



City of Kelowna Regular Council Meeting Minutes

Date: Monday, October 6, 2014
 Time: 1:30 pm
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Members Absent Councillor Andre Blanleil

Staff Present Acting City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Deputy City Manager, Paul Macklem*; Director, Corporate Business Ventures, John Vos*; Manager, Capital Assets & Investments, Joel Shaw*; Manager, Urban Planning, Ryan Smith*; Manager, Subdivision, Agriculture & Environment Services, Todd Cashin*; Planner, Subdivision, Agriculture & Environment Services, Damien Burggraeve*; Property Manager, John Saufferer*; Accountant, Matt Friesen*; and Council Recording Secretary, Arlene McClelland

(*denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 1:33 p.m.

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 Hobson/Seconded By Councillor Stack

R706/14/10/06 THAT the Minutes of the Regular Meeting of September 29, 2014 be amended by changing the seconder for Item 5.2 from Councillor Stack to Councillor Singh and be confirmed as amended.

Carried

3. Development Application Reports & Related Bylaws

3.1. Text Amendment No. TA14-0004 and Rezoning Application No. Z12-0056 - 1755 Capri Street, 1835 Gordon Drive and 1171 Harvey Avenue, RG Properties Ltd.

Staff:

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

Moved By Councillor Hobson/Seconded By Councillor Given

R707/14/10/06 THAT Text Amendment No. TA14-0004 to add the proposed CD25 - Capri Centre Comprehensive Development zone to Zoning Bylaw No. 8000 as outlined in Schedule "A" of the Report of the Urban Planning Department dated October 21st, 2014 be considered by Council;

AND THAT Rezoning Application No. Z12-0056 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, D.L. 137, ODYD, Plan KAP64836, located at 1835 Gordon Drive; Lot B, D.L. 137, ODYD, Plan KAP64836, located at 1171 Harvey Avenue, Lot C, D.L. 137, ODYD, Plan KAP64836, located at 1755 Capri Street Kelowna B.C. from C4 - Urban Centre Commercial, C4 - Urban Centre Commercial (Retail Liquor Sales) and C4 - Urban Centre Commercial (Liquor Primary) to CD25 Capri Comprehensive Development Zone be considered by Council;

AND THAT the Text Amendment Bylaw and the Zone Amendment Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Bylaw No. 10999 being Amendment No. 22 to Sign Bylaw No. 8235 be forwarded for reading consideration;

AND THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit for the design guidelines on the subject properties;

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;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of Fortis BC Electric being completed to their satisfaction.

Carried

3.1.1. Bylaw No. 10998 (TA14-0003) - CD25, Capri Centre Comprehensive Development Zone

Moved By Councillor Stack/Seconded By Councillor Given

R708/14/10/06 THAT Bylaw No. 10998 be read a first time.

Carried

3.1.2. Bylaw No. 11016 (Z12-0056) - 1755 Capri Street, 1835 Gordon Drive and 1171 Harvey Avenue, RG Properties Ltd.

Moved By Councillor Given/Seconded By Councillor Stack

R709/14/10/06 THAT Bylaw No. 11016 be read a first time.

Carried

3.1.3. Bylaw No. 10999 - Amendment No. 21 to Sign Bylaw No. 8235

Moved By Councillor Given/Seconded By Councillor Stack

R710/14/10/06 THAT Bylaw No. 10999 be read a first, second and third time.

Carried

3.2. Rezoning Application No. Z14-0026 - 1280 Glenmore Drive, 561655 BC Ltd.

Staff:

- Displayed a Power Point Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Hobson

R711/14/10/06 THAT rescindment of Bylaw No. 10994 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the eastern part of Lot 1, Section 29, Township 26, ODYD, Plan 29608, located on 1280 Glenmore Drive, Kelowna, BC from the RU1 - Large Lot Housing zone to the RM2 - Low Density Row Housing zone, be considered by Council;

AND THAT Rezoning Application No. Z14-0026 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 29, Township 26, ODYD, Plan 29608, located on 1280 Glenmore Drive, Kelowna, BC from the RU1 - Large Lot Housing zone to the RM2 - Low Density Row Housing zone as shown on Map "B" attached to the report from Urban Planning Department dated September 19th 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 subsequent to the following:

1. Requirements of Development Engineering Branch being completed to their satisfaction;
2. Approval of a Subdivision Preliminary Layout Review (PLR) including the dedication of both the north/south laneway and a second laneway connection from that lane westwards to Mountainview Street;

AND FURTHER THAT a Section 219 Building Use covenant be registered on the subject property limiting the development to nine dwelling units in order to prevent the development of any additional dwellings not contemplated by this permit.

Carried

3.2.1. Bylaw No. 10994 (Z14-0026) - 1280 Glenmore Road, 561655 BC Ltd.

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R712/14/10/06 THAT Bylaw No. 10994 be rescinded at first reading.

Carried

3.2.2. Bylaw No. 11020 (Z14-0026) - 1280 Glenmore Road, 561655 BC Ltd.

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R713/14/10/06 THAT Bylaw No. 11020 be read a first time.

Carried

3.3. Rezoning Application No. Z14-0035 - 2271 Harvey Avenue, Orchard Park Shopping Centre Holdings Inc.

Staff:

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

Moved By Councillor Basran/Seconded By Councillor Zimmermann

R714/14/10/06 THAT Rezoning Application No. Z14-0035 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot 1, District Lot 127, ODYD, Plan KAP53260 except Plans KAP56123 and EPP3467, located on 2271 Harvey Avenue, Kelowna, BC, from the C6 - Regional Commercial zone to the C6r1s - Regional Commercial (Retail Liquor Sales) zone, as shown on Map "A" attached to the Report of the Urban Planning Department dated October 6, 2014, be considered by Council;

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

Carried

3.3.1. Bylaw No. 11021 (Z14-0035) - 2271 Harvey Avenue, Orchard Park Shopping Centre Holdings Ltd.

Moved By Councillor Given/Seconded By Councillor Stack

R715/14/10/06 THAT Bylaw No. 11021 be read a first time.

Carried

3.4. Rezoning Application No. Z14-0029 - 801 Francis Avenue, D Squared Enterprises Inc.

Staff:

- Displayed a Power Point Presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Given

R716/14/10/06 THAT Rezoning Application No. Z14-0029 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 136, ODYD, Plan 6253, located on 801 Francis Avenue, Kelowna, BC, from the RU6 - Two Dwelling Housing zone to the RU2 - Medium Lot Housing and RU6 - Two Dwelling Housing zones, as shown on Map "A" attached to the Report of the Urban Planning Department, dated October 6, 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 FURTHER 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

3.4.1. Bylaw No. 11019 (Z14-0029) - 801 Francis Avenue, D Squared Enterprises Inc.

Moved By Councillor Stack/Seconded By Councillor Zimmermann

R717/14/10/06 THAT Bylaw No. 11019 be read a first time.

Carried

3.5. Official Community Plan Bylaw Amendment Application No. OCP14-0022 and Rezoning Application No. Z14-0047 - 984 Dehart Road, Sherwood Mission Developments & Dr. Alexander Rezansoff

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Basran

R718/14/10/06 THAT Official Community Plan Bylaw Amendment No. OCP14-0022 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing a portion of the Future Land Use designation of Lot 1, Section 31, TWP 29, ODYD Plan KAP62654, located at 984 Dehart Road, Kelowna, BC, from the Multi-Unit Residential Low Density (MRL) designation to the Single/Two Unit Residential (S2RES) designation, in accordance with 'Map A', be considered by Council;

AND THAT Rezoning Application No. Z14-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1, Section 31, TWP 29, ODYD Plan KAP62654, located at 984 Dehart Road, Kelowna, BC, from the A1 - Agriculture 1 zone to the RU1 - Large Lot Housing zone and to the RU2 - Medium Lot Housing zone in accordance with 'Map B' be considered by Council;

AND THAT the Official Community Plan Amendment Bylaw and 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 Development Engineering Branch and Parks Services Branch being completed to their satisfaction, as well as, a Farm Protection Development Permit and a Natural Environment Development Permit being issued to the satisfaction of the Subdivision, Agriculture & Environment Services Branch.

Carried

3.5.1. Bylaw No. 11017 (OCP14-0022) - 984 Dehart Road, Sherwood Mission Developments Ltd. & Dr. Alexander Rezansoff

Moved By Councillor Basran/Seconded By Councillor Singh

R719/14/10/06 THAT Bylaw No. 11017 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

3.5.2. Bylaw No. 11018 (Z14-0047) - 984 Dehart Road, Sherwood Mission Developments Ltd. & Dr. Alexander Rezansoff

Moved By Councillor Singh/Seconded By Councillor Basran

R720/14/10/06 THAT Bylaw No. 11018 be read a first time.

Carried

4. Bylaws for Adoption (Development Related)

4.1. Bylaw No. 10832 (OCP13-0002) - 1760, 2025 & 2137 Quail Ridge Boulevard, Pier Mac Petroleum Installation Ltd.

Moved By Councillor Basran/Seconded By Councillor Singh

R721/14/10/06 THAT Bylaw No. 10832 be adopted.

Carried

4.2. Bylaw No. 10834 (Z13-0003) - 1760, 2025 & 2137 Quail Ridge Boulevard, Pier Mac Petroleum Installation Ltd.

Moved By Councillor Singh/Seconded By Councillor Basran

R722/14/10/06 THAT Bylaw No. 10834 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1. Quarterly Report

Staff:

- Displayed a Power Point Presentation summarizing the report.

Moved By Councillor Given/Seconded By Councillor Stack

R723/14/10/06 THAT Council receives, for information, the Quarterly Report from the Deputy City Manager, dated October. 1, 2014.

Carried

Councillor Stack declared a conflict of interest as the Society of Hope is an applicant for a permissive tax exemption and left the meeting at 2:59 p.m.

5.2. 2015 Permissive Tax Exemption Bylaw

Moved By Councillor Given/Seconded By Councillor Zimmermann

R724/14/10/06 THAT Council receives, for information, the Report from the Revenue Branch Accountant dated October 6, 2014 with respect to the 2015 Permissive Tax Exemption Bylaw;

AND THAT Bylaw No. 11009, being the 2015 Permissive Tax Exemption Bylaw be forwarded for reading consideration.

Carried

5.2.1. Bylaw No. 11009 - 2015 Permissive Tax Exemption Bylaw

Moved By Councillor Basran/Seconded By Councillor Singh

R725/14/10/06 THAT Bylaw No. 11009 be read a first, second and third time.

Carried

Councillor Stack rejoined the meeting at 3:06 p.m.

5.3. South Perimeter Road

Staff:

- Displayed maps showing roads in the area with respect to Gordon Drive and South Perimeter Road and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Basran

R726/14/10/06 THAT Council receives for information the report of the Director, Corporate Business Ventures dated October 1, 2014, with respect to the Extension of Gordon Drive and South Perimeter Road;

AND THAT Council confirms the current alignment to the Extension of Gordon Drive and South Perimeter Road;

AND FURTHER THAT Council direct staff to solicit community input on the implications on priorities and sequencing of other Mission DCC Road Improvements should the Gordon Drive Extension and South Perimeter Road proceed in the near future.

Carried

5.4. Wine and Art Lease

Staff:

- Displayed a Power Point Presentation and responded to questions from Council.
- Confirmed no cooking on site and only reheating of food permitted due to the zoning.

Moved By Councillor Given/Seconded By Councillor Singh

R727/14/10/06 THAT Council approve the City entering into a five (5) year commercial lease with Marni Manegre (doing business as Wine and Art), with the option to renew for an additional five (5) year term, in the form attached as Schedule A to the Report of the Manager, Property Management, dated October 6, 2014;

AND THAT the Mayor and City Clerk be authorized to execute the agreement.

Carried

5.5. Road Closure - 460 Doyle Avenue

5.5.1. Bylaw No. 11000 - Road Closure Bylaw, Portion of Lane adjacent to 460 Doyle Avenue

Moved By Councillor Singh/Seconded By Councillor Basran

R728/14/10/06 THAT Bylaw No. 11000 be read a first, second and third time.

Carried

6. Bylaws for Adoption (Non-Development Related)

Bylaw No. 10798 was removed from the Agenda and will be placed on the October 20, 2014 Agenda.

6.1. Bylaw No. 10798 - Road Closure Bylaw, Portion of Lane adjacent to 551 Glenwood Avenue

7. Mayor and Councillor Items

Councillor Given:

- Spoke to her attendance, on behalf of Council, at the Run for the Cure Event held this past weekend. The Event raised \$250,000.

Councillor Stack:

- Encouraged members of the public to participate in the Canadian Blood Service Challenge with Prince George.

Councillor DeHart:

- Invited Council and members of the public to the Annual United Way Drive Through Breakfast occurring October 9th.
- Spoke to her attendance at the Scarecrow Festival at Lions Park in Rutland and her prize winning scarecrow.

Councillor Basran:

- Spoke to his attendance at the Scarecrow Festival at Lions Park in Rutland.

8. Termination

This meeting was declared terminated at 4:15 p.m.

Mayor

/acm

City Clerk