



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, June 11, 2018  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Members Present Mayor Basran\*; Deputy Mayor Maxine DeHart, Councillors Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Mohini Singh and Brad Sieben

Members Absent Councillor Luke Stack

Staff Present Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Cultural Services Manager, Christine McWillis\*; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist\*; Urban Planning Manager, Terry Barton\*; Planner, Kim Brunet\*; Community Planning Department Manager, Ryan Smith\*; Long Range Policy Planning Manager, James Moore\*; Policy & Planning Department Manager, Danielle Noble-Brandt\*; Planner Specialist, Ross Soward\*; Parks & Buildings Planning Manager, Robert Parlane\*; Sustainability Coordinator, Michelle Kam\*; Real Estate Services Manager, Johannes Saufferer\*; Divisional Director, Active Living & Culture, Jim Gabriel\*; Sport & Event Services Manager, Doug Nicholas\*; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Deputy Mayor DeHart called the meeting to order at 1:32 p.m.

Deputy Mayor DeHart 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 Singh

R566/18/06/11 THAT the Minutes of the Regular Meetings of May 28, 2018 be confirmed as circulated.

Carried

### 3. Public in Attendance

### 3.1 Kelowna Art Gallery

Staff:

- Introduced Executive Director of the Kelowna Art Gallery, Nataley Nagy.

Nataley Nagy, Executive Director of the Kelowna Art Gallery

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

Mayor Basran joined the meeting and assumed the Chair at 1:40 p.m.

Moved By Councillor Singh/Seconded By Councillor Hodge

**R567/18/06/11** THAT Council receives, for information, the presentation from the Executive Director of the Kelowna Art Gallery regarding the 2018 annual activities.

**Carried**

### 4. Development Application Reports & Related Bylaws

#### 4.1 Hwy 33 E 1759, Z17-0065 - Ki-Low-Na Friendship Society, Inc. No. S-10638

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor DeHart

**R568/18/06/11** THAT Rezoning Application No. Z17-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot B, Section 18, Township 27, ODYD, Plan 29386, located at 1759 Highway 33 E, Kelowna, BC from the RU1 – Large Lot Housing zone and P2 – Educational & Minor Institutional zone to the RM3 – Low Density Multiple Housing zone as shown on Map “A” attached to the Report from the Community Planning Department dated May 28, 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 issuance of an Environmental Development Permit to establish required protection of the environmentally sensitive areas and the SROW for public access;

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 May 28, 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**

#### 4.2 Hwy 33 E 1759, Z17-0065 (BL11625) - Ki-Low-Na Friendship Society, Inc. No. S-10638

Moved By Councillor Hodge/Seconded By Councillor Gray

**R569/18/06/11** THAT Bylaw No. 11625 be read a first time.

**Carried**

#### **4.3 Abbott St 2195, Z18-0041 - Gordon and Karen Lovegrove**

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Sieben

**R570/18/06/11** THAT Rezoning Application No. Z18-0041 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 District Lot 14 Osoyoos Division Yale District Plan 3393, located at 2195 Abbott Street, 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 final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

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

Carried

#### **4.4 Abbott St 2195, Z18-0041 (BL11626) - Gordon and Karen Lovegrove**

Moved By Councillor Gray/Seconded By Councillor Hodge

**R571/18/06/11** THAT Bylaw No. 11626 be read a first time.

Carried

#### **4.5 Bach Rd 440, Z18-0020 – Richard Therrien and Jeffery Good**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Given

**R572/18/06/11** THAT Rezoning Application No. Z18-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, Section 26, Township 26, Osoyoos Division, Yale District, Plan 22499, located at 440 Bach Road, 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 final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

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

Carried

#### **4.6 Bach Rd 440, Z18-0020 (BL11627) - Richard Therrien and Jeffery Good**

Moved By Councillor Hodge/Seconded By Councillor Gray

**R573/18/06/11** THAT Bylaw No. 11627 be read a first time.

Carried

#### **4.7 Fleming Rd 500, Z17-0040 (BL11486) - Urban Park Townhomes Development Ltd**



Moved By Councillor Donn/Seconded By Councillor Given

R574/18/06/11 THAT Bylaw No. 11486 be amended at third reading by revising the legal description.

Carried

Moved By Councillor Donn/Seconded By Councillor Given

R567/18/06/11 THAT Bylaw No. 11486 as amended be adopted.

Carried

#### **4.8 Fleming Rd 500, DP17-0096 - Urban Park Townhomes Development Ltd**

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Gray

R575/18/06/11 THAT Rezoning Bylaw No. 11486 be amended at third reading to revise the legal description of the subject properties from Lot 1 Section 27 Township 26 ODYD Plan 10847 except Plan A12943, Lot A Section 27 Township 26 ODYD Plan KAP79327 and Lot B Section 27 Township 26 ODYD Plan KAP79327 to Lot 1 Section 27 Township 26 ODYD Plan EPP77221;

AND THAT final adoption of Rezoning Bylaw No. 11486 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0096 for Lot 1 Section 27 Township 26 ODYD Plan EPP77221, located at 500 Fleming 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 Council's consideration of this Development Permit 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 June 20, 2017;

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 Hodge - Opposed

#### **5. Bylaws for Adoption (Development Related)**

##### **5.1 Dougall Rd N 490, Z17-0101 (BL11614) - Jaspreet Sekton**

Moved By Councillor Donn/Seconded By Councillor Given

**R576/18/06/11** THAT Bylaw No. 11614 be adopted.

**Carried**

## **5.2 Hubbard Rd 814, Z18-0014 (BL11615) - James & Robin Wilson**

Moved By Councillor Hodge/Seconded By Councillor Donn

**R577/18/06/11** THAT Bylaw No. 11615 be adopted.

**Carried**

## **6. Non-Development Reports & Related Bylaws**

### **6.1 Capri-Landmark Urban Centre Plan - Implementation Approach**

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed implementation approach for the Capri-Landmark Urban Centre Plan and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

**R578/18/06/11** THAT Council receives the report from the Planner Specialist, dated June 11, 2018 regarding the implementation strategy for the Capri-Landmark Plan;

AND THAT Council endorses in principle the approach to implementation as described in the report, from the Planner Specialist, dated June 11, 2018 to guide the final phase of the Capri-Landmark Plan process;

AND FURTHER THAT Council directs staff to move forward with landowner consultation on the implementation approach.

**Carried**

Councillor Sieben - Opposed

### **6.2 Parks Development Funding Strategy**

Staff and Guest, Joel Short, Urban Systems:

- Displayed a PowerPoint Presentation summarizing the various funding options and priorities for parks development and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Hodge

**R579/18/06/11** THAT Council receives for information, the report from the Parks & Building Planning Manager dated June 11, 2018, with respect to Parks development funding;

AND THAT Council directs staff to prepare a draft Parks Development DCC, engage with the public and key stakeholders on the proposal, and report back to Council on how to proceed with implementing a Parks Development DCC;

AND THAT Council directs staff to investigate, through coordination with the 10 year capital plan, the impacts and benefits of creating a specific 'Infrastructure Levy' percentage on taxation to address general infrastructure deficits, and report back to Council;

AND THAT Council directs staff to confirm the potential taxation capital funding shift from Linear Parks acquisition funding, to parks development funding, in tandem with preparing a draft Linear Parks Acquisition DCC, engage with the public and key stakeholders on the proposal, and report back to Council;



AND THAT Council directs staff to prepare a draft Parks DCC for Commercial and Industrial zoned properties, engage with the public and key stakeholders on the proposal, and report back to Council on how to proceed with implementing a Commercial/Industrial Parks DCC;

AND THAT Council directs staff to research a range of options to reduce the parks DCC taxation assist, engage with the public and key stakeholders on the proposal, and report back to Council on the implementation of such a reduction;

AND FURTHER THAT Council directs staff to evaluate and assess impacts of transferring funds to existing parks and undeveloped park sites from parking, leases, property rentals, concessions, and other revenues, as defined in the attached report and report back to Council on implementation.

Carried

### **6.3 Community for All Action Plan Implementation Progress Update**

Staff:

- Displayed a PowerPoint Presentation summarizing the Community for Action Plan implemented in 2017 and the plans for 2018 and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

R580/18/06/11 THAT Council receives, for information, the report from the Sustainability Coordinator dated June 11, 2018, with respect to the Community for All Action Plan Implementation Progress Update.

Carried

### **6.4 License Agreement – Freedom Mobile**

Staff:

- Displayed a PowerPoint Presentation summarizing the license agreement.

Moved By Councillor Sieben/Seconded By Councillor Singh

R581/18/06/11 THAT Council approves the City entering into a five (5) year Building Licence Agreement, with Freedom Mobile Inc., for the installation of telecommunication facility at the City-owned site at 4075 Gordon Drive, with the option to renew for an additional three (3) five (5) year terms, as per the terms and conditions outlined in the form attached to the Report of the Manager, Real Estate Services, dated June 11, 2018;

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete this agreement;

AND THAT the 2018 Financial Plan be amended to accommodate the revenue to be received;

AND FURTHER THAT all proceeds generated by this agreement, estimated to total \$417,690.00 over the five (5) year term and the three (3) allowable extension periods, be credited to the Land Sales Reserve.

Carried

### **6.5 Kelowna Curling Club Loan Request**

Staff:

- Displayed a PowerPoint Presentation summarizing the reasons for the loan request and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor DeHart

**R582/18/06/11** THAT Council receives the report from the Division Director, Active Living & Culture dated June 11, 2018 regarding a loan request from the Kelowna Curling Club;

AND THAT the 2018 Financial Plan be amended to include a loan to the Kelowna Curling Club of up to \$300,000 funded from the Curling Club Improvement Reserve where \$50,000 would be non-repayable as outlined in the report from the Divisional Director, Active Living & Culture, dated June 11, 2018;

AND THAT Council supports an application by the Kelowna Curling Club to the Community Gaming Grants Branch seeking a 2018 Capital Project Grant of \$150,000 for replacement of the roof at the Kelowna Curling Club facility on Recreation Avenue;

AND THAT the Division Director, Active Living & Culture, be authorized to execute all documents necessary to document the loan and support an application by the Kelowna Curling Club to the Community Gaming Grants Branch;

AND FURTHER THAT staff provide an update when the results of the Community Gaming Grant application are known.

**Carried**

#### **6.6 Rutland Arena Dressing Room Renovations**

Staff:

- Provided an overview and rationale of the Rutland Arena dressing room renovations.

Moved By Councillor Donn/Seconded By Councillor Given

**R583/18/06/11** THAT Council receives for information, the report from the Sport & Event Services Manager dated June 11, 2018, with respect to renovating the dressing rooms at the Rutland Arena;

AND THAT the 2018 Financial Plan be amended to include up to \$100,000 funded from the Arenas Reserve to support the renovations at the Rutland Arena as outlined in the report dated June 11, 2018.

**Carried**

#### **7. Bylaws for Adoption (Non-Development Related)**

##### **7.1 Valley Rd 720, (BL11507) - Housing Agreement Authorization Bylaw - Valley Land Subdivision Ltd**

Moved By Councillor Singh/Seconded By Councillor DeHart

**R584/18/06/11** THAT Bylaw No. 11507 be adopted.

**Carried**

##### **7.2 Pacific Avenue 1155, (BL11567) Housing Agreement Authorization Bylaw - Necessary Homes Inc.**

Moved By Councillor DeHart/Seconded By Councillor Singh

**R585/18/06/11** THAT Bylaw No. 11567 be adopted.

Carried

- 7.3 KLO Road 1360, (BL11568) - Housing Agreement Authorization Bylaw - Summerwood Retirement Resort Holding Corporation

Moved By Councillor DeHart/Seconded By Councillor Singh

R586/18/06/11 THAT Bylaw No. 11568 be adopted.

Carried

- 7.4 Lakeshore Rd 3477-3499, (BL11610) - Housing Agreement Authorization Bylaw - 0984342 BC Ltd Inc.

Moved By Councillor Singh/Seconded By Councillor DeHart

R587/18/06/11 THAT Bylaw No. 11610 be adopted.

Carried

- 7.5 BL11624 - Amendment No. 10 to Council Remuneration and Expense Bylaw No. 7547

Moved By Councillor Singh/Seconded By Councillor DeHart

R588/18/06/11 THAT Bylaw No. 11624 be adopted.

Carried

8. Mayor and Councillor Items – Nil.

9. Termination

This meeting was declared terminated at 5:24 p.m.

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Mayor Basran

  
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City Clerk

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Deputy Mayor DeHart

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