

Regular Meeting – P.M.

January 31, 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, January 31st, 2011.

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

Council members absent: Mayor Sharon Shepherd.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Manager, Urban Land Use, Danielle Noble*; Manager, Park Services, Ian Wilson*; Manager, Parks & Public Spaces, Terry Barton*; Director, Civic Operations, Joe Creron*; Director, Policy & Planning, Signe Bagh*; Manager, Transportation Services, Darryl Astofooroff*; Planner Specialist, Pat McCormick*; Manager, Utility Services, Don Degen*; Planner Specialist, Kristine Bouw*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

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

Deputy Mayor Craig 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 Rule was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Robert Fine, Manager, Economic Development, Central Okanagan Economic Development Commission, re: 2011 Strategic Plan

Robert Fine, Manager, Economic Development, Central Okanagan Economic Development Commission; Mike Gilmore, Chair; and Renee Wasyluk, Vice Chair, 2011 COEDC Advisory Board of Directors:

- Gave a presentation regarding the Central Okanagan Economic Development Commission's 2011 Strategic Plan.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R088/11/01/31 THAT Council receives, for information, the verbal report from the Central Okanagan Economic Development Commission dated January 31, 2011 with respect to the 2011 Strategic Plan.

Carried

4. DEVELOPMENT APPLICATION REPORTS

4.1 Land Use Management Department, dated January 21, 2011, re: Rezoning Application No. Z10-0089 - Jennifer Hindle - 5560 Lakeshore Road

(a) Land Use Management Department report dated January 21, 2011.

Moved by Councillor Stack/Seconded by Councillor Hobson

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R089/11/01/31 THAT Rezoning Application No. Z10-0089 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot A, Section 15, Township 28, S.D.Y.D., Plan KAP59239, located on Lakeshore Rd., Kelowna, BC from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone, be considered by Council;

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

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

Carried

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

Bylaw No. 10474 (Z10-0089) - Jennifer Hindle - 5560 Lakeshore Road

Moved by Councillor Hodge/Seconded by Councillor Rule

R090/11/01/31 THAT Bylaw No. 10474 be read a first time.

Carried

4.2 Land Use Management Department, dated January 19, 2011, re: Rezoning Application No. Z10-0105 - 0726570 BC Ltd. (Paul Watson) - 1362 Tanemura Crescent

(a) Land Use Management Department report dated January 19, 2011.

Moved by Councillor Hodge/Seconded by Councillor James

R091/11/01/31 THAT Rezoning Application No. Z10-0105 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 8, Section 13, Township 26, ODYD Plan KAP86150 located on Tanemura Crescent, 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 FURTHER THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of the Black Mountain Irrigation District being completed to their satisfaction.

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

Bylaw No. 10476 (Z10-0105) - 0726570 BC Ltd. (Paul Watson) - 1362 Tanemura Crescent

Moved by Councillor Rule/Seconded by Councillor Hodge

R092/11/01/31 THAT Bylaw No. 10476 be read a first time.

Carried

4.3 Land Use Management Department, dated January 21, 2011, re: Rezoning Application No. Z09-0080 - City of Kelowna - 645 Dodd Road

(a) Land Use Management Department report dated January 21, 2011.

Moved by Councillor Hobson/Seconded by Councillor Stack

R093/11/01/31 THAT Rezoning Application No. Z09-0080 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of portions of Lot 1, Section 26, Township 26, ODYD, Plan KAP91112, located at 645 Dodd Road, Kelowna, BC from the P1 - Major Institutional zone to the P5 - Municipal District Park zone; from the P2 - Educational & Minor Institutional to the P5 - Municipal District Park zone; and from the P3 - Parks & Open Space zone to the P5 - Municipal District Park zone, as shown on Map "A" attached to the report of the Land Use Management Department, dated January 21, 2011, be considered by Council.

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

Carried

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

Bylaw No. 10478 (Z09-0080) - City of Kelowna - 654 Dodd Road

Moved by Councillor James/Seconded by Councillor Hodge

R094/11/01/31 THAT Bylaw No. 10478 be read a first time.

Carried

4.4 Land Use Management Department, dated January 25, 2011 re: Official Community Plan Bylaw Amendment Application No. OCP09-0001 and Rezoning Application No. Z09-0007 - 0720229 BC Ltd. (Troika Developments Inc.) - 245 Briarwood Road

Moved by Councillor Hobson/Seconded by Councillor Rule

R095/11/01/31 THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 10198 (OCP09-0001) & 10199 (Z09-0007), for 245 Briarwood Road by 0720229 BC Ltd. be extended from January 14, 2011 to July 14, 2011.

Carried

5. **BYLAWS (ZONING & DEVELOPMENT)**

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(BYLAW PRESENTED FOR FIRST READING)

- 5.1 Bylaw No. 10477 (Z10-0074) – Arjan Poonian (Protech Consultants Ltd.) – 781 Wallace Road

Moved by Councillor Stack/Seconded by Councillor Hobson

R096/11/01/31 THAT Bylaw No. 10477 be read a first time.

Carried

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 Transportation Services Manager, dated January 17, 2011, re: Hired Equipment Procurement

Moved by Councillor Reid/Seconded by Councillor Hobson

R097/11/01/31 THAT Council receives, for information, the report from the Transportation Services Manager dated January 17, 2011 with respect to hired equipment procurement;

AND THAT Council approves procurement of hired equipment based on best value.

Carried

- 6.2 Director, Policy & Planning, dated January 17, 2011, re: Wildfire Policy and Regulations

Moved by Councillor Blanleil/Seconded by Councillor Hobson

R098/11/01/31 THAT Council directs Policy & Planning Department staff to bring forward, as part of the Official Community Plan review process currently underway, Official Community Plan amendments that would require Wildfire Development Permits only at subdivision;

AND THAT Council directs Development Services Department staff to implement a process whereby wildfire hazard information is provided to applicants building in wildfire hazard areas, prior to issuance of a building permit;

AND FURTHER THAT Council directs the Development Services Department, Fire Department and Civic Operations Department to work together to identify, for 2012 budget consideration, a pro-active and cost effective way to provide ongoing awareness-raising and monitoring/enforcement of covenants and Development Permit provisions.

Carried

- 6.3 Director, Policy & Planning, dated January 19, 2011, re: Downtown Plan Status Update

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Moved by Councillor Hodge/Seconded by Councillor James

R099/11/01/31 THAT Council receives, for information, the January 19, 2011 Report from the Director, Policy & Planning regarding a status update on the Downtown Plan.

Carried

6.4 Planner Specialist, dated January 21, 2011, re: Bernard Avenue Revitalization – Public Consultation Process

Moved by Councillor Hobson/Seconded by Councillor Reid

R100/11/01/31 THAT Council receives, for information, the Report from the Planner Specialist, Urban Design dated January 21, 2011, with respect to the Bernard Avenue Revitalization – Public Consultation Process.

Carried

6.5 Manager, Parks & Public Places and Manager, Park Services, dated January 26, 2011, re: Dog Parks

Staff:

- Gave a presentation regarding Dogs in Public Places & Municipal Parks.

Moved by Councillor Stack/Seconded by Councillor Blanleil

THAT Council directs staff to conduct a city-wide statistically valid community survey on the potential provision of additional dog facilities on public parkland;

AND THAT Council directs staff to conduct a city-wide Dog Impact Assessment on public parkland to determine current patterns of use, issues, compliance rates and areas of conflicts;

AND FURTHER THAT Council directs staff to prepare a budget request for funding the above dog initiatives to be considered by Council at the 2012 Capital Budget deliberations.

Amendment Moved by Councillor Rule/Seconded by Councillor Hodge

R101/11/01/31 THAT Council directs staff to conduct a city-wide statistically valid community survey on the potential provision of additional dog facilities on public parkland;

AND THAT Council directs staff to conduct a city-wide Dog Impact Assessment on public parkland to determine current patterns of use, issues, compliance rates and areas of conflicts;

AND FURTHER THAT Council directs staff to prepare a budget request for funding the above dog initiatives to be considered by Council during the 2011 Final Budget deliberations as a starred item.

DEFEATED

Deputy Mayor Craig and Councillors Blanleil, Hobson, Hodge, James, Reid and Stack – Opposed.

The original motion was then voted on as follows:

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Moved by Councillor Stack/Seconded by Councillor Blanleil

R102/11/01/31 THAT Council directs staff to conduct a city-wide statistically valid community survey on the potential provision of additional dog facilities on public parkland;

AND THAT Council directs staff to conduct a city-wide Dog Impact Assessment on public parkland to determine current patterns of use, issues, compliance rates and areas of conflicts;

AND FURTHER THAT Council directs staff to prepare a budget request for funding the above dog initiatives to be considered by Council at the 2012 Capital Budget deliberations.

Carried
Councillors Hodge and Rule - Opposed.

6.6 Architecture Planner dated January 26, 2011, re: Schematic Design for Senior's Centre Relocation to the Parkinson Recreation Centre

Staff:

- Gave a presentation regarding the Water Street Senior's Centre facility relocation to the Parkinson Recreation Centre.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R103/11/01/31 THAT Council approves the transfer of \$277,000.00 from the Lakeshore Road Powerline Burial project (2918) to the Water Street Seniors Relocation (2851).

Carried

6.7 Utility Services Manager, dated January 26, 2011, re: Curbside Solid Waste Cart Collection Contract Amendment

Moved by Councillor Hobson/Seconded by Councillor James

R104/11/01/31 THAT Council receives, for information, the report from the Utility Services Manager, dated January 26, 2011 on the proposed amendments to the Residential Garbage, Recyclables and Yard Waste Collection Agreement;

AND THAT Council approves the amendment to the Curbside Solid Waste Cart Collection contract as attached to the Report of the Utility Services Manager dated January 26, 2011 that allows provisions for the inclusion of the RFID (Radio Frequency Identification), for the balance of the contract period;

AND FURTHER THAT Council authorizes the Mayor and City Clerk to execute on behalf of the City of Kelowna, the Contract Amendment No. 1 Agreement to the Curbside Solid Waste Cart Collection contract to include the RFID system.

Carried

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

7.1 Bylaw No. 10475 - Bylaw Notice Enforcement

Moved by Councillor Blanleil/Seconded by Councillor Reid

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R105/11/01/31 THAT Bylaw No. 10475 be adopted.

Carried

8. COUNCILLOR ITEMS

Deputy Mayor Craig:

- Thanked the volunteers and staff who helped out with the International Children's Winter Games.

Councillor Hodge:

- Advised that there is a United Way Breakfast on Wednesday, February 2, 2011 at 7:00 a.m.

9. TERMINATION

The meeting was declared terminated at 4:15 p.m.

Certified Correct:

Deputy Mayor Craig

City Clerk

SLH/dld