



City of Kelowna Regular Council Meeting Minutes

Date: Monday, February 17, 2014
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Council Members Absent: Mayor Walter Gray

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Community Planning & Real Estate Divisional Director, Doug Gilchrist*; Urban Planning Manager, Ryan Smith*; Subdivision, Agriculture & Environment Director, Shelley Gambacort*; Long Range Planning Manager, Gary Stephen*; Parks Planner, Barb Davidson*; Planner Specialist; Alec Warrender*; Planner Specialist, Pat McCormick*; and Council Recording Secretary, Joanne Dewar.

(* denotes partial attendance)

1. Call to Order

Deputy Mayor Given called the meeting to order at 1:32 p.m.

Deputy Mayor Given 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 Singh/Seconded By Councillor Basran

R091/14/02/17 THAT the Minutes of the Regular Meetings of January 27, 2014 and February 3, 2014 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Janice Henry, Executive Director, Central Okanagan Heritage Society, re: Heritage Week

Janice Henry, Executive Director, Central Okanagan Heritage Society:

- Displayed a PowerPoint presentation.
- Provided details of the events planned for Heritage Week.
- Theme is 'Heritage Afloat'.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Singh

R092/14/02/17 THAT Council receives, for information, the report from the Central Okanagan Heritage Society with respect to Heritage Week.

Carried

3.2. Randi Fox, Committee Member, City of Kelowna Heritage Grants Program, re: Annual Report

Randi Fox, Committee Member, City of Kelowna Heritage Grants Program:

- Provided details on the Heritage Grants Program which is administrated by the Central Okanagan Heritage Society.
- Provided a summary of locations for which grants have recently been approved.
- The committee would like to see an increase in public education, where every year or two years, approximately \$1000 in funding would be required to bring someone in to lecture on certain issues.
- Responded to questions from Council.

4. Development Application Reports & Related Bylaws

4.1. Agricultural Land Reserve Appeal Application No. A13-0016 - 1454 Teasdale Road, Parminder & Kulwant Hans

Staff:

- Displayed a PowerPoint presentation.
- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Basran

R093/14/02/17 THAT Agricultural Land Reserve Appeal Application No. A13-0016 for Lot A Section 23 TWP 26 ODYD Plan 4697 Except Plans H12752 and KAP78750, located at 1454 Teasdale Road for a Non-farm use, pursuant to Section 20 (3) of the Agricultural Land Commission Act, be supported by Municipal Council, subject to the following:

1. The applicant register a Section 219 Restrictive Covenant on the subject property ensuring that the existing dwelling will only be used for either Farm Worker Housing (FWH), or Temporary Farm Worker Housing (TFWH), and shall be occupied only by a farm worker or temporary farm worker carrying out agricultural work on the Land, and that the proposed single family dwelling will only be inhabited by the applicant's immediate family;

AND THAT the Municipal Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

- 4.2. Official Community Plan Bylaw Amendment Application No. OCP13-0020 and Rezoning Application No. Z13-0043, 1055 Frost Road, No. 21 Great Project Ltd. & City of Kelowna

Staff:

- Displayed a PowerPoint presentation.

Moved By Councillor Hobson/Seconded By Councillor Singh

R094/14/02/17 THAT Official Community Plan Bylaw Amendment No. OCP13-0014 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing part of the Future Land Use designation of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408 and EPP22118, located at 1055 Frost Road from Multiple Unit Residential - Low Density to Single / Two Unit Residential as shown on Map "A" attached to the Report of Subdivision, Agriculture & Environment Services, dated January 20, 2014, be considered by Council;

AND THAT Rezoning Application No. Z13-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408, EPP22118 and EPP33403, located at 1055 Frost from A1 - Agriculture 1 and RU1H - Large Lot Housing Hillside zones to the RU3 - Small Lot Housing zone as shown on Map "B" attached to the report of the Subdivision, Agriculture & Environment Services, dated January 20, 2014, be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

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 issuance of a Preliminary Layout Review by the City of Kelowna's Subdivision Approving Officer.

Carried

- 4.2.1. Bylaw No. 10914 (OCP13-0020) - 1055 Frost Road, No. 21 Great Projects Ltd. & City of Kelowna

Moved By Councillor Stack/Seconded By Councillor Zimmerman

R095/14/02/17 THAT Bylaw No. 10914 be read a 1st 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. 10915 (Z13-0043) - 1055 Frost Road, No. 21 Great Projects Ltd. & City of Kelowna

Moved By Councillor Blanleil/Seconded By Councillor Singh

R096/14/02/17 THAT Bylaw No. 10915 be read a 1st time.

Carried

4.3. Rezoning Application No. Z14-0003 - 4377 Gordon Drive, Richard & Michelle Kooistra

Staff:

- Displayed a PowerPoint presentation.

Moved By Councillor Basran/Seconded By Councillor Blanleil

R097/14/02/17 THAT Rezoning Application No. Z14-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 358, ODYD, Plan 21365, located on 4377 Gordon Drive, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone be considered by Council;

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

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

Carried

4.3.1. Bylaw No. 10916 (Z14-0003) - 4377 Gordon Drive, Richard & Michelle Kooistra

Moved By Councillor Zimmerman/Seconded By Councillor DeHart

R098/14/02/17 THAT Bylaw No. 10916 be read a 1st time.

Carried

4.4. Development Permit Application No. DP13-0197 - 945 Academy Way, Watermark Developments Ltd.

Staff:

- Displayed a PowerPoint presentation.
- Confirmed that Applicant will re-plant any disturbed areas with native plant species.
- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Hobson

R099/14/02/17 THAT Council authorize the issuance of Development Permit No. DP13-0197 for Lot B, Section 10, Township 23, ODYD, Plan EPP16167, located at 945 Academy Way, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C", which is to be sealed by a Landscape Architect in good standing prior to permit issuance;
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional Landscape Architect;
5. The applicant be required to satisfy the requirements of the Glenmore Ellison Irrigation District (GEID);

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

Carried

- 4.5. Development Permit Application No. DP14-0005 - 1517-1541 Keehn Road, Hywood Contractors Ltd.

Staff:

- Displayed a PowerPoint presentation.
- Responded to questions from Council.

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R100/14/02/17 THAT Council authorizes the issuance of Development Permit No. DP14-0005 for Lot A, District Lot 125, ODYD, Plan EPP36652, located on 1517-1541 Keehn Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT the requirements of the Development Engineering Branch and the Rutland Waterworks District be completed to their satisfaction prior to issuance;

AND FURTHER THAT the applicant be required to complete the above-noted condition number four (#4) within 180 days of Council's approval of the Development Permit Application in order for the permit to be issued.

Carried

Deputy Mayor Given left the meeting and Councillor Basran took the Deputy Mayor chair at 2:28 p.m.

5. Non-Development Reports & Related Bylaws

5.1. Development Application Process Review - Implementation Update

Staff:

- Displayed a PowerPoint presentation.
- Outlined steps from implementation to completion.
- Responded to questions from Council.

Deputy Mayor Basran adjourned the meeting at 2:34 in order for the Honourable Judith Guichon, OBC, Lieutenant Governor of British Columbia to enter Council Chamber.

Deputy Mayor Given welcomed her Honour to the City and presented a gift on behalf of Council.

Her Honour thanked Council and made some remarks before leaving Council Chambers with Deputy Mayor Given and the City Manager for a brief tour of City Hall.

Deputy Mayor Basran reconvened the meeting at 2:40 p.m.

Moved By Councillor Blanleil/Seconded By Councillor Hobson

R101/14/02/17 THAT Council receives, for information, the Report from the Urban Planning Manager dated February 6, 2013 with respect to the Development Application Process Review Implementation.

Carried

5.2. Signage

Staff:

- Displayed a PowerPoint presentation.
- Outlined new areas on the City website that provide detailed information to the public and enables public feedback.
- Displayed physical examples of new signage.
- Outlined updates to Council Policy No. 367.
- Responded to questions from Council.

Moved By Councillor Hobson/Seconded By Councillor Zimmermann

R102/14/02/17 THAT Council receives, for information, the Report from the Urban Planning Department dated February 17, 2013 with respect to amending City of Kelowna Development Application Procedures Bylaw No. 10540 by revising the public notification and consultation requirements;

AND THAT Bylaw No. 10911, being Amendment No. 3 to Development Application Procedures Bylaw No. 10540 be forwarded for reading consideration;

AND THAT Council amends Council Policy No. 367, being Development Application - Public Notification and Consultation Procedures, as outlined in the Report of the Land Use Management Department, dated February 17, 2013;

AND FURTHER THAT Council directs staff to monitor the effectiveness of the new Development Applicant Signage process within one (1) year of implementation.

Carried

5.2.1. Bylaw No. 10911 - Amendment No. 3 to Development Application Procedures Bylaw No. 10540

Moved By Councillor Hobson/Seconded By Councillor Zimmermann

R103/14/02/17 THAT Bylaw No. 10911 be read a 1st, 2nd and 3rd time.

Carried

5.3. 2014 Rental Housing Grants

Councillor Stack declared a conflict of interest as he is affiliated with the Society of Hope, who is one of the recipients of the 2014 Rental Housing Grants, and left the meeting.

Staff:

- Outlined details of grant application.

Moved By Councillor Hobson/Seconded By Councillor Singh

R104/14/02/17 THAT Council receives the report from the Department Manager, Policy and Planning dated February 17, 2014 regarding a Rental Housing Grant Recommendation for 2014;

AND THAT Council approves the 2014 Rental Housing Grants as identified in the report from the Department Manager, Policy and Planning dated February 17, 2014, in accordance with the Housing Opportunities Reserve Fund Bylaw No. 8593 and Council Policy No. 335, Rental Housing.

Carried

Councillor Stack rejoined the meeting.

5.4. Okanagan Basin Water Board and Quality Improvements Grants

Staff:

- Displayed a PowerPoint presentation.
- Outlined details of grant request/application.
- Responded to questions from Council.

Moved By Councillor Zimmermann/Seconded By Councillor Hobson

R105/14/02/17 THAT Council endorses by resolution the attached application to the 2014-15 Okanagan Basin Water Board Water Conservation and Quality Improvement Grant for the Royal Avenue to Strathcona Park Shoreline Stabilization Project;

AND THAT upon confirmation of successful grant award, the 2014 Financial Plan be amended to include the additional expenditure of \$30,000 for Royal Avenue to Strathcona Park improvements funded by an Okanagan Basin Water Board grant.

Carried

5.5. Public Art Program Annual Report

Staff:

- Displayed a PowerPoint presentation, outlined details of projects & new lightpost banners that were created for the City.

Janine Lott and Jordan Coble:

- Presented a framed picture of Bernard Avenue banners, to be displayed in City Hall.

Staff:

- Provided details of some of the projects that were funded in 2013 and plans for 2014.
- Responded to questions from Council.

Council:

- Discussed the issue of artist selection, and that a competition is open to artists regardless of where they are from.

City Manager:

- Confirmed calls for submissions are open to any artist, and that local artists enjoy the same ability to bid for projects in other jurisdictions, as out of town artist do here.

Council:

- Inquired about possibility of moving the art work that is currently located on the W.A.C. Bennett Bridge to a different location where it will be more visible to the public, as it is under-appreciated in its current location.

Staff:

- Advised it is a complicated exercise to move the mural, due to the foundation it needs to be placed in.

Moved By Councillor Hobson/Seconded By Councillor Singh

R106/14/02/17 THAT Council receives for information, the 2013 Annual Report for the City of Kelowna Public Art Program;

AND THAT Council approves the proposed work plan for 2014, as set out in the report of the Planner Specialist, Urban Design, dated February 17 2014.

Carried

5.6. Alternate Approval Form for the New Police Services Building Project

Moved By Councillor Blanleil/Seconded By Councillor Zimmermann

R107/14/02/17 THAT Council receives, for information, the Report from the City Clerk, dated February 17, 2014 regarding the Alternative Approval Process for the borrowing of Forty-Two Million, Three Hundred and Eighty-Four Thousand Dollars for the new Police Services Building Project;

AND THAT an alternative approval process opportunity open to all electors within the City of Kelowna be initiated in relation to the borrowing by loan authorization bylaw

as outlined in the report from the Infrastructure Divisional Director presented at the Monday, December 2, 2013 Regular Council Meeting;

AND FURTHER THAT 4pm, Friday, March 28, 2014 be set as the deadline for receipt of elector responses in the form attached to the February 17, 2014, report of the City Clerk in relation to the City of Kelowna proceeding with the adoption of Bylaw No. 10900 being the Kelowna Police Services Building Loan Authorization Bylaw authorizing the borrowing of Forty-Two Million, Three Hundred and Eighty-Four Thousand Dollars for the construction of a new Police Services Building Project.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1. Bylaw No. 10910 - Road Closure Bylaw, Portion of Road adjacent to Sutton Glen Park

Deputy Mayor Basran invited anyone in the public gallery who deemed themselves affected by the proposed road closure to come forward. No one came forward.

Moved By Councillor Singh/Seconded By Councillor Hobson

R108/14/02/17 THAT Bylaw No. 10910 be adopted.

Carried

7. Mayor and Councillor Items

Deputy Mayor Basran:

- Gen-Next will be meeting this Friday at the Laurel Packinghouse to discuss a community initiative entitled 'Time Drive'. This group of young professionals are interested in providing aid to the community in the form of donated time as opposed to monetary funding. There were 1700 hours pledged last year, which equates to approximately \$50,000 in time pledged.

8. Termination

This meeting was declared terminated at 4:02 p.m.

Deputy Mayor Given

City Clerk

Deputy Mayor Basran

/jd/scf/slh