



City of Kelowna Regular Council Meeting Minutes

| | |
|-----------------|--|
| Date: | Monday, January 23, 2017 |
| Time: | 1:30 pm |
| Location: | Council Chamber City Hall, 1435 Water Street |
| Members Present | Mayor Colin Basran, Councillors Maxine DeHart*, Ryan Donn, Gail Given, Tracy Gray, Brad Sieben, Mohini Singh* and Luke Stack |
| Members Absent | Councillor Charlie Hodge |
| Staff Present | City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Urban Planning Manager, Terry Barton*; Planner, Emily Williamson*; Planner, Tracey Hillis*; Planner Specialist, Melanie Steppuhn*, Planner, Lydia Korolchuk*; Planner, Adam Cseke*; Planner, Trisa Brandt*; Suburban & Rural Planning Manager, Todd Cashin*; Community Planning Department Manager, Ryan Smith*; Divisional Director, Active Living & Culture, Jim Gabriel*; Parks & Buildings Planning Manager, Robert Parlane*; Park & Landscape Planner, Lindsay Clement*; Parks, Beaches & Sportsfields Supervisor, Ted Sophonow*; and Legislative Coordinator (Confidential), Arlene McClelland |

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:32 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 Stack/Seconded By Councillor Gray

R042/17/01/23 THAT the Minutes of the Regular Meetings of January 16, 2017 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 769 Barnaby Rd, Z16-0063 - Cathy Wolf

Councillor Singh joined the meeting at 1:33 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Donn

R043/17/01/23 THAT Rezoning Application No. Z16-0063 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot A District Lot 357 Similkameen Division Yale District Plan 10457, located at 769 Barnaby Rd, Kelowna BC from the RR2 – Rural Residential 2 zone to the RU1 – Large Lot Housing zone and from the RR2 – Rural Residential 2 zone to the RU6 – Two Dwelling Housing zone as shown on Map “B” attached to the report from Community Planning, dated January 23, 2017 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 Preliminary Layout Review Letter by the Approving Officer;

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

3.2 769 Barnaby Rd, BL11341 (Z16-0063) - Cathy Wolf

Moved By Councillor Gray/Seconded By Councillor Donn

R044/17/01/23 THAT Bylaw No. 11341 be read a first time.

Carried

3.3 1050 Kelly Rd, Z16-0043 - Jonathon and Heather Tyre

Staff:

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

Moved By Councillor stack/Seconded By Councillor Singh

R045/17/01/23 THAT Council hear from the Applicant.

Carried

Tara Tschritter, Applicant, San Michelle Court

- Confirmed willingness to reconsider design, however, would like to stick to the proposed design as much as possible for the RU1c designation.
- Advised that verbal support has been received by neighbours and can also obtain written support.

Moved By Councillor Gray/Seconded By Councillor Donn

R046/17/01/23 THAT Rezoning Application No. Z16-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, District Lot 135, ODYD, Plan 18974, located at 1050 Kelly Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large 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 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

3.4 1050 Kelly Rd, BL11342 (Z16-0043) - Jonathon and Heather Tyre

Moved By Councillor Donn/Seconded By Councillor Gray

R047/17/01/23 THAT Bylaw No. 11342 be read a first time.

Carried

3.5 4039 Lakeshore Rd, Z16-0060 - Cindy and Thomas Netzlaw

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Stack

R048/17/01/23 THAT Rezoning Application No. Z16-0060 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 1 Section 6 Township 26 ODYD Plan 9339, located at 4039 Lakeshore 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 dated January 23, 2017, be considered by Council;

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

Carried

3.6 4039 Lakeshore Rd, BL11343 (Z16-0043) - Cindy and Thomas Netzlaw

Moved By Councillor Gray/Seconded By Councillor Given

R049/17/01/23 THAT Bylaw No. 11343 be read a first time.

Carried

3.7 5425 Upper Mission Dr, OCP16-0012 & Z16-0024 - Kestrel Ridge Holdings Ltd

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Given

R050/17/01/23 THAT Official Community Plan Map Amendment Application No. OCP16-0012 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 Section 24, Township 28 SDYD Plan 18646 except Plans KAP83995, KAP83997, KAP87210, KAP88425 and KAP92762* located at 5425 Upper Mission Drive, Kelowna, BC from S2RES – Single / Two Unit Residential to the S2RESH – Single / Two Unit Residential – Hillside; from S2RESH – Single / Two Unit Residential – Hillside to PARK – Major Park and Open Space; and from PARK – Major Park and Open Space designation to the

S2RESH – Single / Two Unit Residential – Hillside, as shown on Map “A” attached to the Report from the Community Planning Department dated (January 23, 2017), 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 475 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated January 23, 2017;

AND THAT Rezoning Application No. Z16-0024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of *Lot A Section 24, Township 28 SDYD Plan 18646 except Plans KAP83995, KAP83997, KAP87210, KAP88425 and KAP92762* located at 5425 Upper Mission Drive, Kelowna, BC from the

RU1H – Large Lot Housing (Hillside Area) zone to the RH2 – Hillside Two Dwelling Zone; and the RU1H – Large Lot Housing (Hillside Area) zone to the P3 – Parks and Open Space Zone as shown on Map “B” attached to the Report from the Community Planning Department dated January 23, 2017 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 a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the Development Engineering Manager’s approval.

Carried

3.8 5425 Upper Mission Dr, BL11344 (OCP16-0012) - Kestrel Holdings Ltd

Moved By Councillor Given/Seconded By Councillor Gray

R051/17/01/23 THAT Bylaw No. 11344 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

3.9 5425 Upper Mission Dr, BL11345 (Z16-0024) - Kestrel Holdings Ltd

Moved By Councillor Given/Seconded By Councillor Donn

R052/17/01/23 THAT Bylaw No. 11345 be read a first time.

Carried

3.10 170 Drysdale Blvd, Z16-0082 - City of Kelowna

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Given

R053/17/01/23 THAT Rezoning Application No. Z16-0082 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 4 Township 23 ODYD

Plan EPP30767, located at 170 Drysdale Boulevard, Kelowna, BC from the A1 – Agriculture 1 zone and P2 – Education and Minor Institutional zone to the RM3 – Low Density Multiple 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 December 6, 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

3.11 170 Drysdale Blvd, BL11346 (Z16-0082) - City of Kelowna

Moved By Councillor Singh/Seconded By Councillor Sieben

R054/17/01/23 THAT Bylaw No. 11346 be read a first time.

Carried

3.12 CD5 - Multi Purposed Facility Zone Amendments (TA16-0014) - Text Amendment - City of Kelowna

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Gray

R055/17/01/23 THAT Council defer TA16-0014 until further information regarding the CD5 zone is provided.

Carried

3.13 BL11347 (TA16-0014) - Parking Amendments for the CD5 - Multi-Purpose Facility Zone - City of Kelowna

Bylaw No. 11347 was not read due to deferral of TA16-0014.

3.14 4077 & 4079 June Springs Rd (Z16-0065) - Jamie D. Coates

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Given

R056/17/01/23 THAT Council receives for information, the Supplemental Report from Community Planning dated January 23, 2016 with respect to Rezoning Application No. Z16-0065, for *Parcel B (Plan B5939) Lot 77 Section 3 Township 26 ODYD Plan 1247*, located on 4077 and 4079 June Springs Road;

AND THAT the rezoning bylaw be forwarded to a Public Hearing;

AND THAT Final Adoption of the rezoning bylaw be subject to the registration of a covenant that restricts the following:

1. Principal uses are restricted to: agriculture; greenhouses and plant nurseries; intensive agriculture and single dwelling housing;
2. Secondary uses are restricted to: carriage house and home based business – rural (existing structures only);
3. Maximum number of permitted dwellings on the property is two (no additional suites are permitted);
4. Secondary uses are permitted when the principal land use on the property includes agriculture, greenhouses and plant nurseries or intensive agriculture;
5. Residential tenancy must be no less than a 30-day period (short term rentals are not permitted);
6. Farm Residential Footprint is restricted to less than 2000 metres²; and
7. The remainder of the property is protected via a No Build Area.

Defeated

Mayor Basran and Councillors Stack, DeHart, Singh, Donn and Gray - Opposed

3.15 4077 & 4079 June Springs Rd, BL11348 (Z16-0065) - Jamie D. Coates

Bylaw No. 11348 was not read due to Z16-0065 being defeated.

3.16 600 Boyton Pl, DP16-0252 - 0725353 BC Ltd

Mayor Basran declared a conflict of interest as he lives in the complex and departed the meeting at 2.39 p.m.

Deputy Mayor Given resided the chair.

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Sieben

R057/17/01/23 THAT Council authorizes the issuance of Development Permit No. DP16-0252 for Lot A, Section 31, Township 26, ODYD, Plan KAP91474 Except Plan KAS3850 (Phases 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10), located at 600 Boynton Place, 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;

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

Carried

Mayor Basran returned and resumed the chair at 2:48 p.m.

3.17 1580 Hwy 33 West, DP16-0286 - Coastal Hollypark Properties Ltd

Councillor DeHart declared a conflict of interest as she works in the hotel industry and the hotel is in close proximity of this application and left the meeting at 2:49 p.m.

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Given

R058/17/01/23 THAT Council authorizes the issuance of Development Permit No. DP16-0286 for Lot 1, DL 125, ODYD Plan 8791 Except Plans 39705 and KAP79377, located at 1580 Hwy 33 West, 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;

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 24, 2017;

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

Councillor Dehart returned to the meeting at 3:07 p.m.

4. Bylaws for Adoption (Development Related)

4.1 (S of) 823 & 890-950 Academy Way, BL10984 (Z13-0030) - Watermark Developments Ltd

Moved By Councillor DeHart/Seconded By Councillor Stack

R059/17/01/23 THAT Bylaw No. 10984 be adopted.

Carried

4.2 **BL11131 (TA15-0007) - Micro Suite Housing Amendments to Zoning Bylaw**

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro60/17/01/23 THAT Bylaw No. 11131 be adopted.

Carried

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

5.1 **Allocation of Transitional Grant-in-Aid Funds**

Staff:

- Displayed a PowerPoint Presentation summarizing the Grant in Aid allocation and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro61/17/01/23 THAT Council receives for information the report of the Division Director, Active Living & Culture dated January 23, 2017 regarding the allocation of \$100,000 transitional Grant-in-Aid funds for 2017;

AND THAT Council approves the allocation of \$100,000 in transitional Grant-in-Aid funds for 2017 through:

- \$85,000 to the Community Social Development Grant program; and
- \$15,000 to the Organization Development Grant program;

AND THAT Council approves amendments to Council Policy #218 Community Social Development Grants as attached to the report dated January 23, 2017 from the Director of Active Living & Culture;

AND THAT Council directs staff to return with a recommendation for revised program guidelines for 2017 Organization Development Grants;

AND FURTHER THAT Council directs staff report back with recommendations for allocation of transitional Grant-in-Aids funds for 2018 and subsequent years.

Carried

5.2 **Okanagan Basin Water Board**

Staff:

- Provided an overview of the Okanagan Basin Water Board Water Conservation and Quality Project grants.

Moved By Councillor Donn/Seconded By Councillor Given

Ro62/17/01/23 THAT Council receives, for information, the report from the Park and Landscape Planner and Parks, Beaches & Sportsfields Supervisor with respect to two 2017-2018 Okanagan Basin Water Board (OBWB) – Water Conservation and Quality Project Grants.

AND THAT Council authorizes staff to apply for a 2017-2018 OBWB – Water Conservation and Quality Project Grant for 'Boyce-Gyro Park Bio-swale Pilot Project' and also for 'Irrigation Connection Point Retro-fit Project'.

AND FURTHER THAT Council authorizes the Mayor and City Clerk to execute the 2017-2018 OBWB – Water Conservation and Quality Project Grants on behalf of City Council, if the application(s) is successful.

Carried

6. Mayor and Councillor Items

Councillor Given:

- Resides on the Community Council for Salvation Army and stated that organization exceeded their Christmas donations target and confirmed that the Salvation Army has a desire to work with other service providers.

Councillor Donn:

- Spoke to the contributions of Shaw Cable technicians who have worked the afternoon meetings of Council over the past 13 years.

Councillor Gray:

- Spoke to her attendance, on behalf of the Mayor, at the Accelerate Okanagan Connection between local entrepreneurs and the local tech community.

Councillor Singh:

- Spoke to her attendance along with the Lieutenant Governor of BC at two local schools as part of Canada 150 celebrations.
- Spoke to her attendance at the Coast Capital Credit Union Open House and to their head office being located in Kelowna.

Councillor DeHart:

- Spoke to her attendance at the Coast Capital Credit Union Open House along with Councillor Singh.
- Reminder of DKA's After Hours this Wednesday, January 25th at Manhattan Restaurant.

Mayor Basran:

- Spoke to the visit of the Lieutenant Governor and the various events that they attended.

7. Termination

This meeting was declared terminated at 3:33 p.m.

Mayor

City Clerk

/acm