



City of Kelowna Regular Council Meeting Minutes

Date: Monday, March 26, 2018
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 City Manager, Ron Mattiussi; City Clerk, Stephen Fleming, Community Planning Department Manager, Ryan Smith*; Planner Specialist, Laura Bentley*; Planner, Barbara Crawford*; Director, Community Planning & Strategic Investments, Doug Gilchrist*; Policy & Planning Department Manager Danielle Noble-Brandt*; Community Energy Specialist, Ashley Lubyk*; Divisional Director, Corporate & Protective Services, Rob Mayne*; Crime Prevention Supervisor, Colleen Cornock*; Bylaw Services Supervisor, Ken Hunter*; Senior Bylaw Officer, Dan Maja*; Parks & Buildings Planning Manager, Robert Parlane*; Planner Specialist, David James*; 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.

Mayor Basran:

- Made comments on the upcoming retirement of the City Manager, Ron Mattiussi, and the tremendous impact and legacy he has had on the City as this is Mr. Mattiussi's last Council meeting.

City Manager:

- Thanked the Mayor for such a wonderful tribute and thanked all staff.

2. Confirmation of Minutes

Moved By Councillor Singh/Seconded By Councillor Gray

R297/18/03/26 THAT the Minutes of the Regular Meetings of March 19, 2018 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Cantina Ct 680 - OCP17-0020 Z17-0091 - Gillen Investments Inc. and Emil Anderson Construction Co

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Given

R298/18/03/26 THAT Official Community Plan Map Amendment Application No. OCP17-0020 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 1688S, SDYD, Plan KAP71342, located at 680 Cantina Court, Kelowna, BC; from the COMM - Commercial designation to the MRL – Multiple Unit Residential (Low Density), and from the COMM – Commercial designation to the PARK – Major Park/Open Space (Public) designation; and

portions of Lot 56, District Lot 1688S, SDYD, Plan KAP68647 Except Plan KAP71342, located at (S OF) South Crest Drive, Kelowna, BC; from the PARK – Major Park/Open Space (Public) designation to the MRL – Multiple Unit Residential (Low Density) designation;

as shown on Map “A” attached to the Report from the Community Planning Department dated March 26, 2018 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 neighbourhood consultation process to be appropriate consultation for the purposes of Section 475 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated March 26, 2018;

AND THAT final adoption of the Official Community Plan Map 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 March 26, 2018;

AND THAT Rezoning Application No. Z17-0091 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

portions of Lot 15, District Lot 1688S, SDYD, Plan KAP71342, located at 680 Cantina Court, Kelowna, BC from the C2 – Neighbourhood Commercial zone to the RM2h – Low Density Row Housing (Hillside Area) zone, and from the C2 – Neighbourhood Commercial zone to the P3 – Parks & Open Spaces zone; and

portions of Lot 56, District Lot 1688S, SDYD, Plan KAP68647 Except Plan KAP71342, located at (S OF) South Crest Drive, Kelowna, BC from the P4 – Utilities zone to the RM2h – Low Density Row Housing (Hillside Area) zone;

as shown on Map “B” attached to the Report from the Community Planning Department dated March 26, 2018 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 execution of the Land Agreement between the City of Kelowna and the applicant;

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

3.2 Cantina Ct 680 & (S of) South Crest Dr - OCP17-0020 (BL11577) - Gillen Investments Inc and Emil Anderson Construction Co

Moved By Councillor Sieben/Seconded By Councillor Singh

R299/18/03/26 THAT Bylaw No. 11577 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

3.3 Cantina Ct 680 & (S of) South Crest Dr- Z17-0091 (BL11578) - Gillen Investments Inc and Emil Anderson Construction Co

Moved By Councillor Sieben/Seconded By Councillor DeHart

R300/18/03/26 THAT Bylaw No. 11578 be read a first time.

Carried

3.4 Lakeshore Rd 4329, Z17-0027 - William Bruce Povah

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Sieben

R301/18/03/26 THAT Rezoning Application No. Z17-0027 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 358, ODYD, Plan 31689 located at 4329 Lakeshore 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 March 26, 2018.

Carried

3.5 Lakeshore Rd 4329, Z17-0027 (BL11579) - William Bruce Povah

Moved By Councillor Stack/Seconded By Councillor DeHart

R302/18/03/26 THAT Bylaw No. 11579 be read a first time.

Carried

3.6 McClain Rd 4185, Z18-0009 - Bruce Merz

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Gray/Seconded By Councillor DeHart

R303/18/03/26 THAT Rezoning Application No. Z18-0009 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Sections 2 and 3 Township 26 Osoyoos Division Yale District Plan 7436, located at 4185 McClain Rd, Kelowna, BC from the

RR1 – Rural Residential zone to the RR1c – Rural Residential 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 Attachment A attached to the Report from the Community Planning Department dated February 1, 2018.

Carried

3.7 McClain Rd 4185, Z18-0009 (BL11580) - Bruce Merz

Moved By Councillor DeHart/Seconded By Councillor Stack

R304/18/03/26 THAT Bylaw No. 11580 be read a first time.

Carried

3.8 Ziprick Rd 255, Z17-0081 - Gurdeep Chahal and Palwinder Pannu

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Stack

R305/18/03/26 THAT Rezoning Application No. Z17-0081 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 Section 22 Township 26 ODYD Plan 26018, located at 255 Ziprick 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 Attachment "A" attached to the Report from the Community Planning Department dated September 5, 2017.

Carried

3.9 Ziprick Rd 255, Z17-0081 (BL11581) - Gurdeep Chahal and Palwinder Pannu

Moved By Councillor Stack/Seconded By Councillor DeHart

R306/18/03/26 THAT Bylaw No. 11581 be read a first time.

Carried

3.10 Laurier Ave 1018 and 1024 - Z18-0006 - Mottram Holdings LTD

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Singh

R307/18/03/26 THAT Rezoning Application No. Z18-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, District Lot 138, ODYD, Plan 3999 located at 1024 Laurier Avenue, Kelowna, BC from RM4 – Transitional Low Density zone to RM3 – Low Density Multiple Housing, be considered by Council;

AND THAT Rezoning Application No. Z18-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the East 50 Feet of Lot 5, District Lot 138, ODYD, Plan 578 located at 1018 Laurier Avenue, Kelowna, BC from RU6 – Two Dwelling Housing zone to RM3– Low Density Multiple Housing, 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 18, 2018;

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

3.11 Laurier Ave 1018 and 1024, Z18-0006 (BL11588) - Mottram Holdings LTD

Moved By Councillor Donn/Seconded By Councillor Given

R308/18/03/26 THAT Bylaw No. 11588 be read a first time.

Carried

3.12 Pooley Rd 3060, A17-0011 - Lawrence Neid RTC

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Sieben

R309/18/03/26 THAT Agricultural Land Reserve Appeal No. A17-0011 for Lot 2 Section 15 Township 26 ODYD Plan 6585, located at 3060 Pooley Road, Kelowna, BC for a non-farm use of agricultural land in the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, be supported by Council;

AND THAT Agricultural Land Reserve Appeal No. A17-0011 for Lot 2 Section 15 Township 26 ODYD Plan 6585, located at 3060 Pooley Road, Kelowna, BC for a subdivision of agricultural land in the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act, be supported by Council;

AND THAT Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Energy Step Code Implementation Strategy

Staff:

- Displayed a PowerPoint Presentation summarizing the Energy Step Code Implementation Strategy and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

R310/18/03/26 THAT Council receives, for information, the report from the Community Energy Specialist dated March 13, 2018, with respect to the Energy Step Code Implementation Strategy.

AND THAT Council direct staff to engage key stakeholders on the proposed Energy Step Code timeline and strategy for Kelowna.

Carried

4.2 Good Neighbour Bylaw Update

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Bylaw amendments and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Stack

R311/18/03/26 THAT Council receives for information, the report from the Crime Prevention Supervisor, dated March 19, 2018 pertaining to making amendments to the Good Neighbour Bylaw No 11500, and the Bylaw Notice Enforcement Bylaw No. 10475;

AND THAT Bylaw No 11546 being Amendment No. 1 to Good Neighbour Bylaw No. 11500 be forwarded for reading consideration;

AND THAT Bylaw No. 11566 being Amendment No. 20 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration;

AND FURTHER THAT Council rescind City of Kelowna Panhandling Bylaw No 8214.

Carried

Councillors Donn, Hodge and Sieben - Opposed

Moved By Councillor Given/Seconded By Councillor Stack

R312/18/03/26 THAT Council direct staff to review the Busker Program with Festivals Kelowna and the Arts community and report back to Council.

Carried

Councillor Donn - Opposed

Moved By Councillor Sieben/Seconded By Councillor Stack

R313/18/03/26 THAT Council direct staff to undertake a Communications campaign to inform the public about the challenges faced on City streets and how bylaws can be used to assist with this.

Carried

4.3 BL11546 - Amendment No. 1 to Good Neighbour BL11500

Moved By Councillor Given/Seconded By Councillor Gray

R314/18/03/26 THAT Bylaw No. 11546 be read a first, second and third time.

Carried

Councillors Donn, Hodge and Sieben - Opposed

4.4 BL11566 - Amendment No. 20 to Bylaw Notice Enforcement Bylaw No. 10476

Moved By Councillor Gray/Seconded By Councillor Given

R315/18/03/26 THAT Bylaw No. 11566 be read a first, second and third time.

Carried

Councillors Donn, Hodge and Sieben - Opposed

Moved By Councillor Sieben/Seconded By Councillor Hodge

R316/18/03/26 THAT Council direct staff to report back to Council identifying which sections of the Bylaw Notice Enforcement Bylaw will be subject to an education campaign prior to Bylaw Notice fines being issued.

Carried

4.5 Kelowna Community Health Services Centre Public Art - Memorandum of Understanding

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed location of the public art project and the details of the Memorandum of Understanding rules and responsibilities and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Gray

R317/18/03/26 THAT Council receives, for information, the report from the Planner Specialist, Parks & Buildings Planning dated March 26, 2018, with respect to the Kelowna Community Health Services Centre Public Art - Memorandum of Understanding (MOU).

AND THAT Council authorizes the Parks & Building Planning Manager to enter into a MOU for an equal cost sharing partnership between Doyle Property Holdings Ltd. and the City of Kelowna for the commissioning of a new public artwork, as outlined in this report;

AND THAT Council direct staff to report back to Council with the City's share of the project costs in the form of a Cost Sharing Agreement.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1 Sufficiency Report for South Perimeter Road and Gordon Drive Extension

Moved By Councillor Sieben/Seconded By Councillor Singh

R318/18/03/26 THAT Council receive for information the report from the City Clerk dated March 26, 2018 pertaining to the Certificate of Sufficiency for the South Perimeter Road and Gordon Drive Extension project;

AND THAT Bylaw No. 11554 being South Perimeter Road and Gordon Drive Extension Development Cost Charge Frontending Agreement Authorization Bylaw be adopted.

Carried

5.2 BL11554 - South Perimeter Road & Gordon Drive Extension

Moved By Councillor Given/Seconded By Councillor Donn

R319/18/03/26 THAT Bylaw No. 11554 be adopted.

Carried

5.3 BL11556 - Road Closure and Removal of Highway Dedication - Portion of Loughheed Road

Moved By Councillor Donn/Seconded By Councillor Given

R320/18/03/26 THAT Bylaw No. 11556 be adopted.

Carried

6. Mayor and Councillor Items

Councillor Hodge:

- Condolences to Wayne Moore on his mother's passing.

Councillor Sieben:

- Condolences to the family of former Councillor Barrie Clark.
- Thanked the City Manager for his wisdom and service.

Mayor Basran:

- Acknowledged the retirement of Dr. Broome after 40 years and thanked him for his community service.

7. Termination

This meeting was declared terminated at 5:28 p.m.

Mayor Basran

/acm



City Clerk