

Regular Meeting – P.M.

November 19, 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, November 19<sup>th</sup>, 2007.

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

Council members absent: Councillor Carol Gran.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Stephen Fleming; Director of Financial Services, Paul Macklem\*; Director of Recreation, Parks and Cultural Services, David Graham\*; Airport General Manager, Roger Sellick\*; Manager, Policy, Research & Strategic Planning, Signe Bach\*; Current Planning Supervisor, Shelley Gambacort\*; Planner, Nelson Wight\*; Planner Specialist, Gary Stephen\*; Financial Analyst, Jim Wunderlich\*; Financial Accounting Manager, Jackie Dueck\*; Assistant General Manager, Airport Development, Sam Samaddar\*; Development Manager, Reid Oddleifson\* and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:31 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 Kim Chernenkoff, Daycare Connection re: International Children's Day (UN) – November 20, 2007

Mayor Shepherd:

- Welcomed the 3 – 4 year olds in the gallery in recognition of International Children's Day (UN) and National Child's Day (Canada) – November 20, 2007

Kim Chernenkoff:

- Manager of Daycare Connections
- Thanked the City of Kelowna for the KickStart Kelowna program which is making a difference in children's lives.
- The children handed out special ribbons for the Mayor & Councillors.

3.2 Mary Jane Cullen, Health Services Administrator, Interior Health Authority re: Status of Vernon and Kelowna Hospitals Expansion Project

Mary Jane Cullen, Health Services Administrator, Interior Health Authority:

- Gave a presentation to Council regarding the status of the Vernon and Kelowna Hospital Expansion Project.

4. DEVELOPMENT APPLICATION REPORTS

4.1 Planning & Development Services Department, dated October 31, 2007 re: Rezoning Application No. Z04-0020 – 417860 Alberta Ltd. (Protech Consultants Ltd./Grant Maddock) – 5050 McCulloch Road (B/L 9313)

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Moved by Councillor Hobson/Seconded by Councillor Day

**R1076/07/11/19** THAT in accordance with the Development Application Procedures Bylaw No. 8140 the deadline for adoption of Zone Amending Bylaw No. 9313 (Z04-0020 – 417860 Alberta Ltd. et al) McCulloch Road be extended to May 2, 2008.

Carried

4.2 Planning & Development Services Department, dated November 8, 2007 re: Rezoning Application No. Z05-0036 – MapleHeath Ranch Ltd. (Terasen Gas) – 4460 Gordon Drive

(a) Planning & Development Services report dated November 8, 2007.

Moved by Councillor Hobson/Seconded by Councillor Given

**R1077/07/11/19** THAT Rezoning Application No. Z05-0036 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot 1, District Lot 358 ODYD Plan KAP76990, located on Gordon Drive, Kelowna, B.C., from the RU5 – Bareland Strata Housing Zone to the P4 – Utilities Zone as shown on Map "A" attached to the report of Planning & Development Services Department, dated October 3, 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 considered in conjunction with Council's consideration of a Development Variance Permit on the subject property.

Carried

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

Bylaw No. 9897 (Z05-0036) – MapleHeath Ranch Ltd. (Terasen Gas) – 4460 Gordon Drive

Moved by Councillor Clark/Seconded by Councillor Given

**R1078/07/11/19** THAT Bylaw No. 9897 be read a first time.

Carried

4.3 (a) **BYLAWS PRESENTED FOR ADOPTION**

(i) Bylaw No. 9838 – Housing Agreement Authorization Bylaw – Rohit Communities Ltd. – 151 Taylor Road

Moved by Councillor Clark/Seconded by Councillor Rule

**R1079/07/11/19** THAT Bylaw No. 9838 be adopted.

Carried

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- (ii) Bylaw No. 9839 (OCP07-0009) – 0763831 BC Ltd. (Bob Guy) – 151 Taylor Road – Requires a majority of all Members of Council (5)

Moved by Councillor Rule/Seconded by Councillor Clark

**R1080/07/11/19** THAT Bylaw No. 9839 be adopted.

Carried

- (iii) Bylaw No. 9840 (Z07-0026) – 0763831 BC Ltd. (Bob Guy) – 151 Taylor Road

Moved by Councillor Rule/Seconded by Councillor Clark

**R1081/07/11/19** THAT Bylaw No. 9840 be adopted.

Carried

- (b) Planning & Development Services Department, dated October 31, 2007 re: Development Permit Application No. DP07-0061 – Rohit Group of Companies (Rohit Communities Kelowna Ltd.) – 151 Taylor Road

Moved by Councillor Hobson/Seconded by Councillor Day

**R1082/07/11/19** THAT final adoption of Zone Amending Bylaw No. 9840 be considered by Council;

AND THAT final adoption of Official Community Plan Amending Bylaw No. 9839 be considered by Council;

AND THAT final adoption of Housing Agreement Bylaw No. 9838 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP07-0061 on Lot A, Section 22, Township 26, O.D.Y.D., Plan KAP85063, located on Taylor Road, 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"
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

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.

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4.4 Planning & Development Services Department, dated November 14, 2007 re: Official Community Plan Amendment No. OCP07-0020 – Amendment Bylaw No. 9842 – Aquatic Habitat and Compensation Banking

(a) Planning & Development Services report dated November 14, 2007.

Moved by Councillor Hobson/Seconded by Councillor Letnick

**R1083/07/11/19** THAT Council receive the supplemental report from the Planning and Development Services Department dated November 14, 2007 regarding OCP Text Amendment OCP07-0020 – Amendment Bylaw No. 9842 to amend *Kelowna 2020* – Official Community Plan Bylaw No. 7600 to include Aquatic Habitat Protection and Compensation Policies in the Environment section of the OCP;

AND THAT Council re-confirm the previous resolution to forward OCP Text Amendment OCP07-0020 – Amendment Bylaw No. 9842 to First Reading and Public Hearing.

Carried

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

Bylaw No. 9842 (OCP07-0020) – Text Amendment – Aquatic Habitat and Compensation Banking – Requires a majority of all Members of Council (5)

Moved by Councillor Blanleil/Seconded by Councillor Day

**R1084/07/11/19** THAT Bylaw No. 9842 be read a first time;

AND THAT the Bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

## 5. NON-DEVELOPMENT APPLICATION REPORTS

5.1 Director of Financial Services, dated November 14, 2007 re: 20-Year Servicing Plan and Financing Strategy (2007 Update)

Staff:

- Staff provided a finalized copy of the Development Cost Charges Issues Analysis and advised Council that a full copy of the Report will be posted on the City's website this afternoon.
- The proposed changes to the DCC's will be implemented on March 1, 2008.
- December 17<sup>th</sup> is the deadline date to come back to Council for consideration of the Bylaw amendments.

Moved by Councillor Letnick/Seconded by Councillor Rule

**R1085/07/11/19** THAT Council approve, subject to the 20 Year Servicing Plan and Financing Strategy public consultation process, the following recommendations to be reflected in amendments to DCC Bylaw 9728 and Zoning Bylaw 8000:

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Establishment of a Residential 5 density gradient category for multi-family residential units of 600 square feet (55.7 square meters) or less;

Establishment of a Residential 6 density gradient category for secondary suites chargeable at subdivision or building permit where applicable;

Elimination of all regulatory provisions that permit the development of “second kitchens” as a means to ensure the development of legal secondary suites in the community;

DCC's not be charged on existing properties in existing neighbourhoods where secondary suite development rights have already been conferred through the zoning process if the suite has yet to be constructed;

AND THAT the above recommendations be considered as interim in nature and subject to a full review of all DCC methodologies as part of the upcoming Official Community Plan review.

AND FURTHER THAT DCC's be charged on all developments of less than 4 units at the earlier of subdivision, if applicable, or building permit.

Carried

5.2 Financial Accounting Manager, dated November 14, 2007 re: Short Term Borrowing Bylaw

Mayor Shepherd declared a conflict of interest as she has business interests in the Cedar Avenue area and left the Chamber at 2:53 p.m.

Councillor Hobson declared a conflict of interest as his family owns property in the Cedar Avenue area and left the Chamber at 2:53 p.m.

Deputy Mayor Blanleil took over as Chair of the meeting from Mayor Shepherd.

Moved by Councillor Letnick/Seconded by Councillor Clark

**R1086/07/11/19** THAT Council forward Replacement Financial System Short Term Borrowing Bylaw No. 9898 and Cedar Avenue Development Plan Short Term Borrowing Bylaw No. 9899 for reading consideration.

Carried

Deputy Mayor Blanleil moved the order of the Agenda and Item 7.3 was dealt with immediately after Item 5.2.

7.3 Bylaw No. 9899 – Cedar Avenue Development Plan Short Term Borrowing Bylaw

Moved by Councillor Day/Seconded by Councillor Letnick

**R1087/07/11/19** THAT Bylaw No. 9899 be read a first, second and third time.

Carried

Mayor Shepherd rejoined the meeting at 2:55 p.m. and took over as Chair of the meeting from Deputy Mayor Blanleil.

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Councillor Letnick left the Chamber at 2:55 p.m.

- 5.3 Airport General Manager, dated November 2, 2007 re: Proposed Kelowna Flightcraft Ltd. Lease Amendments – Kelowna International Airport

Moved by Councillor Day/Seconded by Councillor Rule

**R1088/07/11/19** THAT Council authorize the Mayor and City Clerk to execute a Supplemental Agreement to the Land Lease for Kelowna Flightcraft Ltd.'s aircraft maintenance facility (Boeing 757 hangar) expanding the lease lands to 2.83 hectares (304,621.2 square feet)

AND THAT Council authorize the Mayor and City Clerk to sign a Supplemental Agreement to the aviation storage warehouse and parking lot lease with Kelowna Flightcraft Ltd. to reduce the lease lands from 1.625 hectares to 1.28 hectares (137,729.2 square feet).

Carried

- 5.4 Assistant Airport General Manager, Airport Development, dated November 14, 2007 re: Runway Extension Project Construction Contract (T07-084)

Councillor Hobson rejoined the meeting at 3:00 p.m.

Moved by Councillor Given/Seconded by Councillor Blanleil

**R1089/07/11/19** THAT Council authorizes the City to enter into a contract with Arlo Construction Ltd. in the amount of \$7,649,834.43 plus GST for construction of the Runway Extension at the Kelowna International Airport.

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

Carried

- 5.5 Development Manager, Recreation Parks and Cultural Services, dated November 13, 2007 re: Artisan Programming in City Parks – “Art in the Park”

Moved by Councillor Rule/Seconded by Councillor Day

**R1090/07/11/19** THAT the City requests Fesitvals Kelowna to propose a new artisan program for downtown Kelowna City parks and report back to Council by March 3, 2008;

AND THAT the City of Kelowna not reinstate the “Art in the Park” program in its current form as it is now defined and administered.

Carried

## 6. RESOLUTIONS

- 6.1 Draft Resolution re: Appointments to City of Kelowna Arts Foundation Board

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**R1091/07/11/19** THAT the following individuals be appointed to the City of Kelowna Arts Foundation Board for the remainder of the 3-year term ending December 2008:

Sue Harper  
Wendy Creelman

Carried

6.2 Draft Resolution re: 2008 Council Meeting Schedule

Moved by Councillor Day/Seconded by Councillor Given

**R1092/07/11/19** THAT the 2008 Council Meeting schedule be adopted as follows:

Monday Regular Meetings

January 7, 14, 21 and 28  
February 4, 11, 18 and 25  
March 3, 10, 17 and 31  
April 7, 14, 21 and 28  
May 5, 12 and 26  
June 9, 16 and 23  
July 7 and 21  
August 5\* and 18  
September 8, 15 and 29  
October 6, 20 and 27  
November 3, 10 and 24  
December 1\*\*, 8, 15 and 22

Public Hearing/Regular Meetings

January 8 and 22  
February 5 and 19  
March 4 and 18  
April 1, 15 and 29  
May 13 and 27  
June 10 and 24  
July 8 and 22  
August 5\* and 19  
September 2, 16 and 30  
October 14 and 28  
November 25  
December 9 and 23

Carried7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

7.1 Bylaw No. 9896 – Amendment No. 3 to Solid Waste Management Regulation Bylaw No. 9570

Moved by Councillor Day/Seconded by Councillor Blanleil

**R1093/07/11/19** THAT Bylaw No. 9896 be read a first, second and third time.

Carried

7.2 Bylaw No. 9898 – Replacement Financial System Short Term Borrowing Bylaw

Moved by Councillor Day/Seconded by Councillor Blanleil

**R1094/07/11/19** THAT Bylaw No. 9898 be read a first, second and third time.

Carried

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7.3 Bylaw No. 9899 – Cedar Avenue Development Plan Short Term Borrowing Bylaw

See Resolution under Item 5.2 above.

8. COUNCILLOR ITEMS

Moved by Councillor Hobson/Seconded by Councillor Day

**R1095/07/11/19** THAT the Mayor, on behalf of Council, forward a letter to the new Westside Council welcoming them to local government.

Carried

9. TERMINATION

The meeting was declared terminated at 3:20 p.m.

Certified Correct:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Deputy Mayor, Andre Blanleil

\_\_\_\_\_  
Deputy City Clerk

SLH/dld