

City of Kelowna
Regular Council Meeting
AGENDA



Monday, January 23, 2023
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

This Meeting is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

4 - 8

PM Meeting - January 16, 2023

3. Development Application Reports & Related Bylaws

3.1 Hilltown Drive 3500 - OCP23-0002 (BL12477) Z22-0076 (BL12478) - Grant Wayne Gaucher and Lorrie Ann Rockl

9 - 25

To amend the Official Community Plan to change the future land use designation of the subject property and to rezone the subject property to facilitate the construction of a single detached dwelling and carriage house.

3.2 Hilltown Drive 3500 - BL 12477 (OCP23-0002) - Grant Wayne Gaucher and Lorrie Ann Rockl

26 - 27

Requires a majority of all members of Council (5).

To give Bylaw No. 12477 first reading in order to change the future land use of portions of the subject property from the S-RES - Suburban Residential designation to the R-AGR - Rural - Agricultural and Resource designation.

3.3 Hilltown Drive 3500 - BL12478 (Z22-0076) - Grant Wayne Gaucher and Lorrie Ann Rockl

28 - 29

To give Bylaw No. 12478 first reading in order to rezone the subject property from the A2 - Agriculture / Rural Residential zone and the CD18 - McKinley Beach Resort zone to the A2c - Agriculture / Rural Residential with Carriage House zone.

- 3.4 Supplemental Report - Rezoning Bylaw Reading Consideration** 30 - 31
- To receive a summary of notice of first reading for Rezoning Bylaws No. 12467, 12468, 12469, 12470 and to give the bylaws further reading consideration.
- 3.5 Rezoning Bylaw Readings**
- To give first, second and third reading and adopt to rezoning bylaws.
- The following bylaws will be read together unless Council wants to separate one of the bylaws.
- 3.5.1 Hedeman Ct 5399 - BL12467 (Z22-0066) - Hedeman Property Holding Corp., Inc.No. BC1122411** 32 - 32
- To give Bylaw No. 12467 first, second and third reading and adopt in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
- 3.6 Rezoning Bylaw Readings**
- To give first, second and third reading to rezoning bylaws.
- The following bylaws will be read together unless Council wants to separate one of the bylaws.
- 3.6.1 Dougall Rd N 285 305 McIntosh Rd 365 - BL12468 (Z22-0063) - 285 Dougall Rd Development Ltd., Inc.No. 1348727** 33 - 33
- To give Bylaw No. 12468 first, second and third reading in order to rezone the subject property from the UC4 - Rutland Urban Centre zone to the UC4r - Rutland Urban Centre (Rental Only) zone.
- 3.6.2 Lakeshore Rd 4371 - BL12469 (Z22-0062) - Yong Zhang** 34 - 34
- To give Bylaw No. 12469 first, second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone.
- 3.6.3 Turner Rd 4346 - BL12470 (Z22-0065) - Paul and Leah Williams** 35 - 35
- To give Bylaw No. 12470 first, second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU2c – Medium Lot Housing with Carriage House zone.

4. Bylaws for Adoption (Development Related)

- 4.1 Eastbourne Rd 625 - BL12462 (Z22-0067) - Anthony James Morris Kuchma and Kristen Nicole Kuchma** 36 - 36

To adopt Bylaw No. 12462 in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

5. Non-Development Reports & Related Bylaws

- 5.1 Delegated Authority for Development Variance Permits** 37 - 56

To consider delegation of authority options for Development Variance Permits.

- 5.2 2022 Annual Report - Airport Director Delegation of Authority** 57 - 60

To provide Council with a summary of the transactions approved by the Airport Director between January 1, 2022, and December 31, 2022, in accordance with Bylaw No. 11961.

- 5.3 Kelowna International Airport Terminal Expansion Loan Authorization Bylaw** 61 - 64

To give reading consideration to Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw to forward the bylaw for statutory approval as the next step before initiating the elector approval process.

- 5.4 BL12480 - Kelowna International Airport Terminal Building Expansion Loan Authorization Bylaw** 65 - 66

To give Bylaw No. 12480 first, second and third reading.

- 5.5 2022 Grant Summary** 67 - 86

To provide Council a summary of the grant activity that occurred in 2022.

- 5.6 Amendments to Council Procedure Bylaw** 87 - 100

To amend Council Procedure Bylaw No. 9200 with updated Council meeting practices.

- 5.7 BL12476 - Amendment No. 8 to Council Procedure Bylaw No. 9200** 101 - 104

To give Bylaw No. 12476 first, second and third reading.

6. Mayor and Councillor Items

7. Termination



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, January 16, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas*, Councillors Ron Cannan, Charlie Hodge, Gord Lovegrove, Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge
Members Absent	Councillor Maxine DeHart
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Senior Transportation Planning Engineer, Chad Williams*; Infill Housing Planning Manager, James Moore*
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas 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.

This Meeting is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

R0029/23/01/16 THAT the Minutes of the Regular Meetings of January 9, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Supplemental Report – Rezoning Bylaw Reading Consideration

Mayor Dyas declared a conflict of interest due to the applicant being a client and previously conducting business with the Mayor and departed the meeting at 1:35 p.m.

Deputy Mayor Hodge took over chairing the meeting at 1:35 p.m.

City Clerk:

- Confirmed that this is the application Council directed last week to be forwarded to Public Hearing.

Moved By Councillor Cannan/Seconded By Councillor Singh

R0030/23/01/16 THAT Council receives, for information, the Supplemental Report from the Office of the City Clerk dated January 16, 2023 regarding a Rezoning Bylaw that requires reading consideration;

AND THAT the Rezoning Application Z22-0042, located at 949 Hewetson Court, Kelowna, BC be forwarded to a Public Hearing for further consideration.

Carried

Mayor Dyas returned to the meeting at 1:37 p.m. and resumed chairing the meeting.

3.2 Hewetson Ct 949 - BL12473 (Z22-0042) - Upper Mission Development Inc., Inc. No. BC1224405

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

R0031/23/01/16 THAT Bylaw No. 12473 be read a first time.

Carried

3.3 McCarthy Rd 9640 - BL12433 (Z22-0038) - Nicola Va (9640 McCarthy) Nominee Inc., Inc. No. BC1333757

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

R0032/23/01/16 THAT Bylaw No. 12433 be adopted.

Carried

3.4 McCarthy Rd 9640 - DP22-0133 - Nicola Va (9640 McCarthy) Nominee Inc., Inc. No. BC1333757

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Singh

R0033/23/01/16 THAT Council authorizes the issuance of Development Permit No. DP22-0133 for Lot 1 Sections 10 and 11 Township 20 ODYD Plan EPP91012, located at 9640 McCarthy Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land in accordance with Schedule "A",
2. The exterior design and finish of the building to be constructed on the land in accordance with Schedule "B",
3. Landscaping to be provided on the land 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 the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND THAT issuance of the Development Permit be considered subsequent to approval of the Ministry of Transportation and Infrastructure;

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. Non-Development Reports & Related Bylaws

4.1 2022 Budget Amendment, ICBC Road Improvement Program

Staff:

- Provided comments on the funds received and projects they were directed to and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

R0034/23/01/16 THAT Council receives, for information, the report from Integrated Transportation dated January 16, 2023 with respect to the ICBC Road Improvement Program;

AND THAT the 2022 Financial Plan be amended to include \$ 486,600 in the ICBC Road Improvement Program as funded by ICBC Road Safety grant contributions.

Carried

4.2 Revitalization Tax Exemption and Housing Agreements for Purpose Built Rental Housing - Winter 2022

Staff:

- Displayed a PowerPoint Presentation summarizing the Revitalization Tax Exemption Program and current applications and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0035/23/01/16 THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 1297889 BC LTD for Lot A Section 27 Township 26 ODYD Plan EPP85221, located at 155 Bryden Road, Kelowna, BC in the form attached to the Report from Policy and Planning dated January 16, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 0838239 BC LTD for Lot B Sections 26 & 27 Township 26 ODYD Plan KAP30302, located at 235 Hollywood Road N, Kelowna, BC in the form attached to the Report from Policy and Planning dated January 16, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with Ironclad Developments Missions Heights Holdings Inc., No. A0119488 for Lot B District Lots 128 and 142 ODYD Plan KAP85660, located at 2241 Springfield Road, Kelowna, BC in the form attached to the Report from Policy and Planning dated January 16, 2023;

AND THAT the Mayor and City Clerk be authorized to execute the Revitalization Tax Exemption Agreements, in the form attached to the Report from Policy and Planning dated January 16, 2023 on behalf of the City of Kelowna;

AND THAT Bylaw No. 12471 authorizing a Housing Agreement between the City of Kelowna and 1297889 BC LTD which requires the owners to maintain 192 dwelling units as rental housing for 10 years for Lot A Section 27 Township 26 ODYD Plan EPP85221, located at 155 Bryden Road, Kelowna, BC be forwarded for reading consideration;

AND FURTHER THAT Bylaw No. 12472 authorizing a Housing Agreement between the City of Kelowna and Ironclad Developments Missions Heights Holdings Inc., No. A0119488 which requires the owners to maintain 401 dwelling units as rental housing for 10 years for Lot B District Lots 128 and 142 ODYD Plan KAP85660, located at 2241 Springfield Road, Kelowna, BC be forwarded for reading consideration.

Carried

4.3 BL12471 - Housing Agreement Authorization Bylaw - 155 Bryden Road

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0036/23/01/16 THAT Bylaw No. 12471 be read a first, second and third time.

Carried

4.4 BL12472 - Housing Agreement Authorization Bylaw - 2241 Springfield Road

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0037/23/01/16 THAT Bylaw No. 12472 be read a first, second and third time.

Carried

5. Resolutions

5.1 Draft Resolution, re: SILGA Executive

Moved By Councillor Singh/Seconded By Councillor Stack

R0038/23/01/16 THAT Council nominate Councillor Hodge to run for the SILGA Executive for the 2023-2024 term.

Carried

6. Mayor and Councillor Items

Mayor Dyas:

- MP Gray spoke with Council this morning in regard to Bill C-283 the "End The Revolving Door Act".

Moved By Councillor Webber/Seconded By Councillor Hodge

R0039/23/01/16 THAT Council authorizes the Mayor to write, on behalf of Council, a letter of support for MP Gray's Private Members Bill C-283 the "End the Revolving Door" Act.

Carried

Councillor Stack:

- Confirmed that the Notice of Motion to amend the Future Land Use designation of 480 Penno Road will be brought forward February 27, 2023 for consideration.

7. Termination

This meeting was declared terminated at 2:11 p.m.

Mayor Dyas

/acm

 per City Clerk

DRAFT

REPORT TO COUNCIL



Date: January 23rd, 2023

To: Council

From: City Manager

Department: Development Planning Department

Application: OCP23-0002 & Z22-0076 **Owner:** Grant Wayne Gaucher & Lorrie Ann Rockl

Address: 3500 Hilltown Drive **Applicant:** Grant Gaucher

Subject: Official Community Plan Amendment & Rezoning Application

Existing OCP Designation: R-AGR - Rural – Agricultural and Resource & S-RES - Suburban Residential

Proposed OCP Designation: R-AGR - Rural – Agricultural and Resource

Existing Zone: A2 – Agriculture / Rural Residential & CD18 – McKinley Beach Resort

Proposed Zone: A2c – Agriculture / Rural Residential with Carriage House

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP23-0002 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot A Sections 28 and 33 Township 23 ODYD PLAN EPP117593, located at 3500 Hilltown Drive, Kelowna, BC from the S-RES - Suburban Residential designation to the R-AGR - Rural – Agricultural and Resource designation, as shown on Map “A” attached to the Report from the Development Planning Department dated January 23rd, be considered by Council;

AND THAT Rezoning Application No. Z22-0076 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A Sections 28 and 33 Township 23 ODYD PLAN EPP117593 located at 3500 Hilltown Drive, Kelowna, BC from the A2 – Agriculture / Rural Residential zone and CD18 – McKinley Beach Resort zone to the A2c – Agriculture / Rural Residential with Carriage House zone, as shown on Map “B” attached to the Report from the Development Planning Department dated January 23rd be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to issuance of a Natural Environment and Hazardous Condition Development Permit.

2.0 Purpose

To amend the Official Community Plan future land use designation to the R-AGR - Rural – Agricultural and Resource and rezone to the A2c – Agriculture / Rural Residential with Carriage House zone to facilitate the construction of a single detached dwelling and carriage house.

3.0 Development Planning

Development Planning Staff support the proposed rezoning and Official Community Plan (OCP) Amendment application. The property is not within the Agricultural Land Reserve (ALR) but abuts the ALR boundary. Therefore, a 15.0 m wide ALR buffer, including steep slopes and environmentally sensitive areas will be permanently protected via a No Disturb Covenant through the subsequent Natural Environment and Hazardous Condition Development Permit.

The proposed rezoning and future land use amendment is consistent with the Official Community Plan policies and supports utilizing the property for a single detached dwelling and carriage house. Carriage house rezoning applications are supported by OCP policies when the property is greater than 1.0 hectare in order to ensure appropriate septic disposal and to be consistent with the City's obligations with the Okanagan Basin Water Board.

4.0 Proposal

4.1 Background

The boundaries of the OCP future land use designation and the boundaries of the CD18 zone were determined at the time of the original creation of the zone and prior to the construction of Hilltown Drive. The layout and final subdivision of Hilltown Drive ultimately did not align with the zoning and future land use designation boundaries. Thus, resulting in a minor sliver of the property having a different zone and OCP designation. Therefore, this OCP Amendment application is an administrative clean-up, required by staff, to be consistent with the boundaries of Hilltown Drive.

4.2 Project Description

The proposed application is to facilitate the construction of a single detached dwelling and a carriage house on the property. An environmental assessment has shown that the principal dwelling and proposed carriage house are situated to avoid environmentally sensitive areas and steep slopes. An existing City Linear Park Corridor (trail) will be accommodated through the North section of the parcel. Steep slopes and environmentally sensitive areas will be protected via a No Disturb Covenant. A 15.0 m wide ALR buffer, utilizing the existing native vegetation and trees to the North, will be protected through the No Disturb Covenant. A Natural Environment and Hazardous Condition Development Permit will need to be issued by Development Planning to guide the proposed development.

4.3 Site Context

The subject property is located on Hilltown Drive. The surrounding area is R-AGR, and the property borders ALR land to the North. CD18 – McKinley Beach Resort borders the property to the South primarily consisting of suburban residential uses.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 -Agriculture	Agriculture
East	A2 – Agriculture / Rural Residential & CD18 – McKinley Beach Resort	Vacant
South	CD18 – McKinley Beach Resort	Residential
West	CD18 – McKinley Beach Resort	Residential

Subject Property Map: 3500 Hilltown Drive



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 8.2 Ensure a compatible urban-rural interface that protects agricultural uses	
Policy 8.2.3 Urban-Rural Buffers	Where a property is adjacent to the ALR, ensure that development limits associated negative impacts on adjacent agricultural operations by including appropriate buffers, setbacks and site planning, consistent with the Farm Protection Development Permit Guidelines outlined in Chapter 22: Farm Protection Development Permit Area. <i>A 15.0 m wide ALR buffer, utilizing the existing native vegetation and trees to the North, will be protected via a No Disturb Covenant. The proposal is consistent with the Farm Protection Guidelines.</i>
Objective 8.4 Stop urban sprawl into Rural Lands	
Policy 8.4.3 Housing in Agricultural Areas	Discourage additional residential development (both expansions and new developments) in areas surrounded by ALR and non-ALR agricultural lands. Secondary suites may be permitted in a permitted primary dwelling. Carriage houses may be considered on Rural Residential lands where the property is 1.0

	hectares or greater and where proposal is consistent with the Farm Protection Guidelines outlined in Chapter 22: Farm Protection Development Permit Area
	<i>The subject property is located outside of the ALR. The property is 16.59 hectares in size and is considered Rural Residential, allowing for single dwelling and carriage house development. The proposal is consistent with the Farm Protection Guidelines.</i>

6.o Application Chronology

Date of Application Accepted: November 30, 2022

Date Public Consultation Completed: December 9, 2022

Report prepared by: Sara Skabowski, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Site Plan

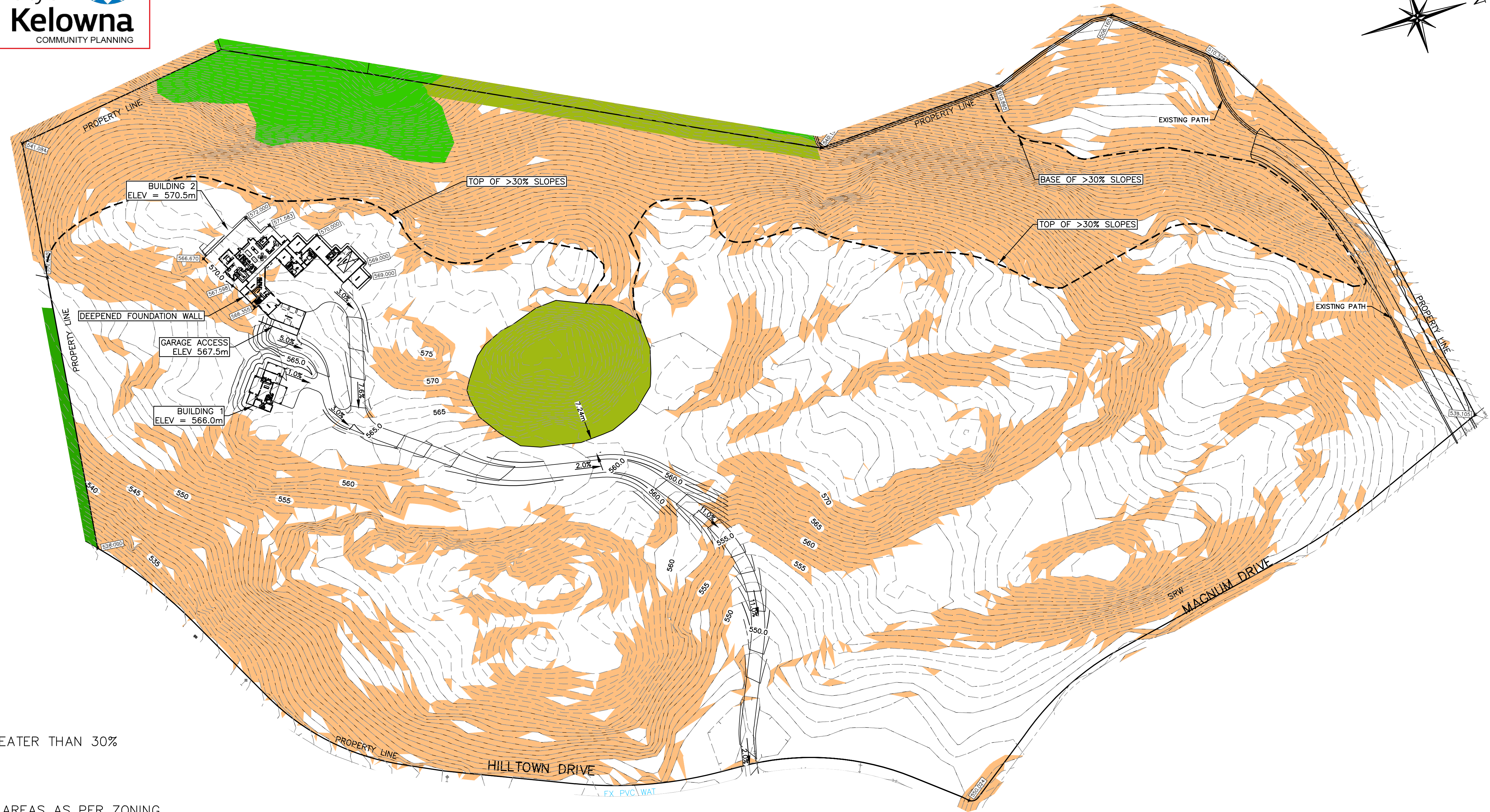
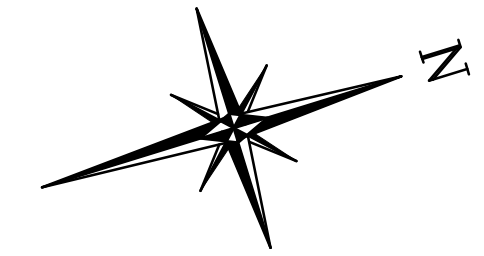
Map A: OCP Amendment Bylaw - OCP23-0002

Map B: Rezoning Bylaw - Z22-0076

ATTACHMENT A

This forms part of application
Z22-0076

Planner
Initials **SS**



- SLOPES GREATER THAN 30%
- BUILDABLE AREAS AS PER ZONING
- ESA 1
- ESA 2

PRELIMINARY

NOT FOR CONSTRUCTION

THE LOCATION: P:\PROJECTS\19040-001 - McKinley Beach Developments\19040-001 - Detailed Design\19040-001.dwg PRINTED ON: 11/18/2022 2:41 PM

LEGEND

WATER		EX. MANHOLE		MH #	WATER CURB STOP	
SAN. SEWER		PROP. MANHOLE		MH #	SANITARY INSPECTION CHAMBER	
STORM SEWER		POWER POLE		#	STORM INSPECTION CHAMBER	
GAS		LAMP STANDARD			TRANSFORMER - POWER	
U/G UTILITY (ALIGNMENT)		CATCH BASIN		CB #	SERVICE BOX	
		HYDRANT		HD #		
		SURVEY MONUMENT				

PROTECH CONSULTING

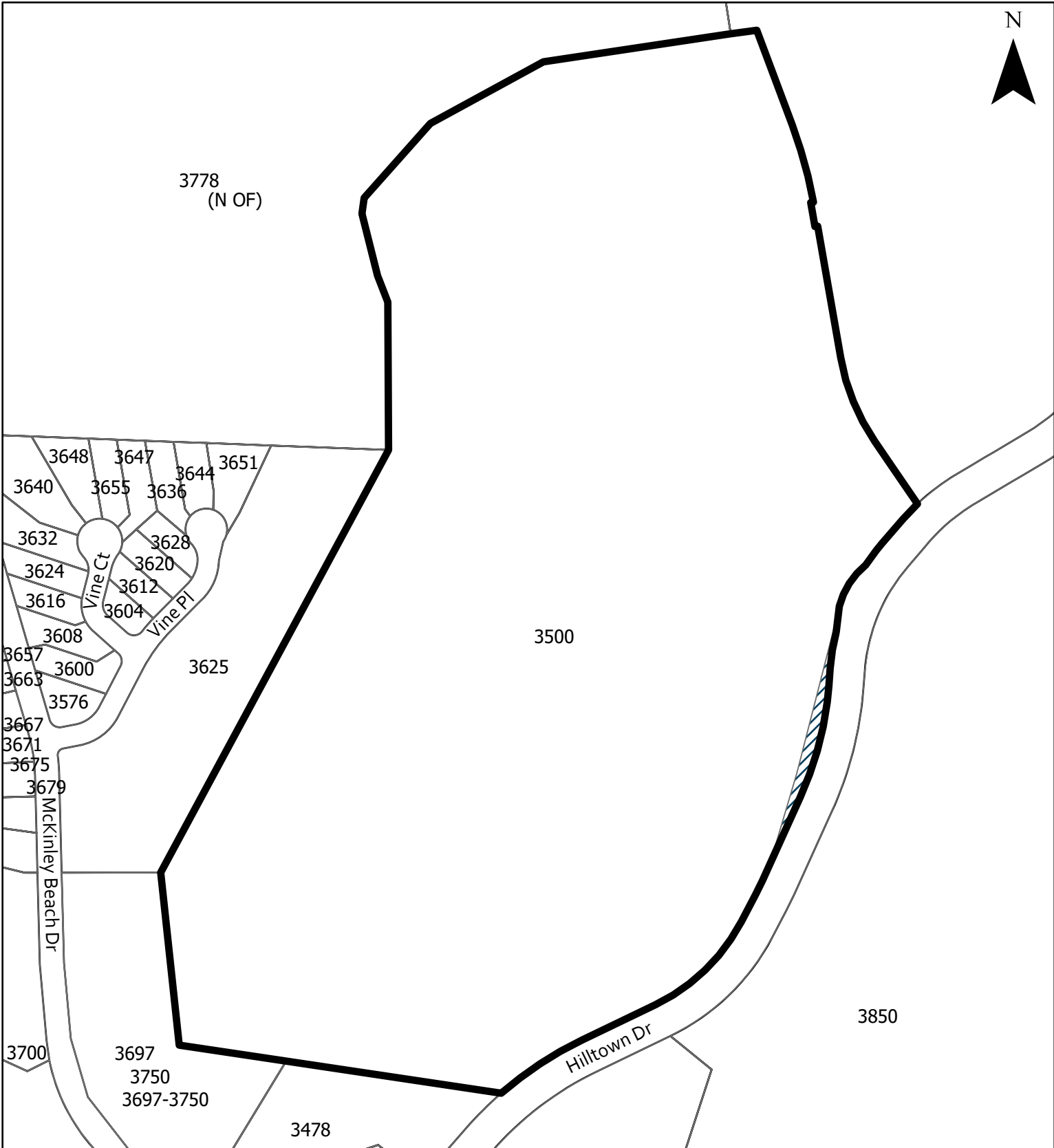
300 - 3275 Lakeshore Rd Kelowna B.C. Phone 860-1771
PERMIT TO PRACTICE NO.: 1001403

NO.	DATE	BY	REVISION	CH'KD
1	2022/11/18	BDK	FOR REVIEW	DTP



DRAWN	KTM
DESIGN	KTM/DJP
APPROVED	
DATE	May 2022
SCALE	1:1000

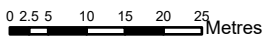
THE CITY OF KELOWNA
 ENGINEERING DEPARTMENT
McKINLEY BEACH DEVELOPMENTS
 SITE SERVICING PLAN
 ESTATE PARCEL PART OF LOT 3

DIVISION	
DRAWING NO.	REV. NO.
19040-001	1



MAP "A" OCP AMENDMENT
File OCP23-0002

-  Subject Property
-  Suburban - Residential (S-RES) to Rural - Agriculture and Resource (R-AGR)



This map is for general information only.
 The City of Kelowna does not guarantee its
 accuracy. All information should be verified.





City of
Kelowna

OCP 23-0002

Z22-0076

3500 Hiltown Dr

Official Community Plan Amendment & Rezoning Application

Purpose

- ▶ To amend the Official Community Plan future land use designation to the Rural – Agricultural and Resource (R-AGR) and rezone to the A2c – Agriculture / Rural Residential with Carriage House zone to facilitate the construction of a single detached dwelling and carriage house.

Development Process



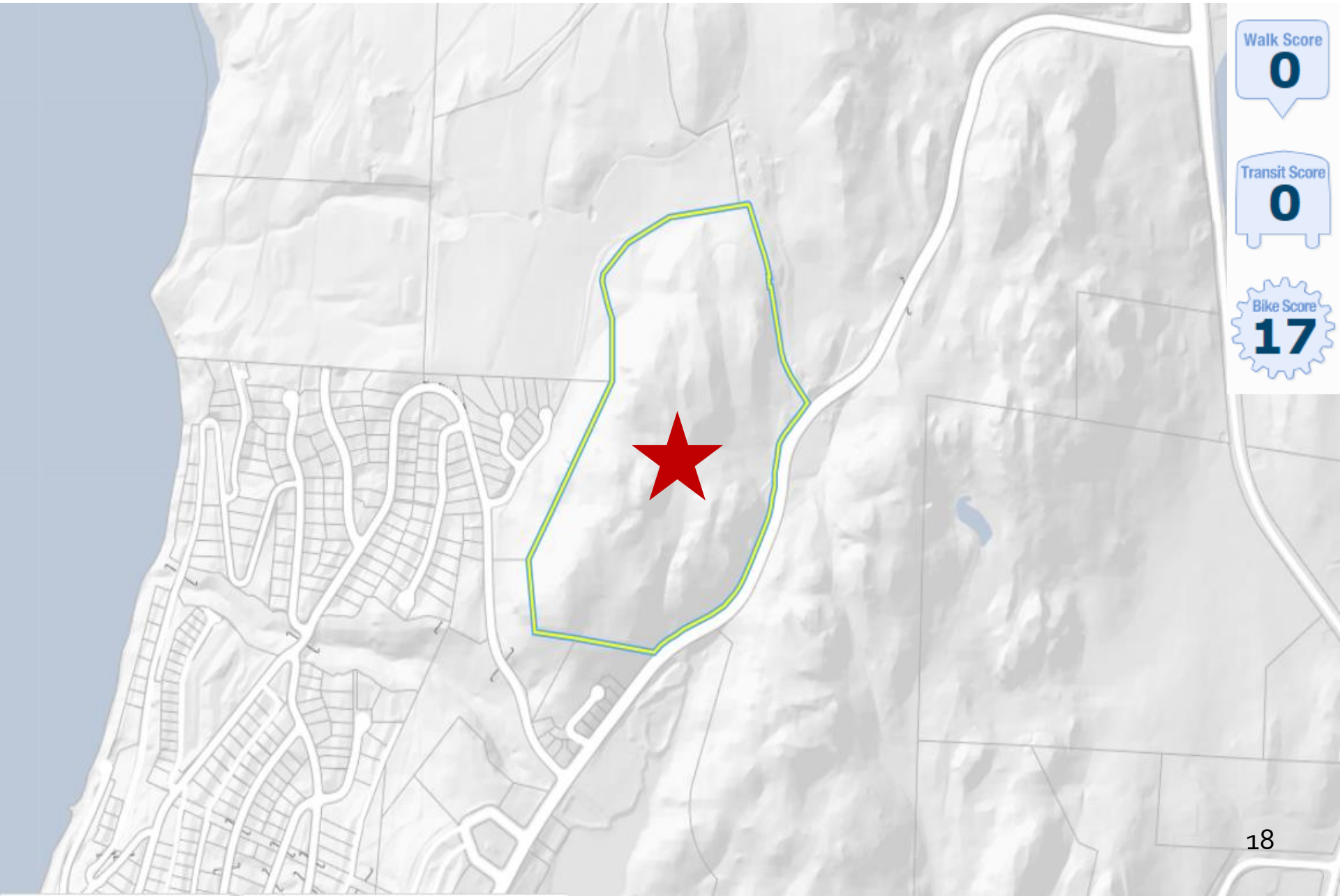
Context Map



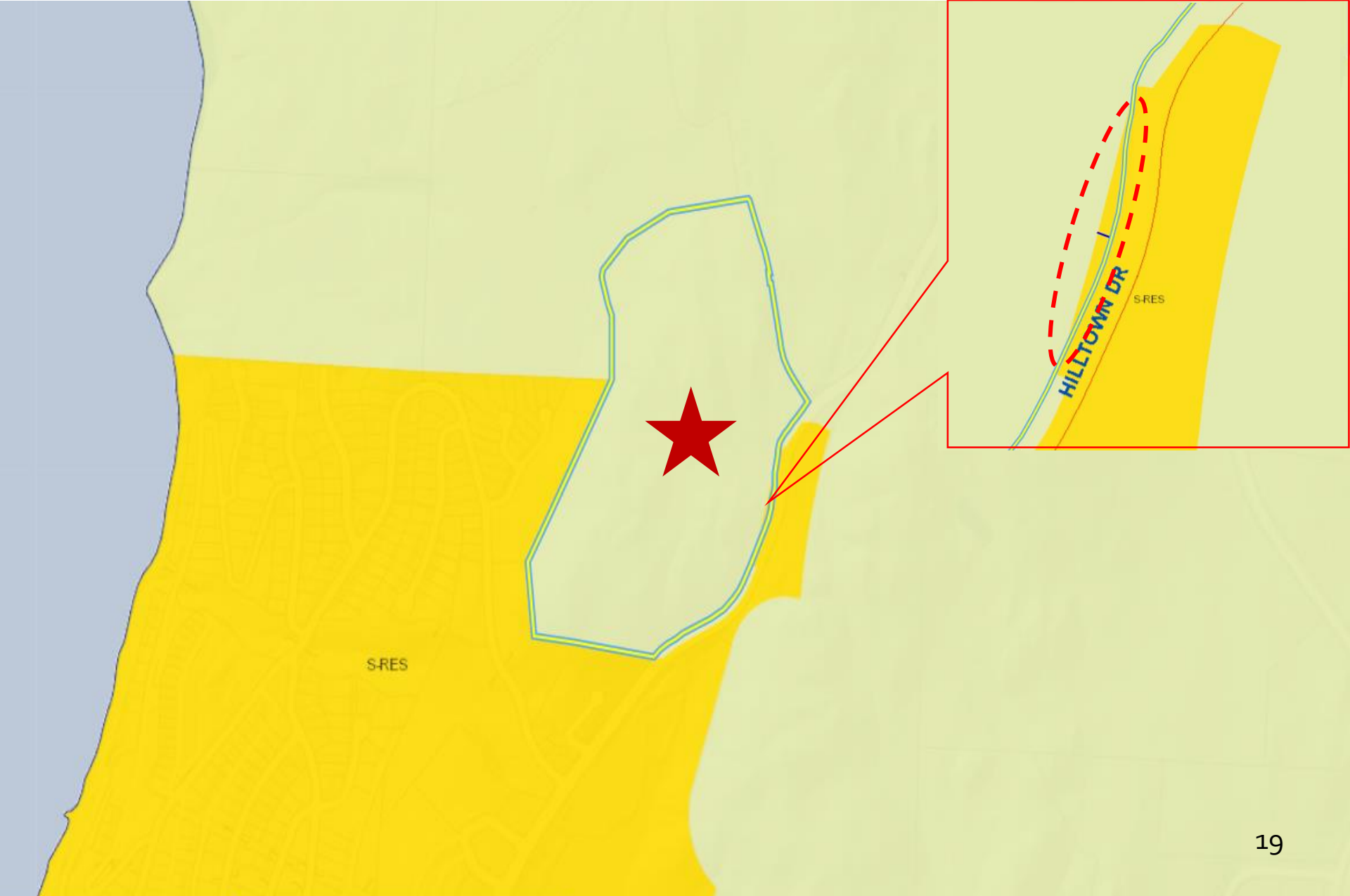
Walk Score
0

Transit Score
0

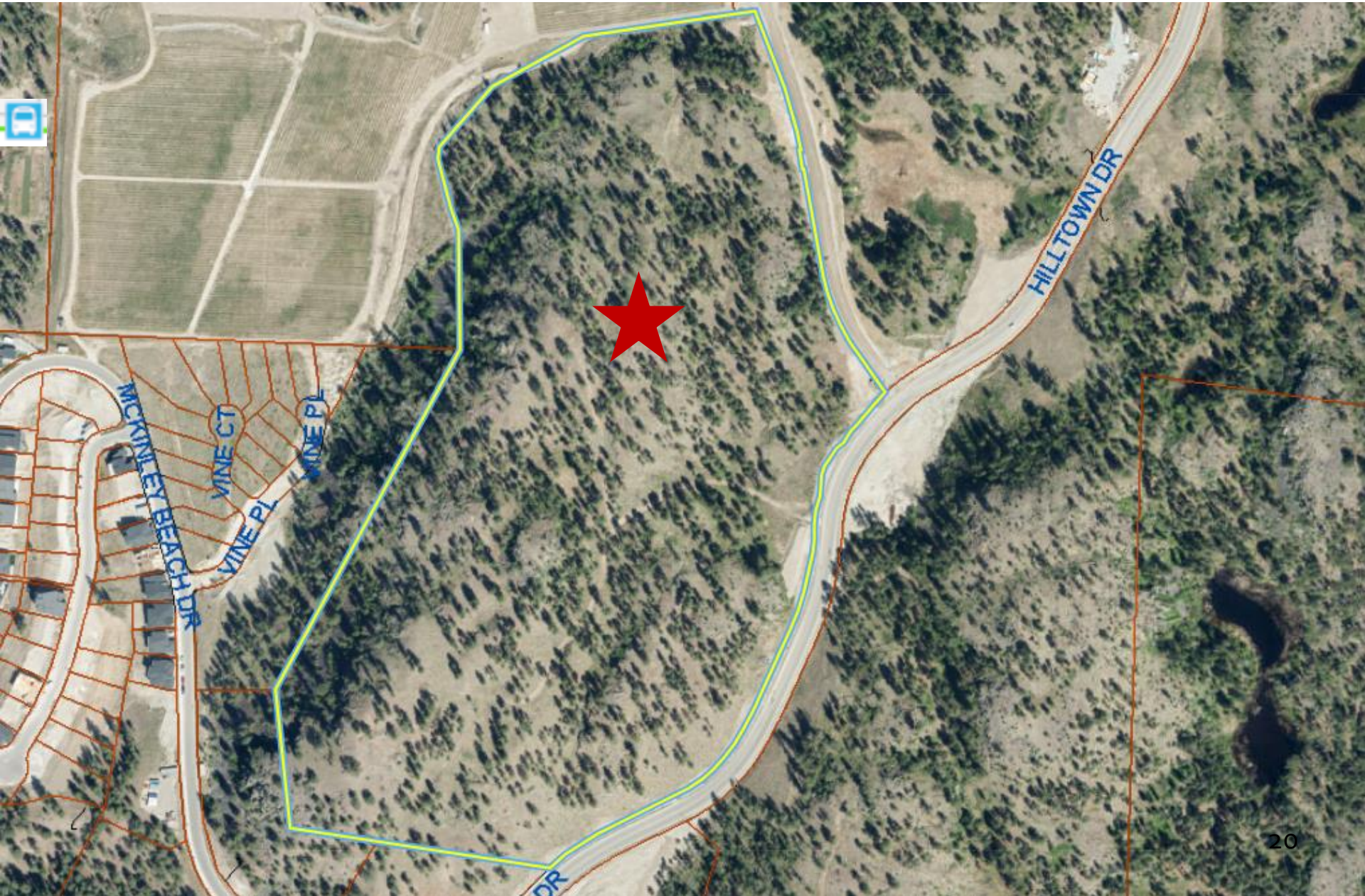
Bike Score
17



OCP Future Land Use



Subject Property Map

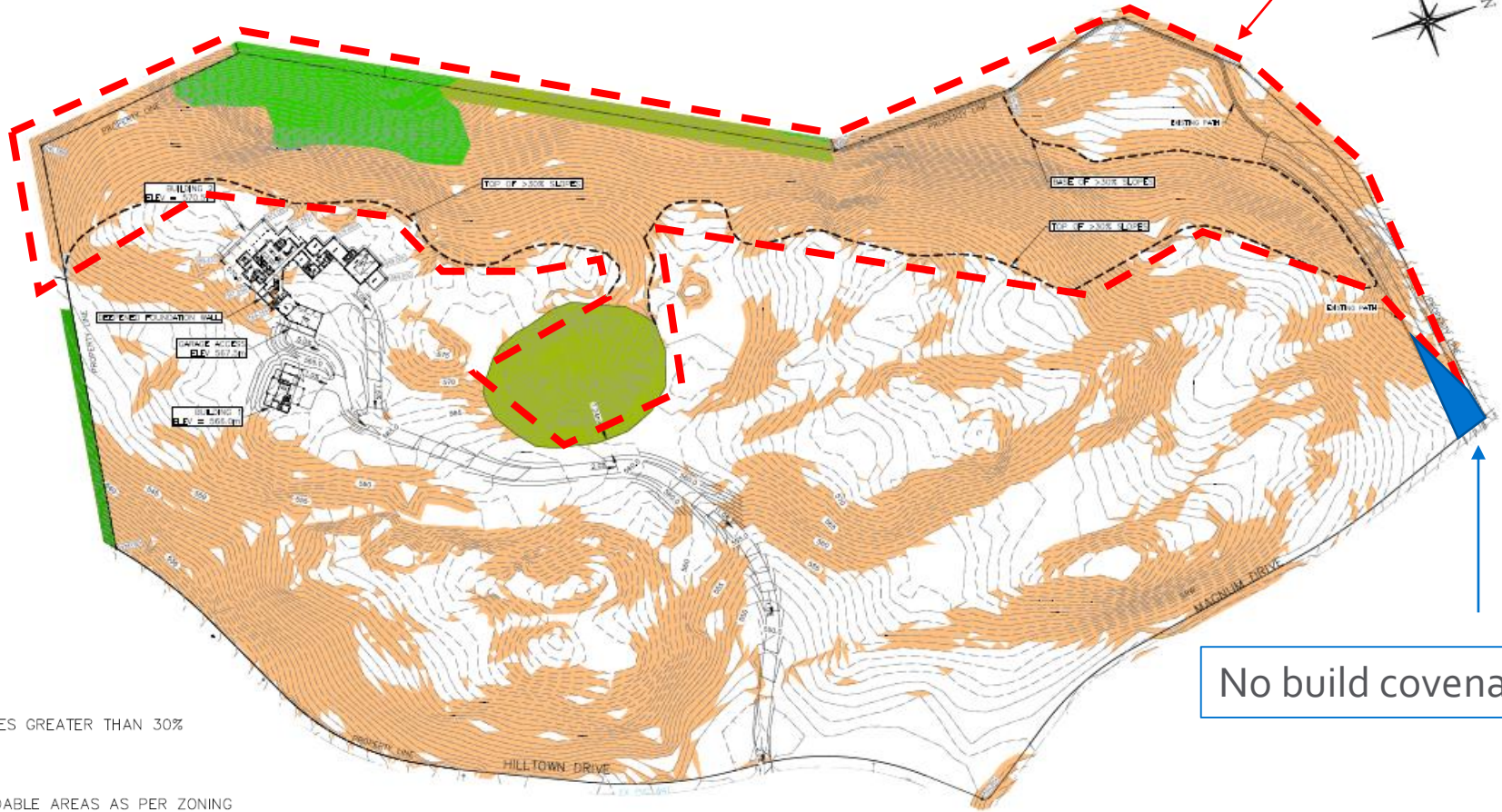


Project Details





- ▶ Agriculture / Rural Residential with Carriage House (A2c)
 - ▶ Single detached dwelling
 - ▶ Carriage house
- ▶ Steep slopes & environmentally sensitive areas will be protected via No Disturb Covenant
- ▶ 15.0 m wide ALR buffer
- ▶ Future Development Permit will follow

Draft Site Plan

No disturb covenant



No build covenant

-  - SLOPES GREATER THAN 30%
-  - BUILDABLE AREAS AS PER ZONING
-  - ESA 1
-  - ESA 2

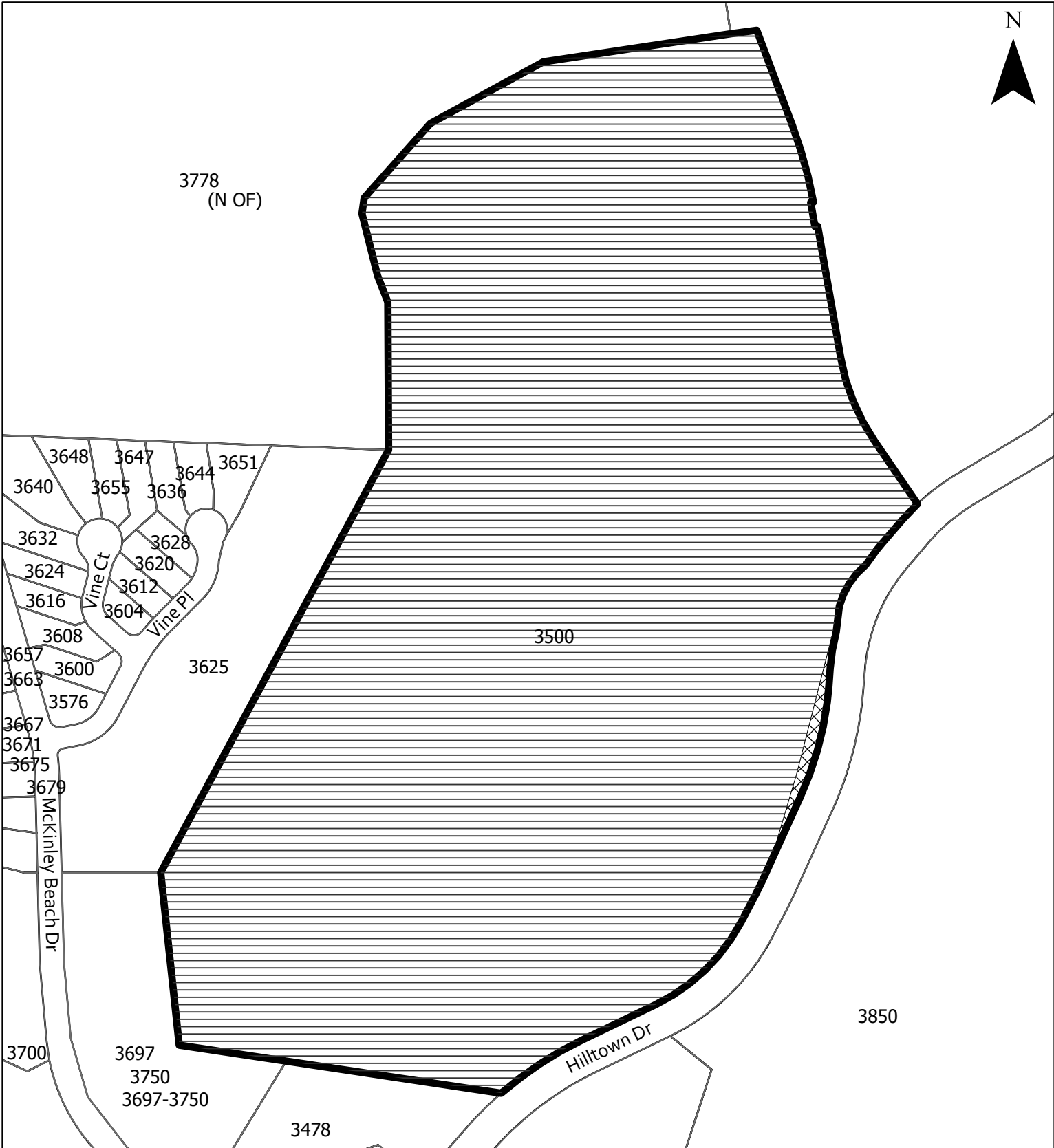
OCP Objectives & Policies

- ▶ Policy 8.2.3. Urban-Rural Buffers
 - ▶ 15.0 m wide ALR buffer
 - ▶ Consistent with Farm Protection Guidelines




- ▶ Policy 8.4.3. Housing in Agricultural Areas
 - ▶ Carriage houses may be considered where property is 1.0 hectares or greater
 - ▶ Consistent with Farm Protection Guidelines

Staff Recommendation

- ▶ Staff recommend **support** for the proposed Official Community Plan Amendment and Rezoning as it is consistent with:
 - ▶ OCP Future Land Use R-AGR
 - ▶ OCP Objectives and Policies
 - ▶ Urban-rural interface
 - ▶ Rural residential
 - ▶ Consistent with Farm Protection Guidelines
 - ▶ Development Permit to follow



MAP "B" ZONING AMENDMENT
File: Z22-0076

-  Subject Property
-  CD18 - McKinley Beach Resort to A2c - Agriculture / Rural Residential with Carriage House
-  A2 - Agriculture / Rural Residential to A2c - Agriculture / Rural Residential with Carriage House

0 2.5 5 10 15 20 25 Metres

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 accuracy. All information should be verified.



25
 Rev. Thursday, January 19, 2023

CITY OF KELOWNA

BYLAW NO. 12477

Official Community Plan Amendment No. OCP23-0002 3500 Hilltown Drive

A bylaw to amend the "*Kelowna 2040* – Official Community Plan Bylaw No. 12300".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 3.1 – **Future Land Use** of "*Kelowna 2040* – Official Community Plan Bylaw No. 12300" be amended by changing the Future Land Use designation of portions of Lot A Sections 28 and 33 Township 23 ODYD PLAN EPP117593, located on Hilltown Drive, Kelowna, BC from the S-RES - Suburban Residential designation to the R-AGR - Rural – Agricultural and Resource designation as shown on Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council

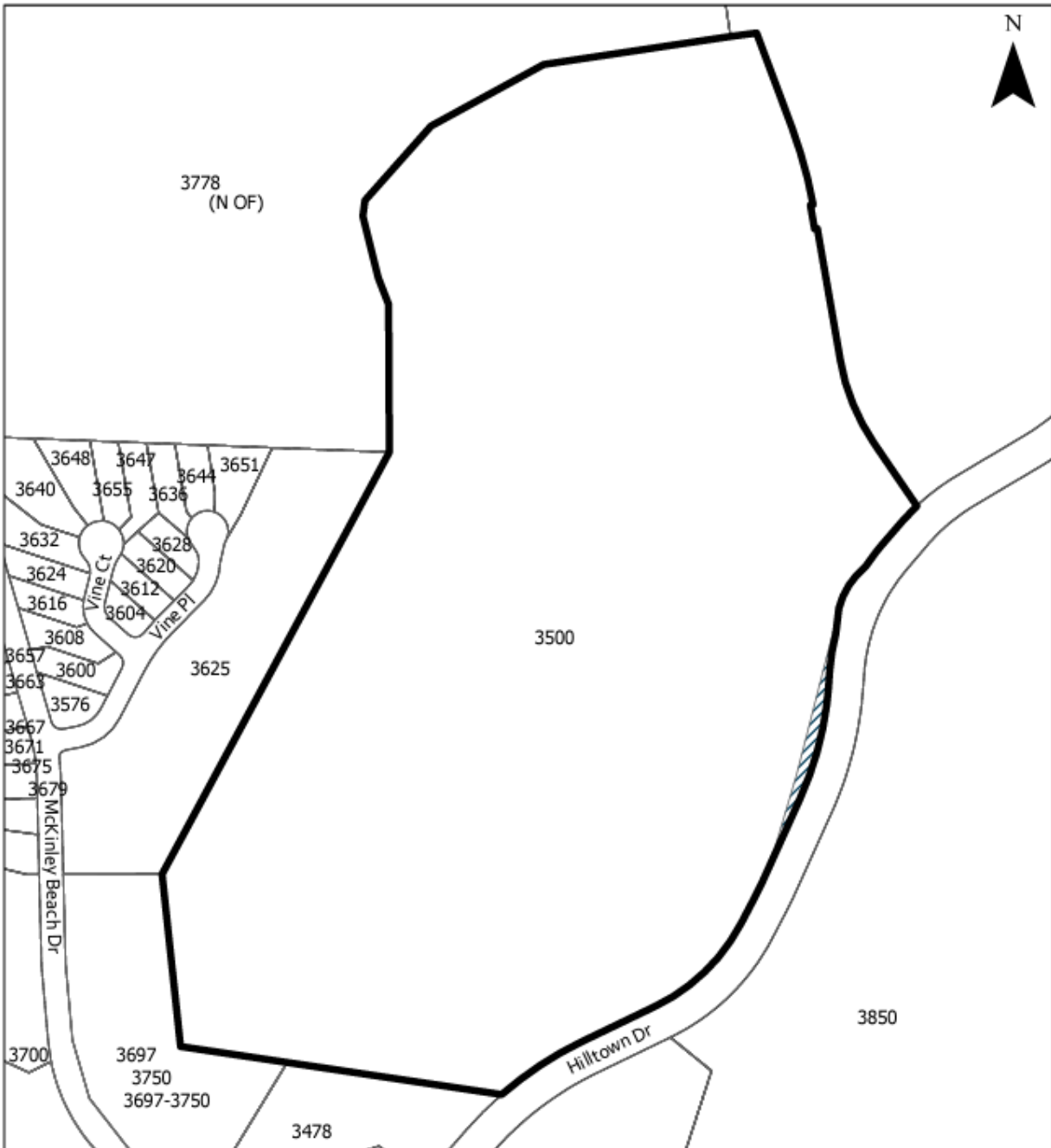
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this



Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



MAP "A" OCP AMENDMENT
File OCP23-0002

-  Subject Property
-  Suburban - Residential (S-RES) to Rural - Agriculture and Resource (R-AGR)

0 2.5 5 10 15 20 25 Metres

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 accuracy. All information should be verified.



CITY OF KELOWNA

BYLAW NO. 12478

Z22-0076

3500 Hilltown Drive

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot A Sections 28 and 33 Township 23 ODYD PLAN EPP117593 located on Hilltown Drive, Kelowna, BC from the A2 – Agriculture / Rural Residential zone and the CD18 – McKinley Beach Resort zone to the A2c – Agriculture / Rural Residential with Carriage House zone, as shown on Map "B" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

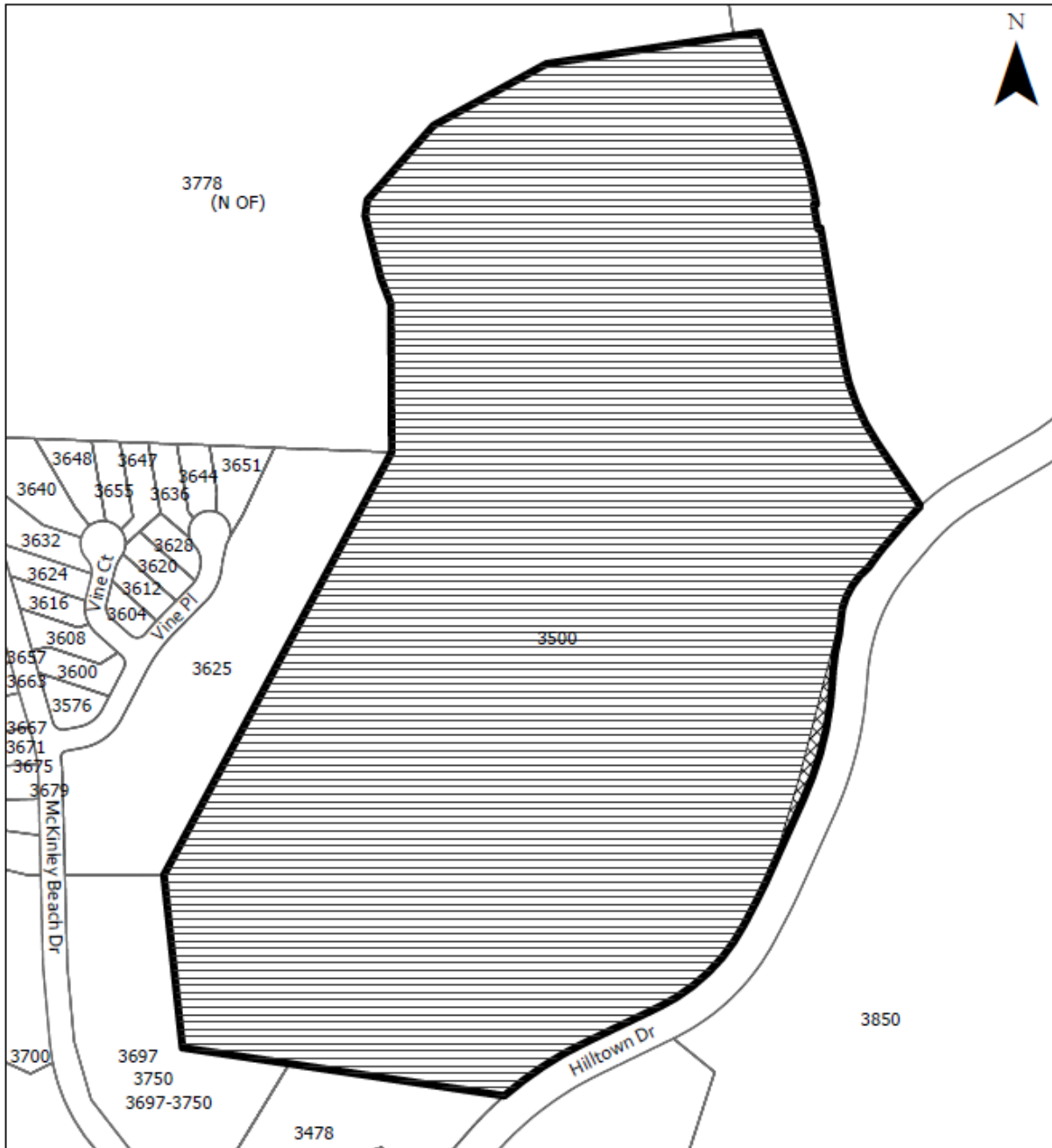
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this




Adopted by the Municipal Council of the City of Kelowna this

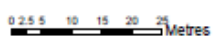
Mayor

City Clerk



MAP "B" ZONING AMENDMENT
File: Z22-0076

-  Subject Property
-  CD18 - McKinley Beach Resort to A2c - Agriculture / Rural Residential with Carriage House
-  A2 - Agriculture / Rural Residential to A2c - Agriculture / Rural Residential with Carriage House



This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.
Rev. Thursday, January 19, 2023

Report to Council



Date: January 23, 2023
To: Council
From: City Manager
Department: Office of the City Clerk
Subject: Rezoning Bylaws Supplemental Report to Council

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated January 23, 2023, with respect to four rezoning applications;

AND THAT Rezoning Bylaws No. 12467, 12468, 12469, 12470 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaws No. 12467, 12468, 12469, 12470 and to give the bylaws further reading consideration.

Background:

Zoning bylaws that are consistent with the OCP do not require a public hearing. Public notice is given before first reading with signage on the subject property, newspaper advertisements, and mailouts in accordance with the Local Government Act and Development Application & Heritage Procedures Bylaw No. 12310.

Discussion:

The four Rezoning Applications were brought forward to Council for initial consideration on January 9th, 2023. Notice of first reading was completed as outlined above.

Correspondence was received as per the following table:

Address	Application	Bylaw	Initial Consideration Date	Recommended Readings	Correspondence Received
5399 Hedeman Ct	Z22-0066	12467	Jan 9	1 st , 2 nd , 3 rd , Adopt	1
285, 305 Dougall Rd N 365 McIntosh Rd	Z22-0063	12468	Jan 9	1 st , 2 nd , 3 rd	0
4371 Lakeshore Rd	Z22-0062	12469	Jan 9	1 st , 2 nd , 3 rd	0
4346 Turner Rd	Z22-0065	12470	Jan 9	1 st , 2 nd , 3 rd	0

These applications were brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaws.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaws No. 12467, 12468, 12469, 12470 further reading consideration.

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, Council may choose to:

- give a bylaw reading consideration,
- give a bylaw first reading and advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: P Selzer, Legislative Technician

Approved for inclusion: S. Fleming, City Clerk

cc: Development Planning

CITY OF KELOWNA
BYLAW NO. 12467
Z22-0066
5399 Hedeman Court

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot A Section 23 Township 28 SDYD Plan 38762 located on Hedeman Court, Kelowna, BC from the RU₁ – Large Lot Housing zone to the RU_{1c} – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12468

Z22-0063

285, 305 Dougall Road N & 365 McIntosh Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of:

Lot 16 Section 26 Township 26 ODYD Plan 9924, located on Dougall Rd N, Kelowna, BC;
Lot 17 Section 26 Township 26 ODYD Plan 9924, located on Dougall Rd N, Kelowna, BC;
Lot 18 Section 26 Township 26 ODYD Plan 9924, located on McIntosh Rd, Kelowna, BC;

from the UC₄ – Rutland Urban Centre zone to the UC_{4r} – Rutland Urban Centre (Rental Only) zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12469
Z22-0062
4371 Lakeshore Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 4 District Lot 358 ODYD Plan 9564 located on Lakeshore Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12470

Z22-0065

4346 Turner Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot D District Lot 358 ODYD PLAN 18499, located on Turner Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2c – Medium Lot Housing with Carriage House zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12462
Z22-0067
625 Eastbourne Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of portions of Lot 111 Section 23 Township 26 ODYD Plan 24631, located on Eastbourne Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 9th day of January, 2023.

Approved under the Transportation Act this 12th day of January, 2023.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: January 23rd, 2023
To: Council
From: City Manager
Subject: Opportunities to Streamline Development Variance Permit Process
Department: Development Planning

Recommendation:

THAT Council receive, for information, the report from the Development Planning Department dated January 23rd, 2023, with respect to options for the Development Variance Permit process;
AND THAT Council direct Staff to prepare the necessary policies and bylaws to implement changes to approval process for Development Variance Permits as described in the report from the Development Planning Department dated January 23rd, 2023.

Purpose:

To consider delegation of authority options for Development Variance Permits.

Background:

High levels of development activity have been occurring for several years and will likely continue over the next decade. The Province has encouraged local governments in British Columbia to find ways to streamline development processes to be more efficient and timelier especially with the provision of housing. As a result, additional legislative tools were provided. In 2019, the Province considered the Development Approvals Process Report (DAPR) and introduced the Municipal Affairs Statutes Amendments Act (No. 2) in late 2021. The amendments enable municipalities to delegate decisions on minor Development Variance Permits to local government Staff with the goal of decreasing the amount of time it takes for approvals. Section 498.1 of the Local Government Act allows delegation of power to issue Development Variance Permits only when the variance is considered minor and only to the following provisions:

- i. Development regulations specifying the siting, size, and dimensions of buildings, structures, and permitted uses;
- ii. Off-street parking and loading space requirements;
- iii. Regulations of signs;
- iv. Regulations for screening and landscaping provisions

To implement delegation of authority, Staff would bring forth a future set of bylaw amendments to both the City’s Development Application and Heritage Procedures Bylaw No. 12310 and Council Policy 367 Public Notification. This bylaw establishes the process for development applications and their associated approvals. Staff have been considering options for improvements to the development approvals process to achieve several objectives:

1. Streamline approvals by reducing unnecessary and low-value processes for both Council and Staff;
 - a. Quicker processes for minor variance requests.
 - b. Planning reports requirement can be streamlined.
 - c. Reduced workload in the Office of the City Clerk.
 - d. More Staff time (Planning Department and Office of the City Clerk) can be re-directed to processing more complex development applications for housing supply.
2. Ensure Council and the public have relevant information early in the decision-making and input process;
3. Maintain accountability for 'minor' variance review;
4. Maintain applicant accountability for notifying adjacent neighbours; and
5. To focus Council's time and the Tuesday Regular Council meetings on major variances which are more significant and typically generate public input.

Currently, Development Variance Permits are considered by Council at the Tuesday PM regular meeting. In that meeting there is opportunity for the applicant to present to Council and the public to address Council. All properties within 50 metres are mailed a notice of the application and a sign is posted on the property. This process is the same regardless of the number of variances under application. Many variances that are 'minor' in nature draw very little public correspondence/interest. There are approximately 70 Development Variance Permit applications per year (See Table 'A' below) with approximately 40% of those applications not linked to a larger Development Permit application or to a permit already delegated to Staff. Staff consider these factors as an opportunity for process improvement for variances that are considered 'minor' in nature.

Table A – Development Variance Permits (DVPs) by Type

Year	DVPs without DP	DVP with Commercial / Industrial DP	Sign DVPs	Subdivision DVPs	DVPs with Residential DP	Total DVP applications
	(Typically Minor)				(Typically Major)	
2018	33	5	3	5	39	85
2019	21	9	3	3	41	77
2020	21	6	3	4	38	72
2021	25	2	1	4	42	74
2022	23	5	2	2	17	49

Table B – Regular Meeting Correspondence related to variance applications

	2018	2019	2020	2021	2022
DVP Applications (#)	57	67	49	39	47
Regular Meeting Correspondence (#)	270	122	156	510	487
Applications with Correspondence (#)	n/a	n/a	n/a	36	32

Jurisdictional Research:

A jurisdictional analysis of municipalities and cities throughout British Columbia, Alberta, Oregon, and Nova Scotia were analyzed regarding how they define a minor variance, and the parameters they set for delegating variances to Staff.

New Westminster allows the Planning Director to consider variances to:

- siting, size, and dimensions of buildings;
- off street parking and loading for development with less than 5 dwelling units;
- landscaping and natural environmental requirements; and
- signs.

Halifax Regional Municipal Charter delegates minor variances to Staff for:

- size of lots;
- percentage of buildable land;
- ground area and height; and
- height and area of a sign.

Wheatland County, Alberta considers a variance minor when the variance is less than 10 percent of any numerical rules and regulations within their Bylaw. In Edmonton, Alberta, variances are delegated to the Development Officer, except for height and density. Oregon City, Oregon includes development regulations such as setbacks, lot area, lot coverage, floor area, height, and parking up to specific percentages as minor variances, then all variances outside those ranges are considered major variances.

Policy Discussion – Minor Variance Criteria:

Roughly 40% of Development Variance Permit applications represent a minimal departure from the bylaw requirement and often do not generate written correspondence or in-person representation at a Tuesday Council meeting.

To streamline the approval process while continuing to provide opportunity for public input, Staff are recommending using the new legislative framework to create two categories for Development Variance Permit applications (major and minor) with different approval processes for each. Major Development Variance Permits would continue to be considered at Tuesday PM Council meetings, with opportunity for applicant and public participation. The applicant and the public could submit written correspondence in advance of Council's consideration of major Development Variance Permits. Whereas minor Development Variance Permits would be considered and reviewed by Staff and then issued by the Development Planning Department Manager.

Staff are recommending that the 'minor' Development Variance Permit criteria be established whenever:

1. A variance application is submitted without an accompanying form and character Development Permit application. This would only apply to the Zoning Bylaw and not variances to other bylaws (such as the Sign Bylaw). This is to reinforce the bylaw minimums within other bylaws such as the Sign Bylaw and that there is relatively low volume per year for these application types. This would limit the scope to development regulations (not subdivision regulations) for agricultural, rural residential regulations, and single-family zones. Any variance to Section 9 Specific Uses would be considered a major variance.
2. A variance application is submitted for any commercial or industrial development in which the authority for the Development Permit has been delegated to Staff. Any variance to Section 9 Specific Uses would be considered a major variance.

3. A variance application is submitted for any Heritage Alteration Permit in which the authority for the Heritage Alteration Permit has been delegated to Staff. Any variance to Section 9 Specific Uses would be considered a major variance.

Staff would provide an annual report to Council outlining the number of variances administered at a Staff level and provide an opportunity for Council to consider further delegation of authority on larger mixed-use and multi-family housing applications.

Policy Discussion – Council Reconsideration of Refused Permits:

If Council chooses to delegate the power to issue a Development Variance Permit under the Local Government Act (Section 498.1), then a procedure must be established for an owner of land that is subject to the delegate's decision to have that decision reconsidered by Council.

Staff would propose to establish the same rules as the current Staff approved Development Permits, as identified within the City's Development Application and Heritage Procedures Bylaw No. 12310 (Section 2.5 Council Reconsideration). That rule states "within ten business days of being notified in writing of the decision of the Development Planning Department Manager; to issue, amend, or refuse a permit, or to require Development Approval Information, the applicant may, and at no charge, request Council to reconsider the decision."

Applications that do not meet the criteria or guidelines for staff issuance of a minor variance would be considered by Council at a Tuesday Council meeting.

Policy Discussion – Public Notification:

Currently, Council Policy #367 Public Notification & Consultation for Development Applications states for all variance applications that "evidence of neighbour consultation must be provided to City Staff a minimum of 20 days prior to Council Initial Consideration of the application for inclusion in the report to Council." Therefore, updates to that Council Policy will be necessary to account for the delegated authority of 'minor' variances. Staff have provided two options to this update:

1. Update the Council Policy to remove any requirement for applicant to notify neighbours and erect a sign on the subject property for minor variances.
2. Update the Council Policy maintain a notification period for applicants to notify neighbours and /or erect a sign on the subject property for minor variances. This option would need to update Council Policy to redirect the public to send correspondence to the Development Planning Department Manager instead of to Council.

Each option has its pros and cons. There is a tension between streamlining development applications while engaging the public on a Staff issued permits.

Policy Discussion – Guidelines for Staff to Consider Permit Issuance:

Council must establish guidelines for staff to consider when deciding whether to issue a minor variance. Staff would analyze the guidelines with every application to decide on whether or not to issue the permit. The proposed guidelines are:

1. Scope and scale of variances.
 - a. Consider the degree of variance from bylaw regulations.
2. Use and enjoyment of neighbouring lands.
 - a. Consider the impact of requested variances on adjacent properties.
3. Effects on the natural environment.

- a. Consider, as applicable through the Natural Environment Development Permit process, the impact of requested variances on the natural environment.
4. Maintain required health and safety standards.
 - a. Consider safety implications such as traffic sightlines and septic requirements.
5. Meet the intent of City policies.
 - a. Consider how the proposed development meets relevant City policies and objectives.

These guidelines will be evaluated as a whole to assess the appropriateness of requested minor variances and inform staff's decision of whether or not to issue the permit.

Conclusion:

Kelowna is seen as a provincial leader in process improvements that lead to faster and more efficient development approvals for housing. This has been achieved through a long-term approach to incremental business improvements throughout the development process that was originally put in motion by the City's 2013 – Development Application Process Review Report. Since that time, the City of Kelowna has continued to make improvements both big and small with positive results.

The changes recommended by this report are expected to streamline the 40 (on average) Development Variance Permit requests per year that generally trigger lower levels of public engagement. Minor variances would be reviewed by Staff and if Staff refuses to issue the permit, then the applicant has the opportunity to request Council reconsideration. The public would still have access to information about Development Variance Permit applications through the City's Current Development Application system. Staff will provide an opportunity for an annual review of all variances administered at a Staff level and provide an opportunity for Council to consider further delegation of authority on larger mixed-use and multi-family housing applications.

Should Council support this approach, amendments to the Development Application and Heritage Procedures Bylaw No. 12310, as well as the Council Policy #367 Public Notification & Consultation for Development Applications would be required to implement these changes. These items would be brought forward for Council consideration at a future Council meeting.

Internal Circulation:

Office of the City Clerk

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 498 – Development Variance Permits

Legal/Statutory Procedural Requirements:

Local Government Act s. 499 – Development Variance Permits notice to affected property owners and tenants

Submitted by: Adam Cseke, Planner

Review By and Approved by:

Lydia Korolchuk, Urban Planning Manager

Terry Barton, Development Planning Manager


Ryan Smith, Divisional Director of Planning & Development Services

Approved for inclusion:



Doug Gilchrist, City Manager

cc: Director, Development Services



**City of Kelowna
Delegated Authority
January 23, 2023**

Purpose

- ▶ The purpose is to consider options for development approval processes for Development Variance Permits.

Background

- ▶ 2019 – The Province – DAPR considered Municipal Affairs Statute Amendments
- ▶ Allowed delegated authority on minor Development Variance Permits

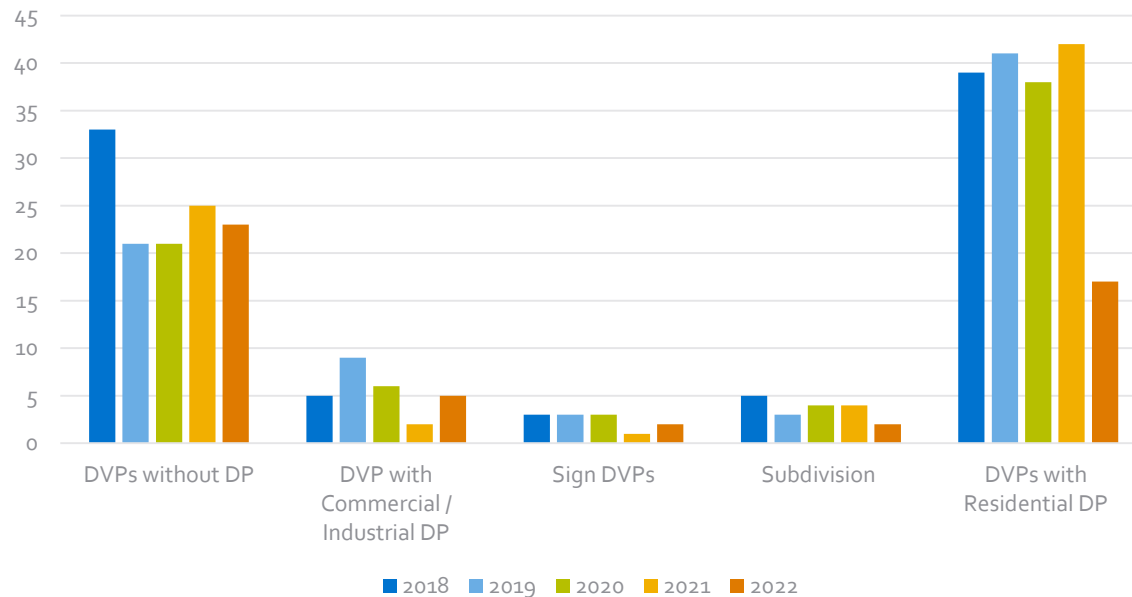
Objectives

1. Streamline approvals by reducing unnecessary and low-value processes for both Council and Staff;
 - a. Quicker processes for minor variance requests.
 - b. Planning reports requirements can be streamlined.
 - c. Reduced workload in the Office of the City Clerk.
 - d. More Staff time (Planning Department and Office of the City Clerk) can be re-directed to processing more complex development applications.
2. Ensure Council and the public have relevant information early in the decision-making and input process;
3. Maintain accountability for 'minor' variance review;
4. Maintain applicant accountability for notifying adjacent neighbours; &
5. To focus Council's time and the Tuesday Regular Council meetings on major variances which are more significant and typically generate public input.

Table A – Development Variance Permits (DVPs) by Type

Year	DVPs without DP	DVP with Commercial / Industrial DP	Sign DVPs	Subdivision DVPs	DVPs with Residential DP	Total DVP applications
	(Typically Minor)				(Typically Major)	
2018	33	5	3	5	39	85
2019	21	9	3	3	41	77
2020	21	6	3	4	38	72
2021	25	2	1	4	42	74
2022	23	5	2	2	17	49

Number and Type of Variance Applications



Percentage of Minor Vs Major Variances Using Proposed Minor Criteria

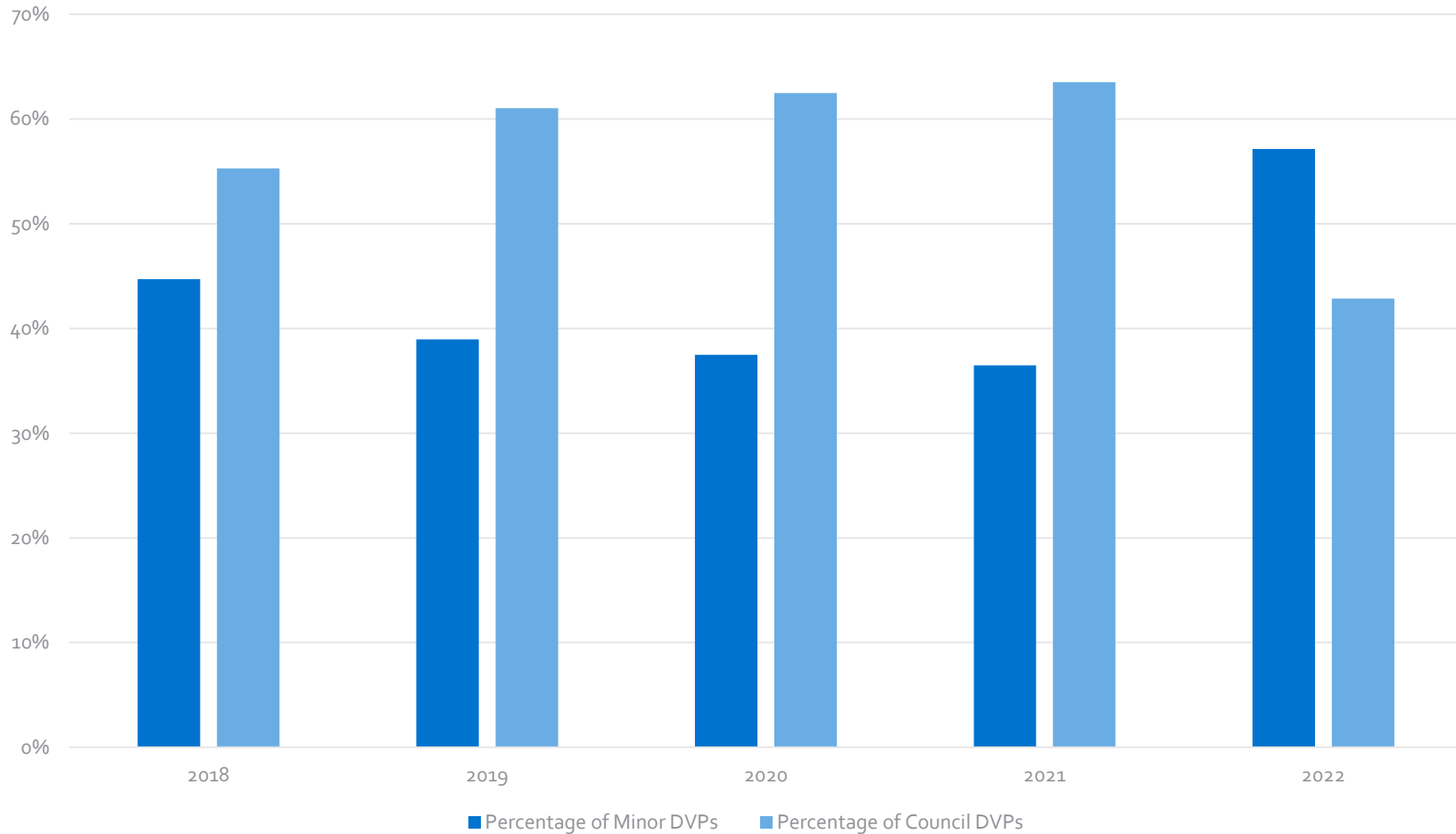


Table B – Regular Meeting Correspondence related to variance applications

	2018	2019	2020	2021	2022
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Regular Meeting Correspondence (#)	270	122	156	510	487
Applications with Correspondence (#)	n/a	n/a	n/a	36	32

Jurisdictional Research

- ▶ Analyzed cities throughout BC, Alberta, and Oregon.
- ▶ Large variability in delegated authority depending on jurisdiction.

Current Delegated Authority

- ▶ Commercial and Industrial Development Permits without variances;
- ▶ MF₁ – Infill Housing Development Permits.

Policy Discussion – Minor Variance Threshold

1. A variance application is submitted without an accompanying Development Permit application. This would only apply to the Zoning Bylaw and not variances to other bylaws (such as the Sign Bylaw). This would limit the scope to development regulations (not subdivision regulations) for agricultural, rural residential regulations, and single-family zones. *
2. A variance application is submitted for any commercial or industrial development in which the authority for the Development Permit has been delegated to Staff. *
3. A variance application is submitted for any Heritage Alteration Permit in which the authority for the Heritage Alteration Permit has been delegated to Staff. *

* Any variance to Section 9 Specific Uses would be considered a major variance.

Policy Discussion – Council Reconsideration of Refused Permits

- ▶ LGA requires a procedure of delegate's decision to be reconsidered by Council
 - ▶ Recommendation is to keep same rules as Staff issued DPs (within 10 business days applicant can request reconsideration)

Policy Discussion – Public Notification

- ▶ Council Policy #367 needs updating for minor variances
 - ▶ Two options:
 - ▶ Update the Council Policy to remove any requirement for applicant to notify neighbours and erect a sign on the subject property for minor variances.
 - ▶ Update the Council Policy maintain a notification period for applicants to notify neighbours and / or erect a sign on the subject property for minor variances. This option would need to update Council Policy to redirect the public to send correspondence to the Development Planning Department Manager instead of to Council.

Policy Discussion – Guidelines for Staff to Consider for Issuance

- ▶ LGA requires guidelines to be established
 - ▶ Proposed guidelines:
 - ▶ Scope and scale of variances
 - ▶ Use and enjoyment of neighbouring lands
 - ▶ Effects on the natural environment
 - ▶ Maintain required health and safety standards
 - ▶ Meet the intent of City policies

Staff Recommendation

- ▶ That Council direct Staff to bring forward the necessary bylaw amendments for delegated authority as outlined through this report.
 - ▶ Kelowna is a leader in process improvements for development applications
 - ▶ Recommended changes are expected to streamline 40 (on average) DVPs per year.

Report to Council



Date: January 23, 2023
To: Council
From: City Manager
Subject: 2022 Annual Report – Airport Director Delegation of Authority
Department: Kelowna International Airport

Recommendation:

THAT Council receive for information the report from Kelowna International Airport dated January 23, 2023, with respect to the transactions approved by the Airport Director in accordance with the Delegation of Authority to Enter into Agreement Bylaw No. 11961 for the period starting January 1, 2022, and ending December 31, 2022.

Purpose:

To provide Council with a summary of the transactions approved by the Airport Director between January 1, 2022, and December 31, 2022, in accordance with Bylaw No. 11961.

Background:

In accordance with Bylaw No. 11961, section 2.3, *"The Airport Director shall provide a report to Council to be received for information regarding any transactions approved pursuant to this Bylaw on an annual basis."* This report provides a summary of transactions from January 1, 2022, to December 31, 2022.

Discussion:

The details of the transactions approved by the Airport Director have been outlined in the table on the following pages. All of these transactions took place at fair market value, do not exceed a term of twenty (20) years, and are in accordance with City policies.

Name	New or Amendment	Description	Additional Details
Rental Room Agreement	New	Inland Technologies Canada Inc. Universal Protection Service of Canada Airport Terminal Services Canada Company WestJet Strategic Aviation Services Ltd.	Rental rates in accordance with Airport Fees Bylaw 7982.
Vending Machine License Agreement	New	Cruze Co. Vending Inc.	Rental rate consistent with other food and beverage operators at the Airport.
	Amendment	Cruze Co. Vending Inc.	Rental rate consistent with other food and beverage operators at the Airport.
	Amendment	Cruze Co. Vending Inc. Extension to Vending Machine License Agreement	Rental rate consistent with other food and beverage operators at the Airport.
TNS Ground Transportation License	New	10311669 Canada Corp. dba U-Ride LTG Technologies Ltd.	Fees in accordance with Airport Fees Bylaw 7982.
Sublease	New	Whitecap RSC Medical Inc. Sublease of space adjacent to terminal building for COVID-19 testing facility and lab.	Rental rate consistent with Airport Fees Bylaw 7982 and other Subleases.
	New	Executive Aviation Fuels (BC) Ltd. Airport Terminal Services Canada Inc. Central Mountain Air Tourism Kelowna Society	Rental rate in accordance with Airport Fees Bylaw 7982.
Sublease Renewal	New	Enterprise Rent-A-Car Canada	Rental rate in accordance with Airport Fees Bylaw 7982.
Sublease Amendment	Amendment	Executive Aviation Fuels (BC) Ltd.	Rental rate in accordance with Airport Fees Bylaw 7982.
License of Occupation	New	Bunny Hugs Fresh Food Collective Ltd.	Rental rate consistent with other food and beverage operators at the airport.

Name	New or Amendment	Description	Additional Details
Air Carrier Airport Use Agreement	New	Kelowna Flightcraft Air Charter Ltd. 1263343 Alberta Inc. dba Lynx Air	Fees in accordance with Airport Fees Bylaw 7982.
Airport Improvement Fee Memorandum of Agreement	Amendment	Extension of the Term of the agreement to December 31, 2023.	This agreement is between all airports in Canada that charge an Airport Improvement Fee and all airlines that collect the Airport Improvement Fee on behalf of the airports.
Scholarship Fund Agreement	New	BC Aviation Council - YLW Aviation and Aerospace Scholarship Fund Agreement	Endowment of \$1,000 per year funded by the Airport for Okanagan residents to further their career in the field of aviation and aerospace.

Conclusion:

The information above satisfies the requirement to report to Council in accordance with Bylaw No. 11961, section 2.3, up to and including December 31, 2022.

Internal Circulation:

- Communications
- Financial Services
- Real Estate

Considerations not applicable to this report:

- Legal/Statutory Authority:*
- Legal/Statutory Procedural Requirements:*
- Existing Policy:*
- Financial/Budgetary Considerations:*
- External Agency/Public Comments:*
- Communications Comments:*

Submitted by:

S. Dyrdal, Senior Airport Finance and Corporate Services Manager

Approved for inclusion: SS Sam Samaddar, Airport Director

cc:

S. Dyrdal, Senior Airport Finance and Corporate Services Manager

T. McQueenie, Airport Corporate Services Manager

L. Corcoran, Communications Department Manager

M. Friesen, Acting Controller

J. Saufferer, Real Estate Department Manager

Report to Council



Date: January 23, 2023
To: Council
From: City Manager
Subject: Kelowna International Airport Terminal Expansion Loan Authorization Bylaw
Department: Kelowna International Airport and Financial Services

Recommendation:

THAT Council receive for information the Report from Kelowna International Airport and Financial Services dated January 23, 2023, regarding bylaw reading consideration for the borrowing of forty-eight million dollars (\$48,000,000) for the construction of the Kelowna International Airport terminal expansion;

AND THAT Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw be given reading consideration;

AND FURTHER THAT Council direct staff to prepare to conduct an alternative approval process to achieve approval of the electors, subsequent to approval of the Inspector of Municipalities.

Purpose:

To give reading consideration to Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw to forward the bylaw for statutory approval as the next step before initiating the elector approval process.

Background:

Council has approved budget of \$90,675,000 for the expansion of the terminal building at Kelowna International Airport (the Airport): \$67,275,000 within the 2020 Budget, a \$500,000 amendment to the 2022 Budget, and \$22,900,000 within the 2023 Budget.

Council received for information a report on the Airport’s finances and its 10-year capital plan on November 21, 2022. This report included an overview of the terminal expansion which will expand pre-board screening and the departures lounge so the Airport will be able to accept additional air service. This report also indicated that construction of the terminal expansion is planned for 2023 with completion anticipated in 2026, that debt is anticipated to be needed in 2024 and 2025 to help fund the terminal

expansion, and that it is one of the Airport’s financial goals to maintain less than \$40M in principal loan payments outstanding.

After Council gives the Bylaw three readings, certified copies of the bylaw and the liability servicing certificate will be forwarded to the Ministry of Municipal Affairs for statutory approval.

Once the Corporate Officer receives statutory approval, a report will be provided to Council with legislative requirements and a timeline for elector approval of the loan authorization bylaw. Staff recommend using the Alternative Approval Process, initiating a City-wide petitioning period for the borrowing of forty-eight million dollars (\$48,000,000) in order to construct the terminal building expansion at the Airport.

Previous Council Resolutions

Resolution	Date
THAT the 2020 Financial Plan, Provisional – Volume 1, as amended by Council, and resulting in a 4.15% tax increase, be approved subject to Final Budget considerations.	December 12, 2019
THAT Council receives for information the report from Kelowna International Airport dated July 11, 2022, with respect to the amendment of Kelowna International Airport’s 2022 Financial Plan; AND THAT, the 2022 Financial Plan be amended to include all costs and proceeds associated with the Provincial Contribution as outlined in the report from Kelowna International Airport dated July 11, 2022; AND FURTHER THAT the Airport Director be authorized to execute all documents necessary to enter into agreements for the Provincial Contribution as outlined in the report from Kelowna International Airport dated July 11, 2022.	July 11, 2022
THAT the 2023 Financial Plan, Provisional – Volume 1, as amended by Council, and resulting in a 3.80% tax increase, be approved subject to Final Budget considerations.	December 8, 2022

Discussion:

Based on the Airport’s passenger forecasts received in December 2022 and the Airport’s current 10-year capital plan, the Airport is forecasting the need to take out approximately \$48,000,000 in debt to help fund the construction of the air terminal building expansion. As this debt will be paid back during the term, the maximum loan payments outstanding at the end of each year is forecasted to be less than \$40,000,000, which is consistent with the Airport’s financial goals. Consistent with the Airport’s historic approach, the Airport will continue to monitor forecasted passenger numbers and will ensure its 10-year capital plan will be moved forward in accordance with the Airport’s financial goals.

Conclusion:

The Airport and Financial Services recommend that Bylaw No. 12480 being Kelowna International Airport Terminal Expansion Loan Authorization Bylaw be given reading consideration.

Internal Circulation:

Communications
Office of the City Clerk

Considerations applicable to this report:

Legal/Statutory Authority:

Community Charter, S. 179 – loan authorization bylaws for long term borrowing.

Legal/Statutory Procedural Requirements:

Community Charter, S. 179 and 180 – content of loan authorization bylaws for long term borrowing and elector approval.

Financial/Budgetary Considerations:

As approved by Council in 2019 and 2022, the terminal building expansion at Kelowna International Airport has an overall budget of \$90,675,000, with funding proposed as follows:

Source of Funding	Value (\$)
Airport AIF Reserve	\$42,675,000
Borrowing (AAP) to be paid from the Airport AIF Reserve	48,000,000
Total	\$90,675,000

The terminal building expansion and payment of the corresponding debt would be funded through the Airport improvement fee and would have no impact on taxation.

Considerations not applicable to this report:

Existing Policy:

External Agency/Public Comments:

Communications Comments:

Submitted by:

S. Dyrdal, Senior Airport Finance and Corporate Services Manager
J. Sass, Finance Director

Approved for inclusion:

S.S.

cc:

T. McQueenie, Airport Corporate Services Manager

M. Friesen, Acting Controller
L. Bentley, Deputy City Clerk

CITY OF KELOWNA

BYLAW NO. 12480

Kelowna International Airport Terminal Building Expansion Loan Authorization Bylaw

WHEREAS it is deemed desirable to expand the Kelowna International Airport Terminal Building;

AND WHEREAS the estimated cost of expanding the Kelowna International Airport Terminal Building including expenses incidental thereto is the sum of ninety million, six hundred and seventy-five thousand dollars (\$90,675,000.00), of which the sum of forty-eight million dollars (\$48,000,000.00) is the amount of debt intended to be borrowed by this bylaw;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained;

AND WHEREAS approval of the electors has been obtained;

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the expansion of the Kelowna International Airport Terminal Building, and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - (a) To borrow upon the credit of the municipality a sum not exceeding forty-eight million dollars (\$48,000,000.00);
 - (b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the expansion of the Kelowna International Airport Terminal Building.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is thirty (30) years.
3. This bylaw shall take effect on the date of its adoption by Council.
4. This bylaw may be cited for all purposes as "Kelowna International Airport Terminal Building Loan Authorization Bylaw No. 12480".

Read a first, second and third time by the Municipal Council this

Received the Approval of the Inspector of Municipalities this

Bylaw No. 12480 - Page 2

Received Approval of the Electors this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: January 23, 2023
To: Council
From: City Manager
Subject: 2022 Grant Summary
Department: Partnerships Office

Recommendation:

THAT Council receives, for information, the report from the Partnerships Office dated January 23, 2023, with respect to the 2022 Grant Summary.

Purpose:

To provide Council a summary of the grant activity that occurred in 2022.

Background:

The City of Kelowna actively pursues alternative revenue through grants. The City receives funds from external providers, including the federal and provincial governments, research institutions, and other organizations. These grants align with advancing Council and corporate priorities, City master plans, the 10-Year Capital Plan, and ongoing community needs by leveraging City priority capital and operating projects.

Discussion:

Grant applications and contract timelines vary depending on the funding provider; therefore, the City is in a constant cycle of planning, securing, and managing grants. A Grant Management Policy, Grants Procedure Manual, Grants Database, and Grants Dashboard help to ensure the City has a robust Grant Management Program.

In 2022, the City was awarded 24 grants with a total value of \$27m. Table 1 provides the 2022 Grant Summary and Appendix A includes a detailed overview of the 2022 grant activity.

Table 1: 2022 Grant Summary

Grant Status	Definition	Value of Grants
24 Grants Awarded	Refers to the grants that were approved in 2022.	\$27,190,999
42 Grant Contracts Managed	Refers to the 24 grants that were awarded in 2022 as well as the 18 multi-year grants that were managed in 2022.	\$67,453,580

A few significant grants that were awarded in 2022 are highlighted below:

1. **Airport Infrastructure (\$15m combined)** – five Airport Critical Infrastructure Program Grants were received from the Government of Canada for a Combined Operations Building, Runway End Safety Area, Biosecurity Testing Facility, Air Terminal Building roof replacement, and design of airfield lighting and supporting infrastructure.
2. **Airport Childcare Facility (\$3.7m)** – a Childcare New Spaces grant was received from the Province of BC to build a new 86 space Child Care Facility at Kelowna International Airport.
3. **Outdoor Navigation Strategy (\$1.2m)** – a joint Government of Canada and the Province of BC Strengthening Communities’ Services grant was received to provide critical services and supports for people sheltering outdoors.

Conclusion:

As a fiscally responsible municipality, external grant funding is an essential component of the City’s alternative revenue generation to support and enhance City capital and operating priorities. This funding leverages municipal resources and aids in advancing Council, corporate, and community priorities. The City will continue to actively pursue grant opportunities in 2023 that align with Council priorities and the 10-Year Capital Plan.

Internal Circulation:

Partnerships & Investments Divisional Director
Partnerships Office Director
Infrastructure General Manager
Active Living & Culture Divisional Director
Finance Director
Airport Director
Communications Department Manager
Corporate Finance Manager

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

M. Kam, Grants & Special Projects Manager

Approved for inclusion:



BE



2022 Grant Summary



Grant Management

Grant applications and contract timelines vary depending on the funding provider. Therefore, the City of Kelowna is in a constant cycle of planning, securing, and managing grants.

2022 Grant Summary

Grant Status	Definition	Value of Grants
24 Grants Awarded	Refers to grants that were approved and awarded.	\$27,190,999
42 Grant Contracts Managed	Refers to the 24 grants that were awarded in 2022, as well as 18 multi-year grants that were managed in 2022.	\$67,453,580

2022 Grants Awarded

Project Name:	YLW Combined Operations Building
Government:	Federal (Transport Canada)
Program:	Airport Critical Infrastructure Program
Description:	To improve efficiencies in aircraft rescue, firefighting and operational responses to ensure the highest safety standards.
Amount awarded:	\$7,100,000
Project Name:	YLW Runway End Safety Area
Government:	Federal (Transport Canada)
Program:	Airport Critical Infrastructure Program
Description:	To create a runway end safety area (RESA) at the end of the YLW runways 16 and 34 in compliance with federal regulations.
Amount awarded:	\$4,550,000
Project Name:	YLW Childcare Facility
Government:	Provincial
Program:	ChildCare BC New Spaces Fund
Description:	To build a new 86 space Child Care Centre at the Kelowna International Airport. This centre will be operated by the YMCA of the Okanagan.
Amount awarded:	\$3,776,100
Project Name:	YLW Air Service Recovery and Operational Support
Government:	Federal (PacifiCan)
Program:	Regional Air Transportation Initiative (RATI)
Description:	To sustain core operations, reinstate air service, and drive passenger numbers.
Amount awarded:	\$3,261,330
Project Name:	YLW Biosecurity Testing Facility
Government:	Federal (Transport Canada)
Program:	Airport Critical Infrastructure Program
Description:	To establish testing and screening facilities, along with the necessary changes to facilitate flow and management of physical distancing, to protect passengers and employees at YLW.
Amount awarded:	\$2,724,732
Project Name:	Kelowna's Outdoor Navigation Strategy
Government:	Federal/Provincial (administered by UBCM)
Program:	Strengthening Communities' Services Program
Description:	To provide critical services and supports for people sheltering outdoors such as the overnight sheltering site, day services, hygiene and personal belonging services.
Amount awarded:	\$1,219,891

Project Name: **YLW Air Terminal Building Roof Replacement**
Government: Federal (Transport Canada)
Program: Airport Critical Infrastructure Program
Description: To replace the existing roof of the Airport Terminal Building at YLW with a higher insulation value making it more energy efficient and providing the additional benefit of reducing greenhouse gas emissions.
Amount awarded: **\$800,000**

Project Name: **Enhance Accessibility and Inclusivity at Pandosy Waterfront Park**
Government: Federal (PacifiCan)
Program: Canada Community Revitalization Fund
Description: To construct accessibility and inclusivity features at the Pandosy Waterfront Park, including an accessible floating dock and kayak launch, accessible paddle and foot wash station, pedestrian lighting, accessible wayfinding signage, and accessible picnic tables.
Amount awarded: **\$750,000**

Project Name: **knknxtəwix̱ “We walk hand in hand” Indigenous Harm Reduction and Structural Stigma Dialogue with the Healthcare Sector**
Government: Federal (Health Canada)
Program: Substance Use and Addictions Program
Description: To develop and implement a pilot Indigenous Harm Reduction Team, provide cultural wellness training for partner organizations, and develop and implement a pilot Indigenous Substance Use Day Treatment Program.
Amount awarded: **\$662,433**

Project Name: **YLW Mass Timber Demonstration Program**
Government: Provincial (Forestry Innovation Investment)
Program: Mass Timber Demonstration Program
Description: To utilize digital twin technology to develop, incorporate, and share new technologies for mass timber construction during YLW’s project to expand the Air Terminal Building.
Amount awarded: **\$500,000**

Project Name: **Kelowna’s Road Improvement Program**
Government: Provincial (ICBC)
Program: Road Improvement Program
Description: For numerous improvement projects including bike lanes, road safety improvements, crosswalk upgrades, and lighting.
Amount awarded: **\$486,600**

Project Name: **Kelowna Youth Gang Reduction and Prevention Strategy**
Government: Federal (Public Safety Canada)
Program: Building Safer Communities Fund
Description: To collaborate with Central Okanagan Public Schools to develop and implement a Youth Gang Reduction and Prevention Strategy.
Amount Requested: **\$202,095**

Project Name: North End Plan
Government: Federal (FCM)
Program: Green Municipal Fund: Sustainable Neighbourhood Action Plan
Description: To complete Phases 3 and 4 of the North End Neighbourhood Plan.
Amount awarded: \$175,000

Project Name: Strathcona Beach Park Project: Structural Play Components
Government: Non-Profit (KGH Foundation)
Program: Kiwanis Legacy Endowment Fund
Description: To undertake the first phase of the Strathcona Beach Park Project which focuses on creating universally accessible outdoor play space for people of all ages, abilities, and incomes.
Amount awarded: \$150,000

Project Name: 2022 Wildfire Mitigation Project
Government: Provincial (UBCM)
Program: 2022 FireSmart Community Funding & Supports
Description: To educate citizens on FireSmart initiatives and a small fuel reduction project in a densely forested and steep area of Knox Mountain Park.
Amount awarded: \$149,045

Project Name: 2022 Transit Upgrades in Kelowna
Government: Provincial (Ministry of Transportation and Infrastructure)
Program: Transit Minor Betterments Program
Description: To fund accessible transit stops at Hwy 33 at Gerstmar Road and Hwy 33 westbound at Bryden Road.
Amount awarded: \$135,000

Project Name: City of Kelowna Fleet Level 2 Chargers
Government: Federal (Natural Resources Canada)
Program: Zero Emission Vehicle Infrastructure Program
Description: To install Level 12 EV chargers at Yards and 12 EV chargers at WWTF to support the expansion of the City's EV fleet.
Amount awarded: \$120,000

Project Name: YLW Airfield Lighting and Supporting Infrastructure Design
Government: Federal (Transport Canada)
Program: Airport Critical Infrastructure Program
Description: To complete an airfield lighting feasibility assessment and design for an upgrade to the current airfield lighting systems and supporting infrastructure for Runway 16 and 34 at YLW.
Amount awarded: \$120,000

Project Name:	KCT Lighting System Replacement and Upgrade
Government:	Federal (Canadian Heritage)
Program:	Canada Cultural Spaces Fund
Description:	To replace the aging and outdated lighting fixtures.
Amount awarded:	\$97,973
Project Name:	Accessibility Ratings and Upgrades – City Buildings
Government:	Provincial (Rick Hansen Foundation)
Program:	Accessibility Certifications
Description:	To undertake accessibility ratings for the Kelowna Museum, Parkinson Activity Centre, and the Kelowna Community Theatre. To complete accessibility upgrades once assessments are complete and prioritized.
Amount awarded:	\$82,500
Project Name:	Housing Needs Assessment
Government:	Provincial (UBCM)
Program:	Housing Needs Report
Description:	To complete a housing needs assessment to provide the foundation for the next iteration of Kelowna’s Housing Strategy.
Amount awarded:	\$70,000
Project Name:	MCRI Monitoring and Restoration Planning
Government:	OBWB
Program:	Water Conservation and Quality Improvement Program
Description:	To support Mission Creek Restoration Initiative to complete the third and final year of monitoring and restoration planning.
Amount awarded:	\$26,500
Project Name:	KLO & Spiers Crosswalk Safety Project
Government:	Provincial (Ministry of Transportation and Infrastructure)
Program:	BC Vision Zero in Road Safety for Vulnerable Users Program
Description:	To construct a safe connection from the Hall Road neighbourhood to the regionally significant recreational Mission Creek Greenway and access to transit stops on KLO Road.
Amount awarded:	\$19,000
Project Name:	Snow Storage Location Risk Assessment Study
Government:	OBWB
Program:	Water Conservation and Quality Improvement Program
Description:	To complete a study to assess the risks and contaminants associated with the City’s snow storage locations.
Amount awarded:	\$12,800
Total Grants Approved:	\$27,190,999

2022 Grant Contracts Managed

Project Name:	Mill Creek Flood Protection Project
Government:	Federal (Infrastructure Canada)
Program:	Disaster Mitigation and Adaptation Fund
Description:	A multi-year initiative to improve the Mill Creek corridor and the diversion structure to reduce flooding potential throughout the City.
Amount awarded:	\$22,000,000
Project Name:	Kelowna Septic System Elimination and Sewer Connection Project
Government:	Federal and Provincial
Program:	Investing in Canada Green Infrastructure – Environmental Quality
Description:	To replace aging septic systems with sewer in Rutland, Rio/Rialto and a new Mission Creek crossing for future servicing of the Hall Road area.
Amount awarded:	\$9,034,256
Project Name:	Kelowna Outdoor Sheltering Strategy
Government:	Federal and Provincial (administered by UBCM)
Program:	Strengthening Communities’ Services
Description:	To create a multi-faceted strategy that includes the City of Kelowna and key community partners for overnight outdoor shelter, operations of overnight and day use sites, community integration and an anti-stigma campaign.
Amount awarded:	\$3,203,525
Project Name:	Rutland to Okanagan Rail Trail Active Transportation Corridor
Government:	Federal and Provincial
Program:	Investing in Canada Infrastructure Program - COVID-19 Resilience Infrastructure
Description:	To construct a shared all ages and abilities active transportation pathway to connect Rutland to the Okanagan Rail Trail.
Amount awarded:	\$2,438,143
Project Name:	PEOPLE Peer Navigators and Capacity Building Program
Government:	Federal (Health Canada)
Program:	Substance Use and Addictions Program
Description:	To build capacity of people with lived and living experience of past or current substance use through harm reduction or healing.
Amount awarded:	\$691,000
Project Name:	Ethel Street Active Transportation Corridor
Government:	Provincial
Program:	BC Active Transportation Program
Description:	To build a 1.2 km section of protected bike lanes on Ethel Street between Springfield and Raymer Avenue.
Amount awarded:	\$500,000

Project Name: Casorso Active Transportation Corridor
Government: Provincial (Ministry of Transportation and Infrastructure)
Program: BC Active Transportation Infrastructure
Description: To construct the Casorso Active Transportation Corridor from Raymer to KLO Rd.
Amount awarded: \$500,000

Project Name: Artificial Intelligence and Chatbot Development Process and Fast-Track Infill Housing Projects
Government: Provincial (administered by UBCM)
Program: Local Government Development Approvals Program
Description: To update processes and systems to make it easier to bring housing supply online. These projects will remove barriers to delivering housing in Kelowna by providing faster and more efficient development processes through AI applications and infill housing opportunities.
Amount awarded: \$429,458

Project Name: The Pier at Pandosy Waterfront Park
Government: Provincial
Program: Community Economic Recovery Infrastructure Fund
Description: To develop an inclusive and accessible public pier at the Pandosy Waterfront Park.
Amount awarded: \$390,925

Project Name: Strathcona Area Flood Prevention Project
Government: Provincial (administered through UBCM)
Program: Community Emergency Preparedness Fund
Description: To complete flood mitigation through Strathcona Park to protect the Kelowna General Hospital from flooding.
Amount awarded: \$289,100

Project Name: Transit Upgrades in Kelowna
Government: Provincial (Ministry of Transportation and Infrastructure)
Program: Transit Minor Betterments Program
Description: To fund transit stops at Highway 97 at Commonwealth Rd, Highway 33 at Rutland Rd South, and at Highway 33 at Brayden Road.
Amount awarded: \$199,999

Project Name: Kelowna Wildfire Mitigation Program (2020)
Government: Provincial (administered through Fraser Basin Council)
Program: FireSmart Community Funding and Supports
Description: To undertake wildfire mitigation of 46 ha in Knox Mountain Park East.
Amount awarded: \$150,000

Project Name: 2021 City of Kelowna Wildfire Mitigation (2019)
Government: Provincial (administered by UBCM)
Program: Community Resiliency Investment – FireSmart Fund
Description: To develop an updated 5-Year Community Wildfire Resiliency Plan and undertake fuel mitigation at 4295 Field Road.
Amount awarded: \$150,000

Project Name: Energy Financing Feasibility Study
Government: Federal (administered by FCM)
Program: Green Municipal Fund – Community Efficiency Financing
Description: To undertake a feasibility study for energy retrofit financing options.
Amount awarded: \$140,400

Project Name: Kelowna Wildfire Mitigation Program (2019)
Government: Provincial (administered through Fraser Basin Council)
Program: FireSmart Community Funding and Supports
Description: To undertake wildfire consulting work.
Amount awarded: \$100,000

Project Name: Station 1 Firehall Geothermal Feasibility Study
Government: Federal (administered by FCM)
Program: Green Municipal Fund - Retrofit of Municipal Buildings
Description: To undertake Firehall 1 Geothermal borehole study.
Amount awarded: \$20,450

Project Name: Equity Framework
Government: Provincial (BC Healthy Communities)
Program: Healthy Public Policy
Description: To help create and adjust internal and external planning processes, policies and plans to help advance equity and social inclusion in our community.
Amount awarded: \$15,000

Project Name: Child Care Spaces
Government: Provincial (Ministry of Children and Family Development)
Program: Child Care Health and Safety Grants
Description: To offset the additional costs associated with operating safely with COVID-19 pandemic at the City childcare locations including Bankhead Elementary, Watson Road Elementary and Parkinson Recreation Centre.
Amount awarded: \$10,325

Total Grants Managed¹: \$67,453,580 (refer to footnote for calculation)

¹ Grants managed = \$40,262,581 (multi-year grants) + \$27,190,999 (2022 grants awarded)



City of
Kelowna



2022 Grants Summary

January 23, 2023

Grant Management Program

- ▶ To increase funds to leverage City resources and priority projects
- ▶ Includes a strategic alignment:
 - ▶ Council priorities
 - ▶ Annual budget
 - ▶ 10-Year Capital Plan
 - ▶ Imagine Kelowna, Official Community Plan or other related Master Plans

2022 Grants Summary

Grant Status	Value of Grants
24 Grants Awarded	\$27 million
42 Grant Contracts Managed	\$67 million

Highlights of Grants Awarded in 2022

Infrastructure

- **Airport Critical Infrastructure Program Grants:** \$15m for five federal infrastructure grants for Kelowna International Airport.

Childcare

- **Childcare New Spaces:** \$3.7m provincial grant to build an 86 space Child Care Facility at Kelowna International Airport.

Social Supports

- **Strengthening Communities' Services:** \$1.2m federal/provincial grant to provide critical services and supports for people sheltering outdoors.

Grants in Action in 2022



Grants in Action in 2022



Funding Announcement



- ▶ Minister Kahlon at Kelowna International Airport for Mass Timber Grant funding announcement.

Grant Events and Celebrations



- ▶ Minister of Transportation and Infrastructure, Honorable Rob Fleming and Okanagan College President Neil Fassina at opening of Ethel/Casorso ATC



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: January 23, 2023
To: Council
From: City Manager
Subject: Amendments to Council Procedure Bylaw
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated January 23, 2023, regarding amendments to Council Procedure Bylaw;

AND THAT Bylaw No. 12476 being Amendment No. 8 to Council Procedure Bylaw No. 9200 be forwarded for reading consideration.

Purpose:

To amend Council Procedure Bylaw No. 9200 with updated Council meeting practices.

Background:

The Council Procedure Bylaw establishes the general procedures for Council and Council committees to follow in conducting their business. Council Procedure Bylaw No. 9200 was adopted in 2004 and has been amended seven times since it was adopted.

Discussion:

On [December 5, 2022](#), Council considered changes to Council Procedure Bylaw No. 9200. Specific sections were identified for amendment, and the following recommendations are included in the amendments:

- Start Tuesday meetings at 4 pm, with the possibility to start at 3 pm to accommodate more agenda items
- Combine Tuesday regular meetings and public hearings proceedings
- Conclude Council meeting or public hearing at 8 pm with escalating voting requirements to extend meetings past 8 pm, 8:30 pm, and 9 pm
- Increase publication of regular Council meeting agenda from forty-eight hours to seventy-two hours, to publish Monday Council agendas on the Wednesday before the meeting
- Remove "Issues arising" from Monday morning agenda, to be captured under Mayor and Councillor items in the afternoon agenda
- Enhance conduct and debate around motions and agenda items

- Miscellaneous amendments to clarify wording

The attached Schedule A outlines the bylaw changes. Public notice will be given following third reading of the bylaw.

Conclusion:

These amendments to Council Procedure Bylaw are an opportunity for Council to improve and clarify meeting practices. A subsequent report related to this Bylaw will discuss options for Council to hear from public delegations.

Considerations applicable to this report:

Legal/Statutory Authority:

Community Charter section 124(1) requires Council to have a procedure bylaw.

Legal/Statutory Procedural Requirements:

Community Charter section 124(3) requires public notice to be provided prior to Council adopting an amendment to a Council Procedure Bylaw.

Considerations not applicable to this report:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

P. Selzer, Legislative Technician

Approved for inclusion: S. Fleming, City Clerk

Attachments:

Schedule A – Council Procedure Bylaw Amendments

Schedule A – Council Procedure Bylaw Amendments

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	PART 2 – Schedule and notice of Council meetings 2.4 Schedule of Meetings	Public hearings shall begin at 6:00 p.m. on Tuesday evening, unless the agenda volume requires a start time of 4:00 p.m. or Council passes a resolution to change the time of a particular hearing . Regular Tuesday evening Council meetings shall begin after the conclusion of the public hearing or, if there is no public hearing, in the manner provided for public hearings. The City Clerk will set hearing and meeting start times in accordance with this bylaw.	<u>Tuesday meetings</u> shall begin at <u>4:00</u> p.m. on Tuesday evening, unless the agenda volume requires a start time of <u>3:00</u> p.m. or Council passes a resolution to change the time of a particular <u>meeting</u> . The City Clerk will set meeting start times in accordance with this bylaw.	Starting Tuesday meetings earlier aligns with the change for meetings to not continue past 8:00 p.m. without a resolution of Council.
2.	PART 2 – Schedule and notice of Council meetings 2.9 Notice of Regular Council Meetings and Public Meetings	At least forty-eight (48) hours before a regular Council meeting or public hearing the City Clerk must give notice of the meeting or hearing agenda, including confirmation of the time, place, and date, by: (b) posting the agenda on the Notice Board at City Hall; (c) leaving copies of the agenda at a public counter at City Hall for distribution to members of the public as requested; (d) providing a paper or electronic copy to each member of Council and (e) posting agendas on the City's internet website.	At least <u>seventy-two (72)</u> hours before a regular Council meeting the City Clerk must give notice of the meeting agenda, including confirmation of the time, place, and date, by: <u>(a)</u> posting the agenda on the Notice Board at City Hall; <u>(b)</u> leaving copies of the agenda at a public counter at City Hall for distribution to members of the public as requested; <u>(c)</u> providing a paper or electronic copy to each member of Council and <u>(d)</u> posting agendas on the City's internet website.	Agendas posted twenty-four (24) hours earlier provides Council and the public more time to review the agenda package.
3.	Part 4 – Public Attendance at Council meetings Proceedings at Public Hearing	Proceedings at Public Hearing	Proceedings at <u>Tuesday Regular Meetings</u>	Tuesday meetings now have one agenda combining both public hearing and regular meeting items. This change reflects the appropriate language in the bylaw.

4.	Part 4 – Public Attendance at Council meetings Proceedings at a Regular Meeting (morning)	<p>Proceedings at a Regular Meeting (Morning)</p> <p>4.7 Written correspondence addressed to Council which is related to a special community request, may be placed on the agenda under 'Issues Arising from Correspondence & Community Concerns' following the request of a member of Council.</p> <p>(a) Written correspondence addressed to Council which relates to matters that all within the scope of responsibility of a particular City department will be referred directly to the Director of that department by the City Manager.</p>	Delete in its entirety	Issues arising from correspondence and community concerns may be raised under Mayor and Councillor Items on the Monday afternoon agenda. This change removes the potential duplication of similar standing agenda items in the morning and afternoon.
5.	PART 4 – Public attendance at Council meetings 4.12 Proceedings at Public Hearing	The City Clerk shall make available to each member of Council before the public hearing a copy of any correspondence pertaining to the subject of the public hearing that has been received after the date of required statutory notification of the public hearing. All correspondence or information received prior to that date shall be available through the Planning and Development Services Division.	The City Clerk shall make available to each member of Council before <u>a Tuesday regular meeting</u> a copy of any correspondence pertaining to the subject of <u>a Tuesday regular meeting</u> that has been received after the date of required statutory notification of the meeting. All correspondence or information received prior to that date shall be available through the Planning and Development Services Division.	Tuesday meetings combine both public hearing and regular meeting items. This change reflects the appropriate language in the bylaw.
6.	PART 4 – Public attendance at Council meetings 4.13 Proceedings at Public Hearing	The Mayor or presiding member shall only entertain submissions that are germane to the purpose of the proposed bylaw under discussion.	The Mayor or presiding member shall only entertain submissions that are <u>relevant</u> to the <u>subject</u> bylaw under discussion.	Change wording to reflect plain language.

	PART 5 – Rules of Procedure at Council meetings 5.2 Agenda Preparation and Order of Proceedings	All items or reports for the agenda of a meeting of Council, other than a special Council meeting, must be delivered to the City Clerk prior to 12:00 pm (noon) on the Wednesday preceding a Monday meeting. Any item not delivered complete and in an agenda-ready format by that deadline shall be held to the next meeting of Council, unless approved as a late item by the City Manager.	<u>The City Manager and City Clerk are authorized to establish timelines for agenda items or reports of a meeting of Council to be delivered to the City Clerk.</u> Any item not delivered complete and in an agenda-ready format by that deadline shall be held to the next meeting of Council, unless approved as a late item by the City Manager.	Authorizes the City Manager and City Clerk to manage administrative procedures to ensure Council agendas are prepared in a timely manner.
7.	PART 5 – Rules of procedure at Council meetings 5.4(a) Agenda preparation and order of proceedings	Monday Regular Meeting (morning) <ul style="list-style-type: none"> • Call to Order • Confirmation of Minutes • Reports • Resolution closing meeting to the public pursuant to the Community Charter • Closed session <ul style="list-style-type: none"> o Convene Closed Session o Confirmation of Minutes o Reports o Issues Arising from Correspondence & Community Concerns • Reconvene to Open Session • Issues Arising from Correspondence & Community Concerns • Termination 	Monday Regular Meeting (morning) <ul style="list-style-type: none"> • Call to Order • Confirmation of Minutes • Reports • Resolution closing meeting to the public pursuant to the Community Charter • Closed session <ul style="list-style-type: none"> o Convene Closed Session o Confirmation of Minutes o Reports o Issues Arising from Correspondence & Community Concerns • Reconvene to Open Session • Termination 	Issues arising from correspondence & community concerns will be raised in the afternoon under Mayor and Councillor items. Removes duplication in the morning.
8.	PART 5 – Rules of procedure at Council meetings 5.4(c)(d) Agenda preparation and order of proceedings	(c) Tuesday Regular Meeting (following Public Hearing, if applicable) <ul style="list-style-type: none"> • Call to order • Reaffirmation of Oath of Office • Confirmation of minutes • Bylaws considered at public hearing • Liquor license application reports o Summary of correspondence received (number and type) 	<u>(c) Tuesday Regular Meeting</u> <ul style="list-style-type: none"> • <u>Call to Order</u> • <u>Territorial Acknowledgement</u> • <u>Reaffirmation of Oath of Office</u> • <u>Confirmation of Minutes</u> • <u>Call to Order Public Hearing</u> • <u>Individual Bylaw submissions</u> <ul style="list-style-type: none"> o <u>Staff presentation</u> o <u>Presentation by owner or applicant</u> 	Combining Tuesday regular meetings and public hearings allows Council to debate and vote on bylaws immediately after the public hearing.

		<ul style="list-style-type: none"> • Development permit, development variance permit and Provincial Referral Reports o Summary of correspondence received (number and type) • Reports • Resolutions • Reminders • Termination <p>(d) Public Hearing and Regular Hearing</p> <ul style="list-style-type: none"> • Call to Order public hearing • Territorial Acknowledgement • Staff presentation • Presentation by owner or applicant • Call for any person to speak in relation to the item being heard • Owner or Applicant to respond to concerns raised by speakers or Council • Termination of Public Hearing 	<ul style="list-style-type: none"> o <u>Call for any person to speak in relation to the item being heard</u> o <u>Owner or Applicant to respond to concerns raised by public</u> o <u>Questions of staff by members of Council</u> • <u>Termination</u> • <u>Call to Order Regular Meeting</u> • <u>Bylaws Considered at Public Hearing</u> • <u>Individual Bylaw Submissions through Bylaws Considered at Public Hearing to be repeated for each bylaw submission</u> • <u>Liquor License Application Reports</u> • <u>Development Permit and Development Variance Permit Application Reports</u> • <u>Heritage Alteration Permit Application Reports</u> • <u>Termination</u> 	
9.	PART 5 – Rules of procedure at Council meetings 5.4 Agenda preparation and order of proceedings	No Council meeting or public hearing may start or continue past 11:00 p.m. unless Council passes a resolution to start or continue that meeting past that time-	(f) No Council meeting or public hearing may start or continue past <u>8:00 p.m.</u> unless Council passes a resolution to start or continue that meeting past that time <u>as follows:</u> (i) <u>8:00 p.m. with an affirmative vote of a majority of Council members present;</u> (ii) <u>8:30 p.m. with an affirmative vote of two thirds of Council members present; and</u> (iii) <u>9:00 p.m. with an affirmative vote of all Council members present.</u>	Earlier end times and a progressively higher test for continuation allows Council to make clear decisions and provides clear meeting time expectation to the public.
10.	PART 5 - Rules of procedure at Council meetings	A member shall speak at a Council meeting only after being recognized by the presiding member, except to raise a point of order.	A member shall speak at a Council meeting only after being recognized by the presiding member and <u>only to the</u>	Clarifies that discussion is to be limited to the specific agenda item under consideration.

	5.19 Conduct and Debate at Meetings		<u>item at business on the agenda</u> , except to raise a point of order. <u>In speaking to any motion or amendment, members will limit their remarks to such motion or amendment, and will not introduce unrelated matters.</u>	
11.	PART 5 - Rules of procedure at Council meetings 5.38 Privilege	For the purposes of section 5.38, a matter of privilege listed in section 5.37 has precedence over those matters listed after it.	For the purposes of section 5.37, a matter of privilege listed in section 5.36 has precedence over those matters listed after it.	Corrects reference to other sections.
12.	PART 8 – Resolutions 8.2 Form of Proposed Resolutions	A resolution must be printed and have a distinguishing number.	A resolution must be printed.	Resolution numbers are no longer required with electronic agendas and minutes.



City of
Kelowna

Council Procedure Bylaw Amendments

January 2023

Council Procedure Bylaw

- ▶ Required under the *Community Charter*
- ▶ Applies to Council and to Council committees
- ▶ Sets out how meetings are to be conducted
- ▶ Adopted in 2004, amended seven times since

Council Procedure Bylaw

- ▶ Focus is on meeting procedure amendments presented in December
- ▶ Public notice before adoption of any amendments
- ▶ Separate reports to come for other items
 - ▶ Public delegations to Council
 - ▶ Council policies not related to meetings

Summary of Amendments

- ▶ Tuesday meetings to start at 4 pm, option to start as early as 3 pm
- ▶ Combine Tuesday regular meeting and public hearing agendas
- ▶ Council resolution to start or continue meeting past 8 pm
 - ▶ Majority to continue past 8 pm
 - ▶ 2/3 to continue past 8:30 pm
 - ▶ All to continue past 9 pm

Summary of Amendments

- ▶ Publish Monday Council agendas on the Wednesday before the meeting
- ▶ Remove Issues Arising from Monday morning agenda
 - ▶ Captured under Mayor and Councillor items on afternoon agenda
- ▶ Clarifications for conduct and debate for motions and agenda items
- ▶ Remove requirement for resolution numbers

Next Steps

- ▶ Notice will be published in the newspaper following third reading
- ▶ Separate reports on public delegations to Council and other Council policies to follow



Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 12476

Amendment No. 8 to Council Procedures Bylaw No. 9200

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Council Procedures Bylaw No. 9200 be amended as follows:

1. **THAT PART 2 – SCHEDULE AND NOTICE OF COUNCIL MEETINGS, 2.4 Schedule of Meetings** be amended as follows:

Deleting the following that reads:

“Public hearings shall begin at 6:00 p.m. on Tuesday evening, unless the agenda volume requires a start time of 4:00 p.m. or Council passes a resolution to change the time of a particular hearing. Regular Tuesday evening Council meetings shall begin after the conclusion of the public hearing or, if there is no public hearing, in the manner provided for public hearings. The City Clerk will set hearing and meeting start times in accordance with this bylaw.”;

And replace with:

“Tuesday meetings shall begin at 4:00 p.m. on Tuesday evening, unless the agenda volume requires a start time of 3:00 p.m. or Council passes a resolution to change the time of a particular meeting. The City Clerk will set meeting start times in accordance with this bylaw.”;

2. **AND THAT PART 2 – SCHEDULE AND NOTICE OF COUNCIL MEETINGS, 2.9 Notice of Regular Council Meetings and Public Meetings** be amended as follows:

Deleting the following that reads:

“At least forty-eight (48) hours before a regular Council meeting or public hearing the City Clerk must give notice of the meeting or hearing agenda, including confirmation of the time, place, and date, by:

- (b) posting the agenda on the Notice Board at City Hall;
- (c) leaving copies of the agenda at a public counter at City Hall for distribution to members of the public as requested;
- (d) providing a paper or electronic copy to each member of Council and
- (e) posting agendas on the City’s internet website.”;

And replace with:

“At least seventy-two (72) hours before a regular Council meeting or public hearing the City Clerk must give notice of the meeting or hearing agenda, including confirmation of the time, place, and date, by:

- (a) posting the agenda on the Notice Board at City Hall;
- (b) leaving copies of the agenda at a public counter at City Hall for distribution to members of the public as requested;
- (c) providing a paper or electronic copy to each member of Council; and
- (d) posting agendas on the City’s internet website.”;

3. **AND THAT PART 4 – PUBLIC ATTENDANCE AT COUNCIL MEETINGS** be amended by deleting **Proceedings at Public Hearing** and replacing it with **Proceedings at Tuesday Regular Meetings**;

4. **AND THAT PART 4 – PUBLIC ATTENDANCE AT COUNCIL MEETINGS, Proceedings at a Regular Meeting (morning)** be deleted in its entirety as follows:

"4.7 Written correspondence addressed to Council which is related to a special community request, may be placed on the agenda under 'Issues Arising from Correspondence & Community Concerns' following the request of a member of Council.

(a) Written correspondence addressed to Council which relates to matters that all within the scope of responsibility of a particular City department will be referred directly to the Director of that department by the City Manager.";

5. **AND THAT PART 4 – PUBLIC ATTENDANCE AT COUNCIL MEETINGS, 4.12 Proceedings at Public Hearings** be amended by deleting all references to "the public hearing" and replacing it with "a Tuesday regular meeting";

6. **AND THAT PART 4 – PUBLIC ATTENDANCE AT COUNCIL MEETINGS, 4.13 Proceedings at Public Hearing** be amended as follows:

(a) Deleting "germane" and replacing it with "relevant"

(b) Deleting "purpose of the Proposed" and replacing it with "subject";

7. **AND THAT PART 5 – PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.2 Agenda Preparation and Order of Proceedings** be amended as follows:

Deleting the following that reads:

"All items or reports for the agenda of a meeting of Council, other than a special Council meeting, must be delivered to the City Clerk prior to 12:00 pm (noon) on the Wednesday preceding a Monday meeting. Any item not delivered complete and in an agenda-ready format by that deadline shall be held to the next meeting of Council, unless approved as a late item by the City Manager";

And replace with

"The City Manager and City Clerk are authorized to establish timelines for agenda items or reports of a meeting of Council to be delivered to the City Clerk. Any item not delivered complete and in an agenda-ready format by that deadline shall be held to the next meeting of Council, unless approved as a late item by the City Manager.";

8. **AND THAT PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.4 Agenda Preparation and Order of Proceedings, (a) Monday Regular Meeting (morning)** be amended by deleting the following:

(a) "Issue Arising from Correspondence & Community Concerns" after "Reconvene to Open Session";

9. **AND THAT PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.4 Agenda Preparation and Order of Proceedings, (c) Tuesday Regular Meeting (following Public Hearing, if applicable)** be amended as follows:

Deleting the following that reads:

“(c) Tuesday Regular Meeting (following Public Hearing, if applicable)

- Call to order
- Reaffirmation of Oath of Office
- Confirmation of minutes
- Bylaws considered at public hearing
- Liquor license application reports
 - Summary of correspondence received (number and type)
- Development permit, development variance permit and Provincial Referral Reports
 - Summary of correspondence received (number and type)
- Reports
- Resolutions
- Reminders
- Termination”;

And replace with:

“(c) Tuesday Meeting

- Call to order
- Territorial Acknowledgement
- Reaffirmation of Oath of Office
- Confirmation of Minutes
- Call to Order Public Hearing
- Individual Bylaw submissions
 - Staff presentation
 - Presentation by owner or applicant
 - Call for any person to speak in relation to the item being heard
 - Owner or Applicant to respond to concerns raised by public
 - Questions of staff by members of Council
- Termination
- Call to Order Regular Meeting
- Bylaws Considered at Public Hearing
- *Individual Bylaw Submissions through Bylaws Considered at Public Hearing to be repeated for each bylaw submission*
- Liquor License Application Reports
- Development Permit and Development Variance Permit Application Reports
- Heritage Alteration Permit Application Reports
- Termination”;

10. AND THAT **PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.4 Agenda Preparation and Order of Proceedings**, (d) Public Hearing and Regular Hearing be deleted in its entirety as follows:

“(d) Public Hearing and Regular Hearing

- Call to Order public hearing
- Territorial Acknowledgement
- Staff presentation
- Presentation by owner or applicant
- Call for any person to speak in relation to the item being heard
- Owner or Applicant to respond to concerns raised by speakers or Council
- Termination of Public Hearing”;

11. AND THAT **PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.4 Agenda Preparation and Order of Proceedings** be amended as follows:

Deleting the following that reads:

"5.4 No Council meeting or public hearing may start or continue past 11:00 p.m. unless Council passes a resolution to start or continue that meeting past that time.";

And replace with:

"(f) No Council meeting or public hearing may start or continue past 8:00 p.m. unless Council passes a resolution to start or continue that meeting past that time as follows:

- (i) 8:00 p.m. with an affirmative vote of a majority of Council members present;
- (ii) 8:30 p.m. with an affirmative vote of two thirds of Council members present; and
- (iii) 9:00 p.m. with an affirmative vote of all Council members present.";

12. **AND THAT PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.19 Conduct and Debate at Meetings** be amended by adding the following:
 - (a) "only to the item at business on the agenda " after "presiding member and"
 - (b) "In speaking to any motion or amendment, members will limit their remarks to such motion or amendment, and will not introduce unrelated matters." at the end of the section;
13. **AND THAT PART 5 – RULES OF PROCEDURE AT COUNCIL MEETINGS, 5.38 Privilege** be amended as follows:
 - (a) Deleting "5.38" and replace with "5.37"
 - (b) Deleting "5.37" and replace with "5.36";
14. **AND FURTHER THAT PART 8 – Resolutions, 8.2 Form of Proposed Resolutions** be amended by deleting the following:

"and have a distinguishing number";
15. This bylaw may be cited for all purposes as "Bylaw No. 12476 being Amendment No. 8 to Council Procedures Bylaw No. 9200".
16. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk