



## City of Kelowna Regular Council Meeting Minutes

Date:	Monday, June 10, 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	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Infrastructure, Alan Newcombe*; Divisional Director, Planning & Development Services, Ryan Smith*; Suburban and Rural Planning Manager, Dean Strachan*; Planner, Lydia Korolchuk*; Planner, Arlene Janousek*; Development Engineering Manager, James Kay*; Sustainability Coordinator, Michelle Kam*; Development Engineering, Jim Hager*; Partnership Manager, Sandra Kochan*; Sport & Event Services Manager, Doug Nicholas*; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:32 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.

### 2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

**R598/19/06/10** THAT the Minutes of the Regular Meetings of May 27, 2019 be confirmed as circulated.

**Carried**

Councillor Stack joined the meeting at 1:33 p.m.

### 3. Reports

#### 3.1 2019 Association of Consulting Engineering Companies, BC(ACEC-BC) - Client of the Year Award

Staff:

- Informed Council of the 2019 Association of Consulting Engineering Companies, BC(ACEC-BC) - Client of the Year Award for the City of Kelowna.
- Presented the award to Mayor Basran.

### 4. Development Application Reports & Related Bylaws

#### 4.1 Coopland Cr 786, BL11724 (Z18-0068) - Miles and Lisa Laing

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R599/19/06/10 THAT Bylaw No. 11724 be adopted.

Carried

#### 4.2 Coopland Cr 786, DP18 0126 - Miles and Lisa Laing

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Stack

R600/19/06/10 THAT final adoption of Rezoning Bylaw No. 11724 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0126 for Lot 29 District Lot 135 ODYD Plan 22856, located at 786 Coopland Crescent, 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.

Defeated

Councillors DeHart, Hodge, Given, Sieben and Wooldridge - Opposed

#### 4.3 Valley Road 244, 252, 260 & 268, OCP18-0008 & Z18-0042 - Vanmar Developments Ltd.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

**R601/19/06/10** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Official Community Plan Bylaw No. 11641 and Rezoning Amendment Bylaw No. 11642, be extended from August 14, 2019 to August 14, 2020.

**Carried**

**4.4 Leckie Road 1655, DP19-0018 - Canadian Tire Real Estate Limited**

Staff:

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

Moved By Councillor Given/Seconded By Councillor DeHart

**R602/19/06/10** THAT Council authorizes the issuance of Development Permit No. DP19-0018 for Lot A District Lots 125 and 532 ODYD Plan EPP51237, located at 1655 Leckie Road, 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 be provided on the land 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 FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

**Carried**

Councillor Donn - Opposed

**4.5 Lougheed Rd 205, BL11681 (Z18-0016) - 1135177 BC Ltd.**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

**R603/19/06/10** THAT Bylaw No. 11681 be adopted.

**Carried**

**4.6 Lougheed Rd 205, DP18-0039 - 1135177 BC Ltd**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Wooldridge

**R604/19/06/10** THAT final adoption of Rezoning Bylaw No. 11681 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0039 for Lot A Section 2 Township 23 ODYD Plan KAP84518, located at 205 Lougheed Rd, 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 Council's consideration of this Development Permit 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 June 10<sup>th</sup>, 2019.

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**

#### **4.7 Hilltown 3220, DP19-0083 - 1186856 B.C Ltd.**

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Wooldridge

**R605/19/06/10** THAT Council authorizes the issuance of Development Permit No. DP19-0083 for Lot 13, Section 28, Township 23, ODYD Plan EPP76020, located at 3220 Hilltown, 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 Council's consideration of this Development Permit 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 June 10<sup>th</sup> 2019;

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**

#### **5. Bylaws for Adoption (Development Related)**

- 5.1 Begbie Rd 2025, Clifton Rd N 225 and (W of) Union Rd., BL11781 (OCP17-0023) - Glenwest Properties Ltd., Inc. No. Co889227**

Moved By Councillor Hodge/Seconded By Councillor Singh

R606/19/06/10 THAT Bylaw No. 11781 be adopted.

Carried

5.2 **Begbie Road 2025, BL11785 (Z17-0098) - Glenwest Properties Ltd., Inc. No. Co889227**

Moved By Councillor Given/Seconded By Councillor Wooldridge

R607/19/06/10 THAT Bylaw No. 11785 be adopted.

Carried

5.3 **Kirschner Rd 1977, BL11817 (Z19-0023) - Lambert and Paul Construction Ltd, Inc. No 80191**

Moved By Councillor Donn/Seconded By Councillor DeHart

R608/19/06/10 THAT Bylaw No. 11817 be adopted.

Carried

## 6. Non-Development Reports & Related Bylaws

6.1 **Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900**

Staff:

- Displayed a PowerPoint Presentation summarizing the amendments.

Moved By Councillor Stack/Seconded By Councillor Hodge

R609/19/06/10 THAT Council, receives, for information, the Report from the Urban Planning Manager dated Jun 10, 2019 recommending that Council give reading consideration to BL11834 – Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900.

AND THAT Bylaw No. 11834 – Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900 be forwarded for reading consideration.

Carried

6.2 **BL11834 - Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900**

Moved By Councillor Donn/Seconded By Councillor DeHart

R610/19/06/10 THAT Bylaw No. 11834 be read a first, second and third time.

Carried

6.3 **Latecomer Agreement - Gore-Osprey Watermain**

Staff:

- Provided an overview and described the reasons for the latecomer agreement.

Moved By Councillor Hodge/Seconded By Councillor Donn

**R611/19/06/10** THAT Council endorse the Latecomer Agreement – Gore-Osprey Watermain between the City and the owner of Lot 11, D.L.14, Land District 41, Plan KAP792743720276319 which was redeveloped and required to provide excess and extended services;

AND THAT Council impose Latecomer charges for excess or extended services, the lesser of those shown in Appendix C or actual construction costs, on the benefitting lands listed in Appendix B;

AND THAT the Mayor and Clerk be authorized to execute this Latecomer Agreement;

AND FURTHER THAT for smaller Latecomer Agreements (the lesser of \$1.5m or \$50k/property), Council delegate authority to authorize and prepare the Latecomer Agreements to the Development Engineering Manager, and authority to execute to the Mayor and Clerk.

**Carried**

**6.4 2019 Deferred Revenue Project Package**

Staff:

- Displayed a PowerPoint Presentation outlining the proposed 2019 deferred revenue projects and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

**R612/19/06/10** THAT Council receives for information the Report from the Development Engineering Manager dated June 10, 2019, regarding the 2019 Deferred Revenue Project Package;

AND FURTHER THAT the 2019 Financial Plan be amended to include up to \$267,900 from accumulated Deferred Revenue Accounts and up to \$106,780 be reallocated from previously approved 2019 Off Site and Oversized budget to complete the 2019 Deferred Revenue Project.

**Carried**

**6.5 Okanagan Rail Trail – Status Update**

Staff:

- Displayed a PowerPoint Presentation providing an update on the Okanagan Rail Trail and activities of the Okanagan Rail Trail Committee and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Hodge

**R613/19/06/10** THAT Council receives, for information, the report from the Sustainability Coordinator and the Development Engineering Manager, dated June 10, 2019, with respect to the Okanagan Rail Trail – Status Update;

AND THAT Council receives, for information, the presentation from the Chair of the Okanagan Rail Trail Committee (ORTC);

AND THAT the Mayor and City Clerk be authorized to execute all documents associated with the interpretive facility at Carney Pond, including, if necessary, any land tenure applications for the construction of trails on Crown land;

AND THAT Council approves the principles of the Okanagan Rail Trail Events Guidelines.

**Carried**

## 6.6 Active Living & Culture Grant Policies

Staff:

- Displayed a PowerPoint Presentation outlining the grant policies and providing rationale for the new policies and rescindment of old policies.

Moved By Councillor Donn/Seconded By Councillor Hodge

**R614/19/06/10** THAT Council receives for information the June 10, 2019 report of the Partnership Manager regarding Active Living & Culture grant policies;

AND THAT Council Policy 380, Community Grant Policy, as attached to the report of the Partnership Manager dated June 10, 2019, be approved;

AND THAT Council Policy 381, Event Support Policy, as attached to the report of the Partnership Manager dated June 10, 2019, be approved;

AND THAT Council Policy 218, Community Social Development Grants, be rescinded as outlined in the report from the Partnership Manager dated June 10, 2019;

AND THAT Council Policy 298, Sports Event Development Grant, be rescinded as outlined in the report from the Partnership Manager dated June 10, 2019;

AND THAT Council Policy 333, Athletic Excellence Grant Policy, be rescinded as outlined in the report from the Partnership Manager dated June 10, 2019;

AND FURTHER THAT Council Policy 349, Sport Education Grant, be rescinded as outlined in the report from the Partnership Manager dated June 10, 2019.

**Carried**

## 6.7 Council Procedures Bylaw No. 9200

Staff:

- Displayed proposed changes to the Council Procedure Bylaw on the ELMO and confirmed a correction to page 3 of the Bylaw by adding "reports" after "Confirmation of Minutes" under "Monday Regular Meeting (morning) and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

**R615/19/06/10** THAT Council, receives, for information, the report from the City Clerk dated June 10, 2019 regarding amendments to Council Procedures Bylaw No. 9200;

AND THAT Bylaw No. 11849, being Amendment No. 6 to Council Procedures Bylaw No. 9200 be forwarded for reading consideration.

**Carried**

## 6.8 BL11849 - Amendment No. 6 to Council Procedures Bylaw No. 9200

Moved By Councillor DeHart/Seconded By Councillor Sieben

**R616/19/06/10** THAT Bylaw No. 11849 be read a first, second and third time.

**Carried**

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

**7.1 BL11835 - Amendment No. 1 to Sign Bylaw No. 11530**

Moved By Councillor Sieben/Seconded By Councillor DeHart

R617/19/06/10 THAT Bylaw No. 11835 be adopted.

Carried

**8. Mayor and Councillor Items**

Councillor Given:

- Spoke to their attendance at the FCM Conference.

Councillor Wooldridge:

- Spoke to their attendance at the FCM Conference.
- Spoke to the upcoming Kelowna Pride Week taking place next week.

Councillor Singh:

- Spoke to their attendance at many events on behalf of Council over the past week.

Councillor Hodge:

- Spoke to their attendance at the Canadian Airports Council Conference at the Kelowna Airport and other events attended over the past week.

Councillor Sieben:

- Spoke to their attendance at the FCM Conference.

Councillor Donn:

- Spoke to their attendance at the FCM Conference.

Councillor DeHart:

- Spoke to their attendance at the FCM Conference.

Councillor Stack:

- Spoke to their attendance at the FCM Conference.

Mayor Basran:

- Spoke to their attendance at the FCM Conference including the round table discussion with the Prime Minister along with eight other Mayors.
- Spoke to the Show Canada 2019 event held in Kelowna last week.
- Spoke to the upcoming 10<sup>th</sup> Annual Metabridge Conference to be held in Kelowna.
- Thanked Councillor Wooldridge for attending the successful Fat Cat Festival.

**9. Termination**

This meeting was declared terminated at 3:11 p.m.

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Mayor Basran

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City Clerk

/acm