

Regular Meeting – P.M.April 20, 2009

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, April 20th, 2009.

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

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; General Manager, Community Services, John Vos*; Director, Land Use Management, Shelley Gambacort*; Supervisor, Urban Land Use, Danielle Noble*; Manager, Transportation Services, Dale Beaudry*; Director, Infrastructure Planning, Randy Cleveland*; Manager, Building & Permitting, Mo Bayat*; Community Planning Manager, Theresa Eichler*; Manager, Cultural Services, Sandra Kochan*; Planner, Luke Turri*; Project Manager, Integrated Systems, Mark Watt*; Airport Director, Sam Samaddar*; Revenue Manager, George King*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:37 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 Cheryl Miller, Grants Manager, Central Okanagan Foundation re: 2009 City of Kelowna Grant Applications

Cheryl Miller, Grants Manager, Central Okanagan Foundation:

- Provided details of the 2009 City of Kelowna Grant Applications and explained the process for administering the grants.

Moved by Councillor Rule/Seconded by Councillor Hobson

R469/09/04/20 THAT Council approves the following funding applications as recommended by the Central Okanagan Foundation:

(a) Community Social Development Grants:	
Community Action Towards Children's Health	\$3,500.00
Interior Alzheimer Society	\$5,000.00
Poverty and Homelessness Action Team	\$4,500.00
Inn from the Cold	\$8,081.00
Brain Trust Canada Association	\$4,000.00
Western Institute for the Deaf and Hard of Hearing – Kelowna Branch	\$5,000.00
Kelowna Community Food Bank	\$9,000.00
Seniors Outreach Services Society	\$6,500.00
Kelowna Women's Resource Centre	\$4,144.00
Okanagan Mobility Solutions 2006 Society	\$2,000.00
Canadian Mental Health Association Kelowna & District Branch	\$3,175.00
The Bridge Youth and Family Services Society	\$8,000.00

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Alzheimer Society of BC	\$3,500.00
Okanagan Suicide Awareness Society	\$2,400.00
Kelowna Family Services Centre Society	\$7,200.00
PLAN Okanagan	\$4,000.00

(b) Sexual Exploitation of Youth:	
CASEY – Community Against the Sexual Exploitation of Youth	\$7,000.00
Central Okanagan Elizabeth Fry Society	\$5,000.00
YMCA-YWCA	\$5,000.00
NOW Canada Society	\$5,000.00

Carried

3.2 Arts Council of the Central Okanagan re: 2009 City of Kelowna Arts Funding Grant Applications

Elke Lange, Executive Director, Arts Council of the Central Okanagan:

- Advised that this week is Arts & Culture Week in British Columbia.
- Gave a presentation to Council regarding the 2009 City of Kelowna Arts funding grant applications.

Moved by Councillor Rule/Seconded by Councillor Stack

R470/09/04/20 THAT Council approves the following funding applications as recommended by the Arts Council of the Central Okanagan:

Chamber Music Kelowna Society	\$ 7,000.00
Cool Arts Society	\$ 4,000.00
Kelowna Calligraphers Guild	\$ 500.00
Kelowna City Concert Band Society	\$ 5,000.00
Kelowna Folk Club	\$ 3,500.00
Kelowna International Choir	\$ 500.00
Kelowna Sculptors Network Society.	\$ 3,000.00
Kiwanis Music Festival Society of Kelowna	\$ 7,500.00
Okanagan Choral Society	\$ 1,000.00
Okanagan Festival Singers Association	\$ 5,000.00
Okanagan Film Festival Society	\$ 4,500.00
Okanagan Jazz & Blues Society	\$ 4,000.00
Ponderosa Spinners, Weavers & Fibre Artists Guild	\$ 1,000.00
Theatre Kelowna Society	\$13,500.00
Viva Musica Society	\$17,000.00

AND THAT Council approve additional funding in the amount of \$3,000 to the Arts Council of the Central Okanagan for operating costs as outlined in the Memorandum of Understanding between the City of Kelowna and the Arts Council of the Central Okanagan dated December 8, 2008.

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4. UNFINISHED BUSINESS

- 4.1 Community Sustainability Division, dated March 13, 2009, re: Agricultural Land Reserve Appeal Application No. A08-0012 – Al Stober Construction Ltd., Ermar Estates Ltd., E & I Developments Ltd. & Jabs Developments Ltd. (Al Stober Construction Ltd.) – 2045 Summit Drive – Mayor to invite the Applicant or the Applicant’s Representative to come forward.

Mayor Shepherd invited the Applicant or the Applicant’s Representative to come forward, followed by comments of Council.

Councillor Stack declared a conflict of interest as he has an indirect relationship with the applicant and left the meeting at 1:59 p.m.

Councillor Hobson declared a conflict of interest as has acted as an agent for the property owners and left the meeting at 1:59 p.m.

Gerry Tonn, Applicant’s Representative:

- Provided a chronology of the history of this property and Council’s previous direction to staff.
- Believes that the Agricultural Plan adopted for this property needs to be read in conjunction with the Official Community Plan.
- Believes that the City did make a commitment with respect to the urban residential use of this property.
- Provided details with respect to how the applicant will be addressing the Agricultural Land Commission with respect to the request for exclusion.

Moved by Councillor Given/Seconded by Councillor Blanleil

R471/09/04/20 THAT Agricultural Land Reserve Appeal No. A08-0012 for Lot C, Section 28, Township 26, O.D.Y.D., KAP 62558, located on Summit Road, Kelowna, B.C. for a subdivision within the Agricultural Land Reserve, pursuant to Section 30(1) of the *Agricultural Land Commission Act*, be supported by Municipal Council;

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

Carried
Councillors Hodge, Reid and Rule – Opposed.

- 4.2 Community Sustainability Division, dated April 9, 2009, re: Development Permit Application No. DP08-0201 – C & H Properties Inc. (Templar Architecture) – 645 Highway 33 West

Councillors Hobson and Stack rejoined the meeting at 2:56 p.m.

Moved by Councillor Reid/Seconded by Councillor Hodge

R472/09/04/20 THAT the Council authorize the issuance of Development Permit No. DP08-0201 for Lot A, Sec. 22, Twp. 26, ODYD, Plan KAP65621, located at 645 Highway 33 West, 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";

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- 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 be required to satisfy the Works & Utilities department's requirements prior to issuance of the Development Permit.

AND THAT Council direct staff to ask the applicant to consider erecting "anti-idling" signage at the entrance to the drive-thru;

AND FURTHER THAT the applicant be required to complete the above-noted condition No. 4 within 180 days of Council approval of the development permit application in order for the permit to be issued;

Carried

5. DEVELOPMENT APPLICATION REPORTS

- 5.1 Community Sustainability Division, dated April 9, 2009, re: Rezoning Application No. Z08-0098 – 51561 BC Ltd. (Arthur Razzini) – 425 Leon Avenue

Moved by Councillor Blanleil/Seconded by Councillor Given

R473/09/04/20 THAT Council hear from the Applicant, or the Applicant's Representative. with respect to Rezoning Application No. Z08-0098 with respect to 425 Leon Avenue.

Carried

Arthur Razzini, Applicant:

- Advised that this proposal is not a "nightclub" but really a "lounge" type atmosphere.
- Provided further details with respect to the Statement of Proposal that was provided with the Council Report.
- Advised that the majority of the businesses in the area expressed their support for this application.
- The real estate agent has advised that there is a tenant that is showing an interest in occupying the large main floor of the building.
- Advised that he will be targeting an older market when promoting this establishment.
- Confirmed that he is willing to install a kitchen in the future so that food can be served in the establishment.
- Advised that the landlord is prepared to repaint the outside of the building and re-erect the awnings.

Staff:

- Confirmed that any façade improvements would be dealt with through a direct Development Permit.

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R474/09/04/20 THAT Rezoning Application No. Z08-0098 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Strata Lot 2, District Lot 139, ODYD, Strata Plan K668, located at 425 Leon Avenue (tenant address), Kelowna BC, from the C7 – Central Business Commercial zone to the C7LP – Central Business Commercial (Liquor Primary) zone be considered by Council;

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

Carried
Councillors Rule and Stack – Opposed.

5.2 Community Sustainability Division, dated March 26, 2009, re: Rezoning Application No. Z09-0002 – Jaskaran Kaur Kandola (Axel Hilmer) – 446 Dell Road (BL 10179)

(a) Community Sustainability Division report dated March 26, 2009.

Moved by Councillor Rule/Seconded by Councillor Hobson

R475/09/04/20 THAT Rezoning Application No. Z09-0002 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 23, Township 26, O.D.Y.D., Plan KAP87488, located on Dell Road, Kelowna, B.C. from the RU1 – Large Lot Housing Zone 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.

Carried

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

Bylaw No. 10179 (Z09-0002) – Jaskaran Kaur Kandola (Axel Hilmer) – 446 Dell Road

Moved by Councillor James/Seconded by Councillor Rule

R476/09/04/20 THAT Bylaw No. 10179 be read a first time.

Carried

5.3 Community Sustainability Division, dated March 31, 2009, re: Rezoning Application No. Z09-0016 – 696617 BC Ltd. (Ken & Barb Redlick) – 1310 Tanemura Crescent (BL10181)

(a) Community Sustainability Division report dated March 31, 2009.

Moved by Councillor Hobson/Seconded by Councillor Stack

R477/09/04/20 THAT Rezoning Application No. Z09-0016 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8, Section 13, Township 26, O.D.Y.D., Plan KAP855143, located on Tanemura Crescent, Kelowna, B.C. from the RU1 Large Lot Housing to the RU1(s) Large Lot Housing with a Secondary Suite zone be considered by Council;

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

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

Bylaw No. 10181 (Z09-0016) – 696617 BC Ltd. (Ken & Barb Redlick) – 1310 Tanemura Crescent

Moved by Councillor Stack/Seconded by Councillor James**R478/09/04/20** THAT Bylaw No. 10181 be read a first time.Carried

- 5.4 Community Sustainability Division, dated March 23, 2009, re: Rezoning Application No. Z08-0032 – Parminder S. Hans (Protech Consultants Ltd.) – 890 Kitch Road

Moved by Councillor Hodge/Seconded by Councillor Rule

R479/09/04/20 THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 10017 (Z08-0032) (Protech Consultants Ltd) – Lot 14 Section 22 Township 26 Osoyoos Division Yale District Plan 19576, located at 890 Kitch Road, Kelowna, B.C. to be rezoned from the RU1 – Large Lot Housing Zone to the RU6 – Two Dwelling Housing Zone be extended from January 8, 2009 to July 8, 2009.

Carried

- 5.5 Community Sustainability Division, dated April 9, 2009 re: Official Community Plan Bylaw Amendment Application No. OCP09-0005 and Rezoning Application No. Z09-0015 – Dorion Developments Ltd. (CEI Architecture) – 565, 591, 615, 641, 657 & 683 Osprey Avenue, 564, 594, 616, 636 & 656 Raymer Avenue and 2764 Richter Street (BL10185 & BL10186)

- (a) Community Sustainability Division report dated April 9, 2009.

Moved by Councillor Stack/Seconded by Councillor Blanleil

R480/09/04/20 THAT OCP Bylaw Amendment No. OCP09-0005 to amend Map 19.1 of the *Kelowna 2020 – Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Lot 35, D.L. 14, ODYD, Plan 3769, located at 564 Raymer Avenue, Lot 34, D.L. 14, ODYD, Plan 3769, located at 594 Raymer Avenue, Lot 33, D.L. 14, ODYD, Plan 3769, located at 616 Raymer Avenue, Lot 32, D.L. 14, ODYD, Plan 3769, located at 636 Raymer Avenue, Lot 31, D.L. 14, ODYD, Plan 3769, located at 656 Raymer Avenue, Lot 30, D.L. 14, ODYD, Plan 3769, located at 2764 Richter Street, Lot 29, D.L. 14, ODYD, Plan 3769, located at 683 Osprey Avenue, Lot 28, D.L. 14, ODYD, Plan 3769, located at 657 Osprey Avenue, Lot 27, D.L. 14, ODYD, Plan 3769, located at 641 Osprey Avenue, Lot 26, D.L. 14, ODYD, Plan 3769, located at 615 Osprey Avenue, Lot 25, D.L. 14, ODYD, Plan 3769, located at 591 Osprey Avenue, Lot 24, D.L. 14, ODYD, Plan 3769, located at 565 Osprey Avenue, Kelowna, B.C. from the Multiple Unit Residential - Medium Density designation to the Commercial designation, as shown on Map “A” attached to the report of the Planning &

Development Services Department, dated April 9, 2009, be considered by Council;

AND 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 April 9, 2009;

AND THAT Rezoning Application No. Z09-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 35, D.L. 14, ODYD, Plan 3769, located at 564 Raymer Avenue, Lot 34, D.L. 14, ODYD, Plan 3769, located at 594 Raymer Avenue, Lot 33, D.L. 14, ODYD, Plan 3769, located at 616 Raymer Avenue, Lot 32, D.L. 14, ODYD, Plan 3769, located at 636 Raymer Avenue, Lot 31, D.L. 14, ODYD, Plan 3769, located at 656 Raymer Avenue, Lot 30, D.L. 14, ODYD, Plan 3769, located at 2764 Richter Street, Lot 29, D.L. 14, ODYD, Plan 3769, located at 683 Osprey Avenue, Lot 28, D.L. 14, ODYD, Plan 3769, located at 657 Osprey Avenue, Lot 27, D.L. 14, ODYD, Plan 3769, located at 641 Osprey Avenue, Lot 26, D.L. 14, ODYD, Plan 3769, located at 615 Osprey Avenue, Lot 25, D.L. 14, ODYD, Plan 3769, located at 591 Osprey Avenue, Lot 24, D.L. 14, ODYD, Plan 3769, located at 565 Osprey Avenue, Kelowna, B.C. from RU6 – Two Dwelling Housing to the C4 – Urban Centre Commercial Zone be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP09-0005 bylaw and 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 registration of a plan of subdivision to consolidate the properties into one title;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the lane closure and the registration of the public access Right of Way;

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

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Fire Department, Development Engineering Branch and the Building and Permitting Department being completed to their satisfaction.

Carried

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

- (i) Bylaw No. 10185 (OCP09-0005) – Dorion Developments Ltd. (CEI Architecture) - 565, 591, 615, 641, 657 & 683 Osprey Avenue, 564, 594, 616, 636 & 656 Raymer Avenue and 2764 Richter Street – **Requires a majority of all Members of Council.**

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Moved by Councillor Hodge/Seconded by Councillor Rule

R481/09/04/20 THAT Bylaw No. 10185 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

- (ii) Bylaw No. 10186 (Z09-0015) - Dorion Developments Ltd. (CEI Architecture) - 565, 591, 615, 641, 657 & 683 Osprey Avenue, 564, 594, 616, 636 & 656 Raymer Avenue and 2764 Richter Street

Moved by Councillor Hodge/Seconded by Councillor Rule

R482/09/04/20 THAT Bylaw No. 10186 be read a first time.

Carried

6. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

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

Moved by Councillor Rule/Seconded by Councillor Hodge

R483/09/04/20 THAT Bylaw No. 10066 be adopted.

Carried

7. NON-DEVELOPMENT APPLICATION REPORTS

- 7.1 Chief Building Official, dated March 20, 2009, re: Notice on Title – Section 57 of the Community Charter – 2219 Mayer Road, Kelowna, BC – Mayor to invite the Registered Owner to come forward.

Staff:

- Provided details with respect to the bylaw and building code infractions.

Mayor Shepherd invited the Registered Owner to come forward, followed by comments of Council.

Silverado Mercedes, Registered Co-Owner of 2219 Mayer Road:

- Just recently purchased a 50% interest in the subject property.
- Is willing to work with City staff with respect to the bylaw and building code infractions.

Moved by Councillor Stack/Seconded by Councillor Rule

R484/09/04/20 THAT Council authorize the City Clerk to file a Notice in the Land Title Office against Lot 1 Plan 31979 as permitted by Section 57 of the Community Charter, regarding the outstanding Building and Plumbing infractions and contravention of City of Kelowna Bylaws.

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

Be it resolved that:

Council confirms the recommendations of the Chief Building Official 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 31979 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

- 7.2 Chief Building Official, dated March 16, 2009, re: Notice of Title – Section 57 of the Community Charter – 1460 Graham Road, Kelowna, BC – Mayor to invite the Registered Owner to come forward.

Staff:

- Provided details with respect to the bylaw and building code infractions.

Mayor Shepherd invited the Registered Owner to come forward, followed by comments of Council.

Silverado Mercedes, Registered Co-Owner of 2219 Mayer Road:

- Just recently purchased a 50% interest in the subject property.
- Is willing to work with City staff with respect to the bylaw and building code infractions.

Moved by Councillor Hobson/Seconded by Councillor Stack

R485/09/04/20 THAT Council authorize the City Clerk to file a Notice in the Land Title Office against Lot 8 Plan 11186 as permitted by Section 57 of the Community Charter, regarding the outstanding Building and Plumbing infractions and contravention of City of Kelowna Bylaws.

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

Be it resolved that:

Council confirms the recommendations of the Chief Building Official 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 8 Plan 11186 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

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7.3 General Manager, Community Services, dated April 14, 2009, re: Water Improvement District Request for Grant Funding Support

Staff:

- Provided an update to Council with respect the Water Improvement District's request for grant funding support.

Councillor Hobson left the meeting at 4:44 pm.

Moved by Councillor James/Seconded by Councillor Hodge

R486/09/04/20 THAT Council consider all water capital projects identified as "Required to Remove All Boil Water Notice" for future federal/provincial grant opportunities that may arise subject to the water purveyor's support and participation in a water governance review;

AND THAT Council award to Associated Engineering the Stage 1 and Stage 2 City-wide Master Water Plan at a cost of \$ 112,995;

AND THAT Council approves funding for this plan from the Partnership Reserve and amend the 2009 Financial Plan to incorporate this study;

AND THAT Council supports consideration of the balance of the water improvement projects subject to the outcome of the City-wide Master Water Plan and participation of those Improvement Districts in the governance review;

AND FURTHER THAT Council direct staff to work with the Ministry of Community Development, as well as receive input from the City of Kelowna's water purveyors, in order to develop a proposal for a city wide water governance study and report back to Council.

Carried

7.4 Director, Infrastructure Planning, dated April 15, 2009, re: Reuse of Okanagan Lake Bridge pontoons as Breakwater & Future Public Pier

Staff:

- Advised that a pontoon is 50 feet wide x 200 feet long.

Moved by Councillor Blanleil/Seconded by Councillor Stack

R487/09/04/20 THAT Council give approval in principle to the adaptive reuse of the salvaged Okanagan Lake Bridge pontoons as a breakwater and a future public pier/marina in the general location shown in Annex 1;

AND THAT Council direct staff to pursue required applications with the BC Integrated Land Management Bureau, the BC Ministry of Environment, the Federal Department of Fisheries and Oceans, and the Federal Ministry of Transport for this project;

AND THAT Council authorize the Mayor to sign a letter referencing Council's support as an attachment to the various applications;

AND THAT Council approve a budget of \$35,000, transferred from the "Building Replacement Planning 2009" capital budget for engineering studies required for the applications, due diligence on SNC-Lavalin's engineering proposals, and to support public input processes;

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AND THAT Council direct staff to engage the City's solicitor to work with SNC-Lavalin on a Memorandum of Agreement for the transfer of the pontoons from SNC-Lavalin to the City for Council consideration;

AND THAT Council direct staff to create opportunities for dialogue with the public regarding this proposal and report back to Council;

AND FURTHER THAT staff return to Council in mid-May 2009 with final recommendations.

Carried

7.5 Airport Director, dated April 15, 2009, re: Design and Construction of Large Vehicle Storage Facility (T09-008) – Kelowna International Airport

Moved by Councillor Blanleil/Seconded by Councillor Given

R488/09/04/20 THAT Council receive the report of the Airport Director dated April 15, 2009;

AND THAT Council authorize the City to enter into a contract with Cormode & Dickson in the amount of \$846,017 (excluding GST) for design and construction of a Large Vehicle Storage Facility at the Kelowna International Airport;

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

Carried

7.6 Transportation Services Manager, dated April 7, 2009, re: Award of Tender – (4) Wheel Loaders

Moved by Councillor Given/Seconded by Councillor Stack

R489/09/04/20 THAT Council receive, for information, the report of the Transportation Services Manager dated April 7, 2009 with respect to awarding the tender for the purchase of (4) wheel loaders;

AND THAT Council approve awarding the tender to supply the (4) wheel loaders to the lowest bidder meeting specifications, SMS Equipment Inc.

Carried

7.7 Director, Design and Construction Services, dated April 9, 2009, re: Award of 2009 Cold Milling and Asphalt Paving Contract T09-025

Moved by Councillor James/Seconded by Councillor Hodge

R490/09/04/20 THAT Council award the Contract for Cold Milling and Asphalt Paving 2009 to, Emil Anderson Construction (EAC) Inc., for the amount of \$ 1,089,193.25 (ONE MILLION EIGHTY NINE THOUSAND ONE HUNDRED NINETY THREE Dollars and Twenty Five Cents) including GST; AND

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THAT the Mayor and City Clerk be authorized to execute the Contract on behalf of the City.

Carried

- 7.8 Revenue Manager, dated April 20, 2009, re: Bylaw to Charge the 2009 Sterile Insect Release (SIR) Parcel Tax to Specific Property Tax Rolls

Moved by Councillor Hodge/Seconded by Councillor James

R491/09/04/20 THAT the Sterile Insect Release Program Parcel Tax Bylaw No. 10178 charging the 2009 Sterile Insect Release (SIR) Parcel Tax to individual property tax rolls in accordance with the 2009 SIR Parcel Tax Assessment Roll provided to the City of Kelowna by the Regional District of North Okanagan, be advanced to Council for consideration.

Carried

Councillor Blanleil – Opposed.

- 7.9 Community Planning Manager, dated April 14, 2009, re: Ownership Housing Agreements

Staff:

- Provided details regarding the changes that were requested by CHMC.

Moved by Councillor Stack/Seconded by Councillor Rule

R492/09/04/20 THAT Council direct staff to use the template attached (See Appendix 1) to the April 14, 2009 report from the Community Sustainability Division as the basis for future ownership housing agreements;

AND THAT Council rescind Housing Agreement Bylaws No. 9838 and 9850;

AND FURTHER THAT Council give reading consideration to Housing Agreement Bylaws No. 10182 and 10183.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 8.1 Bylaw No. 10178 – Sterile Insect Release Program Parcel Tax Bylaw 2009

Moved by Councillor Blanleil/Seconded by Councillor Reid

R493/09/04/20 THAT Bylaw No. 10178 be read a first, second and third time.

Carried

- 8.2 Bylaw No. 10182 – Housing Agreement Authorization Bylaw – Rohit Communities Kelowna Ltd. – 151 Taylor Road

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Moved by Councillor Blanleil/Seconded by Councillor Reid

R494/09/04/20 THAT Bylaw No. 10182 be read a first, second and third time.

Carried

8.3 Bylaw No. 10183 – Housing Agreement Authorization Bylaw – Mode Properties Ltd. – 1550 Dickson Avenue

Moved by Councillor Blanleil/Seconded by Councillor Reid

R495/09/04/20 THAT Bylaw No. 10183 be read a first, second and third time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

8.4 Bylaw No. 10088 – Road Closure Bylaw – Portion of Boyce Crescent and Water Street – **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.

Moved by Councillor Reid/Seconded by Councillor Blanleil

R496/09/04/20 THAT Bylaw No. 10088 be adopted.

Carried

8.5 Bylaw No. 10173 – Road Name Change Bylaw – Renaming Sections of Paret Road and Stoneybrook Road to Gordon Drive

Moved by Councillor Stack/Seconded by Councillor Hodge

R497/09/04/20 THAT Bylaw No. 10173 be adopted.

Carried

8.6 Bylaw No. 10174 – Road Name Change Bylaw – Renaming Sections of Glenmore Road to Snowsell Street

Moved by Councillor Stack/Seconded by Councillor James

R498/09/04/20 THAT Bylaw No. 10174 be adopted.

Carried

9. MAYOR & COUNCILLOR ITEMS

9.1 Mayor Shepherd, re: “Spirit of Kelowna” Acknowledgment

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Mayor Shepherd:

- Acknowledged the Kelowna Italian-Canadian Club as the latest recipient of the Spirit of Kelowna Acknowledgment for their recent fund raising efforts to help the victims of the recent earthquake in Italy.

10. TERMINATION

The meeting was declared terminated at 5:44 p.m.

Certified Correct:

Mayor

City Clerk

SLH/dld