



City of Kelowna Regular Council Meeting Minutes

Date: Monday, May 13, 2019
Council Chamber

Location: 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; Controller, Jackie Dueck*; Divisional Director, Financial Services, Genelle Davidson*; Divisional Director, Planning & Development Services, Ryan Smith*; Urban Planning Manager, Terry Barton*; Suburban and Rural Planning Manager, Dean Strachan*; Community Planning Supervisor, Laura Bentley*; Planner Specialist, Adam Cseke*; Planner, Sustainability Coordinator, Tracy Guidi*; Sustainability Coordinator, Senior Airport Operations Manager, Phillip Elchitz*; Community & Neighbourhood Services Manager, Mariko Siggers*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:35 p.m.

Mayor Basran acknowledged that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

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 Wooldridge

R515/19/05/13 THAT the Minutes of the Regular Meetings of May 6, 2019 be confirmed as circulated.

Carried

3. Committee Reports

3.1 2018 Audited Financial Statements

Staff:

- Displayed a PowerPoint Presentation outlining the 2018 Audited Financial Statements and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

R516/19/05/13 THAT Council receive the report of the Controller, Financial Services dated May 13, 2019 for information.

Carried

Moved By Councillor Given/Seconded By Councillor Hodge

R517/19/05/13 THAT Council receives, for information, the Report from the Audit Committee dated April 30, 2019 with respect to the Consolidated Financial Statements and Auditor's Report for the City of Kelowna for the year ending December 31, 2018;

AND THAT Council approves the appropriation of \$9,609,101 of surplus generated from all general fund operations in 2018 to reserves and accumulated surplus as detailed in the Report from the Audit Committee dated April 30, 2019;

AND FURTHER THAT the Consolidated Financial Statements and Auditor's Report be reprinted in and form part of the City of Kelowna's annual report.

Carried

4. Development Application Reports & Related Bylaws

4.1 Brookside Ave 1275, Z18-0018 (BL11671) - 1118374 B.C. Ltd., Inc. No. BC1118374

Moved By Councillor Singh/Seconded By Councillor Hodge

R518/19/05/13 THAT Bylaw No. 11671 be adopted.

Carried

4.2 Brookside Ave 1275, DP18-0041 - 1118374 B.C. Ltd., Inc. No. BC1118374

Staff:

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

Moved By Councillor Stack/Seconded By Councillor DeHart

R519/19/05/13 THAT final adoption of Rezoning Bylaw No. 11671 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0041 for Lot 3, Section 19, Township 26, ODYD, Plan 10696 Except Plans H14021 and KAP 44480, located at 1275 Brookside Avenue, Kelowna, BC, be 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 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

4.3 Energy Step Code Zoning Bylaw Amendments

Staff:

- Provided an overview of the energy step code zoning bylaw amendments.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R520/19/05/13 THAT Council receives, for information, the Report from the Sustainability Coordinators dated May 13, 2019 with respect to the Energy Step Code Zoning Bylaw Amendments;

AND THAT Zoning Bylaw Text Amendment Application No. TA18-0007 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Appendix A in the Report from the Sustainability Coordinators, dated May 13, 2019 be considered by Council;

AND THAT the Zoning Text Amending Bylaw be forwarded to Public Hearing for reading consideration;

AND THAT final adoption of the Zoning Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Carried

4.4 TA18-0007 (BL11672) - Energy Step Code Amendment

Moved By Councillor Singh/Seconded By Councillor Hodge

R521/19/05/13 THAT Bylaw No. 11672 be read a first time.

Carried

4.5 Sexsmith Rd 3130, Z18-0049 - DL Capital Inc., Inc. No. BCo820774

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Sieben

R522/19/05/13 THAT Rezoning Application No. Z18-0049 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 28, Section 3, Township 23, ODYD, Plan 18861, located at 3130 Sexsmith Rd, Kelowna, BC from the A1 – Agriculture 1 Zone to the I6 – Low Impact Transitional 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 Attachment "A" attached to the Report from the Community Planning Department dated May 2nd 2018;

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

4.6 Sexsmith Rd 3130, Z18-0049 (BL11832) - DL Capital Inc., Inc. No. BCo820774

Moved By Councillor Singh/Seconded By Councillor Hodge

R523/19/05/13 THAT Bylaw No. 11832 be read a first time.

Carried

4.7 Denali Dr 777, DP18-0152 - Emil Anderson Construction Co. Ltd., Inc. No. BC172775

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Donn

R524/19/05/13 THAT Council authorizes the issuance of Development Permit No. DP18-0152 for Lot 3 Section 28 Township 26 ODYD Plan KAP 74074, located at 777 Denali Dr, 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 FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

4.8 Reconsideration - Groves Ave 448, 458 and 460

Mayor Basran provided rationale for bringing the OCP and Rezoning Bylaws back for reconsideration.

4.9 Groves Ave 448,458 and 460, BL11801 (OCP18-0019) - Abbott Park Holdings Inc., Inc. No. BC1096096

Moved By Councillor Wooldridge/Seconded By Councillor Given

R525/19/05/13 THAT Bylaw No. 11801 be read a second and third time.

Carried

Councillors DeHart, Hodge, Singh and Stack - Opposed

4.10 Groves Ave 448,458 and 460, BL11802 (Z17-0032) - Abbott Park Holdings Inc., Inc. No. BC1096096

Moved By Councillor Donn/Seconded By Councillor Sieben

R526/19/05/13 THAT Bylaw No. 11802 be read a second and third time.

Carried

Councillors DeHart, Hodge, Singh and Stack - Opposed

5. Bylaws for Adoption (Development Related)

5.1 Lindahl St 2005, Z18-0039 (BL11654)- Nicholas and Cheryl Kirschner

Moved By Councillor Donn/Seconded By Councillor Sieben

R527/19/05/13 THAT Bylaw No. 11654 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Swoop Airport Use Agreement - Kelowna International Airport

Staff:

- Provided an overview of the Airport Use Agreement between Swoop carrier and Kelowna International Airport

Moved By Councillor Sieben/Seconded By Councillor Donn

R528/19/05/13 THAT Council approves the City entering into an Airport Use Agreement to authorize Swoop to operate at Kelowna International Airport as outlined in the report of the Senior Airport Operations Manager dated May 13, 2019;

AND THAT the Mayor and City Clerk be authorized to execute the Airport Use Agreement with Swoop in the form attached to the report of the Senior Airport Operations Manager dated May 13, 2019.

Carried

6.2 2019 Community Social Development Grants

Staff:

- Displayed a PowerPoint Presentation providing background information regarding the Community Social Development Grants program review process and distribution of the 2019 program funds and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Given

R529/19/05/13 THAT Council receives, for information, the report from the Community & Neighbourhood Services Manager dated May 13, 2019, regarding the distribution of the Community Social Development Grants.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 BL11804 - Amendment No. 32 to Traffic Bylaw No. 8120

Moved By Councillor Donn/Seconded By Councillor Sieben

R530/19/05/13 THAT Bylaw No. 11804 be adopted.

Carried

7.2 BL11823 - Amendment No. 13 to Building Bylaw No. 7245

Moved By Councillor Donn/Seconded By Councillor Sieben

R531/19/05/13 THAT Bylaw No. 11823 be adopted.

Carried

8. Mayor and Councillor Items

Councillor DeHart:

- Spoke to her attendance, along with Councillor Donn, to the Chamber of Commerce Valley Wide Business Expo last Thursday at Father Pandosy Mission.

Councillor Donn:

- Represented the Mayor at the Compassionate Friends memorial service last Thursday, May 9th.

Councillor Hodge:

- Will be representing Council at the Downtown Kelowna Association Board meeting on Wednesday, May 15th.

Councillor Wooldridge:

- Spoke to his attendance at his first Biosolids Committee meeting.

Councillor Given:

- Spoke to her attendance at the Central Okanagan Family Hub event sponsored by Kelowna Community Resources.

9. Termination

This meeting was declared terminated at 3:03 p.m.

Mayor Basran

/acm

City Clerk