



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, November 1, 2021
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Brad Sieben, Luke Stack and Loyal Wooldridge
Members participating remotely	Councillors Charlie Hodge and Ryan Donn
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley*; Divisional Director, Planning & Development Services, Ryan Smith*; Urban Planning Manager, Jocelyn Black*; Planner, Kimberly Brunet*; Planner, Mark Tanner*; Planner, Tyler Caswell*; Planner, Graham Allison*; Planner, Jason Issler*; Senior Airport Finance & Corporate Services Manager, Shayne Dyrdal*; Parks & Buildings Planning Manager, Robert Parlane*; Park and Landscape Planner, Stefan Johansson*; Parking Services Manager, Dave Duncan*; Utility Services Manager, Kevin Van Vliet*; Water Operations Manager, Andy Weremy*; Infrastructure Operations Department Manager, Ian Wilson*; Parks Services Manager, Blair Stewart*; Urban Forestry Technician, Tara Bergeson*
Staff participating remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:34 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, seating is limited in Council Chambers. Members of the public must remain seated unless invited to address Council.

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

R0982/21/11/01 THAT the Minutes of the Regular Meetings of October 25, 2021 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Powick Rd 1604-1620, Z21-0092 TA21-0016 - Kelowna Hwy 97 - 33 Holding Ltd Inc No BC1003626

Staff:

- Displayed a PowerPoint Presentation summarizing the application and providing rationale for non-support and responded to questions from Council.

Brian Gray, Applicant in the Gallery

- Displayed a PowerPoint Presentation.
- Provided personal background information and connection to Kelowna.
- Provided rationale for sending this application to a Public Hearing in order to receive public feedback.
- Spoke to a site survey that was completed to provide the exact distances between Cannabis Stores and believes there is no concern of clustering as there are several businesses in between combined with several streets; both stores could operate fairly and believes there is enough business there for both businesses to succeed.
- Spoke to the distance from the proposed store to the Middle School and believes the lot line to lot line distance of 337 meters is skewed because of the large play field that is not taken into account making door to door distance of 520 meters and walking distance of our store is 786 meters; unlikely a youth would walk that distance to access the store.
- Spoke to community involvement and donating to non-profits and has done so in Kelowna for the past two months.
- Made comment of letters of support from several organizations of Castlegar who can attest to our practices.

Mark Yeung, Applicant participating remotely

- Spoke to education and business background and relationship with Kelowna.
- Spoke to the practical implications of the distance requirements to their application; immense lot sizes and middle school field.
- Raised doubts as to whether all of the outstanding cannabis licences will be issued by the Province due to failed security screening and operating capital issues.
- Made comments on the success of other existing stores.
- Made comments on community and charitable contributions and corporate responsibility.
- Responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor DeHart

R0983/21/11/01 THAT Zoning Bylaw Text Amendment Application No. TA21-0016 to amend City of Kelowna Zoning Bylaw No.8000 as outlined in the Report from the Development Planning Department dated November 1, 2021 for Lot 1 District Lot 125 Osoyoos Division Yale District Plan 18724 Except Plans KAP78413 and KAP80632 located at 1604-1620 Powick Road, Kelowna, BC NOT be considered by Council;

AND THAT Rezoning Application No. Z21-0092 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 125 Osoyoos Division Yale District Plan 18724 Except Plans KAP78413 and KAP80632, located at 1604-1620 Powick Road,

Kelowna, BC from the C₄ – Urban Centre Commercial zone to the C₄rcs – Urban Centre Commercial (Retail Cannabis Sales) zone NOT be considered by Council.

Carried

Mayor Basran, Councillors Hodge and Wooldridge - Opposed

3.2 Bechard Rd 632 - Z21-0081 (BL12293) - Daniel Emanuel Pastiu and Andria Elizabeth Pastiu

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0984/21/11/01 THAT Rezoning Application No. Z21-0081 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, District Lot 134, ODYD, Plan 30130, located at 632 Bechard Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot 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 FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.3 Bechard Rd 632 - BL12293 (Z21-0081) - Daniel Emanuel Pastiu and Andria Elizabeth Pastiu

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0985/21/11/01 THAT Bylaw No. 12293 be read a first time.

Carried

3.4 Clifton Rd 424 - Z21-0073 (BL12294) - Green Scape Holdings Ltd., Inc. No. BC1263511

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0986/21/11/01 THAT Rezoning Application Z21-0073 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, Section 31, Township 26, ODYD, Plan 17113, located at 424 Clifton Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RU1 – Large Lot 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 Application 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 November 1, 2021;

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

Carried

3.5 Clifton Rd 424 - BL12294 (Z21-0073) - Green Scape Holdings Ltd., Inc. No. BC1263511

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0987/21/11/01 THAT Bylaw No. 12294 be read a first time.

Carried

3.6 Bonjou Rd 639 - Z21-0075 (BL12295) - Kevan Kruger and Cary Dawn Kruger

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Singh

R0988/21/11/01 THAT Rezoning Application No. Z21-0075 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8 District Lot 357 SDYD Plan 18280, located at 639 Bonjou Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot 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 FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.7 Bonjou Rd 639 - BL12295 (Z21-0075) - Kevan Kruger and Cary Dawn Kruger

Moved By Councillor Given/Seconded By Councillor Singh

R0989/21/11/01 THAT Bylaw No. 12295 be read a first time.

Carried

3.8 Holland Rd 3090 - Z21-0044 (BL12296) - Rolan L Facette and Karen M Facette

Staff:

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

Moved By Councillor Given/Seconded By Councillor Hodge

R0990/21/11/01 THAT Rezoning Application No. Z21-0044 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 District Lot 131 ODYD Plan 10710 Except Plan H16127, located at 3090 Holland Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6– Two Dwelling 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

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

Carried

3.9 Holland Rd 3090 - BL12296 (Z21-0044) - Rolan L Facette and Karen M Facette

Moved By Councillor Given/Seconded By Councillor Singh

R0991/21/11/01 THAT Bylaw No. 12296 be read a first time.

Carried

3.10 Sarsons Rd 444 - Z21-0082 (BL12297) - Bruce Trevor Benedict and Ruth Marie Benedict

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Stack

R0992/21/11/01 THAT Rezoning Application No. Z21-0082 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 19 District Lot 167 ODYD Plan 8049, located at 444 Sarsons Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot 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 FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.11 Sarsons Rd 444 - BL12297 (Z21-0082) - Bruce Trevor Benedict and Ruth Marie Benedict

Moved By Councillor Singh/Seconded By Councillor Given

R0993/21/11/01 THAT Bylaw No. 12297 be read a first time.

Carried

3.12 Wardlaw Ave 602 - Z21-0034 (BL12298) - 1288537 B.C. Ltd., Inc. No. BC1288537

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0994/21/11/01 THAT Rezoning Application No. Z21-0034 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24 District Lot 14 ODYD Plan 3249, located at 602 Wardlaw Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3r – Low Density Multiple Housing (Residential Rental Tenure Only) 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 November 1st, 2021;

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

Carried

3.13 Wardlaw Ave 602 - BL12298 (Z21-0034) - 1288537 B.C. Ltd., Inc. No. BC1288537

Moved By Councillor DeHart/Seconded By Councillor Stack

R0995/21/11/01 THAT Bylaw No. 12298 be read a first time.

Carried

4. Bylaws for Adoption (Development Related)

4.1 Bernard Ave 266 - BL12249 (TA21-0012) - Macarther Ventures Inc., Inc. No. BCo684166

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0996/21/11/01 THAT Bylaw No. 12249 be adopted.

Carried

Councillor Sieben - Opposed

4.2 Bernard Ave 266 - BL12250 (Z21-0039) - Macarther Ventures Inc., Inc. No. BCo684166

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

R0997/21/11/01 THAT Bylaw No. 12250 be adopted.

Carried

Councillors DeHart and Sieben - Opposed

5. Non-Development Reports & Related Bylaws

5.1 Redefinition of City of Kelowna Boundary

Staff:

- Provided an overview of the proposed boundary adjustment adjacent to the Kelowna International Airport and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R0998/21/11/01 THAT Council receive for information the report of the Kelowna International Airport dated November 1, 2021 with respect to the redefinition of the City of Kelowna boundary;

AND THAT the Mayor, on behalf of Council, forward a letter to the Regional District of Central Okanagan regarding a City of Kelowna boundary redefinition as outlined in the report of the Kelowna International Airport dated November 1, 2021;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute all documents necessary for a City of Kelowna boundary redefinition.

Carried

5.2 Parks Master Plan

Staff:

- Introduced a new staff member Stefan Johansson, Park & Landscape Planner.
- Displayed a PowerPoint Presentation introducing the Parks Master Plan and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0999/21/11/01 THAT Council receives, for information, this report from Parks and Building Planning, dated October 25, 2021, in consideration of the Parks Master Plan framework.

Carried

5.3 Complimentary Saturday Parking - December 2021

Staff:

- Provided an overview of the complimentary on-street parking request for downtown during the month of December and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

R1000/21/11/01 THAT Council receives, for information, the report from the Parking Services department dated November 1, 2021, with respect to Complimentary Saturday On-Street Parking in December 2021;

AND THAT Council approves waiving on-street parking fees in the Downtown area on the four (4) Saturdays in December 2021.

Carried

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R1001/21/11/01 THAT Council direct staff to investigate and report back on the implications of free transit on Saturdays in the City for the month of December.

Carried

5.4 Water Regulation Bylaw No. 10480 Amendment

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed 2022 and 2023 water rates for the Kelowna Water Utility and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R1002/21/11/01 THAT Council receives, for information, the report from the Water Operations Manager dated November 1, 2021 regarding Water Rates for 2022 and 2023;

AND THAT Bylaw No. 12281 being Amendment No. 15 to Water Regulation Bylaw 10480 be forwarded for reading consideration.

Carried

5.5 BL12281 - Amendment No. 15 to Water Regulation Bylaw No. 10480

Moved By Councillor Stack/Seconded By Councillor DeHart

R1003/21/11/01 THAT Bylaw No. 12281 be read a first, second and third time.

Carried

5.6 Community Resiliency Investment (CRI) Program Funding

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Given

R1004/21/11/01 THAT Council receives, for information, the November 1, 2021 report from the Urban Forestry Technician with respect to 2022 Community Resiliency Investment (CRI) Program funding;

AND THAT Council approves staff to apply for a grant from the CRI program to continue to support wildfire fuel mitigation initiatives;

AND THAT Council supports staff to execute all documents necessary to complete the grant, if successful;

AND FURTHER THAT upon confirmation of the grant award, the 2022 Financial Plan be amended to include the receipt of up to \$150,000 from the Community Resiliency Investment Program.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL12290 - City of Kelowna Municipal and Regional District Tax Bylaw

Moved By Councillor Stack/Seconded By Councillor DeHart

R1005/21/11/01 THAT Bylaw No. 12290 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Donn:

- Encouraged citizens to look at community events and hopeful for additional information and rationale from Interior Health Authority regarding event attendance.

Councillor Wooldridge:

- Provided a Shout Out to volunteers for organizing Kelowna Pride events last week.

Councillor Singh:

- Reminder that November 4th is the Festival of Lights Celebration.

Councillor Sieben:

- Hopeful for additional information and rationale from Interior Health Authority regarding event attendance.
- Council is aware of the criminal activity that businesses and private properties are experiencing and that there are systemic reasons that need to be addressed.

Councillor DeHart:

- Spoke to their attendance at the first out of town Tourism Kelowna event in Vancouver last week.
- Will be selling Poppy's at this Saturday's Rockets Hockey Game.

Councillor Donn;

- Made comments of appreciation on the efforts of Councillor Given as Chair of the Regional District of Central Okanagan.

Councillor Given:

- Thanked Councillor Donn for his comments.

Mayor Basran:

- Received the first Poppy from the Legion last week on their 100th Anniversary of the Poppy in Remembrance and urged the public to support the Poppy campaign.
- Ballet Kelowna has events Friday and Saturday at the Community Theatre and encouraged citizens to attend.

8. Termination

This meeting was declared terminated at 3:50 p.m.

Mayor Basran

/acm

City Clerk