



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 22, 2013  
Location: Council Chamber  
City Hall, 1435 Water Street

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

Council Members Absent: Councillor Andre Blanleil

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Manager, Urban Land Use, Danielle Noble\*; Manager, Environment & Land Use, Todd Cashin\*; Planner, Greg Saur\*; Manager, Cultural Services, Sandra Kochan\*; Director, Financial Services, Keith Grayston\*; Manager, Financial Planning, Genelle Davidson\*; Revenue Manager, George King\*; Community Planning Manager, Theresa Eichler\*; Manager, Long Range Planning, Gary Stephen\*; Planner Specialist, Graham March\*; and Council Recording Secretary, Sandi Horning

(\*denotes partial attendance)

### 1. Call to Order

Mayor Gray called the meeting to order at 1:34 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 Zimmermann/Seconded By: Councillor DeHart

R279/13/04/22 THAT the Minutes of the Regular PM Meeting of April 15, 2013 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Jennifer Crosby, Board President, BC Water and Waste Association - Drinking Water Week and the Community Water Challenge

Jennifer Crosby, Board President, BC Water and Waste Association:

- Provided Council with information regarding Drinking Water Week (May 20-26, 2013) and the Community Water Challenge.

Councillor Basran joined the meeting at 1:39 p.m.

3.2. Peter Rotheisler, Manager of Environmental Services, Regional District of Central Okanagan - Waste Reduction and Other Regional Environmental Services

Peter Rotheisler, Manager of Environmental Services, Regional District of Central Okanagan:

- Displayed a PowerPoint Presentation and responded to questions from Council.

3.3. Lesley Moore, Executive Director, Kelowna Museums - Annual Report

Staff:

- Introduced the presentation.

Lesley Moore, Executive Director, Kelowna Museums:

- Displayed a PowerPoint Presentation and responded to questions from Council.

3.4. Cheryl Miller, Executive Director, Central Okanagan Foundation - Community Grant Programs, Grant Committee Recommendations

Staff:

- Introduced the Report from the Central Okanagan Foundation.

Cheryl Miller, Grants Manager, Community Grant Programs, Central Okanagan Foundation:

- Provided an overview of the 2013 recommended grants and responded to questions from Council.

Moved By: Councillor Hobson/Seconded By: Councillor Singh

R280/13/04/22 THAT Council approves the grants recommended in the April 14, 2013 report from the Central Okanagan Foundation for the distribution of the Community Social Development grants, and Grants to Address the Sexual Exploitation of Youth, as provided in the April 14th, 2013 report from the Community Planning Manager;

Carried

#### 4. Development Application Reports & Related Bylaws

##### 4.1. Agricultural Land Reserve Appeal Application No. A13-0004 - Manraj and Jeetender Kandola, 982 Old Vernon Road

###### Staff:

- Confirmed that the staff recommendation is for non-support and the staff alternate recommendation is for support.
- Provided the rationale for staff's non-support of the application.
- Confirmed that an addendum to the Consultant's Report was received which acknowledges the correctness of the staff report.
- Displayed mapping from the City map viewer showing various aspects of the subject properties.
- Confirmed that the sawmill operation did not exist on this parcel prior to the establishment of the Agricultural Land Reserve.
- Confirmed that the property is outside of the City's Permanent Growth Boundary.
- Responded to questions from Council.

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

###### Manraj and Jeetender Kandola, Applicants:

- Spoke to reasons for purchasing the property. They purchased the property with the full intent of operating a sawmill on the site, however, that operation is no longer financially viable.
- Spoke to their misunderstanding of the legislated timelines for a discontinued, non-conforming use.
- Spoke to the high cost to remediate the property for agricultural purposes.
- Advised that the property is located within a 'frost pocket'.
- Responded to questions from Council.
- Advised that they have not spoken with Agricultural Land Commission staff regarding specific options for the property as they were advised by Martin Collins that they should wait and see what Kelowna City Council has to say.
- Advised that they have collected twenty-one signatures in support of the exclusion of the site from the Agricultural Land Reserve.

###### Matt Davidson, Agrologist, Applicants' Representative:

- Spoke to specifics of soil classifications and frost pockets.
- Responded to questions from Council.

###### Grant Maddock, Protech Consultants Ltd., Applicants' Representative:

- Responded to questions from Council.
- Confirmed that Black Mountain Irrigation District supplies water to the residence on the site and that site is also irrigated.
- Confirmed that the site could be fully serviced.

###### Council:

- Inquired of staff whether some solution could be reached between the City, the Applicants, and the Agricultural Land Commission that would keep the property within the Agricultural Land Reserve.

**Moved By: Councillor Hobson/Seconded By: Councillor Zimmermann**

**R281/13/04/22** THAT Council defers consideration of Agricultural Land Reserve Appeal Application No. A13-0004 with respect to the property located at 982 Old Vernon Road;

AND THAT Council directs staff to work with the Applicants and the Agricultural Land Commission in order to determine viable options for keeping the subject property within the Agricultural Land Reserve and report back to Council.

Carried

**4.2. Official Community Plan Bylaw Amendment Application No. OCP13-0006 and Rezoning Application No. Z13-0007 - Northern Lights Land Development Corporation, 3503 Lakeshore Road, 602, 610, 620, 630 & 640 Swordy Road, and 3510 Landie Road**

Staff:

- Advised that the Applicant has a verbal agreement to purchase additional property located at 3505 Lakeshore Road that would be added to the lands that are the subject of this application.
- Staff recommends that Council consider the staff report and associated Bylaws today. A supplemental report and bylaw amendment adding the additional property will come forward to Council at a later date should Council advance the application.

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R282/13/04/22 THAT Official Community Plan Bylaw Amendment No. OCP13-0006 to amend Map 19.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1, D.L. 134, ODYD, Plan 17308, located at 3510 Landie Road from Single / Two Unit Residential to Multiple Unit Residential - Low Density, as shown on Map "A" attached to the report of the Land Use Management Department dated April 5th, 2013, be considered by Council;

AND THAT Council considers public consultation in accordance with Policy No. 367 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 April 5th, 2013;

AND THAT Rezoning Application No. Z13-0007 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, D.L. 134, ODYD, Plan 3232, located at 3503 Lakeshore Road, Lot 1, D.L. 134, ODYD, Plan 3232, located at 602 Swordy Road, Lot 3, D.L. 134, ODYD, Plan 3232, located at 610 Swordy Road, Lot 4, D.L. 134, ODYD, Plan 3232, located at 620 Swordy Road, Lot 5, D.L. 134, ODYD, Plan 3232, located at 630 Swordy Road, Lot 6, D.L. 134, ODYD, Plan 3232, located at 640 Swordy Road, Lot 1, D.L. 134, ODYD, Plan 17308, located at 3510 Landie Road from RU6 - Two Dwelling Housing to RM3 - Low Density Multiple Housing be considered by Council;

AND THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject properties;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the registration of a plan of subdivision to consolidate the properties.

Carried

**4.2.1. Bylaw No. 10843 (OCP13-0006) - Northern Lights Land Development Corporation, 3510 Landie Road**

**Moved By: Councillor DeHart/Seconded By: Councillor Zimmermann**

**R283/13/04/22** THAT Bylaw No. 10843 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. 10844 (Z13-0007) - Northern Lights Development Corporation, 3503 Lakeshore Road, 602, 620, 630 and 640 Swordy Road and 3510 Landie Road**

**Moved By: Councillor Given/Seconded By: Councillor Stack**

**R284/13/04/22** THAT Bylaw No. 10844 be read a first time.

**Carried**

**4.3. Official Community Plan Bylaw Amendment Application No. OCP11-0012 and Rezoning Application No. Z11-0027, Extension Request - IHS Designs, 964-968 Borden Avenue**

**Moved By: Councillor Stack/Seconded By: Councillor Hobson**

**R285/13/04/22** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw Nos. 10626 (OCP11-0012) and 10627 (Z11-0027), Lot 2, District Lot 138, ODYD, Plan 3182, located at 964-968 Borden Avenue, Kelowna, BC, be extended from November 15, 2012 to November 15, 2013.

**Carried**

**5. Non-Development Reports & Related Bylaws**

**5.1. Aquatic Habitat Inventory**

Staff:

- Displayed a PowerPoint Presentation and responded to questions from Council.

**Moved By: Councillor Given/Seconded By: Councillor Hobson**

**R286/13/04/22** THAT Council receives, for information, the Report from the Manager Environment and Land Use dated March 18, 2013, with respect to Aquatic Habitat Inventory.

**Carried**

**5.2. 2012 Development Statistics Report**

Staff:

- Provided an overview of the 2012 Development Statistics and responded to questions from Council.

Moved By: Councillor Stack/Seconded By: Councillor Basran

R287/13/04/22 THAT Council receives, for information the Report of the Planner Specialist, dated April 9, 2013, with respect to the 2012 Development Statistics Report.

Carried

### 5.3. Investment of City of Kelowna Funds for 2012

Staff:

- Provided a summary of the City of Kelowna's 2012 investment of surplus funds, activity and performance.

Moved By: Councillor Singh/Seconded By: Councillor DeHart

R288/13/04/22 THAT Council receives, for information, the Report from the Financial Planning Manager dated April 12, 2013 with respect to Investment of City of Kelowna Funds for 2012.

Carried

### 5.4. 2013 Sterile Insect Release (SIR) parcel tax

Moved By: Councillor Basran/Seconded By: Councillor Zimmermann

R289/13/04/22 THAT Council considers the Sterile Insect Release Program Parcel Tax Bylaw No. 10824 charging the 2013 Sterile Insect Release (SIR) Parcel Tax to individual property tax rolls in accordance with the 2013 SIR Parcel Tax Assessment Roll provided to the City of Kelowna by the Regional District of North Okanagan.

Carried

#### 5.4.1. Bylaw No. 10824 - Sterile Insect Release Program Parcel Tax Bylaw 2013

Moved By: Councillor Singh/Seconded By: Councillor Hobson

R290/13/04/22 THAT Bylaw No. 10824 be read a first, second and third time.

Carried

### 5.5. 2013 Tax Distribution Policy

Staff:

- Displayed a PowerPoint presentation and responded to questions from Council.

Moved By: Councillor Stack/Seconded By: Councillor Given

R291/13/04/22 THAT Council approves a Municipal Tax Distribution Policy as outlined in the Report of the Revenue Manager dated April 17, 2013, for the year 2013 that will result in a modification of the 2012 Tax Class Ratios to reflect the uneven market value changes which have been experienced between property classes, as follows:

<u>Property Class</u>	<u>Description</u>	<u>2013 Tax Class Ratios</u>	<u>2012 Tax Class Ratios</u>
01/08/03	Residential/Rec/NP/SH	1.0000:1	1.0000:1
02	Utilities	5.0475:1	5.3811:1
04	Major Industrial	3.0391:1	3.1155:1
05/06	Light Industrial/Business/Other	2.0822:1	2.1905:1
09	Farm Land	0.1279:1	0.1363:1
91	Farm Improvements	0.5034:1	0.5003:1

AND THAT Council approves development of 2013 tax rates to reflect the 2013 assessment changes in property market values.

Carried

## 6. Bylaws for Adoption (Non-Development Related)

### 6.1. Bylaw No. 10835 - Amendment No. 1 to the Five Year Financial Plan 2012-2016 BL10688

Moved By: Councillor Hobson/Seconded By: Councillor DeHart

R292/13/04/22 THAT Bylaw No. 10835, being Amendment No. 1 to the Five Year Financial Plan 2012-2016 Bylaw No. 10688 be adopted.

Carried

## 7. Mayor and Councillor Items

Councillor Given:

- Wished everyone 'Happy Earth' Day.
- Advised that she will be attending the Provincial Conference of School Trustees being held in Kelowna later this week to offer opening remarks on behalf of the Mayor.
- Raised concern regarding fading road lines on Highway 33 and Rutland Road.

City Manager:

- Advised that the road lines on Rutland Road will be repainted in May as the paint used requires a minimum temperature of 5° Celsius for the paint to dry.
- Advised that he will pass along concerns regarding Highway 33 to the Ministry of Transportation.

Councillors Stack:

- Commented on his attendance at the 'Save Your Neighbourhood' event in the North End.
- Commented on this attendance at the recent Okanagan Symphony Orchestra performance.

Councillor DeHart:

- Commented on her attendance at the 2012 United Way event in which the City was awarded the 2012 Quantum Leap Giving Award.
- Reminded everyone that May 1, 2013 is the 38th Annual Civic & Community Awards at the Kelowna Community Theatre.

Councillor Singh:

- Noted that the 3<sup>rd</sup> Annual Vaisakhi Parade will take place on Saturday, April 27, 2013 from 11:30 a.m. to 4:00 p.m.

Councillor Hobson:

- Provided comment regarding the joint Ogogrow Committee. Advised that a proposed new watering system will further reduce the number of complaints. Advised that a significant portion of the costs are recovered by the sale of the end product.

Mayor Gray:

- Advised that this week is 'Volunteer Week'.
- Commented on the 'Airwick' award that was presented to the City.
- Commented on the Mayors' challenge with the City of Kamloops regarding the Kelowna Rockets and the Kamloops Blazers.

**7.1. Mayor Gray, re: Regional District of Central Okanagan, City of Kelowna Representation**

**Moved By: Councillor Hobson/Seconded By: Councillor DeHart**

**R293/13/04/22** THAT Council rescinds the appointment of Councillor Blanleil as a Director to the Regional District of Central Okanagan's Board of Directors effective May 1, 2013;

AND THAT Council rescinds the appointment of Councillor Stack as first alternate to the Regional District of Central Okanagan's Board of Directors effective May 1, 2013;

AND THAT Council rescinds the appointment of Councillor DeHart as second alternate to the Regional District of Central Okanagan's Board of Directors effective May 1, 2013;

AND THAT Council rescinds the appointment of Councillor Singh as third alternate to the Regional District of Central Okanagan's Board of Directors effective May 1, 2013;

AND THAT Council appoints Councillor Stack as a Director to the Regional District of Central Okanagan's Board of Directors effective May 1, 2013;

AND THAT Council appoints Councillor DeHart as the first alternate to the Regional District of Central Okanagan's Board of Directors effective May 1, 2013;

AND THAT Council appoints Councillor Singh as the second alternate to the Regional District of Central Okanagan's Board of Directors effective May 1, 2013;

AND FURTHER THAT Council appoints Councillor Blanleil as the third alternate to the Regional District of Central Okanagan's Board of Directors effective May 1, 2013.

**Carried**

**8. Termination**

This meeting was declared terminated at 4:58 p.m.

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Mayor

/slh

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City Clerk