



City of Kelowna

Regular Council Meeting

Minutes

Date: Monday, July 30, 2018
 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, Doug Gilchrist; City Clerk, Stephen Fleming; Cultural Services Manager, Christine McWillis*; Revenue Supervisor, Angie Schumacher*; Acting Divisional Director, Community Planning & Strategic Investments, Derek Edstrom*; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Suburban and Rural Planning Manager, Dean Strachan*; Planner II, Tracey Hillis*; Policy & Planning Department Manager, Danielle Noble-Brandt*; OCP Project Planner, Robert Miles*; Integrated Transportation Department Manager, Rafael Villarreal*; Transportation Planner, Cameron Taylor-Noonan*; Utilities Services Manager, Kevin Van Vliet*; Biosolids Supervisor, Jose Garcia*; and Acting Legislative Services Supervisor, 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 Singh

R693/18/07/30 THAT the Minutes of the PM Meeting of July 16, 2018 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 Kelowna Museums Society

Staff:

- Introduced Linda Digby, the Executive Director of the Kelowna Museums Society.

Linda Digby, Executive Director, Kelowna Museums Society:

- Displayed a PowerPoint presentation summarizing the annual activities for the Society and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Stack

R694/18/07/30 THAT Council receives, for information, the annual update from the Executive Director, Kelowna Museums Society dated July 30, 2018.

Carried

Mayor Basran advised that Items 6.1 and 6.2 on the Agenda are being moved forward and will be dealt with immediately.

6. Non-Development Reports & Related Bylaws

6.1 Renewal of Kelowna Downtown Business Improvement Area

Staff:

- Introduced the representatives from the Downtown Kelowna Association, Interim Executive Director, Layla Mille, and President, and Yarden Gershony, and provided an introduction for the renewal of the Kelowna Downtown Business Improvement Area.

Layla Miller, Interim Executive Director, Downtown Kelowna Association:

- Displayed a PowerPoint presentation summarizing the activities of the Downtown Kelowna Association.
- Confirmed that there are no boundary changes for the 2019-2023 Business Improvement Area.
- Provided information on the levy proposed for 2019-2023.
- Responded to questions from Council.

Yarden Gershony, President, Downtown Kelowna Association:

- Responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Stack

R695/18/07/30 THAT Council approves the renewal of a specified area for the purpose of annually funding, over a 5-year period, the Kelowna Downtown Business Improvement Area pursuant to Section 215 of the Community Charter, for the properties included within the boundary as outlined on Schedule "A" to the report of the Revenue Supervisor dated July 30, 2018;

AND THAT Bylaw 11645 being Kelowna Downtown Business Improvement Area Bylaw be advanced for reading consideration;

AND FURTHER THAT 4:00 p.m., Monday, September 10, 2018 be set as the deadline for receipt of petitions against the proposed Kelowna Downtown Business Improvement Area renewal bylaw.

Carried

6.2 BL11645 - Kelowna Downtown Business Improvement Area Renewal (2019-2023)

Moved By Councillor DeHart/Seconded By Councillor Stack

R696/18/07/30 THAT Bylaw No. 11645 be read a first, second and third time.

Carried

4. Development Application Reports & Related Bylaws

4.1 Taylor Rd 235, Z17-0088 - 0725353 BC Ltd

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Gray

R697/18/07/30 THAT Rezoning Application No. Z17-0088 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 22, Township 26, ODYD, Plan 10497 located at 235 Taylor Road, 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 October 3, 2017;

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

4.2 Taylor Rd 235, Z17-0088 (BL11648) - 0725353 BC Ltd

Moved By Councillor Given/Seconded By Councillor Donn

R698/18/07/30 THAT Bylaw No. 11648 be read a first time.

Carried

4.3 McCarthy Rd 9570 & 9580, Z18-0050 - The Flowr Group

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Hodge

R699/18/07/30 THAT Rezoning Application No. Z18-0050 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of The Northerly 92.5 feet of Lot 3 measured along the east boundary of the said lot by the full depth thereof shown on Plan B15892 Section 11 Township 20 ODYD Plan 4273 and Lot 2 Section 11 Township 20 ODYD Plan 4273, located at 9570 and 9580 McCarthy Road, Kelowna, BC from the A1 – Agriculture 1 zone to the I2 – General Industrial 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 16, 2018;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration on title of a Section 219 Parking Covenant to ensure adequate parking is provided for the proposed development.

Carried

4.4 McCarthy Rd 9570 & 9580, Z18-0050 (BL11649) - The Flowr Group

Moved By Councillor Donn/Seconded By Councillor Given

R700/18/07/30 THAT Bylaw No. 11649 be read a first time.

Carried

4.5 Paret Rd 820, Z18-0046 - Lisa and Edward Berk

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Sieben

R701/18/07/30 THAT Rezoning Application No. Z18-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 District Lot 579 SDYD Plan 15130, located at 820 Paret 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 the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

Carried

4.6 Paret Rd 820, Z18-0046 (11650) - Lisa and Edward Berk

Moved By Councillor Given/Seconded By Councillor Donn

R702/18/07/30 THAT Bylaw No. 11650 be read a first time.

Carried

4.7 Raymer Rd 4624, Z18-0035, Montemurro Industries Inc.

Staff:

- Displayed a PowerPoint presentation summarizing the rezoning application.

Moved By Councillor Donn/Seconded By Councillor Singh

R703/18/07/30 THAT Rezoning Application No. Z18-0035 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 357, ODYD, Plan 17105, located at 4624 Raymer Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot 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 Attachment "A" attached to the Report from the Community Planning Department dated April 11, 2018;

AND FURTHER THAT a maintenance access easement be registered on the title of the subject property prior to final adoption;

Carried

4.8 Raymer Rd 4624, Z18-0035 (BL11652) - Montemurro Industries Inc.

Moved By Councillor Hodge/Seconded By Councillor Gray

R704/18/07/30 THAT Bylaw No. 11652 be read a first time.

Carried

4.9 Curlew Dr 521, Z17-0049 (BL11467) - Derek & Tammy Cartier

Staff:

- Displayed a PowerPoint presentation summarizing additional details with respect to the rezoning application.

Moved By Councillor Given/Seconded By Councillor Singh

R705/18/07/03 THAT Council receives, for information, the Supplemental Report to Council from the Community Planning Department dated July 30th, 2018 regarding clarification of the siting of the carriage house;

AND THAT the Public Hearing with respect to the Rezoning Application No. Z17-0049 for the property located at 521 Curlew Drive be re-opened;

AND FURTHER THAT Rezoning Bylaw No. 11467 be forwarded to a Public Hearing for further consideration.

Carried

4.10 Abbott St 3031, Rezoning Extension Application Z16-0048 - Calvin & Sunok Condy

Staff:

- Provided the rationale for the extension request.

Moved By Councillor Singh/Seconded By Councillor Sieben

R706/18/07/30 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 11337, be extended from January 10, 2018 to January 10, 2019;

AND THAT Council directs Staff to not accept any further extension requests.

Carried

4.11 Nickel Rd 280, Rezoning Extension Application Z16-0064 - 1126112 Alberta Ltd

Staff:

- Provided the rationale for the extension request.

Moved By Councillor Hodge/Seconded By Councillor Gray

R707/18/07/30 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 11403, be extended from May 30, 2018 to May 30, 2019;

AND THAT Council directs Staff to not accept any further extension requests.

Carried

4.12 Lakeshore Rd 4264, Rezoning Extension Application Z17-0037 - Joseph Crosara & Elizabeth Shelton

Staff:

- Provided the rationale for the extension request.

Moved By Councillor Hodge/Seconded By Councillor Singh

R708/18/07/30 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 11444, be extended from August 15, 2018 to August 15, 2019 the RU1-Large Lot Housing zone to the RU6-Two Dwelling Housing zone;

AND THAT Council directs Staff to not accept any further extension requests.

Carried

4.13 Powick Rd 1604-1620 (HWY 97 N 2486), Z12-0060 - Rescindment of BL10788 - Kelowna Hwy 97/Hwy 33 Holding Ltd

Staff:

- Provided the rationale for rescinding the application.

Moved By Councillor Stack/Seconded By Councillor DeHart

R709/18/07/30 THAT Council receives, for information, the Report from the Community Planning Department dated July 3, 2018 with respect to Rezoning Application No. Z12-0060 for the property located at 2486 Hwy 97 N, Kelowna, BC;

AND THAT Bylaw No. 10788 be forwarded for rescindment consideration and the file be closed.

Carried

4.14 Powick Rd 1604-1620 (HWY97 N 2486), Z12-0060 (BL10788) - 989677 Alberta Ltd

Moved By Councillor Hodge/Seconded By Councillor Gray

R710/18/07/30 THAT first reading given to Bylaw No. 10788 be rescinded;

AND THAT the file for Rezoning Application No. Z12-0060 for the property located at 2486 Highway 97 North be closed.

Carried

4.15 Old Vernon Rd 155-165 & Rutland Ct 2155-2165, LUCT17-0003 & Z18-0005 - Cornel Epp and Terra Landscaping & Boback Services Ltd & CGSB Automotive Group Ltd

Staff:

- Provided the rationale for rescinding the rezoning bylaw.

Moved By Councillor Stack/Seconded By Councillor Sieben

R711/18/07/30 THAT Council receives, for information, the Report from the Community Planning Department dated July 30, 2018 with respect to Rezoning Application No. Z18-0005 and Land Use Contract Termination LUCT17-0003 for the properties located at 155-156 Old Vernon Rd and 2155-2165 Rutland Ct;

AND THAT Rezoning Bylaw No. 11600 be forwarded for rescindment consideration and the file be closed;

AND FURTHER THAT adoption for Land Use Contract Termination Bylaw No. 11599 be considered by Council.

Carried

4.16 Old Vernon Rd 155-165 & Rutland Ct 2155-2165, Z18-0005 (BL11600) - Cornel Epp and Terra Landscaping & Boback Services Ltd & CGSB Automotive Group Ltd

Moved By Councillor Hodge/Seconded By Councillor Donn

R712/18/07/30 THAT first, second and third readings given to Bylaw No. 11600 be rescinded;

AND THAT the file for Rezoning Application No. Z18-0005 for the property located at 155-156 Old Vernon Road and 2155-2165 Rutland Court be closed.

Carried

- 4.17 Old Vernon Rd 155-165 & Rutland Ct 2155-2165, LUCT17-0003 (BL11599) - Cornel Epp and Terra Landscaping & Bobcat Services Ltd & CGSB Automotive Group

Moved By Councillor Stack/Seconded By Councillor DeHart

R713/18/07/30 THAT Bylaw No. 11599 be adopted.

Carried

5. Bylaws for Adoption (Development Related)

- 5.1 Gordon Dr 4611, Z17-0075 (BL11521) - David & Sandra Marshall

Moved By Councillor DeHart/Seconded By Councillor Stack

R714/18/07/30 THAT Bylaw No. 11521 be adopted.

Carried

- 5.2 Harvey Ave 1033, Z18-0025 (BL11632) - The Howard-Fry Housing Society

Moved By Councillor Stack/Seconded By Councillor DeHart

R715/18/07/30 THAT Bylaw No. 11632 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.3 New Sign Bylaw

Staff:

- Displayed a PowerPoint presentation summarizing the new Sign Bylaw and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Sieben

R716/18/07/30 THAT Council receives, for information, the Report from the Community Planning Department dated January 29, 2018 pertaining to a new Sign Bylaw;

AND THAT Bylaw No. 11530, being the *Sign Bylaw* be forwarded for reading consideration;

AND THAT Bylaw No.11526 being Amendment No. 19 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration;

AND THAT Council directs Staff to amend Bylaw 10560, being the *Development Applications Fees Bylaw* with regard to sign fees;

AND THAT Council directs staff to bring forward a budget request for a Bylaw Officer position to support additional Sign Bylaw enforcement;

Carried

6.4 BL11530 - New Sign Bylaw

Moved By Councillor Singh/Seconded By Councillor Sieben

R717/18/07/30 THAT Bylaw No. 11530 be read a first, second and third time.

Carried

6.5 BL11526 - Amendment No. 19 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Sieben/Seconded By Councillor Singh

R718/18/07/30 THAT Bylaw No. 11526 be read a first, second and third time.

Carried

6.6 Soil Removal and Deposit Regulation Bylaw No. 9612 - Bylaw Amendment to Include Blasting

Staff:

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

Moved By Councillor Given/Seconded By Councillor Sieben

R719/18/07/30 THAT Council, receives, for information, the Report from the Community Planning Department dated July 17, 2018 recommending that Council consider amendments to the Soil Removal and Deposit Regulation Bylaw;

AND THAT Bylaw No. 11647 being Bylaw Amendment No. 1 to the Soil Removal and Deposit Regulation Bylaw No. 9612 be forwarded for reading consideration.

Carried

6.7 BL11647 - Amendment No. 1 to the Soil Removal and Deposit Regulation Bylaw No. 9612

Moved By Councillor Sieben/Seconded By Councillor Singh

R720/18/07/30 THAT Bylaw No. 11647 be read a first, second and third time.

Carried

6.8 OCP Update: Engagement Report and Interim Growth Scenario

Staff:

- Displayed a PowerPoint presentation summarizing the public engagement process and interim growth scenario and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R721/18/07/30 THAT Council receives, for information, the report from the Policy & Planning Department dated July 30, 2018, with respect to the results of the first phase of public engagement for the 2040 OCP update;

AND THAT Council directs staff to proceed with further development of a preferred growth strategy based on Growth Scenario 3, as outlined in the report from the Policy & Planning Department dated July 30, 2018, and report back to Council in September 2018.

Carried

6.9 Facts in Focus - Transportation Master Plan

Staff:

- Displayed a PowerPoint presentation summarizing the transit Facts in Focus and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Given

R722/18/07/30 THAT Council receives, for information, the report from the Integrated Transportation Manager dated July 30th, 2018, with respect to Facts in Focus – How Transit Can Keep Kelowna Moving

Carried

6.10 Budget Amendment – Leachate Management at Biosolids Compost Facility

Staff:

- Provided the rationale for the budget amendment and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

R723/18/07/30 THAT Council receives for information, the report from the Utility Services Manager dated July 30, 2018 regarding the Regional Biosolids Compost Facility (RBCF), Biosolids Leachate Containment Project;

AND THAT Council authorize the additional expenditure totaling \$300,000 for the RBCF, Biosolids Leachate Containment Project;

AND FURTHER THAT the 2018 Financial Plan be amended to increase the budget of the RBCF, Biosolids Leachate Containment Project by \$300,000 with \$100,000 being funded from the City of Vernon and \$200,000 being funded from the Wastewater Utility.

Carried

7. Mayor and Councillor Items

Councillor DeHart:

- Made reference to her attendance, along with Councillors Stack and Donn, at the opening of the Kelowna Branch of the Islamic Centre on Highway 33 and noted that the Centre's members were very complimentary to City staff.
- Attended the DKA Block Party along with some friends who were new to the City and were very impressed with the event and our downtown.

Councillor Gray:

- Attended the launch of 100+ Women Who Care and noted the launch raised \$5,000.
- Attended the Reunion Fun Fundraiser, Wild Women Wise Women, and noted it raised \$5,000.
- Spoke at the closing ceremonies for the 10th Annual Bats for a Cause which raised \$141,000 over the weekend for the BC Children's Hospital.

Councillor Donn:

- Noted that the 2nd Annual Kelowna Gospel Mission Homeless is No Picnic Event is scheduled for this Saturday in City Park.

Councillor Given:

- Thanked the fire services for their rapid response to the Wilden area fire.
- Reminded everyone how dry everything is and urged the public to remain vigilant.

8. Termination

This meeting was declared terminated at 4:09 p.m.

Mayor Basran

City Clerk

/slh