

Regular Meeting – P.M.

February 4, 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, February 4th, 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: Andre Blanleil

Staff members in attendance were: City Manager, Ron Mattiussi*; City Clerk, Allison Flack; Director of Financial Services/Interim Director of Planning and Development Services, Paul Macklem*; Director of Recreation, Parks & Cultural Services, David Graham*; Current Planning Supervisor, Shelley Gambacort*; Subdivision Approving Officer, Bob Shaughnessy*; Fire Chief, Rene Blanleil*; Assistant Fire Chief, Kerry Klonteig*; Wastewater Engineer, Joel Shaw*; Park Design and Construction Supervisor, Andrew Gibbs*; Development Manager, Parks and Cultural Services, Reid Oddleifson*; Planner, Paul McVey*; Planner, Alec Warrender*, and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:38 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 Max Walker and Shane Hickey, Students Youth Advisory Committee re: BC Youth Parliament

- Shane Hickey – Mount Boucherie Grade 11 and Max Walker – KSS Grade 12.
- BC Youth Parliament is a youth driven non profit organization. From year round community service around the province, to holding a summer camp for children who wouldn't otherwise be able to attend a summer camp, to holding a gala auction, to holding regional youth parliaments around the province.

4. DEVELOPMENT APPLICATION REPORTS

4.1 Rezoning Application No. Z06-0018 – M 124 Enterprises Ltd. In. (Ted Thomas and Associates) – 120 Old Vernon Road (B/L 9628)

Moved by Councillor Hobson/Seconded by Councillor Day

R084/08/02/04 THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9628 (Z06-0018) – M 124 Enterprises Ltd. Inc. No. BC0744528 (Ted Thomas and Assoc.) – Lot 1, Sec 2, Twp. 23, O.D.Y.D., Plan 7301, located on Old Vernon Road be extended from February 11, 2008 to July 11, 2008.

Carried

4.2 Official Community Plan Amendment No. OCP06-0010 and Rezoning Application No. Z06-0033 – Seventh-Day Adventist Church (Rutland Seventh Day Adventist Church) – 1215 Highway 33 W (B/L 9928 and 9929)

- (a) Planning & Development Services reported dated January 21, 2008.

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Moved by Councillor Hobson/Seconded by Councillor Gran

R085/08/02/04 THAT OCP Bylaw Amendment No. OCP06-0010 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Lot B, Sec. 22, Twp. 26, O.D.Y.D., Plan 12600, Exc. Plan 39705, located on Highway 33, Kelowna, B.C., from the existing "Single/Two Unit Residential" designation to the proposed "Education/Major Institutional" Park and Open Space designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated January 21, 2008, be considered by Council;

AND THAT Council considers APC public process to be appropriate consultation for the purpose of section 879 of the *Local Government Act*, as outlined in the report of the Planning & Development Services Department dated January 21, 2008.

AND THAT Rezoning Application No. Z06-0033 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Sec. 22, Twp. 26, O.D.Y.D., Plan 12600, Exc. Plan 39705, located on Highway 33, Kelowna, B.C. from the existing RU1 – Large Lot Housing zone to the proposed P2 – Education and Minor Institutional zone as shown on Map "B" attached to the report of Planning & Development Services Department, dated January 21, 2008 be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP06-0010 and zone amending bylaw 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 being completed to their satisfaction.

Carried

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

- (i) Bylaw No. 9928 (OCP06-0010) - Seventh-Day Adventist Church (Rutland Seventh Day Adventist Church) – 1215 Highway 33 W

Moved by Councillor Day/Seconded by Councillor Gran

R086/08/02/04 THAT Bylaw No. 9928 be read a first time.

Carried

- (ii) Bylaw No. 9929 (Z06-0033) - Seventh-Day Adventist Church (Rutland Seventh Day Adventist Church) – 1215 Highway 33 W

Moved by Councillor Gran/Seconded by Councillor Day

R087/08/02/04 THAT Bylaw No. 9929 be read a first time.

Carried

- 4.3 Official Community Plan Amendment No. OCP07-0013 and Rezoning Application No. Z07-0039 – Renee and Thomas Burzuk – 3089-3091 Gordon Drive (B/L 9932 and 9933)

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- (a) Planning & Development Services reported dated January 18, 2008.

Moved by Councillor Day/Seconded by Councillor Letnick

R088/08/02/04 THAT OCP Bylaw Amendment No. OCP07-0013 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot C, District Lot 131, ODYD, Plan 30008, located at 3089-3091 Gordon Drive, Kelowna, B.C., from the Single/Two Unit Residential designation to the Multiple Unit Residential - Low Density designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated January 18, 2008, be considered by Council;

AND THAT Council considers the APC public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Planning & Development Services Department dated January 18, 2008;

THAT Rezoning Application No. Z07-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C, District Lot 131, ODYD, Plan 30008, located at 3089-3091 Gordon Drive, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM1 – Four Plex Housing zone be considered by Council;

THAT Council forward Bylaw No. 9924 authorizing a Housing Agreement between the City of Kelowna and Renee & Thomas Burzuk which requires the owners to designate *1 dwelling unit for rental affordable* housing on Lot C, District Lot 131, ODYD, Plan 30008, located at 3089-3091 Gordon Drive, Kelowna, B.C., for reading consideration;

THAT the OCP Bylaw Amendment No. OCP07-0013 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

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

Carried

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

- (i) Bylaw No. 9932 (OCP07-0013) – Renee and Thomas Burzuk – 3089-3091 Gordon Drive

Moved by Councillor Given/Seconded by Councillor Letnick

R089/08/02/04 THAT Bylaw No. 9932 be read a first time.

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- (ii) Bylaw No. 9933 (Z07-0039) - Renee and Thomas Burzuk – 3089-3091 Gordon Drive

Moved by Councillor Letnick/Seconded by Councillor Given

R090/08/02/04 THAT Bylaw No. 9933 be read a first time.

Carried

- (c) **BYLAW PRESENTED FOR FIRST THREE READINGS**

Bylaw No. 9935 (Housing Agreement) - Renee and Thomas Burzuk – 3089-3091 Gordon Drive

Moved by Councillor Given/Seconded by Councillor Letnick

R091/08/02/04 THAT Bylaw No. 9935 be read a first, second and third time.

Carried

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 5.1 Bylaw No. 9902 (Z07-0066) – Victor and Denise Clay (Anne Squire) – 1704 Joe Riche Road

Moved by Councillor Rule/Seconded by Councillor Clark

R092/08/02/04 THAT Bylaw No. 9902 be adopted.

Carried

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 Current Planning Supervisor, dated January 29, 2008, re: Road Naming Changes Affecting McCurdy Road, Craig Road, Day Road and McKenzie Road

Moved by Councillor Given/Seconded by Councillor Gran

R093/08/02/04 THAT Council hear from Rob Marak, Tower Ranch Developments representative.

Carried

Rob Marak, Tower Ranch Developments representative

- Preference would be to have the road named Tower Ranch Boulevard.
- Noted two concerns regarding road name change is continuity and safety. Spoke with stakeholders, Sgt. in Charge of 911, Fire Chief Blanleil, Assistant Fire Chief, Administration Officer, Brian Moore and believed there was no concern regarding safety and navigation.
- Potential to provide access through their property to developable lands to the south.

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Council:

- Would like clarification of safety issue.

Fire Chief:

- Had met with Mr. Marak at preliminary stage. The contact person at that time was Brian Moore.
- Support staff report that we are consistent with road name changes. It is a public safety issue. McCurdy Road should continue going all the way up.

Moved by Councillor Clark/Seconded by Councillor Gran

R094/08/02/04 THAT staff prepare a bylaw to rename the portion of the road south of the intersection of Day and McCurdy Road to Tower Ranch Boulevard, and report back to Council.

DEFEATED

Mayor Shepherd, Councillors Rule, Letnick, Day and Hobson Opposed.

Moved by Councillor Letnick/Seconded by Councillor Rule

R095/08/02/04 THAT Municipal Council rename those portions of Craig Road, McKenzie Road, and Day Road to McCurdy Road, as identified on Schedule "A" attached to the report from the Planning & Development Services Department dated January 16, 2008;

AND THAT those portions of Day Road be renamed to Tower Ranch Drive, as identified on Schedule "B" attached to the report from the Planning and Development Services Department dated January 16, 2008;

AND FURTHER THAT Staff be directed to prepare the necessary road name change bylaw.

Carried

Councillors Clark and Given Opposed.

6.2 Fire Chief, dated January 29, 2008, re: Emergency Preparedness Awareness – Power Point Presentation

Staff:

- Outlined the regional emergency preparedness plan.

City Manager departed the meeting at 3:19 p.m. and the Director of Financial Services took over as Acting City Manager.

Moved by Councillor Day/Seconded by Councillor Hobson

R096/08/02/04 THAT Council receive the Report of the Fire Chief dated January 29, 2008 for information only.

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- 6.3 Wastewater Engineer, dated January 29, 2008, re: Highway 97 Utilities and Re-Paving Authorization for Overnight Work

Moved by Councillor Hobson/Seconded by Councillor Day

R097/08/02/04 THAT Council receives the report of the Wastewater Engineer dated January 29, 2008.

AND THAT Council approves the communications strategy supporting the implementation of this night time work.

AND FURTHER THAT the seniors assisted living residences in the neighborhood be contacted to ask if they would like staff to hold an open house at one of their residences.

Carried

- 6.4 Park Design and Construction Supervisor, dated January 30, 2008 re: Downtown Pier – Design and Costing Refinements

Council:

- Staff requested not to spend any of the re-allocated budget until final budget has been adopted.

Moved by Councillor Given/Seconded by Councillor Gran

R098/08/02/04 THAT City Council decline the bridge builder's offer to the City to make use of the floating pontoons from the existing bridge for a public pier downtown and that staff notify SNC-Lavalin and the WRB Bridge Group of this as soon as possible;

AND THAT the \$900,000 allocated in the 2008 budget for the first phase of this work be re-allocated in final budget to the funding sources from which they originated;

AND FURTHER THAT staff work internally, and with downtown development proponents and the public, to develop an alternative plan for a public pier downtown and bring it to Council for consideration.

Carried

- 6.5 Development Manager, Recreation, Parks and Cultural Services, dated January 29, 2008, re: UBCM Grant – Community Tourism Program – Phase 2

Staff

- Confirmed we are assured of this money. City to apply with our intentions attached.

Moved by Councillor Hobson/Seconded by Councillor Day

R099/08/02/04 THAT City Council authorize staff to submit a grant application for the UBCM Community Tourism Program – Phase 2, in the amount of \$180,295;

AND THAT Council authorize the distribution of these funds as presented in the report from the Development Manager dated January 29, 2008.

Carried

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7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 7.1 Bylaw No. 9930 – Amendment No. 2 to Local Service Area No. 23 – South West Rutland Bylaw No. 9244

Moved by Councillor Clark/Seconded by Councillor Rule

R100/08/02/04 THAT Bylaw No. 9930 be adopted.

Carried

- 7.2 Bylaw No. 9931 – Amendment No. 2 to Local Service Area No. 30 – Acland Road Bylaw No. 8917

Moved by Councillor Clark/Seconded by Councillor Rule

R101/08/02/04 THAT Bylaw No. 9931 be adopted.

Carried

8. COUNCILLOR ITEMS

Councillor Given:

Attended the Okanagan Basin Water Board Workshop. Eight (80) plus people from all over the valley attended. Presentation re: the Joe Riche restoration of wetlands. Cattlemen's Association has lots of funds available to partner for restoration of wetlands, as long as it's on agricultural land. Also a presentation by an OUC student regarding organic compounds in the water (estrogen and estrogen minimizing). Our water treatment does not deal with these compounds. There has been no study on OK Lake and the impact this is having. Would like staff to provide a copy of the details regarding the organic compounds in the water from the OUC student's presentation.

Councillor Hobson:

Package coming to Council outlining results of the Regional District Steering Committee. Consultant will present to Council next Monday, February 11, 2008 in the morning.

March 7th meeting at the Capri with all elected officials from all municipalities within the three regional districts, all regional directors, and MLSA's ("Council of Councils")

Three options will be presented:

1. Single regional district
2. Inter-Regional Alliance
3. Establishment of inter regional authority.

Mayor Shepherd:

Notice of Motion – will distribute information required at the housing strategies meeting for Council's consideration next week.

Notice of Motion – will distribute information re; BC Cycling Coalition provincial cycling route(s) inclusion of Kelowna for Council's consideration next week.

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9. TERMINATION

The meeting was declared terminated at 4:37 p.m.

Certified Correct:

Mayor

ACM/dld

City Clerk