



City of Kelowna Regular Council Meeting Minutes

Date: Monday, February 3, 2014
Location: Council Chamber
City Hall, 1435 Water Street

Members Present: Mayor Walter Gray, and Councillors , Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Mohini Singh, Luke Stack, and Gerry Zimmermann

Members Absent: Councillor Robert Hobson

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Human Resources & Corporate Performance Division, Stu Leatherdale; Manager, Urban Planning, Ryan Smith; Manager, Financial Services, George King; Cultural Services Manager, Sandra Kochan; Event Development Supervisor, Mariko Siggers; Sport & Event Development Manager, Don Backmeyer; Sustainability Coordinator, Michelle Kam; Council Recording Secretary (Training Op), Joanne Dewar

1. Call to Order

Mayor Gray called the meeting to order at 1:30 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 DeHart/Seconded By Councillor Given

R058/14/02/03 THAT the Minutes of the Regular Meetings of January 20, 2014 be confirmed as circulated.

Carried

3. Committee Reports

3.1. Uncollectable Property Taxes Receivable

Staff:

- Provided reasons why certain property taxes are deemed uncollectable.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Basran

R059/14/02/03 THAT Council receives, for information, the report from the Audit Committee dated January 27, 2014 with respect to the write-off of delinquent property taxes;

AND THAT Council approve the write-off of delinquent property taxes in the amount of \$111,560.15 for the years 1989 to 2013, as attached to the report from the Audit Committee dated January 27, 2014;

AND THAT Council direct staff to apply to the Minister under section 315.3 of the Local Government Act to manage and dispose of such assets;

AND FURTHER THAT once the Ministerial approval is received all outstanding amounts from other taxing authorities be deducted from their 2014 tax requisitions and each of these taxing authorities be advised.

Carried

3.2. Policy And Write-Off For Uncollectible General Receivables - Council

Staff:

- Provided outline of policy.
- Outlined approaches being taken to enhance the City's ability to assess and keep track of customers/bankruptcies/company's financial stability.

- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Stack

R060/14/02/03 THAT Council receives, for information, the report from the Audit Committed dated January 27, 2014 with respect to the Policy # 370 & Write-Off Of Uncollectible General Receivables;

AND THAT Council endorse Policy # 370 Write-Off Policy for Uncollectible General Receivables as attached to the report from the Audit Committee Dated January 27, 2014;

AND FURTHER THAT Council approve the write-off of general receivables as per Policy # 370 in the amount of \$389,713.29 for the years: Pre-1996 to 2011.

Carried

4. Development Application Reports & Related Bylaws

4.1. Official Community Plan Bylaw Amendment Application No. OCP13-0008 and Rezoning Application No. Z13-0009 - (Off of), (N of) & 2458 Joe Riche Road, Black Mountain Irrigation District

Councillor Zimmerman declared a conflict of interest, as he is on the Board of the Black Mountain Irrigation District, who is the Applicant. Councillor Zimmermann left the meeting at 1:43 pm.

Staff:

-Displayed a PowerPoint presentation.

Moved By Councillor Blanleil/Seconded By Councillor DeHart

R061/14/02/03 THAT Official Community Plan Bylaw Amendment No. OCP13-0008 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of parts of Lot D, Section 18 and 19, Township 27, ODYD, Plan KAP80286, located on (N OF) Joe Riche Road, Kelowna, BC; Lot 19, Sections 17, 18 and 19, Township 27, ODYD, Plan 1991, Except Plan 39110, located on (OFF OF) Joe Riche Road, Kelowna, BC; Lot 8, Sections 18 and 19, Township 27, ODYD, Plan 1991, Except Plans KAP80286 and KAP87038, located on 2458 Joe Riche Road, Kelowna, BC, from the REP - Resource Protection Area and the PARK - Major Park and Open Space designations to the PSU - Public Service Utilities and the PARK -

Major Park and Open Space designations, as shown on Map "A" attached to the Report of Urban Planning Department dated February 3, 2014, be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Urban Planning Department dated February 3, 2014.

THAT Rezoning Application No. Z13-0009 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of parts of Lot D, Section 18 and 19, Township 27, ODYD, Plan KAP80286, located on (N OF) Joe Riche Road, Kelowna, BC; Lot 19, Sections 17, 18 and 19, Township 27, ODYD, Plan 1991, Except Plan 39110, located on (OFF OF) Joe Riche Road, Kelowna, BC; Lot 8, Sections 18 and 19, Township 27, ODYD, Plan 1991, Except Plans KAP80286 and KAP87038, located on 2458 Joe Riche Road, Kelowna, BC, from the A1 - Agriculture 1 zone to the P4 - Utilities zone as shown on Map "B" attached to the Report of the Urban Planning Department dated February 3, 2014, be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT, prior to final adoption, a Memorandum of Understanding respecting the conceptual alignment of linear parks through the subject properties be executed by both the City and the applicant, as outlined in the Report of the Urban Planning Department dated February 3, 2014.

Carried

4.1.1. Bylaw No. 10912 (OCP13-0008) - (Off of), (N of) & 2458 Joe Riche Road, Black Mountain Irrigation District

Moved By Councillor Stack/Seconded By Councillor Given

R062/14/02/03 THAT Bylaw No. 10912 be read a 1st time;

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

4.1.2. Bylaw No. 10913 (Z13-0009) - (Off of), (N of) & 2458 Joe Riche Road, Black Mountain Irrigation District

Moved By Councillor Stack/Seconded By Councillor Given

R063/14/02/03 THAT Bylaw No. 10913 be read a 1st time.

Item is scheduled for the Public Hearing on Tuesday, Feb 18, 2014.

Carried

Councillor Zimmermann returned to the meeting at 1:46 pm.

- 4.2. Official Community Plan Bylaw Amendment Application No. OCP07-0022 and Rezoning Application No. Z07-0073, Rescindment Request - 2728 Pandosy St, Al Stober Construction Ltd.

Staff:

- Displayed a PowerPoint presentation.

Moved By Councillor Stack/Seconded By Councillor Given

R064/14/02/03 THAT OCP Amending Bylaw No. 10265 (OCP07-0022) and Zone Amending Bylaw No. 10266 (Z07-0073) for the property located on a portion of Lot 1, DL 14, O.D.Y.D., Plan KAP 91460 (formerly known as Lot 1, DL14, O.D.Y.D., Plan 4280 - Located at 477 Osprey Ave., Kelowna BC,) be forwarded for rescindment consideration;

AND THAT staff be directed to close the file.

- 4.2.1. Bylaw No. 10265 (OCP07-0022) - 477 Osprey Avenue, Al Stober Construction Ltd.

Moved By Councillor DeHart/Seconded By Councillor Zimmerman

R065/14/02/03 THAT first, second and third readings given to Bylaw No.10265 be rescinded and the file closed.

Carried

- 4.2.2. Bylaw No. 10266 (Z07-0073) - 477 Osprey Avenue, Al Stober Construction Ltd.

Moved By Councillor DeHart/Seconded By Councillor Zimmerman

R066/14/02/03 THAT first, second and third readings given to Bylaw No. 10266 be rescinded and the file closed.

Carried

4.3. Bylaw No. 10906 (Z13-0039) - 1334 St. Paul Street, CTQ Holdings Ltd.

Moved By Councillor Singh/Seconded By Councillor Basran

R067/14/02/03 THAT Bylaw No. 10906 be adopted.

Carried

4.3.1. Development Permit Application No. DP13-0170 - 1334 St Paul Street, CTQ Holdings Ltd.

Staff:

- Displayed a PowerPoint presentation.
- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Zimmermann

R068/14/02/03 THAT final adoption of Zone Amending Bylaw No. 10906 be considered by Council; AND THAT Council authorizes the issuance of Development Permit No. DP13-0170 for Lot 17, District Lot 139, ODYD, Plan 645, located at 1334 St. Paul Street, Kelowna, BC, 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 Landscape Architect;

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

Carried

4.4. Bylaw No.10379 (OCP10-0006) - 1069 Laurier Avenue, Jasvinder Kandola

Moved By Councillor Blanleil/Seconded By Councillor Basran

R069/14/02/03 THAT Bylaw No. 10379 be adopted.

Carried

4.4.1. Bylaw No.10380 (Z10-0031) - 1045,1053 and 1069 Laurier Avenue,
Jasvinder Kandola

Moved By Councillor Basran/Seconded By Councillor Blanleil

R070/14/02/03 THAT Bylaw No. 10380 be adopted.

Carried

4.4.2. Development Permit Application No. DP10-0047 - 1053 Laurier
Avenue, Jasvinder Kandola

Moved By Councillor Zimmermann/Seconded By Councillor Given

R071/14/02/03 THAT Council authorize the issuance of Development Permit No. DP10-0047 for Lot 1, District Lot 138, ODYD, Plan KAP91928, located at 1053 Laurier 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. Permeable pavers be provided in the parking areas as shown on Schedule "C";

AND THAT the applicant be required to complete the above-noted condition No. 3 within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

Carried

- 4.5. Rezoning Application No. Z11-0035, Extension Request, 1599 KLO Rd, Robert & Michelle Geismayr

Moved By Councillor Stack/Seconded By Councillor Singh

R072/14/02/03 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10569 (Z11-0035), Lot 4, District Lot 131, ODYD, Plan 17156, except Plan KAP78069, located at 1599 KLO Road, Kelowna, BC be extended from February 9, 2014 to February 9, 2015;

AND FURTHER THAT Council directs staff not to accept further extension requests.

Carried

5. Bylaws for Adoption (Development Related)

- 5.1. Bylaw No. 10738 (Z12-0007) - 483 Poplar Point Drive, Hardie & Karen Deforest

Moved By Councillor Blanleil/Seconded By Councillor Singh

R073/14/02/03 THAT Bylaw No. 10738 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

- 6.1. 2014 Professional Arts Operating Grants

Staff:

- Outlined recommendations for funding.
- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Blanleil

R074/14/02/03 THAT COUNCIL receives, for information, the report dated January 29, 2014 from the Cultural Services Manager;

AND THAT COUNCIL approves 2014 Professional Arts Operating Grants as recommended in the report dated January 29, 2014 from the Cultural Services

Manager, for the following organizations: - \$25,000 to the Okanagan Artists Alternative Association (operating as Alternator Centre for Contemporary Art); and - \$55,000 to the Okanagan Symphony Society;

AND FURTHER THAT COUNCIL directs staff to report back with information and recommendations regarding 2014 funding for the Kelowna Ballet Society.

Carried

6.2. 2014 Operating and Project Grants for Arts, Culture and Heritage Organizations

Moved By Councillor Singh/Seconded By Councillor Given

R075/14/02/03 THAT Council receives, for information, the list of 2014 recipients for Arts, Culture & Heritage Operating Grants and Project Grants as outlined in the report dated January 29, 2014 from the Cultural Services Manager.

Carried

6.3. Strategic Events Fund - KELOHA

Staff:

- Outlined financial challenges.
- Responded to questions from Council.

Moved By Councillor Blanleil/Seconded By Councillor Zimmerman

R076/14/02/03 THAT Scott Amsley be invited to address Council regarding the KELOHA Festival.

Carried

Scott Amsley, Wet Ape Productions:

- Responded to questions from Council.

Moved By Councillor Basran/Seconded By Councillor Blanleil

R077/14/02/03 THAT Council receives, for information, the report from the Event Development Supervisor dated January 29, 2014 regarding a grant from the Strategic Events Fund for the 2014 Keloha Music and Arts Festival;

AND THAT Council approves a grant of \$15,000 from the Strategic Events Fund to support the 2014 Keloha Music and Arts Festival.

Carried

6.4. Our Rutland Project Launch

Staff:

- Displayed a PowerPoint presentation.
- Responded to questions from Council.

Moved By Councillor Zimmermann/Seconded By Councillor Basran

R078/14/02/03 That Council receives, for information, the report from the Sustainability Coordinator dated January 16, 2014, with respect to the Our Rutland Project Launch.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1. Bylaw No. 10905 - Amendment No. 23 to Traffic Bylaw No. 8120

Moved By Councillor Singh/Seconded By Councillor Blanleil

R079/14/02/03 THAT Bylaw No. 10905 be adopted.

Carried

7.2. Bylaw No. 10909 - Amendment No. 28 to Airport Fees Bylaw No. 7982

Moved By Councillor Given/Seconded By Councillor Stack

R080/14/02/03 THAT Bylaw No. 10909 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Given: Sport Hero awards are on February 5th, 2014.

Councillor Blanleil: Attended the Phoenix Open last week, where there was open alcohol, yet it was a well-organized event and there were no issues. This is timely information given the recent announcement of new BC liquor laws.

Councillor Basran: Give support to our local athletes at the Olympic games in Sochi. Eric Neilsen (Skeleton), Kelsey Serwa (Free Style Skiing), and Shea Webber (Men's Ice Hockey), as well as all support staff at the games.

9. Termination

This meeting was declared terminated at 3:24 pm.

Mayor

City Clerk