



**City of Kelowna  
Regular Council Meeting  
Minutes**

Date:	Monday, August 22, 2022
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Mohini Singh, Brad Sieben*, Luke Stack and Loyal Wooldridge
Members participating Remotely	Councillor Charlie Hodge
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith*; Community Planning and Development Manager, Dean Strachan*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Long Range Policy Planning Manager, Robert Miles*; Planner, Graham Allison*; Acting Divisional Director, Financial Services, Joel Shaw*; Asset Manager, Joline McFarlane*; Divisional Director, Partnerships & Investments, Derek Edstrom*; General Manager, Infrastructure, Mac Logan*; Senior Airport Finance & Corporate Services Manager, Shayne Dyrdal*; Parks & Buildings Planning Manager, Robert Parlane*; Utility Planning Manager, Rod MacLean*; Design Technician, Jim Hagar*; Financial Planning Manager, Melanie Antunes*; Transit and Programs Manager, Jerry Dombowsky*; Transit Service Coordinator, Mike Kittmer*
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guest participating Remotely	Craig Binning*, Hemson Consulting

(\* Denotes partial attendance)

**1. Call to Order**

Mayor Basran 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.

As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

## 2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Donn

**Ro651/22/08/22** THAT the Minutes of the Regular Meetings of August 8, 2022 be confirmed as circulated.

**Carried**

## 3. Development Application Reports & Related Bylaws

### 3.1 O'Reilly Road 2605 - TA22-0003 - William and Maria Kitsch

Staff:

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

Maria Kitsch, East Kelowna Road, Applicant/Owner

- Made comment on the discrepancy between the location identified by staff and the location proposed by the applicant.
- As someone born and raised in Kelowna, believes what is being proposed is something special.
- A majority of neighbours they spoke to, in the hundreds, are very supportive of the proposed application.
- Available to respond to questions around use of land and parcel size.
- Spoke to the property configuration and that they invested heavily for environmental and geotechnical impact reports and both professionals have said this is a suitable area.
- Responded to questions from Council.

Sydney Platz, Casorso Road, Founder, Wild Things Rehabilitation Society

- Displayed a PowerPoint Presentation outlining the project and the operations on site.
- Spoke to the need of such a clinic noting there is no organization in Kelowna that treats injured or orphaned wildlife.
- Spoke to concerns raised and noted there will be no increase of traffic as they are not open to the public and have only 1 to 3 people on site at a time.
- Will be focusing on small mammals and song birds native to the area; not large animals or predators.
- The size of facility and staff required is much smaller than a rural major animal clinic would typically require.
- Displayed site photos of the proposed wildlife rehabilitation location within the large central bowl that had been cleared by the previous owner.
- The site location and scope of building will not have an adverse impact on the ecology of the site; it is in fact the ecology of the site that makes it so well-suited to this project.
- An environmental assessment has been done cataloguing all protected natural assets and the site location was recommended by environmental and geotechnical experts.
- Responded to questions from Council.

Trent Kitsch, East Kelowna Road, Applicant/Owner

- Responded to questions from Council.

Staff:

- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Stack

**Ro652/22/08/22** THAT Zoning Bylaw Text Amendment Application No. TA22-0003 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Development Planning Department dated August 22, 2022 for Lot 1 Section 16 Township 26 ODYD Plan KAP71228 located at 2605 O'Reilly Road, be considered by Council.

**Carried**

**3.2 Penno Road 480 - OCP22-0009 (BL12422) - New North West Trading Inc.,  
BCo845659**

Councillor Sieben declared a conflict of interest as he provides insurance services for the current property owner and departed the meeting at 2:15 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor DeHart

**Ro653/22/08/22** THAT Official Community Plan Map Amendment Application No. OCP22-0009 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of Lot B District Lot 123 ODYD Plan EPP41714, located at 480 Penno Road, Kelowna, BC from the IND – Industrial designation to the REC – Private Recreational designation, as outlined in the Report from the Policy & Planning Department dated August 22, 2022, be considered by Council;

AND THAT the Official Community Plan Amending Bylaw No. 12422 be forwarded to a Public Hearing for further consideration;

AND THAT the requirement to hold a Public Information Session, conduct Neighbour Consultation and post a Development Notice Sign, prior to the Official Community Plan Map Amending Bylaw receiving first reading, in accordance with the City of Kelowna's Development Application and Heritage Procedures Bylaw No. 12310 and Council Policy No. 367, be waived.

**Defeated**

Mayor Basran, Councillors Donn, Given and Wooldridge - Opposed

**3.3 Penno Road 480 - BL12422 (OCP22-0009) - New North West Trading Inc.,  
BCo845659**

The bylaw was not considered as the Official Community Plan Map Amendment Application was defeated.

Councillor Sieben returned to the meeting at 3:01 p.m.

**3.4 Collett Road 467 - Z22-0018 (BL12425) - Peter Blom**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor DeHart

**Ro654/22/08/22** THAT Rezoning Application No. Z22-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 25 SDYD Plan 7071, located at 467 Collett Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c– Large Lot Housing with Carriage House 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 August 22, 2022.

**Carried**

**3.5 Supplemental Report - Frost Rd 1055 - OCP21-0010 (BL12382) Z21-0032 (BL12383) -  
Highstreet Canyon Falls Apartments Ltd.**

Staff:

- Spoke to the request to waive the condition of rezoning on the application.

Moved By Councillor Given/Seconded By Councillor Sieben

**Ro655/22/08/22** THAT Council waives the requirement for a Preliminary Layout Review Letter by the Approving Officer to be considered in conjunction with Final Adoption of OCP Bylaw Amendment Bylaw No. 12382 and Zoning Bylaw Amendment Bylaw No. 12383;

AND THAT Final Adoption of OCP Bylaw Amendment Bylaw No. 12382 and Zoning Bylaw Amendment Bylaw No. 12383 be considered by Council.

**Carried**

**3.6 Frost Rd 1055 - BL12382 (OCP21-0010) - Highstreet Canyon Falls Apartments Ltd.**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

**Ro656/22/08/22** THAT Bylaw No. 12382 be adopted.

**Carried**

**3.7 Frost Rd 1055 - BL12383 (Z21-0032) - Highstreet Canyon Falls Apartments Ltd.**

Moved By Councillor Given/Seconded By Councillor Singh

**Ro657/22/08/22** THAT Bylaw No. 12383 be adopted.

**Carried**

**3.8 McKinley Beach Dr 3700 - DP22-0098 - Kinnikinnik Developments Inc., Inc. No. BCo622664**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

**Ro658/22/08/22** THAT Council authorizes the issuance of Development Permit No. DP22-0098 for Lot 2 Section 28 Township 23 ODYD Plan EPP76020, located at 3700 McKinley Beach Drive, 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**

### 3.9 Frost Rd 988 and 1090 - DP22-0128 - 0954654 BC Ltd., Inc. No. BC0954654

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Wooldridge

**Ro659/22/08/22** THAT Council authorize the issuance of Development Permit No. DP22-0128 for Lot 1 District Lot 579 SDYD Plan EPP29197, located at 988 Frost Road, Kelowna, BC and Lot 3 District Lot 579 SDYD Plan EPP22118, located at 1090 Frost 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 this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

**Carried**

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

##### 4.1 DeHart Rd 855 - BL12204 (Z20-0080) - 1294603 B.C. Ltd., Inc. No. BC1294603

Moved By Councillor Given/Seconded By Councillor Singh

**Ro660/22/08/22** THAT Bylaw No 12204 be adopted.

**Carried**

##### 4.2 McClure Rd 4628 - BL12320 (OCP22-0001) - Paul Andrew Mitchell and Ronda Ann Mitchell

Moved By Councillor DeHart/Seconded By Councillor Stack

**Ro661/22/08/22** THAT Bylaw No. 12320 be adopted.

**Carried**

##### 4.3 McClure Rd 4628 - BL12321 (Z21-0064) - Paul Andrew Mitchell and Ronda Ann Mitchell

Moved By Councillor Stack/Seconded By Councillor DeHart

**Ro662/22/08/22** THAT Bylaw No. 12321 be adopted.

**Carried**

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

### 5.1 10-Year Capital Plan (2022 - 2031)

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed 10-Year Capital Plan.
- Provided a breakdown of the capital plan budget, major projects and share of infrastructure deficit for each area.
- Responded to questions from Council.

Councillor Sieben departed the meeting at 3:35 p.m.

Moved By Councillor Donn/Seconded By Councillor Singh

**Ro663/22/08/22** THAT Council receives, for information, the third of three reports from Financial Services dated August 22, 2022, with respect to the 10-Year Capital Plan (2022 to 2031);

AND THAT Council adopts the 10-Year Capital Plan;

AND FURTHER THAT Council receives an update on the Frost Road project.

**Carried**

### 5.2 Update to Development Cost Charge Program

Staff:

- Displayed a PowerPoint Presentation outlining the update to the Development Cost Charge program.
- Identified items that capital investments will focus on which are guided by Council and Corporate priorities.
- Provided comment on changes to the structure and categories within the DCC program.
- Spoke to the process, stakeholder engagement and feedback on the DCC program.
- Responded to questions from Council.

Online:

Craig Binning, Hemson Consulting

- Shared staff's PowerPoint Presentation and commented on the proposed DCC rates and the comparison with other municipalities.

Moved By Councillor DeHart/Seconded By Councillor Donn

**Ro664/22/08/22** THAT Council receives, for information, the report from Financial Services dated August 22<sup>nd</sup>, 2022, with respect to the Development Cost Charge program update;

AND THAT Council endorse the updated 20-Year Servicing Plan and Financing Strategy,

AND THAT Development Cost Charge Bylaw No. 12420 and Development Cost Charge Reserve Reduction Bylaw No. 12419, be given reading consideration;

AND THAT the interest on the amount borrowed for the anerobic digester be included in the Development Cost Charge rate calculations,

AND FURTHER THAT Council direct Staff to submit the new Development Cost Charge Bylaws and supporting documentation to the Ministry of Municipal Affairs for their review and approval prior to fourth reading and adoption by Council.

**Carried**

Councillors Singh and Wooldridge - Opposed

### 5.3 BL12420 Development Cost Charge Bylaw 2022

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro665/22/08/22 THAT Bylaw No. 12420 be read a first, second and third time.

Carried  
Councillors Singh and Wooldridge - Opposed

### 5.4 BL12419 Development Cost Charge Reserve Reduction Bylaw

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro666/22/08/22 THAT Bylaw No. 12419 be read a first, second and third time.

Carried  
Councillors Singh and Wooldridge - Opposed

### 5.5 Sewer Connection Area Financing Framework – Stage 3

Staff:

- Displayed a PowerPoint Presentation providing a summary of the Phase 3 sanitary sewer connection area financing framework.

Moved By Councillor Stack/Seconded By Councillor Hodge

Ro667/22/08/22 THAT Council receives for information, the report from Utility Services and Financial Planning dated August 22, 2022, with regard to the Sewer Connection Area Financing Framework – Stage 3;

AND THAT the balance of the Cary Road, Rutland – McKenzie Bench, Rutland North, and Southwest Rutland Sewer Connection Area Reserves, and the MFA Debt Sewer Reserve R816 be transferred to the Septic Removal Specified Area Reserve Fund;

AND THAT the balance of the 2405-DF000 deferred revenue account (related to the Clifton Road North Extension Connection Area), the balance of the North End Industrial Sewer Connection Area Reserve, and \$333,000 from the Septic Removal Specified Area Reserve Fund be transferred to R204 – CWME – Wastewater utility general reserve;

AND FURTHER THAT the Cary Road, Rutland – McKenzie Bench, Rutland North, Southwest Rutland, and North End Industrial Sewer Connection Area Reserves be closed.

Carried

### 5.6 Knox Mountain Geotechnical Engineering Project Budget

Staff:

- Displayed a PowerPoint Presentation providing an update on the proposed Knox Mountain Project budget change and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

Ro668/22/08/22 THAT Council receives for information, the report from Utility Services dated August 22, 2022, regarding additional budget required for the Knox Mountain Geotechnical Engineering Project;

AND THAT the 2022 Financial Plan be amended to include the addition of \$2,600,000 to the Knox Mountain Geotechnical Engineering Project with Funding of \$1,850,000 from the Slope Stability Reserve, and \$750,000 from the Community Works Fund Reserve as noted in the Financial/Budgetary Considerations section below.

**Carried**

### **5.7 Transit Improvement Program – 3 year proposed budgets**

Staff:

- Displayed a PowerPoint Presentation outlining the Memorandum of Understanding for the Transit Improvement Program.

Moved By Councillor Donn/Seconded By Councillor Singh

**Ro669/22/08/22** THAT Council receives for information, the report from Integrated Transportation dated August 22, 2022, with respect to the Transit Improvement Program 3-year expansion initiatives and free transit on election day.

AND THAT Council directs staff to enter a Memorandum of Understanding with BC Transit setting out the City's intention to proceed with the service expansions detailed in year-1 (2023/24).

AND THAT the Mayor and City Clerk be authorized to execute the Memorandum of Understanding.

AND THAT Council provide approval for free transit within the City of Kelowna on municipal election day.

**Carried**

### **6. Mayor and Councillor Items**

Mayor Basran:

- Acknowledged Ukraine Independence Day on Wednesday, August 24th.

Councillor Donn:

- Spoke to their attendance at Kelowna's Integrated Community Court and congratulated Council for advocating for this Community Court.

Councillor DeHart:

- Made comment on Ukrainian staff at the Ramada Hotel.

Councillor Stack:

- Spoke to improvements at City Park and Hot Sands Beach and how well the park was attended.

Councillor Singh:

- Commended Judge Lisa Wyatt for her interaction on cases at the Integrated Community Court.

Councillor Hodge:

- Spoke to their attendance last week at the Downtown Kelowna Association meeting and advised that feedback from businesses regarding Meet Me on Bernard is welcomed.

Mayor Basran:

- Reminder of the Public Meeting tomorrow night.



7. **Termination**

This meeting was declared terminated at 5:07 p.m.

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Mayor Basran

/acm

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Deputy City Clerk