

Regular Meeting – P.M.

November 9, 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, November 9th, 2009.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, 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; Manager, Urban Land Use, Danielle Noble*; Manager, Property Management, Ron Forbes*; Director, Recreation & Cultural Services, Jim Gabriel*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

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

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

Mayor Shepherd advised that the Item 4.3 on the Agenda has been withdrawn by staff pending receipt of further information.

3. Presentation of the 2009 FortisBC Powersense Conservation Excellence Award to the City of Kelowna H₂O Adventure & Fitness Centre in recognition of the outstanding achievement in energy efficiency through sustainable choices and innovative projects.

Mayor Shepherd:

- Advised that the appropriate staff are not available and therefore the presentation of the award will be postponed to a later date.

4. DEVELOPMENT APPLICATION REPORTS

4.1 Community Sustainability Division, dated October 30, 2009, re: Rezoning Application No. Z09-0055 - Arnaldo & Norberta Magsajo - 1294 Black Mountain Crescent

(a) Community Sustainability Division report dated October 30, 2009.

Moved by Councillor Rule/Seconded by Councillor Hodge

R1055/09/11/09 THAT Rezoning Application No. Z09-0055 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 18, Township 27, ODYD, Plan KAP82430, located at 1294 Black Mountain Crescent, Kelowna, B.C. from the 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.

Regular Meeting - P.M.November 9, 2009

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. 10259 (Z09-0055) - Arnaldo & Norberta Magsajo - 1294 Black Mountain Crescent

Moved by Councillor Hodge/Seconded by Councillor JamesR1056/09/11/09 THAT Bylaw No. 10259 be read a first time.Carried

4.2 Community Sustainability Division, dated October 29, 2009, re: Rezoning Application No. Z09-0052 - Gerald & Susan Lord - 235 Gibbs Road West

(a) Community Sustainability Division report dated October 29, 2009.

Moved by Councillor Stack/Seconded by Councillor Rule

R1057/09/11/09 THAT Rezoning Application No. Z09-0052 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 11, Section 26, Township 26, ODYD, Plan 12452, located at Gibbs Road west, Kelowna, BC, from the RU1 - Large Lot Housing zone to the RU1(s) Large Lot Housing with a 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 Permit and Development Variance Permit on the subject property.

Carried(b) BYLAW PRESENTED FOR FIRST READING

Bylaw No. 10260 (Z09-0052) - Gerald & Susan Lord - 235 Gibbs Road West

Moved by Councillor Rule/Seconded by Councillor HodgeR1058/09/11/09 THAT Bylaw No. 10260 be read a first time.Carried

Regular Meeting - P.M.

November 9, 2009

- 4.3 Community Sustainability Division, dated October 28, 2009, re: Land Use Contract Application No. LUC09-0001 and Rezoning Application No. Z08-0113 - Thomas & Marlene Tobin - 7850 Highway 97 North

- (a) Community Sustainability Division report dated October 28, 2009.

Item 4.3(a) was withdrawn by staff.

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

- (i) Bylaw No. 10261 (LUC09-0001) - Thomas & Marlene Tobin - 7850 Highway 97 North

Item 4.3(b)(i) was withdrawn by staff.

- (ii) Bylaw No. 10262 (Z08-0113) - Thomas & Marlene Tobin - 7850 Highway 97 North

Item 4.3(b)(ii) was withdrawn by staff.

5. **NON-DEVELOPMENT APPLICATION REPORTS**

- 5.1 Director, Recreation & Cultural Services, dated November 3, 2009, re: Grant-in-Aid Request - 2009 Veterans Dinner

Moved by Councillor Rule/Seconded by Councillor Hodge

R1059/09/11/09 THAT Council authorize a Grant-In-Aid to the Royal Canadian Legion Branch No. 26 for \$705.08 to cover the rental charges at Parkinson Recreation Centre for their July 14, 2009, Veterans Dinner;

AND THAT the Grant-In-Aid be funded from the Council contingency;

AND FURTHER THAT Council considers an annual budget allocation for the Royal Canadian Legion Branch No. 26 to cover the rental charges at Parkinson Recreation Centre for their annual Veterans Dinner.

Carried

- 5.2 Director, Real Estate & Building Services, dated November 4, 2009, re: Capri Mall Office Renewal

Moved by Councillor Rule/Seconded by Councillor Reid

R1060/09/11/09 THAT City Council approves a two (2) year renewal of a commercial lease with Prospero Properties Ltd. for Unit 133 - 1835 Gordon Drive, at the Capri Mall;

AND FURTHER THAT the Mayor and City Clerk be authorized to sign the lease based on the attached business terms.

Carried

Regular Meeting - P.M.November 9, 20096. RESOLUTIONS6.1 City Clerk, Draft Resolution, re: 2010 Council Meeting ScheduleMoved by Councillor Hodge/Seconded by Councillor RuleR1061/09/11/09 THAT the 2010 Council Meeting Schedule be adopted as follows:Monday Regular Meetings

January 11, 18 and 25
 February 1, 8, 15 and 22
 March 1, 8, 15, 22 and 29
 April 12, 19 and 26
 May 3, 10 and 17
 June 7, 14, 21 and 28
 July 12 and 26
 August 9 and 23
 September 13 and 20
 October 4, 18 and 25
 November 1, 8, 15, 22 and 29
 December 6 and 13

Public Hearing/Regular Meetings

January 12 and 26
 February 9 and 23
 March 9 and 23
 April 6 and 20
 May 4 and 18
 June 1, 15 and 29
 July 13 and 27
 August 10 and 24
 September 7 and 21
 October 5 and 19
 November 2, 16 and 30
 December 14

Carried7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)(BYLAWS PRESENTED FOR FIRST THREE READINGS)7.1 Bylaw No. 10263 - Amendment No. 6 to Heritage Procedures Bylaw No. 7776Moved by Councillor Stack/Seconded by Councillor HobsonR1062/09/11/09 THAT Bylaw No. 10263 be read a first, second and third time.Carried(BYLAWS PRESENTED FOR ADOPTION)7.2 Bylaw No. 10251 - Road Closure Bylaw - McKay Avenue - **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. No one came forward.

Moved by Councillor Stack/Seconded by Councillor ReidR1063/09/11/09 THAT Bylaw No. 10251 be adopted.Carried

Regular Meeting – P.M.November 9, 20098. MAYOR & COUNCILLOR ITEMS8.1 Mayor Shepherd, re: “Spirit of Kelowna” Acknowledgment

Mayor Shepherd:

- Advised that Mary Cardiff is the latest recipient of the “Spirit of Kelowna” Acknowledgment.

Moved by Councillor Hodge/Seconded by Councillor Rule

R1064/09/11/09 THAT Council authorize funding, from Council Contingency, to the Royal Canadian Legion Branch No. 26 to cover the rental charges at the Parkinson Recreation Centre for their Remembrance Day (November 11, 2009) celebration;

AND THAT Council considers an annual budget allocation for the Royal Canadian Legion Branch No. 26 to cover the rental charges at Parkinson Recreation Centre for their annual Remembrance Day celebrations.

Carried

Councillor Reid:

- Advised that the City is hosting a District Energy Open House tomorrow at the Wastewater Treatment Plant.

Councillor Stack:

- Advised that the Kelowna-Kasugai Sister City Association is hosting a fund raising dinner entitled “A Taste of Japan” at the Water Street Senior Centre on Sunday, November 22, 2009 from 1:00 pm to 4:00 pm.

Mayor Shepherd:

- Recognized Sandra Kochan for her contribution of to the Arts in Community plan discussion.
- Advised that the ground breaking ceremony for the NOW Canada site on Tutt Street is tomorrow.

10. TERMINATION

The meeting was declared terminated at 1:57 p.m.

Certified Correct:_____
Mayor_____
City Clerk

SLH/dld