

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, SEPTEMBER 20, 2010

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.

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

3. PUBLIC IN ATTENDANCE

3.1 Wayne Wilson, Executive Director, Kelowna Museums Society, re: [2010 Activities](#)

4. COMMITTEE REPORTS

4.1 Public Art Committee, dated September 15, 2010, re: [Old Mill Creek Bridge Project](#)  
*To award Karl Ciesluk a commission for the design, fabrication and installation of "Driven" on the deck of the former Mill Creek Bridge.*

5. DEVELOPMENT APPLICATION REPORTS

5.1 Community Sustainability Division, dated September 10, 2010, re: Rezoning Application No. Z10-0054 - Marla Matutat - 1375 Rutland Road North  
*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone in order to permit a second dwelling to be constructed on the property.*

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

(b) BYLAW PRESENTED FOR FIRST READING

[Bylaw No. 10418 \(Z10-0054\)](#) - Marla Matutat - 1375 Rutland Road North  
*To rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.*

- 5.2 Community Sustainability Division, dated September 8, 2010, re: [Rezoning Application No. Z10-0073 - Sharla Marie Visscher \(Richard Visscher\) - 726 Denali Drive](#)  
*To rezone the subject property from the RU1h- Large Lot Housing (Hillside) zone to the RU1hs - Large Lot Housing (Hillside) with a Secondary Suite zone in order to construct a secondary suite within a single-family dwelling.*
- (a) [Community Sustainability Division report dated September 8, 2010.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10419 \(Z10-0073\)](#) - Sharla Marie Visscher (Richard Visscher) - 726 Denali Drive  
*To rezone the subject property from the RU1h - Large Lot Housing (Hillside) zone to the RU1hs - Large Lot Housing (Hillside) with a Secondary Suite zone.*
- 5.3 Community Sustainability Division, dated September 8, 2010, re: [Development Permit Application No. DP10-0099 - Tree Tops \(Kettle Valley\) Developments Ltd. \(New Town Architecture Service Inc.\) - 5300 Main Street](#)  
*To authorize the issuance of a Development Permit for the form and character of a mixed-use building consisting of 1287m<sup>2</sup> of commercial space, 15 townhomes and 18 apartments.*
- 5.4 (a) City Clerk, dated September 13, 2010, re: [Rescind Outstanding Bylaws](#)  
*To rescind readings given to Bylaw Nos. 9595, 9635, 9801, 10040, 10073 and 10074.*
- (b) **BYLAW PRESENTED FOR RESCINDMENT AT FIRST READING**
- [Bylaw No. 9635 \(TA06-0003\)](#) - City of Kelowna Amendments to Zoning Bylaw No. 8000 - Building Height and Grade Regulations and Setback Requirements in hillside zones  
*To rescind Bylaw No. 9635 at first reading.*
- (c) **BYLAWS PRESENTED FOR RESCINDMENT AT THIRD READING**
- (i) [Bylaw No. 9595 \(Z06-0011\)](#) - Mark Elgood (Lynn Welder) - 827 Wardlaw Avenue  
*To rescind Bylaw No. 9595 at third reading.*
- (ii) [Bylaw No. 9801 \(Z07-0025\)](#) - 622632 BC Ltd.(Matrix Architecture and Planning Inc.) - 110-150 Highway 33 West  
*To rescind Bylaw No. 9801 at third reading.*

- (iii) [Bylaw No. 10040 \(Z08-0024\)](#) - Young & Hamel Motors Ltd. (Cheviot Properties Ltd.) - 580 Harvey Avenue  
*To rescind Bylaw No. 10040 at third reading.*
- (iv) [Bylaw No. 10073 \(OCP08-0015\)](#) - Harley & Joan Gariepy (Harley Gariepy) - 1990 Raisanen Road - **Requires a majority of all Members of Council (5)**  
*To rescind Bylaw No. 10073 at third reading.*
- (v) [Bylaw No. 10074 \(Z08-0052\)](#) - Harley & Joan Gariepy (Harley Gariepy) - 1990 Raisanen Road  
*To rescind Bylaw No. 10074 at third reading.*

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 City Clerk and Land Use Manager, dated September 14, 2010, re: [KGH Heliport Application](#)  
*To authorize the Mayor to send a letter of non opposition to Transport Canada regarding Kelowna General Hospital's Heliport application.*
- 6.2 Director, Policy & Planning, dated September 15, 2010, re: [Timeline for Downtown Plan Next Steps](#)  
*To direct staff to prepare 2011 budget submissions in support of a Downtown Plan.*
- 6.3 Manager, Parks Services, dated September 9, 2010, re: [Smoking Prohibition Amendments to Parks and Public Spaces Bylaw No. 6819-91](#)  
*To direct staff to bring forward amendment to Parks and Public Spaces Bylaw No. 6819-91 and City of Kelowna Ticket Information Utilization Bylaw No. 6550-89 to regulate smoking in all city-owned parks, stadiums, beaches and trails.*
- 6.4 Manager, Parks Services, dated August 27, 2010, re: [On-Leash Dog Park Policies](#)  
*To receive, for information, the August 27, 2010 Report from the Manager, Park Services.*
- 6.5 Manager, Transportation & Mobility, dated September 13, 2010, re: [Ellis Street Truck Route - Proposed Operational Change](#)  
*To amend the hours of operation of the Ellis Street truck route from 24 hours to 7:00 am to 7:00 pm.*
- 6.6 Subdivision Approving Officer, dated September 13, 2010, re: [Proposed Renaming of Section of Caramillo Road to Boynton Place](#)  
*To give reading consideration to Bylaw No. 10417.*

- 6.7 Utilities Technologist, dated September 15, 2010, re: [2010 Flood Protection Program Funding Application - Mill Creek Restoration and Flood Protection Works at Kelowna International Airport](#)  
*To direct staff to use \$750,000 from the Airport Reserve towards completing the Mill Creek Relocation & Flood Protection Works, east of the existing airport runway; To direct staff to apply for the 2010 Flood Protection Program Funding Grant.*
- 6.8 Sustainability Coordinators, dated September 15, 2010, re: [Climate Action Consultation Plan](#)  
*To endorse community consultation regarding the Community Climate Action reduction initiatives.*
- 6.9 Utility Services Manager, dated September 13, 2010, re: [Landscape and Irrigation Standards - Water Sustainability Action Plan](#)  
*To approve the proposed actions to promote water conservation; To direct staff to prepare amendments to appropriate bylaws; To direct staff to continue with stakeholder and public outreach.*

7. RESOLUTIONS

- 7.1 Mayor Shepherd, Draft Resolution, re: [British Columbia Youth Parliament, 82<sup>nd</sup> Parliament](#)  
*To authorize the Youth Advisory Committee to nominate two (2) youth from the Youth Forum Steering Committee to participate in the British Columbia Youth Parliament.*

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

*NOTE: Agenda items No. 8.1 and 8.2 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)

- 8.1 [Bylaw No. 10399](#) - Road Closure Bylaw - Portion of Ivens Road  
*To authorize the City to permanently close and remove the highway dedication of a portion of highway on Ivens Road.*
- 8.2 [Bylaw No. 10417](#) - Name Change Bylaw - Portion of Caramillo Road to Boynton Place  
*To authorize the City to rename a portion of Caramillo Road to Boynton Place.*

(BYLAWS PRESENTED FOR ADOPTION)

- 8.3 [Bylaw No. 10408](#) - Amendment No. 24 to City of Kelowna Electricity Regulation Bylaw No. 7639  
*To amend City of Kelowna Electricity Regulation Bylaw No. 7639 by deleting Appendices C-1, C-2, C-4, C-5, C-8, C-9, C-10, C-11 and C-12 of Schedule "C" in*

*their entirety and replacing them with new Appendices C-1, C-2, C-4, C-5, C-8, C-9, C-10, C-11 and C-12.*

9. MAYOR & COUNCILLOR ITEMS

9.1 Mayor Shepherd, re: "Spirit of Kelowna" Acknowledgment

10. TERMINATION