

Regular Meeting – P.M.April 14, 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 14<sup>th</sup> 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; Deputy City Clerk, Stephen Fleming; Director of Financial Services/Interim Director of Planning and Development Services, Paul Macklem; Planner Specialist, Gary Stephen\*; Development Manager, Reid Oddleifson\*; Financial Analyst, Jim Wunderlich\*; Financial Planning Manager, Keith Grayston\*; Planner, Paul McVey\*; Planner, Cory Gains\*; and Council Recording Secretary, Arlene McClelland.

(\* denotes partial attendance)

1. CALL TO ORDER

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

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

3. PUBLIC IN ATTENDANCE

3.1 Works and Utilities Department, re: Snow Busters Award Presentation

- Brian Heickert was presented with the 2007/2008 Snow Busters Award.

3.2 Works and Utilities Department, re: Community Clean Up Award Presentation

- Mr. and Mrs. Ed Arnt were presented with the 2007/2008 Community Clean Up Award.

- Couple have picked up 59 bags of litter in the Rutland area.

4. DEVELOPMENT APPLICATION REPORTS

4.1 Planning & Development Services Department, dated April 2, 2008 re: Rezoning Application No. Z07-0020 – Claude Casavant and Marie Theroux – 167 Homer Court (B/L 9978)

(a) Planning & Development Services report dated April 2, 2008.

Moved by Councillor Letnick/Seconded by Councillor Given

**R333/08/04/14** THAT Rezoning Application No. Z07-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Sec. 27, Twp. 26, O.D.Y.D., Plan 29877 located on Homer 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;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Inspection Services Department being completed to their satisfaction.

Carried

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

Bylaw No. 9978 (Z07-0020) - Claude Casavant and Marie Theroux – 167 Homer Court

Moved by Councillor Rule/Seconded by Councillor Clark

**R334/08/04/14** THAT Bylaw No. 9978 be read a first time.

Carried

4.2 Planning & Development Services Department, dated April 2, 2008 re: Rezoning Application No. Z07-0076 – City of Kelowna (Meiklejohn Architects Inc.) (B/L 9979)

(a) Planning & Development Services report dated April 2, 2008.

Moved by Councillor Given/Seconded by Councillor Letnick

**R335/08/04/14** THAT Rezoning Application No. Z07-0076 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, DL 134, O.D.Y.D. Plan 38150, located on Lakeshore Road, Kelowna, B.C. from the existing RU1 – Large Lot Housing zone to the proposed C9 – Tourist Commercial 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 in conjunction with Council's consideration of a Development Permit and Development Variance Permit on the subject property;

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. 9979 (Z07-0076) - City of Kelowna (Meiklejohn Architects Inc.)

Moved by Councillor Clark/Seconded by Councillor Rule

**R336/08/04/14** THAT Bylaw No. 9979 be read a first time.

Carried

4.3 Planning & Development Services Department, dated April 3, 2008 re: Official Community Plan Amendment Application No. OCP07-0014 and Rezoning Application No. Z07-0043 – Glenwest Properties Ltd Inc. (Blenk Development Corp.) (B/L 9980)

(a) Planning & Development Services report dated April 3, 2008.

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Moved by Councillor Letnick/Seconded by Councillor Day

**R337/08/04/14** THAT Council forward OCP Bylaw Amendment No. OCP07-0014 to amend Map 19.1 of the *Kelowna 2020 – Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of a portion of: Lot A Sections 4, 5, 8 and 9 Township 23 ODYD Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912 and KAP85278, located between the northeast end of Still Pond and Union Road at the Wilden Development, Kelowna, BC from Commercial to Multiple Unit Residential – Medium Density as shown on Map “A” attached to the report of the Planning and Development Services Department, dated April 4, 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 December 12, 2007;

AND THAT Rezoning Application No. Z07-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of: Lot A Sections 4, 5, 8 and 9 Township 23 ODYD Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912 and KAP85278, located between the northeast end of Still Pond and Union Road at the Wilden Development, Kelowna, BC from C3 – Community Commercial to RM5 – Medium Density Multiple Housing as shown on Map “B” attached to the report of the Planning and Development Services Department, dated April 4, 2008 be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP07-0014 and 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 the Council’s consideration of a Development Permit on the subject property.

Carried

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

- (i) Bylaw No. 9980 (OCP07-0014) - Glenwest Properties Ltd Inc. (Blenk Development Corp.

Moved by Councillor Given/Seconded by Councillor Letnick

**R338/08/04/14** THAT Bylaw No. 9980 be read a first time.

Carried

- (ii) Bylaw No. 9981 (Z07-0043) - Glenwest Properties Ltd Inc. (Blenk Development Corp.

Moved by Councillor Letnick/Seconded by Councillor Given

**R339/08/04/14** THAT Bylaw No. 9981 be read a first time.

Carried

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- 4.4 Planning & Development Services Department, dated April 9, 2008 re: Bylaw No. 7600 Official Community Plan – Amendment Bylaw OCP08-0008 (B/L 9973)

(a) Planning & Development Services report dated April 9, 2008.

Moved by Councillor Day/Seconded by Councillor Hobson

**R340/08/04/14** THAT OCP Bylaw Text Amendment No. OCP08-0008 to amend *Kelowna 2020* - Official Community Plan Bylaw No. 7600 to correct a typing error as outlined in the report of the Planning & Development Services Department dated April 9, 2008 be considered by Council;

AND THAT Council deems the consultation process conducted as part of the previous OCP Amendment Bylaw No. 9580 be considered sufficient;

AND FURTHER THAT OCP Bylaw Text Amendment No. OCP08-0008 be forwarded to a Public Hearing for further consideration.

Carried

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

Bylaw No. 9973 (OCP08-0008) – Housekeeping Amendments to Bylaw No. 7600, Kelowna 2020 – Official Community Plan

Moved by Councillor Blanleil/Seconded by Councillor Gran

**R341/08/04/14** THAT Bylaw No. 9973 be read a first time.

Carried

## 5. BYLAWS (ZONING & DEVELOPMENT)

### **(BYLAWS PRESENTED FOR ADOPTION)**

- 5.1 Bylaw No. 9955 (Z08-0006) – Michael Kirby & Paula Jameson – 1291 Morrison Road

Moved by Councillor Gran/Seconded by Councillor Blanleil

**R342/08/04/14** THAT Bylaw No. 9955 be adopted.

Carried

## 6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 Development Manager, dated April 1, 2008, re: “Arts Alive!” Artisan Program in Downtown City Parks

Moved by Councillor Hobson/Seconded by Councillor Rule

**R343/08/04/14** THAT City Council approve the use of selected downtown City parks at no cost to Festivals Kelowna for the new artisan program “Arts Alive!”, as presented in the report from the Development Manger dated April 1, 2008;

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AND THAT the 2008 Financial Plan be amended to provide for \$12,000 one time funding from the Festivals & Community Celebrations Reserve Account for park infrastructure improvements to accommodate the new program delivery.

Carried

- 6.2 Financial Planning Manager, dated April 9, 2008, re: Amendment No. 1 to Five Year Financial Plan, 2007-2011

Moved by Councillor Hobson/Seconded by Councillor Letnick

**R344/08/04/14** THAT Council approves amending the Five Year Financial Plan, 2007-2011 Bylaw 9793 as required by the Community Charter, to reflect changes in the Operating Budget and Capital Expenditure Program for 2007;

AND THAT the amending Bylaw No. 9982 be advanced for reading consideration by Council.

Carried

- 6.3 Financial Planning Manager, dated April 9, 2008, re: Development Cost Charge Reserve Fund Expenditure

Moved by Councillor Hobson/Seconded by Councillor Gran

**R345/08/04/14** THAT Council approves amending the Development Cost Charge Reserve Fund Bylaw 9790, to provide for expenditures from the DCC Reserves in 2007;

AND THAT the amending Bylaw No. 9985 be advanced for reading consideration by Council.

Carried

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

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

- 7.1 Bylaw No. 9982 – Amendment No. 1 to Five Year Financial Plan, 2007-2011 Bylaw No. 9793

Moved by Councillor Day/Seconded by Councillor Letnick

**R346/08/04/14** THAT Bylaw No. 9982 be read a first, second and third time.

Carried

- 7.2 Bylaw No. 9985 – Amendment No. 1 to Development Cost Charge Reserve Fund Expenditure Bylaw, 2007 No. 9790

Moved by Councillor Day/Seconded by Councillor Letnick

**R347/08/04/14** THAT Bylaw No. 9985 be read a first, second and third time.

Carried

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Inspection Services Manager, re: West Coast Amusements

- Staff made the decision to cancel this event. There was not sufficient time to have the Outdoor Events Committee meet, as half of the committee members do not work for the City. The objective is to ensure a safe and healthy environment for everyone as well as affected neighbours. In this case, we had only 2 days before the event was to start. Staff felt that it was not possible to make an appropriate decision in this short time frame. This same carnival applied in the past and received permits to operate and have operated under other permit holders as well. They had an administration glitch at their end that caused them not to apply for this permit before arriving. They have stated that they are happy to look for other sites in Kelowna.
- They were going to set up at a major intersection. Adjacent property owners said they'd actively prohibit parking in their areas. This would have created traffic and parking issues.
- Inspection Services will provide a link on the biz pal page to Special Events so that anyone applying for a business licence can see the process for handling such events.

#### 8. COUNCILLOR ITEMS

Councillor Rule:

Attended the BC Transit Conference in Kelowna which was very positive. Noted that the School District may be cancelling their bus service and that BC Transit may be able to provide this service.

Moved by Councillor Rule/Seconded by Councillor Hobson

**R348/08/04/14** THAT staff meet with School District staff regarding transit of children to schools and report back to Council.

Carried

Councillor Gran – Opposed

Councillor Letnick:

Commented on Street sweeping on Highway 33 and Sexsmith Roads. Staff to find out when clean up times occur and forward that information to Council.

Councillor Gran:

Made a Notice of Motion regarding the Advisory Committee on Community and Women's Issues strategy to raise awareness of child care in our community. A Teddy Bear Picnic will be held on May 23, 2008 at the Parkinson Recreation Centre from 9:30 a.m. to 11:30 a.m.

#### 9. TERMINATION

The meeting was declared terminated at 2:29 p.m.

Certified Correct:

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Mayor

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Deputy City Clerk

ACM/dld