

Regular Meeting – P.M.October 25, 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, October 25, 2004.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blaneil, 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; Acting Deputy City Clerk, D.M. Fediuk; Director of Planning & Corporate Services, R.L. Mattiussi*; Manager of Development Services, A.V. Bruce*; Special Projects Planning Manager, H.M. Christy*; Manager of Community Development & Real Estate, D.L. Shipclark*; Financial Planning Manager, K. Grayston*; Water and Drainage Manager, D. Degen*; Electrical Utility Manager, R. Carle*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:32 p.m.

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

Councillor Cannan joined the meeting at 1:34 p.m.

3. DEVELOPMENT APPLICATION REPORTS

3.1 (a) BYLAWS PRESENTED FOR ADOPTION

- (i) Bylaw No. 9303 (OCP04-0011) - Lake Placid Developments (BKDI Architects) – 1120/1134/1148/1158/1168 Bernard Avenue **requires majority vote of Council (5)**

Moved by Councillor Given/Seconded by Councillor Horning

R1003/04/10/25 THAT Bylaw No. 9303 be adopted.

Carried

- (ii) Bylaw No. 9304 (TA04-0005) - Lake Placid Developments (BKDI Architects) – CD17 – Mixed Use Commercial – High Density zone

Moved by Councillor Horning/Seconded by Councillor Given

R1004/04/10/25 THAT Bylaw No. 9304 be adopted.

Carried

- (iii) Bylaw No. 9305 (Z04-0046) - Lake Placid Developments (BKDI Architects) – 1120/1134/1148/1158/1168 Bernard Avenue

Moved by Councillor Given/Seconded by Councillor Horning

R1005/04/10/25 THAT Bylaw No. 9305 be adopted.

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- (b) Planning & Corporate Services Department, dated October 19, 2004 re: Development Permit Application No. DP04-0075 - Lake Placid Developments (BKDI Architects) – 1120/1134/1148/1158/1168 Bernard Avenue

Staff:

- The Development Permit will allow for development of a 16-storey, 147-unit residential tower, 5 ground level townhouse type units which form part of the overall tower, 3,180 m² of commercial/retail space, and an 800 m² spa.
- The project incorporates green roof technology.
- Displayed elevation drawings showing the townhouse units wrapping around the bottom and the 16-storey tower stepping down to the 10 storey level.
- The applicant proposes to modify the spa building slightly to include a secondary storey for swim pool facility.

Moved by Councillor Hobson/Seconded by Councillor Cannan

R1006/04/10/25 THAT Council authorize the issuance of Development Permit No. DP04-0075 for Lot A, ODYD Plan 31667/Lot A, ODYD Plan 31666/ Lots 2 and 3, ODYD Plan 17333/Lot 2, ODYD Plan 17857/Lot B, ODYD Plan 18052, located on Bernard Avenue, Kelowna, B.C. subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

Carried

4. NON-DEVELOPMENT APPLICATION REPORTS

- 4.1 Manager of Community Development & Real Estate, dated October 13, 2004 re: 'Rutland Community Connections' Initiative (0917-20-054)

Staff:

- In keeping with their mandate to act as a catalyst for community development and enhancement, the Community Development & Real Estate division is recommending the development of a linear corridor to connect the town centre, schools and parks in the Rutland area of the city.
- Displayed photos showing the proposed route for achieving the connections and showing examples of similar corridors in other communities.
- The conceptual long term vision is for the linear corridor to ultimately provide a pedestrian connection to the Mission Park Greenway to the south and to the Mill Creek Greenway to the north.

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Moved by Councillor Given/Seconded by Councillor Horning

R1007/04/10/25 THAT Council endorse the Rutland Community Connections initiative in principle;

AND THAT staff be directed to commence the planning process, and bring forward appropriate items for consideration in 2005 Budget discussions.

Carried

4.2 Director of Financial Services, dated October 18, 2004 re: Amendment No. 1 to Bylaw No. 9220 – Five Year Financial Plan, 2004-2008 (BL9319; 1700-20)

Moved by Councillor Hobson/Seconded by Councillor Day

R1008/04/10/25 THAT Council approve amendment No. 1 to the Five Year Financial Plan, 2004-2008 Bylaw 9220 as required by the Community Charter to reflect changes in the Operating Budget and Capital Expenditure Program for 2004;

AND THAT the necessary amending bylaw be advanced for reading consideration by Council.

Carried

4.3 Assistant Airport General Manager, dated September 23, 2004 re: Assignment of Sub-Leases from Air Canada Regional Inc. and Jazz Air Inc. to Jazz Limited Partnership (2380-20-8039; 2380-20-8123)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R1009/04/10/25 THAT Council approve assignment of the *Air Canada Regional Inc.* Air Terminal Building sub-lease, and the *Jazz Air Inc.* glycol facility sub-lease at the Kelowna International Airport to *Jazz Limited Partnership*;

AND THAT Council authorize the Mayor and City Clerk to sign the Consent to Assignment of Sub-Lease documents on behalf of the City.

Carried

4.4 Assistant Airport General Manager, dated October 13, 2004 re: Assignment of Sub-Leases from WestJet Airlines Ltd. and WestJet to WestJet, An Alberta Partnership (2380-20-8087; 2380-20-8123)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R1010/04/10/25 THAT Council approve assignment of the *WestJet Airlines Ltd.* Air Terminal Building and the *WestJet* glycol facility sub-leases at the Kelowna International Airport to *WestJet, An Alberta Partnership*;

AND THAT Council authorize the Mayor and City Clerk to sign the Consent to Assignment of Sub-Lease documents on behalf of the City.

Carried

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- 4.5 Water/Drainage Manager, dated October 21, 2004 re: Award of Construction Contract TE04-11 – UV Disinfection System Installation Contract (5600-05)

Withdrawn from the agenda.

- 4.6 Energy Management Committee, dated October 19, 2004 re: Energy Management Committee Program Update (0360-20)

Staff:

- The Brandt's Creek Cascadia Development has been picked as the pilot project.
- The pilot project will help the City to develop a sustainable building plan for taking energy management beyond our internal programs to out in the community.

Moved by Councillor Hobson/Seconded by Councillor Given

R1011/04/10/25 THAT Council receives an update from the Energy Management Committee (EMC) on activities related to the Community Action on Energy Efficiency Project;

AND THAT Council approves the EMC to single source the project management function of the CAEE pilot project to Willis Energy Ltd. since they are an imperative partner to the City's EMC team;

AND FURTHER THAT Council receives an overview of the Energy Management Committee programs.

Carried

5.0 DRAFT RESOLUTIONS

- 5.0.1 Draft Resolution re: Start Time – November 16, 2004 Public Hearing/Regular Meeting (0550-01)

Moved by Councillor Day/Seconded by Councillor Horning

R1012/04/10/25 THAT the start time for the November 16, 2004 Public Hearing/Regular Meeting be changed from 7:00 p.m. to 5:00 p.m.

Carried

Councillor Clark opposed.

5. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 5.1 Bylaw No. 9319 – Amendment No. 1 to Five Year Financial Plan, 2004-2008, Bylaw No. 9220

Moved by Councillor Cannan/Seconded by Councillor Blanleil

R1013/04/10/25 THAT Bylaw No. 9319 be read a first, second and third time.

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(BYLAWS PRESENTED FOR ADOPTION)

5.2 Bylaw No. 9314 – 2005 Tax Exemption Bylaw

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R1014/04/10/25 THAT Bylaw No. 9314 be adopted.

Carried

5.3 Bylaw No. 9315 – Amendment No. 3 to Utility Billing Customer Care Bylaw No. 8754

Moved by Councillor Hobson/Seconded by Councillor Day

R1015/04/10/25 THAT Bylaw No. 9315 be adopted.

Carried

6. COUNCILLOR ITEMS

(a) Street Light Poles

Councillor Shepherd suggested that the street light poles be numbered, preferably with large fluorescent paint to make it simple for people to identify the location of burned out street lights.

(b) Address Signs

Councillor Shepherd suggested that the public be reminded of the benefits of putting up the green address signs to make the address easy to locate in cases of emergency.

(c) Monster Homes

Moved by Councillor Cannan/Seconded by Councillor Hobson

R1016/04/10/25 THAT staff review the building heights and setbacks in residential with a view to establishing a maximum on size and setbacks and creating an Estate Home Zone for larger parcels of land, and report back on the feasibility of implementation.

DEFEATED

Mayor Gray and Councillors Blanleil, Day, Horning and Shepherd opposed.

(d) Traffic on Lakeshore Road in the Vicinity of Anne McClymont School

Councillor Given commented on the traffic congestion on Lakeshore Road in the vicinity of Anne McClymont School noting the problems are exacerbated during the times when parents and buses are dropping off and picking up the children. He suggested that City staff work with the School District to try to resolve the problem.

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Councillor Hobson added that the problem could be alleviated by adding another bus or two for the children in the Crawford and upper Mission areas.

Moved by Councillor Hobson/Seconded by Councillor Given

R1017/04/10/25 THAT City staff work with the School District to find a transportation solution for the children who attend Anne McClymont School to address traffic congestion problems in that location.

Carried

(e) Free Parking for Hybrid Vehicles/Smart Cars

Mayor Gray suggested that the Parking Committee consider allowing free parking wherever there are parking meters for people who are driving hybrid vehicles or smart cars. Councillor Day agreed to raise the idea for discussion by the committee at their next meeting on December 2, 2004.

(f) UBCM Crime Prevention Workshop – November 23 & 24, 2004

Councillor Cannan reported that the Province is partnering with the UBCM on a Crime Prevention workshop that is being held November 23 & 24th in Vancouver. The UBCM has provided the cost of transportation and hotel for one member from each local government to attend. Councillor Cannan advised he would be bringing forward a motion at the next Council Meeting for a member of Kelowna City Council to attend the workshop.

7. TERMINATION

The meeting was declared terminated at 3:39 p.m.

Certified Correct:

Mayor

BLH/am

Acting Deputy City Clerk