

Regular Meeting – P.M.

September 13, 2010

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, September 13th, 2010.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blancheil, Kevin Craig*, 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*; General Manager, Community Sustainability, Jim Paterson*; Director, Real Estate & Building Services, Doug Gilchrist*; Director, Land Use Management, Shelley Gambacort*; Manager, Urban Land Use, Danielle Noble*; Manager, Cultural Services, Sandra Kochan*; Director, Regional Services, Ron Westlake*; Director, Financial Services, Keith Grayston*; Assistant Fire Chief, Jason Brolund*; Electrical Administration Manager, Cindy McNeely*; Director, Infrastructure Planning, Randy Cleveland*; Project Engineer, Joel Shaw*; Project Manager, Integrated Systems, Mark Watt*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:34 p.m.

Mayor Shepherd advised that there is an addition to the Council Meeting Agenda under Public in Attendance as representatives of the School District are available to make a presentation to Council.

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.

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

3. PUBLIC IN ATTENDANCE

3.1 Breanne Cleland, Miss Kelowna Lady of the Lake (2010/2011) and Juliet Kaczmarek, Princess (2010/2011), re: Introduction to City Council

Breanne Cleland, Miss Kelowna Lady of the Lake, and Juliet Kaczmarek, Princess:
- Introduced themselves to Council and gave a brief presentation with respect to their recent activities.

3.2 Tracie Ward, Executive Director, Rotary Centre for the Arts, re: 2010 Activities

Staff:

- Introduced Tracie Ward, Executive Director of the Rotary Centre for the Arts.

Tracie Ward, Executive Director, Rotary Centre for the Arts:

- Gave a presentation regarding the Rotary Centre for the Arts' 2010 activities.

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Moved by Councillor Hodge/Seconded by Councillor Rule

R837/10/09/13 THAT Council receive, for information, the verbal presentation from the representative of the Rotary Centre for the Arts with respect to their 2010 activities.

Carried

3.3 Judy Shoemaker, Planning Manager, School District No. 23, re: School Sites Acquisition Charge

Rolli Cacchioni, Chair, School Board:

- Introduced the School District's representatives.

Judy Shoemaker, Planning Manager, School District:

- Gave a brief introduction of School District's presentation.
- Handed out hard copies of the presentation along with other relevant materials.

William Wood, Matrix Planning Consultants:

- Gave a presentation regarding the proposed School Sites Acquisition Charge.
- Confirmed that from the School District's point of view, it is critical to have the proposed charge in place as the Ministry of Education requires the School Sites Acquisition Charge to be in place before it will pay for new school sites.

Councillor Craig joined the meeting at 2:16 p.m.

Judy Shoemaker, Planning Manager, School District:

- Addressed the potential for a future elementary school within the downtown core of the City of Kelowna.
- Addressed how School Sites Acquisition Charge will be dealt with as projections change over time.
- Advised that the School District has had discussions with the City's Finance Department regarding the administration fees for collecting this charge on behalf of the School District.

William Wood, Matrix Planning Consultants:

- Confirmed that in the future, the growth projections will be obtained through the local governments.
- Does not believe that the affordable housing projects that are funded by the Province are exempt from the School Site Acquisition Charge.
- Confirmed that all of the local governments that the School District deals with will have to agree to the charge prior to it being implemented.

Moved by Councillor Hobson/Seconded by Councillor Hodge

R838/10/09/13 THAT Council receive, for information, the verbal presentation from School District No. 23 with respect to the School Sites Acquisition Charge;

AND THAT staff report back to Council at the September 20, 2010 afternoon Council Meeting regarding the implications of the School Sites Acquisition Charge together with the estimated costs of administering the charge.

Carried

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4. DEVELOPMENT APPLICATION REPORTS

4.1 Community Sustainability Division, dated August 26, 2010, re: Rezoning Application No. Z10-0042 – Timothy Valeriote – 2569 Benvoulin Road

(a) Community Sustainability Division report dated August 26, 2010.

Moved by Councillor Hodge/Seconded by Councillor Hobson

R839/10/09/13 THAT Rezoning Application No. Z10-0042 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot B, District Lot 130, ODYD Plan 20646, located at 2569 Benvoulin Road, Kelowna, BC, from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 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 a building permit for the suite be applied for prior to final adoption of the zone;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction and that the current business operating out of the subject property be relocated.

Carried

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

Bylaw No. 10412 (Z10-0042) – Timothy Valeriote – 2569 Benvoulin Road

Moved by Councillor James/Seconded by Councillor Hodge

R840/10/09/13 THAT Bylaw No. 10412 be read a first time.

Carried

4.2 Community Sustainability Division, dated August 31, 2010, re: Rezoning Application No. Z10-0064 – Bradley Westen – 1071 Henderson Drive

(a) Community Sustainability Division report dated August 31, 2010.

Moved by Councillor Rule/Seconded by Councillor James

R841/10/09/13 THAT Rezoning Application No. Z10-0064 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 13, Section 24, Township 26 ODYD Plan KAP89034 located at 1071 Henderson Drive, Kelowna, BC, from the RU1h – Large Lot Housing (Hillside Area) zone to the RU1hs – Large Lot Housing (Hillside Area) 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 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 Black Mountain Irrigation District being completed to their satisfaction.

Carried

(b) BYLAW PRESENTED FOR FIRST READING

Bylaw No. 10415 (Z10-0064) - Bradley Westen - 1071 Henderson Drive

Moved by Councillor Craig/Seconded by Councillor James

R842/10/09/13 THAT Bylaw No. 10415 be read a first time.

Carried

4.3 Community Sustainability Division, dated August 25, 2010, re: Official Community Plan Bylaw Amendment Application No. OCP10-0013 and Temporary Use Permit Application No. TUP10-0002 - Becky & Andrew Habib and Sally Bloomfield (Croc Talk - Doug Illman & Brenda Bruce) - 4493 Stewart Road East

(a) Community Sustainability Division report dated August 25, 2010.

Moved by Councillor Hodge/Seconded by Councillor Craig

R843/10/09/13 THAT OCP Bylaw Text Amendment No. OCP10-0013 to amend *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by deleting the Temporary Use Permit Area table in Chapter 19 - Temporary Commercial and Industrial Use Permits and replacing it with a new table as per Schedule "A" attached to the report of Land Use Management Department, dated August 25, 2010, 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 Land Use Management Department dated August 25th, 2010;

AND THAT the OCP Bylaw Amendment No. OCP10-0013 be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the OCP Bylaw Amendment No. OCP10-0013 be considered in conjunction with Council's consideration of a Temporary Use Permit on the subject property.

Carried

(b) BYLAW PRESENTED FOR FIRST READING

Bylaw No. 10416 (OCP10-0013/TUP10-0002) - Becky & Andrew Habib and Sally Bloomfield (Croc Talk - Doug Illman & Brenda Bruce) - 4493 Stewart Road East - Requires a majority of all Members of Council (5)

Moved by Councillor James/Seconded by Councillor Hodge

R844/10/09/13 THAT Bylaw No. 10416 be read a first time;

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AND THAT the Bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

4.4 Community Sustainability Division, dated August 19, 2010, re: Rezoning Application No. Z10-0050 – Philip & Donna Long – 939 Mount Royal Drive

(a) Community Sustainability Division report dated August 19, 2010.

Moved by Councillor Hobson/Seconded by Councillor Stack

R845/10/09/13 THAT Rezoning Application No. Z10-0050 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 29, Section 30, Township 26, ODYD Plan 17272, located at 939 Mount Royal Drive, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RU1s 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 a building permit for the suite be applied for prior to final adoption of the zone;

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

Carried

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

Bylaw No. 10414 (Z10-0050) – Philip & Donna Long – 939 Mount Royal Drive

Moved by Councillor Hodge/Seconded by Councillor James

R846/10/09/13 THAT Bylaw No. 10414 be read a first time.

Carried

4.5 Community Sustainability Division, dated August 12, 2010 re: Rezoning Application No. Z05-0082 – Bogdan Snarski & Benedicte Lee (Canwest Design & Drafting Ltd.) – 1886 Ambrosi Road

Moved by Councillor Stack/Seconded by Councillor Blanleil

R847/10/09/13 THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9653 (Z05-0082) – Bogdan Snarski & Benedicte Lee (Canwest Design & Drafting) – 1886 Ambrosi Road be extended from February 22, 2009 to August 22, 2009;

AND THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9653 (Z05-0082) – Bogdan Snarski & Benedicte Lee (Canwest Design & Drafting) – 1886 Ambrosi Road be extended from August 22, 2009 to February 22, 2010;

AND THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9653 (Z05-

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0082) - Bogdan Snarski & Benedicte Lee (Canwest Design & Drafting) - 1886 Ambrosi Road be extended from February 22, 2010 to August 22, 2010;

AND FURTHER THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9653 (Z05-0082) - Bogdan Snarski & Benedicte Lee (Canwest Design & Drafting) - 1886 Ambrosi Road be extended from August 22, 2010 to February 22, 2011.

Carried

4.6 Community Sustainability Division, dated August 23, 2010, re: Rezoning Application No. Z07-0056 - 754028 BC Ltd. & Doyle Avenue Holdings Co. Ltd. - 1372-1374, 1378, 1382 & 1386 St. Paul Street and 526 Doyle Avenue

Moved by Councillor Craig/Seconded by Councillor James

R848/10/09/13 THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 10051 (Z07-0056 - 754028 B.C. Ltd., Inc. No. BC 0754028; Doyle Avenue Holdings Co. Ltd., Inc. No. BC 0761637 - 1372-1374, 1378, 1382, 1386 St. Paul St.; 526 Doyle Avenue) be extended from August 19, 2010 to February 19, 2011.

Carried

4.7 Community Sustainability Division, dated August 25, 2010, re: Rezoning Application No. Z07-0029 - Kevin Patterson - 530 Ziprick Road

Moved by Councillor James/Seconded by Councillor Stack

R849/10/09/13 THAT in accordance with Development Application Procedures Bylaw No. 9890 (Z07-0029 - Keith & Cynthia Patterson) to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C, Section 22, Township 26, ODYD, Plan 31688 on 530 Ziprick Road, Kelowna, B.C. be extended from June 11, 2010 to December 11, 2010.

Carried

4.8 Community Sustainability Division, dated August 27, 2010, re: Rezoning Application No. Z07-0046 - Terry & Joan Raisanen (Eidse Builders) - 1975 Kane Road

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Moved by Councillor Hobson/Seconded by Councillor Stack

R850/10/09/13 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 May 27, 2010 to November 27, 2010.

Carried

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 5.1 Bylaw No. 9755 (Z09-0057) - Pacific Sun Enterprises Ltd. - 1849 Chandler Street

Moved by Councillor Hodge/Seconded by Councillor Rule

R851/10/09/13 THAT Bylaw No. 9755 be adopted.

Carried

- 5.2 Bylaw No. 10269 (TA09-0006) - City of Kelowna - Text Amendment - Agriculture 1 zone Amendment to Zoning Bylaw No. 8000

Councillor James declared a conflict of interest as he has a direct pecuniary interest in this matter as the owner of an agri-tourism business and left the meeting at 2:54 p.m.

Moved by Councillor Rule/Seconded by Councillor Hodge

R852/10/09/13 THAT Bylaw No. 10269 be adopted.

Carried

Councillor James rejoined the meeting at 2:55 p.m.

- 5.3 Bylaw No. 10305 (Z09-0073) - Beate & Franz Bauer and Alice & Friedrich Merz (Colbee Holdings Ltd.) - 3700 Jean Road & 4185 McClain Road

Moved by Councillor Rule/Seconded by Councillor Hodge

R853/10/09/13 THAT Bylaw No. 10305 be adopted.

Carried

- 5.4 Bylaw No. 10309 (Z10-0010) - Bryana & Bradley Greenhalgh - 475 Taylor Road

Moved by Councillor Hodge/Seconded by Councillor Rule

R854/10/09/13 THAT Bylaw No. 10309 be adopted.

Carried

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5.5 Bylaw No. 10343 (Z10-0024) - Larry Plett - 860 Saskatoon Road

Moved by Councillor Reid/Seconded by Councillor Blanleil

R855/10/09/13 THAT Bylaw No. 10343 be adopted.

Carried

5.6 Bylaw No. 10352 (TA10-0006) - RU3 - Small Lot Housing - City of Kelowna

Moved by Councillor Blanleil/Seconded by Councillor Reid

R856/10/09/13 THAT Bylaw No. 10352 be adopted.

Carried

5.7 Bylaw No. 10356 (Z10-0032) - Wallace Westnedge - 450 Donhauser Road

Moved by Councillor Reid/Seconded by Councillor Blanleil

R857/10/09/13 THAT Bylaw No. 10356 be adopted.

Carried

5.8 Bylaw No. 10383 - Heritage Revitalization Agreement Authorization
Bylaw - Kelowna Train Station - 1177 Ellis Street

Moved by Councillor Stack/Seconded by Councillor Hobson

R858/10/09/13 THAT Bylaw No. 10383 be adopted.

Carried

6. NON-DEVELOPMENT APPLICATION REPORTS

6.1 General Manager, Community Sustainability, dated September 3, 2010, re: Rezoning Application No. Z04-0050 - 5050 McCulloch Road - Partnering Agreement

Staff:

- Provided background information regarding the Rezoning Application and Development Variance Permit for the subject property.
- Advised that the zone amending bylaw was given third reading on November 2, 2004 and the Preliminary Layout Review was conducted on November 22, 2004.

General Manager, Community Sustainability:

- Gave a presentation regarding the proposed Partnering Agreement.
- Advised that he is currently working with the Financial Services Department regarding how this will affect the 2011 Budget process.

Staff:

- Confirmed that the option of constructing a bridge across the canyon was considered; however it was determined that the preferred option would be to widen McCulloch and improve it.

General Manager, Community Services:

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- Provided further details with respect to the upgrading that will be required to the road network in the area.

City Clerk:

- Advised that the adoption of the Zone Amending Bylaw and Council's consideration of the Development Variance Permit will be scheduled to the October 5, 2010 Public Hearing and Regular Meeting.

Moved by Councillor Blanleil/Seconded by Councillor Craig

R859/10/09/13 THAT Council authorizes the City to enter into a Partnering Agreement with Seadrift Properties Ltd., Dianor Developments Ltd., Otto Babichuk, Jomada Ventures Corp., Newport Investments Ltd., 244584 Alberta Ltd., 537584 Alberta Inc., Cher-Ken Holdings Ltd., MJC Development Corporation, Joric Holdings Ltd. and 407904 BC Ltd. in the form attached to the report of the General Manager, Community Sustainability dated September 3, 2010;

AND THAT in accordance with Section 21 of the *Community Charter*, the Mayor and City Clerk be authorized to execute the Partnering Agreement;

AND FURTHER THAT the costs associated with the front ending of the proposed works be referred to the 2011 Capital Budget process.

Carried

6.2 General Manager, Community Services, dated September 3, 2010, re: Development Cost Charges for Agricultural Lands

General Manager, Community Services:

- Advised that local governments cannot treat development on agricultural lands any differently than development on non-agricultural lands.
- Advised that home site severance applications would be subject to the DCC charge.

Councillor Hobson declared a conflict of interest as he owns undeveloped property that may be affected by Council's decision and left the meeting at 3:39 p.m.

Staff:

- Addressed how the DCC's will be charged to new applications for secondary suites.

Moved by Councillor James/Seconded by Councillor Stack

R860/10/09/13 THAT Council give reading consideration to Bylaw No. 10391 being Amendment No. 6 to Development Cost Charges Bylaw No. 9095;

AND THAT Council approve the Development Cost Charge Bylaw - Farm Property Interpretation Council Policy No. 353 as attached to and forming part of the report dated September 3, 2010 from the General Manager, Community Services;

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AND FURTHER THAT Council approves reimbursement of applicable fees upon provincial approval of the proposed amendments for applications affected under the provisions of this revision that were received subsequent to the first 3 readings of Bylaw No. 10391, being amendment No. 6 to Development Cost Charge Bylaw No. 9095.

Carried

- 6.3 General Manager, Community Services, dated September 7, 2010, re: West Nile Virus Larviciding Program Funding

Councillor Hobson rejoined the meeting at 3:52 p.m.

General Manager, Community Services:

- Advised that the Okanagan is considered a high risk area for the West Nile Virus.
- Advised that there have already been three (3) confirmed cases of the virus in the Central Okanagan.

Moved by Councillor Hobson/Seconded by Councillor @

R861/10/09/13 THAT City Council approve the following resolution and forward it to UBCM for consideration at their upcoming convention:

WHEREAS the Okanagan valley including the Regional Districts of RDOS, RDCO, NORD, CSRD, RDKB and TNRD are high-risk zones for West Nile virus and the virus is now established in the southern BC interior;

AND WHEREAS local governments are legislated under the BC Public Health Act and WNV Control Regulation BC Reg. 357/2004 to mitigate the West Nile virus health hazard by mosquito larviciding as directed by local Medical Health Officers;

THEREFORE BE IT RESOLVED that the Union of BC Municipalities recommend to the provincial government to provide local government in West Nile virus high-risk zones with adequate sustained funding to carry out mosquito larviciding each spring and summer.

AND FURTHER THAT Council authorizes the Mayor to lobby the Provincial Minister to support this Resolution and that this Resolution be forwarded to the local MLA's for their consideration.

Carried

- 6.4 Director, Regional Services, dated September 8, 2010, re: 25 Year Transit Master Plan

Staff:

- Introduced the presentation by BC Transit.

Michelle Orfield, Urban Transportation Planner, BC Transit:

- Gave a presentation to Council regarding the new RapidBus system and the development of the 25 year Transit Master Plan.

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Manuel Achadinha, President & CEO, BC Transit:

- Advised that the BC Transit is trying to get the Provincial Government to increase funding for bus shelters.

Moved by Councillor Reid/Seconded by Councillor Hobson

R862/10/09/13 THAT Council receive for information, the presentation by BC Transit attached to the report of the Director, Regional Services dated September 8, 2010 which provides an overview of the RapidBus project and an update on their work to develop a 25 year Transit Master Plan for the Kelowna Regional Transit System;

AND THAT staff report back to Council regarding the number of bus stops within the City of Kelowna that already have shelters, together with a prioritized list of bus stops that still require shelters.

Carried

6.5 Director, Real Estate & Building Services, dated September 8, 2010, re: Loan to Kelowna Gospel Mission

Staff:

- Provided background information with respect to the loan to the Kelowna Gospel Mission.

Moved by Councillor Hodge/Seconded by Councillor Hobson

R863/10/09/13 THAT Council hear from Randy Benson, the Executive Director of the Kelowna Gospel Mission.

Carried

Randy Benson, Executive Director, Kelowna Gospel Mission:

- Provided details of how the Kelowna Gospel Mission has evolved over the years.
- Provided details with respect to the programs offered at the Mission and how they are administered.
- Advised that he is currently in discussions with the Communities in Bloom Committee regarding a potential partnership to upgrade the façade of the facility.

Moved by Councillor Hobson/Seconded by Councillor Hodge

R864/10/09/13 THAT Council acknowledge the loan of \$150,000 that was granted to the Kelowna Gospel Mission in 2006 as a contribution to the Kelowna Gospel Mission's capital campaign;

AND THAT Council direct staff to advise the Kelowna Gospel Mission that all terms of the previous Memorandum of Understanding dated November 10, 2005 are considered extinguished;

AND FURTHER THAT the Financial Plan be amended for this payment with funding of \$150,000 from the Land Acquisition Reserve.

Carried

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- 6.6 Assistant Fire Chief, dated August 25, 2010, re: Omega Monitoring Agreement

Moved by Councillor Hodge/Seconded by Councillor Craig

R865/10/09/13 THAT Council authorizes the City to enter into a five (5) year Agreement with Omega Monitoring Inc. in the form attached to the Report of the Assistant Fire Chief dated August 25, 2010 with respect to the ongoing monitoring of Fire Alarms by the Kelowna Fire Department Dispatch Centre;

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

Carried

- 6.7 Director, Infrastructure Planning, dated August 18, 2010, re: City Wide Water Supply and Treatment Improvement

Staff:

- Gave a brief presentation regarding the proposed Memorandum of Understanding with the various water purveyors.

Moved by Councillor Hobson/Seconded by Councillor James

R866/10/09/13 THAT Council approves the Memorandum of Understanding with Black Mountain Irrigation District, Glenmore-Ellison Improvement District, Rutland Waterworks District and South East Kelowna Irrigation District in the form attached to the Report of the Director, Infrastructure Planning dated August 18, 2010 to establish coordinated implementation plans for the expansion and improvement of the water supply and treatment infrastructure over a 20-50 year term;

AND THAT Council authorizes the Mayor and City Clerk to execute the Memorandum of Understanding;

AND THAT Council authorizes the Mayor to forward a copy of the Report of the Director, Infrastructure Planning dated August 18, 2010, together with the executed Memorandum of Understanding, to the Minister of Community and Rural Development for information;

AND FURTHER THAT Council directs staff to report back to Council on the city-wide water supply and treatment plans achieved through the work completed under the Memorandum of Understanding.

Carried

- 6.8 Electrical Administration Manager, dated September 1, 2010, re: Electrical Utility Rates

Staff:

- Confirmed that this rate increase is a direct result of BC Hydro's recent rate increase to FortisBC.

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Moved by Councillor Craig/Seconded by Councillor James

R867/10/09/13 THAT Council approve a rate increase of 2.9 per cent to the City's electrical utility rates for all annual residential customer revenues, municipal and school customer revenues and commercial customer revenues;

AND THAT Council approves this electrical rates increase to be effective the first billing cycle in November, 2010.

AND FURTHER THAT Bylaw No. 10408, being Amendment No. 24 to the City of Kelowna Electric Regulation Bylaw No. 7639, be advanced for reading consideration by Council.

Carried

6.9 Manager, Utility and Building Projects, dated September 7, 2010, re: Laurel Packinghouse - Request for Additional Funding

Staff:

- Advised that the project is proceeding on schedule and should be complete by the end of September 2010.
- Displayed photos of the structural renovations that were conducted.

City Manager:

- Commented on the process that was followed with respect to the funding for the renovations and the budget that was put forth by staff.

Moved by Councillor Hobson/Seconded by Councillor Rule

R868/10/09/13 THAT Council approve additional funding in the amount of \$240,000 to cover unexpected costs related to the structural renovations of the Laurel Packinghouse;

AND THAT the 2010 Financial Plan be amended to cover the additional \$240,000 with \$140,000 from the Civic Facilities Reserve and \$100,000 from the Building Repair Reserve.

Carried

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

7.1 Bylaw No. 10408 - Amendment No. 24 to City of Kelowna Electricity Regulation Bylaw No. 7639

Moved by Councillor Hobson/Seconded by Councillor Stack

R869/10/09/13 THAT Bylaw No. 10408 be read a first, second and third time.

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- 7.2 Bylaw No. 10391 - Amendment No. 6 to Development Cost Charge Bylaw No. 9095

Moved by Councillor Hobson/Seconded by Councillor Stack

R870/10/09/13 THAT Bylaw No. 10391 be read a first, second and third time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

- 7.3 Bylaw No. 10326 - Amendment No. 4 to Council Procedures Bylaw No. 9200 - Mayor to invite anyone in the public gallery who deems themselves affected by this Bylaw to come forward.

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

Moved by Councillor Stack/Seconded by Councillor Hobson

R871/10/09/13 THAT Bylaw No. 10326 be adopted.

Carried

8. MAYOR & COUNCILLOR ITEMS

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

Mayor Shepherd:

- Acknowledged Judge Anne Wallace as the latest recipient of the "Spirit of Kelowna" Acknowledgment for her assistance in the creation of Kelowna's Community Justice Project.

- 8.2 Councillor Items

Councillor Stack:

- Advised that the use of the outdoor rink at Stuart Park will be "free of charge" to the public.

Councillor James:

- Advised that he likes the look of the covers that staff have used on the electrical/utility boxes.

- 8.2 (a) Councillor Rule, re: Stuart Park – Skate Rentals and Concessions

Moved by Councillor Rule/Seconded by Councillor Hodge

R872/10/09/13 THAT staff report back to Council regarding the opportunity for skate rentals for the Stuart Park ice rink;

AND THAT staff report back to Council regarding the opportunity for mobile concessions to operate on or near Stuart Park;

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AND FURTHER THAT staff report back to Council regarding the lack of a painted crosswalk or pathway between City Hall and Stuart Park.

Carried

9. TERMINATION

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

Certified Correct:

Mayor

City Clerk

SLH/dld