



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, October 23, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart*, Gord Lovegrove, Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge*
Members Participating Remotely	Councillor Charlie Hodge
Staff Present	City Manager. Doug Gilchrist: City Clerk. Stephen Fleming: Divisional Director, Planning, Climate Sustainability and Development Services. Ryan Smith*; Planner, Kimberly Brunet*: Community Planning & Development Manager. Dean Strachan*: Utility Services Manager. Kevin Van Vliet*: Divisional Director Financial Services, Joe Sass*; Licensing and Systems Improvement Supervisor, Graham March*: Licensing & Property Use Inspector, Sarah Krakower*: Building Services Manager, Steve Perry*; Divisional Director, Partnership & Investments, Derek Edstrom*
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 Webber

THAT the Minutes of the Regular Meetings of October 16, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Short-Term Rental Accommodation Regulatory Amendments - TA23-0013 (BL12590) - City of Kelowna

Councillor DeHart declared a conflict of interest as they own units on Sunset Drive that could be rented short term and departed the meeting at 1:32 p.m.

Councillor Wooldridge declared a conflict of interest as they hold a short term rental license and departed the meeting at 1:32 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed amendments to the Zoning Bylaw regarding short term rental accommodations and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Lovegrove

THAT Zoning Bylaw Text Amendment Application No. TA23-0013 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated October 23, 2023, be considered by Council;

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

AND THAT Council directs Staff to withhold applications for new short-term rental accommodation business licences in accordance with the Business Licence and Regulation Bylaw No. 7878 and Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720 until the outcome of Zoning Bylaw Text Amendment Application No. TA23-0013 has been determined;

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

The meeting recessed at 2:25 p.m.

The meeting reconvened at 2:32 p.m.

3.2 Short-Term Rental Accommodation Regulatory Amendments - BL12590 (TA23-0013) - City of Kelowna

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12590 be read a first time.

Carried

Councillors DeHart and Wooldridge returned to the meeting at 2:33 p.m.

3.3 Fordham Rd 4665 - Z23-0057 (BL12589) - Mohsen Amir Joze-Khajavi and Nazanin Jose-Khajavi

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Rezoning Application No. Z23-0057 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT 20 DISTRICT LOT 357 ODYD PLAN 18457, located at 4665 Fordham Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium 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 October 23, 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 FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to registration of a Tree Protection Covenant to protect three trees on the property.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Wastewater Utility Rates 2024

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed amendments to the Wastewater Utility Rates Bylaw and responded to questions from Council.
- Confirmed Section 2 "residential user" definition should be removed from the bylaw prior to reading consideration.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council receives for information the report from the Utility Services Manager dated October 23, 2023, regarding wastewater utility rates for 2024 and delegation of authority for staff to update the Septic Removal Specified Area maps;

AND THAT Bylaw No. 12587, being amendment No. 41 to Sewerage System User Bylaw 3480, be forwarded to Council for reading consideration.

Carried

4.2 BL12587 - Amendment No. 41 to Sewerage System User Bylaw No. 3480

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Bylaw No. 12587 be read a first, second and third time.

Carried

4.3 Business License Bylaw No. 7878 - Revision

Staff:

- Displayed a PowerPoint Presentation summarizing the new Business License Bylaw and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Council have a Committee of the Whole meeting for public input on the Business Licence and Regulation Bylaw.

Defeated

Mayor Dyas, Councillors Cannan, DeHart, Hodge, Singh, Stack, Webber & Wooldridge - Opposed

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives for information, the report from the Business Licence Supervisor dated October 23, 2023, recommending that Council rescind Business Licence and Regulation Bylaw No. 7878 and give reading consideration to replacement Bylaw No. 12585;

AND THAT Business Licence and Regulation Bylaw No. BL 12585 be forwarded for reading consideration;

AND THAT Amendment No. 36 Bylaw no. 12586 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration;

AND FURTHER THAT Council directs staff to give notice by placing an advertisement in City In-Action to allow written comments from the public to be submitted to the Business Licence Supervisor no later than 4pm on November 3, 2023.

Carried

4.4 BL12585 - Business Licence Bylaw

Moved By Councillor Webber/Seconded By Councillor Stack

THAT Bylaw No. 12585 be read a first, second and third time.

Carried

4.5 BL12586 - Amendment No. 36 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Webber/Seconded By Councillor Stack

THAT Bylaw No. 12586 be read a first, second and third time.

Carried

4.6 PRC Boiler Replacement

Staff:

- Provided reasons for the boiler replacement at the Parkinson Recreation Centre and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives, for information, the report from Building Services department dated October 17, 2023, regarding the replacement of the boilers at the Parkinson Recreation Centre;

AND THAT the 2023 Financial Plan be amended to include \$600,000 for the replacement of mechanical equipment and associated pool equipment at Parkinson Recreation Centre, with funding the Building Repair Reserve.

Carried

5. Mayor and Councillor Items

Councillor DeHart:

- Spoke to their attendance at the Canadian Archives Project at the Canadian Italian Club.
- Spoke to their attendance at the East Meets West Charity Fundraiser Event.
- Will be attending the Chamber of Commerce Board meeting this week.
- Will be attending the HOPE International fundraiser for children this evening.

Councillor Cannan:

- Commented on The Last Stop documentary regarding Canada's lost locomotive.

Mayor Dyas:

- Thanked Councillor Singh for her efforts in the East Meets West Charity Fundraiser event.

Councillor Singh:

- Spoke to their attendance and the success of the East Meets West Charity Fundraiser event.

Councillor Hodge:

- Will be attending Ryan Donn's concert on November 4th at Lake Country Theatre.

6. Termination

This meeting was declared terminated at 3:35 p.m.

Mayor Dyas

sf/acm

City Clerk