



City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 20, 2020
 Time: 1:30 pm
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Ryan Donn, Gail Given, Brad Sieben*, Mohini Singh, Luke Stack* and Loyal Wooldridge

Councillors Maxine DeHart and Charlie Hodge

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Planner Specialist, Alex Kondor*; Planner, Arlene Janousek*; Planner, Hailey Rilkoff*; Planner Specialist, Ross Soward*; Divisional Director, Infrastructure, Alan Newcombe*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

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

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 Wooldridge/Seconded By Councillor Donn

R0024/20/01/20 THAT the Minutes of the Regular Meetings of January 13, 2020 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Morrison Rd 1425, A19-0012 & FH19-0003 - Surinder K. Boparai & Avtar S. Boparai

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Sieben

R0025/20/01/20 THAT Agricultural Land Reserve Appeal No. A19-0012 for Lot B, Section 36, Township 26, ODYD, Plan EPP15301 located at 1425 Morrison Road, Kelowna, BC for a non-adhering residential use permit pursuant to Section 25 of the Agricultural Land Commission Act, be supported by Council;

THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration;

THAT Council authorizes the issuance of Temporary Farm Worker Housing Permit No. FH19-0003 Lot B, Section 36, Township 26, ODYD, Plan EPP15301 located at 1425 Morrison Road, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A19-0012;
2. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule A;
3. A vegetated buffer is provided for screening to adjacent property lines and between the temporary farm worker housing and active farming areas in accordance with Schedule B;
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 landscape buffer, as determined by a professional landscaper;
5. Registration of a Section 219 restrictive covenant on title that states:
 - i. The dwellings will be used for temporary farm workers only;
 - ii. The owner will remove the dwellings if the farm operation changes such that if they are no longer required;
 - iii. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
 - iv. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers; and,
 - v. The temporary farm worker housing building footprint is a maximum of 0.3ha.

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

Carried

3.2 East Kelowna Rd 2830, A19-0016 - William Trent Kitsch/Maria Louise Kitsch

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

R0026/20/01/20 THAT Agricultural Land Reserve Appeal No. A19-0016 for Lot A, Section 16, Township 26, ODYD, Plan 32982 Except Plan KAP71228 located at 2830 East Kelowna Road, Kelowna for a non-farm use in the Agricultural Land Reserve pursuant to Section 20 of the Agricultural Land Commission Act, be supported by Council;

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

Carried

3.3 Nickel Rd 300, Z19-0104 - Okanagan Valley Construction Ltd., Inc. No. BCo665697

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0027/20/01/20 THAT Rezoning Application No. Z19-0104 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 Section 27 Township 26 ODYD Plan 8839 located at 300 Nickel Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RM1 – Four Dwelling 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 Planning Department dated January 20, 2020;

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 and Development Variance Permit for the subject property.

Carried

3.4 Nickel Rd 300, BL11972 (Z19-0104) - Okanagan Valley Construction Ltd., Inc. No. BCo665697

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0028/20/01/20 THAT Bylaw No. 11972 be read a first time.

Carried

3.5 Vaughan Ave 760, TA19-0019 (BL11973) - 760 Vaughan Inc., Inc. No. BC1148021

Councillor Sieben declared conflict of interest as he provides insurance services for the Applicant and departed the meeting at 1:52 p.m.

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R0029/20/01/20 THAT Zoning Bylaw Text Amendment Application No. TA19-0019 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the report from the Development Planning Department dated January 20, 2020 for Lot 2 Section 30 Township 26 ODYD Plan 23753 located at 760 Vaughan Avenue, Kelowna, BC be considered by Council;

AND THAT the Zoning Bylaw Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

Carried

3.6 Vaughan Ave 760, BL11973 (TA19-0019) - 760 Vaughan Inc., Inc. No. BC1148021

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0030/20/01/20 THAT Bylaw No. 11973 be read a first time.

Carried

Councillor Sieben returned to the meeting at 2:08 p.m.

3.7 Speer St 2257-2263, Z19-0102 (BL11974) - Jesse David East and John Thomas Hodges

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0031/20/01/20 THAT Rezoning Application No. Z19-0102 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 34 District Lot 14 ODYD Plan 413, located at 2257 Speer Street, Kelowna, BC and Lot 35 District Lot 14 ODYD Plan 413, located at 2263 Speer Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the HD2 – Hospital and Health Support Services 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 January 20, 2020;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the demolition of existing dwellings and the consolidation of the subject properties;

AND FURTHER 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.

Carried

3.8 Speer St 2257-2263, BL11974 (Z19-0102) - Jesse David East and John Thomas Hodges

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0032/20/01/20 THAT Bylaw No. 11974 be read a first time.

Carried

3.9 Mugford Rd 550, Z19-0122 (BL11975) - Dr. A Ravindran Inc., Inc. No. B.C. 0814175

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Singh

R0033/20/01/20 THAT Rezoning Application No. Z19-0122 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot E Sec 26 TWN 26 ODYD Plan 35641 located at 550 Mugford Road, Kelowna BC from the RU1 – Large Lot Housing to the RU2 – Medium Lot Housing zone to 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 approval of the Ministry of Transportation and Infrastructure;

AND FURTHER 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 January 20, 2020.

Carried

3.10 Mugford Rd 550, BL11975 (Z19-0122) - Dr. A Ravindran Inc., Inc. No. B.C. 0814175

Moved By Councillor Donn/Seconded By Councillor Sieben

R0034/20/01/20 THAT Bylaw No. 11975 be read a first time.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Rental Housing Grants Recommendation for 2020

Councillor Stack declared a perceived conflict of interest as his employer competes for these types of grants from time to time and departed the meeting at 2:17 p.m.

Staff:

- Displayed a PowerPoint Presentation providing an overview of three rental housing grant applications and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Given

R0035/20/01/20 THAT Council receives the report from the Planner Specialist, dated January 13, 2020 regarding the Rental Housing Grants funding recommendation for 2020;

AND THAT Council approves the 2020 Rental Housing Grants as identified in the report from the Planner Specialist, dated January 13, 2020, in accordance with the Housing Opportunities Reserve Fund Bylaw No. 8593 and Council Policy No. 335.

Carried

Councillor Stack returned to the meeting at 2:25 p.m.

4.2 Birch Avenue Water Main Project Cancelled and Budget Transferred to South End Water Upgrades Project

Staff:

- Provided reasons for cancelling the Birch Avenue Water Main Project and transferring those funds to the South End Water Upgrades project and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Donn

R0036/20/01/20 THAT Council receives for information the report from the Infrastructure Divisional Director dated January 20, 2020 regarding the cancellation of the Birch Avenue Water Main project and the transfer of the remaining budget to the South End Water Upgrades project;

AND THAT the 2019 Financial Plan be amended to include the cancellation of the Birch Avenue Water Main project and the transfer of remaining budget to the South End Water Upgrades project as noted in the Financial/Budgetary Considerations section below.

Carried

4.3 Cancellation - Sutherland Outfall Oil Grit Chamber Project and Budget Transfer to Chichester Pond Sediment Forebay Project

Staff:

- Provided reasons for transferring budget from the Sutherland Project to the Chichester Pond Project.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0037/20/01/20 THAT Council receives for information, the report from the Infrastructure Divisional Director dated January 20, 2020 regarding the cancellation of the Sutherland Outfall Oil/Grit Chamber Project and the transfer of the remaining budget to the Chichester Pond – Sediment Forebay project;

AND THAT the 2019 Financial Plan be amended to include the cancellation of the Sutherland Outfall project and the transfer of remaining budget to the Sediment Forebay project, as noted in the Financial/Budgetary Considerations section below.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1 BL11833 - Amendment No. 24 to the Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Donn/Seconded By Councillor Sieben

R0038/20/01/20 THAT Bylaw No. 11833 be adopted.

Carried

5.2 BL11747 Amendment No. 2 Fire & Safety Bylaw No. 1076

Moved By Councillor Donn/Seconded By Councillor Sieben

R0039/20/01/20 THAT Bylaw No. 11747 be read adopted.

Carried

6. Mayor and Councillor Items

Councillor Wooldridge:

- Spoke to their attendance at the Kelowna Art Gallery's Installation Opening Reception on Friday January 17th.

Mayor Basran:

- Congratulated Kelowna's Malindi Elmore for breaking the Canadian record in the Houston Marathon.

7. Termination

This meeting was declared terminated at 2:29 p.m.

Mayor Basran

City Clerk

/acm