

Regular Meeting – P.M.

January 22, 2007

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, January 22, 2007.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Barrie Clark, Colin Day, Brian Given, Carol Gran, Robert Hobson, Norm Letnick and Michele Rule.

Council members absent:

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Director of Planning & Development Services, Mary Pynenburg*; Approving Officer, Robert G. Shaughnessy*; Director of Works & Utilities, John Vos*; Director of Financial Services, Paul Macklem*; Director of Recreation, Parks & Cultural Services, David Graham*; Financial Planning Manager, Keith Grayston*; Civic Properties Manager, Randy Cleveland*; Planner, Cory Gain*; Transportation Demand Supervisor, Jerry Dombowsky*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:32 pm

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

3. PUBLIC IN ATTENDANCE

3.1 Supt. Bill McKinnon, O/IC Kelowna RCMP Detachment re: Monthly Policing Activity Report

As Supt. McKinnon was unavailable to provide his report, the matter was deferred to the Monday, January 29, 2007 Council meeting.

4. DEVELOPMENT APPLICATION REPORTS

4.1 Planning & Development Services Department, dated January 12, 2007 re: Rezoning Application No. Z05-0069 – Jud & Karen Wickwire – 1281 Highway 33 East (BL9536)

Staff:

- The Ministry of Transportation requested the road widening to Highway 33 East

Moved by Councillor Hobson/Seconded by Councillor Gran

R089/07/01/22 THAT in accordance with the Development Application Procedures Bylaw No. 8140 the deadline for adoption of Zone Amending Bylaw No. 9536 (Z05-0069) – Jud & Karen Wickwire – 1281 Highway 33 East be extended from January 10, 2007 to June 10, 2007.

Carried

4.2 Planning & Development Services Department, dated January 17, 2007 re: Official Community Plan Amendment No. OCP05-0008 and Rezoning Application No. Z05-0020 – 684761 BC Ltd. (Nicola Consiglio) – 5127 Chute Lake Road (BL9447; BL9448)

Moved by Councillor Given/Seconded by Councillor Hobson

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R090/07/01/22 THAT in accordance with the Development Application Procedures Bylaw No. 8140 the deadline for adoption of Bylaw No. 9447 – Official Community Plan Amendment Application No. OCP05-0008 and Bylaw No. 9448 – Rezoning Application No. Z05-0020, by Nicola Consiglio be extended for a six (6) month period, beginning January 26, 2007.

Carried

4.3 Rezoning Application No. Z05-0021 – Colin Day (Kathleen MacKenzie/Prospect at Black Mountain LP) – 1075 Henderson Drive (BL9729)

(a) Planning & Development Services report dated January 11, 2007.

Councillor Day declared a conflict of interest because the property is owned by him and left the meeting at 1:36 pm.

Staff:

- Staff do not have any issues with the re-zoning. They will continue to monitor the development closely to ensure that the Hillside Development Guidelines have been followed.

Moved by Councillor Hobson/Seconded by Councillor Given

R091/07/01/22 THAT Rezoning Application No. Z05-0021 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of Lot A Section 24 Township 26 Osoyoos Division Yale District Plan KAP79411 located between the west end of Henderson Drive and east of Long Pine Drive, Kelowna, BC from A1 Agriculture 1 Zone to RU1h – Large Lot Housing (Hillside Area) zone, RU4h - Low Density Cluster Housing (Hillside Area) zone and the P3 – Parks & Open Space zone as shown on Map 'A' attached to the report of the Planning and Development Services Department dated January 11, 2007 be considered by Council;

AND FURTHER THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.

Carried

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

Bylaw No. 9729 (Z05-0021) - Colin Day (Kathleen MacKenzie/Prospect at Black Mountain LP) – 1075 Henderson Drive

Moved by Councillor Clark/Seconded by Councillor Rule

R092/07/01/22 THAT Bylaw No. 9729 be read a first time.

Carried

Councillor Day returned to the meeting at 1:43 pm.

5. NON-DEVELOPMENT APPLICATION REPORTS

5.1 City Manager, dated January 17, 2007 re: Westside Governance Study – Potential Boundary Extension (0113-01)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

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R093/07/01/22 THAT Council advise the Minister of Community Services, Ida Chong, that the City of Kelowna is prepared to support an agreement with the Province on a boundary extension, to include areas as identified in the Westside Governance Study, subject to:

- Confirmation that the boundary extension will not result in a material financial burden on existing City of Kelowna taxpayers
- Results of a consultation process with the citizens of the City of Kelowna
- The assumption that a partial ward system to allow two Councillors to be elected from the Westside be in place for the proposed 2007 election, and the 2008 and 2011 general local government elections

AND THAT the City apply to the Province for a restructuring assistance grant to cover costs incurred in the City's review, up to a maximum of \$40,000.

AND THAT Council approve the Terms of Reference, attached as Appendix "A", to proceed with a detailed review in order to advise Council on all aspects of a boundary extension, the acceptability of the terms of the Provincial Offer of Restructure Assistance and to prepare for a public consultation process;

AND FURTHER THAT Council defer a decision on whether to proceed with a public referendum until more definitive information on the impacts of a boundary extension is presented in a staff report to be received by April 16, 2007.

Carried

Moved by Councillor Blanleil/Seconded by Councillor Day

R094/07/01/22 THAT Council, in the event of a change in governance for the Westside, make a request to the Province to conduct a review of the structure, boundaries and responsibilities of the Regional District of Central Okanagan, with consultation with local government stakeholders.

Carried

5.2 Director of Financial Services, Director of Works & Utilities, and Director of Recreation Parks & Cultural Services, dated January 17, 2007 re: 20-Year Servicing Plan and Financing Strategy (BL9728; 3150-20)

Staff:

- Advised that the Financial Services Department has committed to doing an annual report to Council regarding this issue and in particular DCC's.

Councillor Hobson, Chair of the Recreation, Parks & Culture Services Task Force:

- Advised that the Task Force is looking at a review of planned parks open spaces and a report will be brought forward to Council with recommendations.

Moved by Councillor Letnick/Seconded by Councillor Gran

R095/07/01/22 THAT Council adopt the revised 20 Year Servicing Plan and Financing Strategy, for the infrastructure financing plan for new growth within the City of Kelowna as projected in the Official Community Plan to the year 2020;

AND THAT Council approve expansion of the Sector boundaries at Kelowna Springs Golf Course and at Country Rhodes and approve a change of the Sector B Water boundary at Arbor View Dr. and Steele Court, to reflect lot lines as per the attached maps to the report of January 17, 2006;

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AND THAT Council receive staff information regarding the public and stakeholder consultation process including the 'Public and Stakeholder Input' document dated January, 2007;

AND FURTHER THAT Council give readings consideration to amendment # 3 to the Development Cost Charge Bylaw #9095 with an effective date of April 1, 2007, or the date of final adoption, whichever is later.

Carried

5.3 Financial Planning Manager, dated January 17, 2007 re: Transit Shelter & Bench Advertising Contract (8501-06)

Moved by Councillor Rule/Seconded by Councillor Letnick

R096/07/01/22 THAT Council approve the granting of exclusive permission and rights for the sale of advertising on transit shelters and benches to Pattison Outdoor Advertising for the period from February 1, 2007 to December 31, 2011, with an option to re-new for an additional five years;

AND THAT the Mayor and City Clerk be authorized to sign the transit shelters and benches advertising agreement with Pattison Outdoor Advertising.

Carried

5.4 Director of Works & Utilities, dated January 17, 2007 re: Municipal Rural Infrastructure Fund Application Priorities (1855-01)

Moved by Councillor Hobson/Seconded by Councillor Day

R097/07/01/22 THAT Council approve the following projects as outlined in the January 17, 2007 report of the Director of Works and Utilities as priority projects for the Canada-British Columbia Municipal Rural Infrastructure Fund (MRIF).

Carried

5.5 Transportation Manager, dated January 17, 2007 re: Hybrid Vehicle Parking Pass (Eco-Pass) (5480-08)

Moved by Councillor Day/Seconded by Councillor Hobson

R098/07/01/22 THAT Council approve the extension of the "Eco-Pass" parking program for an additional one year period to December 31, 2007.

Carried

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

6.1 Bylaw No. 9728 – Amendment No. 3 to Development Cost Charges Bylaw No. 9095

Moved by Councillor Gran/Seconded by Councillor Day

R099/07/01/22 THAT Bylaw No. 9728 be read a first, second and third time.

Carried

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- 6.2 Bylaw No. 9731 – Amendment No. 32 to Water Regulation Bylaw No. 2173

Moved by Councillor Gran/Seconded by Councillor Day

R100/07/01/22 THAT Bylaw No. 9731 be read a first, second and third time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

- 6.3 Bylaw No. 9587 – Amendment No. 8 to Traffic Bylaw No. 8120

Moved by Councillor Letnick/Seconded by Councillor Given

R101/07/01/22 THAT Bylaw No. 9587 be adopted.

Carried

- 6.4 Bylaw No. 9722 – Amendment No. 14 to Airport Fees Bylaw No. 7982

Moved by Councillor Given/Seconded by Councillor Letnick

R102/07/01/22 THAT Bylaw No. 9722 be adopted.

Carried

7. COUNCILLOR ITEMS (including Committee Updates)

- Councillor Day, Chair, Kelowna Parking Committee, dated January 17, 2007 re: Appointment to Kelowna Parking Committee (5480-08)

Moved by Councillor Day/Seconded by Councillor Blanleil

R103/07/01/22 THAT Council approve the appointment of Mr. Bernard LaRose as a voting member of the Kelowna Parking Committee through to December 31, 2008.

8. TERMINATION

The meeting was declared terminated at 4:07 p.m.

Certified Correct:

Mayor

SLH/am

City Clerk