



**City of Kelowna**  
**Regular Council Meeting**  
**Minutes**

Date:	Monday, July 27, 2020
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Brad Sieben, Mohini Singh and Luke Stack*
Members Participating Remotely	Councillors Gail Given, Charlie Hodge and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Deputy City Manager Joe Creron*; Divisional Director, Infrastructure, Alan Newcombe*; Utility Planning Manager, Rod MacLean*; Utility Services Manager, Kevin Van Vliet*; Deputy City Clerk, Laura Bentley*; Divisional Director, Planning and Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Community Planning & Development Manager, Dean Strachan*; Planner II, Andrew Ferguson*; Planner, Aaron Thibeault*; Integrated Transportation Department Manager, Rafael Villarreal Pacheco*; Transit and Programs Manager, Jerry Dombowsky*; Transit Services Coordinator, Mike Kittmer*; Controller, Jackie Dueck*; Corporate Finance Manager, Shelly Little*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Acting Manager, Ross Soward*; Legislative Coordinator (Confidential), Clint McKenzie

(\*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-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 Donn/Seconded By Councillor DeHart

**(R483/20/07/27)** THAT the Minutes of the Regular Meetings of July 13, 2020 be confirmed as circulated.

**Carried**

### 3. Non -Development Reports

#### 3.1 Water Supply Update

Staff displayed a PowerPoint presentation with an update to the SEKID water project and the implementation of Phase 3 water restrictions, and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

**(R484/20/07/27)** THAT Council receives, for information, the report from Utility Services dated July 27, 2020 regarding an update on potable water supply in southeast Kelowna;

AND THAT Council direct staff to bring forward a bylaw amendment to extend the deadline to request the \$500 credit for using new irrigation services to October 1, 2020.

**Carried**

#### 3.2 COVID-19 Pandemic Public Hearing and Tuesday Meeting Measures

Staff displayed a PowerPoint presentation summarizing the COVID-19 related changes to public hearing and Tuesday evening procedures and practices and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Stack

**(R485/20/07/27)** THAT Council receives, for information, the report from the Office of the City Clerk dated July 27, 2020 with respect to the COVID-19 pandemic public hearing and meeting measures.

AND THAT Council direct staff to no longer recommend public hearings be waived when rezonings are brought forward at initial consideration

**Carried**

Mayor Basran, Councillors Donn and Given - Opposed

### 4. Development Application Reports & Related Bylaws

#### 4.1 Highway 97 N 2339-2397 - Z20-0014 (BL12083) - Dilworth Shopping Centre Ltd., Inc. No. 319846

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

**(R486/20/07/27)** THAT Rezoning Application No. Z20-0014 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot A, District Lots 126 and 532, ODYD, Plan 40108, located at 2339-2397 Highway 97 N, Kelowna, BC from the C4rcs – Urban Centre Commercial (Retail Cannabis Sales) zone to the C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales / Retail Cannabis Sales) zone as shown on Map "A" attached to the Report from the Development Planning Department dated July 27, 2020, 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 approval of the Ministry of Transportation and Infrastructure.

**Carried**

#### 4.2 Highway 97 N 2339-2397 - BL12083 (Z20-0014) - Dilworth Shopping Centre Ltd., Inc. No. 319846

Moved By Councillor Dehart/Seconded By Councillor Stack

**(R487/20/07/27)** THAT Bylaw No. 12083 be read a first time.

**Carried**

**4.3 Pacific Ave 1144 - Z20-0013 (BL12084) - 1217799 BC Ltd., Inc.No. BC1217799**

Staff displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

**(R488/20/07/27)** THAT Rezoning Application No. Z20-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Parcel A (DD KL82857) District Lot 137 ODYD Plan 2862, located at 1144 Pacific Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre 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 Development Planning Department dated July 27, 2020;

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

**Carried**

**4.4 Pacific Ave 1144 - BL12084 (Z20-0013) - 1217799 BC Ltd., Inc. No. BC1217799**

Moved By Councillor Dehart/Seconded By Councillor Stack

**(R489/20/07/27)** THAT Bylaw No. 12084 be read a first time.

**4.5 Park Ave 409 - Z20-0042 (BL12085) - Brenda Rusnak**

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Wooldridge

**(R490/20/07/27)** THAT Rezoning Application No. Z20-0042 to amend the City of Kelowna Zoning Bylaw. No. 8000 by changing the zoning classification of Lot 7, Block 6, District Lot 14 Osoyoos Division Yale District Plan 431, located at 409 Park Ave, Kelowna, BC, from the RU1-Large Lot Housing zone to the RU2- Medium Lot Housing 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

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 July 27, 2020.

**Carried**

**4.6 Park Ave 409 - BL12085 (Z20-0042) - Brenda Rusnak**

Moved By Councillor Sieben/Seconded By Councillor Stack

**(R491/20/07/27)** THAT Bylaw No. 12085 be read a first time.

**Carried**

**4.7 Robson Rd W 235, 285 and Rutland Rd S 240 - Z20-0010 (BL12086) - 1918951 Alberta Ltd., Inc. No. A0110539**

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Singh

**(R492/20/07/27)** THAT Rezoning Application No. Z20-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 and Lot 2, Section 23, Township 26, Osoyoos Division Yale District, Plan 12830 and Lot 10, Section 23, Township 26, Osoyoos Division Yale District, Plan 12078, located at 235 and 285 Robson Rd W and 240 Rutland Rd S, Kelowna BC from the RU1- Large Lot Housing zone to the RM3- Low Density Multiple Housing 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 July 27, 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 for the subject property.

**Carried**

**4.8 Robson Rd W 235, 285 and Rutland Rd S 240 - BL12086 (Z20-0010) - 1918951 Alberta Ltd., Inc. No. A0110539**

Moved By Councillor Stack/Seconded By Councillor Sieben

**(R493/20/07/27)** THAT Bylaw No. 12086 be read a first time.

**Carried**

**4.9 Snowsell St 505-525 - OCP14-0027 (BL11105) and Z14-0059 (BL11106) - 1074470 B.C. Ltd., Inc.No. BC1074470**

Moved By Councillor Stack/Seconded By Councillor DeHart

**(R494/20/07/27)** THAT Council receives, for information, the Report from the Development Planning Department dated July 27, 2020 with respect to Bylaw No. 11105 for OCP Amendment Application (OCP14-0027), and Bylaw No. 11106 for Rezoning Application (Z14-0059) for the property located at Lot 1, District Lot 9, Township 23, Osoyoos Division Yale District Plan EPP21900, at 505-525 Snowsell Street, Kelowna, BC;

AND THAT Bylaw No. 11105 and Bylaw No. 11106 be forwarded for rescindment consideration and the file be closed.

Carried

- 4.10 Snowsell Rd N 505-525 - BL11105 (OCP14-0027) - 1074470 B.C. Ltd., Inc. No. BC1074470

Moved By Councillor Sieben/Seconded By Councillor DeHart

**(R495/20/07/27)** THAT Bylaw No. 11105 be rescinded.

Carried

- 4.11 Snowsell Rd N 505-525 - BL11106 (Z14-0059) - 1074470 B.C. Ltd., Inc. No. BC1074470

Moved By Councillor Sieben/Seconded By Councillor DeHart

**(R496/20/07/27)** THAT Bylaw No. 11106 be rescinded.

Carried

## 5. Bylaws for Adoption (Development Related)

- 5.1 Landsdowne Pl 1990 - BL12052 (Z19-0116) - Raul Holdings Inc., Inc. No. BC0968428

Moved By Councillor Dehart/Seconded By Councillor Sieben

**(R497/20/07/27)** THAT Bylaw No. 12052 be adopted.

Carried

- 5.2 Underhill St 1940, 1960 - BL12061 (Z18-0071) - 1940 Underhill Developments Corp., Inc. No. BC1159386

Moved By Councillor Dehart/Seconded By Councillor Sieben

**(R498/20/07/27)** THAT Bylaw No. 12061 be adopted.

Carried

The meeting adjourned at 3:33 p.m.

The meeting reconvened at 3:39 p.m.

## 6. Non-Development Reports & Related Bylaws

- 6.1 Okanagan Gateway Study

Staff introduced the item and consultant Stephen Powers.

The consultant displayed a PowerPoint presentation and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

**(R499/20/07/27)** THAT Council receives, for information, the report from the Integrated Transportation Department dated July 13, 2020, with respect to the Okanagan Gateway Study.

Carried**6.2 Budget Adjustment - Cast and Ductile Iron Watermain Replacement**

Staff summarized the reasons for the requested budget amendment.

Moved By Councillor Sieben/Seconded By Councillor Stack

**(R500/20/07/27)** THAT Council receives for information, the report from Infrastructure Engineering dated July 27, 2020 regarding the project creation and budget adjustments required to replace approximately 850 m of poor condition cast and ductile iron watermain as part of the Ethel Street Active Transportation Corridor – Phase 3C;

AND THAT the 2020 Financial Plan be amended to reflect the transfer of \$390,000 from the carry over budget for the Ethel St Watermain Replacement, Sutherland – Springfield (329001W), as part of the Ethel Street Active Transportation Corridor – Phase 4 to the Ethel Phase 3C ATC Water Main Replacement project;

AND THAT the 2020 Financial Plan be amended to reflect the cancellation and transfer of \$195,880 from the Chute Lake Rd Pressure Reducing Valve Upgrade (3387) to the Ethel Phase 3C ATC Water Main Replacement project;

AND FURTHER THAT the 2020 Financial Plan be amended to include an additional \$415,000 from the Water Utility for the Ethel Phase 3C ATC Water Main Replacement project.

Carried**6.3 Fall 2020 Transit Service Levels and System Performance Update**

Staff displayed a PowerPoint presentation updating Council on fall transit plans and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Sieben

**(R501/20/07/27)** THAT Council receives for information, the report from the Integrated Transportation Department, dated July 27, 2020, regarding fall 2020 transit service levels, transit system performance update, and financial mitigation strategies.

Carried**6.4 Subdivision, Development and Servicing Bylaw 7900 - update**

Staff displayed a PowerPoint presentation summarizing the proposed amendments to the Bylaw and responded to questions from Council.

Carried

Moved By Councillor DeHart/Seconded By Councillor Donn

**(R502/20/07/27)** THAT Council receives, for information, the report from the Infrastructure Engineering Department dated July 27th, 2020, with respect to amending the Subdivision, Development and Servicing Bylaw No. 7900;

AND THAT Bylaw No. 12066, being Amendment No. 21 to Subdivision, Development and Servicing Bylaw No. 7900 be forwarded for reading consideration;

AND THAT Council Policy No. 266, being Subdivision, Development & Servicing – Approved Products List, be revised as outlined in the Report from Infrastructure Engineering Department dated July 27th, 2020.

Carried

**6.5 Amendment to Council Policy No. 266 - Subdivision, Development & Servicing - Approved Product List**

Council Policy No. 266 was not read as it is included in the Council resolution in Item 6.4.

**6.6 BL12066 - Amendment No. 21 to the Subdivision, Development & Servicing Bylaw No. 7900**

Moved By Councillor Donn/Seconded By Councillor Singh

**(R503/20/07/27)** THAT Bylaw No. 12066 be read a first, second and third time.

Carried

**6.7 Audit Committee Meeting Review for 2019**

The Mayor made comments on the City receiving the Canadian Award for Financial Reporting for the 2018 Financial Statements and the Distinguished Budget Presentation Award for the 2019 Financial Plan. This is the 17th and 18th consecutive year the City has been awarded each of these recognitions.

Staff provided an overview of the Audit Committee meeting.

Moved By Councillor Donn/Seconded By Councillor Hodge

**(R504/20/07/27)** THAT Council receive the report of the Corporate Finance Manager, Financial Services dated July 27, 2020 for information.

Carried

**6.8 2019 Consolidated Financial Statements**

Staff displayed a PowerPoint presentation showing the Consolidated Statements and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor DeHart

**(R505/20/07/27)** THAT Council receives, for information, the Report from the Audit Committee dated July 27, 2020 with respect to the Consolidated Financial Statements and Auditor's Report for the City of Kelowna for the year ending December 31, 2019.

AND THAT Council approves the appropriation of \$8,113,748 of surplus generated from all general fund operations in 2019 to reserves and accumulated surplus as detailed in the Report from the Audit Committee dated July 27, 2020.

AND FURTHER THAT the Consolidated Financial Statements and Auditor's Report be reprinted in and form part of the City of Kelowna's annual report.

Carried

**6.9 Permissive Tax Exemption Policy 327 - Non-Profits**

Councillor Stack declared a perceived conflict of interest with items. 6.9, 6.10, 6.11, 6.12 and 6.13 as his employer enjoys a current permissive tax exemption and has in the past applied for housing agreements and left the meeting at 5:12 p.m.

Staff displayed a PowerPoint presentation summarizing the current permissive tax exemption policy and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

**(R506/20/07/27)** THAT Council receives the report from the Revenue Supervisor dated July 27, 2020 which provides information for the Permissive Tax Exemption Policy 327 as it relates to non-profits.

Carried

### **6.10 Rental Housing Agreement Bylaws**

Staff displayed a PowerPoint presentation.

Moved By Councillor Given/Seconded By Councillor Wooldridge

**(R507/20/07/27)** THAT Council, receives for information, the report from Policy and Planning dated July 27, 2020 recommending that the City of Kelowna enter into two housing agreements to secure 285 long-term rental housing units.

AND THAT Bylaw No. 12044 authorizing a Housing Agreement between 815 Leon Developments Ltd., Inc. No. BC105909, which requires the owners to designate 127 dwelling units in a purpose-built rental housing for Lot A, District Lot 138, ODYD, Plan EPP78759, at 815 Leon Avenue, Kelowna, BC be forwarded for reading consideration.

AND FURTHER THAT Bylaw No. 12046 authorizing a Housing Agreement between PC Urban Clement Holdings Ltd. NO. BC1099980, which requires the owners to designate 158 dwelling units in purpose-built rental housing for Lot A Section 30 Township 26, ODYD, PLAN EPP83554 at 740 Clement Ave and 1195 Richter Street, Kelowna BC be forwarded for reading consideration.

Carried

### **6.11 Leon Ave 815 - BL12044 - Housing Agreement Authorization Bylaw - 815 Leon Developments Ltd., Inc. No. BC1053909**

Moved By Councillor Donn/Seconded By Councillor Singh

**(R508/20/07/27)** THAT Bylaw No. 12044 be read a first, second and third time.

Carried

### **6.12 Clement Ave 740 and Richter St 1195 - BL12046 - Housing Agreement Authorization Bylaw - PC Urban Clement Holdings Ltd., Inc. No. BC1099980**

Moved By Councillor Donn/Seconded By Councillor Singh

**(R509/20/07/27)** THAT Bylaw No. 12046 be read a first, second and third time.

Carried

### **6.13 Rental Housing Tax Exemption Agreements**

Staff made comments on each of the projects meeting City objectives.



Moved By Councillor DeHart/Seconded By Councillor Given

**(R510/20/07/27)** THAT Council, receives, for information, the Report from the Acting Manager Long Range Policy Planning dated July 27, 2020 recommending that Council adopt the following Revitalization Tax Exemption Agreements for two rental housing projects.

AND THAT Council approves the City of Kelowna entering into a Revitalization Tax Exemption Agreement with 815 Leon Developments Ltd., Inc. No. BC105909 for Lot A District Lot 138 ODYD, Plan EPP78759 at 815 Leon Avenue, Kelowna, BC.

AND FURTHER THAT Council approves the City of Kelowna entering into a Revitalization Tax Exemption Agreement with PC Urban Clement Holdings Ltd., INC. NO. BC1099980, for Lot A Section 30 Township 26 ODYD PLAN EPP83554, at 740 Clement Avenue and 1195 Richter Street, Kelowna BC.

**Carried**

**7. Mayor and Councillor Items**

There were no items.

**8. Termination**

This meeting was declared terminated at 5:27 p.m.

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Mayor Basran  
/cm

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City Clerk