

Regular Meeting – P.M.November 5, 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, November 5th, 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; City Clerk, Stephen Fleming; Executive Director of Business Development, Jim Paterson*; Manager, Urban Land Use, Danielle Noble*; Director, Infrastructure Planning, Randy Cleveland*; Manager, Utilities Planning, Andrew Reeder*; Manager, Environment & Land Use, Todd Cashin*; Acting Director, Real Estate & Building Services, Derek Edstrom*; Parking Operations Coordinator, Dave Duncan*; Community Planning Manager, Theresa Eichler*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:37 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 – October 22, 2012
 Special Committee-of-the-Whole Meeting – October 23, 2012
 Regular PM Meeting – October 29, 2012

Moved by Councillor Hobson/Seconded by Councillor Given

R979/12/11/05 THAT the Minutes of the Regular PM Meetings of October 22, 2012 and October 29, 2012 and the Special Committee-of-the-Whole Meeting of October 23, 2012 be confirmed as circulated.

Carried

3. PUBLIC IN ATTENDANCE

3.1 Miss Kelowna Lady of the Lake, Navjot Takhar, and Kelowna's Princess, Jade Cowan, re: Report to Council

Navjot Takhar, Miss Kelowna Lady of the Lake, and Jade Cowan, Kelowna's Princess:

- Provided an overview of their experiences as Kelowna's Ambassadors and displayed a PowerPoint Presentation.
- Presented Mayor Gray with a gift from Mayor Ito of Kasugai, Japan.

4. DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

4.1 Land Use Management Department, dated October 29, 2012, re: Agricultural Land Reserve Appeal Application No. A12-0005 – Richard & Linda Lamberton – 3995 June Springs Road – Mayor to invite the Applicant, or Applicants' Representative, to come forward.

Staff:

- Provided an overview of the application and responded to questions from Council.

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Mayor Gray invited the Applicant, or Applicant's Representative to come forward.

Richard & Linda Lamberton, Applicant

- Advised that the subject property consists of 7 acres and that 4 acres are being used as a Christmas tree farm.
- Provided a synopsis of the demolition and building permit process that was previously followed by them.
- Advised that they want to keep the small house on the property for their daughter and granddaughter to live in.
- Confirmed that the small house has been on the property since the 1950's.
- Advised that there are three (3) properties in the immediate area that currently have carriage homes on them.
- Responded to questions from Council.

Moved by Councillor Blanleil/Seconded by Councillor Zimmermann

R980/12/11/05 THAT Agricultural Land Reserve appeal A12-0005 for Lot 1, Section 3, Township 26 Osoyoos Division Yale District Plan KAP80425, located at 3995 June Springs Road, Kelowna, B.C. for a non-farm use of agricultural land, pursuant to Section 20(3) of the *Agricultural Land Commission Act*, be supported by Municipal Council;

AND THAT Municipal Council forward the subject application to the Agricultural Land Commission.

Carried

4.2 Land Use Management Department, dated October 24, 2012, re: Rezoning Application No. Z12-0061 - Sharon Lynn Walker - 424 Park Avenue

Moved by Councillor Stack/Seconded by Councillor Given

R981/12/11/05 THAT Rezoning Application No. Z12-0061 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 14, ODYD Plan 3878, located on Park Avenue, Kelowna, BC from the RU1- Large Lot Housing zone to the RU1c- Large Lot Housing with Carriage House zone be considered by Council;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Heritage Alteration Permit on the subject property.

Carried

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- 4.2.1 Bylaw No. 10778 (Z12-0061) - Sharon Lynn Walker - 424 Park Avenue

Moved by Councillor DeHart/Seconded by Councillor Zimmermann

R982/12/11/05 THAT Bylaw No. 10778 be read a first time.

Carried

- 4.3 Land Use Management Department, dated October 26, 2012, re: Rezoning Application No. Z12-0063 - Kamalpreet Kaur Gill & Gurdev Singh Gill (Gurdev Gill) - 835 Solly Court

Moved by Councillor Zimmermann/Seconded by Councillor DeHart

R983/12/11/05 THAT Rezoning Application No. Z12-0063 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, Section 26, Township 26, ODYD, Plan 20566, located on 835 Solly Court, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone be considered by Council;

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

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

- 4.3.1 Bylaw No. 10779 (Z12-0063) - Kamalpreet Kaur Gill & Gurdev Singh Gill (Gurdev Gill) - 835 Solly Court

Moved by Councillor Given/Seconded by Councillor Stack

R984/12/11/05 THAT Bylaw No. 10779 be read a first time.

Carried

- 4.4 Land Use Management Department, dated October 31, 2012, re: Development Permit Application No. DP10-0093 - Sole on St. Paul Developments Ltd. (Edgecombe Enterprises Ltd.) - 1290 St. Paul Street

Staff:

- Provided an overview of the requested amendments.

Moved by Councillor Hobson/Seconded by Councillor Basran

R985/12/11/05 THAT Development Permit No. DP10-0093 for Lot A, District Lot 139, ODYD, Plan KAP91449, located at 1290 St. Paul Street, Kelowna BC, be amended by deleting Schedules "A", "B" and "C" and inserting new Schedules "A", "B" and "C" as outlined in the Report of the Land Use Management Department dated October 31, 2012.

Carried

5. NON-DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

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- 5.1 Manager, Strategic Land Development, dated October 30, 2012, re: Free Downtown Parking on Saturdays in December

Moved by Councillor Stack/Seconded by Councillor Hobson

R986/12/11/05 THAT Council receives, for information, the Report from the Manager, Strategic Land Development dated October 30, 2012, with respect to Free Downtown Parking on Saturdays in December;

AND THAT Council approves free on-street parking in the Downtown area on the following Saturdays in 2012:

- December 1,
- December 8,
- December 15,
- December 22, and
- December 29.

Carried

- 5.2 Community Planning Manager, dated October 30, 2012, re: Housing Agreements for Minor Group Living Homes – Cadder and Carmamillo

Moved by Councillor Hobson/Seconded by Councillor Given

R987/12/11/05 THAT Council, receives, for information, the Report from the Community Planning Manager dated October 30, 2012 with respect to repealing Housing Agreement Bylaws No. 8802 and 8891;

AND THAT Bylaw No. 10777 being the Repealing Bylaw for Housing Agreements Bylaws No. 8802 and 8891 be forwarded for reading consideration.

Carried

- 5.2.1 Bylaw No. 10777 – A Bylaw to Repeal Housing Agreement Authorization Bylaw Nos. 8802 & 8891

Moved by Councillor Blanleil/Seconded by Councillor Basran

R988/12/11/05 THAT Bylaw No. 10777 be read a first, second and third time.

Carried

- 5.3 Manager, Utilities Planning, re: South East Kelowna Irrigation District Water Quality Improvement Project

Moved by Councillor Basran/Seconded by Councillor Hobson

R989/12/11/05 THAT Council supports the South East Kelowna Irrigation District Stage 1 project as the priority application put forward to the Provincial Government for funding in accordance with the Kelowna Integrated Water Supply Plan;

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AND THAT Council authorizes the Mayor, on behalf of Council, to write a letter to the Provincial Government indicating Kelowna City Council's support the South East Kelowna Irrigation District Stage 1 project.

Carried

6. MAYOR & COUNCILLOR ITEMS

Mayor Gray:

- Announced the appointment of Jim Paterson as the City's new Executive Director of Business Development. Doug Gilchrist will assume Mr. Paterson's previous role as General Manager, Community Sustainability on a temporary basis until a recruitment process for a permanent replacement can be completed.

Councillor Stack:

- Advised that he represented Council at the 10th Anniversary Celebration for the Rotary Centre for the Arts.

Councillor Singh:

- Provided an update regarding the McKinley Road upgrades.

6.1 Mayor Gray, re: Private Members Bill - Deadline for Charitable Donations

Mayor Gray:

- Made reference to a Globe & Mail articles regarding the introduction of a private members bill that would move the tax deadline for charitable giving from December 31st to the last day in February. It would also declare the last seven days in February as National Charities Week in Canada.

Moved by Councillor Hobson/Seconded by Councillor DeHart

R990/12/11/05 THAT Council authorizes the Mayor, on behalf of Council, to write a letter to the Federal Government, with a copy to Peter Braid, Conservation MP for Kitchener-Waterloo, in support of the Private Members Bill that would move the tax deadline for charitable giving from December 31st to the last day of February.

Carried

7. TERMINATION

The meeting was declared terminated at 2:42 p.m.

Certified Correct:

Mayor

City Clerk

SLH/dld