

CITY OF KELOWNA

REGULAR COUNCIL AGENDA

COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

MONDAY, OCTOBER 3, 2011

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. Councillor Blanleil was requested to check the minutes of the meeting.

3. DEVELOPMENT APPLICATION REPORTS

3.1 Land Use Management Department, dated September 9, 2011, re: Rezoning Application No. Z11-0064 - Gyula & Gyongi Schweigert (Gyula Schweigert) - 1340 Chichester Court

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 an accessory building.

(a) [Land Use Management Department report dated September 9, 2011.](#)

(b) BYLAW PRESENTED FOR FIRST READING

[Bylaw No. 10611 \(Z11-0064\)](#) - Gyula & Gyongi Schweigert (Gyula Schweigert) - 1340 Chichester Court

To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.

3.2 Land Use Management Department, dated September 22, 2011, re: Rezoning Application No. Z11-0044 - Reynald & Jennifer Grande - 410 Woods 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 the principal dwelling.

(a) [Land Use Management Department report dated September 22, 2011.](#)

(b) BYLAW PRESENTED FOR FIRST READING

[Bylaw No. 10612 \(Z11-0044\)](#) - Reynald & Jennifer Grande - 410 Woods Road

To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.

- 3.3 Land Use Management Department, dated September 6, 2011, re: Text Amendment Application No. TA11-0006 - City of Kelowna - Housekeeping Text Amendments to Zoning Bylaw No. 8000
To advance changes to City of Kelowna Zoning Bylaw No. 8000 in order to implement the provisions of the Kelowna 2030 Official Community Plan and to ensure consistency with provincial and federal policies and guidelines.
- (a) [Land Use Management Department report dated September 16, 2011.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10613 \(TA11-0006\)](#) - City of Kelowna - Miscellaneous Housekeeping Text Amendments for City of Kelowna Zoning Bylaw No. 8000.
To consider various amendments to City of Kelowna Zoning Bylaw No. 8000.
- 3.4 Land Use Management Department, dated September 22, 2011, re: Rezoning Application No. Z11-0054 - Jonathan Wilson - 2539 Beetlestone Drive
To rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone in order to construct a secondary suite within an accessory building.
- (a) [Land Use Management Department report dated September 22, 2011.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10614 \(Z11-0054\)](#) - Jonathan Wilson - 2539 Beetlestone Drive
To rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone,
- 3.5 Land Use Management Department, dated September 15, 2011, re: Rezoning Application No. Z11-0068 - Ecer Construction Surveys (2005) Ltd. - 840 Raymer 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) [Land Use Management Department, dated September 15, 2011.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10615 \(Z11-0068\)](#) - Ecer Construction Surveys (2005) Ltd. - 840 Raymer Road
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.

- 3.6 Land Use Management Department, dated September 21, 2011, re: Rezoning Application No. Z11-0067 - Miyuki & Randy Lindeboom (Randy Lindeboom) - 4634 Darin Place
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 the existing principal dwelling.
- (a) [Land Use Management Department report dated September 21, 2011.](#)
- (b) **BYLAW PRESENTED FOR FIRST READING**
- [Bylaw No. 10616 \(Z11-0067\)](#) - Miyuki & Randy Lindeboom (Randy Lindeboom) - 4634 Darin Place
To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone.
- 3.7 Land Use Management Department, dated September 23, 2011, re: Official Community Plan Bylaw Amendment Application No. OCP11-0003 and Rezoning Application No. Z11-0033 - OCORP Development Ltd. (PC Urban Properties) - 1966-1968 Kane Road
To change the future land use designation of a portion of the subject property from the "Multiple Unit Residential (Medium Density) designation to the "Commercial" designation in order to expand the existing "Commercial" designation; To rezone portions of the subject property from the A1 - Agriculture 1 zone to the C3 - Community Commercial, RM3 - Low Density Multiple Housing and RM5 - Medium Density Multiple Housing zones in order facilitate a proposed retail shopping centre and future multi-family development.
- (a) [Land Use Management Department report dated September 23, 2011.](#)
- (b) **BYLAWS PRESENTED FOR FIRST READING**
- (i) [Bylaw No. 10617 \(OCP11-0003\)](#) - OCORP Development Ltd. (PC Urban Properties) - 1966-1968 Kane Road - **Requires a majority of all Members of Council (5)**
To change the future land use designation of a portion of the subject property from the "Multiple Unit Residential (Medium Density) designation to the "Commercial" designation.
- (ii) [Bylaw No. 10618 \(Z11-0033\)](#) - OCORP Development Ltd. (PC Urban Properties) - 1966-1968 Kane Road
To rezone portions of the subject property from the A1 - Agriculture 1 zone to the C3 - Community Commercial, RM3 - Low Density Multiple Housing and RM5 - Medium Density Multiple Housing zones.

- 3.8 Land Use Management Department, dated September 28, 2011, re: Official Community Plan Bylaw Amendment Application No. OCP11-0006 and Text Amendment Application No. TA11-0009 - City of Kelowna - Text Amendment to Zoning Bylaw related to Downtown Plan Charrette
To amend Bylaw No. 10594 at first reading to include a revised "Diagram A"; To amend Bylaw No. 10568 at first reading to include "Diagram 5.1".
- (a) [Land Use Management Department report dated September 28, 2011.](#)
- (b) **BYLAWS PRESENTED FOR AMENDMENT AT FIRST READING**
- (i) [Bylaw No. 10568 \(OCP11-0006\)](#) - City of Kelowna - Official Community Plan Bylaw No. 10500 - Text Amendment - Amendments to Chapter 5 - Development Process - **Requires a majority of all Members of Council (5)**
To amend Bylaw No. 10568 at first reading by deleting "Diagram A" in its entirety and replacing it with a new "Diagram A".
- (ii) [Bylaw No. 10594 \(TA11-0009\)](#) - City of Kelowna - Downtown Plan Charrette
To amend Bylaw No. 10594 at first reading by adding "Diagram 5.1" to the proposed Building Height Policy (5.5.1).
- 3.9 Land Use Management Department, dated September 7, 2011, re: [Agricultural Land Reserve Appeal Application No. A11-0007 - Barney & Kirby Kitaura \(Jackie Yates\) - 1687 Teasdale Road](#)
To support an application to the Agricultural Land Commission for subdivision within the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act in order to accommodate a homesite severance.
- 3.10 Manager, Long Range Planning, dated September 28, 2011, re: [OCP 2030 Bylaw 10500 - Housekeeping Amendments](#)
To receive, for information, the Report from the Manager, Long Range Planning with respect to Council directed and staff initiated housekeeping amendments to OCP 2030 Bylaw 10500; To direct staff to refer the proposed OCP 2030 Bylaw 10500 changes to the Advisory Planning Commission.

4. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 4.1 [Bylaw No. 10474 \(Z10-0089\)](#) - Jennifer Hindle - 5560 Lakeshore Road
To rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone.
- 4.2 [Bylaw No. 10581 \(Z11-0040\)](#) - Scott & Allyson Graf (Scott Graf) - 1275 Rodondo Place
To rezone the subject property from the RR1 - Rural Residential 1 zone to the RU1s - Large Lot Housing with Secondary Suite zone.

5. NON-DEVELOPMENT APPLICATION REPORTS

- 5.1 Airport Director, dated September 7, 2011, re: [Amendment to Airport Fees Bylaw No. 7982 - Kelowna International Airport](#)
To receive, for information, the Report from the Airport Director outlining recommended increases to the fees in the Airport Fees Bylaw; To forward Bylaw No. 10608 for reading consideration.
- 5.2 Director, Financial Services, dated September 20, 2011, re: [Modification to the Host Financial Assistance Agreement \(Casino Revenues\)](#)
To authorize the City to enter into a Host Financial Assistance Agreement Modification Agreement with the Province of British Columbia.
- 5.3 Manager, Cultural Services, dated September 28, 2011, re: [Loan to Sunshine Theatre Society](#)
To acknowledge the financial assistance loan of \$50,000.00 to the Sunshine Theatre Society; To direct staff to advise the Sunshine Theatre Society that all terms of the Letter Agreement are considered extinguished; To amend the Financial Plan to apply the sum of \$49,700.00 from the Arts Development Reserve to extinguish the outstanding amount of the financial assistance loan.
- 5.4 Manager, Strategic Projects, dated September 26, 2011, re: [John Hindle Drive Funding](#)
To receive, for information, the Report from the Manager, Strategic Projects with respect to John Hindle Drive Funding; To support constructing Phases 2-4 of John Hindle Drive using the existing DCC program; To direct staff to report back in 2012; To direct staff to identify external grant funding for completion of the road in the 2010-2015 timeframe.
- 5.5 Manager, Parks & Public Places, dated September 6, 2011, re: [Landfill Trail](#)
To receive, for information, the Report from the Manager, Parks & Public Places with respect to Landfill Trail; To receive the September 2, 2011 Letter from the Quail Ridge Residents Association; To approve the renaming of the Landfill Trail as Eagle View Trail; To designate the Eagle View Trail for use by equestrians.
- 5.6 Manager, Regional Programs, dated September 28, 2011, re: [Transit Expansion Request - Fall 2011 Passenger Overloads](#)
To approve the addition of transit service to comprise two (2) additional buses and their operation as passenger overload relief.
- 5.7 Deputy City Clerk, dated September 22, 2011, re: [Amendments to Council Remuneration and Expense Bylaw No. 7547](#)
To receive, for information, the Report from the Deputy City Clerk to amend Council Remuneration and Expenses Bylaw No. 7547; To forward Bylaw No. 10610 for reading consideration.

6. RESOLUTIONS

- 6.1 City Clerk, Draft Resolution, re: [2012 Council Meeting Schedule](#)
To adopt the Council Meeting Schedule for 2012.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

NOTE: Agenda items No. 7.1 to 7.2 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)

- 7.1 [Bylaw No. 10608](#) - Amendment No. 25 to Airport Fees Bylaw No. 7982
To consider various amendments to City of Kelowna Airport Fees Bylaw No. 7982.
- 7.2 [Bylaw No. 10610](#) - Amendment No. 9 to Council Remuneration and Expense Bylaw No. 7547
To consider various amendments to City of Kelowna Council Remuneration and Expense Bylaw No. 7547.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.3 [Bylaw No. 10597](#) - Road Closure Bylaw - Portion of Cross Road - Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.
To authorize the City to permanently close and remove the highway dedication of a portion of highway on Cross Road.

8. MAYOR & COUNCILLOR ITEMS

- 8.1 Mayor Shepherd, re: ["Spirit of Kelowna" Acknowledgment](#)

9. TERMINATION