



City of Kelowna Regular Council Meeting Minutes

Date: Monday, June 24, 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 and Gerry Zimmermann

Council Members Absent: Councillors Mohini Singh and Luke Stack

Staff Present: City Manager, Ron Mattiussi*; Acting City Manager, Paul Macklem*; City Clerk, Stephen Fleming; Manager, Real Estate Services, Jordan Hettinga*; Manager, Urban Planning, Danielle Noble*; Director, Financial Services, Keith Grayston*; Director, Civic Operations, Joe Creron*; Fire Chief, Jeff Carsile*; Manager, Regional Programs, Jerry Dombowsky*; Manager, Systems & Reporting, Jackie Dueck*; Director, Recreation & Cultural Services, Jim Gabriel*; Planner Specialist, Graham March*; Manager, Long Range Planning, Gary Stephen*; 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. Development Application Reports & Related Bylaws

2.1. Official Community Plan Bylaw Amendment Application No. OCP13-0010 and Rezoning Application No. Z13-0018 - Various Addresses on Central Avenue, Richter Street and Cambridge Avenue, Provincial Rental Housing Corporation

Staff:

- Summarized the application before Council.

Moved By: Councillor Hobson/Seconded By: Councillor Given

R445/13/06/24 THAT Official Community Plan Bylaw Amendment No. OCP13-0010 to amend Map 19.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A, District Lot 9, ODYD, Plan 13927, located at 602-650 Central Avenue, Lot 1, District Lot 9, ODYD, Plan 4317, located at 603-607 Cambridge Avenue, Lot 2, District Lot 9, ODYD, Plan 4317, located at 609-611 Cambridge Avenue, Lot 3, District Lot 9, ODYD, Plan 4317, located at 621-631 Cambridge Avenue, Lot 1, District Lot 9, ODYD, Plan 7822, located at 661-663 Cambridge Avenue, Lot 2, District Lot 9, ODYD, Plan 7822, located at 671-673 Cambridge Avenue, Lot 3, District Lot 9, ODYD, Plan 7822, located at 681-689 Cambridge Avenue, Lot 4, District Lot 9, ODYD, Plan 7822, located at 648-650 Richter Street, Lot 5, District Lot 9, ODYD, Plan 7822, located at 668-670 Richter Street, Lot 6, District Lot 9, ODYD, Plan 7822, located at 680-692 Richter Street, Lot 13, District Lot 9, ODYD, Plan 4317, located at 678 Central Avenue, Lot 4, District Lot 9, ODYD, Plan 4317, located at 641 Cambridge Avenue, Lot 14, District Lot 9, ODYD, Plan 4317, located at 668 Central Avenue from Multiple Unit Residential - Low Density to Multiple Unit Residential - Low Density & Multiple Unit Residential - Medium Density, as shown on Map "A" attached to the Report of the Land Use Management Department dated March 8th, 2013, be considered by Council;

AND THAT Council considers the applicant's April 20th, 2013 Public Involvement Report and documented Public Open Houses to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Land Use Management Department dated June 7th, 2013;

AND THAT Rezoning Application No. Z13-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 9, ODYD, Plan 13927, located at 602-650 Central Avenue, Lot 1, District Lot 9, ODYD, Plan 4317, located at 603-607 Cambridge Avenue, Lot 2, District Lot 9, ODYD, Plan 4317, located at 609-611 Cambridge Avenue, Lot 3, District Lot 9, ODYD, Plan 4317, located at 621-631 Cambridge Avenue, Lot 1, District Lot 9, ODYD, Plan 7822, located at 661-663 Cambridge Avenue, Lot 2, District Lot 9, ODYD, Plan 7822, located at 671-673 Cambridge Avenue, Lot 3, District Lot 9, ODYD, Plan 7822, located at 681-689 Cambridge Avenue, Lot 4, District Lot 9, ODYD, Plan 7822, located at 648-650 Richter Street, Lot 5, District Lot 9, ODYD, Plan 7822, located at 668-670 Richter Street, Lot 6, District Lot 9, ODYD, Plan 7822, located at 680-692 Richter Street, Lot 13, District Lot 9, ODYD, Plan 4317, located at 678 Central Avenue, Lot 4, District Lot 9, ODYD, Plan 4317, located at 641 Cambridge Avenue, Lot 14, District Lot 9, ODYD, Plan 4317, located at 668 Central Avenue from RU6 - Two Dwelling Housing & RM2 - Low Density Row Housing to RM3 - Low Density Multiple Housing & RM5 - Medium Density Multiple Housing 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 in conjunction with Council's consideration of a Development Permit and Development Variance Permit on the subject properties;

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 submission of a plan of subdivision to consolidate the properties.

Carried

City Clerk:

- Advised that this application and the related Bylaws will be forwarded to the July 16, 2013 Public Hearing.

2.1.1. Bylaw No. 10860 (OCP13-0010) - Various Addresses on Central Avenue, Richter Street and Cambridge Avenue, Provincial Rental Housing Corporation

Moved By: Councillor DeHart/Seconded By: Councillor Zimmermann

R446/13/06/24 THAT Bylaw No. 10860 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

2.1.2. Bylaw No. 10861 (Z13-0018) - Various Addresses on Central Avenue, Richter Street and Cambridge Avenue

Moved By: Councillor Zimmermann/Seconded By: Councillor DeHart

R447/13/06/24 THAT Bylaw No. 10861 be read a first time.

Carried

2.2. Rezoning Application No. Z11-0051 - 2641 Longhill Road, Richard & Walter Denman

Staff:

- Summarized the application before Council.

Moved By: Councillor Zimmermann/Seconded By: Councillor Basran

R448/13/06/24 THAT Rezoning Application No. Z11-0051 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 34, Township 26, ODYD, Plan 39180, located on 2641 Longhill Road, Kelowna, BC from the RR2 - Rural Residential 2 zone to the RR2c - Rural Residential 2 with Carriage House 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 considered subsequent to the requirements of the Glenmore-Ellison Improvement District being completed to their satisfaction;

AND THAT the suite be eligible for final occupancy prior to final adoption of the zone;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered following registration of a Section 219 restrictive covenant on title limiting the number of bedrooms, inclusive of all buildings and structures, to a total of three (3), for wastewater purposes.

Carried

City Clerk:

- Advised that this application and the related Bylaws will be forwarded to the July 16, 2013 Public Hearing.

2.2.1. Bylaw No. 10862 (Z11-0051) - 2641 Longhill Road, Richard & Walter Denman

Moved By: Councillor Given/Seconded By: Councillor DeHart

R449/13/06/24 THAT Bylaw No. 10862 be read a first time.

Carried

2.3. Official Community Plan Bylaw Amendment Application No. OCP13-0006 and Rezoning Application No. Z13-0007, Supplemental Report - 3505 Lakeshore Road, Timothy Pinnell & Judith Kopan

Staff:

- Summarized the amendment to the application before Council and responded to questions from Council.

Moved By: Councillor Given/Seconded By: Councillor Hobson

R450/13/06/24 THAT Council receives, for information, the Supplemental Report from the Land Use Management Department dated June 14th, 2013;

AND THAT Official Community Plan Bylaw Amendment Application No. OCP13-0006 (BL10843) be amended at 1st reading to amend Map 19.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A, D.L. 134, ODYD, Plan 8219 Except Plan 17308, located at 3505 Lakeshore Road from Single / Two Unit Residential to Multiple Unit Residential - Low Density, as shown on Map "A" attached to the report of the Land Use Management Department dated June 14th, 2013, be considered by Council;

AND THAT the Rezoning Application No. Z13-0007 (BL10844) be amended at 1st reading to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, D.L. 134, ODYD, Plan 8219 Except Plan 17308, located at 3505 Lakeshore Road from RU6 - Two Dwelling Housing to RM3 - Low Density Multiple Housing be considered by Council;

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

Carried

City Clerk:

- Advised that this application and the related Bylaws will be forwarded to the July 16, 2013 Public Hearing.

2.3.1. Bylaw No. 10843 (OCP13-0006) - 3505 Lakeshore Road, Timothy Pinnell & Judith Kopan

Moved By: Councillor Blanleil/Seconded By: Councillor Basran

R451/13/06/24 THAT Bylaw No. 10843 be amended at first reading to delete the words "3503 Lakeshore Road" and replace with "3503 and 3505 Lakeshore Road" in the title and to add the words "Lot A, District Lot 134, ODYD, Plan 8219, Except Plan 17308, located at 3505 Lakeshore Road" before the words "Kelowna, B.C."

Carried

2.3.2. Bylaw No. 10844 (Z13-0007) - 3505 Lakeshore Road, Timothy Pinnell & Judith Kopan

Moved By: Councillor Basran/Seconded By: Councillor Blanleil

R452/13/06/24 THAT Bylaw No. 10844 be amended at first reading to delete "3503 Lakeshore Road" and replace with "3503 and 3505 Lakeshore Road" in the title and to add the words "Lot A, District Lot 134, ODYD, Plan 8219, Except Plan 17308, located at 3505 Lakeshore Road" before the words " Lot 1, D.L. 134, ODYD, Plan3232".

Carried

2.4. Development Permit Application No. DP13-0079 - 1360 Ellis Street, City of Kelowna

Staff:

- Summarized the application before Council and responded to questions from Council.

Moved By: Councillor Hobson/Seconded By: Councillor Blanleil

R453/13/06/24 THAT Council authorizes the issuance of Development Permit No. DP13-0079 for Parcel A (Being a consolidation of Lots 1 and 2 See CA2747117) D.L. 139, ODYD, Plan KAP57837, located at 1360 Ellis Street, 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".

Carried

3. Non-Development Reports & Related Bylaws

3.1. Emergency Mutual Aid Agreement

Fire Chief:

- Provided an overview of the Emergency Mutual Aid Agreement and responded to questions from Council.
- Advised that Westbank First Nation's land is not included in this Agreement.

Council:

- Expressed a concern that Westbank First Nation's land is not part of the Agreement and requested clarification.

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R454/13/06/24 THAT Council authorizes the City to enter into an Emergency Mutual Aid Agreement between the City of Kelowna, Regional District of Central Okanagan, District of West Kelowna, District of Lake Country and the District of Peachland in the form attached to the Report from the Fire Chief dated May 27, 2013;

AND THAT the Mayor and City Clerk be authorized to execute the Emergency Mutual Aid Agreement in the form attached to the report of the Fire Chief dated May 27, 2013.

Carried

3.2. Fire & Life Safety Bylaw

Fire Chief:

- Displayed a PowerPoint presentation and responded to questions from Council.
- Confirmed that the new rules are "new" for everyone and that no one will be 'grandfathered'.

Acting City Manager:

- Clarified the educational process that the Fire Department will follow with respect to the new rules.

City Clerk:

- Clarified the 'appeal' process in the Notice of Enforcement Bylaw that will apply to those sections of the Fire & Life Safety Bylaw that are subject to a Compliance Agreement.
- Clarified the 'compliance' process for Bylaw Enforcement.

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R455/13/06/24 THAT Council, receives, for information the Report from the Fire Chief dated May 27, 2013 with regards to consolidating current City Regulatory Bylaws into the new "Fire and Life Safety" Bylaw No. 10760;

AND THAT Council gives reading consideration to Bylaw No. 10760 being the new "Fire & Life Safety Bylaw";

AND THAT Bylaw No. 10761 being "Amendment No. 6 to Bylaw Notice Enforcement Bylaw No. 10475" be given reading consideration;

AND FURTHER THAT after adoption of the Fire & Life Safety Bylaw No. 10760 Council repeal the Fire Prevention Regulation Bylaw No. 6110-88, the Fireworks Bylaw No. 8789 and Petroleum Products Storage Tank Bylaw No. 8267.

Carried

3.2.1. Bylaw No. 10760 - Fire & Life Safety Bylaw

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R456/13/06/24 THAT Bylaw No. 10760 be read a first, second and third time.

Carried

3.2.2. Bylaw No. 10761 - Amendment No. 6 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By: Councillor Hobson/Seconded By: Councillor Basran

R457/13/06/24 THAT Bylaw No. 10761 be read a first, second and third time.

Carried

3.3. Frequency of Fire Inspections

Fire Chief:

- Summarized the amendments to Council Policy No. 181 and responded to questions from Council.

Moved By: Councillor Zimmermann/Seconded By: Councillor Hobson

R458/13/06/24 THAT Council Policy No. 181, being Frequency of Fire Inspections, be amended as outlined in the Report from the Fire Chief dated June 24, 2013.

Carried

3.4. Transit 3 Year Service Plan 2014-16

Staff:

- Displayed a PowerPoint presentation and responded to questions from Council.
- Confirmed that Transit staff meets with Airport staff at least twice a year to determine the Airport's transit needs.

Matt Boyd, Transit Planner, BC Transit:

- Displayed a PowerPoint presentation.
- Provided an overview of the 2013 Service Changes and responded to questions from Council.

Moved By: Councillor Hobson/Seconded By: Councillor Given

R459/13/06/24 THAT Council receives, for information, the Three Year Service Plan for public transit service expansions from 2014 to 2016 as prepared by BC Transit in consultation with City staff;

AND THAT staff prepare budget submissions based on the Three Year Service Plan for the 2014 budget and future budgets, for review by Council as part of the annual budget process;

AND FURTHER THAT Council supports BC Transit entering into an agreement with UBCM for the use of \$4.4m in approved Regionally Significant Gas Tax Funding to be applied to the pre-payment of bus lease fees for the service expansions noted in this report and any additional expansions or bus replacements as scheduled.

Carried

3.5. Transit Revenue Sharing Agreement

Staff:

- Provided an overview of the Transit Revenue Sharing Agreement and responded to questions from Council.

Moved By: Councillor Basran/Seconded By: Councillor Hobson

R460/13/06/24 THAT Council endorses the revenue sharing principles for the provision of conventional transit service in the Kelowna Regional Transit system based on a 75% Ridership and 25% Service Hour split as recommended by the Strategic Transportation Partnership of the Central Okanagan - CAO Committee.

Carried

Councillor Blanleil- Opposed.

3.6. 2012 Annual Report

The Acting City Manager left the meeting at 3:24 p.m. The City Manager joined the meeting at 3:24 p.m.

Staff:

- Provided an overview of the 2012 Annual Report.

Moved By: Councillor Hobson/Seconded By: Councillor Zimmermann

R461/13/06/24 THAT Council receives, for information, the Annual Report for the year ended December 31, 2012 attached to the Report of the Systems and Reporting Manager dated June 14, 2013;

AND THAT Council receives, for information, the Council Remuneration and Expense report, Employee Remuneration report and schedule of Payment for the Provision of Goods and Services attached to the Report of the Systems and Reporting Manager dated June 14, 2013.

Carried

Mayor Gray:

- Congratulated the Financial Services and Communication Departments on receiving the Canadian Award for Financial Reporting from the Government Finance Officers Association of the United States and Canada. This Award is for the Annual Report for the fiscal year ended December 31, 2011 and it is the 10th consecutive year that the City of Kelowna has received it.

3.7. Strategic Community Investment Funds

Moved By: Councillor Hobson/Seconded By: Councillor Given

R462/13/06/24 THAT Council receives, for information, the Strategic Community Investment Funds report from the Director, Financial Services dated June 14, 2013.

Carried

3.8. Kelowna Paddle Centre

Staff:

- Introduced members of the various paddling groups who were present in the Gallery.
- Summarized the Agreement and responded to questions from Council.

Joey Hurst, on behalf of the Kelowna Outrigger Canoe Club Association:

- Responded to questions from Council.

Moved By: Councillor Zimmermann/Seconded By: Councillor Given

R463/13/06/24 THAT Council receives, for information, the Report from the Director, Recreation & Cultural Services, dated June 19, 2013, regarding the proposal to establish the Kelowna Paddle Centre;

AND THAT Council authorizes staff to allow the Kelowna Outrigger Canoe Club Association to apply for a temporary use permit for use of 3050 Abbott Street as the location for the Kelowna Paddle Centre;

AND FURTHER THAT Council authorizes staff to continue discussions with the Kelowna Outrigger Canoe Club Association towards the development of an agreement for the temporary use of 3050 Abbott Street as the location for the Kelowna Paddle Centre.

Carried

3.9. Fleet Management

Staff:

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

Moved By: Councillor Hobson/Seconded By: Councillor Zimmermann

R464/13/06/24 THAT Council receives, for information, the Report from the Acting General Manager Community Services dated June 17, 2013 with respect to Fleet Management.

Carried

3.10. John Hindle Drive, Phase 2 Land Update

Moved By: Councillor Hobson/Seconded By: Councillor Given

R465/13/06/24 THAT Council receives, for information, the Report of the Manager, Real Estate Services dated June 18, 2013, with respect to the land component of John Hindle Drive Phase 2 Project.

Carried

3.11. Official Community Plan Indicators

Staff:

- Displayed a PowerPoint presentation.

Moved By: Councillor Basran/Seconded By: Councillor Blanleil

R466/13/06/24 THAT Council receives, for information, the Report of the Planner Specialist, dated June 18, 2013 with respect to the Official Community Plan indicators.

Carried

4. Mayor and Councillor Items

Councillor Zimmermann:

- Commented on the flooding situation in Calgary and Southern Alberta.

Council:

- Agreed that the Mayor should send a letter to the affected municipalities on behalf of the City.

5. Termination

This meeting was declared terminated at 4:45 p.m.

Mayor

City Clerk

/slh