

Regular Meeting – P.M.

September 29, 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 September 29, 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; City Clerk, Stephen Fleming; Current Planning Supervisor, Danielle Noble\*; Manager, Community Development & Real Estate, Doug Gilchrist\*; Planner, Birte Decloux\*; Planner, Nelson Wight\*; Parks Planning Manager, Terry Barton\*; Property Manager, Ron Forbes\*; Development Manager, Reid Oddliefson\*; Community Planning Manager, Theresa Eichler\*; Communications Coordinator, Yvonne Turgeon\*; Project Manager, Rob Mayne; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:35 p.m. and congratulated Councillor Hobson on his recent election as the UBCM President.

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

3. PUBLIC IN ATTENDANCE

3.1 Erika Ingram, Miss Kelowna Lady of the Lake (2008), and Breanne Cadham, Princess (2008), re: Introductions to City Council and Overview of the Activities of the Okanagan Float

Guests, Erika Ingram and Breanne Cadham:

- Introduced themselves to Council and gave a brief presentation regarding their recent activities as Miss Kelowna Lady of Lake and Princess.

Staff:

- Gave an overview of the activities of the Okanagan Float.

Clarence Johnson, Float Ambassador

- Thanked Council for allowing him to participate in the Okanagan Float activities.

3.2 Superintendent McKinnon, re: Monthly Policing Report

Superintendent McKinnon:

- Presented the monthly policing report to Council.
- A large number of members from the Kelowna Detachment will be deployed to Whistler in 2010 for the Olympics.
- PRIME is an issue for the detachment both for the RCMP members and the clerical staff. Confirmed that PRIME is mandated by the Province

Moved by Councillor Given/Seconded by Councillor Rule

**R852/08/09/29** THAT Council authorize the Mayor to forward a letter to the Premier of British Columbia in support of the recent UBCM resolution with respect to additional clerical support for RCMP detachments in order to deal with the new Police Records and Information Management Environment ("PRIME") program.

Regular Meeting – P.M.September 29, 2008Carried4. COMMITTEE REPORTS

- 4.1 Youth Advisory Committee, dated September 18, 2008, re: BC Youth Parliament - Nomination of Delegates

Moved by Councillor Gran/Seconded by Councillor Day

**R853/08/09/29** THAT Council authorize the Youth Advisory Committee to nominate two youth from the Youth Forum Steering Committee to the British Columbia Youth Parliament (BCYP) to participate in the 80<sup>th</sup> Parliament in Victoria from December 27, 2008 to January 1, 2009;

AND THAT the youth who become Members in the BCYP and participate in the 80<sup>th</sup> Parliament report back to Council by March 31, 2009;

AND THAT Council approve Member fees and expenses not to exceed \$750.00 from Council contingency for two youth for this purpose.

Carried5. DEVELOPMENT APPLICATION REPORTS

- 5.1 Planning & Development Services Department, dated September 18, 2008, re: Rezoning Application No. Z08-0063 – Rob & Dayna Selby (Rob Selby) – 664 Balsam Road

- (a) Planning & Development Services report dated September 18, 2008.

Moved by Councillor Letnick/Seconded by Councillor Given

**R854/08/09/29** THAT Rezoning Application No. Z08-0063 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, District Lot 358, O.D.Y.D., Plan 19073, located on Balsam Road, 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 Works and Utilities being satisfied.

Carried

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

Bylaw No. 10089 (Z08-0063) – Rob & Dayna Selby (Rob Selby) – 664 Balsam Road

Moved by Councillor Given/Seconded by Councillor Letnick

**R855/08/09/29** THAT Bylaw No. 10089 be read a first time.

Carried

Regular Meeting – P.M.

September 29, 2008

- 5.2 Planning & Development Services Department, dated September 10, 2008, re: Rezoning Application No. Z08-0045 – Tommy & Sandra Ann Josiassen (Milagro Advisory Services Inc.) – 1305 Highway 33

- (a) Planning & Development Services report dated September 10, 2008.

Moved by Councillor Letnick/Seconded by Councillor Given

**R856/08/09/29** THAT Rezoning Application No. Z08-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Sec. 13, Twp. 26, ODYD, Plan 4283 Except Plans H8383 and KAP86139, located at 1305 Highway 33, Kelowna, B.C. from A1 – Agriculture 1 to RR2 – Rural Residential 2 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 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

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

Bylaw No. 10087 (Z08-0045) – Tommy & Sandra Ann Josiassen (Milagro Advisory Services Inc.) – 1305 Highway 33

Moved by Councillor Letnick/Seconded by Councillor Given

**R857/08/09/29** THAT Bylaw No. 10087 be read a first time.

Carried

- 5.3 Planning & Development Services Department, dated August 29, 2008, re: Rezoning Application No. Z08-0066 – Jacob Anthony Ruschinsky & Joanne Couture (IHS Designs Ltd.) – 480 Killarney Road

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

This application has been withdrawn by the Applicant. The Applicant has requested that the file be closed.

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

Bylaw No. 10086 (Z08-0066) – Jacob Anthony Ruschinsky & Joanne Couture (IHS Designs Ltd.) – 480 Killarney Road

This application has been withdrawn by the Applicant. The Applicant has requested that the file be closed.

- 5.4 Planning & Development Services Department, dated September 19, 2008, re: Rezoning Application No. Z07-0016 – National Society of Hope (Luke Stack) – 2059-2129 Benvoulin Court; 2170 and 2175 Benvoulin Court

Regular Meeting – P.M.

September 29, 2008

- (a) Planning & Development Services report dated September 19, 2008.

Moved by Councillor Given/Seconded by Councillor Rule

**R858/08/09/29** THAT Rezoning Application No. Z07-0016 to rezone portions of the following subject properties:

Lot A District Lots 128 and 142, O.D.Y.D., Plan KAP85660, Except Plan KAP86951

Lot 1, District Lot 128, O.D.Y.D., Plan KAP84354

Lot A, District Lot 128, O.D.Y.D., Plan KAP86945, Except Plan KAP86951

located on Benvoulin Court, from A1 – Agriculture 1 to RM5 – Medium Density Multiple Housing, in accordance with Map “A” 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;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the lot line adjustments necessary to create proposed Lots A, B, and C;

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

AND FURTHER 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.

Carried

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

Bylaw No. 10090 (Z07-0016) – National Society of Hope (Luke Stack) – 2059-2129 Benvoulin Court; 2170 and 2175 Benvoulin Court

Moved by Councillor Clark/Seconded by Councillor Rule

**R859/08/09/29** THAT Bylaw No. 10090 be read a first time.

Carried

- 5.5 Planning & Development Services Department, dated September 19, 2008, re: Rezoning Application No. Z08-0077 – Architecturally Distinct Solutions – 893 Hewetson Avenue

- (a) Planning & Development Services report dated September 19, 2008.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

Regular Meeting – P.M.

September 29, 2008

**R860/08/09/29** THAT Rezoning Application No. Z08-0077 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24 District Lot 1688S SDYD Plan KAP82069, located at 893 Hewetson Avenue, Kelowna, B.C. 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.

Carried

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

Bylaw No. 10091 (Z08-0077) – Architecturally Distinct Solutions – 893 Hewetson Avenue

Moved by Councillor Letnick/Seconded by Councillor Rule

**R861/08/09/29** THAT Bylaw No. 10091 be read a first time.

Carried

5.6 Planning & Development Services Department, dated September 19, 2008, re: Rezoning Application No. Z08-0078 – Robert and Cathy Schuh (Robert Schuh) – 808 Lone Pine Drive

(a) Planning & Development Services report dated September 19, 2008.

Councillor Day declared a conflict of interest as he owns property in the area and left the meeting at 2:29 p.m.

Moved by Councillor Letnick/Seconded by Councillor Given

**R862/08/09/29** THAT Rezoning Application No. Z08-0078 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7 Section 24 Township 26 ODYD Plan KAP59957, located at 808 Lone Pine Drive, 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 Black Mountain Irrigation District being completed to their satisfaction.

Carried

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

Bylaw No. 10092 (Z08-0078) – Robert and Cathy Schuh (Robert Schuh) – 808 Lone Pine Drive

Moved by Councillor Rule/Seconded by Councillor Given

Regular Meeting – P.M.

September 29, 2008

**R863/08/09/29** THAT Bylaw No. 10092 be read a first time.

Carried

6. BYLAWS (ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR ADOPTION)**

6.1 Bylaw No. 10002 (Z08-0033) – Myrna White – 4304 Lakeshore Road

Councillor Day rejoined the meeting at 2:31 p.m.

Moved by Councillor Hobson/Seconded by Councillor Gran

**R864/08/09/29** THAT Bylaw No. 10002 be adopted.

Carried

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

Moved by Councillor Gran/Seconded by Councillor Hobson

**R865/08/09/29** THAT Bylaw No. 10065 be adopted.

Carried

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

Moved by Councillor Letnick/Seconded by Councillor Gran

**R866/08/09/29** THAT Bylaw No. 10070 be adopted.

Carried

7. NON-DEVELOPMENT APPLICATION REPORTS

7.1 Communication Coordinator, re: 2008 Citizens Survey Results

Staff:

- Gave an overview of the survey and introduced the Consultant.
- A hard copy of the full report will be available to the public via the City Clerk's Division.

Consultant, Alan Rice, Kettle Valley Research:

- Reviewed the survey results with Council.
- Confirmed that the survey was conducted between June 1 – July 4, 2008.

Council:

- Commented that the way the survey is done now, a sitting Council only receives the results of one (1) survey for consideration during their term. Staff should consider conducting the surveys so that a sitting Council could receive the results of at least two (2) surveys for consideration.

Moved by Councillor Letnick/Seconded by Councillor Given

**R867/08/09/29** THAT the 2008 Citizen Survey results be received for information.

Regular Meeting – P.M.

September 29, 2008

Carried

- 7.2 Project Manager, dated September 24, 2008, re: Central Green - Final Concept Plan

Staff:

- Gave background information to Council.
- Currently working with the Ministry of Transportation in order to ensure that this process can move forward as quickly as possible as the Ministry will be required to give approval to any rezoning of the site.
- As part of the traffic impact study, pedestrian impact will also be taken into account.
- Will consider implementing a landscaping plan sooner rather than later on the site.

Consultant, Ben Barrington, BKDI Architects:

- Gave an overview of the final concept plan being presented to Council.

Moved by Councillor Letnick/Seconded by Councillor Given

**R868/08/09/29** THAT Council endorse the final concept plan for the Central Green Development attached as Schedule A of the Central Green – Final Concept Plan Report from the Project Manager, Community Development & Real Estate, dated September 24, 2008;

AND THAT Council direct staff to report back on the financial impact of proposed amenities on the disposition price and allocation of proceeds.

Carried

- 7.3 Development Manager, Recreation Parks and Cultural Supervisor, dated September 22, 2008, re: Life and Arts Festival - Progress Report

Moved by Councillor Day/Seconded by Councillor Gran

**R869/08/09/29** THAT City Council receive the progress report on the Life and Arts Festival review, as included in the report from the Development Manager dated September 22, 2008.

Carried

- 7.4 City Clerk, dated September 23, 2008, re: Animal Control

Moved by Councillor Day/Seconded by Councillor Clark

**R870/08/09/29** THAT further discussion regarding the creation of an Animal Control function for the City of Kelowna be forwarded to the 2009 Budget deliberations.

Carried

- 7.5 City Clerk, dated September 23, 2008, re: Video Streaming and Archiving of Council Meetings

Moved by Councillor Clark/Seconded by Councillor Given

Regular Meeting – P.M.

September 29, 2008

**R871/08/09/29** THAT further discussion regarding the video streaming and archiving of Council meetings be forwarded to the 2009 Budget deliberations.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR ADOPTION)**

8.1 Bylaw No. 10061 – Amendment No. 15 to Business Licence and Regulation Bylaw No. 7878. **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed amendments to come forward.**

Mayor Shepherd invited anyone in the public gallery who deemed themselves affected by the proposed amendments to come forward. No one came forward.

Moved by Councillor Day/Seconded by Councillor Gran

**R872/08/09/29** THAT Bylaw No. 10061 be adopted.

Carried

8.2 Bylaw No. 10072 – A Bylaw to Repeal Local Improvement Charges Bylaw No. 6600-90

Moved by Councillor Gran/Seconded by Councillor Day

**R873/08/09/29** THAT Bylaw No. 10072 be adopted.

Carried

8.3 Bylaw No. 10082 – Amendment No. 18 to Airport Fees Bylaw No. 7982

Moved by Councillor Day/Seconded by Councillor Gran

**R874/08/09/29** THAT Bylaw No. 10082 be adopted.

Carried

9. COUNCILLOR ITEMS

Councillor Rule:

- Attended the UBCM conference last week and provided information regarding draft resolutions that were brought forward.

Councillor Letnick:

- Would like the Mayor to write a letter thanking the Premier for the removal of the toll on the Coquihalla.

Moved by Councillor Letnick/Seconded by Councillor Rule

**R875/08/09/29** THAT a letter be forwarded to the Premier of British Columbia expressing Council's appreciation for the removal of the toll from the Coquihalla.

Carried



Regular Meeting – P.M.

September 29, 2008

Councillor Clark left the meeting at 4:19 p.m.

City Clerk:

- Confirmed that the City Clerk's Division has received the requested site selection information from FortisBC and a copy will be provided to Council prior to the Public Hearing.

Mayor Shepherd:

- Advised that the City of Kelowna has received the Solar BC Award.
- Advised that the City of Kelowna received accolades regarding the Mobile Business Licence Bylaw.
- Advised that due to the upcoming federal and municipal elections, ShawCable will not be broadcasting Council meetings between October 16<sup>th</sup> to November 16<sup>th</sup>.

10. TERMINATION

The meeting was declared terminated at 4:40 p.m.

Certified Correct:

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Mayor

SLH/hp

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City Clerk