

Regular Meeting – P.M.May 12, 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, May 12th, 2008.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Colin Day, Brian Given, Norm Letnick and Michele Rule.

Council members absent: Councillors Barrie Clark, Carol Gran and Robert Hobson.

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*; Director of Recreation, Parks & Cultural Services, David Graham*; Manager, Policy, Research & Strategic Planning, Signe Bach*; Community Planning Manager, Theresa Eichler*; Parks Manager, Joe Creron*; Current Planning Supervisor, Shelley Gambacort*; Parks Planning Manager, Terry Barton*; Urban Forestry Supervisor, Ian Wilson*; Park Design & Construction Supervisor, Andrew Gibbs*; 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 Day was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Sandi Oloffs, Grants Coordinator, Central Okanagan Foundation re: 2008 City of Kelowna Community Social Development Grants and Grants to Address the Sexual Exploitation of Youth

Grants Coordinator, Central Okanagan Foundation, Sandi Oloffs:

- Provided details regarding the Central Okanagan Foundation's grant recommendations.

Moved by Councillor Rule/Seconded by Councillor Day

R431/08/05/12 THAT Council approve the following funding applications as recommended by the Central Okanagan Foundation:

- (a) Community Social Development Grants:
- o Okanagan Lifetime Networks Association operating under PLAN Okanagan \$ 5,000.00
 - o Central Okanagan Emergency Shelter Society \$ 6,000.00
 - o Central Okanagan Emergency Shelter Society \$ 9,000.00
 - o Living Positive Resource Centre, Okanagan \$14,000.00
 - o Kelowna Community Food Bank \$ 9,000.00
 - o Canadian Red Cross \$ 2,900.00
 - o Inn from the Cold \$11,000.00
 - o Tourette Syndrome Foundation of Canada \$ 1,000.00

AND THAT Council approve additional funding in the amount of \$100.00 from the Grant Reserve Fund (R117) to make up the difference between the recommended amount of \$57,900.00 and the \$57,800.00 that is allocated by the City;

AND FURTHER THAT Council approve the following additional funding applications as recommended by the Central Okanagan Foundation:

Regular Meeting – P.M.May 12, 2008

- | | |
|---|-------------|
| (b) Grants to Address the Sexual Exploitation of Youth: | |
| o Central Okanagan Elizabeth Fry Society | \$ 7,300.00 |
| o New Opportunities for Women (NOW) Canada Society | \$14,700.00 |

Carried

4. COMMITTEE REPORTS

- 4.1 Council Indemnity Committee, dated May 2, 2008, re: Council Indemnity Committee Recommendations

Committee Chair, Jack Dangerfield, Lt-General (Retired):

- Introduced the Committee Members and gave background information regarding the process.

Moved by Councillor Day/Seconded by Councillor Given

R432/08/05/12 THAT effective January 1st, 2009 and every January 1st thereafter, the Mayor's Indemnity receive an annual adjustment based on the previous year's Consumer Price Index (CPI) published by Statistics Canada (2002=100) for Vancouver;

AND THAT effective January 1st, 2009 the Councillors' indemnity be increased by 1% to 34% of the Mayor's indemnity after adjustment by the CPI;

AND THAT effective January 1st, 2010 the Councillors' indemnity be increased by 1% to 35% of the Mayor's indemnity after adjustment by the CPI;

AND THAT out of region mileage be the same as claimed by staff under Council Policy 164 Travel Expenses – Officers and Employees;

AND THAT the Mayor be budgeted an annual amount not to exceed \$1,500 in any one year, with no provision for carry-over to the next year of any unused funds, for reimbursement of receipted meal expenses with the exception of alcohol incurred in carrying out the duties of Mayor;

AND THAT for clarity the recommendation immediately above is for the Mayor only and not applicable to the Deputy Mayor;

AND THAT Council Remuneration and Expenses Bylaw No 7547 be amended to include the above recommendations;

AND THAT Council continue to strike a Council Indemnity Committee in the first quarter of the final year of their Council term;

AND FURTHER THAT Council releases the 2008 Council Indemnity Committee.

Carried

5. DEVELOPMENT APPLICATION REPORTS

- 5.1 Planning & Development Services Department, dated April 28, 2008, re: Rezoning Application No. Z07-0080 – Christine Nicholls & Trent David Karius (Christine Nicholls) – 2236 Stillingfleet Road (B/L 10001)

- (a) Planning & Development Services report dated April 28, 2008.

Regular Meeting – P.M.

May 12, 2008

Moved by Councillor Given/Seconded by Councillor Letnick

R433/08/05/12 THAT Rezoning Application No. Z07-0080 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 136, O.D.Y.D., Plan 10841, on Stillingfleet Road, Kelowna, B.C. from the RU1 – Large Lot 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;

AND THAT final adoption of the zone amending bylaw be withheld until the applicant has addressed the requirements of the Works and Utilities department.

Carried

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

Bylaw No. 10001 (Z07-0080) – Christine Nicholls & Trent David Karius (Christine Nicholls) – 2236 Stillingfleet Road

Moved by Councillor Blanleil/Seconded by Councillor Given

R434/08/05/12 THAT Bylaw No. 10001 be read a first time.

Carried

5.2 Planning & Development Services Department, dated May 2, 2008 re: Official Community Plan Bylaw Amendment No. OCP07-0027 – Various Owners (City of Kelowna, Parks Division) – Various Properties (B/L10003)

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

Staff:

- The existing parks in the area will not be able to meet future community demands.

Moved by Councillor Given/Seconded by Councillor Letnick

R435/08/05/12 THAT OCP Bylaw Amendment No. OCP07-0027 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 12, Sec. 26, Twp. 26. ODYD, Plan KAP46961 located at 470 Highway 33 West, Lot 13, Sec. 26, Twp. 26. ODYD, Plan KAP46961 located at 245 Aurora Crescent, Lot A, Sec. 26, Twp. 26. ODYD, Plan 27870 located at 150-160 Dougall Road North, Lot A, Sec. 26, Twp. 26. ODYD, Plan KAP82536 located at 140 Dougall Road North, Lot 6, Sec. 26, Twp. 26. ODYD, Plan 9924 located at 165 Dougall Road North, Lot C, Sec. 26, Twp. 26. ODYD, Plan 20351 located at 160-168 Asher Road, a portion of Lot 3, Sec. 26, Twp. 26. ODYD, Plan 16739 located at 165-171 Asher Road, a portion of Lot B, Sec. 26, Twp. 26. ODYD, Plan 35012 except Plans 39372 and KAP75003 located at 250 Highway 33 West, a portion of Lot 1, Sec. 26, Twp. 26. ODYD, Plan 511 except Plan 39372 located at 115-135 Roxby Road, a portion of Parcel B, on Plan B1019 of Lot 2, Sec. 26, Twp. 26. ODYD, Plan 511 Except Plan B3068 located at 190 Highway 33 West, a portion of Lot A, Sec. 26, Twp. 26. ODYD, Plan KAP74060 located at 160 Highway 33 West, a portion of Lot A, Sec. 26, Twp. 26. ODYD, Plan KAP79622 located at 110-150 Highway 33 West, Lot 2, Sec. 26, Twp. 26. ODYD, Plan 2652 located at 166-170 Rutland Road North, a portion of Lot B, Sec. 23, Twp. 26. ODYD, Plan 41234 located at 439-489 Highway 33 West, from the Commercial and the Education / Major Institutional

Regular Meeting – P.M.May 12, 2008

designations to the Major Park / Open Space designation, as shown on Map “A” attached to the report of Planning & Development Services Department, dated May 2, 2008 be considered by Council;

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 May 2, 2008;

THAT the OCP Bylaw Amendment No. OCP07-0027 be forwarded to a Public Hearing for further consideration.

Carried

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

Bylaw No. 10003 (OCP07-0027) – Various Owners (City of Kelowna, Parks Division) – Various Properties – **Requires a majority of all Members of Council (5)**

Moved by Councillor Given/Seconded by Councillor Blanleil

R436/08/05/12 THAT Bylaw No. 10003 be read a first time;

AND THAT the Bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

5.3 Planning & Development Services Department, dated May 2, 2008, re: Rezoning Application No. Z05-0043 – 0740639 BC Ltd. (Lynn Welder Consulting) – 153 Pinto Road

Moved by Councillor Blanleil/Seconded by Councillor Day

R437/08/05/12 THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9639 (Z05-0043) – Lynn Welder Consulting (0740639 BC Ltd) – 153 Pinto Road be extended from February 8, 2008 to August 8, 2008.

Carried

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

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

6.1 Bylaw No. 9999 – Housing Agreement – City of Kelowna (Bob Turik) – Kelowna and District Society for Community Living – 1370 Bertram Street and 555 Fuller Avenue

Moved by Councillor Day/Seconded by Councillor Blanleil

R438/08/05/12 THAT Bylaw No. 9999 be read a first, second and third time.

Carried

Regular Meeting – P.M.

May 12, 2008

(BYLAWS PRESENTED FOR ADOPTION)

- 6.2 Bylaw No. 9909 (Z07-0090) – David Konfederak (Ed Konfederak) – 435 Taylor Road

Moved by Councillor Blancheil/Seconded by Councillor Day

R439/08/05/12 THAT Bylaw No. 9909 be adopted.

Carried

- 6.3 Bylaw No. 9959 (Z07-0099) – Pauline Coulic & Wanda Brian (Okanagan Valley Construction Ltd.) – 155 Holbrook Road

Moved by Councillor Given/Seconded by Councillor Letnick

R440/08/05/12 THAT Bylaw No. 9959 be adopted.

Carried

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

Moved by Councillor Letnick/Seconded by Councillor Given

R441/08/05/12 THAT Bylaw No. 9970 be adopted.

Carried

7. NON-DEVELOPMENT APPLICATION REPORTS

- 7.1 Manager, Community Development & Real Estate, dated May 7, 2008, re: Kelowna Farmers and Crafters Society – Parking Lot Lease

Moved by Councillor Rule/Seconded by Councillor Day

R442/08/05/12 THAT Council approve the lease to the Kelowna Farmers and Crafters Society;

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete this transaction.

Carried

- 7.2 Manager, Policy, Research & Strategic Planning, dated May 7, 2008, re: Resources for Exploration of Densities and Building Heights within the C7 Area

Moved by Councillor Day/Seconded by Councillor Rule

R443/08/05/12 THAT Council receive the May 7, 2008 report from the Planning and Development Services Department for information;

AND THAT Council direct staff to engage consultant resources to allow for further exploration of densities and building heights within the Downtown area covered by C7 zoning.

DEFEATED

Councillors Blancheil, Given and Letnick – Opposed.

Regular Meeting – P.M.

May 12, 2008

7.3 Urban Forestry Supervisor, dated May 5, 2008, re: Feral European Rabbit Contract

Staff:

- Confirmed that EBB Environmental Consulting has done similar work for another municipality and are more than qualified to carry out the task.

Moved by Councillor Letnick/Seconded by Councillor Day

R444/08/05/12 THAT a contract for the control of feral European rabbits in the City of Kelowna be awarded to EBB Environmental Consulting for \$54,040.00 (excluding GST);

AND THAT the costs associated with this project be funded as follows: \$30,000 from chartfield 3600-P990; and the remaining \$24,040 from general reserves.

Carried

Mayor Shepherd and Councillor Rule – Opposed.

Moved by Councillor Letnick/Seconded by Councillor Day

R445/08/05/12 THAT Council requests that the Purchasing Manager provide advice regarding whether or not further negotiations with EBB Environmental Consulting can be conducted;

AND THAT pending advice from the Purchasing Manager, Council directs staff to work with EBB Environmental Consulting to minimize culling and report back to Council.

Carried

7.4 Park Design & Construction Supervisor, dated May 7, 2008, re: Downtown Waterfront Park Plan

Staff:

- There will be a public open house on May 28th from 1:00 pm – 8:00 pm in Kerry Park.
- A detailed design plan should be completed by the end of 2008.
- Confirmed that allowing one-way traffic to flow through City Park has been considered; however a review of the City Park Master Plan will have to be conducted in order to consider this proposal.

Council:

- Would like to have the costs associated with the restaurant and public pier identified.
- Would like to know the amount of park space as it is today and the amount of park space as proposed.

Moved by Councillor Rule/Seconded by Councillor Letnick

R446/08/05/12 THAT City Council receive as information the report from the Parks Design and Construction Supervisor, dated May 7, 2008;

AND THAT City Council endorse a public open house, scheduled for May 28, 2008, so that the public has the opportunity to review the plan and provide feedback.

Carried

Regular Meeting – P.M.

May 12, 2008

- 7.5 Director of Recreation, Parks and Cultural Services, dated May 1, 2008, re: YMCA-YWCA Proposal to Expand the Kelowna Family “Y”

Staff:

- The ‘Y’ has asked that Council consider this as a “priority” in order to assist with grant funding applications.

Moved by Councillor Given/Seconded by Councillor Letnick

R447/08/05/12 That City Council approve in principle an expansion of the Kelowna Family ‘Y’ to include a gymnasium, multi-purpose rooms, a walking/running track, and a youth activity space;

AND THAT City Council endorse the efforts of the YMCA-YWCA of the Central Okanagan to raise the required capital funds by seeking grants from other funding bodies and by seeking donations from the business community and local citizens;

AND THAT City Council consider including a capital contribution toward the project in the City’s Ten Year Capital Plan and 2009 Financial Plan;

AND FURTHER THAT staff be instructed to work with the representatives of the ‘Y’ to determine the appropriate timing, level, and mechanism for City funding.

Carried

- 7.6 City Clerk, dated May 5, 2008, re: Alternative Approval Process – Automated Collection Curbside Carts Loan Authorization Bylaw

Moved by Councillor Day/Seconded by Councillor Letnick

R448/08/05/12 THAT an alternative approval process opportunity open to all electors within the City of Kelowna be initiated in relation to the borrowing by loan authorization bylaw outlined in the report from the Environment & Solid Waste Manager presented to City Council at its regular meeting on March 17, 2008;

AND THAT 4:00 p.m. Tuesday, June 24, 2008 be set as the deadline for receipt of elector responses in the form attached to the May 5, 2008 report of the City Clerk in relation to the City of Kelowna proceeding with the Automated Collection Curbside Cart Loan Authorization Bylaw, authorizing the borrowing of Seven Million, Five Hundred Thousand Dollars (\$7,500,000.00) to purchase the required carts for the automated collection of all curbside services.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 8.1 Bylaw No. 9988 – Road Closure Bylaw – Portion of Boyce Crescent – **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.**

Mayor Shepherd invited anyone in the public gallery who deemed themselves affected by the proposed road closure to come forward, followed by comments of Council. No one came forward.

Regular Meeting – P.M.

May 12, 2008

Moved by Councillor Given/Seconded by Councillor Letnick

R449/08/05/12 THAT Bylaw No. 9988 be adopted.

Carried

8.2 Bylaw No. 9991 – Five Year Financial Plan 2008-2012

Moved by Councillor Rule/Seconded by Councillor Letnick

R450/08/05/12 THAT Bylaw No. 9991 be adopted.

Carried

8.3 Bylaw No. 9992 – Tax Structure Bylaw, 2008

Moved by Councillor Letnick/Seconded by Councillor Rule

R451/08/05/12 THAT Bylaw No. 9992 be adopted.

Carried

8.4 Bylaw No. 9993 – Annual Tax Rates Bylaw, 2008

Moved by Councillor Letnick/Seconded by Councillor Rule

R452/08/05/12 THAT Bylaw No. 9993 be adopted.

Carried

8.5 Bylaw No. 9996 – Development Cost Charge Reserve Fund Expenditure Bylaw, 2008

Moved by Councillor Rule/Seconded by Councillor Letnick

R453/08/05/12 THAT Bylaw No. 9996 be adopted.

Carried

8.6 Bylaw No. 10000 – Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2008

Moved by Councillor Letnick/Seconded by Councillor Rule

R454/08/05/12 THAT Bylaw No. 10000 be adopted.

Carried

9. COUNCILLOR ITEMS

Councillor Letnick:

- Would like staff to contact the Ministry of Transportation in inquire whether or not the repairs to the Okanagan Lake Floating Bridge on Friday, May 9, 2008 actually needed to be conducted during the afternoon rush hour and report back to Council.

Councillor Blanleil:

- Advised that he has forwarded an e-mail to the City Manager regarding the cleanliness standards of the City's streets in the downtown core.

Regular Meeting – P.M.

May 12, 2008

City Manager:

- Will investigate the current standards for cleanliness downtown and determine whether or not they need to be reviewed.

Mayor Shepherd:

- Advised that the article in the Globe & Mail regarding the increase in population of Kelowna is incorrect and advised that the article indicates that the City's population is increasing by 8,000 per year when in fact the population is only increasing by an average of 2,084 per year since 2002.

10. TERMINATION

The meeting was declared terminated at 4:33 p.m.

Certified Correct:

Mayor

SLH/dld

Deputy City Clerk