

Regular Meeting - P.M.

August 7, 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 Tuesday, August 7<sup>th</sup>, 2012.

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

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Urban Land Use Director, Shelley Gambacort; Manager, Transportation & Mobility, Peter Truch; and Council Recording Secretary, Arlene McClelland.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:39 p.m.

Mayor Gray 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 - July 23, 2012

Moved by Councillor Singh/Seconded by Councillor DeHart

**R725/12/08/07** THAT the Minutes of the Regular Meeting of July 23, be confirmed as circulated.

Carried

3. DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

3.1 Land Use Management Department, dated July 18, 2012, re: Rezoning Application No. Z12-0001 - Melcor Lakeside Inc. - 373 Prestwick Street

Moved by Councillor Hobson/Seconded by Councillor Stack

**R726/12/08/07** THAT Council receives, for information, the Supplemental Report of the Land Use Management Department dated July 18, 2012 with respect to a proposed amendment to Rezoning Application No. Z12-0001;

THAT second and third readings for Bylaw No. 10672 be forwarded for rescindment consideration;

AND THAT Rezoning Application No. Z12-0001 (Bylaw No. 10672) be amended at first reading to change the proposed zoning classification for a portion of Lot 2, Section 19, Township 27, ODYD, Plan EPP12261, located at 373 Prestwick Street, Kelowna, BC, from the RU6 - Two Dwelling Housing zone to the RU6h - Two Dwelling Housing (Hillside Area) zone as shown on Map "B" attached to the Report of the Land Use Management Department dated July 18, 2012 be considered by Council;

AND THAT the Zone Amending Bylaw, as amended, be forwarded to a Public Hearing for further consideration;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.1.1 Bylaw No. 10672 (Z12-0001) - Melcor Lakeside Inc. - 373 Prestwick Street

Moved by Councillor Stack/Seconded by Councillor Given

R727/12/08/07 THAT second and third readings given to Bylaw No. 10672 be rescinded;

AND THAT Bylaw No. 10672 be amended at first reading by changing the proposed zoning classification for a portion of the property from RU6 - Two Dwelling Housing zone to the RU6h - Two Dwelling Housing (Hillside Area) zone.

Carried

3.2 Land Use Management Department, dated July 25, 2012, re: Rezoning Application No. Z12-0045 - Stephen & Donara Krysko (Davara Holdings Ltd.) - 5460 Lakeshore Road

Council:

- Requested a response from the Fire Department prior to Public Hearing.

Moved by Councillor Hobson/Seconded by Councillor Basran

R728/12/08/07 THAT Rezoning Application No. Z12-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 22, Township 28, SDYD Plan EPP15367 located at 5460 Lakeshore Road, Kelowna, BC from the RR1- Rural Residential 1 zone to the RR1s- Rural Residential 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 THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit for the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of Interior Health being met;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Fire Department being met;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of a Natural Environment Development Permit and Form & Character Development Permit by staff.

Carried

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- 3.2.1 Bylaw No. 10747 (Z12-0045) - Stephen & Donara Krysko (Davara Holdings Ltd.) - 5460 Lakeshore Road

Moved by Councillor Zimmermann/Seconded by Councillor DeHart

R729/12/08/07 THAT Bylaw No. 10747 be read a first time.

Carried

- 3.3 Land Use Management Department, dated July 19, 2012, re: Rezoning Application No. Z11-0003 and Land Use Contract Discharge Application No. LUC11-0001 - Mark Fipke (Felix Westerkamp) - 5064 Lakeshore Road

Moved by Councillor Zimmermann/Seconded by Councillor Stack

R730/12/08/07 THAT Council receives, for information the report from the Land Use Management Department, dated July 19, 2012 with respect to Rezoning Application Z11-0003 and Land Use Contract discharge application LUC11-0001 for Lot A Section 23 Township 28 SDYD Plan 30063, located at 5064 Lakeshore Road, Kelowna, BC;

AND THAT Bylaw No. 10523 be forwarded for rescindment consideration and the corresponding files be closed.

Carried

- 3.3.1 Bylaw No. 10523 (Z11-0003) - Mark Fipke (Felix Westerkamp) - 5064 Lakeshore Road

Moved by Councillor DeHart/Seconded by Councillor Zimmermann

R731/12/08/07 THAT first reading given to Bylaw No. 10523 be rescinded;

AND THAT the files for Rezoning Application No. Z11-0003 and Land Use Contract Discharge Application No. LUC11-0001, for the property located at 5064 Lakeshore Road be closed.

Carried

- 3.4 Land Use Management Department, dated July 26, 2012, re: Development Permit Application No. DP11-0199 - 0814112 BC Ltd. (Architecturally Distinct Solutions) - 600 Boynton Place

Moved by Councillor Stack/Seconded by Councillor Blanleil

R732/12/08/07 THAT Council authorizes the issuance of Development Permit No. DP11-0199, being an amendment to Development Permit No. DP10-0003, for Lot A, Section 31, Township 26, ODYD, Plan KAP91474, Except Plan KAS3850 (Phases 1,2,3,4), located on 600 Boynton Place, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";

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4. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Landscape Architect;

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council's approval of the Development Permit Application in order for the permit to be issued.

Carried

- 3.5 Land Use Management Department, dated July 31, 2012, re: Development Permit Application No. DP11-0103 - Thomas & Sandra Greenough (Arda Consultants Ltd.) - 250 Lochview Road

Moved by Councillor Basran/Seconded by Councillor DeHart

R733/12/08/07 THAT Council, receives, for information, the Report from the Land Use Management Department dated July 31, 2012;

AND THAT Council defers consideration of Development Permit No. DP11-0103 for Lot 6, Sections 7 & 8, Township 23, ODYD, Plan 41162, located at 250 Lochview Road, Kelowna, BC to the August 20, 2012 meeting of Council;

AND FURTHER THAT, at the August 20, 2012 meeting of Council, Council will consider the following resolution:

THAT Council NOT authorize the issuance of Development Permit No. DP11-0103 for Lot 6, Sections 7 & 8, Township 23, ODYD, Plan 41162, located at 250 Lochview Road, Kelowna, BC.

Carried

- 3.6 Land Use Management Department, dated July 11, 2012, re: Rezoning Application No. Z11-0025 - Christopher Fehr (Christopher Fehr & Ian McClellan) - 2857 East Kelowna Road

Moved by Councillor Singh/Seconded by Councillor Zimmermann

R734/12/08/07 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10055 Parcel A (DD145723F & Plan B6784) of Lot 25 Section 16 Township 26 ODYD Plan 187, located at 2857 East Kelowna Road, Kelowna, BC be extended from July 12, 2012 to January 12, 2013.

Carried

- 3.7 Land Use Management Department, dated July 17, 2012, re: Official Community Plan Bylaw Amendment Application No. OCP09-0001 and Rezoning Application No. Z09-0007 - P255 Enterprises Ltd. - 245 Briarwood Road

Council:

- Advised that they would not support any further extensions.

Staff:

- Advised that the property is under new ownership and are supportive of the extension in order to allow for a feasibility study.

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Moved by Councillor Given/Seconded by Councillor Singh

**R735/12/08/07** THAT in accordance with Development Application Procedures Bylaw No. 10540 the deadline for the adoption of Zone Amending Bylaw Nos. 10198 (OCP09-0001) & 10199 (Z09-0007), for 245 Briarwood Road by 0720229 BC Ltd. be extended from July 14, 2012 to January 14, 2013.

Carried

4. BYLAWS FOR ADOPTION (Development Related)

4.1 Bylaw No. 10382 (Z10-0034) - Richard & Debra Horner - 1820 Ivans Avenue

Moved by Councillor Blankeil/Seconded by Councillor Basran

**R736/12/08/07** THAT Bylaw No. 10382 be adopted.

Carried

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

Moved by Councillor Basran/Seconded by Councillor Blankeil

**R737/12/08/07** THAT Bylaw No. 10720 be adopted.

Carried

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

Moved by Councillor Hobson/Seconded by Councillor Singh

**R738/12/08/07** THAT Bylaw No. 10721 be adopted.

Carried

4.4 Bylaw No. 10723 (TA12-0006) - Pier Mac Petroleum Installations Ltd. (Robert Morell) - 1433 Velocity Street

Moved by Councillor Hobson/Seconded by Councillor Singh

**R739/12/08/07** THAT Bylaw No. 10723 be adopted.

Carried

5. NON-DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

5.1 Manager, Parks & Public Places, dated July 30, 2012, re: Community Infrastructure Improvement Fund (CIIF)

Moved by Councillor Hobson/Seconded by Councillor Stack

**R740/12/08/07** THAT Council receives, for information, the report from the Manager, Parks & Public Places dated July 30, 2012, with respect to the Community Infrastructure Improvement Fund (CIIF).



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AND THAT Council endorses the application to Western Economic Diversification for a \$250,000 CIIF grant to fund the Kelowna Family "Y" structural repairs.

Carried

5.2 Manager, Transportation & Mobility, dated July 31, 2012, re: Update - McKinley Road Safety Improvements

Staff:

- Provided a Power Point Presentation, re: McKinley Road Safety Improvements.
- Anticipate work to begin in late September or early October with substantial completion done by winter.

Council:

- Requested that staff advise residents of work schedule.

Moved by Councillor Hobson/Seconded by Councillor Singh

R741/12/08/07 THAT Council receives, for information, the report from the Manager, Transportation & Mobility, dated July 31, 2012, regarding the Update - McKinley Road Safety Improvements.

AND THAT Council approves additional funding of \$182,000 from the Rural Road Reserve (R048).

AND FURTHER THAT the 2012 Financial Plan be amended accordingly.

Carried

## 6. MAYOR & COUNCILLOR ITEMS

Councillor Given:

- Reminder of the Federal Electoral Boundaries Hearing on October 18, 2012. Deadline for submissions to present is August 30, 2012.

Moved by Councillor Given/Seconded by Councillor Hobson

R742/12/08/07 THAT the City of Kelowna register to speak, prior to the August 30<sup>th</sup> deadline, at the Federal Electoral Boundaries Public Hearing on October 18, 2012.

Carried

Councillor DeHart:

- Advised that the Chamber of Commerce Board will host their National Convention in Kelowna next September, 2013.

Councillor Blanleil:

- Commented that the highway medians are in need of maintenance.

Moved by Councillor Blanleil/Seconded by Councillor DeHart

R743/12/08/07 THAT Council authorize the Mayor to write a letter to the Ministry of Transportation and Highways regarding the poor level of maintenance of medians within city limits.

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Councillor Basran:

- Advised that the Centre of Gravity event was well managed and there were no major incidents.
- Advised that volunteers are greatly needed for the Apple Triathlon on August 18<sup>th</sup> and 19<sup>th</sup>.

City Manager:

- Advised that the Apple Triathlon requires 1200 volunteers and are particularly in need of 250 road marshals.

Mayor Gray:

- Advised that the Snowbirds performed on August 1<sup>st</sup> for CHILD.
- Advised that Kasugai Gardens celebrated its 25<sup>th</sup> Anniversary over the weekend.

7. TERMINATION

The meeting was declared terminated at 2:27 p.m.

Certified Correct:

\_\_\_\_\_  
Mayor

ACM/dld



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Deputy City Clerk

DRAFT