



## City of Kelowna Regular Council Meeting Minutes

Date:	Monday, February 1, 2021
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Brad Sieben, Mohini Singh and Loyal Wooldridge
Members participating remotely	Councillors Charlie Hodge and Luke Stack
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Urban Planning Manager, Jocelyn Black*; Planner, Tyler Caswell*; Planner, Aaron Thibeault*; Planner, Andrew Ferguson*; Long Range Policy Planning Manager, James Moore*; Divisional Director, Infrastructure, Alan Newcombe*; Mobility Specialist, Matt Worona*; Real Estate Department Manager, Johannes Saufferer*
Staff participating remotely	Arlene McClelland, Legislative Coordinator (Confidential)

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:36 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public is currently not permitted to attend Council meetings in-person. As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

### 2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0126/21/02/01 THAT the Minutes of the Regular Meetings of January 25, 2021 be confirmed as circulated.

Carried

### 3. Development Application Reports & Related Bylaws

#### 3.1 Hwy 97 N 2690 - LUCT20-0002 (BL12067) Z20-0061 (BL12068) - Miltco Investments Limited, Inc. No. 0111450

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Donn

**R0127/21/02/01** THAT Land Use Contract Termination Application No. LUCT20-0002 to terminate LUC75-76 from Lot B District Lots 124 and 125 and of Section 27 Township 26 ODYD Plan KAP92754 Except Plan EPP58799, located at 2690 Hwy 97 N, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0061 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot B District Lots 124 and 125 and of Section 27 Township 26 ODYD Plan KAP92754 Except Plan EPP58799, located at 2690 Hwy 97 N, Kelowna, B.C. from the A1 – Agriculture 1 zone to the C10 – Service Commercial zone as shown in Map “A” attached to the Report from the Development Planning Department dated February 1, 2021 be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna’s boulevard;

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

**Carried**

#### 3.2 Hwy 97 N 2690 - BL12067 (LUCT20-0002) - Miltco Investments Limited, Inc. No. 0111450

Moved By Councillor Given/Seconded By Councillor Wooldridge

**R0128/21/02/01** THAT Bylaw No. 12067 be read a first time.

**Carried**

#### 3.3 Hwy 97 N 2690 - BL12068 (Z20-0061) - Miltco Investments Limited, Inc. No. 0111450

Moved By Councillor Wooldridge/Seconded By Councillor Given

**R0129/21/02/01** THAT Bylaw No. 12068 be read a first time.

**Carried**

#### 3.4 Fenwick Rd 2821 - LUCT20-0008 (BL12158) Z20-0073 (BL12159) - McIntosh Properties Ltd., Inc. No. 0846631

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

**R0130/21/02/01** THAT Land Use Contract Termination Application No. LUCT20-0008 to terminate LUC77-1004 from Lot 1 Section 34 Township 26 ODYD Plan 29162, located at 2821 Fenwick Road, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0073 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot 1 Section 34 Township 26 ODYD Plan 29162, located at 2821 Fenwick Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the I2 – General Industrial zone as shown on Map “A” attached to the Report from the Development Planning Department dated February 1, 2021 be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna’s boulevard;

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

**Carried**

**3.5 Fenwick Rd 2821 - BL12158 (LUCT20-0008) McIntosh Properties Ltd., Inc. No. 0846631**

Moved By Councillor Given/Seconded By Councillor Wooldridge

**R0131/21/02/01** THAT Bylaw No.12158 be read a first time

**Carried**

**3.6 Fenwick Rd 2821 - BL12159 (Z20-0073) - McIntosh Properties Ltd., Inc. No. 0846631**

Moved By Councillor Wooldridge/Seconded By Councillor Given

**R0132/21/02/01** THAT Bylaw No. 12159 be read a first time

**Carried**

**3.7 Hwy 97 N 3646-3652 - LUCT20-0009 (BL12160) Z20-0074 (BL12161) - BCJ Properties Ltd., Inc. No. 472355**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Given

**R0133/21/02/01** THAT Land Use Contract Termination Application No. LUCT20-0009 to terminate LUC77-1040 from Lot A Section 35 Township 26 ODYD Plan 37430, located at 3646-3652 Hwy 97 N, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z20-0074 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot A Section 35 Township 26 ODYD Plan 37430, located at 3646-3652 Hwy 97 N, Kelowna, B.C. from the A1 – Agriculture 1 zone to the I2 – General Industrial zone as shown on Map “A” attached to the Report from Development Planning Department dated February 1, 2021 be considered by Council;

AND THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's boulevard;

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

**Carried**

**3.8 Hwy 97 N 3646-3652 - BL12160 (LUCT20-0009) - BCJ Properties Ltd., Inc. No. 472355**

Moved By Councillor Given/Seconded By Councillor Wooldridge

**R0134/21/02/01** THAT Bylaw No. 12160 be read a first time

**Carried**

Moved By Councillor Wooldridge/Seconded By Councillor Given

**R0135/21/02/01** THAT Bylaw No. 12161 be read a first time

**Carried**

**3.10 Fleming Rd 395 - Z20-0099 (BL12155) - Terry Orlan and Karen Shalom Peters**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Stack

**R0136/21/02/01** THAT Rezoning Application No. Z20-0099 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 27 Township 26 ODYD Plan 26972, located at 395 Fleming 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 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 approval of the Ministry of Transportation and Infrastructure.

**Carried**

**3.11 Fleming Rd 395 - BL12155 (Z20-0099) - Terry Orlan and Karen Shalom Peters**

Moved By Councillor Given/Seconded By Councillor Wooldridge

**R0137/21/02/01** THAT Bylaw No. 12155 be read a first time

**Carried**

**3.12 Moubray Rd 387 - Z20-0092 (BL12156) - Ravdeep S. Tiwana and Kulwinder K. Khatra**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Donn

**R0138/21/02/01** THAT Rezoning Application No. Z20-0092 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13 Section 32 Township 26 ODYD Plan 14234, located at 387 Moubray Road, 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 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 February 1, 2021.

**Carried**

**3.13 Moubray Rd 387 - BL12156 (Z20-0092) - Ravdeep S. Tiwana and Kulwinder K. Khatra**

Moved By Councillor DeHart/Seconded By Councillor Sieben

**R0139/21/02/01** THAT Bylaw No. 12156 be read a first time

**Carried**

**3.14 Joe Riche Rd 1788 - Z20-0087 (BL12157) - Balraj Singh and Gurinderjeet Kaur Sidhu**

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

**R0140/21/02/01** THAT Rezoning Application No. Z20-0087 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 165 Section 18 Township 27 Osoyoos Division Yale District Plan 24361 Except Plan KAP46606, located at 1788 Joe Riche Road, Kelowna, BC from the A1 – Agriculture 1 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 THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval a set out in Schedule "A" attached to the Report from the Development Planning Department dated February 1, 2021;

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

**Carried**

**3.15 Joe Riche Rd 1788 - BL12157 (Z20-0087) - Balraj Singh and Gurinderjeet Kaur Sidhu**

Moved By Councillor Dehart/Seconded By Councillor Sieben

R0141/21/02/01 THAT Bylaw No. 12157 be read a first time

Carried

**3.16 Laurier Ave 913, BL11798 (Z18-0105) - 1128826 B.C. Ltd, Inc. No. BC1128826**

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0142/21/02/01 THAT Bylaw No. 11798 be adopted.

Carried

**3.17 Laurier Ave 913 - DP18-0195 - 913 Laurier GP Ltd., Inc. No. BC1231985**

Staff:

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

Moved By Councillor Given/Seconded By Councillor Donn

R0143/21/02/01 THAT final adoption of Rezoning Bylaw No. 11798 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0195 for Lot 1 District Lot 138 ODYD, Plan EPP101501, located at 913 Laurier Avenue, 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 FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

**3.18 Radant Rd 575 Z18-0063 Bylaw 11698 Extension**

Moved By Councillor Donn/Seconded By Councillor Hodge

R0144/21/02/01 THAT the rezoning application for the subject property be extended to May 4, 2021.

Carried

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

#### 4.1 RDCO Fringe Area Planning

Staff:

- Provided an overview of the proposed Fringe Area Planning agreement and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Singh

**R0145/21/02/01** THAT the RDCO Fringe Area Planning Summary report from the Policy and Planning Department dated February 1, 2021 be received for information;

AND THAT the Mayor and City Clerk be authorized to execute the formal agreement with the Regional District of Central Okanagan with respect to Fringe Area Planning and related funding.

**Carried**

#### 4.2 Implications of Exclusivity for Shared E-bike and E-scooter Services

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed approach for shared E-bike and E-scooter services and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

**R0146/21/02/01** THAT Council receives for information, the report from Integrated Transportation dated February 1, 2021, regarding the Implications of Exclusivity for Shared E-bike and E-scooter Services;

AND THAT Council directs staff to bring forward an amendment to the existing Bikeshare (Micromobility) Permit Program to issue an exclusive permit for e-bikeshare service in Kelowna.

**Carried**

#### 4.3 Road Closure - Rose Road

Mayor Basran:

- Recommended the item be deferred in light of recent information received by Council.

Moved By Councillor Given/Seconded By Councillor Singh

**R0147/21/02/01** THAT Council defer further consideration of the Road Closure report and Road Closure Bylaw No. 12125 to enable staff to address the concerns raised by an adjacent property owner.

**Carried**

#### 4.4 BL12125 - Road Closure Bylaw - Portion of Rose Road

Due to the deferral of the report the bylaw was not heard.

### 5. Bylaws for Adoption (Non-Development Related)

#### 5.1 Taylor Road 151 - BL12149 - Repeal Housing Agreement Bylaw No. 10182

Moved By Councillor Dehart/Seconded By Councillor Sieben

**R0148/21/02/01** THAT Bylaw No. 12149 be adopted.

**Carried**

## 5.2 BL12154 - Delegation of Authority - Property Management

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0149/21/02/01 THAT Bylaw No. 12154 be adopted.

**Carried**

## 6. Mayor and Councillor Items

Councillor Hodge:

- Spoke to the Downtown Kelowna Association (DKA) Executive meeting on Wednesday, February 3rd.

Councillor Stack:

- Commented on a recent Urban Development Institute presentation and will provide the link to Council.

Councillor Wooldridge:

- Spoke to their virtual attendance of the Canadian Home Builders Association Housing Excellence Awards on Saturday and congratulated all winners.

Councillor Sieben:

- Made comment on recent vandalism of property and theft in the city and reminded citizens of the importance of keeping items out of view.

Councillor DeHart:

- Spoke to their virtual attendance of the Okanagan College Student Awards last week.
- Spoke to a Provincial Proclamation making February 1<sup>st</sup> RCMP Appreciation Day.

Councillor Donn:

- Encouraged citizens to support the Okanagan Symphony Orchestra livestream concerts in February.

Mayor Basran:

- Made comment on the recent BC Urban Mayors' Caucus request for a complex needs and housing support facility in each of the five provincial regions.

## 7. Termination

This meeting was declared terminated at 3:04 p.m.

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Mayor Basran

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City Clerk

/acm