



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, September 23, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Mohini Singh, Luke Stack* and Rick Webber
Members Participating Remotely	Councillor Gord Lovegrove
Members Absent	Councillors Charlie Hodge and Loyal Wooldridge
Staff Present	Acting City Manager, Derek Edstrom; City Clerk, Laura Bentley; Divisional Director, Active Living & Culture, Jim Gabriel*; Sport & Event Services Manager, Doug Nicholas*; Divisional Director, Planning, Climate & Development Services, Ryan Smith*; Development Planning Department Manager, Nola Kilmartin*; Planner II, Jason Issler*; Planner Specialist, Trisa Atwood*; Planner Specialist, Mark Tanner*; Planner II, Tyler Caswell*; Project Manager, Arlene Janousek*; Transit & Programs Manager, Mike Kittmer*; Revenue Manager, Patrick Gramiak*; Climate Action and Environment Manager, Chris Ray*; Planner, Allissa Cook
Staff Participating Remotely	Legislative Coordinator (Confidential), Clint McKenzie
Guest	Jerome Blake, Olympian*

(* 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 Singh/Seconded By Councillor Cannan

THAT the Minutes of the Regular Meetings of September 9, 2024 be confirmed as circulated.

Carried**3. Public in Attendance****3.1 Celebrating Local Olympian Jerome Blake**

Staff:

- Commented on local sport and experience of the Olympics.
- Introduced local sprinter, Jerome Blake.
- Displayed a video of the men's gold medal 4X100 m race.

Guest, Jerome Blake:

- Provided remarks on his experience as a sprinter in Kelowna representing Canada at the Olympics.

The Mayor congratulated Jerome and presented them with a painting of the Apple Bowl on behalf of the City.

4. Development Application Reports & Related Bylaws**4.1 Highland Dr 1508 - Z24-0022 (BL12677) - Supplemental Report**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- Commented on the correspondence received since notice of first reading.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Council receives, for information, the Report from the Development Planning Department dated September 23, 2024 with respect to Rezoning Application No. Z24-0022 for the property located at 1508 Highland Dr;

AND THAT Rezoning Bylaw No. 12677 be forwarded for further reading consideration.

Carried

Councillor Ron Cannan - Opposed

4.2 Highland Dr 1508 - BL12677 (Z24-0022) - 1344628 B.C. Ltd., Inc.No. BC1344628Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw No. 12677 be read a first, second and third time and be adopted.

Carried

Councillor Ron Cannan - Opposed

4.3 Cara Glen Way 1490 - OCP24-0010 (BL12700) TA24-0007 (BL12701) Z24-0013 (BL12702) - Rutherford Crestview Developments Ltd. Inc. No. Aoo8590

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Official Community Plan Map Amendment Application No. OCP24-0010 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 L SECTIONS 31 AND 32 TOWNSHIP 26 ODYD PLAN KAP 53293, located at 1490 Cara Glen Way, Kelowna, BC from the C-NHD – Core Area Neighbourhood designation to the NAT – Natural Areas designation, as shown on Map "A"

attached to the Report from the Development Planning Department dated September 23, 2024, be considered by Council;

AND THAT Council considers the Public Notification 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 September 23, 2024;

AND THAT Zoning Bylaw Text Amendment Application No. TA24-0007 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated September 23, 2024 be considered by Council;

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

AND THAT Rezoning Application No. Z24-0013 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of LOT L SECTIONS 31 AND 32 TOWNSHIP 26 ODYD PLAN KAP 53293, located at 1490 Cara Glen Way, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to P3 – Parks and Open Space zone and CD29 – Cara Glen Way Comprehensive Development zone as shown on Map "B" attached to the Report from the Development Planning Department dated September 23, 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 September 23, 2024;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the payment of \$188,000.00 into the City's Housing Opportunities Reserve Fund;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Natural Environment Development Permit by the Development Planning Department Manager for the subject property;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the dedication of the parkland on the northern portion of the property proposed to be zoned P3 – Parks and Open Space, as shown on Map "B", to the City.

AND FURTHER THAT the Official Community Plan Map Amending Bylaw, the Zoning Bylaw Text Amending Bylaw, and the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

Carried

4.4 Cara Glen Way 1490 - BL12700 (OCP24-0010) - Rutherford Crestview Developments Ltd. Inc. No. A008590

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Bylaw No. 12700 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

4.5 Cara Glen Way 1490 - BL12701 (TA24-0007) - Rutherford Crestview Developments Ltd. Inc. No. A008590

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Bylaw No. 12701 be read a first time.

Carried

4.6 Cara Glen Way 1490 - BL12702 (Z24-0013) - Rutherford Crestview Developments Ltd. Inc. No. A008590

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Bylaw No. 12702 be read a first time.

Carried

4.7 Appaloosa Rd 3199 - Z24-0037 (BL12705) - City of Kelowna

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. Z24-0037 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 47 Sections 2 and 3 Township 23 ODYD Plan 18861, located at 3199 Appaloosa Road, Kelowna, BC from the A2 – Agriculture / 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 September 23, 2024;

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

Carried

Councillor Cannan - Opposed

4.8 Rezoning Bylaws Supplemental Report to Council

City Clerk:

- Advised that consideration for Bylaw Nos. 12683 and 12684 were withdrawn by the applicant, to come back to Council at a later date.
- Commented on the correspondence received since notice of first reading.

4.9 Rezoning and Text Amendment Applications

4.9.1 Lakeshore Rd 3805 - BL12683 (Z23-0035) - Jim Pattison Industries Ltd., Inc.No. BC0928747

4.9.2 Lakeshore Rd 3805 - BL12684 (TA24-0008) - Jim Pattison Industries Ltd., Inc.No. BC0928747

Items 4.9.1 and 4.9.2 were both withdrawn by the applicant.

4.9.3 Coronation Ave 627-659 - BL12697 (Z23-0070) - Coronation Holdings Ltd., Inc.No. BC1299864

4.9.4 Pandosy St 2124 - BL12699 (Z24-0027) - Necessary Homes Ltd., Inc.No. BCo850280

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw Nos. 12697 and 12699 be read a first, second and third time.

Carried

4.10 Rezoning Applications

4.10.1 Cactus Rd 1115 - BL12696 (Z24-0015) - 1417489 B.C. Ltd., Inc.No. BC1417489

4.10.2 Drysdale Blvd 305 - BL12698 (Z24-0026) - Will McKay and Co. Ltd., Inc.No. BC0306923

Moved By Councillor Singh/Seconded By Councillor Stack

THAT Bylaw Nos. 12696 and 12698 be read a first, second and third time and be adopted.

Carried

4.11 Bernard Ave 1660-1670 - BL12607 (Z23-0017) - Sole Bernard Developments Ltd., Inc.No. BC1371339

Moved By Councillor DeHart/Seconded By Councillor Singh

THAT Bylaw No. 12607 be amended at 3rd reading by deleting "1660 and 1670 and replacing it with 1660-1670";

AND THAT Bylaw No. 12607 be amended at 3rd reading by deleting the Legal Description that reads:

1. Lot 2 Section 20 Township 26 ODYD Plan 12275, located on Bernard Avenue, Kelowna, BC;
2. Lot 3 Section 20 Township 26 ODYD Plan 12275, located on Bernard Avenue, Kelowna, BC;”

And replacing it with "Lot A Section 20 Township 26 ODYD Plan EPP136053, located on Bernard Avenue, Kelowna";

AND THAT Bylaw No. 12607 be amended at 3rd reading by deleting the underlying zone that reads:

"RU₄ – Duplex Housing"

And replacing it with:

"MF₁ – Infill Housing"

Carried

Moved By Councillor DeHart/Seconded By Councillor Singh

THAT Bylaw No. 12607, as amended, be adopted.

Carried**4.12 Bernard Ave 1660-1670 - DP23-0188 - Sole Bernard Developments Ltd., Inc.No. BC1371339**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Singh

THAT Rezoning Bylaw No. 12607 be amended at third reading to revise the legal description of the subject properties from Lot 2 Section 20 Township 26 ODYD Plan 12275 and Lot 3 Section 20 Township 26 ODYD Plan 12275 to Lot A Section 20 Township 26 ODYD Plan EPP136053;

AND THAT final adoption of Rezoning Bylaw No. 12607 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0188 for Lot A Section 20 Township 26 ODYD Plan EPP136053, located at 1660 – 1670 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 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**4.13 Laurier Ave 925 - BL12635 (Z23-0082) - Amarjit and Sarbjit Gill**Moved By Councillor Stack/Seconded By Councillor Singh

THAT Bylaw No. 12635 be amended at third reading by deleting the Legal Description that reads:

"Lot B District Lot 138 ODYD PLAN 2255"

And replacing it with:

"Lot 1 District Lot 138 ODYD PLAN EPP137592"

CarriedMoved By Councillor Stack/Seconded By Councillor Singh

THAT Bylaw No. 12635 as amended, be adopted.

Carried**4.14 Laurier Ave 925 - DP23-0224 - Amarjit and Sarbjit Gill**

Staff:

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

Moved By Councillor DeHart/Seconded By Councillor Lovegrove

THAT Rezoning Bylaw No. 12635 be amended at third reading to revise the legal description of the subject property from Lot B District Lot 138 ODYD PLAN 2255 to Lot 1 District Lot 138 ODYD PLAN EPP137592;

AND THAT final adoption of the Rezoning Bylaw No. 12635 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0224 for Lot 1 District Lot 138 ODYD PLAN EPP137592, located at 925 Laurier 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.

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**4.15 Hilltown Dr 3260 - DP23-0053 - 1918951 Alberta Ltd., Inc.No. A0110539**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT Council authorizes the issuance of Development Permit No. DP23-0053 for Lot 14 Section 28 Township 23 ODYD Plan EPP76020, located at 3260 Hilltown Dr, Kelowna, BC subject 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

The meeting recessed at 3:11 p.m.

The meeting reconvened at 3:20 p.m. without Councillor Stack in attendance.

5. Non-Development Reports & Related Bylaws

5.1 Planning and Development Statistics – Q2 2024

Staff:

- Displayed a PowerPoint Presentation.
- Provided an update on planning and development statistics for the second quarter in 2024.
- Commented on trends, implications, and major initiatives.
- Reported on delegated minor development variance permit applications.
- Commented on the Housing Accelerator Fund initiatives.
- Responded to questions from Council.

Moved By Councillor Dehart/Seconded By Councillor Cannan

THAT Council receives, for information, the report from the Planning, Climate Action and Development Services Division dated September 23, 2024, with information relating to Planning and Development Statistics for the second quarter of 2024.

Carried

5.2 Transit Improvements Program 3-Year Outlook

Staff:

- Displayed a PowerPoint Presentation outlining the transit improvements program.
- Commented on the transit improvement program, investments and initiatives.
- Provided a three year outlook summary.
- Responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Dehart

THAT Council receives, for information, the Report from Integrated Transportation dated September 23, 2024, with respect to the Transit Improvement Program 3-year expansion initiatives;

AND THAT Council directs staff to enter into a Memorandum of Understanding with BC Transit setting out the City's intention to proceed with the service expansions detailed in year one (2025/26);

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Memorandum of Understanding.

Carried

5.3 Permissive Tax Exemption 2025

Staff:

- Displayed a PowerPoint Presentation outlining the permissive tax exemptions for 2025.

Moved By Councillor DeHart/Seconded By Councillor Cannan

THAT Council receives, for information, the Report from the Revenue Supervisor dated September 23, 2024 with respect to the 2025 Permissive Tax Exemption Bylaw;

AND THAT Bylaw No. 12695, being the Permissive Tax Exemption Bylaw be forwarded for reading consideration.

Carried

5.4 BL12695 - 2025 Permissive Tax Exemptions

Moved By Councillor DeHart/Seconded By Councillor Singh

THAT Bylaw No. 12695 be read a first, second and third time.

Carried

5.5 2024 Climate Resilient Kelowna Strategy

Staff:

- Displayed a PowerPoint Presentation.
- Provided updates regarding the strategy including GHG emissions modelling, climate vulnerability and risk and the key emission reduction drivers.
- Responded to questions from Council.

Councillor Stack returned to the meeting at 4:07 p.m.

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT Council receives, for information, the report from Climate Action & Environmental Stewardship, dated September 23, 2024, with respect to the 2024 Climate Resilient Kelowna Strategy;

AND THAT Council adopt the 2024 Climate Resilient Kelowna Strategy as attached to the report from Climate Action & Environmental Stewardship dated September 23, 2024.

Carried

Councillor Lovegrove - Opposed

6. Resolutions

6.1 Draft Resolution - Council Tour of Kelowna International Airport

Moved By Councillor Stack/Seconded By Councillor Cannan

THAT a portion of the Regular AM Council Meeting scheduled for Monday, October 7, 2024 be at a location other than City Hall Council Chamber, being the Kelowna International Airport – 5533 Airport Way, Kelowna, BC and 4200-4210 Old Vernon Rd, Kelowna, BC;

AND THAT the public not be permitted to attend this portion of the Meeting in-person due to its location and facility requirements.

Carried

7. Mayor and Councillor Items

Mayor Dyas:

- Provided remarks on the upcoming National Day of Truth and Reconciliation and City initiatives to advance reconciliation.

Councillor DeHart:

- Attended UBCM with the Mayor and Councillor Lovegrove.
- Commented on meeting with several ministers and the resolution regarding invasive mussels being passed.

Councillor Stack:

- Attended events as Deputy Mayor last week including the Okanagan College Powwow.
- Attended the Rotary Centre for the Arts kick-off for the upcoming season.

Councillor Webber:

- Attended the Okanagan Thompson Legal Clinic open house with Councillor Cannan.

Councillor Cannan:

- Attended the Accelerate Okanagan announcement.
- Attended the 10th anniversary for Okanagan Lifestyle Apparel.
- Attended Hope Air event at the airport for life saving medical treatments with Councillor Singh.
- Attended the DKA Downtown After Five and the Kelowna Chamber monthly events.
- Will be attending the Tourism Kelowna workshop and the association is excited to help host the Brier and country music awards next year.

Councillor Singh:

- Attended the Hope Air event and commented on how many medical treatment flights are supported.
- Read proclamation at the Fetal Alcohol Spectrum Disorder Conference.
- Attended the conference on Indigenous housing.
- Attended Kelowna Running Community event with Olympian, Jerome Blake.

Councillor Lovegrove:

- Congratulated the Mayor, Council and staff on UBCM asset management award.
- Attended the Southern Interior Local Government Association (SILGA) meeting.
- Referenced the noise cameras pilot project UBCM resolution and their notice of motion.

Mayor Dyas:

- Thanked Council for their support during UBCM.
- Attended the inaugural local celebrity poker fundraiser at Chances Casino.

8. Termination

This meeting was declared terminated at 4:59 p.m.

Mayor Dyas

City Clerk

lb/cm