



City of Kelowna
Regular Council Meeting
Minutes

Date: Monday, May 15, 2017
Location: Council Chamber
City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran* and Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh* and Luke Stack

Staff Present: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Cultural Services Manager, Sandra Kochan*; Planner, Emily Williamson*; Planner Specialist, Adam Cseke*; and FOI Legislative Coordinator, Sandi Horning

(* 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 Hodge/Seconded By Councillor DeHart

R372/17/05/15 THAT the Minutes of the PM Meeting of May 8, 2017 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 Okanagan Symphony

Rosemary Thomson, Music Director and Tracy Read, President, Okanagan Symphony:

- Displayed a PowerPoint Presentation summarizing Symphony Kelowna's annual activities and responded to questions from Council.

4. Development Application Reports & Related Bylaws

4.1 2800 Hwy 97 N, OCP16-0021 and Z16-0072 - o802333 BC Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.
- Confirmed that a landscaping plan is required as part of a rezoning application.

Council:

- Expressed a concern with the Highway 97 buffering.
- Commented on a corridor wide study along the rail trail and the impacts with rezoning without a plan for the corridor in the future.

Moved By Councillor Hodge/Seconded By Councillor Given

R373/17/05/15 THAT Official Community Plan Bylaw Amendment Application No. OCP16-0021 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 District Lots 124 and 143 ODYD Plan KAP83915 Except Plan KAP84828 and EPP57498, located at 2800 Hwy 97 N, Kelowna, BC from the REP – Resource Protection Area designation to the IND - Industrial designation as shown on Map “A” attached to the Report from the Community Planning Department dated May 15, 2017, be considered by Council;

AND THAT Rezoning Application No. Z16-0072 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 1 District Lots 124 and 143 ODYD Plan KAP83915 Except Plan KAP84828 and EPP57498, located at 2800 Hwy 97 N, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial zone as shown on Map “B” attached to the Report from the Community Planning Department dated May 15, 2017, be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and Zoning Bylaw Amendment 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 May 15, 2017;

AND FURTHER THAT final adoption of the Official Community Plan Bylaw Amendment and Zoning Bylaw Amendment 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 May 10, 2017.

Carried

Councillor Donn – Opposed.

4.2 2800 Hwy 97 N - BL11405 (OCP16-0021) - o802333 BC Ltd

Moved By Councillor Sieben/Seconded By Councillor Singh

R374/17/05/15 THAT Bylaw No. 11405 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 Donn – Opposed.

4.3 2800 Hwy 97 N, BL11406 (Z16-0072) - o802333 BC Ltd

Moved By Councillor Singh/Seconded By Councillor Sieben

R375/17/05/15 THAT Bylaw No. 11406 be read a first time.

Carried

Councillor Donn – Opposed.

4.4 105-115 Hwy 33 W, Z16-0080 - Chi Quang Ly

Staff:

- Noted a correction to the Development Engineering Department's Memo and confirmed that items (a) and (c) are no longer required.
- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.
- Advised of the difference between Class 1 & Class 2 bicycle parking. Class 1 is residential and Class 2 is commercial.
- Advised that a Covenant regarding off-site parking was not pursued as the developer intends to market to those with no vehicles.
- Confirmed that cash-in-lieu is being paid to the City and no parking variances are being requested.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R376/17/05/15 THAT Rezoning Application No. Z16-0080 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 23, Township 26, ODYD, Plan 8678, located at 105-115 Hwy 33 W, Kelowna, BC from the C₄ — Urban Center Commercial zone to the C₃ — Community 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 a set out in Schedule "A" attached to the Report from the Community Planning Department dated March 27, 2017;

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

4.5 105-115 Hwy 33 W, BL11407 (Z16-0080) - Chi Quang Ly

Moved By Councillor DeHart/Seconded By Councillor Stack

R377/17/05/15 THAT Bylaw No. 11407 be read a first time.

Carried

4.6 4629 Lakeshore Rd, HRA17-0001 - City of Kelowna and JEM HTB Properties Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.
- Confirmed that the development is a partnership between Worman Resources and the City of Kelowna.
- Confirmed that the design and the proposed land uses are set out in the Heritage Revitalization Agreement.
- Advised that the buildings will be relocated to allow for access to parking for the future creek corridor.
- Advised that the following Heritage Advisory Committee recommendations are not included in this application:
 - o Heritage Designation Bylaw; and
 - o The need for a heritage professional to oversee the project.
- Confirmed that the developer has hired a heritage consultant to review the project; however, there will not be a heritage professional on site during construction. The developer has agreed to document all of the decisions made.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R378/17/05/15 THAT Council consider a Bylaw which would authorize the City of Kelowna to enter into a Heritage Revitalization Agreement for Lot A, Section 25, Township 28, SDYD, Plan KAP71341, located at 4629 Lakeshore Rd, Kelowna, BC, for two buildings of heritage value as identified as Schedule "A" to the Report from the Community Planning Department dated May 15, 2017;

AND THAT the Heritage Revitalization Agreement Authorization Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT the Heritage Revitalization Agreement conditions outlined in Attachment "A" attached to the Report from the Community Planning Department dated May 15th 2017 be completed prior to adoption.

Carried

4.7 4629 Lakeshore Rd, BL11408 (HRA17-0001) - City of Kelowna and JEM HTB Properties Inc.

Moved By Councillor Stack/Seconded By Councillor DeHart

R379/17/05/15 THAT Bylaw No. 114,08 be read a first time.

Carried

5. Bylaws for Adoption (Development Related)

5.1 700 Highway 33 East, BL11083 (TA15-0002) - Amending Agriculture 1 Zone

Mayor Basran declared a conflict of interest as he is related to the property owner and left the meeting at 2:41 p.m.

Councillor Singh declared a perceived conflict of interest as she is a very close family friend of the property owner and left the meeting at 2:41 pm.

Deputy Mayor Gray took over as Chair of the meeting at 2:41 p.m.

Moved By Deputy Mayor Gray/Seconded By Councillor Hodge

R380/17/05/15 THAT Bylaw No. 11083 be adopted.

Carried

Councillor Hodge – Opposed.

Mayor Basran and Councillor Singh rejoined the meeting at 2:42 p.m.

Mayor Basran took over as Chair of the meeting at 2:42 p.m.

5.2 1940 KLO Road, BL11339 (Z16-0055) - Mission Creek Mews Ltd

Moved By Councillor Hodge/Seconded By Councillor Gray

R381/17/05/15 THAT Bylaw No. 11339 be adopted.

Carried

5.3 BL11363 (TA16-0018) - C7 - Central Business Commercial Zone

Moved By Councillor Hodge/Seconded By Councillor Gray

R382/17/05/15 THAT Bylaw No. 11363 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Proposed Road Closure Adjacent to 3350 Watt Road

Moved By Councillor Given/Seconded By Councillor Donn

R383/17/05/15 THAT Council receives, for information, the Report from the Manager, Strategic Land Development dated May 15, 2017, recommending that Council adopt the proposed closure of a portion of road adjacent to 3350 Watt Road;

AND THAT Bylaw No. 11370, being proposed road closure of a portion of land adjacent to 3350 Watt Road, be given reading consideration.

Carried

6.2 Portion of Watt Rd, BL11370 - Road Closure Bylaw

Moved By Councillor Donn/Seconded By Councillor Given

R384/17/05/15 THAT Bylaw No. 11370 be read a first, second and third time.

Carried

6.3 Clydesdale Road Name Change to facilitate Academy Way Extension

Staff:

- Displayed the area on Map Viewer and provided the rationale for the road name change.
- Responded to questions from Council.

- Confirmed that the developer will be reimbursing each household \$15.00 for the cost of changing their address. The developer will also be covering and up to \$250.00 per household for any business cards, cheques, etc. so long as the property owner provides receipts to verify any costs incurred.

Moved By Councillor Stack/Seconded By Councillor Hodge

R385/17/05/15 THAT Council receives, for information, the Report from the Community Planning Department Manager, dated May 15, 2017 for the purpose of renaming Clydesdale Road;

AND THAT the name of Clydesdale Road to be renamed Academy Way as outlined in Map "A" in the report from the Community Planning Manager, dated May 15, 2017;

AND FURTHER THAT Bylaw No. 11409 being "Renaming Clydesdale Road to Academy Way Name Change Bylaw" be forwarded to Council for reading consideration.

Carried

6.4 BL11409 - A Bylaw to Rename Clydesdale Rd to Academy Way

Moved By Councillor Donn/Seconded By Councillor Given

R386/17/05/15 THAT Bylaw No. 11409 be read a first, second and third time.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 Amendment No. 3 to Parks and Public Spaces Bylaw No. 10680 - BL11349

Moved By Councillor Donn/Seconded By Councillor Given

R387/17/05/15 THAT Bylaw No. 11349 be adopted.

Carried

7.2 Amendment No. 18 to Bylaw Notice Enforcement Bylaw No. 10475 - BL11350

Moved By Councillor Donn/Seconded By Councillor Given

R388/17/05/15 THAT Bylaw No. 11350 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Stack:

- Commented on his attendance at the Habitat for Humanity Canada Conference in Kelowna last week.

Councillor DeHart:

- Commented on the Civic & Community Awards that took place over the weekend and thanked all of the volunteers.

Councillor Sieben:

- Commented on his attendance at the Canadian Cancer Society Daffodil Ball over the weekend and advised that the event raised over \$267,000.

Councillor Hodge:

- Noted that a reunion for the Kelowna Buckaroos is being planning and will be held on July 14, 15 & 16, 2017 in Kelowna.

Councillor Gray:

- Commented on her attendance at the Chamber of Commerce Social Gathering last week at Grizzly Winery opening.
- Reminded everyone that the Rutland May Days Parade will take place on Saturday, May 20, 2017.

Mayor Basran:

- Thanked the community for rallying together during the recent flooding event.

City Manager:

- Thanked the Provincial Wildfire Crew for their efforts during the recent flooding event.

9. Termination

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

Mayor

Deputy City Clerk

Deputy Mayor Gray

/slh