



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, August 26, 2019
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh, Luke Stack* and Loyal Wooldridge
Members Absent	Councillor Maxine DeHart
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Urban Planning and Development Policy Manager, Laura Bentley*; Suburban and Rural Planning Manager, Dean Strachan*; Urban Planning, Jenna Ratzlaff*; Divisional Director, Planning & Development Services, Ryan Smith*; Deputy City Manager, Joe Creron*; Water Quality & Customer Care Supervisor, Ed Hoppe*; Planner, Lauren Sanbrooks*; Long Range Policy Planning Manager, James Moore*; Integrated Transportation Department Manager, Raphael Villarreal*; Development Services Director, Mo Bayat*; Business License Manager, Greg Wise*; Information Services, Nicole Kelly*; Transit Service Coordinator, Mike Kittmer*; Transit and Programs Manager, Jerry Dombowsky*; Financial Analyst, Matt Friesen*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:33 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

R802/19/08/26 THAT the Minutes of the Regular Meetings of August 12, 2019 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Leader Rd, 3019, A19-0003 - Trine and Ryan Markewich

Staff:

- Displayed a PowerPoint Presentation summarizing the application and providing rationale for non-support of the application and responded to questions from Council.

Ryan Markewich, Applicant

- Displayed an aerial photograph of the subject property.
- Spoke to current land uses on the property indicating the number of acres per type of use.
- The landscaping business on site was never meant to be a big business; we have learned to operate successfully and do not need to grow or scale up the business.
- If we decide to scale up the business, it will be for the nursery portion.
- Spoke to the future of the landscaping business and employee ownership opportunities.
- Advised that the residential home on site was built in the 1970's; future plan is to hopefully build off the farm house for living quarters.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

R803/19/08/26 THAT Agricultural Land Reserve Appeal No. A19-0003 for Lot A, Section 16, DL 131, Township 26, ODYD, Plan KAP61419, located at 3019 Leader Road Kelowna, BC, for a non-farm use in the Agricultural Land Reserve pursuant to Section 20.1(2)(a) of the Agricultural Land Commission Act attached as 'Schedule A' to the Report from the Development Planning Department dated August 26th 2019 be supported by Council;

AND FURTHER THAT Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

3.2 to 3.29 Land Use Contract Terminations

Staff:

- Displayed a PowerPoint Presentation summarizing the Land Use Contract Termination process and associated rezoning process for items 3.2 to 3.29.

City Clerk:

- Suggested that in this case only to waive the 50 meter notification for mail out of the Land Use Contract Terminations as this is an administrative exercise and no land use change is occurring on parcels and to reduce any confusion.

Moved By Councillor Given/Seconded By Councillor Hodge

R804/19/08/26 THAT Council waives the 50 meter notification mail out of Land Use Contract Terminations.

Carried

3.2 Bolotzky Ct, Chepesuik Ct and Milex Ct, LUCT19-0008 - Various Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Hodge

R805/19/08/26 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 RU6 – Two Dwelling Housing zone in the City of Kelowna Zoning Bylaw No. 8000 applies to all subject properties under Land Use Contract LUC76-1077;

THAT Application No. LUCT19-0008 to terminate LUC76-1077 from properties identifies in 'Schedule A', located on Bolotzky Court, Chepesuik Court, and Milex Court, Kelowna, B.C. be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public hearing for further Consideration.

Carried

3.2.1 Bolotzky Ct, Chepesuik Ct and Milex Ct, LUCT19-0008 (BL11860) - Various Owners

Moved By Councillor Singh/Seconded By Councillor Hodge

R806/19/08/26 THAT Bylaw No. 11860 receive first reading.

Carried

3.3 Ufton Ct 1640, 1660, 1665, and 1685, LUCT19-0030 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Sieben

R807/19/08/26 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 RM5 – Medium Density Multiple Housing zone in the City of Kelowna Zoning Bylaw No. 8000 applies to all subject properties under Land Use Contract LUC73-116;

THAT Application No. LUCT19-0030 to terminate LUC73-116 from properties identifies in 'Schedule A', located on Ufton Court, Kelowna, B.C. be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public hearing for further Consideration.

Carried

3.3.1 Ufton Ct 1640, 1660, 1665, and 1685, LUCT19-0030 (BL11861) - Multiple Owners

Moved By Councillor Hodge/Seconded By Councillor Singh

R808/19/08/26 THAT Bylaw No. 11861 receive first reading.

Carried

3.4 Noble Ct 1565 (Units 101-213), LUCT19-0009 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Given

R809/19/08/26 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 RM5 – Medium Density Multiple Housing zone in the City of Kelowna Zoning Bylaw No. 8000 applies to all subject properties under Land Use Contract LUC77-1009;

THAT Application No. LUCT19-0009 to terminate LUC77-1009 from properties identifies in 'Schedule A', located at 1565 Noble Court, Kelowna, B.C. be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public hearing for further Consideration.

Carried

3.4.1 Noble Ct 1565 (Units 101-213), LUCT19-0009, (BL11864) - Multiple Owners

Moved By Councillor Hodge/Seconded By Councillor Donn

R810/19/08/26 THAT Bylaw No. 11864 receive first reading.

Carried

3.5 Rowcliffe Ave 555 (Units 101-408), LUCT19-0012 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Singh

R811/19/08/26 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 RM5 – Medium Density Multiple Housing zone in the City of Kelowna Zoning Bylaw No. 8000 applies to all subject properties under Land Use Contract LUC77-1077;

THAT Application No. LUCT19-0012 to terminate LUC77-1077 from properties identifies in 'Schedule A', located at 555 Rowcliffe Avenue, Kelowna, B.C. be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public hearing for further Consideration.

Carried

3.5.1 Rowcliffe Ave 555 (Units 101-408), LUCT19-0012 (BL11865) - Multiple Owners

Moved By Councillor Singh/Seconded By Councillor Hodge

R812/19/08/26 THAT Bylaw No. 11865 receive first reading.

Carried

3.6 Lester Rd 500 (Units 1-18), LUCT19-0011 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R813/19/08/26 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 RM3 – Low Density Multiple Housing zone in the City of Kelowna Zoning Bylaw No. 8000 applies to all subject properties under Land Use Contract LUC77-1016;

THAT Application No. LUCT19-0011 to terminate LUC77-1016 from properties identifies in 'Schedule A', located at 500 Lester Road, Kelowna, B.C. be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public hearing for further Consideration.

Carried

3.6.1 Lester Rd 500 (Units 1-18), LUCT19-0011 (BL11874) - Multiple Owners

Moved By Councillor Hodge/Seconded By Councillor Singh

R814/19/08/26 THAT Bylaw No. 11874 receive first reading.

Carried

3.7 Jaud Rd and Mathews Rd, LUCT19-0004 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Hodge

R815/19/08/26 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 RR1 – Rural Residential 1 and RR3 – Rural Residential 3 zones in the City of Kelowna Zoning Bylaw No. 8000 applies to all subject properties under Land Use Contract LUC76-1105;

THAT Application No. LUCT19-0004 to terminate LUC76-1105 from properties identifies in 'Schedule A', located on Mathews Road and Jaud Road, Kelowna, B.C. be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public hearing for further Consideration.

Carried

3.7.1 Jaud Rd and Mathews Rd, LUCT19-0004 (BL11891) - Multiple Owners

Moved By Councillor Singh/Seconded By Councillor Hodge

R816/19/08/26 THAT Bylaw No. 11891 receive first reading.

Carried

3.8 Houghton Rd 720, LUCT19-0025 - The Father de Lestre Housing Society

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Donn

R817/19/08/26 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 RM3 – Low Density Multiple Housing zone in the City of Kelowna Zoning Bylaw No. 8000 applies to the subject property under Land Use Contract LUC73-14;

THAT Application No. LUCT19-0025 to terminate LUC73-14 from Lot 2, Section 27, Township 26, ODYD, Plan KAP24794, located at 720 Houghton Road, Kelowna, B.C. be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public hearing for further Consideration.

Carried

3.8.1 Houghton Rd 720, LUCT19-0025 (BL11904) - The Father de Lestre Housing Society

Moved By Councillor Hodge/Seconded By Councillor Singh

R818/19/08/26 THAT Bylaw No. 11904 receive first reading.

Carried

3.9 Pacific Ct 1950-1960 and 1955, LUCT19-0013 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Stack

R819/19/08/26 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 RM5 – Medium Density Multiple Housing zone in the City of Kelowna Zoning Bylaw No. 8000 applies to all subject properties under Land Use Contract LUC76-1094;

THAT Application No. LUCT19-0012 to terminate LUC76-1094 from properties identifies in 'Schedule A', located at 1950-1960 and 1955 Pacific Court, Kelowna, B.C. be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public hearing for further Consideration.

Carried

3.9.1 Pacific Ct 1950-1960 and 1955, LUCT19-0013 (BL11905) - Multiple Owners

Moved By Councillor Singh/Seconded By Councillor Hodge

R820/19/08/26 THAT Bylaw No. 11905 receive first reading.

Carried

3.10 Burtch Rd 1920, LUCT19-0026 - Kelowna Japanese Canadian Community Senior Citizens Society

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Singh

R821/19/08/26 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 RM₃ – Low Density Multiple Housing zone in the City of Kelowna Zoning Bylaw No. 8000 applies to all subject property under Land Use Contract LUC77-1050;

THAT Application No. LUCT19-0026 to terminate LUC77-1050 from Lot A, District Lot 137, ODYD, Plan KAP29189, located at 1920 Burtch Road, Kelowna, B.C. be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public hearing for further Consideration.

Carried

3.10.1 Burtch Rd 1920, LUCT19-0026 (BL11908) - Kelowna Japanese Canadian Community Senior Citizens Society

Moved By Councillor Singh/Seconded By Councillor Hodge

R822/19/08/26 THAT Bylaw No. 11908 receive first reading.

Carried

3.11 Franklyn Rd, All Star Ct, Leathead Rd and Houghton Rd, LUCT19-0031 and Z19-0097 - Multiple Owners

Councillor Stack declared a conflict of interest as his employer operates 108 units in the immediate area and departed the meeting at 2:35 pm.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R823/19/08/26 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 RM₃ – Low Density Multiple Housing zone for the subject properties under Land Use Contract LUC72-7a outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0031 to terminate LUC72-7a from properties identified in 'Schedule A', located on Franklyn Road, All Star Court, Leathead Road, and Houghton Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0097 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject properties identified in 'Schedule B', located on Franklyn Road, All Star Court, Leathead Road, and Houghton Road, Kelowna, BC from the RM₃ – Low Density Multiple Housing zone to RM₅ – Medium Density Multiple Housing zone be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for Zoning Bylaw No. 11859;

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

Carried

3.11.1 Franklyn Rd, All Star Ct, Leathead Rd and Houghton Rd, LUCT19-0031 (BL11858) - Multiple Owners

Moved By Councillor Singh/Seconded By Councillor Hodge

R824/19/08/26 THAT Bylaw No. 11858 receive first reading.

Carried

3.11.2 Franklyn Rd, All Star Ct, Leathead Rd and Houghton Rd, Z19-0097 (BL11859) - Multiple Owners

Moved By Councillor Hodge/Seconded By Councillor Donn

R825/19/08/26 THAT Bylaw No. 11859 receive first reading.

Carried

Councillor Stack returned to the meeting at 2:36 p.m.

3.12 Bartholomew Ct and Crawford Rd, LUCT19-0001 and Z19-0074 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R826/19/08/26 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 A₁ – Agriculture 1 zone for the subject properties under Land Use Contract LUC76-1035 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT19-0001 to terminate LUC76-1035 from properties identified in 'Schedule A', located on Bartholomew Court and Crawford Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0074 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule B', located on Bartholomew Court, Kelowna, BC from the A₁ – Agriculture 1 zone to RU₁ – Large Lot Housing be considered by Council;

AND THAT Rezoning Application No. Z19-0074 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule C', located on Bartholomew Court and Crawford Road, Kelowna, BC from the A1 – Agriculture 1 zone to RR2 – Rural Residential 2 be considered by Council;

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

AND FURTHER THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for Zoning Bylaw No. 11873.

Carried

3.12.1 Bartholomew Ct and Crawford Rd LUCT19-0001 (BL11872) - Multiple Owners

Moved By Councillor Hodge/Seconded By Councillor Singh

R827/19/08/26 THAT Bylaw No. 11872 receive first reading.

Carried

3.12.2 Bartholomew Ct and Crawford Rd, Z19-0074 (BL11873) - Multiple Owners

Moved By Councillor Singh/Seconded By Councillor Hodge

R828/19/08/26 THAT Bylaw No. 11873 receive first reading.

Carried

3.13 Sutcliffe Ct and Hartman Rd, LUCT19-0006 and Z19-0077 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Stack

R829/19/08/26 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 zone for the subject properties under Land Use Contract LUC76-1043 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0006 to terminate LUC76-1043 from properties identified in 'Schedule A', located on Sutcliffe Court and Hartman Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0077 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject properties identified in 'Schedule B', located on Sutcliffe Court and Hartman Road, Kelowna, BC from the RR3 – Rural Residential 3 zone to RU1 – Large Lot Housing zone be considered by Council;

AND THAT Rezoning Application No. Z19-0077 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject property identified in 'Schedule C', located on Hartman Road, Kelowna, BC from the RR3 – Rural Residential 3 zone to P3 – Park & Open Space zone be considered by Council;

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

AND FURTHER THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for zoning Bylaw No. 11876.

Carried

3.13.1 Sutcliffe Ct and Hartman Rd, LUCT19-0006 (BL11875) - Multiple Owners

Moved By Councillor Hodge/Seconded By Councillor Singh

R830/19/08/26 THAT Bylaw No. 11875 receive first reading.

Carried

3.13.2 Sutcliffe Ct and Hartman Rd, Z19-0077 (BL11876) - Multiple Owners

Moved By Councillor Hodge/Seconded By Councillor Singh

R831/19/08/26 THAT Bylaw No. 11876 receive first reading.

Carried

3.14 Hwy 33 E 290, LUCT19-0010 and Z19-0079 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Given

R832/19/08/26 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 RU1 – Large Lot Housing zone for the subject property under Land Use Contract LUC76-20 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0010 to terminate LUC76-20 from properties identified in 'Schedule A', located at 290 Highway 33 East, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0079 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject property identified in 'Schedule B', located at 290 Highway 33 East, Kelowna, BC from the RU1 – Large Lot Housing zone to RM3 – Low Density Multiple Housing be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for Zoning Bylaw No. 11878;

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

Carried

3.14.1 Highway 33 East 290 (Units 101-215), LUCT19-0010 (BL11877) - Multiple Owners

Moved By Councillor Hodge/Seconded By Councillor Singh

R833/19/08/26 THAT Bylaw No. 11877 receive first reading.

Carried

3.14.2 Highway 33 East 290 (Units 101-215), Z19-0079 (BL11878) - Multiple Owners

Moved By Councillor Singh/Seconded By Councillor Hodge

R834/19/08/26 THAT Bylaw No. 11878 receive first reading.

Carried

3.15 Inkar Rd 1481, LUCT19-0014 and Z19-0082 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Donn

R835/19/08/26 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 RU6 – Two Dwelling Housing zone for the subject properties under Land Use Contract LUC77-1008 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0014 to terminate LUC77-1008 from properties identified in 'Schedule A', located at 1481 Inkar Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0082 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject property identified in 'Schedule B', located at 1481 Inkar Road, Kelowna, BC from the RU6 – Two Dwelling Housing zone to RM3 – Low Density Multiple Housing be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for zoning Bylaw No. 11880;

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

Carried

3.15.1 Inkar Rd1481 (Units 1-21), LUCT19-0014 (BL11879) - Multiple Owners

Moved By Councillor Stack/Seconded By Councillor Donn

R836/19/08/26 THAT Bylaw No. 11879 receive first reading.

Carried

3.15.2 Inkar Rd1481 (Units 1-21), Z19-0082 (BL11880) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor Stack

R837/19/08/26 THAT Bylaw No. 11880 receive first reading.

Carried

3.16 Scenic Rd 2161, LUCT19-0015 and Z19-0083 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R838/19/08/26 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 A1 – Agriculture 1 zone for the subject properties under Land Use Contract LUC78-1009 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0015 to terminate LUC78-1009 from properties identified in 'Schedule A', located at 2161 Scenic Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0083 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject property identified in 'Schedule B', located at 2161 Scenic Road, Kelowna, BC from the A1 – Agriculture 1 zone to RM3 – Low Density Multiple Housing be considered by Council;

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

AND FURTHER THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for Zoning Bylaw No. 11882.

Carried

3.16.1 Scenic Rd, LUCT19-0015, (BL11881) - Multiple Owners

Moved By Councillor Stack/Seconded By Councillor Donn

R839/19/08/26 THAT Bylaw No. 11881 receive first reading.

Carried

3.16.2 Scenic Rd, Z19-0083, (BL11882) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor Stack

R840/19/08/26 THAT Bylaw No. 11882 receive first reading.

Carried

3.17 Toovey Rd 1265, LUCT19-0007 and Z19-0093 - Roger Hamm

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Sieben

R841/19/08/26 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 zone for the subject properties under Land Use Contract LUC78-1033 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0007 to terminate LUC78-1033 from Lot A, Section 13, Township 26, ODYD, Plan 38165, located at 1265 Toovey Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0093 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot A, Section 13, Township 26, ODYD, Plan 38165, located at 1265 Toovey Road, Kelowna, BC from the RR3 – Rural Residential 3 zone to RU1 – Large Lot Housing zone be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for zoning Bylaw No. 11909;

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

Carried

3.17.1 Toovey Rd 1265, LUCT19-0007 (BL11885) - Roger Hamm

Moved By Councillor Stack/Seconded By Councillor Donn

R842/19/08/26 THAT Bylaw No. 11885 receive first reading.

Carried

3.17.2 Toovey Rd 1265, Z19-0093 (BL11909) - Roger Hamm

Moved By Councillor Donn/Seconded By Councillor Stack

R843/19/08/26 THAT Bylaw No. 11909 receive first reading.

Carried

3.18 Belgo Rd 1502, 1512, 1522 LUCT19-0003 and Z19-0076 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Given

R844/19/08/26 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 RU1 – Large Lot Housing zone for the subject properties under Land Use Contract LUC76-1067 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0003 to terminate LUC76-1067 from properties identified in 'Schedule A', located on Belgo Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0076 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the property identified in 'Schedule B', located on Belgo Road, Kelowna, BC from the RU1 – Large Lot Housing zone to RR2 – Rural Residential 2 be considered by Council;

AND THAT Rezoning Application No. Z19-0076 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule C', located on Belgo Road, Kelowna, BC from the RU1 – Large Lot Housing zone to RR3 – Rural Residential 3 be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for zoning Bylaw No. 11910;

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

Carried

3.18.1 Belgo Rd, 1502, 1512 and 1522, LUCT19-0003 (BL11886) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor Stack

R845/19/08/26 THAT Bylaw No. 11886 receive first reading.

Carried

3.18.2 Belgo Rd, 1502, 1512 and 1522, Z19-0076 (BL11910) - Multiple Owners

Moved By Councillor Stack/Seconded By Councillor Donn

R846/19/08/26 THAT Bylaw No. 11910 receive first reading.

Carried

3.19 Bedford Rd, LUCT19-0002 and Z19-0075 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Given

R847/19/08/26 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 A1 – Agriculture 1 zone for the subject properties under Land Use Contract LUC76-1110 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0002 to terminate LUC76-1110 from properties identified in 'Schedule A', located on Bedford Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0075 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the property identified in 'Schedule B', located on Bedford Lane, Kelowna, BC from the A1 – Agriculture 1 zone to RR1 – Rural Residential 1 be considered by Council;

AND THAT Rezoning Application No. Z19-0075 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule C', located on Bedford Road, Kelowna, BC from the A1 – Agriculture 1 zone to RR3 – Rural Residential 3 be considered by Council;

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

AND FURTHER THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for Zoning Bylaw No. 11888.

Carried

3.19.1 Bedford Rd and Bedford Lane, LUCT19-0002 (BL11887) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor Stack

R848/19/08/26 THAT Bylaw No. 11887 receive first reading.

Carried

3.19.2 Bedford Rd and Bedford Lane, Z19-0075 (BL11888) - Multiple Owners

Moved By Councillor Stack/Seconded By Councillor Donn

R849/19/08/26 THAT Bylaw No. 11888 receive first reading.

Carried

3.20 Wallace Hill Rd and Spiers Rd, LUCT19-0005 and Z19-0080 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Hodge

R850/19/08/26 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 A1 – Agriculture 1 zone for the subject properties under Land Use Contract LUC76-1059 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0005 to terminate LUC76-1059 from properties identified in 'Schedule A', located on Spiers Road and Wallace Hill Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0080 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject properties identified in 'Schedule B', located on Spiers Road and Wallace Hill Road, Kelowna, BC from the A1 - Agriculture zone to RR3 – Rural Residential 3 be considered by Council;

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

AND FURTHER THAT Council, in accordance with the Local Government Act s.464(2), waive the Public Hearing for zoning Bylaw No. 11890.

Carried

3.20.1 Wallace Hill Rd and Spiers Rd, LUCT19-0005 (BL11889) - Multiple Owners

Moved By Councillor Stack/Seconded By Councillor Donn

R851/19/08/26 THAT Bylaw No. 11889 receive first reading.

Carried

3.20.2 Wallace Hill Rd and Spiers Rd, Z19-0005 (BL11890) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor Stack

R852/19/08/26 THAT Bylaw No. 11890 receive first reading.

Carried

3.21 Sutherland Ave 1421, LUCT19-0017 and Z19-0085 - Salco Management Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R853/19/08/26 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 RM6 – High Rise Apartment Housing zone for Lot A, District Lot 137, ODYD, Plan KAP27186, located at 1421 Sutherland Avenue, Kelowna, BC, under Land Use Contract LUC78-1005 does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0017 to terminate LUC78-1005 from Lot A, District Lot 137, ODYD, Plan KAP27186, located at 1421 Sutherland Avenue, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0085 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot A, District Lot 137, ODYD, Plan KAP27186, located at 1421 Sutherland Avenue, Kelowna, BC, from the RM6 – High Rise Apartment Housing zone to RM5 – Medium Density Multiple Housing be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for zoning Bylaw No. 11893;

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

Carried

3.21.1 Sutherland Ave 1421, LUCT19-0017 (BL11892) - Salco Management Ltd

Moved By Councillor Stack/Seconded By Councillor Sieben

R854/19/08/26 THAT Bylaw No. 11892 receive first reading.

Carried

3.21.2 Sutherland Ave 1421, Z19-0085 (BL11893) - Salco Management Ltd

Moved By Councillor Sieben/Seconded By Councillor Stack

R855/19/08/26 THAT Bylaw No. 11893 receive first reading.

Carried

3.22 Sutherland Ave 1247 LUCT19-0018 and Z19-0086 - JABS Construction Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Stack

R856/19/08/26 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 RM₃ – Low Density Multiple Housing zone for Lot A, District Lot 137, ODYD, Plan KAP29293, located at 1247 Sutherland Avenue, Kelowna, BC, under Land Use Contract LUC77-1086 does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0018 to terminate LUC77-1086 from Lot A, District Lot 137, ODYD, Plan KAP29293, located at 1247 Sutherland Avenue, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0086 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot A, District Lot 137, ODYD, Plan KAP29293, located at 1247 Sutherland Avenue, Kelowna, BC, Kelowna, BC from the RM₃ – Low Density Multiple Housing zone to RM₅ – Medium Density Multiple Housing be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for zoning Bylaw No. 11895;

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

Carried

3.22.1 Sutherland Ave 1247, LUCT19-0018 (BL11894) - JABS Construction Ltd

Moved By Councillor Sieben/Seconded By Councillor Stack

R857/19/08/26 THAT Bylaw No. 11894 receive first reading.

Carried

3.22.2 Sutherland Ave 1247, Z19-0086 (BL11895) - JABS Construction Ltd

Moved By Councillor Stack/Seconded By Councillor Sieben

R858/19/08/26 THAT Bylaw No. 11895 receive first reading

Carried

3.23 Lawrence Ave 1110 LUCT19-0021 and Z19-0089 - 1110 Lawrence Holdings Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Sieben

R859/19/08/26 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 RM₃ – Low Density Multiple Housing zone for Lot 1, District Lot 137, ODYD, Plan KAP26370, located at 1110 Lawrence Avenue, Kelowna, BC, under Land Use Contract LUC K73-65 does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0021 to terminate LUC K73-65 from Lot 1, District Lot 137, ODYD, Plan KAP26370, located at 1110 Lawrence Avenue, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0089 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot 1, District Lot 137, ODYD, Plan KAP26370, located at 1110 Lawrence Avenue, Kelowna, BC, Kelowna, BC from the RM₃ – Low Density Multiple Housing zone to C₄ – Urban Center Commercial zone be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for Zoning Bylaw No. 11899;

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

Carried

3.23.1 Lawrence Ave 1110, LUCT19-0021 (BL11898) - 1110 Lawrence Holdings Ltd

Moved By Councillor Stack/Seconded By Councillor Sieben

R860/19/08/26 THAT Bylaw No. 11898 receive first reading

Carried

3.23.2 Lawrence Ave 1110, Z19-0089 (BL11899) - 1110 Lawrence Holdings Ltd

Moved By Councillor Sieben/Seconded By Councillor Stack

R861/19/08/26 THAT Bylaw No. 11899 receive first reading

Carried

3.24 Sutherland Ave 1431,1441 LUCT19-0022 and Z19-0090 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R862/19/08/26 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 RU6 – Two Dwelling Housing zone for the subject properties under Land Use Contract LUC75-26 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0022 to terminate LUC75-26 from properties identified in 'Schedule A', located on Sutherland Avenue, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0090 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject properties identified in 'Schedule B', located on Sutherland Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to RM5 – Medium Density Multiple Housing be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for zoning Bylaw No. 11901;

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

Carried

3.24.1 Sutherland Ave 1431 & 1441, LUCT19-0022, (BL11900) - Multiple Owners

Moved By Councillor Stack/Seconded By Councillor Sieben

R863/19/08/26 THAT Bylaw No. 11900 receive first reading.

Carried

3.24.2 Sutherland Ave 1431 & 1441 Z19-0090, (BL11901) - Multiple Owners

Moved By Councillor Sieben/Seconded By Councillor Stack

R864/19/08/26 THAT Bylaw No. 11901 receive first reading.

Carried

3.25 Wilson Ave 894 LUCT19-0023 and Z19-0091 - H. Zamonsky Insurance Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R865/19/08/26 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 RU7 – Infill Housing zone for Lot A, District Lot 138, ODYD, Plan KAP29862, located at 894 Wilson Avenue, Kelowna, BC, under Land Use Contract LUC77-1043 does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT19-0023 to terminate LUC77-1043 from Lot A, District Lot 138, ODYD, Plan KAP29862, located at 894 Wilson Avenue, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0091 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot A, District Lot 138, ODYD, Plan KAP29862, located at 894 Wilson Avenue, Kelowna, BC, Kelowna, BC from the RU7 – Infill Housing zone to RM3 – Low Density Multiple Housing zone be considered by Council;

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

AND FURTHER THAT Council, in accordance with the *Local Government Act*, s.464(2), waive the Public Hearing for Zoning Bylaw No. 11903.

Carried

3.25.1 Wilson Ave 894, LUCT19-0023 (BL11902) - H. Zamonsky Insurance Ltd

Moved By Councillor Stack/Seconded By Councillor Sieben

R866/19/08/26 THAT Bylaw No. 11902 receive first reading.

Carried

3.25.2 Wilson Ave 894, Z19-0091 (BL11903) - H. Zamonsky Insurance Ltd

Moved By Councillor Sieben/Seconded By Councillor Stack

R867/19/08/26 THAT Bylaw No. 11903 receive first reading.

Carried

3.26 Richter St 2949-2951 LUCT19-0024 and Z19-0092 - Wally Knopf

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Donn

R868/19/08/26 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 RU6 – Two Dwelling Housing zone for Lot 5, District Lot 135, ODYD, Plan KAP3632, located at 2949-2951 Richter Avenue, Kelowna, BC, under Land Use Contract LUC78-1001 does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0024 to terminate LUC77-1036 from Lot 5, District Lot 135, ODYD, Plan KAP3632, located at 2949-2951 Richter Avenue, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0092 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot 5, District Lot 135, ODYD, Plan KAP3632, located at 2949-2951 Richter Avenue, Kelowna, BC, Kelowna, BC from the RU6 – Two Dwelling Housing zone to RM1 – Four Dwelling Housing zone be considered by Council;

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

AND FURTHER THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for Zoning Bylaw No. 11907.

Carried

3.26.1 Richter St 2949-2951, LUCT19-0024 (BL11906) - Wally Knopf

Moved By Councillor Stack/Seconded By Councillor Donn

R869/19/08/26 THAT Bylaw No. 11906 receive first reading.

Carried

3.26.2 Richter St 2949-2951, Z19-0092 (BL11907) - Wally Knopf

Moved By Councillor Donn/Seconded By Councillor Stack

R870/19/08/26 THAT Bylaw No. 11907 receive first reading.

Carried

3.27 Hollywood Rd 520-528 LUCT19-0019 and Z19-0087 - Keycam Holdings Ltd., Inc. No. BC0914240

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R871/19/08/26 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 C1 – Local Commercial zone for Lot 2, Section 22 Township 26, ODYD, Plan KAP22192, located at 520-528 Hollywood Road South, Kelowna, BC, under Land Use Contract LUC78-1001 does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0019 to terminate LUC78-1001 from Lot 2, Section 22 Township 26, ODYD, Plan KAP22192, located at 520-528 Hollywood Road South, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0087 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot 2, Section 22 Township 26, ODYD, Plan KAP22192, located at 520-528 Hollywood Road South, Kelowna, BC, Kelowna, BC from the C1 – Local Commercial zone to RM3 – Low Density Multiple Housing zone be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for zoning Bylaw No. 11897;

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

Carried

3.27.1 Hollywood Rd S. 520-528, LUCT19-0019 (BL11896) - Keycam Holdings Ltd., Inc. No. BC0914240

Moved By Councillor Sieben/Seconded By Councillor Stack

R872/19/08/26 THAT Bylaw No. 11896 receive first reading.

Carried

3.27.2 Hollywood Rd S. 520-528, Z19-0087 (BL11897) - Keycam Holdings Ltd., Inc. No. BC0914240

Moved By Councillor Stack/Seconded By Councillor Sieben

R873/19/08/26 THAT Bylaw No. 11897 receive first reading.

Carried

3.28 Springfield Rd 1050 and Gordon Dr 2040, LUCT19-0016 and Z19-0084 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R874/19/08/26 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 RU6 – Two Dwelling Housing zone for the subject properties under Land Use Contract LUC77-1027 and LUC78-1030 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0016 to terminate LUC77-1027 and LUC78-1030 from properties identified in 'Schedule A', located on Gordon Drive and Springfield Road, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0084 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject properties identified in 'Schedule B', located on Springfield Road, Kelowna, BC from the RU6 – Two Dwelling Housing zone to RM3 – Low Density Multiple Housing be considered by Council;

AND THAT Rezoning Application No. Z19-0084 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject property identified in 'Schedule C', located on Gordon Drive, Kelowna, BC from the RU6 – Two Dwelling Housing zone to RM5 – Medium Density Multiple Housing be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for zoning Bylaw No. 11863;

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

Carried

3.28.1 Springfield Rd 1050 and Gordon Drive 2040, LUCT19-0016 (BL11862) - Multiple Owners

Moved By Councillor Stack/Seconded By Councillor Sieben

R875/19/08/26 THAT Bylaw No. 11862 receive first reading.

Carried

3.28.2 Springfield Rd 1050 and Gordon Drive 2040, Z19-0084 (BL11863) - Multiple Owners

Moved By Councillor Sieben/Seconded By Councillor Stack

R876/19/08/26 THAT Bylaw No. 11863 receive first reading

Carried

3.29 Pacific Ct 1912, 1915 LUCT19-0020 and Z19-0088 - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R877/19/08/26 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 RM₃ – Low Density Multiple Housing zone for the subject properties under Land Use Contract BL-3534 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT 19-0020 to terminate BL-3534 from properties identified in 'Schedule A', located on Pacific Court, Kelowna, BC, be considered by Council;

AND THAT Rezoning Application No. Z19-0088 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for the subject properties identified in 'Schedule B', located on Pacific Court, Kelowna, BC from the RM₃ – Low Density Multiple Housing zone to RM₅ – Medium Density Multiple Housing zone be considered by Council;

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

AND THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for Zoning Bylaw No. 11884;

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

Carried

3.29.1 Pacific Ct 1912 & 1915, LUCT19-0020, (BL11883) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor Sieben

R878/19/08/26 THAT Bylaw No. 11883 receive first reading.

Carried

3.29.2 Pacific Ct 1912 & 1915, Z19-0088 (BL11884) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor Sieben

R879/19/08/26 THAT Bylaw No. 11884 receive first reading.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Grant Award - Royal Bank of Canada Foundation BC

Staff:

- Provided an overview of the grant award from the Royal Bank of Canada.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R880/19/08/26 THAT Council receive for information the report from Utility Services dated August 26, 2019, regarding a grant award from the Royal Bank of Canada (RBC) Foundation of BC;

AND THAT the Financial Plan be amended to include a \$25,000 grant awarded to the City of Kelowna on behalf of the Royal Bank of Canada (RBC) Foundation of BC as outlined in the grant award report dated August 26, 2019.

Carried

4.2 Grant Funding for Homelessness

Moved By Councillor Given/Seconded By Councillor Hodge

R881/19/08/26 THAT Council receives for information the report from Active Living and Culture dated August 26, 2019, regarding grant funding for homelessness from the United Way Southern Interior BC;

AND THAT Council approves receiving the \$197,128.54, designated to address homelessness and related issues, from the United Way Southern Interior BC as outlined in the report dated August 26, 2019;

AND THAT Council supports a \$197,128.54 grant to the Central Okanagan Journey Home Society to support the Society's work of addressing homelessness in Kelowna;

AND THAT the Financial Plan be amended to include receiving and granting of this \$197,128.54.

Carried

4.3 Rental Housing Inventory

Staff:

- Displayed a PowerPoint Presentation summarizing the rental housing inventory for the City of Kelowna and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

R882/19/08/26 THAT Council receives, for information, the report from the Policy and Planning Department dated August 26, 2019, with respect to the Rental Housing Inventory;

AND THAT Council directs staff to investigate and engage on the proposed action items identified in the Rental Housing Inventory Implementation Table as outlined in the Rental Housing Inventory report dated August 26, 2019.

Carried

4.4 Tall Wood Mass Timber Construction

Staff:

- Displayed a PowerPoint Presentation providing an overview of the building code changes and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Given

R883/19/08/26 THAT Council receives for information, the report from the Development Services Department dated August 26, 2019, regarding participation in the Early Adoption Initiative for Mass Timber Construction;

AND THAT Council direct staff to submit an Expression of Interest to the Office of Housing and Construction Standards within the Ministry of Municipal Affairs and Housing, for the Early Adoption Initiative for Mass Timber Construction.

Carried

4.5 Business Licence and Regulation Bylaw No. 7878 Amendments

Staff:

- Displayed a PowerPoint Presentation providing an overview of the amendments to the Business License and Regulation Bylaw and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R884/19/08/26 THAT Council receives for information, the report from Business Licensing dated August 26, 2019, recommending that Council give reading consideration to BL11918 – Amendment No. 18 to the Business Licence and Regulation Bylaw No. 7878;

AND THAT BL11918 being Amendment No. 18 to the Business Licence and Regulation Bylaw No. 7878 be forwarded for reading consideration.

Carried

4.6 BL11918 - Amendment No. 18 to Business Licence and Regulation Bylaw No. 7878

Moved By Councillor Wooldridge/Seconded By Councillor Given

R885/19/08/26 THAT Bylaw No. 11918 be read a first, second and third time.

Carried

4.7 Transit Improvement Program (TIP) 3-year MOU

Staff:

- Displayed a PowerPoint Presentation providing an overview of the program and proposed memorandum of understanding and responded to questions from Council.

BC Transit Senior Manager, Government Relations, Chris Fudge

- Advised that the Kelowna system is the highest Tier 1 priority.
- Spoke to physical constraints on operations imposed by the current transit facility.

- Continuing the search for an appropriate transit location.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

R886/19/08/26 THAT Council receives for information, the report from the Transit and Programs Manager dated August 26, 2019, with respect to the Transit Improvement Program (TIP) 3-year Memorandum of Understanding (MOU);

AND THAT Council authorizes the Mayor and City Clerk to execute the 3-year Memorandum of Understanding on behalf of the City of Kelowna for transit service over the 2020 –2023 service years.

Carried
Councillor Donn – Opposed

4.8 Transit 2019 2020 Annual Operating Agreement

Staff:

- Displayed a PowerPoint Presentation summarizing the Annual Operating Agreement.

Moved By Councillor Donn/Seconded By Councillor Given

R887/19/08/26 THAT Council approve the 2019/2020 Annual Operating Agreement between BC Transit and City of Kelowna for Conventional, Community, and Custom transit;

AND THAT the Mayor and City Clerk be authorized to execute the Transit Service Agreement between BC Transit and the City of Kelowna covering the period April 1, 2019 to March 31, 2020.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1 BL11911 - Amendment No. 6 to the Housing Opportunities Reserve Fund Bylaw No. 8593

Moved By Councillor Wooldridge/Seconded By Councillor Given

R888/19/08/26 That Bylaw No. 11911 be adopted.

Carried

5.2 BL11912 - Amendment No. 7 to Revitalization Tax Exemption Bylaw No. 9561

Moved By Councillor Given/Seconded By Councillor Wooldridge

R889/19/08/26 THAT Bylaw No. 11912 be adopted.

Carried

6. Mayor and Councillor Items

There were no Councillor items.

7. Termination

This meeting was declared terminated at 4:57 p.m.

Mayor Basran

City Clerk

/acm