



City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 24, 2017
 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 Deputy City Manager, Joe Creron; City Clerk, Stephen Fleming; Urban Planning Manager, Terry Barton*; Planner, Emily Williamson*; Controller, Jackie Dueck*; Revenue Supervisor, Ange Schumacher*, Divisional Director, Active Living & Culture, Jim Gabriel*; Legislative Coordinator (Confidential), 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 Donn

R273/17/04/24 THAT the Minutes of the Regular Meetings of April 10, 2017 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 TA15-0008 - Miscellaneous Housekeeping Carriage House and Accessory Building Amendments

Councillor Gray declared a perceived conflict of interest as she is currently constructing a carriage home and departed the meeting at 1:35 p.m.

Staff:

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

Moved By Councillor Given/Seconded By Councillor Hodge

R274/17/04/24 THAT Zoning Bylaw Text Amendment Application No. TA15-0008 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated April 24, 2017 be considered by Council;

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

Carried

3.2 TA15-0008 (BL11369) - Miscellaneous Housekeeping Text Amendments

Moved By Councillor DeHart/Seconded By Councillor Stack

R275/17/04/24 THAT Bylaw No. 11369 be read a first time.

Carried

Councillor Grey rejoined the meeting at 1:41 p.m.

3.3 1065 Guisachan Rd, Z17-0022 - Bridget McKitrick-Gillberg & Michael Gillberg

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

R276/17/04/24 THAT Rezoning Application No. Z17-0022 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 16 District Lot 136 ODYD Plan 38928, located at 1065 Guisachan Rd, 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 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 outstanding conditions of approval as set out in Schedule 'A' attached to the Report from the Community Planning Department dated April 24, 2017.

Carried

3.4 1065 Guisachan Rd, Z17-0022 (BL11390) - Bridget McKitrick-Gillberg & Michael Gillberg

Moved By Councillor Sieben/Seconded By Councillor Stack

R277/17/04/24 THAT Bylaw No. 11390 be read a first time.

Carried

3.5 140 Mills Road, Z17-0003 - Derer's Tile Haus Inc. No. BCog17501

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor DeHart

R278/17/04/24 THAT Rezoning Application No. Z17-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, District Lot 125, ODYD, Plan 9286, located at 140 Mills Road, Kelowna, BC from the RU1 – Large Lot Housing 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 February 20, 2017;

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

Carried

3.6 140 Mills Road Z17-0003 (BL11391) - Derer's Tile Haus Inc. No. BCg17501

Moved By Councillor Sieben/Seconded By Councillor Stack

R279/17/04/24 THAT Bylaw No. 11391 be read a first time.

Carried

3.7 849 Raymer Road, Z17-0017 - Sascha and Margaret Heinrich

Councillor Seiben declared a conflict of interest as the subject property abuts property he owns and departed the meeting at 1:56 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Gray

R280/17/04/24 THAT Rezoning Application No. 17-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 580A SDYD Plan KAP73736, located at 849 Raymer Rd, 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 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 outstanding conditions of approval as set out in Schedule 'A' attached to the Report from the Community Planning Department dated April 24, 2017.

Carried

3.8 849 Raymer Road, Z17-0017 (BL11392) - Sascha and Margaret Heinrich

Moved By Councillor Stack/Seconded By Councillor Singh

R281/17/04/24 THAT Bylaw No. 11392 be read a first time.

Carried

Councillor Sieben rejoined the meeting at 1:59 p.m.

3.9 1920-1936 Summit Drive, TA17-0006 - Various Owners

Councillor DeHart declared a conflict of interest as her employer operates a similar establishment and located within 2 km of the subject establishment and departed the meeting at 1:59 p.m.

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Sieben

R282/17/04/24 THAT Zoning Bylaw Text Amendment Application No. TA17-0006 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated April 24, 2017 for Lot C, Sec. 29, Twp. 26, ODYD Plan EPP54061 located at 1920-1936 Summit Drive be considered by Council;

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

Carried

3.10 1920-1936 Summit Drive, TA17-0006 (BL11393) - Lindy Holdings Ltd

Moved By Councillor Stack/Seconded By Councillor Hodge

R283/17/04/24 THAT Bylaw No. 11393 be read a first time.

Carried

Councilor DeHart rejoined the meeting at 2:09 p.m.

3.11 948 McCurdy Road, DP17-0021 - Protech Consulting 2012

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Given

R284/17/04/24 THAT Council authorizes the issuance of Development Permit No. DP17-0021 for Lot 4, Section 27, Township 26, ODYD, Plan 1879 Except Plans A12969, H8110, KAP64562, KAP85879, and EPP52046, located at 948 McCurdy 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. 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 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. Bylaws for Adoption (Development Related)

4.1 5425 Upper Mission Dr, BL11344 (OCP16-0012) - Kestrel Holdings Ltd

Moved By Councillor DeHart/Seconded By Councillor Stack

R285/17/04/24 THAT Bylaw No. 11344 be adopted.

Carried

4.2 5425 Upper Mission Dr, BL11345 (Z16-0024) - Kestrel Holdings Ltd

Moved By Councillor Stack/Seconded By Councillor DeHart

R286/17/04/24 THAT Bylaw No. 11345 be adopted.

Carried

4.3 3523 Landie Rd, BL11360 (Z16-0085) - Tracy Hansford

Moved By Councillor Stack/Seconded By Councillor DeHart

R287/17/04/24 THAT Bylaw No. 11360 be adopted.

Carried

4.4 BL11364 (TA17-0003) - Section 16 - Public and Institutional Zones

Moved By Councillor Gray/Seconded By Councillor Given

R288/17/04/24 THAT Bylaw No. 11364 be adopted.

Carried

4.5 700 Swordy Road, BL11365 (Z17-0009) - FORTISBC Inc.

Moved By Councillor Given/Seconded By Councillor Gray

R289/17/04/24 THAT Bylaw No. 11365 be adopted.

Carried

4.6 1449 Ethel Street, BL11371 (HRA16-0001) - Donald McDonald and Linda Scott-McDonald

Moved By Councillor Gray/Seconded By Councillor Hodge

R290/17/04/24 THAT Bylaw No. 11371 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 2017 Sterile Insect Release (SIR) parcel tax

Staff:

- Displayed a PowerPoint Presentation summarizing the reasons for the Sterile Insect Release Parcel Tax levy and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R291/17/04/24 THAT Council approve the Sterile Insect Release Program as outlined in the report dated April 24, 2017, charging the 2017 Sterile Insect Release (SIR) Parcel Tax to individual property tax rolls in accordance with the 2017 SIR Parcel Tax Assessment Roll provided to the City of Kelowna by SIR administration;

AND THAT Bylaw No. 11379 being the Sterile Insect Release Program Parcel Tax Bylaw 2017 be forwarded for reading consideration.

Carried

5.2 BL11379 - Sterile Insect Release Program Parcel Tax Bylaw 2017

Moved By Councillor Hodge/Seconded By Councillor Gray

R292/17/04/24 THAT Bylaw No. 11379 be read a first, second and third time.

Carried

5.3 Updates to Allocation Guidelines and Fees Bylaw for Recreation and Cultural Facilities

Staff:

- Displayed a PowerPoint Presentation summarizing the updates to the Conditions of Use and Allocation Guidelines for the Recreation & Cultural Facilities and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Hodge

R293/17/04/24 THAT Council receives the report from the Divisional Director of Active Living & Culture, regarding updates to the Conditions of Use & Allocation Guidelines for Recreation & Cultural Facilities and the amendments to the Fees & Charges Bylaw No. 9609, as outlined in the report dated April 24, 2017;

AND THAT Council endorse the updates to the Conditions of Use & Allocation Guidelines for Recreation & Cultural Facilities as outlined in the report dated April 24, 2017;

AND THAT Bylaw No. 11366 being Amendment No. 5 to the Recreation & Cultural Services Fees & Charges Bylaw No. 9609 be advanced for reading consideration.

Carried

5.4 BL11366 - Amendment No. 5 to Recreation Fees and Charges Bylaw No. 9609

Moved By Councillor Hodge/Seconded By Councillor Gray

R294/17/04/24 THAT Bylaw No. 11366 be read a first, second and third time.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL11377 - Amendment No. 1 to the Five Year Financial Plan 2016-2020 Bylaw No. 11227

Moved By Councillor Given/Seconded By Councillor Donn

R295/17/04/24 THAT Bylaw No. 11377 be adopted.

Carried

6.2 BL11378 - Amendment No. 1 to Development Cost Charge Reserve Fund Expenditure Bylaw, 2016 No. 11230

Moved By Councillor Given/Seconded By Councillor Donn

R296/17/04/24 THAT Bylaw No. 11378 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Given:

- Will be representing Council at the SILGA Conference at Sun Peaks this week.
- Will be attending The Kelowna City Concert Band celebrating Canada and the Netherlands on Saturday April 29th at the Community Theatre.

Councillor Donn:

- Provided comments on the Newcomers' Club which is a wonderful way for new citizens to get to know Kelowna and also acknowledged the great work they do.

Councillor Gray:

- Reminder that National Volunteer Week launches tomorrow.
- Will be representing Council at Girl Guide Week.
- Will be attending National Day of Mourning ceremony on Friday, April 28th.

Councillor Hodge:

- Will be attending the SILGA Conference and will be unable to attend tomorrow evenings Public Hearing.

Councillor Sieben:

- Attended a Strata Meeting regarding Air B & B and noted a great divide on the issue however can be managed effectively by Strata Councils.

Councillor Singh:

- Will be attending National Day of Mourning ceremony on Friday, April 28th at the City's Yards Office.
- Reminder of the Kelowna Vaisakhi Parade that takes place on Saturday April 29th beginning at 12:00 p.m.

Councillor DeHart:

- Commented on a large Rotary Conference taking place in Kelowna from April 27th to 30th.
- Will be attending the Mayor's Reception for the Civic Award finalists at the Laurel Packing House on Sunday, April 30th and reminded the community of the 42nd Civic Awards Gala on May 10th at the Kelowna Community Theatre

Councillor Stack:

- Will be attending The Kelowna City Concert Band celebrating Canada and the Netherlands on Saturday April 29th at the Community Theatre.
- Will be attending the Vaisakhi Parade on Saturday April 29th
- Will be attending the Mayor's Reception for the Civic Award finalists at the Laurel Packing House on Sunday, April 30th

Mayor Basran:

- Reminder that the Kelowna Rockets are in town midweek with the conference series tied at 1-1 and encouraged citizens to check them out.
- Will be attending the Vaisakhi Parade on Saturday April 29th
- Will be attending the Mayor's Reception for the Civic Award finalists on Sunday, April 30th
- Spoke to his attendance at an Art Gala hosted by the Art Gallery on the weekend.
- Spoke to his attendance at a Fashion Fundraiser Event for The Opera Kelowna Society on April 21st.
- Spoke to his attendance at the BC Wheelchair Rugby Association League game on April 23rd and commended the organization in bringing in teams from all over the province.

8. Termination

This meeting was declared terminated at 3:06 p.m.

Mayor

/acm

City Clerk