

Regular Meeting - P.M.June 11, 2012

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, June 11, 2012.

Council members in attendance: Deputy Mayor Maxine DeHart, Councillors Colin Basran, Andre Blanleil, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann.

Council members absent: Mayor Walter Gray.

Staff members in attendance were: Acting City Manager, John Vos; City Clerk, Stephen Fleming; Manager, Urban Land Use, Danielle Noble\*; Manager, Parks & Public Places, Terry Barton\*; Planner Specialist, Urban Design, Pat McCormick\*; Fire Chief, Jeff Carlisle\*; Manager, Long Range Planning, Gary Stephen\*; Subdivision Approving Officer, Ryan Smith\*; Deputy Fire Chief, Tom Doherty\*; Deputy Fire Chief, Lou Wilde\*; Property Officer, Tammy Abrahamson\*; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. CALL TO ORDER

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

Deputy Mayor DeHart 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. CONFIRMATION OF MINUTES

Regular PM Meeting - May 14, 2012  
Regular PM Meeting - May 28, 2012

Moved by Councillor Singh/Seconded by Councillor Hobson

R522/12/06/11 THAT the Minutes of the Regular PM Meetings of May 14, 2012 and May 28, 2012 be confirmed as circulated.

Carried

3. COMMITTEE REPORTS

3.01 Planner Specialist, Urban Design, dated June 7, 2012, re: Accessibility Advisory Committee - Terms of Reference

Moved by Councillor Singh/Seconded by Councillor Zimmermann

R523/12/06/11 THAT Council receives, for information, the Report from the Planner Specialist, Urban Design dated June 6, 2012 with respect to a revised Terms of Reference for the Accessibility Advisory Committee;

AND THAT Council approves the revised Terms of Reference for the Accessibility Advisory Committee attached as Attachment 1 to the Report of the Planner Specialist, Urban Design dated June 6, 2012;

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AND FURTHER THAT Council appoints Mr. Paul Landry to the Accessibility Advisory Committee.

Carried

4. DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

4.01 Land Use Management Department, dated May 24, 2012, re: Rezoning Application No. Z12-0034 - Shawn & Christina Smith - 1563 Large Avenue

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R524/12/06/11 THAT Rezoning Application No. Z12-0034 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, Section 13, Township 26, ODYD Plan KAP74112, located on Large Avenue, 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 the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the suite be eligible for final occupancy prior to final adoption of the zone;

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

4.01.1 Bylaw No. 10719 (Z12-0034) - Shawn & Christina Smith - 1563 Large Avenue

Moved by Councillor Given/Seconded by Councillor Stack

R525/12/06/11 THAT Bylaw No. 10719 be read a first time.

Carried

4.02 Land Use Management Department, dated May 22, 2012, re: Rezoning Application No. Z12-0033 - Harry & Judith Van Asseldonk (IHS Design) - 570 Brighton Road

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R526/12/06/11 THAT Rezoning Application No. Z12-0033 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 101, Section 24, Township 26, ODYD Plan 24631 located on Brighton Road, 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 the zone amending bylaw be forwarded to a Public Hearing for further consideration.

Carried

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4.02.1 Bylaw No. 10720 (Z12-0033) - Harry & Judith Van Asseldonk (IHS Design) - 570 Brighton Road

Moved by Councillor Given/Seconded by Councillor Stack

R527/12/06/11 THAT Bylaw No. 10720 be read a first time.

Carried

4.03 Land Use Management Department, dated May 30, 2012, re: Rezoning Application No. Z12-0028 - Jens Christensen - 909 Mount Royal Drive

Moved by Councillor Hobson/Seconded by Councillor Singh

R528/12/06/11 THAT Rezoning Application No. Z12-0028 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 32, Section 30, Township 26, ODYD Plan 17272, located on Mount Royal Drive, 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 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.

Carried

4.03.1 Bylaw No. 10721 (Z12-0028) - Jens Christensen - 909 Mount Royal Drive

Moved by Councillor Given/Seconded by Councillor Stack

R529/12/06/11 THAT Bylaw No. 10721 be read a first time.

Carried

4.04 Land Use Management Department, dated May 31, 2012, re: Rezoning Application No. Z12-0038 - Paulyn Chua - 811 Tamarack Drive

Moved by Councillor Hobson/Seconded by Councillor Given

R530/12/06/11 THAT Rezoning Application No. Z12-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 29, Section 15, Township 26, ODYD Plan 24818, located on Tamarack Drive, 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 the zone amending bylaw be forwarded to a Public Hearing for further consideration;

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

Carried

4.04.1 Bylaw No. 10722 (Z12-0038) - Pauly Chua - 811 Tamarack Drive

Moved by Councillor Zimmermann/Seconded by Councillor Stack

R531/12/06/11 THAT Bylaw No. 10722 be read a first time.

Carried

4.05 Land Use Management Department, dated May 23, 2012, re: Rezoning Application No. Z05-0082 - Bogdan Snarski & Benedicte Lee (Canwest Design & Drafting Ltd.) - 1886 Ambrosi Road

Moved by Councillor Singh/Seconded by Councillor Zimmermann

R532/12/06/11 THAT Council receives, for information, the report from the Land Use Management Department, dated May 23, 2012 with respect to Rezoning Bylaw Application 9653 (Z05-0082 - Bogdan Snarski & Benedicte Lee (Canwest Design & Drafting) - 1886 Ambrosi Road);

AND THAT Bylaw No. 9653 be forwarded for rescindment consideration and Staff be directed to close the related files.

Carried

4.05.1 Bylaw No. 9653 (Z05-0082) - Bogdan Snarski & Benedicte Lee (Canwest Design & Drafting Ltd.) - 1886 Ambrosi Road

Moved by Councillor Stack/Seconded by Councillor Zimmermann

R533/12/06/11 THAT first, second and third readings given to Bylaw No. 9653 be rescinded;

AND THAT the file for Rezoning Application No. Z05-0082, for the property located at 1886 Ambrosi Road be closed.

Carried

4.06 Land use Management Department, dated May 24, 2012, re: Rezoning Application No. Z09-0024 - Rajinder & Basant Bhullar (Roger Bhullar) - 1525 Collison Road

Moved by Councillor Singh/Seconded by Councillor Zimmermann

R534/12/06/11 THAT Council receives, for information, the report from the Land Use Management Department, dated May 24, 2012 with respect to Rezoning Bylaw 10207, for Lot A, Section 22, Township 26, Osoyoos Division Yale District, Plan 11943, located at Collison Road, Kelowna, B.C.;

AND THAT Bylaw No.10207 be forwarded for rescindment consideration.

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4.06.1 Bylaw No. 10207 (Z09-0024) - Rajinder & Basant Bhullar (Roger Bhullar) - 1525 Collison Road

**R535/12/06/11** THAT first, second and third readings given to Bylaw No. 10207 be rescinded;

AND THAT the file for Rezoning Application No. Z09-0024, for the property located at 1525 Collison Road be closed.

Carried

4.07 Land Use Management Department, dated May 24, 2012, re: Rezoning Application No. Z07-0054 - Rajinder Bhullar (Roger Bhullar) - 495 Keithley Road

Moved by Councillor Singh/Seconded by Councillor Zimmermann

**R536/12/06/11** THAT Council receives, for information, the report from the Land Use Management Department, dated May 24, 2012 with respect to Rezoning Bylaw 9871, for Lot 11, Section 26, Township 26, Osoyoos Division Yale District, Plan 19016, located at 495 Keithley, Kelowna, B.C.;

AND THAT Bylaw No. 9871 be forwarded for rescindment consideration.

Carried

4.07.1 Bylaw No. 9871 (Z07-0054) - Rajinder Bhullar (Roger Bhullar) - 495 Keithley Road

Moved by Councillor Blanche/Seconded by Councillor Basran

**R537/12/06/11** THAT first, second and third readings given to Bylaw No. 9871 be rescinded;

AND THAT the file for Rezoning Application No. Z07-0054, for the property located at 495 Keithley Road be closed.

Carried

4.08 Land Use Management Department, dated May 30, 2012, re: Housing Agreement - Klassen Ventures Ltd. - 3281 Hall Road

Staff:

- Advised that the Building Permit is on hold pending consideration of the Housing Agreement.

Council:

- Raised concerns regarding the future subdivision potential of the lot.
- Raised concerns regarding the lack of any type of public input as to the siting and size of the building.

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Moved by Councillor Hobson/Seconded by Councillor Zimmermann

**R538/12/06/11** THAT Council directs staff to hold a public meeting with respect to the Housing Agreement with Klassen Ventures Ltd. for the property located at 3281 Hall Road.

Carried

4.08.1 Bylaw No. 10718 - Housing Agreement - 3281 Hall Road

The Bylaw was not considered by Council.

4.09 Land Use Management Department, dated May 18, 2012, re: Rezoning Application No. Z10-0091 - D & S Schultz Enterprises Ltd. (Siegfried Schulz) - 196 Cariboo Road

Moved by Councillor Stack/Seconded by Councillor Singh

**R539/12/06/11** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10513 Lot H, Section 4, Township 23, O.D.Y.D., Plan 20088, located on Cariboo Road, Kelowna, BC be extended from April 19, 2012 to October 19, 2012.

Carried

4.10 Land Use Management Department, dated May 17, 2012, re: Rezoning Application No. Z10-0104 - Eric & Margaret Nickel (Gary Tomporowski Architects) - 1205, 1215, 1223 & 1229 Richter Street

Moved by Councillor Given/Seconded by Councillor Hobson

**R540/12/06/11** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10544 (Z10-0104), Lots 10-13 District Lot 138 ODYD Plan 1039, located on Richter Street, Kelowna, BC, be extended from March 7, 2012 to September 7, 2012.

Carried

4.11 Manager, Long Range Planning, dated June 1, 2012, re: Official Community Plan 2030 Bylaw No. 10500 - Housekeeping and Miscellaneous Amendments

Moved by Councillor Hobson/Seconded by Councillor Given

**R541/12/06/11** THAT Council receives, for information, the report from the Long Range Planning Manager dated June 1, 2012 with respect to amendments to Official Community Plan 2030 Bylaw 10500;

AND THAT Bylaw No. 10621, being an amendment to Bylaw No. 10500 Kelowna 2030 - Official Community Plan, be forwarded to the July 10, 2012 Public Hearing;

AND FURTHER THAT Bylaw No. 10702, being an amendment to Bylaw No. 10500 Kelowna 2030 - Official Community Plan, be forwarded to the July 10, 2012 Public Hearing.

Carried

5. NON-DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

5.01 Fire Chief, dated May 13, 2012, re: 2011 Kelowna Fire Department Annual Report

Fire Chief:

- Displayed a PowerPoint Presentation with respect to the Fire Department's 2011 Annual Report.

Deputy Fire Chief:

- Responded to questions from Council regarding the types of deficiencies the Fire Inspectors are noting (i.e. Fire Extinguishers and Fire Exit Lighting).
- Provided an overview of the follow up process for Fire Inspector deficiencies.

Moved by Councillor Hobson/Seconded by Councillor Basran

R542/12/06/11 THAT Council receives, for information, the 2011 Kelowna Fire Department Annual Report as attached to the Report of the Fire Chief dated May 15, 2012.

Carried

5.02 Fire Chief, dated May 25, 2012, re: First Medical Responder Program Overview and Incremental Cost Analysis

Deputy Fire Chief:

- Confirmed that there is no money available from the Province for this Program.

Moved by Councillor Singh/Seconded by Councillor Stack

R543/12/06/11 THAT Council receives, for information, the Report from the Fire Chief dated May 25, 2012 with respect to the First Medical Responder Program Overview and Incremental Cost Analysis;

AND THAT Council supports the Kelowna Fire Department's continued participation in the First Medical Responder Program.

Carried

5.03 Subdivision Approving Officer, dated May 24, 2012, re: Street Naming Policy Consolidation

Moved by Councillor Given/Seconded by Councillor Zimmermann

R544/12/06/11 THAT Council receives for information the Report from the Subdivision Approval Officer dated May 24, 2012 pertaining to a new Council Policy for Street Naming, Street Name/Address Changes and Compensation;

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AND THAT Council Policy No. 363 - Street Naming, Street Name/Address Changes and Compensation Policy, as attached to the report by the Subdivision Approval Officer dated May 3, 2012 as Schedule "A" be endorsed by Council;

AND THAT Council Policy No. 92 - Road Name Changes for Roads be rescinded;

AND THAT Policy No. 152 - Street Naming for Newly Created Roads be rescinded;

AND THAT Policy 154 - Street Renaming Requests be rescinded;

AND FURTHER THAT Policy No. 346 - Compensation for Addressing Changes be rescinded.

Carried

5.04 Manager, Property Management, dated May 31, 2012, re: Lease Renewal - 0731900 B.C. Ltd. dba Downtown Tan (265 Lawrence Avenue)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R545/12/06/11 THAT Council approves the City entering into an eighteen (18) month lease with an option to renew for an additional one (1) year term at the sole discretion of the City, with 0731900 B.C. Ltd. doing business as (dba) Downtown Tan, in the form attached to the Report of the Manager, Property Management, dated May 31, 2012;

AND THAT the Mayor and City Clerk be authorized to execute all documents associated with the lease.

Carried

5.05 City Clerk, dated May 23, 2012, re: Rescinding Bylaws

City Clerk:

- Provided background information regarding the bylaws being requested for rescindment consideration.

Moved by Councillor Hobson/Seconded by Councillor Basran

R546/12/06/11 THAT Council receives, for information, the report from the City Clerk dated May 23, 2012 to rescind readings given to specific bylaws;

AND THAT Bylaw No. 10347 - Z10-0027, Robert Hutchinson - 3514 Casorso Road be forwarded for rescindment consideration;

AND FURTHER THAT Bylaw No. BL10465 - Z10-0087 - Kenneth Busch - 2967 McCulloch Road be forwarded for rescindment consideration;

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5.05.1 Bylaw No. 10347 (Z10-0027) - Robert Hutchison - 3514 Casorso Road

Moved by Councillor Blanteil/Seconded by Councillor Basran

R547/12/06/11 THAT first reading given to Bylaw No. 10347 (Z10-00027, Robert Hutchison, 3514 Casorso Road) be rescinded;

AND THAT staff be directed to close the file.

Carried

5.05.2 Bylaw No. 10465 (Z10-0087) - Kenneth Busch - 2967 McCulloch Road

Moved by Councillor Hobson/Seconded by Councillor Singh

R548/12/06/11 THAT first reading given to Bylaw No. 10465 (Z10-0087, Kenneth Busch, 2967 McCulloch Road) be rescinded;

AND THAT staff be directed to close the file.

Carried

5.05.3 Bylaw No. 10573 - Amendment No. 9 to City of Kelowna Noise and Disturbances Control Bylaw No. 6647-90

Moved by Councillor Hobson/Seconded by Councillor Basran

R549/12/06/11 THAT Council defers rescindment consideration of Bylaw No. 10573, being Amendment No. 9 to City of Kelowna Noise and Disturbances Bylaw No. 6647-90 until such time as the RCMP Superintendent can appear before Council to explain the RCMP's position with respect to the proposed amendments.

Carried

6. BYLAWS FOR ADOPTION (Non-Development Related)

6.01 City Clerk, dated May 30, 2012, re: Elected Officials Oath of Office

Moved by Councillor Singh/Seconded by Councillor Hobson

R550/12/06/11 THAT Bylaw No. 10705, being the Elected Officials Oath of Office, be adopted.

Carried

7. MAYOR & COUNCILLOR ITEMS

7.01 Councillor Basran, re: Federation of Canadian Municipalities (FCM) Convention

Councillor Basran:

- Provided an update on the recent FCM Convention and showed a video from the FCM President via You Tube.

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[http://www.youtube.com/watch?v=nXwUv9sVLos&feature=youtube\\_gdata\\_player](http://www.youtube.com/watch?v=nXwUv9sVLos&feature=youtube_gdata_player)

7.02 Mayor Items

Deputy Mayor DeHart:

- Advised that RCMP Inspector Paul Driscoll has resumed his position as Inspector, Operations at the Kelowna Detachment following his one (1) year posting to Kandahar, Afghanistan.

8. TERMINATION

The meeting was declared terminated at 3:41 p.m.

Certified Correct:

Deputy Mayor DeHart



City Clerk

/slh

DRAFT