

Regular Meeting – P.M.May 2, 2005

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, May 2, 2005.

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; Acting Deputy City Clerk, D.M. Fediuk; Director of Planning & Corporate Services, R.L. Mattiussi*; Subdivision Approving Officer, R.G. Shaughnessy*; Acting Manager of Policy, Research & Strategic Planning, G.L. Stephen*; Director of Financial Services, P.A. Macklem*; Financial Planning Manager, K. Grayston*; Financial Accounting & Systems Manager, R. Mayne*; Director of Parks & Leisure Services, D.L. Graham*; Recreation Manager, R. Oddleifson*; Sports & Facilities Manager, J. Gabriel*; Cultural Services Manager, L. Gunn*; Cultural Services Coordinator, S. Olcen*; Electrical Utility Manager, R. Carle*; Transportation Manager, R.W. Westlake*; Water & Drainage Engineer, R. Barnes*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:33 p.m.

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

3. PUBLIC IN ATTENDANCE

City of Kelowna Centennial – May 5, 2005

Orchard Valley Quilters Guild

- Members of Council signed the centennial signature quilt that the Quilters Guild is making using centennial grant monies.
- The public will have an opportunity to also sign the quilt this Sunday, May 8th in City Park.
- Once the backing is put on the quilt it will be given to the City of Kelowna as a legacy.

Westbank Lions Club

- Sang Happy Birthday to the City of Kelowna and presented Council with a cake and a 100th Birthday card.

OMMA Convention

- Mayor Gray commented that the municipalities of Salmon Arm and Enderby are both celebrating their 100th Birthday this year. The two municipalities presented the City of Kelowna with a gift of acknowledgement at the OMMA Convention last week.

3.1 Presentation by United Way Director of Fund Development Cynthia Waldek-Peters, and Central Okanagan Campaign Chair Paul Demay re: United Way Campaign Award

Paul Demay, United Way:

- Presented an Exceptional New Campaign Award for the Employees of the City of Kelowna. The award recognizes the workplace that has demonstrated consistent and exceptional support and commitment to the United Way campaign.

Regular Meeting – P.M.

May 2, 2005

3.2 Presentation by Nelson Jatel, Executive Director, Okanagan Partnership Society re: Competitiveness Strategy

Nelson Jatel and Gordon Fitzpatrick:

- Gave a powerpoint presentation on behalf of the Okanagan Partnership Society outlining their Competitiveness Strategy.
- The intent is to get the three Regional Districts working together to start to think and act more regionally for water management, air quality control, etc.
- Showed a video entitled "Two Tomorrows" emphasizing that the decisions we make today will make a difference tomorrow.

4. DEVELOPMENT APPLICATIONS

4.1 Planning & Corporate Services report, dated April 21, 2005 re: Development Permit Application No. DP05-0039 – Gazelle Enterprises Inc. – 3175-3275 Lakeshore Road

Councillor Shepherd noted that her husband is part owner of a building across the street but that since this application is not dealing with zoning, the Acting City Clerk has ruled that she would not be in a conflict of interest.

Staff:

- The permit is for the construction of a 1-storey commercial building intended for a Tim Hortons restaurant.

Moved by Councillor Blanleil/Seconded by Councillor Given

R410/05/05/02 THAT Council hear from the applicant's representative.

Carried

Gail Temple, representing the applicant:

- Tim Hortons would like to have a drive thru and the building has been situated in such a way that a drive-thru could be added if the use is ever added to the zone.

Moved by Councillor Shepherd/Seconded by Councillor Given

R411/05/05/02 THAT Council authorize the issuance of Development Permit No. DP05-0039 for Lot A, DL 14 & 135, O.D.Y.D., Plan KAP47364, located on Lakeshore Road, 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 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

Regular Meeting – P.M.

May 2, 2005

Staff:

- Explained that the zoning regulations were changed to remove drive-thru windows in order that applications can be considered on a site specific basis to ensure that the proposed development would be pedestrian friendly.

Moved by Councillor Blanleil/Seconded by Councillor Given

R412/05/05/02 THAT staff review the C4 – Urban Centre Commercial zone with a view to allowing drive-thru windows for restaurants within the zone.

Carried

4.2 Planning & Corporate Services report dated April 25, 2005 re: Development Permit Application No. DP05-0041 – North-Grow Contracting Ltd. (Mamre Holdings Inc.) – 205-215 Briarwood Road

Staff:

- The property is now serviced with sanitary sewer and the applicant is proposing to construct a 2-storey apartment building with underground parking, directly west of the existing apartment building on the site.

Moved by Councillor Hobson/Seconded by Councillor Day

R413/05/05/02 THAT Council authorize the issuance of Development Permit No. DP05-0041 for Lot 3, Section 26, Township 26, ODYD Plan 22581, located on Briarwood Road, 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.

Carried

5. NON-DEVELOPMENT APPLICATION REPORTS

5.1 Mayor Gray, Audit Committee Chairman, dated April 18, 2005 re: Financial Statements for the Year Ending December 31, 2004 (1830-20; 0540-20)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R414/05/05/02 THAT the Statement of Financial Position, Statement of Financial Activities and Auditor's Report for the City of Kelowna for the year ending December 31, 2004 be received;

AND THAT Council approve the appropriation of \$2,700,000 of surplus generated from all general fund operations in 2004 to general reserves as detailed in the body of the Audit Committee's report dated April 18, 2005;

Regular Meeting – P.M.

May 2, 2005

AND FURTHER THAT the Statement of Financial Position, Statement of Financial Activities and Auditor's Report be reprinted in and form part of the City of Kelowna's annual report.

Carried

- 5.2 City Manager, dated April 25, 2005 re: 2005 Financial Plan – Final Budget (1700-20)

Moved by Councillor Hobson/Seconded by Councillor Day

R415/05/05/02 THAT the 2005-2009 Financial Plan be approved by Council;

AND THAT Council approve the formulation of 2005 Property Tax Rates that will raise the required funds in 2005, from General Taxation, of \$70,210,000, resulting in an average net property owner impact of 1.95%;

AND FURTHER THAT the bylaw to adopt the 2005-2009 Financial Plan be advanced for reading consideration by Council.

Carried

- 5.3 Cultural Services Coordinator, dated April 27, 2005 re: City of Kelowna Life & Arts Festival (8200-20)

Moved by Councillor Shepherd/Seconded by Councillor Given

R416/05/05/02 THAT the Cultural Services Coordinator's report dated April 27, 2005 regarding the 2nd Annual Life & Arts Festival which takes place May 6-8 in Kelowna's Cultural District be received for Council's information.

Carried

- 5.4 Planning & Corporate Services Department, dated April 27, 2005 re: Rutland Height/Massing Review – Work Plan (0360-20)

Moved by Councillor Given/Seconded by Councillor Hobson

R417/05/05/02 THAT the Planning and Corporate Services report of April 27, 2005 on the review of height and massing in Rutland be received;

AND THAT staff be directed to continue the review as indicated in Work Plan attached to the staff report, with funds from the 2005 Neighbourhood Area Planning Program account.

Carried

Regular Meeting – P.M.

May 2, 2005

- 5.5 Transportation Manager, dated April 21, 2005 re: Pasadena Road Local Area Service Construction Bylaw (File 655) (BL9413; 5320-20)

Moved by Councillor Shepherd/Seconded by Councillor Cannan

R418/05/05/02 THAT Council approve Local Area Service improvements on Pasadena Road from Hollywood Road South around and back to Hollywood Road South, as per the 635 Report from the Transportation Manager dated April 21, 2005;

AND THAT the current financial plan be amended to include the total project cost of \$159,300 with funding recovered from the local area residents (debenture borrowed);

AND FURTHER THAT Pasadena Road Local Area Service Construction Bylaw No. 9413 (File 655) be advanced for reading consideration by Council.

Carried

- 5.6 Sports & Facilities Manager, dated April 26, 2005 re: Policy & Procedure Manual for Recreation Facilities, Community Theatre, Sportsfields and Parks (1810-01)

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R419/05/05/02 THAT City Council approve the Policy & Procedure Manual for Recreation Facilities, Community Theatre, Sportsfields & Parks, as attached to the report from the Sports & Facilities Manager dated April 26, 2005;

AND THAT City Council approve the Council Policy for the Allocation of Sportsfield Reserve Funds as attached to the staff report.

Carried

- 5.7 Energy Management Committee, dated April 20, 2005 re: Energy Management Committee Update (0360-20)

Moved by Councillor Hobson/Seconded by Councillor Day

R420/05/05/02 THAT Council receives for information an update from the Energy Management Committee (EMC) on activities related to the Community Action on Energy Efficiency Project (CAEE) on the City of Kelowna's 'Sustainable Building Pilot Project';

AND THAT Council endorses the Mayors Environmental Actions items which will be delivered during the Mayor's 2005 Environmental Expo scheduled for May 26, 27 & 28, 2005 as attached to the EMC's report dated April 20, 2005.

Carried

Regular Meeting – P.M.

May 2, 2005

- 5.8 Water/Drainage Manager, dated April 27, 2005 re: South East Kelowna & Glenmore Ellison Improvement District Boundary Amendment (5600-14)

Moved by Councillor Day/Seconded by Councillor Hobson

R421/05/05/02 THAT Council approve a request by the South East Kelowna Irrigation District (SEKID) to amend its service area boundary to exclude the property described as 910 Westpoint Drive, Lot 2, Sec. 31, Twp. 29, ODYD Plan KAP77146;

AND THAT Council approve the request by the Glenmore Ellison Improvement District (GEID) to include the following properties within the GEID service area boundary:

- **B.C. Serwa, et al**
 - NW portion of SE ¼, Sec. 33, Twp. 23 ODYD except Plan PCL A (DD W18607) and Plans H10783 & KAP66567;
- **R.A. Johnson**
 - NW portion of Lot A, Plan 5353, Secs. 21 & 28, ODYD except Plan B7114, 18046, 19773, 22105, 23083 & 29083;
- **622664 BC Ltd.**
 - Part SW ¼, Sec. 33, Twp. 23; ODYD except Plan 13462;
 - Lot FR NE ¼, Sec. 29, Twp. 23; ODYD said to contain 91 acres more or less;
 - Part NW ¼, Sec. 28, Twp. 23, ODYD;
 - Lot NW ¼, Sec. 21, Twp. 23, ODYD except Plan DD24364, 18402; SW ¼, Sec. 28, Twp. 23;
 - Sec. 28, Twp. 23, ODYD except Plan 20134, W ½ of SE ¼.

Carried

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 6.1 Bylaw No. 9413 – Pasadena Road Local Area Service Construction Bylaw (File 655)

Moved by Councillor Given/Seconded by Councillor Horning

R422/05/05/02 THAT Bylaws No. 9413, 9414, 9415, 9416, 9418, 9419, 9420 & 9421 be read a first, second and third time.

Carried

- 6.2 Bylaw No. 9414 – Five Year Financial Plan, 2005-2009

See resolution adopted under agenda Item No. 6.1.

- 6.3 Bylaw No. 9415 – Tax Structure Bylaw, 2005

See resolution adopted under agenda Item No. 6.1.

Regular Meeting – P.M.

May 2, 2005

6.4 Bylaw No. 9416 – Annual Tax Rates bylaw, 2005

See resolution adopted under agenda Item No. 6.1.

6.5 Bylaw No. 9418 – Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw, 2005

See resolution adopted under agenda Item No. 6.1.

6.6 Bylaw No. 9419 – Sale of City-Owned Land Reserve Fund Expenditure Bylaw 2005

See resolution adopted under agenda Item No. 6.1.

6.7 Bylaw No. 9420 – Development Cost Charge Reserve Fund Expenditure Bylaw, 2005

See resolution adopted under agenda Item No. 6.1.

6.8 Bylaw No. 9421 – Parking Reserve Fund Expenditure Bylaw, 2005

See resolution adopted under agenda Item No. 6.1.

7. COUNCILLOR ITEMS

(a) Award – Safety Streets Coalition

Councillor Day presented Mayor Gray with an award he received on behalf of the Mayor at the 2005 OMMA Convention. The award was from Terasen Gas in appreciation of the Mayor's contribution to the Safe Streets Coalition. Mayor Gray accepted the award on behalf of all of Council.

8. TERMINATION

The meeting was declared terminated at 4:33 p.m.

Certified Correct:

Mayor

BLH/am

Acting Deputy City Clerk