

Regular Meeting – P.M.

August 18, 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, August 18, 2008.

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

Council Members Absent: Councillor Barrie Clark.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Director of Recreation, Parks and Cultural Services, David Graham*; Manager, Policy, Research & Strategic Planning, Signe Bagh*; Planner Specialist, Gary Stephen*; Assistant General Manager Airport Operations, Dave Fuller*; Civic Properties Manager, Randy Cleveland*; Subdivision Approving Officer, Shelley Gambacort*; Current Planning Supervisor, Danielle Noble*; Planner, Paul McVey*; Planner, Nelson Wight*; Planner, Carlie Ferguson*; Planner, Luke Turri*; Planner, Birte Decloux*; and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:39 p.m.

2. Councillor Hobson was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.01 G. Doris Haas, MBA, GDH Solutions, re: Central Okanagan Major Lakes Recreational Marine Facilities Study

Doris Haas, MBA, GDH Solutions

- Gave a presentation to Council regarding the Central Okanagan Major Lakes Recreational Marine Facilities Study.

3.02 Inspector Cam Forgues, re: Monthly Policing Report

Inspector Cam Forgues:

- Updated Council with respect the August policing statistics.

3.03 Mayor Shepherd, re: Kelowna Sawmill Covenant – Legal Action

Mayor Shepherd advised that this item has been added to the Agenda and read the following statement:

The City of Kelowna will appeal the decision in the Sawmill covenant case.

City Council is seeking greater clarity in the judgment. The Court determined that the covenant is not valid, but does exist as a charitable trust.

The City will ask the appeal court to clarify whether it was possible to create a trust under common law. The court accepted the City's position that under 1945 legislation the City did not have authority to accept the lands on trust.

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The City will ask the appeal court to rule on whether a charitable trust can be established when land is not gifted. The City purchased the land in 1946.

City Council has protected continuous public access to Okanagan Lake from City Park to Knox Mountain Park, including access to lands originally purchased from the Kelowna Sawmill Company. In 2007, Council dedicated the land along Water Street across from City Hall as a park and adopted policy to preserve public ownership of Stuart Park and the City Hall land parcel.

City Council is committed to preserving public ownership and public access to the waterfront land and the City Hall site.

No further comments will be made by Council as the matter is back before the Courts.

Mayor Shepherd advised that Airport Administration staff have requested that Item 6.03 on the Agenda be moved forward.

Moved by Councillor Letnick/Seconded by Councillor Given

R728/08/08/18 THAT Council hear Non-Development Item 6.03 prior to the Development Application reports.

Carried

6.03 Assistant General Manager, Airport Operations, dated August 7, 2008, re: 2008 Roadway and Parking Lot Improvements (T08-059)

Moved by Councillor Letnick/Seconded by Councillor Given

R729/08/08/18 THAT Council receive the report of the Assistant General Manager, Airport Operations dated August 7, 2008;

AND THAT Council authorize the City to enter into a contract with Peters Bros. Construction Ltd. in the amount of \$2,938,039.86 inclusive of GST for construction of 2008 roadway and parking lot improvements at the Kelowna International Airport;

AND THAT Council approve an amendment to the 2008 Financial Plan to increase the current year's budget for the 2010 Development Plan from \$2,000,000 to \$3,400,000 with funding from the Airport Improvement Fee Reserve;

AND THAT Council approve a further amendment to the 2008 Financial Plan to increase the current year's budget for the Aerospace Drive extension from \$233,510 to \$318,510, with funding from the Airport Groundside Reserve;

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

Carried

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4. DEVELOPMENT APPLICATION REPORTS

- 4.01 Planning & Development Services Department, dated July 25, 2008, re: Agricultural Land Reserve Appeal Application No. A08-0005 – Bryan, Lorraine, Gordon & James MacDonnell (Bryan & Lorraine MacDonnell) – 3990 Senger Road

Moved by Councillor Hobson/Seconded by Councillor Day

R730/08/08/18 THAT Council hear from the Applicant.

Carried

Applicant, Mr. MacDonnell:

- The property is on the east side not the west side as stated in the planning report and our property is not growing Christmas trees, the property to the north is actually growing these trees.
- The reason we are asking for the homesite severance is due to a young couple who moved on the property and inquired about purchasing the land but cannot purchase the whole property.
- We have lived adjacent to the subject property since 1971. We do not have any hidden agenda. We would like someone else to do the farming on the land due to our age. The potential new owner would like to plant grapes. The property is more conducive for growing grapes.

Council:

- Although the property owner hasn't received a homesite severance and would most likely be entitled to one since the property was owned prior to the land freeze, this request may not meet the ALC Policy.

Staff:

- Advised that the Agricultural Land Commission has the ultimate decision even if Council denies the application.

Moved by Councillor Day/Seconded by Councillor Gran

THAT Agricultural Land Reserve Appeal No. A08-0005 for Lot 2, Section 11, Township 26, O.D.Y.D., Plan KAP83175, located on Senger Road, Kelowna, B.C., for a homesite severance subdivision within the Agricultural Land Commission Act, be supported by Municipal Council;

AND THAT Municipal Council forward the subject application to the Agricultural Land Commission.

Amendment Moved by Councillor Day/Seconded by Councillor Letnick

R731/08/08/18 THAT the motion of support be amended to a motion of no comment.

Carried

Councillors Blanleil and Gran - Opposed

The original motion as amended was then voted on and carried as follows:

Moved by Councillor Day/Seconded by Councillor Letnick

R732/08/08/18 THAT Agricultural Land Reserve Appeal No. A08-0005 for Lot 2, Section 11, Township 26, O.D.Y.D., Plan KAP83175, located on Senger Road, Kelowna, B.C., for a homesite severance subdivision within the Agricultural Land

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Commission Act, be forwarded to the Agricultural Land Commission without comment.

Carried
Councillor Gran - Opposed

4.02 Planning & Development Services Department, dated July 30, 2008, re: Rezoning Application No. Z07-0095 – AMDI Investments Inc. – 2176 Wilkinson Street

(a) Planning & Development Services report dated July 30, 2008.

Moved by Councillor Hobson/Seconded by Councillor Day

R733/08/08/18 THAT Rezoning Application No. Z07-0095 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Section 19, Township 26, O.D.Y.D, Plan 35197, located on Wilkinson St, Kelowna, B.C. from the RU2 – Medium Lot Housing zone to the 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 in conjunction with Council's consideration of a Development Variance Permit on the subject property and subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction.

Carried

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

Bylaw No. 10062 (Z07-0095) – AMDI Investments Inc. – 2176 Wilkinson Street

Moved by Councillor Rule/Seconded by Councillor Letnick

R734/08/08/18 THAT Bylaw No. 10062 be read a first time.

Carried

4.03 Planning & Development Services Department, dated August 8, 2008, re: Rezoning Application No. Z08-0068 – Jeffery & Krystal Sininger (Jeffery Sininger) – 1338 Montenegro Drive

(a) Planning & Development Services report dated August 8, 2008.

Moved by Councillor Letnick/Seconded by Councillor Hobson

R735/08/08/18 THAT Rezoning Application No. Z08-0068 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 13, Township 26, ODYD, Plan KAP84278, located at 1338 Montenegro Drive, Kelowna, BC, from the RU1h – Large Lot Housing (Hillside Area) zone to the RU1hs – Large Lot Housing (Hillside Area) with Secondary Suite zone be considered by Council;

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

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AND THAT final adoption of the zone amending bylaw be considered, subsequent to the requirements of the Black Mountain Irrigation District being completed to their satisfaction.

Carried

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

Bylaw No. 10066 (Z08-0068) – Jeffery & Krystal Sininger (Jeffery Sininger) – 1338 Montenegro Drive

Moved by Councillor Letnick/Seconded by Councillor Rule

R736/08/08/18 THAT Bylaw No. 10066 be read a first time.

Carried

4.04 Planning & Development Services Department, dated August 8, 2008, re: Rezoning Application No. Z08-0064 – Anita & Ethan Rideout – 2605 Curts Street

(a) Planning & Development Services report dated August 8, 2008.

Moved by Councillor Hobson/Seconded by Councillor Given

R737/08/08/18 THAT Rezoning Application No. Z08-0064 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 135, ODYD, Plan 7821, located at 2605 Curts Street, 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

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

Bylaw No. 10065 (Z08-0064) – Anita & Ethan Rideout – 2605 Curts Street

Moved by Councillor Rule/Seconded by Councillor Letnick

R738/08/08/18 THAT Bylaw No. 10065 be read a first time.

Carried

4.05 Planning & Development Services Department, dated August 8, 2008, re: Rezoning Application No. Z08-0041 – George & Shirley Staley – 4039 June Springs Road

(a) Planning & Development Services report dated August 8, 2008.

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Moved by Councillor Hobson/Seconded by Councillor Day

R739/08/08/18 THAT Rezoning Application No. Z08-0041 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 3, Township 26, O.D.Y.D., Plan KAP80425, located on June Springs Road, Kelowna, B.C. from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite, 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 South East Kelowna Irrigation District and the Works and Utilities Department being completed to their satisfaction.

Carried

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

Bylaw No. 10070 (Z08-0041) – George & Shirley Staley – 4039 June Springs Road

Moved by Councillor Letnick/Seconded by Councillor Given

R740/08/08/18 THAT Bylaw No. 10070 be read a first time.

Carried

4.06 Planning & Development Services Department, dated August 8, 2008, re: Rezoning Application No. Z08-0025 – Susan Robert (Dave Robert) – 1418 Alta Vista Road

(a) Planning & Development Services report dated August 8, 2008.

Moved by Councillor Given/Seconded by Councillor Letnick

R741/08/08/18 THAT Rezoning Application No. Z08-0025 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 16, District Lot 137, O.D.Y.D., Plan 13998, located on Alta Vista 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 considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction.

Carried

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

Bylaw No. 10069 (Z08-0025) – Susan Robert (Dave Robert) – 1418 Alta Vista Road

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Moved by Councillor Given/Seconded by Councillor Letnick

R742/08/08/18 THAT Bylaw No. 10069 be read a first time.

Carried

4.07 Planning & Development Services Department, dated August 5, 2008, re: Rezoning Application No. Z08-0015 – Rachel Pazdzierski – 582 Radant Road

(a) Planning & Development Services report dated August 5, 2008.

Moved by Councillor Letnick/Seconded by Councillor Given

R743/08/08/18 THAT Rezoning Application No. Z08-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 6, Township 26, O.D.Y.D, Plan 9002, located on Radant Road, 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 and Inspection Services Department being completed to their satisfaction.

Carried

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

Bylaw No. 10068 (Z08-0015) – Rachel Pazdzierski – 582 Radant Road

Moved by Councillor Given/Seconded by Councillor Letnick

R744/08/08/18 THAT Bylaw No. 10068 be read a first time.

Carried

4.08 Planning & Development Services Department, dated August 8, 2008, re: Rezoning Application No. Z08-0055 – Robert George Peter Elliott – 4355 June Springs Road

(a) Planning & Development Services report dated August 8, 2008.

Moved by Councillor Hobson/Seconded by Councillor Day

R745/08/08/18 THAT Rezoning Application No. Z08-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 35, Township 29, ODYD, Plan KAP71642, located on June Springs Road, Kelowna, B.C., from the RR1 – Rural Residential 1 zone to the RR1(s) – Rural Residential 1 with secondary suite zone be considered by Council;

AND THAT Rezoning Application No. Z08-0055 be forwarded to a Public Hearing for further consideration.

Carried

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

Bylaw No. 10067 (Z08-0055) – Robert George Peter Elliott – 4355 June Springs Road

Moved by Councillor Blanleil/Seconded by Councillor Gran

R746/08/08/18 THAT Bylaw No. 10067 be read a first time.

Carried

4.09 Planning & Development Services Department, dated August 6, 2008, re: Rezoning Application No. Z08-0008 – Ann Allan Holdings Ltd. (Ann Allan Holdings Inc. & Ceberry Holdings Inc.) – 300 Penno Road

(a) Planning & Development Services report dated August 6, 2008.

Moved by Councillor Given/Seconded by Councillor Letnick

R747/08/08/18 THAT Rezoning Application No. Z08-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, DL 123, O.D.Y.D., Plan 22129, located on Penno Road, Kelowna, B.C. from the existing RR3 – Rural Residential 3 zone to the proposed I2 – General Industrial 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. 10063 (Z08-0008) – Ann Allan Holdings Inc. – 300 Penno Road

Moved by Councillor Gran/Seconded by Councillor Blanleil

R748/08/08/18 THAT Bylaw No. 10063 be read a first time.

Carried

4.10 Planning & Development Services Department, dated August 12, 2008, re: Rezoning Application No. Z05-0043 – 0740639 BC Ltd. (Lynn Welder Consulting) – 153 Pinto Road

Moved by Councillor Letnick/Seconded by Councillor Rule

R749/08/08/18 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 August 8, 2008 to February 8, 2009.

Carried

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4.11 (a) **BYLAWS PRESENTED FOR AMENDMENT AT THIRD READING & ADOPTION**

- (i) Bylaw No. 9875 (OCP07-0016) – Katherine Schramm et al (Canadian Adult Communities) – 1255, 1265-1269, 1275, 1285, 1295 Gordon Drive and 1254, 1262-1264, 1274, 1284, 1290 Pheasant

Moved by Councillor Hobson/Seconded by Councillor Day

R750/08/08/18 THAT Bylaw No. 9875 be amended at third reading by changing the legal description of Strata Lots 1 & 2, DL 137, ODYD, Strata Plan KAS3209 to Lot A, DL 137, ODYD, Plan KAP86933;

AND THAT Bylaw No. 9875 be adopted as amended.

Carried
Councillor Letnick - Opposed

- (ii) Bylaw No. 9876 (Z07-0050) – Katherine Schramm et al (Canadian Adult Communities) – 1255, 1265-1269, 1275, 1285, 1295 Gordon Drive and 1254, 1262-1264, 1274, 1284, 1290 Pheasant Street

Moved by Councillor Hobson/Seconded by Councillor Day

R751/08/08/18 THAT Bylaw No. 9876 be amended at third reading by changing the legal description of Strata Lots 1 & 2, DL 137, ODYD, Strata Plan KAS3209 to Lot A, DL 137, ODYD, Plan KAP86933;

AND THAT Bylaw No. 9876 be adopted as amended.

Carried
Councillor Letnick - Opposed

- (b) Planning & Development Services Department, dated July 31, 2008, re: Development Permit Application No. DP08-0002 – 792220 BC Ltd. dba Canadian Adult Communities (Canadian Adult Communities) – 1255, 1265-1269, 1275, 1295 Gordon Drive and 1254, 1262-1264, 1274, 1284, 1290 Pheasant Street

Moved by Councillor Hobson/Seconded by Councillor Day

R752/08/08/18 THAT Official Community Plan Amending Bylaw No. 9875 be amended at third reading by changing the legal description of Strata Lots 1 and 2, DL 137, O.D.Y.D., Strata Plan KAS3209 to Lot A, DL 137, O.D.Y.D., Plan KAP86933, and that Final Adoption of Official Community Plan Amending Bylaw No. 9875 be considered by Council;

THAT Zone Amending Bylaw No. 9876 be amended at third reading by changing the legal description of Strata Lots 1 and 2, DL 137, O.D.Y.D., Strata Plan KAS3209 to Lot A, DL 137, O.D.Y.D., Plan KAP86933, and that Final Adoption of Zone Amending Bylaw No. 9876 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP08-0002 for Lots 1, 2, and 3, DL 137, O.D.Y.D., Plan 8502, Lots A and B, DL 137, O.D.Y.D., Plan KAP74652, Lots 1 and 2, DL 137, O.D.Y.D., Plan KAP78322, Lots A & B, DL 137, O.D.Y.D., Plan 11663, and Lot A, DL 137,

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O.D.Y.D., Plan KAP86933, located on Gordon Drive and Pheasant Street, Kelowna, B.C. subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. 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;
5. The applicant register a plan of subdivision at Land Titles Office in Kamloops to consolidate the subject properties to one title.

AND 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;

Carried

4.12 (a) **BYLAWS PRESENTED FOR ADOPTION**

- (i) Bylaw No. 10030 (LUC08-0001) – Discharge of Land Use Contract LUC77-1048 (P1216) – Anna, Anthony & Mary Rehlinger and Bibianna Lahay (Pace Setter Developments) – 2081 Cross Road

Moved by Councillor Hobson/Seconded by Councillor Day

R753/08/08/18 THAT Bylaw No. 10030 be adopted.

Carried

- (ii) Bylaw No. 10028 (OCP08-0005) – Anna, Anthony & Mary Rehlinger and Bibianna Lahay (Pace Setter Developments) – 2081 Cross Road

Moved by Councillor Day/Seconded by Councillor Gran

R754/08/08/18 THAT Bylaw No. 10028 be adopted.

Carried

Councillor Given - Opposed

- (iii) Bylaw No. 10029 (Z08-0022) – Anna, Anthony & Mary Rehlinger and Bibianna Lahay (Pace Setter Developments) – 2081 Cross Road

Moved by Councillor Gran/Seconded by Councillor Day

R755/08/08/18 THAT Bylaw No. 10029 be adopted.

Carried

Councillor Given - Opposed

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- (b) Planning & Development Service Department, dated August 6, 2008, re: Anna, Anthony & Mary Rehlinger and Bibianna Lahay (Pace Setter Developments) – 2081 Cross Road

Staff:

- Commends applicant for responding to comments from Public Hearing.
- Confirmed Fire Department concerns were satisfied.

Moved by Councillor Hobson/Seconded by Councillor Day

R756/08/08/18 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;

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
Councillor Given - Opposed

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 5.01 Bylaw No. 10007 (Z08-0009) – Protech Consultants Ltd. (AJL Holdings Ltd.) – 1368 St. Paul Street

Moved by Councillor Day/Seconded by Councillor Gran

R757/08/08/18 THAT Bylaw No. 10007 be adopted.

Carried

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5.02 Bylaw No. 10036 (TA08-0005) – City of Kelowna

Moved by Councillor Gran/Seconded by Councillor Day

R758/08/08/18 THAT Bylaw No. 10036 be adopted.

Carried

6. NON-DEVELOPMENT APPLICATION REPORTS

6.01 Planning & Development Services Department, dated August 11, 2008, re: Bylaw No. 7600 Official Community Plan – Amendment Bylaw No. 10056

Moved by Councillor Hobson/Seconded by Councillor Letnick

R759/08/08/18 THAT OCP Text Amendment OCP08-0019 – Amendment Bylaw No. 10056 to amend Map 7.1a – Natural Environment Development Permit Area Designation of the Kelowna 2020 – Official Community Plan Bylaw No. 7600 by replacing the existing map with a revised map attached as Schedule “A” to the report of the Planning and Development Services Department dated August 11, 2008 be considered;

AND THAT staff be directed to follow the consultation process outlined in the report of the Planning and Development Services Department dated August 11, 2008, prior to forwarding OCP Text Amendment OCP08-0019 – Amendment Bylaw No. 10056 for First Reading and Public Hearing.

Carried

6.02 Planner Specialist, dated August 13, 2008, re: OCP Review – Public Consultation

Staff:

- Second Online Survey is available. As of noon today there have been 169 completed surveys. The system will not allow any repeat surveys.

Moved by Councillor Hobson/Seconded by Councillor Day

R760/08/08/18 THAT the report from the Planning and Development Services Department dated August 13, 2008 be received for information.

Carried

6.03 Assistant General Manager, Airport Operations, dated August 7, 2008, re: 2008 Roadway and Parking Lot Improvements (T08-059)

Item 6.03 was dealt moved up on the Agenda and dealt with after Item 3.03.

6.04 Water and Drainage Manager, dated August 11, 2008, re: Participation in the Solar BC Program

Moved by Councillor Rule/Seconded by Councillor Given

R761/08/08/18 THAT Council support the city's participation in the Solar BC program that will recognize Kelowna as a Solar Community;

AND THAT Council direct the Energy Management Committee (EMC) to undertake this initiative corporately;

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AND THAT Council direct the EMC to collaborate with the “solar community” to develop a communication and education program that supports and promotes the use of solar technology where applicable.

Carried

6.05 Civic Properties Manager, dated August 12, 2008, re: Grand Okanagan Resort Wharf Agreement

Moved by Councillor Letnick/Seconded by Councillor Day

R762/08/08/18 THAT City Council approve a new Wharf Agreement with Delta Hotels No. 48 Limited Partnership that mirrors the existing agreement with Royal Host Amalco #1 Inc. (formally the Grand Okanagan Resort Ltd) pending closure of the sales agreement transferring the Grand Hotel to Delta Hotels No. 48 Limited Partnership;

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

Carried

6.06 Director of Recreation, Parks and Cultural Services, dated August 6, 2008, re: Grant Request – Central Okanagan Heritage Society

Moved by Councillor Letnick/Seconded by Councillor Rule

R763/08/08/18 THAT City Council approve a grant in the amount of \$1000 to the Central Okanagan Heritage Society to assist with the costs of the upcoming Heritage Fall Fair.

AND THAT the funding source for the grant be account 252 10 201 0 6342 within the Cultural Services Division.

Carried

7. COUNCILLOR ITEMS

Councillor Gran

- Announced she would not be running in the November election.
- Encouraged those in the community to run for Council and encouraged the public to vote.

Councillor Hobson

- Requested a report be brought back to Council with more clarity on Trade, Investment and Labour Mobility Agreement (TILMA).

City Clerk

- Noted that the Voter's Guide and Candidate's Guide are available in the Clerk's Office, Council Chambers Foyer and City Hall Reception.
- Nomination packages available early next week.
- Mail in ballots available sometime late October, early November.

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8. TERMINATION

The meeting was declared terminated at 3:46 p.m.

Certified Correct:

Mayor

ACM/hp/slh

City Clerk