



## City of Kelowna Regular Council Meeting Minutes

Date:	Monday, March 18, 2019
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine Dehart, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben and Loyal Wooldridge
Members Absent	Councillors Mohini Singh and Luke Stack
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Suburban and Rural Planning Manager, Dean Strachan*; Community Planning Supervisor, Laura Bentley*; Divisional Director, Financial Services, Genelle Davidson*; Budget Supervisor, Melanie Antunes*; Parks & Buildings Manager, Robert Parlane*; Senior Project Manager, Andrew Gibbs*; Divisional Director, Infrastructure, Alan Newcombe*; Transportation Engineer Planning & Development, Chad Williams*; Revenue Supervisor, Angie Schumacher*; Acting Director Strategic Investments, Johannes Saufferer*; Parking Services Manager, Dave Duncan*; Legislative Coordinator (Confidential), Rebecca Van Huizen

(\*denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:34 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 Wooldridge/Seconded By Councillor Hodge

**(R0273/19/03/18)** THAT the Minutes of the Regular Meetings of March 11, 2019 be confirmed as circulated.

Carried

### 3. Development Application Reports & Related Bylaws

### 3.1 Hall Rd, Fairhall Rd and Packers Rd, LUCT18-0011 - Various Owners

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Dehart

**(R0274/19/03/18)** WHEREAS the BC Provincial Government has mandated that all Land Use Contracts under the jurisdiction of a local government and in the Province of British Columbia be terminated by 2024;

AND WHEREAS the BC Provincial Government has provided a legislated process for the early termination of land use contracts when the local government has adopted a zoning bylaw that will apply to the land at the time the termination bylaw comes into force;

THEREFORE, BE IT RESOLVED THAT as the underlying RR3 – Rural Residential 3 and P3 – Parks and Open Space zones in the City of Kelowna Zoning Bylaw No. 8000 applies to all the subject properties under LUC76-1080 as identified in 'Schedule A';

THAT Application No. LUCT18-0011 to terminate LUC76-1080 from properties identified in 'Schedule A', located on Hall Road, Fairhall Road, and Packers Road, Kelowna, B.C. be considered by Council;

AND FURTHER THAT the Land Use Contract Termination Bylaw be forwarded to a Public Hearing for further consideration.

Carried

### 3.2 Hall Rd, Fairhall Rd and Packers Rd, LUCT18-0011 (BL11761) - Various Owners

Moved By Councillor Donn/Seconded By Councillor Dehart

**(R0275/19/03/18)** THAT Bylaw No. 11761 be read a first time.

Carried

### 3.3 McCarthy Rd 9670, Z18-0122 - The Flowr Group (Okanagan) Inc., Inc. No. BC0974062

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Dehart

**(R0276/19/03/18)** THAT Rezoning Application No. Z18-0122 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 11 Township 20 ODYD Plan 3997, located at 9670 McCarthy Road, Kelowna, BC from the I3 – Heavy Industrial zone to the I2 – General Industrial 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 Applicant providing a landscape plan for Planning Staff review and approval;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the applicant posting 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 final adoption of the Rezoning Bylaw be considered subsequent to the outstanding

conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated February 25, 2019.

Carried

**3.4 McCarthy Rd 9670, BL11790 (Z18-0122) - The Flowr Group (Okanagan) Inc., Inc. No. BC0974062**

Moved By Councillor Given/Seconded By Councillor Wooldridge

(R0277/19/03/18) THAT Bylaw No. 11790 be read a first time.

Carried

**3.5 Kyndree Ct 1222 - Z19-0042 - Hans and Krystyna Schubel**

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Donn

(R0278/19/03/18) That Rezoning Application No. Z19-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 8, Township 23, ODYD, Plan 33589 located at 1222 Kyndree Ct, Kelowna, BC from the A1 – Agriculture 1 zone to the RR3 – Rural Residential 3 zone be considered by Council;

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

Carried

**3.6 Kyndree Ct 1222, BL11787 (Z19-0042) - Hans and Krystyna Schubel**

Moved By Councillor Wooldridge/Seconded By Councillor Given

(R0279/19/03/18) THAT Bylaw No. 11787 be read a first time.

Carried

**3.7 Via Centrale 3200 - OCP18-0020 Z18-0113 - 0971205 B.C. Ltd.**

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

(R0280/19/03/18) THAT Official Community Plan Map Amendment Application No. OCP18-0020 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation for a portion of Lot A Sections 14, 15, 22 and 23 Township 23 ODYD Plan KAP56201 Except Plans KAP68068 and KAP80682 located at 3200 Via Centrale, Kelowna, BC from the REC – Private Recreation designation to the MRL – Multiple Unit Residential (Low Density) designation, as shown on Map "A" attached to the Report from the Community Planning Department dated March 18<sup>th</sup> 2019 be considered by Council;

THAT Rezoning Application No. Z18-0113 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications for a portion of Lot A Sections 14, 15, 22 and 23 Township 23 ODYD Plan KAP56201 Except Plans KAP68068 and KAP80682 located at 3200 Via Centrale, Kelowna, BC from P3LP – Parks and Open Space (Liquor Primary) to RM3 – Low

Density Multiple Housing, as shown on Map "B" attached to the Report from the Community Planning Department dated March 18th, 2019 be considered by Council;

AND THAT the Official Community Plan Amendment and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

**Carried**

**3.8 Via Centrale 3200 - OCP18-0020 (BL11789) - 0971205 B.C. Ltd.**

Moved By Councillor Dehart/Seconded By Councillor Donn

**(R0281/19/03/18)** THAT Bylaw No. 11789 be read a first time.

**Carried**

**3.9 Via Centrale 3200, Z18-0113 (BL11791) - 0971205 B.C. Ltd.**

Moved By Councillor Sieben/Seconded By Councillor Dehart

**(R0282/19/03/18)** THAT Bylaw No. 11791 be read a first time.

**Carried**

**3.10 Academy Way 610, DP18-0150 - Watermark Developments Ltd Inc No BCo642787**

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

**(R0283/19/03/18)** THAT Council invite the applicant to address Council.

**Carried**

Applicant, Jim Meiklejohn, Meiklejohn Architects:

- Responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

**(R0284/19/03/18)** THAT Council authorizes the issuance of Development Permit No. DP18-0150 for Parcel A (being a consolidation of Lots 10 & 11 See CA6510572) Section 3 Township 23 Osoyoos Division Yale District Plan EPP53793, located at 610 Academy Way, 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**

**3.11 Stewart Rd W 4500, Crawford Rd 950, (off of) Saucier Rd A19-0001 - Stewart Brothers Winery Ltd**

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Hodge

**(Ro285/19/03/18)** THAT Agricultural Land Reserve Appeal No. A19-0001 for Part of Lot 1 Section 32 TWP 29 ODYD Plan 3093, located at 4500 Stewart Rd W, Part of Lot 2 Section 32 TWP 29 ODYD Plan 3093, except Plan KAP58804, located at 4500 Stewart Rd W, Part of Lot 243 Section 32 TWP29 ODYD Plan 1247, located at 950 Crawford Rd and Part of Lot 242 Section 32 TWP29 ODYD Plan 1247, located at (off of) Saucier Rd, Kelowna BC, for a Non-Farm Use in the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, be supported by Council.

**Carried**

Mayor presented the GFOA 2017 Canadian Award for Financial Reporting and the GFOA 2018 Distinguished Budget Presentation Award to Financial Services staff.

**4. Non-Development Reports & Related Bylaws**

**4.1 VOLUME 2 – CARRYOVERS, 2019 FINANCIAL PLAN**

Staff displayed a PowerPoint presentation summarizing the carryovers and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

**(Ro286/19/03/18)** THAT the 2019 Financial Plan be increased by \$8,330,030 to provide for operating carryover projects and \$134,973,220 for capital carryover projects as summarized in the 2019 Financial Plan Volume 2.

**Carried**

**4.2 Investment of Kelowna Funds for 2018**

Staff displayed a PowerPoint presentation regarding the City's 2018 Investment Portfolio.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

**(Ro287/19/03/18)** THAT Council receives, for information, the Investment of Kelowna Funds for 2018 Report from the Financial Analyst as presented on March 18, 2019.

**Carried**

#### 4.3 Transit 2018/2019 Amended Annual Operating Agreement

Staff displayed a PowerPoint presentation summarizing the amendments to the Agreement.

Moved By Councillor Given/Seconded By Councillor Dehart

**(R0288/19/03/18)** THAT Council approves Amendment #1 to the 2018/2019 Annual Operating Agreement for conventional, community and custom transit as outlined in the report of the Revenue Supervisor dated March 18, 2019;

AND THAT Mayor and Clerk be authorized to execute the Annual Operating Agreement, Amendment #1 as attached to the report of the Revenue Supervisor dated March 18, 2019.

**Carried**

#### 4.4 Uptown Rutland Business Association 2019 Budget

Staff displayed a PowerPoint presentation summarizing the 2019 budget and associated levy for the Uptown Rutland Business Improvement Area.

Moved By Councillor Sieben/Seconded By Councillor Donn

**(R0289/19/03/18)** THAT Council approve the Uptown Rutland Business Association 2019 Budget as attached to the report of the Revenue Supervisor dated March 18, 2019;

AND THAT Council approve the 2019 levy of \$185,079 on the Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.

**Carried**

#### 4.5 Downtown Kelowna Association 2019 Budget

Staff displayed a PowerPoint presentation summarizing the 2019 DKA budget and associated levy for the Downtown Kelowna Business Improvement Area.

Moved By Councillor Hodge/Seconded By Councillor Given

**(R0290/19/03/18)** THAT Council approves the Downtown Kelowna Association 2019 Budget as attached to the report of the Revenue Supervisor dated March 18, 2019.

AND THAT Council approves the 2019 levy of \$924,198 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.

**Carried**

#### 4.6 Downtown Area Parking Plan Development – Project Update

Staff displayed a PowerPoint presentation updating the development of a downtown parking plan and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Dehart

**(R0291/19/03/18)** THAT Council receives, for information, the Report from the Manager, Parking Services, dated March 18, 2019 with respect to the development of an updated parking plan for the downtown area.

**Carried****5. Bylaws for Adoption (Non-Development Related)****5.1 Groves Ave 424-460, BL11756 - Road Closure Bylaw**

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments from Council.

No one came forward.

Moved By Councillor Given/Seconded By Councillor Wooldridge

**(R0292/19/03/18)** THAT Bylaw No. 11756 be adopted.

**Carried****5.2 A portion of Dall Rd, BL11773 - Road Closure Bylaw**

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments from Council.

No one came forward.

Moved By Councillor Wooldridge/Seconded By Councillor Given

**(R0293/19/03/18)** THAT Bylaw No. 11773 be adopted.

**Carried****6. Mayor and Councillor Items**Councillor Woolridge:

- Attended the Student Strike for Climate Change last Friday and thanked the crowd for their commitment to a peaceful, respectful protest.

Councillor Donn:

- Commented on a local company that developed an app for logging boating trips, sailingplan.ca

Councillor Dehart:

- Attended a few events for Council and Mayor, including the Seniors for learning at Boys and Girls Club on Martin Ave and the ribbon cutting for the Urban Systems Foundation Learning Lab.  
- Attended the 60th annual Canadian Firefighters Curling Championship.

Mayor Basran:

- Thanked the Federal Government for recent flood mediation grant and thanked the Minister, Ralph Goodale and MP, Stephen Fuhr.  
- Congratulated Kelsey Wise who is competing at the Special Olympics in Dubai who won a gold medal.

**7. Termination**

This meeting was declared terminated at 3:15 p.m.

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Mayor Basran

sf/rvh

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City Clerk