



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, February 26, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Luke Stack, Rick Webber and Loyal Wooldridge
Members Absent	Councillor Mohini Singh
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*, Development Planning Department Manager, Nola Kilmartin*; Community Planning & Development Manager, Dean Strachan*; Planner Specialist, Adam Cseke*; Planner, Andrew Ferguson*; Community Safety Director, Darren Caul*; Integrated Transportation Department Manager, Brittany Hallam*; Mobility Specialist, Cameron Noonan, Strategic Transportation Planning Manager, Mariah VanZerr*; Divisional Director, Active Living & Culture, Jim Gabriel*, Legislative Technician, Natasha Beauchamp*; Legislation Technician, Lillian Klaamas
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.

2. Confirmation of Minutes

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT the Minutes of the Regular Meetings of February 12, 2024 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Water St 1241 - TA23-0012 - RG Lot 2 Ltd., 556992

City Clerk:

- Confirmed the item was removed from the agenda as the applicant withdrew their application.

3.2 Clifton Rd N 159 - OCP23-0007 (BL12625) Z23-0046 (BL12626) - Ashley and Todd Ramsay

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Official Community Plan Map Amendment Application No. OCP23-0007 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 1 Section 6 Township 23 ODYD Plan EPP12985, located at 159 Clifton Rd N, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation, as shown on Map “A” attached to the Report from the Development Planning Department dated February 26, 2024, be considered by Council;

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

AND THAT Council considers the Public Consultation process to be appropriate consultation for the *Purpose* of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated February 26, 2024;

AND THAT Rezoning Application No. Z23-0046 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 Section 6 Township 23 ODYD Plan EPP12985, located at 159 Clifton Rd N, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone, as shown on Map “B” attached to the Report from the Development Planning Department dated February 26, 2024, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.3 Clifton Rd N 159 - BL12625 (OCP23-0007) - Ashley and Todd Ramsay

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12625 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

3.4 Clifton Rd N 159 - BL12626 (Z23-0046) - Ashley and Todd Ramsay

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Bylaw No. 12626 be read a first time.

Carried

3.5 Provincial Housing Legislation Comprehensive Amendments - TA24-0001 Z24-0001 OCP24-0001 - City of Kelowna

Staff:

- Displayed a PowerPoint presentation summarizing the previous staff presentations from February 5th and 12th regarding the Official Community Plan and Zoning Bylaw Amendments and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council receive, for information, the report from the Divisional Director of Planning and Development Services dated February 5th and 12th 2024, regarding implementation of the provincial legislation through Small- Scale Multi-Unit Housing and Transit Oriented Development Areas;

AND THAT Text Amendment Application No. TA24-0001 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing multiple sections as described in Schedule 'A' attached to the Report from the Development Planning Department dated February 5th and 12th 2024, be considered by Council;

AND THAT Rezoning Application No. Z24-0001 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of approximately 26,000 lots as described in Schedule 'B' attached to the Report from the Development Planning Department dated February 5th and 12th 2024, be considered by Council;

AND THAT Official Community Plan Map Amendment Application No. OCP24-0001 to amend Map 4.5 Pandosy Building Heights Map and Map 4.7 Rutland Building heights in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by amending the maps in accordance with Schedule 'C' attached to the Report from the Development Planning Department dated February 5th and 12th 2024, be considered by Council;

AND THAT final adoption of the Rezoning and Text Amendment Bylaws be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT Council direct Staff to proceed to first reading of the bylaw changes to implement the provincial housing and transit-oriented area legislation as described in this report from the Divisional Director, Planning and Development Services dated February 5th and 12th 2024.

Carried

3.6 Sadler Rd 200, 210, 230 - Z23-0084 (BL12627) - Dominion (Sadler) Inc., Inc. No. A0128728

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. Z23-0084 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of:

- a. That Part of Lot 3 Lying East of a Line Drawn Parallel To And 155.1 Feet Distant from the Westerly Boundary of Said Lot; Section 26 Township 26 ODYD Plan 2773, located at 200 Sadler Rd, Kelowna BC;
- b. The East ½ of Lot 4 Section 26 Township 26 ODYD Plan 2773 Except Plan 5971, located at 210 Sadler Rd, Kelowna BC; and
- c. Lot B Section 26 Township 26 ODYD Plan 12323, located at 230 Sadler Rd, Kelowna BC;

from the UC₄ – Rutland Urban Centre zone to the UC_{4r} – 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 February 26, 2024;

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 & Development Variance Permit for the subject property.

Carried

3.7 Rezoning Bylaws Supplemental Report to Council

City Clerk:

- Confirmed 2 pieces of correspondence received for the rezoning on Cross Road. The bylaws may be read together unless Council wishes to separate one or more of the bylaws for individual reading consideration.

3.8 Rezoning Applications

3.8.1 Cross Rd 1910 - BL12617 (Z23-0011) - 1361420 BC Ltd., Inc. No. BC1361420

3.8.2 Barber Rd 135 - BL12618 (Z23-0049) - ASI Barber Road GP Inc., Inc. No. A0122606

3.8.3 Buck Road 654 - BL12622 (Z22-0077) - He Na and Wei Li

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Bylaw Nos. 12617, 12618 and 12622 each be read a first, second and third time.

Carried

4. Non-Development Reports & Related Bylaws

4.1 URBA On-Call Pilot Project and Business Improvement Area Grant Programs

Staff:

- Provided rationale for the proposed grant to the Uptown Rutland Business Association to establish an On-Call team and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Council approves a one-time grant of \$130,000 to the Uptown Rutland Business Association (URBA) for the URBA On-Call pilot project;

AND THAT the 2024 Financial Plan be amended to include grant funding;

AND THAT Council directs staff to draft a Council policy as a framework for a new Business Improvement Area (BIA) grant program.

Carried

The meeting recessed at 2:33 p.m.

The meeting reconvened at 2:44 p.m.

4.2 2024 Micromobility Program Overview of Contract Terms

Staff:

- Displayed a PowerPoint Presentation summarizing key contract terms for the next operating period for the Micromobility Program and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from Integrated Transportation, dated February 26th 2024, with regards to the Micromobility Program;

AND THAT Council direct staff to conduct a selection process for the next operating term of the Micromobility Program.

Carried

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT the Micromobility contract be amended to prohibit the operation of scooters on the part of Bernard Avenue that is closed during the summer Meet Me on Bernard season.

Defeated

Mayor Dyas, Councillors Hodge, Lovegrove, Webber and Wooldridge - Opposed

4.3 H2O Adventure and Fitness Centre Lease and Operating Agreement

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Lease and Operating Agreement with the YMCA for the H2O Adventure and Fitness Centre and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Council receives, for information, the report from the Active Living & Culture Division and Real Estate department dated February 26, 2024, with respect to the Lease and Operating Agreement between the City of Kelowna and the YMCA of Southern Interior of BC;

AND THAT Council approves the YMCA of Southern Interior of BC Lease and Operating Agreement generally as attached to the report from the Active Living & Culture Division and Real Estate department dated February 26, 2024;

AND THAT the Mayor and City Clerk be authorized to execute the Lease and Operating Agreement and all documents necessary to complete this transaction;

AND FURTHER THAT the 2024 Financial Plan be amended to meet the requirements of the Lease and Operating Agreement.

Carried

5. Resolutions

5.1 Draft Resolution - SILGA Invasive Mussels

Staff:

- Confirmed the previous Council direction is in a SILGA resolution format.

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

WHEREAS Okanagan Lake is at very high risk for infestation of invasive mussels, particularly following the discovery of quagga mussels in a tributary of the Columbia River in Idaho;

AND WHEREAS an infestation of invasive mussels would cause significant economic and environmental losses, with economic losses alone estimated at \$64 million to \$129 million annually across the Province;

THEREFORE BE IT RESOLVED that UBCM request the Province of British Columbia take action on the Okanagan Basin Water Board's recommendations to the Ministry of Water, Land and Resource Stewardship for invasive mussel prevention, dated September 25, 2023, including requesting the federal government enhance inspections, increasing funding and staffing for the Invasive Mussel Defence Program, introducing "pull-the-plug" legislation, and updating the provincial Early Detection, Rapid Response plan;

AND BE IT FURTHER RESOLVED that UBCM request the Province of British Columbia work with the federal government to increase long-term funding and support to prevent invasive mussels from entering waterways in British Columbia.

Carried

City Manager:

- Made remarks regarding the impending retirement of the City Clerk.

6. Mayor and Councillor Items

Council:

- Provided individual comments regarding the impending retirement of the City Clerk.

7. Termination

This meeting was declared terminated at 3:43 p.m.

Mayor Dyas

City Clerk

sf/acm