



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, March 22, 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 Absent	Councillor Charlie Hodge and Councillor Stack*
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community & Neighbourhood Services Manager, Mariko Siggers*; Divisional Director, Planning & Development Services, Ryan Smith*, Urban Planning Manager, Jocelyn Black*; Community Planning & Development Manager, Dean Strachan*; Planner Specialist, Wesley Miles*; Planner, Aaron Thibeault*; Budget Supervisor, Melanie Antunes*; Financial Planning Manager, Kevin Hughes*; Deputy City Manager, Joe Creron*; Utility Services Manager, Kevin Van Vliet*; Utility Planning Manager, Rod MacLean*, Property Management Manager, JoAnne Adamson*; Divisional Director, Partnership & Investments, Derek Edstrom*; Partnership Manager, Sandra Kochan*
Staff participating remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guests participating remotely	Ellen Boelcke*, Civic & Community Awards Committee Chair Erza Cipes* and Stephen Cipes*, Applicant; Ed Griffons*, CTQ Consultants, Dave Cullen*, CTQ Consultants, Jeremy Luypen*, Summerhill Winery, Brian Quiring*, MQN Architects, Dave Lange*, Landscape Architect Consultant Rosa Perretta*, Applicant; Jordan Hettinga*, Kent-MacPherson Dan Allen* and Jason Broome*, Applicant Representatives

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:34 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

Councillor Hodge requested that the minutes be amended to include the technical reason he was absent from the March 15, 2021 afternoon meeting.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0328/21/03/22 THAT the Minutes of the Regular Meetings of March 15, 2021, as amended, be confirmed as circulated.

Carried

3. Committee Reports

3.1 46th Annual Civic and Community Awards Finalist Announcement

Staff:

- Introduced the presenter of the Award finalists, Civic Awards Committee Chair, Ellen Boelcke.
- Provided an overview for the new Civic & Community Awards format for 2021.

Ellen Boelcke, Civic & Community Awards Chair

- Spoke to a displayed PowerPoint Presentation identifying the 46th Annual Civic and Community Awards Finalists.

Moved By Councillor Donn/Seconded By Councillor DeHart

R0329/21/03/22 THAT Council receives, for information, the report from Active Living & Culture, dated March 22, 2021, that announces the finalists for the 46th Annual Civic & Community Awards.

Carried

4. Development Application Reports & Related Bylaws

4.1 Chute Lake Rd 4870 - A20-0003 - Stephen Cipes

Councillor DeHart declared a conflict of interest as their employer is a hotel that offers conference facility services and departed the meeting at 1:45 p.m.

Mayor Basran confirmed that staff made a presentation at a previous Council meeting and that today is an opportunity for Council to ask questions of the Applicants.

Applicant, Erza Cipes and Stephen Cipes

Applicant Representatives, Ed Griffons, CTQ Consultants, Dave Cullen CTQ Consultants, Jeremy Luypen, Summerhill Winery, Brian Quiring MQN Architects, and Dave Lange, Landscape Architect Consultant

- Responded to questions from Council.

Staff:

- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R0330/21/03/22 THAT Agricultural Land Reserve Application No. A20-0003 for Lot 1, Sections 24 and 25, Township 28, Plan KAP78562 located at 4870 Chute Lake Road, Kelowna, BC for a "Non-Farm Use" under Section 20(2) of the Agricultural Land Commission Act, be supported by Council;

AND THAT Council direct Staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried
Councillors Donn, Singh and Stack - Opposed

Councillor DeHart rejoined the meeting at 3:19 p.m.

4.2 Glenmore Rd N 3755 - A20-0010 - Rosa Perretta

Staff:

- Displayed a PowerPoint Presentation summarizing the application and provided rationale for non-support and responded to questions from Council.

The Mayor invited the Applicant or Applicant's representative to participate on line.

Jordan Hettinga, Kent-MacPherson, Applicant Representative and Rosa Perretta, Applicant

- Shared a PowerPoint Presentation.
- Spoke to the large portion of property that is physically under water and the lack of access to the usable portions of land.
- Provided background information and reasons for the exclusion request.
- Responded to questions from Council.

The City Manager left the meeting at 3:54 p.m. and the Divisional Director, Community Planning began acting for the City Manager.

Moved By Councillor Donn/Seconded By Councillor Singh

R0331/21/03/22 THAT Agricultural Land Reserve Application No. A20-0010 for Parcel A (DD W18607) of the Southeast $\frac{1}{4}$ of Section 33 Township 23 ODYD, located at 3755 Glenmore Road North, Kelowna, BC for an exclusion of agricultural land in the Agricultural Land Reserve pursuant to Section 29(1) of the Agricultural Land Commission Act, NOT be supported by Council;

AND THAT Council directs Staff NOT to forward the subject application to the Agricultural Land Commission of consideration.

Defeated
Councillors DeHart, Given, Sieben, Singh and Stack - Opposed

Moved By Councillor Sieben/Seconded By Councillor Singh

R0332/21/03/22 THAT Agricultural Land Reserve Application No. A20-0010 for Parcel A (DD W18607) of the Southeast $\frac{1}{4}$ of Section 33 Township 23 ODYD, located at 3755 Glenmore Road North, Kelowna, BC for an exclusion of agricultural land in the Agricultural Land Reserve pursuant to Section 29(1) of the Agricultural Land Commission Act, be supported by Council;

AND THAT Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried
Mayor Basran and Councillor Donn - Opposed

The meeting recessed at 4:20 p.m.

The meeting reconvened at 4:32 p.m. with Councillor Donn absent.

**4.3 Vaughan Ave 889, Clement Ave 880 890 - TA20-0024 - 1568447 Alberta Ltd., Inc.
No. A0093042**

Staff:

- Displayed a PowerPoint Presentation summarizing the application and provided rationale for non-support and responded to questions from Council.

Councillor Donn rejoined the meeting at 4:38 p.m.

The Mayor invited the Applicant or Applicant's representative to participate online.

Dan Allen and Jason Broome, Applicant Representatives

- Provided rationale for the application.
- Spoke to the number of potential employees to be hired.
- Confirmed that neighbours had been canvassed and there were no issues raised.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Hodge

R0333/21/03/22 THAT Zoning Bylaw Text Amendment Application No. TA20-0024 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated March 22, 2021, located at 880 and 890 Clement Avenue and 889 Vaughan Avenue, Kelowna, BC be considered by Council;

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

Carried

4.4 Valley Rd 368 - Z20-0097 (BL12190) - Gregory S. Baytalan

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Given

R0334/21/03/22 THAT Rezoning Application No. Z20-0097 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Parcel A (DD 130155F and Plan B6158) of Lot 2 Section 33 Township 26 ODYD Plan 4043, located at 368 Valley Road, Kelowna, BC from the RR3 – Rural Residential 3 zone to the RM5r – Medium Density Multiple Housing (Residential Rental Tenure Only) 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 March 22, 2021;

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

4.5 Valley Rd 368 - BL12190 (Z20-0097) - Gregory S. Baytalan

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0335/21/03/22 THAT Bylaw No. 12190 be read a first time.

Carried

4.6 Pacific Ave 1220 1230 - Z20-0094 (BL12191) - Great A and A Properties Ltd., Inc. No. BCo888141

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Hodge

R0336/21/03/22 THAT Rezoning Application No. Z20-0094 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 2 and 3 Section 19 Township 26 ODYD Plan 6634, located at 1220 and 1230 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 March 22, 2021;

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

4.7 Pacific Ave 1220 1230 - BL12191 (Z20-0094) - Great A and A Properties Ltd., Inc. No. BCo888141

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0337/21/03/22 THAT Bylaw No. 12191 be read a first time.

Carried

4.8 Infill Neighbourhood and RU7 Zone Changes

Staff:

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

Moved By Councillor Given/Seconded By Councillor Stack

R0338/21/03/22 THAT Official Community Plan Text Amendment Application No. TA21-0004 to amend Kelowna 2030 – Official Community Plan Bylaw No. 10500 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated March 22, 2021, be considered by Council;

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

THAT Zoning Bylaw Text Amendment Application No. TA21-0003 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "B" attached to the Report from the Development Planning Department dated March 22, 2021 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 Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Carried

4.9 BL12185 (TA21-0004) - Amendment to Chapter 14 - Urban Design DP Guidelines

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0339/21/03/22 THAT Bylaw No. 12185 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

4.10 BL12186 (TA21-0003) - Amendment to Section 13 - Urban Residential Zones - RU7 - Infill Housing

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0340/21/03/22 THAT Bylaw No. 12186 be read a first time.

Carried

4.11 Aberdeen St, Burnett St, Glenwood Ave, Woodlawn St - OCP21-0001 (BL12188) Z20-0083 (BL12189) - Multiple Owners

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Hodge

R0341/21/03/22 THAT Council receives, for information, the report from the Development Planning Department dated March 22, 2021, with respect to rezoning select properties to the RU7 Infill Housing zone;

AND THAT Official Community Plan Map Amendment Application No. OCP21-0001 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of the lots listed in Schedule "A" from the S2RES - Single / Two Unit Residential designation to the SIH – Sensitive Infill Housing 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. Z20-0083 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the lots listed in Schedule "A" from the RU6 – Two Dwelling Housing zone to the RU7 – Infill Housing zone, be considered by Council;

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

AND FURTHER THAT Council direct Staff to consult with the property owners of 44 additional properties under consideration for rezoning to the RU7 zone as outlined in the RU7 Rezoning Report from the Development Planning Department, dated March 22, 2021.

Carried

4.12 Aberdeen St, Burnett St, Glenwood Ave and Woodlawn St - BL12188 (OCP21-0001) - Multiple Owners

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0342/21/03/22 THAT Bylaw No. 12188 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

4.13 Aberdeen St, Burnett St, Glenwood Ave and Woodlawn St - BL12189 (Z20-0083) - Multiple Owners

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0343/21/03/22 THAT Bylaw No. 12189 be read a first time.

Carried

4.14 Supplemental Report - Bedford Rd 4255 - Z20-0089 (BL12171) - Patrick Wiercioch

Moved By Councillor Given/Seconded By Councillor Sieben

R0344/21/03/22 THAT Council receives, for information, the report from the Office of the City Clerk dated March 22, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12171;

AND THAT Rezoning Bylaw No. 12171 be forwarded for further reading consideration.

Carried

4.15 Bedford Rd 4255 - BL12171 (Z20-0089) - Patrick Wiercioch

Moved By Councillor Donn/Seconded By Councillor DeHart

R0345/21/03/22 THAT Bylaw No. 12171 be read a second and third time.

Carried

The City Manager rejoined the meeting at 5:25 p.m.

4.16 Supplemental Report - Gordon Dr 4355 - Z20-0077 (BL12179) - 1253097 BC Ltd., Inc. No. BC1253097

Moved By Councillor Hodge/Seconded By Councillor Donn

R0346/21/03/22 THAT Council receives, for information, the report from the Office of the City Clerk dated March 22, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12179;

AND THAT Rezoning Bylaw No. 12179 be forwarded for further reading consideration.

Carried

4.17 Gordon Dr 4355 - BL12179 (Z20-0077) - 1253097 BC Ltd., Inc.No.BC1253097

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0347/21/03/22 THAT Bylaw No. 12179 be read a second and third time.

Carried

5. Non-Development Reports & Related Bylaws

5.1 2021 Financial Plan - Carryover Budget

Staff:

- Displayed a PowerPoint Presentation summarizing the 2021 Carryover Budget and identified an amendment to the recommendation and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

R0348/21/03/22 THAT the 2021 Financial Plan Volume 2 be amended by reducing the Amount value on the Burtch & Harvey Intersection Improvements request on page 543 from \$199,900 to \$99,900;

AND THAT the 2021 Financial Plan be increased by \$7,636,160 to provide for operating carryover projects and \$164,776,050 for capital carryover projects as summarized in Financial Plan Volume 2, as amended.

Carried

5.2 Water Regulation Bylaw Amendments Bylaw 12153

Staff:

- Provided a summary of the proposed amendment to the Water Regulation Bylaw and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor DeHart

R0349/21/03/22 THAT Council receives for information, the report from Utility Services dated March 22, 2021, pertaining to the Water Regulation Bylaw updates;

AND THAT Bylaw No. 12153 being Amendment No. 13 to Water Regulation Bylaw No. 10480 be forwarded for reading consideration.

Carried

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0350/21/03/22 THAT staff ensure direct engagement occurs for those properties with the anticipated largest impacts.

Carried

Councillor Donn left the meeting at 6:08 p.m.

5.3 BL12153 Amendment No. 13 to Water Regulation Bylaw No.10480

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

R0351/21/03/22 THAT Bylaw No. 11253 be read a first, second and third time.

Carried

5.4 Delegation of Authority, Property Management

Staff:

- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R0352/21/03/22 THAT Council receives, for information, the report from the Real Estate department dated March 22, 2021, with respect to minor changes to Council's delegation of authority bylaw;

AND THAT Bylaw No. 12182 being Amendment No. 4 to the Delegation of Authority to Enter into Leases and Licenses of Occupation Bylaw No. 11250, be forwarded for reading consideration.

Carried

5.5 BL12182 Amendment No. 4 to the Delegation of Authority to Enter into Leases and Licences of Occupation Bylaw No. 11250

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0353/21/03/22 THAT Bylaw No. 12182 be read a first, second and third time.

Carried

5.6 Non Market Lease Agreement - Kelowna Paddle Center

Staff:

- Displayed a PowerPoint Presentation outlining the proposed Lease Agreement with the Kelowna Paddle Center and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor DeHart

R0354/21/03/22 THAT Council approves the City entering into a five (5) year Non-Market Lease Agreement with the Kelowna Outrigger Racing Canoe Club Association, in the form attached to the Report of the Real Estate department dated March 22, 2021;

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

Carried

5.7 MRDT Renewal and Tourism Partnership

Councillor DeHart declared a conflict of interest, as in previous years, as her employer collects municipal and regional tax and departed the meeting at 6:20 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the partnership arrangements with Tourism Kelowna.

Moved By Councillor Given/Seconded By Councillor Singh

R0355/21/03/22 THAT Council receives for information the report from the Partnership Office dated March 22, 2021, regarding the partnership with Tourism Kelowna and the process toward renewal of the Municipal and Regional District Tax.

Carried

5.8 School Trustee By-Election Procedures

Moved By Councillor Given/Seconded By Councillor Sieben

R0356/21/03/22 THAT Council receives, for information, the report from the Office of the City Clerk dated March 22, 2021 with respect to bylaws for the school trustee by-election;

AND THAT Bylaw No. 12192, being the 2021 School Trustee By-Election Bylaw No. 12192 be forwarded for reading consideration;

AND THAT Bylaw No. 12195, being Amendment No. 2 to Automated Voting Machines Authorization Bylaw No. 10970 be forwarded for reading consideration;

AND FURTHER THAT Council authorize the Deputy City Clerk to submit a request to the Minister of Education to make an order allowing the City of Kelowna's Chief Election Officer to permit voting by all electors voting in the by-election to be done by mail and allowing certain declarations made by electors to be made orally.

Carried

5.9 BL12192 - 2021 By-Election Procedures

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0357/21/03/22 THAT Bylaw No. 12192 be read a first, second and third time.

Carried

5.10 BL12195 - Amendment No. 2 to the Automated Voting Machines Authorization Bylaw No. 10970

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0358/21/03/22 THAT Bylaw No. 12195 be read a first, second and third time.

Carried

Councillor Stack declared a perceived conflict of interest as the organization he works for applies for tax exemptions from time to time and disconnected from the meeting at 6:45 p.m.

6. Bylaws for Adoption (Non-Development Related)

6.1 Harvey Ave 969, BL12174 - Housing Agreement Authorization Bylaw - The Evangel Family Rental Housing Society, Inc. No. S16918

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0359/21/03/22 THAT Bylaw No. 12174 be adopted.

Carried

7. Mayor and Councillor Items

There were no Councillor items.

8. Termination

This meeting was declared terminated at 6:46 p.m.

Mayor Basran

/acm

City Clerk