



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, December 5, 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, Mohini Singh and Luke Stack
Staff Present	City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Recreation Technician, Amber Gilbert*; Divisional Director, Active Living & Culture, Jim Gabriel*; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Divisional Director, Community Planning & Real Estate, Doug Gilchrist*; Planner, Lydia Korolchuk*; Real Estate Director, Derek Edstrom*; Parking Services Manager, Dave Duncan*; Real Estate Services Manager, John Saufferer*; Property Management Manager, Mike Olson*; Financial Projects Manager, Garry Filafilo*; Integrated Transportation Department Manager, Rafael Villarreal Pacheco*; Parks Services Manager, Ian Wilson*; Planner, Laura Bentley*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:33 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 DeHart/Seconded By Councillor Gray

R929/16/12/05 THAT the Minutes of the Regular Meetings of November 28, 2016 be confirmed as circulated.

Carried

3. Committee Reports

3.1 2016 Civic Awards Nomination Period

Staff:

- Displayed a PowerPoint Presentation summarizing the Civic Awards nomination process and timeline.

Moved By Councillor Stack/Seconded By Councillor Hodge

R930/16/12/05 THAT Council receives as information the report from the Active Living & Culture, Recreation Technician dated November 30, 2016, which outlines the 42nd Annual Civic & Community Award categories and nomination period.

Carried

4. Development Application Reports & Related Bylaws

4.1 410 Providence Ave and 347 Quilchena Dr, (OCP16-0013) & (TA16-0008) - Kettle Valley Holding Ltd

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Given

R931/16/12/05 THAT Official Community Plan Map Amendment Application No. OCP16-0013 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1 Section 23 Township 28 SDYD Plan KAP85435 located at 410 Providence Avenue, Kelowna, BC from the EDINST – Educational/ Major Institutional to MRM – Multiple Unit Residential (Medium Density), EDINST – Educational/ Major Institutional to S2RES – Single/ Two Unit Residential, EDINST – Educational/ Major Institutional to PARK – Major Park/Open Space (Public) designations as shown on Map “A” attached to the Report from Community Planning Department dated December 5, 2016, be considered by Council;

AND THAT Official Community Plan Map Amendment Application No. OCP16-0013 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot 2, Section 23, Township 28, SDYD, Plan KAP85435, located on Quilchena Drive, Kelowna, B.C. from the EDNIST – Education/Major Institutional designation to PARK – Major Park / Open Space designation as shown on Map “A” attached to the Report from Community Planning Department dated December 5, 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 December 5, 2016;

AND THAT Zoning Bylaw Text Amendment Application No. TA16-0008 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated December 5, 2016 for Lot 1 Section 23 Township 28 SDYD Plan KAP85435 located at 410 Providence Avenue be considered by Council;

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

AND FURTHER THAT final adoption of the Official Community Plan Map Amending Bylaw and the Zoning Bylaw Text Amending 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 28, 2016.

Carried
Councillor Sieben - Opposed

4.2 410 Providence Ave & 347 Quilchena Dr, (BL11328) OCP16-0013 - Kettle Valley Holdings Ltd

Moved By Councillor Given/Seconded By Councillor Gray

R932/16/12/05 THAT Bylaw No. 11328 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
Councillor Sieben - Opposed

4.3 410 Providence Ave and 347 Quilchena Dr, (BL11329) TA16-0008 - Kettle Valley Holdings Ltd

Moved By Councillor Given/Seconded By Councillor Gray

R933/16/12/05 THAT Bylaw No. 11329 be given first reading.

Carried
Councillor Sieben - Opposed

4.4 720 Valley Road, BL11276 (OCP16-0010) - Valley Land Subdivision Ltd.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R934/16/12/05 THAT Bylaw No. 11276 be adopted.

Carried

4.5 BL11277 (TA16-0009) - CD27, Valley Lands Comprehensive Development Zone

Moved By Councillor Sieben/Seconded By Councillor DeHart

R935/16/12/05 THAT Bylaw No. 11277 be adopted.

Carried

4.6 720 Valley Road, BL11278 (Z16-0046) - Valley Land Subdivision Ltd.

Moved By Councillor DeHart/Seconded By Councillor Stack

R936/16/12/05 THAT Bylaw No. 11278 be adopted.

Carried

4.7 BL11279 - A Bylaw to Repeal Housing Agreement Authorization Bylaw No. 8477

Moved By Councillor Stack/Seconded By Councillor DeHart

R937/16/12/05 THAT Bylaw No. 11279 be adopted.

Carried

4.8 720 Valley Rd, (DP16-0173), Development Permit – Master Plan - Valley Land Subdivision Ltd

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Sieben

R938/16/12/05 THAT Council authorizes the issuance of Development Permit No. DP16-0173 for Lot A Sections 32 and 29 Township 26 ODYD Plan EPP54061, located at 720 Valley Road, 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. Landscaping to be provided on the land be in accordance with Schedule "B";
3. 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;
4. That on site furnishing be in accordance with the Model Lines shown in Schedule "C";

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

Carried

4.9 (W of) McKinley Beach Dr, DP16-0107 - Kinnikinnik Developments Inc.

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Donn

R939/16/12/05 THAT Council authorize the issuance of Development Permit DP16-0107 for Lot 72, Section 29, Township 23, ODYD, Plan EPP62265, located on (W OF) McKinley Beach Dr, 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 to 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

5. Bylaws for Adoption (Development Related)

5.1 Secondary Suites, City of Kelowna BL11263 (TA16-0004)

Moved By Councillor Hodge/Seconded By Councillor Donn

R940/16/12/05 THAT Bylaw No. 11263 be adopted.

Carried

5.2 CD6 - Comprehensive Residential Golf Resort, Various Owners BL11264 (Z16-0010)

Moved By Councillor Hodge/Seconded By Councillor Donn

R941/16/12/05 THAT Bylaw No. 11264 be adopted.

Carried
Councillor Sieben - Opposed

5.3 BL11260 - Amendment No. 17 to Business Licence and Regulation Bylaw No. 7878

Moved By Councillor Gray/Seconded By Councillor Hodge

R942/16/12/05 THAT Bylaw No. 11260 be adopted.

Carried

5.4 BL11272 (OCP16-0009) Civic Precinct Plan Implementation

Moved By Councillor Stack/Seconded By Councillor DeHart

R943/16/12/05 THAT Bylaw No. 11272 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Review of Council Policies Related to Park Services

Mayor Basran departed the meeting at 3:22 p.m.

Deputy Mayor Stack took the Chair at 3:22 p.m.

Staff:

- Displayed a PowerPoint Presentation providing an overview of the Park Services policy amendments.

Mayor Basran resumed the Chair at 3:27 p.m.

Moved By Councillor Stack/Seconded By Councillor Singh

R944/16/12/05 THAT Council receive for information the November 24, 2016 report of the Park Services Manager, reviewing Council policies related to Park Services;

AND THAT Council Policy No. 16, Road Right-Of-Way Landscaping and Maintenance be rescinded as outlined in the Report from the Park Services Manager dated November 24, 2016;

AND THAT Council Policy No. 240, Overhead Street Banner Installations be rescinded as outlined in the Report from the Park Services Manager dated November 24, 2016;

AND THAT Council Policy No. 279, Knox Mountain Park – Spraying for Pest Infestation be revised as outlined in the Report from the Park Services Manager dated November 24, 2016;

AND THAT Council Policy No. 242, Commemorative Recognitions in City Parks be revised as outlined in the Report from the Park Services Manager dated November 24, 2016;

AND THAT Council Policy No. 364, Fencing Adjacent to City Owned Land be revised as outlined in the Report from the Park Services Manager dated November 24, 2016;

AND THAT Council Policy No. 171, Walkway Fencing – Cost Sharing be rescinded as outlined in the Report from the Park Services Manager dated November 24, 2016;

AND THAT staff bring forward updates to the Unsightly Premises and Visual Nuisance Bylaw No. 8217 that incorporate key policy statements in Council Policy No. 302, Graffiti Prevention Program;

AND FURTHER THAT staff bring forward updates to the Municipal Properties Tree Bylaw No. 8042 that incorporate key policy statements in Council Policy No. 260, Prohibited Trees and Shrubs (Eradication of Codling Moth).

Carried

6.2 Hospital Area On-Street Parking Plan

Staff:

- Displayed a PowerPoint Presentation providing an overview of the On-Street Parking Management Plan and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

R945/16/12/05 THAT Council receives, for information, the Report from the Manager, Parking Services, dated December 5, 2016, with respect to the Hospital Area On-Street Parking Plan;

AND THAT Council approves the introduction of pay parking to street frontages adjacent to Kelowna General Hospital, overnight Resident Parking Only restrictions on nearby residential streets and changes to existing time restrictions as generally recommended in the report dated November 22, 2016, entitled, Hospital Area On-Street Parking Plan, attached to the Report from the Manager, Parking Services, dated December 5, 2016;

AND FURTHER THAT Council, effective January 1, 2017, Council Policy No. 366, being the Residential Permit Program, be revised as attached to the Report from the Manager, Parking Services, dated December 5, 2016.

Carried

6.3 Extension and Modification Agreement for the Operation of the H2O Facility

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Gray

R946/16/12/05 THAT Council approves the City entering into a five (5) year Extension and Modification Agreement to the Management and Operating Agreement between the City and the YMCA of Okanagan Association dated May 31, 2012, in the form attached to the Report of the Manager, Property Management, dated December 5, 2016;

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

Carried

6.4 2017 BikeBC Grant Application

Staff:

- Provided an overview of the staff report and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Singh

R947/16/12/05 THAT Council endorses the Okanagan Rail Trail from Dilworth Drive to Airport Way as the City's priority 1 for the 2017 BikeBC grant application;

THAT Council endorses the Ethel Active Transportation Corridor (ATC) from Harvey Avenue to Sutherland Avenue as the City's priority 2 for the 2017 BikeBC grant application;

AND FURTHER THAT upon confirmation of the grant award for either Priority 1 or 2, the 2017 Financial Plan be amended to a maximum of \$2,000,000 as outlined in this report.

Carried

6.5 Tourism Kelowna – Municipal & Regional District Tax Reporting Service Agreement

Staff:

- Provided an overview of the Service Agreement with Tourism Kelowna.

Moved By Councillor DeHart/Seconded By Councillor Stack

R948/16/12/05 THAT Council receives for information, the Report from the Financial Projects Manager dated December 5, 2016 regarding the Tourism Kelowna – Municipal & Regional District Tax Reporting Service Agreement;

AND THAT Council authorizes the City to enter into the Reporting Service Agreement with Tourism Kelowna Society in the form attached to the Report from the Financial Projects Manager dated December 5, 2016;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Reporting Service Agreement.

Carried

6.6 Proposed Partnership: Surtees Heritage Property Adaptive Re-Use

Staff:

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

Moved By Councillor Given/Seconded By Councillor Donn

R950/16/12/05 THAT Council receives, for information, the report of the Manager, Real Estate Services dated December 5, 2016, with respect to the potential partnership with Worman Commercial for the adaptive re-use of the Surtees Property in a manner that meets the City's heritage and park objectives for the site;

AND THAT Council authorize staff to enter into a Memorandum of Understanding with Worman Commercial in the form attached to the Report of the Manager, Real Estate Services, dated December 5, 2016;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Memorandum of Understanding, and any documents related thereto, on behalf of the City of Kelowna.

Carried

6.7 Road Closure – Portion of Laneway adjacent to 839 Sutherland Avenue

Moved By Councillor Donn/Seconded By Councillor Hodge

R951/16/12/05 THAT Council receives, for information, the Report from the Manager, Real Estate Services dated December 5, 2016, recommending that Council adopt the proposed closure of a portion of road adjacent to 839 Sutherland Avenue;

AND THAT Bylaw No.11304, being the proposed closure of a portion of road adjacent to 839 Sutherland Avenue, be given reading consideration.

Carried

6.8 Portion of Sutherland Ave, BL11304 - Road Closure Bylaw

Moved By Councillor Gray/Seconded By Councillor Hodge

R952/16/12/05 THAT Bylaw No. 11304 be read a first, second and third time.

Carried

6.9 Proposed Road Closure – Adjacent to 1545 Bedford Avenue

Moved By Councillor Stack/Seconded By Councillor DeHart

R953/16/12/05 THAT Council receives for information, the Report from the Manager, Real Estate Services dated December 5, 2016, recommending that Council adopt the proposed closure of a portion of road adjacent to 1545 Bedford Avenue;

AND THAT Bylaw No. 11306, being proposed closure of a portion of land adjacent to 1545 Bedford Avenue, be given reading consideration.

Carried

6.10 Portion of Bedford Ave, BL11306 - Road Closure Bylaw

Moved By Councillor Hodge/Seconded By Councillor Gray

R954/16/12/05 THAT Bylaw No. 11306 be read a first, second and third time.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 Amendment No. 28 to Traffic Bylaw No. 8120, BL11214

Moved By Councillor Sieben/Seconded By Councillor Hodge

R955/16/12/05 THAT Bylaw No. 11214 be adopted.

Carried

7.2 Amendment No. 17 to Bylaw Notice Enforcement Bylaw No. 10475, BL11253

Moved By Councillor Hodge/Seconded By Councillor Sieben

R956/16/12/05 THAT Bylaw No. 11253 be adopted.

Carried

7.3 800 Academy Way, BL11325 - Housing Agreement Authorization Bylaw - VEDA 800 Kelowna Student Housing Ltd

Moved By Councillor Stack/Seconded By Councillor DeHart

R957/16/12/05 THAT Bylaw No. 11325 be adopted.

Carried

7.4 Amendment No. 30 to Airport Fees Bylaw No. 7982, BL11326

Moved By Councillor Given/Seconded By Councillor Gray

R958/16/12/05 THAT Bylaw No 11326 be adopted.

Carried

8. Mayor and Councillor Items – Nil.

9. Termination

This meeting was declared terminated at 4:22 p.m.

Mayor

City Clerk

/acm