

Regular Meeting – P.M.June 18, 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 18th, 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*; Director of Financial Services, Paul Macklem*, Current Planning Supervisor, Shelley Gambacort*; Subdivision Approving Officer, Bob Shaughnessy*, Strategic Planning Manager, Signe Bagh*, Inspection Services Manager, Ron Dickinson*, Building Inspections Manager, Mo Bayat*, Solid Waste Manager, Mark Watt*, Environmental Technician, Corey Davis*, Planner, Nelson Wight*, Community Planning Manager, Theresa Eichler*, Financial Planning Manager, Keith Grayston, Parking Co-ordinator, Stuart Evans and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:34 p.m.

1A. Okanagan College Home for Learning Award

Building Inspections Manager and Inspection Services Manager presented a plaque to the Mayor in recognition of Councils' support for the Okanagan College Home for Learning projects for students in the construction industry.

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

3. PUBLIC IN ATTENDANCE

3.1 Central Okanagan Air Quality Management Plan Presentation – Corey Davis, Environmental Technician

Moved by Councillor Hobson / Seconded by Councillor Given

R629/07/06/18 THAT Council endorse the Central Okanagan Air Quality Management Plan as presented.

Carried

4. UNFINISHED BUSINESS

4.1 Boundary Extension Review Team, verbal report re: Westside Governance Summary

Staff:

- Extended appreciation to Council and City Manager for the opportunity to work for the last eight months on the Boundary Extension. Thanked the Managers and staff who had to pick up the extra burden while the team focussed on the Boundary Extension.

Council:

- Thanked the team and City Manager for all of their work and professionalism and for their factual, accurate and complete information.

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Moved by Councillor Clark/Seconded by Councillor Given

R630/07/06/18 THAT staff be asked to identify possible and practical boundary extensions including but not limited to, Ellison, Lakeshore Road and fringe areas surrounding the city.

DEFEATED

Mayor Shepherd, Councillors Gran, Letnick, Rule, Blanleil, Given & Hobson – Opposed

5.1 **DEVELOPMENT APPLICATION REPORTS**

5.1 Planning and Development Services, dated June 6, 2007 re: Agricultural Land Reserve Appeal No. A07-0004 – J & D Orchards Ltd. (Clay Larson Law Corporation) – 2047 Morrison Road

Moved by Councillor Day/Seconded by Councillor Given

R631/07/06/18 THAT Agricultural Land Reserve Appeal No. A07-0004 for Lot 2, Section 36, Township 26, O.D.Y.D., Plan 425 Except Plan KAP78155, located on Morrison Road, Kelowna, B.C. for a homesite severance subdivision within the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act, be supported by Municipal Council.

Carried

5.2 Planning and Development Services, dated June 5, 2007 re: Agricultural Land Reserve Appeal No. A07-0006 – Leonard and Ann Zvonarich – 1593 Morrison Road

Moved by: Councillor Blanleil / Seconded by: Councillor Day

R632/07/06/18 THAT Council hear from the Applicant.

Carried

Applicant – Ann Zvonarich

- We have been there a very long time and should be able to have a larger parcel and not have it reduced. Concerned about future purchaser building right beside the road if they have a reduced parcel.

Staff:

- Confirmed that if the Applicant sells the remaining property a restrictive covenant could be registered to stop any future developments being too close to their home.

Moved by Councillor Given/Seconded by Councillor Hobson

R633/07/06/18 THAT Agricultural Land Reserve Appeal No. A07-0006 for Lot 6, Section 36, Township 26, O.D.Y.D., Plan 595 Except Plan KAP78068, located on Morrison Road, Kelowna, B.C. for a homesite severance subdivision within the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act, be supported by Municipal Council, provided that:

1. The existing, uninhabited dwelling and the “picker’s cabin” be demolished; decommissioned as a dwelling(s); relocated; or legalized as dwelling unit(s), and
2. The proposed parcel be reduced in size to include the existing home only, with the accessory structures included on the proposed remainder parcel.

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3. The storage containers on the property be removed from the property, or legalized as structures under an approved building permit from the City.

Carried

- 5.3 Planning and Development Services, dated June 5, 2007 re: Agricultural Land Reserve Appeal No. A07-0009 – Terry and Valerie Scott – 4480 Stewart Road East

Moved by Councillor Letnick/Seconded by Councillor Hobson

R634/07/06/18 THAT Agricultural Land Reserve Appeal No. A07-0009 for Lot 222, Section 32, Township 29, O.D.Y.D., Plan 1247, located on Stewart Road, Kelowna, B.C. for a soil deposit under Section 20(3) of the Agricultural Land Commission Act, be supported by Municipal Council, subject to the following:

1. The applicants ensure the deposit is completed in compliance with a City of Kelowna issued Soil Deposit Permit;
2. The applicants be required to post a security deposit with the City of Kelowna, guaranteeing that the land be satisfactorily reclaimed for agricultural use.

Carried

- 5.4 Planning and Development Services, dated June 7, 2007 re: Official Community Plan Amendment No. OCP07-0001 and Rezoning Application No. Z07-0002 –Cabianca Holdings Ltd.) – 4609 Lakeshore Road

Moved by Councillor Hobson / Seconded by Councillor Day

R635/07/06/18 THAT Council defer consideration of applications OCP07-0001/Z07-0002 until the Applicant is able to attend the Council Meeting.

Carried

Councillor Given – Opposed

- 5.5 Planning and Development Services, dated June 5, 2007 re: Rezoning Application No. Z07-0042 – Roland and Audrey Wheeler (Okanagan Sunrise Construction Ltd.) – 345 Hardie Road

- (a) Planning & Development Services report dated June 5, 2007.

Moved by Councillor Letnick/Seconded by Councillor Hobson

R636/07/06/18 THAT Rezoning Application No. Z07-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9, Sec. 26, Twp. 26 ODYD, Plan 14462, located at 345 Hardie Road, 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

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Bylaw No. 9816 (Z07-0042) - Roland and Audrey Wheeler
(Okanagan Sunrise Construction Ltd.) – 345 Hardie Road

Moved by Councillor Letnick/Seconded by Councillor Given**R637/07/06/18** THAT Bylaw No. 9816 be read a first time.Carried5.6 (a) **BYLAWS PRESENTED FOR ADOPTION**

- (i) Bylaw No. 9780 (OCP06-0022) – Interior Health Authority
(Bevanda Architecture Inc.) – 2035 Ethel Street **Requires a
majority of all Members of Council (5)**

Moved by Councillor Given / Seconded by Councillor Letnick**R638/07/06/18** THAT Bylaw No. 9780 be adopted.Carried

- (ii) Bylaw No. 9781 (TA06-0006/Z06-0062) – Interior Healthy
Authority (Bevanda Architecture Inc.) – 2035 Ethel Street

Moved by Councillor Letnick / Seconded by Councillor Given**R639/07/06/18** THAT Bylaw No. 9781 be adopted.Carried

- (b) Planning and Development Services, dated June 13, 2007 re:
Development Permit Application No. DP07-0137 – Interior Health
Authority (IHA Facilities Management) – 2035 Ethel Street

Moved by Councillor Letnick/Seconded by Councillor Hobson

R640/07/06/18 THAT Final Adoption of OCP Amending Bylaw No. 9780 be
considered by Council;

THAT Final Adoption of Text Amending and Zone Amending Bylaw No. 9781 be
considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP07-
0137 for part of Lot B, DL 138 & Sec. 19, Twp. 26, O.D.Y.D., Plan KAP60415,
located on Ethel Street, 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";

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AND FURTHER 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

6. NON-DEVELOPMENT APPLICATION REPORTS

6.1 Planning and Development Services, dated May 31, 2007 re: Sustainability Checklist

Council:

- Should consider making this a mandatory component in the future. Support on a test basis.

Staff:

- A letter will be forwarded by the City Clerk's Office to UDI and the CORD Regional Sustainability Committee advising them of Council's action.

Moved by Councillor Hobson /Seconded by Councillor Letnick

R641/07/06/18 THAT Council receive the report from Planning and Development Services dated May 31, 2007 which introduces Kelowna's Sustainability Checklist;

AND THAT Council endorse the use of the Sustainability Checklist on a voluntary basis to help evaluate new development proposals

Carried

6.2 Community Planning Manager, dated June 13, 2007 re: Proposed Council Policy: Accessibility Measures for Hotels and Motels

Staff:

- A letter will be forwarded by the City Clerk's Office to the Hotel/Motel Association advising them of Council's action.

Moved by Councillor Rule/Seconded by Councillor Gran

R642/07/06/18 THAT Council adopt the Council policy, as attached to the June 13, 2007 report from the Community Planning Manager, to provide recommended accessibility measures for incorporation by hotels and motels on a voluntary basis as an educational resource in addition to the application of the Building Code to new development.

Carried

6.3 Financial Planning Manager, dated June 13, 2007 re: Transit Fare Changes

Moved by Councillor Hobson/Seconded by Councillor Letnick

R643/07/06/18 THAT Council support a fare increase for Conventional and Custom Transit, effective September 1, 2007, as per Schedule's A & B, attached to the June 13, 2007, report of the Financial Planning Manager.

Carried

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- 6.4 Transportation Manager, dated June 13, 2007 re: License of Occupation for the Parking Lot at 1436 St. Paul Street

Moved by Councillor Day/Seconded by Councillor Letnick

R644/07/06/18 THAT Council authorize staff to enter into a License of Occupation with Avion Multiplex Construction Inc., for a period of 12 months at \$1,000.00 per month commencing June 15, 2007, for the northern ½ of the parking lot located at 1436 St. Paul Street, in the form attached to the Report of the Transportation Manager dated June 13, 2007.

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete this transaction.

AND THAT the 2007 financial plan be amended to reduce parking revenue by \$33,390 annually with a reduction in the appropriation to the parking reserve.

Carried

- 7. COUNCILLOR ITEMS (including Committee Updates)

None

- 8. TERMINATION

The meeting was declared terminated at 4:09 p.m.

Certified Correct:

Mayor

ACM/dld

City Clerk