



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, May 2, 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\*

Guest RCMP Superintendent, Nick Romanchuk\*

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Corporate & Protective Services, Rob Mayne\*; Financial Services Director, Genelle Davidson\*; Financial Projects Manager, Garry Filafilo\*; Urban Planning Manager, Terry Barton\*; Community Planning Department Manager, Ryan Smith\*; Suburban & Rural Planning Manager, Todd Cashin\*; Infrastructure Planning Department Manager, Joel Shaw\*; Policy & Planning Department Manager, James Moore\*; Planner Specialist, Ross Soward\*; 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 1:39 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

**R349/16/05/02** THAT the Minutes of the Regular Meetings of April 25, 2016 be confirmed as circulated.

**Carried**

Mayor Basran advised that Item 5.2 will be moved forward on the Agenda and will be considered next.

## 5. Non-Development Reports & Related Bylaws

### 5.2 2016-2019 Crime Reduction Strategy

Superintendent Romanchuk:

- Displayed a PowerPoint presentation summarizing the 2016-2019 Crime Reduction Strategy and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

**R350/16/05/02** THAT Council approve and endorse the 2016-2019 Crime Reduction Strategy document as outlined in the report from the Divisional Director Corporate and Protective Services dated May 2, 2016.

**Carried**

## 3. Committee Reports

### 3.1 Financial Statements for the Year Ending December 31, 2015

Staff:

- Provided an overview of the 2015 financial statements.

Moved By Councillor Stack/Seconded By Councillor Given

**R351/16/05/02** THAT Council receives, for information, the Report from the Audit Committee dated May 2, 2016 with respect to the Consolidated Financial Statements and Auditor's Report for the City of Kelowna for the year ending December 31, 2015;

AND THAT Council approves the contribution of \$3,300,000 of surplus generated from all general fund operations in 2015 as reserves as detailed in the Report from the Audit Committee dated May 2, 2016;

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

### 4.1 330 Merrifield Road, Z16-0011 - Corey Knorr Construction Ltd.

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Singh

**R352/16/05/02** THAT Rezoning Application No. Z16-0011 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 26, Township 26, ODYD, Plan 18164 located at 330 Merrifield Rd, 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 Schedule "A" attached to the Report from the Community Planning Department dated April 6, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

#### **4.2 330 Merrifield Road, BL11241 (Z16-0011) - Corey Knorr Construction Ltd.**

Moved By Councillor Hodge/Seconded By Councillor Donn

R353/16/05/02 THAT Bylaw No. 11241 be read a first time.

Carried

#### **4.3 845 Kinnear Court, Z15-0050 - Carol Kergan**

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Gray

R354/16/05/02 THAT Rezoning Application No. Z15-0050 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 135 ODYD Plan 25798, located at 845 Kinnear 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 issuance and completion of a Building Permit for the removal of the existing second kitchen within the primary dwelling for the subject property;

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

Carried

#### **4.4 845 Kinnear Court, BL11242 (Z15-0050) - Carol Kergan**

Moved By Councillor Gray/Seconded By Councillor Hodge

R355/16/05/02 THAT Bylaw No. 11242 be read a first time.

Carried

#### **4.5 135 Mugford Road & 345 Rutland Road N, Z15-0059 - 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

**R356/16/05/02** THAT Rezoning Application No. Z15-0059 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of THAT part of Lot 3 which may be more particularly described as follows: commencing at the north east corner of the area covered by Plan B3922; thence following the north boundary of said Lot 3 Plan 2478 bearing south 89 degrees 48 minutes east for a distance of 50 feet; thence south 75 feet; thence bearing 89 degrees and 48 minutes west for a distance of 50 feet to the south east corner of the said area covered by Plan B3922; thence following the east boundary of said area north for a distance of 75 feet to the point of commencement, and containing by admeasurement 0.086 of an acre more or less; Section 26 Township 26 ODYD Plan 2478, located at 135 Mugford Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the P2 - Education and Minor Institutional zone; and by changing the zoning classification of Lot 1 Section 26 Township 26 ODYD Plan 9290, located at 345 Rutland Road N, Kelowna, BC from the RU1 - Large Lot Housing zone to the P2 - Education and Minor Institutional 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 December 22,2015;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of Ministry of Transportation and Infrastructure;

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

Carried

#### **4.6 135 Mugford Road & 345 Rutland Road N, BL11243 (Z15-0059) - City of Kelowna**

Moved By Councillor Given/Seconded By Councillor Gray

**R357/16/05/02** THAT Bylaw No. 11243 be read a first time.

Carried

#### **4.7 820 Finns Road, OCP15-0016 & Z15-0053 - Raif Holdings Ltd.**

Staff:

- Displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

**R358/16/05/02** THAT Official Community Plan Map Amendment Application No. OCP15-0016 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, Section 34, Township 26, ODYD, Plan 18592 located at 820 Finns Road, Kelowna, BC from the IND - Industrial designation to the SC - Service Commercial and PARK - Major Park/Open Space designations be considered by Council;

AND THAT Rezoning Application No. Z15-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 34, Township 26,

ODYD, Plan 18592, located at 820 Finns Road, Kelowna, BC from the A1 - Agriculture zone to the C10 - Service Commercial and P3 - Parks and Open Space zones be considered by Council;

AND THAT the OCP Amending Bylaw and 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 475 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated May 2, 2016;

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

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with the issuance of an Environmental Development Permit for the subject property.

AND FURTHER THAT prior to final adoption of the Rezoning Bylaw, that the Riparian Management Area be dedicated to the City as protected area.

Carried

#### **4.8 820 Finns Road, BL11246 (OCP15-00016) - Raif Holdings Ltd.**

Moved By Councillor Gray/Seconded By Councillor Given

R359/16/05/02 THAT Bylaw No. 11246 be read a first time;

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

#### **4.9 820 Finns Road, BL11247 (Z15-0053) Raif Holdings Ltd.**

Moved By Councillor Given/Seconded By Councillor Donn

R360/16/05/02 THAT Bylaw No. 11247 be read a first time.

Carried

#### **4.10 894 Stremel Road, OCP16-0001 & Z16-0006 - McBeetle Holdings**

Staff:

- Displayed a PowerPoint presentation summarizing the application.
- Advised of an error in the staff report and confirmed areas to be rezoned are C10 and RU1.
- Responded to questions from Council.

City Clerk:

- Confirmed bylaws will be brought forward for rezoning consideration once the lots lawfully exist.

Moved By Councillor Sieben/Seconded By Councillor DeHart

**R361/16/05/02** THAT Official Community Plan Map Amendment Application No. OCP16-0001 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot A, Section 34, Township 26, ODYD Plan EPP53299 located at 894 Stremel Road, Kelowna, BC from the IND - Industrial designation to the SC - Service Commercial designation and the PARK - Major Park / Open Space designation, as shown on Map "A" attached to the Report from the Community Planning Department dated May 2, 2016 be considered by Council;

AND THAT Rezoning Application No. Z16-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot A, Section 34, Township 26, ODYD Plan EPP53299 located at 894 Stremel Road Kelowna, BC from the RU1 - Large Lot Housing zone to the C-10 Service Commercial and P3 - Parks and Open Space zone as shown on Map "A" attached to the Report from the Community Planning Department dated May 2, 2016, be considered by Council;

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

AND THAT Council considers the Public Hearing process to be appropriate consultation for the *Purpose* of Section 475 of the *Local Government Act*;

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 April 25<sup>th</sup>, 2016);

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with the issuance of an Environmental Development Permit for the subject property;

AND THAT prior to final adoption of the Rezoning Bylaw, that the Riparian Management Area be dedicated to the City as protected area;

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

Carried

## 5. Non-Development Reports & Related Bylaws

### 5.1 Quarterly Report Update - Q1 2016

Mayor Basran recommended this item be deferred to next week's Regular Meeting due to the number of items Council still needs to consider this afternoon.

Moved By Councillor Donn/Seconded By Councillor DeHart

**R362/16/05/02** THAT Council defer the Quarterly Report from the City Manager, dated April 27, 2016 to the Monday, May 9, 2016 Regular Meeting.

Carried

### 5.3 Amendment No. 2 to Development Cost Charge Bylaw No.10515

**Staff:**

- Displayed a PowerPoint presentation summarizing the amendments to the Development Cost Charge Bylaw and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

**R363/16/05/02** THAT Council receives, for information, the Report from the Infrastructure Planning Manager dated May 2, 2016, with respect to Bylaw No. 11207, Amendment No.2 to Development Cost Charge Bylaw No.10515;

AND THAT Bylaw No. 11207, Amendment No.2 to Development Cost Charge Bylaw No.10515 be forwarded for further reading consideration;

AND FURTHER THAT Council directs Staff to submit DCC Bylaw and supporting documentation to Inspector of Municipalities for their review and approval prior to fourth reading and adoption of Bylaw No. 11207, Amendment No. 2 to Development Cost Charge Bylaw No. 10515.

Carried  
Councillor Sieben - Opposed

### 5.4 BL11207 - Amendment No. 2 to Development Cost Charge Bylaw No. 10515

Moved By Councillor Hodge/Seconded By Councillor Donn

**R364/16/05/02** THAT Bylaw No. 11207 be read a first, second and third time.

Carried

### 5.5 2016 Rental Housing Grant Bylaws

Councillor Stack declared a conflict of interest on Items 5.5 to 5.11 as his employer is a rental housing agreement recipient and departed the meeting at 3:35 p.m.

**Staff:**

- Provided an overview of the 2016 Rental Housing Agreements and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

**R365/16/05/02** THAT Council, receives, for information, the Report from the Planner Specialist dated May 2, 2016 recommending that Council adopt the following Housing Agreement bylaws for the six approved rental housing grants.

AND THAT Bylaw No. 11235 authorizing a Housing Agreement between the City of Kelowna and Society of Hope, which requires the owners to designate 78 dwelling units in a purpose-built rental housing for Lot 1, District Lot 128, ODYD, Plan EPP37196 located at 2065 Benvoulin Court, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 11237 authorizing a Housing Agreement between the City of Kelowna and Okanagan Metis & Aboriginal Housing Society, which requires the owners to designate 78 dwelling units in a purpose-built rental housing for Parcel B (Plan B1566) of Lot 4, Sections 26 and 27, Township 26, ODYD, Plan 426, Except Plans 8449, 21711, 24898, KAP58053 and KAP58054 located at 1170 Highway 33, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 11236 authorizing a Housing Agreement between the City of Kelowna and Ki-Low-Na Friendship Society, which requires the owners to designate 86 dwelling units in a purpose-built rental housing for Lot 2, District Lot 139, ODYD, Plan KAP92715 Except Plan EPP40150 located at 1745 Chapman Place, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 11234 authorizing a Housing Agreement between the City of Kelowna and Unico One Developments Ltd, which requires the owners to designate 23 dwelling units in a purpose-built rental housing for Lot 1, Section 22, Township 26, ODYD, Plan EPP51775 located at 125 Dundas, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 11238 authorizing a Housing Agreement between the City of Kelowna and U Three - Mission Group Rentals Ltd, which requires the owners to designate 55 dwelling units in a purpose-built rental housing for Lot 1, Section 3 and 10, Township 23, ODYD, Plan EPP53793 located at 805 Academy Way, Kelowna, BC be forwarded for reading consideration.

AND THAT Bylaw No. 11239 authorizing a Housing Agreement between the City of Kelowna and Davara Holdings Ltd, which requires the owners to designate 9 dwelling units in a purpose-built rental housing for Lot 1, Section 27, Township 26, ODYD, Plan 18004 located at 305 Homer Road, Kelowna, BC be forwarded for reading consideration.

AND FURTHER THAT Mayor and City Clerk be authorized to execute the Housing Agreements on behalf of the City of Kelowna after adoption.

Carried

**5.6 125 Dundas Road, BL11234, Housing Agreement Authorization Bylaw - Unico Developments Ltd.**

Moved By Councillor Donn/Seconded By Councillor Hodge

R366/16/05/02 THAT Bylaw No. 11234 be read a first, second and third time.

Carried

**5.7 2065 Benvoulin Court, BL11235, Housing Agreement Authorization Bylaw - National Society of Hope**

Moved By Councillor Gray/Seconded By Councillor Hodge

R367/16/05/02 THAT Bylaw No. 11235 be read a first, second and third time.

Carried

**5.8 1745 Chapman Place, BL11236, Housing Agreement Authorization Bylaw - Ki-Low-Na Friendship Society**

Moved By Councillor Donn/Seconded By Councillor Hodge

R368/16/05/02 THAT Bylaw No. 11236 be read a first, second and third time.

Carried

**5.9 1170 Highway 33 W, BL11237, Housing Agreement Authorization Bylaw - Okanagan Metis & Aboriginal Housing Society**

Moved By Councillor Hodge/Seconded By Councillor Gray

R369/16/05/02 THAT Bylaw No. 11237 be read a first, second and third time.

Carried

**5.10 805 Academy Way, BL11238, Housing Agreement Authorization Bylaw - UThree-Mission Group Rentals Ltd.**

Moved By Councillor Gray/Seconded By Councillor Hodge

R370/16/05/02 THAT Bylaw No. 11238 be read a first, second and third time.

Carried

**5.11 305 Homer Road, BL11239, Housing Agreement Authorization Bylaw - Davara Holdings Ltd.**

Moved By Councillor Hodge/Seconded By Councillor Given

R371/16/05/02 THAT Bylaw No. 11239 be read a first, second and third time.

Carried

**5.12 Concession Operation Bid Awards - Various Food & Activity**

Staff:

- Displayed a PowerPoint presentation summarizing the Concession Operation Bid Awards and responded to questions from Council.

Councillor Stack rejoined the meeting at 3:42 p.m.

Moved By Councillor Donn/Seconded By Councillor Singh

R372/16/05/02 THAT Council approves the City entering into a mobile food concession with Artisto Gelato to provide summer mobile food vending services at Stuart Park for a two (2) year term with two (2) one (1) year options to renew at the City's sole discretion, in the form attached to the Report of the Manager, Property Management, dated May 2, 2016;

AND THAT Council approves the City entering into a concession contract with Hot or Not Vending for three (3) downtown food vending locations at 266 Lawrence Avenue, 238 Leon Avenue and 275 Leon Avenue, to provide evening mobile food vending services for a three (3) year term with two (2) one (1) year options to renew at the City's sole discretion, in the form attached to the Report of the Manager, Property Management, dated May 2, 2016; and

AND THAT Council approves the City entering to an activity concession with Okanagan Beach Rentals to provide water activity concessions at Gyro Beach and Rotary Beach for a three (3) year term with two (2) one (1) year options to renew at the City's sole discretion, in the form attached to the Report of the Manager, Property Management, dated May 2, 2016;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete the contracts.

Carried

**6. Bylaws for Adoption (Non-Development Related)**

**6.1 BL11210 - A Bylaw to Rename a Portion of Rutland Road North**

Moved By Councillor Singh/Seconded By Councillor Stack

R373/16/05/02 THAT Bylaw No. 11210 be adopted.

Carried

**6.2 BL11223 - Sterile Insect Release Program Parcel Tax Bylaw 2016**

Moved By Councillor Stack/Seconded By Councillor Singh

R374/16/05/02 THAT Bylaw No. 11223 be adopted.

Carried

**6.3 BL11227 - Five Year Financial Plan 2016-2020**

Moved By Councillor Singh/Seconded By Councillor DeHart

R375/16/05/02 THAT Bylaw No. 11227 be adopted.

Carried

**6.4 BL11228 - Tax Structure Bylaw, 2016**

Moved By Councillor Singh/Seconded By Councillor DeHart

R376/16/05/02 THAT Bylaw No. 11228 be adopted.

Carried

**6.5 BL11229 - Annual Tax Rates Bylaw, 2016**

Moved By Councillor Singh/Seconded By Councillor Stack

R377/16/05/02 THAT Bylaw No. 11229 be adopted.

Carried

**6.6 BL11230 - DCC Reserve Fund Expenditure Bylaw, 2016**

Moved By Councillor Singh/Seconded By Councillor Sieben

R378/16/05/02 THAT Bylaw No. 11230 be adopted.

Carried

**6.7 BL11231 - Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2016**

Moved By Councillor Sieben/Seconded By Councillor Singh

R379/16/05/02 THAT Bylaw No. 11231 be adopted.

Carried

## 7. Mayor and Councillor Items

Councillor DeHart:

- Commented on the success of the 41<sup>st</sup> Civic and Community Awards event.

Councillor Singh:

- Commented on the success of the Vaisakha Parade and noted that more than 10,000 people were in attendance.

Councillor Sieben:

- Congratulated Councillor Singh on the success of the Vaisakha Parade event.

Councillor Hodge:

- Spoke to his attendance at a recent Local Government Issues Conference in Vancouver.
- Congratulated Councilor DeHart and staff on a successful Community & Civic Awards event.

Councillor Gray:

- Spoke to her attendance at the Alzheimer Society Walk on Sunday, May 1<sup>st</sup>.

Councillor Given:

- Spoke to her attendance at the YMCA Healthy Kids Day on Sunday, May 1<sup>st</sup>.

Mayor Basran:

- Spoke to the unfortunate death of a participant during the Cherry Blossom Triathlon and offered condolences to the family and thanked H2O staff and first responders.
- Proclaimed this week May 1<sup>st</sup> to May 7<sup>th</sup> as BC Water Week in Kelowna.

## 8. Termination

This meeting was declared terminated at 4:06 p.m.

\_\_\_\_\_  
Mayor

/acm

\_\_\_\_\_  
City Clerk