



City of Kelowna Regular Council Meeting Minutes

Date: Monday, October 7, 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 Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Manager, Urban Planning, Danielle Noble-Brandt*; Revenue Manager, George King*; and Records and Information Coordinator, Corine (Cory) Gain

(*denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 1:31 pm.

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 Basran/Seconded By Councillor Stack

R639/13/10/07 THAT the Minutes of the Regular PM Meeting of September 30, 2013 be confirmed as circulated.

Carried

3. Committee Reports

3.1. Accessibility Advisory Committee

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Zimmermann

R640/13/10/07 THAT Council receives for information the Report from the Planner Specialist, Urban Design dated October 7, 2013 with respect to appointment of a member of the Accessibility Advisory Committee;

AND THAT Council appoints Dr. Christian Brix as a Member of the Accessibility Advisory Committee.

Carried

4. Development Application Reports & Related Bylaws

4.1. Rezoning Application No. Z10-0028, Extension Request - 1020 Graham Rd, Lyall Watson Grexton/Peter James Chataway

Staff:

- Summarized the application before Council and provided updated information to the staff report.
- Advised that the partial payment of the outstanding Development Engineering fees received on Friday does not alter the staff recommendation on this application.

Mayor Gray invited the Applicant, or Applicant's Representative, to come forward.

Peter Chataway, Applicant's Representative

- Stated the applicant's case for extension.
- Advised that when the applicant became aware that partial payment of the outstanding fees could be made to express intention to proceed, \$17,000 of the \$34,000 outstanding fees were submitted on Friday, October 4, 2013.
- Advised that the intention is to eventually bring the legally non-conforming property into compliance in a similar configuration to surrounding properties.

Council:

- Questioned the applicant's intention to proceed with the development.
- Contemplated the time frame for the extension.
- Questioned the occupancy of each of the dwellings located on the property;

Staff:

- Responded to questions from Council and clarified the outstanding requirements, including confirmation of the requirement to receive approval of a Development Variance Permit prior to final adoption of the Zoning Bylaw Amendment.

Moved By Councillor Blanleil/Seconded By Councillor Given

R641/13/10/07 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10551 (Z10-0028), Lot 43, Section 22, Township 26, ODYD Plan 28367, located on Graham Road, Kelowna, BC be extended from July 11, 2013 to July 11, 2014;

AND THAT no further extensions will be considered by Council.

Carried

4.1.1. Bylaw No. 10551 (Z10-0028) - 1020 Graham Road, Lyall Watson Grexton/Peter James Chataway

Rescindment of Bylaw No. 10551 was not considered by Council as development application was extended.

4.2. Rezoning Application No. Z13-0031 - 260 Lake Avenue, Marianne Hill

Staff:

- Summarized the application before Council.

Moved By Councillor Stack/Seconded By Councillor Hobson

R642/13/10/07 THAT Rezoning Application No. Z13-0031 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 14, ODYD, Plan EPP30347, located on 260 Lake Avenue, Kelowna, BC from the RU3 - Small Lot Housing zone to the RU1c- Large Lot Housing with Carriage House zone be considered by Council;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Heritage Alteration Permit for the subject property.

Carried

4.2.1. Bylaw No. 10890 (Z13-0031) - 260 Lake Avenue, Marianne Hill

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R643/13/10/07 THAT Bylaw No. 10890 be read a first time.

Carried

City Clerk:

- Advised that the Public Hearing is scheduled for October 22, 2013.

4.3. Development Permit Application No. DP13-0150 - 1824 & 1810 Gordon Drive, HSC Holdings Ltd. and T & A Synergy Enterprises Ltd./Scuka Enterprises

Staff:

- Summarized the application before Council.

Moved By Councillor Hobson/Seconded By Councillor Given

R644/13/10/07 THAT Council authorize the issuance of Development Permit No. DP13-0150 for Lot 1 & 2, District Lot 138, ODYD, Plan EPP19088, located at 1824 & 1810 Gordon Drive, 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".

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

Carried

4.4. Official Community Plan Bylaw Amendment Application No. OCP11-0008 and Rezoning Application No. Z11-0062 - 2241 Springfield Road, R366 Enterprises Ltd.

Councillor Stack declared a conflict of interest as his employer, The Society of Hope, owns and operates a neighbouring property and left the meeting at 1:59 pm.

Councillor Blanleil confirmed he is not in a conflict with this as property he owns is outside of the notification area.

Staff:

- Summarized the application before Council.

Moved By Councillor Zimmermann/Seconded By Councillor Basran

R645/13/10/07 THAT Council waives the requirement for a Comprehensive Development Permit for consideration concurrent to final adoption of the OCP and Zone Amending Bylaws as outlined in the Report from the Urban Planning Department dated September 26, 2013;

AND THAT OCP Amending Bylaw No. 10638 and Zone Amending Bylaw No. 10639 be forwarded for adoption consideration.

Carried

4.4.1. Bylaw No. 10638 (OCP11-0008) - 2241 Springfield Road, R366 Enterprises Ltd.

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R646/13/10/07 THAT Bylaw No. 10638 be adopted.

Carried

4.4.2. Bylaw No. 10639 (Z11-0062) - 2241 Springfield Road, R366 Enterprises Ltd.

Moved By Councillor Blanleil/Seconded By Councillor Basran

R647/13/10/07 THAT Bylaw No. 10639 be adopted.

Carried

5. **Bylaws for Adoption (Development Related)**

5.1. **Bylaw No. 10498 (Z11-0004) - 3399 East Kelowna Road, Clayton Bruce Ivan**

Councillor Stack returned to the meeting at 2:01 pm.

Moved By Councillor Blanleil/Seconded By Councillor Basran

R648/13/10/07 THAT Bylaw No. 10498 be adopted.

Carried

6. **Non-Development Reports & Related Bylaws**

6.1. **Quarterly Report Update**

Deputy City Manager:

- Displayed a PowerPoint presentation and a time-lapse video of Phase 2 of the Bernard Avenue Project.

Moved By Councillor Hobson/Seconded By Councillor Given

R649/13/10/07 THAT Council receives, for information, the Quarterly Report from the Deputy City Manager, dated October 2, 2013.

Carried

6.2. **2014 Permissive Tax Exemption Bylaw No 10889**

Councillor Stack declared a conflict of interest due to his involvement with the Society of Hope, a recipient of a Permissive Tax Exemption and left the meeting at 2:30 pm.

Staff:

- Made a verbal presentation to Council outlining changes to the schedules attached to the bylaw from previous years.

Moved By Councillor Zimmermann/Seconded By Councillor Basran

R650/13/10/07 THAT Council receives, for information, the Report from the Revenue Manager dated October 7, 2013 with respect to the 2014 Permissive Tax Exemption Bylaw;

AND THAT Bylaw No. 10889, being the 2014 Permissive Tax Exemption Bylaw be forwarded for reading consideration.

Carried

6.2.1. **Bylaw No.10889 - 2014 Permissive Tax Exemption Bylaw**

Moved By Councillor Hobson/Seconded By Councillor Singh

R651/13/10/07 THAT Bylaw No. 10889 be read a first, second and third time.

Carried

7. Resolutions

7.1. Draft Resolution, 2014 Council Meeting Schedule

Councillor Stack returned to the meeting at 2:35 pm.

City Clerk:

- Summarized the 2014 Council Meeting Schedule.

Moved By Councillor Hobson/Seconded By Councillor DeHart

R652/13/10/07 THAT the 2014 Council Meeting Schedule be adopted as follows:

Monday Regular Meetings	Public Hearing/Regular Meetings
January 13, 20 and 27	January 21
February 3, 17 and 24	February 4 and 18
March 3, 10, 17, 24 and 31	March 4 and 18
April 7, 14 and 28	April 1, 15 and 29
May 5, 12 and 26	May 13 and 27
June 9, 16 and 23	June 10 and 24
July 14 and 28	July 15 and 29
August 11 and 25	August 12 and 26
September 8, 15, 18* and 29	September 9
October 6, 20 and 27	October 7 and 21
November 3 and 10	November 4
December 1*, 8 and 15	December 9

- * September 18 - Pre-Budget Council Meeting
- * December 1 - Inaugural Council Meeting

Carried

8. Mayor and Councillor Items

Mayor Gray:

- Read an email from Pastor Mike Penninga thanking the City of Kelowna for the Permissive Tax exemption enjoyed by the Kelowna Gospel Fellowship.
- Noted that the church congregation voluntarily undertook Knap Weed removal at Knox Mountain Park. This is a great example of how recipient organizations have chosen to give back to the community in exchange for the tax exemption.
- Also advised that an International student attending Okanagan College has undertaken to mobilize her English as a Second Language class to clean up litter along KLO Road in recognition of their appreciation of Kelowna being a wonderful place to live and study.

Councillor Given:

- Thanked the Arts community for the many events that were held on Friday, October 4 in celebration of Heritage Days, particularly including two events at the Art Gallery and one at the museum.
- Inquired as to the existence of some means that Council could influence or prompt a property owner to:
 1. Ensure occupation of an empty building, or
 2. Ensure completion of stalled building projects.

City Clerk:

- Responded that there is currently no mechanism to prompt either completion or occupation of a property so long as the property taxes are being paid and the grounds cared for.

Moved By Councillor Given/Seconded By Councillor Blanleil**R653/13/10/07** THAT Council direct staff to bring forward a report addressing:

1. Options for prompting occupancy of empty buildings; and
2. Options for prompting completion of partially complete development sites.

Carried**Councillor Stack:**

- Praised the Uptown Rutland Scarecrow Festival as a successful event.
- Encouraged the donation of blood by the end of October to help Kelowna keep the lead in the current Blood Donation campaign/competition with the City of Prince George.
- Councillor Stack congratulated Mission Hill Winery on winning the 'World's Best Pinot Noir' and 'Best Wine' at the Decanter World Wine Awards.

Moved By Councillor Stack/Seconded By Councillor Singh**R654/13/10/07** THAT Council authorize the Mayor to write a letter to Mission Hill Family Estate Winery to congratulate them on winning recognition at the Decanter World Wine Awards as the 'World's Best Pinot Noir' in the under £15 category and the Regional Trophy for 'Best Wine' from a field of 14,000 wines from 61 regions around the world.**Carried****Councillor Zimmermann:**

- Reported on his attendance at the Glenmore Ellison Improvement District pump station opening named for Mr. Joe Bulloch in recognition of his long service to the provision of irrigation services.

Moved By Councillor Stack/Seconded By Councillor Hobson**R655/13/10/07** THAT Council authorize the Mayor to write to Mr. Joe Bulloch thanking him for his contributions and long service to irrigation services at the Glenmore Ellison Improvement District.**Carried****Councillor DeHart:**

- Mentioned that several people have commented on the installation of the new sidewalk and paving on Gordon Drive.
- Encouraged Council and the community to attend the United Way Drive Thru Breakfast on October 10, 2013, taking place from 6 to 9 am at the Ramada Inn across from Orchard Park Mall.
- Advised that the Iron Chef competition held as part of the Fall Wine Festival was won by local chef Ned Bell.

Councillor Blanleil:

- Advised that he is now a member of the TELUS Community Board, an organization that donates approximately \$300,000 annually to charities in the Okanagan-Thompson Region.
- Encouraged local charities to make application to receive funding.

Councillor Basran:

- Advised that he toured the new downtown state-of-the-art facilities of the company known as Hyper Hippo. The company, employs twenty people and is currently preparing for the launch of their new game. This a great example of what the 'Tech' sector is doing in the local economy.

- Extended kudos to Planning staff for working well with a recent purchaser of development property at Tower Ranch. Parkridge, an Alberta company, has advised him that they were very impressed in dealing with staff in the due diligence process associated with the purchase.

Mayor Gray:

- Displayed a ceremonial paddle gifted to the City by Bob Purdy, Paddle for the Planet to promote stand-up paddle boarding as a fast growing, environmentally positive recreation. The Mayor advised that the paddle will be displayed in City Hall when renovations are complete.

9. Termination

This meeting was declared terminated at 3:05 pm.

Mayor

/cg

City Clerk