

Regular Meeting – P.M.

November 8, 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, November 8<sup>th</sup>, 2010.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, 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; Deputy City Clerk, Karen Needham\*; Manager, Urban Land Use, Danielle Noble\*; Director, Recreation & Cultural Services, Jim Gabriel\*; Director, Regional Services, Ron Westlake\*; Manager, Utility Services, Don Degen\*; Manager, Regional Programs, Jerry Dombowsky\*; Active Transportation Coordinator, Mike Kittmer\*; Finance & Administration Manager, Lori Angus\*; Manager, Sport & Facility Programs, Don Backmeyer\*; Director, Financial Services, Keith Grayston\*; 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 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 Craig was requested to check the minutes of the meeting.

3. DEVELOPMENT APPLICATION REPORTS

3.1 Land Use Management Department, dated October 28, 2010, re: Rezoning Application No. Z10-0084 - Pargat & Jagjeet Bhandher - 447 Sumac Road East

(a) Land Use Management Department report dated October 28, 2010.

Moved by Councillor Hobson/Seconded by Councillor Stack

**R1068/10/11/08** THAT Rezoning Application No. Z10-0084 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 49, Section 26, Township 26, ODYD Plan KAP51596, located on Sumac Road East, 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 the suite be eligible for a final occupancy prior to final adoption of the zone;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the discharge of the restrictive covenant;

AND THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of the Black Mountain Irrigation District be completed to their satisfaction.

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Carried

(b) BYLAW PRESENTED FOR FIRST READING

Bylaw No. 10449 (Z10-0084) – Pargat and Jagjeet Bhandher – 447 Sumac Road East

Moved by Councillor James/Seconded by Councillor Craig

R1069/10/11/08 THAT Bylaw No. 10449 be read a first time.

Carried

4. NON-DEVELOPMENT APPLICATION REPORTS

4.1 Manager, Property Management, dated November 3, 2010, re: B.C. Cancer Agency – Licence of Occupation (Strathcona Parking Lot)

Moved by Councillor Hobson/Seconded by Councillor Rule

R1070/10/11/08 THAT Council approve the City entering into a Licence of Occupation between the City of Kelowna and B.C. Cancer Agency, in the form attached to the Report of the Manager, Property Management, dated November 3, 2010 for the use of City-owned property being Lot D, Plan B7087, for a term of three (3) months commencing December 1, 2010 at a rate of \$500.00 per month with no further right of renewal for the purpose of staff parking;

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

Carried

4.2 Utility Services Manager, dated November 3, 2010, re: Solid Waste Reduction Program Update

Staff:

- Provided an update with respect to the Solid Waste Reduction Program.
- Commented on the fall yard waste clean-up and how the City's boulevard trees are being dealt with.

Peter Rotheisler, Waste Reduction Manager, Regional Waste Reduction Office:

- Provided an overview of the Regional Waste Reduction Program from January to June 2010.

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Moved by Councillor Hodge/Seconded by Councillor Craig

**R1071/10/11/08** THAT Council receive, for information, the Report from the Utility Services Manager dated November 3, 2010 with respect to the Trash-to-Treasure program alternatives held in 2010, an update on the overall solid waste reduction program performance for Kelowna and the Region, and the Report from the Regional District of Central Okanagan's Regional Waste Reduction Office dated November 5, 2010 with respect to Regional Waste Reduction Programs.

Carried

4.3 Utility Services Manager, dated November 3, 2010, re: Residential Curbside Cart System Automation

Staff:

- Provided an overview of the Residential Curbside Cart System Automation.
- Addressed how staff will be dealing with the District of West Kelowna regarding disposals at the Kelowna Landfill.

Peter Rotheisler, Waste Reduction Manager, Regional Waste Reduction Office

- Commented on the identification process for the residential curbside cart system automation and provided further information regarding some of the changes being considered for the system.

Moved by Councillor Craig/Seconded by Councillor Reid

**R1072/10/11/08** THAT Council receive, for information, the Report from the Utility Services Manager dated November 3, 2010 with respect to residential curbside cart automation and the Regional Board Report from the Regional District of Central Okanagan's Environmental Services dated July 15, 2010 with respect to completion of residential curbside waste collection Radio Frequency Identification System;

AND THAT Council approves the implementation of a residential curbside Radio Frequency Identification System for the six (6) years remaining on the curbside waste collection contract.

Carried

Moved by Councillor James/Seconded by Councillor Hodge

**R1073/10/11/08** THAT Council directs staff to report back on the implications of the District of West Kelowna's decision not to participate in the Residential Curbside Cart System Automation and its impact on the Kelowna landfill.

Carried

4.4 Director, Regional Services, dated November 1, 2010, re: Transit Shelter Update

Staff:

- Gave a presentation with respect to the Transit Stop Improvement Project for 2010.
- The project was designed to cover the acquisition of transit shelters/amenities and their installation, exclusive of any land acquisition costs. Regional allocation (Kelowna Regional Transit) is administrated by the City of Kelowna on behalf of the regional partners. The total regional project allocation was \$1,030,000.00.

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- Addressed the process for prioritizing where the new transit shelters would be located.
- Advised that there will be scheduling changes coming forward by BC Transit in January 2011 to address some of the issues caused by the new transit schedule.

Moved by Councillor Hobson/Seconded by Councillor Stack

**R1074/10/11/08** THAT Council receive for information, the presentation attached to the report of the Director, Regional Services dated November 1, 2010 which provides an overview of transit shelters and facilities in Kelowna, and an update on this year's program to add new shelters within the Kelowna Regional Transit system.

AND THAT Council authorizes the City to enter into funding agreements with the District of Peachland, the District of West Kelowna the Westbank First Nation and the District of Lake Country at their option for their share of funding of the UBCM Public Transit Infrastructure Program (PTIP);

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete this matter;

AND FURTHER THAT Council approve the release of funds, up to \$187,000 to those Kelowna Regional Transit partners who have executed funding agreements; or to release the funds to UBCM for those partners who wish to deal with UBCM directly, for upgrading of bus stops and the installation of the new shelters to be provided under the Public Transit Infrastructure program.

Carried

4.5 Director, Recreation & Cultural Services, dated October 29, 2010, re: Fees & Charges Bylaw No. 9609 Amendments

Staff:

- Gave a presentation with respect to the proposed amendments to Recreation & Cultural Services Fees & Charges Bylaw No. 9609.
- Advised that the following documents are used to guide the fees & charges structure:
  - o Council Policy No. 222 - Recreation & Cultural Services - Philosophy/Fees & Charges Policy;
  - o Recreation & Cultural Services Fees & Charges Bylaw No. 9609; and
  - o Conditions of Use & Allocation Policy.
- Advised that the new fees & charges would be implicated as follows:
  - o 2% increase effective January 1<sup>st</sup> each year (unless otherwise states in the Bylaw);
  - o Parkinson Recreation Centre Facility Admission Fees effective April 1, 2011; and
  - o all other changes effective January 1, 2011.
- Confirmed that HST will be payable on the fees being proposed for an increase.

Moved by Councillor Blanleil/Seconded by Councillor Hodge

**R1075/10/11/08** THAT Council receives the Report from the Director, Recreation & Cultural Services dated October 29, 2010 to update the Recreation & Cultural Services Fees & Charges Bylaw No. 9609;

AND THAT Bylaw No. 10448 being Amendment No. 3 to the Recreation & Cultural Services Fees and Charges Bylaw No. 9609 be advanced for reading consideration.

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- 4.6 City Clerk, dated November 2, 2010, re: Amendment to Council Policy No. 337 – Council Authorization to attend OMMA, UBCM and FCM Conventions

Council:

- Clarified that the report back to Council should be at a public meeting, whenever possible.
- Would like a clause added that if a member of Council is asked to sit on a provincial or federal government committee, a special resolution is required.

Moved by Councillor Hodge/Seconded by Councillor Hobson

R1076/10/11/08 THAT Council approves the amendments to Council Policy No. 337, "Council Authorization to attend SILGA (formerly known as OMMA), UBCM and FCM Conventions" as outlined in the Report of the City Clerk dated November 2, 2010 and as directed by Council.

Carried

- 4.7 City Clerk, dated November 2, 2010, re: New Election Sign Bylaw

Deputy City Clerk:

- Provided an overview of the new Election Sign Bylaw.
- Advised that most of the information in the new Election Sign Bylaw was contained within the City's current Sign Bylaw.

City Clerk:

- Addressed how the new Election Sign Bylaw will be enforced by the City's Bylaw Enforcement Officers.

Moved by Councillor Craig/Seconded by Councillor Stack

R1077/10/11/08 THAT Council receive the Report from the City Clerk dated November 02, 2010 to amend Sign Bylaw No. 8235 by removing references to election signs and creating a separate Election Sign Bylaw No. 10411;

AND THAT Council directs staff to remove the following reference in Section 2.1.1 (a) of Bylaw No. 10441 being the Election Sign Bylaw:

"...to a maximum of 2 signs per frontage,..."

AND THAT Council give reading consideration to Bylaw No. 10411 being Election Sign Bylaw;

AND THAT Council give reading consideration to Bylaw No. 10409 being Amendment No. 16 to Sign Bylaw No. 8235;

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AND FURTHER THAT Council give reading consideration to Bylaw No. 10433 being Amendment No. 77 to the Ticket Information Utilization Bylaw No. 6550-89.

DEFEATED

Mayor Shepherd and Councillors Blanleil, Hobson, Reid and Rule - Opposed.

Mayor Shepherd directed Council to reconsider Resolution No. R1077/10/11/08 with respect to the new Election Sign Bylaw.

Moved by Councillor Craig/Seconded by Councillor Stack

R1078/10/11/08 THAT Council receive the Report from the City Clerk dated November 02, 2010 to amend Sign Bylaw No. 8235 by removing references to election signs and creating a separate Election Sign Bylaw No. 10411;

AND THAT Council directs staff to remove the following reference in Section 2.1.1 (a) of Bylaw No. 10441 being the Election Sign Bylaw:

“...to a maximum of 2 signs per frontage,...”

AND THAT Council give reading consideration to Bylaw No. 10411 being Election Sign Bylaw;

AND THAT Council give reading consideration to Bylaw No. 10409 being Amendment No. 16 to Sign Bylaw No. 8235;

AND FURTHER THAT Council give reading consideration to Bylaw No. 10433 being Amendment No. 77 to the Ticket Information Utilization Bylaw No. 6550-89.

Carried

Mayor Shepherd and Councillors Hobson, Reid and Rule - Opposed.

## 5. RESOLUTIONS

### 5.1 City Clerk, Draft Resolution, re: 2011 Council Meeting Schedule

City Clerk:

- Provided further details regarding the Council Meeting Schedule for 2011.

Moved by Councillor Hodge/Seconded by Councillor Hobson

R1079/10/11/08 THAT the 2011 Council Meeting Schedule be adopted as follows:

Monday Regular Meetings  
 January 10, 17, 24 and 31  
 February 7, 14, 21, and 28  
 March 7, 14, 21 and 28  
 April 4, 11, and 18  
 May 2, 9, 16 and 30  
 June 13, 20 and 27  
 July 11 and 25  
 August 8 and 22  
 September 12 and 19  
 October 3, 17, 24 and 31  
 November 7, 14 and 28

Public Hearing/Regular Meetings  
 January 11 and 25  
 February 8 and 22  
 March 8 and 22  
 April 5 and 19  
 May 3, 17 and 31  
 June 14 and 28  
 July 12 and 26  
 August 9 and 23  
 September 6 and 20  
 October 4 and 18  
 November 1, 15 and 29

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December 5\* and 12

December 13

\*December 5 - Inaugural Council Meeting

Carried

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

6.1 Bylaw No. 10411 - City of Kelowna - Election Sign Bylaw

Moved by Councillor Blanleil/Seconded by Councillor Reid

R1080/10/11/08 THAT Bylaw No. 10411 be read a first, second and third time.

Carried  
Councillor Blanleil - Opposed.

6.2 Bylaw No. 10409 - Amendment No. 16 to Sign Bylaw No. 8235

Moved by Councillor Blanleil/Seconded by Councillor Reid

R1081/10/11/08 THAT Bylaw No. 10409 be read a first, second and third time.

Carried  
Councillor Blanleil - Opposed.

6.3 Bylaw No. 10433 - Amendment No. 77 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89

Moved by Councillor Blanleil/Seconded by Councillor Reid

R1082/10/11/08 THAT Bylaw No. 10433 be read a first, second and third time.

Carried  
Councillor Blanleil - Opposed.

6.4 Bylaw No. 10448 - Amendment No. 3 to Recreation, Parks and Cultural Services Fees and Charges Bylaw No. 9609

Moved by Councillor Blanleil/Seconded by Councillor Reid

R1083/10/11/08 THAT Bylaw No. 10448 be read a first, second and third time.

Carried  
Councillor Blanleil - Opposed.

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7. MAYOR & COUNCILLOR ITEMS

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

Mayor Shepherd:

- Acknowledged Scott Walker as the latest recipient of the “Spirit of Kelowna Acknowledgment”. Mr. Walker helped develop the “Smart Risk” and “My Safe Ride Home” programs for youth.

8. TERMINATION

The meeting was declared terminated at 4:43 p.m.

Certified Correct:

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Mayor

SLH/dld

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City Clerk