



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 8, 2018  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Members Present Deputy Mayor Tracy Gray, Councillors, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben and Mohini Singh

Mayor Colin Basran, Councillors Maxine DeHart and Luke Stack

City Manager, Ron Mattiussi; City Clerk, Stephen Fleming, Community Planning Department Manager, Ryan Smith\*; Urban Planning Manager, Terry Barton\*; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist\*; Planner, Lydia Korolchuk\*; Infrastructure Engineering Manager, Joel Shaw\*; Divisional Director, Alan Newcombe\*; Infrastructure Delivery Dept. Manager, Brian Beach\*; Sport & Event Services Manager, Doug Nicholas\*; Parks & Buildings Planning Manager, Robert Parlane\*; Planner Specialist, David James\*; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Deputy Mayor Gray called the meeting to order at 1:33 p.m.

Deputy 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 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 Donn/Seconded By Councillor Hodge

Ro04/18/01/08 THAT the Minutes of the Regular Meetings of December 11, 2017 and the Budget Meeting of December 14, 2017 be confirmed as circulated.

Carried

### 3. Development Application Reports & Related Bylaws

3.1 McCurdy Road 700, Z16-0025 Extension - Silver City Holdings Inc.

Staff:

- Provided an overview of the application.

Moved By Councillor Given/Seconded By Councillor Singh

**R005/18/01/08** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 11283, be extended from October 4, 2017 to October 4, 2018.

AND THAT Council directs Staff to not accept any further extension requests.

**Carried**

### **3.2 Richter Street 1710-1740, DP17-0039 - Meiklejohn Architects Inc.**

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Singh

**R006/18/01/08** THAT Council hear from the Applicant.

**Carried**

Bob Daigenais, Applicant Representative

- Spoke to the rationale for the current site plan and the reasoning for the elimination of the previously proposed 8 storey commercial building at the corner of Richter and Harvey.
- Believed that a commercial building on the corner of Richter Street and Harvey Avenue was not an appropriate response for a pedestrian friendly community.
- Advised that adding height to the buildings fronting Harvey Avenue would be difficult to achieve due to geo-technical challenges on the site.
- A Public Plaza all the way through the site will make it a more pedestrian friendly realm.
- Advised that commercial access for Central Green is a challenge.
- Will provide lined retail on both sides along Richter Street to enhance the pedestrian focus on Central Green.
- Visitor parking will be on the podium and the expectation is to bike and walk to the site.
- The main podium, Site E, has to address a number of levels, public connection to the bridge along the highway; the corner of Richter Street and Harvey Avenue onto the site as well as the reverse direction from Rowcliffe Avenue.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Singh

**2018/01/08** THAT Council authorizes the issuance of Development Permit No. DP17-0039 for Lot 1 District Lot 139 ODYD Plan KAP92715, located at 1710 - 1740 Richter St, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in 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 Registered Landscape Architect;

AND THAT Council's consideration of this Development Permit 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 April 18, 2017;

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 permits 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.

[Not voted on due to deferral motion]

Moved By Councillor Sieben/Seconded By Councillor Given

**R007/18/01/08** THAT Council defers consideration of Development Permit No. DP17-0039 for Lot 1 District Lot 139 ODYD Plan KAP92715, located at 1710 - 1740 Richter St, Kelowna, BC pending additional information from staff.

**Carried**  
Councillor Hodge - Opposed

#### 4. Non-Development Reports & Related Bylaws

##### 4.1 Budget Adjustments Required for Saucier Avenue Water and Saucier Avenue Sanitary Replacement Projects (Richter to Ethel)

Staff:

- Provided an overview of the budget adjustments required for Saucier Avenue identified in the 2017 capital projects

Moved By Councillor Donn/Seconded By Councillor Sieben

**R008/18/01/08** THAT Council receives for information, the report from the Infrastructure Division Director dated December 11, 2017 regarding the budget adjustments required for the Saucier Avenue Water Main and Sanitary Replacement projects.

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$150,000 from the Okanagan Avenue Water Replacement project to the Saucier Avenue Water Main Replacement project;

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$195,000 from the Airport Gravity Main By-Pass project to the Saucier Avenue Sanitary Replacement project;

AND FURTHER THAT Council authorize the additional expenditures totaling \$345,000 for the projects noted above.

**Carried**

##### 4.2 Budget Adjustments Required for Ethel Street Active Transportation Corridor – Phase 3 (Harvey Ave. to Sutherland Ave.)

Staff:

- Provided an overview of the budget adjustments identified in the 2017 capital projects and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

**R009/18/01/08** THAT Council receives for information, the report from the Infrastructure Division Director dated December 11, 2017 regarding the budget adjustments for the Ethel Street Active Transportation Corridor – Phase 3;

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$80,000 from the Sutherland Avenue ATC project to the Ethel Street Phase 3 ATC Construction project;

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$80,000 from Ash & Uplands Pressure Reducing Valve project to the Ethel Phase 3 ATC Water Main Replacement project;

AND FURTHER THAT Council authorize the additional expenditures totaling \$160,000 for the projects noted above.

**Carried**

#### **4.3 Status of Various 2017 Capital Water Utility Projects**

Staff:

- Provided an update on the various 2017 Capital Water Utility Projects and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Given

**R010/18/01/08** THAT Council receives for information, the report from the Infrastructure Division Director dated December 11, 2017 regarding the status of various 2017 Capital Water Utility projects;

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$445,000 from completed and cancelled projects to active projects requiring additional funds as noted in the Financial/Budgetary Considerations section;

AND THAT Council approve the cancellation of the Okanagan Boulevard Water Main Replacement project and the Ash and Uplands Pressure Reducing Valves project;

AND FURTHER THAT Council authorize the additional expenditures of \$445,000 for those active projects requiring additional funds to complete as noted in the Financial/Budgetary Considerations section.

**Carried**

#### **4.4 Establishment Bylaw for Aspen Road Local Area Service Project**

Moved By Councillor Hodge/Seconded By Councillor Donn

**R011/18/01/08** THAT Council receive for information the report dated December 11, 2017 from the City Clerk pertaining to Local Area Service project for Aspen Road;

AND FURTHER THAT Council amends at third reading Bylaw No. 11275, Establishment Bylaw for Local Area Service for Aspen Road.

**Carried**

#### **4.5 BL11275 - Establishment and Loan Authorization Bylaw for LAS Aspen Road**

Moved By Councillor Hodge/Seconded By Councillor Given

**R012/18/01/08** THAT Bylaw No. 11275 be amended at third reading to include wording changes to meet legislative requirements for obtaining approval from the Inspector of Municipalities.

**Carried**

#### 4.6 Budget Amendment - Mission Recreation Park Quadplex Viewing Deck

Staff:

- Provided an overview of the budget amendment for the Mission Recreation Park Quadplex viewing deck.

Moved By Councillor Donn/Seconded By Councillor Given

**R013/18/01/08** THAT Council receives for information, the report from the Sport & Event Services Manager dated January 8, 2018, with respect to amending the Mission Recreation Park (MRP) Softball Quadplex Viewing Deck project;

AND THAT the 2018 Financial Plan be amended to include \$100,000 for the MRP Softball Quadplex Viewing Deck project funded from the MRP Softball Facility Reserve, as outlined in this report;

AND FURTHER THAT Council authorize the additional expenditure of \$100,000 for the MRP Softball Quadplex Viewing Deck project from the MRP Softball Facility Reserve.

**Carried**

#### 4.7 Boyce-Gyro Beach Park Washroom – Scope Revision and Budget Transfers

Staff:

- Displayed a PowerPoint Presentation summarizing the rationale for a revised scope and additional funding required for the Boyce-Gyro Beach Park Washroom and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

**R014/18/01/08** THAT Council receives for information the report from the Parks and Building Planning Manager dated January 8, 2018 with regard to the Boyce-Gyro Beach Park Washroom – scope revision and budget transfers;

AND THAT Council authorize the revision to the scope of the 2017 Parks Infrastructure Renewal – Washroom Renovations project, to replace the renovation with the construction of a new washroom and change room building;

AND THAT Council authorize the cancelation of the Queensway Transit Security Pavilion project;

AND THAT the 2017 Financial Plan be amended to include the transfer of \$224,000 from the Queensway Transit Security Pavilion project to the Parks Infrastructure Renewal – Washroom Renovations;

AND THAT Council authorize the cancelation of the Capital Opportunities and Partnerships Program for Kelowna United;

AND FURTHER THAT the 2017 Financial Plan be amended to include the transfer of \$100,000 from the Capital Opportunities and Partnerships Program project to the Parks Infrastructure Renewal – Washroom Renovations.

**Carried**

Councillor Hodge – Opposed

#### 4.8 Development Cost Charges Bylaw No. 11498 Amendment No. 3 to Development Cost Charge Bylaw No. 10515

Staff:

- Displayed a PowerPoint Presentation summarizing the Development Cost Charges Amendment and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

**R015/18/01/08** THAT Council receives, for information, the report from the Infrastructure Engineering Manager dated January 8, 2018, with respect to the Development Cost Charge Bylaw No. 11498 Amendment No. 3 to Development Cost Charge Bylaw No. 10515;

AND THAT Bylaw No. 11498 Amendment No. 3 to Development Cost Charge Bylaw No. 10515 be forwarded for reading consideration.

**Carried**

**4.9 BL11498 - Amendment No. 3 to Development Cost Charge Bylaw No. 10515**

Moved By Councillor Hodge/Seconded By Councillor Given

**R016/18/01/08** THAT Bylaw No. 11498 be read a first, second and third time.

**Carried**

**4.10 Road Closure and Consolidation – Adjacent to 555 Fuller Avenue**

Moved By Councillor Hodge/Seconded By Councillor Donn

**R017/18/01/08** THAT Council receives, for information, the Report from the Manager, Real Estate Services dated January 8<sup>th</sup>, 2018, recommending that Council adopt the proposed closure of a portion of roadway adjacent to 555 Fuller Avenue;

AND THAT Bylaw No.11522, being the proposed closure of a portion of roadway adjacent to 555 Fuller Avenue, be given reading consideration.

**Carried**

**4.11 BL11522 - Road Closure and Removal of Hwy Dedication - Portion of Fuller Ave**

Moved By Councillor Given/Seconded By Councillor Hodge

**R018/18/01/08** THAT Bylaw No. 11522 be read a first, second and third time.

**Carried**

**4.12 Road Closure – Laneway Adjacent to 815 - 831 Leon Avenue**

Moved By Councillor Given/Seconded By Councillor Sieben

**R019/18/01/08** THAT Council receives, for information, the Report from the Manager, Real Estate Services dated January 8, 2018, recommending that Council adopt the proposed closure of a portion of laneway adjacent to 815-831 Leon Avenue;

AND THAT Bylaw No.11532, being the proposed closure of a portion of laneway adjacent to 815-831 Leon Avenue, be given reading consideration.

**Carried**

**4.13 BL11532 - Road Closure and Removal of Hwy Dedication - Portion of Leon Avenue**

Moved By Councillor Sieben/Seconded By Councillor Singh

**R020/18/01/08** THAT Bylaw No. 11532 be read a first, second and third time.

**Carried**

**4.14 Road Closure and Removal of Hwy Dedication - Portions of Queensway Ave and Water St**

Moved By Councillor Donn/Seconded By Councillor Given

**R021/18/01/08** THAT Council receives, for information, the Report from the Manager, Strategic Land Development dated January 8, 2018, recommending that Council adopt the proposed closure of a portion of Queensway Avenue and Water Street;

AND THAT Bylaw 11516, being proposed closure of a portion of Queensway Avenue and Water Street adjacent to 289 Queensway Avenue, be given reading consideration;

AND FURTHER THAT Mayor and City Clerk be authorized to execute all documents related to this transaction.

**Carried**

**4.15 BL11516 - Road Closure and Removal of Hwy Dedication - Portions of Queensway Ave and Water St**

Moved By Councillor Singh/Seconded By Councillor Sieben

**R022/18/01/08** THAT Bylaw No. 11516 be read a first, second and third time.

**Carried**

**5. Mayor and Councillor Items**

Councillor Sieben:

- Shout out to two hockey players with Kelowna Rockets who represented Canada at the World Junior Ice Hockey Championship.

Councillor Hodge

- Raised question regarding the Central Green deferral motion.

City Manager:

- Confirmed that staff would discuss with the developer issues raised by Council.

Councillor Donn:

- Made comment on recent events over the holidays involving emergency services and commended the RCMP Member who alerted occupants of a structure fire on Cameron Avenue.

**6. Termination**

This meeting was declared terminated at 3:45 p.m.

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Deputy Mayor Gray

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City Clerk

/acm