



City of Kelowna Regular Council Meeting Minutes

Date: Monday, March 31, 2014
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Council Members Absent: Councillor Andre Blanleil

Staff Present: Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Divisional Director, Infrastructure, John Vos*; Divisional Director, Community Planning & Real Estate, Doug Gilchrist*; Manager, Urban Planning, Ryan Smith; Manager, Subdivision, Agriculture & Environment Services, Todd Cashin*; Director, Subdivision, Agriculture & Environment, Shelley Gambacort*; Manager, Public Works, Darryl Astofooroff*; Manager, Utility Services, Kevin Van Vliet*; Council Recording Secretary, Arlene McClelland; and Council Recording Secretary, Tania Tishenko

(*denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 1:34 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 DeHart/Seconded By Councillor Given

R200/14/03/31 THAT the Minutes of the Regular Meeting of March 24, 2014 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1. Rezoning Application No. Z13-0045 - 469 Glenmore Road, Terry Johnston & Jeffery Pereverzoff

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.
- Responded to questions from Council.

Moved By Councillor Zimmermann/Seconded By Councillor Hobson

R201/14/03/31 THAT Rezoning Application No. Z13-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 32, Township 26, ODYD, Plan 9951, located on 469 Glenmore Road, Kelowna, BC from the A1 - Agriculture 1 zone to the C3 - Community Commercial 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 land exchange between the applicant and the City be completed and registered, as described in the report from the Urban Planning Department, dated March 31, 2014;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the registration of a Statutory Right of Way granting the City access to the lands to the east of the subject property for maintenance purposes;

AND THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit and a Development Variance Permit for the subject property;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch, and the Glenmore-Elison Improvement District being completed to their satisfaction.

Carried

3.1.1. Bylaw No. 10937 (Z13-0045) - 469 Glenmore Road, Terry Johnson & Jeffery Pereverzoff

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R202/14/03/31 THAT Bylaw No. 10937 be read a first time.

City Clerk:

- Advised that this application will be scheduled to the April 15, 2014 Public Hearing.

Carried

3.2. Heritage Designation Application No. HD14-0001 - 609 Burne Avenue, Craig Abernethy

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Hobson

R203/14/03/31 THAT Council consider the removal of the Municipal Heritage Designation from Lot 1, District Lot 14, ODYD, District Plan KAP54306, located at 609 Burne Avenue, Kelowna, BC, pursuant to Section 967 of the Local Government Act;

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

Carried

3.2.1. Bylaw No. 10938 (HD14-0001) - 609 Burne Avenue, Craig Abernethy

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R204/14/03/31 THAT Bylaw No. 10938 be read a first time.

Carried

City Clerk:

- Advised that this application will be scheduled to the April 15, 2014 Public Hearing.

3.3. Official Community Plan Bylaw Amendment Application No. OCP14-0007 and Rezoning Application No. Z14-0002 - 1908, 1924 and (Part of) Henkel Road, Surinder Gosel & City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.
- Responded to questions from Council.

Moved By Councillor Zimmermann/Seconded By Councillor Basran

R205/14/03/31 THAT Official Community Plan Bylaw Amendment No. OCP14-0007 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of part of Lot A Section 4 Township 23 ODYD Plan 34105 Except Plan KAP61643, located at 1924 Henkel Rd from the Resource Protection Area (REP) designation to the Single/Two Unit Residential (S2RES) designation as shown Map "A" attached to the report of Subdivision, Agriculture & Environment Services, dated April 1, 2014 be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP14-0007 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of a part of the Henkel Road closure area from Educational/Major Institutional (EDINST) designation to the Single/Two Unit Residential (S2RES) designation as shown Map "A" attached to the report of Subdivision, Agriculture & Environment Services, dated April 1, 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 Subdivision, Agriculture & Environment Services, dated April 1, 2014;

AND THAT Rezoning Application No. Z14-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A Section 4 Township 23 ODYD Plan 34105 Except Plan KAP61643, located at 1924 Henkel Rd and Lot 2 Section 4 Township 23 ODYD Plan 17274, located at 1908 Henkel Rd from the RR3 - Rural Residential 3 zone to the RU2 - Medium lot housing zone as shown on Map "B" attached to the report of Subdivision, Agriculture & Environment Services, dated April 1, 2014, be considered by Council;

And THAT Rezoning Application No. Z14-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of the Henkel Road closure area from the P2 - Educational and Minor Institutional zone to the RU2 - Medium lot housing zone as shown on Map "B" attached to the report of Subdivision, Agriculture & Environment Services, dated April 1, 2014, 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 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 issuance of a Preliminary Layout Review by the City of Kelowna's Subdivision Approving Officer.

Carried

3.3.1. Bylaw No. 10940 (OCP14-0007) - 1924 Henkel Road and (Part of) Henkel Road, Surinder Gosel & City of Kelowna

Moved By Councillor Stack/Seconded By Councillor Given

R206/14/03/31 THAT Bylaw No. 10940 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

3.3.2. Bylaw No. 10941 (Z14-0002) - 1908, 1924 and (Part of) Henkel Road, Surinder Gosel & City of Kelowna

Moved By Councillor Given/Seconded By Councillor Stack

R207/14/03/31 THAT Bylaw No. 10941 be read a first time.

Carried

3.4. Text Amendment No. TA14-0006 - Proposed Amendment to Zoning Bylaw No. 8000 - I1 Business Industrial Zone, City of Kelowna

Staff:

- Provided an overview of the Text Amendment.

Moved By Councillor Hobson/Seconded By Councillor Given

R208/14/03/31 THAT Zoning Bylaw Text Amendment No. TA14-0006 to amend City of Kelowna Zoning Bylaw No. 8000 by adding Medical Marihuana Production Facilities (MMPF) as a Principal Use in the I1 - Business Industrial Zone, as outlined in Schedule "A" of the report from the Subdivision, Agriculture & Environment Department dated March 31, 2014, be considered by Council;

AND THAT the Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

Carried

3.4.1. Bylaw No. 10944 (TA14-0006) - Medical Marihuana Production Facilities - Industrial Zones

Moved By Councillor Stack/Seconded By Councillor DeHart

R209/14/03/31 THAT Bylaw No. 10944 be read a first time.

Carried

City Clerk:

- Advised that this application will be scheduled to the April 15, 2014 Public Hearing.

4. Non-Development Reports & Related Bylaws

4.1. Tourism Oriented Destination Sign Fees

Staff:

- Provided a verbal presentation summarizing the report before Council.

Moved By Councillor Given/Seconded By Councillor Stack

R210/14/03/31 THAT Council receives for information, the report from the Public Works Manager, Dated March 25 , 2014 with respect to the fees schedule for Council Policy 373 - Tourist Oriented Destination Signs;

AND FURTHER THAT Bylaw No. 10942, being Amendment No. 25 to Traffic Bylaw No. 8120 be forwarded for reading consideration.

Carried

4.1.1. Bylaw No. 10942 - Amendment No. 25 to Traffic Bylaw No. 8120

Moved By Councillor Singh/Seconded By Councillor Basran

R211/14/03/31 THAT Bylaw No. 10942 be read a first, second and third time.

Carried

4.2. Road Closure - Portion of Lane between Cambridge and Central Avenues
(Pleasantvale Lane)

Councillor Stack declared a conflict of interest as he works for Society of Hope who is involved in the Pleasantvale Project, and left the meeting at 2:19 p.m.

Staff:

- Provided a verbal presentation summarizing the report before Council.

Moved By Councillor Singh/Seconded By Councillor Basran

R212/14/03/31 THAT Council receives the Report from the Manager, Real Estate Services dated March 26, 2014, recommending that Council adopt the proposed road closure of a portion of land between Central Avenue and Cambridge Avenue;

AND FURTHER THAT Bylaw No. 10935, being proposed road closure of a portion of land between Central Avenue and Cambridge Avenue, be given reading consideration.

Carried

4.2.1. Bylaw No. 10935 - Road Closure Bylaw, Portion of Lane between
Cambridge and Central Avenues (Pleasantvale Lane)

Moved By Councillor Singh/Seconded By Councillor Basran

R213/14/03/31 THAT Bylaw No. 10935 be read a first, second and third time.

Carried

Councillor Stack rejoined the meeting at 2:20 p.m.

4.3. Parcel Tax Bylaw - Lawrence Avenue Local Area Service

Moved By Councillor Basran/Seconded By Councillor Singh

R214/14/03/31 THAT Council receives for information the report from the City Clerk dated March 31, 2014 directing staff to impose a parcel tax under Section 200 of the Community Charter on the benefiting parcels in the Lawrence Avenue Local Service Area;

AND THAT Bylaw No. 10922, being the Lawrence Avenue Local Area Service Parcel Tax be forwarded for reading consideration;

AND FURTHER THAT Council set the 2014 Parcel Tax Roll Review Panel meeting for Wednesday, April 16, 2014 at 11:45am in meeting room 4A-Knox Mountain, 4th Floor, City Hall, 1435 Water Street, Kelowna, BC.

4.3.1. Bylaw No. 10922 - Parcel Tax Bylaw for Lawrence Avenue Local Area Service

Moved By Councillor Basran/Seconded By Councillor Singh

R215/14/03/31 THAT Bylaw No. 10922 be read a first, second and third time.

Carried

4.4. LATE ITEM - Sufficiency Report for the Kelowna Police Services Building Project

Staff:

- Provided a verbal presentation summarizing the report before Council.

Moved By Councillor Singh/Seconded By Councillor Zimmermann

R216/14/03/31 THAT Council receives, for information, the Report from the City Clerk dated March 28, 2014 pertaining to the Certificate of Sufficiency regarding the City of Kelowna borrowing from the Municipal Finance Authority for the sum of Forty-Two Million, Three Hundred and Eighty-four Thousand (\$42,384,000.00) Dollars for the construction of a new Kelowna Police Services Building and related project work;

AND THAT Bylaw No. 10900, being the Kelowna Police Services Building Project Loan Authorization Bylaw, be forwarded for adoption consideration.

Carried

4.4.1. Bylaw No. 10900 - Kelowna Police Services Building Loan
Authorization Bylaw

Moved By Councillor Singh/Seconded By Councillor Basran

R217/14/03/31 THAT Bylaw No. 10900 be adopted.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1. Bylaw No. 10926 - Road Closure Bylaw, Portion of Glenmore Road N

Moved By Councillor Given/Seconded By Councillor Stack

R218/14/03/31 THAT Bylaw No. 10926 be adopted.

Carried

6. Mayor and Councillor Items

Councillor Given:

- Reminded everybody that Small Shops Saturday is this Saturday, with free parking in the downtown area.

Mayor Gray:

- Mentioned both Money Magazine and Canadian Business Magazine contain articles regarding Kelowna.

7. Termination

This meeting was declared terminated at 2:29 p.m.

Mayor

City Clerk