



City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 11, 2016
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present: Deputy Mayor Luke Stack and Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben and Mohini Singh

Council Members Absent: Mayor Colin Basran

Staff Present: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Divisional Director, Community Planning & Real Estate, Doug Gilchrist*; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Cultural Services Manager, Sandra Kochan*; Planner Specialist, Melanie Stepphun*; Suburban & Rural Planning Manager, Todd Cashin*; Financial Planning Manager, George King*; Financial Services Director, Genelle Davidson*; Accountant, Matt Friesen*; Planner Specialist, Pat McCormick*; Property Management Manager, Mike Olson*; and Legislative Systems Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Deputy Mayor Stack called the meeting to order at 1:31 p.m.

Deputy Mayor Stack advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Singh

R264/16/04/11 THAT the Minutes of the PM Meeting of April 4, 2016 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 Festivals Kelowna

Staff:

- Introduced the presentation and the representatives from Festivals Kelowna.

Renata Mills, Executive Director, and Ed Laverock, President, Festivals Kelowna:

- Displayed a PowerPoint presentation summarizing Festivals Kelowna's 2015 activities and responded to questions from Council.

The City Manager joined the meeting at 1:36 p.m.

Moved By Councillor Sieben/Seconded By Councillor Donn

R265/16/04/11 THAT Council receives, for information, the annual presentation by Festivals Kelowna dated April 11, 2016.

Carried

4. Development Application Reports & Related Bylaws

4.1 200 Clarissa Road, Z16-0002 - Margaret & David Ward

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Donn

R266/16/04/11 THAT Rezoning Application No. Z16-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 12, Section 23, Township 26, ODYD, Plan 15416, 200 Clarissa Rd, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated July 10, 2015;

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

Carried

4.2 200 Clarissa Road, BL11225 (Z16-0002) - David & Margaret Ward

Moved By Councillor Singh/Seconded By Councillor DeHart

R267/16/04/11 THAT Bylaw No. 11125 be read a first time.

Carried

Deputy City Clerk:

- Advised this application will be forwarded to the May 3, 2016 Public Hearing.

4.3 3110 Mathews Road, A15-0008 - V.E. Turton

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.
- Noted an error in the staff report in that the Ministry of Energy & Mines' public consultation process has not yet been completed as per the Ministry's regulations.
- Displayed a workflow graphic from the Ministry outlining the application process for the Ministry of Energy & Mines including the local government referral and public consultation phase.
- Confirmed that it is not the City's role to require public consultation for this application.
- Clarified the amount of gravel to be extracted from the site and the process to do so.
- As far as staff know, the application does not involve the crushing of gravel on site.
- Bylaw Services has the ability to monitor noise and dust complaints, should complaints be made.
- Clarified the terminology regarding gravel pits.
- Advised that the Ministry of Energy & Mines will have the most control over what happens on the site.
- Any concerns regarding ground water can be directed to the Ministry of Energy & Mines in Kamloops, BC.
- Advised that the City has a Terms of Reference to be followed for Agrologist reports.
- Confirmed that this application is for land reclamation and is not for a new gravel pit.

Council:

- Expressed concerns with respect to the process.
- Expressed concerns with respect public safety.
- Expressed concerns with respect to dust control.
- Expressed concerns with respect to the hours of operation and suggested that it be limited to 7am-5pm.
- Expressed concerns with the proximity of the subject property to a school.
- Expressed concerns with respect to environmental impacts to the surrounding area.
- Expressed concerns with the proposed truck route.

Moved By Councillor Given/Seconded By Councillor Donn

R268/16/04/11 THAT Agricultural Land Reserve Appeal No. A15-0008 for Lot 111 Section 3 TWP 26 ODYD Plan 1247, located at 3110 Mathews Road, Kelowna, for a Non-Farm Use in the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, be supported by Council.

DEFEATED

Councillors DeHart, Hodge, Sieben and Singh - Opposed.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R269/16/04/11 THAT Council directs staff to forward the following comments and concerns to the Agricultural Land Commission with respect to Agricultural Reserve Appeal No. A15-0008:

- Public safety;
- Dust control;
- Noise concerns;
- Hours of Operation, preferably 7am-5pm;
- Proximity of the subject property to a school;
- Environmental impacts to the surrounding area; and
- Truck routes.

Carried**Moved By Councillor Sieben/Seconded By Councillor Singh**

R270/16/04/11 THAT Council authorizes the Mayor, on behalf of Council, to send a letter to the Ministry of Energy and Mines encouraging the Chief Inspector to require public involvement as a requirement of a Notice of Work.

Carried

The meeting recessed at 3:49 p.m. The meeting reconvened at 3:56 p.m.

5. Bylaws for Adoption (Development Related)

5.1 980 Mayfair Road, BL11152 (Z15-0038) - Justin & Rebecca Bullock

Moved By Councillor DeHart/Seconded By Councillor Singh

R271/16/04/11 THAT Bylaw No. 11152 be adopted.

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

6.1 Amending the Five Year Financial Plan, 2015-2019

Moved By Councillor Donn/Seconded By Councillor Gray

R272/16/04/11 THAT Council receives, for information, the Report from the Manager, Financial Planning dated April 11, 2016 with respect to amending the Five Year Financial Plan 2015-2019 to reflect changes in the Operating Budget and Capital Expenditure Program for 2015;

AND THAT Bylaw No. 11213 being Amendment No. 1 to the Five Year Financial Plan 2015-2019 Bylaw No. 11088 be advanced for reading consideration;

AND FURTHER THAT Bylaw No. 11226 being Amendment No. 1 to the Sale of City Owned Land Reserve Fund Expenditure Bylaw, 2015 No. 11086 be advance for reading consideration.

Carried

6.2 BL11213 - Amendment No. 1 to Five Year Financial Plan 2015-2019 Bylaw No. 11088

Moved By Councillor Gray/Seconded By Councillor Donn

R273/16/04/22 THAT Bylaw No. 11213 be read a first, second and third time.

Carried

6.3 BL11226 - Amendment No. 1 to Sale of City Owned Land Reserve Fund Expenditure Bylaw, 2015, No.11086

Moved By Councillor Gray/Seconded By Councillor Hodge

R274/16/04/22 THAT Bylaw No. 11226 be read a first, second and third time.

Carried

6.4 Amendment No. 5 to Utility Billing Customer Care Bylaw No. 8754

Staff:

- Provided the rationale for the amendments to the Bylaw.

Moved By Councillor Hodge/Seconded By Councillor Gray

R275/16/04/11 THAT Bylaw No. 11209, being amendment No. 5 to Utility Billing Customer Care Bylaw No. 8754 be forwarded to Council for reading consideration;

Carried

6.5 BL11209 - Amendment No. 5 to Utility Billing Customer Care Bylaw No. 8754

Moved By Councillor Hodge/Seconded By Councillor Gray

R276/16/04/11 THAT Bylaw No. 11209 be read a first, second and third time.

Carried

6.6 License of Occupation and Memorandum of Understanding for a Portion of Brent's Grist Mill Heritage Park

Staff:

- Displayed a PowerPoint Presentation summarizing the License of Occupation and Memorandum of Understanding and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R277/16/04/11 THAT Council invites Professor Holmes from UBC-Okanagan to address Council.

Carried

Professor Holmes, UBC-Okanagan:

- Responded to questions from Council.
- Provided additional information regarding the role wild bees plays in the environment.

Moved By Councillor Donn/Seconded By Councillor Given

R278/16/04/11 THAT Council approves the City entering into a License of Occupation and a Memorandum of Understanding, with the University of British Columbia Okanagan (UBCO), for use of a portion of the Brent's Mill Heritage Park located at 1435 Dilworth Drive, in the form attached to the Report of the Manager, Property Management, dated April 11, 2016;

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

Carried**6.7 2016 Creative Spaces Consultations**

Staff:

- Displayed a PowerPoint Presentation summarizing the 2016 Creative Spaces consultations and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Sieben

R279/16/04/11 THAT Council receives for information the report dated April 11, 2016 from the Cultural Services Manager regarding the 2016 Creative Spaces consultations.

Carried**6.8 KLO Sports Fields Lease Renewal**

Staff:

- Displayed a PowerPoint Presentation outlining the KLO Sports Fields Lease renewal.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R280/16/04/11 THAT City Council approves the City entering into a three (3) year Lease Renewal Agreement, with the Central Okanagan Regional District, for lease of the sports fields at 1456 KLO Road, in the form attached to the Report of the Manager, Property Management, dated April 11, 2016;

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

Carried**7. Mayor and Councillor Items**

Councillor Given:

- Made comment on her attendance at the recent Forestry Convention held in Kelowna.

Councillor Donn:

- Made comment on his attendance at a UBC-O Soccer Scholarship breakfast.
- Made comment on the UBER open house happening this week.
- Made comment on the Jaycees attendance at the Kelowna-Kasugai Sister City Association meeting.

Councillor Gray:

- Made comment on her attendance at recent John Howard Society banquet.

Councillor Sieben:

- Made comment on his attendance at the UBC-O Soccer Scholarship breakfast.
- Made comment the UBER open house happening this week.

Councillor DeHart:

- Made comment on her attendance at the 32nd Anniversary of Royal Canadian Airforce Association.
- Commented on meeting the Minister of National Defense.

Deputy Mayor Stack:

- Made comment on his attendance at the Kelowna Chamber of Commerce luncheon last Friday.
- Commented on meeting the Minister of National Defense.
- Made comment on his attendance at the Dolicious Donuts Grand Opening in the Towne Centre Mall.
- Made comment on his attendance at the new Steve Nash UFC Outlet in Orchard Plaza.

8. Termination

This meeting was declared terminated at 4:49 p.m.

Deputy Mayor Stack

Deputy City Clerk

/slh