



City of Kelowna Regular Council Meeting Minutes

Date: Monday, June 23, 2014
 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; Director of Real Estate, Derek Edstrom*; Manager, Urban Planning, Ryan Smith*; Manager, Systems & Reporting, Jackie Dueck*; Manager, Long Range Policy Planning, James Moore*; Sustainability Coordinator, Michelle Kam*; Park & Landscape Planner, Barbara Davidson*; Manager, Parking Services, Dave Duncan*; Manager, Strategic Land Development, Graham Hood*; Manager Financial Projects, Garry Filafilo*; Planner Specialist, Pat McCormick*; Manager, Park & Building Planning, Terry Barton*; Legislative Coordinator, Corinne Boback*; Manager, Regional Programs, Jerry Dombowsky*; Manager, Park & Building Projects, Andrew Gibbs*; and Council Recording Secretary, Tania Tishenko

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 1:31 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 Stack

R443/14/06/23 THAT the Minutes of the Regular Meeting of June 16, 2014 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Presentation of the Government Finance Officers Association (GFOA) Award for Financial Reporting (Moved after Item 6.3)

3.2. Fred Steele, President, The British Columbia Fruit Growers' Association Presentation

Fred Steele, President, The British Columbia Fruit Growers' Association

- Provided a presentation to Council with an update on the tree fruit industry.

Moved By Councillor Hobson/Seconded By Councillor Basran

R444/14/06/23 THAT Council receives for information the report from The British Columbia Fruit Growers' Association.

Carried

3.3. Todd Sanderson, The Rutland Unified Stakeholders Team (TRUST), re: Rutland Branding

Todd Sanderson, & Tony Peyton The Rutland Unified Stakeholders Team (TRUST)

- Provided a PowerPoint presentation to Council - and spoke to Rutland Branding.

Moved By Councillor Zimmermann/Seconded By Councillor Basran

R445/14/06/23 THAT Council receives for information the report of The Rutland Unified Stakeholders Team (TRUST).

Carried

6.2. Our Rutland Project Update and Final Project Selection

Staff:

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

Moved By Councillor Zimmermann/Seconded By Councillor Basran

R446/14/06/23 That Council receives, for information, the report from the Sustainability Coordinator dated June 23, 2014, with respect to the *Our Rutland* project;

AND THAT Council endorses infrastructure investment for a Public Market Space at Roxby Park as the project to be implemented as the *Our Rutland* project.

Carried

4. Development Application Reports & Related Bylaws

4.1. Area Structure Plan Application No. ASP10-0001 and Official Community Plan Bylaw Amendment Application No. OCP13-0019 - 1855 Bennett Road, 1005 Clifton Road North and (E of) Paly Road, Lakeside Communities Inc.

Councillor Singh declared a conflict of interest due to living in the proposed area and left the meeting at 2.32 pm.

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

Moved By Councillor Stack/Seconded By Councillor Given

R447/14/06/23 THAT Council receives for information the report of the Policy & Planning Department, dated June 3rd, 2014, with respect to the North Clifton Area Structure Plan, prepared for Melcor Developments by the MMM Group, dated April 2014;

AND THAT Official Community Plan Bylaw Amendment No. OCP 13-0019 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designations of:

- Lots 1 and 2, Section 17, Township 23, ODYD, Plan KAP65503, respectively located on 1855 Bennett Road and 1005 Clifton Road North, Kelowna, BC;
- Fractional South ½ of East ½ of the North West ¼ of Section 17, Township 23, ODYD, located on (E OF) Paly Road, Kelowna, BC;

- The North ½ of the Fractional East ½ of the Fractional North West ¼ of Section 17, Township 23, ODYD located on (E OF) Paly Road, Kelowna, BC;

from the Resource Protection Area and Future Urban Reserve designations to the Single / Two Unit Residential, Major Park and Open Space, and Public Service Utilities designations, as shown on Map "A" attached to the Report of the Policy and Planning Department dated June 11, 2014, be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP13-0019 to amend Map 5.2 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by altering the extent of the Permanent Growth Boundary on:

- Lots 1 and 2, Section 17, Township 23, ODYD, Plan 65503, respectively located on 1855 Bennett Road and 1005 Clifton Road North, Kelowna, BC;
- Fractional South ½ of East ½ of the North West ¼ of Section 17, Township 23, ODYD, located on (E OF) Paly Road, Kelowna, BC;
- The North ½ of the Fractional East ½ of the Fractional North West ¼ of Section 17, Township 23, ODYD located on (E OF) Paly Road, Kelowna, BC;

as shown on Map "B" attached to the Report of the Policy and Planning Department dated June 11, 2014, be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP13-0019 to amend Map 5.9 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by adding linear corridors and paths on:

- Lots 1 and 2, Section 17, Township 23, ODYD, Plan 65503, respectively located on 1855 Bennett Road and 1005 Clifton Road North, Kelowna, BC;
- Fractional South ½ of East ½ of the North West ¼ of Section 17, Township 23, ODYD, located on (E OF) Paly Road, Kelowna, BC;
- The North ½ of the Fractional East ½ of the Fractional North West ¼ of Section 17, Township 23, ODYD located on (E OF) Paly Road, Kelowna, BC;

as shown on Map "C" attached to the Report of the Policy and Planning Department dated June 11, 2014, be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP13-0019 to amend Map 7.3 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by adding to the 20 Year Major Road Network on:

- Lots 1 and 2, Section 17, Township 23, ODYD, Plan 65503, respectively located on 1855 Bennett Road and 1005 Clifton Road North, Kelowna, BC;

- Fractional South ½ of East ½ of the North West ¼ of Section 17, Township 23, ODYD, located on (E OF) Paly Road, Kelowna, BC;
- The North ½ of the Fractional East ½ of the Fractional North West ¼ of Section 17, Township 23, ODYD located on (E OF) Paly Road, Kelowna, BC;

as shown on Map "D" attached to the Report of the Policy and Planning Department dated June 11, 2014, be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP13-0019 to amend Map 7.4 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by altering the Future City Serviced Areas:

- Lots 1 and 2, Section 17, Township 23, ODYD, Plan 65503, respectively located on 1855 Bennett Road and 1005 Clifton Road North, Kelowna, BC;
- Fractional South ½ of East ½ of the North West ¼ of Section 17, Township 23, ODYD, located on (E OF) Paly Road, Kelowna, BC;
- The North ½ of the Fractional East ½ of the Fractional North West ¼ of Section 17, Township 23, ODYD located on (E OF) Paly Road, Kelowna, BC;

as shown on Map "E" attached to the Report of the Policy and Planning Department dated June 11, 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 Land Use Management Department dated June 11, 2014;

AND FURTHER THAT the Official Community Plan Bylaw Amendment Bylaw be forwarded to a Public Hearing for further consideration.

Carried

4.1.1. Bylaw No. 10978 (OCP13-0019) - 1855 Bennett Road, 1005 Clifton Road North and (E of) Paly Road

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R448/14/06/23 THAT Bylaw 10978 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

Councillor Singh rejoined the meeting at 3:20 pm.

4.2. Official Community Plan Bylaw Amendment Application No. OCP13-0017 and Rezoning Application No. Z13-0040 - 901-911 Stremel Road, Tamdan Ventures Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

Moved By Councillor Basran/Seconded By Councillor Zimmermann

R449/14/06/23 THAT Official Community Plan Bylaw Amendment No. OCP13-0017 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of Lot 1, Section 34, Township 26, ODYD Plan EPP35554, located on 901-911 Stremel Road, Kelowna, BC from the Commercial and Industrial designations to the Service Commercial designation, as shown on Map "A" attached to the Report of Urban Planning Department dated June 23, 2014, be considered by Council;

THAT Rezoning Application No. Z13-0040 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 34, Township 26, ODYD EPP35554, located on 901-911 Stremel Road, Kelowna, BC, from the C9-Tourist Commercial zone and the I2-General Industrial Zone to the C10-Service Commercial zone, as shown on Map "B" attached to the Report of the Urban Planning Department dated June 23, 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 FURTHER THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development 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, Black Mountain Irrigation District, Ministry of Transportation and Infrastructure being completed to their satisfaction.

Carried

4.2.1. Bylaw No. 10976 (OCP13-0017) - 901-911 Stremel Road, Tamdan Ventures Ltd.

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R450/14/06/23 THAT Bylaw 10976 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

4.2.2. Bylaw No. 10977 (Z13-0040) - 901-911 Stremel Road, Tamdan Ventures Ltd.

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R451/14/06/23 THAT Bylaw No. 10977 be read a first time.

Carried

4.3. Rezoning Application No. Z10-0100 - 445 Pearson Road, Balwinder Singh & Harbax Kaur Khunkhun

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Hobson

R452/14/06/23 THAT Council receives, for information, the report from the Urban Planning Department, dated August 21, 2013 with respect to Rezoning Application Z10-0100, Lot 67, Section 26, Township 26, ODYD, Plan 22239 located on 445 Pearson Road, Kelowna, BC;

AND THAT Bylaw No. 10522 be forwarded for rescindment consideration and file be closed.

Carried

4.3.1. Bylaw No. 10522 (Z10-0100) - 445 Pearson Road, Balwinder Singh & Harbax Kaur Khunkhun

Moved By Councillor Stack/Seconded By Councillor Given

R453/14/06/23 THAT first, second and third readings given to Bylaw No. 10522 be rescinded;

AND THAT staff be directed to close the file.

Carried

5. Bylaws for Adoption (Development Related)

5.1. Bylaw No. 10775 (OCP12-0008) - 2219 Mayer Road, Heinz Strege

Moved By Councillor Given/Seconded By Councillor Stack

R454/14/06/23 THAT Bylaw No. 10775 be adopted.

Carried

5.2. Bylaw No. 10776 (Z12-0052) - 2219 Mayer Road, Heinz Strege

Moved By Councillor Given/Seconded By Councillor Stack

R455/14/06/23 THAT Bylaw No. 10776 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1. Chances Gaming - Remove Slot Restriction

Staff:

- Displayed a PowerPoint Presentation summarizing the report before Council.

Moved By Councillor Blanleil/Seconded By Councillor DeHart

R456/14/06/23 THAT Council remove the existing restriction to the floor area available for non-bingo gaming options, such as 'slot machines', which is currently 49% permitted for the Chances Community Gaming facility;

AND THAT Council support slot machines as an outright use, without limitations, for the Chances Community Gaming facility.

Carried

6.2. **Our Rutland Project Update and Final Project Selection (Considered after 3.3)**

6.3. **Munson Pond Park**

Staff:

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

Moved By Councillor Hobson/Seconded By Councillor Stack

R457/14/06/23 That Council receives, for information, the report from the Parks Planner dated June 23, 2014, with respect to Munson Pond Park;

AND That Council direct staff to include the construction of Munson Pond Park Phase 1 as a submission in the 2015 Capital Plan.

Carried

3.1. **Presentation of the Government Finance Officers Association (GFOA) Award for Financial Reporting**

The Government Finance Officers Association (GFOA) award was presented to the Financial Services and Communications Departments, for excellence in governmental accounting and financial reporting.

6.4. **2013 Annual Financial Report**

Staff:

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

Moved By Councillor Hobson/Seconded By Councillor Basran

R458/14/06/23 THAT Council receives, for information, the 2013 Annual Report for the year ended December 31, 2013 attached to the Report of the Financial Projects Manager dated June 17, 2014;

AND THAT Council receives, for information, the '2013 Council Remuneration and Expense report, Employee Remuneration and Schedule of Payment for the Provision of Goods and Services' attached to the Report of the Financial Projects Manager dated June 17, 2014.

Carried

6.5. South Pandosy Parking Strategy

Director of Real Estate, Derek Edstrom

- Introduced James Donnelly of Urban Systems Ltd.

Staff:

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

Mayor Gray left the meeting at 4:20 pm and Deputy Mayor DeHart assumed Mayor's Chair at 4:20pm.

Mayor Gray resumed his chair at 4:24 pm.

Moved By Councillor Zimmermann/Seconded By Councillor Stack

R459/14/06/23 THAT Council receives, for information, the Report from the Manager, Parking Services, dated June 18, 2014, with respect to the Parking Management Strategy, Phase 3, South Pandosy Area Plan;

AND THAT Council approves the introduction of pay parking within the South Pandosy business district and time restrictions both within the business district and surrounding residential streets, as generally recommended in the report dated June, 2014, entitled, South Pandosy Parking Strategy, created by the project consultant, Urban Systems Ltd. attached to the Report from the Manager, Parking Services dated June 18, 2014;

AND FURTHER THAT Council amends the 2014 Financial Plan approved for this project from \$385,000 to \$602,000, with the increase of \$217,000 funded from the South Pandosy Parking Reserve Fund, to reflect the recommendations in the report dated

June, 2014, entitled, South Pandosy Parking Strategy, created by the project consultant, Urban Systems Ltd.

Carried

6.6. Pandosy Waterfront Update

Councillor Hobson declared a conflict of interest as a member of his family lives within the area and left the meeting at 4:38 pm.

Staff:

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

Divisional Director Infrastructure , John Vos

- Spoke to strategic capital plan process.

Moved By Councillor Given/Seconded By Councillor Blanleil

R460/14/06/23 THAT Council receives, the Report from the Manager, Strategic Land Development dated June 18, 2014 with respect to the redevelopment of City-owned property in the Pandosy Waterfront area;

AND THAT Council direct staff to bring forward Official Community Plan amendment and rezoning applications of twelve City-owned lakefront properties;

AND THAT Council direct staff to bring forward a Road Closure Bylaw, Official Community Plan amendment and rezoning application for the Meikle Avenue road end;

AND THAT Council direct staff to proceed with the disposition of 3076 Meikle Avenue and Walnut Street right of way only as part of a consolidated parcel;

AND FURTHER THAT Council direct staff to draft recommendations for the short and long term incorporation of a paddling center as outlined in the Report from the Manager, Strategic Land Development dated June 18, 2014.

Carried

Councillor Hobson rejoined the meeting at 5:25 pm.

6.7. Transit Ridership

Staff:

Introduced Senior Transportation Planner, Matthew Boyd & Senior Regional Transit Manager, Erin Felcher

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

Councillor Hobson left the meeting at 5:51pm.

Moved By Councillor Zimmermann/Seconded By Councillor Stack

R461/14/06/23 THAT Council receive the report of the Regional Programs Manager dated June 9, 2014 for information on transit ridership performance in 2013;

AND THAT Council approve the Conventional Transit service adjustments to be implemented on August 31, 2014 as presented.

Carried

6.8. Transit 3 Year Plan (Deferred to a later date)

6.9. Kelowna Library Parkade Expansion Project Update

Staff:

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

Moved By Councillor Blanleil/Seconded By Councillor Zimmermann

R462/14/06/23 THAT Council receives for information the report from Park and Building Projects Manager, dated June 18, 2014, with respect to the Library Parkade Expansion.

Carried

6.10. 2014 General Local Government Election

Deputy City Clerk introduced Legislative Coordinator, Corinne Boback & Elections Clerk, Darla Fitzgerald

Staff:

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

Moved By Councillor Blanleil/Seconded By Councillor DeHart

R463/14/06/23 THAT Council receives, for information, the Report from the Deputy City Clerk, dated June 23, 2014 with respect to establishing procedures, by bylaw, for the conduct of the upcoming 2014 General Local Government Election;

AND THAT Karen Needham be appointed Chief Election Officer and Stephen Fleming and Corinne Boback appointed Deputy Chief Election Officers for the purpose of conducting the 2014 General Local Government Election;

AND THAT the Chief Election Officer be authorized to enter into agreements with relevant third parties for the purposes of conducting the 2014 General Local Government Election;

AND THAT Council gives reading consideration to Bylaw No. 10925 - 2014 General Local Government Election Bylaw;

AND FURTHER THAT Council gives reading consideration to Bylaw No. 10970 - Automated Voting Machines Bylaw.

Carried

R464/14/06/23 THAT Sign Bylaw No. 10411 be amended to restrict the maximum number of election signs per frontage.

Carried

**6.10.1. Bylaw No. 10925 - 2014 General Local Government Election
Bylaw**

Moved By Councillor Basran/Seconded By Councillor Blanleil

R465/14/06/23 THAT Bylaw No. 10925 be read a first, second and third time.

Carried

**6.10.2. Bylaw No. 10970 - Automated Voting Machines General Local
Elections and Other Voting Bylaw**

Moved By Councillor Blanleil/Seconded By Councillor Basran

R466/14/06/23 THAT Bylaw No. 10970 be read a first, second and third time.

Carried

**6.11. Amend Bylaw No. 10908 to Repeal Loan Authorization Bylaw No 10582 -
Electrical System Upgrades**

Staff:

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

Moved By Councillor Blanleil/Seconded By Councillor Basran

R467/14/06/23 THAT Council receives for information the report dated June 23, 2014 from the City Clerk regarding amending Bylaw No. 10908 at third reading;

AND THAT Bylaw No. 10908, being a Bylaw to Repeal the Loan Authorization Bylaw No. 10582 being Electrical System Upgrades be forwarded for reading consideration.

Carried

**6.11.1. Bylaw No. 10908 - A Bylaw to Repeal the Loan Authorization
Bylaw No. 10582 being Electrical System Upgrades**

Moved By Councillor Blanleil/Seconded By Councillor Basran

R468/14/06/23 THAT third reading given to Bylaw No. 10908 be rescinded;

AND THAT Bylaw No. 10908 be amended at third reading to change all references of "Rescind" to "Repeal" and to add in a new section 2 and renumber subsequent sections.

Carried

7. Bylaws for Adoption (Non-Development Related)

**7.1. Bylaw No. 10971 - Road Closure Bylaw - Portion of Road adjacent to 235
Queensway**

Mayor Gray invited anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.

Moved By Councillor Singh/Seconded By Councillor Hobson

R469/14/06/23 THAT Bylaw No. 10971 be adopted.

Carried

7.2. Bylaw No. 10974 - Amendment No. 3 to Revitalization Tax Exemption Bylaw No. 9561

Moved By Councillor Hobson/Seconded By Councillor Singh

R470/14/06/23 THAT Bylaw No. 10974 be adopted.

Carried

9. Termination

This meeting was declared terminated at 6:23 pm.

Mayor

Deputy City Clerk

/tt