

Regular Meeting – P.M.April 28, 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 28th, 2008.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Colin Day, Carol Gran, Robert Hobson, Norm Letnick and Michele Rule.

Council members absent: Brian Given and Barrie Clark

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; Transportation Manager, Ron Westlake*; Civic Properties Manager, Randy Cleveland*; Financial Planning Manager, Keith Grayston*; Revenue Manager, George King*; Inspection Services Manager, Ron Dickinson*; and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

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

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

Mayor Shepherd noted that today is the 24th Annual Day of Mourning and asked those present to stand for a moment of silence.

3. PUBLIC IN ATTENDANCE

3.1 Jan Broocke and Tom Greene, Passenger Transportation Branch, re: Commercial Passenger Transportation Licensing

- Overview of Commercial Passenger Transportation Licensing in British Columbia.
- Transportation Board is application based, so cannot mandate, for example, that more cabs be in place without an application to consider first.
- Ministry has implemented a trip refusal offence. Cannot refuse a fare unless there is a significant safety concern.
- A good place for Council to start to address any concerns about taxis in Kelowna would be to speak with the taxi companies.
- Confirmed there are a total of 82 taxis licensed in Kelowna.

Council:

- The area of concern is Taxi fleet utilization during bar flush hours may help.
- Temporary licensing to help during that busy time in the summer.

Moved by Councillor Gran/Seconded by Councillor Rule

R375/08/04/28 THAT Mayor Shepherd arrange a meeting, inviting Councillor Blanleil and Superintendent McKinnon, with Kelowna Cab companies to discuss the taxi cab situation in Kelowna, and in particular issues with the number of cabs available in the evenings and during early morning bar closing hours.

AND THAT staff be directed to investigate the municipal regulation options pertaining to the licensing of cabs and report back to council.

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3.2 Superintendent McKinnon re: Monthly Policing Report

Superintendent Bill McKinnon provided the April 2008 Policing Activity Report.

- Bar flush continues to be an issue for the RCMP. Currently drafting a strategic plan and one continued issue is the lack of cabs.
- Will provide a report regarding the misperception of crime in the City at future monthly update.

4. DEVELOPMENT APPLICATION REPORTS

4.1 Planning & Development Services Department, dated April 16, 2008, re: Rezoning Application No. Z08-0020 - Christine Nicholls (Carla Boyczuk) - 886 Stonybrook Road(B/L 9989)

- (a) Planning & Development Services report dated April 16, 2008.

Moved by Councillor Letnick/Seconded by Councillor Rule

R376/08/04/28 THAT Rezoning Application No. Z08-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 579 Similkameen Division Yale District Plan KAP84472, located at 886 Stonybrook, Kelowna, B.C. from the RU1 – Large Lot Housing Zone to 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

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

Bylaw No. 9989 (Z08-0020) - Christine Nicholls (Carla Boyczuk) - 886 Stonybrook Road

Moved by Councillor Rule/Seconded by Councillor Letnick

R377/08/04/28 THAT Bylaw No. 9989 be read a first time.

Carried

4.2 Planning & Development Services Department, dated April 17, 2008, re: Rezoning Application No. Z08-0017 - Robert Schleppe - 2242 Stillingfleet Road(B/L 9994)

- (a) Planning & Development Services report dated April 17, 2008.

Moved by Councillor Letnick/Seconded by Councillor Hobson

R378/08/04/28 THAT Rezoning Application No. Z08-0017 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, DL136, ODYD, Plan 10841, located on Stillingfleet Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing Zone;

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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. 9994 (Z08-0017) - Robert Schleppe - 2242 Stillingfleet Road

Moved by Councillor Letnick/Seconded by Councillor Rule

R379/08/04/28 THAT Bylaw No. 9994 be read a first time.

Carried

4.3 Planning & Development Services report dated April 22, 2008, re: Development Permit Application No. DP08-0052 - Interior Savings Credit Union (Meiklejohn Architects Inc.) - 185 Rutland Road South

Moved by Councillor Hobson/Seconded by Councillor Letnick

R380/08/04/28 THAT Council authorize the issuance of Development Permit No. DP08-0052 Lot A, Sec. 23, Twp. 26, ODYD, Plan 32024, located at 185 Rutland Road South, Kelowna, BC 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) That any additional signage conforms to the City of Kelowna's Sign Bylaw.

AND THAT the applicant be encouraged to erect anti-idling signage for the drive through.

Carried

5. **BYLAWS (ZONING & DEVELOPMENT)**

(BYLAWS PRESENTED FOR ADOPTION)

5.1 Bylaw No. 9953 (TA06-0004) – City of Kelowna

Moved by Councillor Rule/Seconded by Councillor Letnick

R381/08/04/28 THAT Bylaw No. 9953 be adopted.

Carried

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- 5.2 Bylaw No. 9957 (OCP08-0004) – Kirschner Mountain Estates Ltd. and Donald & Amy Kirschner – The south end of Loseth Road at Kirschner Mountain Estates.

Moved by Councillor Day/Seconded by Councillor Gran

R382/08/04/28 THAT Bylaw No. 9957 be adopted.

Carried

- 5.3 Bylaw No. 9958 (Z07-0087) – Kirschner Mountain Estates Ltd., Donald & Amy Kirschner et al (D.E. Pilling & Associates) – 1374, 1392, 1410, 1424, 1438, 1452, 1466, 1480, 1494, 1508, 1522, 1536, 1550, 1564, 1475, 1467, 1459, 1451, 1435, 1419 Montenegro Drive and at the south end of Loseth Road at Kirschner Mountain Estates

Moved by Councillor Gran/Seconded by Councillor Day

R383/08/04/28 THAT Bylaw No. 9958 be adopted.

Carried

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.01 Inspection Services Manager, dated April 17, 2008, re: Stratification of Units 230, 232 and 234 Scarboro Road, Kelowna, BC - Lot 14, ODYD, Plan 17497, Section 23, Twp. 26

Moved by Councillor Day/Seconded by Councillor Gran

R384/08/04/28 THAT the application to stratify the 3 unit multiple housing dwelling be approved in the name of Allan Lipkovits and Paul Snook.

Carried

- 6.02 Inspection Services Manager, dated April 17, 2008, re: Stratification of 13 Townhouse Units - 1283 Bernard Avenue - Lot 10, Block 1, D.L. 137, ODYD, Plan 427

Moved by Councillor Gran/Seconded by Councillor Day

R385/08/04/28 THAT the application to stratify the 13 units at the noted properties be approved in the name of Cheam Casola 2007 Holdings Ltd. with no conditions.

Carried

- 6.03 Inspection Services Manager, dated April 17, 2008, re: Stratification of 8 Apartment Units for 1291 Bernard Avenue and 8 Apartment Units for 1292 Lawrence Avenue - Lot A, D.L. 137, Plan 21288

Moved by Councillor Gran/Seconded by Councillor Day

R386/08/04/28 THAT the application to stratify the 16 units at the noted properties be approved in the name of Cheam Casola 2007 Holdings Ltd. with no conditions.

Carried

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6.04 Financial Planning Manager, dated April 22, 2008, re: 2008 Tax Distribution Policy

Moved by Councillor Letnick/Seconded by Councillor Hobson

R387/08/04/28 THAT Council approve a Municipal Tax Distribution Policy for the year 2008 that will result in a modification of the 2007 Tax Class Ratios to reflect the uneven market value changes which have been experienced between property classes, as follows:

<u>Property ClassDescription</u>	<u>2008 Tax Class Ratios</u>	<u>2007 Tax Class Ratios</u>
01/08 Residential/Recreation/Non-Profit	1.0000:1	1.0000:1
02 Utilities	6.1729:1	6.1489:1
04 Major Industrial	3.9701:1	3.6042:1
05/06 Light Industrial/Business/Other	2.7067:1	2.5900:1
09 Farm Land	.1562:1	.1408:1
91 Farm Improvements	.5535:1	.5114:1

AND THAT Council approve development of 2008 tax rates to reflect the 2008 assessment changes in property market values.

AND THAT staff report back to Council with more detail about the proposal to cap the 05/06 Light Industrial/Business class at the ratio of 3.00.

Carried

6.05 Financial Planning Manager, dated April 18, 2008, re: Transit - 2008/2009 Annual Operating Agreements

Moved by Councillor Hobson/Seconded by Councillor Rule

R388/08/04/28 THAT Council approve the 2008/2009 Annual Operating Agreements for conventional and custom transit services for the City of Kelowna;

AND THAT the Mayor and City Clerk be authorized to execute the Operating Agreements between BC Transit, the City of Kelowna and Farwest Transportation Services Inc. covering the period April 1, 2008 to March 31, 2009;

AND FURTHER THAT administration of the Custom Transit service be changed so that HandyPass applications are processed through our transit contractor with Taxi Saver coupons available for purchase through City Hall or the transit contractor.

Carried

6.06 Revenue Manager, dated March 4, 2008, re: Downtown Kelowna Association 2008 Budget

Moved by Councillor Hobson/Seconded by Councillor Letnick

R389/08/04/28 THAT Council approve the Downtown Kelowna Association 2008 Budget;

AND THAT Council approve the 2008 levy of \$428,000 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.

Carried

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- 6.07 Revenue Manager, dated April 23, 2008, re: Bylaw to Charge the 2008 Sterile Insect Release (SIR) Parcel Tax to Specific Property Tax Rolls

Moved by Councillor Letnick/Seconded by Councillor Hobson

R390/08/04/28 THAT the Sterile Insect Release Program Parcel Tax Bylaw No. 9972 charging the 2008 Sterile Insect Release (SIR) Parcel Tax to individual property tax rolls in accordance with the 2008 SIR Parcel Tax Assessment Roll provided to the City of Kelowna by the Regional District of North Okanagan, be advanced to Council for consideration.

Carried

- 6.08 Civic Properties Manager, dated April 28, 2008, re: Community Action on Energy Efficiency, Phase 3 Partnership Agreement

Moved by Councillor Hobson/Seconded by Councillor Day

R391/08/04/28 THAT Council endorse the Ministry of Energy Mines and Petroleum Resources (MEMPR) Energy Efficient Buildings Strategy;

AND THAT Council endorse the MEMPR energy performance improvement target to reduce energy consumption in 20% of existing buildings by an average of 14% by 2010.

Carried

- 6.09 Transportation Manager, dated April 23, 2008, re: 2008 Funding Applications to UBCM

Moved by Councillor Hobson/Seconded by Councillor Letnick

R392/08/04/28 THAT Council approve of an application to UBCM for \$50,000 funding for development of a Transit-oriented Policy Framework for the Rutland Town Centre.

AND THAT Council approve of an application to UBCM for \$100,000 funding for a project to engage key stakeholders on Intra-regional Transportation opportunities.

AND FURTHER THAT Council approve of an application to UBCM for \$800,000 funding for Transit Signal Priority equipment on the route of the proposed RapidBus BC between the UBC campus and the Westbank town centre.

Carried

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.1 Bylaw No. 9988 -Road Closure Bylaw - Portion of Boyce Crescent

Moved by Councillor Blanleil/Seconded by Councillor Gran

R393/08/04/28 THAT Bylaw No. 9988 be read a first, second and third time.

Carried

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7.2 Bylaw No. 9997 - Road Name Change - Portion of Clifton Road

Moved by Councillor Blanleil/Seconded by Councillor Gran

R394/08/04/28 THAT Bylaw No. 9997 be read a first, second and third time.

Carried

7.3 Bylaw No. 9972 - Sterile Insect Release Program Parcel Tax Bylaw 2008

Moved by Councillor Blanleil/Seconded by Councillor Gran

R395/08/04/28 THAT Bylaw No. 9972 be read a first, second and third time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

7.4 Bylaw No. 9936 – Local Area Service No. 36 – Clifton Road N. – Parcel Tax Bylaw

Moved by Councillor Letnick/Seconded by Councillor Rule

R396/08/04/28 THAT Bylaw No. 9936 be adopted.

Carried

7.5 Bylaw No. 9937 – Local Area Service No. 26 – Sewer (Fisher Road) – Parcel Tax Bylaw

Moved by Councillor Letnick/Seconded by Councillor Rule

R397/08/04/28 THAT Bylaw No. 9937 be adopted.

Carried

7.6 Bylaw No. 9938 – Local Area Service No. 28 – Water (Fisher Road) – Parcel Tax Bylaw

Moved by Councillor Letnick/Seconded by Councillor Rule

R398/08/04/28 THAT Bylaw No. 9938 be adopted.

Carried

8. COUNCILLOR ITEMS

Councillor Letnick:

- Staff to look into the matter of regulation of all drive throughs, besides restaurants which are already regulated to an extent by the City, particularly from an environmental perspective.

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9. TERMINATION

The meeting was declared terminated at 4:25 p.m.

Certified Correct:

Mayor

City Clerk

ACM/dld