

Regular Meeting – P.M.

January 20, 2003

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, January 20, 2003.

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

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*; Development Engineering Manager, S. Muenz*; Director of Finance & Corporate Services, C.P. Kraft*; Deputy Director of Finance, P. Macklem*; Financial Planning Manager, K. Grayston*; and Assistant City Clerk, L.M. Taylor acting as Council Recording Secretary.

(* denotes partial attendance)

1. CALL TO ORDER

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

2. Councillor Given to check the minutes of the meeting.

3. PLANNING

3.1 Planning & Development Services Department, dated January 13, 2003 re: Z02-1058 – Brian & Donna Choboter – 2265 James Road

Staff:

- Permit the construction of a secondary suite in a one-storey accessory building located at the rear of the property.
- Applicant is also constructing a two-car garage in a separate accessory building.
- Carport to accommodate the parking for the suite will be located between the building containing the suite and the garage.

Moved by Councillor Given/Seconded by Councillor Blanleil

R47/03/01/20 THAT Rezoning Application No. Z02-1058 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 35, Section 16, Township 26, ODYD, Plan 24182, located on James Road, Kelowna, B.C. from the RR3 – Rural Residential 3 zone to the RR3s – Rural Residential 3 with Secondary Suite zone be considered by Council;

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

Carried

3.2 Planning & Development Services Department, dated January 15, 2003 re: Z02-1051 – Walter & Lidia Baumgart – 952 & 962 Lawson Avenue

Staff:

- Permit the construction of a 16-unit townhouse development configured in two buildings, each consisting of 8 side-by-side one bedroom units.
- Concurrent development and development variance permit applications have been submitted and will be required to vary the maximum allowable site coverage.
- Minor site design issues need to be resolved prior to adoption of bylaw.

Regular Meeting – P.M.

January 20, 2003

Council:

- Asked staff to check the heritage status of the two residences to be removed and report back at the public hearing.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R48/03/01/20 THAT Rezoning Application No. Z02-1051 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots A and B, DL 138, ODYD, Plan 4491 located on Lawson Avenue, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone be considered by Council;

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 on the subject property;

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.

Carried

3.3 Planning & Development Services Department, dated January 13, 2003 re: Official Community Plan Amendment No. OCP01-015 – Destination Resorts Inc. (New Town Planning Services Inc./Cathy MacArthur) – Quail Ridge

Staff:

- Amendments to future land use designation to accommodate the proposed amendment to the Quail Ridge Area Structure Plan to provide for an increase in residential units from 880 to 990.
- Staff support the recommended changes.

Moved by Councillor Cannan/Seconded by Councillor Given

R49/03/01/20 THAT OCP Bylaw Amendment No. OCP01-015 to amend Map 19.1 of the Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600 by changing the Future Land Use designation of:

- Lot 9, Sections 15 & 22, Township 23, ODYD, Plan KAP52038 except Plans KAP52922, KAP55964 and KAP56795, located on Quail Run Drive, Kelowna, BC, from the Multiple Unit Residential – Low Density designation to the Single/Two Unit Residential designation;
- Plan KAP67478, Park, located on Capistrano Drive, Kelowna, BC, from the Multiple Unit Residential – Low Density designation to the Major Park /Open Space designation; and
- A portion of Lot 4, Sections 14 & 15, Township. 23, ODYD, Plan KAP54660, located on Country Club Drive, Kelowna, BC, from the Commercial designation to Multiple Unit Residential – Medium Density designation;

as shown on Map “A” attached to the report of Planning & Development Services Department, dated January 13, 2003, be considered by Council;

Regular Meeting – P.M.

January 20, 2003

AND THAT the Quail Ridge Area Structure Plan be amended by increasing the number of units to 990 and revising the buildout schedule, as outlined in the report of the Planning & Development Services Department dated January 13, 2003 be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP01-015 be forwarded to a Public Hearing for further consideration.

Carried

4. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST READING)

4.1 Bylaw No. 8900 – Zoning Bylaw Text Amendment No. TA01-003

Moved by Councillor Given/Seconded by Councillor Horning

R50/03/01/20 THAT Bylaw No. 8900 be read a first time.

Carried

4.2 Bylaw No. 8953 (Z02-1027) – No. 21 Great Projects Inc. and Michal & Suzanne Jilek (Runnalls Denby/Neil Denby) – 1228 Paret Road, 889 & 904 Steele Road

Councillor Clark declared a conflict as the subject property is adjacent to his own property and left the Council Chamber at 1:49 p.m.

Moved by Councillor Given/Seconded by Councillor Horning

R51/03/01/20 THAT Bylaw No. 8953 be read a first time.

Carried

Councillor Clark returned to the Council Chamber at 1:50 p.m.

4.3 Bylaw No. 8954 (Z02-1050) – 1931 Ventures Inc. & Orlando Ungaro (Miller and Wyatt Ltd.) – 1955 Baron Road

Moved by Councillor Given/Seconded by Councillor Horning

R52/03/01/20 THAT Bylaw No. 8954 be read a first time.

Carried

Regular Meeting – P.M.

January 20, 2003

5. REPORTS

- 5.1 Development Engineering Manager dated January 6, 2003 re: Latecomer Charges – Summit South Joint Venture – South Ridge Drive (2250-7066)

Staff:

- Agreement is for provision of water distribution mains.

Moved by Councillor Hobson/Seconded by Councillor Day

R53/03/01/20 THAT the Municipal Council requires the owner of District Lot 1688S Similkameen Division Yale District Except Plans 23489 and 25794 and Lot 1 District Lot 1688S Similkameen Division Yale District Plan 25794 which is to be subdivided or developed, provide the excess or extended services shown in Schedule E of the Extended Service Agreement No. 2250-70-66, attached to the report of the Development Engineering Manager, dated January 06, 2003;

AND THAT the Municipal Council consider the cost to provide the excess or extended services shown in Schedule E of the Extended Service Agreement No. 2250-70-66, in whole or in part, to be excessive;

AND THAT the Extended Service charges be imposed for excess or extended services, as shown in Schedule E of Extended Service Agreement No. 2250-70-66, which are required to be installed as part of the referenced Development Project;

AND THAT Extended Service charges be imposed on the benefiting lands outlined in Schedules D-1 and D-2 of Extended Service Agreement No. 2250-70-66;

AND THAT the City enter into Extended Service Agreement No. 2250-70-66 with the owner to be effective upon Substantial Performance of the Excess or Extended Services, and the Mayor and City Clerk be authorized to execute Extended Service Agreement on behalf of the City of Kelowna.

Carried

- 5.2 Development Engineering Manager dated January 6, 2003 re: Latecomer Charges – Emil Anderson Construction Co. Ltd. – Chute Lake Road (2250-7064)

Staff

- Agreement is for provision of sanitary sewer

Moved by Councillor Shepherd/Seconded by Councillor Cannan

R54/03/01/20 THAT the Municipal Council requires the owner of Lot A Section 24 Township 28 SDYD Plan KAP59499 except Plan KAP69262 which is to be subdivided or developed, provide the excess or extended services shown in Appendix E of the Latecomer Agreement No. 2250-70-64, attached to the report of Development Engineering Manager dated January 06, 2003;

AND THAT the Municipal Council consider the cost to provide the excess or extended services shown in Appendix E of the Latecomer Agreement No. 2250-70-64, in whole or in part, to be excessive;

Regular Meeting – P.M.

January 20, 2003

AND THAT the Latecomer charges be imposed for excess or extended services, as shown in Appendix E of Latecomer Agreement No. 2250-70-64, which are required to be installed as part of the referenced Development Project;

AND THAT Latecomer charges be imposed on the benefiting lands listed in Appendices D and F of Latecomer Agreement No. 2250-70-64;

AND THAT the City enter into Latecomer Agreement No. 2250-70-64 with the owner to be effective upon Substantial Performance of the Excess or Extended Services, and the Mayor and City Clerk be authorized to execute the Latecomer Agreement on behalf of the City of Kelowna;

AND FURTHER THAT the owners of the benefiting lands be advised in writing of the Latecomer charge to be imposed on their land.

Carried

5.3 City Manager, dated January 15, 2003 re: 2003 Financial Plan (BL8955)

Staff:

- Gross taxation demand of \$62 Million will result in a net impact to residential property owner of 2.2% for city portion of taxes only. This figure is based on the average assessment increase on residential property of 5.8%
- Final budget will be presented to Council in early May.

Council

- Members of Council requested staff look at different methods of presenting the budget to Council including start with a budget that reflects a zero increase and letting Council make the recommendations for additions or deletions from the budget.
- Requested a staff report on the need for additional lighting at Guisachan House. The City Manager indicated staff will report back to Council on this issue at final budget.
- There is a need to educate the public on the way municipal taxation works – i.e. the City also collects for the Hospital, CORP, and School District and how an increase in assessment reflects on the setting of the mill rate.

Moved by Councillor Hobson/Seconded by Councillor Day

R55/03/01/20 THAT the 2003 Financial Plan, as summarized by total revenues and expenditures on Schedule A attached to the report from the City Manager dated January 15, 2003, in the amount of \$199,061,924.00 be adopted, reflecting total operating and capital costs including changes made by Council during the financial plan review meeting of January 7, 2003.

Carried

Councillors Blanleil and Cannan opposed.

Regular Meeting – P.M.

January 20, 2003

6. COUNCILLOR ITEMS

- a) Councillor Shepherd, Notice of Motion: re: Kettle Valley Railway – Place of National Historic Significance

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R56/03/01/20 THAT a letter of congratulations be sent from the Mayor and Council to the Kettle Valley Railway Society in recognition of their success in having the Myra Canyon Section of Kettle Valley Railway declared a Place of National Historic Significance.

AND THAT a copy of the letter be sent to the following:

Honorable Joyce Murray, Minister of Water, Land and Air Protection; and
Honorable Sheila Cops, Minister of Canadian Heritage

Carried

- b) Councillor Hobson, Notice of Motion: re: National Park Designation in South-Okanagan Similkameen

Moved by Councillor Hobson/Seconded by Councillor Cannan

R57/03/01/20 THAT a letter be sent from the Mayor and Council to the Honourable Senator D. Ross Fitzpatrick to support him in his effort to have the Interior Dry Plateau region in the South Okanagan Similkameen declared a National Park;

AND THAT a copy of the letter sent to Senator Fitzpatrick be sent all Members of Parliament and Members of the Legislative Assembly representing the Okanagan Valley;

AND THAT a copy of the letter to Senator Fitzpatrick be sent to all Local Governments in the Okanagan and Similkameen Valleys along with a covering letter encouraging them to also send a letter of support.

Carried

- c) Preventative Drinking and Driving Initiatives

Councillor Shepherd requested staff research and report back to Council on the possibility of using provincial liquor tax funds to develop initiatives aimed at reducing drinking and driving. Types of initiatives could include requiring establishments, where liquor is consumed, to have breathalysers installed to permit patrons to test their blood alcohol content before leaving. Depending on the outcome of the staff report, this may be used as a basis for a motion to FCM and UBCM. It was suggested that the City contact ICBC to see if they would be interested in assisting with the research.

- d) Current Iraqi Conflict

Councillor Blanleil raised the issue of the Canadian role in the Iraqi conflict. He indicated he would, as a private citizen, be sending a letter to the Prime Minister requesting that the Canadian military only become involved in the Iraqi situation if there is a resolution by the United Nations and he encouraged the other members of Council to write to the Prime Minister as well.

The Mayor noted the Iraqi conflict is a national issue and therefore it is outside the mandate of City Council to pass a resolution on behalf of the citizens of Kelowna.

Regular Meeting – P.M.

January 20, 2003

7. TERMINATION

The meeting was declared terminated at 2:40 p.m.

Certified Correct:

Mayor

City Clerk

LMT/am