



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, June 26, 2017  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillor 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, Cultural Services Manager, Sandra Kochan\*; Social Development Manager, Sue Wheeler\*; Community Planning Department Manager, Ryan Smith\*; Suburban & Rural Planning Manager, Todd Cashin\*; Urban Planning Manager, Terry Barton\*; Planner, Emily Williamson\*; Accounting Operations Manager, Garry Filafilo; Controller, Jackie Dueck\*; Legislative Coordinator (Confidential), Arlene McClelland

(\* denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:35 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 Gray

R504/17/06/26 THAT the Minutes of the Regular Meetings of June 19, 2017 be confirmed as circulated.

Carried

### 3. Committee Report

#### 3.1 Journey Home Task Force Terms of Reference

Staff:

- Displayed a PowerPoint Presentation outlining the Journey Home Task Force Terms of Reference and introduced the two Co-Chairs.

Moved By Councillor Stack/Seconded By Councillor Singh

**R505/17/06/26** THAT Council approves the Journey Home Task Force Terms of Reference as outlined in the June 26, 2017, report from the Social Development Manager;

AND THAT Council approves the appointment of Dr. Kyleen Myrah and Martin Bell as Co-Chairpersons of the Journey Home Task Force.

**Carried**

**4. Public in Attendance**

**4.1 Kelowna Museums**

Sandra Kochan, Cultural Services Manager

- Introduced Janet Digby, Kelowna Museums Executive Director

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- Displayed a PowerPoint Presentation summarizing the Kelowna Museums annual activities.

**5. Development Application Reports & Related Bylaws**

**5.1 540 Jaginder Lane, Z16-0086 - Michael and Edgar Hiebert**

Mayor Basran declared a conflict of interest as the subject property was formerly owned by his parents who are assisting the applicant and departed the meeting at 2:42 p.m.

Deputy Mayor Donn took over as Chair.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Stack

**R506/17/06/26** THAT Rezoning Application No. Z16-0086 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of *Lot A Section 24 TWP 26 ODYD Plan 19310 Except Plan KAP88059*, located at 540 Jaginder Lane, Kelowna, BC from the A1 - Agriculture zone to the RR3c – Rural Residential 3 with Carriage House 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 June 26, 2017;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Farm Protection Development Permit, that includes a vegetated and fenced buffer to the agricultural property to the east;

AND FURTHER THAT the final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

**Carried**

**5.2 540 Jaginder Lane, BL11431 (Z16-0086) - Michael and Edgar Hiebert**

Moved By Councillor Hodge/Seconded By Councillor Given

**R507/17/06/26** THAT Bylaw No. 11431 be read a first time.

**Carried**

Mayor Basran resumed the Chair at 2:46 p.m.

**5.3 454 Glenwood Ave, Z17-0031 - Lindsay Gibson and Meghan Wise**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Singh

**R508/17/06/26** THAT Rezoning Application No. 17-0031 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Parcel A (DD 143142F and Plan B6681) of Lot 3 District Lot 14 ODYD Plan 3910, located at 454 Glenwood Ave, 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.

**Carried**

**5.4 454 Glenwood Ave, BL11432 (Z17-0031) - Lindsay Gibson and Meghan Wise**

Moved By Councillor Donn/Seconded By Councillor Hodge

**R509/17/06/26** THAT Bylaw No. 11432 be read a first time.

**Carried**

**5.5 1350 and 1370 KLO Rd, OCP17-0010 and Z17-0026 - Summerwood Retirement Resort Holding Corporation**

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Sieben

**R510/17/06/26** THAT Official Community Plan Map Amendment Application No. OCP17-0010 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 15 District Lot 131 ODYD Plan 10710 Except Plan KAP79079 and Lot 1 District Lot 131 ODYD Plan 27982 Except Plan KAP79079, located 1350 KLO Road & 1370 KLO Road, Kelowna, BC from the S2RES - Single / Two Unit Residential designation and the EDINST – Educational/Major Institutional designation to the MRM – Multiple Unit Residential (Medium Density) designation, 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 June 26, 2017;

THAT Rezoning Application No. Z17-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 15 District Lot 131 ODYD Plan 10710 Except Plan KAP79079 and Lot 1 District Lot 131 ODYD Plan 27982 Except Plan KAP79079, located 1350 KLO Road & 1370 KLO Road, Kelowna, BC from the RU1 – Large Lot Housing zone and the P2 – Educational / Minor Institutional zone to the RM5 – Medium 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 Official Community Plan Map Amending Bylaw and 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 June 26, 2017;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the applicant being required to register on the subject property a section 219 no disturb/no build restrictive covenant to ensure the ongoing protection of the environmentally sensitive habitat;

AND FURTHER THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered in conjunction with Council's consideration of both a Natural Environment Development Permit, a Form & Character Development Permit & a Development Variance Permit for the subject property.

**Carried**

**5.6 1350 and 1370 KLO Rd, BL11433 (OCP17-0010) - Summerwood Retirement Resort Holding Corporation**

Moved By Councillor Hodge/Seconded By Councillor Donn

**R511/17/06/26** THAT Bylaw No. 11433 be read a first time;

AND THAT the bylaw be considered in conjunction with the City's Financial Plan and Waste Management Plan.

**Carried**

**5.7 1350 and 1370 KLO Rd, BL11434 (Z17-0026) - Summerwood Retirement Resort Holding Corporation**

Moved By Councillor Hodge/Seconded By Councillor Gray

**R512/17/06/26** THAT Bylaw No. 11434 be read a first time.

**Carried**

**5.8 2045 Loseth Rd and 1261 Kloppenburg Rd, OCP17-0009 and Z17-0024 - Kirschner Mountain Estates Ltd**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Hodge

**R513/17/06/26** THAT Official Community Plan Map Amendment Application No. OCP17-0009 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 3 Section 13 Township 26 ODYD Plan KAP86315, located at 2045 Loseth Road, Kelowna, BC from the S2RESH – Single / Two Unit Residential – Hillside designation to the PARK – Major Park / Open Space (Public) designation, and from the PARK – Major Park / Open Space (Public) designation to the S2RESH – Single / Two Unit Residential – Hillside designation; and

portions of Lot 2 Section 13 Township 26 ODYD Plan KAP86315, located at 1261 Kloppenburg Road, Kelowna, BC from the MRL – Multiple Unit Residential (Low Density) designation to the PARK – Major Park / Open Space (Public) designation

as shown on Map "A" attached to the Report from the Community Planning Department dated June 19, 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 Hearing 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 June 26, 2017;

AND THAT Rezoning Application No. Z17-0024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

portions of Lot 3 Section 13 Township 26 ODYD Plan KAP86315, located at 2045 Loseth Road, Kelowna, BC from the RU4h – Low Density Cluster Housing (Hillside Area) zone to the P3 – Parks and Open Space zone, and from the P3 – Parks and Open Space zone to the RU1h – Large Lot Housing (Hillside Area) zone; and

portions of Lot 2 Section 13 Township 26 ODYD Plan KAP86315, located at 1261 Kloppenburg Road, Kelowna, BC from the RM3h – Low Density Multiple Housing (Hillside Area) zone to the RM3 – Low Density Multiple Housing zone, and from the A1 – Agriculture 1 zone to the P3 – Parks and Open Space zone

as shown on Map "B" attached to the Report from the Community Planning Department dated June 26, 2017, 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 subsequent to approval from the Ministry of Transportation and Infrastructure.

**Carried**

**5.9 2045 Loseth Rd and 1261 Kloppenburg Rd, BL11435 (OCP17-0009) - Kirschner Mountain Estates**

Moved By Councillor Gray/Seconded By Councillor Hodge

**R514/17/06/26** THAT Bylaw No. 11435 be read a first time;

AND THAT the bylaw be considered in conjunction with the City's Financial Plan and Waste Management Plan.

**Carried**

**5.10 2045 Loseth Rd and 1261 Kloppenburg Rd, BL11436 (Z17-0024) - Kirschner Mountain Estates**

Moved By Councillor Singh/Seconded By Councillor DeHart

**R515/17/06/26** THAT Bylaw No. 11436 be read a first time.

**Carried**

**5.11 5317 Chute Lake Road, OCP17-0001 and TA17-0001 - 1104053 BC Ltd**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Given

**R516/17/06/26** THAT Official Community Plan Map Amendment Application No. OCP17-0001 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 20 Sections 23 and 24 Township 28 SDYD KAP74693, located at 5317 Chute Lake Road, Kelowna, BC from the PARK – Major Park – Open Space designation to the S2RES – Single/ Two Unit Residential designation, as shown on Map “A” attached to the Report from the Community Planning Department dated June 26, 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 the requirement to hold a Public Information Session prior to the Official Community Plan Map Amending Bylaw receiving first reading, in accordance with the *Local Government Act*, and the City of Kelowna’s Development Applications Procedures Bylaw No. 10540, be waived;

AND THAT Zoning Bylaw Text Amendment Application No. TA17-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated June 26, 2017 for Lot 20 Sections 23 and 24 Township 28 SDYD KAP74693, located at 5317 Chute Lake Road, Kelowna, BC be considered by Council;

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

AND 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 June 26, 2017.

**Carried**

**5.12 5317 Chute Lake Road, BL11437 (OCP17-0001) - 1104053 BC Ltd**

Moved By Councillor DeHart/Seconded By Councillor Singh

**R517/17/06/26** THAT Bylaw No. 11437 be read a first time;

AND THAT the bylaw be considered in conjunction with the City's Future Financial Plan and Waste Management Plan.

**Carried**

**5.13 5317 Chute Lake Road, BL11438 (TA17-0001) - 1104053 BC Ltd**

Moved By Councillor Stack/Seconded By Councillor Singh

R518/17/06/26 THAT Bylaw No. 11438 be read a first time.

Carried

Mayor Basran moved Item 6.1 before Item 5.14.

**6.1 140 Mills Road, BL11391 (Z17-0003) - Derer's Tile Haus Inc. No. BC917501**

Moved By Councillor Stack/Seconded By Councillor DeHart

R519/17/06/26 THAT Bylaw No. 11391 be adopted.

Carried

**5.14 140 Mills Road, DP17-0004 - Derer's Tile Haus Inc. Inc. No. BC0917501**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Sieben

R520/17/06/26 THAT final adoption of Rezoning Bylaw No. 11391 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0004 for Lot 3, District Lot 125, ODYD, Plan 9286, located at 140 Mills 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.

**5.15 2800 Hwy 97 N, OCP16-0021 (BL11405) & Z16-0072 (BL11406), 0802333 BC Ltd. -  
Reconsideration**

Mayor Basran provided reasons for bringing this application back for reconsideration.

Moved By Councillor Hodge/Seconded By Councillor Given

R521/17/06/26 THAT Council Resolution No. R438/17/05/30 be rescinded;

AND THAT Bylaw No. 11405 (OCP16-0021) and Bylaw No. 11406 (Z16-0072) be forwarded to a Public Hearing for further consideration.

**Carried**



## 6. Bylaws for Adoption (Development Related)

### 6.1 140 Mills Road, BL11391 (Z17-0003) - Derer's Tile Haus Inc. No. BC917501

Item was brought forward earlier in the meeting.

## 7. Non-Development Reports & Related Bylaws

### 7.1 2016 Annual Report

Staff:

- Provided an overview of the 2016 Annual Financial Report.

Moved By Councillor Given/Seconded By Councillor Donn

R522/17/06/26 THAT Council receives, for information, the 2016 Annual Report, titled *Connected*, for the year ended December 31, 2016 attached to the Report of the Accounting Operations Manager dated June 26, 2017;

AND THAT Council receives, for information, the 2016 Statement of Financial Information report that includes: Council Remuneration and Expense Report, Schedule of Remuneration and Expenses paid to or on behalf of each employee, Schedule of Payments to Suppliers for the Provision of Goods and Services and Schedule of Payments to Suppliers for Grants and Contributions attached to the Report of the Accounting Operations Manager dated June 26, 2017.

**Carried**

## 8. Mayor and Councillor Items

Councillor Singh:

- Spoke to an amazing art exhibit being displayed at the Kelowna Art Gallery.
- Kudos to Dilworth TD Canada Trust employees who helped paint the Starbright Child Development Centre on the weekend.

Councillor Sieben:

- Kudos to everyone who participated in the children's ball tournament on the weekend.

Councillor Gray:

- Spoke to her attendance at the Annual Ministerial Lunch last week at the Evangel Church.
- Spoke to her attendance at an event where she was able to observe the end of the Rail to Trail in the north.

Councillor Donn:

- Spoke to the Variety Children's Charity Week Fundraiser.
- Spoke to his attendance at the Annual Ministerial Lunch
- Spoke to the Parks Alive initiative of Pianos in the Parks and commented on the fabulous new pianos.

Councillor Given:

- Spoke to the signing of the MOU between the Regional District and Westbank First Nations on the protection and preservation of cultural sites within Regional Parks.
- Call out to all who were resilient during a heavy rainstorm while attending National Aboriginal Day.
- Spoke to the opening ceremonies at the new Police Services Building and the Indigenous Gardens at Okanagan College.

Mayor Basran

- Advised that a formal ceremony begins at 11:00 a.m. at the new Police Services Building and the parade begins at 10:30 a.m.
- Reminder that Council's summer schedule begins next month.
- Wished a Happy 22<sup>nd</sup> Birthday to the Farmers and Crafters Market who will soon be operating downtown Kelowna.

**9. Termination**

This meeting was declared terminated at 3:39 p.m.

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Mayor

/acm

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City Clerk