



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, October 3, 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, Mohini Singh and Luke Stack*
Members Absent	Councillor Brad Sieben
Staff Present	Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Suburban & Rural Planning Manager, Todd Cashin*; Policy & Planning Department Manager, James Moore*; Real Estate Services Manager, Sustainability Coordinator, Michelle Kam*; Planner, Laura Bentley*; Utility Planning Manager, Andrew Reeder*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:30 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 Donn

R713/16/10/03 THAT the Minutes of the Regular Meetings of September 19, 2016 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 196 Cariboo Road, Z16-0018 - D & S Schulz Enterprises Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

R714/16/10/03 THAT Rezoning Application No. Z16-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot H Section 4 Township 23 ODYD Plan 20088, located at 196 Cariboo Road, Kelowna, BC from the RR3 - Rural Residential 3 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 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 October 3, 2016.

Carried

3.2 196 Cariboo Road, BL11288 (Z16-0018) D & S Schulz Enterprises Ltd

Moved By Councillor Hodge/Seconded By Councillor Gray

R715/16/10/03 THAT Bylaw No. 11288 be read a first time.

Carried

3.3 3580 Casorso Road, Z16-0050 - Lonewolf Homes Ltd. & Andrew Paterson

Staff:

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

Moved By Councillor Given/Seconded By Councillor Hodge

R716/16/10/03 THAT Rezoning Application No. Z16-0050 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 16 District Lot 134 Osoyoos Division Yale District Plan 20399, located at 3580 Casorso Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing 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 (September 1, 2016);

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

3.4 3580 Casorso Road, BL11289 (Z16-0050) - Lonewolf Homes Ltd and Andrew Paterson

Moved By Councillor Gray/Seconded By Councillor Hodge

R717/16/10/03 THAT Bylaw No. 11289 be read a first time.

Carried

3.5 5100 Gordon Drive, OCP16-0008 & Z16-0045 - No. 21 Great Projects Inc.

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Hodge

R718/16/10/03 THAT Official Community Plan Bylaw Amendment No. OCP16-0008 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land use designations of portions of The South ½ DL 579 SDYD Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118 and EPP55978, located at 5100 Gordon Dr Kelowna, BC, from the Multiple Unit Residential (Cluster Housing) to Single/ Two Unit Residential - Hillside, from Single/ Two Unit Residential - Hillside to Major Park and Open Space, from Single/ Two Unit Residential to Single/ Two Unit Residential - Hillside, from Multiple Unit Residential (Cluster Housing) to Major Park and Open Space, from Single/ Two Unit Residential to Major Park and Open Space, from Major Park and Open Space to Multiple Unit Residential (Cluster Housing) as shown on Map "A" attached to the report of Community Planning dated October 3, 2016 be considered by Council;

AND THAT Rezoning Application No. Z16-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of portions of The South ½ DL 579 SDYD Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118 and EPP55978, located at 5100 Gordon Dr Kelowna, BC, from A1- Agriculture 1 to P3 - Parks and Open Space and RU2h - Medium Lot Housing (Hillside Area) as shown on Map "B" attached to the report of Community Planning, dated October 3, 2016 be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and 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 Preliminary Layout Review Letter by the Approving Officer.

Carried

6 5100 Gordon Drive, BL11291 (OCP16-0008) - No. 21 Great Projects Ltd.

Moved By Councillor Given/Seconded By Councillor Gray

R719/16/10/03 THAT Bylaw No. 11291 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

3.7 5100 Gordon Drive, BL11292 (Z16-0045) - No. 21 Great Projects Ltd.

Moved By Councillor Given/Seconded By Councillor Donn

R720/16/10/03 THAT Bylaw No. 11292 be read a first time.

Carried

3.8 2980 Gallagher Road, OCP16-0014 & Z16-0051 - Kirschner Mountain J.V.

Staff:

- Displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Given

R721/16/10/03 THAT Official Community Plan Bylaw Amendment No. OCP16-0014 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1 Section 12 and 13 Township 26 and Sections 7 and 18 Township 27 ODYD KAP71697 Except Plans KAP84278, KAP86315, KAP86363, KAP88598 and EPP36504 from the Single/Two Unit Residential (S2RESH) to Major Park/Open Space (Public) (PARK) and from Major Park/Open Space (Public) (PARK) to Single/Two Unit Residential (S2RESH) as shown on Map "A" attached to the report of Community Planning, dated October 3, 2016 be considered by Council;

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 of Community Planning, dated October 3, 2016;

AND THAT Rezoning Application No. Z16-0051 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 12 and 13 Township 26 and Sections 7 and 18 Township 27 ODYD KAP71697 Except Plans KAP84278, KAP86315, KAP86363, KAP88598 and EPP36504 from the P3-Park and Open Spaces to RU1h-Large Lot Housing (Hillside Area), from A1-Agricultural 1 to RU1h-Large Lot Housing (Hillside Area), from A1-Agricultural 1 to P3-Parks and Open Spaces, from RM3h-Low Density Multiple Housing to RU1h-Large Lot Housing (Hillside Area), from RM3h-Low Density Multiple Housing to P3-Parks and Open Spaces, and from RU1h-Large Lot Housing (Hillside Area) to P3-Park and Open Spaces as shown on Map "B" attached to the report of Community Planning, dated October 3, 2016 be considered by Council;

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

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

Carried

3.9 2980 Gallagher Rd, BL11293 (OCP16-0051) - Gordon, Heidi-Sabine, Donald, Amy, Allen

Moved By Councillor Gray/Seconded By Councillor Donn

R722/16/10/03 THAT Bylaw No. 11293 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

3.10 2980 Gallagher Rd, BL11294 (Z16-0051) - Gordon, Heidi-Sabine, Donald, Amy, Allen & Angelica Kirschner

Moved By Councillor Hodge/Seconded By Councillor Gray

R723/16/10/03 THAT Bylaw No. 11294 be read a first time.

Carried**3.11 752 & 760 Bechard Road, Z16-0047 - Louis & Elda Pagliaro**

Staff:

- Displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor DeHart

R724/16/10/03 THAT Rezoning Application No. Z16-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 19, District Lot 134, Osoyoos Division Yale District Plan 20399 and a portion of Lot 6, District Lot 134, Osoyoos Division Yale District Plan 20399, located at 752 & 760 Bechard Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone as shown on Map "A" attached to the Report from the Community Planning Department, 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 October 3, 2016;

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

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

Carried**3.12 752 & 760 Bechard Road, BL11295 (Z16-0047) - Elda & Louis Pagliaro**Moved By Councillor Hodge/Seconded By Councillor Given

R725/16/10/03 THAT Bylaw No. 11295 be read a first time.

Carried**3.13 460 Doyle Avenue, DP14-0093 - Jim Meiklejohn**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Hodge

R726/16/10/03 THAT Council invite the Applicant's Representatives to address Council.

Carried

Applicant's Representatives, Stoke Tonne, Meiklejohn Architects and Kelsey Helm, Kelowna Sustainable Innovation Group

- Spoke to the thorough process to date including discussions with Development Services and Community Planning staff.
- Advised that the Development Permit amendment for the additional 500 square feet still works within the Building Code and still conforms to a 6 storey building; that process took some time to verify and longer than expected.

- Advised of the Contractor's timelines and the importance of commencing the roof work in early June in order to proceed with their work.
- Believes the landscape plan will satisfy some outstanding questions for the landscape treatment of the roof.
- Believed the current zoning supported the function that is proposed today.
- There is no definition around what the space will be used for but have committed to the City to make a public space, however, there is no clear definition of operation.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Donn

THAT Council authorizes the issuance of Development Permit No. DP14-0093-01 to amend original Development Permit DP14-0093 for Lot 1 District Lot 139 ODYD Plan EPP44677 Except Air Space Plan EPP44678, located at 460 Doyle Avenue, Kelowna, BC subject to the following:

1. The dimensions and siting of the amendment to the 7th floor to be constructed on the land be in accordance with Schedule "A,"
2. The elevations and colours of the amendment to the 7th floor to be constructed on the land be in general accordance with Schedule "B";

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

Moved By Councillor Given/Seconded By Councillor Stack

R727/16/10/03 THAT Council defer further consideration of Development Permit No. DP14-0093, located at 460 Doyle Avenue, Kelowna, BC, pending receipt of further information regarding the following:

1. Detailed development permit form and character information;
2. Updated and detailed landscape plan;
3. Reminder on terms of the agreement;
4. Concrete plans on the use of the structure.

Carried

3.14 505 - 525 Snowsell Road N, OCP14-0027 / Z14-0059 - Eric Huber

Staff:

- Displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Gray

R728/16/10/03 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Official Community Plan Amending Bylaw No. 11105 and Rezoning Amending Bylaw No. 11106, be extended from July 14, 2016 to July 14, 2017.

Carried

4. Bylaws for Adoption (Development Related)

4.1 990 Guisachan Road, BL11220 (OCP15-0019) - Strandhaus Developments Inc.

Moved By Councillor Stack/Seconded By Councillor DeHart

R729/16/10/03 THAT Bylaw No. 11220 be adopted.

Carried

4.2 990 Guisachan Road, BL11221 (Z15-0065) - Strandhaus Developments Inc.

Moved By Councillor DeHart/Seconded By Councillor Singh

R730/16/10/03 THAT Bylaw No. 11221 be adopted.

Carried

4.3 4491 Stewart Road West, BL11270 (Z16-0034) - Delauralyn Pihl

Moved By Councillor DeHart/Seconded By Councillor Stack

R731/16/10/03 THAT Bylaw No. 11270 be adopted.

Carried

4.4 866 Glenmore Drive, BL11273 (Z16-0044) - Jeffery & Linda Giebelhaus

Moved By Councillor Singh/Seconded By Councillor DeHart

R732/16/10/03 THAT Bylaw No. 11273 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Healthy City Strategy Update

Staff:

- Displayed a PowerPoint presentation summarizing the Healthy City Strategy and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

R733/16/10/03 THAT Council receives, for information, the report from the Sustainability Coordinator and Planner II dated October 3, 2016 with respect to the Healthy City Strategy update;

AND THAT Council endorse Healthy Housing as the next Healthy City Strategy theme area.

Carried

5.2 Downtown Plan 2016 Annual Update

Staff:

- Displayed a PowerPoint presentation summarizing the Annual Downtown Plan and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Singh

R734/16/10/03 THAT Council receive, for information, the October 3, 2016 report from the Planner II, Policy & Planning Department with respect to an annual update on the Downtown Plan.

Carried

5.3 Petition to Amend the Improvement District Boundary (SEKID) for 984 Dehart Rd

Staff:

- Provided an overview of the SEKID boundary adjustment request and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Gray

R735/16/10/03 THAT Council receives for information, the Report from the Utilities Planning Manager, dated October 3rd, 2016 pertaining to the Petition to amend the Improvement District Boundary (SEKID) for 984 Dehart Road;

AND THAT the request from the South East Kelowna Irrigation District (SEKID) to exclude 984 Dehart Rd from their water service area boundaries, attachment A, be approved;

AND THAT 984 Dehart Rd be approved to connect to the City of Kelowna Water Utility provided the following conditions be met:

1. The Developer enters into a development agreement that requires the Developer to pay the equivalent of the current Water Service Development Cost Charge (DCC) fees as if they were part of the Sector A Water Plan in the Development Cost Charges Bylaw, 10515.
2. The fees collected be directed to the Water Service DCC reserve, R701.
3. The Developer pays for all costs to bring water services to his property and any upgrades to the City water utility required to supply water to the subject property.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 1170 Hwy 33 W (Portion of Road Adjacent to), BL11259 - Road Closure Bylaw

Mayor invited anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.

No one came forward.

Moved By Councillor Stack/Seconded By Councillor DeHart

R736/16/10/03 THAT Bylaw No. 11259 be adopted.

Carried

6.2 Lakeshore Road (Portion of), BL11274 - Road Closure Bylaw

Mayor invited anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.

No one came forward.

Moved By Councillor DeHart/Seconded By Councillor Singh

R737/16/10/03 THAT Bylaw No. 11274 be adopted.

Carried

6.3 BL11287 - Amendment No. 4 to Housing Agreement Opportunities Reserve Fund Bylaw No. 8593

Councillor Stack declared a conflict of interest as his employer has applied for rental housing grants, has received grants and may apply again in the future, and departed the meeting at 3:30 p.m.

Moved By Councillor Singh/Seconded By Councillor DeHart

R738/16/10/03 THAT Bylaw No. 11287 be adopted.

Carried

Councillor Stack rejoined the meeting at 3:30 p.m.

7. Mayor and Councillor Items

The City Clerk confirmed that Council may discuss the item that was deferred earlier in the meeting with the public and the Applicant.

Councillor Stack:

- Spoke to his attendance at Mission Hills Winery as part of the successful Royal visit.
- Spoke to his attendance at several Ministerial meetings while at UBCM last week.

Councillor DeHart:

- Spoke to the various meetings attended while at UBCM last week.
- Congratulated the District of Lake Country for receiving the 2016 Open for Business Award.

Councillor Singh:

- Spoke to the Royal visit and how Kelowna was well show-cased.
- Spoke to her attendance, on behalf of Mayor and Council, at public events in Kelowna last week.

Councillor Hodge:

- Spoke to the various speakers heard at UBCM and to the SILGA Youth Representative attendees.

Councillor Gray:

- Spoke to the excellent speakers at UBCM last week.
- Spoke to her participation at the Gospel Mission Thanksgiving dinner this coming weekend.

Councillor Donn:

- Spoke to his meeting with Uber and Air B&B Representatives at UBCM last week.
- Commented that attending UBCM reinforced his appreciation of non-partisan local government politics.

Councillor Given:

- Spoke to the professional development opportunities that UBCM represents and the benefits of learning from other local governments facing similar issues.
- Spoke to the City's UBCM Resolution being referred to UBCM Executives to conduct a year long policy review with recommendations for the 2017 UBCM Conference.

Mayor Basran:

- Spoke to the positive international exposure Kelowna received as a result of the Royal visit.
- Spoke to the meetings regarding the sharing economy he attended at UBCM.
- Spoke to the BC Mayor's Caucus that discussed strong fiscal futures with an emphasis on alternate revenue sources and high cost of protective services.
- Congratulated the organizers of the Run for the Cure event held over the weekend.

- Reminder of the Finding our YIMBY, reflections on affordability affordable housing at the Laurel Packinghouse Thursday evening at 7:00 p.m.

8. Termination

This meeting was declared terminated at 3:52 p.m.

Mayor

/acm

City Clerk