to hold a Trash 2 Treasures event in 2010; and approve the multiple reuse events by the Regional Waste Reduction Office.*
- 7.04 Utility Services Manager, dated 15, 2010, re: [2009 Yard Waste Program / 2010 Proposed Program](#)  
*To receive, for information, the report of the Utility Services Manager dated March 15, 2010 updating the 2009 Fall yard and Boulevard tree Leaf Collection Program and 2010 proposed programs.*
- 7.05 Roads, Drainage and Solid Waste Project Manager, dated March 3, 2010, re: [Award of Construction Contract TE10-03 - Moyer Road Drainage Improvements - Phase One](#)  
*To award the construction contract for the Moyer Road Drainage Improvements - Phase 1 to Peter Bros. Construction Ltd., in the amount of \$1,054,635.58, including GST.*

- 7.06 Revenue Manager, dated March 10, 2010, re: [Downtown Kelowna Association 2010 Budget](#)  
*To approve the Downtown Kelowna Association 2010 Budget and the 2010 levy of \$570,000 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.*
- 7.07 Revenue Manager, dated March 10, 2010, re: [Uptown Rutland Business Association 2010 Budget](#)  
*To approve the Uptown Rutland Business Association 2010 Budget and the 2010 levy of \$134,000 on Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.*
- 7.08 Long Range Planning Manager, dated March 10, 2010, re: [Community Wildfire Protection Plan](#)  
*To direct staff to apply for a grant in the amount of \$25,000.00 from UBCM to cover the cost of updating our Community Wildfire Protection Plan (CWPP).*
- 7.09 Manager, Property Management, dated March 10, 2010, re: [Okanagan Gymnastics Club Lease Amendment](#)  
*To approve an amendment to the Okanagan Gymnastics Club Lease; To approve all additional rent be used to pay the Municipal Finance Authority Loan Issue No. 102 authorized by Bylaw No. 9663; To authorize the Mayor and City Clerk to sign the lease.*
- 7.10 Manager, Property Management, dated March 10, 2010, re: [Cash in Lieu of Parking Review](#)  
*To receive as information, the report of the Property Management Manager dated March 10, 2010.*
- 7.11 Manager, Property Management, dated March 10, 2010, re: [Lease Renewal - Central Okanagan Small Boat Association \(COSBA\)](#)  
*To authorize the Mayor and City Clerk to execute the lease renewal with the Central Okanagan Small Boat Association.*
- 7.12 Land Use Manager, dated March 10, 2010, re: [Dilworth Mountain Land Use Contract Discharge](#)  
*To direct staff to move forward with the proposed rezoning, OPC amendment and Land Use Contract discharge for LUC74-57; To endorse the property owner notification plan.*
- 7.13 City Clerk, dated March 8, 2010, re: [Certificate of Sufficiency South Pandosy Business Improvement Area Bylaw No. 10270](#)  
*To receive the Certificate of Sufficiency dated March 8, 2010 pertaining to the proposed establishment of the South Pandosy Business Improvement Area.*
- 8.0 NOTICE OF MOTION
- 8.01 Councillor Stack, re: Moratorium on New Applications for C7LP Zoning in the Downtown Core

9.0 BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

*NOTE: Agenda items No. 9.01 and 9.02 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)

- 9.01 [Bylaw No. 10304](#) - Amendment No. 30 to Sewerage Usage System User Bylaw No. 3480  
*To amend Bylaw No. 10304 at third reading.*
- 9.02 [Bylaw No. 10307](#) - Amendment No. 2 to Solid Waste Management Regulation Bylaw No. 10106  
*To amend Bylaw No. 10307 at third reading.*

10. MAYOR & COUNCILLOR ITEMS

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

11. TERMINATION