

Regular Meeting – P.M.

May 2, 2011

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, May 2<sup>nd</sup>, 2011.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Kevin Craig, Robert Hobson, Charlie Hodge, Graeme James, Angela Reid-Nagy, Michele Rule and Luke Stack.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; General Manager, Corporate Sustainability, Paul Macklem\*; Director, Land Use Management, Shelley Gambacort\*; Fire Chief, Jeff Carlisle\*; Director, Financial Services, Keith Grayston\*; Manager, Financial Planning, Angie Thiessen\*; Assistant Fire Chief, Jason Brolund\*; Manager, Electrical Administration, Cindy McNeely\*; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:36 p.m.

Mayor Shepherd advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Councillor Blanleil is requested to check the minutes of the meeting.

Mayor Shepherd asked that Council take a moment of silence in memory of Reverend Albert Baldeo.

3. PUBLIC IN ATTENDANCE

- 3.1 Leigha Horsfield, BA CCDP, Business Services Coordinator, Community Futures North Okanagan, re: Our Okanagan

Leigha Horsfield, BA CCDP, Business Services Coordinator, Community Futures North Okanagan:

- Gave a presentation regarding "Our Okanagan".
- "Our Okanagan" is an online tool developed to address identified challenges by connecting those looking for a local product or service with those that can provide them.

Moved by Councillor Stack/Seconded by Councillor James

R438/11/05/02 THAT Council receives, for information, the presentation from the Community Futures North Okanagan dated May 2, 2011 with respect to "Our Okanagan";

AND THAT Council directs staff to consider how the City of Kelowna can support "Our Okanagan" as outlined in the presentation and report back to Council for further consideration.

Carried

Regular Meeting – P.M.May 2, 20114. DEVELOPMENT APPLICATION REPORTS

4.1 Land Use Management Department, dated April 15, 2011, re: Rezoning Application No. Z10-0103 – T & A Synergy Enterprises Ltd. (Worman Commercial) – 1810-1824 Gordon Drive

(a) Land Use Management Department report dated April 15, 2011.

Moved by Councillor Hobson/Seconded by Councillor Hodge

R439/11/05/02 THAT first, second and third readings of Bylaw No. 10503 be rescinded;

AND THAT Rezoning Application No. Z10-0103 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot A, District Lot 138, ODYD, Plan KAP73230, located at 1810-1824 Gordon Drive, Kelowna, BC from the C9 – Tourist Commercial zone to the C4 – Urban Centre Commercial 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 Development Engineering Branch and Fortis BC being completed to their satisfaction;

AND FURTHER THAT final adoption of 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 RESCINDMENT AT THIRD READING

Bylaw No. 10503 (Z10-0103) – T & A Synergy Enterprises Ltd. (Worman Commercial) – 1810-1824 Gordon Drive

Moved by Councillor Hodge/Seconded by Councillor Rule

R440/11/05/02 THAT first, second and third readings given to Bylaw No. 10503 be rescinded.

Carried

(c) BYLAW PRESENTED FOR FIRST READING

Bylaw No. 10533 (Z10-0103) – T & A Synergy Enterprises Ltd. (Worman Commercial) – 1810-1824 Gordon Drive

Moved by Councillor Hodge/Seconded by Councillor Rule

R441/11/05/02 THAT Bylaw No. 10533 be read a first time.

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- 4.2 Land Use Management Department, dated April 13, 2011, re: Rezoning Application No. Z11-0010 - Dwayne & Gayle Forster (Axel Hilmer) - 914 Kennedy Street

(a) Land Use Management Department report dated April 13, 2011.

Moved by Councillor James/Seconded by Councillor Hodge

**R442/11/05/02** THAT Rezoning Application No. Z11-0010 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 1, Section 29, Township 26, ODYD Plan 15423, located on Kennedy Street, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone, be considered by Council;

AND THAT Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT a building permit for the suite be applied for prior to final adoption of the zone;

AND THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

Carried

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

Bylaw No. 10534 (Z11-0010) - Dwayne & Gayle Forster (Axel Hilmer) - 914 Kennedy Street

Moved by Councillor Rule/Seconded by Councillor Hodge

**R443/11/05/02** THAT Bylaw No. 10534 be read a first time.

Carried

- 4.3 Land Use Management Department, dated April 13, 2011, re: Rezoning Application No. Z10-0038 - Norman & Michael Major - 5500 McCulloch Road

(a) Land Use Management Department report dated April 13, 2011.

Moved by Councillor Craig/Seconded by Councillor Hodge

**R444/11/05/02** THAT Rezoning Application No. Z10-0038 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot B, Section 6, Township 27, ODYD, Plan KAP50962, located at McCulloch Road, Kelowna, BC, from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with a secondary suite zone to construct a secondary suite within an accessory building be considered by Council;

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

AND THAT a building permit for the suite be applied for prior to final adoption of the zone;

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AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of Interior Health, South East Kelowna Irrigation District, and Environmental Land Use Branch being completed to their satisfaction.

Carried

(b) BYLAW PRESENTED FOR FIRST READING

Bylaw No. 10535 (Z10-0038) - Norman and Michael Major - 5500 McCulloch Road

Moved by Councillor James/Seconded by Councillor Craig

R445/11/05/02 THAT Bylaw No. 10535 be read a first time.

Carried

- 4.4 Land Use Management Department, dated April 8, 2011 re: Rezoning Application No. Z10-0013 - Terry Oxley (Terry Oxley & Maria Borsato) - 546 McWilliams Road

Moved by Councillor Stack/Seconded by Councillor Craig

R446/11/05/02 THAT in accordance with Development Application Procedures Bylaw No. 8140, the deadline for the adoption of Zone Amending Bylaw No10325 (Z10-0013, Terry Oxley & Maria Borsato 546 McWilliams Road), be extended from May 18, 2011 to November 18, 2011.

Carried

- 4.5 Land Use Management Department, dated April 13, 2011, re: Rezoning Application No. Z10-0018 - Sarabjit & Kuldip Buttar - 729 Renshaw Road

Moved by Councillor James/Seconded by Councillor Stack

R447/11/05/02 THAT in accordance with Development Application Procedures Bylaw No. 8140, the deadline for the adoption of Zone Amending Bylaw No10330 (Z10-0018, Sarabjit & Kuldip Buttar (Axel Hilmer) 729 Renshaw Road), be extended from May 18, 2011 to November 18, 2011.

Carried

- 4.6 Land Use Management Department, dated April 19, 2011, re: Rezoning Application No. Z09-0023 - Bhupinder & Raj Dhanwant (Bob Dhanwant) - 410 Hartman Road

Moved by Councillor Hodge/Seconded by Councillor Reid-Nagy

R448/11/05/02 THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 10257 (Z09-0023, 410 Hartman Road, B. Dhanwant) be extended from December 1, 2010 to June 1, 2011.

Carried

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5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 5.1 Bylaw No. 10317 (Z10-0003) - Wayne & Laurie Deleurme (Wayne Deleurme) - 340 Moubray Road

Moved by Councillor Craig/Seconded by Councillor James

R449/11/05/02 THAT Bylaw No. 10317 be adopted.

Carried

- 5.2 Bylaw No. 10489 (Z11-0001) - Peter & Marie Baigent (Manzanita Homes Inc.) - 433 West Avenue

Moved by Councillor James/Seconded by Councillor Craig

R450/11/05/02 THAT Bylaw No. 10489 be adopted.

Carried

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 City Manager, dated April 27, 2011, re: 2011 Financial Plan - Final Budget

Staff:

- Gave a presentation with respect to the 2011 Financial Plan - Final Budget.
- Advised that the presentation that was submitted to Council has been revised to include the school tax levy.
- Reviewed the Final Budget Requests.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R451/11/05/02 THAT Council directs the Audit Committee to review the ongoing financial assumptions made with respect to the City's Financial Plan and report back to Council with any recommendations.

Carried

Moved by Councillor Hobson/Seconded by Councillor Stack

R452/11/05/02 THAT Council adopts the 2011-2015 Financial Plan;

AND THAT Council approves the formulation of 2011 Property Tax Rates that will raise the required funds in 2011, from General Taxation, in the amount of \$96,759,000, resulting in an average net property owner impact of 2.47%;

AND FURTHER THAT Bylaw No. 10528 to adopt the 2011-2015 Financial Plan, Bylaw Nos. 10529 & 10530 for the 2011 Tax Rates and Bylaw Nos. 10531 & 10532 for the Reserve Fund Expenditures be advanced for reading consideration by Council.

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- 6.2 Fire Chief, dated April 20, 2011, re: Fire Department Enhanced Practices – Financial Impacts

Moved by Councillor Hobson/Seconded by Councillor Hodge

R453/11/05/02 THAT Council receives for information the report of the Fire Chief regarding the financial impact and implementation of Fire Department Enhanced Practices.

Carried

- 6.3 Assistant Fire Chief, dated April 19, 2011, re: Emergency Preparedness Week – May 1-7, 2011

Staff:

- Gave a presentation with respect to Emergency Preparedness Week.
- Advised that the Federal Government has a website that provides information on Emergency Preparedness. The website is [www.getprepared.ca](http://www.getprepared.ca).

Moved by Councillor Hobson/Seconded by Councillor Craig

R454/11/05/02 THAT Council receives, for information, a Presentation from the Assistant Fire Chief with respect to Emergency Preparedness Week, May 1-7, 2011

Carried

- 6.4 Electrical Administration Manager, dated April 27, 2011, re: 2011 Electrical Utility Rate Increase

Moved by Councillor James/Seconded by Councillor Craig

R455/11/05/02 THAT Council receives, for information, the report from the Electrical Administration Manager dated April 27, 2011 with respect to approving a rate increase on average of 3.0% to the City's electrical utility rates for all annual residential customer revenues and 2.5% for municipal and school and flat rate customer for rate rebalancing as per FortisBC 2009 Rate Design and Cost for Service Study Application;

AND THAT Council approve a further rate increase of 1.5% to the City's electrical utility rates for all annual residential customers' revenues, municipal and school customers revenues and commercial revenues as the flow through increase from BC Hydro to FortisBC that was approved by the BCUC on an interim bases on April 21, 2011;

AND THAT Council approve additional rate changes to services charges in Schedule "C" and Schedule "D" of the City of Kelowna Electricity Regulation Bylaw No. 7639;

AND THAT Council approves the 2011 electrical rates to be effective with the first billing cycle in June, 2011;

AND FURTHER THAT Council give reading consideration to Bylaw No. 10517 being Amendment No. 27 to City of Kelowna Electricity Regulation Bylaw No. 7639.

Carried

Regular Meeting – P.M.May 2, 20117. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.1 Bylaw No. 10517 - Amendment No. 17 to City of Kelowna Electricity Regulation Bylaw No. 7639
- 7.2 Bylaw No. 10528 - Five Year Financial Plan 2011-2015
- 7.3 Bylaw No. 10529 - Tax Structure Bylaw, 2011
- 7.4 Bylaw No. 10530 - Annual Tax Rate Bylaw, 2011
- 7.5 Bylaw No. 10531 - Development Cost Charge Reserve Fund Expenditure Bylaw, 2011
- 7.6 Bylaw No. 10532 - Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2011

Moved by Councillor Craig/Seconded by Councillor James

R456/11/05/02 THAT Bylaw Nos. 10517, 10528, 10529, 10530, 10531, 10532 be read a first, second and third time.

Carried(BYLAWS PRESENTED FOR ADOPTION)

- 7.7 Bylaw No. 10486 - Road Closure Bylaw - Portion of Lane North of Lindahl Street - **Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.**

Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one came forward.

Moved by Councillor Stack/Seconded by Councillor Hobson

R457/11/05/02 THAT Bylaw No. 10486 be adopted.

Carried

- 7.8 Bylaw No. 10525 - Amendment No. 1 to the Five Year Financial Plan 2010-2014, Bylaw No. 10334

Moved by Councillor Stack/Seconded by Councillor Hobson

R458/11/05/02 THAT Bylaw No. 10525 be adopted.

Carried8. MAYOR & COUNCILLOR ITEMS

- 8.1 Mayor Shepherd, re: "Spirit of Kelowna" Acknowledgment

Mayor Shepherd:

- Acknowledged the Karis Support Society as the latest recipient of the "Spirit of Kelowna" Acknowledgement for the good work they do in providing safe housing, support, life skills, and training for people caught in life altering addiction and mental health issues.

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Mayor Shepherd:

- Thanked Councillors Craig and Hodge, all the volunteers, and City staff, for organizing the Community & Civic Awards.

8.3 Mayor Shepherd, re: New Senior's Centre Facility at the Parkinson Recreation CentreMoved by Councillor Stack/Seconded by Councillor Rule

R459/11/05/02 THAT staff report back to Council with an update regarding the construction of the new Senior's Centre at the Parkinson Recreation Centre.

Carried8.4 Councillor Items

Councillor Stack:

- Advised that there is another fundraiser for Japan being held tonight at the Kelowna Community Theatre.

Councillor James:

- Reminded the public that today is "Federal Election Day" and encouraged everyone to get out and vote.

Councillor Rule:

- Reminded Council that the SILGA Convention is being held in Merritt from May 4-6, 2011.

Mayor Shepherd:

- Advised that the City received a memento from the Sunflower Festival that was hosted by the Naturalist Club this past weekend.
- Advised that the Mayor and Councillor Rule attended the closing of the Women's Resource Centre this past weekend.

9. TERMINATION

The meeting was declared terminated at 3:12 p.m.

Certified Correct:\_\_\_\_\_  
Mayor

SLH/dld

\_\_\_\_\_  
City Clerk