

Regular Meeting – P.M.

October 6, 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, October 6, 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; Deputy City Clerk, S.C. Fleming; Director of Financial Services, P.A. Macklem\*; Director of Works & Utilities, J. Vos\*; Manager of Development Services, A.V. Bruce\*; Manager of Policy, Research & Strategic Planning, S.K. Bagh\*; Manager of Community Development & Real Estate, D.L. Shipclark\*; Sports & Facilities Manager, J. Gabriel\*; and Council Recording Secretary, B.L. Harder.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:34 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 Mayor Gray to Present GFOA Distinguished Budget Presentation Award to City of Kelowna Financial Services Staff

- Mayor Gray presented the Distinguished Budget Presentation Award for the City's 2003 budget from the Government Finance Officers Association of the United States and Canada noting this marks the second year in a row the City has received this honour.
- The Financial Planning Manager accepted the award on behalf of the Financial Services Department.

3.2 Lesley Dieno, Executive Director, Okanagan Regional Library Board re: 2004 Budget

Lesley Dieno, Executive Director, Okanagan Regional Library Board:

- Outlined the changes that are proposed for year 2004.
- With the proposed budget, the average increase in tax for an average home would be \$1.00.

4. UNFINISHED BUSINESS

4.1 Planning & Corporate Services Department, dated October 1, 2003 re: Official Community Plan Amendment No. OCP03-0002 – Bertha & Douglas Flintoft (622664 BC Ltd./Grant Gaucher) – McKinley/Finch Roads

Staff:

- The subject application was deferred from the Regular Meeting of September 29, 2003 pending a further report from staff regarding costs of servicing the land and how that fits into the 20 year servicing plan.
- The staff recommendation was, and still is, to not support the application because the current 20 year servicing plan does not take into consideration any of the on or off-site works that would be required for the proposed development, and the project would compromise the long term availability of residential land for future development that is within the 20 year servicing plan.

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- The report outlines the information gathering process that would lead staff to be able to make a recommendation to Council. The work would have to be done by a consultant at the applicant's expense in accordance with Terms of Reference that would be agreed upon by the applicant and City staff.
- Explained the challenges staff would face in trying to come up with a Sector Plan for the area when development of the area is contrary to the fundamental principals of the Official Community Plan.

Moved by Councillor Blanleil/Seconded by Councillor Hobson

**R835/03/10/06** THAT Municipal Council defer further consideration of Official Community Plan Amendment Application No. OCP03-0002 until such time as the applicant has provided the additional information noted in the Planning & Corporate Services Department's report dated October 2, 2003, and until City staff report back to Council with their review of the additional information.

Carried

Councillors Clark and Shepherd opposed.

5. PLANNING

5.1 Planning & Corporate Services Department, dated October 1, 2003 re: Rezoning Application No. Z03-0048 and Heritage Alteration Permit Application No. HAP03-0011 - Jan Dommasch (Peter Chataway) – 124 Lake Avenue

Staff:

- The intent is to use the existing small dwelling as the secondary suite and build a new primary dwelling on the site.
- Concerned about the proposed layout. Working with the applicant to revise the Heritage Alteration Permit with respect to the extent of encroachment on the Mill Creek setback requirements.

Moved by Councillor Shepherd/Seconded by Councillor Cannan

**R836/03/10/06** THAT Rezoning Application No. Z03-0048 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, D.L. 14, ODYD Plan 6424, located on Lake Avenue, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite 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 zoning bylaw be considered in conjunction with Council's consideration of Heritage Alteration Permit HAP03-0011;

AND THAT final adoption of the zone-amending bylaw be withheld pending approval of the Ministry of Water, Land and Air Protection;

AND FURTHER THAT final adoption of the zone-amending bylaw be withheld subject to the completion of the requirements of the Ministry of Water, Land and Air Protection.

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6. REPORTS

- 6.1 Airport General Manager, dated October 1, 2003 re: AOG Air Support Inc. (2380-20-8089; 0550-05)

Moved by Councillor Hobson/Seconded by Councillor Day

**R837/03/10/06** THAT Council approve expanding AOG Air Support Inc.'s (AOG) existing airport lease, through a supplemental agreement, by approximately 45,085 sq. ft. of land;

AND THAT 4:00 p.m., Wednesday, November 12<sup>th</sup> be set as the deadline for receipt of Counter Petitions, in the form attached to the October 1<sup>st</sup>, 2003 report of the Airport General Manager, in relation to the supplemental agreement with AOG;

AND FURTHER THAT subject to insufficient Counter Petitions being received before the deadline, Council authorize the Mayor and City Clerk to sign the required supplemental agreement on behalf of the City.

Carried

- 6.2 Sports & Facilities Manager, dated September 30, 2003 re: Sports Event Development Grant – 2004 Indo Pacific Championships (Trampoline and Tumbling) (1850-20)

Moved by Councillor Horning/Seconded by Councillor Hobson

**R838/03/10/03** THAT City Council approve \$7,500 from the Sports Event Development Grant to support the Okanagan Gymnastics Centre (in conjunction with Gymnastics B.C.) hosting the 2004 Indo Pacific Championships (Trampoline and Tumbling) in Kelowna from July 11-18, 2004.

Carried

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

**(BYLAW PRESENTED FOR AMENDMENT AT THIRD READING, AND ADOPTION, AS AMENDED)**

- 7.1 Bylaw No. 9090 – Amendment No. 9 to Fire Prevention Regulations  
Bylaw No. 6110-88

Council:

- Concerned about the location of the site selected for burning and the impact of the proposed burning on residents of Crawford Estates.
- Suggested that the use of Crawford Road as a truck route be a topic of discussion by Council at a future date.

Moved by Councillor Given/Seconded by Councillor Horning

**R839/03/10/03** THAT Bylaw No. 9090 be amended at third reading by changing the word "may" to the word "shall" in the last sentence of Section 1(a)(l).

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Moved by Councillor Given/Seconded by Councillor Horning

**R840/03/10/03** THAT Bylaw No. 9090 be adopted, as amended.

Carried

8. COUNCILLOR ITEMS

(a) Okanagan Mountain Provincial Park Forest Fire

Discussion about the frustrations being faced by victims of the fire as a result of under-insurance for clean-up/re-landscaping their properties, the need to lobby the provincial and federal governments for funding assistance, the need to get the neighbourhoods together to identify/quantify their needs for replanting trees so that they can get on with ordering those materials since they need to be grown from seed, and the role of the Recovery Centre.

Council directed staff to arrange for the consultant who prepared the Dobson report re ways to mitigate drainage issues that are likely to occur in the spring to present his report to Council at their Regular Meeting on October 20, 2003, and to also invite Parks B.C. to attend the meeting and provide specifics on what they are planning to do.

(b) Tarping of Loads Within City Boundaries

Councillor Given suggested that the City's bylaw requiring tarping of loads being hauled to the Glenmore Landfill be expanded to require that all loads be tarped for any movement of material within the City boundary and not just to the landfill. Referred to staff.

(c) Review of Business License & Regulation Bylaw

Councillor Cannan enquired about the proposed timing for the next review of the Business License & Regulation Bylaw. City Manager to investigate.

(d) Requests to Change Water Purveyors

Councillor Cannan asked if it is possible for residents of an area to request a change in their water purveyor. The City Manager explained that changes to water boundaries would have to be for good reason and on mutual agreement between the two service providers. Councillor Day added that any changes would also have to be through the Joint Water Committee.

(e) Upcoming Public Hearings

Councillor Day noted that there are a large number of items scheduled for the October 28<sup>th</sup> Public Hearing and apparently about 27 are anticipated to come forward before year's end, and expressed concern about making important decisions when the meetings go too late. The Deputy City Clerk suggested the heavy load could be handled by scheduling additional Public Hearings as required.

Moved by Councillor Day/Seconded by Councillor Hobson

**R841/03/10/03** THAT the rules of procedure under Section 3.1.4 of Council Bylaw No. 7906 be waived and the Public Hearing on October 28, 2003 be scheduled to begin at 6:00 p.m. rather than 7:00 p.m., and that the November 18, 2003 Public Hearing also begin at 6:00 p.m., if warranted by the volume of reports received for that meeting date.

Carried

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9. TERMINATION

The meeting was declared terminated at 4:37 p.m.

Certified Correct:

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Mayor

BLH/am

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Deputy City Clerk