

Regular Meeting – P.M.

January 23, 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, January 23rd, 2012.

Council members in attendance: Mayor Walter Gray, Councillors Colin Basran, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack* and Gerry Zimmermann.

Council members absent: Councillor Andre Blanleil.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; General Manager, Community Services, John Vos*; General Manager, Corporate Sustainability, Paul Macklem*; Director, Land Use Management, Shelley Gambacort*; Director, Financial Services, Keith Grayston*; Director, Policy & Planning, Signe Bagh*; Manager, Environment & Land Use, Todd Cashin*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:35 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. Councillor DeHart is requested to check the minutes of the meeting.

3. DEVELOPMENT APPLICATION REPORTS

3.1 Land Use Management Department, dated January 9, 2012, re: Official Community Plan Bylaw Amendment Application No. OCP11-0017 and Temporary Use Permit Application No. TUP11-0002 - TrILERMASTER Inc. and Canalta Real Estate Services Ltd. (DE Pilling & Associates) Ltd. - 3865-3867 Highway 97 and 2170 Rutland Road

(a) Land Use Management Department report dated January 9, 2012.

Councillor Stack joined the meeting at 1:37 p.m.

Moved by Councillor Basran/Seconded by Councillor Zimmermann

R084/12/01/23 THAT OCP Bylaw Text Amendment No. OCP11-0017 to amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 by revising the Temporary Use Permit Area table 4.3 in Chapter 4 - Temporary Use Permits and adding to the table the content of schedule "A" attached to the report of Land Use Management Department, dated January 9, 2012 be considered by Council;

AND THAT the OCP Amending Bylaw No. 10646 be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT upon adoption of OCP Amending Bylaw No. 10646, Council will consider the following resolution:

THAT Council authorizes the issuance of Temporary Use Permit No. TUP11-0002 to temporarily allow the use of "automotive and minor recreation vehicle sales/rental" for Lot A, Section 35, Township 26, O.D.Y.D., Plan 6372, located on Rutland Road, Kelowna, BC and for Lot B, Section 35, Township 26, O.D.Y.D.,

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Plan 6372, located on Hwy 97, Kelowna, BC as shown on Map 'A' attached to the report of the Land Use Management Department, dated January 9, 2012 subject to the following condition:

- a) That a hard, dust free surface be maintained for this site.

Carried

(b) **BYLAW PRESENTED FOR FIRST READING**

Bylaw No. 10646 (OCP11-0007) - TrILERMASTER Inc. and Canalta Real Estate Services Ltd. (DE Pilling & Associates Ltd.) - 3865-3867 Highway 97 and 2170 Rutland Road - Requires a majority of all Members of Council (5)

Moved by Councillor Zimmermann/Seconded by Councillor DeHart

R085/12/01/23 THAT Bylaw No. 10646 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

- 3.2 Land Use Management Department, dated January 17, 2012, re: Agricultural Land Reserve Appeal Application No. A11-0014 - Christine Schmidt, Frances Larson and Joan Casorso (Mission Creek Restoration Initiative) - 3850 Swamp Road

Moved by Councillor Hobson/Seconded by Councillor Stack

R086/12/01/23 THAT Agricultural Land Reserve appeal A11-0014 for Lot K, District Lot 168, Osoyoos Division Yale District Plan 1829, located at 3850 Swamp Road, Kelowna, B.C. for subdivision within the Agricultural Land Reserve, pursuant to Section 21(2) of the Agricultural Land Commission Act, be supported by Municipal Council;

AND THAT Council forward the subject application to the Agricultural Land Commission (ALC).

Carried

4. **BYLAWS (ZONING & DEVELOPMENT)**

(BYLAWS PRESENTED FOR ADOPTION)

- 4.1 Bylaw No. 10642 (Z11-0077) - Neil & Beverley Beardmore, Scott Beardmore and Noemi Catbagan (Neil & Beverley Beardmore) - 625 Cassiar Crescent

Moved by Councillor Zimmermann/Seconded by Councillor Given

R087/12/01/23 THAT Bylaw No. 10642 be adopted.

Carried

Councillor Singh - Opposed.

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5. NON-DEVELOPMENT APPLICATION REPORTS

- 5.1 General Manager, Corporate Sustainability, General Manager, Community Sustainability and General Manager, Community Services, dated January 18, 2012, re: Quarterly Report Update

Staff:

- Presented the Quarterly Report for the fourth quarter of 2011.

Moved by Councillor Singh/Seconded by Councillor DeHart

R088/12/01/23 THAT Council receives, for information, the Quarterly Report from the General Manager, Community Sustainability, General Manager, Community Services and General Manager, Community Sustainability dated January 18, 2012.

Carried

- 5.2 Director, Financial Services, dated January 18, 2012, re: United Way Transit Partnership

Moved by Councillor Hobson/Seconded by Councillor Singh

R089/12/01/23 THAT Council supports expanding the transit partnership with the United Way by an additional 150 transit tickets per month, beginning in January, 2012.

Carried

- 5.3 Director, Policy & Planning, dated January 16, 2012, re: Draft Downtown Plan

Staff:

- Advised that the deadline for stakeholder and public review and comment will be February 10, 2012.
- Provided an overview of the stakeholder and public consultation process.

Moved by Councillor Given/Seconded by Councillor Basran

R090/12/01/23 THAT Council receives, for information, the draft Downtown Plan as attached to the Report of the Director, Policy and Planning, dated January 16, 2012;

AND THAT Council directs staff to make the draft Downtown Plan available for stakeholder and public review.

Carried

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- 6.1 City Clerk, Draft Resolution, re: Appointment to the Uptown Rutland Business Association

Moved by Councillor Zimmermann/Seconded by Councillor DeHart

R091/12/01/23 THAT Council appoints Councillor Basran as alternate to the Uptown Rutland Business Association effective January 23, 2012.

Carried7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.1 Bylaw No. 10647 - Rescindment Bylaw for Advisory Planning Commission
Bylaw No. 8546

Moved by Councillor Singh/Seconded by Councillor Basran

R092/12/01/23 THAT Bylaw No. 10647 be read a first, second and third time.

Carried7. MAYOR & COUNCILLOR ITEMS

Mayor Gray:

- Advised that both staff and Council are considering the other options available for public input given the fact that Council has decided to rescind the Advisory Planning Commission.

City Manager:

- Advised that staff is working on the Terms of Reference for the Council's Committees that were recently approved and will be bringing the Terms of Reference forward for Council consideration on a committee-by-committee basis.

8. TERMINATION

The meeting was declared terminated at 2:24 p.m.

Certified Correct:_____
Mayor_____
City Clerk

SLH/dld