



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, March 18, 2013  
Location: Council Chamber  
City Hall, 1435 Water Street

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

Council Members Absent: Councillor Mohini Singh

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Acting Director, Real Estate & Building Services, Derek Edstrom\*; Manager, Urban Land Use, Danielle Noble\*; Community Planning Manager, Theresa Eichler\*; Director, Regional Services, Ron Westlake\*; Manager, Cultural Services, Sandra Kochan\*; Manager, Airport Administration & Finance, Noreen Redman\*; Manager, Financial Planning, Genelle Davidson\*; Revenue Manager, George King\*; Parking Operations Coordinator, Dave Duncan\*; Council Recording Secretary, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Mayor Gray called the meeting to order at 1:37 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 Hobson

R173/13/03/18 THAT the Minutes of the Regular PM Meeting of March 11, 2013 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Alternator Centre for Contemporary Art - Annual Report

Staff:

- Introduced the presentation and the presenters.

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

Lorna McFarland, Artistic & Administrative Director, Alternator Centre for Contemporary Art:

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

4. Development Application Reports & Related Bylaws

4.1. Official Community Plan Bylaw Amendment Application No. OCP13-0001 and Rezoning Application No. Z13-0002 - 1242-1244 Pheasant Street

Mayor Gray:

- Advised that the Applicant's Representative was unable to attend today's Council Meeting and therefore has requested that the application be deferred to the March 25, 2013 PM Council Meeting.

4.2. Rezoning Application No. Z13-0010 - Various Addresses within the Wilden Neighbourhood

Moved By: Councillor Given/Seconded By: Councillor Blanleil

R174/13/03/18 THAT Rezoning Application No. Z13-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 54, Section 5, Township 23, ODYD, Plan EPP9195, located at 123 Lost Creek Court, Lot 55, Section 5, Township 23, ODYD, Plan EPP9195, located at 117 Lost Creek Court and Lot 56, Section 5, Township 23, ODYD, Plan EPP9195, located at 111 Lost Creek Court, Kelowna B.C. from P3 - Parks & Open Space to RU2H - Medium Lot Housing (Hillside Area) be considered by Council;

AND THAT Rezoning Application No. Z13-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 53, Section 5, Township 23, ODYD, Plan EPP9195, located at 155 Lost Creek Court from RU2H - Medium Lot Housing (Hillside Area) to P3 - Parks and Open Space and a portion of Lot 52, Section 5, Township 23, ODYD, Plan EPP9195, located at 183 Lost Creek Court, Lot 51, Section 5, Township 23, ODYD, Plan EPP9195, located at 189 Lost Creek Court, Lot 50, Section 5, Township 23, ODYD, Plan EPP9195, 195 Lost Creek Court, Lot 49, Section 5, Township 23, ODYD, Plan EPP9195, 201 Lost Creek Court from P3 - Parks and Open Space to RU2H - Medium Lot Housing (Hillside Area) and a portion of Lot 72, Section 5, Township 23, ODYD, Plan EPP9195, Located at 191 Lost Creek Place, Lot 73, Section 5, Township 23, ODYD, Plan EPP9195, located at 179 Lost Creek Place, Lot 63, Section 5, Township 23, ODYD, Plan EPP9195, located at 246 Lost Creek Lane, Lot 64, Section 5, Township 23, ODYD, Plan EPP9195, located at 240 Lost Creek Lane, Lot 65, Section 5, Township 23, ODYD, Plan EPP9195, located at 234 Lost Creek Lane, Lot 66,

Section 5, Township 23, ODYD, Plan EPP9195, located at 228 Lost Creek Lane, Lot 67,  
Section 5, Township 23, ODYD, Plan EPP9195, located at 222 Lost Creek Lane, Lot 68,  
Section 5, Township 23, ODYD, Plan EPP9195, located at 216 Lost Creek Lane, Lot 69,  
Section 5, Township 23, ODYD, Plan EPP9195, located at 210 Lost Creek Lane from  
RU1H - Large Lot Housing (Hillside Area) to RU2H - Medium Lot Housing (Hillside Area)  
and a portion of Lot 12, Section 5, Township 23, ODYD, Plan EPP9195, located at 1410  
Rocky Point Drive from P3 - Parks & Open Space to RU1H - Large Lot Housing (Hillside  
Area) as shown on Map 'B' attached to the report of the Land Use Management  
Department, dated February 22nd, 2013 be considered by Council;

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

Carried

**4.2.1. Bylaw No. 10820 (Z13-0010) - Various Addresses within the Wilden  
Neighbourhood**

Moved By: Councillor Stack/Seconded By: Councillor Given

R175/13/03/18 THAT Bylaw No. 10820 be read a first time.

Carried

**4.3. Text Amendment Application No. TA13-0002 and Text Amendment No.  
TA13-0003 - Amendments to Zoning Bylaw No. 8000**

Moved By: Councillor Given/Seconded By: Councillor Stack

R176/13/03/18 THAT Council receives for information the Report from the City Clerk  
dated March 13, 2013 with respect to rescinding Bylaw No. 10808 (TA13-0002) and  
amending Bylaw No. 10816 (TA13-0003);

AND THAT Bylaw No. 10808 for Text Amendment Application No. TA13-0002 be  
forwarded for rescindment consideration;

AND FURTHER THAT Bylaw No. 10816 for Text Amendment No. TA13-0003 be  
forwarded for amendment at first reading.

Carried

**4.3.1. Bylaw No. 10808 (TA13-0002) - Amendment to Zoning Bylaw No.  
8000 - RM3 Low Density Multiple Housing Zone**

Moved By: Councillor Given/Seconded By: Councillor Stack

R177/13/03/18 THAT first reading given to Bylaw No. 10808 be rescinded;

AND THAT the file for Text Amendment Application No. TA13-0002 be amalgamated  
into Text Amendment Application No. TA13-0003.

Carried

4.3.2. Bylaw No. 10816 (TA13-0003) - Miscellaneous Amendments to Zoning Bylaw No. 8000

Moved By: Councillor Zimmermann/Seconded By: Councillor DeHart

R178/13/03/18 THAT Bylaw No. 10816 be amended at first reading by:

Deleting from 13.9 RM3 - Low Density Multiple Housing, 13.9.6 Development Regulations be sub-paragraph (a) that reads:

“(a) The maximum floor area ratio is 0.5, except it is 0.55 with a housing agreement pursuant to the provisions of Section 6.9. Where parking spaces are provided totally beneath habitable space of a principal building or beneath useable common amenity areas providing that in all cases, the parking spaces are screened from view, an amount may be added to the floor area ratio equal to 0.2 multiplied by the ratio of such parking spaces to the total required parking spaces, but in no case shall this amount exceed 0.2.”

And replacing it with the following:

“(a) The maximum floor area ratio is 0.75:

Where at least 75% parking spaces are provided totally beneath habitable space of a principal building, beneath useable common amenity areas, or in a garage/carport providing that in all cases, the parking spaces are screened from public view, the floor area ratio may be increased by 0.05;

The floor area ratio may be increased by a further 0.1 for a development constructed in an Urban Centre (as defined by Kelowna’s Official Community Plan).”

Carried

5. Non-Development Reports & Related Bylaws

5.1. Volume 2 - Carryovers, 2013 Financial Plan

Staff:

- Provided an overview of the Carryovers for the 2013 Financial Plan and responded to questions from Council.
- Displayed a slide entitled "2013 Financial Plan, Carryover Request 3 Year Comparison".

Moved By: Councillor Stack/Seconded By: Councillor Hobson

R179/13/03/18 THAT the 2013 Financial Plan be increased by \$3,228,300 to provide for operating carryover projects and \$71,129,660 for capital carryover projects as summarized in Financial Plan Volume 2.

Carried

5.2. Intermunicipal Transportation Service and Regulation Bylaw

Staff:

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

Moved By: Councillor Hobson/Seconded By: Councillor Given

R180/13/03/18 THAT Council approves the "Sustainable Transportation Partnership Intermunicipal Service Agreement between the Local Governments of the Central Okanagan", in the form outlined in the Report of the City Manager dated March 13, 2013, in order to formally establish the new partnership known as the "Sustainable Transportation Partnership of the Central Okanagan" ("STPCO") consisting of the City of Kelowna, District of Lake Country, District of West Kelowna, Westbank First Nation, District of Peachland and the Regional District of the Central Okanagan;

AND THAT Council authorizes and requests the withdrawal of the City of Kelowna from the Regional Transportation Demand (TDM) program administered by the Regional District of Central Okanagan;

AND THAT Council appoints the Mayor to the "Intermunicipal Advisory Board" of the STPCO;

AND THAT Council directs the City Manager to work with his counterparts of local and regional governments in the Okanagan to oversee and provide direction to the STPCO through the "CAO Committee";

AND THAT Intermunicipal Transportation Service and Regulation Bylaw No. 10830 be advanced for reading consideration;

AND FURTHER THAT upon adoption of Intermunicipal Transportation Service and Regular Bylaw No. 10830, the Mayor and City Clerk be authorized to sign the Intermunicipal Transportation Service Agreement.

Carried

5.2.1. Bylaw No. 10830 - Intermunicipal Transportation Service and Regulation Bylaw

Moved By: Councillor Basran/Seconded By: Councillor Hobson

R181/13/03/18 THAT Bylaw No. 10830 be read a first, second and third time.

Carried

5.3. Downtown Kelowna Association 2013 Budget

Staff:

- Provided an overview of Downtown Kelowna Association's 2013 Budget.

Moved By: Councillor Stack/Seconded By: Councillor Hobson

R182/13/03/18 THAT Council approves the Downtown Kelowna Association 2013 Budget as outlined in the Report of the Revenue Manager dated March 13, 2013;

AND THAT Council approves the 2013 levy of \$679,000 on Class 5 and Class 6 properties located within the boundaries of the Downtown Kelowna Business Improvement Area.

Carried

**5.4. Uptown Rutland Business Association 2013 Budget**

Staff:

- Provided an overview of the Uptown Rutland Business Association's 2013 Budget and responded to questions from Council.

Moved By: Councillor Zimmermann/Seconded By: Councillor Basran

R183/13/03/18 THAT Council approves the Uptown Rutland Business Association 2013 Budget as outlined in the report of the Revenue Manager dated March 13, 2013;

AND THAT Council approves the 2013 levy of \$162,800 on Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.

Carried

**5.5. Utility Billing Customer Care Services**

Staff:

- Provided the rationale for the proposed changes to the Utility Billing.

Moved By: Councillor Zimmermann/Seconded By: Councillor Given

R184/13/03/18 THAT Council receives for information, the Report from the Revenue Manager dated March 13, 2013 with respect to amending the Utility Billing Customer Care Bylaw No. 8754;

AND THAT Bylaw No. 10821, being Amendment No. 4 to the Utility Billing Customer Care Bylaw No. 8754 be given reading consideration.

Carried

**5.5.1. Bylaw No. 10821 - Amendment No. 4 to Utility Billing Customer Care Services Bylaw No. 8754**

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R185/13/03/18 THAT Bylaw No. 10821 be read a first, second and third time.

Carried

**5.6. Air Carrier Airport Use Agreement with Air North Charter & Training - Kelowna International Airport**

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

Moved By: Councillor Basran/Seconded By: Councillor DeHart

R186/13/03/18 THAT Council approves the City entering into an Air Carrier Airport Use Agreement with Air North Charter & Training Ltd. in the form attached to the report of the Airport Director dated March 5, 2013, allowing Air North Charter & Training Ltd. to operate at Kelowna International Airport;

AND THAT the Mayor and City Clerk be authorized to execute the Air Carrier Airport Use Agreement.

Carried

**5.7. Amendment to Airport Fees Bylaw No. 7982 - Kelowna International Airport**

Staff:

- Provided an overview of the proposed amendments to the Airport Fee Bylaw.

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

**R187/13/03/18** THAT Council receives for information the Report of the Airport Finance & Administration Manager dated March 8, 2013 outlining recommended changes to the automobile parking fees in the Airport Fees Bylaw;

AND THAT Bylaw No. 10819 being Amendment No. 26 to the City of Kelowna Airport Fees Bylaw 7982 be advanced for reading consideration.

**Carried**

**5.7.1. Bylaw No. 10819 - Amendment No. 26 to Airport Fee Bylaw No. 7982**

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

**R188/13/03/18** THAT Bylaw No. 10819 be read a first, second and third time.

**Carried**

Staff:

- Advised that there is a United Airlines Hemispheres magazine article about Kelowna entitled "Three Perfect Days in Kelowna, B.C."

**5.8. Free Downtown Parking for Small Shop Saturdays in 2013**

Staff:

- Provided an overview of the request from the Downtown Kelowna Association.

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

**R189/13/03/18** THAT Council receives, for information, the report from the Acting Director, Real Estate & Building Services dated March 7, 2013, with respect to free downtown parking on three (3) Saturdays throughout 2013;

AND THAT Council approves free on-street parking in the downtown area on the following three (3) Saturdays in 2013: April 6, June 22, and one Saturday (date to be determined) during the month of October 2013.

**Carried**

**5.9. John Howard Society - Final Report Regarding Emergency Grant**

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

**R190/13/03/18** THAT Council receives, for information, the report from the Community Planning Manager dated March 13, 2013, with respect to John Howard Society - Final Report Regarding Emergency Grant.

**6. Mayor and Councillor Items**

Councillor Given:

- Encouraged the community to support the businesses on Bernard Avenue during the revitalization project.

Councillor DeHart:

- Reported on her attendance, on behalf of Council, at the Okanagan Historical Society's Annual General Meeting and Dinner and, at the recent Bantam Tier II Hockey Championships.

Mayor Gray:

- Advised that he attended the official opening of provincial "Services BC" office.
- Reported on his attendance at the final Kelowna Ballet city performance last Friday evening.

**7. Termination**

This meeting was declared terminated at 3:00 p.m.

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Mayor

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City Clerk

/slh