



City of Kelowna

Regular Council Meeting

Minutes

Date: Monday, July 10, 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; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Suburban and Rural Planning Manager, Todd Cashin*; Urban Planning Manager, Terry Barton*; Cultural Services Manager, Sandra Kochan*; Controller, Jackie Dueck*; Infrastructure Engineering Manager, Joel Shaw*; Transit and Programs Manager, Jerry Dombowsky* and FOI-Legislative Coordinator, Sandi Horning

(* 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 Sieben

R545/17/07/10 THAT the Minutes of the Regular Meetings of June 26, 2017 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 Kelowna Art Gallery

Staff:

- Introduced the Executive Director of the Kelowna Art Gallery.

Nataley Nagy, Executive Director, Kelowna Art Gallery:

- Displayed a PowerPoint presentation summarizing the Kelowna Art Gallery's annual activities and responded to questions from Council.

4. Development Application Reports & Related Bylaws

4.1 5555 Lakeshore Rd, Z17-0010 - Dana Johnson and Carmen Janzen

Staff:

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

Kevin Johnson, Bear Land Development Services Ltd., Applicants' Representative:

- Provided the rationale for the proposed rezoning.
- Advised that soil conditions of the property are not conducive to farming.
- Feels that the best use of the property is rural residential.
- Provided the historical background for the property.
- Noted that the property access is divided.
- Applicants want to create a legacy property for their family.
- Does not believe that this will negatively impact the agricultural lands surrounding the site.
- The existing access to the site meets the minimum requirements of the City's regulations.
- The property is currently on septic.
- Advised that the Applicants are willing to pay for any necessary infrastructure improvements.
- Spoke to landscaping and screening concerns.
- Spoke to traffic sightlines along this portion of Lakeshore Road.
- Spoke to water and sewer connections.
- Provided the rationale for requesting the waiver for the Hazardous Condition Development Permit.
- Confirmed that the Applicants' have owned the property in 2003 and that the original residence on the site was destroyed by the 2003 fire. It was subsequently rebuilt, along with a small carriage house.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor DeHart

R546/17/07/10 THAT Rezoning Application No. Z17-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 TWP 28 Land District 54 SDYD Plan KAP6042, located at 5555 Lakeshore Road, Kelowna, BC from the A1c – Agriculture 1 with Carriage House zone to RR1c – Rural Residential 1 with Carriage House zone, as outlined in the Report from the Community Planning Department dated July 10, 2017, NOT be considered by Council.

Carried
Councillor Sieben – Opposed.

4.2 2375 Abbott St, Z17-0038 - Aurora Exteriors Ltd

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.
- Confirmed that there is no requirement for a Development Permit for form and character.

Moved By Councillor DeHart/Seconded By Councillor Gray

R547/17/07/10 THAT Rezoning Application No. 17-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 10 District Lot 14 ODYD Plan 6701, located at 2375 Abbott St, 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

4.3 2375 Abbott St, Z17-0038 (BL11442) - Aurora Exteriors Ltd**Moved By Councillor Singh/Seconded By Councillor Sieben**

R548/17/07/10 THAT Bylaw No. 11442 be read a first time.

Carried

4.4 1350 and 1370 KLO Rd, OCP17-0010 & Z17-0026 - Summerwood Retirement Resort Holding Corporation

Staff:

- Displayed a PowerPoint presentation summarizing the amendments to the original application.

Moved By Councillor Stack/Seconded By Councillor Hodge

R549/17/07/10 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 portions 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 and the PARK – Major Park/Open Space (Public) designation, as shown on Map 'A' attached to the Report from the Community Planning Department dated July 25, 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 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated June 26, 2017;

AND THAT Rezoning Application No. Z17-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions 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 and the P3 – Parks and Open Space zone as shown on Map 'A' attached to the Report from the Community Planning Department dated July 25, 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 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

4.5 1350 and 1370 KLO Rd, BL11433 (OCP17-0010) - Summerwood Retirement Resort Holding Corporation

Moved By Councillor DeHart/Seconded By Councillor Stack

R550/17/07/10 THAT Bylaw No. 11433 be amended at first reading by:

Deleting the following:

“Lot 15, District Lot 131, ODYD, Plan 10710 Except Plan KAP79079 and Lot 1 District Lot 131 ODYD Plan 27982 Except Plan KAP57931, located on KLO Road, Kelowna, B.C., from the S2RES – Single /Two Unit Residential designation and the EDINST – Educational/Major Institutional designation to the MRM – Multiple Unit Residential (Medium Density) designation.”

and replacing it with:

- a) Lot 15, District Lot 131, ODYD, Plan 10710 Except Plan KAP79079 located on KLO Road, Kelowna, B.C., from the S2RES – Single /Two Unit Residential designation to the MRM – Multiple Unit Residential (Medium Density) designation; and
- b) a portion of Lot 1 District Lot 131 ODYD Plan 27982 Except Plan KAP57931, located on KLO Road, Kelowna, B.C., from the EDINST – Educational/Major Institutional designation to the Major Park/Open Space (public) (PARK) and MRM – Multiple Unit Residential (Medium Density) designation as per Map A attached to and forming part of this bylaw.

AND THAT the Bylaw has been considered in conjunction with the City’s Financial Plan and Waste Management Plan.

Carried

4.6 1350 and 1370 KLO Rd, BL11434 (Z17-0026) - Summerwood Retirement Resort Holding Corporation

Moved By Councillor Stack/Seconded By Councillor DeHart

R551/17/07/10 THAT Bylaw No. 11434 be amended at first reading by:

Deleting the following:

“Lot 15, District Lot 131, ODYD, Plan 10710 Except Plan KAP79079 and Lot 1 District Lot 131 ODYD Plan 27982 Except Plan KAP57931, located on KLO Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone and P2 – Education and Minor Institutional zone to the RM5 – Medium Density Multiple Housing zone.”

and replace with the following:

- a) Lot 15, District Lot 131, ODYD, Plan 10710 Except Plan KAP79079 located on KLO Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone; and
- b) A portion of Lot 1 District Lot 131 ODYD Plan 27982 Except Plan KAP57931, located on KLO Road, Kelowna, B.C., from the P2 – Education and Minor Institutional zone to the P3 – Parks and Open Space zone and RM5 – Medium Density Multiple Housing zone as per Map B attached to and forming part of this bylaw.

Carried

5. Bylaws for Adoption (Development Related)

5.1 604 Old Meadows Rd, BL11317 (Z16-0049) - Tony Pulice Construction Ltd

Moved By Councillor Hodge/Seconded By Councillor Gray

R552/17/07/10 THAT Bylaw No. 11317 be adopted.

Carried

5.2 4975 Buckhaven Ct, OCP16-0017 (BL11424) - Vincent and Pamela Blaskovich

Moved By Councillor Singh/Seconded By Councillor Sieben

R553/17/07/10 THAT Bylaw No. 11424 be adopted.

Carried

5.3 4975 Buckhaven Ct, Z16-0058 (BL11425) - Vincent and Pamela Blaskovich

Moved By Councillor Gray/Seconded By Councillor Hodge

R554/17/07/10 THAT Bylaw No. 11425 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Library Society Dissolution

Staff:

- Displayed a PowerPoint presentation summarizing the rationale for dissolving the Society.

Moved By Councillor Gray/Seconded By Councillor Donn

R555/17/07/10 THAT Council approves the dissolution of the Library Society effective October 31, 2017;

AND THAT Council Policy 294 "Council Appointee to Library Society" be rescinded;

AND THAT all Library Society assets be transferred to the City of Kelowna, those being the Land and Building valued at \$3,950,464;

AND FURTHER THAT the lease with the Okanagan Regional Library be transferred to the City of Kelowna.

Carried

6.2 Federation of Canadian Municipalities Grant Application

Staff:

- Displayed a PowerPoint presentation summarizing the reasons for the FCM grant.

Moved By Councillor Donn/Seconded By Councillor Stack

R556/17/07/10 THAT Council receives, for information, the report from the Infrastructure Engineering Manager dated July 10th, 2017 with respect to Federation of Canadian Municipalities - Municipal Asset Management Program;

AND THAT Council approves the project titled "Corporate Asset Management Policy and Strategy Development and Asset Management Assessment" as the City's project for grant application for the Federation of Canadian Municipalities - Municipal Asset Management Program;

AND THAT Council approves the increased scope of the Asset Management System project to include Corporate Asset Management Policy and Strategy Development upon confirmation of the grant;

AND FURTHER THAT the 2017 Financial Plan be amended to include receipt of grants if approved, as noted in Report.

Carried

6.3 Transit Improvement Program (TIP) 3-year MOU and 2017 Service Adjustment

Staff:

- Summarized the Memorandum of Understanding and 2017 service adjustments and responded to questions from Council.

Rob Williams, Senior Regional Transit Manager, BC Transit:

- Confirmed that the current collective agreement expires in 2019.

Moved By Councillor Donn/Seconded By Councillor Singh

R557/17/07/10 THAT Council receives, for information, the report from the Transit and Programs Manager dated July 10, 2017, with respect to the Transit Improvement Program (TIP) 3-year MOU and 2017 Service Adjustment;

AND THAT Council approves the conventional transit service adjustments to be implemented on September 3, 2017;

AND FURTHER THAT Council authorizes the Mayor and City Clerk to execute the 3-year Memorandum of Understanding on behalf of the City of Kelowna for transit service over the 2018 –2021 service years.

Carried**6.4 Road Closure and Sale – Portion of Tina Court adjacent to 482 Clifton Road N****Moved By Councillor Hodge/Seconded By Councillor Given**

R558/17/07/10 THAT Council receives, for information, the Report from the Manager, Real Estate Services dated July 10, 2017, recommending that Council adopt the proposed closure of a portion of Tina Court adjacent to 482 Clifton Road North;

AND THAT Bylaw No.11441, being the proposed closure of a portion of Tina Court adjacent to 482 Clifton Road North, be given reading consideration.

Carried**6.5 Proposed Road Closure for a Portion of Clifton Rd North****Moved By Councillor Given/Seconded By Councillor Donn**

R559/17/07/10 THAT Bylaw No. 11441 be read a first, second and third time.

Carried**7. Bylaws for Adoption (Non-Development Related)****7.1 Portion of Sutherland Ave, BL11362 - Road Closure Bylaw**

Mayor Basran invited any in the public gallery who deems themselves affected by the proposed road closure to come forward. No one came forward.

Moved By Councillor Donn/Seconded By Councillor Given

R560/17/07/10 THAT Bylaw No. 11362 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Given:

- Represented Council at the World Vision Canada 6K for Water Fundraiser in City Park and commented on how well run the event was.

Councillor Donn:

- Spoke to provincial campaign financing reforms and wondered if it would also be added to local government campaign financing.

Councillor Hodge:

- Noted that his brother was visiting Kelowna for the first time in 20 years and spoke to his brother's positive impressions of green space in the City as well as the downtown.

Councillor Sieben:

- Made comment regarding the flooding situation in the area and noted there is misinformation regarding the status of the flooding.
- Emphasized the importance that boats can be operated respectfully on Okanagan Lake.

Councillor Singh:

- Gave a 'shout out' to the Kelowna Fire Department for their response to the condo fire on Truswell Road and spoke about the 3 firefighters who were injured.

Councillor DeHart:

- Reminder that the Downtown Kelowna Association's Block Party is scheduled for Saturday, July 22, 2017.

Councillor Stack:

- Spoke to his attendance at the Pickleball tournament this past weekend at the Parkinson Recreation Centre and mentioned that Kelowna is the "Pickleball Capital of Canada".

Mayor Basran:

- Thanked the First Responders who attended the condo fire on Truswell and extended 'best wishes' for their recovery.
- Noted that there is a province-wide campfire ban, and requested that everyone be respectful and responsible.
- Spoke to the City being open for business.

9. Termination

This meeting was declared terminated at 3:25 p.m.

Mayor

City Clerk

/slh