



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, February 3, 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, Director, Planning & Development Services, Ryan Smith\*; Development Planning Department Manager, Terry Barton\*; Planner Specialist, Alex Kondor\*; Planner, Aaron Thibeault\*; Controller, Jackie Dueck\*; Financial Analyst, James Sexton\*; Revenue Supervisor, Angie Schumacher\*; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:34 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 Hodge

R0075/20/02/03 THAT the Minutes of the Regular Meetings of January 27, 2020 be confirmed as circulated.

Carried

### 3. Public in Attendance

#### 3.1 Okanagan Regional Library Update

Don Nettleton, Okanagan Regional Library Chief Executor Officer and Chris Stephenson, Head Librarian

- Displayed a PowerPoint Presentation outlining the Okanagan Regional Library activities for 2019 and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

**R0076/20/02/03** THAT Council receives, for information, the Okanagan Regional Library Update presentation dated February 3, 2020, from the Okanagan Regional Library Chief Executor Officer.

**Carried**

**4. Development Application Reports & Related Bylaws**

**4.1 Coronation Ave 1028, 1036, 1044 Z17-0117 (BL11731) - 1136605 BC Ltd., Inc No. BC1136605**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Given

**R0077/20/02/03** THAT Rezoning Application No. Z17-0117 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9 & 10 District Lot 138 and of Section 30 Township 26 ODYD Plan 3763 and Lot 1 District Lot 138 ODYD Plan 4282, located at 1026, 1036 & 1044 Coronation Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw No. 11731 be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated February 3, 2020;

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 properties.

**Carried**

**4.2 Coronation Ave 1028, 1036, 1044 BL11731 (Z17-0117) - 1136605 BC Ltd., Inc No. BC1136605**

Moved By Councillor Hodge/Seconded By Councillor Singh

**R0078/20/02/03** THAT Bylaw No. 11731 be rescinded at second and third reading.

**Carried**

**4.3 Gordon Dr 5100, OCP-19004 (BL11977) and Z19-0103 (BL11978) - Trailhead Communities Ltd.**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Sieben

**R0079/20/02/03** THAT Official Community Plan Map Amendment Application No. OCP19-0004 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing

the Future Land Use designation of The South ½ District Lot 579 SDYD Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118, EPP55798, EPP45189, EPP72926, EPP74481 AND EPP77194 located at 5100 Gordon Drive, Kelowna, BC from the:

- Major Park / Open Space (public) (PARK) to Multiple Unit Residential- Cluster Housing (MRC);
- Multiple Unit Residential- Cluster Housing (MRC) to Major Park / Open Space (public) (PARK)

As shown on Map "A" attached to the Report from the Development Planning Department dated February 3, 2020, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Hearing process to be appropriate consultation for the Purpose of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department February 3, 2020;

THAT Rezoning Application No. Z19-0103 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of The South ½ District Lot 579 SDYD Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863, EPP15721, EPP18670, EPP22118, EPP55798, EPP45189, EPP72926, EPP74481 AND EPP77194 located at 5100 Gordon Drive, Kelowna, BC, from the A1 – Agriculture zone to RH3 – Hillside Cluster Housing zone, RU2h – Medium Lot Housing (Hillside Area) zone and P3- Parks and Open Space zone as shown on Map "B" attached to the Report from the Development Planning Department February 3, 2020, be considered by Council;

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

**Carried**

#### **4.4 Gordon Dr 5100, BL11977 (OCP-19004) - Trailhead Communities Ltd.**

Moved By Councillor Given/Seconded By Councillor Hodge

**R0080/20/02/03** THAT Bylaw No. 11977 be read a first time.

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

**Carried**

#### **4.5 Gordon Dr 5100, BL11978 (Z19-0103) - Trailhead Communities Ltd.**

Moved By Councillor Given/Seconded By Councillor Donn

**R0081/20/02/03** THAT Bylaw No. 11978 be read a first time.

**Carried**

#### **4.6 Pandosy St 2660, Z19-0129 (BL11980) - Southgate Centre Holdings Inc., Inc. No. BC1077192**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Donn

**R0082/20/02/03** THAT Rezoning Application No. Z19-0129 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 14 ODYD Plan 33506, located at 2660 Pandosy Street, Kelowna, BC from the C<sub>4</sub> – Urban Centre Commercial zone to the C<sub>4</sub>rcs – Urban Centre Commercial (Retail Cannabis Sales) zone, be considered by Council;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

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

**Carried**

**4.7 Pandosy St 2660, BL11980 (Z19-0129) - Southgate Centre Holdings Inc., Inc. No. BC1077192**

Moved By Councillor Wooldridge/Seconded By Councillor Given

**R0083/20/02/03** THAT Bylaw No. 11980 be read a first time.

**Carried**

**4.8 Gallagher Rd, 2975, TA19-0017, Supplemental - David Geen**

Moved By Councillor Singh/Seconded By Councillor Hodge

**R0084/20/02/03** THAT Council receives for information the Supplemental Report of the Development Planning department dated February 3, 2020, regarding Text Amendment No. TA19-0017 for Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Road, Kelowna, BC.

**Carried**

**4.9 Gallagher Rd 2975, BL11983 (TA19-0017) - David Geen**

Moved By Councillor Hodge/Seconded By Councillor Singh

**R0085/20/02/03** THAT Bylaw No. 11983 be read a first time.

**Carried**

**4.10 Cawston Ave 640-650 & Richter St 1284-1292, OCP20-0002 (BL11982) and Z19-0126 (BL11984) - 1145287 B.C. LTD., Inc. No. BC1145287**

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Singh

**R0086/20/02/03** THAT Official Community Plan Map Amendment Application No. OCP20-0002 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of The East ½ of Lot 19 District Lot 139 ODYD Plan 1037; Lot 18 District Lot 139 ODYD Plan 1037; Lot 17 District lot 139 ODYD Plan 1037; Lot A District Lot 139 ODYD Plan KAP68057; Lot 16 District Lot 139 ODYD Plan 1037; The South ½ of Lot 15 District Lot 139 ODYD Plan 1037; and Road Plan 1037 EPP99502, located at 640-650 Cawston Ave. and 1284-1292 Richter St., Kelowna, BC from the MRM – Multiple Unit Residential Medium Density designation to the MXR – Mixed Use Residential / Commercial designation, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated February 3, 2020;

AND THAT final adoption of the Official Community Plan Map 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 February 3, 2020.

AND THAT Rezoning Application No. Z19-0126 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of The East ½ of Lot 19 District Lot 139 ODYD Plan 1037; Lot 18 District Lot 139 ODYD Plan 1037; Lot 17 District lot 139 ODYD Plan 1037; Lot A District Lot 139 ODYD Plan KAP68057; Lot 16 District Lot 139 ODYD Plan 1037; The South ½ of Lot 15 District Lot 139 ODYD Plan 1037; and Road Plan 1037 EPP99502, located at 640-650 Cawston Ave. and 1284-1292 Richter St., Kelowna, BC from the RU2 – Medium Lot Housing zone to the C7 – Central Business Commercial 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 Community Planning Department dated February 3, 2020;

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**

Councillors Hodge and Stack - Opposed

**4.11 Cawston Ave 640-650 & Richter St 1284-1292, BL11982 (OCP20-0002) - 1145287  
B.C. LTD., Inc. No. BC1145287**

Moved By Councillor Stack/Seconded By Councillor DeHart

**R0087/20/02/03** THAT Bylaw No. 11982 be read a first time.

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

**Carried**

Councillors Hodge and Stack - Opposed

**4.12 Cawston Ave 640-650 & Richter St 1284-1292, BL11984 (Z19-0126) - 1145287 B.C. LTD., Inc. No. BC1145287**

Moved By Councillor DeHart/Seconded By Councillor Stack

**R0088/20/02/03** THAT Bylaw No. 11984 be read a first time.

**Carried**  
Councillors Hodge and Stack - Opposed

**4.13 650 Cawston Avenue Road Closure**

Moved By Councillor Wooldridge/Seconded By Councillor Given

**R0089/20/02/03** THAT Council receives, for information, the Report from the Manager, Real Estate Services dated February 3, 2020, recommending that Council adopt the proposed closure of a portion of road adjacent to 650 Cawston Avenue;

AND FURTHER THAT Bylaw No. 11967, being proposed road closure of a portion of road adjacent to 650 Cawston Avenue, be given reading consideration.

**Carried**

**4.14 650 Cawston Avenue, BL11967 Road Closure Bylaw**

Moved By Councillor Stack/Seconded By Councillor DeHart

**R0090/20/02/03** THAT Bylaw No. 11967 be read a first, second and third time.

**Carried**

**5. Non-Development Reports & Related Bylaws**

**5.1 Investment of Kelowna Funds 2019**

Staff:

- Displayed a PowerPoint Presentation summarizing the City's 2019 investment portfolio and an overview of the performance and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

**R0091/20/02/03** THAT Council receives, for information, the Investment of Kelowna Funds for 2019 Report from Financial Services as presented on February 3, 2020 in alignment with Council's strong financial management priority.

**Carried**

**5.2 Property Tax Penalty**

Staff:

- Displayed a PowerPoint Presentation outlining the structure for penalties applied to property taxes outstanding.

Moved By Councillor Given/Seconded By Councillor Stack

**R0092/20/02/03** THAT Council receives, for information, the Report from the Revenue Supervisor dated February 3, 2020 recommending that Council adopt a new Property Tax Penalty Bylaw;

AND THAT Bylaw No. 11971, being the Property Tax Penalty Bylaw, be forwarded to Council for reading consideration;

AND FURTHER THAT Bylaw No. 8639, being the current Tax Penalty Bylaw, be repealed.

**Carried**

**5.3 BL11971 - Property Tax Penalty Bylaw**

Moved By Councillor DeHart/Seconded By Councillor Stack

**R0093/20/02/03** THAT Bylaw No. 11971 be read a first, second and third time.

**Carried**

**6. Mayor and Councillor Items**

Councillor DeHart

- Spoke to their attendance at the Annual Salvation Army Volunteer Breakfast event.
- Spoke to their attendance at an event featuring UBC President Santa Ono and his discussion regarding Mental Health.

Councillor Wooldridge

- Spoke to the Spring Lantern Festival event at Parkinson Recreation Centre on February 8th.

Councillor Given:

- Spoke to the Community Sport Hero Awards Reception on February 5th at the Rotary Centre for the Arts.

**7. Termination**

This meeting was declared terminated at 3:39 p.m.

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Mayor Basran

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City Clerk