



City of Kelowna
Regular Council Meeting
Minutes

Date: Monday, July 12, 2021
 Time: 1:30 pm
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Members Participating Remotely Councillors Charlie Hodge and Brad Sieben

Staff Present Acting City Manager, Derek Edstrom; City Clerk, Stephen Fleming; Divisional Director, Planning and Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Real Estate Department Manager, Johannes Saufferer*; Property Officer Specialist, Ben Walker*; Utility Services Manager, Kevin Van Vliet*; Property Management Manager, JoAnne Adamson*; Parks & Buildings Planning Manager, Robert Parlane*; Planner Specialist, David James*; OCP Planning Manager, Robert Miles*

Staff Participating Remotely Clint McKenzie

Guests Present Erin Welk*, Urban Systems; Stephanie Ball*, Central Okanagan Journey Home Society

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:39 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, a maximum of 67 members of the public is permitted to attend Council meetings in-person. Members of the public must remain seated unless invited to address Council. As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

The Mayor provided comments on today's construction site accident and offered best wishes to those injured and their families.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0670/21/07/12 THAT the Minutes of the Regular Meetings of June 28, 2021 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Boyd Rd 2840 - LUCT20-0010 Z20-0084 - Dennis Victor Miller and Kimberley Marie Miller

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor DeHart

R0671/21/07/12 THAT Land Use Contract Termination No. LUCT20-0010 to terminate LUC76-1112 from Lot 2 District Lot 130 ODYD Plan KAP89521, located at 2840 Boyd Road, Kelowna, BC be considered by Council;

AND THAT Rezoning Application No. Z20-0084 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 District Lot 130 ODYD Plan KAP89521, located at 2840 Boyd Road, Kelowna, BC from the A1 – Agriculture 1 to the RU1 – Large Lot Housing zone be considered by Council;

AND THAT Council waive the development sign requirement under Public Notification & Consultation for Development Applications No. 367 for Rezoning Bylaw No. 12221.

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

Carried

3.2 Boyd Rd 2840 - BL12219 (LUCT20-0010) - Dennis Victor Miller and Kimberley Marie Miller

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0672/21/07/12 THAT Bylaw No. 12219 be read a first time.

Carried

3.3 Boyd Rd 2840 - BL12221 (Z20-0084) - Dennis Victor Miller and Kimberley Marie Miller

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0673/21/07/12 THAT Bylaw No. 12221 be read a first time.

Carried

3.4 Mayfair Crt 734 - Z20-0095 (BL12241) - Adam Wladyslaw Zurek

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

Ro674/21/07/12 THAT Rezoning Application No. Z20-0095 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 18 District Lot 143 ODYD, Plan 43720, located at 734 Mayfair Court, 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 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 Mayfair Crt 734 - BL12241 (Z20-0095) - Adam Wladyslaw Zurek

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro675/21/07/12 THAT Bylaw No. 12241 be read a first time.

Carried

3.6 Gordon Dr 4653 - Z21-0008 (BL12242) - Mehdi Tehrani and Mandana Ghanyei

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Hodge

Ro676/21/07/12 THAT Rezoning Application No. Z21-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 357 Osoyoos Division Yale District Plan EPP110189, located at 4653 Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing 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 as set out in Schedule "A" attached to the Report from the Development Planning Department dated July 12, 2021;

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

Carried

3.7 Gordon Dr 4653 - BL12242 (Z21-0008) - Mehdi Tehrani and Mandana Ghanyei

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro677/21/07/12 THAT Bylaw No. 12242 be read a first time.

Carried

3.8 Patterson Ave 575 - Z21-0004 (BL12244) - Dream Chaser Management and Development Ltd., Inc. No. C1120607

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Singh

Ro678/21/07/12 THAT Rezoning Application No. Z21-0004 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13 District Lot 14 ODYD Plan 3249, located at 575 Patterson Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple 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 July 12, 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

3.9 Patterson Ave 575 - BL12244 (Z21-0004) - Dream Chaser Management and Development Ltd., Inc. No. C1120607

Moved By Councillor Donn/Seconded By Councillor Given

Ro679/21/07/12 THAT Bylaw No. 12244 be read a first time.

Carried

3.10 Trumpeter Rd 508 - Z21-0031 (BL12246) - 508 Trumpeter Road Developments Ltd., Inc. No. BC1258630

Staff:

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

Moved By Councillor Singh/Seconded By Councillor DeHart

Ro680/21/07/12 THAT Rezoning Application No. Z21-0031 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, Section 24, Township 28, Similkameen Division Yale District, Plan KAP90635, located at 508 Trumpeter Road, Kelowna, BC from the RR3C – Rural Residential 3 with Carriage House zone to the RU1 – Large 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.

Carried

- 3.11 Trumpeter Rd 508 - BL12246 (Z21-0031) - 508 Trumpeter Road Developments Ltd., Inc. No. BC1258630**

Moved By Councillor Donn/Seconded By Councillor Given

Ro681/21/07/12 THAT Bylaw No. 12246 be read a first time.

Carried

- 3.12 Bernard Ave 520-526 - TA21-0008 (BL12247) Z21-0024 (BL12248) - GBD Holdings Inc., Inc. No. BC0941235 - Supplemental Report**

-Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

Ro682/21/07/12 THAT Council receives, for information, the Supplemental Report from the Office of the City Clerk dated July 12, 2021 regarding a Zoning Bylaw Text Amendment Bylaw and Rezoning Bylaw that requires reading consideration;

AND THAT the Zoning Bylaw Text Amendment Application TA21-0008 and Rezoning Application Z21-0024, located at 520-526 Bernard Avenue, Kelowna BC, be forwarded for reading consideration.

Carried

- 3.13 Bernard Ave 520-526 - BL12247 (TA21-0008) - GBD Holdings Inc., Inc. No. BC0941235 - Supplemental Report**

Moved By Councillor Donn/Seconded By Councillor Given

Ro683/21/07/12 THAT Bylaw No. 12247 be read a first time.

Carried

Councillor Sieben - Opposed

- 3.14 Bernard Ave 520-526 - BL12248 (Z21-0024) - GBD Holdings Inc., Inc. No. BC0941235 - Supplemental Report**

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro684/21/07/12 THAT Bylaw No. 12248 be read a first time.

Carried

Councillor Sieben - Opposed

3.15 Bernard Ave 266 - TA21-0012 (BL12249) Z21-0039 (BL12250) - Macarther Ventures Inc., Inc.No.BCo684166 - Supplemental Report

- Staff displayed a PowerPoint presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

Ro685/21/07/12 THAT Council receives, for information, the Supplemental Report from the Office of the City Clerk dated July 12, 2021 regarding a Zoning Bylaw Text Amendment Bylaw and Rezoning Bylaw that requires reading consideration;

AND THAT the Zoning Bylaw Text Amendment Application TA21-0012 and Rezoning Application Z21-0039, located at 266 Bernard Avenue, Kelowna BC, be forwarded for reading consideration.

Carried
Councillor Sieben - Opposed

3.16 Bernard Ave 266 - BL12249 (TA21-0012) - Macarther Ventures Inc., Inc.No.BCo684166

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro686/21/07/12 THAT Bylaw No. 12249 be read a first time.

Carried
Councillor Sieben - Opposed

3.17 Bernard Ave 266 - BL12250 (Z21-0039) - Macarther Ventures Inc., Inc.No.BCo684166

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro687/21/07/12 THAT Bylaw No. 12250 be read a first time.

Carried
Councillor Sieben - Opposed

3.18 Supplemental Report - Crosby Rd 1818 - Z21-0029 (BL12226) - 1244855 BC Ltd

Staff:

- Spoke to correspondence received.

Moved By Councillor Given/Seconded By Councillor Donn

Ro688/21/07/12 THAT Council receives, for information, the report from the Office of the City Clerk dated July 12, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12226;

AND THAT Rezoning Bylaw No. 12226 be forwarded for further reading consideration.

Carried

3.19 Crosby Rd 1818 - BL12226 (Z21-0029) - 1244855 BC Ltd

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro689/21/07/12 THAT Bylaw No. 12226 be read a second and third time and be adopted.

Carried

3.20 Supplemental Report - Bryden Rd 155 - Z21-0020 (BL12231) - Kelowna Christian Centre Society Inc

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

Ro690/21/07/12 THAT Council receives, for information, the report from the Office of the City Clerk dated July 12, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12231;

AND THAT Rezoning Bylaw No. 12231 be forwarded for further reading consideration.

Carried

3.21 Bryden Rd 155 - BL12231 (Z21-0020) - Kelowna Christian Center Society, Inc.No. S0017232

Moved By Councillor Donn/Seconded By Councillor Given

Ro691/21/07/12 THAT Bylaw No. 12231 be read a second and third time.

Carried

3.22 Supplemental Report - Highland Dr N 1653 - Z21-0017 (BL12236) - Shannon Elizabeth Day

Moved By Councillor Stack/Seconded By Councillor Donn

Ro692/21/07/12 THAT Council receives, for information, the report from the Office of the City Clerk dated July 12, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12236;

AND THAT Rezoning Bylaw No. 12236 be forwarded for further reading consideration.

Carried

3.23 Highland Dr N 1653 - BL12236 (Z21-0017) - Shannon Elizabeth Day

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro693/21/07/12 THAT Bylaw No. 12236 be read a second and third time.

Carried

3.24 Rutland Road N 2100 - OCP18-0005 (BL12053) Z18-0019 (BL12054) TA18-0011 (BL12055) - Bylaw Extension Request

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro694/21/07/12 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Bylaw No. 12053 for OCP18-0005, Bylaw No. 12054 for Z18-0019 and Bylaw No. 12055 for TA18-0011, for Lot 1 Section 35 Township 26 ODYD Plan EPP105620 located at 2100 Rutland Road North, be extended from July 14, 2021 to July 14, 2022;

AND THAT Council directs Staff to not accept any further extension requests.

Carried

3.25 Gallagher Rd 2980 - Z20-0021 (BL12042) - Bylaw Extension Request

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro695/21/07/12 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 12042, for Z20-0021 for 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, be extended from June 23, 2021 to June 23, 2022;

AND that Council directs Staff to not accept any further extension requests.

Carried

3.26 McCarthy Rd 9640 - Z18-0122 (BL11790) - Rescind Rezoning Bylaw

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro696/21/07/12 THAT Council receives for information the report from the Development Planning department, dated July 12, 2021, with respect to Rezoning Application No. Z18-0122 at Lot 1 Sections 10 and 11 Township 20 Osoyoos Division Yale District Plan EPP91012 located at 9640 McCarthy Road, Kelowna, BC;

AND THAT Bylaw No. 11790 be forwarded for rescindment consideration and the file be closed.

Carried

3.27 McCarthy Rd 9670, BL11790 (Z18-0122) - The Flowr Group (Okanagan) Inc., Inc. No. BC0974062

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro697/21/07/12 THAT Bylaw No. 11790 be rescinded and the file closed.

Carried

4. Bylaws for Adoption (Development Related)

4.1 Burne Ave 360 - BL12139 (Z20-0106) - 1221900 BC LTD., Inc.No. BC1221900

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro698/21/07/12 THAT Bylaw No. 12139 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Complex Needs Advocacy Paper

Staff:

- Displayed a PowerPoint Presentation summarizing the Complex Needs Advocacy document and responded to questions from Council.

Guests Erin Welk and Stephanie Bell displayed a PowerPoint presentation and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

Ro699/21/07/12 THAT Council receives, for information, the report from the Real Estate department dated July 12, 2021, with respect to the Complex Needs Advocacy Paper;

AND THAT Council endorse the Complex Needs Advocacy Paper as attached to the report from the Real Estate department dated July 12, 2021;

AND FURTHER THAT Council authorize the Mayor to collaborate with the Mayors of the City of Vernon, City of West Kelowna and District of Lake Country and the Chief of the Okanagan Indian Band to present the Advocacy Paper to senior levels of government, seeking the development of a new model of complex care housing with supports, a system redesign and the funding and resources necessary to address the housing and support needs of individuals with complex needs.

Carried

5.2 Water Regulation Bylaw Update - Recreational Use

Staff:

- Provided reasons for the proposed amendment and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Sieben

THAT Council receives for information, the report from the Water Operations Manager dated July 12th, 2021, pertaining to the Water Regulation Bylaw update;

AND THAT Bylaw No. 12245 being Amendment #14 to Water Regulation Bylaw No. 10480 be forwarded to Council for reading consideration.

Carried

5.3 BL12245 - Amendment No. 14 to the Water Regulation Bylaw No. 10480

Moved By Councillor DeHart/Seconded By Councillor Stack

R0700/21/07/12 THAT Bylaw No. 12245 be read a first, second and third time.

Carried

5.4 Parks and Public Spaces Bylaw Amendment

Staff:

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

Moved By Councillor Donn/Seconded By Councillor DeHart

R0701/21/07/12 THAT Council receive, for information, the Public Space Bylaw Amendment report from the Real Estate and Bylaw Services department dated July 12, 2021;

AND THAT Council gives reading consideration to Bylaw No.12223 being amendment No.4 to the Public Space Bylaw No.10680;

AND FURTHER THAT Council gives reading consideration to Bylaw No.12243 being amendment No.28 to Bylaw Enforcement Bylaw No. 10475.

Carried

5.5 BL12223 - Amendment No. 4 to the Parks and Public Spaces Bylaw No. 10680

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0702/21/07/12 THAT Bylaw No. 12223 be read a first, second and third time.

Carried

5.6 BL12243 - Amendment No. 28 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Stack/Seconded By Councillor DeHart

R0703/21/07/12 THAT Bylaw No. 12243 be read a first, second and third time.

Carried

5.7 North End Neighbourhood Planning

Councillor Stack declared a conflict of interest as his employer will be bringing forward a development application within the subject area and left the meeting at 3:21 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the North End Neighbourhood Planning process and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R0704/21/07/12 THAT Council receive, for information, the report from the Policy & Planning Department regarding the North End Plan, dated July 12, 2021;

AND THAT Council directs staff to launch the North End Neighbourhood Plan process, as outlined in the report from the Policy & Planning Department, dated July 12, 2021;

AND FURTHER THAT the 2021 Financial Plan be amended to include \$135,000 for staffing for the North End Neighbourhood Plan project, to be recovered from the applicant for the Mill Site Area Redevelopment Plan.

Carried

Councillor Stack returned to the meeting at 3:53 p.m.

5.8 Commitment to Community Impact Report

Staff:

- Displayed a PowerPoint Presentation summarizing the 2019-2020 Commitment to Community Impact Report and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Given

R0705/21/07/12 THAT Council receives, for information, the report from the Active Living and Culture Division dated July 12, 2021, with respect to the *2019-2020 Commitment to Community Impact Report*.

Carried

5.9 Draft 2040 OCP future parks update

Staff:

- Displayed a PowerPoint Presentation regarding identification of parks on the draft 2040 OCP future land use map and responded to questions from Council.

Councillor Sieben disconnected from the meeting at 4:42 p.m.

Moved By Councillor Stack/Seconded By Councillor Donn

R0706/21/07/12 THAT, Council receives for information the Report from Parks & Buildings Planning, dated July 12, 2021, providing an update on future parkland for the draft 2040 Official Community Plan (OCP), their challenges and opportunities;

AND THAT, Council directs Staff to update the OCP based on the recommendations for parkland modifications outlined in the report;

AND FURTHER THAT, Council endorses the OCP's future parkland use designation inclusive of the remaining and modified parkland.

Carried

Opposed - Councillor Hodge

Moved By Councillor Donn/Seconded By Councillor Stack

THAT all eight Watt Road properties previously identified be included in the draft 2040 OCP as Parks future land use.

Carried

Opposed - Councillor Hodge

6. Bylaws for Adoption (Non-Development Related)

6.1 BL12220 - Amendment No 12 to Development Application Fees Bylaw No 10560

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

R0707/21/07/12 THAT Bylaw No. 12220 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Singh – expressed sympathy for those families and first responders impacted by today's construction accident.

Councillor Wooldridge – expressed sympathy for those families and first responders impacted by today's events and fires.

Councillor Hodge attended the appointment of the new 16 member Board of the Downtown Kelowna Association (DKA).

Mayor Basran and Councillor Wooldridge will attend the Lady of the Lake function tonight.

8. Termination

This meeting was declared terminated at 5:45 p.m.

Mayor Basran

sf/cm

City Clerk