City of Kelowna
Regular Council Meeting
Minutes

Date:	Monday, December 14, 2015
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*
Staff Present	City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Urban Planner, Adam Cseke*; Financial Services Director, Genelle Davidson*; Infrastructure Planning Department Manager, Joel Shaw*; Bylaw Services Manager, Greg Wise*; Community Engagement Consultant, Kari O'Rourke*; Divisional Director, Communications & Information Services, Carla Weaden*; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:35 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 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

R962/15/12/14 THAT the Minutes of the Regular Meetings of December 7, 2015 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 988 Frost Road, Z15-0051 - 0954654 BC Ltd.

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

Moved By Councillor Hodge/Seconded By Councillor Singh

R963/15/12/14 THAT Rezoning Application No. Z15-0051 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 579, Similkameen Division Yale District, Plan EPP29197 located at 988 Frost Road, Kelowna, BC from the C3 - Community Commercial zone to the C3rls - Community Commercial (Retail Liquor Sales) zone be considered by Council;

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

Carried

3.2 988 Frost Road, BL11176 (Z15-0051) - 0954654 BC Ltd.

Moved By Councillor Hodge/Seconded By Councillor Donn

R964/15/12/14 THAT Bylaw No. 11176 be read a first time.

Carried

3.3 200 Potterton Road, OCP15-0018 and Z15-0057 - Roth Enterprises Ltd.

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

Moved By Councillor Singh/Seconded By Councillor Hodge

R965/15/12/14 THAT Official Community Plan Map Amendment Application No. OCP15-0018 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A, Section 2, Township 20, ODYD Plan KAP59703 located at 200 Potterton Road, Kelowna, BC from the EDINST designation to the IND - Industrial designation be considered by Council;

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

AND THAT the requirement to hold a Public Information Session, prior to the Official Community Plan Map Amending Bylaw receiving first reading, in accordance with the *Local Government Act*, and the City of Kelowna's Development Applications Procedures Bylaw No. 10540, be waived;

AND THAT Rezoning Application No. Z15-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 2, Township 20, ODYD Plan KAP59703, located at 200 Potterton Road, Kelowna, BC from the P1 - Major Institutional zone to the I2 - General Industrial zone be considered by Council;

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

Carried

3.4 200 Potterton Road, BL11178 (OCP15-0018) - Roth Enterprises Ltd.

Moved By Councillor Given/Seconded By Councillor Hodge

R966/15/12/14 THAT Bylaw No. 11178 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

3.5 200 Potterton Road, BL11179 (Z15-0057) - Roth Enterprises Ltd.

Moved By Councillor Given/Seconded By Councillor Gray

R967/15/12/14 THAT Bylaw No. 11179 be read a first time.

Carried

3.6 653 Harvey Avenue, 1770 & 1800 Richter Street, 1755 Chapman Place, DP15-0287 - Mission Group

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

Moved By Councillor Sieben/Seconded By Councillor Donn

R968/15/12/14 THAT Council authorizes the issuance of Development Permit No. DP15-0287 for properties located at 653 Harvey Ave (Lot 1, Plan 92715), 1170 Richter St (Lot 4, Plan 92715), 1800 Richter St (Lot A, Plan EPP18764) and 1755 Chapman Pl. (Lot 3, Plan 92715) Kelowna, BC subject to the following:

1. That the general form and character of the site landscaping, hardscaping, furnishing, plantings and other features be in general accordance with the specifications in "Schedule A";

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

3.7 1770 Richter Street, DP15-0172 - Mission Group Homes

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

Moved By Councillor Stack/Seconded By Councillor DeHart

R969/15/12/14 THAT Council authorizes the issuance of Development Permit No. DP15-0172 for Lot 4, Plan 92715 located at 1770 Richter Street, 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 Council's consideration of this Development Permit 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 14, 2015;

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

3.8 2741 Highway 97 N, DP15-0240 - Ronald Hoffart

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

Moved By Councillor Sieben/Seconded By Councillor Gray

R970/15/12/14 THAT Council authorizes the issuance of Development Permit No. DP15-0240 for Lot A, District Lot 124, ODYD, Plan 38380, located at 2741 Highway 97 N, 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

3.9 1102 Cameron Avenue & 1091 Guisachan Road, DP15-0248 - Victor Projects Ltd.

Councillor Stack declared a conflict of interest as his residence is across the street from the Cameron Avenue proposal and departed the meeting at 2:14 p.m.

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

Moved By Councillor Donn/Seconded By Councillor Given

R971/15/12/14 THAT Council invite the Applicant to respond to questions from Council.

Carried

Garry Tomporowski, Architect
- Confirmed that up to 20% of the development would be available for 3 bedroom units.

Moved By Councillor Donn/Seconded By Councillor Hodge

R972/15/12/14 THAT Council authorizes the issuance of Development Permit No. DP15-0248 for Lots 18 and 19, District Lot 136, ODYD, Plan 38928 located at 1102 Cameron Ave and 1091 Guisachan Road, 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 Council's consideration of this Development Permit 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 (insert date);

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 Stack returned to the meeting at 2:33 p.m.

3.10 4624 Lakeshore Road, DP15-0249 - Simple Pursuits Ltd.

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

Moved By Councillor Donn/Seconded By Councillor Singh

R973/15/12/14 THAT Council authorizes the issuance of Development Permit No. DP15-0249 for Lot B, Section 25, Township 28, SDYD, Plan 25458, located on 4624 Lakeshore Rd, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";

2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";

3. Landscaping to be provided on the land be in general accordance with Schedule "C";

4. Prior to issuance of the Building Permit, the outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated November 6th 2015

5. That 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 professional landscaper;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Applications in order for the permit 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

4. Bylaws for Adoption (Development Related)

4.1 605 Wallace Road, BL11079 (Z15-0003) - Robert Volk & Gwen Miller

Moved By Councillor Singh/Seconded By Councillor Sieben

R974/15/12/14 THAT Bylaw No. 11079 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 2016 Financial Plan

Staff:
- Displayed a PowerPoint Presentation outlining the 2016 Financial Plan and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor DeHart

R975/15/12/14 THAT Council receives, for information, the presentation from the Financial Services Director and the Infrastructure Planning Department Manager dated December 9, 2015 with respect to the 2016 Financial Plan.

Carried

5.2 Engage Policy and Program

Staff:
- Displayed a PowerPoint Presentation outlining the Engage Policy and Program.
- Confirmed that staff will be evaluating "It's Your Neighbourhood" notification process in 2016 and will report back to Council.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

R976/15/12/14 THAT Council receives, for information, the report from the Community Engagement Consultant dated December 7, with respect to the City's Engage Policy and Program.

Carried

5.3 Southern Interior Bylaw Adjudication Report to Council 2015

Staff:
- Provided an update and brief history of the creation on the Bylaw Adjudication System and responded to questions from Council.

DRAFT

Moved By Councillor Singh/Seconded By Councillor Gray

R977/15/12/14 THAT Council receives, for information, the Report of the Bylaw Services Manager dated December 14, 2015 with respect to the Bylaw Adjudication System Update;

AND THAT Bylaw No. 11177, being Amendment No. 14 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration;

AND THAT Council approves the renewal of the Southern Interior Bylaw Notice Dispute Registry Agreement including the addition of the City of Enderby as a partner;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the renewal of the Southern Interior Bylaw Notice Dispute Registry Agreement.

Carried

6. Resolutions - Nil.

7. Bylaws for Adoption (Non-Development Related)

7.1 1091 Guisachan Road, BL11174 - Road Closure Bylaw

Mayor invited anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.

No one came forward.

Moved By Councillor Singh/Seconded By Councillor Sieben

R978/15/12/14 THAT Bylaw No. 11174 be adopted.

Carried

7.2 BL11173 - Amendment No. 6 to Water Regulation Bylaw No. 10480

Moved By Councillor Singh/Seconded By Councillor Sieben

R979/15/12/14 THAT Bylaw No. 11173 be adopted.

Carried

8. Mayor and Councillor Items

Councillor DeHart:
- Spoke to her attendance, on behalf of Mayor and Council, at the 85th Anniversary of the Catholic Women's League Immaculate Conception Council.

Councillor Sieben:
- Acknowledged Ballet Kelowna's dedication during recent performances.

Councillor Given:
- Spoke to her attendance at the Tourism Kelowna Annual General Meeting and congratulated the incoming Executives.

Mayor Basran:
- Wished all residents Happy Holidays and Merry Christmas.

DRAFT

9. Termination

This meeting was declared terminated at 4:12 p.m.

Mayor

City Clerk

/acm

DRAFT