

Regular Meeting – P.M.May 8, 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, May 8, 2006.

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

Council members absent: Councillor N.J. Letnick.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, A.M. Flack; Director of Planning & Corporate Services, R.L. Mattiussi\*; Manager of Development Services, A.V. Bruce\*; Subdivision Approving Officer, R.G. Shaughnessy\*; Planner, N. Wight\*; Director of Parks Recreation & Cultural Services, D.L. Graham\*; Parks Planning Design & Construction Supervisor, A. Gibbs\*; Water/Drainage Manager, D. Degen\*; Fire Chief, R. Blanleil\*; and Council Recording Secretary, B.L. Harder.

(\* denotes partial attendance)

1. CALL TO ORDER

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

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

2.0 Mayor Shepherd re: Special Recognition for Retiring City Manager

- Mayor Shepherd announced that Ron Born will be receiving the prestigious Lieutenant Governor's Silver Medal for Excellence in Public Administration. The award will be presented to Mr. Born at a ceremony on June 1<sup>st</sup> at Government House in Victoria.

2.1 Don Degen, Water Manager re: 2006 Corporate Recognition Award from B.C. Water & Waste Association

- Presented Council with the award which he accepted on behalf of the City of Kelowna while attending the BC Water and Waste Association annual AGM and conference in Whistler. The award recognizes Kelowna's water conservation and education programs. Special mention was also given to Kelowna's bio-solids re-use program.

3. PUBLIC IN ATTENDANCE

3.1 Beryl Itani, Regional Emergency Social Services Director re: Emergency Preparedness Week, May 7-13, 2006

Beryl Itani, Emergency Social Services Director:

- The ESS is on call 24/7, 365 days/year for any kind of emergency that causes our citizens to be evacuated from their homes.
- Encouraged Council and the general public to be prepared for such an emergency by putting together either a Grab and Go Bag or a Stay and Survive Kit for their families.
- Outlined the activities proposed during Emergency Preparedness Week.

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- 4.1 Planning & Corporate Services Department, dated April 24, 2006 re: Agricultural Land Reserve Appeal No. A04-0009 – Sharene Young-Hartman – 1985 McKinley Road

Staff:

- The applicant is seeking exclusion of the portion of property that is within the Agricultural Land Reserve in order to accommodate a subdivision to create 3 lots.
- Staff and the Agricultural Advisory Committee do not recommend support of the appeal because the agricultural capability of the land could be improved and the exclusion is contrary to City Planning policies.

Moved by Councillor Blanleil/Seconded by Councillor Day**R415/06/05/08** THAT Council hear from the applicant.Carried

Sharene Young-Hartman, applicant:

- Circulated an information package from Agrologist Brian French to members of Council.
- Advised that she no longer wishes to proceed with the subdivision of the land.

Brian French, consultant:

- Outlined his opinion with regard to the soils and agricultural capability of the ALR portion of the property, noting it is similar to the property immediately across the road to the north where he undertook intensive soil survey work.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R416/06/05/08** THAT Agricultural Land Reserve Appeal No. A04-0009, Fractional SW ¼ Sec. 21, Twp. 23, O.D.Y.D., Exc. Plans B3561, 18752, 19023, 17265, 36418, and KAP52156, located on McKinley Road, Kelowna, B.C., to exclude the subject property from the Agricultural Land Reserve pursuant to Sec. 30(1) of the *Agricultural Land Commission Act*, be supported.

Carried

- 4.2 Planning & Corporate Services Department, dated April 26, 2006 re: Agricultural Land Reserve Appeal No. A06-0009 – Third Endeavour Inc. and Ruth Stirling (Dave Stirling) – 3865 Spiers Road

Moved by Councillor Day/Seconded by Councillor Hobson

**R417/06/05/08** THAT Agricultural Land Reserve Appeal No. A06-0009 for Lot 138, Sec. 4, Twp. 26, ODYD, Plan 1247 Except Plans H15296 and 39975, located at 3865 Spiers Road, Kelowna, B.C. which is an application for a homesite severance subdivision pursuant to Section 21(2) of the *Agricultural Land Commission Act*, be supported by Municipal Council.

Carried

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4.3 Rezoning Application No. Z05-0072 – George Boychuk (Jim Herman) – 1855 Watson Road (BL9608)

- (a) Planning & Corporate Services report dated April 26, 2006.

Staff:

- The applicant is proposing to develop the eastern portion of the site, between an extended Yates Road and Glenmore Road, with 47 units of stacked row housing as the first phase of development on the property.
- There is potential for a pocket development on the western portion of the site, but that would be subject of a future Development Permit application at which time the future of an existing heritage building on that portion of the property would also be decided.

Council:

- Agreed to advance the application to Public Hearing on the basis that the steep slope on the western portion of the site remain zoned A1 and only the developable portion of the site be rezoned to RM3.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R418/06/05/08** THAT Rezoning Application No. Z05-0072 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot 1, Block 3, Section 32, Township 26, ODYD, Plan 896 except Plans H8248 and KAP76225, located on Watson Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RM3 – Low Density Multiple Housing 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 subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND 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;

AND FURTHER THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property.

Carried

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Bylaw No. 9608 (Z05-0072) – George Boychuk (Jim Herman) -  
1855 Watson Road

Moved by Councillor Given/Seconded by Councillor Clark**R419/06/05/08** THAT Bylaw No. 9608 be read a first time.Carried4.4 Rezoning Application No. Z06-0022 – City of Kelowna – Various Properties (BL9610)

(a) Planning &amp; Corporate Services report dated April 28, 2006.

Moved by Councillor Gran/Seconded by Councillor Given

**R420/06/05/08** THAT City of Kelowna Zoning Bylaw No. 8000, Schedule “A” be amended by changing the zoning classification of the properties shown on “Map 1” to “Map 11” inclusive as attached to Planning & Corporate Service Department report dated April 28, 2006;

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

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

Bylaw No. 9610 (Z06-0022) – City of Kelowna – Various Properties  
*Housekeeping amendments to correct mapping discrepancies to*

Moved by Councillor Gran/Seconded by Councillor Given**R421/06/05/08** THAT Bylaw No. 9610 be read a first time.Carried

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(a) Planning &amp; Corporate Services report dated April 28, 2006.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R422/06/05/08** THAT Rezoning Application No. Z05-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the following properties from the current zoning to the P3- Parks & Open Space zone be considered by Council:

<b>Address</b>	<b>Legal Description</b>	<b>Park Name</b>	<b>Current Zoning</b>
5210 Lark Street	Lot 166, Secs 23 & 24, Twp 28, SDYD, Plan 32591	Curlew Park	RR1
900 Bullock Road	Lot 1, DL 580A, SDYD, Plan 9269, Except Plan 1733	Mission Ridge Park	A1
3175 Watt Road	Lot 9, Blk 2, DL 14, ODYD, Plan 6500	Watt Road Park	RU1
333 Clifton Road	Lot 1, Sec 32, Twp 26, ODYD, Plan KAP70047	Blair Pond Park	A1
Lindsay (S of)	Lot Park, Plan 58501	Sonora Park	RU1
1634 Sonora Drive	Lot Park, Plan 37698	Sonora Park	RU1
1634 Sonora Drive	Lot Park, Plan 49263	Sonora Park	RU1
810 Valley Road	Lot 2, Sec 29, Twp 26, ODYD, Plan KAP60637	Golfview Park	RR1
810 Valley Road	Lot Park, Plan 60637	Golfview Park	RR1
1494 Bernard Road	Lot 32, DL 137 and of Section 20, Twp 26, ODYD, Plan 29749	Duggan Park	RU6
1999 Bowes Street	Lot Park, Plan 29691	Millbridge Park	RU6
2448 Fairhall Road	Lot 22, Sec 16, Twp 26, ODYD, Plan 27463	Fairhall Road Park	RR3
700 Moraine Court	Lot 4, Sec 22, Twp 26, ODYD, Plan 28134	Moraine Park	RU1
3858 Summerside Drive	Lot 36, Sec 2, Twp 26, ODYD, Plan 32380	Summerside Drive Park	RR3
955 Gerstmar Road	Lot B, Sec 22, Twp 26, ODYD, Plan 16702 except Plan 23179	Mission Creek Greenway	P4
250 Sumac Road W	Lot 12, Sec 35, Twp 26, ODYD, Plan 34873	Chichester Wetland	A1
1961 Pacific Ct	Lot 12, Sec 35, Twp 26, ODYD, Plan 34873	Pacific Court Park	RM5

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

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

Bylaw No. 9581 (Z05-0039) – City of Kelowna – Various Park Sites

Moved by Councillor Rule/Seconded by Councillor Blanleil

**R423/06/05/08** THAT Bylaw No. 9581 be read a first time.

Carried

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5. BYLAWS (ZONING & DEVELOPMENT)

**(BYLAW PRESENTED FOR ADOPTION)**

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

Moved by Councillor Day/Seconded by Councillor Hobson

**R424/06/05/08** THAT Bylaw No. 9579 be adopted.

Carried

6. NON-DEVELOPMENT APPLICATION REPORTS

6.1 Parks Planning, Design & Construction Supervisor, dated May 3, 2006 re: Contract Award for Mission Recreation Park Sportsfields (T06-043)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R425/06/05/08** THAT the tender for sports field construction at Mission Recreation Park be awarded to the low bidder, Wilco Landscape Contractor Ltd., in the amount of four million three hundred eight-seven thousand six hundred seventy-six dollars and seventy-eight cents (\$4,387,676.<sup>78</sup>).

Carried

6.2 City Clerk, dated May 3, 2006 re: Country Rhodes Boundary Extension for the Purpose of Sanitary Sewer System (BL9575; BL9576; 3370-20)

Moved by Councillor Day/Seconded by Councillor Hobson

**R426/06/05/08** THAT Council receive the Declaration dated May 3, 2006, pertaining to the extension of the City of Kelowna boundaries to include the Country Rhodes Strata development as attached to the report of the City Clerk dated May 3, 2006;

AND THAT Council advance Bylaws No. 9575 and 9576, being the Establishment and Loan Authorization bylaws for Local Service Area No. 34 for the purpose of providing Sanitary Sewer to the Country Rhodes Strata development, for final adoption consideration.

Carried

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7. RESOLUTIONS

7.1 Draft Resolution re: Seniors Advocacy (0230-20)

Moved by Councillor Gran/Seconded by Councillor Day

**R427/06/05/08** THAT the resolution in the letter dated April 12, 2006 from the City of Coquitlam supporting the concept of establishing Regional Seniors' Advocacy Offices as a means of providing security and protection to seniors by ensuring they have an independent voice to advocate for their rights in accordance with federal, provincial and municipal legislation; be endorsed by Kelowna City Council;

AND THAT a similar letter indicating Kelowna City Council's endorsement of the Seniors' Advocacy Office concept be forwarded to the Union of British Columbia Municipalities.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR ADOPTION)**

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

Moved by Councillor Given/Seconded by Councillor Clark

**R428/06/05/08** THAT Bylaw No. 9575 be adopted.

Carried

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

Moved by Councillor Clark/Seconded by Councillor Given

**R429/06/05/08** THAT Bylaw No. 9576 be adopted.

Carried

8.3 Bylaw No. 9599 – Five Year Financial Plan, 2006-2010

Moved by Councillor Gran/Seconded by Councillor Given

**R430/06/05/08** THAT Bylaw No. 9599 be adopted.

Carried

8.4 Bylaw No. 9600 – Tax Structure Bylaw, 2006

Moved by Councillor Gran/Seconded by Councillor Given

**R431/06/05/08** THAT Bylaw No. 9600 be adopted.

Carried

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8.5 Bylaw No. 9601 – Annual Tax Rates Bylaw, 2006

Moved by Councillor Rule/Seconded by Councillor Blanleil

**R432/06/05/08** THAT Bylaw No. 9601 be adopted.

Carried

8.6 Bylaw No. 9602 – Capital Works, Machinery and Equipment Reserve Fund Expenditure Bylaw, 2006

Moved by Councillor Rule/Seconded by Councillor Blanleil

**R433/06/05/08** THAT Bylaw No. 9602 be adopted.

Carried

8.7 Bylaw No. 9603 – Amendment No. 1 to Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2005, No. 9419

Moved by Councillor Rule/Seconded by Councillor Blanleil

**R434/06/05/08** THAT Bylaw No. 9603 be adopted.

Carried

8.8 Bylaw No. 9604 – Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2006

Moved by Councillor Hobson/Seconded by Councillor Day

**R435/06/05/08** THAT Bylaw No. 9604 be adopted.

Carried

8.9 Bylaw No. 9605 – Development Cost Charge Reserve Fund Expenditure Bylaw, 2006

Moved by Councillor Day/Seconded by Councillor Hobson

**R436/06/05/08** THAT Bylaw No. 9605 be adopted.

Carried

8.10 Bylaw No. 9606 – Parking Reserve Fund Expenditure Bylaw, 2006

Moved by Councillor Day/Seconded by Councillor Hobson

**R437/06/05/08** THAT Bylaw No. 9606 be adopted.

Carried

8.11 Bylaw No. 9607 – Amendment No. 12 to Airport Fees Bylaw No. 7982

Moved by Councillor Hobson/Seconded by Councillor Day

**R438/06/05/08** THAT Bylaw No. 9607 be adopted.

Carried



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9. COUNCILLOR ITEMS – Nil.

10. TERMINATION

The meeting was declared terminated at 2:46 p.m.

Certified Correct:

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Mayor

City Clerk

BLH/am