



City of Kelowna Regular Council Meeting Minutes

Date: Monday, July 13, 2015
 Location: Council Chamber
 City Hall, 1435 Water Street

Council 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; Divisional Director, Active Living & Culture, Jim Gabriel*; Community Planning Department Manager, Ryan Smith*; Suburban & Rural Planning Manager; Todd Cashin*; Urban Planning Supervisor, Lyndsey Ganczar*; Planner II, Ryan Roycroft*; Financial Planning Manager, George King*; and Acting Council Recording Secretary, Tania Tishenko

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:30 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

R522/15/07/13 THAT the Minutes of the Regular Meeting of June 29, 2015 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 YMCA of Okanagan, re: H2O Adventure & Fitness Centre

Divisional Director Active Living & Culture, Jim Gabriel
 - Introduced General Manager Cory Krist.

Cory Krist, General Manager, YMCA of Okanagan
 - Presented the annual report and responded to questions from Council.

4. Development Application Reports & Related Bylaws

4.1 310 Mugford Road, Z15-0017 - Harjinder, Jaswinder & Swaran Malhi

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Mayor Basran invited the Applicant to come forward.

Swaran Malhi, Applicant:

- Made comment as to reasons Council should support the application proceeding to public hearing and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

R523/15/07/13 THAT Rezoning application No. Z15-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B Section 26 Township 26 ODYD Plan 27494 located at 310 Mugford Road, 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 requirements of the Development Engineering Department being completed to their satisfaction;

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

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

Carried
Councillor Stack - Opposed.

4.2 5267 Chute Lake Road, Z15-0021 - David Rolleston

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R524/15/07/13 THAT Rezoning Application No. Z15-0021 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 24, Township 28, SDYD, Plan KAP79725, located on 5267 Chute Lake Road, Kelowna, BC from the RR3 - Rural Residential 3 zone to the RU1 - Large Lot Housing 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 subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

4.3 5267 Chute Lake Road, BL11110 (Z15-0021) - David Rolleston

Moved By Councillor Given/Seconded By Councillor Donn

R525/15/07/13 THAT Bylaw No. 11110 be read a first time.

Carried

4.4 3699 Highway 97 North, Z15-0028 - University Business Park Ltd.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Hodge

R526/15/07/13 THAT Rezoning Application No. Z15-0028 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, Sections 35, Township 26, O.D.Y.D., Plan KAP57139, located at 3699 Highway 97 N., Kelowna, BC from the C3 - Community Commercial zone to the C3lp/rls - Community Commercial (liquor primary/retail liquor sales) zone be considered by Council;

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

Carried

4.5 3699 Highway 97 North, BL11111 (Z15-0028) - University Business Park Ltd.

Moved By Councillor Donn/Seconded By Councillor Hodge

R527/15/07/13 THAT Bylaw No. 11111 be read a first time.

Carried

4.6 225 Clifton Road and (W of) Union Road, OCP15-0012 & Z15-0016 - Glenwest Properties Ltd.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Given

R528/15/07/13 THAT Official Community Plan Bylaw Amendment No. OCP15-0012 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot D Section 8 Township 23 Osoyoos Division Yale District Plan KAP75116 Except Plans EPP24895 And EPP24897, located at 225 Clifton Rd N from S2RES - Single/Two Unit Residential to S2RESH - Single/Two Unit Residential Hillside as shown Map "A" attached to the report of Community Planning dated July 13, 2015 be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP15-0012 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of the North East ¼ of Section 5 Township 23 Osoyoos Division Yale District Except Plans 896, B645, KAP69724, EPP24895 AND EPP24897, located (W OF) Union Rd from S2RES- Single/Two Unit Residential to S2RESH - Single/Two Unit Residential Hillside, from the PARK - Major Park & Open Space to S2RESH - Single/Two Unit Residential Hillside, from S2RESH - Single/Two Unit Residential Hillside to PARK - Major Park & Open Space Area, and from S2RES - Single / Two Unit Residential to PARK - Major Park & Open Space Area as shown Map "A" attached to the report of Community Planning dated July 13, 2015 be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Community Planning dated July 13, 2015 be considered by Council;

AND THAT Rezoning Application No. Z15-0016 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot D Section 8 Township 23 Osoyoos Division Yale District Plan KAP75116 Except Plans EPP24895 And EPP24897, located at 225 Clifton Rd N from the RM3 - Low Density Multiple Housing to RU2H - Medium Lot Housing Hillside and from the RM3 - Low Density Multiple Housing to the RU4 - Low Density Cluster Housing as shown Map "B" attached to the report of Community Planning dated July 13, 2015 be considered by Council;

AND THAT Rezoning Application No. Z15-0016 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of the North East ¼ of Section 5 Township 23 Osoyoos Division Yale District Except Plans 896, B645, KAP69724, EPP24895 AND EPP24897, located (W OF) Union Rd from RU1H - Large Lot Housing Hillside to RU2H - Medium Lot Housing Hillside, from RU4 - Low Density Cluster Housing to RU2H - Medium Lot Housing Hillside, from P3 -Parks and Open Spaces to RU2H - Medium Lot Housing Hillside, from RU2H - Medium Lot Housing Hillside to RU4 - Low Density Cluster Housing, from RU1H - Large Lot Housing Hillside to P3 -Parks and Open Spaces, and from RU2H - Medium Lot Housing Hillside to P3 - Parks and Open Spaces shown Map "B" attached to the report of Community Planning dated July 13, 2015 be considered by Council;

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

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

- 4.7 225 Clifton Road and (W of) Union Road, BL11112 (OCP15-0012) - Glenwest Properties Ltd.

Moved By Councillor Hodge/Seconded By Councillor Gray

R529/15/07/13 THAT Bylaw No. 11112 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

- 4.8 225 Clifton Road and (W of) Union Road, BL11113 (Z15-0016) - Glenwest Properties Ltd.

Moved By Councillor Gray/Seconded By Councillor Hodge

R530/15/07/13 THAT Bylaw No. 11113 be read a first time.

Carried

- 4.9 1027 Clement Avenue, BL11059 (OCP14-0025) - Okanagan Valley Construction Ltd.

Moved By Councillor Singh/Seconded By Councillor DeHart

R531/15/07/13 THAT Bylaw No. 11059 be adopted.

Carried

- 4.10 1027 Clement Avenue, BL11060 (Z14-0038) - Okanagan Valley Construction Ltd.

Moved By Councillor DeHart/Seconded By Councillor Singh

R532/15/07/13 THAT Bylaw No. 11060 be adopted.

Carried

- 4.11 1027 Clement Avenue, DP14-0177 - Okanagan Valley Construction Ltd.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Gray

R533/15/07/13 THAT Council authorizes the issuance of Development Permit No. DP14-0177 for Lot 5, District Lot 138, Section 30, Township 26 ODYD Plan 3763, located at 1027 Clement Avenue, Kelowna, BC subject to the following:

1. The dimensions and siting of the building and parking 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. The landscaping to be constructed on the land be in general accordance with Schedule "C";
4. The applicant be required to enter into a Landscape Agreement with the City and post a Landscape Performance Security deposit in the amount of 125% of the estimated value of the landscaping, as noted on Schedule "C";

AND THAT Council's consideration of this Development Permit be considered subsequent to the requirements of the Development Engineering branch completed to their satisfaction.

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 permit to be issued;

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

Carried

4.12 497 Carnoustie Drive, DP15-0105 - Melcor Developments Ltd.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

R534/15/07/13 THAT Council hear from the applicant, Andrew Bruce, Regional Manager Melcor Developments.

Carried

Andrew Bruce, Melcor Development, Applicant

- Responded to questions from Council regarding landscaping and yard maintenance.
- Confirmed there is a statutory building scheme registered on title.
- Considering a good neighbor agreement to be part of each sale.
- Responded to questions regarding size of garages and driveways for different units and visitor parking areas.

Moved By Councillor Hodge/Seconded By Councillor Donn

R535/15/07/13 THAT Council authorizes the issuance of Development Permit No. DP15-0105 for Lot 5 Section 19 Township 27 ODYD Plan EPP20624 located at 497 Carnoustie Drive, 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 the issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied as described in the attached Memorandum dated May 27, 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 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 permit to be issued;

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

Carried

4.13 555 Buckland Avenue, DP15-0094 - Davara Holdings Ltd.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

R536/15/07/13 THAT Council authorizes the issuance of Development Permit No. DP15-0094 for Lot A, Plan EPP37995 located on 555 Buckland Ave, 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. 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 Application in order for the permit to be issued;

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

Carried

5. Non-Development Reports & Related Bylaws

5.1 2015 Strategic Community Investment Funds

Moved By Councillor Gray/Seconded By Councillor DeHart

R537/15/07/13 THAT Council receive the Strategic Community Investment Funds report from the Financial Planning Manager dated July 13, 2015 for information.

Carried

5.2 1760 Quail Ridge Blvd. (Adjacent to) - Road Closure Bylaw Amendment

Moved By Councillor Sieben/Seconded By Councillor Singh

R538/15/07/13 THAT Council receives for information the report from the Manager, Real Estate Services dated July 8, 2015, with respect to amendments to the Road Closure Bylaw for 1760 Quail Ridge Boulevard;

AND THAT Bylaw No. 11081 be forwarded for amendment consideration.

Carried

5.3 1760 Quail Ridge Blvd. (Adjacent to), BL11081 - Road Closure Bylaw

Moved By Councillor Stack/Seconded By Councillor DeHart

R539/15/07/13 THAT Bylaw No. 11081 be amended at third reading by deleting "186.4m²" and replacing it with 196.4m².

Carried

6. Mayor and Councillor Items

Councillor Donn:

- Made comment on being downtown with visiting relatives and how dynamic and beautiful downtown is.

Councillor Hodge:

- Made comment on his attendance, on behalf of the Mayor, at a Citizenship Ceremony and the John Howard Society One Cup at a Time graduation ceremony.

Councillor Sieben:

- Spoke on his attendance at the recent Federal Financing announcement for Rutland Centennial Park.

Councillor Stack:

- Made comment on his recent attendance at an URBA after hours event in Rutland.

Mayor Basran:

- Spoke on his attendance at the recent Pickle ball Championships where there were over 300 participants from Western Canada and the United States;
- Reminded Councillors of the Lady of The Lake Pageant being held on Friday evening.

7. Termination

This meeting was declared terminated at 3:02 p.m.

Mayor

City Clerk

/tt/scf/slh