

Regular Meeting – P.M.

November 25, 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, November 25, 2002.

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

Council members absent: Mayor Walter Gray.

Staff members in attendance were: Acting City Manager/Director of Planning & Development Services, R.L. Mattiussi; Deputy City Clerk, A.M. Flack; Current Planning Manager, A.V. Bruce*; Subdivision Approving Officer, R.G. Shaughnessy*; Transportation Manager, R.W. Westlake*; Community Planning Manager, T. Eichler*; Deputy Director of Finance, P.A. Macklem*; Community Liaison Coordinator, R. James*; Roadways Engineer, G. Parker*; and Assistant City Clerk acting as Recording Secretary, L.M. Taylor.

(* denotes partial attendance)

1. CALL TO ORDER

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

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

3. PUBLIC IN ATTENDANCE

3.1 Bruce Hamilton, on behalf of the Memorial Cup Bid Committee re: 2004 Memorial Cup Bid

Bruce Hamilton introduced the Memorial Cup Bid Committee and thanked Council for their support of the bid.

4. PLANNING

4.1 Planning & Development Services Department, dated November 20, 2002 re: Rezoning Application No. Z02-1041 – Peter & Marlene Sieben (M105 Enterprises Ltd.) – 1915 Enterprise Way

Staff:

- To permit the construction of a 2½ storey commercial building on the site.
- No access will be permitted from Spall Road, full movement access will be from Enterprise Way.
- Development Variance Permit is required to address the abundance of parking over and above the zone regulations.

Moved by Councillor Hobson/Seconded by Councillor Day

R437/02/11/25 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, DL 140, O.D.Y.D., Plan KAP58184, located on Enterprise Way, Kelowna, B.C., from the RM5 – Medium Density Multiple Housing zone to the C4 – Town Centre Commercial zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

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

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AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Inspection Services Department and 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

- 4.2 Planning & Development Services Department, dated November 19, 2002 re: Rezoning Application No. Z02-1033 – Robert (Bob) Harasin – 1665 Begley Road

Staff:

- To permit a 2-lot residential subdivision.
- RR2 zone does not require urbanized road frontage.

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R438/02/11/25 THAT Rezoning Application No. Z02-1033 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 18, Township 27, ODYD, Plan 25442, located on Begley Road, Kelowna, B.C. from the RR3 – Rural Residential 3 zone to the RR2 – Rural Residential 2 zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

Carried

- 4.3 Planning & Development Services Department, dated November 19, 2002 re: Rezoning Application No. Z02-1034 – Markui Contracting Ltd. (David Pauls/D.E. Pilling & Associates Ltd.) – 1504 Highway 33 East

Staff:

- To permit a 40-lot single family residential subdivision.
- Access from Loseth Road.
- Extension of Feedham Avenue is included in subdivision proposal.

Moved by Councillor Day/Seconded by Councillor Cannan

R439/02/11/25 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Sec. 13, Twp. 26, ODYD, Plan 17448, located on Highway 33, Kelowna, BC, from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

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- 4.4 Planning & Development Services Department, dated November 20, 2002 re: Community Social Development Grants (1850-20)

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R440/02/11/25 THAT Kelowna City Council authorize the amendments to Council Policy No. 218 – Community Social Development Grants as attached to the report from the Community Planning Manager dated November 20, 2002.

Carried

- 4.5 Planning & Development Services Department, dated November 20, 2002 re: Grants to Address the Sexual Exploitation of Youth (1850-20)

Moved by Councillor Nelson/Seconded by Councillor Hobson

R441/02/11/25 THAT Kelowna City Council authorize the amendments to Council Policy No. 277 - Grants to Address the Sexual Exploitation of Youth Program as attached to the report from the Community Planning Manager dated November 20, 2002.

Carried

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 5.1 Bylaw No. 8506 (Z98-1042) – Fredor Holdings Ltd. and Frederick Marshall (Matt Cameron/Reid Crowther & Partners) – 1361 Mountain Avenue

Moved by Councillor Nelson/Seconded by Councillor Clark

R442/02/11/25 THAT Bylaw No. 8506 be adopted.

Carried

6. REPORTS

- 6.1 Councillor Day, Chair of Kelowna Parking Committee, dated November 20, 2002 re: Free Saturday Parking in December (5480-08)

Moved by Councillor Day/Seconded by Councillor Hobson

R443/02/11/25 THAT Council approve free on-street parking in the Downtown area during Saturdays in December 2002.

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- 6.2 Transportation Manager, dated November 20, 2002 re: Contract Award for Gordon Drive Extension (5400-20)

Moved by Councillor Blanleil/Seconded by Councillor Day

R444/02/11/25 THAT Council approve the award of a contract to complete the earthworks for the Gordon Drive extension at Paret Road to Arthon Construction Ltd. for \$375,204.28 including GST at 3% subject to no opposition being received by 4:00 p.m. on Monday, November 25, 2002;

AND THAT Council approve a 2002 Financial Plan amendment for the unfunded portion of \$56,833.00 from the DCC Roads Sector B Reserve.

Carried

Councillor Shepherd opposed

- 6.3 Deputy Director of Finance and City Clerk, dated November 21, 2002 re: Mission District Park Sports Facility – Certificate of Sufficiency (B/L 8887)

Staff:

- Impact of the debt servicing will not affect taxpayers until 2004.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R445/02/11/25 THAT Council receive the Certificate of Sufficiency dated November 21, 2002 pertaining to the Mission District Park Sports Facility Construction Loan Authorization Bylaw No. 8887;

AND THAT Council receive the Certificate of Sufficiency dated November 21, 2002 pertaining to the agreements with RG Properties Ltd. and its affiliates for the design, construction and operation of the proposed Mission District Park Sports Facility;

AND THAT Mission District Park Sports Facility Construction Loan Authorization Bylaw No. 8887 be advanced for adoption consideration;

AND FURTHER THAT the 2002 Financial Plan be amended to include additional capital expenditures of \$16,577,250.00 funded from:

Long Term Borrowing	\$11,000,000.00
Developer Contribution	500,000.00
General Reserves	2,377,250.00
Statutory Reserves	700,000.00
Electrical Utility Surplus	1,500,000.00
Accumulated Surplus – General Fund	500,000.00

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7. RESOLUTIONS

7.1 Draft Resolution re: Helicopter Landing – Santa Claus (8400-01

Moved by Councillor Hobson/Seconded by Councillor Cannan

R446/02/11/25 THAT Council grant approval to Northern Air Support Ltd. to fly Santa Claus from the Kelowna Airport to the Kelowna Golf & Country Club on December 8th and 16th, 2002, subject to the approval of Transport Canada and compliance with all related flight requirements.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

8.1 Bylaw No. 8937 – Road Exchange Bylaw – Westpoint Drive

Moved by Councillor Cannan/Seconded by Councillor Blanleil

R447/02/11/25 THAT Bylaws No. 8937, 8939 and 8940 be read a first, second and third time.

Carried

8.2 Bylaw No. 8939 – Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw, 2002

See resolution adopted under agenda item No. 8.1.

8.3 Bylaw No. 8940 – Sewerage System User Bylaw, 1972, No. 3480, Amendment Bylaw No. 8940

See resolution adopted under agenda item No. 8.1.

(BYLAWS PRESENTED FOR ADOPTION)

8.4 Bylaw No. 8546 – Advisory Planning Commission Bylaw

Moved by Councillor Clark/Seconded by Councillor Shepherd

R448/02/11/25 THAT Bylaw No. 8546 be adopted.

Carried

8.5 Bylaw No. 8887 – Mission District Park Sports Facility Construction Loan Authorization Bylaw

Moved by Councillor Clark/Seconded by Councillor Shepherd

R449/02/11/25 THAT Bylaw No. 8887 be adopted.

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- 8.6 Bylaw No. 8934 – Repeal Community Heritage Commission Bylaw No. 7816

Moved by Councillor Nelson/Seconded by Councillor Clark

R450/02/11/25 THAT Bylaw No. 8934 be adopted.

Carried

9. COUNCILLOR ITEMS

(a) Glenmore Landfill

Councillor Cannan reminded staff that the existing signage on Glenmore Road advising the public that the landfill is not open on Sundays and that loads must be covered is hidden behind a fence and that more visible signage is needed.

(b) Transit Information

Councillor Shepherd requested staff provide information about the location of transit stops in reports pertaining to the rezoning of commercial or residential property.

10. TERMINATION

The meeting was declared terminated at 2:45 p.m.

Certified Correct:

Deputy Mayor Given

Deputy City Clerk

LMT/am