



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, May 30, 2022
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart*, Ryan Donn*, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh, Luke Stack*, and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Corporate and Protective Services, Stu Leatherdale*; Community Safety Director, Darren Caul*; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Planner, Graham Allison*; Planner Specialist, Wesley Miles*; Planner, Jason Issler*; Planner, Mark Tanner*; Planner Specialist, Adam Cseke, Planner, Barbara Crawford*; Intergovernmental Relations Manager, Axelle Bazett*
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guest	RCMP Superintendent Kara Triance*, OIC Kelowna Detachment

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:35 p.m.

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

As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0368/22/05/30 THAT the Minutes of the Regular Meetings of May 16, 2022 be confirmed as circulated.

Carried

3. Reports

3.1 Report RCMP Q1 Update

Kara Triance, Superintendent Kelowna RCMP Detachment:

- Displayed a PowerPoint Presentation providing an update regarding the 2022 Q1 public safety and crime trends.
- Commented on summer resourcing plans and strategic focus areas.
- Spoke to efforts to decrease property crime and address prolific offenders.
- Commented on work to increase a sense of safety in key areas.
- Made comment on focus areas to respond to those who have experienced crime.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro369/22/05/30 THAT Council receive, for information, the RCMP Quarterly Update report from the Superintendent, Kelowna RCMP Detachment, dated May 30, 2022.

Carried

4. Development Application Reports & Related Bylaws

4.1 East Kelowna Rd 2830 - A22-0001 FH22-0004 - William and Maria Kitsch

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Sieben

Ro370/22/05/30 THAT Agricultural Land Reserve Application No. A22-0001 for Lot A Section 16 Township 26 ODYD Plan 32982 Except Plan KAP71228 located at 2830 East Kelowna Road, Kelowna, BC for a Non-Adhering Residential Use Permit pursuant to Section 25 of the Agricultural Land Commission Act, be supported by Council;

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

AND THAT Council authorizes the issuance of Temporary Farm Working Housing Permit No. FH22-0004 for Lot A Section 16 Township 26 ODYD Plan 32982 Except Plan KAP71228 located at 2830 East Kelowna Road, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A22-0004;
2. The dimensions and siting of the building to be constructed on the land in accordance with Schedule A;
3. Registration of a Section 219 Restrictive Covenant on the Title that states:
 - a. The dwellings will be used for temporary farm workers only;
 - b. The owner will remove the dwellings if the farm operation changes such that if they are no longer required;
 - c. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
 - d. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers: and,
 - e. The temporary farm worker housing building footprint is a maximum of 0.3ha.

AND FURTHER THAT this Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

4.2 Fleet Court 3480, 3508 - OCP20-0003 (BL12388) Z20-0006 (BL12389) - Midwest Venture Ltd., Inc. No. BC0046021

Councillor DeHart declared a conflict of interest on items 4.2, 4.3 and 4.4 due to her employer being in competition with the proposed hotel and departed the meeting at 2:43 p.m.

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

R0371/22/05/30 THAT Official Community Plan Map Amendment Application No. OCP20-0003 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of Lot 2, Section 14, Township 23, ODYD Plan EPP64815, located at 3480 Fleet Court and Lot 15, Section 14, Township 23, ODYD Plan KAP82802 Except Plan EPP23036, located at 3508 Fleet Court, Kelowna, BC from the IND – Industrial designation to the RCOM – Regional Commercial Corridor designation be considered by Council;

AND THAT Rezoning Application No. Z20-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 14, Township 23, ODYD Plan EPP64815 located at 3480 Fleet Court and Lot 15, Section 14, Township 23, ODYD, Plan KAP82802 Except Plan EPP23036 located at 3508 Fleet Court, Kelowna, BC from the CD15 – Airport Business Park zone to the C9 – Tourist Commercial zone be considered by Council;

AND THAT the Official Community Plan and Rezoning 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 Official Community Plan and Zoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject properties.

Carried

4.3 Fleet Ct 3480, 3508 - BL12388 (OCP20-0003) - Midwest Ventures Ltd., Inc. No. BC0046021

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0372/22/05/30 THAT Bylaw No. 12388 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

4.4 Fleet Ct 3480, 3508 - BL12389 (Z20-0006) - Midwest Ventures Ltd., Inc. No. BC0046021

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0373/22/05/30 THAT Bylaw No. 12389 be read a first time.

Carried

Councillor DeHart returned to the meeting at 2:56 p.m.

4.5 Supplemental Report -McClure Rd 634 - Z22-0008 (BL12370) - McClure Road Development Ltd.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0374/22/05/30 THAT Council receives, for information, the report from the Office of the City Clerk dated May 30, 2022 with respect to Zoning Bylaw No. 12370;

AND THAT Rezoning Bylaw No.12370 be forwarded for further reading consideration.

Carried

4.6 McClure Rd 634 - BL12370 (Z22-0008) - McClure Road Development Ltd., Inc. No. BC1284976

Moved By Councillor Hodge/Seconded By Councillor Singh

R0375/22/05/30 THAT Bylaw No. 12370 be read a first, second and third time.

Carried

4.7 Supplemental Report -St Paul St 1405 - Z21-0011 (BL12371) - Abacio Properties Ltd.

Moved By Councillor Stack/Seconded By Councillor Donn

R0376/22/05/30 THAT Council receives, for information, the report from the Office of the City Clerk dated May 30, 2022 with respect to Zoning Bylaw No. 12371;

AND THAT Rezoning Bylaw No.12371 be forwarded for further reading consideration.

Carried

4.8 St Paul St 1405 - BL12371 (Z21-0011) - Abacio Properties Ltd

Moved By Councillor Singh/Seconded By Councillor Hodge

R0377/22/05/30 THAT Bylaw No. 12371 be read a first, second and third time.

Carried

4.9 Supplemental Report -Pasadena Rd 1290 - Z22-0015 (BL12373) - Laul real Estate Group Inc.

Moved By Councillor DeHart/Seconded By Councillor Hodge

R0378/22/05/30 THAT Rezoning Bylaw No. 12373 be forwarded to a Public Hearing for further consideration.

Carried

4.10 Pasadena Rd 1290 - BL12373 (Z22-0015) - Laul Real Estate Group Inc., Inc. No. BC1259351

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0379/22/05/30 THAT Bylaw No. 12373 be read a first time.

Carried

4.11 Supplemental Report -Benvoulin Ct 2165 - Z21-0109 (BL12374) - JABS Construction Ltd.

Councillor Stack declared a conflict of interest as his employer owns the adjacent property and left the meeting at 3:00 p.m.

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0380/22/05/30 THAT the Official Community Plan and Rezoning Bylaw be forwarded to a Public Hearing for further consideration; THAT Council receives, for information, the report from the Office of the City Clerk dated May 30, 2022 with respect to Zoning Bylaw No. 12374;

AND THAT Rezoning Bylaw No.12374 be forwarded for further reading consideration.

Carried

4.12 Benvoulin Ct 2165 - BL12374 (Z21-0109) - JABS Construction Ltd., Inc. No. BC0060327

Moved By Councillor Donn/Seconded By Councillor DeHart

R0381/22/05/30 THAT Bylaw No. 12374 be read a first, second and third time.

Carried

Councillor Stack returned to the meeting at 3:01 p.m.

4.13 Supplemental Report -Gordon Dr 4563, 4573 - Z22-0017 (BL12381) - Forever Destiny Homes Ltd.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0382/22/05/30 THAT Council receives, for information, the report from the Office of the City Clerk dated May 30, 2022 with respect to Zoning Bylaw No. 12381;

AND THAT Rezoning Bylaw No.12381 be forwarded for further reading consideration.

Carried

4.14 Gordon Dr 4563, 4573 - BL12381 (Z22-0017) - Forever Destiny Homes Ltd., Inc. No. BC0903896

Moved By Councillor DeHart/Seconded By Councillor Stack

R0383/22/05/30 THAT Bylaw No. 12381 be read a first, second and third time.

Carried

4.15 Supplemental Report -Lawson Ave 959-961, 971 - Z21-0050 (BL12384) - 1258102 BC Ltd.

Moved By Councillor DeHart/Seconded By Councillor Stack

R0384/22/05/30 THAT Council receives, for information, the report from the Office of the City Clerk dated May 30, 2022 with respect to Zoning Bylaw No. 12384;

AND THAT Rezoning Bylaw No.12384 be forwarded for further reading consideration.

Carried

4.16 Lawson Ave 959-961,971 - BL12384 (Z21-0050) - 1258102 BC Ltd., Inc. No. BC1258102

Moved By Councillor Donn/Seconded By Councillor DeHart

R0385/22/05/30 THAT Bylaw No. 12384 be read a first, second and third time.

Carried

4.17 Matrix Cr 2015 - DP22-0008 - 2271042 Alberta Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor DeHart

R0386/22/05/30 THAT Council authorizes the issuance of Development Permit No. DP22-0008 for Lot 16 Section 14 Township 23 ODYD Plan EPP80708, located at 2015 Matrix Cres, 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 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 THAT issuance of the Development Permit be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

4.18 KLO Rd 860-1000 - DP22-0096 - Okanagan College

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Stack

R0387/22/05/30 THAT Council authorizes the issuance of Development Permit No. DP22-0096 for Lot 1, District Lot 135, ODYD, Plan EPP90191, located at 860 – 1000 KLO Road, 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 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 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

4.19 City of Kelowna - New Zoning Bylaw No. 12375

Staff:

- Provided opening remarks.
- Displayed a PowerPoint Presentation summarizing the proposed Zoning Bylaw.
- Spoke to the background and Zoning Bylaw development.
- Outlined the major changes from the current to new Zoning Bylaw.
- Outlined a transition plan for active development applications.
- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0388/22/05/30 THAT Council receives, for information, the report from the Development Planning Department, dated May 30, 2022 with respect to the City of Kelowna's proposed new Zoning Bylaw 12375;

AND THAT Zoning Bylaw No. 12375 be forwarded for reading consideration;

AND THAT the Zoning Bylaw No. 12375 be forwarded to Public Hearing for further consideration;

AND THAT Bylaw No. 12386 being Density Bonus for Public Amenities and Streetscape Reserve Fund be forwarded for reading consideration;

AND THAT Council temporarily waives the requirement for Development Permits and Development Variance Permits to be considered in conjunction with final adoption of rezoning bylaws to amend Zoning Bylaw No. 8000;

AND FURTHER THAT Council endorse the proposed new Zoning Bylaw Transition Plan, as outlined in the report from the Development Planning Department, dated May 30, 2022.

Carried

4.20 BL12375 - Zoning Bylaw

Moved By Councillor Donn/Seconded By Councillor DeHart

R0390/22/05/30 THAT Bylaw No. 12375 be read a first time.

Carried

4.21 BL12386 - Density Bonus for Public Amenities and Streetscape Reserve Fund

Moved By Councillor DeHart/Seconded By Councillor Stack

R0391/22/05/30 THAT Bylaw No. 12386 be read a first, second and third time.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Criminal Justice Advocacy Paper

Staff:

- Displayed a PowerPoint Presentation outlining the criminal justice advocacy paper.
- Spoke to current state, perceptions and statistics; crime and social issues; investment, action and leadership and identified items on the advocacy agenda.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0389/22/05/30 THAT Council receive, for information, the report from the Community Safety Department titled Community Confidence in Justice: Advocacy Paper.

AND THAT Council direct staff to amend the Advocacy Framework priorities to include advocacy to senior levels of government on the increasing challenge with prolific property offenders in the community and the impact of the catch-and-release cycle of the justice system.

Carried

Councillor Donn left the meeting at 5:11 p.m.

5.2 BC Electoral Boundaries Commission Submission

Staff:

- Provided an overview of the provincial electoral riding boundaries and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Hodge

R0392/22/05/30 THAT Council receives, for information, the report from Office of the City Clerk dated May 30, 2022 regarding BC Electoral Boundaries Commission Submission;

AND THAT Council directs staff to make an online submission in support of amending boundaries to have the City of Kelowna represented by three ridings on the east side of Lake Okanagan.

Carried

6. Mayor and Councillor Items

There were no Mayor and Councillor items.

7. Termination

This meeting was declared terminated at 5:17 p.m.

Mayor Basran

Deputy City Clerk

/acm