



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, September 25, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Maxine DeHart, Gord Lovegrove, Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge
Members Participating Remotely	Councillors Ron Cannan and Charlie Hodge
Staff Present	Acting City Manager, Mac Logan; Deputy City Clerk, Laura Bentley; Policy and Planning Department Manager, Danielle Noble-Brandt*; Community Planning & Development Manager, Dean Strachan*; Climate Action & Environment Manager, Chris Ray*; Community Energy Specialist, Todd Brunner*; Planner Specialist, Adam Cseke*; Infill Housing Planning Manager, James Moore*; Transit & Programs Manager, Mike Kittmer*; Strategic Transportation Planning Manager, Mariah VanZerr*; Transportation Planner, Jennifer Hostland*; Utility Services Manager, Kevin Van Vliet*; Design Technician, Jim Hagar*; Revenue Supervisor, Patrick Gramiak*; Legislative Technician, Natasha Beauchamp
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guests	Dan Walsh*, Holar Developments; Joost Bakker*, Dialog Design, Peter Joyce*, Bunt & Associates Engineering; Mary Lapointe*, Communication Consultant; Nancy Hill*, Municipal Infrastructure Engineer, AECOM
Guests Participating Remotely	Anna Gore* and Sydney Cape*, Alta Planning + Design

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 1:32 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

THAT the Minutes of the Regular Meetings of September 11, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Supplemental Report - 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 Singh/Seconded By Councillor Wooldridge

THAT Council authorizes the issuance of Temporary Farm Worker Housing Permit No. FH23-0001 for Lot 4 Section 10 Township 26 ODYD Plan 355 located at 3455 Rose 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. A vegetated buffer is provided for screening adjacent property lines and between the temporary farm worker housing and active farming areas in accordance with Schedule B;
3. The applicant be required to post the City a Landscape Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscape buffer, as determined by a professional landscaper;
4. Registration of a Section 219 restrictive covenant on the Title that states;
 - a. The dwellings will be used for temporary farm workers only;
 - b. The owner will remove the dwellings if the farm operation changes such that if they are no longer required;
 - c. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
 - d. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers; and,
 - e. The temporary farm worker housing building footprint is a maximum of 0.3ha.

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

Carried

3.2 Amendments Regarding Electric Vehicle Readiness Requirements - TA23-0009 (BL12582) - City of Kelowna

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Wooldridge

THAT Zoning Bylaw Text Amendment Application No. TA23-0009 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing Section 8 – Parking and Loading as identified in Schedule “A” and outlined in the Report from Development Planning and Climate Action and Environmental Stewardship Departments dated September 25th, 2023, be considered by Council;

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

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

Carried

Mayor Dyas – Opposed

3.3 BL12582 – TA23-0009 Electric Vehicle Readiness Requirements – City of Kelowna

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Bylaw No. 12582 be read a first time.

Carried

Mayor Dyas - Opposed

3.4 Bernard Ave 1181-1191 - Z22-0070 - BL12572 - SKJJ Bernard Land Holdings Ltd., Inc. No. BC1242190

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Rezoning Application No. Z22-0070 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 District Lot 137 ODYD Plan 16997, located at 1181-1191 Bernard Ave, Kelowna, BC from the MF2 – Townhouse Housing zone to the MF3 – Apartment 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 September 25, 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 for the subject property.

Carried

3.5 Rezoning Bylaws Supplemental Report to Council

Deputy City Clerk:

- Commented on the notice of first reading and advised no correspondence was received.

3.6 Wallace Rd 122 - BL12581 (Z23-0044) - Dhanbir Singh Nain and Gurdeep Kaur Patara

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw No. 12581 be read a first, second and third time.

Carried

3.7 Sutherland Ave 1280, DP23-0084 - Collinson Rise Development Inc.

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council authorizes the issuance of Development Permit No. DP23-0084 for Lot A District Lot 137 Osoyoos Division Yale District Plan EPP129507, located at 1280 Sutherland 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 THAT the applicant be required to make a payment into Housing Opportunities Reserve Fund as established by Bylaw No. 8593 in accordance with Table 6.8.b. in Zoning Bylaw No. 12375; prior to the issuance of any building permits;

AND THAT the applicant be required to enter into a Car-Share Agreement for a minimum of two years from the date of Building Occupancy as set out in Attachment D attached to the Report from the Development Planning Department September 25, 2023;

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. Bylaws for Adoption (Development Related)

4.1 Holland Rd 3010 - BL12554 (Z23-0006) - Fryer Holdings Inc. and Lipkovits Holdings Ltd.

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Bylaw No. 12554 be adopted.

Carried

4.2 Mayfair Rd 870-872 - BL12569 (Z23-0032) - Brian Banman and Megan Banman

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12569 be adopted.

Carried

4.3 Horak Rd 4519 - BL12570 (Z23-0030) - 2457853 Alberta Ltd.

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12570 be adopted.

Carried

4.4 Holbrook Rd E 350 - BL12576 (Z23-0028) - Mariia Myts and Pavlo Myts

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Bylaw No. 12576 be adopted.

Carried

The meeting adjourned at 2:44 p.m.

The meeting reconvened at 2:53 p.m.

5. Non-Development Reports & Related Bylaws

5.1 Mill Site Area Redevelopment Plan - Concept Plans

Staff:

- Introduced the presentation and commented on the progress of the Mill Site Area Redevelopment Plan and next steps along with the North End Plan.
- Introduced the Mill Site Area Redevelopment Applicant team who will share concept plans for the site.

Dan Walsh, Holar Developments, Joost Bakker DIALOG Design

- Provided background and experience with master plans on major sites and the intent for this site.
- Displayed a PowerPoint Presentation.
- Spoke to the transition of this large industrial site to a four-season inclusive community.
- Provided an outline of the project process, timelines and engagement to date.
- Presented each of the three concepts for the Mill Site.
- Commented on next steps for community engagement and ongoing feedback.
- Responded to questions from Council.

Peter Joyce, Bunt & Associates Engineering and Mary Lapointe, Communication Consultant

- Responded to questions from Council.

Staff:

- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Policy & Planning Department dated September 25, 2023, with respect to concept plans for the Mill Site Area Redevelopment Plan.

Carried
Councillor Wooldridge - Opposed

5.2 Transit Expansion Initiatives – 3 Year Outlook

Staff:

- Displayed a PowerPoint Presentation.
- Outlined the 3-year transit expansion initiatives.
- Summarized the 1-year Memorandum of Understanding and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Stack

THAT Council receives for information, the report from Integrated Transportation dated September 25, 2023, with respect to the Transit Improvement Program 3-year expansion initiatives;

AND THAT Council approves the City entering into the Memorandum of Understanding with BC Transit attached to the report from Integrated Transportation, dated September 25, 2023, setting out the City's intention to proceed with the service expansions detailed in Year-1 (2024/25);

AND THAT the Mayor and City Clerk be authorized to execute the Memorandum of Understanding.

Carried

5.3 Employer Commute Trip Reduction Program

Staff:

- Displayed a PowerPoint Presentation introducing the Trip Reduction Program initiative.
- Introduced Alta Planning + Design Consultant team.
- Responded to questions from Council.

Anna Gore, Senior Programs Associate, Alta Planning + Design

- Continued sharing the PowerPoint Presentation remotely.
- Reviewed current and past Transportation Demand Management programs at the City as well as commute travel data and existing policy.
- Interviewed major employers and presented key take-aways.
- Presented 5 Program recommendations and highlighted the goal and rationale for each.
- Responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Council receives, for information, the report from Integrated Transportation dated September 25, 2023, with regards to a new program, the Kelowna Employer Commute Trip Reduction Program.

Carried

5.4 Stormwater Funding Business Case and Implementation Plan - Phase 1

Staff:

- Displayed a PowerPoint Presentation.
- Provided background on the water system and stormwater utility initiative.
- Introduced Consultant Nancy Hill from AECOM.
- Responded to questions from Council.

Nancy Hill, Municipal Infrastructure Engineer at AECOM

- Continued to share the PowerPoint Presentation identifying drivers for the new stormwater funding model.
- Presented stormwater funding options.

Moved By Councillor Lovegrove/Seconded By Councillor DeHart

THAT Council receives for information, the report from Utility Services dated September 25, 2023, regarding Stormwater Funding Business Case and Implementation Plan – Phase 1: Blueprint for a predictable future;

AND THAT, future public engagement on a potential stormwater utility be based on rate structure options 4 and 5 as presented in this report.

Carried

5.5 2024 Permissive Tax Exemption Bylaw

Staff:

- Displayed a PowerPoint Presentation outlining proposed amendments to the 2024 Permissive Tax Exemption Bylaw.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council receives, for information, the Report from the Revenue Supervisor dated September 25, 2023 with respect to the 2024 Permissive Tax Exemption Bylaw;

AND THAT Bylaw No. 12579, being the Permissive Tax Exemption Bylaw be forwarded for reading consideration.

Carried

5.6 BL12579 - 2024 Permissive Tax Exemption Bylaw

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Bylaw No. 12579 receive first, second and third reading.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL12553 - Amendment No. 43 to Traffic Bylaw No. 8120

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12553 be adopted.

Carried

7. Mayor and Councillor Items

Councillor DeHart:

- Spoke to their attendance at UBCM and noted the benefits of the Conference.

Councillor Wooldridge:

- Spoke to their attendance at the UBCM Conference.
- Spoke to their attendance at the Vendemmia Grape Stomp.
- Acknowledged the Motionball Kelowna Annual Fundraiser for Special Olympic athletes.

Councillor Lovegrove:

- Acknowledged National Truth and Reconciliation Day and recognition through September.
- Spoke to their attendance at the UBCM Conference and the Okanagan Basin Water Board meeting with Minister Cullen.

Councillor Hodge:

- Commented on the value of the UBCM Conference.
- Encouraged family time over Thanksgiving.

Councillor Singh:

- Spoke to their attendance at the UBCM Conference.
- Acknowledged National Truth and Reconciliation Day and the Ki-Low-Na Friendship Society hosting a public event to raise awareness.

Councillor Webber:

- Provided greetings from the Kasugai Sister City Association; hosted delegation from Japan this summer.
- Spoke to their attendance at the Society for Learning and Retirement meeting.
- The Downtown Kelowna Association relayed the impacts on businesses due to the wildfires.

Councillor Cannan:

- Spoke to their attendance at the UBCM Conference.
- Commented on decriminalization of drugs and looked forward to the work to be done on the Mayor's Crime and Reduction Task Force.
- Expressed condolences to the family of the Ridge Meadows RCMP constable that was killed in the line of duty.

8. Termination

This meeting was declared terminated at 5:40 p.m.

Mayor Dyas

lb/acm

Deputy City Clerk