



City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 25, 2016
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and 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; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Suburban & Rural Planning Manager, Todd Cashin*; Planner, Adam Cseke*; and Legislative Systems Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:34 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 Gray/Seconded By Councillor Hodge

R039/16/01/25 THAT the Minutes of the PM Meeting of January 18, 2016 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 565 Coronation Avenue, Z15-0025 - Christian Lee Bond

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Donn

R040/16/01/25 THAT Rezoning Application No. Z15-0025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 36 District Lot 139 ODYD Plan 1303, Located at 565 Coronation Avenue, Kelowna, BC from the RU2 - Medium Lot Housing zone to the RU2c - Medium 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 Issuance of an Occupancy Permit (at completion of the Single Family Dwelling Building Permit process) for the subject property;

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

City Clerk:

- Advised that the items receiving initial consideration by Council will be forwarded to the February 16, 2016 Public Hearing.

3.2 565 Coronation Avenue, BL11184 (Z15-0025) - Christian Lee Bond

Moved By Councillor Hodge/Seconded By Councillor Gray

R041/16/01/25 THAT Bylaw No. 11184 be read a first time.

Carried

3.3 1889 Spall Road, OCP15-0001 & Z15-0002 - Simple Pursuits Inc.

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Donn

R042/16/01/25 THAT Official Community Plan Map Amendment Application No. OCP15-0001 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A, District Lot 129, ODYD, Plan 20633, located at 1889 Spall Road, Kelowna, BC from the SC - Service Commercial designation to the MXR - Mixed Use Residential designation, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

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 from the Community Planning Department dated January 25, 2016;

AND THAT Rezoning Application No. Z15-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 129, ODYD, Plan 20633, located at 1889 Spall Road, Kelowna, BC from the C10 - Service Commercial zone to the C4 - Urban Center Commercial zone be considered by Council;

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

Carried

3.4 1889 Spall Road, BL11190 (OCP15-0001) - Simple Pursuits Inc.

Moved By Councillor Donn/Seconded By Councillor Hodge

R043/16/01/25 THAT Bylaw No. 11190 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

3.5 1889 Spall Road, BL11191 (Z15-0002) - Simple Pursuits Inc.

Moved By Councillor Hodge/Seconded By Councillor Gray

R044/16/01/25 THAT Bylaw No. 11191 be read a first time.

Carried

3.6 145 Dougall Road, Z15-0052 - Narish Kathpal

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council.
- Advised that there is an error in the Staff Report. The Staff Report indicates that there will be seven (7) manual bays when there will only be six (6).
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Stack

R045/16/01/25 THAT Rezoning Application No. Z15-0052 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 Section 26 Township 26 ODYD Plan 9924, located at 145 Dougall Road, Kelowna, BC from RU1 - Large Lot Housing zone to the C4 - Urban Centre Commercial 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 date January 25, 2016;

AND 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;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to approval of the Ministry of Transportation and Infrastructure.

Carried

3.7 145 Dougall Road, BL11193 (Z15-0052) - Narish Kathpal

Moved By Councillor Gray/Seconded By Councillor Hodge

R046/16/01/25 THAT Bylaw No. 11193 be read a first time.

Carried

3.8 TA15-0015 - Amendments to the RU6 - Two Dwelling Housing Zone

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Hodge

R047/16/01/25 THAT Zoning Bylaw Text Amendment Application No. TA15-0015 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated January 25, 2016 to amend the RU6 - Two Dwelling Housing zone be considered by Council;

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

Carried

3.9 BL11192 (TA15-0015) - Amendment to Section 13 - Urban Residential Zones - 13.6 RU6 - Two Dwelling Housing Zone

Moved By Councillor Donn/Seconded By Councillor Given

R048/16/01/25 THAT Bylaw No. 11192 be read a first time.

Carried

3.10 1035 Hollywood Road South, OCP15-0014 & Z15-0043 - Seventh Day Adventist Church (BC Conference)

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Sieben

R049/16/01/25 THAT Official Community Plan Map Amendment Application No. OCP15-0014 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of a portion of Lot 2, Section 23, Township 26, ODYD, Plan 3849 except Plan 16489 located at 1035 Hollywood Road South, Kelowna, BC from the EDINST - Educational / Major Institutional designation to the S2RES - Single / Two Unit Residential designation, as shown on Map "A" attached to the Report from the Community Planning Department dated January 25, 2016, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

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 from the Community Planning Department dated January 25, 2016;

AND THAT Rezoning Application No. Z15-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portions of Lot 2, Plan 3849 located at 1035 Hollywood Road South, Kelowna, BC from the P2 - Education and Minor Institutional zone to the RU2 - Medium Lot Housing zone and the RU6 - Two Dwelling Housing zone, as shown on Map "B" attached to the Report from the Community Planning Department dated January 25, 2016, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.11 1035 Hollywood Road South, BL11194 (OCP15-0014) - Seventh-Day Adventist Church (BC Conference)

Moved By Councillor Donn/Seconded By Councillor Given

R050/16/01/26 THAT Bylaw No. 11194 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

3.12 1035 Hollywood Road South, BL11195 (Z15-0043) - Seventh-Day Adventist Church (BC Conference)

Moved By Councillor Given/Seconded By Councillor Donn

R051/16/01/25 THAT Bylaw No. 11195 be read a first time.

Carried

3.13 619 McClure Road, Z15-0061 - Folio Building Group Inc.

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council.

Moved By Councillor Gray/Seconded By Councillor Given

R052/16/01/25 THAT Rezoning Application No. Z15-0061 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of *Lot A, District Lot 357, SDYD, Plan 13545*, located on *619 McClure Road*, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

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 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 January 25, 2016.

Carried

3.14 619 McClure Road, BL11196 (Z15-0061) - Folio Building Group Inc.

Moved By Councillor Donn/Seconded By Councillor Given

R053/16/01/25 THAT Bylaw No. 11196 be read a first time.

Carried

3.15 2075 KLO Road, Z15-0045 & TA15-0010, Supplemental Report - Eva Linttell

Staff:

- Displayed a PowerPoint presentation summarizing the Supplemental Report before Council and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Sieben

R054/16/01/25 THAT Council receives, for information, the Supplemental Report from the Community Planning Department dated January 25, 2016 with respect to Rezoning Bylaw No. 11189 (Z15-0045) & Text Amending Bylaw No. 11188 (TA15-0010) for the property located at 2075 KLO Road;

AND THAT Rezoning Bylaw No. 11189 and Text Amending Bylaw No.11188 be forwarded to the February 16, 2016 Public Hearing for further consideration;

AND FURTHER THAT Council amends the adoption requirement for the Rezoning Bylaw of "issuance of an Agri-tourist Accommodation Business Licence" to "submission of an Agri-tourist Accommodation Business Licence Application".

Carried
Councillors Given, Gray & Stack - Opposed.

3.16 2075 KLO Road, BL11188 (TA15-0010) - Amendment to Section 11 - Agricultural Zone

Moved By Councillor Singh/Seconded By Councillor Hodge

R055/16/01/25 THAT Bylaw No. 11188 be read a first time.

Carried
Councillors Given, Gray & Stack - Opposed.

3.17 2075 KLO Road, BL11189 (Z15-0045) - Eva Lintell

Moved By Councillor Singh/Seconded By Councillor Hodge

R056/16/01/25 THAT Bylaw No. 11189 be read a first time.

Carried
Councillor Given, Gray & Stack - Opposed.

3.18 1280 Glenmore Road, BL11032 (OCP14-0011) - 561655 BC Ltd.

Moved By Councillor Singh/Seconded By Councillor Sieben

R057/16/01/25 THAT Bylaw No. 11032 be adopted.

Carried

3.19 1280 Glenmore Drive, BL11033 (Z14-0026) - 561655 BC Ltd.

Moved By Councillor Singh/Seconded By Councillor Sieben

R058/16/01/25 THAT Bylaw No. 11033 be adopted.

Carried

3.20 1280 Glenmore Drive, DP14-0111 - 561655 BC Ltd.

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Stack

R059/16/01/25 THAT Council waives the conditions for adoption of Rezoning Bylaw No. 11033 as set out in the Report from the Community Planning Department dated January 25, 2016 with respect to Rezoning Application No. Z14-0026 for the property located at 1280 Glenmore Drive;

AND THAT Final Adoption of OCP Amending Bylaw No. 11032 Rezoning Bylaw No. 11033 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit DP14-0111 for Lot 1, Section 29, Township 26, ODYD, Plan 29608, located on 1280 Glenmore Drive, 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. That 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;

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 be valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried
Councillor Hodge - Opposed.

3.21 BL10998 (TA14-0004) - CD25 - Capri Centre Comprehensive Development Zone

Moved By Councillor Stack/Seconded By Councillor DeHart

R060/16/01/25 THAT Bylaw No. 11033 be adopted.

Carried

3.22 1755 Capri Street, 1835 Gordon Drive & 1171 Harvey Avenue, BL11016 (Z12-0056) - RG Properties Ltd.

Moved By Councillor DeHart/Seconded By Councillor Stack

R061/16/01/25 THAT Bylaw No. 11016 be adopted.

Carried

3.23 BL10999 - Amendment No. 21 to Sign Bylaw No. 8235

Moved By Councillor Sieben/Seconded By Councillor Stack

R062/16/01/25 THAT Bylaw No. 10999 be adopted.

Carried

3.24 1755 Capri Street, 1835 Gordon Drive & 1171 Harvey Avenue, DP14-0029 - RG Properties Ltd.

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Hodge

R063/16/01/25 THAT Final Adoption of Official Community Plan Amending Bylaw No. 10998, Zone Amending Bylaw No. 11016 and Text Amendment Bylaw No. 10999 be considered by Council;

AND FURTHER THAT Council authorizes the issuance of Development Permit No. DP14-0029 for Lot A, D.L. 137, ODYD, Plan KAP64836 except Plan EPP33990, located at 1835 Gordon Drive; Lot B, D.L. 137, ODYD, Plan KAP64836 except Plan EPP33990, located at 1171 Harvey Avenue, Lot C, D.L. 137, ODYD, Plan KAP64836, located at 1755 Capri Street, Kelowna B.C., subject to the following:

1. The development shall be phased over time and designed in general accordance with Pages 1-11 of the CD25 Development Area Guidelines attached as Schedule "A".

Carried

4. Bylaws for Adoption (Development Related)

4.1 4360-4390 Gallaghers Drive E, BL11066 (OCP14-0026) - GolfBC Holdings Inc.

Moved By Councillor Stack/Seconded By Councillor DeHart

R064/16/01/25 THAT Bylaw No. 11066 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 2185 & 2195 Rutland Road North, Road Closure & Partial Disposition

Moved By Councillor Sieben/Seconded By Councillor Stack

R065/16/01/25 THAT Council receives, for information, the Report from the Manager, Real Estate Services dated January 25, 2016, recommending that Council adopt the proposed road closure for the laneway adjacent to 2185 and 2195 Rutland Road N;

AND THAT Bylaw No. 11181, being proposed road closure for the laneway adjacent to 2185 and 2195 Rutland Road N, be forwarded for reading consideration.

Carried

5.2 2185 & 2195 Rutland Road N (Portion of Laneway adjacent to), BL11181 - Road Closure Bylaw

Moved By Councillor Sieben/Seconded By Councillor Stack

R066/16/01/25 THAT Bylaw No. 11181 be read a first, second and third time.

Carried

6. Mayor and Councillor Items

Councillor Hodge:

- Noted that he will be attending a SILGA meeting on Wednesday.

Councillor DeHart:

- Commented on both her and Councillor Singh's attendance at an event for Pathways Society.

Councillor Stack:

- Made comment with respect to correspondence regarding the lack of developed open space and green areas in Kettle Valley.

Mayor Basran:

- Advised that he will be responding to the Kettle Valley correspondence and will provide Council with a copy of his response.
- Extended condolences to Minister Steven Thomson on the passing of his mother, Brenda.

7. Termination

This meeting was declared terminated at 3:38 p.m.

Mayor

City Clerk

/slh