



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, June 19, 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; Community Safety Director, Darren Caul*; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Planner, Kimberly Brunet*; Planner, Tyler Caswell*; Planner, Mark Tanner*; Planner Specialist, Trisa Atwood*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Long Range Policy Planning Manager, Robert Miles*; Planner, Lauren Sanbrooks*; Senior Airport Finance & Corporate Services Manager, Shayne Dyrdal*; Airport Corporate Services Manager, Toni McQueenie*; Divisional Director, Financial Services, Joe Sass*; Divisional Director, Partnership & Investments, Derek Edstrom*; Acting Controller, Matt Friesen*; Legislative Technician, Natasha Beauchamp*, Development Services Clerk, Anita Guendel
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guests	RCMP Superintendent Kara Triance*, OIC Kelowna Detachment Elana Zysblat*, Heritage Consultant - Ance Building Services

(* 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 Singh

THAT the Minutes of the Regular Meetings of June 12,2023 be confirmed as circulated.

Carried

3. Reports

3.1 2023 RCMP Officer in Charge Report

Kara Triance, Superintendent Kelowna RCMP Detachment:

- Displayed a PowerPoint Presentation providing an update regarding the 2023 Q1 public safety and crime trends and responded to questions from Council.
- Commented on summer resourcing plans and strategic focus areas.
- Spoke to the Kelowna Integrated Court and its effectiveness.

4. Unfinished Business

4.1 Wilkinson St 2110, 2120-2122, 2128-2130, 2140 - BL12517 (Z22-0068) - Wilkinson St Holdings Ltd., Inc. No. BC1321697

City Clerk:

- Confirmed the Bylaw is on the agenda under unfinished business from last week's Public Hearing.

Councillor Lovegrove indicated he will not participate in the debate or vote on the bylaw as he was absent from the Public Hearing.

Staff:

- Responded to questions from Council.

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Bylaw No. 12517 be read a second and third time.

Carried

Councillor Cannan - Opposed

The meeting recessed at 2:42 p.m.

The meeting reconvened at 2:47 p.m.

5. Development Application Reports & Related Bylaws

5.1 Rose Rd 3455 - FH23-0001 - Nirmal Singh Dhaliwal and Rimplejeet Kaur Dhaliwal

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT Council defer further consideration of application FH23-0001 at 3455 Rose Road in order for staff to work with the Applicant to amend the application to address Council's concerns with structure safety and landscaping.

Carried

5.2 Various Chapters and Policy Map Amendments - OCP23-0006 (BL12546) - City of Kelowna

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Official Community Plan Amendment OCP23-0006 to amend Kelowna 2040 Official Community Plan Bylaw No. 12300 as outlined in the Report from the Policy and Planning Department dated June 19, 2023 be considered by Council;

AND THAT the 2040 Official Community Plan Amending Bylaw be forwarded to a Public Hearing for further consideration.;

AND FURTHER 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 Policy and Planning Department dated June 19, 2023.

Carried

5.3 Various Chapters and Policy Map Amendments - BL12546 (OCP23-0006) - City of Kelowna

Moved By Councillor DeHart/Seconded By Councillor Stack

THAT Bylaw No. 12546 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

5.4 Lapointe Dr 6320 - TA23-0005 (BL12544) - City of Kelowna

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Zoning Bylaw Text Amendment Application No. TA23-0005 to amend the City of Kelowna Zoning Bylaw No. 12375 as outlined in the Report from the Development Planning Department dated June 19, 2023 for Lot 1 District Lot 120 ODYD Plan EPP65593, located at 6320 Lapointe Dr, Kelowna, BC, 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 Zoning Bylaw Text Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

Carried

5.5 Lapointe Dr 6320 BL12544 (TA23-0005) - City of Kelowna

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw No. 12544 be read a first time.

Carried

5.6 Hazell Rd 4305 - Z23-0016 (BL12542) - Ryan Jay Markewich

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Rezoning Application No. Z23-0016 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classifications of portions of LOT 10, District LOT 358, ODYD, PLAN 19018, located at 4305 Hazell Rd, Kelowna BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone as shown on Map "A" attached to the Report from the Development Planning Department dated June 19, 2023, 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 19, 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

5.7 Hollydell Rd 875 - Z23-0026 (BL12543) - Manpreet Dhial and Inderjit Dhial

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Rezoning Application No. Z23-0026 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 Section 22 Township 26 ODYD Plan 42634, located at 875 Hollydell Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1cc – Large Lot Housing with Child Care Centre, Major 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 19, 2023;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Carried

5.8 Ziprick Rd 675-685 - Springfield Rd 2560 - Z23-0023 (BL12545) - Multiple Owners

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Rezoning Application No. Z23-0023 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 4 Section 22 Township 26 ODYD Plan 11186 Except Plans H12895, 40251 and KAP71731 located at 675-685 Ziprick Rd, Kelowna, BC from the RU4 – Duplex Housing zone to the MF2 – Townhouse Housing zone and Lot 5 Section 22 Township 26 ODYD Plan 11186 Except Plans H12895 and KAP70942 located at 2560 Springfield Rd, 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 19, 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

5.9 Rezoning Bylaws Supplemental Report to Council

City Clerk:

- Confirmed no correspondence received for 1281 Findlay Road., 5127 Lakeshore Road., and 215 Nickel Road. There were fifteen letters of neighbourhood concern received for the rezoning for 875 Graham Road.

Council:

- Indicated they wished to consider the bylaw for Graham Road separately.

5.10 Rezoning Bylaw Readings

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

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

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

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw Nos. 12532, 12533 and 12536 each be read a first, second and third time.

5.10.3 Graham Rd 875 - BL 12534 (Z23-0009) - 1356934 B.C. Ltd., Inc. No. BC1356934

Moved By Councillor Cannan/Seconded By Councillor Hodge

THAT Council forward BL 12534 (Z23-0009), Graham Rd 875, to a Public Hearing.

Defeated

Mayor Dyas, Councillors DeHart, Stack, Webber and Wooldridge - Opposed

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw No. 12534 be read a first, second and third time.

Carried

Councillors Cannan, Hodge and Lovegrove - Opposed

5.11 Abbott St 3061 - DP22-0211 - Mission Group (Abbott Waterfront) Real Estate Ltd

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. DP22-0211 for Lot A District Lot 14 Osoyoos Division Yale District Plan EPP124952 located at 3061 Abbott St, 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;
5. The applicant be required to make a payment into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with Table 6.8.a. in Zoning Bylaw No. 12375;

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

5.12 Bernard Ave 1575 - BL12454 (OCP22-0006) - 1575 Bernard Projects Ltd.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12454 be adopted.

Carried

5.13 Bernard Ave 1575 - BL12455 (Z22-0041) - 1575 Bernard Projects Ltd.

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Bylaw No. 12455 be adopted.

Carried

5.14 Bernard Ave 1575 - DP23-0010 - 1575 Bernard Projects Ltd

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Hodge

THAT Council authorizes the issuance of Development Permit No. DP23-0010 for Lot 8 Section 20 Township 26 ODYD Plan 32159, located at 1575 Bernard Ave, 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

6. Bylaws for Adoption (Development Related)

6.1 Polo Rd 2019 - BL12510 (Z23-0005) - 1383931 B.C. Ltd., Inc. No. BC1383931

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Bylaw No. 12510 be adopted.

Carried

7. Non-Development Reports & Related Bylaws

7.1 Heritage Planning Best Practices Review 2023

Staff:

- Introduced guest Elana Zysblat, Heritage Consultant, participating remotely.

Elana Zysblat, Heritage Consultant - Ance Building Services, participating remotely.

- Shared a PowerPoint Presentation providing an overview of heritage conservation and management best practices and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Policy and Planning Department, dated June 19, 2023, outlining best practices in heritage management.

Carried

7.2 Regency Aero Lease Inc. - Amendments to Leases and Sublease

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed amendments to leases and sublease with Regency Aero Lease Inc.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Council receives for information the report from Kelowna International Airport and Real Estate dated June 19, 2023, with respect to the amendment of the Aircraft Maintenance Facility Lease, Parking Lot Lease, and Main Hangar Sublease with Regency Aero Lease Inc.;

AND THAT Council approves the amendment to the Aircraft Maintenance Facility Lease with Regency Aero Lease Inc. attached as Appendix A to the report of the Kelowna International Airport and Real Estate dated June 19, 2023;

AND THAT Council approves the amendment to the Parking Lot Lease with Regency Aero Lease Inc. attached as Appendix B to the report of the Kelowna International Airport and Real Estate dated June 19, 2023;

AND THAT Council approves the amendment to the Main Hangar Sublease with Regency Aero Lease Inc. attached as Appendix C to the report of the Kelowna International Airport and Real Estate dated June 19, 2023;

AND THAT the 2023 Financial Plan be amended to include \$22,585.94 in annual revenue associated with amendments to the Aircraft Maintenance Facility Lease, Parking Lot Lease, and Main Hangar Sublease with Regency Aero Lease Inc.;

AND FURTHER THAT the Real Estate Department Manager be authorized to execute all documents necessary to complete and maintain this transaction.

Carried

7.3 Pataira Holdings Corporation - Consent to Sub-sublease with 1411785 B.C. Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed sub-sublease with Pataira Holdings Corporation and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Council receives for information the report from Kelowna International Airport and Real Estate dated June 19, 2023 with respect to the Consent to Sub-sublease from Pataira Holdings Corporation to 1411785 B.C. Ltd. with Canco Petroleum as Covenantor;

AND THAT Council approves the Consent to Sub-sublease between Pataira Holdings Corporation and 1411785 B.C. Ltd. with Canco Petroleum Ltd. as Covenantor attached as Appendix A to the report of the Kelowna International Airport and Real Estate dated June 19, 2023;

AND FURTHER THAT Real Estate Manager be authorized to execute all documents necessary to complete the Consent to Sub-sublease and any corresponding future amendments related to the transaction as outlined in the report from the Kelowna International Airport and Real Estate dated June 19, 2023.

Carried

7.4 Micromobility Permit Program Update

Item deferred to the July 10, 2023 PM Council meeting.

7.5 Recreation and Activity Centres Loan Authorization Bylaw

City Clerk:

- Confirmed that the draft Bylaw had input from Ministry of Municipal Affairs staff and is on the agenda for reading consideration.

Staff:

- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council receive for information the Report from Financial Services dated June 19, 2023, regarding bylaw reading consideration for the borrowing of two hundred and forty one million, three hundred and twenty thousand dollars (\$241, 320,000) for the redevelopment of the Parkinson Recreation Centre; and the construction of the Glenmore Activity Centre, and the construction of the Mission Activity Centre, and to redevelop the Rutland Sports fields;

AND THAT Bylaw No. 12540 being Recreation and Activity Centres 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.

Carried
Councillor Cannan - Opposed

7.6 BL12540 - Recreation and Activity Centres Loan Authorization Bylaw

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Bylaw No. 12450 be read a first, second and third time.

Carried
Councillor Cannan - Opposed

7.7 2022 Annual Report and SOFI

Staff:

- Displayed a PowerPoint Presentation summarizing the 2022 Annual Report and presented the Statement of Financial Information Report.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council receives, for information, the 2022 Annual Report for the year ended December 31, 2022;

AND THAT Council receives, for information, the 2022 Statement of Financial Information report that includes: Council Remuneration and Expense Report, Schedule of Remuneration and Expenses paid to or on behalf of each employee, Schedule of Payments to Suppliers of Goods and Services and Schedule of Payments to Suppliers for Grants and Contributions.

Carried

8. Mayor and Councillor Items

Councillor Wooldridge

- Spoke to their attendance at the Kelowna Wine Country Half-Marathon and participation in handing out finishing medals.
- Hosted Ballet Kelowna Platinum Gala.

Councillor Singh:

- Made reference to impacts of the Ministry of Social Development and Poverty Reduction office in Rutland.
- Spoke to their attendance at the Filipino Independence Day event.

Councillor DeHart:

- Spoke to their attendance at the UDI Luncheon along with Housing Minister Ravi Kahlon.
- Spoke to their attendance at the Regional District Board Meeting.

Mayor Dyas:

- Reminder to attend the KGH Fundraiser HomeBase Charity Event in support of mental health care.
- Spoke to their attendance at the Father's Day Charity Car Show in City Park.

Councillor Cannan:

- Will defer Notice of Motion to next meeting, pending additional information from staff.

9. Termination

This meeting was declared terminated at 5:31 p.m.

Mayor Dyas

City Clerk

/acm