



City of Kelowna
Regular Council Meeting
Minutes

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| Date: | Monday, June 22, 2020 |
| 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 and Loyal Wooldridge |
| Members Absent | Councillor Luke Stack |
| Staff Present | City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Director, Planning & Development Services, Ryan Smith*; Planner Specialist, Adam Cseke*; Divisional Director, Corporate and Protective Services, Stu Leatherdale*; Community Safety Director, Darren Caul*; Policy & Planning Department Manager, Danielle Noble Brandt*; Sustainability Coordinator, Tracy Guidi*; Community Energy Specialist, Chris Ray*; Utility Planning Manager, Rod MacLean*; Divisional Director, Infrastructure, Alan Newcombe*; Integrated Transportation Department Manager, Rafael Villarreal*; Mobility Specialist, Matt Worona*; Legislative Coordinator (Confidential), Arlene McClelland |
| Guest | Superintendent Brent Mundle*, OIC Kelowna RCMP Detachment |

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:34 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-video feed is being broadcast and recorded on kelowna.ca and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro466/20/06/22 THAT the Minutes of the Regular Meetings of June 15, 2020 be confirmed as circulated.

3. Reports

3.1 RCMP Quarterly Report

Brent Mundle, Superintendent Kelowna RCMP Detachment

- Displayed a PowerPoint Presentation outlining the quarterly report highlights in the 2016-2019 Crime Reduction Strategy and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro467/20/06/22 That Council receive the RCMP Update report from the Superintendent, Kelowna RCMP Detachment dated June 22, 2020.

Carried

4. Development Application Reports & Related Bylaws

- 4.1 Arab Road 185, Z20-0025 - 1046958 B.C. Ltd., Inc. No. BC1046958 - ** Deferred to Monday, July 13, 2020**

Mayor Basran advised this item has been deferred to July 13, 2020 PM Meeting at the request of the Applicant.

- 4.2 Hwy 33 E 1799 - LUC20-0002 (BL12058) OCP20-0012 (BL12059) Z20-0043 (BL12060) - 1231306 B.C. Ltd., Inc. No. BC1231306**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Donn

Ro468/20/06/22 That Application No. LUC20-0002 to discharge LUC76-1064 from Lot A, Section 18, Township 27, ODYD, Plan 29386, located at 1799 Hwy 33 E, Kelowna, BC, be considered by Council;

AND THAT OCP Amendment Application No. OCP20-0012 to amend the City of Kelowna Official Community Plan No. 10500 by changing the OCP Future Land Use designation of Lot A, Section 18, Township 27, ODYD, Plan 29386, located at 1799 Hwy 33 E, Kelowna, BC from the MRL – Multiple Unit Residential (Low Density) designation to the SC – Service Commercial designation as attached to the Report from the Development Planning Department dated June 22nd 2020, be considered by Council;

AND THAT Rezoning Application No. Z20-0043 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 18, Township 27, ODYD, Plan 29386, located at 1799 Hwy 33 E, Kelowna, BC from the A1 – Agriculture 1 zone to the C10 – Service Commercial zone as attached to the Report from the Development Planning Department dated June 22nd 2020, be considered by Council;

AND THAT the Land Use Contract Discharge Bylaw, the Official Community Plan Map Amending Bylaw, and the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Land Use Contract Discharge Bylaw and the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Carried

4.3 Hwy 33 E 1799 - BL12058 (LUC20-0002) - 1231306 B.C. Ltd., Inc. No. BC1231306

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0469/20/06/22 THAT Bylaw No. 12058 be read a first time.

Carried

4.4 Hwy 33 E 1799 - BL12059 (OCP20-0012) - 1231306 B.C. Ltd., Inc. No. BC1231306

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0470/20/06/22 THAT Bylaw No. 12059 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

4.5 Hwy 33 E 1799 - BL12060 (Z20-0043) - 1231306 B.C. Ltd., Inc. No. BC1231306

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0471/20/06/22 THAT Bylaw No. 12060 be read a first time.

Carried

4.6 Kyndree Ct, Prince Edward Dr, Clifton Rd N - LUCT19-0027 (12038) Z19-0096 (12039) - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0472/20/06/22 WHEREAS the BC Provincial Government has mandated that all Land Use Contracts under the jurisdiction of a local government and in the Province of British Columbia be terminated by 2024;

AND WHEREAS the BC Provincial Government has provided a legislated process for the early termination of land use contracts when the local government has adopted a zoning bylaw that will apply to the land at the time the termination bylaw comes into force;

THEREFORE, BE IT RESOLVED THAT as the underlying A1 – Agriculture 1 zone for the subject properties under Land Use Contract LUC77-1023 outlined in 'Schedule A' does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

THAT Application No. LUCT19-0027 to terminate LUC77-1023 from properties identified in 'Schedule A', located on Kyndree Court, Prince Edward Drive & Clifton Road North, Kelowna, B.C. be considered by Council;

AND THAT Rezoning Application No. Z19-0096 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule B', located on Kyndree Court & Prince Edward Drive, Kelowna, BC from the A1 – Agriculture 1 zone to the RR1 – Rural Residential 1 zone be considered by Council;

AND THAT Rezoning Application No. Z19-0096 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for properties identified in 'Schedule C', located on Kyndree Court & Prince Edward Drive, Kelowna, BC from the A1 – Agriculture 1 zone to the RR2 – Rural Residential 2 zone be considered by Council;

AND THAT the Land Use Contract Termination Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council waives the 300 meter notification mail out of Land Use Contract Terminations;

AND FURTHER THAT Council, in accordance with the *Local Government Act* s.464(2), waive the Public Hearing for Zoning Bylaw No. 12039.

Carried

4.7 Kyndree Ct, Prince Edward Dr, Clifton Rd N - BL12038 (LUCT19-0027) - Multiple Owners

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0473/20/06/22 THAT Bylaw No. 12038 be read a first time.

Carried

4.8 Kyndree Ct, Prince Edward Dr, Clifton Rd N - BL12039 (Z19-0096)

Moved By Councillor DeHart/Seconded By Councillor Donn

R0474/20/06/22 THAT Bylaw No. 12039 be read a first time.

Carried

4.9 Underhill St 1940, 1960 - Z18-0071 (BL12061) - 1940 Underhill Developments Corp., Inc. No. BC1159386

Staff:

- Provided an overview of the application and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0475/20/06/22 THAT Rezoning Application No. Z18-0071 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1 & 2, District Lot 4646 & 127, ODYD, Plan EPP101738 located at 1940 and 1960 Underhill Rd, Kelowna, BC from the A1 – Agriculture 1 zone and C6 – Regional Commercial zone to the C4 – Urban Centre Commercial zone as shown on Map "A" attached to the Report from the Development Planning Department dated June 22nd 2020, 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 FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Carried

- 4.10 Underhill St 1940, 1960 - BL12061 (Z18-0071) - 1940 Underhill Developments Corp., Inc. No. BC1159386**

Moved By Councillor Donn/Seconded By Councillor DeHart

R0476/20/06/22 THAT Bylaw No. 12061 be read a first time.

Carried

- 4.11 Supplemental Report - Gordon Dr 4382 - Z20-0015 (BL12049) - Amanda and Donald Maccormack - Correspondence Received**

Moved By Councillor DeHart/Seconded By Councillor Donn

R0477/20/06/22 THAT Council receives, for information, the report from the Office of the City Clerk dated June 22, 2020 with respect to the summary of correspondence received for Zoning Bylaw No. 12049;

AND FURTHER THAT Rezoning Bylaw No. 12049 be forwarded for further reading consideration.

Carried

- 4.12 Gordon Dr 4382 - BL12049 (Z20-0015) - Amanda and Donald Maccormack**

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0478/20/06/22 THAT Bylaw No. 12049 be read a second and third time.

Carried

5. Bylaws for Adoption (Development Related)

- 5.1 BL12030 (TA20-0014) - Amendment to Fencing Regulations**

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0479/20/06/22 THAT Bylaw No. 12030 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

- 6.1 Update on Environmental Protection Council Priority**

Staff:

- Displayed a PowerPoint Presentation summarizing environmental protection and climate action initiatives and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0480/20/06/22 THAT Council receives, for information, the report from Policy & Planning, dated June 22, 2020, with respect to an update on Council's Environmental Protection Priorities.

AND THAT Council directs staff to investigate the resource and financial implications to accelerate progress on the actions outlined in the Community Climate Action Plan.

AND FURTHER THAT Council directs staff to provide an update on the status of the Sustainable Development Goals related to protecting the environment once the report is complete.

Carried

6.2 Flood Mitigation and Management Project Review

Staff:

- Displayed a PowerPoint Presentation outlining the on-going flood mitigation and management work being done in the City and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Singh

R0481/20/06/22 THAT Council receives for information, the report from Infrastructure Engineering dated June 22, 2020, with respect to the Flood Mitigation and Management Project Review.

Carried

6.3 Shared E-scooters in Downtown Kelowna

Staff:

- Provided an overview of the proposed restrictions to the shared E-scooter services in downtown Kelowna and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Singh

R0482/20/06/22 THAT Council receives for information, the report from the Integrated Transportation Department, dated June 22, 2020, with regard to shared e-scooters in downtown Kelowna;

AND THAT Council direct staff to prohibit shared e-scooter services from operating within and along the Waterfront Walkway from the Bennett Bridge to the Rotary Marsh and on Bernard Avenue for the length and duration of the temporary closure, once shared e-scooters return to regular operation in Kelowna.

Defeated

Mayor Basran, Councillors Donn, Given and Wooldridge - Opposed

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0483/20/06/22 THAT Council directs staff to report back with the implications of creating an RFP for exclusivity of a multi modal fleet including e-scooters and e-bikes for the 2021 season.

Carried

Mayor Basran and Councillor Given - Opposed

7. Mayor and Councillor Items

Councillor Donn:

- Spoke to the funding needed from Interior Health for a second PACT team to become operational.
- Acknowledged some of the local swimming tragedies over the past few days.

Councillor Wooldridge:

- Agreed with Councillor Donn's comments regarding funding of a second PACT team.

8. Termination

This meeting was declared terminated at 4:40 p.m.

Mayor Basran

/acm



City Clerk

DRAFT