



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, May 25, 2020
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Brad Sieben, Mohini Singh and Loyal Wooldridge
Members Participating Remotely	Councillors Ryan Donn, Charlie Hodge and Luke Stack
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Director, Planning & Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Planner, Tyler Casswell*; Planner, Aaron Thibeault*; Planner Specialist, Wesley Miles*; Real Estate Department Manager, Johannes Saufferer*; Property Management Manager, JoAnne Adamson*; Parking Services Manager, Dave Duncan*; Divisional Director ,Partnership & Investments, Derek Edstrom*; Partnership Manager, Sandra Kochan*; Real Estate Services Manager, Mike Olson*; Divisional Director, Corporate Strategic Services, Carla Weaden*; Corporate Strategy & Performance Department Manager, Mike McGreer*; Performance Improvement Consultant, Sigrun Geirsdottir*; Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:34 PM.

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-video feed is being broadcast and recorded on kelowna.ca and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0370/20/05/25 THAT the Minutes of the Regular Meetings of May 25, 2020 be confirmed as circulated.

Carried

The meeting recessed due to technical/audio issues for Councillors participating remotely at 1:43 PM.

The meeting reconvened with audio concerns fixed at 1:51 PM.

3. Development Application Reports & Related Bylaws

3.1 Zoning Bylaw No. 8000 Text Amendment – Fencing and Retaining Walls

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0371/20/05/25 THAT Zoning Bylaw Text Amendment Application No. TA19-0009 to amend City of Kelowna Zoning Bylaw No. 8000 as indicated in Schedule A and outlined in the Report from the Development Planning Department dated May 25th, 2020 be considered by Council;

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

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

Carried

3.2 Zoning Bylaw No. 8000 Text Amendment – Fencing and Retaining Walls

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Bylaw No. 12027 be read a first time.

Carried

3.3 Snowsell St N 470, Z20-0009 - Grant Douglas Vestner

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0372/20/05/25 THAT Rezoning Application No. Z20-0009 to amend the City of Kelowna Zoning Bylaw no. 8000 by changing the zoning classification of That Part of Lot B Section 9 Township 23 ODYD District Plan 1590 Shown on Plan B7425, located at 470 Snowsell St. N, Kelowna, BC from the RR3 – Rural Residential 3 zone to the RU6 – Two Dwelling Housing zone be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

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 May 25, 2020.

Carried

3.4 Snowsell St N 470, Z20-0009 - Grant Douglas Vestner

Moved By Councillor Singh/Seconded By Councillor Given

R0373/20/05/25 THAT Bylaw No. 12035 be read a first time.

Carried**3.5 Glenmore Dr 850, Z20-0022 - James Scott Dakin and Jennifer Ann Dakin**

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Sieben

R0374/20/05/25 THAT Rezoning Application No. Z20-0022 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7 Section 29 Township 26 ODYD Plan 4101, located at 850 Glenmore Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw.

Carried**3.6 Glenmore Dr 850, Z20-0022 - James Scott Dakin and Jennifer Ann Dakin**

Moved By Councillor Singh/Seconded By Councillor Given

R0375/20/05/25 THAT Bylaw No. 12036 be read a first time.

Carried**3.7 Water Street 1570-1580, Z19-0098 - Tri-Moor Holdings Ltd., Inc.No. 1050685; Royal Enterprises Ltd., Inc.No. 70194**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0376/20/05/25 THAT Rezoning Application No. Z19-0098 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 1, 2, 5 & 6 District Lot 139 ODYD Plan 1355, located at 1570 - 1580 Water St., Kelowna, BC from the C7 – Central Business Commercial zone to the C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales) 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 May 25, 2020;

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

Carried

3.8 Water Street 1570-1580, Z19-0098 - Tri-Moor Holdings Ltd., Inc.No. 1050685; Royal Enterprises Ltd., Inc.No. 70194

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0377/20/05/25 THAT Bylaw No. 12037 be read a first time.

Carried

3.9 (W OF) Union Road and 2025 Begbie Road, Z20-0030 OCP20-0008 - Glenwest Properties Ltd

Staff:

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

Moved By Councillor Given/Seconded By Councillor Hodge

R0378/20/05/25 THAT Official Community Plan Map Amendment Application No. OCP20-0008 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by Changing the Future Land Use Designation of portions of:

a) Lot A Sections 4, 5, 8 and 9 Township 23 ODYD Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278, KAP86750, EPP24895 and EPP93548, located at 2025 Begbie Road, Kelowna, BC;

b) The North East ¼ of Section 8 Township 23 ODYD Except Plan KAP69724, located at (W OF) Union Road, Kelowna, BC from MRL – Multiple Unit Residential (Low Density) designation to EDINST – Educational/Major Institutional designations as shown on Map "A" attached to the Report from the Development Planning Department dated May 25th, 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 Rezoning Application No. Z20-0030 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of portions of:

a) Lot A Sections 4, 5, 8 and 9 Township 23 ODYD Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278, KAP86750, EPP24895 and EPP93548, located at 2025 Begbie Road, Kelowna, BC;

b) The North East ¼ of Section 8 Township 23 ODYD Except Plan KAP69724, located at (W OF) Union Road, Kelowna, BC from RM3 – Low Density Multiple Housing zone to the P2 – Education and Minor Institutional zone as shown on Map "B" attached to the Report from the Development Planning Department dated May 25th, 2020, be considered by Council;

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

Carried

3.10 (W OF) Union Road and 2025 Begbie Road, Z20-0030 OCP20-0008 - Glenwest Properties Ltd

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0379/20/05/25 THAT Bylaw No. 12040 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

3.11 (W OF) Union Road and 2025 Begbie Road, Z20-0030 OCP20-0008 - Glenwest Properties Ltd

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0380/20/05/25 THAT Bylaw No. 12041 be read a first time.

Carried

3.12 Gallagher Road 2980, Z20-0021 - Kirschner

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Hodge

R0381/20/05/25 THAT Rezoning Application No. Z20-0021 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for a portion of Lot 1, Section 12 and 13, Township 26 and Sections 7 and 18 Township 27, ODYD, Plan KAP71697, Except Plans KAP84278, KAP86315, KAP86363, KAP88598, EPP36504, EPP69212, EPP74058, and EPP84892 located at 2980 Gallagher Road, Kelowna, BC from the A1 – Agricultural 1 zone to the RH3 – Hillside Cluster Housing, as shown on Map "A" attached to the Report from the Development Planning Department dated May 25, 2020 be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw be forwarded to Public Hearing;

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 May 25, 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

3.13 Gallagher Road 2980, Z20-0021 - Kirschner

Moved By Councillor Given/Seconded By Councillor Singh

R0382/20/05/25 THAT Bylaw No. 12042 be read a first time.

Carried

Mayor Basran, Councillor Given - Opposed

3.14 Knowles Rd. 472, Z20-0029 - Amarjit S. Hundal, Jaswinder S. Nahal, Harminder S. Dhillon and Gurdip K. Dhillon

Staff:

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

Moved By Councillor Given/Seconded By Councillor Singh

R0383/20/05/25 THAT Rezoning Application No. Z20-0029 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 167 ODYD Plan 9341, Except Plans 13481 and 19834, located at 472 Knowles Rd., Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

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 May 25, 2020;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.15 Knowles Rd. 472, Z20-0029 - Amarjit S. Hundal, Jaswinder S. Nahal, Harminder S. Dhillon and Gurdip K. Dhillon

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0384/20/05/25 THAT Bylaw No. 12043 be read a first time.

Carried

4. **Bylaws for Adoption (Development Related)**

4.1 Underhill St 1940, BL11942 (OCP18-0015) - 1940 Underhill Developments Corp.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0385/20/05/25 THAT Bylaw No. 11942 be adopted.

Carried

4.2 Underhill St 1940, BL11943 (Z18-0071) - 1940 Underhill Developments Corp.

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0386/20/05/25 THAT Bylaw No. 11943 be adopted.

Carried

4.3 McCurdy Rd 925-929, BL11994 (LUC20-0001) - NT Properties Ltd.

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0387/20/05/25 THAT Bylaw No. 11994 be adopted.

Carried

4.4 McCurdy Rd 925-929, BL11995 (Z19-0132) - NT Properties Ltd.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0388/20/05/25 THAT Bylaw No. 11995 be adopted.

Carried

4.5 Alsgard St, McCurdy Rd, Leathead Rd - BL11996 (LUCT20-0001) - City of Kelowna

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0389/20/05/25 THAT Bylaw No. 11996 be adopted.

Carried

4.6 Alsgard St, McCurdy Rd, Leathead Rd - BL11997 (Z20-0004) - City of Kelowna

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0390/20/05/25 THAT Bylaw No. 11997 be read adopted.

Carried

4.7 Gordon Dr 1171-1199, BL12005 (TA19-0021) - Manhattan Properties Ltd., Inc No. 21606

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0391/20/05/25 THAT Bylaw No. 12005 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Liquor Licensing Delegated Authority - COVID19 Recovery

Staff:

- Provided an overview of the temporary delegation authority on liquor license applications and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0392/20/05/25 THAT Council rescind the direction to opt-out of providing local government input to the Liquor and Cannabis Regulation Branch on liquor license applications;

AND THAT Bylaw No. 12048, being Amendment No. 7 to the Development Applications Procedures Bylaw No. 10540, be forwarded for reading consideration.

Carried**5.2 Amendment No. 7 to the Development Applications Procedure Bylaw No. 10540**Moved By Councillor DeHart/Seconded By Councillor SiebenR0393/20/05/25 THAT Bylaw No. 12048 be read a first, second and third time and be adopted.Carried**5.3 Expanded Patio Program - Bernard Avenue**

Staff:

- Displayed a PowerPoint Presentation outlining the temporary outdoor patio and pedestrian zones on Bernard Avenue and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor DeHartR0394/20/05/25 THAT Council receive, for information, the Sidewalk Patio Permit Temporary Expansion report from the Real Estate department dated May 25, 2020;

AND THAT Council support the closure of Bernard Avenue between Abbott Street and St. Paul Street, Abbott Street between Lawrence Avenue and Bernard Avenue, and Mill Street, to vehicle traffic from June 29, 2020 to September 8, 2020 to facilitate the temporary expansion of the Sidewalk Patio Permit over the road right of way area;

AND THAT Council support the establishment of a staff Public Space Task Force to review and approve general public space use requests throughout the City of Kelowna, as outlined in the report from the Real Estate department dated May 25, 2020;

AND THAT the 2020 Financial Plan be amended to re-instate the patio program revenue budget that was reduced at Final Budget;

AND FURTHER THAT Council direct staff to prepare bylaw and guideline amendments as required to implement the recommendations in the report from the Real Estate department dated May 25, 2020.

Carried**5.4 Update on Temporary Changes to Parking Operations**

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed temporary changes to Parking Operations and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor GivenR0395/20/05/25 THAT Council receives, for information, the report from Parking Services, dated May 25, 2020, with respect to an update on temporary changes to parking operations;

AND THAT Council directs staff, until June 15, 2020, to permit any vehicle parking in an on-street pay parking stall within the Downtown Zone B, Downtown Zone C or the South Pandosy

Urban Centre areas to do so without being required to make the payment as indicated in Traffic Bylaw No. 8120;

AND THAT Council directs staff to offer users of the mobile parking application, PayByPhone, the ability to use any on-street stall within the Downtown or South Pandosy Urban Centres for up to 30-minutes without charge, once per day for each customer, until August 31, 2020;

AND THAT Council directs staff to continue waiving the 30-day notice requirement for cancellation of monthly permits for holders that are not using their permit due to self-isolation, quarantine or working remotely until June 30, 2020;

AND THAT Council authorizes the Department Manager, Real Estate or Manager, Parking Services to make time sensitive or emergent parking modifications, until the Provincial State of Emergency has been rescinded, as/if required, to support the pandemic response;

AND FURTHER THAT Bylaw No. BL12047, being Amendment No. 37 to Traffic Bylaw No. 8120, be forwarded for reading consideration.

Carried

5.5 BL12047 - Amendment No. 37 to the Traffic Bylaw

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0396/20/05/25 THAT Bylaw No. 12047 be read a first, second and third time and be adopted.

Carried

5.6 Proposed Reporting Framework for Strategic Partnerships

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed reporting framework for the City's Strategic Partnerships and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0397/20/05/25 THAT Council receives, for information, the report of the Partnership Manager dated May 25, 2020 regarding a proposed reporting framework for the City's strategic partnerships.

Carried

Councillor Donn - Opposed

5.7 Non-Market Lease - 1055-1063 Ellis Street

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed construction of a 38 unit temporary supportive housing building on Ellis Street in partnership with BC Housing and the Canadian Mental Health Association and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Singh

R0398/20/05/25 THAT Council approves the proposed non-market lease of city-owned property located at 1055 and 1063 Ellis Street with BC Housing, as per the general terms and conditions outlined in the attached Non-Market Land Lease Agreement and attached to the Report of the Manager, Real Estate Services, dated May 25, 2020;

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete this transaction;

Carried

5.8 Reporting Progress on Council Priorities 2019 – 2022

Staff:

- Displayed a PowerPoint Presentation summarizing the progress report on the 2019 - 2022 Council Priorities and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Singh

R0399/20/05/25 THAT COUNCIL receive the report from the Corporate Strategy & Performance Dept. Manager dated May 2020 with respect to reporting progress in 2019 on Council Priorities 2019-2022;

AND THAT COUNCIL direct staff to report back on the 2020 progress for Council Priorities in spring 2021.

Carried

6. Mayor and Councillor Items

Councillor Donn:

- BC Parks website crashed shows what people in the Province wish to do during the pandemic
- Looking forward to Parks Alive! and Festivals Kelowna updates.

Councillor Singh:

- Made comments on racial issues on the rise in other parts of the Province but not in Kelowna.

Councillor Sieben:

- Made comments on how the public may view and perceive how various businesses are operating.

7. Termination

This meeting was declared terminated at 4:55 p.m.

Mayor Basran

City Clerk

/cdm