



City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 18, 2021
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Brad Sieben*, Mohini Singh and Loyal Wooldridge

Members participating remotely Councillors Charlie Hodge and Luke Stack*

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Urban Planning Manager, Jocelyn Black*; Planner Specialist, Wesley Miles*; Planner, Tyler Caswell*; Planner, Aaron Thibeault*; Planner, Arlene Janousek*; Business License Manager, Greg Wise*; Mobility Specialist, Matt Worona*; Long Range Policy Planning Manager, James Moore*; Purchasing Manager, Darren Tompkins*; Divisional Director, Infrastructure, Alan Newcombe*

Staff participating remotely Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:32 p.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 Provincial Health Officer Order regarding gatherings and events, the public is currently not permitted to attend Council meetings in-person. 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 Donn

R0061/20/01/18 THAT the Minutes of the Regular Meetings of January 11, 2021 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Leathead Rd 460 and Fraser Rd 605 - OCP20-0013 (BL12129) Z20-0066 (BL12130) - Brenda Lou Marie Gibson, 1032308 Alberta Ltd

Staff:

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

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0062/20/01/18 THAT Official Community Plan Map Amendment Application No. OCP20-0013 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located at 460 Leathead Road, Kelowna, BC and Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan 12434, located at 605 Fraser Road, Kelowna, BC from the S2RES - Single / Two Unit Residential designation to the MRL – Multiple Unit Residential (Low Density) designation, be considered by Council

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;>
from the RU1 – Large Lot 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 Schedule "A" attached to the Report from the Development Planning Department dated January 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

3.2 Leathead Rd 460 and Fraser Rd 605 - BL12129 (OCP20-0013) - Brenda Lou Marie Gibson, 1032308 Alberta Ltd

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0063/20/01/18 THAT Bylaw No. 12129 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

3.3 Leathead Rd 460 and Fraser Rd 605 - BL12130 (Z20-0066) - Brenda Lou Marie Gibson, 1032308 Alberta Ltd

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0064/20/01/18 THAT Bylaw No. 12130 be read a first time.

Carried

3.4 Clement Ave 1089 1095 - Z20-0070 (BL12140) - Karambir Singh Kler and Amarjit Kaur Kler

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Singh

R0065/20/01/18 THAT Rezoning Application No. Z20-0070 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 138 ODYD Plan 4766 and Lot 2 District Lot 138 ODYD Plan 6216 located at 1095 and 1089 Clement Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM4 – Transitional Low Density Housing zone, 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 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 January 18, 2021;

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

3.5 Clement Ave 1089 1095 - BL12140 (Z20-0070) - Karambir Singh Kler and Amarjit Kaur Kler

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0066/20/01/18 THAT Bylaw No. 12140 be read a first time.

Carried

3.6 TA20-0021 (BL12150) - HD3 - Health Services Transitional Zone - City of Kelowna

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Donn

R0067/20/01/18 THAT Zoning Bylaw Text Amendment Application No. TA20-0021 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated January 18, 2021 be considered by Council;

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

Carried

3.7 BL12150 (TA20-0021) - HD3 - Health Services Transitional Zone - City of Kelowna

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0068/20/01/18 THAT Bylaw No. 12150 be read a first time.

Carried

3.8 Royal Ave 480 - Z20-0059 (BL12142) - W Squared Ventures Inc., Inc. No. BC1258050

Staff:

- Displayed a PowerPoint Presentation summarizing the application

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0069/20/01/18 THAT Rezoning Application No. Z20-0059 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, District Lot 14, Osoyoos Division Yale District, Plan 7535, located at 480 Royal Avenue, Kelowna, BC from the RU1 - Large Lot Housing zone to the HD3 - Health Services Transitional zone, be considered by Council;

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 January 18, 2021;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Heritage Alteration Permit for the subject property.

Carried

3.9 Royal Ave 480 - BL12142 (Z20-0059) - W Squared Ventures Inc., Inc. No. BC1258050

Moved By Councillor Given/Seconded By Councillor Singh

R0070/20/01/18 THAT Bylaw No. 12142 be read a first time.

Carried

3.10 Benvoulin Rd 2269-2279 - HD20-0002 (BL12143) - Central Okanagan Heritage Society, Inc. No. 175185

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Hodge

R0071/20/01/18 THAT Council consider a Bylaw for a Heritage Designation of the site commonly known as "Benvoulin Heritage Park" and for the building envelope as set out in Schedule 'A' as attached to the Report from the Community Planning Department for the property legally known as Parcel A (KN69976) Block 7 District Lot 130 ODYD Plan 415B, located at 2269-2279 Benvoulin Road, Kelowna, BC, as a Municipal Heritage Site pursuant to Section 611 of the Local Government Act;

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

Carried

3.11 Benvoulin Rd 2269-2279 - BL12143 (HD20-0002) - Central Okanagan Heritage Society, Inc. No. 175185

Moved By Councillor Singh/Seconded By Councillor Given

R0072/20/01/18 THAT Bylaw No. 12143 be read a first time.

Carried

3.12 Text Amendment No. TA20-0023 (BL12144) - City of Kelowna

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Given

R0073/20/01/18 THAT Zoning Bylaw Text Amendment Application TA20-0023 to amend City of Kelowna Zoning Bylaw No. 8000 as indicated in Schedule A and outlined in the Report from the Development Planning Department dated December 7, 2020 be considered by Council;

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

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

Carried

3.13 BL12144 (TA20-0023) - City of Kelowna

Moved By Councillor Given/Seconded By Councillor Singh

R0074/20/01/18 THAT Bylaw No. 12144 be read a first time.

Carried

3.14 Springfield Rd 1585, TA20-0025 (BL12017) - Springfield Plaza Inc., Inc. No. BC0479374

Councillor Sieben declared a conflict of interest as he provides insurance services to the applicant and departed the meeting at 2:16 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Singh

R0075/20/01/18 THAT Bylaw No. 12017 be forwarded for rescindment consideration and the bylaw file be closed;

AND THAT Zoning Bylaw Text Amendment Application No. TA20-0025 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule 'A' attached to the Report from the Development Planning Department dated January 18, 2021 for Lot A District Lot 129 ODYD Plan KAP70110 located at 1585 Springfield Road be considered by Council;

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

AND FURTHER THAT final adoption of the Text Amendment Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Carried

- 3.15 Springfield Rd 1585, BL12017 (TA20-0012) - Springfield Plaza Inc. Inc. No. BCo479374**

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0076/20/01/18 THAT Bylaw No. 12017 be rescinded at first reading.

- 3.16 Springfield Rd 1585, BL12145 (TA20-0012) - Springfield Plaza Inc., Inc. No. BCo479374**

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0077/20/01/18 THAT Bylaw No. 12145 be read a first time.

Carried

Councillor Sieben rejoined the meeting at 2:20 pm

- 3.17 (W OF) Hwy 97 N - OCP19-0006 (BL12151) and Z19-0108 (BL12152) - 1207431 B.C. Ltd., Inc. No. BC1207431**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Given

R0078/20/01/18 THAT Official Community Plan Map Amendment Application No. OCP19-0006 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation for a portion of Lot 1 Section 2 Township 23 Plan EPP76079 located at (W OF) Highway 97 North, Kelowna, BC from the PARK - Major Park/Open Space (public) and S2RES – Single/Two Unit Residential designations to the IND - Industrial designation, as shown on Map “A” attached to the Report from the Development Planning Department dated January 18, 2021 be considered by Council;

AND THAT Rezoning Application No. Z19-0108 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for a portion of Lot 1 Section 2 Township 23 Plan EPP76079 located at (W OF) Highway 97 North, Kelowna, BC from the A1 – Agriculture 1 zone to the I1 – Business Industrial zone, as shown on Map “B” attached to the Report from the Development Planning Department dated January 18, 2021 be considered by Council;

AND THAT the Official Community Plan Amendment and Rezoning Bylaws 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 January 18, 2021;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review by the Approving Officer;

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

3.18 (W OF) Hwy 97 N - BL12151 (OCP19-0006) - 1207431 B.C. Ltd., Inc. No. BC1207431

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0079/20/01/18 THAT Bylaw No. 12151 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

3.19 (W OF) Hwy 97 N - BL12152 (Z19-0108) - 1207431 B.C. Ltd., Inc. No. BC1207431

Moved By Councillor Dehart/Seconded By Councillor Sieben

R0080/20/01/18 THAT Bylaw No. 12152 be read a first time.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Inter Community Mobile Business Licence Amendment Bylaw

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed amendments to the Mobile Business Licence Bylaw and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

R0081/20/01/18 THAT Council receives, for information, the report from the Business Licensing Manager dated January 18, 2021, regarding the Inter-Community Mobile Business Licence Bylaw Amendment;

AND THAT Bylaw No. 12096 being Amendment No. 1 to the Inter-Community Mobile Business Licence Bylaw no. 9900 be forwarded for reading consideration;

AND FURTHER THAT Council directs staff to give notice by placing an advertisement in City In-Action to allow written comments from the public to be submitted to the Business Licence Manager no later than 4pm on February 16, 2021.

Carried

Moved By Councillor DeHart/Seconded By Councillor Hodge

R0082/20/01/18 THAT Bylaw No. 12096 be amended by removing item 1 THAT all references to "Intercommunity" in the bylaw be changed to "inter-Municipal".

Carried

4.2 BL12096 - Amendment No. 1 to the Intercommunity Mobile Business Licence Bylaw No. 9900

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0083/20/01/18 THAT Bylaw 12096, as amended, be read a first, second and third time.

Carried

4.3 ICIP COVID-19 Resilience Infrastructure Stream Grant

Staff:

- Provided an over of the grant application for the Rutland to Okanagan Rail Trail Shared Pathway project.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0084/20/01/18 THAT Council receives for information the report from the Integrated Transportation Department dated January 18, 2021, regarding the ICIP COVID-19 Resilience Infrastructure Stream Grant Application;

AND THAT Council directs staff to apply for grant funding under the ICIP COVID-19 Resilience Infrastructure Stream and provide overall grant management, if successful;

AND THAT the City of Kelowna supports the project and commits to any associated ineligible costs and potential overruns related to the project, funded through the 2021 Provisional budget;

AND FURTHER THAT the 2021 Financial Plan be amended to include grant funding from the ICIP's COVID-19 Resilience Infrastructure Stream if the application is successful.

Carried

4.4 Affordable Housing Land Acquisition Strategy

Councillor Stack declared a perceived conflict of interest for items 4.4, 5.1 and 5.4 as his employer applies for affordable housing grants from time to time and departed the meeting at 2:40 p.m.

Staff:

- Displayed a PowerPoint Presentation outlining the Affordable Housing Land Acquisition Strategy and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

R0085/20/01/18 THAT Council receives, for information, the report from the Policy & Planning Department dated January 18, 2021, with respect to the Affordable Housing Land Acquisition Strategy;

AND THAT Council direct the City Manager to consider budget requests relating to the Affordable Housing Land Acquisition Strategy as part of the 2022 Financial Plan.

Carried

Councillor Stack rejoined the meeting at 3:01 p.m.

4.5 Rescindment of Council Policy No. 160

Staff:

- Displayed a PowerPoint Presentation outlining the current policy and proposed modernization of the policy and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Stack

R0086/20/01/18 THAT Council receives, for information, the report from Purchasing, dated January 18, 2021, regarding Council Policy 160;

AND THAT Council Policy No. 160, being the Bonding Requirements For All Construction And Servicing Contracts Policy, be rescinded as outlined in the Report from Purchasing, dated January 18, 2021.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1 Underhill St 1960 - Housing Agreement Authorization BL12118 - 1940 Underhill Developments Corp., Inc. No. BC1159386

Councillor Stack declared a perceived conflict of interest as his employer applies for affordable housing grants from time to time and departed the meeting at 3:07 p.m.

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0087/20/01/18 THAT Bylaw No. 12118 be adopted.

Carried

Councillor Stack rejoined the meeting at 3:07 p.m.

5.2 BL12119 - Amendment No. 6 to Active Living and Culture Fees and Charges Bylaw No. 9609

Moved By Councillor Donn/Seconded By Councillor DeHart

R0088/20/01/18 THAT Bylaw No. 12119 be adopted.

Carried

5.3 BL12124 - Amendment No. 1 to the Kelowna Memorial Cemetery Bylaw No. 11664

Moved By Councillor DeHart/Seconded By Councillor Donn

R0089/20/01/18 THAT Bylaw No. 12124 be adopted.

Carried

5.4 Lawson Ave 1094 - BL12131 - Repeal Housing Agreement Bylaw No. 9713

Councillor Stack declared a perceived conflict of interest as his employer applies for affordable housing grants from time to time and departed the meeting at 3:08 p.m.

Moved By Councillor Donn/Seconded By Councillor DeHart

R0090/20/01/18 THAT Bylaw No. 12131 be adopted.

Carried

Councillor Stack rejoined the meeting at 3:08 p.m.

6. Mayor and Councillor Items

Councillor Donn:

- Inquired whether the Province is meeting with Mayor Basran annually regarding the Speculation Tax.

Mayor Basran:

- Confirmed the Province has requested feedback; the City has drafted a letter to respond that will also be circulated to Council.

Councillor Hodge:

- Commended the Mayor and staff for hosting the City's first electronic Public Hearing.

Mayor Basran:

- Reminder that the January 19, 2021 Public Hearing begins at 4:00 p.m.

7. Termination

This meeting was declared terminated at 3:11 p.m.

Mayor Basran

lb/acm



Deputy City Clerk