

Regular Meeting – P.M.

March 13, 2006

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 13, 2006.

Council members in attendance: Mayor Sharon Shepherd, Councillors A.F. Blanleil, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson and N.J. Letnick.

Council members absent: Councillors C.M. Gran and M.J. Rule.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, S.C. Fleming; Manager of Development Services, A.V. Bruce\*; Director of Works & Utilities, J. Vos\*; Water/Drainage Manager, D. Degen\*; Community Planning Manager, T. Eichler\*; and Council Recording Secretary, B.L. Harder.

Guests\*: Dr. Paul Hasselback, Senior Medical Health Officer, Interior Health Authority; Dr. Rob Parker, Medical Health Officer; Interior Health Authority; Joanne de Vries, Alliance Professional Services; Jan Enns, Communications.

(\* denotes partial attendance)

1. CALL TO ORDER

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

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

3. PUBLIC IN ATTENDANCE

3.1 Dr. Paul Hasselback, Senior Medical Health Officer and Dr. Rob Parker, Medical Health Officer, Interior Health Authority re: Turbidity and Health

Dr. Rob Parker, Medical Health Officer, Interior Health Authority:

- Explained what turbidity is and the relationship of turbidity to human health.
- Outlined the Interior Health Authority's approach to implementing the change from the 15 turbidity level down to the 1 turbidity level for drinking water quality, and communicating advisories to the public when turbidity levels exceed 1.

Dr. Paul Hasselback, Senior Medical Health Officer, Interior Health Authority:

- Some of the water service providers in Kelowna may have difficulty meeting the 1 turbidity standard.
- The communication plan that the Interior Health Authority intends to use was set using the National standards.

Joanne de Vries, Alliance Professional Services:

- Elaborated on the turbidity education and notification campaign to communicate information to the public.

Council:

- The Joint Water Committee is working together to meet all requirements to ensure clean, safe water is delivered to their customers. Information such as level of turbidity is available to the public on the Joint Water Committee website ([www.kjwc.org](http://www.kjwc.org)). There is a link to that website on the City webpage.

Moved by Councillor Given/Seconded by Councillor Letnick

**R241/06/03/13** THAT the information presented by the Interior Health Authority concerning drinking water turbidity and health be received.

Carried

The visiting delegation left the meeting at 2:16 p.m.

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4. DEVELOPMENT APPLICATION REPORTS

4.1 Rezoning Application No. Z06-0008 – Jennifer Shanko – 226 Poonian Street (BL9579)

(a) Planning & Corporate Services report dated February 23, 2006.

Moved by Councillor Letnick/Seconded by Councillor Given

**R242/06/03/13** THAT Rezoning Application No. Z06-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, Section 25, Township 26, ODYD Plan KAP75858, located on Poonian Street, Kelowna, B.C. from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing zone with Secondary Suite 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 Black Mountain Irrigation District being completed to their satisfaction.

Carried

(b) **BYLAW PRESENTED FOR FIRST READING**

Bylaw No. 9579 (Z06-0008) – Jennifer Shanko – 226 Poonian Street

Moved by Councillor Given/Seconded by Councillor Letnick

**R243/06/03/13** THAT Bylaw No. 9579 be read a first time.

Carried

5. NON-DEVELOPMENT APPLICATION REPORTS

5.0 Planning & Corporate Services Department, dated March 8, 2006 re: Proposed Terms of Reference for the Affordable and Special Needs Housing Task Force (0540-20)

Council:

- Suggest that staff of the Regional District of Central Okanagan be invited to participate in the workshop.

Moved by Councillor Letnick/Seconded by Councillor Given

**R244/06/03/13** THAT the Terms of Reference attached to the report from the Planning & Corporate Services Department dated March 8, 2006 be amended to add "liaise with the Social Planning & Housing Committee" under Scope of Work; to indicate under Membership that Councillor Norm Letnick would Chair the Task Force; and to correct two typographic errors in the first paragraph under Staff Support to change the word Manger to Manager;

AND THAT, as amended, the Terms of Reference for the Affordable and Special Needs Housing Task Force be endorsed by Council.

Carried

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- 5.1 Airport Manager, report dated March 9, 2006 re: Assignment of Sub-Leases from Jazz Air Limited Partnership to Jazz Air LP (2380-20-8039; 2380-20-8123; 0550-05)

Moved by Councillor Blanleil/Seconded by Councillor Day

**R245/06/03/13** THAT Council approves assignment of the *Jazz Air Limited Partnership* Air Terminal Building sub-lease and the glycol facility sub-lease at the Kelowna International Airport to *Jazz Air LP*;

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

- 5.2 Director of Financial Services, dated March 8, 2006 re: Revenue Anticipation Borrowing Bylaw (1760-02; BL 9578)

Moved by Councillor Letnick/Seconded by Councillor Given

**R246/06/03/13** THAT Revenue Anticipation Borrowing Bylaw No. 9578 as authorized under Section 177 of the Community Charter, be advanced for reading consideration by Council.

Carried

- 5.3 Risk Manager, report dated March 9, 2006 re: Indemnity for North End Water System Bonds and Future Bond Requirements (5600-04)

Moved by Councillor Blanleil/Seconded by Councillor Day

**R247/06/03/13** THAT Council authorize the Mayor and City Clerk to sign and seal an *Indemnity Agreement* in favour of The Guarantee Company of North America in connection with surety bonds provided for the UBCO Reservoir and Tutt Watermain Upgrade construction projects as part of the North End Water System for the Glenmore Ellison Irrigation District;

AND THAT Council authorize the *Indemnity Agreement* in favour of The Guarantee Company of North America to remain in force for future surety bonds required for projects authorized by Council.

Carried

- 5.4 Transportation Manager, dated March 7, 2006 re: Amendment to Traffic Bylaw No. 8120, Authority for Staff to Temporarily Close Roads within City of Kelowna (5400-00; BL 9562)

Moved by Councillor Given/Seconded by Councillor Letnick

**R248/06/03/13** THAT Traffic Bylaw No. 8120 be amended to authorize the City Engineer to approve temporary road closures;

AND THAT the required amending bylaw (No. 9562) be advanced for reading consideration by Council.

Carried

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- 5.5 Transportation Manager, dated March 7, 2006 re: Amendment to Traffic Bylaw – Definition of a Parking Meter (BL 5480-01; BL 9577)

Moved by Councillor Hobson/Seconded by Councillor Day

**R249/06/03/13** THAT Section 1.4.1 of Traffic Bylaw No. 8120 be amended to include a definition for “Parking Meter” as outlined in the Transportation Manager's report of March 7, 2006;;

AND THAT the required amending bylaw (No. 9577) be advanced for reading consideration by Council.

Carried

- 5.6 Wastewater Manager, dated March 6, 2006 re: Creation of Local Service Project No. 34 (Country Rhodes Sewer) (5340-09-34; BL 9575; BL 9576)

Moved by Councillor Day/Seconded by Councillor Blanleil

**R250/06/03/13** THAT Strata Lots 1 to 133, DL 144, ODYD, Strata Plan KAS1411 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1; Lot B, DL 120, ODYD, Plan KAP51562 and that part of DL 119 shown on Plan B3553, ODYD, except Plan H17738 be allowed to obtain sewer service from the City of Kelowna provided that the property is amalgamated with the City of Kelowna and the boundary extension is approved by the Lieutenant Governor in Council;

AND THAT Council support an extension to the City of Kelowna municipal boundary to include all of Strata Lots 1 to 133, DL 144, ODYD, Strata Plan KAS1411 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1; Lot B, DL 120, ODYD, Plan KAP51562 and That part of DL 119 shown on Plan B3553, ODYD, Except Plan H17738 within the City of Kelowna municipal boundary;

AND THAT the City of Kelowna initiate Local Area Service Project No. 34 (Country Rhodes Sewer) to include those properties identified on MAP 'A' as attached to the report of the Wastewater Manager dated March 6, 2006;

AND THAT Council direct staff to take the necessary steps to advise and involve the affected property owners as required by the *Community Charter*;

AND THAT Bylaws No's. 9575 and 9576 (the Establishment and Loan Authorization bylaws for Local Area Service project No. 34), be advanced for reading consideration;

AND FURTHER THAT the owners of Strata Lots 1 to 133, DL 144, ODYD, Strata Plan KAS1411 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1; Lot B, DL 120, ODYD, Plan KAP51562 and That part of DL 119 shown on Plan B3553, ODYD, Except Plan H17738 be responsible for all costs associated with the proposed boundary amendment and sewer extension and applicable fees for obtaining the sewer service.

Carried

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- 5.7 Licence and Bylaw Enforcement Supervisor dated March 6, 2006 re: Amendment to Boulevard Maintenance Bylaw No. 5708-84 (BL9585)

Moved by Councillor Hobson/Seconded by Councillor Day

**R251/06/03/13** THAT City of Kelowna Boulevard Maintenance Bylaw No. 5708-84 be amended as outlined in the report dated March 6, 2006 from the Licence & Bylaw Enforcement Supervisor;

AND THAT the required amending bylaw (No. 9585) be advanced for reading consideration by Council.

Carried

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 6.1 Bylaw No. 9562 – Amendment No. 6 to Traffic Bylaw No. 8120

Moved by Councillor Day/Seconded by Councillor Blanleil

**R252/06/03/13** THAT Bylaw No. 9562, 9575, 9576, 9577 and 9578 be read a first, second and third time.

Carried

- 6.2 Bylaw No. 9575 – Establishment of Local Service Area No. 34 – Country Rhodes

See resolution adopted under item No. 6.1.

- 6.3 Bylaw No. 9576 – Loan Authorization Bylaw for Local Area Service No. 34 – Country Rhodes

See resolution adopted under item No. 6.1.

- 6.4 Bylaw No. 9577 – Amendment No. 7 to Traffic Bylaw No. 8120

See resolution adopted under item No. 6.1.

- 6.5 Bylaw No. 9578 - 2006 Revenue Anticipation Borrowing Bylaw

See resolution adopted under item No. 6.1.

**(BYLAWS PRESENTED FOR ADOPTION)**

- 6.6 Bylaw No. 9569 – Amendment No. 65 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89

Moved by Councillor Letnick/Seconded by Councillor Given

**R253/06/03/13** THAT Bylaw No. 9569 be adopted.

Carried

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7. COUNCILLOR ITEMS

(a) Apple Bowl

Councillor Hobson enquired about an email Council received from users of the Apple Bowl regarding the future of the Apple Bowl. Mayor Shepherd advised that a letter is going out from her office responding to the questions raised but agreed that some dialogue amongst Council would be appropriate. Staff to add the matter to a morning Regular Meeting agenda for discussion by Council.

(b) Building Permits

Mayor Shepherd noted that there was an instance where a building permit was issued but construction did not proceed for a number of years after issuance. At some point during the intervening years, the Zoning Bylaw was also changed. Mayor Shepherd asked if the City has a policy outlining the circumstances when a new building permit must be obtained. Referred to staff.

8. TERMINATION

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

Certified Correct:

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Mayor

Deputy City Clerk

BLH/am