



## City of Kelowna

### Regular Council Meeting

### Minutes

Date: Monday, June 13, 2016  
 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 and Mohini Singh

Members Absent: Councillor Luke Stack

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Cultural Services Manager, Sandra Kochan\*; Suburban & Rural Planning Manager, Todd Cashin\*; Community Planning Department Manager, Ryan Smith\*; Planner Specialist, Melanie Steppuhn\*; Real Estate Director, Derek Edstrom\*; Parking Services Manager, Dave Duncan\*; Divisional Director, Community Planning & Real Estate, Doug Gilchrist\*; Council Recording Secretary, Arlene McClelland

(\* 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 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 Given

**R481/16/06/13** THAT the Minutes of the Regular Meetings of May 30, 2016 be confirmed as circulated.

**Carried**

#### 3. Public in Attendance

##### 3.1 Ballet Kelowna

Sandra Kochan, Cultural Services Manager

- Introduced the Artistic Director and CEO of Ballet Kelowna, Simone Orlando.

Simone Orlando, Ballet Kelowna Artistic Director and CEO

- Displayed a PowerPoint presentation summarizing the annual activities of Ballet Kelowna and responded to questions from Council.

**4. Development Application Reports & Related Bylaws**

**4.1 1580 Hwy 33 West, DP16-0069,- GTA Architects Ltd.**

Councillor DeHart declared a conflict of interest as she is employed by a hotel in close proximity to the subject property and departed the meeting at 1:58 p.m.

**Staff:**

- Displayed a PowerPoint presentation summarizing the application and rationale for non-support.
- Responded to questions from Council.

Mayor Basran invited the Applicant, or Applicant's Representative to come forward.

Gary Tomporowsk, GTA Architecture and Applicant Representative

- Spoke to the reasons for the design that was submitted in the development permit.
- Have worked with staff for 15 months and noted the development is within the zone and no variances are being requested.
- Acknowledged that the site is a gateway site.
- Believes the development area is more vehicular driven than pedestrian driven.
- Recent developments have parking between street and buildings along Highway 97.
- Raised concern with traffic noise impacting the hotel guest experience and will negatively impact room rentals.
- Advised that underground parking would not be financially feasible.
- Proposed to plant 100 trees to mitigate issues of seeing a parking lot when only 50 trees is required
- Believes the design submitted is the best compromise between quality guest experience and building location.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Given

**R482/16/06/13** THAT Council authorizes the issuance of Development Permit No. DP16-0069 for Lot 1, DL 125, ODYD Plan 8791 Except Plans 39705 and KAP79377 located at 1580 Hwy 33, 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;
5. That those portions of the neighbouring property required for parking be consolidated with the subject property, or;
6. That a covenant be registered on the neighbouring property dedicating parking on the property to the new hotel development.
7. That 50% of parking surfaces be paved with unit pavers to promote ground water infiltration and further reduce the aesthetic impact of asphalt.

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;

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.

**Defeated**  
Mayor Basran, Councillors Donn, Gray, Hodge and Singh - Opposed

Councillor DeHart rejoined the meeting at 3:17 p.m.

#### 4.2 564 Coryell Road, Z16-0012 - Andrew Pilarski

Staff:

- Displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Singh

**R483/16/06/13** THAT Rezoning Application No. Z16-0012 to amend the City of Kelowna Bylaw No. 8000 by changing the zoning classification of Lot C District Lot 167 ODYD Plan 13205, located at 564 Coryell Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated July 11, 2016.

**Carried**

#### 4.3 564 Coryell Road, BL11254 (Z16-0012) - Andrew Pilarski

Moved By Councillor DeHart/Seconded By Councillor Donn

**R484/16/06/13** THAT Bylaw No. 11254 be read a first time.

**Carried**

#### 4.4 839 Sutherland Avenue, DP16-0115 - Mike Jacobs

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Given

**R485/16/06/13** THAT Council authorizes the issuance of Development Permit No. DP16-0115 for Lot A, DL 138, and of Section 19 Township 26 ODYD Plan 33076 located at 839 Sutherland Ave, 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";

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 June 13, 2016;

AND THAT there be no direct driveway access onto Sutherland Ave from the subject property;

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.

**Carried**

#### **4.5 3665 & 3671 Hart Road, A16-0006 - Roger H. Borrett**

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Donn

**R486/16/06/13** THAT Agricultural Land Reserve Appeal No. A16-0006 for Lot 2 Section 10 TWP 26 ODYD Plan KAP48949 and Lot B Section 10 TWP 26 ODYD Plan KAP92586, located at 3665 and 3671 Hart Rd, Kelowna for a subdivision of agricultural land in the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act, be supported by Council;

AND THAT the Council direct Staff to forward the subject application to the Agricultural Land Commission for consideration.

**Carried**

#### **4.6 1610 Swainson Road, FH15-0004 - Bir Singh & Sukwinderjit Sandher**

Staff:

- Displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Given

**R487/16/06/13** THAT Council receives for information, the Supplemental Report from the Community Planning Department dated June 13, 2016 with respect to Farm Help Application No. FH15-0004, for Lot 1 Section 25 TWP 26 and Section 30 TWP 27 ODYD Plan KAP77945, located at 1610 Swainson Road;

AND THAT Council amends the Farm Help Permit FH15-0004, Schedule A, with the revised Schedule A.

**Carried**

Councillor Hodge - Opposed

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

**5.1 330 Merrifield Road, BL11241 (Z16-0011) - Corey Knorr Construction Ltd.**

Moved By Councillor Given/Seconded By Councillor Donn

R488/16/06/13 THAT Bylaw No. 11241 be adopted.

Carried

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

**6.1 Payment in Lieu of Parking Bylaw 8125**

Staff:

- Provided an overview of the City's Cash-in-Lieu of parking program for new development and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Gray

R489/16/06/13 THAT Council receive for information the report from the Community Planning and Real Estate Division dated June 13, 2016.

Carried

**7. Bylaws for Adoption (Non-Development Related)**

**7.1 BL11249 - Amendment No. 4 to Development Applications Procedures Bylaw No. 10540**

Moved By Councillor Sieben/Seconded By Councillor Singh

R490/16/06/13 THAT Bylaw No. 11249 be adopted.

Carried

**7.2 BL11251 - A Bylaw to Repeal Housing Agreement Authorization Bylaw No. 9889**

Moved By Councillor Sieben/Seconded By Councillor Singh

R491/16/06/13 THAT Bylaw No. 11251 be adopted.

Carried

**8. Mayor and Councillor Items**

Councillor Sieben:

- Spoke to his attendance at the Metabridge Conference.
- Spoke to his attendance along with Councillor Given at the Heritage Farm opening.

Councillor Singh:

- Spoke to staff efforts at the Agricultural Plan Open House under inclement weather conditions.
- Spoke to her attendance, on behalf of the Mayor, at the International Engineer Association Conference.

Councillor DeHart:

- Spoke to her attendance and success of the recent PGA Tournament hosted in Kelowna.

Mayor Basran:

- Thoughts and condolences to the victim's families and friends in Orlando, Florida and thanked local organizers who arranged a vigil at the Rainbow crosswalks on short notice.
- Spoke to his attendance at the successful Metabridge Conference.

**9. Termination**

This meeting was declared terminated at 4:13 p.m.

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Mayor

/acm

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City Clerk