



City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 20, 2015
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran*, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Cultural Services Manager, Sandra Kochan*; Urban Planning Manager, Ryan Smith*; Financial Planning Manager, George King*; Accountant, Matt Friesen*; Real Estate Services Manager, John Saufferer*; Park & Landscape Planner, Barb Davidson*; Park & Building Planning Manager, Terry Barton*; Regional Programs Manager, Jerry Dombowsky*; Council Recording Secretary, Arlene McClelland

*(Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:40 p.m.

Mayor Basran 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 Stack/Seconded By Councillor Hodge

R287/15/04/20 THAT the Minutes of the Regular Meetings of April 13, 2015 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 Okanagan Symphony Orchestra

Cultural Services Manager:

- Introduced Maestro Rosemary Thomson and Robert Barr Executive Director, Okanagan Symphony Orchestra

Rosemary Thomson, Maestro and Robert Barr, Executive Director, Okanagan Symphony Orchestra

- Displayed a PowerPoint Presentation highlighting the 2015/2016 season and responded to questions from Council.

4. Development Application Reports & Related Bylaws

4.1 310 & 320 Strathcona Avenue, BL11005 (OCP14-0013) - Dr. Heather Martin Inc. & City of Kelowna

Moved By Councillor Gray/Seconded By Councillor Donn

R288/15/04/20 THAT Bylaw No. 11005 be adopted.

Carried
Councillor Hodge - Opposed

4.2 310 & 320 Strathcona Avenue, BL11006 (Z14-0027) - Dr. Heather Martin Inc. & City of Kelowna

Moved By Councillor Donn/Seconded By Councillor Gray

R289/15/04/20 THAT Bylaw No. 11006 be adopted.

Carried
Councillor Hodge - Opposed

4.3 310 & 320 Strathcona Avenue, HAP14-0009 & DP14-0117 - Dr. Heather Martin

Staff:

- Provided a PowerPoint Presentation summarizing the Development Permit and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Given

R290/15/04/20 THAT Council hear from Mr. Jim Meiklejohn, project Architect.

Carried

Jim Meiklejohn, Architect, Ellis Street

- Confirmed heritage features and noted the building resembles Yaletown Townhouse building style. This design is more about walls with placement of windows that are wide and traditional.
- Provided a fair amount of detail in the design.
- Canopy support is decorative and traditional.
- The patio will be as low to the sidewalk as possible.
- Responded to questions from Council.

Staff:

- This particular site was a challenge due to the Abbott Street Conservation Area policy. Did not think it would overlap with hospital precinct and with this property it did overlap.

Moved By Councillor Stack/Seconded By Councillor Donn

R291/15/04/20 THAT Final Adoption of Official Community Plan Amending Bylaw No. 11005 and the Zoning Amending Bylaw No. 11006 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP14-0117 and Heritage Alteration Permit No. HAP14-0009 for Lot 22, District Lot 14, ODYD, Plan 535 Except Plan KAP81038, located at 310 Strathcona Avenue and Lot 21, District Lot 14, ODYD, Plan 535, located at 320 Strathcona 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. 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 landscaper;
5. Registration of a plan of subdivision at Land Titles Office to consolidate the two subject properties into a single title prior to issuance of the Development Permit;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit/Development Variance Permit Applications in order for the permits to be issued;

AND FURTHER THAT this Development Permit/Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried
Councillor Hodge - Opposed

4.4 140 Highway 33 East & 145 Rutland Road North, DP15-0030 - Rutland Crossing Development Ltd.

Mayor Basran departed the meeting at 2:37 p.m. and Deputy Mayor Sieben took over the Chair.

Staff:

- Provided a PowerPoint Presentation summarizing the Development Permit and responded to questions from Council.

Mayor Basran rejoined the meeting at 2:56 p.m. and resumed the Chair.

Moved By Councillor Singh/Seconded By Councillor Hodge

R292/15/04/20 THAT Council hear from the applicant, Gary Tebbutt.

Carried

Gary Tebbutt, Applicant

- Owned the property for 3 or 4 years and have considered many options that would make sense to the neighbourhood.
- Hired CTQ Consultants to measure traffic counts at two Starbucks locations, in particular, the Starbucks located at Hwy 97 and Gordon Drive as it is the busiest. There were no stacking concerns.
- Traffic flow will be right in and right out of the development. Counter clockwise loop to exit.
- The Ministry is quite restrictive to access from their highways.
- There will be sufficient parking stalls on site.
- Confirmed that quality landscape treatment would be used.

- Met with the Residents Association, Uptown Rutland Business Association and directly adjacent neighbours of the development and everyone supports this application.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Given

R293/15/04/20 THAT Council authorizes the issuance of Development Permit No. DP15-0030 for Lot 1, Section 26, Township 26, ODYD, Plan KAP62974, located on 140 Highway 33 East, Kelowna, BC and Lot 1, Section 26, Township 26, ODYD, Plan 11269 Except Plan 37956, located on 145 Rutland Road North, 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 landscaper;
5. Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied;

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

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

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

5.1 325 Hartman Road, BL10891 (Z13-0032) - Gary Martin Lupul

Moved By Councillor Donn/Seconded By Councillor Given

R294/15/04/20 THAT Bylaw No. 10891 be adopted.

Carried

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

6.1 **Amendment #1 to Five Year Financial Plan, 2014-2018**

Staff:

- Provided an overview of the report.

Moved By Councillor Donn/Seconded By Councillor Hodge

R295/15/04/20 THAT Council receives, for information, the Report from the Manager, Financial Planning dated April 20, 2015 with respect to amendments to the Five Year Financial Plan 2014-2018 Bylaw

AND THAT Bylaw No. 11071 being Amendment No. 1 to the Five Year Financial Plan 2014-2018 Bylaw No. 10950 be advanced for reading consideration.

Carried

6.2 BL11071 - Amendment No. 1 to Five Year Financial Plan, 2014-2018, Bylaw No. 10950

Moved By Councillor Singh/Seconded By Councillor DeHart

R296/15/04/20 THAT Bylaw No. 11071 be read a first, second and third time.

Carried

6.3 2015 Tax Distribution Policy

Staff:

- Provided a PowerPoint Presentation summarizing the 2015 Tax Distribution Policy.

Moved By Councillor Hodge/Seconded By Councillor Donn

R297/15/04/20 THAT Council approve a Municipal Tax Distribution Policy as outlined in the Report of the Revenue Accountant dated April 20, 2015, for the year 2015 that will result in a modification of the 2014 Tax Class Ratios to reflect the uneven market value changes which have been experienced between property classes, as follows:

| Property Class | Description | 2015 Tax Class Ratios | 2014 Tax Class Ratios |
|----------------|---------------------------------|-----------------------|-----------------------|
| 01/08/03 | Residential/Rec/NP/SH | 1.0000:1 | 1.0000:1 |
| 02 | Utilities | 5.1296:1 | 5.0301:1 |
| 04 | Major Industrial | 3.4822:1 | 3.0908:1 |
| 05/06 | Light Industrial/Business/Other | 2.1307:1 | 2.0881:1 |
| 09 | Farm Land | 0.1244:1 | 0.1242:1 |
| 91 | Farm Improvements | 0.4882:1 | 0.4953:1 |

AND THAT Council approve development of 2015 tax rates to reflect the 2015 assessment changes in property market values.

Carried

6.4 Mobile Food Concession Contract - Various City Beaches & Parks

Staff:

- Provided a PowerPoint Presentation summarizing the report and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

R298/15/04/20 THAT Council approve the City entering into a Mobile Food Concession Contract, in the form attached to the Report of the Manager, Real Estate Services dated April 20, 2015, between the City of Kelowna and Scooter's Ice Cream Ltd. to provide exclusive mobile food concession services to City-owned property for a term of three (3) years with two (2) further one (1) year renewal terms at the City's sole discretion;

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete this agreement.

Carried

6.5 Rutland Centennial Park - Inclusive All Ages Playground Project

Staff:

- Provided a PowerPoint Presentation summarizing the grant application and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Donn

R299/15/04/20 THAT Council receives, for information the report from the Parks Planner dated April 15, 2015, with respect to the 2015 Enabling Accessibility Fund for development of an inclusive all ages playground at Rutland Centennial Park;

THAT Council supports the City submitting an application to Employment and Social Development Canada (ESDC) for the Enabling Accessibility in Communities Grant as outlined in the report;

THAT Council approves \$200,000 in funding for the City's share of the project from the Parks Purchasing & Development Reserve, pending successful award of the Enabling Accessibility in Communities Grant to the City;

AND FURTHER THAT the 2015 Financial Plan be amended in order to provide this funding.

Carried

6.6 Transit Bus Advertising Franchise Award

Staff:

- Provided a summary of the contract and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Gray

R300/15/04/20 THAT Council approves the City entering into a five (5) year Transit Advertising Agreement, with Lamar Transit Advertising, with an option to renew for an additional 3 year term in the form attached to the report of the Regional Programs Manager, dated April 7, 2015.

AND THAT the Mayor and City Clerk be authorized to execute the contract on behalf of the City of Kelowna;

AND FURTHER THAT Council approves a 2015 budget amendment to increase the transit advertising revenue base budget by \$29,900 with the full amount being appropriated to reserve.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 BL11075 - Amendment No. 1 to Development Cost Charge Reserve Fund Expenditure Bylaw, 2014

Moved By Councillor DeHart/Seconded By Councillor Singh

R301/15/04/20 THAT Bylaw No. 11975 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Stack:

- Spoke to his attendance on behalf of the Mayor at the Kinsmen's 71st Anniversary Celebration on Saturday April 18th. Acknowledged all the great work Kinsmen does in Kelowna and Nationally.

Councillor DeHart:

- Spoke to her attendance at the Mayor's event at the Laurel Building recognizing all the nominees for the 40th Annual Civic Awards.
- Reminder to purchase tickets for the 40th Annual Civic Awards on April 30th.

Councillor Singh:

- Reminder that the Vaisakhi Parade is on Saturday April 25th. Lunch will be served at the Rutland Sikh Temple afterwards.

Councillor Sieben:

- Represented the Mayor at the opening of the Independent Grocers in Capri Mall.

Councillor Hodge:

- Reminder of the meet and greet with the creators of Rock Opera at the Community Theatre on Wednesday, April 22nd.

Councillor Given:

- Reminder that April 27th is Earth Day.

Mayor Basran:

- Reminder that this Saturday, April 25th is Small Shop Saturday and parking is free downtown.

9. Termination

This meeting was declared terminated at 4:39 p.m.

Mayor

City Clerk

Deputy Mayor

/acm