

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, JUNE 28, 2010

1:30 P.M.

1. CALL TO ORDER

2. Councillor Hobson is requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.01 Superintendent McKinnon, re: [Bi-Monthly Policing Report](#)

4. UNFINISHED BUSINESS

4.01 City Clerk, dated June 22, 2010, re: [Agri-Tourism Text Amendment](#)
To amend Bylaw No. 10269 at first reading, for a second time; To forward Bylaw No. 10269 to the July 13, 2010 Public Hearing for further consideration; To direct staff to bring forward an amendment to the Business Licence and Regulation Bylaw No. 7878.

(a) City Clerk report dated June 22, 2010.

(b) BYLAW PRESENTED FOR AMENDMENT AT FIRST READING

[Bylaw No. 10269 \(TA09-0006\)](#) - City of Kelowna - Text Amendment - Agriculture 1 zone - Amendments to Zoning Bylaw No. 8000
To amend Bylaw No. 10269 at first reading by (a) deleting the definition of Agri-Tourist Accommodation and replacing it with a new definition, (b) amending the definition of Agri-Tourist Accommodation by identifying "sleeping units" as a defined term, (c) adding A1st - Agriculture 1 with Secondary Suite and Agri-tourist Accommodation to Section 11.1, (d) amending Section 11.1.3 to add "agri-tourism", and (e) amending various wording in Section 11.1.8.

5. DEVELOPMENT APPLICATION REPORTS

5.01 Community Sustainability Division, dated June 18, 2010, re: [Official Community Plan Bylaw Amendment Application No. OCP10-0001 and Rezoning Application No. Z10-0002 - DRS Ventures Ltd. \(DE Pilling & Associates Ltd.\) - 1800 Crosby Road](#) Mayor to invite the Applicant or the Applicant's Representative to come forward.

To consider a staff recommendation NOT to amend the future land use designation of a portion of the subject property from the existing "Park - Major Park/Open Space" designation to the proposed "MRL - Multiple Unit Residential - Low Density" designation in order to permit a 40 unit townhouse development; To consider a staff recommendation NOT to rezone a portion of the subject property from the existing A1 - Agriculture 1 zone to the proposed RM3 - Low Density Multiple Housing zone to order to permit a 40 unit townhouse development.

- 5.02 Community Sustainability Division, dated June 16, 2010, re: Rezoning Application No. Z08-0040 - Adrienna Fehr (Adrienna & Cornie Fehr) - 125 Robson Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone in order to designate the existing dwelling as a secondary suite in an accessory building while constructing a new principal dwelling on the subject property.
- (a) [Community Sustainability Division report dated June 16, 2010.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10369 \(Z08-0040\)](#) - Adrienna Fehr (Adrienna & Cornie Fehr) - 125 Robson Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.
- 5.03 Community Sustainability Division, dated June 18, 2010, re: Rezoning Application No. Z10-0043 - Simon Wiencki - 2839 Helmcken Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone in order to construct a secondary suite within a single-family dwelling.
- (a) [Community Sustainability Division report dated June 18, 2010.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10370 \(Z10-0043\)](#) - Simon Wiencki - 2839 Helmcken Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.
- 5.04 Community Sustainability Division, dated June 18, 2010, re: Rezoning Application No. Z10-0035 - Larry Deboice (New Town Architectural Services) - 340 Francis Avenue
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone in order to accommodate the construction of a new semi-detached housing development.
- (a) [Community Sustainability Division report dated June 18, 2010.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10371 \(Z10-0035\)](#) - Larry Deboice (New Town Architectural Services) - 340 Francis Avenue
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.
- 5.05 Community Sustainability Division, dated June 10, 2010, re: Rezoning Application No. Z10-0039 - Hardeep & Jarnail Goraya (Axel Hilmer Planning Consultant) - 721 Renshaw Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone in order to legalize a secondary suite within a single-family dwelling.
- (a) [Community Sustainability Division report dated June 10, 2010.](#)

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

[Bylaw No. 10372 \(Z10-0039\)](#) - Hardeep & Jarnail Goraya (Axel Hilmer) - 721 Renshaw Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.

5.06 Community Sustainability Division, dated June 18, 2010, re: [Rezoning Application No. Z10-0033 - New Opportunity for Women \(NOW\) Canada Society Inc. - 2609 Richter Street](#)

To rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM3 - Low Density Multiple Housing zone in order to legalize the existing non-conforming uses on the site.

(a) [Community Sustainability Division report dated June 18, 2010.](#)

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

[Bylaw No. 10373 \(Z10-0033\)](#) - New Opportunities for Women (NOW) Canada Society Inc. - 2609 Richter Street
To rezone the subject property from the RU6 - Two Dwelling Housing zone to the RM3 - Low Density Multiple Housing zone.

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

(BYLAWS PRESENTED FOR ADOPTION)

6.01 [Bylaw No. 10264 \(Z09-0063\)](#) - Joan Needham - 4646 McClure Road
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 General Manager, Community Services, dated June 22, 2010, re: [Bartholomew Water System Upgrade Project](#)
To receive, for information, the Report of the General Manager, Community Services regarding a \$397,000.00 project to upgrade the water supply to Bartholomew Court and surrounding properties; To approve funding of \$325,000.00.

7.02 Financial Accounting Manager, dated June 23, 2010, re: [2009 Annual Report](#)
To receive, for information, the Annual Report for the year ended December 31, 2009; To receive, for information, the Council Remuneration and Expenses Report, Employee Remuneration Report and Schedule of Payment for the Provision of Goods and Services.

7.02(a) Director, Financial Services, dated June 25, 2010, re: [Strategic Community Investment Funds](#)
To receive, for information, the Report from the Director, Financial Services dated June 25, 2010 with respect to the Strategic Community Investment Funds.

7.03 Revenue Manager, dated June 23, 2010, re: [Council Request to Re-Examine Criteria #8 from the Permissive Tax Exemption Policy No. 327](#)
To receive, for information, the Report from the Revenue Manager dated June 23, 2010; To keep the permissive exemption conditions as previously approved by Council.

LATE ITEM
ADDED

- 7.04 Deputy Director, Airport Operations, dated May 31, 2010, re: [Garda Security Screening Inc. - New Lease of Space in the Air Terminal Building and Combined Operations Building - YLW](#)
To approve the City entering into a new Sub-Lease with Garda Security Screening Inc. for certain office space located at the Kelowna International Airport.
- 7.05 Deputy Director, Airport Operations, dated June 4, 2010, re: [New Vehicle Rental Concession Licences and Resulting Bylaw Amendments](#)
To receive, for information, the Report of the Deputy Director, Airport Operations dated June 4, 2010; To give reading consideration to Bylaw No. 10366; To award the airport vehicle rental concession licences, effective September 1, 2010, to Devon Transport Ltd. dba Budget Car & Truck Rental, Skeena Rent A Car Ltd. dba National Car Rentals; Aviscar Inc. and Enterprise Rent-A-Car Canada Limited.
- 7.06 Deputy Director, Airport Operations, dated June 14, 2010, re: [Air Carrier Airport Use Agreement for Les Investissements Nolinor Inc. \("Nolinor Air"\) - Kelowna International Airport](#)
To consent to and approve the Air Carrier Airport Use Agreement allowing Nolinor Air to operate at the Kelowna International Airport.
- 7.07 Deputy Director, Airport Operations, dated June 18, 2010, re: [Free Access to Public and Private High Fidelity Wireless Network - Kelowna International Airport](#)
To approve the City entering into a new Second Supplemental Agreement with BOLDstreet Inc. for the provision of free private and public wireless network communication services at Kelowna International Airport.
- 7.08 Client Services Supervisor, dated June 18, 2010, re: [Fees for Police Services](#)
To receive, for information, the Report from the Client Services Supervisor dated June 18, 2010; To give reading consideration to Bylaw No. 10368.
- 7.09 Park Services Manager, dated June 15, 2010, re: [Boulevard Maintenance Bylaw No. 5708-84](#)
To receive, for information, the Report from the Park Services Manager; To direct staff to bring an updated version of Boulevard Maintenance Bylaw No. 7508-84 back to Council for approval.
- 7.10 Director, Infrastructure Planning, dated June 18, 2010, re: [Wood First](#)
To adopt the Wood First Resolution in acknowledgement and support of Bill 9 - BC's Wood First Act.
- 7.11 Roads, Drainage & Solid Waste Project Manager, dated June 23, 2010, re: [Award of Construction Contract TE 10-08 - Cawston Avenue Multi-path Corridor & Ethel Street Utility Upgrades](#)
To award the contract for the construction of the Cawston Avenue Multi-path Corridor and Ethel Street Utility Updates to Peter Bros. Construction in the amount of \$5,418,448.56 (HST included).
- 7.12 Manager, Park & Public Space Projects, dated June 23, 2010, re: [Gerstmar Park - Contract Award T10-053](#)
To award the contract for the construction of Gerstmar Park to Sierra Landscaping Ltd. in the amount of \$660,518.80, excluding HST.
- 7.13 Manager, Strategic Land Development, dated June 23, 2010, re: [Status Report - Kelowna Yacht Club - Clubhouse Relocation](#)
To receive, for information, the report of the Manager, Strategic Land Development dated June 23, 2010.

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

NOTE: Agenda items No. 8.01 and 8.02 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)

- 8.01 [Bylaw No. 10366](#) - Amendment No. 24 to the Airport Fees Bylaw No. 7982
To amend Airport Fees Bylaw No. 7982 by deleting Sections 15a, 15b and 16 in their entirety and replacing them with new Sections 15a, 15b and 16.
- 8.02 [Bylaw No. 10368](#) - Amendment No. 3 to Miscellaneous Fees and Charges Bylaw No. 9381
To amend Miscellaneous Fees and Charge Bylaw No. 9381 by deleting Schedule "B", Fees for Police Services in its entirety and replacing it with a new Schedule "B", Fees for Police Services.

(BYLAWS PRESENTED FOR ADOPTION)

- 8.03 [Bylaw No. 10342](#) - Road Closure Bylaw - Portion of Loseth Drive - Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.
To permanently close and remove the highway dedication of a portion of highway on Loseth Drive.

9. MAYOR & COUNCILLOR ITEMS

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

10. TERMINATION