

Regular Meeting – P.M.November 26, 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 26, 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; Director, Land Use Management, Shelley Gambacort*; Manager, Urban Land Use, Danielle Noble*; Manager, Utilities Planning, Andrew Reeder*; Fire Chief, Jeff Carlisle*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:38 p.m.

Mayor Gray made comments regarding the recent blood drive challenge between the City of Kelowna and the City of Prince George. Although a greater volume of blood was donated in Kelowna, Prince George donated more blood per capita. In recognition of this, Mayor Gray wore a Prince George Cougar's WHL hockey jersey.

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

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Moved by Councillor Given/Seconded by Councillor DeHart

R1031/12/11/26 THAT the Minutes of the Regular PM Meeting of November 19, 2012 be confirmed as circulated.

Carried

3. UNFINISHED BUSINESS

3.1 Bylaw No. 10783 (Z12-0059) - Marianne Hill (Ed Guy) - 250 & 260 Lake Avenue

Staff:

- Confirmed that both lots are being rezoned to the RU3 zone.

Moved by Councillor Hobson/Seconded by Councillor Singh

R1032/12/11/26 THAT Bylaw No. 10783 be read a first time.

Carried

4. DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

4.1 Land Use Management Department, dated November 19, 2012, re: Rezoning Application No. Z09-0035 - Matthew Ewonus (Protech Consultants Ltd.) - 3130 Sexsmith Road - Mayor to invite the Applicant, or Applicant's Representative, to come forward.

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- 4.2 Land Use Management Department, dated November 19, 2012, re: Rezoning Application No. Z10-0092 – Kimberly and John Berg (Protech Consultants Ltd.) – 3150 Sexsmith Road – Mayor to invite the Applicant, or Applicant’s Representative, to come forward.
- 4.3 Land Use Management Department, dated November 19, 2012, re: Rezoning Application No. Z10-0093 – Kimberly & John Berg and Shanny & Marlin Toews (Protech Consultants Ltd.) – 3170 Sexsmith Road – Mayor to invite the Applicant, or Applicant’s Representative, to come forward.

Councillor Given declared a conflict of interest with respect to Agenda Item No. 4.1 as she has a business relationship with the property owner of 3130 Sexsmith Road and left the meeting at 1:43 p.m.

Staff:

- Responded to questions from Council with respect to the rezoning process and bylaw enforcement of the subject properties.

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

Grant Maddock, Applicant’s Representative

- Confirmed that he is speaking on behalf of the four (4) property owners whose rezoning applications are the subject of the extension requests.
- Provided background information regarding the rezoning application process and procedures.
- Advised that the subject rezoning applications initiated the I6 Zone provisions.
- Provided the rationale for not moving forward with the completion of the rezoning applications.
- Confirmed that the property owners are seeking a six (6) month extension in order to secure financing.
- Responded to questions from Council.

Moved by Councillor Basran/Seconded by Councillor Blanleil

R1033/12/11/26 THAT the deadline for the adoption of Amending Bylaw No. 10436 (Z09-0035, for Lot 28 Section 3 Township 23 ODYD Plan 18861), located at 3130 Sexsmith Road, Kelowna, BC, be extended from November 16, 2012 to May 16, 2013.

Carried

Councillor Given rejoined the meeting at 2:02 p.m.

Moved by Councillor Blanleil/Seconded by Councillor Basran

R1034/12/11/26 THAT the deadline for the adoption of Amending Bylaw No. 10443 (Z10-0092, for Lot 27 Section 3 Township 23 ODYD Plan 18861), located at 3150 Sexsmith Road, Kelowna, BC, be extended from November 16, 2012 to May 16, 2013.

Carried

Moved by Councillor Basran/Seconded by Councillor Hobson

R1035/12/11/26 THAT the deadline for the adoption of Amending Bylaw No. 10445 (Z10-0093, for Lot 26 Section 3 Township 23 ODYD Plan 18861), located at

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3170 Sexsmith Road, Kelowna, BC, be extended from November 16, 2012 to May 16, 2013.

Carried

- 4.4 Land Use Management Department, dated November 19, 2012, re: Rezoning Application No. Z10-0094 - 567752 BC Ltd. (Protech Consultants Ltd.) - 3190 Sexsmith Road

Moved by Councillor Hobson/Seconded by Councillor Zimmermann

R1036/12/11/26 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10447, Z10-0094 for Lot 25, Sections 2 & 3, Township 23 ODYD, Plan 18861, located at 3190 Sexsmith Road, Kelowna, BC, be extended from November 16, 2012 to May 16, 2013.

Carried

- 4.5 Land Use Management Department, November 12, 2012, re: Rezoning Application No. Z12-0067 - John Hodges - 3563 Scott Road

Moved by Councillor Hobson/Seconded by Councillor Stack

R1037/12/11/26 THAT Rezoning Application No. Z12-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9, District Lot, 134, ODYD, Plan 20399, located on 3563 Scott Road, 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 issuance of a PLR for the proposed subdivision.

Carried

- 4.5.1 Bylaw No. 10785 (Z12-0067) - John Hodges - 3563 Scott Road

Moved by Councillor Hobson/Seconded by Councillor Singh

R1038/12/11/26 THAT Bylaw No. 10785 be read a first time.

Carried

5. BYLAWS FOR ADOPTION (Development Related)

- 5.1 Bylaw No. 10699 - Text Amendment No. TA12-0002

Moved by Councillor Blanleil/Seconded by Councillor DeHart

R1039/12/11/26 THAT Bylaw No. 10699 be adopted.

Carried

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- 5.2 Bylaw No. 10740 - Discharge of Land Use Contract LUC76-1114 (M46624)
- 325 Banks Road

Moved by Councillor DeHart/Seconded by Councillor Zimmermann

R1040/12/11/26 THAT Bylaw No. 10740 be adopted.

Carried

6. NON-DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

- 6.1 Fire Chief, dated November 6, 2012, re: 2012-2022 Fire Department Strategic Plan

Fire Chief:

- Recommended the staff report be amended for Council to receive the report for information purposes and to refer the plan back to staff for further discussion.

Council:

- Made comments regarding the ability to fund all the recommendations in the Plan.
- Made comments regarding how the plan recommends the use of volunteers.
- Made comments regarding the volume of calls made to the Water Street Station and how this would be resourced in the future.

Moved by Councillor Given/Seconded by Councillor Singh

R1041/12/11/26 THAT Council receives, for information, the Report and Presentation from the Fire Chief dated November 6, 2012 regarding the 2012-2022 Fire Department Strategic Plan;

AND THAT the 2012-2022 Fire Department Strategic Plan be referred back to staff for further discussion with Council.

Carried

- 6.2 City Clerk, dated November 6, 2012, re: Sufficiency Report for the Owner Initiated Local Area Service for Lawrence Avenue

Moved by Councillor Zimmermann/Seconded by Councillor Hobson

R1042/12/11/26 THAT Council receives for information, the Report from the City Clerk, dated November 6, 2012 pertaining to the receipt of Owner Initiated Local Area Service Petitions for Lawrence Avenue for improvements to include paved road shoulders (soaker strips) along the curb and gutter, landscaped boulevard along the south side of the street complete with sod, trees, irrigation and curb bulbs on both sides of the street;

AND THAT the Manager, Utilities Planning has been notified to place the Local Area Service for Lawrence Avenue in construction priority order;

AND FURTHER THAT Council receives the Certificate of Sufficiency dated November 6, 2012 pertaining to the Owner Initiated Local Area Service for Lawrence Avenue.

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- 6.2.1 Manager, Utilities Planning, November 21, 2012, re: Lawrence Avenue (Richter to Ethel) Local Area Service and Loan Authorization Bylaw

Moved by Councillor Hobson/Seconded by Councillor Basran

R1043/12/11/26 THAT Council receives for information, the Report from the Utilities Planning Manager, dated November 21, 2012 with respect to the Lawrence Ave (Richter to Ethel) Local Area Service and Loan Authorization Bylaw.

AND THAT Bylaw No. 10748, Establishment and Loan Authorization Bylaw for Lawrence Avenue be forwarded for adoption.

Carried

- 6.2.2 Bylaw No. 10748 - Establishment of Local Area Service and Borrowing Bylaw for Lawrence Avenue Local Area Service

Moved by Councillor Given/Seconded by Councillor Zimmermann

R1044/12/11/26 THAT Bylaw No. 10748 be adopted.

Carried

7. MAYOR & COUNCILLOR ITEMS

Councillor Stack:

- Advised that Sunday, December 2, 2012 (1:00 pm at the Parkinson Recreation Centre) is the Kelowna-Kasugai Sister City Association's "Taste of Japan" fundraising event.

Councillor DeHart:

- Advised that the Tree of Hope Light Up Event is this weekend.

Councillor Basran:

- Advised that Saturday, December 1, 2012 is the Downtown Kelowna Association's Christmas Light Up.
- Advised that Sunday, December 2, 2012 is the Uptown Rutland Business Association's Christmas Light Up.

Mayor Gray:

- Advised that the relocation of the Water Street Seniors' Centre to the Parkinson Recreation Centre officially took place last week.

City Manager:

- Advised that the construction of the new Kelowna Yacht Club is set to begin shortly. Demolition of the Water Street Seniors' Centre is scheduled to begin in December 2012 or January 2013 now that the new Parkinson Activity Centre is open.

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8. TERMINATION

The meeting was declared terminated at 2:25 p.m.

Certified Correct:

Mayor

SLH/dld

City Clerk