



## City of Kelowna Regular Council Meeting Minutes

Date:	Monday, January 10, 2022
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Deputy Mayor Ryan Donn, Councillors Maxine DeHart, Gail Given, Brad Sieben*, Mohini Singh, Luke Stack* and Loyal Wooldridge
Members participating Remotely	Councillor Charlie Hodge
Members Absent	Mayor Colin Basran
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Planner Specialist, Wesley Miles*; Project Portfolio Manager, Angie Thiessen*; Divisional Director, Corporate Strategic Services, Carla Weaden*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Long Range Policy Planning Manager, James Moore*; Planner Specialist, Daniel Sturgeon*; Park and Landscape Planner, Melanie Steppuhn*; Parks & Buildings Planning Manager, Robert Parlane*; Strategic Transportation Planning Manager, Mariah VanZerr*
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland; General Manager, Infrastructure, Mac Logan*

(\* Denotes partial attendance)

### 1. Call to Order

Deputy Mayor Donn called the meeting to order at 1:31 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 face coverings, a mask or face covering must be worn in the gallery of Council Chambers except when presenting to 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

**R0004/22/01/10** THAT the Minutes of the Regular Meetings of December 6, 2021 and Budget Deliberations of December 9, 2021 be confirmed as circulated.

**Carried**

## 3. Development Application Reports & Related Bylaws

### 3.1 Pooley Rd 3700 - A21-0012 FH21-0003 - Jealous Fruits Ltd., Inc. No. 1282068

Staff:

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

Councillor Sieben joined the meeting at 1:48 p.m.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

**R0005/22/01/10** THAT Agricultural Land Reserve Application No. A21-0012 for Lot C Sections 11 and 14 Township 26 ODYD Plan EPP98515 located at 3700 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. FH21-0003 for Lot C Sections 11 and 14 Township 26 ODYD Plan EPP98515 located at 3700 Pooley Road, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A21-0012;
2. The dimensions and siting of the building to be constructed on the land in accordance with Schedule A;
3. 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 B;
4. 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;
5. Registration of a Section 219 Restrictive Covenant on the Title that states:
  1. The dwellings will be used for temporary farm workers only;
  2. The owner will remove the dwellings if the farm operation changes such that if they are no longer required;
  3. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
  4. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers: and,
  5. 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**

**3.2 Webster Rd 815 - A21-0014 - Lakhwinder Singh Brar and Paramjit Kaur Brar**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Given

**R0006/22/01/10** THAT Agriculture Land Reserve Application No. A21-0014 for The East 11 Chains of Lot 3 Measured Along the North Boundary Thereof by the Full Depth of Said Lot; Section 25 Township 26 ODYD Plan 603 Except Plans B797, C.B. 157 and B4993 located at 815 Webster 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 Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

**Carried**  
Councillor Hodge - Opposed

**3.3 Supplemental Report - Cambridge Ave 651 - Z21-0085 (BL12313) - Provincial Rental Housing Corporation, Inc. No. BC0052129**

Councillor Stack declared a conflict of interest for items 3.3 and 3.4 since his employer is involved in the application and departed the meeting at 1:57 p.m.

Moved By Councillor Wooldridge/Seconded By Councillor Given

**R0007/22/01/10** THAT Council receives, for information, the report from the Office of the City Clerk dated January 10, 2022 with respect to Zoning Bylaw No. 12313;

AND THAT Rezoning Bylaw No. 12313 be forwarded for further reading consideration.

**Carried**

**3.4 Cambridge Ave 651 - BL12313 (Z21-0085) - Provincial Rental Housing Corporation, In. No. BC0052129**

Moved By Councillor Singh/Seconded By Councillor Wooldridge

**R0008/22/01/10** THAT Bylaw No. 12313 be read a first, second and third time.

**Carried**

Councillor Stack rejoined the meeting at 1:59 p.m.

**3.5 Supplemental Report - Fordham Rd 4684 - Z21-0096 (BL12314) - Claire Boti and Paul Domby**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

**R0009/22/01/10** THAT Council receives, for information, the report from the Office of the City Clerk dated January 10, 2022 with respect to Zoning Bylaw No. 12314;

AND THAT Rezoning Bylaw No. 12314 be forwarded for further reading consideration.

**Carried**

**3.6 Fordham Rd 4684 - BL12314 (Z21-0096) - Claire Boti and Paul Dombay**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0010/22/01/10 THAT Bylaw No. 12314 be read a first, second and third time.

**Carried**

**4. Bylaws for Adoption (Development Related)**

**4.1 BL12300 - Kelowna 2040 Official Community Plan**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0011/22/01/10 THAT Bylaw No. 12300 be adopted.

**Carried**

**5. Non-Development Reports & Related Bylaws**

**5.1 Action Plan 2022**

Staff:

- Displayed a PowerPoint Presentation providing an overview of actions being undertaken throughout 2022 and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

R0012/22/01/10 THAT Council receive for information, *Action Plan 2022* as attached to the report of the Corporate Strategic Services Divisional Director dated January 10, 2022.

**Carried**

**5.2 Community Trends 2021 Report**

Staff:

- Displayed a PowerPoint Presentation detailing the 2021 Community Trends report focused on housing unaffordability and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0013/22/01/10 THAT Council receives, for information, the report from the Policy & Planning Department dated January 10, 2021, with respect to the 2021 Community Trends Report.

**Carried**

Councillor Wooldridge:

- Brought forward a request for more information regarding affordable land acquisition policy.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council direct staff to report back on bold needs to address affordable housing with key recommendations of action in both financial resourcing and policy on how to action the ambitious targets in the 2040 OCP and land acquisition strategy.

Councillor Stack declared a conflict of interest as his employer applies for affordable housing grants and departed the meeting at 3:05 p.m.

Following discussion the motion was amended as follows:

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

**R0014/22/01/10** THAT Council direct staff to report back with key recommendations on financial resources and policies in the affordable land acquisition strategy.

**Carried**

Councillor Stack rejoined the meeting at 3:09 p.m.

### **5.3 Agricultural Advisory Committee - Terms of Reference Amendments**

Staff:

- Provided an overview of amendments to the Agricultural Advisory Committee Terms of Reference and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Sieben

**R0015/22/01/10** THAT Council approves the amended Terms of Reference for the Agricultural Advisory Committee to add a non-voting member from the Ministry of Agriculture and reduce the number of voting members from seven (7) to five (5).

**Carried**

### **5.4 Okanagan Lake Shoreline Tenure Applications**

Staff:

- Displayed a PowerPoint Presentation outlining the proposed sites for the shoreline tenure application and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Hodge

**R0016/22/01/10** THAT Council receives, for information, the report from the Parks and Buildings Planning Department dated January 10, 2022, with respect to Crown Land Tenure along City of Kelowna beaches;

AND THAT Council directs staff to apply to the Province of British Columbia for community institutional Crown Land Tenures over the foreshore of Okanagan Lake for City of Kelowna beach accesses and beach parks.

**Carried**

### **5.5 Micromobility Permit Program Amendments and Bylaw Changes**

Staff:

- Provided a summary of the proposed amendments to the Traffic Bylaw.

Moved By Councillor Stack/Seconded By Councillor Sieben

**R0017/22/01/10** THAT Council receives for information, the report from Integrated Transportation dated December 6th, 2021, regarding the Micromobility Permit Program Amendments and Bylaw Changes;

AND THAT Council gives reading consideration to Bylaw No. 12138 being Amendment No. 41 to the Traffic Bylaw No. 8120.

**Carried**

**5.6 BL12311 - Amendment No. 41 to Traffic Bylaw No. 8120**

Moved By Councillor Sieben/Seconded By Councillor DeHart

**R0018/22/01/10** THAT Bylaw No. 12311 be read a first, second and third time.

**Carried**

**5.7 Developer Funded Traffic Signal Installations and Upgrades**

Staff:

- Summarized the proposed budget amendments from developer contributions for traffic signal installations.

Moved By Councillor Given/Seconded By Councillor Sieben

**R0019/22/01/10** THAT Council receives, for information, the report from Traffic Signals and Systems dated January 10, 2022 with respect to developer funding contributions.

AND THAT the 2021 Financial Plan be amended to include \$447,700 for traffic signal installations and upgrades with funding received from developer contributions.

**Carried**

**6. Bylaws for Adoption (Non-Development Related)**

**6.1 BL12271 - Road Closure and Removal of Dedication Bylaw - 234 - 278 Leon Ave**

Deputy Mayor Donn invited anyone in the public gallery who deemed themselves affected by the proposed road closure to come forward.

No one from the Gallery came forward.

Moved By Councillor DeHart/Seconded By Councillor Sieben

**R0020/22/01/10** THAT Bylaw No. 12271 be adopted.

**Carried**

**7. Mayor and Councillor Items**

Councillor Hodge:

- Encouraged everyone to get their vaccination booster shot.

Councillor Stack

- Encouraged all citizens to get their vaccination.

Councillor DeHart:

- Made comment on today's Council meeting.

Councillor Sieben:

- Made comment on concerns regarding COVID-19 hospitalization data and rapid test availability.
- Expressed condolences to the family of Reg Henry who was the founder of Kelly O'Bryan's Neighbourhood Restaurant.

Councillor Wooldridge:

- Encouraged citizens to support the annual Dine Around culinary experience in Kelowna and area restaurants that begins January 19th.

Councillor Singh:

- Congratulations to Kelowna citizen Ross Fitzpatrick who was awarded the Order of Canada.

Councillor Given:

- Encouraged citizens to become a snow angel by assisting those unable to shovel snow in their yards.
- Encouraged citizens to be kind and patient with businesses that are experiencing reduced staff.

Deputy Mayor Donn:

- Expressed disappointment in the Passenger Transportation Board decision to deny Uber's ride sharing application.
- Made comment on the many changes with policies and procedures, the adoption of the Official Community Plan, and the changes to staff reports to Council. These are transitional times as more housing is needed.
- Commented on COVID-19 impacts.

Council:

- Commended Councillor Donn for chairing today's meeting.

**8. Termination**

This meeting was declared terminated at 3:39 p.m.

---

Deputy Mayor Donn

---

Deputy City Clerk

/acm