



City of Kelowna

Regular Council Meeting

Minutes

Date:	Monday, December 12, 2016
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Ryan Donn*, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben*, Mohini Singh and Luke Stack
Members Absent	Councillor Maxine DeHart
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*; Divisional Director, Community Planning & Real Estate, Doug Gilchrist*; Real Estate Director, Derek Edstrom*; Financial Services Director, Genelle Davidson*; Infrastructure Engineering Manager, Joel Shaw*; Divisional Director, Corporate & Protect Services, Rob Mayne*; Policy & Planning Department Manager, James Moore*; Transit & Programs Manager, Jerry Dombowsky*; Sustainability Coordinator, Michelle Kam*; Senior Project Manager, Andrew Gibbs*; Parks & Buildings Planning Manager, Robert Parlane*; Integrated Transportation Department Manager, Rafael Villarreal*; Community Engagement Consultant, Kari O'Rourke*; 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 Given

R962/16/12/12 THAT the Minutes of the Regular Meetings of December 5, 2016 be confirmed as circulated.

Carried**3. Development Application Reports & Related Bylaws****3.1 395 Hereron Road, A15-0007 - New Town Services Inc.**

Staff:

- Displayed a PowerPoint Presentation summarizing the rationale for non-support of the application and responded to questions from Council.

Mayor Basran deferred the item until the Applicant is able to retrieve her presentation.

3.2 2273-2275 Aberdeen St, Z16-0056 - Robert Anderson and Alexander Kramar

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Given

R963/16/12/12 THAT Rezoning Application No. Z16-0056 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 1, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V; and Strata Lot 2, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V, located at 2273-2275 Aberdeen Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM1 – Four 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 September 30, 2016;

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

Carried**3.3 2273-2275 Aberdeen St, BL11332 (Z16-0056) - Robert & Lynn Anderson and Alexander & Margaret Kramar**Moved By Councillor Hodge/Seconded By Councillor Given

R964/16/12/12 THAT Bylaw No. 11332 be given first reading.

Carried**3.1 395 Hereron Road, A15-0007 - New Town Services Inc. (continued)**Brenda Dureault, Applicant

- Displayed a Presentation on the ELMO, re: Curly Frog Farms.

- Provided background history of the property and advised the property is a low lying flood plain which limits farming capacity.
- Had been advised that flooding would occur once every 10 years however flooding is occurring more often and believes the pine beetle infestation contributed.
- Lost the capacity to farm due to the water and lost farm status; starting over we planted crops that did not mind getting wet such as nut, fruit and Christmas trees.
- Believes the 10 site RV Park will enable her farm to be sustainable and can serve as an education platform to provide connection with land, farmer and food.
- Planning to provide scheduled Workshops and Tours as an educational component.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

R965/16/12/12 THAT Agricultural Land Reserve Appeal No. A15-0000 for Lot 14 Plan KAP68009 District Lot 123 ODYD, located at 395 Hereron Road, Kelowna for a non-farm use of agricultural land in the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, be supported by Council;

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

Defeated

Mayor Basran, Councillors Donn, Given, Gray, Sieben and Stack - Opposed

Moved By Councillor Stack/Seconded By Councillor Donn

R966/16/12/12 THAT Agricultural Land Reserve Appeal No. A15-0007 for Lot 14 Plan KAP68009 District Lot 123 ODYD, located at 395 Hereron Road, Kelowna for a non-farm use of agricultural land in the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, NOT be supported by Council;

AND THAT Council directs Staff NOT to forward the subject application to the Agricultural Land Commission for consideration.

Carried

Councillors Hodge and Singh - Opposed

3.4 Text Amendments (TA16-0005) - Carriage House Regulations & Secondary Suite Definition

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Gray

R967/16/12/12 THAT Council receives, for information, the report from Community Planning dated December 12, 2016, with regards to proposed text amendments that would restrict carriage houses and mobile homes on septic systems that are less than 1.0 hectare;

AND THAT Text Amendment No. TA16-0005 to amend City of Kelowna Zoning Bylaw No. 8000, as outlined in "Schedule A" attached to the Report from Community Planning dated December 12, 2016, be considered by Council;

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

Carried

3.5 BL11333 (TA16-0005) - Secondary Suites Amendment

Moved By Councillor Given/Seconded By Councillor Donn

R968/16/12/12 THAT Bylaw No. 11333 be read a first time.

Carried

3.6 160 Hwy 33 W, Z16-0020 - 661682 BC Ltd

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Singh

R969/16/12/12 THAT Rezoning Application No. Z16-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Sec. 26, Twp. 26, O.D.Y.D., Plan kap74060, located at 160 HWY 33 W., Kelowna, BC from the P4 – Utilities 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 dated December 12, 2016.

Carried

3.7 160 Hwy 33 W, BL11334 (Z16-0020) - 661682 BC Ltd

Moved By Councillor Hodge/Seconded By Councillor Gray

R970/16/12/12 THAT Bylaw No. 11334 be read a first time.

Carried

3.8 238 Queensway Z16-0074 & OCP16-0026 - City of Kelowna

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Given

R971/16/12/12 THAT Rezoning Application No. Z16-0074 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification on Block F, District Lot 1527, ODYD, located at 238 Queensway, Kelowna, BC from P3 – Parks and Open Space to the P1 – Major Institutional, be considered by Council;

THAT OCP Amendment Application No. OCP16-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification on Block F, District Lot 1527, ODYD, located at 238 Queensway, Kelowna, BC from the Major Park / Open Space (PARK) to the Educational / Major Institutional (EDINST), be considered by Council;

AND THAT the Zone & OCP Amending Bylaws be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the following:

1. To the outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated November 28th 2016;
2. To the release of the Provincial Flooding Covenant on title;
3. To the land lease agreement with Tourism Kelowna being executed by Council.

Carried

3.9 238 Queensway, BL11335 (OCP16-0026) - City of Kelowna

Moved By Councillor Gray/Seconded By Councillor Hodge

R972/16/12/12 THAT Bylaw No. 11335 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

3.10 238 Queensway, BL11336 (Z16-0074) - City of Kelowna

Moved By Councillor Stack/Seconded By Councillor Singh

R973/16/12/12 THAT Bylaw No. 11336 be read a first time.

Carried

3.11 3031 Abbott St, Z16-0048 - Calvin and Sunok Condy

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Given

R974/16/12/12 THAT Rezoning Application No. Z16-0048 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8 Block 2 District Lot 14 ODYD Plan 4743, located at 3031 Abbott Street, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM4 – Transitional Low Density 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 August 31, 2016;

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

3.12 3031 Abbott St, BL11337 (Z16-0048) - Calvin and Sunok Condy

Moved By Councillor Singh/Seconded By Councillor Stack

R975/16/12/12 THAT Bylaw No. 11337 be read a first time.

Carried

4. Bylaws for Adoption (Development Related)

4.1 3030 Holland Rd, BL11299 (Z16-0054) - Roland and Colleen Dubois

Moved By Councillor Sieben/Seconded By Councillor Stack

R976/16/12/12 THAT Bylaw No. 11299 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 2017 Financial Plan

Staff:

- Displayed a PowerPoint Presentation summarizing the 2017 Financial Plan and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

R977/16/12/12 THAT Council receives, for information, the presentation from the Financial Services Director and the Infrastructure Engineering Manager dated December 12, 2016 with respect to the 2017 Financial Plan.

Carried

5.2 Transit Real-Time Information, SmartBus Memorandum of Understanding

Staff:

- Provided an overview of the Memorandum of Understanding and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

R978/16/12/12 THAT Council approve the City of Kelowna's participation in the real-time AVL component of the BC Transit SmartBus program as outlined in the Memorandum of Understanding attached to the report from the Transit and Programs Manager, dated December 12, 2016;

AND THAT the Mayor and City Clerk be authorized to execute the Memorandum of Understanding in this regard.

Carried

5.3 Community for All Action Plan

Staff:

- Displayed a PowerPoint Presentation summarizing the Community for All Action Plan and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

R979/16/12/12 THAT Council receives, for information, the report from the Sustainability Coordinator dated December 12, 2016, with respect to the Community for All Action Plan;

AND THAT Council approves the Community for All Action Plan as attached to the report.

Carried

5.4 Kerry Park – Project Status Report

Staff:

- Displayed a PowerPoint Presentation summarizing the design and phasing for the development of Kerry Park and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R980/16/12/12 THAT Council receives, for information, the report from the Senior Project Manager dated December 7, 2016, with respect to the Kerry Park Improvement project;

AND THAT Council endorse the preliminary design for Kerry Park as proposed in the report from the Senior Project Manager, dated December 7, 2016;

AND FURTHER THAT Council support the Kerry Park project phasing as proposed in the report from the Senior Project Manager, dated December 7, 2016.

Carried

Councillor Sieben departed the meeting at 4:55 p.m.

5.5 Imagine Kelowna Phase One Wrap up and Next Steps

Staff:

- Displayed a PowerPoint Presentation summarizing the outcomes of the first phase of Imagine Kelowna and outlining next steps.

Councillor Donn departed the meeting at 5:06 p.m.

Moved By Councillor Stack/Seconded By Councillor Given

R981/16/12/12 THAT Council receives, for information, the update on the Strategic Community Visioning community engagement milestone and next steps;

Carried

6. Mayor and Councillor Items – Nil.

7. Termination

This meeting was declared terminated at 5:10 p.m.

Mayor

City Clerk

/acm