



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, January 15, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Maxine DeHart*, Gord Lovegrove, Luke Stack*, Rick Webber and Loyal Wooldridge*
Members Participating Remotely	Councillors Ron Cannan, Charlie Hodge and Mohini Singh
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning, Climate Sustainability and Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Development Planning Department Manager, Nolan Kilmartin*; Planner, Jason Issler*; Planner, Mark Tanner*; Planner Specialist, Kimberly Brunet*; Policy & Planning Department Manager, Danielle Noble-Brandt*; Infill Housing Planning Manager, James Moore*; Grants & Special Projects Manager, Michelle Kam*; Legal & Administrative Coordinator, Lisa Schell
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.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT the Minutes of the Regular Meetings of January 8, 2024 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Dilworth Dr 1097 - Z21-0037 (BL12610) - Simple Pursuits Inc., Inc. No. BC1206854

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Rezoning Application No. Z21-0037 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B District Lot 125 Section 28 Township 26 ODYD Plan 19786 Except Plans M15094, 37794, KAP67598, KAP67599, KAP67601 and KAP69740 located at 1097 Dilworth Drive, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the MF3 – Apartment 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 January 15, 2024, 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 January 15, 2024;

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 Zoning Bylaw Amendment be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Carried

3.2 Centennial Cr 1261 - TA23-0011 (BL12611) - Resurrection Recovery Resource Society, Inc. No. S-45391

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Zoning Bylaw Text Amendment Application No. TA23-0011 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule “A” attached to the Report from the Development Planning Department dated January 15, 2024, for Lot 23 DL 137 ODYD PLAN 10689 Except Plan KAP89141 located at 1261 Centennial Crescent, Kelowna, BC be considered by Council;

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

Carried

3.3 McCurdy Rd E 632 - Z23-0056 (BL12612) - Jean McBride

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Rezoning Application No. Z23-0056 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 Section 26 Township 26 ODYD Plan KAP80685, located at 632 McCurdy Rd E, Kelowna, BC from the RU1 c– Large Lot Housing with Carriage House zone to the RU4 – Duplex Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Farm Protection Development Permit for the subject property.

Carried

3.4 Gaggin Rd 1220 - Z23-0075 (BL12613) - Kanwalvir Singh Sangha

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT Rezoning Application No. Z23-0075 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 3 Section 22 Township 26 ODYD Plan 22385, located at 1220 Gaggin Rd, Kelowna, BC from the RU1 – Large Lot 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 January 15, 2024;

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

Carried

3.5 Edith Gay Rd 445, 465 - Z23-0042 (BL12614) - Capital Point Holdings Ltd., Inc. No. BC1376082 and Barinder Singh Sian

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Rezoning Application No. Z23-0042 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 12 Section 35 Township 26 ODYD Plan 18660, located at 445 Edith Gay Road, Kelowna, BC, and Lot 13 Section 35 Township 26 ODYD Plan 18660, located at 465 Edith Gay Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Farm Protection Development Permit for the subject property.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Provincial Legislation Changes and Land Use Planning Impacts - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation identifying the recent provincial legislative amendments regarding land use planning and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives for information the report from the Divisional Director of Planning, Climate Action & Development Services dated January 15, 2024, related to the impacts of provincial legislation changes on land use planning in Kelowna.

Carried

4.2 Short-Term Rental Accommodation - Provincial Regulatory Changes

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 2:42 p.m.

Councillor Wooldridge declared a conflict of interest as they hold a short term rental license and departed the meeting at 2:42 p.m.

The meeting recessed at 2:42 p.m.

The meeting reconvened at 2:48 p.m.

Staff:

- Displayed a PowerPoint Presentation outlining the provincial regulatory changes to short term rental accommodation and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Development Planning Department dated January 15, 2024, with respect to the provincial regulatory changes to short-term rental accommodation;

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 the report from the Development Planning Department dated January 15, 2024;

AND FURTHER THAT Bylaw No. 12590, being Short-Term Rental Accommodation Regulatory Amendments be forwarded for reading consideration.

Carried

Councillors Cannan, Hodge and Lovegrove - Opposed

4.3 BL12590 - Short-Term Rental Accommodation Regulatory Amendments - City of Kelowna

Moved By Councillor Webber/Seconded By Councillor Stack

THAT Bylaw No. 12590 be read a second and third time.

Carried

Councillors Cannan, Hodge and Lovegrove - Opposed

Moved By Councillor Stack/Seconded By Councillor Lovegrove

THAT Council direct staff to bring forward a list of properties zoned for short term rental for exemption consideration.

Carried

Councillors DeHart and Wooldridge returned to the meeting at 3:48 p.m.

4.4 Revitalization Tax Exemption Agreement Approvals

Councillor Stack declared a conflict of interest due to having a contract with the applicant to assist in some of their housing needs and declared a perceived conflict of interest for Item 4.5 as he previously worked with BC Housing on other properties and departed the meeting at 3:49 p.m.

Staff:

- Provided an overview of the Revitalization Tax Exemption Agreement.

Moved By Councillor Lovegrove/Seconded By Councillor Webber

THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with Westcorp On The Lake Inc., Inc. No. A75763 for Lots 1 and 2 District Lot 134 ODYD EPP112300, located at 3777 – 3779 Lakeshore Road, Kelowna, BC in the form attached to the Report from Policy and Planning dated January 15, 2024;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with National Society of Hope, Inc. No. S0025475 for Lot C District Lot 128 and 142 Osoyoos Division Yale District Plan KAP89861 Except Plan EPP37196, located at 2155 Mayer Rd, Kelowna, BC in the form attached to the Report from Policy and Planning dated January 15, 2024;

AND FURTHER THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 1017476 B.C. Ltd., Inc. No. BC1017476 for Lot 1 District Lot 139 ODYD Plan KAP92715 Except Part in Plan EPP113155, located at 1720 Richter Street, Kelowna, BC in the form attached to the Report from Policy and Planning dated January 15, 2024.

Carried

4.5 Rental Housing Grant 2024

Staff:

- Provided an overview of the 2024 Rental Housing Grant for consideration and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Policy & Planning Department, dated January 15, 2024 regarding recommendations for the Rental Housing Grant for 2024;

AND THAT Council approves the 2024 Rental Housing Grant in the amount of \$300,000 for 1451 Bertram Street as detailed in the report from the Infill Housing Planning Manager, dated January 8, 2024, and in accordance with Council Policy No. 335.

Carried

4.6 Financial Amendments for Grants Awarded

Staff:

- Provided rationale for the Financial Plan amendment resulting from the receipt of grant funds.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Partnerships Office dated January 15, 2024, with respect to the Financial Amendments for Grants Awarded;

AND THAT the Financial Plan be amended to include the receipt of \$25,112,642 from the ChildCareBC New Spaces Fund;

AND THAT the Financial Plan be amended to include the receipt of \$1,818,860 from the Building Safer Communities Fund;

AND THAT the Financial Plan be amended to include the receipt of \$342,005 from the Substance Use and Addictions Program;

AND THAT the Financial Plan be amended to include the receipt of \$120,000 from the Zero Emissions Vehicle Infrastructure Program;

AND FURTHER THAT the Financial Plan be amended to include an appropriation of \$120,000 from reserve funds R841 and R111 to provide the City's required contribution for the Zero Emissions Vehicle Infrastructure grant.

Carried

5. Mayor and Councillor Items

Councillor DeHart:

- Provided a reminder to citizens to remove ice and snow on sidewalks in front of their homes.
- Complimented the MNP Recreation Centre for their indoor walking track.

Councillor Wooldridge:

- As Deputy Mayor rode with the RCMP Community Safety Unit and provide a shout out to the Detachment for their work.
- Reminder that January is Crime Stoppers Month.

Councillor Lovegrove:

- Kudos to City crews for the snow removal efforts on bicycle paths.

6. Termination

This meeting was declared terminated at 3:59 p.m.

Mayor Dyas

sf/acm

City Clerk