



## City of Kelowna

### Regular Council Meeting

### Minutes

Date: Monday, January 15, 2018  
 Location: Council Chamber  
 City Hall, 1435 Water Street

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

Council Members Absent: Councillors Maxine DeHart and Mohini Singh

Staff Present: City Manager, Ron Mattiussi\*; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist\*; Community Planning Department Manager, Ryan Smith\*; Planner, Melanie Stepphun\*; Planner Specialist, Laura Bentley\*; Urban Planning Manager, Terry Barton\*; Policy & Planning Department Manager, Danielle Noble-Brandt\*; Planner Specialist, Ross Soward\*; Financial Analyst, Matt Friesen\*; Infrastructure Operations Department Manager, Ian Wilson\*; Parks Services Manager, Blair Stewart\*; Divisional Director, Infrastructure, Alan Newcombe\*; Utility Planning Manager, Rod MacLean\*; FOI-Legislative Coordinator, Sandi Horning

(\*denotes partial attendance)

#### 1. Call to Order

Mayor Basran called the meeting to order at 1:31 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

R030/18/01/15 THAT the Minutes of the PM Meeting of January 8, 2018 be confirmed as circulated.

Carried

## 3. Committee Reports

### 3.1 Agricultural Advisory Committee – Annual Report to Council

Staff:

- Displayed a PowerPoint presentation and provided a summary of agriculture related initiatives and files.
- Introduced, John Janmaat, the Chair of the Agricultural Advisory Committee.

John Janmaat, Chair, Agricultural Advisory Committee Chair:

- Displayed a PowerPoint presentation summarizing the annual report.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Gray

R031/18/01/15 THAT Council receives, for information, the Report from the Agricultural Advisory Committee dated December 11, 2017 with respect to an annual report to Council.

Carried

## 4. Development Application Reports & Related Bylaws

### 4.1 OCP Amendment (OCP17-0027) & Rezoning Application (Z17-0107) – Boundaries Amendments

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Sieben

R032/18/01/15 THAT Official Community Plan Map Amendment Application No. OCP17-0027 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of several properties as indicated the Future Land Use

Designation Discrepancies Table and shown on Maps "A" to "H" attached to the Report from the Community Planning Department dated January 8, 2018 be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forward 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*;

AND THAT Rezoning Application No. Z17-0107 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of several properties as indicated the Future Land Use Designation Discrepancies Table and shown on Maps "I" to "T" attached to the Report from the Community Planning Department dated January 8, 2018 be considered by Council;

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

**Carried**

#### **4.2 Various Addresses, BL11527 (OCP17-0027) - City of Kelowna**

**Moved By Councillor Donn/Seconded By Councillor Gray**

**R033/18/01/15** THAT Bylaw No. 11527 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**

#### **4.3 Various Addresses, BL11536 (Z17-0107) - City of Kelowna**

**Moved By Councillor Donn/Seconded By Councillor Gray**

**R034/18/01/15** THAT Bylaw No. 11536 be read a first time.

**Carried**

#### **4.4 McIntosh Rd 360, Dougall Rd N 345 & 365 - Z17-0041 - Unik-Town Development Inc.**

Staff:

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

**Moved By Councillor Sieben/Seconded By Councillor Hodge**

**R035/18/01/15** THAT Rezoning Application No. Z17-0041 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of each of the following properties:

- Lot A Sec 26 Twp 26 ODYD Plan 6977, located at 360 McIntosh Road, Kelowna, BC;
- Lot B Sec 26 Twp 26 ODYD Plan 6977, located at 345 Dougall Road, Kelowna, BC
- Lot C Sec 26 Twp 26 ODYD Plan 6977, located at 365 Dougall Road, Kelowna, BC;

from the RU1 – Large Lot Housing 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 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 January 23, 2017;

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

**Carried**

**4.5 McIntosh Rd 360, Dougall Rd N 345 & 365 - BL11528 (Z17-0041) - Unik-Town Development Inc.**

**Moved By Councillor Donn/Seconded By Councillor Hodge**

**R036/18/01/15** THAT Bylaw No. 11528 be read a first time.

**Carried**

**4.6 Lakeshore Rd 5076, LUCT16-0001 & Z16-0027 - Stewart Storie and Gloria Heung**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

**Moved By Councillor Given/Seconded By Councillor Gray**

**R037/18/01/15** WHEREAS the BC Provincial Government has mandated that all Land Use Contracts under the jurisdiction of a local government and in the Province of British Columbia be terminated by 2024;

AND WHEREAS the BC Provincial Government has provided a legislated process for the early termination of land use contracts when the local government has adopted a zoning bylaw that will apply to the land at the time the termination bylaw comes into force;

AND THAT Application No. LUCT16-0001 to terminate LUC77-1012 from Lot A and Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5064 and 5076 Lakeshore Road, Kelowna, BC, be considered by Council;

AND WHEREAS the underlying A1 – Agriculture 1 zone in the City of Kelowna Zoning Bylaw No. 8000 applies to Lot A and Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5064 and 5076 Lakeshore Road, Kelowna, BC under Land Use Contract LUC77-1012;

THEREFORE, BE IT RESOLVED THAT as the underlying A1 – Agriculture 1 zone Lot A and Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5064 and 5076 Lakeshore Road, Kelowna, BC under Land Use Contract LUC77-1012 does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

AND THAT Rezoning Application No. Z16-0027 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot A and Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5064 and 5076 Lakeshore Road, Kelowna, BC from the A1 - Agriculture 1 zone to the RR2 – Rural Residential 2 zone be considered by Council;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

**Carried**

**4.7 Lakeshore Rd 5076, BL11529 (LUCT16-0001) - Stewart Storie and Gloria Heung**

**Moved By Councillor Hodge/Seconded By Councillor Donn**

**R038/18/01/15** THAT Bylaw No. 11529 be read a first time.

**Carried**

**4.8 Lakeshore Rd 5076, BL11531 (Z16-0027) - Stewart Storie and Gloria Heung**

**Moved By Councillor Gray/Seconded By Councillor Hodge**

**R039/18/01/15** THAT Bylaw No. 11531 be read a first time.

**Carried**

**4.9 DeHart Rd 644, Z17-0097 - Ricardo & Patricia Tomic**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

**Moved By Councillor Given/Seconded By Councillor Gray**

**R040/18/01/15** THAT Rezoning Application No. Z17-0097 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 358 Osoyoos Division Yale District Plan 39262, located at 644 DeHart Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 – Two Dwelling Housing 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 subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 15, 2018.

Carried

**4.10 DeHart Rd 644, BL11533 (Z17-0097) - Ricardo & Patricia Tomic**

Moved By Councillor Hodge/Seconded By Councillor Gray

R041/18/01/15 THAT Bylaw No. 11533 be read a first time.

Carried

**4.11 Glenmore Rd 621, Z17-0106 - Mehdi Tehrani & Mandana Ghanyei**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Donn

R042/18/01/15 THAT Rezoning Application No. Z17-0106 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 32 Township 26 ODYD Plan 6835 Except Plan KAP71534, located at 621 Glenmore Road, Kelowna, BC from the A1 – Agriculture 1 zone to the Ru6 – Two Dwelling 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 January 15, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

**4.12 Glenmore Rd 621, BL11535 (Z17-0106) - Mehdi Tehrani and Mandana Ghanyei**

Moved By Councillor Sieben/Seconded By Councillor Stack

R043/18/01/15 THAT Bylaw No. 11535 be read a first time.

Carried

#### 4.13 Rutland Rd N 1308 & 1324, Z17-0047 - 1121911 BC Ltd

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Stack

R044/18/01/15 THAT Rezoning Application No. Z17-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of each of the following properties:

- Lot 2, Sec 35, Twp 26, ODYD, Plan 14663, located at 1324 Rutland Rd N, Kelowna, BC;
- Lot 3, Sec 35, Twp 26, ODYD, Plan 14663, located at 1308 Rutland Rd N, 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 January 15, 2018;

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

#### 4.14 Rutland Rd N 1308 & 1324, BL11537 (Z17-0047) - 1121911 BC Ltd

Moved By Councillor Stack/Seconded By Councillor Sieben

R045/18/01/15 THAT Bylaw No. 11537 be read a first time.

Carried

#### 4.15 Richter Street 1800, DP17-0179 - Meiklejohn Architects Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- Noted the OCP future land use should be identified as medium density residential rather than mixed use (residential/commercial) as indicated on page 1 of the staff report.
- Responded to questions from Council.

**Moved By Councillor Stack/Seconded By Councillor Sieben**

**R046/18/01/15** THAT Council authorizes the issuance of Development Permit No. DP17-0179 for Lot A District Lots 14 and 139 ODYD Plan EPP18764, located at 1800 Richter Street, 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**

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

**5.1 Capri-Landmark - Preferred Concept Plan**

Staff:

- Displayed a PowerPoint Presentation summarizing the preferred concept plan and responded to questions from Council.

**Moved By Councillor Given/Seconded By Councillor Donn**

**R047/18/01/15** THAT Council receives, for information, the Report from the Planner Specialist dated January 15, 2018, with respect to the Preferred Concept Plan for the Capri-Landmark area;

AND THAT Council approves the Preferred Concept Plan in principle and directs staff to move forward with the development of the final plan and implementation strategy as outlined in the report from the Planner Specialist dated January 15, 2018;

AND FURTHER THAT Council directs staff to further explore the feasibility of the funding options outlined in the report from the Planner Specialist dated January 15, 2018.

**Carried**

Councillor Stack – Opposed.



## 5.2 Transit 2017/2018 Amended Annual Operating Agreement

Staff:

- Displayed a PowerPoint Presentation summarizing the amendments to the 2017/2018 Transit Annual Operating Agreement.

Moved By Councillor Donn/Seconded By Councillor Gray

**R048/18/01/15** THAT Council approves the City entering into Amendment #1 to the Kelowna Regional 201/2018 Annual Operating Agreement between the City of Kelowna and BC Transit for conventional, community and custom transit;

AND THAT the Mayor and City Clerk be authorized to execute Amendment #1 to the Kelowna Regional 2017/2018 Annual Operating Agreement on behalf of the City.

Carried

## 5.3 Urban Deer in Kelowna

Staff:

- Provided an overview of the staff report and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Donn

**R049/18/01/15** THAT Council receives, for information, the January 10, 2018 Report from the Park Services Manager regarding urban deer in Kelowna;

AND THAT Council directs staff to forward a request to the Regional District of Central Okanagan to consider becoming a member of WildSafe BC.

Carried

## 5.4 Sanitary Sewer Connection Area 28 - Stellar Drive Extension Charges

Staff:

- Provided an overview of the staff report.

Moved By Councillor Stack/Seconded By Councillor Hodge

**R050/18/01/15** THAT Council receives for information, the report from the Utility Planning Manager dated January 15, 2018, with respect to sanitary sewer servicing work completed on Stellar Drive within Sanitary Sewer Connection Area 28;

AND THAT Council authorizes the expenditure of \$172,100 from the Sewer Connection Area 28 reserve to pay for the sanitary sewer servicing;

AND FURTHER THAT the 2018 Financial Plan be amended to include the \$172,100 Stellar Drive Extension project, with funding from the Sanitary Sewer Connection Area 28 Reserve.

**Carried**

**6. Mayor and Councillor Items**

Councillor Gray:

- Acknowledged the three (3) firefighters who were injured and wished them best wishes on their recovery.

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Councillor Sieben:

- Offered condolences to the family of the person who died in the mobile home fire.

Mayor Basran:

- Thanked Councillor Gray for being Deputy Mayor in his absence last week.
- Looking forward to a busy 2018.

**7. Termination**

This meeting was declared terminated at 4:42 p.m.

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Mayor Basran

/slh

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City Clerk