

Regular Meeting – P.M.February 7, 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, February 7th, 2011.

Council members in attendance: Mayor Sharon Shepherd, Councillors Kevin Craig, Robert Hobson, Charlie Hodge, Graeme James, Angela Reid*, and Luke Stack.

Council members absent: Councillors Andre Blanleil and Michele Rule.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Deputy City Clerk, Karen Needham*; General Manager, Corporate Sustainability, Paul Macklem*; Director, Land Use Management, Shelley Gambacort*; Director, Policy & Planning, Signe Bagh*; Manager, Long Range Planning, Gary Stephen*; Manager, Cultural Services, Sandra Kochan*; Planner Specialist, Pat McCormick*; Director, Development Services, Mo Bayat*; Manager, Park Services, Ian Wilson*; Design Technician, Fred Schaad*; Landscape Design Technician, Lorna Rowland*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:37 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 James was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Cheryl Miller, Grants Manager, Central Okanagan Foundation, re: 2011 City of Kelowna Arts, Culture & Heritage Grants and the 2011 City of Kelowna Community Festivals, Events & Project Grants

Leanne Hammond Komori, Executive Director, Central Okanagan Foundation:

- Gave a presentation regarding the 2011 City of Kelowna Arts, Culture & Heritage "Operating" Grants.
- Advised that the City's Cultural Services Department will be meeting with each of the grant recipients to discuss their grant and obtain feedback on the process.

Staff:

- Explained the difference between "project" and "operating" grants.
- Advised that for the first time, a committee member was added to the panel that does not live within the City's boundaries. It was staff's decision to add this committee member and to pay the member's fees and expenses.

Moved by Councillor Hobson/Seconded by Councillor Hodge

R112/11/02/07 THAT Council approves the following funding applications as recommended by the Central Okanagan Foundation:

(a) 2011 City of Kelowna Arts, Culture & Heritage "Operating" Grants:	
BC Old Time Fiddlers Association, Branch 7	\$ 3,000.00
Bumbershoot Children's Theatre	\$10,000.00
Central Okanagan Heritage Society	\$12,000.00
Chamber Music Kelowna	\$ 8,000.00
Cool Arts Society	\$ 4,700.00

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Creator's Arts Centre	\$ 5,000.00
Dolyna Ukrainian Cultural Society	\$ 1,000.00
Kelowna City Concert Band	\$ 6,000.00
Kelowna Community Music School	\$ 5,000.00
Kelowna Sculptor's Network	\$ 3,000.00
Kiwanis Music Festival	\$ 7,500.00
Okanagan Festival Singers	\$ 5,000.00
Okanagan Historical Society	\$10,000.00
Okanagan Jazz and Blues Society	\$ 4,000.00
Ponderosa Spinners and Weavers	\$ 1,000.00
Theatre Kelowna	\$10,000.00

Carried

Councillor Reid declared a conflict of interest as she sits on the Board of Directors of one of the organizations that has requested funding and left the meeting at 2:05 p.m.

Leanne Hammond Komori, Executive Director, Central Okanagan Foundation:

- Gave a presentation regarding the 2011 City of Kelowna Arts, Culture & Heritage "Project" Grants.

Moved by Councillor Hobson/Seconded by Councillor Stack

R113/11/02/07 THAT Council approves the following funding applications as recommended by the Central Okanagan Foundation:

(b) 2011 City of Kelowna Arts, Culture & Heritage "Project" Grants:

Alternator Centre for Contemporary Art	
"Tag You're It"	\$ 7,000.00
Bumbershoot Children's Theatre	\$ 5,000.00
Cool Arts Society	\$ 2,900.00
Intercultural Society of the Central Okanagan	\$10,000.00
Kelowna Community Music School	\$ 2,500.00
Kelowna Sculptor's Network	\$10,000.00
Ki-low-na Friendship Society	\$ 5,000.00
Okanagan Greens Society	\$ 2,100.00
Okanagan Jazz and Blues Society	\$ 7,000.00
Okanagan Rainbow Coalition	\$ 7,000.00
Okanagan Society of Independent Filmmaking	\$ 1,500.00
Okanagan Symphony Orchestra	\$10,000.00

Carried

Councillors James and Hodge - Opposed.

Councillor Reid rejoined the meeting at 2:35 p.m.

A motion by Councillor Hodge to direct staff to report back on the requirement for an out-of-area committee member was lost due to lack of a seconder.

4. COMMITTEE REPORTS

4.1 Planner Specialist, dated February 2, 2011, re: Public Art Committee Annual Report for 2011

Staff:

- Introduced some of the Public Art Committee Members that were present in the gallery.
- Gave a presentation regarding the Public Art Committee's Annual Report for 2011.

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Candace Geisbrecht, Marketing & Promotions, Canadian Mental Health Association:

- Gave a presentation regarding the Willowbridge Public Art Project at 330 Boyce Crescent.

Lori Meyers:

- Gave a presentation regarding the Sand Spirals Public Art Project.

Moved by Councillor Hodge/Seconded by Councillor Hobson

R114/11/02/07 THAT Council receives, for information, the Report from the Public Art Committee dated February 2, 2011 with respect to the 2011 Annual Report.

Carried

5. DEVELOPMENT APPLICATION REPORTS

5.1 Land Use Management Department, dated January 28, 2011, re: Rezoning Application No. Z10-0096 - Thomas Michael Gruendel (Regjis Enterprises) - 540 Osprey Avenue

- (a) Land Use Management Department report dated January 28, 2011.

Moved by Councillor Craig/Seconded by Councillor James

R115/11/02/07 THAT Rezoning Application No. Z10-0096 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of Lot 19, D.L. 14, ODYD, Plan 3769, located at 540 Osprey Avenue from RU6 - Two Dwelling Housing to C4 - Urban Centre Commercial, 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 in conjunction with Council's consideration of a Development Permit on the subject property;

AND 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 FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to required rear lane dedication.

Carried

(b) BYLAW PRESENTED FOR FIRST READING

Bylaw No. 10482 (Z10-0096) - Thomas Gruendel (Regjis Enterprises) - 540 Osprey Avenue

Moved by Councillor James/Seconded by Councillor Craig

R116/11/02/07 THAT Bylaw No. 10482 be read a first time.

Carried

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- 5.2 Land Use Management Department, dated January 28, 2011 re: Rezoning Application No. Z07-0056 – 754028 BC Ltd. and Doyle Avenue Holdings Co. Ltd. (New Town Planning Services Inc.) – 1372-1374, 1378, 1382 & 1386 St. Paul Street and 526 Doyle Avenue

Moved by Councillor Stack/Seconded by Councillor Hodge

R117/11/02/07 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 February 19, 2011 to August 19, 2011.

Carried

6. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR AMENDMENT AT FIRST READING)

- 6.1 Bylaw No. 10471 (Z09-0062) – 0775362 BC Ltd. – (W of) South Perimeter Way

Moved by Councillor Hodge/Seconded by Councillor James

R118/11/02/07 THAT Bylaw No. 10471 be amended at first reading by deleting Map “A” in its entirety and replacing it with a new Map “A”.

Carried

7. NON-DEVELOPMENT APPLICATION REPORTS

- 7.1 Airport Director, dated January 31, 2011, re: Consent to Assignment of Subleases from Jazz Air LP to Jazz Aviation LP – Kelowna International Airport

Moved by Councillor Hobson/Seconded by Councillor James

R119/11/02/07 THAT Council consents to the assignment of the Air Terminal Building Sublease dated January 4, 1990, and all amendments and assignments thereto, between the City of Kelowna and Jazz Air LP as set out in Appendix “A” attached to the Report of the Airport Director, dated January 14, 2011;

AND THAT Council consents to the assignment of the Sublease of the joint-use glycol storage facility dated January 16, 2003, and all amendments and assignments thereto, between the City of Kelowna and Jazz Air LP as set out in Appendix “A” attached to the Report of the Airport Director, dated January 14, 2011;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Consent to Assignment of Sublease documents on behalf of the City.

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- 7.2 Policy & Planning, dated February 2, 2011, re: 2030 Official Community Plan – 2011 Consultation Schedule

Moved by Councillor Hodge/Seconded by Councillor Stack

R120/11/02/07 THAT Council receives, for information, the Report from the Policy & Planning Department dated February 2, 2011 with respect to the 2030 Official Community Plan – 2011 Consultation Schedule;

AND THAT Council directs staff to proceed with the 2030 Official Community Plan public consultation schedule as outlined in the Report from the Policy & Planning Department dated February 2, 2011.

Carried

- 7.3 Director, Development Services, dated January 31, 2011, re: Solar Hot Water Ready Regulation

Staff:

- Advised that the process will be implemented by the Fall of 2011.

Moved by Councillor Reid/Seconded by Councillor Hodge

R121/11/02/07 THAT Council receives, for information, the Report from the Director, Development Services, dated January 31, 2011;

AND THAT Council directs staff to request that the Ministry of Public Safety and Solicitor General include the City of Kelowna on the list of “Solar Hot Water Ready” local government jurisdictions.

Carried

- 7.4 Manager, Cultural Services, dated February 2, 2011, re: 2011 Professional Arts Grants

Moved by Councillor Stack/Seconded by Councillor Hobson

R122/11/02/07 THAT Council receives, for information, the Report dated February 2, 2011 from the Manager, Cultural Services;

AND THAT Council approves the 2011 Professional Arts Grants as recommended in the Report dated February 2, 2011 from the Manager, Cultural Services for the following organizations:

- \$20,000 to the Okanagan Artists Alternative Association (operating as Alternator Centre for Contemporary Art);
- \$25,000 to Kelowna Ballet Society (operating as Ballet Kelowna); and
- \$50,000 to the Okanagan Symphony Society.

Carried

- 7.5 Manager, Park Services, dated January 21, 2011, re: City Hall Edible Landscaping

Staff:

- Advised that the irrigation system in the area will need to be disconnected and that the majority of the cost associated with the edible landscaping is directly related to the decommissioning of the irrigation system.

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A motion by Councillor Hodge to defer consideration of this item until such time as Councillor Rule is present was lost due to lack of a seconder.

Moved by Councillor James/Seconded by Councillor Hobson

R123/11/02/07 THAT Council receives, for information, the Report from the Manager, Park Services dated January 21, 2011 regarding the options for edible landscaping at City Hall;

AND THAT Council does not endorse any of the options outlined in the Report of the Manager, Park Services dated January 21, 2011 to convert the planting strip between City Hall and the north parking lot into an edible garden;

AND FURTHER THAT no further direction be provided to staff by Council regarding edible landscaping at City Hall.

Carried
Councillors Craig and Reid – Opposed.

Moved by Councillor Hobson/Seconded by Councillor Hodge

R124/11/02/07 THAT Council directs staff to circulate information about the City of Portland's edible gardening program to Council.

Carried

7.6 Manager, Park Services, dated January 21, 2011, re: Knox Mountain Drive Vehicle Access

Moved by Councillor Hobson/Seconded by Councillor James

R125/11/02/07 THAT Council receives, for information, the Report from the Manager, Park Services, dated January 21, 2011 with respect to the trial opening period for Knox Mountain Drive Vehicle Access;

AND THAT Council directs staff to notify the public of the permanent change to Knox Mountain Drive normal hours of opening for public vehicles to Monday through Saturday, 9:30 AM to 9:00 PM and Sundays 12:00 PM to 9:00 PM;

AND THAT Council directs staff to permit an exception to the normal schedule for Knox Mountain Drive vehicle access to include seasonal (winter) closures, approved special events, and periods of high safety risk.

Carried
Councillor Hodge – Opposed.

7.7 Utilities Technologist, dated February 2, 2011, re: City of Kelowna Mill Creek Flood Plain Regulation Bylaw – Housekeeping Amendments

Moved by Councillor James/Seconded by Councillor Craig

R126/11/02/07 THAT Council receives, for information, the Report from the Utilities Technologist, dated February 2, 2011, with respect to the City of Kelowna Mill Creek Flood Plain Regulation Bylaw recommending that Council adopt the proposed bylaw amendments to the Mill Creek Flood Plain Bylaw No. 10248;

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AND THAT Bylaw No. 10473, being Amendment No. 1 to the City of Kelowna Mill Creek Flood Plain Bylaw No. 10248 be forwarded for reading consideration.

Carried

7.8 City Clerk, dated January 14, 2011, re: Corporate Records and Information Management (RIM) Program Bylaw

Moved by Councillor Hobson/Seconded by Councillor Stack

R127/11/02/07 THAT Council receives, for information, the Report of the City Clerk, dated January 14, 2011 regarding the Corporate Records and Information Management (RIM) Program;

AND THAT Council gives reading consideration to Bylaw No. 10400 being the Corporate Records and Information Management Program Bylaw.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

8.1 Bylaw No. 10400 - Corporate Records and Information Management Program Bylaw

Moved by Councillor Reid/Seconded by Councillor Stack

R128/11/02/07 THAT Bylaw No. 10400 be read a first, second and third time.

Carried

8.2 Bylaw No. 10473 - Amendment No. 1 to City of Kelowna Mill Creek Flood Plain Bylaw No. 10248

Moved by Councillor Stack/Seconded by Councillor Hobson

R129/11/02/07 THAT Bylaw No. 10473 be read a first, second and third time.

Carried

9. MAYOR & COUNCILLOR ITEMS

9.1 Mayor Shepherd, re: "Spirit of Kelowna" Acknowledgment

Mayor Shepherd:

- Acknowledged Heather Schneider and the International Children's Games Organizing Committee as the latest recipient of the "Spirit of Kelowna" Acknowledgment for the vast number of hours and the energy that was spent to make the recent International Children's Winter Games such a huge success.

9.2 Councillor Items

Councillor Hodge:

- Advised that the deadline for nominations for the Community & Civic Awards is February 18, 2011.

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10. TERMINATION

The meeting was declared terminated at 5:11 p.m.

Certified Correct:

Mayor

SLH/dld

City Clerk