



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, April 8, 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 Participating Remotely	Councillor Mohini Singh
Staff Present	City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Urban Planning Manager, Jocelyn Black*; Planner, Jason Issler*; Revenue Supervisor, Patrick Gramiak*; Property Officer, Corey Wicks*; Development Services Clerk, Anita Gruendel
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 1:33 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 DeHart/Seconded By Councillor Hodge

THAT the Minutes of the Regular Meetings of March 25, 2024 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Hiram Walker Ct 270 - Z23-0019 (BL12648) - 270 HWC GP Inc., Inc.No. A0124511

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Cannan

THAT Rezoning Application No. Z23-0019 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 3 Section 2 Township 20 ODYD Plan EPP98124, located at 270 Hiram Walker Ct, Kelowna, BC from the I3 – Heavy Industrial zone to the I2 – General Industrial zone be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

Carried

3.2 Rezoning Bylaws Supplemental Report to Council

Staff:

- Commented on correspondence received since notice of first reading.

3.3 Rezoning Applications

Council:

- Chose to consider the bylaws separately.

3.3.1 Laurier Ave 925 - BL12635 (Z23-0082) - Amarjit and Sarbjit Gill

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12635 be read a first, second and third time.

Carried

Councillors Cannan, Hodge and Lovegrove - Opposed

3.3.2 Clifton Rd N 491 - BL12636 (Z23-0048) - Michael Georg Anton Holzhey

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw No. 12636 be read a first, second and third time.

Carried

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

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw No. 12572 be adopted.

Carried

3.5 Bernard Ave 1181-1191 - DP23-0202 - 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 DeHart

THAT Council authorizes the issuance of Development Permit No. DP22-0202 for Lot 1 District Lot 137 ODYD Plan 16997, located at 1181-1191 Bernard 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 Council's consideration of this Development Permit 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 March 25, 2024;

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

Carried

3.6 Lakeshore Rd 3593 - BL12593 (Z23-0036) - Immortal Homes Ltd., Inc. No. A0101356

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Bylaw No. 12593 be adopted.

Carried

Councillor Cannan - Opposed

3.7 Lakeshore Rd 3593 - DP23-0115 - Immortal Homes Ltd., Inc.No. A0101356

Staff:

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

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Council defer the issuance of Development Permit No. DP23-0115 for Lot 10 District Lot 134 ODYD Plan 2988, located at 3593 Lakeshore Road, Kelowna, BC.

Carried

Councillor Lovegrove - Opposed

3.8 Homer Rd 250, 270, 280 - BL12630 (Z23-0077) - 1376686 B.C. Ltd., Inc.No. BC1376686

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw No. 12630 be amended at third reading by deleting the underlying zone that reads: "RU1 – Large Lot Housing"

And replacing it with:
"MF1 – Infill Housing"

AND THAT Bylaw No. 12630, as amended, be adopted.

Carried

3.9 Homer 250, 270, 280 - DP23-0212 - 1376686 B.C. Ltd., Inc. No. BC1376686

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council authorizes the issuance of Development Permit No. DP23-0212 for:

- Lot 3 Section 27 Township 26 ODYD Plan 14897 located at 280 Homer Rd, Kelowna, BC;
- Lot 4 Section 27 Township 26 ODYD Plan 14897 located at 270 Homer Rd, Kelowna, BC; and
- Lot 5 Section 27 Township 26 ODYD Plan 14897 located at 250 Homer Rd, 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 FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

3.10 Frost Rd 940-1070 - DP24-0019 - 0954654 B.C. Ltd., Inc.No. BC0954654

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council authorizes the issuance of Development Permit No. DP24-0019 for Lot A District Lot 579 SDYD Plan EPP127116, located at 940 – 1070 Frost Rd, 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 FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

The meeting recessed at 2:21 p.m.

The meeting reconvened at 2:32 p.m.

4. Non-Development Reports & Related Bylaws

4.1 Downtown Kelowna Association - 2024 Budget

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Downtown Kelowna Association 2024 budget.

Moved By Councillor Hodge/Seconded By Councillor Webber

THAT Council approves the Downtown Kelowna Association 2024 Budget as attached to the report of the Revenue Supervisor dated April 8, 2024.

AND THAT Council approves the 2024 levy of \$1,263,741 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.

Carried

4.2 Uptown Rutland Business Association - 2024 Budget

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Uptown Rutland Business Association 2024 budget.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Council approve the Uptown Rutland Business Association (URBA) 2024 Budget as attached to the report of the Revenue Supervisor dated April 8, 2024;

AND THAT Council approve the 2024 levy of \$233,675 on the Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.

Carried

4.3 Amendment to Council Remuneration Bylaw

Staff:

- Displayed a PowerPoint Presentation outlining the proposed amendment to the Council Remuneration and Expense Bylaw and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council receives, for information, the report from the Office of the City Clerk dated April 8, 2024 regarding the Council remuneration bylaw amendment;

AND THAT Bylaw No. 12650, being Amendment No. 12 to Council Remuneration and Expense Bylaw No. 7547, be forwarded for reading consideration.

Carried
Councillor Singh – Opposed

Moved By Councillor Lovegrove/Seconded By Councillor Cannan

THAT Council amend Bylaw No. 12650 by removing Item 3.4.

Defeated
Mayor Dyas, Councillors Hodge, DeHart, Stack and Wooldridge - Opposed

4.4 BL12650 - Amendment No. 12 to Council Remuneration and Expense Bylaw No. 7547

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Bylaw No. 12650 be read a first, second and third time.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Bylaw No. 12650 be deferred.

Defeated
Mayor Dyas, Councillors Hodge, DeHart, Stack and Wooldridge - Opposed

The original motion THAT Bylaw No. 12650 be read a first, second and third time was considered.

Carried
Councillors Cannan, Lovegrove, Singh and Webber - Opposed

4.5 4710 Lakeshore Rd Road Closure

Staff:

- Available for questions.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council receives, for information, the report from the Real Estate department dated April 8, 2024, recommending that Council adopt the proposed closure of excess road adjacent to 4710 Lakeshore Road;

AND FURTHER THAT Bylaw No. 12557 being proposed road closure of a portion of road adjacent to 4710 Lakeshore Road, be given reading consideration.

4.6 BL12557 - Road Closure Bylaw - Adjacent to 4710 Lakeshore Road Carried

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Bylaw No. 12557 be read a first, second and third time.

Carried

5. Mayor and Councillor Items

Councillor DeHart:

- Spoke to their attendance at the Kelowna Farmers' and Crafters' Market opening at their new location at the Landmark District.
- Will be representing Mayor and Council at the BC Wildlife Federation Convention on April 11, 2024.

Councillor Cannan:

- Spoke to their attendance at the Kelowna Farmers' and Crafters' Market opening and encouraged the community to support local farmers.
- Commented on the Kelowna City Band that will be performing at the Lutheran Church on April 13, 2024.

Councillor Lovegrove:

- Congratulations to the Kelowna Farmers' and Crafters' Market opening in their new location.
- Commented on the Okanagan Basin Water Board raising concerns regarding the infestation of zebra mussels and the need to advocate to provincial and federal governments to provide funding for Inspection stations.
- Notice of Motion regarding Transit for Teens Campaign for BC's Get on Board Program for teens aged 12 to 18 years.

Councillor Wooldridge:

- Spoke to their attendance at the Kelowna Farmers' and Crafters' Market opening at their new location.
- Spoke to their attendance at the Re-Imagine Conference at the Coast Capri put on by the City's Active Living & Culture team to support Non-Profit Organizations.

Councillor Hodge:

- Thanked Councillor Lovegrove for attending the Okanagan Basin Water Board meeting on his behalf.

Mayor Dyas:

- Spoke to their attendance at the Kelowna Farmers' and Crafters' Market opening at their new location and the positive impact it has on our community.
- Spoke to new Welcome to Kelowna signage at both entrances into our community.

6. Termination

This meeting was declared terminated at 3:22 p.m.

Mayor Dyas

City Clerk

lb/acm