



City of Kelowna Regular Council Meeting Minutes

Date: Monday, June 17, 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; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith*; Suburban and Rural Planning Manager, Dean Strachan*; Planning Manager, Laura Bentley*; Development Planning Department Manager, Terry Barton*; Planner Specialist, Adam Cseke*; Planner, Barbara Crawford*; Utility Services Manager, Kevin Van Vliet*; Active Transportation Coordinator, Matt Worona*; Legislative Coordinator (Confidential), Arlene McClelland

(* 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.

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 Wooldridge/Seconded By Councillor DeHart

R624/19/06/17 THAT the Minutes of the Regular Meetings of June 10, 2019 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 **Commerce Ave 1675-1677, Z19-0004 (BL11855) - Braemar Properties Ltd, Inc No BC1023360**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R625/19/06/17 THAT Rezoning Application No. Z19-0004 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 125, Osoyoos Division Yale District Plan KAP90858, except part in Plan EPP52444, located at 1675-1677 Commerce Avenue, Kelowna, BC from the C10lp/rls – Service Commercial (Liquor Primary/Retail Liquor Sales) zone to the C10lp/rls/rcs - Service Commercial (Liquor Primary/Retail Liquor Sales/Retail Cannabis Sales) 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 approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT if the Rezoning Bylaw is adopted, Council direct Staff to send a recommendation to the British Columbia Liquor and Cannabis Regulation Branch that they support issuance of a non-medical cannabis retail store license for this legal lot with the following comments:

- The proposed location meets local government bylaw requirements and as such, no negative impact is anticipated;
- The views of the residents were captured during a public hearing process for the rezoning of the property and Council meeting minutes summarizing those views are attached; and
- Local government recommends that the application be approved because of compliance with local regulations and policies.

Carried

3.2 Commerce Ave 1675-1677, BL11855 (Z19-0004) - Braemar Properties Ltd, Inc No BC1023360

Moved By Councillor Sieben/Seconded By Councillor Donn

R626/19/06/17 THAT Bylaw No. 11855 be read a first time.

Carried

Councillors Hodge and Stack joined the meeting at 1:39 p.m.

3.3 McCurdy Rd 130, BL11460 (OCP17-0007) - Father Delestre Columbus (2009) Society Inc.

Moved By Councillor Donn/Seconded By Councillor Singh

R627/19/06/17 THAT Bylaw No. 11460 be adopted.

Carried

Councillor Sieben - Opposed

3.4 McCurdy Rd 130, BL11461 (Z17-0021) - Father Delestre Columbus (2009) Society Inc

Moved By Councillor DeHart/Seconded By Councillor Donn

R628/19/06/17 THAT Bylaw No. 11461 be adopted.

Carried

3.5 McCurdy 130, DP17-0052 - Culos Development (1996) Inc. No. BC1099204

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R629/19/06/17 THAT Council authorizes the issuance of Development Permit No. DP17-0052 for Lot A, Section 26, Township 26, ODYD, Plan EPP91828, located at 130 McCurdy Rd, 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;
5. A restrictive covenant registered on title limiting the dwelling units on floors two, three, and four to 'supportive housing'.

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

Carried
Councillor Hodge - Opposed

3.6 Pier Mac Way 2085, DP19-0067 - Gibbco Enterprises Inc., Inc. No. 1060826

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Hodge

R630/19/06/17 THAT Council authorize the issuance of Development Permit No. for Lot 7, District Lot 32 and Section 14, Township 23, Osoyoos Division Yale District, Plan EPP64961, located at 2085 Pier Mac Way, 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 (Schedule C);
5. That the applicant be required to complete the requirements of Attachment A as attached to the Report from Development Engineering dated March 11, 2019.

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

3.7 Hwy 97 N 2339 2397, DP19-0079 - Dilworth Shopping Centre Ltd., Inc. No. 319846

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Given

R631/19/06/17 THAT Council authorizes the issuance of Development Permit No. DP19-0079 for Lot A, District Lots 126 and 532, ODYD, Plan 40108 located at 2339-2397 Highway 97 North, 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 FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

3.8 Glenmore Rd 445, DP19-0081 - Glenmore Ellison Irrigation District (GEID)

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Sieben

R632/19/06/17 THAT Council authorizes the issuance of Development Permit No. DP19-0081 for Lot C Section 32 Township 26 ODYD Plan KAP62410, located at 451 Glenmore Rd, Kelowna, BC, and for Lot A Section 32 Township 26 ODYD Plan 1731 Except Plans B4443, 5241 and KAP62410, located at 445 Glenmore Rd, 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 FURTHER THAT this Development Permit is 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 BL11672 (TA18-0007) - Energy Step Code Amendment - City of Kelowna

Moved By Councillor Donn/Seconded By Councillor DeHart

R633/19/06/17 THAT Bylaw No. 11672 be adopted.

Carried

4.2 Penno Rd 360, BL11751 (Z18-0086) - New North West Trading

Councillor Sieben declared a conflict of interest as the applicant is an insurance client and departed the meeting at 2:11 p.m.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R634/19/06/17 THAT Bylaw No. 11751 be adopted.

Carried

Councillor Sieben rejoined the meeting at 2:12 p.m.

5. Non-Development Reports & Related Bylaws

5.1 Well Regulation Bylaw No. 11770

Staff:

- Provided reasons for enacting a Well Regulation Bylaw and a summary of the proposed regulations and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

R635/19/06/17 THAT Council receives, for information, the report from the Utility Operations Manager dated June 17, 2019, with respect to the Well Regulation Bylaw No. 11770;

AND THAT Bylaw No. 11770, being Well Regulation Bylaw be forwarded to Council for reading consideration.

Carried

5.2 BL11770 - Well Regulation Bylaw

Moved By Councillor Wooldridge/Seconded By Councillor Given

R636/19/06/17 THAT Bylaw No. 11770 be read a first, second and third time.

Carried

5.3 Kelowna On The Move Pedestrian and Bicycle Master Plan Traffic Bylaw Updates

Staff:

- Provided an overview of the proposed changes to the Traffic Bylaw and reasons for them and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R637/19/06/17 THAT Council receives, for information, the report from the Transit and Programs Manager dated June 17, 2019 with respect to the Kelowna On The Move Pedestrian and Bicycle Master Plan Traffic Bylaw Updates;

AND THAT Council give reading consideration to Bylaw No. 11848 being Amendment No. 33 to the Consolidated Traffic By-Law No. 8120.

Carried
Councillor DeHart – Opposed

5.4 BL11848 - Amendment No. 33 to Traffic Bylaw No. 8120

Moved By Councillor Given/Seconded By Councillor Wooldridge

R638/19/06/17 THAT bylaw No. 11848 be read a first, second and third time.

Carried
Councillor DeHart – Opposed

6. Bylaws for Adoption (Non-Development Related)

6.1 BL11834 - Amendment No. 19 to the Subdivision, Development and Servicing Bylaw No. 7900

Moved By Councillor Wooldridge/Seconded By Councillor Given

R639/19/06/17 THAT Bylaw No. 11834 be adopted.

Carried

7. Mayor and Councillor Items

Councillor DeHart:

- Spoke to their attendance at the PGA Golf Event at Gallagher's Canyon this past week and the charitable contributions made to our community.

Councillor Wooldridge:

- The kick-off to Kelowna Pride Week this week with a parade beginning at 11:00 a.m. on Saturday, June 22nd.
- National Aboriginal Day is on Friday, June 21st.

Mayor Basran:


- Be mindful of water restrictions that are in affect and fire banned areas.

8. Termination

This meeting was declared terminated at 2:44 p.m.

Mayor Basran

/acm



City Clerk