



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, April 24, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Community Planning and Development Manager, Dean Strachan*; Urban Planning Manager, Jocelyn Black*; Planner Specialist, Adam Cseke*; Financial Planning Manager, Melanie Antunes*; Budget Supervisor, Jennifer Grills*; Building Services Manager, Steve Perry*; Finance Director, Joe Sass*; Revenue Supervisor, Patrick Gramiak*; Utility Services Manager, Kevin Van Vliet*; Special Projects Manager, John Vos*; Legislative Technician, Natasha Beauchamp
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 1:30 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 DeHart

THAT the Minutes of the Regular Meetings of April 17, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Benvoulin Road 2809 - OCP22-0010 Z22-0059 - Gurdwara Guru Amardas Darbar Sikh Society

Staff:

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

Birte Decloux, Urban Options Planning Corp.

- Displayed a PowerPoint Presentation.
- The society currently worship at their gurdwara on Davie Road, however, the congregation has grown and the space is limited.
- The society considered several options including expanding at their existing site, however this was not supported in the Official Community Plan vision; other sites were considered and this one was purchased.
- Spoke to the reasons that this site is favourable.
- Commented on Official Community Plan Policies.
- Spoke to neighbourhood concerns regarding traffic through the neighbourhood, access and egress to the site, parking and the outdoor shower facility.
- Spoke to community engagement including 4 town hall meetings, a separate Open House for the immediate neighbourhood; noting that commitments to the neighbourhood specifically around removing the outdoor shower will be upheld.
- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Official Community Plan Map Amendment Application No. OCP22-0010 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of Lot 1 District Lot 130 ODYD Plan 8064 located at 2809 Benvoulin Road, Kelowna, BC from the R-AGR - Rural - Agriculture and Resource designation to the EDINST – Education / Institutional designation, be considered by Council;

THAT Rezoning Application No. Z22-0059 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 District Lot 130 ODYD Plan 8064 located at 2809 Benvoulin Road, Kelowna, BC from the A2 – Agriculture / Rural Residential zone to the P2 – Education and Minor Institutional zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule “A” attached to the Report from the Development Planning Department dated October 11, 2022; and

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council’s consideration of a Form and Character Development.

Carried
Councillor Stack - Opposed

The meeting recessed at 1:57 p.m.

The meeting reconvened at 2:02 p.m.

**3.2 Barber Rd 135, Barber Rd 155 and Hwy 33 W 765, TA22-0018 (BL 12514) - ASI
BARBER ROAD GP INC, INC NO A0122606**

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Zoning Bylaw Text Amendment Application No. TA22-0018 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated April 24, 2023 for Lot 1 Section 22 Township 26 Osoyoos Division Yale District Plan 17229 Except Plan 39372 located at 765 Hwy 33 W, Lot 2 Section 22 Township 26 Osoyoos Division Yale District Plan 17229 Located At 135 Barber Rd And Lot 3 Section 22 Township 26 Osoyoos Division Yale District Plan 17229 located at 155 Barber Rd be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

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

Carried

**3.3 Barber Rd 135, Barber Rd 155 and Hwy 33W 765 - BL 12514 (TA22-0018) - ASI
BARBER ROAD GP INC, INC NO A0122606**

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12514 be read a first time.

Carried

**3.4 Ethel St 2473 - TA23-0003 (BL 12515) - B.C. Life Builders Rehabilitation Society,
Inc.No.S-0037307**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Zoning Bylaw Text Amendment Application No. TA23-0003 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in the Report from the Development Planning Department dated April 24, 2023 for Lot B District Lot 136 ODYD Plan 30919 located at 2473 Ethel Street be considered by Council;

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

Carried

3.5 Ethel St 2473 - BL 12515 (TA23-0003) - B.C. Life Builders Rehabilitation Society, Inc. No. S-0037307

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12515 be read a first time.

Carried

3.6 Richter St 2609-2611 - DP22-0236 - New Opportunities for Women (NOW) Canada Society, Inc. No. S-39119

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council authorizes the issuance of Development Permit No. DP22-0236 for Lot 2, District Lot 135, ODYD, Plan 3929, located at 2609-2611 Richter Street, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, 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 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 Five Year Financial Plan Bylaw 2023-2027

Staff:

- Displayed a PowerPoint Presentation summarizing the final budget and 2023-2027 Financial Plan and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Council adopts the 2023-2027 Financial Plan;

AND THAT Council approves the formulation of 2023 Property Tax Rates that will raise the required funds in 2023, from General Taxation, in the amount of \$176,624,339 resulting in an average net property owner impact of 3.78 per cent;

AND THAT Bylaw No. 12502 being the 2023-2027 Five-Year Financial Plan, 2023 be advanced for reading consideration;

AND THAT Bylaw No. 12503 being the Tax Structure Bylaw, 2023 be advanced for reading consideration;

AND THAT Bylaw No. 12504 being the Annual Tax Rates Bylaw, 2023 be advanced for reading consideration;

AND THAT Bylaw No. 12505 being the DCC Reserve Fund Expenditure Bylaw, 2023 be advanced for reading consideration;

AND THAT Bylaw No. 12508 being the Septic Removal Specified Area Reserve Fund Expenditure Bylaw, 2023 be advanced for reading consideration;

AND FUTHER THAT Bylaw No. 12506 being the Sale of City Owned Land Reserve Fund Expenditure Bylaw, 2023 be advanced for reading consideration.

Carried

4.2 BL12502 - Five-year Financial Plan Bylaw 2023

4.3 BL12503 - Tax Structure Bylaw 2023

4.4 BL12504 - Annual Tax Rates Bylaw 2023

4.5 BL12505 - Development Cost Charge Reserve Fund Expenditure Bylaw 2023

4.6 BL12506 - Sale of City-Owned Land Reserves Fund Expenditure Bylaw 2023

4.7 BL12508 - Septic Removal Specific Area Reserve Fund Expenditure Bylaw 2023

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw Nos. 12502, 12503, 12504, 12505, 12506 and 12508 be read a first, second and third time.

Carried

4.8 Sterile Insect Release Parcel Tax

Staff:

- Displayed a PowerPoint Presentation outlining the Sterile Insect Release Parcel Tax Levy and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Lovegrove

THAT Council approve the Sterile Insect Release Program as outlined in the report of the Revenue Supervisor dated April 24, 2023, charging the 2023 Sterile Insect Release (SIR) Parcel Tax to individual property tax rolls in accordance with the 2023 SIR Parcel Tax Assessment Roll provided to the City of Kelowna by SIR administration.

AND THAT Bylaw No. 12516 being the Sterile Insect Release Program Parcel Tax Bylaw 2023 be forwarded for reading consideration.

Carried

4.9 BL12516 - Sterile Insect Release Program Bylaw 2023

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Bylaw No. 12516 be read a first, second and third time.

Carried

4.10 Rail Trail Access Permit with OKIB

4.11 Water and Wastewater Servicing Agreement with OKIB IR7

Staff:

- Displayed a PowerPoint presentation summarizing the Rail Trail and Water and Wastewater Servicing Agreements and responded to questions from Council.

Moved By Councillor Webber/Seconded By Councillor DeHart

THAT Council receives for information the report from the Infrastructure General Manager dated April 24, 2023, regarding the Rail Trail Access Permit between Kelowna and the Okanagan Indian Band;

AND THAT the Mayor and City Clerk be authorized to execute the Rail Trail Access Permit on behalf of the City of Kelowna.

Carried

Moved By Councillor Webber/Seconded By Councillor DeHart

THAT Council receives for information the report from the Infrastructure General Manager dated April 24, 2023, regarding the Water and Wastewater Servicing Agreement to OKIB I.R.#7;

AND THAT the Mayor and City Clerk be authorized to execute the Water and Wastewater Servicing Agreement to OKIB I.R.#7 on behalf of the City of Kelowna.

Carried

5. Bylaws for Adoption (Non-Development Related)

5.1 BL12501 - Amendment No. 1 to the Five Year Financial Plan 2022-2026 Bylaw No. 12338

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No.12501 be adopted.

Carried

5.2 BL12513 - Amendment No. 11 to Miscellaneous Fees and Charges Bylaw No. 9381

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Bylaw No. 12513 be adopted.

Carried

5.3 BL12512 - Amendment No. 23 to the Subdivision, Development and Servicing Bylaw No. 7900

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12512 be adopted.

Carried

6. Mayor and Councillor Items

Councillor Woolridge:

- Spoke to their attendance at the Kelowna Italian Club community celebration.
- Spoke to the Vancouver Sun article regarding artificial intelligence for Kelowna's planning and building approvals.

Councillor DeHart:

- Spoke to their attendance at the Civic & Community Awards.
- Will be attending the upcoming Kelowna Hospitality Awards.
- Will be attending on behalf of the Mayor, the Southern Interior Construction Association Awards.
- Spoke to the Open House in Honour of Pastor Tim Schroeder at the Trinity Church on Sunday, April 30, 2023.
- Will be attending the Vaisakhi celebrations this week.

Councillor Singh:

- Will be speaking at TransAtlantic Policy Lab Conference in Toronto about Kelowna's response to changes made to make housing more affordable such as carriage houses and secondary suites.
- Will be attending the Vaisakhi celebrations this week.

Councillor Stack:

- Spoke to their attendance at the Civic & Community Awards.

Councillor Lovegrove:

- Made comment on a CBC News article regarding the Vancouver Special and Kelowna Special with respect to planning and development approvals.
- Spoke to their attendance of the Finning Tractor opening on behalf of Mayor Dyas.
- Will be attending the SILGA Convention this week.
- Spoke to the SPCA Fundraiser on Saturday, April 29, 2023.
- Made comment that he was part of a delegation as UBC Professor sharing research to RDNO and not representing Council.

Councillor Hodge:

- Will be attending the SILGA Convention this week.

Councillor Cannan:

- Spoke to The Foundry Great Breakfast Challenge Fundraising event taking place on April 26th from 6:00 am - 9:00 am, at Kelowna's Landmark District Tree of Hope plaza.
- Spoke to their attendance at the Hexagon Purus Job Event.
- Made mention the Friends of the South Slope for their volunteering efforts.
- Made comment on Small Shop Saturday Downtown on April 29, 2023.

Councillor Webber:

- Spoke to the Downtown Kelowna Association letter regarding the Meet Me on Bernard Program.

Moved By Councillor Webber/Seconded By Councillor Stack

THAT the 400 and 500 blocks of Bernard Avenue be excluded from the 2023 Meet Me on Bernard program.

Carried

Mayor Dyas:

- Acknowledged the Downtown Kelowna Association and staff efforts regarding the Meet Me on Bernard Program.
- Reminder that the Boat Show takes place downtown this weekend.

7. **Termination**

This meeting was declared terminated at 3:18 p.m.

Mayor Dyas

Deputy City Clerk

/acm