



City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 26, 2021
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Members participating remotely Councillors Ryan Donn, Charlie Hodge and Luke Stack

Members Absent Councillor Mohini Singh

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community & Neighbourhood Services Manager, Mariko Siggers*; Divisional Director, Active Living & Culture, Jim Gabriel*; Divisional Director, Planning & Development Services, Ryan Smith*, Urban Planning Manager, Jocelyn Black*; Planner, Tyler Caswell*; Planner Specialist, Alex Kondor*; Planner, Andrew Ferguson*; Event Development Supervisor, Chris Babcock*; Real Estate Department Manager, Johannes Saufferer*; Property Officer, Tracey Hillis*; Divisional Director, Infrastructure, Alan Newcombe*; Infrastructure Delivery Department Manager, Brian Beach*; Parks & Buildings Planning Manager, Robert Parlane*; Divisional Director, Financial Services, Genelle Davidson*; Financial Planning Manager, Kevin Hughes*; Budget Supervisor, Melanie Antunes*

Staff participating remotely Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:33 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 Hodge

R0444/21/04/26 THAT the Minutes of the Regular Meetings of April 19, 2021 be confirmed as circulated.

Carried

3. Committee Reports

3.1 46th Annual Civic and Community Awards Announcement

Staff:

- Displayed a PowerPoint Presentation and video introducing the finalists for Young Citizen of the Year, Citizen of the Year and Anita Tozer Awards.

Mayor Basran announced the following winners:

Young Citizen of the Year Award - Tian Whitehead
 Citizen of the Year Award - Elaine McMurray
 Anita Tozer Award - Rolli Cacchioni

4. Development Application Reports & Related Bylaws

4.1 Pooley Rd 3201 - A20-0004 FH20-0004 - 1035617 BC Ltd., Inc.No.1035617

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Given

R0445/21/04/26 THAT Agricultural Land Reserve Appeal No. A20-0004 for Lot 3 Section 10 Township 26 ODYD Plan 790 located at 3201 Pooley 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. FH20-0004 for Lot 3 Section 10 Township 26 ODYD Plan 790 located at 3201 Pooley Road, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A20-0004;
2. The dimensions and siting of the building to be constructed on the land in accordance with Schedule A;
3. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule B;
4. A vegetated buffer is provided for screening adjacent property lines and between the temporary farm worker housing and active farming areas in accordance with Schedule C;
5. The applicant is required to post the City a Landscape Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscape buffer, as determined by a professional landscaper;
6. 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 Teasdale Rd 1454 - A21-0002 - Kulwant and Parminder Hans

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

Ro446/21/04/26 THAT Agricultural Land Reserve Appeal No. A21-0002 for Lot A, Section 23, Township 26, ODYD, Plan 4697 Except Plans H12752 and KAP78750 located at 1454 Teasdale 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.

Carried

4.3 Gerstmar Rd 605 - Z20-0081 (BL12112) - Waiver of Condition of Adoption

Moved By Councillor Wooldridge/Seconded By Councillor Donn

Ro447/21/04/26 THAT Council waives the requirement for Schedule A: City of Kelowna Memorandum to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 12112;

AND THAT Final Adoption of Rezoning Bylaw No. 12112 be considered by Council.

Carried

4.4 Gerstmar Rd 605 - BL12112 (Z20-0081) - Gurmit Singh Mann & Jagraj Singh Gill

Moved By Councillor Wooldridge/Seconded By Councillor Given

Ro448/21/04/26 THAT Bylaw No. 12112 be adopted.

Carried

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

Moved By Councillor Given/Seconded By Councillor Wooldridge

Ro449/21/04/26 THAT Bylaw No. 11799 be adopted.

Carried

4.6 Laurier Ave 934 - DP18-0193 - 1079687 BC Ltd., Inc. No. BC1079687

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0450/21/04/26 THAT Council waives the requirement for a Development Variance Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11799;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0193 for Lot 4 District Lot 138 ODYD, Plan 2819, located at 934 Laurier Avenue, 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

4.7 Baron Rd 2025, 2125 and Leckie Rd 1830, 1880 - BL12122 (OCP19-0007) - Victor Projects Ltd., No. BC1050457

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0451/21/04/26 THAT Bylaw No. 12122 be adopted.

Carried

4.8 Baron Rd 2025, 2125 and Leckie Rd 1830, 1880 - BL12123 (Z19-0115) - Victor Projects Ltd., No. BC1050457

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0452/21/04/26 THAT Bylaw No. 12123 be adopted.

Carried

4.9 Baron Rd 2125 and 2205, Leckie Rd 1830 and 1880, and Underhill St 1901 - DP19-0184 - DP19-0185 - Victor Projects Ltd

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Given

R0453/21/04/26 THAT Council authorizes the issuance of Development Permit No. DP19-0184 for:

Lot 2, District Lot 126, ODYD Plan KAP59203, located at 2125 Baron Road;

Lot 3, District Lot 126, ODYD Plan KAP59203, located at 2205 Baron Road;
 Lot 1, District Lot 126, ODYD Plan KAP59203, located at 1830 Leckie Road; and
 Lot B, District Lot 126, ODYD Plan KAP56817, located at 1880 Leckie 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 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 Council authorizes the issuance of Development Permit No. DP19-0185 for:

Lot 1, District Lots 126, 127 and 142, ODYD, Plan KAP74479, located at 1901 Underhill Street; 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

Councillors Hodge and Wooldridge - Opposed

5. Bylaws for Adoption (Development Related)

5.1 Hwy 97 N 3646-3652 - BL12160 (LUCT20-0009) - BCJ Properties Ltd., Inc. No. 472355

Moved By Councillor Wooldridge/Seconded By Councillor Given

Ro454/21/04/26 THAT Bylaw No. 12160 be adopted.

Carried

5.2 Hwy 97 N 3646-3652 - BL12161 (Z20-0074) - BCJ Properties Ltd., Inc. No. 472355

Moved By Councillor Given/Seconded By Councillor Wooldridge

Ro455/21/04/26 THAT Bylaw No. 12161 be adopted.

Carried

5.3 Multiple Addresses - BL12180 (Z21-0006) - Multiple Owners

Moved By Councillor Given/Seconded By Councillor Wooldridge

Ro456/21/04/26 THAT Bylaw No. 12180 be adopted.

Carried

6. Non-Development Reports & Related Bylaws

6.1 2021 Bernard Avenue Sidewalk Seating Program

Councillor Sieben declared a conflict of interest for Items 6.1 and 6.2 due to interests in businesses that may be impacted by each initiative and departed the meeting at 2:21 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the activities related to the potential implementation of the sidewalk seating program on Bernard Avenue and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro457/21/04/26 THAT Council receive, for information, the report from Sport & Event Services dated April 26, 2021 regarding the activities related to the implementation of the sidewalk seating program on Bernard Avenue;

AND THAT Council approve the implementation of the sidewalk seating program, as described in this report, on Bernard Avenue.

Carried

6.2 Cannery Laneway Initiative

Staff:

- Displayed a PowerPoint Presentation outlining the Cannery Laneway Initiative Program and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

Ro458/21/04/26 THAT Council receives, for information, the report from the Public Works and Real Estate departments dated April 26, 2021, with respect to the Cannery Laneway Initiative;

AND THAT the 2021 Financial Plan be amended to include the annual revenues for the Cannery Laneway once determined, with an offsetting amount contributed to reserves.

Carried

Councillor Sieben rejoined the meeting at 3:02 p.m.

6.3 2021 Infrastructure Delivery Spring Update

Staff:

- Displayed a PowerPoint Presentation summarizing the Capital Construction Projects and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

Ro459/21/04/26 THAT Council receives for information, the report from Infrastructure Delivery dated April 26, 2021, with respect to the 2021 Infrastructure Delivery Spring Update.

Carried

6.4 2021 Financial Plan - Final Budget

Staff:

- Displayed a PowerPoint Presentation outlining the 2021 Final Budget submissions and 2021-2025 Financial Plan and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

Ro460/21/04/26 THAT Council adopts the 2021-2025 Financial Plan;

AND THAT Council approves the formulation of 2021 Property Tax Rates that will raise the required funds in 2021, from General Taxation, in the amount of \$157,735,983, resulting in an average net property owner impact of 4.04 per cent;

AND THAT Bylaw No. 12198 being the 2021-2025 Five Year Financial Plan, 2021 be advanced for reading consideration;

AND THAT Bylaw No. 12199 being the Tax Structure Bylaw, 2021 be advanced for reading consideration;

AND THAT Bylaw No. 12200 being the Annual Tax Rates Bylaw, 2021 be advanced for reading consideration;

AND THAT Bylaw No. 12201 being the DCC Reserve Fund Expenditure Bylaw, 2021 be advanced for reading consideration;

AND FUTHER THAT Bylaw No. 12202 being the Sale of City Owned Land Reserve Fund Expenditure Bylaw, 2021 be advanced for reading consideration.

Carried

6.5 BL12198 - Five Year Financial Plan Bylaw 2021 - 2025

Moved By Councillor Sieben/Seconded By Councillor DeHart

Ro461/21/04/26 THAT Bylaw No. 12198 be read a first, second and third time.

Carried

6.6 BL12199 - Tax Structure Bylaw 2021

Moved By Councillor DeHart/Seconded By Councillor Sieben

Ro462/21/04/26 THAT Bylaw No. 12199 be read a first, second and third time.

Carried

6.7 BL12200 - Annual Tax Rate Bylaw 2021

Moved By Councillor Sieben/Seconded By Councillor DeHart

Ro463/21/04/26 THAT Bylaw No. 12200 be read a first, second and third time.

Carried

6.8 BL12201 - Development Cost Charge Reserve Fund Expenditure Bylaw

Moved By Councillor DeHart/Seconded By Councillor Sieben

Ro464/21/04/26 THAT Bylaw No. 12201 be read a first, second and third time.

Carried

6.9 BL12202 - Sale of City-Owned Land Reserve Fund

Moved By Councillor Sieben/Seconded By Councillor DeHart

Ro465/21/04/26 THAT Bylaw No. 12202 be read a first, second and third time.

Carried

6.10 Amendment No. 11 to Development Application Fees Bylaw No. 10560 (BL12173)

Staff:

- Displayed a PowerPoint Presentation summarizing the amendments to the Development Application Fees bylaw.

Moved By Councillor DeHart/Seconded By Councillor Given

Ro466/21/04/26 THAT Council, receives, for information, the Report from the Development Planning Department dated April 26, 2021 recommending that Council amend the City of Kelowna Development Application Fees Bylaw No. 10560;

AND THAT Bylaw No. 12173 being Amendment No. 11 to the Development Application Fees Bylaw No. 10560 be forwarded for reading consideration.

Carried

6.11 BL12173 - Amendment No. 11 to Development Application Fees Bylaw No. 10560

Moved By Councillor DeHart/Seconded By Councillor Sieben

Ro467/21/04/26 THAT Bylaw No. 12173 be read a first, second and third time.

Carried

6.12 Contract for Dispatch for Regional District of East Kootenay

The item was withdrawn and will be placed on the May 10, 2021 afternoon Agenda.

7. Bylaws for Adoption (Non-Development Related)

7.1 BL12197 Amendment No. 1 to the Five Year Financial Plan 2020-2024 Bylaw No. 12011

Moved By Councillor Sieben/Seconded By Councillor DeHart

Ro468/21/04/26 THAT Bylaw No. 12197 be adopted.

Carried

7.2 BL12187 Sterile Insect Release Program Parcel Tax Bylaw 2021

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0469/21/04/26 THAT Bylaw No. 12187 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Sieben:

- Made comments on the impacts of COVID-19 on local sports such as youth soccer and noted some organizations have also had to cancel their 2021 season.

Councillor Hodge:

- Encouraged citizens to be vaccinated.

Councillor Donn:

- Acknowledged the Federal Government Budget and emphasis on child care funding.

Councillor Stack:

- Encouraged citizens to keep safe and to stay focused on Covid-19 restrictions and to get vaccinated.

Mayor Basran:

- Made comment that April 28th is National Day of Mourning for workplace death or occupational disease.

9. Termination

This meeting was declared terminated at 4:34 p.m.

Mayor Basran

/acm



City Clerk