



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, October 18, 2021
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Luke Stack and Loyal Wooldridge
Members participating remotely	Councillor Charlie Hodge
Members absent	Councillors Brad Sieben and Mohini Singh
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Community Planning & Development Manager, Dean Strachan*; Urban Planning Manager, Jocelyn Black*; Utility Services Manager, Kevin Van Vliet*, Landfill & Compost Operations Manager, Scott Hoekstra*; Real Estate Services Manager, Ben Walker*
Staff participating remotely (* Denotes partial attendance)	Legislative Coordinator (Confidential), Clint McKenzie

1. Call to Order

Mayor Basran called the meeting to order at 1:34p.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 Interior Health Restrictions regarding gatherings and events, a maximum of 50 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.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0935/21/10/18 THAT the Minutes of the Regular Meetings of October 4, 2021 be confirmed as circulated.

Carried**3. Development Application Reports & Related Bylaws****3.1 3510 Spectrum Crt - TA21-0013 (BL12284) - Kelowna Motors Investments Ltd., Inc. No. BC 1281822**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0936/21/10/18 THAT Zoning Bylaw Text Amendment Application No. TA21-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 as identified in Schedule "A" and outlined in the Report from the Development Planning Department dated October 18, 2021 for Lot 17 Section 14 Township 23 ODYD Plan KAP82802 located at 3510 Spectrum Court be considered by Council;

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

AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

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

Carried**3.2 3510 Spectrum Crt - BL12284 (TA21-0013) - Kelowna Motors Investments Ltd., Inc. No. BC 1281822**Moved By Councillor DeHart/Seconded By Councillor Stack

R0937/21/10/18 THAT Bylaw No. 12284 be read a first time.

Carried**3.3 Doyle Ave 350 - Z21-0061 (BL12286) - City of Kelowna**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0938/21/10/18 THAT Rezoning Application No. Z21-0061 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C District Lot 139 Osoyoos Division Yale District Plan EPP95954, located at 350 Doyle Avenue, Kelowna, BC from the P1 – Major Institutional zone to the C7r – Central Business Commercial (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 Development Planning Department dated October 18, 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

3.4 Doyle Ave 350 - BL12286 (Z21-0061) - City of Kelowna

Moved By Councillor Stack/Seconded By Councillor DeHart

R0939/21/10/18 THAT Bylaw No. 12286 be read a first time.

Carried

3.5 Richter St 1875 - Z21-0055 (BL12289) - 1243978 BC Ltd., Inc. No. BC1243978

Staff:

- Displayed a PowerPoint Presentation summarizing the application and confirmed staff recommend this application be forwarded to public hearing.

Moved By Councillor Stack/Seconded By Councillor Donn

R0940/21/10/18 THAT Rezoning Application No. Z21-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 138 ODYD Plan 4495, located at 1875 Richter Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3r – Low 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 Development Planning Department dated October 18, 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 for the subject property.

Carried

3.6 Richter St 1875 - BL12289 (Z21-0055) - 1243978 BC Ltd., Inc. No. BC1243978

Moved By Councillor DeHart/Seconded By Councillor Stack

R0941/21/10/18 THAT Bylaw No. 12289 be read a first time.

Carried

3.7 Cawston Ave 604 - BL12267 (OCP21-0020) - Sole Cawston Developments Ltd., Inc. No. BC1270856

Moved By Councillor Stack/Seconded By Councillor DeHart

R0941/21/10/18 THAT Bylaw No. 12267 be amended at 3rd reading by deleting the legal description(s) that read

- "Lot 23, District Lot 139, ODYD, Plan 1037; and
- "Lot 22, District Lot 139, ODYD, Plan 1037; and
- "Lot 21, District Lot 139, ODYD, Plan 1037; and
- "Lot A, District Lot 139, ODYD, Plan EPP49686".

And replacing it with:

- "Lot 1, District Lot 139, ODYD, Plan EPP114593"

And by deleting, "608, 612, and 626" from the title.

Carried

Moved By Councillor Stack/Seconded By Councillor DeHart

R0942/21/10/18 THAT Bylaw No. 12267, as amended, be adopted.

Carried

3.8 Cawston Ave 604 - BL12268 (Z21-0069) - Sole Cawston Developments Ltd., Inc. No. BC1270856

Moved By Councillor DeHart/Seconded By Councillor Stack

R0943/21/10/18 THAT Bylaw No. 12268 be amended at 3rd reading by deleting the legal description(s) that read

- "Lot 23, District Lot 139, ODYD, Plan 1037; and
- "Lot 22, District Lot 139, ODYD, Plan 1037; and
- "Lot 21, District Lot 139, ODYD, Plan 1037; and
- "Lot A, District Lot 139, ODYD, Plan EPP49686".

And replacing it with:

- "Lot 1, District Lot 139, ODYD, Plan EPP114593"

And by deleting, "608, 612, and 626" from the title.

Carried

Moved By Councillor DeHart/Seconded By Councillor Stack

R0944/21/10/18 THAT Bylaw No. 12268, as amended, be adopted.

Carried

3.9 Cawston Ave 604 - DP21-0163 - Sole Cawston Developments Ltd., Inc. No. BC1270856

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0945/21/10/18 THAT OCP Amendment Bylaw No. 12267 (OCP21-0020) and Rezoning Bylaw No. 12268 (Z21-0069) and be amended at third reading to revise the legal description of the subject properties from:

- Lot 23, District Lot 139, ODYD, Plan 1037, located at 604 Cawston Avenue, Kelowna, BC
- Lot 22, District Lot 139, ODYD, Plan 1037, located at 608 Cawston Avenue, Kelowna, BC
- Lot 21, District Lot 139, ODYD, Plan 1037, located at 612 Cawston Avenue, Kelowna, BC
- Lot A, District Lot 139, ODYD, Plan EPP49686, located at 626 Cawston Avenue, Kelowna, BC

To:

- Lot 1, District Lot 139, ODYD, Plan EPP114593, located at 604 Cawston Avenue, Kelowna, BC

AND THAT final adoption of OCP Amendment Bylaw No. 12267 (OCP21-0020) and Rezoning Bylaw No. 12268 (Z21-0069) be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP21-0163 for Lot 1, District Lot 139, ODYD, Plan EPP114593, located at 604 Cawston Avenue, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land to be in general accordance with Schedule "C";
4. That 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 professional landscaper;

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 permit to be issued;

AND FURTHER THAT the Development Permit be 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 Hwy 97 N 5269 - BL11857 (Z19-0081) - City of Kelowna

Moved By Councillor Stack/Seconded By Councillor DeHart

R0946/21/10/18 THAT Bylaw No. 11857 be adopted.

Carried

4.2 Trumpeter Rd 494 - BL12254 (Z20-0103) - 1033095 B.C. LTD., INC.NO. BC1033095

Moved By Councillor DeHart/Seconded By Councillor Stack

R0947/21/10/18 THAT Bylaw No. 12254 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Amendment No.12 to Solid Waste Management Bylaw No. 10106

Staff displayed a PowerPoint Presentation identifying the proposed amendments to the Solid Waste Bylaw and a brief landfill operations update.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

R0948/21/10/18 THAT Council receives, for information, the Report from the Landfill and Compost Operations Manager dated October 18, 2021, regarding the amendment to the Solid Waste Management Regulation Bylaw No. 10106;

AND THAT Bylaw No. 12279, Amendment No. 12 to the Solid Waste Management Regulation Bylaw No. 10106, be forwarded for reading consideration;

AND FURTHER THAT Bylaw No. 12285, Amendment No. 30 to the Bylaw Notice Enforcement Bylaw No. 10475, be forwarded for reading consideration.

Carried

5.2 BL12279 - Amendment No. 12 to Solid Waste Bylaw No. 10106

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0949/21/10/18 THAT Bylaw No. 12279 be read a first, second and third time.

Carried

5.3 BL12285 Amendment No. 30 to the Bylaw Notice Enforcement Bylaw No 10475

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0950/21/10/18 THAT Bylaw No. 12285 be read a first, second and third time.

Carried

5.4 Road Closure 234-278 Leon Ave - Airspace Parcel Disposition

Staff responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0951/21/10/18 THAT Council receives, for information, the report from the Real Estate Department dated October 18, 2021, recommending that Council adopt the proposed closure of a portion of road adjacent to 234-278 Leon Avenue;

AND THAT Bylaw No. 12271, being a proposed closure of a portion of road adjacent to 234-278 Leon Avenue, be given reading consideration.

Carried

5.5 BL12271 - Road Closure and Removal of Dedication Bylaw - 234 - 278 Leon Ave

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0952/21/10/18 THAT Bylaw No. 12271 be read a first, second and third time.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL12240 - 2022 Permissive Tax Exemption Bylaw

Councillor Stack declared a conflict of interest as his employer is one of the agencies that qualifies for permissive tax exemption and left the meeting at 2:08 p.m.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0953/21/10/18 THAT Bylaw No. 12240 be adopted.

Carried

Councillor Stack returned to the meeting at 2:08 p.m.

6.2 Supplemental Report - Council Procedure Bylaw No. 9200

The City Clerk confirmed that no correspondence was received.

Moved By Councillor DeHart/Seconded By Councillor Donn

R0954/21/10/18 THAT Council receives, for information, the report from the Office of the City Clerk dated October 18, 2021 with respect to Bylaw No. 12283, being Amendment No. 7 to Council Procedure Bylaw No. 9200;

AND THAT Bylaw No. 12283, being Amendment No. 7 to Council Procedure Bylaw No. 9200 be forwarded for adoption.

Carried

6.3 BL12283 - Amendment No. 7 to the Council Procedure Bylaw No. 9200

Moved By Councillor Donn/Seconded By Councillor Given

R0955/21/10/18 THAT Bylaw No. 12283 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Hodge:

- Raised concerns that this fall and winter could be a bad one for COVID-19 and influenza and encouraged the public to keep up with the health-related behaviours.

Councillor DeHart:

- It is Small Business Week and will be participating in business walks being conducted.

Councillor Wooldridge:

- He will be joining the business walks as well on behalf of Councillor Hodge.

Councillor Given:

- Spoke to the loss of citizen Al Harrison. He was the first staff member to be hired at the regional district when it was formed. He was responsible for the vision behind many programs including the founder and architect of our regional parks system and regional 911 system. The Okanagan has benefitted significantly from his vision and his tenacity to get things done.

Mayor Basran:

- Spoke to the situation at the hospital and shared a social media post from a nurse regarding the impacts the unvaccinated are having in the hospital.

8. Termination

This meeting was declared terminated at 2:16 p.m.

Mayor Basran

sf/cm

City Clerk