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## City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 8, 2019  
 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, Karen Needham; Community Planning Department Manager, Ryan Smith\*; Urban Planning Manager, Terry Barton\*; Planner, Barbara Crawford\*; Planner Specialist, Adam Cseke\*; Acting Divisional Director, Community Planning & Strategic Investments, Derek Edstrom\*; Acting Director, Community Safety, Lance Kayfish\*; Divisional Director, Human Resources & Community Safety, Stu Leatherdale\*; Social Development Manager, Sue Wheeler\*, Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:33 p.m.

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

### 2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R368/19/04/08 THAT the Minutes of the Regular Meetings of April 1, 2019 be confirmed as circulated.

Carried

### 3. Development Application Reports & Related Bylaws

#### 3.1 Commercial Frontage Amendment, TA19-0005 - City of Kelowna

Staff:

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

Moved By Councillor Given/Seconded By Councillor Sieben

**R369/19/04/08** THAT Zoning Bylaw Text Amendment Application No. TA19-0005 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule A, attached to the Report from the Community Planning Department dated April 1, 2019 be considered by Council;

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

AND THAT Council directs Staff to send notification to all affected property owners and occupiers within 50 m of the subject property in advance of the Public Hearing;

AND THAT final adoption of the Zoning Bylaw Text Amendment Application No. TA19-0005 be considered subsequent to the approval of the Ministry of Transportation;

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

Carried

### 3.2 Commercial Frontage Amendment, BL11796 (TA19-0005) - City of Kelowna

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

**R370/19/04/08** THAT Bylaw No. 11796 be read a first time.

Carried

### 3.3 Kelly Rd 1050, Z18-0112 - Jonathan D.C. Tyre and Heather E. Tyre

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

**R371/19/04/08** THAT Rezoning Application No. Z18-0112 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, District Lot 135, Osoyoos Division, Yale District, Plan 18974, located at 1050 Kelly Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone, be considered by Council;

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

Carried

### 3.4 Kelly Rd 1050, Z18-0112 (BL11797) - Jonathan D.C. Tyre and Heather E. Tyre

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

**R372/19/04/08** THAT Bylaw No. 11797 be read a first time.

Carried

**3.5 Laurier Ave 934, Z18-0103 - 1079687 B.C. Ltd, Inc.No. BC1079687**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Given

**R373/19/04/08** THAT Rezoning Application No. Z18-0103 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 District Lot 138, ODYD, Plan 2819 located at 934 Laurier Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing Zone, be considered by Council;

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

AND THAT the final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated April 8, 2019;

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

**3.6 Laurier Ave 934, Z18-0103 (BL11799) - 1079687 B.C. Ltd, Inc.No. BC1079687**

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

**R374/19/04/08** THAT Bylaw No. 11799 be read a first time.

Carried

**3.7 Laurier Ave 913, Z18-0105 - 1128826 B.C. Ltd, Inc.No. BC1128826**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

**R375/19/04/08** THAT Rezoning Application No. Z18-0105 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 138, ODYD, Plan 2255 located at 913 Laurier Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing 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 Attachment "A" attached to the Report from the Community Planning Department dated April 8, 2019;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration on the subject property of a Section 219 Tree Protection Covenant to ensure the preservation of two trees located on the subject property as identified in Schedule "A";

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**

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

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

**R376/19/04/08** THAT Bylaw No. 11798 be read a first time.

**Carried**

**3.9 Groves Ave 448,458 and 460, OCP18-0019 and Z17-0032 - Abbott Park Holdings Inc., Inc. No. BC1096096**

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Sieben

**R377/19/04/08** THAT Official Community Plan Map Amendment Application No. OCP18-0019 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of lots 6, 7, and 8, District Lot 14, ODYD, Plan 3856 located at 448, 458, & 460 Groves Ave Kelowna, BC from the MRM- Multiple Unit Residential (Medium Density) designation to the MRH- Multiple Unit Residential (High Density) designation, be considered by Council;

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

THAT Rezoning Application No. Z17-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of lots 6, 7, and 8, District Lot 14, ODYD, Plan 3856, located at 448, 458, & 460 Groves Ave, Kelowna, BC from the RU1- Large Lot Housing zone to the RM6- High Rise Apartment Housing 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 Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated March 26, 2018;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the registration of a height restriction covenant to a maximum of six (6) storeys and a land use restriction covenant limiting the types of allowable commercial on the subject property;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and a Development Variance Permit for the subject properties.

**Carried**

Councillors Hodge and Stack – Opposed

- 3.10 Groves Ave 448,458 and 460, OCP18-0019 (BL11801) - Abbott Park Holdings Inc., Inc. No. BC1096096

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

R378/19/04/08 THAT Bylaw No. 11801 be read a first time.

Carried  
Councillor Hodge and Stack - Opposed

- 3.11 Groves Ave 448,458 and 460, Z17-0032 (BL11802) - Abbott Park Holdings Inc., Inc. No. BC1096096

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R379/19/04/08 THAT Bylaw No. 11802 be read a first time.

Carried  
Councillors Hodge and Stack – Opposed

- 3.12 Byrns Rd 2089, OCP18-0018 Z18-0094 - Mohammed Maizal Munif

Moved By Councillor Sieben/Seconded By Councillor Donn

R380/19/04/08 THAT Official Community Plan Bylaw No 11810 and Rezoning Bylaw No.11811 be given first reading as approved by Council at the April 01, 2019 Regular PM Meeting.

Carried  
Mayor Basran and Councillors Hodge and Stack – Opposed

- 3.13 Byrns Rd 2089, OCP18-0018 (BL11810) - Mohammed Maizal Munif

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

R381/19/04/08 THAT Bylaw No. 11810 be read a first time.

Carried  
Mayor Basran and Councillors Hodge and Stack – Opposed

- 3.14 Byrns Rd 2089, Z18-0094 (BL11811) - Mohammed Maizal Munif

Moved By Councillor Given/Seconded By Councillor Wooldridge

R382/19/04/08 THAT Bylaw No. 11811 be read a first time.

Carried  
Mayor Basran and Councillors Hodge and Stack – Opposed

#### 4. Bylaws for Adoption (Development Related)

- 4.1 Highland Dr N 1720, Z18-0065 (BL11699) - Lidia Bozena Baumgart

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R383/19/04/08 THAT Bylaw No. 11699 be adopted.

Carried

#### 4.2 Short Term Rental Accommodation, BL11766 (TA19-0007) - City of Kelowna

Councillor DeHart declared a conflict of interest on items 4.2, 4.3 and 4.4 as it is in direct competition with her hotel employer and she also owns property on Sunset Drive and left the meeting at 2:07 p.m.

Moved By Councillor Stack/Seconded By Councillor Donn

R384/19/04/08 THAT Bylaw No. 11766 be adopted.

Carried  
Councillor Hodge - Opposed

#### 4.3 Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720

Moved By Councillor Stack/Seconded By Councillor Donn

R385/19/04/08 THAT Bylaw No. 11720 be adopted.

Carried  
Councillor Hodge - Opposed

#### 4.4 BL11771 - Amendment No. 23 to Bylaw Notice Enforcement Bylaw No.10475 Bylaw

Moved By Councillor Stack/Seconded By Councillor Given

R386/19/04/08 THAT Bylaw No. 11771 be adopted.

Carried  
Councillor Hodge and Donn - Opposed

Councillor DeHart rejoined the meeting at 2:09 p.m.

### 5. Non-Development Reports & Related Bylaws

#### 5.1 Public Safety Liaison Report – Update & Action Plan

Staff:

- Displayed a PowerPoint Presentation providing an overview of the Public Safety Action Plan and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

R387/19/04/08 THAT council receive for information the report of the Acting Director of Community Safety dated April 8, 2019 regarding the Update & Action Plan in response to the recommendations within the Public Safety Report;

AND THAT Council direct staff to report back by November 30, 2019 to provide an update regarding community safety and well-being initiatives;

AND THAT Council direct the Mayor to meet with other regional Mayors and the Regional District Chair to discuss ways we can work together to address the opioid crisis, homelessness and complex social issues in the region cooperatively;

AND FURTHER THAT Council direct the Mayor to send a letter to the BC Attorney General outlining support for an Integrated Court to operate in Kelowna.

Carried

**6. Bylaws for Adoption (Non-Development Related)**

**6.1 BL11745 - South Okanagan Mission Agricultural Users Local Area Service Establishment Bylaw**

Moved By Councillor DeHart/Seconded By Councillor Donn

R388/19/04/08 THAT Bylaw No. 11745 be adopted.

Carried

**6.2 BL11746 - South Okanagan Mission Agricultural Users Loan Authorization Bylaw**

Moved By Councillor Sieben/Seconded By Councillor Donn

R389/19/04/08 THAT Bylaw No. 11746 be adopted.

Carried

**6.3 BL11755 - Amendment No. 4 to Development Cost Charge Bylaw No. 10515**

Moved By Councillor Sieben/Seconded By Councillor Donn

R390/19/04/08 THAT Bylaw No. 11755 be adopted.

Carried

**6.4 BL11800, Rescind Housing Agreement for Lakeshore Rd 3477-3499**

Councillor Stack declared a perceived conflict of interest as his employer applies for housing agreements and left the meeting at 3:26 p.m.

Moved By Councillor DeHart/Seconded By Councillor Sieben

R391/19/04/08 THAT Bylaw No. 11800 be adopted.

Carried

Councillor Donn - Opposed

Councillor Stack rejoined the meeting at 3:27 p.m.

**6.5 BL11774 - Amendment No. 9 to Water Regulation Bylaw No. 10480**

Moved By Councillor Donn/Seconded By Councillor Sieben

R392/19/04/08 THAT Bylaw No. 11774 be adopted.

Carried

**6.6 BL11788 - Amendment No. 36 to Sewerage System User Bylaw No. 3480**

Moved By Councillor Donn/Seconded By Councillor DeHart

R393/19/04/08 THAT Bylaw No. 11788 be adopted.

Carried

## 7. Mayor and Councillor Items

### Councillor Given:

- Represented Council and read a Proclamation at the Global Meeting Industry Day.
- Spoke to her attendance at the UBCO Heat Athletic Scholarship Breakfast on Friday, April 5<sup>th</sup>.
- Spoke to the upcoming public engagement event regarding transportation on April 24<sup>th</sup> at UBCO.

### Councillor Singh:

- Spoke to the upcoming Vaisakhi Celebration at the Sikh Temple on Sunday, April 14<sup>th</sup>.

### Councillor Hodge:

- Spoke to the upcoming DKA Board meeting on Wednesday April 10<sup>th</sup>, the Lutheran Church Senior Chorfest Gala Concert on April 12<sup>th</sup> and the Okanagan Historical Society dinner at the Recreation Centre on April 23<sup>rd</sup> that he will attend as the Deputy Mayor.

### Councillor DeHart:

- Commented that she has been a judge on the Hospitality Award for the Motel/Hotel Association and made comment on the growth of the City and tourism.
- Spoke to her attendance at the Mayor's Address.

### Councillor Stack:

- Kudos to staff for starting work on the Glenmore Park.

### Mayor Basran:

- Reminder of the Civic Award Nominees Reception on Sunday afternoon at the Recreation Centre at 3:00 p.m.

## 8. Termination

This meeting was declared terminated at 3:33 p.m.

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Mayor Basran

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Deputy City Clerk