

City of Kelowna

Regular Council Meeting

Minutes

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| Date:  Location: | Monday, December 9, 2013  Council Chamber  City Hall, 1435 Water Street |

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| Council Members  Present: | Mayor Walter Gray and Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann |
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| Staff Present: | City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Interim Divisional Director, Infrastructure, John Vos\*; Divisional Director, Active Living & Culture, Jim Gabriel\*; Manager, Subdivision, Agriculture & Environment, Todd Cashin\*; Manager, Information Services, Rob Entwistle\*; Director, Financial Services, Keith Grayston\*; Manager, Community & Neighbourhood Programs, Louise Roberts\*; Planner II, Alec Warrender\*; Manager, Capital Assets & Investment, Joel Shaw\*; Manager, Parks Services, Ian Wilson\*; Manager, Cemetery, Norm Ryder\*; and Council Recording Secretary, Sandi Horning |

(\* denotes partial attendance)

# **1. Call to Order**

Mayor Gray called the meeting to order at 1:33 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 Hobson/**Seconded By** Councillor Stack

**R777/13/12/09** THAT the Minutes of the Regular PM Meeting of December 2, 2013 be confirmed as circulated.

**Carried**

# **3. Development Application Reports & Related Bylaws**

## **3.1. Rezoning Application No. Z12-0069 - 1215 St Paul Street and 557 & 567 Clement Avenue, Joseph Higgins et al**

Staff:

* Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.

Council:

* Expressed a concern with the proposed parking.
* Expressed a concern with the interface to the neighbourhood.
* Expressed a concern with the lack of a residential component.

**Moved By** Councillor Stack/**Seconded By** Councillor Basran

**R778/13/12/09** THAT Council defers consideration of Official Community Plan Bylaw Amendment Application No. OCP12-0017 and Rezoning Application No. Z12-0069 for the properties located at 1215 St. Paul Street and 557 & 567 Clement Avenue;

AND THAT Council directs staff to meet with the Applicant to discuss Council’s concerns with the proposed development and report back to Council.

**Carried**

### **3.1.1. Bylaw No. 10901 (OCP12-0017) - 1215 St. Paul Street and 557 & 567 Clement Avenue, Joseph Higgins et al**

Bylaw No. 10901 was not considered by Council.

### **3.1.2. Bylaw No. 10902 (Z12-0069) - 1215 St. Paul Street and 557 & 567 Clement Avenue, Joseph Higgins et al**

Bylaw No. 10902 was not considered by Council.

## **3.2. Bylaw No. 10817 (OCP12-0006) - 3787, 3791 & 3795 Lakeshore Road, Westcorp On the Lake Inc.**

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

**R779/13/12/09** THAT Bylaw No. 10817 be adopted.

**Carried**

### **3.2.1. Bylaw No. 10812 (TA12-0007) - New CD24 Comprehensive Development Zone 24**

**Moved By** Councillor Stack/**Seconded By** Councillor Zimmermann

**R780/13/12/09** THAT Bylaw No. 10812 be adopted.

**Carried**

### **3.2.2. Bylaw No. 10818 (Z12-0039) - 3787, 3791 & 3795 Lakeshore Road, Westcorp on the Lake Inc.**

**Moved By** Councillor Blanleil/**Seconded By** Councillor Basran

**R781/13/12/09** THAT Bylaw No. 10818 be adopted.

**Carried**

### **3.2.3. Bylaw No. 10813 - Amendment No. 20 to Sign Bylaw No. 8235**

**Moved By** Councillor Basran/**Seconded By** Councillor Blanleil

**R782/13/12/09** THAT Bylaw No. 10813 be adopted.

**Carried**

### **3.2.4. Development Permit Application No. DP12-0094 - 3787, 3791 & 3795 Lakeshore Road, Westcorp On The Lake Inc.**

Staff:

* Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.

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

**R783/13/12/09** THAT Final Adoption of the OCP Amending Bylaw No. 10817, Zone Amending Bylaw No. 10818 and Text Amending Bylaw No. 10812 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP10-0131 for Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180) and H9673, 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. Kelowna B.C., subject to the following:

1. The development shall be phased over time and designed in accordance with pages 1-32 of the CD24 Comprehensive Development Design Guidelines attached as Schedule “A”.

**Carried**

## **3.3. Rezoning Application No. Z11-0083, Extension Request - 1429 KLO Rd, Arnold & Melitta Frank**

Staff:

* Displayed a PowerPoint Presentation summarizing the rationale for the requested extension.

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

**R784/13/12/09** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10782, for Lot 52, D.L. 131, ODYD, Plan 186 except Plan KAP78326 located on 1429 KLO Road, Kelowna, BC, be extended from December 11, 2013 to December 11, 2014.

**Carried**

## **3.4. Rezoning Application No. Z09-0062, Extension Request, W of South Perimeter Way, 0775362 BC Ltd/0775362 BC Ltd.**

**Moved By** Councillor Blanleil/**Seconded By** Councillor DeHart

**R785/13/12/09** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10471, for Lot A, Section 23, Township 28, SDYD, Plan KAP89051 located on (W of) South Perimeter Way, Kelowna, BC, be extended from November 27, 2013 to November 27, 2014.

**Carried**

## **3.5. Rezoning Application No. Z09-0077, Extension Request, 4064 Lakeshore Rd, Rex Carter Jardine**

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

**R786/13/12/09** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10306, for Lot 1, Section 1 Township 25 and Section 6 Township 26, ODYD, Plan KAP89719 located on 4064 Lakeshore Road, Kelowna, BC, be extended from December 15, 2013 to December 15, 2014.

**Carried**

# **4. Non-Development Reports & Related Bylaws**

## **4.1. 2014 Financial Plan**

Mayor Gray announced that the City of Kelowna’s Financial Services Department has received the Government Finance Officers Association’s Distinguished Budget Presentation Award for its 2012 Budget. Mayor Gray presented the Award to the Financial Services Department.

Staff:

* Displayed a PowerPoint Presentation summarizing the 2014 Financial Plan and responded to questions from Council.

City Manager:

* Noted that this will be Mr. Grayston's last budget for the City as he will be retiring in 2014.
* Acknowledged the staff that have worked on the 2014 Financial Plan.

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

**R787/13/12/09** THAT Council receives, for information, the presentation from the Director, Financial Services and the Capital Assets and Investment Manager dated December 9, 2013 with respect to the 2014 Financial Plan.

**Carried**

## **4.2. Neighbourhood Learning Centre Joint Use Agreement - School District No.23**

Staff:

* Summarized the Joint Use Agreement with School District No. 23 and responded to questions from Council.

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

**R788/13/12/09** THAT Council receives, for information, the Report from the Manager, Community & Neighbourhood Programs, dated December 4, 2013, regarding the Joint Use Agreement with Board of Education of School District No. 23 (Central Okanagan) for the Neighbourhood Learning Centre at Okanagan Mission Secondary School;

AND THAT Council approves the City entering into a Joint Use Agreement with the Board of Education of School District No. 23 (Central Okanagan) for the Neighbourhood Learning Centre at Okanagan Mission Secondary School, in the form attached to the Report from the Manager, Community & Neighbourhood Programs dated December 4, 2013;

AND THAT Council considers the City’s financial obligations in Joint Use Agreement during its review of the 2014 Provisional Budget;

AND FURTHER THAT, subject to 2014 Budget approval, the Mayor and City Clerk be authorized to execute the Joint Use Agreement.

**Carried**

## **4.3. Shaw WiFi**

Staff:

* Summarized the Facilities Attachment License Agreement.
* Advised that a representative from Shaw is present in the gallery should Council have any questions.
* Responded to questions from Council.

Mayor Gray:

* Noted that Council has received correspondence with respect to this item.

**Moved By** Councillor Basran/**Seconded By** Councillor DeHart

**R789/13/12/09** THAT Council receives, for information, the Report from the Information Services Manager dated December 09, 2013, with respect to an agreement with Shaw Cablesystems Limited for provision of WiFi service at certain City facilities;

AND THAT Council approves the City entering into a five year license agreement with Shaw Cablesystems Limited, as outlined in the report of the Information Services Manager dated December 09, 2013;

AND THAT the Mayor and City Clerk be authorized to execute the “Facilities Attachment License Agreement” with Shaw Cablesystems Limited as attached to the report of the Information Services Manager, dated December 09, 2013.

**Carried**

## **4.4. Kelowna Memorial Park Cemetery Fees**

Staff:

* Summarized the amendments being proposed to Kelowna Memorial Park Cemetery Bylaw.
* Displayed Schedule "A" attached to the amending Bylaw.
* Responded to questions from Council.

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

**R790/13/12/09** THAT Council approves the recommended fee changes as outlined in Attachment A of the Parks Manager's report dated December 9, 2013 with respect to the Kelowna Memorial Park Cemetery Fees;

AND THAT Council forward the amendments to Kelowna Memorial Park Cemetery Bylaw No. 8842 for reading consideration.

**Carried**

**Moved By** Councillor Blanleil/**Seconded By** Councillor Basran

**R791/13/12/09** THAT Council directs staff to investigate an automatic, annual cost of living increase for fees charged by the City of Kelowna and report back to Council with the proposed methodology.

**Carried**

### **4.4.1. Bylaw No. 10903 - Amendment No. 5 to Kelowna Memorial Park Cemetery Bylaw No.8807**

**Moved By** Councillor Singh/**Seconded By** Councillor Basran

**R792/13/12/09** THAT Bylaw No. 10903 be read a first, second and third time.

**Carried**

# **5. Mayor and Councillor Items**

Mayor Gray:

* Noted that former City employee and Councillor, Henry Markgraf, passed away.
* Reminded Council that the Santa Bus will be outside the Queensway exit at 4:00 pm.

# **6. Termination**

This meeting was declared terminated at 3:32 p.m.

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Mayor City Clerk

/slh