

Regular Meeting – P.M.March 8, 2004

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, March 8, 2004.

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

Council members absent: Councillor C.B. Day.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, S.C. Fleming; Director of Planning & Corporate Services, R.L. Mattiussi\*; Manager of Development Services, A.V. Bruce\*; Director of Financial Services, P.A. Macklem\*; Manager of Community Development & Real Estate, D.L. Shipclark\*; Wastewater Manager, W.J. Berry\*; Civic Properties Manager, J. Waugh\*; 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 Shepherd was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Wayne Wilson, Kelowna Museum Curator re: Okanagan Mountain Park Forest Fire Archives Project (7131-01)

Withdrawn from the agenda.

3.2 David Rush, Chair, Kelowna and Area Okanagan Mountain Park Fire Recovery Society re: Final Report of the Kelowna and Area Okanagan Fire Recovery Society (7131-01)

David Rush, chair:

- Summarized the highlights of the final report of the Fire Recovery Society.
- Claims received totalled in excess of \$16 million in uninsured losses. Funds available for distribution totalled \$1.674 million. None of the funds available for distribution were used for administration.

4. PLANNING

4.1 Planning & Corporate Services Department, dated February 11, 2004 re: HRA03-0003 - Heritage Designation of Cadder House at 2124 Pandosy Street

Staff:

- Council has already approved a Heritage Revitalization Agreement for the restoration and renovation of the main building which is being converted into four separate apartments, and for the conversion of an existing accessory building into a fifth residential unit on the site.
- The subject application designates the principal building (known as the 'Cadder House') as a municipal heritage building, the property is not being designated as a heritage site.

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Moved by Councillor Shepherd/Seconded by Councillor Given

**R222/04/03/08** THAT City Council consider designation of the building located at 2124 Pandosy Street, Kelowna B.C., commonly known as the 'Cadder House' as a Municipal Heritage Building pursuant to Section 967 of the Local Government Act;

AND THAT the Heritage Designation Bylaw be forwarded to a Public Hearing for further consideration.

Carried

4.2 Planning & Corporate Services Department, dated February 26, 2004 re: Rezoning Application No. Z04-0006 – Wylie Svisdahl (Rob & Karen Wasylyshen) – 215 Arab Road

Staff:

- The applicant is proposing a 2-storey addition to the existing house to accommodate a double car garage, washroom and laundry room on the ground floor and a secondary suite on the second level. The addition would be linked to the house by a covered deck.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R223/04/03/08** THAT Rezoning Application No. Z04-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 39, Section 3, Township 23, ODYD, Plan 18861 on Arab Road, Kelowna, B.C. from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone be considered by Council;

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

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Glenmore-Ellison Irrigation District being completed to their satisfaction.

Carried

4.3 Planning & Corporate Services Department, dated March 1, 2004 re: Rezoning Application No. Z04-0007 – Melanie & Mathias Steppuhn – 1635 Smithson Place

Moved by Councillor Cannan/Seconded by Councillor Blanleil

**R224/04/03/08** THAT Rezoning Application No. Z04-0007 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7, Section 29, Township 26, ODYD, Plan 31799, located on Smithson Place, 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.

Carried

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- 4.4 Planning & Corporate Services Department, dated March 4, 2004 re: Rezoning Application No. Z03-0039 – Eldon James Veitch (Terry Peters) – 1301 Lewis Road

Moved by Councillor Blanleil/Seconded by Councillor Cannan

**R225/04/03/08** THAT Rezoning Application No. Z03-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Sec.13, Twp. 26, ODYD Plan KAP54818, located on Lewis Road, Kelowna, B.C. from the RR2 – Rural Residential 2 zone to the RR2s – Rural Residential 2 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 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 withheld pending Council's adoption of TA02-0005;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to approval by the Ministry of Transportation.

Carried

5. BYLAWS (ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR ADOPTION)**

- 5.1 Bylaw No. 9158 (TA03-0012) – City of Kelowna Zoning Bylaw Amendment

Moved by Councillor Clark/Seconded by Councillor Shepherd

**R226/04/03/08** THAT Bylaw No. 9158 be adopted.

Carried

- 5.2 Bylaw No. 9166 (TA03-0013) – Amendment to City of Kelowna Zoning Bylaw No. 8000

Moved by Councillor Clark/Seconded by Councillor Shepherd

**R227/04/03/08** THAT Bylaw No. 9166 be adopted.

Carried

- 5.3 Bylaw No. 9120 (TA02-0005) – Amendments to City of Kelowna Zoning Bylaw No. 8000

Moved by Councillor Horning/Seconded by Councillor Given

**R228/04/03/08** THAT Bylaw No. 9120 be adopted.

Carried

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6. REPORTS

- 6.1 Director of Financial Services, dated March 2, 2004 re: GST Rebate for Municipalities (2000-02)

Staff:

- Estimate that the GST rebate will generate an additional \$1 million in revenue for the City of Kelowna.

Moved by Councillor Hobson/Seconded by Councillor Cannan

**R229/04/03/08** THAT Council approve a strategy to reserve surplus funds generated for infrastructure development resulting from the increase to the City's GST rebate to 100%;

AND THAT Council be provided with recommendations for specific infrastructure projects through the Audit Committee as part of the 2004 year end financial reporting process;

AND FURTHER THAT the 2005 financial plan be developed to reflect the City's GST rebate of 100% along with a staff recommendation for ongoing recognition for budgetary management of projected savings.

Carried

- 6.2 Civic Properties Manager, dated March 1, 2004 re: Lease for Kelowna & District Boys and Girls Club – 355 Hartman Road (0870-20)

Moved by Councillor Given/Seconded by Councillor Horning

**R230/04/03/08** THAT City Council approve the five-year lease with the Kelowna and District Boys and Girls Club located at Hartman Road, as attached to the report of the Civic Properties Manager dated March 1, 2004;

AND THAT Council authorize the Mayor and City Clerk to execute the lease on behalf of the City of Kelowna.

Carried

- 6.3 Wastewater Manager, dated March 4, 2004 re: Provision of Sewer Service to the Kelowna Springs Golf Course (5340-20)

Moved by Councillor Horning/Seconded by Councillor Given

**R231/04/03/08** THAT Council support an extension to the City of Kelowna municipal boundary to include all of Lot 2, Plan 3874 (Kelowna Springs Golf Course) within the City of Kelowna municipal boundary;

AND THAT Lot 2, Plan 3874 (Kelowna Springs Golf Course) be allowed to obtain sewer service from the City of Kelowna provided that the boundary extension is approved by the Lieutenant Governor in Council;

AND FURTHER THAT the owner of Lot 2, Plan 3874 be responsible for all costs associated with the proposed boundary extension and applicable fees for obtaining the sewer service.

Carried

Regular Meeting – P.M.March 8, 20047. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**7.1 Bylaw No. 9140 – Road Closure and Removal of Highway Dedication Bylaw

Councillor Cannan declared a conflict of interest as a neighbour of the property in question and left the Council Chamber at 2:24 p.m.

Moved by Councillor Blanleil/Seconded by Councillor Hobson

**R232/04/03/08** THAT Bylaw No. 9140 be read a first, second and third time.

Carried

Councillor Cannan returned to the Council Chamber at 2:24 p.m. and took his place at the Council Table.

**(BYLAWS PRESENTED FOR ADOPTION)**7.2 Bylaw No. 9142 – Amendment No. 9 to Sign Bylaw No. 8235

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R233/04/03/08** THAT Bylaw No. 9142 be adopted.

Carried

7.3 Bylaw No. 9190 – Amendment No. 12 to Sewer Connection Charge Bylaw No. 8469

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R234/04/03/08** THAT Bylaw No. 9190 be adopted.

Carried

8. COUNCILLOR ITEMS(a) Clean Up of Properties Impacted by Okanagan Mountain Park Forest Fire

Councillor Shepherd advised that she is aware of a couple of properties that were burned out by last summer's forest fire where the owners are absentee landlords and nothing is being done to clean up potential hazards on the properties. The City Manager advised that there is no deadline for clean-up of properties but noted that if Councillor Shepherd would provide staff with the address of the properties staff could follow-up on the concern.

(b) Pesticide Notification Registry

Councillor Cannan enquired whether Council had an appetite to revisit some of the issues in the Pesticide Notification Registry that was recently approved by Council, such as the requirement to obtain a letter from a doctor in order to get 24 hours advance notice when adjacent to a private property that is being sprayed. Councillor Cannan also noted that Earthcare has some suggestions and have asked to meet with Council regarding the program. The City Manager agreed to have the Environment Manager address Council next week to explain how he proposes to handle the Registry.

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(c) Financing of New Okanagan Lake Bridge

Councillor Cannan noted that there could be substantial annual interest savings in financing construction of the new Okanagan Lake bridge through public borrowing as opposed to private borrowing.

Moved by Councillor Cannan/Seconded by Councillor Shepherd

**R235/04/03/08** THAT the Mayor write a letter on behalf of Council to Premier Gordon Campbell and Minister of Transportation Kevin Falcon with a copy to our local MLAs regarding the financing for a new Okanagan Lake bridge; emphasizing the strengths of public/private partnerships and the potential annual interest savings that could be realized through public versus private borrowing for a project of this magnitude.

Carried

(d) Future of Okanagan University College

Councillor Cannan suggested that a letter be sent to the Minister of Advanced Education asking when the community can anticipate hearing the details of UBC's proposal to have a campus in Kelowna, and asking that the province commit significant additional resources to improving access to post secondary education in the Okanagan Valley. It was noted that the Chamber of Commerce has put together a list of core requirements for a full status university in the Okanagan.

Moved by Councillor Cannan/Seconded by Councillor Shepherd

**R236/04/03/08** THAT, pending Council's receipt of the core requirements that the Chamber of Commerce have identified for supporting a full status university for the Okanagan, the Mayor send a letter to the Hon. Shirley Bond, Minister of Advanced Education, supporting the province investing more dollars into post secondary education and asking to see the written proposals that are being considered for the future of Okanagan University College in order to alleviate community concerns over the future of post secondary education in the Okanagan Valley.

Carried

9. TERMINATION

The meeting was declared terminated at 3:06 p.m.

Certified Correct:

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Mayor

BLH/am

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Deputy City Clerk