



City of Kelowna Regular Council Meeting Minutes

Date: Monday, December 3, 2018
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community & Neighbourhood Services Manager, Mariko Siggers* Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Suburban and Rural Planning Manager, Dean Strachan*; Community Planning Supervisor, Laura Bentley*; Planner Specialist, Adam Cseke*; Planner, Lydia Korolchuk*; Long Range Policy Planning Manager, James Moore*; Divisional Director, Infrastructure, Alan Newcombe*; Parks & Buildings Planning Manager, Robert Parlane*; Project Architect, Paul Reyes*; Legislative Coordinator (Confidential), Clint McKenzie

Guests RCMP Superintendent, Brent Mundle*; Civic & Community Awards Advisory Committee Member, Amber Gilbert*

(* 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 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

R1057/18/12/03 THAT the Minutes of the Regular Meetings of November 26, 2018 be confirmed as circulated.

Carried

3. Reports

3.1 RCMP Quarterly Council Update 2018: July to September

Superintendent Brent Mundle

- Displayed a PowerPoint Presentation outlining achievements in the 2016-2019 Crime Reduction Strategy and provided year-to-date crime statistics.
- Provided general comments on recommendations in the Public Safety Consultant Report on Public Safety that fall under the RCMP areas of responsibility or interest.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

R1058/18/12/03 THAT Council receive the RCMP Quarterly/Yearly Update report from the Superintendent, Kelowna RCMP Detachment dated Dec. 3, 2018.

AND THAT the Superintendent Kelowna RCMP Detachment investigate providing Community Impact Statements signed by the Superintendent Kelowna RCMP Detachment and the Mayor to be included in our court packages that are forwarded to Crown Counsel for charge approval.

Carried

4. Committee Report

4.1 2018 Civic & Community Awards Nomination Period

Staff:

- Introduced members of the 2014-2018 Committee.

Amber Gilbert

- Displayed a PowerPoint Presentation identifying each category of nominations.

Mayor Basran:

- Thanked Ms. Gilbert for the past ten years spent as staff liaison to the Civic & Community Awards Committee.

Moved By Councillor Donn/Seconded By Councillor DeHart

R1059/18/12/03 THAT Council receives as information the report from the Community & Neighbourhood Services Manager dated December 3, 2018, which outlines the 44th Annual Civic & Community Award categories and nomination period.

Carried

5. Development Application Reports & Related Bylaws

5.1 McCurdy Rd 2755 OCP16-0004 Z16-0030 Prodev GP Ltd Inc No A87135 1378310 Alberta Ltd Inc. No A77231

Staff:

- Displayed a PowerPoint Presentation summarizing the reasons for the requested application extension.

Moved By Councillor Stack/Seconded By Councillor Donn

R1060/18/12/03 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Bylaw No. 11472 and Bylaw No. 11473, be extended from September 19, 2018 to September 19, 2019

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

Carried

5.2 Eagle Dr 925, Z18-0052 - Gary Johnson and Edi Cote

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R1061/18/12/03 THAT Rezoning Application No. Z18-0052 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 16 Section 29 Township 26 ODYD Plan 18073, located at 925 Eagle Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

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

Carried

5.3 Eagle Dr 925, Z18-0052 (BL11709) - Gary Johnson and Edi Cote

Moved By Councillor Hodge/Seconded By Councillor Singh

R1062/18/12/03 THAT Bylaw No. 11709 be read a first time.

Carried

5.4 Clement Ave 816, TA18-0006 & Z18-0059 - PC Urban Clement Holdings Ltd., Inc. No. BC 1099980

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Given

R1063/18/12/03 THAT Rezoning Application No. Z18-0059 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of LOT B SECTION 30 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP83554, located at 816 Clement Ave, Kelowna, BC from the I2 – General Industrial & I4 – Central Industrial zones to the I4 – Central Industrial zone.

AND THAT the Zoning Bylaw Text Amendment Bylaw Application No. TA18-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 as described in Attachment 'B' outlined in the Report from the Community Planning Department dated November 29th 2017, be considered by Council;

AND THAT the Rezoning and Text Amendment Bylaws NOT be forwarded to a Public Hearing for further consideration until such time as OCP Amending Bylaw No. 11604 (OCP17-0021) and Rezoning Bylaw No. 11605 (Z17-0093) for the property located at 726 Clement Ave are adopted;

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 November 29th, 2018;

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

Carried

5.5 Clement Ave 816, TA18-0006 (BL11711) - PC Urban Clement Holdings Ltd., Inc. No. BC 1099980

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R1064/18/12/03 THAT Bylaw No. 11711 be read a first time.

Carried

5.6 Clement Ave 816, Z18-0059 (BL11712) - PC Urban Clement Holdings Ltd., Inc. No. BC 1099980

Moved By Councillor Singh/Seconded By Councillor Hodge

R1065/18/12/03 THAT Bylaw No. 11712 be read a first time.

Carried

5.7 Fuller Ave 555, OCP18-0013 Z18-0062 - City of Kelowna

Staff:

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

Moved By Councillor Given/Seconded By Councillor Hodge

R1066/18/12/03 THAT Official Community Plan Map Amendment Application No. OCP18-0013 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1 District Lot 139 ODYD Plan EPP78052, located at 555 Fuller Avenue, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) designation, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

THAT Rezoning Application No. Z18-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 139 ODYD Plan EPP78052, located at 555 Fuller Avenue, Kelowna, BC from the RM5 – Medium Density Multiple Housing zone to the C7 – Central Business Commercial zone, be considered by Council;

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

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated December 3, 2018;

AND THAT Housing Agreement Bylaw No. 9999 be forwarded for rescindment consideration;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the rescindment of Housing Agreement Bylaw No. 9999;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and 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 December 3, 2018;

AND FURTHER THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

Carried

5.8 Fuller Ave 555, OCP18-0013 (BL11713) - City of Kelowna

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R1067/18/12/03 THAT Bylaw No. 11713 be read a first time.

Carried

5.9 Fuller Ave 555, Z18-0062 (BL11714) - City of Kelowna

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R1068/18/12/03 THAT Bylaw No. 11714 be read a first time.

Carried

5.10 Knox Cr. 1969, Z18-0098 - Charles and Lesley Roberts

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Singh

R1069/18/12/03 THAT Rezoning Application No. Z18-0098 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 14 ODYD Plan 2767, located at 1969 Knox Crescent, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

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

Carried

5.11 Knox Cr. 1969, Z18-0098 (BL11716) - Charles and Lesley Roberts

Moved By Councillor Donn/Seconded By Councillor Sieben

R1070/18/12/03 THAT Bylaw No. 11716 be read a first time.

Carried

5.12 Richter St 2125 and 2137, Z18-0081 - 1140648 B.C. LTD., Inc. No. 1140648

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R1071/18/12/03 THAT Rezoning Application No. Z18-0081 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 2 & 3 Section 19 Township 26 ODYD Plan 700 located at 2125 & 2137 Richter Street, Kelowna, BC from the RU6 – Two Dwelling 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 Attachment "A" attached to the Report from the Community Planning Department dated December 3, 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

5.13 Richter St 2125 and 2137, Z18-0081 (BL11717) - 1140648 B.C. LTD., Inc. No. 1140648

Moved By Councillor Donn/Seconded By Councillor Sieben

R1072/18/12/03 THAT Bylaw No. 11717 be read a first time.

Carried

6. Bylaws for Adoption (Development Related)

6.1 Harvey Ave 1717 LUC18-0005 (BL11675) - Al Stober Construction Ltd

Moved By Councillor Sieben/Seconded By Councillor DeHart

R1073/18/12/03 THAT Bylaw No. 11675 be adopted.

Carried

Councillor Donn – Opposed

7. Non-Development Reports & Related Bylaws

7.1 Proposed Short-Term Rental Accommodation Regulations

Councillor DeHart declared a conflict of interest as her employer is in direct competition with short term rentals and because she owns two short term rentals on Sunset Drive and departed the meeting at 3:05 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed regulations for short term rental accommodations and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Given

R1074/18/12/03 THAT Council receives, for information, the report from the Community Planning Department dated December 3, 2018;

AND THAT Council direct staff to proceed with preparing bylaws and policies to implement the proposed short-term rental accommodation regulations and licensing.

Carried

Councillors Donn and Hodge – Opposed

Councillor DeHart rejoined the meeting at 4:11 p.m.

7.2 Community, Culture and Recreation Program Grant application for City Park

Staff:

- Provided information summarizing the grant application and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

R1075/18/12/03 THAT Council receives for information, the report from the Parks & Buildings Planning Manager dated December 3, 2018, with respect to the Community, Culture and Recreation Program Grant application for City Park;

AND THAT Council directs staff to make a grant application for City Park under the Investing in Canada Infrastructure – BC – Community, Culture and Recreation Infrastructure program, subject to budget approval to match funding.

Carried

7.3 Protection of the Fire Damaged Fleming House

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed protective measures of the Fleming House and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Singh

R1076/18/12/03 THAT Council receives, for information, the report from Parks & Buildings Planning dated December 3, 2018, with respect to the protection of the fire-damaged Fleming House;

AND THAT Council direct staff to proceed with a temporary roof and other modifications to protect the remaining Fleming House structure following the July 2, 2018 fire.

Carried

Mayor Basran, Councillors Stack, Hodge and Wooldridge – Opposed

8. Bylaws for Adoption (Non-Development Related)

8.1 Raymer Rd (Portion of), BL11697 - Road Closure and Removal of Hwy Dedication

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward.

No one in the gallery came forward.

Moved By Councillor Donn/Seconded By Councillor Sieben

R1077/18/12/03 THAT Bylaw No. 11697 be adopted.

Carried

8.2 BL11710 - Amendment No. 21 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Donn/Seconded By Councillor Sieben

R1078/18/12/03 THAT Bylaw No. 11710 be adopted.

Carried

Councillor Hodge – Opposed

9. Mayor and Councillor Items

There were no Mayor and Councillor items.

10. Termination

This meeting was declared terminated at 4:41 p.m.

Mayor Basran

/cm/acm

A. McCalla

for

City Clerk