



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, September 28, 2020  
 Time: 1:30 pm  
 Location: Council Chamber  
 City Hall, 1435 Water Street

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

Members participating remotely Councillor Charlie Hodge

Staff Present City Manager, Doug Gilchrist\*; Deputy City Clerk, Laura Bentley, Planner Specialist, Wesley Miles\*; Planner II, Kimberly Brunet\*; Urban Planning Manager, Jocelyn Black\*; Development Planning Department Manager, Terry Barton\*; Divisional Director, Planning & Development Services, Ryan Smith\*; Property Officer II, Tracey Hillis\*; Real Estate Services Manager, Mike Olson\*; Mobility Specialist, Matt Worona\*; Utility Services Manager, Kevin Van Vliet\*; Community Safety Director, Darren Caul\*; Crime Prevention Supervisor, Colleen Cornock\*; Planner Specialist, Ross Soward\*; City Clerk, Stephen Fleming\*; Legislative Coordinator (Confidential), Clint McKenzie\*

(\*Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:33 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 Wooldridge/Seconded By Councillor Given

**(Ro615/20/09/28)** THAT the Minutes of the Regular Meetings of September 14, 2020 be confirmed as circulated.

**Carried**

### 3. Development Application Reports & Related Bylaws

3.1 4145 June Springs Rd - A19-0004 - Donna Muriel Nicholas

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

Councillor Donn joined the meeting at 1:40 pm.

Peter Klimuk, Harvey Avenue, Applicant:

- Spoke to previous subdivisions of the property.
- Displayed potential subdivision plan for homesite severance.
- Displayed map of subject property and surrounding properties.
- Spoke to zoning, area, and land uses of surrounding properties.
- Outlined potential use of small agricultural properties.
- Confirmed the application is not to exclude the property from the ALR.
- Responded to questions from Council.

Staff responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Given

**Ro616/20/09/28**) THAT Agricultural Land Reserve Application No. A19-0004 for Lot 2, Sections 2 and 3, Township 26, ODYD, Plan KAP88080 located at 4145 June Springs Road, Kelowna, BC to subdivide land within the Agricultural Land Reserve, pursuant Section 21(2) of the Agricultural Land Commission Act, NOT be supported by Council;

AND THAT Council NOT direct Staff to forward the subject application to the Agricultural Land Commission for consideration.

**Carried**

**3.2 Willow Cr 1715 - Z20-0057 (BL12104) - Faith Jenelle McKenzie and Clint Douglas McKenzie**

Recording Secretary McKenzie left the meeting at 2:03 p.m.

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Stack

**Ro617/20/09/28**) THAT Rezoning Application No. Z20-0057 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 Section 29 Township 26 ODYD Plan 14444, located at 1715 Willow Crescent, 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 the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

**Carried**

**3.3 Willow Cr 1715 - BL12104 (Z20-0057) - Faith Jenelle McKenzie and Clint Douglas McKenzie**

Moved By Councillor Given/Seconded By Councillor Wooldridge

**Ro618/20/09/28**) THAT Bylaw No. 12104 be read a first time.

**Carried**

Recording Secretary McKenzie rejoined the meeting at 2:07 p.m.

### 3.4 Tataryn Rd 916 - Z20-0056 (BL12105) - Tomasius Floire Phoebus

Staff displayed a PowerPoint summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Given

**Ro619/20/09/28**) THAT Rezoning Application No. Z20-0056 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 137 Osoyoos Division Yale District Plan 17047, located at 916 Tataryn Road, 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 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;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit for the subject property.

**Carried**

### 3.5 Tataryn Rd 916 - BL12105 (Z20-0056) - Tomasius Floire Phoebus

Moved By Councillor Wooldridge/Seconded By Councillor Given

**Ro620/20/09/28**) THAT Bylaw No. 1205 be read a first time.

**Carried**

### 3.6 Abbott St 3031 and 3041 - OCP20-0004 (BL12106) Z20-0007 (BL12017) - 1176909 B.C. Ltd., Inc. No. BC1176909

Staff introduced the new Urban Planning Manager.

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

Moved By Councillor Given/Seconded By Councillor DeHart

**Ro621/20/09/28**) THAT Official Community Plan Map Amendment Application No. OCP20-0004 to amend Map 4.1 in the Kelowna 2030- Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lots 7 and Lot 8, Block 2, District Lot 14 Osoyoos Division Yale District Plan 4743, located at 3031 and 3041 Abbott Street, 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 Rezoning Application No. Z20-0007 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 7 and Lot 8, Block 2, District Lot 14 Osoyoos Division Yale District Plan 4743, located at 3031 and 3041 Abbott Street, Kelowna, BC from the RU1- Large Lot Housing zone to the C4- Urban Centre Commercial zone, be considered by Council;

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

AND THAT the 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 September 28, 2020;

AND FURTHER THAT final adoption of the OCP Amendment and Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit.

Carried  
Councillor Hodge - Opposed

**3.7 Abbott St 3031 and 3041 - BL12106 (OCP20-0004) - 1176909 B.C. Ltd., Inc. No. BC1176909**

Moved By Councillor Given/Seconded by Councillor Singh

**Ro622/20/09/28** THAT Bylaw No. 12106 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  
Councillor Hodge - Opposed

**3.8 Abbott St 3031 and 3041 - BL12107 (Z20-0007) - 1176909 B.C. Ltd., Inc. No. BC1176909**

Moved By Councillor Singh/Seconded by Councillor Given

**Ro623/20/09/28** THAT Bylaw No. 12107 be read a first time.

Carried  
Councillor Hodge - Opposed

**3.9 Abbott Newsom Road Closure**

Staff were available for questions regarding the road closure.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

**Ro624/20/09/28** THAT Council receives, for information, the Report from the Real Estate Services Department dated September 28, 2020, regarding the proposed closure of a portion of road adjacent to 3031 and 3041 Abbott Street, and 425 Newsom Avenue;

AND THAT Bylaw No. 12093, being proposed road closure of a portion of road adjacent to 3031 and 3041 Abbott Street, and 425 Newsom Avenue be given reading consideration.

Carried

**3.10 BL12093 - Road Closure - portion of Abbott Street**

Moved By Councillor Stack/Seconded By Councillor Sieben

**Ro625/20/09/28** THAT Bylaw No. 12093 be read a first, second and third time.

Carried

**3.11 2268, 2276, 2284 and 2292 Speer Street, 2269 Pandosy Street - DP20-0087 - Interior Health Authority**

Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Donn

**Ro626/20/09/28** THAT Council authorizes the issuance of Development Permit No. DP20-0087 for the subject properties:

Subject to the following:

1. The dimensions and siting to be constructed on the land be in accordance with Schedule "A,"
2. Landscaping to be provided on the land be in accordance with Schedule "B"

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**

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

**4.1 Rains Rd 195, BL11868 (Z17-0034) - Andrea Harrison**

Moved By Councillor DeHart/Seconded By Councillor Stack

**Ro627/20/09/28** THAT Bylaw No. 11868 be adopted.

**Carried**

**4.2 Primrose Rd 435, BL11998 (Z19-0142) - Shaida Langley**

Moved By Councillor Stack/Seconded By Councillor DeHart

**Ro628/20/09/28** THAT Bylaw No. 11998 be adopted.

**Carried**

**4.3 Ethel St 907, TA18-0010 (BL11752) - Emil Anderson Construction Co.Ltd., Inc. No.172775**

Moved By Councillor Singh/Seconded By Councillor Stack

**Ro629/20/09/28** THAT Council waives the requirements as set out in Schedule "B" to be considered with final adoption of Zoning Bylaw Text Amending Bylaw No. 11752;

AND THAT Council waives the requirement for a Development Variance Permit to be considered in conjunction with final adoption of Zoning Bylaw Text Amending Bylaw No. 11752;

AND FURTHER THAT final adoption of Zoning Bylaw Text Amending Bylaw No. 11752 be considered by Council.

**Carried**

**4.4 Ethel St 907, BL11752 (TA18-0010) - Emil Anderson Construction Co. Ltd., Inc. No. 172775**

Moved By Councillor DeHart/Seconded By Councillor Stack

**Ro630/20/09/28** THAT Bylaw No. 11752 be adopted.

**Carried**

## 5. Non-Development Reports & Related Bylaws

### 5.1 Licence of Occupation - Bellevue Creek Greenway

Staff presented a PowerPoint presentation summarizing the proposed licence of occupation and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

**Ro631/20/09/28** THAT Council will agree to acquire the Licence for the term of 30 years from the Province over the land that part of District Lot 357 shown as returned to Crown on Plan 29704 together with those parts of Section 25, Township 28, shown as returned to Crown on Plans 41781, 42853, 35670, KAP53791, and EPP70707, all of Similkameen Division Yale District, containing 1.79 hectares, more or less, for the purpose of use, occupation and maintenance of a local/regional park;

AND THAT the Mayor and City Clerk be authorized to execute the attached Licence of Occupation and Management Plans as outlined in the report from the Real Estate Services Department dated September 28, 2020.

**Carried**

### 5.2 Active Transportation Capital Projects - Budget Amendments

Staff provided a PowerPoint presentation summarizing the grant funding and proposed budget amendments.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

**Ro632/20/09/28** THAT Council receives, for information, the report from the Integrated Transportation Department dated September 28, 2020, with regards to the Active Transportation Capital Projects – Budget Amendments;

AND THAT the 2020 Financial Plan be amended to reflect the \$500,000 in grant funding received from the BC Active Transportation Infrastructure Grant to support the Ethel 3C DCC (Rose – Raymer) Active Transportation Corridor (ATC) project;

AND THAT the 2020 Financial Plan be amended to include the new Casorso 4 DCC (Raymer Ave - KLO Rd) ATC project, funded from a transfer of \$150,000 from the Ethel 3C DCC ATC project;

AND THAT the 2020 Financial Plan be amended to add \$60,000 to Casorso 3 DCC (KLO Rd - Barrera Rd) ATC project funded from a transfer from the Ethel 3C DCC ATC project;

AND THAT the 2020 Financial Plan be amended to include the new Abbott (Rose Ave - Cedar Ave) protected bike lane project, funded from a transfer of \$100,000 from the Ethel 3C DCC ATC project;

AND FURTHER THAT the 2020 Financial Plan be amended to include the new Houghton 2 DCC (Hollywood Rd - Rutland Rd) ATC project, funded from a transfer of \$50,000 from the Ethel 3C DCC ATC project.

**Carried**

### 5.3 Water Rates 2021 - Agricultural

Staff:

- Provided an update on feedback and input from other water providers and the AAC regarding agricultural water rates.
- Outlined the proposed agricultural water rates.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Stack

**R0633/20/09/28** THAT Council receive for information the report from the Utility Services Department, dated September 28, 2020, regarding Water Utility rates for Agriculture for 2021;

AND THAT Council direct staff to report with an amending bylaw for reading consideration to enact an Agricultural water rate of \$120 per acre along with tiered rates for exceeding a property's water allotment beginning January 1, 2021, as outlined in this report.

**Carried**

Councillors DeHart, Hodge, Sieben, Singh - Opposed

### 5.4 Community Safety Plan

Staff :

- Displayed a PowerPoint presentation summarizing the proposed plan and Steering Committee Terms of Reference.
- Outlined the governance structure and process.
- Spoke to the role of the Steering Committee.
- Provided milestones and next steps.
- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

**R0634/20/09/28** THAT Council receives, for information, the report from the Director of Community Safety, dated September 28, 2020, regarding the Community Safety Plan;

AND THAT Council endorses the Community Safety Plan Terms of Reference as provided in the report from the Director of Community Safety, dated September 28, 2020.

AND THAT Council directs staff to move forward with the development of the Community Safety Plan.

**Carried**

Councillor Donn - Opposed

### 5.5 2040 OCP Infill Housing Strategy and Infill Challenge Lessons Learned

City Manager left the meeting at 3:41 p.m. and Ryan Smith took over acting for the City Manager.

Staff:

- Displayed a PowerPoint summarizing the update on infill outcomes and direction for the 2040 OCP.
- Outlined lessons learned from the RU7 implementation.
- Spoke to feedback from OCP infill workshops.

City Manager rejoined the meeting at 4:02 p.m.

Moved By Councillor Sieben/Seconded By Councillor Stack

**Ro635/20/09/28**) THAT Council receives for information, the report from the Policy & Planning Department, dated September 28, 2020;

AND THAT Council direct staff to proceed with the proposed projects to support the 2040 Draft OCP Infill Housing Strategy in 2020-2021 as described in the report from Policy and Planning on September 28, 2020.

**Carried**

## **5.6 COVID-19 Pandemic Delegations of Authority Supplemental**

Moved By Councillor Sieben/Seconded By Councillor Singh

**Ro636/20/09/28**) THAT Council receives, for information, the Report from the Office of the City Clerk dated September 28, 2020 recommending that Council adopt Bylaw No. 12109;

AND THAT Bylaw No. 12109, being Removal of Temporary Delegation of Authority Bylaw, be forwarded for reading consideration.

**Carried**

## **5.7 BL12109 - Removal of Temporary Delegation Authority Bylaw**

Moved By Councillor Stack/Seconded By Councillor Dehart

**Ro637/20/09/28**) THAT Bylaw No. 12109 be read a first, second and third time.

**Carried**

## **5.8 Heritage Advisory Committee and Heritage Approvals**

Staff displayed a PowerPoint presentation summarizing the Heritage Advisory Committee Terms of Reference and approval process and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Singh

**Ro638/20/09/28**) THAT Council receives, for information, the report from the Office of the City Clerk dated September 28, 2020 with respect to the Heritage Advisory Committee Terms of Reference and heritage approvals.

Staff responded to further questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Hodge

**Ro639/20/09/28**) THAT staff bring forward a report with information on the types of heritage applications and the levels of heritage protection available to Council.

Council did not consider the above motion and instead considered a new motion:

Moved By Councillor Sieben/Seconded By Councillor Hodge

**Ro640/20/09/28**) THAT staff bring forward information for a heritage policy and procedures workshop.

**Carried**



7. **Mayor and Councillor Items**

There were no items.

8. **Termination**

This meeting was declared terminated at 4:42 p.m.

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Mayor Basran

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Deputy City Clerk

LB/cm