

Regular Meeting – P.M.

January 7, 2008

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 7th, 2008.

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

Council members absent: Councillors Andre Blanleil and Colin Day.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Director of Financial Services/Interim Director of Planning & Development Services, Paul Macklem*; Current Planning Supervisor, Shelley Gambacort*; Planner, Alec Warrander*; Planner, Birte Decloux*; Financial Accounting Manager, Jackie Dueck*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

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

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

3. PUBLIC IN ATTENDANCE

3.1 Bruce Baron, Crime Stoppers Co-ordinator re: Crime Stoppers Presentation

Bruce Baron:

- Crime Stoppers is the most successful community-based program in the world and January is Crime Stoppers month.
- 2007 was the 20th Anniversary for the Central Okanagan Crime Stoppers Society.

3.2 Debbie Hicks, President, Southern Interior Construction Association re: SICA Presentation

Debbie Hicks:

- Explained that the "Gold Seal" concept recognizes the competence of the construction industry's primary people for the responsibilities of construction.
- The Southern Interior Construction Association was presented with the Gold Seal Association of the Year Award.

4. COMMITTEE REPORTS

4.1 Councillor Rule, Advisory Committee on Community and Women's Issues, re: Childcare Recommendations

Councillor Rule:

- Advised that the Committee will focus on child-care for 2008.

Council:

- Child care is not only a social issue, in reality it is an economic issue.
- The child care community in the Okanagan is in a crisis as there are no childcare spaces available.

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Moved by Councillor Rule/Seconded by Councillor Gran

R004/08/01/07 THAT Council receive the report from the Advisory Committee on Community and Women's Issues dated December 14, 2007;

AND THAT Council direct staff to investigate a possible space for a City of Kelowna employee childcare facility;

AND THAT Council direct the staff to investigate the creation of a policy regarding childcare amenities in exchange for a density bonus on rezoning applications involving Commercial and Multi-family Residential proposals;

AND FURTHER THAT Council appoints Michael Patten, Cheryl Miller, and a representative from School District #23, as members of the Advisory Committee on Community and Women's Issues to fill existing vacancies;

Carried

Moved by Councillor Gran/Seconded by Councillor Letnick

R005/08/01/07 THAT the Mayor, on behalf of City Council, write a letter to the Premier of British Columbia, with a copy sent to the Minister of Economic Development, requesting that all sporting events in the 2010 Olympic Winter Games, in particular the ski jump event, include a women's competition.

Carried

5. UNFINISHED BUSINESS

(BYLAW PRESENTED FOR SECOND AND THIRD READING AND ADOPTION)

5.1 Bylaw No. 9893 (Z07-0081) – Roslyn Haug – 1250 Bothe Road

Councillor Letnick declared a conflict of interest as he has a personal relationship with the applicant. Councillors Clark and Given were absent from the Public Hearing when this application was brought forward and were not prepared to deal with this item at this meeting.

As quorum was lost, the item will be deferred to the January 14, 2008 Council meeting.

6. DEVELOPMENT APPLICATION REPORTS

6.1 Planning and Development Services Department, dated December 11, 2007 re: Heritage Alteration Permit Application No. HAP07-0009 – Clarkson and Marguerite Berry (Peter Chataway) – 806 Bernard Avenue

Councillor Rule declared a conflict of interest as she has a personal relationship with the applicant and left the meeting at 2:18 p.m.

Moved by Councillor Letnick/Seconded by Councillor Given

R006/08/01/07 THAT Council authorize the issuance of Heritage Alteration Permit No. HAP07-0009; for Lot 14, Block 12, District Lot 138, ODYD, Plan 202, located at 806 Bernard Avenue, 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";

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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 must satisfy the requirements of the Works and Utilities Department.

Carried

- 6.2 Planning and Development Services Department, dated December 20, 2007 re: Rezoning Application No. Z05-0041 – Georg-Michael Holzhey (John Hertay) – 2630 Hollywood Road North

Moved by Councillor Hobson/Seconded by Councillor Given

R007/08/01/07 THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9691 (Z05-0041) – Georg-Michael Holzhey (John Hertay) – 2630 Hollywood Road North be extended from December 12, 2007 to June 12, 2008.

Carried

Councillor Rule rejoined the meeting at 2:21 p.m.

- 6.3 Planning and Development Services Department, dated December 10, 2007 re: Rezoning Application No. Z07-0092 – Gloria Yamniuk – 1297 Findlay Road
 - (a) Planning & Development Services report dated December 10, 2007.

Moved by Councillor Given/Seconded by Councillor Letnick

R008/08/01/07 THAT Rezoning Application No. Z07-0092 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Sec. 35, Twp. 26, ODYD, Plan 18811, located on Findlay Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

AND THAT Rezoning Application No. Z07-0092 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 and Parks Department being completed to their satisfaction.

Carried

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

Bylaw No. 9916 – Z07-0092 - Gloria Yamniuk – 1297 Findlay Road

Moved by Councillor Given/Seconded by Councillor Letnick

R009/08/01/07 THAT Bylaw No. 9916 be read a first time.

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Carried

6.4 Planning and Development Services Department, dated December 12, 2007 re: Rezoning Application No. Z07-0072 – Dana Johnson and Carmen Langstaff – 5555 Lakeshore Road

(a) Planning & Development Services report dated December 12, 2007.

Moved by Councillor Given/Seconded by Councillor Letnick

R010/08/01/07 THAT Rezoning Application No. Z07-0072 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, SEC. 15 and 22, TWP 28, S.D.Y.D., Plan 6042, located on Lakeshore Road, Kelowna, B.C. from the A1 – Agriculture 1 Zone to the A1(s) – Agriculture 1 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. 9917 – Z07-0072 - Dana Johnson and Carmen Langstaff – 5555 Lakeshore Road

Moved by Councillor Letnick/Seconded by Councillor Given

R011/08/01/07 THAT Bylaw No. 9917 be read a first time.

Carried

6.5 Planning and Development Services Department, dated December 18, 2007 re: Rezoning Application No. Z07-0096 – Janice Bartlett – 844 Liban Court

(a) Planning & Development Services report dated December 18, 2007.

Moved by Councillor Given/Seconded by Councillor Letnick

R012/08/01/07 THAT Rezoning Application No. Z07-0096 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8, Section 29, Township 26, ODYD, Plan 25918 located on Liban Court, Kelowna, B.C. from the RU1 – Large Lot Housing Zone to the RU1(s) – 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. 9918 – Z07-0096 - Janice Bartlett – 844 Liban Court

Moved by Councillor Given/Seconded by Councillor Letnick

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R013/08/01/07 THAT Bylaw No. 9918 be read a first time.

Carried

7. NON-DEVELOPMENT APPLICATION REPORTS

7.1 Assistant General Manager Airport Operations, dated December 31, 2007 re: Airport Use Agreement for Canadian North Airlines – Kelowna International Airport

Moved by Councillor Gran/Seconded by Councillor Rule

R014/08/01/07 THAT Council authorize the Mayor and City Clerk to sign the Air Carrier Airport Use Agreement allowing Canadian North Airlines to operate at the Kelowna International Airport.

Carried

7.2 Financial Accounting Manager, dated January 2, 2008 re: GST Inclusive Fees and Services

Moved by Councillor Letnick/Seconded by Councillor Given

R015/08/01/07 THAT City controlled fees and services that are set inclusive of GST remain at the present level, pending a more detailed fees and charges review of each type, notwithstanding the GST rate reduction from 6% to 5% which was effective on January 1, 2008.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAW PRESENTED FOR AMENDMENT AT THIRD READING)

8.1 Bylaw No. 9913 – Amendment No. 19 to Electricity Regulation Bylaw No. 7639

Moved by Councillor Rule/Seconded by Councillor Clark

R016/08/01/07 THAT Bylaw No. 9913 be amended at third reading by correcting typographical errors as follows:

- (a) delete consumption charge of “0.084889/kWh” in APPENDIX C-10, RATE CODE 226, Metered-Schools and replace it with “0.08489/kWh”; and
- (b) delete MINIMUM FLATRATE CHARGE of “\$32.12” in APPENDIX C-11, RATE CODE 309, 1000 KLO Road and replace it with “\$33.12”.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

8.2 Bylaw No. 9900 – Mobile Business Licence Scheme

Moved by Councillor Clark/Seconded by Councillor Rule

R017/08/01/07 THAT Bylaw No. 9900 be adopted.

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- 8.3 Bylaw No. 9904 – Amendment No. 4 to Solid Waste Management Regulation Bylaw No. 9570

Moved by Councillor Rule/Seconded by Councillor Clark

R018/08/01/07 THAT Bylaw No. 9904 be adopted.

Carried

- 8.4 Bylaw No. 9907 – Amendment No. 18 to City of Kelowna Electricity Regulation Bylaw No. 7639

Moved by Councillor Clark/Seconded by Councillor Rule

R019/08/01/07 THAT Bylaw No. 9907 be adopted.

Carried

- 8.5 Bylaw No. 9912 – Amendment No. 16 to Airport Fees Bylaw No. 7982

Moved by Councillor Gran/Seconded by Councillor Hobson

R020/08/01/07 THAT Bylaw No. 9912 be adopted.

Carried

- 8.6 Bylaw No. 9914 – Amendment No.27 to Sewerage System User Bylaw No. 3480

Moved by Councillor Hobson/Seconded by Councillor Gran

R021/08/01/07 THAT Bylaw No. 9914 be adopted.

Carried

- 8.7 Bylaw No. 9915 – Amendment No. 5 to Sewer Service Parcel Tax Bylaw No. 8924

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Moved by Councillor Hobson/Seconded by Councillor Gran

R022/08/01/07 THAT Bylaw No. 9915 be adopted.

Carried

9. COUNCILLOR ITEMS

Councillor Hobson:

- Advised that the Okanagan Regional Districts (3) Governance Committee last met on December 10, 2007.
- A workshop will be held on January 11, 2008 in Vernon (Best Western Hotel from 9:00 a.m. to 3: p.m.) with all of the Regional Directors from the three (3) Districts.
- Another workshop will be held on March 2008 in Kelowna.

Mayor Shepherd:

- Advised that she has met with the Westbank First Nations and that a letter will be send to the Ministry of Transportation requesting a workshop regarding Highway 97 and any improvements that may be required.
- Advised that Kelowna was recognized by the Mayor's for Peace organization.
- Advised that Canada World Youth has forwarded a "Thank You" to the City for their support of this program.

10. TERMINATION

The meeting was declared terminated at 2:50 p.m.

Certified Correct:

Mayor

City Clerk

SLH/dld