

Regular Meeting – P.M.June 11, 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, June 11th, 2007.

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

Council members absent: Councillors Robert Hobson, Michele Rule.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Director of Planning & Development Services, Mary Pynenburg*; Current Planning Supervisor, Shelley Gambacort*; Planner, Ryan Smith*; Planner, Danielle Noble*; Planner, Alec Warrender*; Environmental Technician, Michelle Kam*; Environmental Supervisor, Todd Cashin*; Airport Administration Manager, Noreen Redman*; Planner Specialist, Gary Stephen*; Civic Properties Manager, Randy Cleveland*; Civic Properties Projects Supervisor, Martin Johansen*; and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

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

2. Councillor Clark to check the minutes of the meeting.

Moved by Councillor Given/Seconded by Councillor Gran

R597/07/06/11 THAT Item 6.1 on the agenda be brought forward to this point in the meeting.

Carried

6.1 Rutland Town Centre Strategy Task Force, dated June 6, 2007 re: Rutland Task Force – Year End Report

Council:

Council would like staff/the Task Force to prioritize Task Force recommendations.

Moved by Councillor Given/Seconded by Councillor Day

R598/07/06/11 THAT Council receive the year-end report of the Rutland Town Centre Strategy Task Force dated May 18, 2007;

AND THAT the City consider the negotiation of a Memorandum of Understanding with the Ministry of Transportation regarding City control over development approvals with respect to parking requirements and traffic signal / pedestrian signal timing, while recognizing on-going Ministry control over access management;

AND THAT the City continue to support, in principle, the creation of a Business Improvement Area for Rutland;

AND THAT the City consider civic investment in a cultural facility with the Rutland Town Centre to support music, theatre, and community meetings / gatherings, possibly as an augmentation to the Rutland Centennial Hall;

AND THAT the City pursue the development of the Rutland Transit Exchange as a priority, without the interim step of on-road transit exchange;

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AND THAT the City pursue updated pedestrian signals across Highway 33 to increase visibility and the time allocated for pedestrians;

AND THAT the City provide increased landscaping, streetscaping, benches and rest areas, to improve pedestrian linkages through and around the Rutland Town Centre, including Highway 33 within the Town Centre;

AND THAT the City consider changes to the Rutland Lions Park to increase visibility and create more open space toward enlivening the park through potential programmed events and activities;

AND THAT the City pursue the creation of urban park / urban plaza space within the Rutland Town Centre that could focus on Centennial Park, Roxby Road and Gray Road areas;

AND THAT these recommendations be forwarded to the appropriate City departments for review with respect to potential budget impacts / financial implications and potential inclusion in the 2008 budget;

AND FURTHER THAT the Rutland Town Centre Strategy Task Force be continued for an additional year ending May 1, 2008.

CarriedMoved by Councillor Given/Seconded by Council Gran

R599/07/06/11 THAT staff be directed to bring forward an amendment to Council Procedure Bylaw No. 9200 to include a regular agenda item "Committee Reports" after the existing "Public In Attendance" item.

Carried

3. DEVELOPMENT APPLICATION REPORTS

3.1 Planning and Development Services Department, dated May 24, 2007 re: Rezoning Application No. Z07-0028 – Pentar Homes Ltd. (Meiklejohn Architects Ltd.) – 2138, 2140, 2142 and 2150 Vasile Road

(a) Planning & Development Services report dated May 24, 2007.

Moved by Councillor Day/Seconded by Councillor Given

R600/07/06/11 THAT Rezoning Application No. Z07-0028 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 6,7,8, and part of lot 9, District Lot 129, ODYD Plan 15777, located on Vasile Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RM5 – Medium 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 in conjunction with Council's consideration of a Development Permit on the subject property;

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

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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.

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

Bylaw No. 9812 (Z07-0028) – Pentar Homes Homes Ltd.
(Meiklejohn Architects Ltd. - 2138, 2140, 2142 and 2150 Vasile Road

Moved by Councillor Letnick/Seconded by Councillor Given**R601/07/06/11** THAT Bylaw No. 9812 be read a first time.Carried

3.2 Planning and Development Services Department, dated May 22, 2007 re: Rezoning Application No. Z07-0044 – George Watson and Vicky Scott (Borebank Ventures Inc.) – 1282 Monterey Crescent

(a) Planning & Development Services Department, dated May 22, 2007.

Moved by Councillor Letnick/Seconded by Councillor Day

R602/07/06/11 THAT Rezoning Application No. Z07-0044 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Sec. 30, Twp. 26, ODYD, Plan 30458, located at 1282 Monterey Crescent, Kelowna, B.C. from the RU1 – Large Lot Housing Zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council;

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

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

Bylaw No. 9811 (Z07-0044) – George Watson and Vicky Scott (Borebank Ventures Inc.) – 1282 Monterey Crescent

Moved by Councillor Given/Seconded by Councillor Letnick**R603/07/06/11** THAT Bylaw No. 9811 be read a first time.Carried

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3.3 Planning & Development Services Department, dated May 22, 2007 re: Rezoning Application No. Z07-0004 – No. 21 Great Projects Ltd. (Stantec Consultants Ltd.) – (S. of) Ivens Road

(a) Planning & Development Services Department, dated May 22, 2007.

Moved by Councillor Letnick/Seconded by Councillor Day

R604/07/06/11 THAT Rezoning Application No. Z07-0004 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a part of the South ½ District Lot 579, SDYD, Except Plan KAP77336, located off Hewetson Avenue, Kelowna, B.C., from A1 – Agriculture 1 zone to RU1h – Large Lot Housing (hillside) zone and P3 – Parks and Open Space zone, as shown on Map 'A' attached to the report of Planning and Development Services Department, dated May 22, 2007, 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 withheld until the applicant has addressed the requirements of the Works and Utilities and Parks departments.

Carried

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

Bylaw No. 9814 (Z07-0004) – No. 21 Great Projects Ltd. (Stantec Consultants Ltd.) – (S. of) Ivens Road

Moved by Councillor Letnick/Seconded by Councillor Clark

R605/07/06/11 THAT Bylaw No. 9814 be read a first time.

Carried

3.4 Planning & Development Services Department, dated May 22, 2007 re: Rezoning Application No. Z07-0005 – No. 21 Great Projects Ltd. and City of Kelowna (Stantec Consultants Ltd.) – (E. of) Ivens Road, 1290 Ivens Road and 890 Paret Road

(a) Planning & Development Services Department, dated May 22, 2007.

Moved by Councillor Blanleil/Seconded by Councillor Day

R606/07/06/11 THAT Rezoning Application No. Z07-0005 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a part of the North ½ of D.L. 579, SDYD, Except Plans 5648, 9458, 9459, KAP74689, KAP75766 AND KAP77604; Lot 3, D.L. 579, SDYD, Plan KAP66779; and Lot B, D.L. 579, SDYD, Plan KAP67461, located off Paret Road, Kelowna, B.C., from A1 – Agriculture 1 zone to RU1h – Large Lot Housing (hillside) zone and P3 – Parks and Open Space zone, as shown on Map 'A' attached to the report of Planning and Development Services department, dated May 22, 2007, be considered by Council;

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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 withheld until the applicant has addressed the requirements of the Works and Utilities and Parks departments and Telus.

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

Bylaw No. 9815 (Z07-0005) – No. 21 Great Projects Ltd. and City of Kelowna (Stantec Consultants Ltd.) – (E. of) Ivens Road, 1290 Ivens Road and 890 Paret Road

Moved by Councillor Gran/Seconded by Councillor Day**R607/07/06/11** THAT Bylaw No. 9815 be read a first time.Carried

- 3.5 Planning & Development Services Department, dated May 28, 2007 re: Heritage Alteration Permit HAP07-0002 – Richard D Lee (Peter J. Chataway) – 781 Bernard Avenue

Moved by Councillor Letnick/Seconded by Councillor Given

R608/07/06/11 THAT Council authorize the issuance of Heritage Alteration Permit No. HAP07-0002 for Lot 17 Block 15 District Lot 138 Osoyoos Division Yale District Plan 262 located at 781 Bernard Avenue, Kelowna, BC 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".

Carried

- 3.6 Planning & Development Services Department, dated May 22, 2007 re: Rezoning Application No. Z05-0069 – Jud and Karen Wickwire (Jud Wickwire) – 1281 Highway 33 East

Council:

- Staff asked to follow up with the Ministry of Transportation regarding the delay in approval of the bylaw.

Moved by Councillor Day/Seconded by Councillor Blanleil

R609/07/06/11 THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9536 (Z05-0069) – Jud Wickwire – 1281 Highway 33 East be extended from June 10, 2007 to December 10, 2007.

Carried

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4. NON-DEVELOPMENT APPLICATION REPORTS

- 4.1 Assistant General Manager, Airport Operations, dated May 29, 2007 re: Change of Ownership/Guarantor of 593697 B.C. Ltd., dba Kelowna Airport Shuttle

Moved by Councillor Gran/Seconded by Councillor Blanleil

R610/07/06/11 THAT Council approve the change in ownership/guarantor of Kelowna Airport Shuttle Airporter Bus Service Licence from Beneficial Owner/Guarantor, Mr. Norris Holland to Mr. Taylor Assaly;

AND THAT Council authorize the Mayor and City Clerk to sign the change to Licence documents on behalf of the City.

Carried

- 4.2 Civic Properties Project Supervisor, dated June 6, 2007 re: Award of Construction Contract for Expansion to Okanagan Gymnastics Club

Moved by Councillor Given/Seconded by Councillor Day

R611/07/06/11 THAT Council approve the award of the construction contract for the expansion of the Okanagan Gymnastics Club located at 365 Hartman Road to Mailey Developments (2007) Ltd.

AND THAT the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

Carried

- 4.3 Park Planning, Design and Construction Supervisor, dated June 4, 2007 re: Contract Award for Blair Pond Park

Moved by Councillor Given/Seconded by Councillor Blanleil

R612/07/06/11 THAT the contract for construction of Blair Pond Park be awarded to the low bidder, Sierra Landscaping Ltd., in the amount of six hundred twenty-six thousand thirty-two dollars and five cents (\$626,032.05).

AND THAT the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

Carried

- 4.4 Community Planning Manager, dated June 4, 2007 re: Accessibility Measures for Hotels and Motels – Report from the Advisory Committee for People with Disabilities

Moved by Councillor Gran/Seconded by Councillor Day

R613/07/06/11 THAT the recommendation from the Advisory Committee for People with Disabilities to bring forward a Report to Council to establish a Council Policy to deal with new hotel/motels being built in the City, made at its January 2, 2007 meeting, be received;

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AND THAT staff be instructed to bring back a report examining the legal, enforcement, and staffing implications of implementing a Council Policy to deal with hotels and motels as recommended by the Advisory Committee for People with Disabilities

Carried

- 4.5 Environmental Division Supervisor, dated June 6, 2007 re: 2007 Mayor's Environmental Expo and Mayor's Environmental Achievement Award Winners

Moved by Councillor Letnick/Seconded by Councillor Given

R614/07/06/11 THAT Council receive the attached report detailing the Mayor's Environmental Achievement Award Winners for 2007.

Carried

5. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAW PRESENTED FOR AMENDMENT AT THIRD READING)

- 5.1 Bylaw No. 9697 – Road Closure Bylaw – Unconstructed Road off Highway 97 N near Airport Way

Moved by Councillor Day/Seconded by Councillor Gran

R615/07/06/11 THAT Bylaw No. 9697 be amended at third reading (this is not the complete resolution from the bylaw cover sheet I don't think? – please add the rest).

Carried

(BYLAWS PRESENTED FOR ADOPTION)

- 5.2 Bylaw No. 9802 – Parcel Tax Bylaw – Ace Road

Moved by Councillor Gran/Seconded by Councillor Day

R616/07/06/11 THAT Bylaw No. 9802 be adopted.

Carried

- 5.3 Bylaw No. 9803 – Parcel Tax Bylaw – Thompson Road

Moved by Councillor Day/Seconded by Councillor Gran

R617/07/06/11 THAT Bylaw No. 9803 be adopted.

Carried

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5.4 Bylaw No. 9804 – Parcel Tax Bylaw – Bothe Road

Moved by Councillor Blanleil/Seconded by Councillor Gran

R618/07/06/11 THAT Bylaw No. 9804 be adopted.

Carried

5.5 Bylaw No. 9809 – Jim Stuart Park Dedication Bylaw – **Requires a 2/3 majority of all Members of Council (6)**

Moved by Councillor Blanleil/Seconded by Councillor Gran

R619/07/06/11 THAT Bylaw No. 9809 be adopted.

Carried

6. COUNCILLOR ITEMS (including Committee Updates)

6.1 Rutland Town Centre Strategy Task Force, dated June 6, 2007 re: Rutland Task Force – Year End Report

Item 6.1 was dealt with after Item 2 above.

Mayor Shepherd confirmed with Council that a letter had been sent to John Harding, Westside Pro-Incorporation Team, Ian Graham, Westside Pro-Amalgamation Team and Bill Floyd, Status Quo Group outlining Council’s support for the Westside joining Kelowna.

7. TERMINATION

The meeting was declared terminated at 2:41 p.m.

Certified Correct:

Mayor

City Clerk

ACM/dld