

Regular Meeting – P.M.

January 21, 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 21<sup>st</sup>, 2008...

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

Council members absent: Councillor Andre Blanleil.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Stephen Fleming; Current Planning Supervisor, Shelley Gambacort\*; Financial Accounting Manager, Jackie Dueck\*; Urban Forestry Supervisor, Ian Wilson\*; Parks Manager, Joe Creron\* and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:32 p.m.

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

3. DEVELOPMENT APPLICATION REPORTS

3.1 Planning & Development Services Department, dated January 10, 2008 re: Rezoning Application No. Z07-0098 – Dale Riddell, David Bach, Nicole & Jason Marzinzik and Thieu Vu (Jason Marzinzik) – 1859, 1879, 1891 Marshall Street and 508 Sutherland Avenue

(a) Planning & Development Services report dated January 10, 2008.

Staff:

- Advised that Lot B, Plan 18223 should now be included in the recommendation.

Moved by Councillor Rule/Seconded by Councillor Letnick

**R047/08/01/21** THAT Rezoning Application No. Z07-0098 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7, District Lot 14, ODYD, Plan 3286, located at 1859 Marshall Street, Lot 9, District Lot 14, ODYD, Plan 3286, located at 1879 Marshall Street, Lot 2, District Lot 139, ODYD, Plan 3957, located at 508 Sutherland Avenue, Lot 1, District Lot 139, ODYD, Plan 3957, located at 1891 Marshall Street, Kelowna, B.C., Lot B, District Lot 14, ODYD, Plan 18223, located off of Rowcliffe Avenue, from the RM5 – Medium Density Multiple Housing zone to the RU6 – Two Dwelling Housing 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. 9923 (Z07-0098) – Dale Riddell, David Bach, Nicole & Jason Marzinzik and Thieu Vu (Jason Marzinzik) – 1859, 1879, 1891 Marshall Street and 508 Sutherland Avenue

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Moved by Councillor Given/Seconded by Councillor Letnick

**R048/08/01/21** THAT Bylaw No. 9923 be read a first time.

Carried

- 3.2 Planning & Development Services Department, dated January 15, 2008 re: Rezoning Application No. Z05-0069 – Jud and Karen Wickwire (Jud Wickwire) – 1281 Highway 33 East

Moved by Councillor Given/Seconded by Councillor Letnick

**R049/08/01/21** 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 December 10, 2007 to June 10, 2008.

Carried

#### 4. BYLAWS (ZONING & DEVELOPMENT)

##### **BYLAW PRESENTED FOR FIRST THREE READINGS**

- 4.1 Bylaw No. 9922 – Housing Agreement – Ca'Solare Developments Inc. (G Group of Companies) – 4760 Lakeshore Road

Moved by Councillor Rule/Seconded by Councillor Given

**R050/08/01/21** THAT Bylaw No. 9922 be read a first, second and third time.

Carried

Council:

- Requested staff to advise as to the number of Housing Agreements that the City of Kelowna has entered into since 2005.
- Requested staff to identify any challenges or issues that staff are aware of with respect to the current form of Housing Agreement being used by the City.

#### 5. NON-DEVELOPMENT APPLICATION REPORTS

- 5.1 Financial Accounting Manager, dated January 16, 2008 re: MFA Borrowing for Airport Capital Projects

Moved by Councillor Letnick/Seconded by Councillor Rule

**R051/08/01/21** THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2008 spring issue, \$45,800,000 as authorized through Loan Authorization Bylaw No. 9867 which authorized the construction of the Airport Capital Projects.

AND THAT the Regional District of Central Okanagan be requested to prepare a security issuing bylaw with a 20 year term.

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5.2 Urban Forestry Supervisor, dated January 15, 2008 re: Management of European Rabbits and Other Problem Wildlife

Staff:

- Gave a presentation to Council regarding how to deal with the management of rabbits and other problem wildlife.
- Confirmed that the Regional District looks after the animal control function for the City.
- Advised that the Provincial Conservation Office only deals with higher risk concerns and that the SPCA does not have the resources to deal with this.
- Advised that TRACKS would be prepared to propose something to deal with this matter at a February Council meeting.
- Advised that the staff have had a brief discussion with the Regional District regarding this matter; however nothing was discussed in great detail.
- Confirmed that staff would consider a bylaw amendment that rabbits could not be sold within the City without first being spade or neutered.
- Advised that “no feeding” bylaws are difficult to enforce; however signs could be posted asking the public “not to feed the rabbits”.
- Advised that a count was done in June of 2007 and that there were approximately 650 rabbits along Enterprise Way as of that date. It is estimated that there may be as many as 1,200 rabbits throughout the City.
- Advised that it would cost, at minimum, approximately \$30.00 to \$40.00 per rabbit to have them spade or neutered.

Council:

- Inquired as to whether other regional partners might want to contribute to a “Kelowna area” problem/cost.
- Concerned that the businesses along Enterprise Way are having problems with the landscaping that is being eaten due to the rabbits.
- Suggested that fines should be imposed on individuals caught dropping off animals within the City limits.

Moved by Councillor Letnick/Seconded by Councillor Day

**R052/08/01/21** THAT the City of Kelowna forward a recommendation to the Board of the Regional District of Central Okanagan, that the Regional Animal Control function be expanded beyond the existing dog control contract, to include the investigation, control and enforcement of nuisance animal complaints, including rabbits;

AND THAT staff review and evaluate City bylaw options and report back to Council.

Carried

5.3 City Clerk, dated January 16, 2008 re: Airport Fees and Charges

Moved by Councillor Hobson/Seconded by Councillor Day

**R053/08/01/21** THAT Council receive the report of the City Clerk dated January 16, 2008;

AND THAT the necessary amending Bylaw to the City of Kelowna Airport Fees Bylaw No. 7982 be forwarded for reading consideration.

Carried

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- 5.4 City Clerk, dated January 16, 2008 re: Okanagan Boys & Girls Clubs Management and Operating Agreement

Moved by Councillor Day/Seconded by Councillor Letnick

**R054/08/01/21** THAT Council receive the Certificate of Sufficiency dated January 16, 2008 pertaining to the Okanagan Boys & Girls Clubs Management & Operating Agreement;

AND THAT Council direct the Mayor and City Clerk to execute the Okanagan Boys & Girls Clubs Management & Operating Agreement.

Carried

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 6.1 Bylaw No. 9925 – Amendment No. 17 to the Airport Fees Bylaw No. 7982

Moved by Councillor Hobson/Seconded by Councillor Given

**R055/08/01/21** THAT Bylaw No. 9925 be read a first, second and third time.

Carried

7. COUNCILLOR ITEMS

Mayor Shepherd:

- Advised that the deadline for the 2008 Order of British Columbia nominations is March 10, 2008 and that information regarding these nominations is available at the City Clerk's Office.

8. TERMINATION

The meeting was declared terminated at 2:26 p.m.

Certified Correct:

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Mayor

SLH/dld

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Deputy City Clerk