



City of Kelowna Regular Council Meeting Minutes

Date: Monday, March 11, 2013
Time: 1:30 pm
Location: Council Chamber
City Hall, 1435 Water Street

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

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Manager, Urban Land Use, Danielle Noble*; Subdivision Approving Officer, Ryan Smith*; Director, Recreation & Cultural Services, Jim Gabriel*; Manager, Regional Programs, Jerry Dombowsky*; Council Recording Secretary, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 1:32 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

Moved By: Councillor Given/Seconded By: Councillor DeHart

R152/13/03/11 THAT the Minutes of the Regular PM Meeting of March 4, 2013 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Civic Awards Steering Committee, 38th Annual Civic & Community Awards - Finalist Announcement

Staff:

- Introduced the presentation.

Dawn Wilkinson, Member of the Civic Awards Steering Committee:

- Displayed a PowerPoint Presentation and announced the 38th Annual Civic and Community Awards Finalists Announcement.

4. Development Application Reports & Related Bylaws

4.1. Text Amendment Application No. TA13-0003 - Text Amendments to Zoning Bylaw No. 8000

Staff:

- Displayed a PowerPoint Presentation and provided an overview of the proposed amendments.
- Responded to questions from Council.

Moved By: Councillor Hobson/ Seconded By: Councillor Blanleil

R153/13/03/11 THAT Zoning Bylaw Text Amendment No. TA13-0003 to amend City of Kelowna Zoning Bylaw No. 8000, as outlined in Schedule 'A' of the report of the Land Use Management Department dated February 25, 2013 be considered by Council;

AND THAT Zoning Bylaw Text Amendment No. TA13-0003 be forwarded to a Public Hearing for further consideration.

Carried

4.1.1. Bylaw No. 10816 (TA13-0003) - Miscellaneous Amendments - Zoning Bylaw no. 8000

Moved By: Councillor Given/Seconded By: Councillor Stack

R154/13/03/11 THAT Bylaw No. 10816 be reading a first time.

Carried

4.2. Official Community Plan Bylaw Amendment Application No. OCP12-0006, Text Amendment Application No. TA12-0007 and Rezoning Application No. Z12-0039 - 3787, 3791 and 3795 Lakeshore Road

Staff:

- Provided an overview of the application and responded to questions from Council.
- Confirmed that the applicant has conducted a Traffic Impact Analysis and has held several public information sessions with the affected neighbourhood.

Moved By: Councillor Hobson/Seconded By: Councillor Blanleil

R155/13/03/11 THAT OCP Bylaw Amendment No. OCP12-0006 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designations for Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180), located at 3791 Lakeshore Road; Lot 3, DL 134, ODYD, Plan 3420 Except Plan H9673, located at 3795 Lakeshore Road, and Lot B, D.L. 134, ODYD, Plan 12063 located at 3787 Lakeshore Road, Kelowna B.C. from the Mixed Use Tourism / Multiple Unit Residential - Medium Density / Multiple Unit Residential - Low Density / Major Park & Open Space to the Mixed Use Tourism / Multiple Unit Residential - High Density / Multiple Unit Residential - Medium Density / Major Park & Open Space, as shown on

Map "A" attached to the report of the Land Use Management Department, dated February 15th, 2013, be considered by Council;

AND THAT OCP Text Amendment OCP12-0006 to amend Kelowna 2030 - OCP Bylaw No. 10500, Objective 5.5, Policy .1, Building Height to exclude the development proposed Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180), located at 3791 Lakeshore Road; Lot 3, DL 134, ODYD, Plan 3420 Except Plan H9673, located at 3795 Lakeshore Road, and Lot B, D.L. 134, ODYD, Plan 12063 located at 3787 Lakeshore Road, Kelowna B.C. from the 'Elsewhere Building Height' policy in order to permit one 11-storey apartment hotel, one 8-storey and one 9-storey mixed use development and one 9-storey, five 8-storey and two 6-storey residential apartment buildings, where the height maximum is 6 storeys for apartment hotels and hotels and 4 storeys for residential apartments as outlined in the Report of the Land Use Management Department dated February 15, 2013 be considered by Council;

AND THAT Council considers the APC process and the public open house hosted by the applicant on February 27th, 2013 to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Land Use Management Department dated February 15th, 2013;

AND THAT Text Amendment No. TA12-0007 to add the proposed CD24 - Comprehensive Development 24 zone to Zoning Bylaw No. 8000 as outlined in Schedule "A" of the Report of the Land Use Management Department dated February 15th, 2013 be considered by Council;

AND THAT Rezoning Application No. Z12-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for a portion of Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180), located at 3791 Lakeshore Road; Lot 3, DL 134, ODYD, Plan 3420 Except Plan H9673, located at 3795 Lakeshore Road, and Lot B, D.L. 134, ODYD, Plan 12063 located at 3787 Lakeshore Road, Kelowna B.C. from C1 - Local Commercial, C9 - Tourist Commercial, RM7 - Mobile Home Park and RR3 - Rural Residential 3 to CD24 - Comprehensive Development 24 and P3 - Parks & Open Space as shown on Map "B" attached to the Report of the Land Use Management Department be considered by Council;

AND THAT the OCP Bylaw Amendment Bylaw, the Text Amendment Bylaw and the Zone Amendment Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amendment Bylaw be considered in conjunction with Council's consideration of a design guidelines Development Permit on the subject properties;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch attached as Schedule 'G' being completed to their satisfaction;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to a blanket Statutory Right of Way being registered on title securing public access through the development;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the submission of a plan of subdivision to consolidate the properties into one title;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the execution of a Natural Environment Development Permit and a Parks Agreement for the purposes of constructing and maintaining the public trail and Riparian Management Area (RMA) along Wilson Creek to a standard acceptable to the City;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the applicant entering into an agreement for the dedication of approximately 7,536m² of land along Wilson Creek to the City as a titled lot, the completion of a Purchase / Sale Agreement with the City for the land required for the Bird Place Bridge footings and for approximately 2,756m² of naturalized open space along Wilson Creek secured through a no build / no disturb covenant as shown on Schedule "B".

Carried

4.2.1. Bylaw No. 10817 (OCP12-0008) - 3787, 3791 and 3795 Lakeshore Road

Moved By: Councillor Stack/Seconded By: Councillor Given

R156/13/03/11 THAT Bylaw No. 10817 be read a first time;

AND THAT the Bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

4.2.2. Bylaw No. 10812 (TA12-0007) - New CD 24 Comprehensive Development Zone 24 - Zoning Bylaw No. 8000

Moved By: Councillor DeHart/Seconded By: Councillor Zimmermann

R157/13/03/11 THAT Bylaw No. 10817 be read a first time.

Carried

4.2.3. Bylaw No. 10818 (Z12-0039) - 3787, 3791 and 3795 Lakeshore Road

Moved By: Councillor Blancheil/Seconded By: Councillor Basran

R158/13/03/11 THAT Bylaw No. 10818 be read a first time.

Carried

4.2.4. Bylaw No. 10813 - Amendment No. 20 to Sign Bylaw No. 8235

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R159/13/03/11 THAT Bylaw No. 10813 be read a first, second and third time.

Carried

5. Non-Development Reports & Related Bylaws

5.1. Transit Ridership

Staff:

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

Moved By: Councillor Hobson/Seconded By: Councillor Given

R160/13/03/11 THAT Council receives the report of the Regional Programs Manager dated February 20, 2013 for information on transit ridership performance in 2012;

AND THAT Council approves the Quail Ridge and late night weekend 97 Express transit service trials as regular ongoing service based on successful performance;

AND THAT Council approves the information on the service adjustments planned for 2013;

AND FURTHER THAT Council approves the issuance and use of 20 monthly transit passes for promotional purposes, to be used to attract new riders to the transit system.

Carried

6. Mayor and Councillor Items

Councillor DeHart:

- Gave kudos to the Kelowna Rockets for winning the regular season, BC Division title.

Mayor Gray:

- Made additional comments regarding the Community Charter newspaper notice requirements. Suggested to Council that the Mayor write a letter to the Provincial Minister as well as raise the issue at the next UBCM Convention.
- Made comments regarding "pop up" businesses operating in Kelowna. Questioned the fairness to permanent businesses by the City offering temporary business licences at a reduced rate.

7. Termination

This meeting was declared terminated at 2:43 p.m.

Mayor

/slh

City Clerk