



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, February 1, 2016  
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, Urban Planning Manager, Terry Barton\*; Community Planning Department Manager, Ryan Smith\*; Planner Specialist, Melanie Steppuhn\*; Suburban & Rural Planning Manager, Todd Cashin\*; Deputy City Manager, Paul Macklem\*; Cultural Services Manager, Sandra Kochan\*; Community Recreation Coordinator, Caroline Ivey\*; Community & Neighbourhood Services Manager, Louise Roberts\*; Long Range Policy Planning Manager, James Moore\*; Property Management Manager, Mike Olson\*; Council Recording Secretary, Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:32 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 feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

### 2. Confirmation of Minutes

Moved By Councillor Sieben/Seconded By Councillor Stack

R070/16/02/01 THAT the Minutes of the Regular Meetings of January 25, 2016 be confirmed as circulated.

Carried

### 3. Development Application Reports & Related Bylaws

#### 3.1 1750 Pier Mac Way, DP16-0008 - 0942484 BC Ltd.

Councillor Sieben declared a conflict of interest as a relative owns a business directly across the street and this development permit would have an impact on his business and departed the meeting at 1:33 p.m.

Staff:

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

Mayor invited the Applicant or Applicant's Representative to come forward.

Alex Polacco, Vice President Mission Group Commercial

- Commented that Tim Horton's will help attract other quality candidates.
- Advised that Tim Horton's concerns with this location was having adequate visibility from the highway.
- Advised that Tim Horton's will not proceed without Council's support.
- Displayed a PowerPoint presentation and responded to questions from Council.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Singh

**R071/16/02/01** THAT Council authorizes the issuance of Development Permit No. DP16-0008 for Lot A, Section 14, Township 23, ODYD, Plan EPP47885, located on 1750 Pier Mac Way, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The Landscape Performance Security deposit from the original Development Permit (DP14-0260) be utilized to ensure the works identified in DP16-0008 are provided.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Applications in order for the permit 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

Councillor Seiben returned to the meeting at 2:26 p.m.

### **3.2 2115 Rutland Road, 175 Old Vernon Road & 219 Old Vernon Road, A15-0013 - Bikar Johal**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Given

**R072/16/02/01** THAT Agricultural Land Reserve Appeal No. A15-0013 for portions of Lot 1 Section 35 Township 26 ODYD Plan 4375, located at 2115 Rutland Road North; Lot 11 Section 35 Township 26 ODYD Plan 4375, located at 175 Old Vernon Road; and Lot 12 Section 35 Township 26 ODYD Plan 4375, located at 219 Old Vernon Road; as outlined in Schedule 'A', attached to the staff report dated February 1, 2016, for an exclusion of agricultural land in the Agricultural Land Reserve (ALR) pursuant to Section 30 of the Agricultural Land Commission (ALC) Act, be supported by Council;

AND THAT Council's support be subject to:



An Agrology Report which includes:

Agricultural mitigation measures, including the potential for soil salvage and its relocation to other farm properties in the ALR;  
A cost estimate and corresponding bonding for soil relocation and mitigation measures;  
and

A Final Report by an Agrologist stating that mitigation measures have been completed.

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

Carried

### 3.3 665 Harmony Court, Z15-0035 - John Keith & Nicolette Keith

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Hodge

R073/16/02/01 THAT Rezoning Application No. Z15-0035 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7, District Lot 357, Similkameen Division Yale District, Plan 27103 located at 665 Harmony Court, 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 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 July 10, 2015.

Carried

### 3.4 665 Harmony Court, BL11197 (Z15-0035) - John Keith & Nicolette Keith

Moved By Councillor Hodge/Seconded By Councillor Given

R074/16/02/01 THAT Bylaw No. 11197 be read a first time.

Carried

### 3.5 5008 South Ridge Drive, Z15-0064 - Emil Anderson Construction Co. Ltd. et al

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Sieben

R075/16/02/01 THAT Rezoning Application No. Z15-0064 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, DL 1688S SDYD Plan KAP68647 located at 5008 South Ridge Dr., Kelowna, BC from the C1 - Local Commercial zone to the C2 - Neighbourhood 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 as set out in Schedule "A" attached to the Report from the Community Planning Department dated February 1, 2016;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a restrictive covenant on title precluding the use of the property for a gas bar.

Carried

**3.6 5008 South Ridge Drive, BL11198 (Z15-0064) - Emil Anderson Construction Co. Ltd.**

Moved By Councillor Gray/Seconded By Councillor Hodge

R076/16/02/01 THAT Bylaw No. 11198 be read a first time.

Carried

**3.7 1170 Highway 33 W, Z15-0041 - Kneller Holdings Ltd.**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Donn

R077/16/02/01 THAT Rezoning Application No. Z15-0041 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Parcel B (Plan B1566) of Lot 4, Section 26 & 27, Township 26, ODYD, Plan 426 Except Plans 8449, 21711, 24898, KAP58053 and KAP58054, located on 1170 Hwy 33 W, Kelowna, BC from the RU1 - Large Lot Housing zone to RM3 - Low Density Multiple Housing zone, be considered by Council;

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

AND THAT final adoption of the Zone Amending Bylaw be subsequent to the outstanding conditions of approval as set out in Attachment "A" connected to the Report from Community Planning Department dated February 1<sup>st</sup> 2015;

AND THAT final adoption of the Zone Amending Bylaw be subsequent to the closure of Kneller Road;

AND THAT final adoption of the Zone Amending Bylaw be subsequent to the registration of a subdivision that creates the newly aligned Gertsmar Road extension and consolidates the subject property with closed portions of Kneller Road;

AND THAT final adoption of the Zone Amending Bylaw be subsequent to the legal description noted in the Zone Amending Bylaw be amended to only include the portions of the property south of Gertsmar Road and the Kneller Road closed portions;

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 subdivided and consolidated portion of the subject property.

Carried



### 3.8 1170 Highway 33 W, BL11199 (Z15-0041) - Kneller Holdings Ltd.

Moved By Councillor Given/Seconded By Councillor Gray

R078/16/02/01 THAT Bylaw No. 11199 be read a first time.

Carried

### 3.9 1627 Abbott Street, DP15-0309 - Accent Inns Inc.

Staff:

- Displayed a PowerPoint presentation summarizing the application.

Councillor Dehart declared a conflict of interest as her employer is a major hotel chain and left the meeting at 3:09 p.m.

Staff:

- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

R079/16/02/01 THAT Council authorizes the issuance of Development Permit No. DP15-0309 for Lot 9, Block 10, DL 139, ODYD, Plan 462; Lot 4, Block 11, DL 139, ODYD Plan 462; Lot 2, Block 11, DL 139, ODYD, Plan 462; Lot 1, Block 11, DL 139, ODYD, Plan 462; and Lot 3, Block 11, DL 139, ODYD Plan 462 located at 1627 Abbott 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";

AND THAT Council's consideration of this Development Permit 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 February 15, 2016;

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

Councillor DeHart returned to the meeting at 3:20 p.m.

## 4. Non-Development Reports & Related Bylaws

### 4.1 Quarterly Report Update

Staff:

- Displayed a PowerPoint presentation summarizing the quarterly report and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Sieben

R080/16/02/01 THAT Council receives, for information, the Quarterly Report from the Deputy City Manager, dated Jan. 27, 2016.

Carried

#### 4.2 Glenn Avenue School - Structural Repairs

Mayor Basran:

- Advised that this item has been withdrawn.

#### 4.3 2016 Professional Operating Grants

Staff:

- Provided a summary of the 2016 Operating Grants and guidelines recommendations and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Singh

**R081/16/02/01** THAT Council receives, for information, the report dated February 1, 2016 from the Cultural Services Manager;

AND THAT Council approves the 2016 Professional Operating Grants as recommended in the report dated February 1, 2016 from the Cultural Services Manager, for the following organizations:

\$62,000 to the Okanagan Symphony Society;  
 \$36,000 to the Kelowna Ballet Society;  
 \$26,000 to the Okanagan Artists Alternative Association (operating as Alternator Centre for Contemporary Art); and  
 \$16,000 to the Bumbershoot Children's Theatre Society.

Carried

#### 4.4 2016 Cultural Operating and Project Grants

Staff:

- Displayed a PowerPoint Presentation outlining the cultural operating and project grants and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

**R082/16/02/01** THAT Council receives, for information, the list of 2016 recipients for cultural General Operating and Project Grants as outlined in the report from the Cultural Services Manager dated February 1, 2016;

AND THAT staff report back to Council with recommendations for disposition of \$5,000 remaining undistributed in the General Operating Program;

AND FURTHER THAT \$7,112 remaining undistributed in the Project Program be used as needed to support 2016 Organization Development Grants;

AND FURTHER THAT staff report back to Council with recommendations for disposition of any Project Program funds remaining undistributed after adjudication of the 2016 Organization Development Grants.

Carried

#### 4.5 Youth Development and Engagement Grant Program

Staff:

- Displayed a PowerPoint Presentation outlining the merits of a Youth Development and Engagement Grant and responded to questions from Council.



Moved By Councillor Sieben/Seconded By Councillor Donn

**R083/16/02/01** THAT Council receives, for information, the report from the Community & Neighbourhood Services Manager dated February 01, 2016, which outlines Youth Development and Engagement Grant Guidelines;

AND THAT Council approves the Youth Development and Engagement Grant Guidelines and directs staff to implement the Youth Development and Engagement Grant as outlined in the report dated February 01, 2016;

AND FURTHER THAT Council approves re-allocation of funding for the Mayor's Youth Forum to the Youth Development and Engagement Grant Program.

Carried

#### **4.6 Heritage Review - Steering Committee Terms of Reference**

Staff:

- Displayed a PowerPoint Presentation outlining the Heritage Committee Terms of Reference and responded to questions from Council.

Moved By Councillor Gray/Seconded By Councillor Given

**R084/16/02/01** THAT Council receives the report from the Long Range Policy Planning Manager, Policy & Planning Department, dated February 1, 2016, regarding the Heritage Council Steering Committee Terms of Reference as information;

AND THAT Council endorse the Heritage Council Steering Committee Terms of Reference, as attached to the report of the Long Range Policy Planning Manager, Policy & Planning Department, dated February 1, 2016.

Carried

#### **4.7 759 Crowley Ave - Commercial Lease to Pyramid Excavation Corporation**

Moved By Councillor Sieben/Seconded By Councillor Singh

**R085/16/02/01** THAT Council approves the City entering into a three (3) year Lease and License of Occupation Agreement, with Pyramid Excavation Corporation, for the purpose of storage and repair of road construction equipment, with the option to renew for two (2) additional one (1) year terms, in the form attached to the Report of the Property Manager, dated February 1, 2016;

AND FURTHER THAT the 2016 Financial Plan be amended to include the rental rate increase as outlined in the Report of the Property Manager dated February 1, 2016.

Carried

### **5. Mayor and Councillor Items**

Councillor Donn:

- Spoke to the great work being done by the Safe Schools Committee.

Councillor Gray:

- Spoke to her attendance at the Kelowna Fire Department Recognition Awards Ceremony.
- Spoke to the upcoming Canadian Culinary Championships; February 5 and 6<sup>th</sup>.

Councillor Hodge:

- Represented Council at a SILGA meeting last Wednesday.
- Noted the upcoming Community Sports Awards on Wednesday, February 10<sup>th</sup>.

Councillor DeHart:

- Spoke to her recent attendance at former Premier Bill Bennett's Celebration of Life.

Councilor Stack:

- Spoke to his attendance and success of UBCO's Giant Walk through the Brain Event held at the Community Theatre.

Mayor Basran:

- Reminder of the Chinese New Year's Celebration this Saturday at the Laurel Packing House.
- Reminder of Ballet Kelowna's first performance this Saturday.

## 6. Termination

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

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Mayor

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City Clerk