



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, July 28, 2014  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann

Staff Present: Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Manager, Urban Planning, Ryan Smith\*; Manager, Subdivision, Agriculture & Environment Services, Todd Cashin\*; Manager, Development Engineering, Steve Muenz\*; Manager, Park & Building Planning, Terry Barton\*; Manager, Long Range Policy Planning, James Moore\*; Community Engagement Consultant, Kari O'Rourke\*; Manager, Utility Planning, Andrew Reeder\*; Director, Subdivision, Agriculture & Environment, Shelley Gambacort\*; Planner II, Melanie Steppuhn\*; Manager, Cultural Services, Sandra Kochan\*; Manager, Community & Neighbourhood Programs, Louise Roberts\*; Planner Specialist, Pat McCormick\*; and Council Recording Secretary, Tania Tishenko

(\*denotes partial attendance)

### 1. Call to Order

Mayor Gray called the meeting to order at 1:34 pm.

Mayor Gray 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 Zimmermann/Seconded By Councillor Stack

R530/14/07/28 THAT the Minutes of the Regular PM Meeting of July 14, 2014 be confirmed as circulated.

Carried

3. Public in Attendance

3.1. Gold Quill Award of Excellence, IABC re: City of Kelowna - My Downtown: Bernard Avenue Revitalization Community Engagement

Staff:

- Presented Council with the Gold Quill Award of Excellence from the International Association of Business Communicators.

4. Development Application Reports & Related Bylaws

4.1. Rezoning Application No. Z14-0013 - 290 & 310 Lochview Road, Randall & Stacie Mosicki and Rodney & Deborah Stryda

Staff:

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

Mayor Gray invited the Applicant, or Applicant's Representative, to come forward.

Randy Mosicki , Applicant

- Explained the layout of the land and the amount of developable lots available.
- Confirmed that the area is fire truck accessible with some challenges.
- Spoke of upgrades and additional private accesses.

Moved By Councillor Stack/Seconded By Councillor Zimmermann

R531/14/07/28 THAT Rezoning Application No. Z14-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 Section 7&8 Township 23 ODYD Plan 41162, located at 310 Lochview Rd and Lot 4 Sections 7&8 Township 23 ODYD Plan 41162, located at 290 Lochview Rd from the A1 - Agricultural 1 to the RR1 - Rural Residential 1 zone NOT be considered by Council.

Carried

4.2. **Agricultural Land Reserve Appeal Application No. A14-0006 - 342 Valley Road, Adolph & Janet Hait and Clarence Rode**

Staff:

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

Mayor Gray invited the Applicant, or Applicant's Representative, to come forward.

Adolph Hait, Applicant

- Confirmed that he has been living on the property since 1961 and not 1971 as specified
- Needs room to maneuver RV in and out of shed.
- Subdivision would be over septic field.

Moved By Councillor Zimmermann/Seconded By Councillor Hobson

**R532/14/07/28** THAT Agricultural Land Reserve appeal A14-0006 for Lot 19, Block 5, Section 4, TWP 23, ODYD Plan 896 Except Plans 22059 and H8323 located at 342 Valley Road North for a subdivision of agricultural land in the Agricultural Land Reserve, pursuant to Section 21(2) of the *Agricultural Land Commission Act*, Alternative Layout as per 'Map B' be supported by Municipal Council;

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

Carried

4.3. **Rezoning Application No. Z14-0017 - 815 Juniper Road, Brad Ferrell**

Staff:

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

Moved By Councillor Hobson/Seconded By Councillor Given

**R533/14/07/28** THAT Rezoning Application No. Z14-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 7, Section 23, Township 26, ODYD, Plan 16489, located on 815 Juniper Road, from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone as shown on Map "A" attached to the report of Subdivision, Agriculture & Environment Department, dated July 7, 2014, be considered by Council;

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

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

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

Carried

**4.3.1. Bylaw No. 10989 (Z14-0017) - 815 Juniper Road, Brad Ferrell**

Moved By Councillor Stack/Seconded By Councillor DeHart

R534/14/07/28 THAT Bylaw No. 10989 be read a first time.

Carried

**4.4. Rezoning Application No. Z14-0018 - 1781 Capistrano Drive, Mahesh Raj Tripathi**

Staff:

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

Moved By Councillor Basran/Seconded By Councillor Hobson

R535/14/07/28 THAT Rezoning Application No. Z14-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 on Lot 28, Section 15, Township 23, ODYD, Plan KAP83551, located on 1781 Capistrano Drive, Kelowna, BC from the CD6 - Comprehensive Residential Golf Resort to RU1 - Large Lot Housing zone be considered by Council;

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

Carried

**4.4.1. Bylaw No. 10987 (Z14-0018) - 1781 Capistrano Drive, Mehesh Raj Tripathi**

Moved By Councillor DeHart/Seconded By Councillor Stack

R536/14/07/28 THAT Bylaw No. 10987 be read a first time.

Carried

**4.5. Rezoning Application No. Z14-0024 - 505 Doyle Avenue, Interior Health Authority**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Singh

**R537/14/07/28** THAT Rezoning Application No. Z14-0024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot A, District Lot 139, ODYD Plan EPP25652, located at 505 Doyle Avenue, Kelowna, BC from the C4 - Urban Centre Commercial zone to the C7 - Central Business Commercial zone, as shown on Map "A" attached to the Report of the Urban Planning Department dated July 11, 2014, be considered by Council;

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

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch, as attached to the Report of the Urban Planning Department dated July 15, 2014, being completed to its satisfaction;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Ministry of Transportation, as attached to the Report of the Urban Planning Department dated July 15, 2014, being completed to its satisfaction;

AND THAT the property owner be required to register a Section 219 No-Build Covenant on the title to the subject property;

AND FURTHER THAT the Section 219 No-Build Covenant be discharged upon approval of a Development Permit application for the subject property;

Carried

**4.5.1. Bylaw No. 10991 (Z14-0024) - 505 Doyle Avenue, Interior Health Authority**

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

**R538/14/07/28** THAT Bylaw No. 10991 be read a first time.

**Carried**

4.6. Rezoning Application No. Z10-0044, Extension Request - 120 Homer Road,  
Nathan Morden

Staff:

- Gave an overview of the application and responded to questions from Council.

**Moved By Councillor Given/Seconded By Councillor Stack**

**R539/14/07/28** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10403 (Z10-0044) to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13 Section 27 Township 26 ODYD Plan 14897, except Plan 39705, located at 120 Homer Road, Kelowna BC, be extended to August 12th 2014.

**Carried**

5. Bylaws for Adoption (Development Related)

5.1. Bylaw No. 10914 (OCP13-0020) - 1055 Frost Road, No. 21 Great Projects  
Ltd. & City of Kelowna

**Moved By Councillor Stack/Seconded By Councillor Given**

**R540/14/07/28** THAT Bylaw No. 10914 be adopted.

**Carried**

5.2. Bylaw No. 10915 (Z13-0043) - 1055 Frost Road, No. 21 Great Projects Ltd. &  
City of Kelowna

**Moved By Councillor Given/Seconded By Councillor Stack**

**R541/14/07/28** THAT Bylaw No. 10915 be adopted.

**Carried**

5.3. Bylaw No. 10972 (Z14-0014) - 890 Mayfair Road, Henry & Ingrid Jenzen

Moved By Councillor Given/Seconded By Councillor Stack

R542/14/07/28 THAT Bylaw No. 10972 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1. Quarterly Report Update

Deputy City Manager, Paul Macklem

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

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R543/14/07/28 THAT Council receives, for information, the Quarterly Report from the Deputy City Manager, dated July 23, 2014.

Carried

6.2. Revitalization Tax Exemption Agreement - 552-554 Leon Avenue

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Given

R544/14/07/28 THAT Council approves the City of Kelowna entering into Revitalization Tax Exemption Agreement with 0871089 B.C. LTD., INC.NO. BC0871089 for Lot A District Lot 139 ODYD Plan 34415, located on 552-554 Leon Avenue, Kelowna BC, in the form attached to the report from Land Use Management dated July 28<sup>th</sup>, 2014;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Revitalization Tax Exemption Agreement.

Carried

### 6.3. Revitalization Tax Exemption Agreement - 1155 Brookside Avenue

Staff:

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

Moved By Councillor Blanleil/Seconded By Councillor Hobson

**R545/14/07/28** THAT Council approves the City of Kelowna entering into Revitalization Tax Exemption Agreement with Evergreen Lands Limited, Inc. No. BC0382754 for Lot A Section 19 Township 26 ODYD Plan EPP31674, located at 1155 Brookside Avenue Kelowna BC, in the form attached to the report from Land Use Management dated July 28<sup>th</sup>, 2014;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Revitalization Tax Exemption Agreement.

Carried

### 6.4. Fascieux Creek Restoration Improvements

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Stack

**R546/14/07/28** THAT Council receives for information, the report from the Utilities Planning Manager, dated July 28th, 2014 with respect to Fascieux Creek Restoration;

AND THAT the following fees be waived for the Green Parent Committee for the purposes of restoring a portion of Fascieux Creek:

1. Development permit application fee
2. 60 cubic metres of Ogo compost
3. Landfill tipping fees for up to 1,650 cubic metres of material

Carried

### 6.5. SEKID Boundary Inclusion for 4050 Casorso Road

Staff:

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

Moved By Councillor Hobson/Seconded By Councillor Zimmermann



**R547/14/07/28** THAT Council approves the request by the South East Kelowna Irrigation District (SEKID) to amend its water service area boundaries to include 4050 Casorso Road as outlined in the Report of the Utility Services Manager dated July 21, 2014.

**Carried**

#### 6.6. Rescind Ownership Housing Agreements

Staff:

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

**Moved By Councillor Given/Seconded By Councillor Basran**

**R548/14/07/28** THAT Council, receives for information, the report from the Policy and Planning Department, dated July 28, 2014 with respect to rescinding all existing ownership Housing Agreements Authorization Bylaws;

AND FURTHER THAT Bylaw No. 10873, being a Bylaw to Rescind Housing Agreement Authorization Bylaw Nos. 9525, 9694, 9713, 9737, 9834, 9884, 10182, 10183 and 10601, be forwarded for reading consideration; AND FURTHER THAT Council directs staff to proceed with the discharge of the housing agreements from the title of the properties identified in Bylaws 9525, 9694, 9713, 9737, 9834, 9884, 10182, 01083 and 10601.

**Carried**

##### 6.6.1. Bylaw No. 10873 - A Bylaw to Rescind Ownership Housing Agreement Bylaw Nos. 9525, 9694, 9713, 9737, 9834, 9884, 10182, 10183 & 10601

**Moved By Councillor Singh/Seconded By Councillor Hobson**

**R549/14/07/28** THAT Bylaw No. 10873 be read a first, second and third time.

**Carried**

#### 6.7. Amendment of Sister Cities Policy

Staff:

- Gave an overview of the Sister Cities Policy and revisions to Policy 355 and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Stack

**R550/14/07/28** THAT Council receives for information the report dated July 28, 2014 from the Cultural Services Manager and the Grants and Partnerships Manager recommending revisions to Council Policy 355 pertaining to Sister City relationships;

AND THAT Council Policy No. 355, being Sister City Funding, be revised as outlined in the report from the Cultural Services Manager and the Grants and Partnerships Manager dated July 28, 2014;

AND FURTHER THAT the Cultural Services Manager is authorized to execute Sponsor Agreements with the Kelowna Kasugai Sister City Association and the Kelowna Veendam Sister City Association pursuant to revised Policy 355.

Carried

**6.8. Service Collaboration Agreement with Allie Health**

Staff:

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

Moved By Councillor Hobson/Seconded By Councillor Zimmermann

**R551/14/07/28** THAT Council receives, for information, the report from the Community & Neighbourhood Services Manager dated July 23, 2014, regarding the expanded service collaboration between the City of Kelowna and Allie Health.

Carried

**6.9. Ben Lee Park - Playground Improvement Project**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Singh

**R552/14/07/28** THAT Council receives, for information the Report from the Parks and Building Planning Manager dated July 21, 2014, with respect to the 2014 Enabling Accessibility Fund for improvements to the Ben Lee playground;

AND THAT Council supports the City submitting an application to the Employment and Social Development Canada (ESDC) for the Enabling Accessibility in Communities Grant

as outlined in the Report from the Parks and Building Planning Manager dated July 21, 2014;

AND THAT Council approves \$50,000 in funding from the Parks Purchasing & Development Reserve for the Ben Lee Park - Playground Improvement Project, pending the award of the Enabling Accessibility in Communities Grant to the City;

AND FURTHER THAT the 2014 Financial Plan be amended in order to provide this funding.

Carried

#### 6.10. Ellis Street Corridor Plan

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R553/14/07/28 THAT Council receives, for information, the Report of the Planner Specialist, Urban Design dated July 23, 2014 with respect to the Ellis Street Corridor Plan;

AND THAT Council endorse the Ellis Street Corridor Plan as a template for road alignments and as the basis for coordination of streetscape elements within the Subject Area as identified in the report of the Planner Specialist, Urban Design dated July 28, 2014.

Carried

#### 7. Bylaws for Adoption (Non-Development Related)

##### 7.1. Bylaw No. 10936 - Road Closure Bylaw, Portion of 1908 Henkel Road

Mayor Gray 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 Hobson

R554/14/07/28 THAT Bylaw No. 10936 be adopted.

Carried

- 7.2. Bylaw No. 10982 - Amendment No. 1 to City of Kelowna Election Sign Bylaw No. 10411

Moved By Councillor Singh/Seconded By Councillor Hobson

R555/14/07/28 THAT Bylaw No. 10982 be adopted.

Carried

- 7.3. Bylaw No. 10983 - Amendment No. 1 to Heritage Building Tax Exemption Bylaw No. 10966

Moved By Councillor Blanleil/Seconded By Councillor Basran

R556/14/07/28 THAT Bylaw No. 10983 be adopted.

Carried

- 7.4. Bylaw No. 10988 - A Bylaw to Rescind Ownership Housing Agreement Authorization Bylaw No. 10163

Moved By Councillor Basran/Seconded By Councillor Blanleil

R557/14/07/28 THAT Bylaw No. 10988 be adopted.

Carried

## 8. Mayor and Councillor Items

Councillor DeHart:

- Spoke to her attendance as Deputy Mayor at the Lieutenant Governors Foundation Okanagan Ball, Old Navy Ribbon Cutting and Dockside Marine grand opening.

Mayor Gray:

- Reminded the community of the Snowbirds Show on Wednesday July 30<sup>th</sup> at 5pm.

**9. Termination**

This meeting was declared terminated at 4:50 p.m.

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Mayor  
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City Clerk