



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, January 20, 2025
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan*, Gord Lovegrove, Luke Stack, Rick Webber and Loyal Wooldridge
Members Participating Remotely	Councillors Charlie Hodge and Mohini Singh
Members Absent	Councillor Maxine DeHart
Staff Present	City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Development Planning Manager, Alex Kondor*; Development Planning Department Manager, Nola Kilmartin*; Acting Development Planning Manager, Adam Cseke*; Grants & Special Projects Manager, Kirby March*; Planner Specialist, Jennifer Miles*; Infrastructure Operations Department Manager, Geert Bos*; Asset Management & Capital Planning Manager, Joel Shaw*; Financial Analyst, Chris Gregson*; General Manager, Corporate Services, Joes Sass*; Legislative Coordinator Confidential (FOI), Rebecca Van Huizen*
Staff Participating Remotely	Legislative Coordinator Confidential, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 1:31 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 Cannan

THAT the Minutes of the Regular Meetings of January 13, 2025 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Valley Road N 212 - TA24-0014 (BL12741) - City of Kelowna

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Hodge

THAT Zoning Bylaw Text Amendment Application No. TA24-0014 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 20, 2025 for that part of Lot 13 Block 5 Section 4 Township 23, ODYD Plan 896 shown as Okanagan Hwy (proposed) and two parts as 50 ft Access Road all of which are dedicated as road on Plan 11656, located at 212 Valley Road, Kelowna, BC, be considered by Council.

Carried

3.2 Content Changes - TA24-0021 (BL12742) - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed text amendments and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Stack

THAT Zoning Bylaw Text Amendment Application No. TA24-0021 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 20th 2025, 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

Councillor Cannan - Opposed

3.3 Saucier Rd 2555 - LL24-0021 - Sawin, Darren and Jane

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with Division 9 (71) of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Priest Creek Family Estate Winery Inc. for a lounge endorsement for Lot C Section 4 Township 26 ODYD Plan 42820, located at 2555 Saucier Rd, Kelowna, BC for the following reasons:
 - o The proposed lounge endorsement is consistent with regulations of the Liquor and Cannabis Regulation Branch, Agriculture Land Commission, and Council Policy 359.
2. Council's comments on LCRB's prescribed considerations are as follows:

- a. The location of the winery/special event area:
As part of the manufacturing licence, the tasting room, picnic area endorsement, and temporary expanded service area (TESA), have been operating in its current location for several years. The proposed lounge endorsement is located to minimize the impact on agricultural productivity.
 - b. The proximity of the winery/special event area to other social or recreational facilities and public buildings:
The winery is located over 300 m from South Kelowna Elementary School. The proximity is not anticipated to be a concern.
 - c. The person capacity of the winery lounge:
The person capacity is acceptable as it aligns with Council Policy 359 which recommends that the liquor establishment capacity outside of the Central Area not exceed 250 persons.
 - d. Traffic, noise, parking and zoning:
Traffic, parking, and zoning are not anticipated to be a concern. and the applicant has taken actions to minimize the potential noise impact to adjacent property owners by constructing fencing, reducing the size of the lounge endorsement area and having reduced patio hours.
 - e. The impact on the community if the application is approved:
The application is not anticipated to have significant impact on the community.
3. The views of residents are summarized in the Staff report for the subject application. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures".

Carried

3.4 Bernard Ave 571 - LL24-0020 - MKK Property Corp., Inc. No. BC1307626

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Webber

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with Division 9 (71) of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Raj Chandi for a food primary license amendment for Lot 2 District Lot 139 ODYD Plan 4512, located at 571 Bernard Avenue, Kelowna, BC for the following reasons:
 - Council Policy 359 recommends supporting hours of operations no later than 2:00am within the Central Area when the capacity does not exceed 500 persons;
2. Council's comments on LCRB's prescribed considerations are as follows:

Criteria for license amendment:

- a. The potential for noise if the application is approved:
The potential for noise is anticipated to be minimal as the liquor area is located indoors.

- b. The impact on the community if the application is approved:
The potential for negative impacts is minimal.
- c. In the case of a food primary license amendment, if the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose:
The food primary establishment will continue to operate under all LCRB requirements of a food primary licence which includes having their kitchen open during all business hours.
3. The views of residents are summarized in the Staff report for the subject application. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures".

Carried

3.5 Drysdale Blvd 305 - DP24-0110 - Will McKay and Co. Ltd., Inc. No. BC0306923

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor Stack

THAT Council authorizes the issuance of Development Permit No. DP24-0110 for Parcel A (Being A Consolidation of Lots 4 and 5, see CA9869654) Section 33 Township 26 ODYD Plan EPP48909, located at 305 Drysdale Blvd, 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 this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Short Term Rental Accommodations - Provincial Alignment

Councillor Wooldridge made a statement regarding the change in their previous conflict of interest regarding short-term rentals as they no longer own the unit nor holds a business licence for short-term rental accommodation.

Staff:

- Displayed a PowerPoint Presentation providing an overview of the local short-term rentals data, commented on the proposed change to align the City's regulations with provincial regulations and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives the report from the Development Planning Department, dated January 20, 2025, regarding Short-Term Rental accommodation;

AND THAT Council directs staff to bring forward draft bylaws to align local regulations with provincial standards.

Carried
Councillor Webber - Opposed

4.2 2024 Grant Summary Update

Staff:

- Displayed a PowerPoint Presentation summarizing the 2024 Grants Management Program.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Partnerships Office, dated January 20, 2025, with respect to the 2024 Grants Summary.

Carried

The meeting recessed at 2:41 p.m.

The meeting reconvened at 2:50 p.m.

4.3 Maintenance of Boulevards - Update

Staff:

- Displayed a PowerPoint Presentation providing an overview of changes to requirements to maintain boulevards and street trees and responded to questions from Council.

Councillor Cannan rejoined the meeting at 2:51 p.m.

Moved By Councillor Lovegrove/Seconded By Councillor Stack

THAT Council receives, for information, the report from Infrastructure Services and Planning, Climate Action, and Development Services divisions dated January 20, 2024, with respect to an update to Maintenance of Boulevards by the Owners of Lands Abutting Thereon Bylaw No. 10425;

AND THAT Bylaw No. 12744, being Maintenance of Boulevards, be forwarded for reading consideration;

AND THAT Bylaw No. 12745, being Amendment No. 38 to Bylaw Notice Enforcement Bylaw No. 10475, be forwarded for reading consideration.

Carried

4.4 BL12744 - Maintenance of Boulevards

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Bylaw No. 12744 be read a first, second and third time.

Carried

4.5 BL12745 - Amendment No. 38 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12745 be read a first, second and third time.

Carried

4.6 Development Cost Charge Update

Staff:

- Displayed a PowerPoint Presentation providing an update on the Development Cost Charge program and proposed rate increase and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Cannan

THAT Council receives, for information, the report from Financial Services dated January 20, 2025, with respect to the update to the Development Cost Charge Bylaw;

AND THAT Development Cost Charge Bylaw No. 12746 - Amendment No. 1 to Development Cost Charge Bylaw No. 12420, be given reading consideration.

Carried

4.7 BL12746 - Amendment No. 1 to Development Cost Charge Bylaw No. 12420

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Bylaw No. 12746 be read a first, second and third time.

Carried

5. Mayor and Councillor Items

Councillor Hodge:

- Congratulated the Mayor on being elected Chair of the Hospital Board.

Mayor Dyas:

- Thanked Councillor Stack for their role as Deputy Mayor.

6. Termination

This meeting was declared terminated at 3:42 p.m.

Mayor Dyas

City Clerk

/acm