



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, January 27, 2020
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Charlie Hodge, Mohini Singh, Brad Sieben, Luke Stack and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Infrastructure Engineering Manager, Joel Shaw*; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Planner Specialist, Alex Kondor*; Urban Planning & Development Policy Manager, James Moore*; Planner Specialist, Jocelyn Black*; Real Estate Department Manager, Johannes Saufferer*; Property Management Manager, JoAnne Adamson*; Deputy City Clerk, Laura Bentley*; 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 Donn/Seconded By Councillor Wooldridge

R0063/20/01/27 THAT the Minutes of the Regular Meetings of January 20, 2020 be confirmed as circulated.

Carried

3. Reports

3.1 Excellence in Enterprise Asset Management Practice

Staff:

- Presented Council with the Award for Excellence in Enterprise Asset Management Practice.

Mayor Basran accepted the award on behalf of Council.

Moved By Councillor Stack/Seconded By Councillor Donn

R0064/20/01/27 THAT Council receives for information, the report from the Infrastructure Engineering Department dated January 27, 2020, regarding the recently received Award for Excellence in Enterprise Asset Management Practice

Carried

4. Development Application Reports & Related Bylaws

4.1 Gallagher Rd, 2975, TA19-0017 - David Geen

Staff:

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

Mayor Basran invited the Applicant, or Applicant's Representative to come forward.

David Geen, Applicant

- Displayed a PowerPoint Presentation.
- Advised that his family have been farming in the Valley since 1903.
- Proposing to expand the existing accommodation from 60 beds to 130 beds; two additional ATCO style camps and a Supervisor trailer.
- Spoke to the need and why they are here; the proposed 130 bed dorms will be the prime accommodation site for 3 farms; Layer Cake, Belgo and Black Mountain farm. These dorms will serve 190 acres of cherries on site and close by.
- The number of pickers are needed in order to pick the number of acres that are there.
- The proposed location puts the farm workers within walking distance to 100 acres of cherries and a 10 – 25 minute bus ride to another 190 acres.
- Believes this is a practical and sensitive location and is maximizing the amount of time the worker can step out the front door to work avoiding any bus ride.
- Likely in the future there will be a housing development across from these dorms as Kirschner Mountain builds out, however, the dorms will be buffered by landscaping as well as by a future road.
- The development is tucked into a frost pocket of unfarmable land.
- A significant benefit that will occur from this development is our requirement to upgrade Loseth Road to emergency access route standard; this will be an alternate escape route for Kirschner Mountain residents off the sound end of Loseth Road.
- Noted that this application received unanimous support from the Agriculture Advisory Committee.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Stack

R0065/20/01/27 THAT Zoning Bylaw Text Amendment Application No. TA19-0017 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 27th 2020 for Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Drive, Kelowna, BC be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 27th 2020;

AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to approval from the Ministry of Agriculture;

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered in conjunction with Council's consideration of a Non-Adhering Residential Use Permit, and Farm Help Development Permit for the subject property.

Carried

4.2 Okanagan Rail Trail Landscaping and Screening Regulations

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Donn

R0066/20/01/27 THAT Council receives, for information, the report from the Development Planning Department dated January 27, 2020, with respect to Okanagan Rail Trail Landscaping and Screening Requirements and Minimum Landscape Buffer Treatment Levels;

AND THAT Zoning Bylaw Text Amendment Application No. TA19-0004 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the report from the Development Planning department dated January 27, 2020 be considered by Council;

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

Carried

4.3 BL11970 (TA19-0004) - Amendment to Section 7 of Zoning Bylaw No. 8000 - Landscaping and Screening

Moved By Councillor Hodge/Seconded By Councillor Singh

R0067/20/01/27 THAT Bylaw No. 11970 be read a first time.

Carried

4.4 Dilworth 950, DP19-0144, The Board of Education of School District No. 23 (Central Ok)

Staff:

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

Mayor Basran invited the Applicant to come forward.

Stuart Burgess, Applicant

- Confirmed the colour of the structure that is displayed on the PowerPoint presentation and in the agenda package.

Moved By Councillor Donn/Seconded By Councillor Stack

R0068/20/01/27 THAT Council authorizes the issuance of Development Permit No. DP19-0144 for Lot G, Section 28, Township 26 Osoyoos Division Yale District Plan 31716 located at 950 Dilworth Dr, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B,"
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued,

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

Carried

5. Bylaws for Adoption (Development Related)

- 5.1 588 Radant Rd, BL11520 (Z17-0080) - Craig Bulawka Professional Corporation**

Moved By Councillor Singh/Seconded By Councillor Hodge

R0069/20/01/27 THAT Bylaw No. 11520 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

- 6.1 License of Occupation – Swim Area, Dock and Water Intake**

Staff:

- Displayed a PowerPoint Presentation summarizing the Licences of Occupation.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0070/20/01/27 THAT Council approve the City entering into a License of Occupation with the Province of British Columbia for a term of 30-years for all that unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting on District Lots 3457 except Plan 33137, District Lot 5296 and Lot 1 KAP 46717 all of Osoyoos Division Yale District, containing 3.3 hectares, more or less, more commonly known as the area in front of Waterfront Park for swimming and boating control buoy purposes, in the form attached to the Report of the Manager, Property Management dated January 27, 2020;

AND THAT Council approve the City entering into a License of Occupation with the Province of British Columbia for a term of 30-years for all that unsurveyed Crown foreshore being part of Okanagan Lake and fronting on District on Lot 1 of District Lots 139, 4041, 4082 and 5199, Osoyoos Division of Yale District, Plan KAP46717 containing 0.2945 hectares, more or less, more commonly known as the dock near the locks at Waterfront Park for the purpose of moorage, in the form attached to the Report of the Manager, Property Management dated January 27, 2020;

AND THAT Council approve the City entering into a sub-license agreement with the Delta Grand Hotel for at term of 10-years at market rates determined by the Manager of Property Management;

AND THAT Council approve the City entering into a License of Occupation with the Province of British Columbia for a term of 10-years for the surveyed Crown land with the legal description of Block A, District Lot 1720A and 5246, Osoyoos Division Yale District, and containing 17.40 hectares, for the purposes of water intake and all the associated works, in the form attached to the Report of the Manager, Property Management dated January 27, 2020;

AND THAT the Manager, Property Management be authorized to execute all documents necessary to complete the sublease agreement;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the attached Licenses of Occupation and Management Plans.

Carried

6.2 RDCO Board Voting Unit

Staff:

- Displayed a PowerPoint Presentation outlining the recommended vote assignments.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0071/20/01/27 THAT Council assign votes for the City of Kelowna directors on the Regional District of Central Okanagan's Board of Directors as outlined in the report from the Office of the City Clerk dated January 20, 2020, with respect to assignment of votes.

AND THAT Council direct staff to inform the Regional District of Central Okanagan of the assignment of votes.

Carried

7. Mayor and Councillor Items

Councillor DeHart:

- Spoke to their attendance, along with Mayor Basran and Councillor Wooldridge, at the Canadian Home Builder's Association Awards Gala.

8. Termination

This meeting was declared terminated at 3:01 p.m.

Mayor Basran

City Clerk

/acm