### Regular Meeting – P.M.

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, December 8<sup>th</sup>, 2008.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Brian Given, Charlie Hodge, Graeme James, Angela Reid\*, Michele Rule and Luke Stack\*.

Council members absent: Councillor Robert Hobson.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; General Manager, Citizen Services, John Vos\*; Director, Land Use Management, Shelley Gambacort\*; Planner, Nelson Wight\*; Director, Development Services, Ron Dickinson\*; Director, Active Communities, Jim Gabriel\*; Parking Coordinator, Stu Evans\*; Manager, Property Management, Ron Forbes\*; Grants Manager, Lorna Gunn\*; Director, Corporate Services, Rob Mayne\*; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

#### 1. <u>CALL TO ORDER</u>

Mayor Shepherd called the meeting to order at 1:32 p.m.

- 2. Councillor Rule was requested to check the minutes of the meeting.
- 3. <u>PUBLIC IN ATTENDANCE</u>
  - 3.1 Mary Jane Cullen, Health Services Administrator, Interior Health Authority, re: <u>Kelowna General Hospital Expansion Project – Status</u> <u>Update</u>

Mary Jane Cullen, Health Services Administrator, Interior Health Authority

- Gave a presentation to Council with respect to Kelowna General Hospital's expansion project.
- This expansion is the largest investment ever in health care in the southern interior and is valued at \$432.5 Million.
- There is improved signage on the site in order to keep the public informed of the progress. Newspaper advertisements have also been placed in the area newspapers and an ongoing dialogue with the surrounding neighbours is occurring.
- The Health Authority cannot project how may job opportunities there will be as a result of this expansion; however, they are currently recruiting x-ray technologists and lab technologists.
- Confirmed that IHA is willing to work with the City and the Regional District to develop a better transit system for the hospital area.
- 4. <u>DEVELOPMENT APPLICATION REPORTS</u>
  - 4.1 Community Sustainability Division, dated November 14, 2008, re: <u>Rezoning Application No. Z03-0034 – Nicole Bullock (Guy Steward) –</u> <u>2898 East Kelowna Road</u> (B/L 10125)
    - (a) Community Sustainability Division report dated November 14, 2008.

Councillor Reid declared a conflict of interest as she lives in the surrounding area and left the meeting at 1:55 p.m.

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Staff:

- Advised that the Interior Health Authority is responsible for the approval and evaluation of septic systems.
- Confirmed that property owners are given notice to hook up to the sewer system if there is a City-initiated sewer project in their area.

#### Moved by Councillor Given/Seconded by Councillor Blanleil

**<u>R1102/08/12/08</u>** THAT Rezoning Application No. Z03-0034 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of ports of Lot 5, Section 16, Township 26, O.D.Y.D., Plan 665, located on East Kelowna Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RR1 – Rural Residential 1 zone in accordance with Map "A" attached to the Planning and Development Services Department report dated November 14, 2008 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 issuance of a Preliminary Layout Review letter by the Subdivision Approving Officer;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works and Utilities Department being completed to their satisfaction.

**Carried** 

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

<u>Bylaw No. 10125 (Z03-0034)</u> – Nicole Bullock (Guy Steward) – 2898 East Kelowna Road

Moved by Councillor Given/Seconded by Councillor James

R1103/08/12/08 THAT Bylaw No. 10125 be read a first time.

Carried

Councillor Reid returned to the meeting at 2:01 p.m.

- 4.2 Community Sustainability Division, dated November 18, 2008, re: <u>Rezoning Application No. Z08-0092 – Gregory & Darleen McCaw – 605</u> <u>Horn Crescent</u> (B/L 10127)
  - (a) Community Sustainability Division report dated November 18, 2008.

Moved by Councillor Stack/Seconded by Councillor Hodge

**<u>R1104/08/12/08</u>** THAT Rezoning Application No. Z08-0092 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 1688S, SDYD, Plan KAP82290, located on Horn Crescent, Kelowna, B.C. from the RU2(h) Medium Lot Housing (Hillside Area) zone to the RU2(h)(s) Medium 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. 10127 (Z08-0092) – Gregory & Darleen McCaw – 605 Horn Crescent

Moved by Councillor James/Seconded by Councillor Given

R1105/08/12/08 THAT Bylaw No. 10127 be read a first time.

**Carried** 

- 4.3 Community Sustainability Division, dated November 19, 2008, re: <u>Rezoning Application No. Z08-0094 – Lorelei Johnson – 1343 Dilworth</u> <u>Crescent</u> (B/L 10129)
  - (a) Community Sustainability Division report dated November 19, 2008.

Moved by Councillor Given/Seconded by Councillor Hodge

**<u>R1106/08/12/08</u>** THAT Rezoning Application No. Z08-0094 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 19, Section 29, Township 26, O.D.Y.D., Plan 5070, located on Dilworth Crescent, kelowna, B.C. from the RU1 Large Lot Housing to RU1(s) Large Lot Housing with a 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 Works and Utilities being completed to their satisfaction.

**Carried** 

## (b) BYLAW PRESENTED FOR FIRST READING

<u>Bylaw No. 10129 (Z08-0094)</u> – Lorelei Johnson – 1343 Dilworth Crescent

Moved by Councillor Given/Seconded by Councillor James

R1107/08/12/08 THAT Bylaw No. 10129 be read a first time.

**Carried** 

- 4.4 Community Sustainability Division, dated November 25, 2008, re: <u>Rezoning Application No. Z08-0091 – David & Linda Dyck and Robert &</u> <u>Joanne Stutters (David Dyck) – 308 Moyer Road</u> (B/L 10128)
  - (a) Community Sustainability Division report dated November 25, 2008.

### Moved by Councillor Given/Seconded by Councillor Reid

**<u>R1108/08/12/08</u>** THAT Rezoning Application No. Z08-0091 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 47 Section 35 Township 26 ODYD Plan 425 except Plans 16532 and 17954, located at 308 Moyer Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 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 Black Mountain Irrigation District being completed to their satisfaction.

**Carried** 

### (b) BYLAW PRESENTED FOR FIRST READING

<u>Bylaw No. 10128 (Z08-0091)</u> – David & Linda Dyck and Robert & Joanne Stutters (David Dyck) – 308 Moyer Road

Moved by Councillor James/Seconded by Councillor Given

R1109/08/12/08 THAT Bylaw No. 10128 be read a first time.

Carried

4.5 Community Sustainability Division, dated November 24, 2008, re: <u>Rezoning Application No. Z07-0046 – Terry & Joan Raisanen (Eidse</u> <u>Builders) – 1975 Kane Road</u>

Moved by Councillor Stack/Seconded by Councillor Blanleil

**<u>R1110/08/12/08</u>** THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9886, (Z07-0046, Eidse Builders - Gary Tebutt), for Lot B, Plan 22004, Sec. 33, Twp. 26, ODYD, located on 1975 Kane Road, Kelowna, BC be extended from November 27, 2008 to May 27, 2009.

**Carried** 

#### 5. <u>BYLAWS (ZONING & DEVELOPMENT)</u>

#### (BYLAWS PRESENTED FOR ADOPTION)

5.1 <u>Bylaw No. 10080 (OCP07-0024)</u> – Baljit & Manjit Shokar and The Owners, Strata Plan KAS1411 (City of Kelowna) – East of Spencer Road; 6060 Spencer Road (Various Addresses) – **Requires a majority of all Members of Council (5)** 

Moved by Councillor Rule/Seconded by Councillor Hodge

R1111/08/12/08 THAT Bylaw No. 10080 be adopted.

5.2 <u>Bylaw No. 10081 (Z07-0074)</u> – Baljit & Manjit Shokar and The Owners, Strata Plan KAS1411 (City of Kelowna) – East of Spencer Road; 6060 Spencer Road (Various Addresses)

Moved by Councillor Hodge/Seconded by Councillor Rule

R1112/08/12/08 THAT Bylaw No. 10081 be adopted.

Carried

5.3 <u>Bylaw No. 10092 (Z08-0078)</u> – Robert & Cathy Schuh – 808 Lone Pine Drive

Moved by Councillor Rule/Seconded by Councillor Hodge

R1113/08/12/08 THAT Bylaw No. 10092 be adopted.

Carried

5.4 Bylaw No. 10103 (Z08-0085) - Lance Pilott - 2260 Wilkinson Street

Councillor Stack declared a conflict of interest as he lives in the neighbourhood and left the meeting at 2:13 p.m.

Moved by Councillor Hodge/Seconded by Councillor Rule

R1114/08/12/08 THAT Bylaw No. 10103 be adopted.

#### **Carried**

Councillor Stack returned to the meeting at 2:13 p.m.

5.5 <u>Bylaw No. 10110 (Z08-0083)</u> – Jean Tinling – 560 Peck Court

Moved by Councillor Blanleil/Seconded by Councillor Reid

R1115/08/12/08 THAT Bylaw No. 10110 be adopted.

Carried

#### 6. NON-DEVELOPMENT APPLICATION REPORTS

6.1 Director, Development Services, dated November 25, 2008, re: <u>Notice on</u> <u>Title - 1745 Springfield Road, Kelowna, BC</u> Mayor to invite the registered owner to come forward.

Staff:

- Advised that the registered owner of the property can request that the Notice be removed from title, which does not require Council approval.

Mayor Shepherd invited the registered owner to come forward.

Natasha Toffoli, Registered Owner of 1745 Springfield Road

- Is aware of what is happening on the site and is agreeable to this Notice being registered on title.

#### Moved by Councillor Given/Seconded by Councillor Hodge

**<u>R1116/08/12/08</u>** THAT Council authorizes the City Clerk to file a Notice in the Land Title Office against Lot 1 Plan 35681 as permitted by Section 57 of the Community Charter, regarding the removal of the temporary structure placed along the east property line, prior to September 1, 2009.

AND THAT Council consider and adopt the following resolution regarding the property:

Be it resolved that:

Council confirms the recommendations of the Director of Development Services under Section 57 of the Community Charter and directs the City Clerk to file a Notice in the Land Titles Office stating that:

- 1. A resolution relating to Lot 1 Plan 35681 has been made under Section 57 of the Community Charter, and;
- 2. Further information respecting the resolution may be inspected at Kelowna City Hall.

**Carried** 

6.2 Director, Active Communities, dated December 2, 2008, re: <u>Grade 5 Get</u> <u>Active! Pilot Program</u>

Staff:

- Advised that the program is only available to schools within the City of Kelowna.
- Advised that at the time only the Parkinson Recreation Centre programs are application to the pilot program; however staff do anticipate that the program will be expanded to include the Mission Aquatic Centre's programs.

#### Moved by Councillor Given/Seconded by Councillor Rule

**<u>R1117/08/12/08</u>** THAT City Council approve the Grade 5 *Get Active!* pilot program as outlined in the report from the Director of Active Communities dated December 2, 2008.

#### Carried

6.3 Director, Active Communities, dated December 3, 2008, re: <u>Amateur Arts</u> <u>Grants</u>

Staff:

- Advised that currently the City of Kelowna does not offer grants directly to individuals. The grants are currently awarded to groups or organizations.

#### Moved by Councillor Rule/Seconded by Councillor Hodge

**<u>R1118/08/12/08</u>** THAT Council hear from a representative of the Arts Council of the Central Okanagan (ARTSCO) with respect to the administration of the Amateur Arts Grants.

Carried

Sharon McCoubrey, President, Arts Council of the Central Okanagan:

- Provided background information regarding how ARTCO would administer the 2009 Amateur Arts Grants.

#### Moved by Councillor Rule/Seconded by Councillor Given

**<u>R1119/08/12/08</u>** THAT City Council approve the Arts Council of the Central Okanagan (ARTSCO) to administer the 2009 Amateur Arts Grants as outlined in the Memorandum of Understanding (MOU) attached to the report from the Director of Active Communities dated December 3, 2008;

AND THAT an administration fee of \$3,000 be paid to ARTSCO to fulfill their duties as outlined in the MOU:

AND THAT City Council authorize the Director Active Communities to sign the MOU on behalf of the City;

AND FURTHER THAT staff report back with recommendations regarding a future process to administer the Amateur Art Grant by September 2009.

**Carried** 

6.4 Manager, Property Management, dated December 1, 2008, re: <u>1300</u> <u>Block of St. Paul Street Parking Meter Project</u>

Staff:

- Advised that as of the end of October 2008, there is currently \$718,000 in the Parking Reserve Fund.

#### Moved by Councillor Rule/Seconded by Councillor Given

**<u>R1120/08/12/08</u>** THAT City Council authorize the acquisition of the 5 "Pay and Display" parking meters for the east side of St. Paul Street from Doyle Avenue to Cawston Avenue at a cost of \$9,000 per unit for a total of \$47,250 to be funded from the Parking Reserve;

AND THAT the 2008 financial plan be amended to account for this acquisition from reserve funds.

Carried

6.5 Director, Corporate Services, dated November 28, 2008, re: <u>Inter-</u> <u>Community Mobile Business Licence Bylaw</u>

Moved by Councillor Stack/Seconded by Councillor James

<u>**R1121/08/12/08</u>** THAT Council receive the report from the Director, Corporate Services dated November 28, 2008;</u>

AND THAT Bylaw No. 10126, being Amendment No. 1 to Inter-Community Mobile Business Licence Bylaw No. 9900 be advanced for reading consideration.

**Carried** 

- 7. <u>RESOLUTIONS</u>
  - 7.1 Draft Resolution re: <u>Helicopter Landing Santa Claus Northern Air</u> <u>Support</u>

#### Moved by Councillor Hodge/Seconded by Councillor Rule

<u>**R1122/08/12/08**</u> THAT Council grant approval to Northern Air Support Ltd. to fly Santa Claus from the Kelowna International Airport to the Kelowna Golf &

Country Club and back on December 7<sup>th</sup> and 14<sup>th</sup>, 2008, subject to the approval of Transport Canada and compliance with all related flight requirements.

### **Carried**

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## 8. <u>BYLAWS (OTHER THAN ZONING & DEVELOPMENT)</u>

### (BYLAW PRESENTED FOR FIRST THREE READINGS)

8.1 <u>Bylaw No. 10126</u> – Amendment No. 1 to Mobile Business Licence Bylaw No. 9900

### Moved by Councillor Reid/Seconded by Councillor Blanleil

R1123/08/12/08 THAT Bylaw No. 10126 be read a first, second and third time.

**Carried** 

## (BYLAWS PRESENTED FOR ADOPTION)

8.2 Bylaw No. 10118 – Amendment No. 19 to Airport Fees Bylaw No. 7982

Moved by Councillor Blanleil/Seconded by Councillor Reid

R1124/08/12/08 THAT Bylaw No. 10118 be adopted.

### **Carried**

8.3 <u>Bylaw No. 10119</u> – Amendment No. 1 to Recreation, Parks and Cultural Services Fees and Charges Bylaw No. 9609

Moved by Councillor Stack/Seconded by Councillor Blanleil

R1125/08/12/08 THAT Bylaw No. 10119 be adopted.

## **Carried**

8.4 <u>Bylaw No. 10123</u> – A Bylaw to Change the Name of a Portion of McCurdy Road East to Tower Ranch Boulevard

### Moved by Councillor Given/Seconded by Councillor Hodge

<u>**R1126/08/12/08**</u> THAT Council defer adoption of Bylaw No. 10123 to the December 15, 2008 Council Meeting.

**Carried** 

## 9. MAYOR & COUNCILLOR ITEMS

9.1 Mayor Shepherd, re: <u>"Spirit of Kelowna" Acknowledgment</u>

Mayor Shepherd:

 Acknowledged Keith and Ginette Koenig for bringing the 2008 World Arm Wrestling Championships to the City of Kelowna this past week, which event had representation from 33 countries.

Councillor Given:

- Advised that he has been named to the SILGA Board and will be sitting on the board until April 2009.

## Regular Meeting - P.M.

December 8, 2008

# 10. TERMINATION

The meeting was declared terminated at 3:09 p.m.

Certified Correct:

Mayor

SLH/dld

City Clerk