

Regular Meeting – P.M.

February 11, 2008

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, February 11th, 2008.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Barrie Clark*, Colin Day, Brian Given, Carol Gran, Robert Hobson, Norm Letnick and Michele Rule.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Allison Flack; Director of Financial Services/Interim Director of Planning and Development Services, Paul Macklem; Director, Recreation, Parks & Cultural Services, David Graham*; Current Planning Supervisor, Shelley Gambacort*; Inspection Services Manager, Ron Dickinson*; Manager, Corporate Development and Real Estate, Doug Gilchrist*; Development Manager, Recreation Parks and Cultural Services, Reid Oddleifson*; Financial Planning Manager, Keith Grayston*; Planning and Development Officer, Paul McVey*; Planner Specialist, Pat McCormick*; and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:33 p.m.

2. Councillor Day to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Sheila Olcen, Kelowna Zambia Partnership, re: Partnership – Senanga/Kelowna Power Point Presentation

Sheila Olcen:

- Introduced Lynn Thorton, Executive Director of Videa (Victoria International Development Association).
- Provided a video clip of a trip to Senanga and described the work of the Kelowna Zambia Partnership community to community working group.
- Distributed a letter to Mayor and Council from the Mayor of Senanga.
- Presented Mayor and Council with hand made gifts from the Mayor of Senanga.

Moved by Councillor Rule/Seconded by Councillor Letnick

R@/08/02/11 THAT Council express support for the work of the Local Government Management Association in establishing the Africa Project;

AND THAT Council endorse the Kelowna/Zambia Partnership;

AND FURTHER THAT Council approve a municipal sister-city relationship between the City of Kelowna and the District of Senanga, Zambia, with the scope and extent of the relationship to be determined through the research currently underway into the City's present and future sister-city/twinning relationships and opportunities.

Carried

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4. UNFINISHED BUSINESS

4.1 Development Permit Application No. DP07-0185 – Navigator Development Icon Corporation (The Hulbert Group/Victor Tam) – 1151 Sunset Drive

Staff:

- Peer Review has been concluded
- Concerns still remain regarding the raising of the structure, and preference would be to continue with the underground parking (original DP), but there has been an improvement to streetscape.

Moved by Councillor Clark/Seconded by Councillor Given

R@/08/02/11 THAT City Council hear from the applicant.

Carried

Applicant: Marco Vedominicis, President of Navigator Corporation

- Purchased the site at a lower elevation. Consultant, Golder & Associates expressed concerns as to where we set the elevations, as a developer I have to listen to whatever is presented. We will pay for costs to make sure the streetscape works but that is really a planning issue. There are no facts - what the Peer Review talks to is the lack of fact. Our consultant, Golder and Associates, is not in agreement with Peer Review Report.

Bob Herness – Project Developer

- Met a number of times with Ledingham McAlister. Concern seems to be more with streetscape than the rise of the building. We have addressed this concern with adding additional patios to have a pedestrian friendly streetscape. A mechanical system was in our parkade structure. Needed to make a change to existing building to bring this mechanical system out of the parkade. Our main concern is dewatering. With raising the building we do not have to dewater.

Moved by Councillor Gran/Seconded by Councillor Blanleil

R@/08/02/11 THAT City Council hear from the representative of Ledingham McAllister.

Carried

Fred Pritchard - Ledingham McAlister

- The first we saw of these plans was on the City's website on Friday February 8th.
- Plans show that 2/3 of the plan has been changed.
- Not a lot of time to review plans and talk with people from Navigator.

Staff

- noted that the plans which would become schedules to the amended DP, if issued, have been updated for today's meeting, and thus would have to be taken account of in any motion to approve the application

Moved by Councillor Gran/Seconded by Councillor Given

R@/08/02/11 THAT City Council defer this application for one week in order for the applicant and the adjacent developer (Ledingham McAlister) to discuss the updated plans.

Carried

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5. NON-DEVELOPMENT APPLICATION REPORTS

- 5.1 Financial Planning Manager, dated February 4, 2008, re: Transit – 2007/08 Annual Operating Agreement Amendments

Moved by Councillor Hobson/Seconded by Councillor Given

R@/08/02/11 THAT Council approve the 2007/2008 Annual Operating Agreement Amendments for conventional and custom transit services for the City of Kelowna;

And Further That the Mayor and City Clerk be authorized to execute the Operating Agreement Amendments between BC Transit, the City of Kelowna and Farwest Transportation Services Inc. covering the period April 1, 2007 to March 31, 2008.

Carried

- 5.2 Development Manager, Recreation Parks and Cultural Services, dated February 4, 2008 re: Council Policy – Civic Community Facilities Naming Policy

Moved by Councillor Letnick/Seconded by Councillor Blanleil

R@/08/02/11 THAT Council approve Civic Community Facilities Naming Policy as attached to the report dated February 4, 2008;

AND THAT Council authorize staff to issue a RFP for a corporate naming partnership opportunity at the Mission Recreation Park Aquatic Centre based on the criteria highlighted in the report from the Development Manager, Recreation Parks and Cultural Services dated February 4, 2008.

Carried

Mayor Shepherd, Councillors Hobson and Rule - Opposed

- 5.3 Manager, Community Development and Real Estate, dated February 4, 2008, re: Downtown Revitalization Initiative – Comprehensive Development Zone Creation

Staff:

- Introduction of Graham McGarva - VIA Architecture and Ray Young, Lidstone Young Anderson

Graham McGarva, VIA Architecture – What the Heart Should Be Powerpoint Presentation

- Outlined the comprehensive development zone planning process to date

Ray Young, Lidstone, Young Anderson

- Reviewed the mechanics of the proposed CD zone bylaw and related bylaws and tools
- Three pillars: (1) Density bonusing scheme to create incentive to redevelop the area (2) Site specific development controls (DPs) to get at the design principles (3) Regulatory tools around the delivery of infrastructure and tools to get there.
- Zoning bylaw should be a one time bylaw and authorized by Council once.
- No downzoning involved. Base density will be C7.
- Number of things to do to accomplish regulatory tools. List of amenities and their values then prioritization of those amenities. Have to be in sync in the bylaw.

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- Regulate use and density and bonus density. Group all others in development permit process.
- Design control OCP amendment followed by a development permit process in the areas.
- Use Section 219 for the form and character. Issues remaining how much of height, siting.
- Lastly, issue of new streets and roads, closure of lanes, utility and infrastructure improvements, and centre line requirements. Need to establish what are in fact the infrastructure requirements; tools to achieve may include centerline requirements, excess and extended services, etc.
- Perhaps more than one development permit area.

Staff:

- Public consultation noted in packages.
- Met residents four or more times as a group as well as independent discussions with residents. There is some support from property owners and there are some property owners who are not supportive. Property owners have been asking about the mechanics and numbers, and we are now just getting these specifics ironed out.
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- What ratios are between uses we do not know yet. Still defining.
- Multiple use 30 to 31 storeys; 28 and 29 storey range. Lowest of towers is 11 to 15. Unit count is dependent on future mix. Residential space around 1900 units.

Councillor Clark departed the meeting at 5:29 p.m.

Council:

- Good to see ground floor residential along park; is good to see the podiums at street level with towers stepped back; protects human scale
- Green appearing on roofs of illustrations good
- Why are there towers right on Abbott?; original downtown plan foresaw towers stepped back from park/water to preserve view corridors
- Will any of Kerry Park be lost to a building?; old Royal Trust site beside Kerry Park is prime real estate and perhaps City should get maximum value for it; could say no building on site, period, because public is now used to thinking of it as part of Kerry Park; or could say building on old Royal Trust site ok, but no projections over actual Kerry Park site
- What is shadow effect of towers on old Willow Hotel site? Make sure no shadowing of public gathering spaces(s) in new Jim Stuart Park
- Are the amenities prioritized at all? In support in principle of the amenities, including cost-sharing of the pier with City as an overall benefit to the greater community; pier might give opportunity to expand yacht club moorage; not optimistic re: costs
- Is all density equal in relation to the amount/rate or amenity contribution, or will more "valuable" (eg. Closer to lake, better view, etc.) density be contributing more towards amenities?
- Affordable housing provisions must include not only cash contributions for off-site projects, but some inclusion right in the CD area; must have a mix of residential and must have families living in area for success
- Look at making Lawrence and Leon two-way streets again
- Need mechanism to preserve heritage; could be included as an amenity
- Want opportunity for council to provide input in more workshop-like setting prior to formal application being finalized; would like more detail especially regarding density exchange if one owner does not want to build high, or owns property planned for public open space – how is that owner able to participate or be compensated? Must have information, including amenity costs and proposed density for public open house
- Should have looked at what overall density for the area was desirable first, and then determined appropriate amenities and incentives; going about process backwards
- Must take into account the concerns of interest groups like DKA, City's Downtown Task Force, etc.; look at whether all of downtown could contribute to amenities and then distribute density over wider area; ensure this does not take away from

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- opportunities for rest of downtown, Bernard revite, etc.; don't let proposed height detract from rest of downtown
- If Council supports funding at final budget for downtown plan update, then possibly the two plans could be coordinated somewhat
- Is plan that nightclubs and social agencies will leave? If so, where will they go; needs to be considered
- The CD proposal overall is exciting and a great opportunity; in favour of moving forward, but continue to ensure all issues are covered and addressed along the way

Staff:

- exact tower locations could move depending on final plan and even somewhat depending on development permit applications that come forward for individual projects
- there is no building proposed for Kerry Park; is one tower proposed on old Royal Trust Site, with a projection over a portion of the Park
- Council will be requested to confirm or change priority of amenities when actual CD rezoning bylaw comes forward
- confirmed that amenity costs and priorities still being examined
- positive consideration of the staff recommendation would not preclude further discussion with Council or others in meantime
- do not expect that approval of the rezoning would have any impact on the infrastructure capacity of the sector; is lots available
- there is 1.5 acre in additional public open space under the plan than at present under the C7 zoning

Consultants departed the meeting at 5:57 p.m.

Moved by Councillor Blanleil/Seconded by Councillor Given

R@/08/02/11 THAT Council receive for information the report from the Manager, Community Development & Real Estate, dated February 11, 2008 on the status of the City initiative to create a comprehensive development zone ("CD Zone") for a portion of the City of Kelowna's downtown bordered by Harvey Ave., Water St., Abbott St and Queensway Ave.;

AND THAT Council receive for information the summary of all comments provided to staff to date in response to this initiative (inclusive of faxes, e-mails, written letters and survey comments) attached to this report as Schedule 'B';

AND THAT Council endorse the list of proposed amenities identified in the report which shall; in some form, be funded or partially funded by way of an amenity contribution from the developers in the subject area based on a density bonus formula. For clarity the amenities include; a public washroom facility, a children's playground, public plaza construction, streetscape construction, indoor amenity space, affordable housing and a public pier;

AND THAT Council direct Staff to proceed to a final public open house at the earliest available opportunity in order to inform the citizens of Kelowna of the CD Zone proposal that will be submitted as an application for a zoning bylaw text amendment. The bylaw amendment process shall follow all usual and required process, policy and protocol;

AND THAT Council direct Staff to report back to Council, upon completion of the aforementioned public open house prior to bringing forth a bylaw, and before creating a zoning bylaw text amendment and all other related policies, regulations and planning document amendments and submit the associated application for the subject area based on the parameters outlined in this report to Council for consideration.

Carried

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6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 6.1 Bylaw No. 9941 – Amendment No. 28 to Sewerage System User Bylaw No. 3480

Moved by Councillor Rule/Seconded by Councillor Letnick

R@/08/02/11 THAT Bylaw No. 9941 be read a first, second and third time.

Carried

- 6.2 Bylaw No. 9940 – Change the Name of a Portion of Craig Road, McKenzie Road and Day Road to McCurdy Road and to change the Name of a portion of Day Road to Tower Ranch Drive.

Moved by Councillor Rule/Seconded by Councillor Letnick

R@/08/02/11 THAT Bylaw No. 9940 be read a first, second and third time.

Carried

- 6.3 Bylaw No. 9934 – Road Closure Bylaw – Portion of University Way

Moved by Councillor Rule/Seconded by Councillor Letnick

R@/08/02/11 THAT Bylaw No. 9934 be read a first, second and third time.

Carried

(BYLAW PRESENTED FOR AMENDMENT AT THIRD READING)

- 6.4 Bylaw No.9862 – Road Closure Bylaw – Portion of Benvoulin Court

Moved by Councillor Letnick/Seconded by Councillor Given

R@/08/02/11 THAT Bylaw No. 9862 be amended at third reading to update Schedule "A".

Carried

7. COUNCILLOR ITEMS

- 7.1 Mayor Shepherd re: Housing Strategies

- 7.2 Mayor Shepherd re: BC Cycling Coalition

Councillor Items were all deferred to Monday, February 18th afternoon regular meeting.

8. TERMINATION

The meeting was declared terminated at 6:15 p.m.

Certified Correct:

Mayor

City Clerk

ACM/dld