



City of Kelowna Regular Council Meeting Minutes

Date: Monday, April 12, 2021
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Members participating remotely Councillors Charlie Hodge, Luke Stack and Loyal Wooldridge

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, Corporate and Protective Services, Stu Leatherdale*; Community Safety Director, Darren Caul*; Divisional Director, Planning & Development Services, Ryan Smith*, Urban Planning Manager, Jocelyn Black*; Planner, Tyler Caswell*; Sport & Event Services Manager, Doug Nicholas*; Strategic Transportation Planning Manager, Mariah VanZerr*; Mobility Specialist, Matt Worona*; Partnership Manager, Sandra Kochan*; Property Management Manager, JoAnne Adamson*; Deputy City Clerk, Laura Bentley*

Staff participating remotely Legislative Coordinator (Confidential), Arlene McClelland

Guests participating remotely Superintendent Kara Triance*, OIC Kelowna Detachment RCMP and Inspector Beth McAndie*

(* 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.

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.

Mayor Basran acknowledged the passing of Prince Phillip, the Duke of Edinburgh, and to pay respect the City will position the flag half-mast from dawn to dusk on Saturday, April 17th.

2. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor Hodge

R0374/21/04/12 THAT the Minutes of the Regular Meetings of March 22, 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 Teen Honour in the Arts, Honour in the Arts and the Bob Giordano Memorial Awards.

Mayor Basran announced the following winners:

Teen Honour in the Arts Award - Julius Brooker
Honour in the Arts Award - Karma Lacroff Nieoczym
Bob Giordano Memorial Award - Meghan Faust

4. Reports

4.1 Kelowna RCMP's 2021-24 Strategic Plan

Superintendent Kara Triance

- Displayed a PowerPoint Presentation summarizing the Kelowna RCMP 2021-2024 Strategic Plan, introduced Inspector Beth McAndie, and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0375/21/04/12 THAT Council receives for information the report from the RCMP dated April 12, 2021 regarding the RCMP 2021-24 Strategic Plan.

Carried

Moved By Councillor Donn/Seconded By Councillor DeHart

R0376/21/04/12 THAT Council direct the Superintendent to include the number of traffic tickets issued as part of the RCMP quarterly report.

Carried

5. Development Application Reports & Related Bylaws

5.1 Lakeshore Rd 4346 - LUCT20-0014 (BL12135) Z20-0101 (BL12136) - British Columbia Telephone Company, Inc. No. 1801A

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0377/21/04/12 THAT Land Use Contract Termination Application No. LUCT20-0101 to terminate LUC76-1090 from Lot A District Lot 167 ODYD Plan 27865, located at 4346 Lakeshore Road, Kelowna, B.C., be considered by Council;

AND THAT Rezoning Application No. Z20-0101 to amend the City of Kelowna Zoning Bylaw no. 8000 by changing the zoning classification of Lot A District Lot 167 ODYD Plan 27865, located at 4346 Lakeshore Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the P4 – Utilities zone be considered by Council;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's Boulevard;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

Carried

5.2 Lakeshore Rd 4346 - BL12135 (LUCT20-0014) - British Columbia Telephone Company, Inc. No. 1801A

Moved By Councillor Given/Seconded By Councillor Singh

R0378/21/04/12 THAT Bylaw No. 12135 be read a first time.

Carried

5.3 Lakeshore Rd 4346 - BL12136 (Z20-0101) - British Columbia Telephone Company, Inc. No. 1801A

Moved By Councillor Singh/Seconded By Councillor Given

R0379/21/04/12 THAT Bylaw No. 12136 be read a first time.

Carried

5.4 Bulman Rd 3770 - LUCT20-0015 (BL12137) - City of Kelowna

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Hodge

R0380/21/04/12 THAT Land Use Contract Termination Application No. LUCT20-0015 to terminate LUC77-1057 from Lot A District Lot 122 and Section 11 Township 23 ODYD Plan 40375, located at 3770 Bulman Road, Kelowna, BC, be considered by Council;

AND THAT Council waive the development sign requirement under Public Notification & Consultation for Development Application No. 367;

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

Carried

5.5 Bulman Rd 3770 - BL12137 (LUCT20-0015) - City of Kelowna

Moved By Councillor Given/Seconded By Councillor Singh

R0381/21/04/12 THAT Bylaw No. 12137 be read a first time.

Carried

5.6 TA20-0015 (BL12193) - Health District Rental Only Subzones - City of Kelowna

Staff:

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

Moved By Councillor Given/Seconded By Councillor Donn

R0382/21/04/12 THAT Zoning Bylaw Text Amendment Application No. TA20-0015 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated April 12, 2021, be considered by Council;

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

Carried

5.7 BL12193 (TA20-0015) - Health District Rental Only Subzones - City of Kelowna

Moved By Councillor Singh/Seconded By Councillor Given

R0383/21/04/12 THAT Bylaw No.12193 be read a first time.

Carried

5.8 DeHart Rd 855 - Z20-0080 (BL12204) - Diane Maggie Jane Gatley

Staff:

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

Moved By Councillor Donn/Seconded By Councillor Given

R0384/21/04/12 THAT Rezoning Application No. Z20-0080 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 45 District Lot 358 ODYD Plan 40481, located at 855 DeHart Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to 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 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 April 12, 2021;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of the Preliminary Layout Review Letter by the Approving Officer.

Carried

5.9 DeHart Rd 855 - BL12204 (Z20-0080) - Diane Maggie Jane Gatley

Moved By Councillor Given/Seconded By Councillor Singh

R0385/21/04/12 THAT Bylaw No 12204 be read a first time.

Carried

5.10 Supplemental Report - Multiple Addresses - Z21-0006 (BL12180) - Multiple Owners

Moved By Councillor Donn/Seconded By Councillor DeHart

R0386/21/04/12 THAT Council receives, for information, the report from the Office of the City Clerk dated April 12, 2021 with respect to the summary of correspondence received for Zoning Bylaw No. 12180;

AND THAT Rezoning Bylaw No. 12180 be forwarded for further reading consideration.

Carried

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

Moved By Councillor Singh/Seconded By Councillor Given

R0387/21/04/12 THAT Bylaw No. 12180 be read a second and third time.

Carried

5.12 Rescindment of Bylaw Readings - McCurdy Road 2755 - OCP16-0004 (BL11472) Z16-0030 (BL11473)

Moved By Councillor Given/Seconded By Councillor Stack

R0388/21/04/12 THAT Council receives, for information, the Report from the Development Planning Department dated April 12, 2021, with respect to Official Community Plan No. OCP16-0004, Bylaw No. 11472 and Rezoning Application No. Z16-0030, Bylaw No. 11473, for the property located at Lot 1, District Lots 124 and 415, ODYD, Plan KAP84653, Except Plan EPP45174 and DL 415, located at 2755 McCurdy Road, Kelowna BC;

AND THAT Bylaw Nos. 11472 and 11473, be forwarded for rescindment consideration and the file be closed.

Carried

5.13 Rescinding all Readings - McCurdy Rd 2755 - BL11472 (OCP16-0004)

Moved By Councillor Given/Seconded By Councillor Singh

R0389/21/04/12 THAT first, second and third reading given to Bylaw No. 11472 be rescinded and the file be closed.

Carried

5.14 Rescinding all Readings - McCurdy Rd 2755 - BL11473 (Z16-0030)

Moved By Councillor Singh/Seconded By Councillor Given

R0390/21/04/12 THAT first, second and third reading given to Bylaw No. 11473 be rescinded and the file be closed.

Carried

5.15 Speer St 2257 2263 - Z19-0102 (BL11974) - Extension Request

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R0391/21/04/12 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Amending Bylaw No. 11974, for Lots 34 & 35, District Lot 14, Plan 413 at 2257 & 2263 Speer Street, Kelowna, BC, be extended from February 4, 2021 to February 4, 2022;

AND THAT Council directs Staff to not accept any further extension requests.

Carried

6. Bylaws for Adoption (Development Related)

6.1 Findlay Rd 1308 - BL11920 (Z18-0107) - R 547 Enterprises Ltd

Moved By Councillor Given/Seconded By Councillor Singh

R0392/21/04/12 THAT Bylaw No. 11920 be amended at third reading by deleting the legal description that read:

- Lot B Section 34 Township 26 ODYD Plan 14612

And replace it with:

- Lot A Section 34 Township 26 ODYD Plan EPP107390; and
- Lot B Section 34 Township 26 ODYD Plan EPP107390

AND by adding "1300 Findlay Road and" to the title.

Carried

Moved By Councillor Given/Seconded By Councillor Singh

R0393/21/04/12 THAT Bylaw No. 11920 as amended be adopted.

Carried

6.2 Multiple Addresses - BL11928 (OCP19-0005) - Multiple Owners

Moved By Councillor Given/Seconded By Councillor Singh

R0394/21/04/12 THAT Bylaw No. 11928 be adopted.

Carried

6.3 Multiple Addresses - BL11929 (Z19-0107) - Multiple Owners

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0395/21/04/12 THAT Bylaw No.11929 be adopted.

Carried

6.4 Ellis St. 1095, BL11962 (Z19-0071) - BMK 140 Holdings Inc., Inc. No. BC0748760

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0396/21/04/12 THAT Bylaw No. 11962 be adopted.

Carried

6.5 Moubray Rd 387 - BL12156 (Z20-0092) - Ravdeep S. Tiwana and Kulwinder K. Khatra

Moved By Councillor Donn/Seconded By Councillor DeHart

R0397/21/04/12 THAT Bylaw No. 12156 be adopted.

Carried

6.6 Cadder Ave 377 - BL12169 (Z20-0105) - Kevin O'Brien and Wendy Holt-O'Brien

Moved By Councillor Dehart/Seconded By Councillor Donn

R0398/21/04/12 THAT Bylaw No. 12169 be adopted.

Carried

7. Non-Development Reports & Related Bylaws

7.1 RU7 Infill Housing Fast Track Updates

Staff:

- Displayed a PowerPoint Presentation summarizing the fast tracked development permit process for RU7, reasons for recommending early termination and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Stack

R0399/21/04/12 THAT Council receives, for information, the report from the Development Planning Department dated April 12, 2021, with respect to the RU7 Infill Housing Fast Track program;

AND THAT Council direct staff to terminate the fast-track process as it relates to the Infill Challenge.

Carried

7.2 Strengthening Communities' Services Grant Application

Staff:

- Provided an overview of the grant for the Outdoor Sheltering Strategy and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0400/21/04/12 THAT Council receives, for information, the report from the Community Safety Department dated April 12th with respect to the UBCM Local Government Program Services for the Strengthening Communities' Services Program;

AND THAT Council directs staff to apply for grant funding for the Outdoor Sheltering Strategy through the UBCM Local Government Program Services for the Strengthening Communities' Services Program;

AND THAT Council support the current proposed activities and endorse staff to provide overall grant management;

AND THAT, if the grant application is successful, the 2021 Financial Plan be amended to include the receipt of funds.

Carried

7.3 Edith Gay Park Netting Project

Staff:

- Displayed a PowerPoint Presentation summarizing the Edith Gay Park baseball fields netting requirements and costs associated and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R0401/21/04/12 THAT Council receives for information, the report from the Sport & Event Services Manager dated April 12, 2021, with respect to the netting requirements at Edith Gay Park baseball fields;

AND THAT Council directs staff to submit a 2021 Final Budget request in the amount of \$254,754 to advance the netting project at Edith Gay Park baseball fields as outlined in the report.

Carried

7.4 Allowing e-scooters to access the road network through a Motor Vehicle Act Pilot Project

Staff:

- Displayed a PowerPoint Presentation outlining the E-scooter Pilot Project allowing access to the City's road network and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R0402/21/04/12 THAT Council receives, for information, the report from the Integrated Transportation Department dated April 12th, 2021, with respect to allowing e-scooters to access the road network through a Motor Vehicle Act Pilot Project,

AND THAT Council gives reading consideration to Bylaw No. 12138 being Amendment No. 39 to the Consolidated Traffic Bylaw No. 8120;

AND THAT Staff report back before the end of 2021 with an evaluation of the Bikeshare (Micromobility) Permit Program.

Carried

7.5 BL12183 Amendment No. 39 to Traffic Bylaw No. 8120

Moved By Councillor DeHart/Seconded By Councillor Donn

R0403/21/04/12 THAT Bylaw No. 12183 be read a first, second and third time.

Carried

7.6 BL12208 Amendment No. 27 to the Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Donn/Seconded By Councillor DeHart

R0404/21/04/12 THAT Bylaw No. 12208 be read a first, second and third time.

Carried

7.7 Unsolicited Proposal Program

Staff:

- Displayed a PowerPoint Presentation outlining the proposed Unsolicited Proposal Program to assist the City in addressing key priorities and responded to questions from Council.

Councillor Sieben left the meeting at 3:57 p.m.

Moved By Councillor Donn/Seconded By Councillor Given

R0405/21/04/12 THAT Council receives for information the report from the Partnership Office dated April 12, 2021 regarding the Unsolicited Proposal Program.

Carried

7.8 Sidewalk Seating Fee Reduction for 2021

Staff:

- Displayed a PowerPoint Presentation regarding the Sidewalk Seating Fee Reduction for 2021 due to Provincial Health Orders and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

R0406/21/04/12 THAT Council receive, for information, the Sidewalk Patio Fee Reduction report from the Real Estate department dated April 12, 2021;

AND THAT Bylaw No. 12210 being Amendment No. 40 to the Traffic Bylaw No. 8120 be forwarded for reading consideration.

Carried

7.9 BL12210 Amendment No. 40 to Traffic Bylaw No. 8120

Moved By Councillor Donn/Seconded By Councillor DeHart

R0407/21/04/12 THAT Bylaw No. 12210 be read a first, second and third time.

Carried

7.10 2021 School Trustee By-Election Officer Appointments

Staff:

- Displayed a PowerPoint Presentation regarding the appointment of Election Officers and general information regarding the upcoming School Board Trustee by-election.

Moved By Councillor Singh/Seconded By Councillor Hodge

R0408/21/04/12 THAT Council receive, for information, the report from the Office of the City Clerk, dated April 12, 2021 regarding the 2021 School Trustee By-Election Officer Appointments;

AND THAT Council appoint Laura Bentley, Deputy City Clerk as Chief Election Officer for the 2021 School Trustee By-Election;

AND THAT Council appoint Corinne Boback, Legislative Coordinator Confidential and Stephen Fleming, City Clerk as Deputy Chief Election Officers for the 2021 School Trustee By-Election;

AND FURTHER THAT the Chief Election Officer be authorized to enter into agreements with relevant third parties for the purposes of conducting the 2021 School Trustee By-Election.

Carried

8. Bylaws for Adoption (Non-Development Related)

8.1 BL12153 Amendment No. 13 to Water Regulation Bylaw No.10480

Moved By Councillor Donn/Seconded By Councillor DeHart

Staff:

- Responded to questions from Council

R0409/21/04/12 THAT Bylaw No. 11253 be adopted.

Carried

8.2 BL12182 Amendment No. 4 to the Delegation of Authority to Enter into Leases and Licences of Occupation Bylaw No. 11250

Moved By Councillor Dehart/Seconded By Councillor Given

R0410/21/04/12 THAT Bylaw No. 12182 be adopted.

Carried

9. Mayor and Councillor Items

There were no Mayor and Councillor items.

10. Termination

This meeting was declared terminated at 4:15 p.m.

Mayor Basran

City Clerk

/acm