



City of Kelowna Regular Council Meeting Minutes

Date: Monday, May 30, 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, Luke Stack

Staff Present Acting City Manager, Joe Creron, City Clerk, Stephen Fleming, Cultural Services Manager, Sandra Kochan*; Suburban & Rural Planning Manager, Todd Cashin*; Urban Planning Manager, Terry Barton*; Community Planning Department Manager, Ryan Smith*; Policy & Planning Department Manager, James Moore*; Planner Specialist, Ross Soward*; Sustainability Coordinator, Tracy Guidi*; Energy Program Manager, Brydan Tollefson*; Real Estate Services Manager, John Saufferer*; Property Officer, Ben Walker*; Deputy City Clerk, Karen Needham*; Council Recording Secretary, Arlene McClelland

(* 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 Given/Seconded By Councillor Hodge

R445/16/05/30 THAT the Minutes of the PM Meeting of May 16, 2016 be confirmed as amended.

Carried

3. **Public in Attendance**

3.1 Rotary Centre for the Arts

Sandra Kochran, Cultural Services Manager

- Introduced the Rotary Centre for the Arts General Manager, Patrick LeBlanc.

Patrick LeBlanc, RCA General Manager

- Displayed a PowerPoint presentation summarizing the RCA Annual report and responded to questions from Council.

4. Development Application Reports & Related Bylaws

4.1 731 Royal Pine Drive, Z16-0013 - Richard & Jennifer Sutton

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Given

R446/16/05/30 THAT Rezoning Application No. Z16-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 25, Sec. 30, Twp. 26, O.D.Y.D. Plan 40293, located at 731 Royal Pine Dr., 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 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

4.2 731 Royal Pine Drive, BL11248 (Z16-0013) - Richard & Jennifer Sutton

Moved By Councillor Hodge/Seconded By Councillor Gray

R447/16/05/30 THAT Bylaw No. 11248 be read a first time.

Carried

4.3 2420 Abbott Street, Z16-0014 - Stephani Buckal

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Sieben

R448/16/05/30 THAT Rezoning Application No. Z16-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 25, Sec. 30, Twp. THAT Rezoning Application No. Z16-0014 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 14 ODYD Plan KAP69396 except Plan KAP73098, located at 2420 Abbott Street, Kelowna, BC from RU1 - Large Lot Housing zone to RU6 -Two Dwelling 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 March 16, 2016.

Carried

4.4 2420 Abbott Street, BL11252 (Z16-0014) - Stephani Buckal

Moved By Councillor Given/Seconded By Councillor Hodge

R449/16/05/30 THAT Bylaw No. 11252 be read a first time.

Carried

4.5 451 - 455 Lawrence Avenue, DP16-0079 - Bricks & Mortar Holdings Ltd.

Councillor Sieben declared a conflict of interest as the property owner is a client and departed the meeting at 2:00 p.m.

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Singh

R450/16/05/30 THAT Council authorizes the issuance of Development Permit No. DP16-0079 for Lot 9 Block 8 District Lot 139 ODYD Plan 462, located at 451-455 Lawrence Avenue, 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 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 Sieben rejoined the meeting at 2:09 p.m.

4.6 5269 Highway 97N, A16-0009 - City of Kelowna (Kelowna International Airport)

Staff:

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

Moved By Councillor Given/Seconded By Councillor Donn

R451/16/05/30 THAT Agricultural Land Reserve Appeal No. A16-0009 for Lot 3 DL122 and of Section 11 TWP 23 ODYD Plan 1629 Except Plan 41159, located at 5269 Highway 97N, Kelowna for an exclusion of agricultural land in the Agricultural Land Reserve pursuant to Section 29(1) of the *Agricultural Land Commission Act*, be supported by Council;

AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

5. Bylaws for Adoption (Development Related)

5.1 1570 Glenmore Road North, BL11161 (Z15-0037) - Aletta Nixon

Moved By Councillor Gray/Seconded By Councillor Donn

R452/16/05/30 THAT Bylaw No. 11161 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Infill Challenge Recommendations

Staff:

- Displayed a PowerPoint presentation summarizing the infill challenge initiative and recommended winners and responded to questions from Council.

Shane Styles, Recommended Winner #1, Inhabit Residential

- Displayed a PowerPoint presentation summarizing their initiative and responded to questions from Council.

Shane Worman, Recommended Winner #2, Simple Pursuits

- Displayed a PowerPoint presentation summarizing their initiative and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

R453/16/05/30 THAT Council receives for information the report from the Acting Department Manager, Policy & Planning, dated May 30, 2016 with respect to the recommendations from the Infill Challenge project;

AND THAT Council direct staff to undertake the bylaw and process changes generally outlined in the report from the Acting Department Manager, Policy & Planning, dated May 30, 2016;

AND FURTHER THAT Council direct staff to follow the engagement process generally identified in the report from the Acting Department Manager, Policy & Planning, dated May 30, 2016.

Carried

6.2 Climate Action Revenue Incentive Program Reporting Requirements

Staff:

- Displayed a PowerPoint presentation summarizing the program and reporting requirements and responded to questions from Council.

Moved By Councillor Gray/Seconded By Councillor Sieben

R454/16/05/30 THAT Council receives, for information, the report from the Sustainability Coordinator and Energy Specialist, dated May 30, 2016, with respect to the Climate Action Revenue Incentive Program reporting requirements and corporate greenhouse gas (GHG) emissions data.

Carried

6.3 1459 & 1469 KLO Road - Rescind Housing Agreement

Staff:

- Displayed a PowerPoint presentation summarizing the context and background of the housing agreement and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Hodge

R455/16/05/30 THAT Council, receives for information, the report from the Planner Specialist dated May 30, 2016 recommending that Council repeal the Housing Agreement Bylaw for 1459 and 1469 KLO Road;

AND THAT Council consider a Bylaw which would authorize the City of Kelowna to repeal Bylaw No. 9889 being Housing Agreement Authorization Bylaw Witmar Developments Ltd. (Witmar Holdings Ltd.) - 1459 and 1469 KLO Road, and all amendments thereto, for Lot 1, District Lot 131, Plan 13798, O.D.Y.D except Plan KAP79224 and Lot 2, District Lot 131, O.D.Y.D. Plan 13798 except Plan KAP79225;

AND THAT Bylaw No. 11251 being Repeal Housing Agreement Authorization Bylaw No. 9889 be forwarded for reading consideration.

Carried

6.4 1459 & 1469 KLO Road, BL11251 - A Bylaw to Repeal Housing Agreement Authorization Bylaw No. 9889

Moved By Councillor Stack/Seconded By Councillor DeHart

R456/16/05/30 THAT Bylaw No. 11251 be read a first, second and third time.

Carried

6.5 Project Update - Public Placemaking (Bernard Avenue Laneway)

Staff:

- Displayed a PowerPoint presentation summarizing the Bernard Avenue laneway project and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Sieben

R457/16/05/30 THAT Council receives for information the Report from the Manager, Real Estate Services, dated May 30, 2016, with respect to updating Council on the status of the Bernard Avenue Laneway project;

AND THAT Council support temporary site improvements associated with the Bernard Avenue Laneway project in 2016;

AND FURTHER THAT Council support staff in further exploring the concept development and construction budget for a finalized Bernard Avenue Laneway initiative in 2017.

Carried

6.6 Statutory Notification

Staff:

- Displayed a PowerPoint presentation summarizing the amendments to the statutory notification process and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Given

R458/16/05/30 THAT Council receives, for information, the Report of the Deputy City Clerk dated May 30, 2016 with regards to an increase to the statutory notification delivery area for development applications under consideration by Council;

AND THAT Bylaw No. 11249, being Amendment No.4 to Development Application Procedures Bylaw No. 10540, be forwarded for reading consideration;

AND FURTHER THAT Council Policy 359 Liquor Licensing Policy and Procedures be amended as outlined in the report of the Deputy City Clerk dated May 30, 2016.

Carried

6.7 BL11249 - Amendment No. 4 to Development Applications Procedures Bylaw No. 10540

Moved By Councillor Sieben/Seconded By Councillor DeHart

R459/16/05/30 THAT Bylaw No. 11249 be read a first, second and third time.

Carried

6.8 New Taxi Service - Sun Cabs

Staff:

- Provided background information with respect to the application to operate a new taxi company within the City of Kelowna and responded to questions from Council.

Council:

- Encouraged the Applicant to provide taxi service during peak hours.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R460/16/05/30 THAT Council receives, for information, the report of the City Clerk, dated May 30, 2016 with respect to a proposed new taxi service within the City of Kelowna;

AND THAT Council authorizes the Mayor, on behalf of Council, to write a letter of support to the Passenger Transportation Branch, Ministry of Transportation and Infrastructure for Sun Cabs operating as a taxi within the City of Kelowna, with a comment Council encourages the applicant to operate at peak demand times.

Carried

6.9 Westbank First Nation - Proposed Additions to Reserve

Staff:

- Provided background information with respect to Westbank First Nation's proposed additions to reserve the and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor DeHart

R461/16/05/30 THAT Council authorizes the Mayor, on behalf of Council, to sign the letter to Indigenous and North Affairs Canada, BC Region regarding Westbank First Nations Proposed Additions to Reserve, in the form attached to the report of the Divisional Director, Community Planning & Real Estate and the City Clerk dated May 30, 2016

Carried

7. Mayor and Councillor Items

Councillor Stack:

- Spoke to the successful start of Bike to Work Week this morning.

Councillor DeHart:

- Spoke to her attendance at the May 25th Okanagan Mission Residents Association Meeting.
- Spoke to her attendance, on behalf of the Mayor, at the BC Dragoons Annual Spring Ball.
- Spoke to her attendance, along with Mayor Basran and Councillor Sieben, at the BC Cancer Daffodil Ball.

Councillor Singh:

- Encouraged the public to attend the Grandmother's for Africa Walk this coming weekend.
- Will be representing the Mayor at the Gutsy Walk for Crohn's & Colitis, Sunday, June 5th, City Park.

Councillor Sieben:

- Spoke to his attendance at the BC Cancer Daffodil Ball.

Councillor Hodge:

- Apologized for being absent for the Rutland May Days Parade due to illness.
- Will be attending the upcoming SILGA Board Meeting this week.

Councillor Gray:

- Will be participating in the Tim Horton's Send a Kid to Camp Fundraiser on June 1st at the Spall location.
- Will be attending CMHC "Housing First Education Event" Friday, June 3rd at the Ramada Hotel & Convention Centre.

Councillor Donn:

- Displayed images from his tour of the Downtown Liquor establishments with RCMP last Saturday night.
- Raised concerns with stores using parking stalls for garden product displays.

Acting City Manager:

- Will have staff look into the parking stall use and report back.

Councillor Given:

- Spoke to her attendance at the Chamber of Commerce lunch, on behalf of the Mayor, on new legislation for new types of businesses.
- Spoke to her attendance as a Reviewing Officer for the Sea Cadets.
- Commented that there are three separate Canadian Citizenship ceremonies on May 31st.

Mayor Basran:

- Reminder that there is no Council meeting next week due to FCM.

8. Termination

This meeting was declared terminated at 4:27 p.m.

Mayor

/acm

City Clerk