

Regular Meeting – P.M.

February 4, 2002

A Regular Meeting of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Monday, February 4, 2002.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, R.D. Cannan*, C.B. Day, B.D. Given, J.D. Nelson and S.A. Shepherd.

Council members absent: Councillors B.A. Clark and R.D. Hobson.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi*; Current Planning Manager, A.V. Bruce*; Long Range Planning Manager, S.K. Bagh*; Inspection Services Manager, K. Skinner*; Financial Planning & Systems Manager, K. Grayston*; Purchasing Manager, R. Reiter*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:30 p.m.

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

3. PLANNING

- 3.1 Planning & Development Services Department, dated January 30, 2002 re: Rezoning Application No. Z01-1056 – BHF Building Healthy Families Society Inc. (Tom Smithwick/Porter Ramsay, Barristers & Solicitors) – 1390 KLO Road

Councillor Cannan declared a conflict of interest, noting his wife is a volunteer on the capital campaign to raise money for this society, and left the Council Chamber at 1:35 p.m.

Staff:

- The requested zoning would permit the continued use of the property as a training facility for parenting and life skill courses

Council:

- Staff to provide a report on what improvements are to take place along KLO Road this year, and when the full road will be improved to full urban standard.

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R117/02/02/04 THAT Rezoning Application No. Z01-1056 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, DL 131, O.D.Y.D., Plan 15596, located on KLO Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the P2 – Education and Minor Institutional zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to the Municipal Council for consideration;

AND THAT pursuant to the provisions of the City of Kelowna Development Application Procedures Bylaw No. 8140 and section 890 of the Local Government Act, the requirement for the public hearing be waived;

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AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND FURTHER THAT final adoption of the zone amending bylaw be withheld until the owner has executed a Servicing Agreement acceptable to the City of Kelowna.

Carried

Councillor Cannan returned to the Council Chamber at 1:41 p.m. and took his place at the Council Table.

3.2 Planning & Development Services Department, dated January 30, 2002 re: Discussion on Second Kitchens in Single Detached Housing (3360-20)

Staff:

- Recommend allowing the ability to have second kitchens in single detached dwellings again but with a covenant and affidavit to acknowledge that the second kitchen does not constitute a legal secondary suite.
- Enforcement would come down to counting occupants – five if unrelated and otherwise unrestricted. Homeowners found not to be obeying the covenant and affidavit would be fined on the initial offense and be required to remove the kitchen immediately.
- If Council approved with this approach, staff would consult with the Urban Development Institute, Homebuilders Group, Residents' Associations, and the Advisory Planning Commission before bringing forward the necessary bylaw to so amend the City's Zoning Bylaw.
- 's' zoning would still be required to allow an independent revenue unit in a single family home.

Council:

- Add the Tenant Advocate Society to the list of agencies to consult.
- Realtors should also be involved so that they relay the correct information to prospective buyers of homes with second kitchens.
- Staff to investigate whether the proposed changes would impact the Dilworth Mountain Land Use Contract.

Moved by Councillor Cannan/Seconded by Councillor Shepherd

R118/02/02/04 THAT Council receive for discussion purposes, the report from the Planning and Development Services Department dated January 30, 2002 recommending a different approach to allowing second kitchens in single detached dwellings that would focus on the limitation of household size to one family or five unrelated people;

AND THAT Municipal Council direct staff to prepare amendments to City of Kelowna Zoning Bylaw 8000 in keeping with the fundamental concepts outlined in the report from the Planning and Development Services Department dated January 30, 2002.

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- 3.3 Planning & Development Services Department, dated January 29, 2002 re: Building Permits for Docks (6740-20)

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R119/02/02/04 THAT the Planning Department's report of January 29, 2002 outlining the pros and cons of requiring building permits for new docks as a tool for foreshore management be received;

AND THAT the City of Kelowna continue its current policy of not requiring building permits for docks.

Carried

4. REPORTS

- 4.1 Deputy Director of Finance, dated January 30, 2002 re: Conventional Transit – Local Cost Sharing (2240-20)

Moved by Councillor Shepherd/Seconded by Councillor Given

R120/02/02/04 THAT Council endorse the revenue and cost sharing principles for the provision of conventional transit service in the Kelowna Regional Transit System as outlined in the letter signed by the three local partners and attached to the Finance Department's report of January 30, 2002.

Carried

- 4.2 Deputy Director of Finance, dated January 30, 2002 re: Award of Transit Advertising Contract (8501-06)

Staff:

- Two submissions were received in response to the request for proposals (RFP).
- Addressed the concerns raised in a letter just received from the unsuccessful bidder regarding how the RFP was advertised.
- Other letters sent from the unsuccessful bidder to the City Manager were responded to by the City Manager.

Moved by Councillor Given/Seconded by Councillor Blanleil

R121/02/02/04 THAT Council approve the granting of exclusive permission and rights for the sale of advertising on City-owned bus shelters and benches and on regional transit buses to Obie Media Limited for the period from February 1, 2002 to December 31, 2004, with an extension option to December 31, 2006;

AND THAT the Mayor and City Clerk be authorized to sign the transit advertising franchise agreement with Obie Media Limited.

Carried

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5. RESOLUTIONS

- 5.1 Draft Resolution re: Travel Authorization – 2002 OMMA, UBCM and FCM Conventions (0230-20)

Moved by Councillor Nelson/Seconded by Councillor Cannan

R122/02/02/04 THAT all members of Council be authorized to travel to attend the 2002 Okanagan Mainline Municipal Association Convention on May 1-3, 2002 in Vernon, B.C., with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-015-0-001;

AND THAT all members of Council be authorized to travel to attend the 2002 Union of British Columbia Municipalities Convention and pre-conference sessions being held September 22-27, 2002 in Whistler, B.C., with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-015-0-001.

AND FURTHER THAT all members of Council be authorized to travel to attend the 2002 Federation of Canadian Municipalities Convention being held May 31 to June 3, 2002 in Hamilton, Ontario, with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-015-0-007.

Carried

6. COUNCILLOR ITEMS

- (a) 100th Birthday – City of Kelowna

Councillor Shepherd questioned when the criteria will be in place for people wanting to submit ideas to the City for projects for the 100th Birthday. The City Manager advised that staff intend to be back to Council in a couple of weeks with some ideas and Council can then determine the process and how to involve the public.

- (b) Aviation Security Charge

The City Manager expressed concern about the impact of the \$12 flat rate aviation security charge that comes into effect April 1st on shorthall and discount carriers, noting the \$12 charge is per passenger each way and therefore would be \$24 per passenger for return trips.

Moved by Councillor Shepherd/Seconded by Councillor Given

R123/02/02/04 THAT City Council write to the Federal Transport Minister and the Finance Minister expressing support for an enhanced Federally-initiated air-passenger security program but recommending that the current funding formula be changed taking the following principles into account:

- revenues from the security charge should be linked to the actual cost of enhanced airport security;
- the security charge should be set at a level that would have the least negative impact on the overall demand for air travel.

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7. TERMINATION

The meeting was declared terminated at 3:10 p.m.

Certified Correct:

Mayor

City Clerk

BLH/am