



## City of Kelowna Regular Council Meeting Minutes

Date:	Monday, July 10, 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, Rick Webber and Loyal Wooldridge
Members Participating Remotely	Councillor Luke Stack
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Corporate Strategic Services, Carla Weaden*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Long Range Policy Planning Manager, Robert Miles*; Planner, Lauren Sanbrooks*; 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, Mark Tanner*; Planner, Breanna Sartori*; Planner, Kimberly Brunet*; Licensing and Systems Improvement Supervisor, Graham March*; Development Engineering Manager, Nelson Chapman*; Infrastructure Engineering Manager, Joel Shaw*; Senior Airport Finance & Corporate Services Manager, Shayne Dyrdal*; General Manager, Infrastructure, Mac Logan*; Parks and Buildings Planning Manager, Robert Parlane*; Transit Service Coordinator, Mike Kittmer*; Mobility Specialist, Cameron Noonan*; Strategic Transportation Planning Manager, Mariah VanZerr*; Real Estate Department Manager, Johannes Saufferer*; Property Management Manager, Julia Buck*; Legislative Technician, Natasha Beauchamp*, Legal and Administrative Coordinator, Lisa Schell
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guests Participating Remotely	Sonia Kandola*, Lime Canada; Kyle Erickson*, Operations Manager, Lime Canada

(\* 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 DeHart/Seconded By Councillor Wooldridge

THAT the Minutes of the Regular Meetings of June 19, 2023 be confirmed as circulated.

**Carried**

## 3. Award to the City

### 3.1 IABC Gold Quill Award

Staff:

- Made comments on the recent IABC Gold Quill Award and invited Council to pose for a photograph with the Award and Communication staff.

## 4. Development Application Reports & Related Bylaws

### 4.1 Heritage Register Removal – 2079 Pandosy Street - Zarislav Bjelica

Staff:

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

City Clerk:

- Indicated that the Applicant approached staff earlier and confirmed they did not wish to address Council regarding this item.

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Council receives, for information, the report from the Policy and Planning Department dated July 10, 2023, with respect to the Kelowna Heritage Register;

AND THAT Council NOT support the removal of 2079 Pandosy Street from the Kelowna Heritage Register.

**Carried**

### 4.2 Goodison Rd 4275 - A23-0005 - James and Kristi Caldwell

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Hodge

THAT Agricultural Land Reserve Application No. A23-0005 for Lot B, Section 34, Township 29, ODYD, PLAN 43324, located at 4275 Goodison Rd, Kelowna, BC for a Non-Farm Use of agricultural land in the Agricultural Land Reserve pursuant to Section 20 (2) of the Agricultural Land Commission Act, be supported by Council;

AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

**Carried**

**4.3 Rutland Rd N 155-179 - Z23-0013 (BL12548) - ASI Central GP Inc., Inc. No. A0117887**

Staff:

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

Moved By Councillor Webber/Seconded By Councillor DeHart

THAT Rezoning Application No. Z23-0013 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A Section 26 Township 26 Osoyoos Division Yale District Plan EPP117920, located at 155-179 Rutland Rd N, Kelowna, BC from the UC4 – Rutland Urban Centre zone to the UC4r – Rutland Urban Centre Rental Only 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 July 10, 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 Buckhaven Ct 4973 Steele Rd 1450 - Z23-0020 (BL12549) - Mair Developments Ltd., Inc. No. BCo753083**

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Rezoning Application No. Z23-0020 to amend the City of Kelowna Zoning Bylaw by changing the zoning classification of portions of Lot A Sections 20 and 29 Township 29 SDYD Plan KAP44335 Except Plans KAP92565, EPP23066, EPP31364, EPP51781, EPP72348, EPP82001, and EPP100536, located at 1450 Steele Rd, Kelowna, BC and portions of Lot 1 Section 29 Township 29 SDYD Plan EPP100536 Except Plan EPP120254, located at 4973 Buckhaven Ct, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone as shown on Map "A" attached to the Report of the Development Planning Department dated July 10, 2023, be considered by Council;

AND 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 Abbott St 2337 - Z23-0018 (BL12551) - Janet Marie Hertz and Kevin John Hertz**

## Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Rezoning Application No. Z23-0018 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 4 District Lot 14 ODYD Plan 3451, located at 2337 Abbott Street, Kelowna, BC from the RU1c – Large Lot Housing with Carriage House zone to the RU4 – Duplex Housing zone be considered by Council.

**Carried****4.6 Rezoning Bylaws Supplemental Report to Council**

## City Clerk:

- Confirmed no correspondence received for Robson Rd W 285 / Rutland Rd S 280, 4305 Hazell Rd, 875 Hollydell Rd and 675-685 Ziprick Rd.

**4.7 Rezoning Bylaw Readings****4.7.2 Hazell Rd 4305 - BL12542 (Z23-0016) - Ryan Jay Markewich****4.7.3 Hollydell Rd 875 - BL12543 (Z23-0026) - Manpreet Dhial and Inderjit Dhial****4.7.4 Ziprick Rd 675-685, Springfield Rd 2560 - BL12545 (Z23-0023) - Multiple Owners**Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw Nos. 12542, 12543 and 12545 each be read a first, second and third time.

**Carried****4.8 Coronation Ave 979-983 - BL12484 (Z22-0075) - 979 Coronation GP Ltd., Inc. No. BC1375934**Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Bylaw No. 12484 be amended at third reading by deleting the Legal Description that reads:

"Lot 46 District Lot 138 ODYD Plan 1271 and Lot 47 District Lot 138 ODYD Plan 1271"

And replacing it with:

"Lot A District Lot 138 ODYD Plan EPP129141".

AND THAT Bylaw No. 12484 be amended at third reading by deleting the title that reads:

"979 & 983 Coronation Ave"

And replacing it with:

"979-983 Coronation Avenue".

AND THAT Bylaw No. 12484, as amended, be adopted.

**Carried**

Councillor Cannan - Opposed

**4.9 Coronation Ave 979-983 - DP22-0228 - 979 Coronation GP Ltd., Inc. No. BC1375934**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Singh

THAT Rezoning Bylaw No. 12484 be amended at third reading to revise the legal description of the subject properties from Lot 46 District Lot 138 ODYD Plan 1271 and Lot 47 District Lot 138 ODYD Plan 1271 to Lot A District Lot 138 ODYD Plan EPP129141;

AND THAT final adoption of Rezoning Bylaw No. 12484 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP22-0228 for Lot A District Lot 138 ODYD Plan EPP129141, located at 979 – 983 Coronation 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  
Councillor Cannan - Opposed

**4.10 Asher Rd 500 - DP23-0002 - 285 Dougall Road Development Ltd., Inc. No. BC1348727**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council authorizes the issuance of Development Permit No. DP23-0002 for Lot A Section 26 Township 26 ODYD Plan EPP128601, located at 500 Asher Road, Kelowna, BC subject to the following:

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

**4.11 Appaloosa Rd 3196 - DP23-0013 - Watermark Developments Ltd., Inc. No. 1191800**

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council authorizes the issuance of Development Permit No. DP23-0013 for Lot 14 Sections 2 and 3 Township 23 ODYD Plan 18861 Except Plan EPP64644, located at 3196 Appaloosa Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

**Carried**

**5. Bylaws for Adoption (Development Related)**

**5.1 Franklyn Rd 975 - BL12448 (Z22-0029) - Gurdish Johal**

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12448 be adopted.

**Carried**

**5.2 Sexsmith Rd 2930 - BL12511 (Z22-0019) - Reid Industrial Centre Ltd., Inc. No. BC1326474**

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12511 be adopted.

**Carried**

**5.3 Killdeer Rd 5081 - BL12525 (OCP22-0002) - Frazer Lake Developments GP Ltd., Inc. No. BC1313068**

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Bylaw No. 12525 be adopted.

Carried  
Councillor Cannan - Opposed

**5.4 Killdeer Rd 5081 - BL12526 (Z22-0004) - Frazer Lake Developments GP Ltd., Inc. No. BC1313068**

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12526 be adopted.

Carried  
Councillor Cannan - Opposed

**6. Non-Development Reports & Related Bylaws**

**6.1 Council Workshop for Proposed Changes to Short-Term Rental Regulations**

Councillor DeHart declared a conflict of interest due to owning short term rental units and departed the meeting at 2:34 p.m.

Councillor Wooldridge declared a conflict of interest as they have a short term rental license and departed the meeting at 2:34 p.m.

The meeting recessed at 2:35 p.m.

The meeting reconvened at 2:45 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed short term rental regulations with options for amendments and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Cannan

THAT Council receives, for information, the report from the Development Planning Department dated July 10, 2023, with respect to the short-term rental regulatory review;

AND THAT Council directs Staff to bring forth changes to Zoning Bylaw No. 12375 and Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720 as outlined in Option 2 of the report from the Development Planning Department dated July 10, 2023 and based on Council comments during the debate.

Carried

Councillors DeHart and Wooldridge returned to the meeting at 3:38 p.m.

**6.2 Amendment No. 4 to Soil Removal and Deposit Bylaw No. 9612**

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Council receives, for information, the report from the Development Planning Department, dated July 10, 2023, with respect to the amendment to the Soil Removal and Deposit Regulation Bylaw No. 9612;

AND THAT Bylaw No. 12489, being Bylaw Amendment No. 4. to the Soil Removal and Deposit Regulation Bylaw No. 9612, be forwarded for reading consideration.

**Carried**

**6.3 BL12489 - Amendment No. 4 to Soil Removal and Deposit Bylaw No. 9612**

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12489 be read a first, second and third time.

**Carried**

**6.4 10-Year Capital Plan (2023 to 2032)**

Staff:

- Displayed a PowerPoint Presentation outlining the draft 10 Year Capital Plan and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from Financial Services dated July 10<sup>th</sup>, 2023, with respect to this year's annual update to the 10-Year Capital Plan.

AND THAT Staff return to Council for final adoption of 10-Year Capital.

**Carried**  
Councillor Cannan - Opposed

The meeting recessed at 4:25 p.m.

The meeting reconvened at 4:33 p.m.

**6.5 Mission and Rutland Transit Network Plans**

Staff:

- Displayed a PowerPoint Presentation summarizing the Mission Network Restructure Plan and the Rutland Local Area Transit Plans and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from Integrated Transportation, dated July 10, 2023 regarding the Mission and Rutland Transit Network Plans.

**Carried**



## 6.6 Micromobility Permit Program Update

Staff:

- Displayed a PowerPoint Presentation providing an update on the Micromobility Permit Program and responded to questions from Council.

Sonia Kandola, Lime Canada Consultant and Kyle Erickson, Operations Manager, Lime Canada – participating remotely:

- Spoke to a \$30,000 safety campaign occurring in Kelowna this summer.
- Commented that Lime is in the process of hiring a street team to enforce good rider behaviour through the summer.
- Responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from Integrated Transportation, dated July 10, 2023, with regards to the Micromobility Permit Program.

**Carried**

## 6.7 Crown Tenure Manhattan Drive Foreshore

Staff:

- Displayed a PowerPoint presentation identifying the proposed licence of occupation for a portion of the foreshore adjacent to the City-owned property on Manhattan Drive and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council receive, for information, the Crown Tenure Manhattan Drive Foreshore – License of Occupation report from the Real Estate Department dated July 10, 2023;

AND THAT Council agrees to acquire the License of Occupation as presented, for a term of fifteen (15) years, from the Province, over the land consisting of all that unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting on Lot 1 District 9, Osoyoos Division of Yale District, Plan 16501 and containing 0.0838 hectares, more or less, for the purpose of public dock and breakwater;

AND THAT the Mayor and City Clerk be authorized to execute the License of Occupation;

AND FURTHER THAT Council authorizes staff to execute any future License of Occupation with the Province in relation to the subject lands, on similar terms and conditions.

**Carried**

## 6.8 Road Closure Adjacent to 4020 Lakeshore Rd

## 6.9 BL11606 - Road Closure Bylaw - Adjacent to 4020 Lakeshore Rd

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No.11606 be rescinded;

AND THAT Bylaw No. 12547 be read a first, second and third time.

**Carried**

**7. Mayor and Councillor Items**

Mayor Dyas:

- Thanked Councillors for attending events on his behalf in his absence.

Councillor Cannan:

- Spoke to their attendance at the Meals for Wheels Annual General Meeting.

Councillor DeHart:

- Spoke to their attendance at the Pathways Society 70<sup>th</sup> Anniversary.
- Spoke to their attendance and the Mission Painters Event at Sarsons Beach.

Councillor Singh:

- Spoke to their attendance at the new hydrogen fueling station located at Spall Road and Highway 97.

**8. Termination**

This meeting was declared terminated at 5:39 p.m.

---

Mayor Dyas

/acm

---

City Clerk