

Regular Meeting – P.M.

April 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, April 7th, 2008.

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.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack;; Manager, Policy/Research/Strategic Planning, Signe Bagh*; Civic Properties Manager, Randy Cleveland*; Director of Recreation, Parks and Cultural Services, David Graham*; Parks Manager, Joe Creron*; Water and Drainage Manager, Don Degen*; Project Supervisor, Martin Johansen*; Planner Specialist, Gary Stephens*; Planner, Cory Gains*; Planner, Alec Warrender*; Parks Administration Supervisor, Carla Stephens*; and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:35 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 John Perrott, Executive Director, Kelowna Downtown Business Association, re: Introduction of Downtown On-Call Program

John Perrott:

- Introduced new program Downtown On Call which replaces Downtown Patrol.
- Program is supported by RCMP, Bylaws Enforcement and Solicitor General.
- Provide safe walks to vehicles before/after hours and bank drops.
- Provide visitors and guests with various community information.

4. DEVELOPMENT APPLICATION REPORTS

4.1 Planning & Development Services report dated March 27, 2008, re: Rezoning Application No. Z08-0018 – David and Corrina Pazdzierski – 4439 Gordon Drive (B/L 9968)

(a) Planning & Development Services report dated March 27, 2008.

Moved by Councillor Letnick/Seconded by Councillor Given

R313/08/04/07 THAT Rezoning Application No. Z08-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, D.L. 358, ODYD, Plan KAP54772, located at 4439 Gordon Drive, 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.

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

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

Bylaw No. 9968 (Z08-0018) - David and Corrina Pazdzierski –
4439 Gordon Drive

Moved by Councillor Given/Seconded by Councillor Letnick

R314/08/04/07 THAT Bylaw No. 9968 be read a first time.

Carried

4.2 Planning & Development Services report dated February 13, 2008, re:
Rezoning Application No. Z07-0078 – Kane #2 Resources Ltd. (Protech
Consultants Ltd.) – 280 McIntosh Road (B/L 9969)

(a) Planning & Development Services report dated February 13,
2008.

Moved by Councillor Given/Seconded by Councillor Letnick

R315/08/04/07 THAT Rezoning Application No. Z07-0078 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 26 Township 26 Osoyoos Division Yale District Plan 6518, located at 280 McIntosh Road, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone 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 subsequent to the requirements of the Works & Utilities and Fire Departments being complete to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of Development Permit DP07-0221 on the subject property.

Carried

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

Bylaw No. 9969 (Z07-0078) - Kane #2 Resources Ltd. (Protech
Consultants Ltd.) – 280 McIntosh Road

Moved by Councillor Letnick/Seconded by Councillor Given

R316/08/04/07 THAT Bylaw No. 9969 be read a first time.

Carried

4.3 Planning & Development Services report dated March 27, 2008, re:
Rezoning Application No. Z08-0013 – Cory D.P. Davies (Renee Bauer) –
1831 Lipsett Court (B/L 9970)

(a) Planning & Development Services report dated March 27, 2008.

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Moved by Councillor Rule/Seconded by Councillor Hobson

R317/08/04/07 THAT Rezoning Application No. Z08-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13 Section 32 Township 26 Osoyoos Division Yale District Plan KAP49511, located at 1831 Lipsett Court, Kelowna, B.C. from the RU2 – Medium Lot Housing Zone to RU2s – Medium 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;

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**

Bylaw No. 9970 (Z08-0013) - Cory D.P. Davies (Renee Bauer) – 1831 Lipsett Court

Moved by Councillor Day/Seconded by Councillor Hobson

R318/08/04/07 THAT Bylaw No. 9970 be read a first time.

Carried

4.4 Planning & Development Services report dated March 27, 2008, re: Development Permit Application No. DP07-0038 – T234 Enterprises Ltd. (Protech Consultants Ltd.) – 2656 Highway 97 N

Moved by Councillor Letnick/Seconded by Councillor Hobson

R319/08/04/07 THAT the Council authorize the issuance of Development Permit No. DP07-0038, Lot 12, District Lot 125, ODYD, Plan KAP73825 located at 2656 Highway 97 N, Kelowna, B.C. subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- c) Landscaping to be provided on the land be in general accordance with Schedule "C";
- d) 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.

Carried

Council:

- Staff to follow up to see if Advisory Committee for People with Disabilities committee recommendations regarding the hotel/motel accessibility have been forwarded to the applicant.

4.5 Planning & Development Services report dated March 13, 2008, re: Development Permit Application No. DP08-0009 – Glenwest Properties Ltd. (Wilden Construction Corp.) – 1865 Begbie Road

Moved by Councillor Letnick/Seconded by Councillor Given

R320/08/04/07 THAT Council authorize the issuance of Development Permit No. DP08-0009 for Proposed Lot 1 of the subdivision of Lot A Sections 4, 5, 8 and 9 Township 23 Osoyoos Division Yale District Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107 and KAP81912, located at 1865 Begbie Road, Kelowna, B.C. subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";

Stormwater shall be managed in accordance with Schedule "A2" - "1865 Begbie Road Multi Family Site Stormwater Management Plan" prepared for Blenk Development Corp. by CTQ Consultants Ltd. dated January 7, 2008;
- b) The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- c) Landscaping to be provided on the land be in general accordance with Schedule "C";
- d) Landscaping to be provided on the land shall be in general accordance with Schedule "C" attached to this permit. Any designated landscaping area between the property line and the existing road curb or sidewalk will be completed concurrently with landscaping with the property lines. New trees and shrubs shall follow a consistent lateral placement and be set back a minimum of 1.0 m from all underground utilities. Further, all required landscape buffer areas shall be watered by a fully automatic irrigation system with no run-off onto sidewalks, streets or parking areas. The applicant shall 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.
- e) Entry signage will be in general accordance with Schedule "D".

AND FURTHER THAT the applicant be required to complete the above-noted condition (d) within 180 days of Council approval of the development permit application in order for the permit to be issued.

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5. NON-DEVELOPMENT APPLICATION REPORTS

5.1 Planner Specialist, dated April 2, 2008, re: Official Community Plan Consultation Policy

Staff:

- Consultant has been asked to be creative in the process.
- We intend to send out random sample surveys to give opportunity to provide input.
- Attendance to Open Houses have been going down. We are well aware that we need to go to the people as opposed to them coming to us, but no specific approach has been determined as of yet.

Council:

- Hopeful that in this OCP process there is something different in our consultation process. Process with more engagement of people and some creative interaction.
- Some groups in the community do not use internet and we need to ensure that we involve them.
- Cultural community did not seem to be included on the list and should be added.
- Would like staff to update regularly on consultation process.

Moved by Councillor Letnick/Seconded by Councillor Given

R321/08/04/07 THAT the revised Official Community Plan Consultation Policy No. 296, attached to the Planning and Development Services report of April 2, 2008, be adopted as Council Policy on the consultation process with respect to the adoption of the proposed new Kelowna 2030 Official Community Plan Bylaw in accord with the *Local Government Act* - Section 879.

AND THAT consultation with regard to the repeal of the Kelowna 2020 - Official Community Plan Bylaw No. 7600 is inherent in, and provided for, during the development and adoption of the proposed new Kelowna 2030 Official Community Plan Bylaw.

Carried

5.2 Manager, Policy/Research/Strategic Planning, dated April 2, 2008, re: City of Kelowna Action Towards Sustainability – Power Point Presentation

Moved by Councillor Letnick/Seconded by Councillor Rule

R322/08/04/07 THAT Council receive the April 2, 2008 update report from the Sustainability Working Group for information.

Carried

5.3 Civic Properties Manager, dated March 31, 2008, re: Energy/Carbon Management Plan for Civic Properties

Moved by Councillor Hobson/Seconded by Councillor Rule

R323/08/04/07 THAT Council receive the attached Energy Management Plan as information as attached to the report from the Civic Properties Manager dated March 31, 2008;

AND THAT the 2008 Financial Plan be amended to reflect the reallocation of \$502,500 in the Civic Properties 2008 Capital Plan (Rutland Arena Light Upgrade, PRC Solar Hot Water) funded from internal reserves to implement phase one of the Energy Management Plan as detailed in this report;

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AND THAT Civic Properties return to Council annually with an update to the Plan documenting the 2007 utility baseline, the results achieved and further opportunities, in a reporting format acceptable to the Province under the BC Climate Action Charter, beginning after one full climate cycle and prior to Council's 2010 Budget deliberations;

AND THAT Civic Properties submit additional substantiated Capital Budgets in subsequent years to meet Kelowna's full commitment under the BC Climate Action Charter by 2012;

AND THAT Civic Properties return to Council with further information regarding Human Resource Implications in conjunction with recommendations regarding the operating contract for the new Mission Recreation Park Aquatic Center;

AND THAT all future Capital Budget submissions include a report on carbon impacts and how any additions in GHG emissions will be offset, where applicable;

AND FURTHER THAT the Energy Management Plan be submitted as evidence of the City's commitment to the BC Climate Action Charter and to the BC Green Cities Awards 2008 competition.

Carried

- 5.4 Civic Property Manager, dated April 2, 2008, re: Spirit of Kelowna Installation at City Hall

Moved by Councillor Letnick/Seconded by Councillor Gran

R324/08/04/07 THAT Council support the permanent installation of the Spirit of Kelowna in the Queensway Lobby of City Hall;

AND THAT Council authorize the utilization of \$20,000 from the 2008 carry-over budget of City Hall Renovations (10-220-C1003) for the building related construction components of this project.

Carried

- 5.5 Civic Property Manager, dated March 31, 2008, re: Kelowna Art Gallery's Grant Application for new Outdoor Work of Art

Moved by Councillor Letnick/Seconded by Councillor Given

R325/08/04/07 THAT City Council endorse the Kelowna Art Gallery application for funding through the Arts Partners in Creative Development program to commission a new outdoor work of art for the Gallery front patio.

Carried

- 5.6 Director of Recreation, Parks & Cultural Services, dated April 2, 2008, re: Central Okanagan Major Lakes Marine Facilities Study and Supplementary Information Request

Moved by Councillor Hobson/Seconded by Councillor Given

R326/08/04/07 That the City of Kelowna wait for completion of the final report of the Central Okanagan Major Lakes Marine Facilities Study prior to commissioning any further work by the consulting team.

Carried

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5.7 Parks Manager, dated March 26, 2008, re: New On and Off Leash Dog Parks

Staff:

- Thought we would try a trial period first for the recommended off-leash parks. Want to receive input from entire community and for staff to observe this trial period.

Council:

- Would prefer staff go to the neighbourhood first for their input before approving off-leash at Kinsmen Park.

Moved by Councillor Letnick/Seconded by Councillor Hobson

R327/08/04/07 THAT Council amends Council Policy No. 258 - Dog Walking and Dog On and Off-Leash Parks by designating the following parks (Maps Attached) as dog on leash parks:

1. Davie Park
2. Harris Park
3. Still Pond Park
4. Providence Park
5. Jewel Park
6. McCarren Park
7. Tulameen Park
8. Carney Park
9. Blair Pond Park
10. Cameron Park
11. Harvard Road Linear Park
12. Canyon Falls Park
13. Sunset Drive Park;

AND THAT a portion of Duggan Park (Map 15 attached to the report from the Parks Manager, dated March 26, 2008) be designated an on leash dog park and that a portion (Map 15 attached) also be designated as a small dog off leash dog park on a trial basis from May 15 to September 15, 2008;

AND THAT until the park lands are required for other park purposes a portion of Rutland Recreation Park (Map 16 attached to the report from the Parks Manager, dated March 26, 2008) be designated as an off leash dog park on a trial basis from May 15 to September 15, 2008;

AND THAT a portion of Knox Mountain Park (Map 17 attached to the report from the Parks Manager, dated March 26, 2008) be designated as an off leash dog park on a trial basis from May 15 to September 15, 2008;

AND THAT the 2008 budget be amended to fund the necessary improvements associated with the above designations by transferring \$60,000 from account 10-3760-P5981 Bluebird Lift Station.

AND FURTHER THAT consideration of designation of a portion of Kinsmen Park (Map 14 attached to the report from the Parks Manager, dated March 26, 2008) as an off leash dog park on a trial basis from May 15 to September 15, 2008 be deferred pending a supplemental staff report following input from neighbors, the Kinsmen Club, and other organizations and the public.

Carried

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6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

6.1 Bylaw No. 9934 – Road Closure Bylaw – Portion of University Way

Mayor Shepherd invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

There were no further comments.

Moved by Councillor Gran/Seconded by Councillor Blanleil

R328/08/04/07 THAT Bylaw No. 9934 be adopted.

Carried

6.2 Bylaw No. 9967 – Amendment No. 11 to Traffic Bylaw No. 8120

Moved by Councillor Rule/Seconded by Councillor Clark

R329/08/04/07 THAT Bylaw No. 9967 be adopted.

Carried

8. COUNCILLOR ITEMS

Councillor Given:

Rally for Water against selling of crown lease lots on watershed lakes was a big success. Minister of Agriculture committed to not moving forward on the process until consultation with Mayors, Regional Districts, water purveyors and Okanagan Water Basin Board.

Councillor Rule:

VIA International meeting held in Osoyoos is looking at promoting alternate route for people going to the 2010 Olympics.

Councillor Gran

A letter was received from Senator Mobina Jaffer regarding Black History Month. The comments made were very appropriate. Noted that BC MLA Rosemary Brown was the first black woman elected to a provincial legislature.

9. TERMINATION

The meeting was declared terminated at 4:10 p.m.

Certified Correct:

Mayor

City Clerk

ACM/dld