



City of Kelowna
Regular Council Meeting
Minutes

Date: Monday, September 16, 2019
 Time: 1:30 pm
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Members Absent Councillor Given

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Urban Planning and Development Policy Manager, Laura Bentley*; Planner Specialist, Adam Cseke*, Planner, Andrew Ferguson*; Cultural Services Manager, Christine McWillis*; Community Development Coordinator, Nicole Cantley*; Utility Services Manager, Kevin Van Vliet*; Revenue Supervisor, Angie Schumacher*; Parks & Buildings Planning Manager, Robert Parlane*; Legislative Coordinator (Confidential), Clint McKenzie

* Denotes partial attendance

1. Call to Order

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

R925/19/09/16 THAT the Minutes of the Regular Meetings of September 9, 2019 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

- 3.1 Clement Ave 816, BL11711 (TA18-0006) - PC Urban Clement Holdings Ltd., Inc. No. BC1099980

Moved By Councillor Stack/Seconded By Councillor DeHart

R926/19/09/16 THAT Bylaw No. 11711 be adopted.

Carried

- 3.2 Clement Ave 816, BL11712 (Z18-0059) - PC Urban Clement Holdings Ltd., Inc. No. BC1099980

Moved By Councillor DeHart/Seconded By Councillor Stack

R927/19/09/16 THAT Bylaw No. 11712 be adopted.

Carried

- 3.3 Clement Ave 816, DP18-0112 - PC Urban Clement Holdings Ltd., Inc. No. BC1099980

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Sieben

R928/19/09/16 THAT final adoption of Text Amendment Bylaw No. 11711 (TA18-0006) and Rezoning Bylaw No. 11712 (Z18-0059) be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0112 for Lot B, Section 30, Township 26, ODYD, Plan EPP83554 located at 816 Clement Avenue, 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 permit to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

- 3.4 Hwy 97N 2800 - OCP18-0012 (BL11933), Z18-0057 (BL11934) - o802333 B.C. Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Loyal Wooldridge

R929/19/09/16 THAT Official Community Plan Map Amendment Application No. OCP18-0012 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation for Lot 1 District Lots 124 and 143 ODYD Plan KAP83915 Except Plan KAP84828 and EPP57498 located at 2800 Hwy 97N, Kelowna, BC from the REP – Resource Protection Area designation to the SC – Service Commercial designation, as shown on Map “A” attached to the Report from the Development Planning Department dated September 16, 2019 be considered by Council;

AND THAT Rezoning Application No. Z18-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications for portions of Lot 1 District Lots 124 and 143 ODYD Plan KAP83915 Except Plan KAP84828 and EPP57498 located at 2800 Hwy 97N, Kelowna, BC from the A1 – Agriculture 1 zone and the I2 – General Industrial zones to C10 – Service Commercial, as shown on Map “B” attached to the Report from the Development Planning Department dated September 16, 2019 be considered by Council;

AND THAT the Official Community Plan Amendment and 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 September 16, 2019;

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council’s consideration of a Development Permit and Development Variance Permit for the subject property;

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

Carried

3.5 Hwy 97N 2800 - (BL11933) OCP18-0012 - 0802333 B.C. Ltd

Moved By Councillor Stack/Seconded By Councillor DeHart

R930/19/09/16 THAT Bylaw No. 11933 be read a first time;

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

3.6 Hwy 97N 2800 - BL11934 (Z18-0057) - 0802333 B.C. Ltd

Moved By Councillor Donn/Seconded By Councillor Sieben

R931/19/09/16 THAT Bylaw No. 11934 be read a first time.

Carried

3.7 Harvey Ave 2271 - DP19-0108 - Orchard Park Shopping Centre Holdings Inc No. A59814

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor DeHart

R932/19/09/16 THAT Council authorizes the issuance of Development Permit No. DP19-0108 for Lot 1 District Lot 127 ODYD, Plan KAP53260, Except Plans KAP56123 and EPP3467, located at 2271 Harvey Avenue, Kelowna, BC, Lot 1 District Lots 127 and 4646 ODYD, Plan KAP47934, located at 2271 Harvey Ave, Kelowna, BC, & Lot 1 District Lots 127 and 4646 ODYD, Plan KAP47930, located at 1992 Dilworth Dr, Kelowna, BC subject to the following:

1. The dimensions and siting of the building renovation to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building renovation 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 this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

4. Bylaws for Adoption (Development Related)

- 4.1 Hwy 97 N 2339-2397, BL11919 (Z19-0018) - Dilworth Shopping Centre Ltd, Inc. No. 319846**

Moved By Councillor Donn/Seconded By Councillor Sieben

R933/19/09/16 THAT Bylaw No. 11919 be adopted.

Carried

- 4.2 Lakeshore Rd 110-3140, BL11922 (Z19-0059) - D and R Properties Ltd, Inc. No BC0562497**

Councillor Sieben declared a conflict as he provides insurance services for the applicant and left the meeting at 1:52 p.m.

Moved By Councillor Hodge/Seconded By Councillor Singh

R934/19/09/16 THAT Bylaw No. 11922 be adopted.

Carried

Councillor Sieben returned to the meeting at 1:52 p.m.

5. Non-Development Reports & Related Bylaws

- 5.1 2020-2025 Cultural Plan**

Staff:

- Displayed a PowerPoint Presentation summarizing the 2020-2025 Cultural Plan and responded to questions from Council.

Moved By Councillor Loyal Wooldridge/Seconded By Councillor Donn

R935/19/09/16 THAT Council receives, for information, the report from the Cultural Services Manager dated September 16, 2019, regarding the 2020-2025 Cultural Plan;

AND THAT Council endorses the 2020-2025 Cultural Plan, as attached to the report;

AND FURTHER THAT Council directs staff to report back with periodic progress updates on the plan's implementation within the community.

Carried

5.2 Water Bylaw amendments for Customers of the former South East Kelowna Irrigation District (SEKID)

Staff:

- Identified rationale for bylaw amendments for customers of the former South East Kelowna Irrigation District and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R936/19/09/16 THAT Council receives for information the report from the Utility Services Manager dated September 16, 2019, regarding water utility rates for customers of the former South East Kelowna Irrigation District (SEKID);

AND THAT Bylaw No. 11924 Amendment No. 10 to Water Regulation Bylaw No. 10480 be forwarded to Council for reading consideration;

AND THAT Bylaw No. 11926 to repeal SEKID Bylaws 664, 690 and 693 be forwarded to Council for reading consideration.

Carried

5.3 BL11924 - Amendment No. 10 to Water Regulation Bylaw No. 10480

Moved By Councillor Singh/Seconded By Councillor Hodge

R937/19/09/16 THAT Bylaw No. 11924 be read a first, second and third time.

Carried

5.4 BL11926 - Repeal Bylaw for SEKID Bylaw Nos. 664, 669 and 693

Moved By Councillor Hodge/Seconded By Councillor Singh

R938/19/09/16 THAT Bylaw No. 11926 be read a first, second and third time.

Carried

5.5 Parks Development Funding Program - Engagement Summary

Staff:

- Displayed a PowerPoint Presentation providing a summary of the engagement results and the preferred implementation option and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Donn

R939/19/09/16 THAT Council receives for information, the report from the Parks & Buildings Planning Manager dated September 16, 2019 with respect to the Parks Development Funding Program – Engagement Summary;

AND THAT Council directs staff to make the amendments to the Parks Development Funding Program as set out in this report in response to the engagement;

AND FURTHER THAT Council directs staff to return to Council with a bylaw amendment based on Model A – Full Implementation, for Council's consideration;

Carried
Councillor Sieben & Singh - Opposed

Councillor Donn left the meeting at 3:50 p.m.

5.6 Rescindment of Chauffeur Permit Regulatory Regime

Moved By Councillor Loyal Wooldridge/Seconded By Councillor DeHart

R940/19/09/16 THAT Council receives, for information, the report from the City Clerk dated September 16, 2019 regarding the rescindment of the Chauffeur Permit regulatory regime;

AND THAT Bylaw No. 11917, being "Kelowna Passenger Vehicles for Hire By-Law No. 6466-89 Rescinding Bylaw" be given reading considerations

Carried

5.7 BL11917 - Rescindment of Kelowna Passenger Vehicles for Hire Bylaw No. 6466-89

Moved By Councillor Singh/Seconded By Councillor Hodge

R941/19/09/16 THAT Bylaw No. 11917 be read a first, second and third time.

Carried

5.8 Rescindment of Commercial Vehicle Licensing Bylaw

Staff confirmed UBCM provided notice in July that they would be eliminating the commercial decal program at the end of 2019.

Moved By Councillor Sieben/Seconded By Councillor Loyal Wooldridge

R942/19/09/16 THAT Council receives, for information, the report from the City Clerk dated September 16, 2019 regarding rescindment of the Commercial Vehicle Licensing Bylaw No 5869-87;

AND THAT Bylaw No 11935, being "Commercial Vehicle Licensing Bylaw No 5869-87 Rescinding Bylaw" be given reading considerations

Carried

5.9 BL11935 - Rescindment of Commercial Vehicle Licensing Bylaw no. 5869-87

Moved By Councillor Loyal Wooldridge/Seconded By Councillor Hodge

R943/19/09/16 THAT Bylaw No. 11935 be read a first, second and third time.

Carried

6. Mayor and Councillor Items

Councillor Wooldridge:

- Attended the opening ceremonies of the 55+ BC Games this past week with Councillors Stack, Dehart and Mayor Basran.

- Attended the United Way launch of Unignorable.

Councillor Singh:

- Attended the opening of the renovated Staples, first renovated retail Staples outlet in western Canada.

Councillor Hodge:

- Attended the Tommy Rock opera.
- Received great comments about the downtown core from an out of town guest who hadn't been in Kelowna for 5 years.

Councillor Sieben:

- Thank-you to the organizing committee of 55+ games; downtown had a great vibe.

Councillor DeHart:

- Very proud to be present at the opening ceremonies of BC 55+ games.
- Congratulated Councillor Stack on his participation in pickle ball at the games.
- COPS for Kids did very well completing their 1000 km with an exciting Sunday return to Kelowna.

Councillor Stack:

- Our parks were packed with over 4300 participants and their families during the 55+ BC Games. Without great parks we would not have the opportunity to host such a successful large event. It showcased the economic benefit of the parks in our community.

Mayor Basran:

- Thanked Chair David Graham and the organizing committee on the best 55+ games ever. Good luck to Richmond who will be hosting next year.
- Sent condolences from Council to the Roshinsky family to the passing of their loved one who was also participating in the 55+ BC games.

7. Termination

This meeting was declared terminated at 4:00 p.m.

Mayor Basran

City Clerk

/cm