



## City of Kelowna Regular Council Meeting Minutes

Date:	Monday, May 13, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge
Members Absent	Councillor Gord Lovegrove
Staff Present	City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Long Range Planning Policy Manager, Robert Miles*; Community Planning & Development Manager, Dean Strachan*; Divisional Director Financial Services, Joe Sass*; Controller, Matt Friesen*; Budget Supervisor, Jay Jean*; Infrastructure Operations Department Manager, Geert Bos*; Development Engineering Manager, Nelson Chapman*; General Manager, Infrastructure, Mac Logan*; Deputy City Clerk, Michael Jud*; Planner, Lauren Sanbrooks*; Legislative Coordinator (Confidential), Rebecca Van Huizen
Staff Participating Remotely	Legislative Coordinator (Confidential), Clint McKenzie

(\* 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 DeHart/Seconded By Councillor Hodge

THAT the Minutes of the Regular Meetings of May 6, 2024 be confirmed as circulated.

**Carried**

### 3. Development Application Reports & Related Bylaws

#### 3.1 Bennett Rd 1602, 1855 - OCP23-0008 (BL12664) Z23-0047 (BL12665) - Lakeside Communities Inc.

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Webber

THAT Official Community Plan Map Amendment Application No. OCP23-0008 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 2 Section 17 Township 23 ODYD Plan KAP65503 Except Plan EPP93314 located at 1602 Bennett Road, Kelowna and Lot B Section 17 Township 23 ODYD Plan EPP80141 located at 1855 Bennett Road, Kelowna, BC and, 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 May 13, 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 Information Session public 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 May 13, 2024;

AND THAT Rezoning Application No. Z23-0047 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 2 Section 17 Township 23 ODYD Plan KAP65503 Except Plan EPP93314 located at 1602 Bennett Road, Kelowna and Lot B Section 17 Township 23 ODYD Plan EPP80141 located at 1855 Bennett Road, Kelowna, BC from the P3 – Parks and Open Space to the RU1 – Large Lot Housing zone as shown on Map “B” attached to the Report from the Development Planning Department dated May 13, 2024 be considered by Council;

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

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**

#### 3.2 Bennett Rd 1602, 1855 - BL12664 (Z23-0047) - Lakeside Communities Inc.

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw No. 12664 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 Bennett Rd 1602, 1855 - BL12665 (Z23-0047) - Lakeside Communities Inc.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Bylaw No. 12665 be read a first time.

**Carried**

### 3.4 Bubna Rd 380 - Z22-0039 (BL12663) - McIntosh Properties Ltd., Inc. No. 0846631

Staff:

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

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Rezoning Application No. Z22-0039 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 Sections 1 and 2 Township 20 ODYD Plan KAP66741, located at 380 Bubna Rd, Kelowna, BC from the I4 – Natural Resource Extraction zone and the A2 -Agriculture/Rural Residential zone to the I2 – General Industrial zone as shown on Map "A" attached to the Report from the Development Planning Department dated May 13, 2024, be considered by Council.

Carried

### 3.5 Eldorado Rd 436 - Z23-0043 - Elizabeth Nadj - Supplemental Report

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Rezoning Application No. Z23-0043 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of a portion of Lot 2 District Lot 167 ODYD Plan 21142 located at 436 Eldorado Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as shown on Map "A" attached to the Report from the Development Planning Department dated May 13, 2024, be considered by Council.

Carried

## 4. Non-Development Reports & Related Bylaws

### 4.1 2023 Consolidated Financial Statements

Staff:

- Displayed a PowerPoint Presentation and provided an overview of the 2023 consolidated financial statements.  
- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council receives, for information, the Report from the Audit Committee dated May 13, 2024 with respect to the Consolidated Financial Statements and Auditor's Report for the City of Kelowna for the year ending December 31, 2023;

AND THAT the Consolidated Financial Statements and Auditor's Report be reprinted in and form part of the City of Kelowna's annual report.

Carried

### 4.2 2023 Surplus Appropriation

Staff:

- Displayed a PowerPoint Presentation.  
- Commented on the surplus appropriation to general reserves and accumulated surplus.  
- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council approves the appropriation of \$10,967,854 of surplus generated from all general fund operations in 2023 to reserves and accumulated surplus as detailed in the Report from the Audit Committee dated May 13, 2024;

Carried  
Councillor Cannan - Opposed

**4.3 2023 Financial Health Indicators**

Staff:

- Displayed a PowerPoint Presentation outlining key performance indicators in 2023.
- Commented on the financial principles and status of each indicator.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

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

Carried

**4.4 First Quarter 2024 Financial Performance**

Staff:

- Displayed a PowerPoint Presentation summarizing the first quarter financial activity in 2024 and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Webber

THAT Council receives, for information, the First Quarter 2024 Financial Performance Report from the Financial Services Controller as a continued approach of presenting timely and relevant financial information.

Carried

**4.5 Quarter one Amendment to the 2024 Financial Plan**

Staff:

- Displayed a PowerPoint Presentation summarizing quarter one amendments to the 2024 Financial Plan and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Council receives, for information, the Report from Financial Services dated May 13, 2024 with respect to quarter one amendments to the 2024 Financial Plan;

AND THAT the 2024 Financial Plan be amended to include budget amendments detailed in this report.

Carried

**4.6 BL12641 - Annual Tax Rate Bylaw, 2024**

Staff:

- Commented on the amendment to the bylaw at third reading.

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw No. 12641 be amended at third reading to update the rates appearing in column "A" of Schedule 1 and columns "A" and "B" of Schedule 2 of the bylaw.

**Carried****4.7 Revitalization Tax Exemption Program Bylaw No. 12561 - Amendment No. 1**

Staff:

- Displayed a PowerPoint Presentation outlining amendments to the Revitalization Tax Exemption Program Bylaw.
- Spoke to the program update to require rental-only zoning for eligible purpose-built rental housing projects.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council receives, for information, the report from the Development Planning Department, dated May 13, 2024, with respect to amending the Revitalization Tax Exemption Program Bylaw No. 12561 to require properties to have zoning for rental-only tenure to be eligible for a Revitalization Tax Exemption;

AND FURTHER THAT Bylaw No. 12666 being Amendment No. 1 to the Revitalization Tax Exemption Program Bylaw No. 12561 be advanced for reading consideration.

**Carried****4.8 BL12666 - Amendment No. 1 to the Revitalization Tax Exemption Program Bylaw No. 12561**Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw No. 12666 be read a first, second and third time.

**Carried**

The meeting recessed at 2:55 p.m.

The meeting reconvened at 3:04 p.m.

**4.9 Options to Address Construction Noise**

Staff:

- Displayed a PowerPoint Presentation providing context for regulating construction noise and recommended an option to reduce the construction noise window
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Webber

THAT Council receives, for information, the report from the Office of the City Clerk dated May 6, 2024, with respect to options for addressing construction noise;

AND THAT Council directs staff to prepare the necessary bylaw amendments in accordance with Option 1 as described in the report from the Office of the City Clerk dated May 6, 2024.

**Carried**

#### 4.10 Kelowna Heritage Conservation Area Review - Phase 1 and 2 Results and Next Steps

Staff:

- Displayed a PowerPoint Presentation providing an overview of the Heritage Conservation Area review.
- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Council receives, for information, the report from the Policy & Planning Department, dated May 6, 2024, outlining findings from a review of Kelowna's Heritage Conservation Areas;

AND THAT Council direct Staff to proceed with Phase 3 of the Kelowna Heritage Conservation Area Review.

Carried

#### 5. Bylaws for Adoption (Non-Development Related)

##### 5.1 BL12662 - Amendment No. 2 to Property Tax Bylaw No. 11971

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw No. 12662 be adopted.

Carried

##### 5.2 BL12639 - Five Year Financial Plan Bylaw 2024-2028

##### 5.3 BL12640 - Tax Structure Bylaw, 2024

##### 5.4 BL12642 - Development Cost Charge Reserve Fund Expenditure Bylaw, 2024

##### 5.5 BL12643 - Sale of City-Owned Land Reserve Fund Expenditure Bylaw, 2024

##### 5.6 BL12644 - Density and Bonus Expenditure Bylaw, 2024

##### 5.7 BL12645 - Septic Removal Specified Area Reserve Fund Expenditure Bylaw, 2024

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw Nos. 12639, 12640, 12642, 12643, 12644 and 12645 each be adopted.

Carried

##### 5.8 BL12654 - Sterile Insect Parcel Tax Bylaw 2024

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw No. 12654 be adopted.

Carried

##### 5.9 BL12655 - Amendment No. 8 to Parks and Public Spaces Bylaw No. 10680

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw No. 12655 be adopted.

Carried

#### 6. Mayor and Councillor Items

Councillor DeHart:

- Spoke to their attendance at the West Kelowna State of the City address.
- Spoke to the CPL soccer game announcement, June 16th at the Apple Bowl.
- Spoke to their attendance at the Tourism Kelowna AGM with Councillor Webber.

- Spoke to their attendance at the ribbon cutting of the new store, Sweet Repeats.
- Spoke to their attendance of the annual ceremonial ball of the Kelowna Dragoons.

Councillor Singh:

- Spoke to their attendance of the Hearts and Hands fundraiser for Ukrainian children.

Councillor Wooldridge:

- Acknowledged Councillor Singh's work with Hearts and Hands and other community groups.
- Spoke to their attendance to Opera Kelowna season opening concert.
- Hosted the Central Okanagan Performing Arts Festival.

Councillor Cannan:

- Spoke to their attendance of the 79th anniversary of D-Day with the Legion.
- Spoke to the north south traffic delay issue last week.
- Congratulated Councillor Wooldridge for being nominated to run in the upcoming provincial election.
- Spoke to the Code of Conduct provisions regarding regional board appointments.

City Manager:

- Commented on coordinating traffic light timing with the Ministry of Transportation and Infrastructure.

City Clerk:

- Commented on the Code of Conduct provisions regarding the Regional District Board and other committees, task forces, and agencies.

Councillor Webber:

- Spoke to their attendance of the Strive Living Society grand opening.

Councillor Hodge:

- Spoke to the notice of motion made last week.
- Commented on the OBWB Okanagan Water Basin Board meeting that they attended.

Mayor Dyas:

- Spoke to their attendance at the Friends of Kelowna service on the weekend.

## 7. Termination

This meeting was declared terminated at 4:21 p.m.

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Mayor Dyas

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City Clerk

lb/cm