



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, November 27, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Charlie Hodge, Mohini Singh, Luke Stack and Rick Webber
Members Absent	Councillors Maxine DeHart and Loyal Wooldridge
Member Participating Remotely	Councillor Gord Lovegrove
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community Planning & Development Manager, Dean Strachan*; Planner, Tyler Caswell*; Urban Planning Manager, Jocelyn Black*; Planner, Mark Tanner*; Controller, Matt Friesen*; Divisional Director, Financial Services, Joe Sass*; Licensing and Systems Improvement Supervisor, Graham March*; Licensing & Property Use Inspector, Sarah Krakower*; Director, Finance and Corporate Services, Shayne Dyrdal*; Airport Finance Manager, Parth Patel*; Grants & Special Projects Manager, Michelle Kam*; Divisional Director, Partnership & Investments, Derek Edstrom*; Legislation Technician, Natasha Beauchamp
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* 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 Hodge/Seconded By Councillor Stack

THAT the Minutes of the Regular Meetings of November 20, 2023 be confirmed as circulated.

Carried

Mayor Dyas:

- Read a statement regarding public consultation on the two new Activity Centres in the Mission and Glenmore areas.

3. Development Application Reports & Related Bylaws

3.1 Lynrick Rd 1702 - OCP23-0011 (BL12603) Z22-0028 (BL12604) - Varro Developers Inc., Inc. No. BC1285726

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Stack

THAT Official Community Plan Map Amendment Application No. OCP23-0011 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot A Section 13 Township 26 and of Section 18 Township 27 ODYD Plan KAP48482 Except Plan KAP75423, located at 1702 Lynrick Road from the S-MU – Suburban Multiple Unit designation to NAT – Natural Areas designation, as shown on Map “A” attached to the Report from the Development Planning Department dated November 27th, 2023, be considered by Council;

AND THAT Rezoning Application No. Z22-0082 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classifications of Lot A Section 13 Township 26 and of Section 18 Township 27 ODYD Plan KAP48482 Except Plan KAP75423, located at 1702 Lynrick Road, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the P3 – Parks and Open Space zone and the MF2 – Townhouse Housing zone as shown on Map “B” attached to the Report from the Development Planning Department dated November 27th, 2023, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment “A” to the Report from the Development Planning Department dated November 27th, 2023;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and Rezoning Bylaw be considered subsequent to approval of the Ministry of Transportation and Infrastructure;

AND THAT final adoption of the Official Community Plan Amending Bylaw and Rezoning Bylaw be considered in conjunction with the Development Planning Department Manager’s consideration of a Natural Environment Development Permit for the subject property;

AND FURTHER THAT final adoption of the Official Community Plan Amending Bylaw and Rezoning Bylaw be considered in conjunction with Council’s consideration of a Development Permit for the subject property.

Carried

3.2 Lynrick Rd 1702 - BL12603 (OCP23-0011) - Varro Developers Inc., Inc. No. BC1285726

Moved By Councillor Hodge/Seconded By Councillor Cannan

THAT Bylaw No. 12603 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

3.3 Lynrick Rd 1702 - BL12604 (Z22-0028) - Varro Developers Inc., Inc. No. BC1285726

Moved By Councillor Hodge/Seconded By Councillor Singh

THAT Bylaw No. 12604 be read a first time.

Carried

3.4 ITEM WITHDRAWN BY APPLICANT - Hewetson Ct 949 - Z23-0064 (BL12598) - Upper Mission Development Inc., Inc. No. BC1224405

City Clerk:

- Confirmed the application is withdrawn at the request of the Developer. The application is anticipated for consideration in January, 2024.

3.5 Francis Ave 615 - Z23-0041 (BL12601) - 1324270 B.C. Ltd., Inc. No. BC1324270

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Hodge

THAT Rezoning Application No. Z23-0041 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 15 District Lot 14 ODYD Plan 1141, located at 615 Francis Avenue, Kelowna, BC from the MF2 – Townhouse Housing zone to the MF1 – Infill 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 November 27, 2023.

Carried

3.6 Radant Rd 569 - Z22-0072 (BL12602) - John Thomas Hodges

Staff:

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

Moved By Councillor Webber/Seconded By Councillor Hodge

THAT Rezoning Application No. Z22-0072 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 2 Section 1 Township 25 ODYD Plan 6491, located at 569 Radant Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF1 – Infill Housing zone and the P3 – Parks and Open Space zone as shown on Map "A" attached to the Report from the Development Planning Department dated November 27, 2023;

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 November 27, 2023;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a road reserve covenant for a future 5.0 m linear corridor outside of the Riparian Management Area.

Carried

3.7 Lakeshore Rd 4456 - Z23-0066 (BL12605) - Luoya Yang

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Cannan/Seconded By Councillor Hodge

THAT Rezoning Application No. Z23-0066 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 2 District Lot 167 ODYD Plan 36692, located at 4456 Lakeshore Rd, 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.

Carried

3.8 Appaloosa Rd 3226 - Z23-0025 (BL12606) - Astria Academy Nominee Ltd., Inc. No. BC1396329

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Singh

THAT Rezoning Application No. Z23-0025 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 15, Section 2, Township 23, ODYD, Plan 18861, located at 3226 Appaloosa Road, Kelowna, BC from the RR2 - Small Lot Rural Residential zone to the I2 – General Industrial 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 November 27, 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

3.9 Inkar Rd 1463 - DP23-0149 - Various Owners

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Council authorizes the issuance of Development Permit No. DP23-0149 for Lot 7 Section 19 Township 26 ODYD Plan 28505, located at 1463 Inkar 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 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. Bylaws for Adoption (Development Related)

4.1 Cara Glen Way 1691 - BL12573 (Z23-0033) - Rutherford Crestview Developments Ltd., Inc. No. Aoo8598o

Moved By Councillor Singh/Seconded By Councillor Hodge

THAT Bylaw No. 12573 be adopted.

Carried

4.2 Cara Glen Way 1691 - BL12574 (TA23-0008) - Rutherford Crestview Developments Ltd., Inc. No. Aoo8598o

Moved By Councillor Webber/Seconded By Councillor Hodge

THAT Bylaw No. 12574 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Third Quarter 2023 Financial Performance

Staff:

- Displayed a PowerPoint Presentation summarizing the City's third quarter financial activities and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Council receives, for information, the Third Quarter 2023 Financial Performance Report and Financial Health Dashboard from the Financial Services Controller as a continued approach of presenting timely and relevant financial information.

Carried

The meeting recessed at 2:38 p.m.

The meeting reconvened at 2:49 p.m.

5.2 Business Licence Bylaw 12585 Consultation and Adoption

Staff:

- Displayed a PowerPoint Presentation summarizing the public consultation process and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Stack

THAT Council receives, for information, the report from the Business Licence Supervisor dated November 27, 2023, with respect to repealing and replacing Business Licence and Regulation Bylaw No. 7878.

AND THAT Business Licence and Regulation Bylaw No. 12585 be adopted.

AND THAT Amendment No. 36 Bylaw No. 12586 to Bylaw Notice Enforcement Bylaw No. 10475 be adopted.

Carried

5.3 BL12585 - Business Licence Bylaw

Moved By Councillor Hodge/Seconded By Councillor Webber

THAT Bylaw No. 12585 be adopted.

Carried

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

Moved By Councillor Webber/Seconded By Councillor Stack

THAT Bylaw No. 12586 be adopted.

Carried

5.5 Amendment to Airport Fees and Charges Bylaw 7982

Staff:

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

Moved By Councillor Webber/Seconded By Councillor Stack

THAT Council receive for information the report of the Kelowna International Airport dated November 27, 2023;

AND FURTHER THAT Bylaw No. 12597 being Amendment No. 41 to the City of Kelowna Airport Fees Bylaw 7982 be advanced for reading consideration.

Carried

5.6 BL12597 - Amendment No. 41 to Airport Fees and Charges Bylaw No. 7982

Moved By Councillor Webber/Seconded By Councillor Singh

THAT Bylaw No. 12597 be read a first, second and third time.

Carried

Staff:

- Responded to questions regarding Airport taxi, transport operations and limousine services.

5.7 Housing Accelerator Fund Overview

Staff:

- Displayed a PowerPoint Presentation providing an overview of the Housing Accelerator Fund Grant requirements and next steps and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Partnerships Office dated November 27, 2023, with respect to the Housing Accelerator Fund Overview;

AND THAT the Financial Plan be amended to include the receipt of funds.

Carried

6. Mayor and Councillor Items

Councillor Singh:

- Spoke to their attendance at the Toy Drive for Ukrainian Children where \$25,000 was raised.

Mayor Dyas:

- Spoke to their attendance at the Tree of Hope Light Up and thanked the Stober Foundation for donating \$500,000 to the Kelowna Food Bank.

Councillor Cannan:

- Spoke to their appreciation regarding the Stober Foundation donation to the Kelowna Food Bank.
- Expressed condolences to the Henkel family for the loss of Ed Henkel who was the unofficial Mayor of Glenmore and a true community leader.

Councillor Lovegrove:

- Expressed condolences to the Henkel family.
- Commented there are many festive events in Kelowna and a provided a reminder that there is free city wide transit services on Saturdays during the month of December.

Councillor Hodge:

- Commented on the DKA and URBA light up and encouraged citizens to shop locally for Christmas.

Mayor Dyas:

- On behalf of Council would like to express condolences to the Dumbovic family for the loss of Barb Dumbovic, owner of Barb's Delights restaurant.
- Spoke to the upcoming Parade with a Purpose Fundraiser in Kettle Valley this Saturday, December 2nd; all funds raised by the event will be donated to The Bridge Youth & Family Services campaign.

7. Termination

This meeting was declared terminated at 3:27 p.m.

Mayor Dyas

sf/acm

City Clerk