



City of Kelowna Regular Council Meeting Minutes

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| Date: | Monday, May 27, 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, Mohini Singh, Luke Stack and Loyal Wooldridge |
| Staff Present | Deputy City Manager, Joe Creron; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Suburban and Rural Planning Manager, Dean Strachan*; Planner Specialist, Adam Cseke*; Planner, Lydia Korolchuk*; Policy, Planning Development Department Manager, Danielle Noble-Brandt*; Long Range Policy Planning Manager, James Moore*; OCP Project Planner, Robert Miles*; Sustainability Coordinator, Tracy Guidi*; Energy Program Manager, Brydan Tollefson*; Parking Services Manager, Dave Duncan*; Planner, Lauren Sanbrooks*; Divisional Director, Infrastructure, Alan Newcombe*; Transit and Programs Manager, Jerry Dombowsky*; Legislative Coordinator (Confidential), Arlene McClelland |

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:36 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

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.

Mayor Basran acknowledged that former City Councillor Joe Leask recently passed away and expressed condolences to his family.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R553/19/05/27 THAT the Minutes of the Regular Meetings of May 13, 2019 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 PIBC Gold Award for Excellence in Planning

Staff:

- Informed Council of the PIBC Gold Award for Excellence in Planning for the City of Kelowna's Equity and Inclusion in Housing Needs Assessments.
- Presented the award to Mayor Basran.

Moved By Councillor Stack/Seconded By Councillor Sieben

R554/19/05/27 THAT Council receives, for information, the report from the Sustainability Coordinator and the Long Range Policy Planning Manager dated May 27, 2019, with respect to the Planning Institute of BC Gold Award for Excellence in Planning.

Carried

4. Development Application Reports & Related Bylaws

4.1 Retail Cannabis Sales Update

Staff:

- Displayed a PowerPoint Presentation summarizing the retail cannabis sales process and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

R555/19/05/27 THAT Council receives, for information, the report from the Community Planning Department dated May 27, 2019, with respect to an update on retail cannabis applications;

AND THAT Council endorses the recommendation of Staff to move forward with the standard rezoning process on retail cannabis applications, as outlined in the report from Community Planning Department dated May 27, 2019.

Carried

4.2 Clement Ave 816, BL11711 (TA18-0006), BL11712 (Z18-0059) - PC Urban Clement Holdings Ltd., Inc. No. BC1099980

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Stack

R556/19/05/27 THAT the Rezoning (Z18-0059) and Text Amendment (TA18-0006) Bylaw be forwarded to a Public Hearing for further consideration;

Carried

4.3 Richter St 2125, BL11717 (DP18-00159) - 1140648 B.C. LTD., Inc. No. 1140648

Moved By Councillor Hodge/Seconded By Councillor Singh

R557/19/05/27 THAT Bylaw No. 11717 be amended at 3rd reading by deleting the legal description that reads:

- Lots 2 and 3, Section 19, Twp 26, ODYD, Plan 700, located on Richter Street, Kelowna, BC: and replacing with;
- Lot A, Section 19, Twp 26, ODYD, Plan EPP90678 located on Richter Street.

Carried

Moved By Councillor Hodge/Seconded By Councillor Singh

R558/19/05/27 THAT Bylaw No. 11717 as amended be adopted.

Carried

4.4 Richter St 2125, DP18-00159 - 1140648 B.C. LTD., Inc. No. 1140648

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Given

R559/19/05/27 THAT Rezoning Bylaw No. 11717 be amended at third reading to revise the legal description of the subject properties from Lots 2 & 3 Section 19 Township 26 ODYD Plan 700 to Lot A Section 19 Township 26 ODYD Plan EPP90678;

AND THAT final adoption of Rezoning Bylaw No. 11717 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0159 for Lot A Section 19 Township 26 ODYD Plan EPP90678, located at 2125-2137 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 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

4.5 St. Paul St 1310, Z19-0024, Vibona Enterprises LTD., Inc. No. BCo458875

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Hodge

R560/19/05/27 THAT Rezoning Application No. Z19-0024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 12 District Lot 139 Osoyoos Division Yale District Plan 645, located at 1310 St. Paul St, Kelowna, BC from the I2 – General Industrial zone to the C7rcs – Central Business Commercial (Retail Cannabis Sales) 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 in conjunction with Council's consideration of a Development Permit for the subject property.

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to

the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical

cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

4.6 St. Paul St 1310, BL11822 (Z19-0024), Vibona Enterprises LTD., Inc. No. BCo458875

Moved By Councillor Hodge/Seconded By Councillor Singh

R561/19/05/27 THAT Bylaw No. 11822 be read a first time.

Carried

4.7 Valley Rd 330, OCP19-0002 and Z19-0041 - Springdale Properties Ltd., Inc. No. BCo864963

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R562/19/05/27 THAT Official Community Plan Map Amendment Application No. OCP19-0002 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot 2 Section 33 Township 26 ODYD Plan 4043 Except Parcel A (DD 130155F and Plan B6158), located at 330 Valley Road, Kelowna, BC from the MRL – Multiple Unit Residential (Low Density) designation to the MRM – Multiple Unit

Residential (Medium Density) designation, as shown on Map "A" attached to the Report from the Community Planning Department dated May 13, 2019, be considered by Council;

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

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 from the Community Planning Department dated May 13, 2019;

THAT Rezoning Application No. Z19-0014 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 Section 33 Township 26 ODYD Plan 4043 Except Parcel A (DD 130155F and Plan B6158), located at 330 Valley Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RM3 – Low Density Multiple Housing and RM5 – Medium Density Multiple Housing zone as shown on Map "B" attached to the Report from the Community Planning Department dated May 13, 2019, be considered by Council;

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

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw 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 May 13, 2019;

AND FURTHER THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

Carried

4.8 Valley Rd 330, BL11830 (OCP19-0002) - Springdale Properties Ltd., Inc. No. BCo864963

Moved By Councillor Given/Seconded By Councillor Wooldridge

R563/19/05/27 THAT Bylaw No. 11830 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

4.9 Valley Rd 330, BL11831 (Z19-0041) - Springdale Properties Ltd., Inc. No. BCo864963

Moved By Councillor Wooldridge/Seconded By Councillor Given

R564/19/05/27 THAT Bylaw No. 11831 be read a first time.

Carried

4.10 Lawrence Ave 1100, LUC19-0001 Z19-0031 - M.R.D. Holdings Inc. No. BCo681200

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R565/19/05/27 THAT Application No. LUC19-0001 to discharge LUC73-65 from Lot A, District Lot 137, Osoyoos Division Yale District Plan 25293 located at 1100 Lawrence Avenue, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0031 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 137, Osoyoos Division Yale District Plan 25293 located at 1100 Lawrence Avenue, Kelowna, BC from RM3 – Low Density Multiple Housing to C4rcs – Urban Centre (Retail Cannabis Sales) be considered by Council;

AND THAT the Land Use Contract Discharge and Zone Amending Bylaws be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "B" attached to the Report from the Community Planning Department dated June 4th, 2019;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

4.11 Lawrence Ave 1100, BL11846 (LUC19-0001) - M.R.D. Holdings Inc. No. BCo681200

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R566/19/05/27 THAT Bylaw No. 11846 be read a first time.

Carried

4.12 Lawrence Ave 1100, BL 11847 (Z19-0031) - M.R.D. Holdings Inc. No. BCo681200

Moved By Councillor Stack/Seconded By Councillor DeHart

R567/19/05/27 THAT Bylaw No. 11847 be read a first time.

Carried

4.13 Hwy 33 W 105-115, BL11407 (Z16-0080) - Chi Quang Ly

Moved By Councillor Given/Seconded By Councillor Singh

R568/19/05/27 THAT Council receives, for information, the Report from the Community Planning Department dated May 9, 2019 with respect to Rezoning Application No. Z16-0080 for the property located 105-115 Hwy 33 W;

AND THAT Bylaw No. 11407 be forwarded for rescindment consideration and the file be closed.

Carried

4.14 Hwy 33 W 105-115 BL11407 (Z16-0080) - Chi Quang Ly

Moved By Councillor DeHart/Seconded By Councillor Stack

R569/19/05/27 THAT first, second and third reading of Bylaw No. 11407 be rescinded.

Carried

4.15 Radant Road 588, Z17-0080 - Craig B. Bulawka Professional Corporation

Moved By Councillor Given/Seconded By Councillor Donn

R570/19/05/27 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 11520, be extended from January 9, 2019 to January 9, 2020.

AND THAT Council directs Staff to not accept any further extension requests.

Carried

5. Bylaws for Adoption (Development Related)**5.1 Gordon Drive 3818, BL11782 (TA19-0008) - Save on Shoes Ltd Inc. No 397854**

Moved By Councillor Donn/Seconded By Councillor DeHart

R571/19/05/27 THAT Bylaw No. 11782 be adopted.

Carried

5.2 Gordon Dr 3818, BL11783 (Z19-0013) - Save on Shoes Ltd Inc. No 397854

Moved By Councillor DeHart/Seconded By Councillor Donn

R572/19/05/27 THAT Bylaw No. 11783 be adopted.

Carried

5.3 Rutland Rd S 330, BL11794 (Z18-0115) - Keith Robertson

Moved By Councillor Stack/Seconded By Councillor DeHart

R573/19/05/27 THAT Bylaw No. 11794 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 Amendments to the City of Kelowna Signage Bylaw No.11530

Staff:

- Displayed a PowerPoint Presentation summarizing the amendments to the sign bylaw and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

R574/19/05/27 THAT Sign Bylaw No. 11530 Text Amendment Application No. TA19-0012 as outlined in Schedule A, attached to the Report from the Community Planning Department dated May 23, 2019 be considered by Council;

AND THAT Sign Bylaw No. 11530 Text Amendment Application No. TA19-0012 be forwarded for reading consideration.

Carried

6.2 BL11835 - Amendment No. 1 to Sign Bylaw No. 11530

Moved By Councillor Donn/Seconded By Councillor Stack

R575/19/05/27 THAT Bylaw No. 11835 be read a first, second and third time.

Carried

6.3 2040 OCP Update: Land Use Plan Directions

Staff:

- Displayed a PowerPoint Presentation summarizing land use plan directions in the 2040 Official Community Plan and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

R576/19/05/27 THAT Council receives, for information, the summary of key directions of a new land use plan being drafted for the 2040 Official Community Plan (OCP) and the corresponding next steps.

Carried

6.4 2018 Climate Action Revenue Incentive Program Report

Staff:

- Displayed a PowerPoint Presentation regarding the climate progress made in 2018 and the plans for 2019 to meet the City's climate action goals and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Stack

R577/19/05/27 THAT Council receives, for information, the report from the Sustainability Coordinator and Energy Program Manager, dated May 27, 2019, with respect to the 2018 Climate Action Revenue Incentive Program Public Report;

AND THAT the 2019 Financial Plan be amended to increase both the revenue and the associated contribution to the Energy Management Rebate reserve budget as a result of the Climate Action Revenue Incentive Program grant.

Carried**6.5 Electric Vehicle Charging Stations Update**

Staff:

- Displayed a PowerPoint Presentation identifying the locations of the new electric vehicle charging stations and the opportunities to expand the network.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Given

R578/19/05/27 THAT Council receives, for information, the report from the Sustainability Coordinator and Parking Services Manager, dated May 27, 2019, with respect to Electric Vehicle Charging Stations Update.

Carried**6.6 Heritage Register Removal – 1730 Ethel Street**

Staff:

- Displayed photographs of the subject property on the ELMO and provided staff rationale for the removal from the heritage register and reconsideration.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

R579/19/05/27 THAT Council receives, for information, the report from the Planner II, Policy and Planning Department dated May 27, 2019, with respect to the Kelowna Heritage Register;

AND THAT Council endorse the removal of 1730 Ethel Street from the Kelowna Heritage Register;

AND FURTHER THAT Council direct staff to re-evaluate the building under the new address of 1368 Ethel Street to determine if it should be re-added to the Kelowna Heritage Register.

Carried**6.7 Heritage Register Removal – 1927 Ethel Street**

Staff:

- Recommended the property be removed from the Heritage Register as the original house had been demolished.

Moved By Councillor DeHart/Seconded By Councillor Donn

R580/19/05/27 THAT Council receives, for information, the report from the Policy and Planning Department dated May 27, 2019, with respect to the Kelowna Heritage Register;

AND THAT Council endorse the removal of 1927 Ethel Street from the Kelowna Heritage Register.

Carried**6.8 Bylaw Exemptions for the Bikeshare Permit Program**

Staff:

- Provided rationale for the temporary use of e-scooters and e-bikes on three designated pathways and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R581/19/05/27 THAT Council receives, for information, the report from the Transit and Programs Manager dated May 27, 2019 with respect to the Bylaw Exemptions for the Bikeshare Permit Program;

AND THAT Council approve the use of e-scooters and e-bikes on the Waterfront Walkway, Angel Way and Rails with Trails pathways as a temporary exemption until December 31st 2020 under Section 4.1 of the Parks and Public Spaces Bylaw No. 10680.

Carried

7. Mayor and Councillor Items

Councillor Stack:

- Made comments on direction given to staff in the AM meeting to review potential amendments to the construction noise provisions of the Good Neighbour Bylaw.

Councillor DeHart:

- Looking forward to attending the FCM Conference.

Councillor Donn:

- Looking forward to attending the FCM Conference.
- Spoke to his attendance, on behalf of the Mayor, at the Vesak Ceremony hosted by the Vietnamese Buddhist Community in celebration of the Buddha's birthday.

Councillor Sieben:

- Looking forward to attending the FCM Conference.

Councillor Hodge:

- Will be attending several events in Kelowna on behalf of Council.

Councillor Singh:

- Spoke to her attendance, on behalf of the Mayor, at the Asian Heritage Month event and MS Walk.

Councillor Wooldridge:

- Spoke to his participation in Bike to Work and School week.
- Spoke to his attendance at the PC Urban Properties kickoff event for the Clement Avenue purpose built rental building.
- Looking forward to attending the FCM Conference.

Councillor Given:

- Noted that it is Tourism Week for Canada and BC; provides an opportunity to celebrate the economic impact of tourism.

Mayor Basran:

- Spoke to the kick off of Bike to Work and School Week and noted the positive impacts such events have on the climate and encouraged participation.
- Advised there was no Council meeting next Monday due to the FCM Conference.

8. Termination

This meeting was declared terminated at 4:06 p.m.

Mayor Basran

City Clerk

/acm