



City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 15, 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*, Mohini Singh, Luke Stack and Gerry Zimmermann

Staff Present: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; General Manager, Community Services, John Vos*; Manager, Parks & Public Places, Terry Barton*; Manager, Cultural Services, Sandra Kochan*; Planner, Alec Warrender*; Manager, Financial Planning, Genelle Davidson*; Planner, Lauren Sanbrooks*; Parks Planner, Barb Davidson*; 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. Confirmation of Minutes

Moved By: Councillor Zimmermann/Seconded By: Councillor Singh

R262/13/04/15 THAT the Minutes of the Regular PM Meeting of April 8, 2013 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Kelowna Art Gallery - Annual Report

Staff:

- Introduced the presentation.

Councillor Hobson joined the meeting at 1:36 p.m.

Nataley Nagy, Executive Director, Kelowna Art Gallery:

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

4. Development Application Reports & Related Bylaws

4.1. Development Permit Application No. DP12-0209 - Architecturally Distinct Solutions, 1502-1504 Sutherland Avenue

Staff:

- Displayed renderings with respect to the proposed development and responded to questions from Council.

Moved By: Councillor Stack/Seconded By: Councillor Hobson

R263/13/04/15 THAT Council authorizes the issuance of Development Permit No. DP12-0209 for Lot A, District Lot 141, ODYD, Plan 19444, located at 1502-1504 Sutherland Avenue, Kelowna B.C., 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;
5. The issuance of a Natural Environment Development Permit by the City of Kelowna's Environment Branch;
6. Completion of the proposed road closure and land swap with the City of Kelowna's Real Estate & Building Services Department;
7. The requirements of the Development Engineering Branch completed to their satisfaction.

AND FURTHER THAT the applicant be required to complete the above-noted condition No. 4 within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

Carried

4.2. Area Structure Plan Application No. ASP12-0001 - Troika Developments Ltd., 2250 & 2285 Galiano Road, 1555 Glenmore Road North and 855 Packinghouse Road, Boundary Adjustment & Public Consultation Strategy

Staff:

- Provided an overview of the amendments to the Area Structure Plan for the Diamond Mountain area and responded to questions from Council.

Council:

- Expressed a concern with the density being proposed for the area.

Moved By: Councillor Hobson/Seconded By: Councillor Singh

R264/13/04/15 THAT Council authorizes an amendment of the Area Structure Plan boundary for the Diamond Mountain Area Structure Plan, as outlined on Attachment 2 of the Report of Land Use Management Department dated April 9, 2013;

AND THAT Council endorses the Public Consultation Strategy, prepared by the applicant team, as outlined in Attachment 4 of the Report of Land Use Management Department, dated April 9, 2013.

Carried

4.3. Official Community Plan Bylaw Amendment No. OCP09-0001 and Rezoning Application No. Z09-0007, Extension Request - P255 Enterprises Ltd., 245 Briarwood Road

Staff:

- Responded to questions from Council regarding the extension request process.

Moved By: Councillor Zimmermann/Seconded By: Councillor Singh

R265/13/04/15 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw Nos. 10198 (OCP09-0001) & 10199 (Z09-0007), for 245 Briarwood Road by P255 Enterprises Ltd., Inc. No. BC0920989, be extended from January 14, 2013 to January 14, 2014.

Carried

4.4. Official Community Plan Bylaw Amendment Application No. OCP10-0006 and Rezoning Application No. Z10-0031, Extension Request - GTA Tomporowski, 1045 Laurier Avenue

Moved By: Councillor Stack/Seconded By: Councillor Basran

R266/13/04/15 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw Nos. 10380 (OCP10-0006) and 10379 (Z10-0031) for Lot 1, DL 138, ODYD, Plan KAP91928, for 1045 Laurier Avenue, Jasvinder & Navjot Kandola), be extended from February 10, 2013 to February 10, 2014.

Carried

- 4.5. Official Community Plan Bylaw Amendment Application No. OCP07-0037 and Rezoning Application No. Z07-0093, Extension Request - 0781540 BC Ltd., 560, 561, 582 & 583 McKay Avenue

Moved By: Councillor Singh/Seconded By: Councillor DeHart

R267/13/04/15 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw Nos. 10245 (OCP07-0037) & 10246 (Z07-0093) for 560, 561, 582 & 583 McKay Avenue, be extended from May 3, 2013 to May 3, 2014.

Carried

5. Non-Development Reports & Related Bylaws

5.1. Quarterly Report Update

General Manager, Community Services:

- Displayed a PowerPoint Presentation with respect to the First Quarter Report and responded to questions from Council.

Moved By: Councillor Singh/Seconded By: Councillor Blanleil

R268/13/04/15 THAT Council receives, for information, the Quarterly Report from the General Manager, Community Services, Acting General Manager, Community Sustainability and Acting General Manager, Corporate Sustainability, dated April 10, 2013.

Carried

5.2. Amendment #1 to Five Year Financial Plan, 2012-2016

Moved By: Councillor Stack/Seconded By: Councillor Basran

R269/13/04/15 THAT Council direct staff to amend the Five Year Financial Plan 2012-2016 Bylaw No. 10688 as required by the Community Charter, to reflect changes in the Operating Budget and Capital Expenditure Program for 2012;

AND THAT Bylaw No. 10835 being Amendment No. 1 to the Five Year Financial Plan 2012-2016 Bylaw No. 10688 be advanced for reading consideration.

Carried

5.2.1. Bylaw No. 10835 - Amendment No. 1 to the Five Year Financial Plan 2012-2016 Bylaw No. 106888

Moved By: Councillor Given/Seconded By: Councillor Stack

R270/13/04/15 THAT Bylaw No. 10835 be read a first, second and third time.

Carried

5.3. Request for Financial Assistance - Friends of the South Slopes

Staff:

- Provided an overview of the request for financial assistance and responded to questions from Council.

Moved By: Councillor Hobson/Seconded By: Councillor Given

R271/13/04/15 THAT Council receives, for information, the report from the Parks Planner dated April 9, 2013 with respect to a request for financial assistance - Friends of the South Slopes;

AND THAT Council supports Option 2 as outlined in the report of the Park Planner dated April 9, 2013;

AND FURTHER THAT Council approves a one-time grant in the amount of \$ 5,000 for the Friends of the South Slopes as a one-time exception to the Partners-in-Parks Program guidelines, in order to support the Friends of the South Slopes efforts to facilitate public access to trails on private land that connect to Myra-Bellevue Provincial Park.

Carried

5.4. Downtown Plan Annual Update

Staff:

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

Moved By: Councillor Stack/Seconded By: Councillor Singh

R272/13/04/15 THAT Council receives, for information, the April 4, 2013 report from the Policy and Planning Department with respect to an annual update on the Downtown Plan.

Carried

5.5. Proposed Road Closure - Adjacent to 1502 Sutherland Avenue

Moved By: Councillor Zimmermann/Seconded By: Councillor DeHart

R273/13/04/15 THAT Council receives, for information, the Report from the Manager, Real Estate Services dated April 9, 2013, recommending that Council adopt the proposed road closure of a portion of land adjacent to 1502 Sutherland Avenue as outlined in Schedule 'A';

AND THAT Bylaw No. 10836, being proposed road closure of a portion of land adjacent to 1502 Sutherland Avenue, be given reading consideration.

Carried

5.5.1. Bylaw No. 10836 - Road Closure Bylaw, Portion of Sutherland Avenue

Moved By: Councillor Zimmermann/Seconded By: Councillor DeHart

R274/13/04/15 THAT Bylaw No. 10836 be read a first, second and third time.

Carried

5.6. Proposed Road Closure - West of 4753 Gordon Drive

Moved By: Councillor Blanleil/Seconded By: Councillor Basran

R275/13/04/15 THAT Council receives for information, the Report from the Manager, Real Estate Services dated April 8, 2013, recommending that Council adopt the

proposed road closure of a portion of land west of 4753 Gordon Drive as outlined in Schedule 'A';

AND THAT Bylaw No. 10842, being proposed road closure of a portion of land west of 4753 Gordon Drive, be given reading consideration.

Carried

5.6.1. Bylaw No. 10842 - Road Closure Bylaw, Portion of Land West of 4753 Gordon Drive

Moved By: Councillor Blanleil/Seconded By: Councillor Basran

R276/13/04/15 THAT Bylaw No. 10842 be read a first, second and third time.

Carried

6. Mayor and Councillor Items

Councillor Given:

- Made a comment regarding Agenda Item No. 4.1, Development Permit Application No. DP120-0209 and passed on 'kudos' to the Developer for working within the Official Community Plan and Zoning for their project on a unique lot.
- Expressed a concern with the property located at 1864 Harvey Avenue and requested that staff provide an update with respect to the status of property.

Councillor Stack:

- Commented on his attendance at the Valley First Credit Union's Grand Opening of its new Rutland location.
- Commented on his attendance at 36th Annual BC Interior Jazz Festival at the Kelowna Community Theatre.

Councillor DeHart:

- Commented on her attendance at the 100th Anniversary of the Dinner of the BC Ladies.

Councillor Hobson:

- Commented on his attendance at the Clifton Highlands Community Association meeting last week.

Mayor Gray:

- Commented on his loss of a bet with the Mayor of Kamloops with respect to the WHL Playoff Round between the Kelowna Rockets and the Kamloops Blazers.

7. Termination

This meeting was declared terminated at 3:35 p.m.

Mayor

Deputy City Clerk

/slh