



City of Kelowna Regular Council Meeting Minutes

Date: Monday, July 15, 2019
Time: 1:30 pm
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Charlie Hodge, Mohini Singh, Luke Stack* and Loyal Wooldridge

Members Absent Councillor Brad Sieben

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Community Communications Manager, Kari O'Rourke*; Sport & Event Services Manager, Doug Nicholas*; Divisional Director, Planning & Development Services, Ryan Smith*; Suburban & Rural Planning Manager, Dean Strachan*; Urban Planning and Development Policy Manager, Laura Bentley*; Planner Specialist, Alex Kondor*; Planner II, Lydia Korolchuk*; Planner II, Arlene Janousek*; Infrastructure Engineering Manager, Joel Shaw*; Divisional Director, Partnership & Investment, Derek Edstrom*; Parking Services Manager, Dave Duncan*; Risk Manager, Lance Kayfish*; Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:35 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 Donn

R677/19/07/15 THAT the Minutes of the Regular Meetings of June 24, 2019 be confirmed as circulated.

Carried

3. Reports

3.1 IABC Gold Quill Award of Merit for Pick your Path to Kelowna 2040 public engagement communications

Staff:

-Informed Council of the IABC Gold Quill Award of Merit in the Communication Skills Division for Special and Experiential events for the City of Kelowna - Pick your Path to 2040 - OCP public engagement campaign.

4. Public in Attendance

4.1 Progress Report - Kelowna 2019 55+ BC Games

Staff:

- Introduced Society Chair, David Graham.

David Graham:

- Displayed a PowerPoint Presentation outlining the planning progress for the Kelowna 2019 55+ BC Games.
- Highlighted over 4100 participants are registered to date.

Moved By Councillor Donn/Seconded By Councillor Stack

R678/19/07/15 THAT Council receives, for information, the report from Sport & Event Services, Active Living and Culture dated July 15, 2019, regarding the planning progress for the Kelowna 2019 55+ BC Games.

Carried

Mayor Basran provided comments on the development at 130 McCurdy Road and stated there will be a Special Meeting of Council scheduled for Wednesday, July 17, 2019 beginning at 4:00 p.m. in Council Chamber.

5. Development Application Reports & Related Bylaws

5.1 Hartman Road 839, TA19-0001 - G. P. Sandher Holdings Ltd.

The item was withdrawn by the applicant.

5.2 Hwy 97 N 5269, Z19-0081 (BL11857) - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

R679/19/07/15 THAT Rezoning Application No. Z19-0081 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, District Lot 122 and of Section 11, Township 23, ODYD, Plan 1629 except Plan 41159 located at 5269 Hwy 97 N, Kelowna, BC from the A1 - Agriculture zone to the CD12 - Airport 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 outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated July 15th 2019.

Carried

5.3 Hwy 97 N 5269, BL11857 (Z19-0081) - City of Kelowna

Moved By Councillor Hodge/Seconded By Councillor Singh

R680/19/07/15 THAT Bylaw No. 11857 be read a first time.

Carried

5.4 Vaughan Ave 889, Z19-0025 (BL11866) - 1568447 Alberta Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Loyal Wooldridge

R681/19/07/15 THAT Rezoning Application No. Z19-0025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 30 Township 26 ODYD Plan EPP34493, located at 889 Vaughan Avenue, Kelowna, BC from the I4 – Central Industrial zone to the I4rcs – Central Industrial (Retail Cannabis Sales) 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;

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

5.5 Vaughan Ave 889, BL11866 (Z19-0025) - 1568447 Alberta Ltd.

Moved By Councillor Singh/Seconded By Councillor Hodge

R682/19/07/15 THAT Bylaw No. 11866 be read a first time.

Carried

5.6 Gordon Drive 4633, Z19-0044 (BL11867) - Gail Negus and Daniel Crothers

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Donn

R683/19/07/15 THAT Rezoning Application No. Z19-0044 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 357, ODYD, Plan KAP54652 located at 4633 Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone be considered by Council;

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

Carried

5.7 Gordon Drive 4633, BL11867 (Z19-0044) - Gail Negus and Daniel Crothers

Moved By Councillor Hodge/Seconded By Councillor Singh

R684/19/07/15 THAT Bylaw No. 11867 be read a first time.

Carried

5.8 Rains Rd, 195 - Z17-0034 (BL11868) - Andrea Harrison

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Hodge

R685/19/07/15 THAT Rezoning Application No. Z17-0034 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9 Section 35 Township 26 ODYD District Plan 19149 located at 195 Rains Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House 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 issuance of an Environmental Development Permit and a Farm Protection Development Permit;

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

Carried

5.9 Rains Rd, 195 - BL11868 (Z17-0034) - Andrea Harrison

Moved By Councillor Given/Seconded By Councillor Loyal Wooldridge

R686/19/07/15 THAT Bylaw No. 11868 be read a first time.

Carried

5.10 Rutland Rd N 515, Z19-0040 (BL11869) - 1918951 Alberta Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Hodge

R687/19/07/15 THAT Rezoning Application No. Z19-0040 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 26 Township 26 ODYD Plan 7893, located at 515 Rutland Road North, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple 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 outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated July 15, 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 final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

Carried

5.11 Rutland Rd N 515, BL11869 (Z19-0040) - 1918951 Alberta Ltd.

Moved By Councillor Loyal Wooldridge/Seconded By Councillor Given

R688/19/07/15 THAT Bylaw No. 11869 be read a first time.

Carried

5.12 KLO Rd 710, 720 and Richter St 2959, 2963, OCP19-0003 and Z19-0055- KGI Kingsway Homes Ltd.

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Hodge

R689/19/07/15 THAT Official Community Plan Map Amendment Application No. OCP19-0003 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 6 District Lot 135 Osoyoos Division Yale District Plan 3632, located at 2959-2963 Richter St, Kelowna, BC, and Lot 7 District Lot 135 Osoyoos Division Yale District Plan 3632, located at 710-720 KLO Rd, Kelowna, BC, from the MRL - Multiple Unit Residential (Low Density) designation to the MRM - Multiple Unit Residential (Medium Density) designation 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 process to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated July 15, 2019;

AND THAT Rezoning Application No. Z19-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 135 Osoyoos Division Yale District Plan 3632, located at 2959-2963 Richter St from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone and Lot 7 District Lot 135 Osoyoos Division Yale District Plan 3632, located at 710-720 KLO Rd Kelowna, BC from the RM1 - Four Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to 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 Schedule "A" attached to the Report from the Development Engineering Department dated March 7, 2019;

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

Carried

5.13 KLO Rd 710, 720 and Richter St 2959, 2963, BL11870 (OCP19-0003) - KGI Kingsway Homes Ltd.

Moved By Councillor Given/Seconded By Councillor Loyal Wooldridge

R690/19/07/15 THAT Bylaw No. 11870 be read a first time;

AND THAT Bylaw No. 11870 has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

5.14 KLO Rd 710, 720 and Richter St 2959, 2963, BL11871 (Z19-0055) - KGI Kingsway Homes Ltd.

Moved By Councillor Stack/Seconded By Councillor DeHart

R691/19/07/15 THAT Bylaw No. 11871 be read a first time.

Carried

5.15 Enterprise Way 2570-2580, DP19-0076 - R.J.S. Holdings Inc., Inc. No. 684324

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Donn

R692/19/07/15 THAT Council authorize the issuance of Development Permit No. DP19-0076 for Lots 5 and 6, District Lot 125, Osoyoos Division Yale District, Plan KAP69740, located at 2570 and 2580 Enterprise Way, 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 and C;
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 to be in general accordance with Schedule A and C;
4. 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 (Schedule C);
5. That the applicant be required to register a Section 219 Covenant against the two subject Lots, wherein the Owner covenants not to sell one of the Lots without the other being a part of the sale thereof.

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

Carried

6. Non-Development Reports & Related Bylaws

6.1 Okanagan Lake Protection Strategy

Staff:

- Provided an overview of the Okanagan Lake Protection Strategy and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Hodge

R693/19/07/15 THAT Council receives, for information, the Report from Planning and Development Services dated July 15, 2019 with respect to the Okanagan Lake Protection Strategy;

AND THAT Council authorizes the Mayor, on behalf of Council, to write a letter of support for the Okanagan Lake Protection Strategy to the Okanagan Collaborative Conservation Program and the South Okanagan Similkameen Conservation Program.

Carried

6.2 10-Year Capital Plan (2019 to 2028)

Staff:

- Displayed a PowerPoint Presentation summarizing the 10 Year Capital Plan and amendments to the 2019 Financial Plan.

Moved By Councillor Donn/Seconded By Councillor Loyal Wooldridge

R694/19/07/15 THAT Council receives, the report from the Infrastructure Department dated July 15, 2019, with respect to the 10-Year Capital Plan;

AND THAT Council adopts the 10-Year Capital Plan (2019 to 2028),

AND THAT the 2019 Financial Plan be amended to include \$1.667 million for the Mill Creek Flood Protection Project funded \$1.0 million from the Infrastructure Levy reserve and \$667,000 from grant funding,

AND FURTHER THAT the 2019 Financial Plan be amended to include \$2.0 million from the Infrastructure Levy reserve to provide additional funding for Roads Resurfacing, Street Light Replacement and Traffic Signal Renewal projects.

Carried

6.3 Downtown Area Parking Plan and Bylaw Updates

- Staff Introduced guests from Urban Systems, traffic engineers Natasha Elliott and James Donally.
- Staff and Ms. Elliott displayed a PowerPoint presentation summarizing the parking management recommendations and the related bylaw and policy amendments.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R695/19/07/15 THAT Council receives, for information, the Report from Parking Services, dated July 15, 2019, with respect to the Downtown Area Parking Plan;

AND THAT Council approves the introduction of variable parking rates, including time of day, seasonal- and zone-based as outlined in the report from Parking Services, dated July 15, 2019;

AND THAT Council directs staff to develop and implement a flexible monthly parking permit program as outlined in the report from Parking Services, dated July 15, 2019, to encourage use of alternative transportation modes;

AND THAT Council directs staff to continue researching and bring forward policy and bylaw amendments required to allow rental of surplus legal parking stalls on residential, commercial and industrial properties, as outlined in the report from Parking Services, dated July 15, 2019;

AND THAT Council directs staff to develop and bring forward an amended Residential Parking Permit Program/Council Policy with changes to the Visitor Parking Permit Program as outlined in the report from Parking Services, dated July 15, 2019;

AND THAT the 2019 Financial Plan be amended to increase the approved 2019 capital budget for "Parking Equipment and Facilities" from \$415k to \$785k, funded from the Downtown Parking Reserve to allow for the continued replacement of single space parking meters with pay stations;

AND THAT Council amend, effective August 1, 2019, Council Policy No. 366, being the Residential Permit Program as attached to the report from Parking Services, dated July 15, 2019;

AND THAT Council amend, effective August 1, 2019, Council Policy No. 375, being the ECO Pass Permit Program as attached to the report from Parking Services, dated July 15, 2019;

AND THAT Council directs staff to bring forward appropriate bylaws for amendment consideration in support of the recommendations in the report from Parking Services, dated July 15, 2019.

Carried

6.4 Queensway Washroom Pilot

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed pilot program and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Loyal Wooldridge

R696/19/07/15 THAT Council receive for information the report of the acting Community Safety Director, dated July 15, 2019 regarding the Pop-Up Toilet Pilot in downtown Kelowna;

AND THAT Council allocate \$206,023 to procure, operate and manage a Pop-Up toilet, to be funded from the Police Services Reserve;

AND THAT Council direct staff to work with Urban Matters CCC & P.E.O.P.L.E. Employment Services to manage and operate the Pop-Up Toilet Pilot Project.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 BL11729 - A portion of 190 Highway 33 East,- 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 DeHart/Seconded By Councillor Stack

R697/19/07/15 THAT Bylaw No. 11729 be adopted.

Carried

7.2 BL11849 - Amendment No. 6 to Council Procedures Bylaw No. 9200

Moved By Councillor DeHart/Seconded By Councillor Stack

R698/19/07/15 THAT Bylaw No. 11849 be adopted.

Carried

7.3 BL11854 - Amendment No. 6 to Revitalization Tax Exemption Bylaw No. 9561

Councillor Stack declared a conflict of interest as his employer applies for housing agreements and left the meeting at 3:42 p.m.

Moved By Councillor Donn/Seconded By Councillor DeHart

R699/19/07/15 THAT Bylaw No. 11854 be adopted.

Carried

Councillor Stack returned to the meeting at 3:42 p.m.

8. Mayor and Councillor Items

Mayor Basran:

- Thanked the DKA and Executive Director Mark Burley regarding their recent successful Downtown Block Party that drew thousands of participants.
- Raised the question, given such a successful event, whether there should be more pedestrian only events on Bernard Avenue.

Councillor Dehart:

- Spoke to her attendance at the Okanagan Historical Society annual picnic.
- Encouraged more residents to become members of the society and enjoy their activities.

Councillor Hodge:

- Attended and commented on the success of the Downtown Kelowna Block Party.

Councilor Singh:

- Attended the Lady of the Lake event.
- Highlighted the first time in Canada an articling student, Nvjit KhunKhun with Benson Law, has taken their oath to become a lawyer in front of their congregation at the Kelowna Sikh Temple.

Councillor Wooldridge:

- Attended the first Paid Employment Opportunities for People with Lived Experiences (PEOPLE) graduation. Proud to see the large number of graduates and reinforced with them that the City is excited to be a partner in this program.

9. Termination

This meeting was declared terminated at 3:49 p.m.

Mayor Basran

sf/cm

City Clerk