



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, June 5, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge
Members participating Remotely	Councillors Charlie Hodge and Gord Lovegrove
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; General Manager, Infrastructure, Mac Logan*; Strategic Transportation Planning Manager, Mariah VanZerr*; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Community Planning & Development Manager, Dean Strachan*; Urban Planning Manager, Jocelyn Black*; Planner, Mark Tanner*; Planner Brianna Sartori*; Grants & Special Projects Manager, Michelle Kam*; Long Range Policy Planning Manager, Robert Miles*; Risk Manager, Lance Kayfish*; Utility Planning Manager, Rod MacLean*; Senior Project Manager, Patrick Aylard*; Divisional Director, Partnership & Investments, Derek Edstrom*; Parks & Buildings Planning Manager, Robert Parlane*; Park & Landscape Planner, Melanie Steppuhn*; Parks Services Manager, Blair Stewart*; Bylaw Services Manager, Kevin Mead*; Deputy City Clerk, Legislative Technician, Natasha Beauchamp*, Legislative Services Clerk, Lillian Klaamas*
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guests Present	Steve Sirett*, MoTI Executive Director
Guests participating Remotely	Polly Vaughn*, MoTI Sr. Project Manager; David Retzer*, MoTI Project Director; Joel Carlson*, CPCS; David Krieger*, DKCI

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 1:31 p.m.

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

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 Webber

THAT the Minutes of the Regular Meetings of May 15, 2023 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 Central Okanagan Regional Goods Movement Study

Staff:

- Introduced the item and Steve Sirett, Ministry of Transportation and Infrastructure.

Steve Sirett:

- Introduced the Ministry and Consultant team participating remotely; Polly Vaughn, David Retzer, Joel Carlson and David Krieger.
- The Consultant team shared a PowerPoint Presentation on key findings and recommendations.
- Spoke to the purpose and objective of this study.
- Spoke to the Methodology study based on stakeholder engagement, data analysis and literature review.
- Spoke to goods movement and logistics that are being shaped by several emerging trends; notably: climate change, supply chain disruptions and digitalization, automation of manufacturing and e-commerce growth.
- Commented that most goods movement activity in the Central Okanagan is serving the region.
- Spoke to a number of actions and directions to better manage congestion on Highway 97.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Woodridge

THAT Council receives, for information, the report from Integrated Transportation, dated June 5, 2023, with regards to the Central Okanagan Regional Goods Movement Study.

Carried

4. Development Application Reports & Related Bylaws

4.1 OCP Amendment regarding Rental Conversion Policies - OCP23-0005 (BL12535) - City of Kelowna

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Wooldridge

THAT Official Community Plan Amendment OCP23-0005 to amend Kelowna 2040 Official Community Plan Bylaw No. 12300 as outlined in the Report from the Development Planning Department dated June 5, 2023, be considered by Council;

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

AND THAT Council considers the Public Hearing to be appropriate consultation for the Purpose of Section 475 of the Local Government Act, as outlined in the Report from the Development Planning Department dated June 5, 2023;

AND THAT Council Policy No. 148, being Strata Conversion of Existing Occupied Buildings/Strata Property Act, be revised as outlined in the Report from Development Planning dated June 5, 2023;

AND FURTHER THAT Council delegate to the Approving Officer the exercise of powers and performance of duties of the approving authority under Section 242 of the *Strata Property Act* as set out in Council Policy No. 148.

Carried

4.2 OCP Amendment regarding Rental Conversion Policies - BL12535 (OCP23-0005) - City of Kelowna

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Bylaw No. 12535 be read a first time;

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

4.3 Findlay Rd 1281 - Z22-0048 (BL12532) - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Rezoning Application No. Z22-0048 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot C Section 35 Township 26 ODYD Plan 18811, located at 1281 Findlay Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated June 5, 2023;

AND THAT final adoption of the Rezoning 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

4.4 Lakeshore Rd 5127 - Z23-0003 (BL12533) - Rajinder Singh Bajwa and Babaljit Kaur Bajwa

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Rezoning Application No. Z23-0003 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 2 Section 23 Township 28 SDYD Plan 8976, located at 5127 Lakeshore Road, Kelowna, BC from the RR2 – Small Lot Rural Residential zone to the RU1 – Large Lot Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated June 5, 2023;

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

Carried

4.5 Graham Rd 875 - Z23-0009 (BL12534) - 1356934 B.C. Ltd., Inc. No. BC1356934

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Rezoning Application No. Z23-0009 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 Section 22 Township 26 ODYD Plan 19161, located at 875 Graham Road, Kelowna, BC from the RU2 – Medium Lot Housing zone and the RU2c – Medium Lot Housing with Carriage House zone to the MF2 – Townhouse Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated June 5th, 2023;

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

Carried

4.6 Nickel Rd 215, 235 - Z23-0007 (BL12536) - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application .

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Rezoning Application No. Z23-0007 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 2 Section 27 Township 26 ODYD Plan 18533 and Lot A Section 27 Township 26 ODYD Plan 39232, located at 215 & 235 Nickel Road, Kelowna, BC from the RU1 – Large Lot Housing zone and the RU2- Medium Lot Housing zone to the MF2 – Townhouse Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated June 5, 2023;

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

AND THAT final adoption of the Rezoning 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 for the subject property.

Carried

4.7 Rezoning Bylaws Supplemental Report to Council

City Clerk:

- Confirmed that no correspondence had been received for any of the development applications and Council may read the bylaws together.

4.8 Rezoning Bylaw Readings

- 4.8.1 High Rd 1885 and Glenmore Dr 810 - BL12522 (Z21-0060) - Polar Projects Development Group Ltd., Inc. No. 1287251**
- 4.8.2 Leathead Rd 385, 405, Dougall Rd N 530, 540 - BL 12530 (Z23-0010) - Various Owners**
- 4.8.3 Patterson Ave 550-552 - BL 12531 (Z22-0080) - Petterson Financial Investment Limited, Inc. No. BC1351792**

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Bylaw Nos. 12522, 12530 and 12531 each be read a first, second and third time.

Carried

4.9 Hilltown Drive 3425 - DP22-0222 - Kinnikinnik Developments Inc., Inc. No. BC0622664

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Cannan/Seconded By Councillor Stack

THAT Council authorizes the issuance of Development Permit No. DP22-0222 for Lot 1 Section 28 Township 23 ODYD PLAN EPP76020, located at 3425 Hilltown Drive, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the 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 permit 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

5. Non-Development Reports & Related Bylaws

5.1 Council Workshop for Proposed Changes to Second Residences in the ALR

Staff:

- Displayed a PowerPoint Presentation regarding policy options for regulating second residences in the Agricultural Land Reserve and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Development Planning Department dated June 5, 2023, with respect to amending the Zoning Bylaw for changes to regulation for second residences on properties in the Agricultural Land Reserve;

AND FURTHER THAT Council direct staff to bring forth changes to the Zoning Bylaw No. 12375 as outlined in the report from the Development Planning Department dated June 5, 2023.

Carried

5.2 Complete Communities Program Grant

Staff:

- Provided an overview of the Complete Communities Program Grant application and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Partnerships Office Department dated June 5, 2023 with respect to the Complete Communities Program Grant;

AND THAT Council directs staff to apply for grant funding for the Urban Centre Planning project through the UBCM Complete Communities Program;

AND THAT Council support the current proposed activities and endorse staff to provide overall grant management;

AND THAT, if the grant application is successful, the 2023 Financial Plan be amended to include the receipt of funds.

Carried

The meeting recessed at 3:14 p.m.

The meeting reconvened at 3:21 p.m.

5.3 Extreme Temperature Risk Mapping, Assessment and Planning Grant

Staff:

- Provided a summary of the Extreme Temperatures Risk Mapping Grant application and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Partnerships Office dated June 5, 2023 with respect to the Extreme Temperature Risk Mapping, Assessment and Planning Grant;

AND THAT Council directs staff to apply for grant funding for the "Extreme Cold Weather Support Plan for People Sheltering Outdoors in Kelowna" project through the UBCM grant;

AND THAT Council supports staff to execute all documents necessary to complete and manage the grant;

AND THAT, if the grant application is successful, the 2023 Financial Plan be amended to include the receipt of funds.

Carried

5.4 Sewerage System User Bylaw No. 3480 Amendment to Schedule 1 – Central Rutland West

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed amendments to the Sewerage System User Bylaw and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Council receives for information, the report from Utility Services dated June 5, 2023, regarding the Sewerage System User Bylaw No. 3480 amendment to schedule 1 – Central Rutland West;

AND THAT Bylaw No. 12539 being amendment No. 40 to Sewerage System User Bylaw No. 3480 be given reading consideration.

Carried

5.5 BL12539 - Amendment No. 40 to Sewerage System User Bylaw No. 3480

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Bylaw No. 12539 be read a first, second and third time.

Carried

5.6 Allowing Responsible Use of Alcohol in Parks

Staff:

- Displayed a PowerPoint Presentation outlining the pilot project to permit consumption of alcohol in three beach parks on a trial basis and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Hodge

THAT pursuant to section 73(2) of the Liquor Control and Licensing Act the Council of the City of Kelowna is empowered to regulate a public place that it has jurisdiction over as a place where alcohol may be consumed;

AND THAT the Council of the City of Kelowna wishes to designate a portion of parks and beaches as a place where alcohol may be consumed responsibly;

AND THAT, Council receives for information this report from the Parks & Buildings Planning, dated June 5, 2023, regarding the responsible consumption of alcohol in select parks;

AND THAT Council gives first, second and third reading to "Responsible Alcohol Consumption in Select Parks (Waterfront Park, Kinsmen Beach and Boyce Gyro Park from 12 PM to 9 PM)", as a pilot project from July 4, 2023 to October 6, 2023.

Carried

5.7 BL12537 - Responsible Consumption of Liquor in Parks

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Section 5.1 A person is not permitted to bring a glass liquor bottle or container into a Designated Area, except as permitted by Council Policy 233 be deleted from the draft bylaw.

Defeated

Councillors Cannan, DeHart, Hodge, Singh, Stack, Webber and Wooldridge - Opposed

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Section 5.2 Liquor is not permitted to be consumed in a Designated Area on a statutory holiday or a Long Weekend, except where liquor is possessed pursuant to the requirements of Council Policy 233 be deleted from the draft bylaw.

Carried

Moved By Councillor Stack/Seconded By Councillor Webber

THAT Bylaw No. 12537, as amended, be read a first, second and third time.

Carried

5.8 BL12538 - Amendment No. 7 to Parks and Public Spaces Bylaw No. 10680

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw No. 12538 be read a first, second and third time.

Carried

5.9 Community Task Force on Crime Reduction Appointments

City Clerk:

- The report is to confirm Council endorsement for the Community Task Force on Crime Reduction appointments.

Council:

- Recommended to change the name to Mayor's Task Force on Crime Reduction.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council approves the appointment of members to the Mayor's Task Force on Crime Reduction as outlined in the report from the City Manager dated June 5, 2023.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL12529 - Road Closure Bylaw - Portion of Road Adjacent to 1885 High Rd & 810 Glenmore Rd

The City Clerk invited anyone in the public gallery who deems themselves affected by the proposed road closure to come forward. No one came forward.

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Bylaw No. 12529 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Stack

- Spoke to the recent passing of Jeff Simla and highlighted some of his many positive impacts on the community.

Mayor Dyas:

- Acknowledged Jeff Simla's community service and expressed condolences.

Councillor Singh:

- Spoke to their attendance at the recent Kelowna Fire Department recruit graduation ceremony.
- Spoke to their attendance at the Not in My City event.

Councillor DeHart

- Spoke to their attendance at the Auxiliary Constable Program Event.

Councillor Hodge:

- Spoke to their attendance at the Tourism Kelowna meeting last week.
- Spoke to their attendance at the recent Kelowna Fire Department recruit graduation ceremony.

Councillor Wooldridge:

- Spoke to their attendance at the launch of Bike to Work Week.
- Hosted the Junior Chamber at City Hall last week.

Councillor Cannan

- Spoke to their attendance at the School District No. 23 Safe Schools Committee meeting.
- Spoke to the passing of Jeff Simla.

Mayor Dyas:

- Spoke to their attendance at the FCM Conference.
- Spoke to their attendance at the KF Centre of Excellence for the Air Cadets.

8. Termination

This meeting was declared terminated at 4:59 p.m.

Mayor Dyas

City Clerk

/acm