

Regular Meeting – P.M.

June 16, 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, June 16th, 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; Interim Airport Manager, Sam Sammadar*; Manager Financial Projects, Lynn Walter*; Park and Landscape Planner, Barbara Johnstone Davidson*; Planner, Danielle Noble*; Planner, Alec Warrender and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

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

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

3. PUBLIC IN ATTENDANCE

3.1 Mary Anne Graham, St. John's Ambulance, re: BC Council Award

- Mary Anne Graham of the St. John's Ambulance Branch 422 presented Mayor and Council with the St. John's Ambulance BC Council Award.
- St. John's Ambulance celebrating its 125 Anniversary of conception in Canada.

Councillor Rule entered the meeting at 1:33 p.m.

4. DEVELOPMENT APPLICATION REPORTS

4.1 Planning & Development Services Department, dated May 29, 2008 re: Official Community Plan No. OCP08-0005, Rezoning Application No. Z08-0022 and Land Use Contract No. LUC08-0001 - Anna and Anthony Rehlinger, et al. (Pace Setter Developments) - 2081 Cross Road

(a) Planning & Development Services report dated May 29, 2008.

Moved by Councillor Hobson/Seconded by Councillor Day

R546/08/06/16 THAT OCP Bylaw Amendment No. OCP08-0005 to amend Map 19.1 of the Kelowna 2020 - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot A, Sec. 4, Twp 23, ODYD, Plan 30013, located on Cross Road, Kelowna, B.C., from the Single/Two Unit Residential designation to the Low Density Multiple Unit Residential designation 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 date May 29, 2008;

AND THAT Rezoning Application No. Z08-0022 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Sec. 4, Twp 23, ODYD, Plan 30013, located on Cross Road, Kelowna, B.C., from I2 – General Industrial zone to the RM3- Low Density Housing zone be considered by Council;

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AND THAT the OCP Bylaw Amendment No. OCP08-0005 and Zone Amendment No. Z08-0022 be forwarded to a Public Hearing for further consideration;

AND THAT Application No. LUC08-0001 to discharge the Land Use Contract 77-1048 for Lot A, Sec. 4, Twp 23, ODYD, Plan 30013, located on Cross Road, Kelowna, B.C., be considered by Council;

AND THAT Application No. LUC08-0001 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 and Glenmore Ellison Irrigation District being completed to their satisfaction;

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.

Carried

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

- (i) Bylaw No. 10030 (LUC08-0001) - Anna and Anthony Rehlinger, et al. (Pace Setter Developments) - 2081 Cross Road

Moved by Councillor Given/Seconded by Councillor Letnick

R547/08/06/16 THAT Bylaw No. 10030 be read a first time.

Carried

- (ii) Bylaw No. 10028 (OCP08-0005) - Anna and Anthony Rehlinger, et al. (Pace Setter Developments) - 2081 Cross Road

Moved by Councillor Given/Seconded by Councillor Clark

R548/08/06/16 THAT Bylaw No. 10028 be read a first time.

Carried

- (iii) Bylaw No. 10029 (Z08-0022) - Anna and Anthony Rehlinger, et al. (Pace Setter Developments) - 2081 Cross Road

Moved by Councillor Letnick/Seconded by Councillor Clark

R549/08/06/16 THAT Bylaw No. 10029 be read a first time.

Carried

- 4.2 Planning & Development Services Department, dated June 4, 2008 re: Rezoning Application No. Z07-0082 and Development Variance Permit Application No. DVP07-0247 - Bruckal Developments Corp. (New Town Architectural Services) - 443 Christleton Avenue

- (a) Planning & Development Services report dated June 4, 2008.

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Councillor Letnick declared a conflict due to a family member knowing the applicant and departed the meeting at 1:46 p.m.

Council:

- Had the applicant met with the neighbourhood?
- Raised concern about the setback variances.
- Any discussion with applicant regarding architectural style?

Staff:

- Informed Council that the Applicant had met with the neighbourhood.
- Discussions had taken place with past Planner regarding design.

Moved by Councillor Hobson/Seconded by Councillor Given

R550/08/06/16 THAT Rezoning Application No. Z07-0082 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9, District Lot 14, ODYD, Plan 1335, located at 443 Christleton Avenue, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

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

THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of Preliminary Layout Review Letter by the Approving Officer.

Carried

Councillor Letnick re-entered the meeting at 1:50 p.m.

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

Bylaw No. 10031 (Z07-0082) - Bruckal Developments Corp. (New Town Architectural Services) - 443 Christleton Avenue

Moved by Councillor Given/Seconded by Councillor Clark

R551/08/06/16 THAT Bylaw No. 10031 be read a first time.

Carried

4.3 (a) **BYLAWS PRESENTED FOR AMENDMENT AT THIRD READING AND ADOPTION**

(i) Bylaw No. 9919 (OCP07-0028) – Allaire Properties (Lakeshore) Inc. (Marc Allaire) - 600 Sherwood Road

Moved by Councillor Given/Seconded by Councillor Letnick

R552/08/06/26 THAT Bylaw No. 9919 be amended at third reading and adopted.

Carried

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- (ii) Bylaw No. 9921 (Z07-0085) – Allaire Properties (Lakeshore) Inc. (Marc Allaire) - 600 Sherwood Road

Moved by Councillor Letnick/Seconded by Councillor Given

R553/08/06/16 THAT Bylaw No. 9921 be amended at third reading and adopted.

Carried

- (b) Planning & Development Services Department, dated May 28, 2008 re: Development Permit Application No. DP07-0249 - Allaire Properties (Lakeshore) Inc. (Marc Allaire) - 600 Sherwood Road

Council:

- Inquired if Applicant will be upgrading turning lane at Sherwood and Lakeshore Road.

Staff:

- Noted that turning lane will be built in the future.

Moved by Councillor Blanleil/Seconded by Councillor Gran

R554/08/06/16 THAT Final Adoption of OCP Amending Bylaw No. 9919 be considered by Council;

THAT Final Adoption of Zone Amending Bylaw No. 9921 be considered by Council;

THAT the Council authorize the issuance of Development Permit No. DP07-0249 for Lot A, District Lots 167 and 358, ODYD, Plan KAP86631, located at 600 Sherwood 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";
- 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;

AND FURTHER THAT the applicant be required to complete the above-noted conditions 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 Interim Airport Manager, dated June 11, 2008, re: 2010 Development Program Management Consultant (T08-037)

Council:

- Questioned RFP process and would like to see the names of other bidders and total scores. Staff to come before Council to explain the RFP process.

Moved by Councillor Letnick/Seconded by Councillor Given

R555/08/06/16 THAT Council receive the report of the Interim Airport General Manager dated June 11, 2008;

AND THAT Council authorize the City to enter into a contract with Jacobs Consultancy in the amount of \$906,391 (including taxes) to provide comprehensive program management consultant services for the Airport's 2010 Development Program – Air Terminal Building and Car Rental Facilities expansion.

AND THAT the Mayor and City Clerk be authorized to execute the contract.

Carried

- 5.2 Parks Planning Manager, dated June 11, 2008, re: Update - Phase 2 - Mountain Bike Strategy

Staff:

- Sent information via email to those who attended last work shop. Information sent out to mountain bike clubs that have youth members.

Council:

- Staff to provide information to the Youth Advisory Committee.

Moved by Councillor Hobson/Seconded by Councillor Letnick

R556/08/06/16 THAT the report from the Parks Planning Manager, dated June 11, 2008, be received as information.

Carried

- 5.3 Director of Financial Services, dated June 10, 2008, re: Municipal Finance Authority Borrowing for Fall 2008 Issue

Moved by Councillor Day/Seconded by Councillor Hobson

R557/08/06/16 THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2008 fall issue, \$7,577,000 as authorized through Loan Authorization Bylaw No. 9879 which authorized borrowing for the construction of the Cedar Creek Pump Station & UV Treatment Plant

AND THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2008 fall issue, \$10,400,000.00 as authorized through Loan Authorization Bylaw No. 9880 which authorized borrowing for the construction of DCC road improvements located at Clifton Road, Pandosy Street, High Road, Richter Street, and Central Okanagan Bypass (Cerise to Spall) in the City of Kelowna

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AND THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2008 fall issue, \$40,000,000.00 as authorized through Loan Authorization Bylaw No. 9878 which authorized borrowing for the construction of the expansion of the Wastewater Treatment Facility at 951 Raymer Avenue

AND THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2008 fall issue, \$6,572,024.00 as authorized through Loan Authorization Bylaw No. 8929 which authorized the establishment of a specified area for the purpose of providing a sewer system in Rutland

AND THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2008 fall issue, \$297,209.00 as authorized through Loan Authorization Bylaw No. 9559 which authorized the establishment of a specified area for the purpose of providing a water system at Fisher Road

AND THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2008 fall issue, \$2,021,105.00 as authorized through Loan Authorization Bylaw No. 9558 which authorized the establishment of a specified area for the purpose of providing a sewer system at Fisher Road

AND THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2008 fall issue, \$435,038.00 as authorized through Loan Authorization Bylaw No. 9576 which authorized the establishment of a specified area for the purpose of providing a sewer system in Country Rhodes

AND THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2008 fall issue, \$267,073.00 as authorized through Loan Authorization Bylaw No. 9743 which authorized the establishment of a specified area for the purpose of providing a sewer system at Clifton Road

AND THAT the Regional District of Central Okanagan be requested to prepare a security issuing bylaw with a 20 year term.

Carried

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 6.1 Bylaw No. 10011 - Amendment No. 1 to Local Area Service No. 26 (Sewer) Fisher Road Parcel Tax Bylaw No. 9937

Moved by Councillor Hobson/Seconded by Councillor Day

R558/08/06/16 THAT Bylaw No. 10011 be adopted.

Carried

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- 6.2 Bylaw No. 10012 - Amendment No. 1 to Local Area Service No. 28
(Water) Fisher Road Parcel Tax Bylaw No. 9938

Moved by Councillor Hobson/Seconded by Councillor Day

R559/08/06/16 THAT Bylaw No. 10012 be adopted.

Carried

- 6.3 Bylaw No. 10015 - Additional Hotel Room Tax Bylaw

Moved by Councillor Day/Seconded by Councillor Hobson

R560/08/06/16 THAT Bylaw No. 10015 be adopted.

Carried

7. COUNCILLOR ITEMS

None.

8. TERMINATION

The meeting was declared terminated at 2:11 p.m.

Certified Correct:

Mayor

ACM/dld

Deputy City Clerk