City of Kelowna Regular Council Meeting AGENDA



Monday, March 31, 2025 1:30 pm Council Chamber City Hall, 1435 Water Street

5.

5.1

Pages 1. Call to Order 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. **Confirmation of Minutes** 5 - 10 2. PM Meeting - March 17, 2025 3. **Committee Reports** 11 - 12 50th Annual Civic and Community Awards Finalist Announcement 3.1 To announce Kelowna's 50th Annual Civic & Community Awards finalists. Public in Attendance 4. 381 Viewcrest Ct Business Licence Cancellation Reconsideration 13 - 69 4.1 The City Clerk to invite the Applicant or Applicant's Representative to come forward. To hear a request for reconsideration of business licence no. 4089807 for a Short-Term Rental Accommodation business on the subject property.

70 - 71

To receive a summary of notice of first reading for Rezoning Bylaw No. 12769 and to give the bylaw further reading consideration.

Development Application Reports & Related Bylaws

Rezoning Bylaws Supplemental Report to Council

	5.2	Bernard Ave 1230-1296, D'Anjou St 1481-1495, Richmond St 1488 - BL12769 (Z24-0046) - Multiple Owners	72 - 73
		To give Bylaw No. 12769 first, second and third reading in order to rezone the subject properties from the MF1 – Infill Housing zone to the MF3r – Apartment Housing Rental Only zone.	
	5-3	Temple Ct 252 - Z22-0045 (BL12486) - Rescind Rezoning Bylaw	74 - 75
		To rescind all three readings given to Rezoning Bylaw No. 12486 and direct Staff to close the file.	
	5.4	Temple Ct 252 - BL12486 (Z22-0045) - Giovanni Lenza and Stonewood Development Corp., Inc.No. BC0671615	76 - 76
		To rescind all three readings given to Rezoning Bylaw No. 12486.	
6.	Bylaw	s for Adoption (Development Related)	
	6.1	Multiple Properties - BL12748 (Z24-0060) - City of Kelowna	77 - 90
		To adopt Bylaw No. 12748 in order to rezone 81 parcels.	
	6.2	Laurier Ave 964 - BL12752 (Z24-0057) - 608698 B.C. Ltd., Inc.No. BC0608698	91 - 91
		To adopt Bylaw No. 12752 in order to rezone the subject property from the MF1b – Infill Housing with Boarding or Lodging House zone to the MF1cc – Infill Housing with Child Care Centre, Major zone.	
	6.3	Hwy 97 N 3699 - BL12754 (Z24-0061) - University Business Park Ltd., Inc.No. 431185	92 - 92
		To adopt Bylaw No. 12754 in order to rezone the subject property from the C2 - Vehicle Oriented Commercial zone to the C2rcs - Vehicle Oriented Commercial Retail Cannabis Sales zone.	
	6.4	Dougall Rd N 465-495 - BL12756 (Z24-0062) - 1470626 B.C. Ltd., Inc.No. BC1470626	93 - 93
		To adopt Bylaw No. 12756 in order to rezone the subject property from the UC4 – Rutland Urban Centre zone to the UC4r – Rutland Urban Centre Rental Only zone.	
7.	Non-D	Development Reports & Related Bylaws	
	7.1	Value for Money Status Report	94 - 98
		To receive a report outlining the status of recommendations received under the Value for Money Program.	

7.2	Treasury Process Follow up Value for Money	99 - 105
	To receive a report outlining the results of the Treasury Process Follow up engagement	
7-3	Infrastructure Deficit Value for Money	106 - 113
	To receive a report outlining the results of the Infrastructure Deficit engagement.	
7.4	Amendment No. 1 to the Five Year Financial Plan 2024-2028	114 - 121
	To amend the Five Year Financial Plan 2024-2028 as required by the Community Charter to include the authorized transfers and amendments which occurred in the 2024 year.	
7.5	BL12757 - Amendment No. 1 to the Five Year Financial Plan 2024 - 2028	122 - 123
	To give Bylaw No. 12757 first, second and third reading.	
7.6	2024 Financial Performance and Health Indicators Update	124 - 140
	To receive information summarizing the City of Kelowna's 2024 financial performance and a corresponding update on the Financial Health Dashboard	
7-7	Prospera Place Improvements	141 - 148
	To receive an update on the status of the various improvements being made to Prospera Place and approve a budget amendment to complete improvements.	
7.8	Deterrent Spray Bylaw Consultation and Adoption	149 - 155
	To adopt a bylaw regulating the sale of Deterrent Sprays (e.g. bear sprays) from businesses.	
7.9	BL12678 - Sale of Deterrent Spray	156 - 157
	To adopt Bylaw No. 12678.	
7.10	BL12679 - Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475	158 - 159
	To adopt Bylaw No. 12679.	
7.11	Southern Interior Bylaw Adjudication Registry Agreement	160 - 179
	To add the Town of Osoyoos as a party to the Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement and renew the contract for an additional five year term.	

8. Resolutions

- 9. Mayor and Councillor Items
- 10. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Location: Monday, March 17, 2025

Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart*, Gord Lovegrove,

Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge

Members Absent

Councillor Charlie Hodge**

Staff Present

Acting City Manager, Derek Edstrom; City Clerk, Laura Bentley; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Long Range Planning Manager, Robert Miles*; Development Planning Department Manager, Nola Kilmartin*; Planner, Andrew Ferguson*; Planner, Jason Issler*; Corporate Strategy & Performance Department Manager, Mike McGreer*; Business Planning & Results Manager, Sigrun Geirsdottir*; General Manager, Corporate Services, Joe Sass*; Intergovernmental Relations Manager, Axelle Bazett*; Building & Business Services Department Manager, Lynsey Paley*; Acting Business Licensing Supervisor, Sarah Krakower*; Treasury Supervisor, James Lawson*; Legal & Administrative Coordinator, Lisa Schell

Staff Participating Remotely

Legislative Coordinator Confidential, Clint McKenzie

(* Denotes partial attendance; ** Denotes leave of absence)

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 Wooldridge/Seconded By Councillor DeHart

THAT the Minutes of the Regular Meetings of March 10, 2025 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

Final North End Plan 3.1

Staff:

Displayed a PowerPoint Presentation summarizing the application.

Provided an overview of the final North End Plan.

- Commented on the amendments to the Official Community Plan to begin implementing the North End Plan.
- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council endorses the North End Plan, as outlined in the report from the Long Range Planning Department dated March 17, 2025;

AND THAT Official Community Plan Amendment Application No. OCP25-0003 to amend Kelowna 2040 – Official Community Plan Bylaw No. 12300 as outlined in Schedule "A" and "Schedule B" attached to the Report from the Long Range Planning Department dated March 17, 2025, be considered by Council;

AND FURTHER THAT the Official Community Plan Text Amending Bylaw be forwarded to Public Hearing for further consideration.

Carried

North End Plan Amendments - BL12763 (OCP25-0003) - City of Kelowna 3.2

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12763 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

Bernard Ave 1230-1296, D'Anjou St 1481-1495, Richmond St 1488 - Z24-0046 3.3 (BL12769) - Multiple Owners

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Rezoning Application No. Z24-0046 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of:

- a. Lot 1 District Lot 137 ODYD Plan 15718, located at 1296 Bernard Avenue, Kelowna, BC;
- b. Lot 2 District Lot 137 ODYD Plan 15718, located at 1290 Bernard Avenue, Kelowna, BC;
- c. Lot 3 District Lot 137 ODYD Plan 15718, located at 1280 Bernard Avenue, Kelowna, BC;
- d. Lot 4 District Lot 137, ODYD Plan 15718, located at 1270 Bernard Avenue, Kelowna, BC;
 e. Lot 5 District Lot 137 ODYD Plan 15718, located at 1260 Bernard Avenue, Kelowna, BC;
- f. Lot 6 District Lot 137 ODYD Plan 15718, located at 1250 Bernard Avenue, Kelowna, BC;
- g. Lot 7 District Lot 137 ODYD Plan 15718, located at 1240 Bernard Avenue, Kelowna, BC;
- h. Lot 8 District Lot 137 ODYD Plan 15718, located at 1230 Bernard Avenue, Kelowna, BC;
- Lot 9 District Lot 137 ODYD Plan 15718, located at 1495 D'Anjou Street, Kelowna, BC;
- j. Lot 10 District Lot 137 ODYD Plan 15718, located at 1491 D'Anjou Street, Kelowna, BC;
 k. Lot 11 District Lot 137 ODYD Plan 15718, located at 1481 D'Anjou Street, Kelowna, BC;
 l. Lot 21 District Lot 137 ODYD Plan 15718, located at 1488 Richmond Steet, Kelowna, BC;

from the MF1 – Infill Housing zone to the MF3r – Apartment Housing 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 March 17, 2025;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to consolidating the subject properties into a single parcel;

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

Councillor Cannan - Opposed

3.4 Rezoning Bylaws Supplemental Report to Council

Staff:

- Commented on notice of first reading and correspondence received.
 - 3.5 Rezoning and Text Amendment Applications
 - 3.5.1 Pacific Ave 1239 BL12760 (Z25-0001) 1309118 B.C. Ltd., Inc.No. BC1309118

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12760 be read a first, second and third time.

Carried

3.5.2 Updates to Short-Term Rental Regulations BL12761 (TA25-0001) - City of Kelowna

Councillor DeHart declared a conflict of interest as they own short term rental units and work for a hotel and left the meeting at 2:09 p.m.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Bylaw No. 12761 be read a first, second and third time.

Carried

Councillor DeHart returned to the meeting at 2:12 p.m.

3.6 KLO Rd 860 - 1000 - DP24-0232 - Okanagan College

Staff:

Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council authorizes the issuance of Development Permit No. DP24-0232 for Lot 1 District Lot 135 ODYD Plan EPP90191, located at 860 – 1000 KLO Rd, Kelowna, BC subject to the following:

 The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";

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

Acting City Manager:

Commented on the City's bid for the UNESCO City of Gastronomy designation.

Non-Development Reports & Related Bylaws

4.1 Reporting Progress on Council Priorities

Staff:

Displayed a PowerPoint Presentation and online progress report.

 Commented on the 2024 Progress Report on Council priorities and provided an overview of each measure.

Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives, for information, the report from the Corporate Strategy & Performance Department dated March 17, 2025 with respect to reporting progress in 2024 on Council Priorities 2023-2026;

AND THAT Council directs staff to report back on progress on Council priority actions in fall 2025 and progress on Council Priorities measures in spring 2026.

Carried

The meeting recessed at 2:47 p.m.

The meeting reconvened at 2:57 p.m.

4.2 Business Licence Updates for Short-Term Rental Regulations

Councillor DeHart declared a conflict of interest for items 4.2, 4.3 and 4.4 as they own short term rental units and work for a hotel and left the meeting at 2:57 p.m.

Staff:

Introduced the Acting Business License Supervisor.

 Displayed a PowerPoint presentation providing an overview of the business licence amendments to align with new short-term rental regulations and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from Business Licensing, dated March 17, 2025, with respect to business licence updates for short-term rental regulations;

AND THAT Bylaw No. 12767, being Amendment No. 2 to Short-Term Rental Accommodation and Business Licence and Regulation Bylaw No. 11720 be forwarded for reading consideration;

AND THAT Bylaw No. 12768, being Amendment No.40 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration;

AND FURTHER THAT Council direct staff to notify all short-term rental operators within the City with pending or approved business licences, as well as place a newspaper advertisement, allowing for comments to be submitted to the Business Licensing Supervisor no later than 4 p.m. on March 31, 2025.

Carried

4.3 BL12767 - Amendment No. 2 to Short-Term Rental Regulation Bylaw No. 11720

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12767 be read a first, second and third time.

Carried

4.4 BL12768 - Amendment No. 40 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12768 be read a first, second and third time.

Carried

Councillor DeHart returned to the meeting at 3:05 p.m.

4.5 Investment of Kelowna Funds 2024

Staff:

Displayed a PowerPoint Presentation.

 Provided an overview and performance of the 2024 investment portfolio and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the Investment of Kelowna Funds for 2024 Report from the Treasury Supervisor as presented on March 17, 2025, in alignment with the Council's strong financial management priority.

Carried

5. Mayor and Councillor Items

Councillor DeHart:

Spoke to their attendance at the City's Compass Awards.

 Attended former Kelowna Firefighter, Terry Britton's funeral with Councillor Singh and the City's General Manager, People & Protective Services, Stu Leatherdale.

Councillor Cannan:

 Made a notice of motion to amend Purchasing Bylaw No. 11477 to prioritize procurement from Canadian suppliers whenever possible.

Requested a letter to the Premier asking the Province to lift the short term rental ban for non-principal residence properties this year.

Mayor Dyas commented on the previous correspondence with the Province regarding an exemption from the short-term rental ban on non-principal residence.

Councillor Lovegrove:

Wished everyone a Happy St. Patrick's Day.

Wished a happy belated birthday to Councillor Stack.

- Attended opening ceremonies of the 2025 Junior All Native Tournament (JANT) and Spring Basketball Fest and presented a blanket to the Mayor received as a gift to the City from the participants.
- Attended the tier 2 provincial hockey finals.

Councillor Singh:

- Attended former Kelowna Firefighter, Terry Britton's funeral. Hosted the Taste of Home event with Councillor Cannan.
- Attended the Persian New Year celebration.

Termination 6.

This meeting was declared terminated at 3:32 p.m.

City Clerk Mayor Dyas /cm

Report to Council



Date: March 31, 2025

To: City Manager

From: Sport & Event Services

Subject: 50th Annual Civic and Community Awards Finalist Announcement

Recommendation:

THAT Council receives for information, the report from Sport & Event Services, dated March 31, 2025, announcing the finalists for the 50th Annual Civic & Community Awards.

Purpose:

To announce the finalists for the 50th Annual Civic & Community Awards.

Background:

The City of Kelowna's annual Civic & Community Awards recognize the outstanding achievements and contributions made in our city each year. The program includes 13 awards that honour volunteers, artists, athletes, environmentalists, and businesses. Up to three finalists are selected in each category, with one recipient being announced during the awards ceremony.

Discussion:

The following categories will be awarded as part of the 50th annual awards:

- Bob Giordano Memorial Award Coach or Sport Administrator of the Year
- Bryan Couling Memorial Award Athletic Team of the Year
- Male and Female Athlete of the Year
- Augie Ciancone Memorial Award Top Male & Female High School Athlete of the Year
- Teen Honour in the Arts
- Honour in the Arts
- Champion for the Environment
- Corporate Community of the Year
- The Central Okanagan Foundation Volunteer Organization of the Year
- Young Citizen of the Year
- The Fred Macklin & Sarah Donalda Treadgold Memorial Award Citizen of the Year

• Anita Tozer Memorial Award - selected by Mayor and Council

Two categories also have scholarship components, with recipients in the Young Citizen of the Year Award receiving scholarships from the Payton and Dillon Budd Memorial Fund Youth Scholarship, and the recipient of the Teen Honour in the Arts Award receiving an entrance scholarship to UBC Okanagan.

In addition, the Volunteer Organization of the Year winner receives a \$3000 donation from the Central Okanagan Foundation.

This year's celebration will include a gala event to celebrate the achievements of the finalists and award winners.

Conclusion:

The 50th Annual Civic & Community Awards Gala, to formally announce the award recipients for each category, will be held on Thursday, May 8th, at the Delta Grand Hotel. Tickets will be allocated to finalists with additional tickets being available for purchase at a nominal fee.

Each year the award recipients are further recognized at Jim Stuart Park, with their names on an individual name plate.

Internal Circulation:

Active Living & Culture Communications

Considerations applicable to this report:

Existing Policy: Council Policy 382 – Civic & Community Awards

Communications Comments:

Considerations not applicable to this report: Legal/Statutory Authority: Legal/Statutory Procedural Requirements: Existing Policy: Financial/Budgetary Considerations: Consultation and Engagement:

Submitted by: C. Babcock, Event Development Manager, Sport & Event Services

Approved for inclusion: J. Gabriel, Divisional Director, Active Living & Culture

Report to Council



Date: March 31, 2025

To: Council

From: City Manager

Subject: 381 Viewcrest Ct Business Licence Cancellation Reconsideration

Department: Business Licensing

Recommendation:

THAT Council upholds the decision of the Licence Inspector to cancel the Short-Term Rental Business Licence for a 'Short-Term Rental Accommodation' business on the subject property located at 381 Viewcrest Ct, Kelowna BC on March 1, 2025.

Purpose:

To hear a request for reconsideration of business licence no. 4089807 for a Short-Term Rental Accommodation business on the subject property.

Background:

Section 6o(5) of the Community Charter requires that where a municipal officer or employee exercises a delegated authority to grant, refuse, suspend or cancel a business licence, the applicant or licence holder who is subject to the decision is entitled to have Council reconsider the matter.

The City of Kelowna Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720, delegates the authority to grant, refuse, suspend and cancel a short-term rental accommodation business licence to the Licence Inspector, sets out procedures for this type of hearing:

- 5.2 When a Licence Inspector suspends, cancels or refuses to issue or renew a licence, the Licence Inspector will provide the applicant for the licence or the operator with a formal letter outlining the reason(s) for the refusal.
- 5.3 An applicant for a licence or an operator may request that Council reconsider a decision of the Licence Inspector under subsection 5.1 by delivering a request in writing to the City Clerk within 30 days of the Licence Inspector's decision being sent.
- 5.4 No person shall offer, or continue through marketing to advertise or provide any short-term rental accommodation pursuant to their licence during a period of suspension of that licence.

The applicant requested Council reconsideration on February 7, 2025.

Short-Term Rental Accommodation Regulations and Policies:

The regulatory framework for Short-Term Rental Accommodations is established under Zoning Bylaw No. 12375, Business Licence and Regulation Bylaw No. 12585 and Short-Term Rental Accommodation

Business Licence and Regulation Bylaw No. 11720. Below are some of the criteria that must be met, which would be unchanged by pending amendments to short-term rental regulations:

- 1. Short-term rentals must operate from the operator's principal residence, defined as the location where the individual resides at least 240 days per year.
- 2. Operators must rent a maximum of three bedrooms, to a maximum of 6 adults.
- 3. Operators must comply with City Bylaws, including the Zoning Bylaw No. 12375, the Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720, Business Licence and Regulation Bylaw No. 12585, the Good Neighbour Bylaw No. 11500, and the Traffic Bylaw No. 8210.

Operators must sign a Short-Term Rental Accommodation Good Neighbour Agreement at the time of application which advises operators of their civic responsibility to address the conduct of their patrons, and that non-compliance may result in licence suspension or revocation.

The STR Licence Suspension Policy Relating to Business Licence Compliance outlines the program guidelines should the suspension or cancellation of a Short-Term Rental Accommodation business licence be required and requires a minimum of three documented nuisance or operational complaints relating to an associated City Bylaw or requirements and/or conditions within the STR Licensing and Regulation Bylaw.

History:

July 14, 2021 – 381 Viewcrest was purchased by the current owners.

March 21, 2022 – Business Licence 4089807 was Approved and has been renewed annually.

Since August 2021, over 50 complaints have been received regarding the operation of the short-term rental at the subject property.

Complaint History:

Year	Number	Number	Nature of Complaints
	of Files	of Complainants	
2021	25	8	Short-term rental operating without a licence, noise, parties.
2022	7	2	Parking, noise, operating contrary to business licence conditions
2023	15	3	Noise, parties, Operating contrary to business licence conditions
2024	13	4	Parking, noise, parties

Tickets Issued by Bylaws:

Date	Offence	Ticket status
Sept 20, 2021	Carrying on business without a licence	Paid
Sept 24, 2021	Marketing without a business licence	Paid
Sept 24, 2021	Carrying on a business without a licence	Reduced to Warning
Sept 24, 2021	Carrying on a business without a licence	Reduced to Warning

Warning letters sent by Business Licensing:

Date	Offence	Status	
Aug 11, 2021	Advertising a Short-Term Rental without a licence – First Warning	Compliance met	
Sept 1, 2023	Operating contrary to business licence conditions (number of bedrooms and quests permitted)		

June 6,	June 6, 2024 Operating contrary to business licence conditions (fire safety plans not posted on site as required)		
Sept	11,	Operating contrary to business licence conditions (number of	Compliance met
2024	bedrooms and guest permitted, business licence number posted on		
		advertising)	

Compliance and Enforcement:

City staff has committed significant resources to monitoring and addressing concerns at the subject property and on working with the business operators and complainants since the short-term rental accommodation began operating in the summer of 2021. The City has taken a proactive approach, including on-site visits and providing resources like Noise Logs to assist residents in properly documenting any disturbances.

Business licensing staff have had multiple communications with the short-term rental operators, conducted inspections, and issued compliance warning letters related to short-term rental non-compliance, such as bedroom count and guest count.

Bylaw services staff have attended the property numerous times in response to complaints and provided verbal warnings to guests to achieve voluntary compliance where required, and where staff were unable to attend in person, conducted post-complaint investigations. In addition to Business licensing and Bylaws complaints, RCMP has also been called to the property.

Reasons for the cancellation:

A review of the property was conducted in January 2025 due to the significant volume of complaints received over multiple years. Staff reviewed the complaint history and found over 50 nuisance and operational complaints dating back to 2021 when the short-term rental began operating. The complaints are varied and include noise, parties, parking and operational complaints but are consistent in that they have been received year after year and are linked to the subject property. Based on this review, staff found that the volume of nuisance and operational complaints met the threshold to warrant a cancellation of the licence, and due to the persistent nature of these complaints and despite attempts to come to a resolution, it was determined that the subject property was not meeting the standards of conduct required to operate as a short-term rental accommodation and that the short-term rental accommodation was disturbing the peace, comfort and enjoyment of the neighboring properties. Business licence 4089807 was found to be operating contrary to the Good Neighbour Agreement and Good Neighbour Bylaw No. 11500 and was cancelled in accordance with the STR Licence Suspension Policy.

The Short-Term Rental Accommodation Good Neighbour Agreement states:

"...short-term rental accommodation operators have a civic responsibility to address the conduct of their patrons; and that the Good Neighbor Bylaw No. 11500, Traffic Bylaw No. 8120 and other City Bylaws require that certain standards of conduct and maintenance apply to their properties used for short-term rental accommodations..."

The City of Kelowna Business Good Neighbour Bylaw No. 11500, Section 7.2 states:

"No owner or occupier of real property shall allow or permit such real property to be used so that noise or sound which emanates therefrom is liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public."

The City of Kelowna STR Licence Suspension Policy states:

"A minimum of three documented nuisance complaints occurring on separate dates, but directly relating to the operation of the Short-Term Rental can constitute justification for a Licence suspension."

Conclusion:

Given the consistent volume of nuisance and operational complaints received over multiple years, and despite the commitment of staff resources and efforts to achieve compliance, staff recommend that Council uphold the decision of the Licence Inspector to cancel the Short-Term Rental Business Licence for a 'Short-Term Rental' business on the subject property located at 381 Viewcrest, Kelowna BC.

Alternate Recommendation:

THAT Council authorize the issuance of Business Licence 4089807 for a Short-Term Rental accommodation located at 381 Viewcrest Crt, Kelowna, BC.

Internal Circulation:

Business Licensing Bylaw Services Office of the City Clerk

Submitted by:

R. Smith, Divisional Director, Planning, Climate Action & Development Services

Approved for inclusion:

S. Krakower, Acting Business Licensing Supervisor

R. Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Attachment A – Business Licence Cancellation Letter

Attachment B - Good Neighbour Agreement

Attachment C - Short-Term Rental Suspension Policy

January 21, 2025

Petashawn Kudlicki Peter Drummond 381 Viewcrest Crt Kelowna BC V1W 4J9



Re: CANCELLATION OF BUSINESS LICENCE 4089807

Please be advised that the City is providing notification that business licence 4089807 has been found to be operating contrary to the Good Neighbour Agreement and Good Neighbour Bylaw No. 11500 and will be cancelled in accordance with the STR Licence Suspension Policy. This determination is based on a review of the property and a history of over 50 nuisance complaints received over multiple years.

The Short-Term Rental Accommodation Good Neighbour Agreement states:

"...short-term rental accommodation operators have a civic responsibility to address the conduct of their patrons; and that the Good Neighbor Bylaw No. 11500, Traffic Bylaw No. 8120 and other City Bylaws require that certain standards of conduct and maintenance apply to their properties used for short-term rental accommodations..."

The City of Kelowna Business Good Neighbour Bylaw No. 11500, Section 7.2 states:

"No owner or occupier of real property shall allow or permit such real property to be used so that noise or sound which emanates therefrom is liable to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of individuals or the public."

The City of Kelowna STR Licence Suspension Policy states:

"A minimum of three documented nuisance complaints occurring on separate dates, but directly relating to the operation of the Short-Term Rental can constitute justification for a Licence suspension."

The City of Kelowna Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720, Section 5.1 states:

"In addition to Council's powers under section 60 of the Community Charter and the Licence Inspector's powers under Section 12.1 of the Business Licence Bylaw, the Licence Inspector may refuse to grant, or suspend, cancel, or revoke a licence for a short-term rental accommodation if, in the opinion of the Licence Inspector:

- ...(b) the short-term rental accommodation in question would or does contravene a City bylaw or another enactment;
- ...(d) the operator of the short-term rental accommodation is not in compliance with the conditions of this Bylaw or of the licence."

Given the history of nuisance complaints at 381 Viewcrest, Business Licence 4089807 will be cancelled on **March 1**, 2025 at which time you will be required to cease the operation of this business including the removal of all online websites and marketing to avoid further enforcement action. After March 1, 2025, if compliance has not been met, charges may be laid daily.

If you conduct a business or continue to conduct a business without a valid licence, you may be liable upon summary conviction, to a fine of not more than \$10,000.00, plus the cost of prosecution.

Please contact the Business Licensing department at the City of Kelowna by phone at 250-469-8617 or by e-mail at <u>businesslicences@kelowna.ca</u> if you have any questions concerning the above.

Thank you,

Sec. 22(1)

Sarah Krakower Acting Business Licensing Supervisor Business Licensing kelowna.ca/business businesslicences@kelowna.ca 250-469-8617 1435 Water Street Kelowna, BC V1Y1J4

OPTIONS TO MOVE FORWARD TO ACHIEVE COMPLIANCE AND OBTAIN A BUSINESS LICENCE

- If further clarification is required regarding the cancellation, please reach out to the contact provided.
- 2.) If you believe that the City has cancelled your business licence in error or the contact provided has been unable to provide a satisfactory explanation or resolution to your concerns, you may at no charge, request that Council reconsider the decision of the Licensing and Systems Improvement Supervisor to deny the requested business licence. In order to do so, you must give notice in writing to the City Clerk, within thirty (30) business days of receipt of this notice, setting out the grounds upon which you disagree with the decision and your desired outcome. Notice may be sent to the City Clerk at cityclerk@kelowna.ca or by mailing or dropping off a notice at Office of the City Clerk, 1435 Water Street, Kelowna, BC, V1Y 1J4. Upon receipt of a notice requesting Council reconsideration, the City Clerk will place the item on agenda for the next conveniently available Council meeting date and will inform you of the day and time.



Short-Term Rental Accommodation Good Neighbour Agreement

This agreement made this <u>23</u> day	of August 20 Z)	
Regarding Business Licence # <u> </u>	207	
WHEREAS Peta Shown		(the "Licensee")

Wishes to demonstrate to the City of Kelowna (the "City"), and the Citizens of Kelowna their effort to be a responsible short-term rental accommodation operator within the City of Kelowna.

Recognizes their role as a responsible operator and neighbor within the community and agrees to work with the City and its departments to resolve all concerns.

Wishes to promote Kelowna as a vibrant, safe, and attractive community for the enjoyment of everyone, including residents, visitors, businesses, and their workers.

Recognizes that non-compliance with the short-term rental accommodation agreement may be brought to the attention of the Business Licensing Manager, License Inspector, or City Council, and may trigger a license suspension and/or revocation hearing.

Recognizes that short-term rental accommodation operators have a civic responsibility to address the conduct of their patrons; and that the Good Neighbor Bylaw No. 11500, Traffic Bylaw No. 8120 and other City Bylaws require that certain standards of conduct and maintenance apply to their properties used for short-term rental accommodations.

Recognizes that should the Licensee's licence be suspended or cancelled and any short-term rental accommodation bookings and/or nuisance incidents pertaining to the operation of a short-term rental accommodation continue to occur and remain unresolved, the City may exercise its power to pursue additional enforcement action including increasing fines and/or legal injunctive action.

AND WHEREAS the City wishes to:

Commend the Licensee for their recognition of their civic responsibilities, and commitment to fostering a good working relationship with the City and the Licensee's neighbours.

Demonstrate its commitment to early resolution of disputes with the Licensee in relation to this Agreement whenever possible.

NOW THEREFORE in conjunction with and in consideration of obtaining, continuing to hold, or renewing a short-term rental accommodation licence, the Licensee covenants and agrees with the City to comply with the conditions set out in Sections 4 and 8 of the Short Term Rental Accommodation Business Licence and Regulation Bylaw No.11720.

IN WITNESS WHEREOF the parties have executed this agreement in the City of Kelowna, Province of British Columbia, this 23 day of August 2021

The business Licensee by its authorized signatory (Owner/Operator)

_{x.}Sec. 22(1)

On Behalf of the City of Kelowna by its Business Licence Inspector

Sec. 22(1)



STR Licence Suspension Policy Relating to Business Licence Compliance

July 2020

PURPOSE

To outline fair protocol and progressive licensing compliance steps associated to Short-Term Rental Business Licences.

POLICY SCOPE

This policy applies to the suspension or revocation of Business Licences associated to the operation of a Short-Term Rental business and guidelines to follow for progressive compliance and enforcement action relating to a Short-Term Rental.

BACKGROUND

Following the implementation of the Short-Term Rental regulations undertaken in spring of 2019, a policy was developed to outline progressive compliance action steps that may be required to address nuisance or operational matters relating to the operation of a Short-Term Rental Business in the City. Under the Short-Term Rental Business Licence and Regulation Bylaw no. 11720, a licenced Operator is required to follow all requirements within Sections 4.1 through 4.5 & Sections 6.1, 7.1 through 7.5, and Sections 8.1 & 8.2. Additionally an applicant is required under Section 4.2 (j) to sign a Good Neighbor Agreement in relation to the fair and reasonable operation of the Short-Term Rental as a requirement of necessary documentation for approval of the licence. The Good Neighbor Agreement is intended to clarify the City's expectations in relation to the operation of the Short-Term Rental and adhering to any related Bylaws. A Licence Inspectors authority to cancel, suspend or revoke a business licence is clarified under this Bylaw in Sections 5.0 & 5.1 Bylaw Offence Notice charges may be laid for any STR infractions pursuant to Schedule A of Bylaw Notice Enforcement Bylaw No. 10475.

PROGRAM GUIDELINE

Should a Licence Inspector find it necessary to suspend/cancel or refuse a Business Licence of a Short Term Rental business operator, the following steps must be followed as outlined in Section 5.0 and 5.1 of the Short-Term Rental and Regulation Bylaw No.11720 and/or the Guidelines within this Policy.

Prior to a licence suspension, a warning letter is to be mailed to the licenced operator outlining potential suspension action due to multiple related complaints received by the City and detailing any bylaw infractions associated to the STR operation. The potential action of a licence suspension by the City is to be made clear should additional verified complaints be received.

Notification of a Licence suspension must be followed as per Section 5.2 of the Bylaw outlining reasons for the suspension.

An applicant may request that Council reconsider a decision of the Licence Inspector under subsection 5.1 by delivering a request in writing to the City Clerk within 30 days of the Licence Inspector's decision being sent

Should a licence suspension be considered under 5.1 sub (b), the licenced STR property must have been identified to have multiple nuisance or operational complaints (3 or more) relating to an associated City Bylaw or requirements and/or conditions within the STR Licensing and Regulation Bylaw.

A minimum of three documented nuisance complaints occurring on separate dates, but directly relating to the operation of the Short-Term Rental can constitute justification for a Licence suspension.

A Licence suspension may occur at the sole discretion of the Licence Inspector upon determination of charges laid with evidence existing to support a breach of any City Bylaw(s) relating to the operation of the Short-Term Rental.

Effective Date	Revised Date	Authorized By	Approved By
July 30, 2020	2020-09-09	Greg.Wise	Stephen Fleming

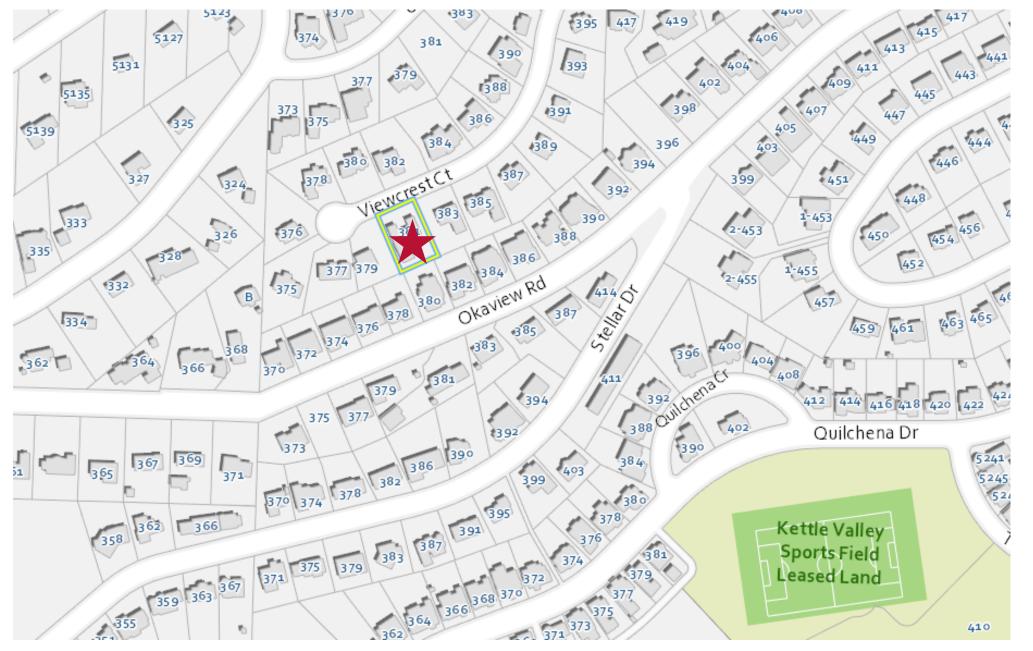


Purpose

To hear a request for reconsideration of Business Licence No. 4089807 for a Short-Term Rental Accommodation business on the subject property.



Context Map





Site Photo





Background

The authority to grant, refuse, suspend or cancel a business licence is provided under:

- Section 6o(5) of the Community Charter and;
- Section 5 of the Short-Term Rental Accommodation and Regulation Bylaw No. 11720



Regulations and Policies

Some of the criteria that must be met by operators includes:

- Compliance with City Bylaws
- Compliance with the Good Neighbour Agreement

The Short-Term Rental Licence Suspension Policy requires a minimum of three documented nuisance or operational complaints to suspend or cancel a business licence.



History

Date	Action
July 2021	Subject property purchased by current operators
March 2022	Business Licence 4089807 Approved

Since August 2021 more than 50 complaints have been received regarding a short-term rental at the subject property.



Complaint History

Year	Number of Files	Number of Complainants
2021	25	8
2022	7	2
2023	15	3
2024	13	4

Complaints include noise, parties, parking, and operating contrary to licence regulations.



Compliance and Enforcement

Actions taken by City staff to date:

- Tickets and Warning letters
- Inspections, site visits and investigations
- Communications with operators and complainants
- Proactive enforcement including canvassing and noise logs



Conclusion

Business Licence 4089807 was cancelled in accordance with the Short-Term Rental Suspension Policy as it was found operating contrary to:

- The Good Neighbour Agreement and;
- The Good Neighbour Bylaw No. 11500



Staff Recommendation

THAT Council uphold the decision of the Licence Inspector to cancel the Short-Term Rental Business Licence for a 'Short-Term Rental Accommodation' business on the subject property.





Prepared for the City of Kelowna

Business Licence 4089807

Peter Drummond | March 29, 2025

Conditions to Maintain Our Business License



Good Neighbour Agreement

Commitment to compliance



Unfounded Complaints

Complaints primarily directed at us, the owners—contradicting our neighbours' claims and unrelated to our business license



Principal Residence

Confirming our homeownership status

The Good Neighbour Agreement

Wishes to demonstrate to the City of Kelowna (the "City"), and the Citizens of Kelowna their effort to be a responsible short-term rental accommodation operator within the City of Kelowna.

Recognizes their role as a responsible operator and neighbor within the community and agrees to work with the City and its departments to resolve all concerns.

Wishes to promote Kelowna as a vibrant, safe, and attractive community for the enjoyment of everyone, including residents, visitors, businesses, and their workers.

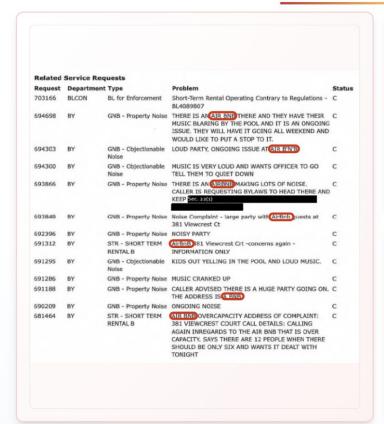
Recognizes that non-compliance with the short-term rental accommodation agreement may be brought to the attention of the Business Licensing Manager, Licence Inspector, or City Council, and may trigger a licence suspension and/or revocation hearing.

Recognizes that short-term rental accommodation operators have a civic responsibility to address the conduct of their patrons; and that the Good Neighbor Bylaw No. 11500, Traffic Bylaw No. 8120 and other City Bylaws require that certain standards of conduct and maintenance apply to their properties used for short-term rental accommodations.

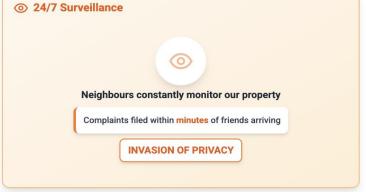
Recognizes that should the Licensee's licence be suspended or cancelled and any short-term rental accommodation bookings and/or nuisance incidents pertaining to the operation of a short-term rental accommodation continue to occur and remain unresolved, the City may exercise its power to pursue additional enforcement action including increasing fines and/or legal injunctive action.



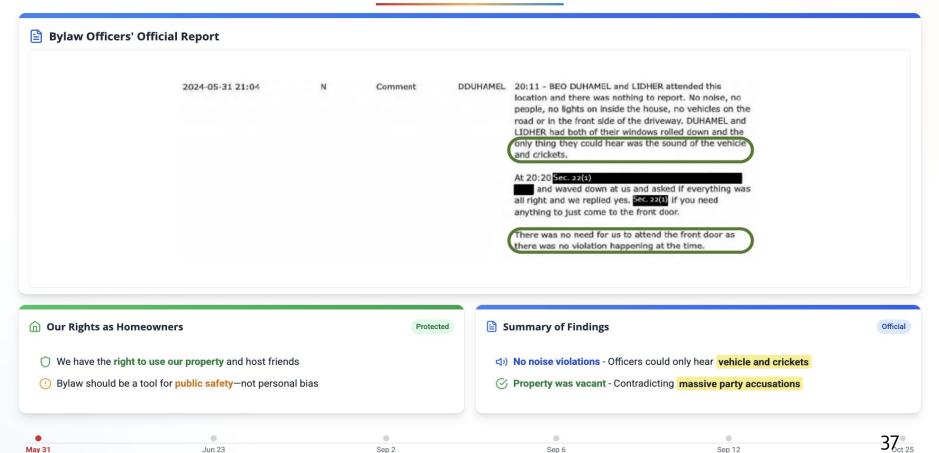
May 31 - Noise Complaints







May 31 - Official Findings



May 31 - Our Actual Weekend

Best Friend's Birthday Weekend

Friday Dinner at The Ricco Room



Saturday Wine Tour at Mirabel

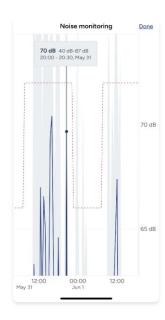


Sunday Dinner at Cedar Creek



Official Evidence

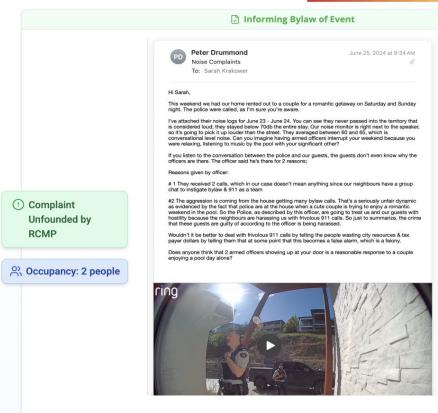
Friday Morning: Sarah Krakower from the City of Kelowna conducted a scheduled inspection of our property



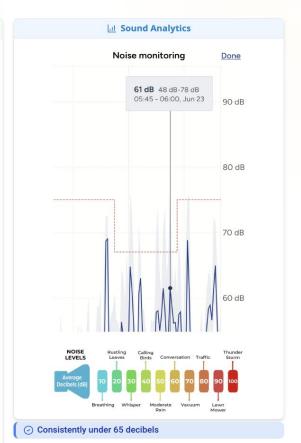
Both electronic monitoring and official bylaw reports

confirm no violations occurred

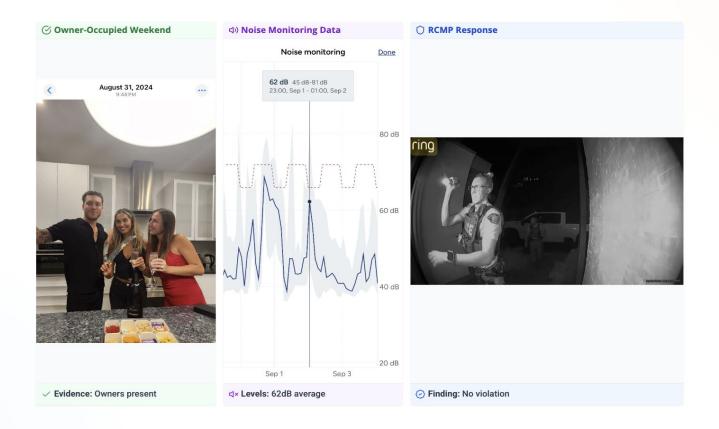
June 23 - Noise Complaints



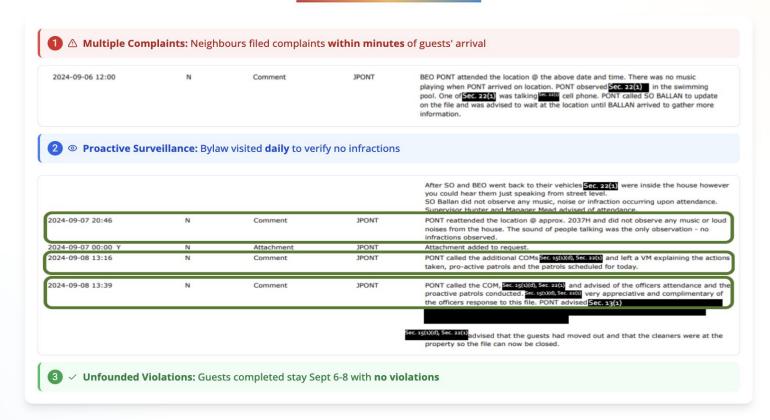
Jun 23



Sep 2 - Noise Complaints



Sep 6 - Noise Complaints



Sep 6

Sep 12 4

Sep 12 - Parking Complaint

The Complaint Subject: 381 Viewcrest court parking on street September 11, 2024 10:25:20 PM Attachments: IMG 7904.jpeg IMG 7905.jpeg CAUTION: External email - Check before you click! Hello To follow up on complaints for 381 Viewcrest court. What seems to be the owners have now appeared and parked their Tesla access the road two houses down from their driveway. Renters in updstairs unit so likely cannot use their driveway. They are parked

igotimes Bylaw Photo Evidence



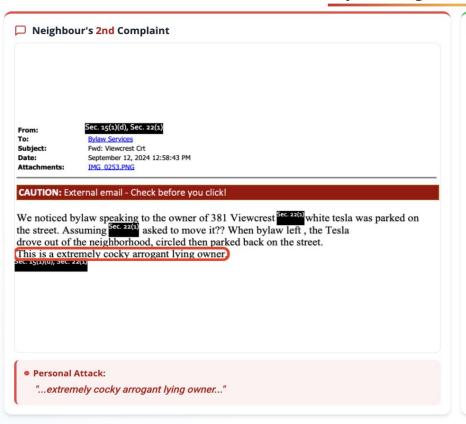
Bylaw officer confirmed the car was legally parked.

Neighbour filed complaint about our car parked on the public road.

Jun 23

Sep 12

Sep 12 - Neighbourhood Response



Peter Drummond

Re: Business Licence 4089807 Operating...
To: Sarah Krakower & 1 more

Just a quick update, bylaw was in front of our car just now just as confused us, with Trevor and another neighbour standing on the

Just a quick update, bylaw was in front of our car just now just as confused us, with Trevor and another neighbour standing on the street watching us again. Do they think harassing us and wasting valuable resources is funny? We are seeking guidance on how to respond to this.

Mature Request for Help:
 Documented pattern of harassment with City officials

Sep 12

Sep 12 - Official Findings

Sylaw Confirmation: No Violation

History						
		Show on				
Action Date	Generated	Internet	Action	Keyed By	Comments	
2024-09-12 09:49 Y		N	Opened	TBROWN	Complainant Info Same as 709103	
2024-09-12 00:00	Y	N	Attachment	TBROWN	Attachment added to request.	
2024-09-12 10:00		N	Comment	MHARDMAN	Officer called the Requestor to discuss the vehicle in question [SC-310] concerns. Requestor thought they had to park in the driveway. Officer informed [SC-3210] are allowed to park on the roadway as long as they are not in contravention of the Traffic Bylaw: over 24 hours within 3 meters of a driveway within 5 meters of a fire hydrant within 6 meters of a stop sign within 9 meters of an intersection. Requestor wasn't sure how far away they were, Officer said he would attend and chalk the curb at 3 meters so he would know for the future. Requestor was happy with the information and assistance.	
2024-09-12 00:00	Y	N	Attachment	MHARDMAN	Attachment added to request.	
2024-09-12 00:00	Y	N	Attachment	MHARDMAN	Attachment added to request.	
2024-09-12 10:36	5	N	Comment	MHARDMAN	Officer aid he Sec. 22(1) Officer said he Sec. 22(2) Officer said he Sec. 22(2) Officer said he Sec. 22(2) Officer said he Sec. 22(3) Officer said he Sec. 22(3) Officer here was nothing he could do as there was no bylaw violation) We discussed common parking infractions like those listed in the previous note. They thanked me for the information.	No Bylaw Viola

"Officer informed [complainant] they are allowed to park on the roadway as long as they are not in contravention of the Traffic Bylaw... Officer said there was no bylaw violation."

Sep 6

⚠ Pattern of Harassment

 $@ \textbf{Neighbors file complaints} \rightarrow @ \textbf{Authorities confirm no violations} \rightarrow @ \textbf{Neighbors file identical complaints repeatedly}$

ep 12

Oct 25 - Family Wine Tour

Reality Gathering

Occupancy: 10 family members

Annabelle's dad's brothers and their families were visiting for a wine tour weekend in the Okanagan Valley.

Wine Tour Destinations



Quail's Gate

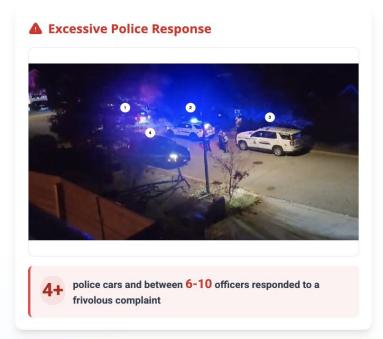


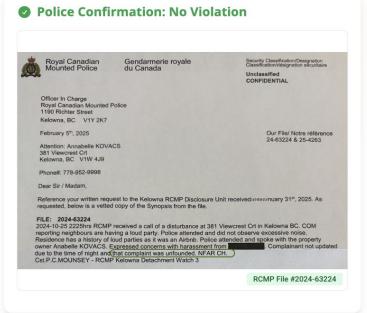
Hidden Vines Family Estate



Crown & Thieves

Oct 25 - Noise Complaint





8

The Contrast: Officers confirmed there were no violations and recognized this as part of a pattern of harassment to Annabelle, the owner.

46t25

May 31 Jun 23 Sep 2 Sep 6 Sep 12

Timeline of Events



The Home Memories













Official Compliance Confirmation



City of Kelowna Verification



2025 BUSINESS LICENCE

THIS LICENCE MUST BE POSTED IN A PROMINENT LOCATION AT THE BUSINESS PREMISES. THE FOLLOWING BUSINESS IS HERBEBY LICENCED IN ACCORDANCE WITH BUSINESS LICENCE AND REGULATION BYLAW NO. 12585

DESCRIPTION: SHORT-TERM RENTAL - PRINCIPAL RESIDENCE # OF UNITS: 3

BUSINESS & MAILING ADDRESS: PETER DRUMMOND AB&B PETER DRUMMOND 381 VIEWCREST CRT KELOWNA BC V1W 4J9 ACCOUNT NO: 4089807

- Sylaw Services confirmed: Property is in full compliance with all municipal regulations
- Business License: Legally registered Short-Term Rental Principal Residence



Ministry of Housing Verification

HOUS Short-Term Rental Branch CEU HOUS:EX <ceu.str@gov.bc.ca>

to me *

Hi Annabelle,

Thank you for your response. I will add this email to your file and conclude it.

Thank you for your co-operation with the file.

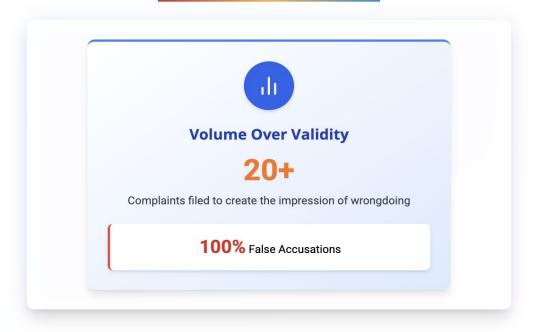
Christine Sergeant

- Officer Christine Sergeant: Compliance and Enforcement Unit within the Short-Term Rentals Branch
- Provincial confirmation: Short-term rental operation meets all provincial requirements

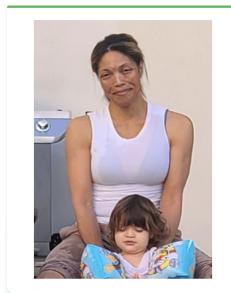
Both municipal and provincial authorities have confirmed our full compliance with all applicable regulations and requirements.

C

The Complaint Strategy



The Reality



The Truth About Our Family

My mom and baby brother, **NOT** my mistress and child.

ightharpoonup I bought this home to retire her,

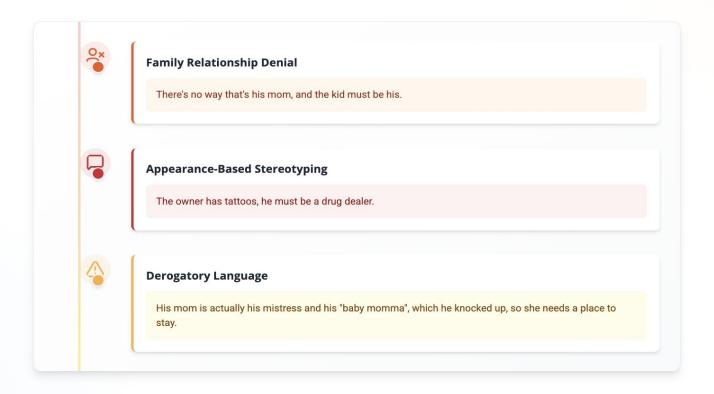
not to have the community make her feel threatened and unsafe, especially with a newborn.

Hysteria

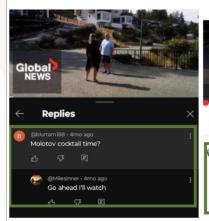


Feb 19, 2025 - 2 Car Accidents

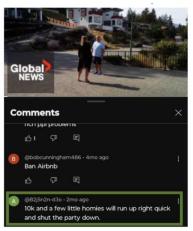
Discriminatory Rumours



Social Media Threats





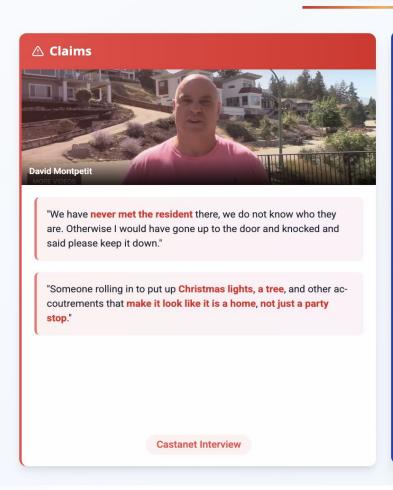


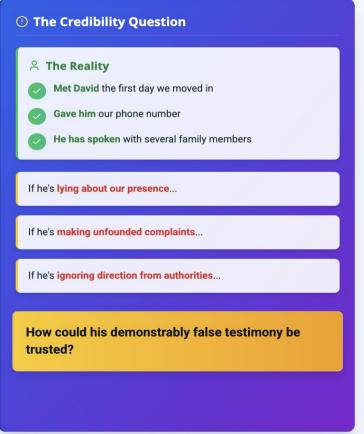






The False Statements





Impact on Our Family



Anxiety Medication

Annabelle prescribed anti-anxiety medication due to stress and fear from constant surveillance



Sleepless Nights

Chronic insomnia for both of us, constantly worrying about potential confrontations



Privacy Invasion

Installed additional security measures due to feeling constantly watched by neighbors

The Owners

Peter Drummond

VP Sales, Financial Automation | 8 years at Quadient

quadient

Because connections matter.

March 21, 2025

TO WHOM IT MAY CONCERN

This letter confirms that **Peter Drummond** has been employed with Quadient CXM Canada, Inc. since **July 1, 2017**.

As of 2023, Quadient approved Peter Drummond's relocation to Kelowna, with his principal address at **381 Viewcrest Court**. He currently holds the position of **VP Sales, Financial Automation**, overseeing a team of **16 individuals** and managing a broad scope of responsibilities within his role.

This is a permanent, full-time position with a standard workweek of 37.5 hours. We consider Peter Drummond a valued member of our team and appreciate his ongoing contributions.

If you have any questions or require further information, please feel free to contact me.

Sincerely,

G#

Caity Croxen Associate HRBP c.croxen@quadient.com



Annabelle Kovacs

Senior Director, SDRs | 7 years at Quadient

quadient

Because connections matter.

March 21, 2025

TO WHOM IT MAY CONCERN

This letter confirms that **Annabelle Kovacs** has been employed with Quadient CXM Canada, Inc. since July 3, 2018.

As of 2023, Quadient approved **Annabelle Kovacs'** relocation to Kelowna, with her principal address at **381 Viewcrest Court**. She currently holds the position of Senior Director, SDRs, overseeing a team of **13** individuals and managing a broad scope of responsibilities within her role.

This is a permanent, full-time position with a standard workweek of 37.5 hours. We consider Annabelle Kovacs a valued member of our team and appreciate their ongoing contributions.

If you have any questions or require further information, please feel free to contact me.

Sincerely,

Col

Caity Croxen
Associate HRBP
c.croxen@quadient.com



The Contrast





The Harassment

Global News Coverage





We were cleared—again and again—but our neighbours keep harassing us and the authorities with unfounded complaints.



Our Commitment to Transparency

Our Approach: Document Everything



Thanks in advance.

Complete Documentation

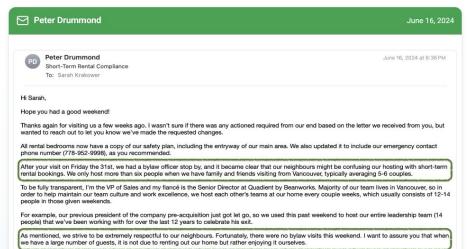
Maintained detailed records of all interactions with neighbours, bylaw officers, and city officials



more than our guests.

Proactive Communication

Regularly updated authorities about compliance efforts and reported harassment incidents



Please let me know if we are all set on your end or if you need anything else from us to ensure compliance.



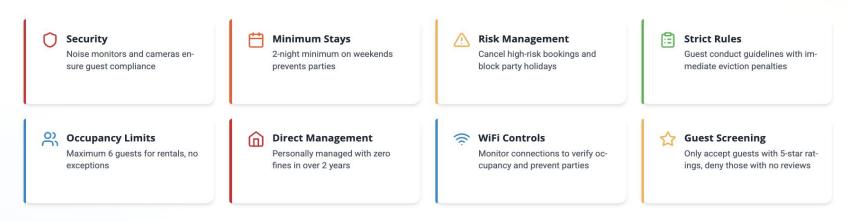
We're not selling our home regardless of their creepy, invasive, harassment. We've had RCMP or Bylaw called on us almost

რი

every single time we had friends stay over for the last 3 years. As far as I can tell, our group has spoken to the authorities

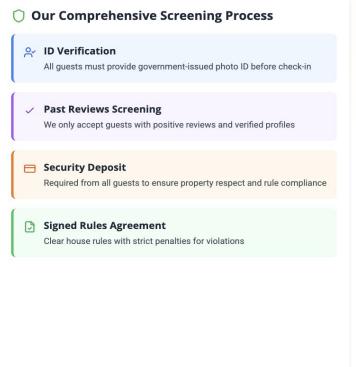
Responsible Operators

We have always prioritized being good neighbours:

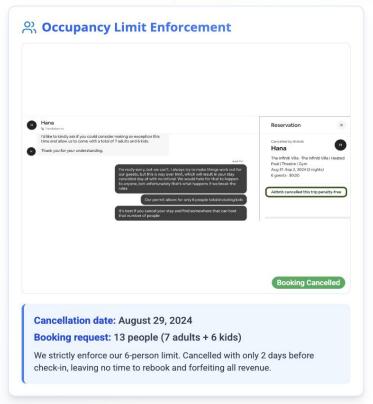


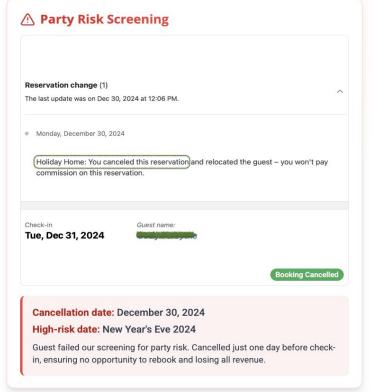
Responsible Operators





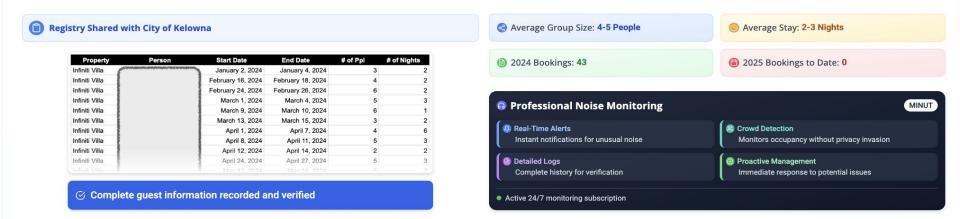
Responsible Operators - Proactive Risk Management





Compliance is the priority, even when it means sacrificing revenue.

2024 Guest Registry



The Neighbourhood Power Dynamics



Global News "I want this eliminated and gone by this spring, if not the next couple of months." - David Montpetit





Global News Reporter Klaudia Van Emmerik Only 1 attempt to contact us ONE-SIDED STORY



Ravi Kahlon

"We have an enforcement unit hoping to take action"

PRESUMED GUILTY



Bylaw Surveillance

Zero violations despite daily checks

DAILY MONITORING



Will Kelowna Stand for Fairness-or Let Well-Connected Neighbours Set the Rules?

4 A Plea for Fairness Over Retaliation

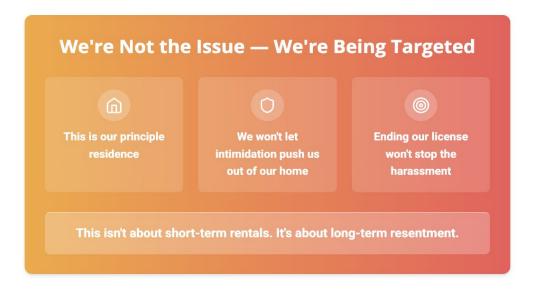
Despite being advised to pursue legal action and media exposure, we chose a path of trust in the City's processes.

We believe in resolving issues based on facts, not headlines.

The Real Nuisance

- Who is the real nuisance here?
- ⚠ Is 20+ False Accusations not enough?
- Who are the real victims ?

Ongoing Harassment



Conclusion

Canceling our license would set a troubling precedent: 1 Unfairly target neighbours, disregarding facts and due process 2 Destabilize families who rely on lawful business 3 Erode trust in equitable governance

We trust the City shares our commitment to fair governance and ensuring policies serve their intended purpose

Thank You

Your time and attention to this important matter that affects our family's wellbeing is greatly appreciated.



Thank you for allowing us to share our truth.

We remain committed to being responsible property owners and good neighbours.

Report to Council



Date: March 31, 2025

To: Council

From: City Manager

Department: Office of the City Clerk

Subject: Rezoning Bylaws Supplemental Report to Council

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated March 31, 2025 with respect to one rezoning application;

AND THAT Rezoning Bylaw No. 12769 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaw No. 12769 and to give the bylaw further reading consideration.

Background:

A public hearing cannot be held for zoning bylaws for residential development that are consistent with the OCP. A public hearing is not required for all other zoning bylaws that are consistent with the OCP. Public notice is given before first reading with signage on the subject property, newspaper advertisements, and mailouts in accordance with the Local Government Act and Development Application & Heritage Procedures Bylaw No. 12310.

Discussion:

The one Rezoning Application was brought forward to Council for initial consideration on March 17, 2025. Notice of first reading was completed as outlined above.

Correspondence was received as per the following table:

Address	Application	Bylaw	Public Hearing Option	Recommended Readings	Correspondence Received
1230-1296 Bernard Ave, 1481-1495 D'Anjou St and 1488 Richmond St	Z24-0046	12769	No	1 st , 2 nd ,3 rd	0

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaw No. 12769 further reading consideration.

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, Council may choose to:

- give a bylaw reading consideration,
- defeat the bylaw, or
- for non-residential bylaws, give a bylaw first reading and advance the bylaw to a Public Hearing.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: L Klaamas, Legislative Technician

Approved for inclusion: L. Bentley, City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12769 Z24-0046

1230-1296 Bernard Avenue, 1481-1495 D'Anjou Street, and 1488 Richmond Street

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of:
 - a) Lot 1 District Lot 137 ODYD Plan 15718, located on Bernard Avenue, Kelowna, BC;
 - b) Lot 2 District Lot 137 ODYD Plan 15718, located on Bernard Avenue, Kelowna, BC;
 - c) Lot 3 District Lot 137 ODYD Plan 15718, located on Bernard Avenue, Kelowna, BC;
 - d) Lot 4 District Lot 137, ODYD Plan 15718, located on Bernard Avenue, Kelowna, BC;
 - e) Lot 5 District Lot 137 ODYD Plan 15718, located on Bernard Avenue, Kelowna, BC;
 - f) Lot 6 District Lot 137 ODYD Plan 15718, located on Bernard Avenue, Kelowna, BC;
 - g) Lot 7 District Lot 137 ODYD Plan 15718, located on Bernard Avenue, Kelowna, BC;
 - h) Lot 8 District Lot 137 ODYD Plan 15718, located on Bernard Avenue, Kelowna, BC;
 - i) Lot 9 District Lot 137 ODYD Plan 15718, located on D'Anjou Street, Kelowna, BC;
 - j) Lot 10 District Lot 137 ODYD Plan 15718, located on D'Anjou Street, Kelowna, BC;
 - k) Lot 11 District Lot 137 ODYD Plan 15718, located on D'Anjou Street, Kelowna, BC; and
 - l) Lot 21 District Lot 137 ODYD Plan 15718, located on Richmond Steet, Kelowna, BC

from the MF1 – Infill Housing zone to the MF3r – Apartment Housing Rental Only zone.

2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Read a second and third time by the Municipal Council this

Approved pursuant to section 52(3)(a) of the Transportation Act this

for Minister of Transportation & Transit

Adopted by the Municipal Council of the City of Kelowna this		
	Mayor	
	City Clerk	

REPORT TO COUNCIL RESCIND

City of **Kelowna**

Date: March 31, 2025

To: Council

From: City Manager
Address: 252 Temple Ct
File No.: Z22-0045

	Existing	Proposed
OCP Future Land Use:	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
Zone:	MF1 – Infill Housing	MF2 – Townhouse Housing

1.0 Recommendation

THAT Council receives, for information, the Report from the Development Planning Department dated March 31, 2025 with respect to Rezoning Application No. Z22-0045 for the property located at 252 Temple Ct.;

AND THAT Bylaw No. 12486 be forwarded for rescindment consideration and the file be closed.

2.0 Purpose

To rescind all three readings given to Rezoning Bylaw No. 12486 and direct Staff to close the file.

3.0 Discussion

Development applications were accepted by the City in August 2022 for the subject property. The rezoning bylaw received reading consideration in March 2023 and Council authorized an extension request in April 2024. This extended the deadline for adoption of the rezoning bylaw to March 13, 2025. As part of that extension, Staff were directed to not accept any further extension requests. Since the extension was granted, there has not been any progress on the application over the past year and the Development Engineering Memorandum that is associated with the adoption of the rezoning bylaw has now expired. Staff recommend support for the rescindment of the rezoning bylaw on the subject property.

There have been changes to application processing, including unpairing rezoning and development permit applications, since this application was first considered by Council in March 2023. This will facilitate more streamlined processing for future development applications on the property.

Subject Property Map: 252 Temple Ct



4.0 Application Chronology

Application Accepted: August 15, 2022
Reading Consideration: March 13, 2023
Date of Extension Consideration: April 22, 2024

Report prepared by: Kimberly Brunet, Planner Specialist

Reviewed by: Alex Kondor, Development Planning Manager

Reviewed by:

Nola Kilmartin, Development Planning Department Manager

Approved for Inclusion:

Ryan Smith, Divisional Director, Planning, Climate Action &

Development Services

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

BYLAW NO. 12486 Z22-0045 252 Temple Court

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 19 Section 27 Township 26 ODYD Plan 37210 located on Temple Court Kelowna, BC from the RU2 Medium Lot Housing zone to the MF2 Townhouse Housing zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second, and third time by the Municipal Council this 13th day of March, 2023.

Approved under the Transportation Act this 13th day of March, 2023.

Audrie Henry

(Approving Officer – Ministry of Transportation)

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor
City Clerk

BYLAW NO. 12748 Z24-0060 Multiple Addresses

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

- 1) THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of:
 - Portions of Lot 4 Section 32 Township 26 ODYD Plan EPP129429 located on Grainger Road, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the P3 – Parks and Open Space zone and from the MF2 – Townhouse Housing zone to the P3 – Parks and Open Space zone as shown on Map 'A' attached to and forming part of this bylaw;
 - Lot 1 Section 26 Township 26 ODYD Plan EPP121151 located on Fraser Road, Kelowna, BC from the MF1 – Infill Housing zone to the MF2 – Townhouse Housing zone;
 - 3. A portion of Strata Lots 1 to 37 Sections 10 and 11 Township 20 ODYD Strata Plan EPS10689 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V located on McCarthy Road, Kelowna, BC from the I3 Heavy Industrial zone to the I2 General Industrial zone as shown on Map 'B" attached to and forming part of this bylaw;
 - 4. Portions of Lot 8 Section 20 Township 26 ODYD Plan 32159 Except Plan EPP128203 located on Noble Court, Kelowna, BC from the MF1 Infill Housing zone to the MF3r Apartment Housing Rental Only zone and from the P2 Education and Minor Institutional zone to the MF3r Apartment Housing Rental Only zone as shown on Map 'C' attached to and forming part of this bylaw;
 - 5. Lot A District Lot 135 ODYD Plan 34922 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
 - 6. Lot B District Lot 135 ODYD Plan 34922 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
 - 7. Lot 12 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
 - 8. Lot 13 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
 - 9. Lot 14 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
 - 10. Lot 15 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
 - 11. Lot 16 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;

- 12. Lot 17 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 13. Lot 1 District Lot 135 ODYD Plan 38814 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 14. Lot 2 District Lot 135 ODYD Plan 38814 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 15. Lot 3 District Lot 135 ODYD Plan 38814 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 16. Strata Lots 1 and 2 District Lot 135 ODYD Strata Plan KAS2673 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V located on Lowe Court, Kelowna, BC from MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 17. Lot 5 District Lot 135 ODYD Plan 38814 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 18. Lot 6 District Lot 135 ODYD Plan 38814 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 19. Lot 7 District Lot 135 ODYD Plan 38814 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 20. Lot 8 District Lot 135 ODYD Plan 38814 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 21. Lot 9 District Lot 135 ODYD Plan 38814 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 22. Lot 10 District Lot 135 ODYD Plan 38814 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 23. Lot 1 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 24. Lot 2 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 25. Lot 3 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 26. Lot 4 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 27. Lot 5 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 28. Lot 6 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 29. Lot 7 District Lot 135 ODYD Plan 30518 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 30. Strata Lots 1 and 2 District Lot 135 ODYD Strata Plan K315 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on

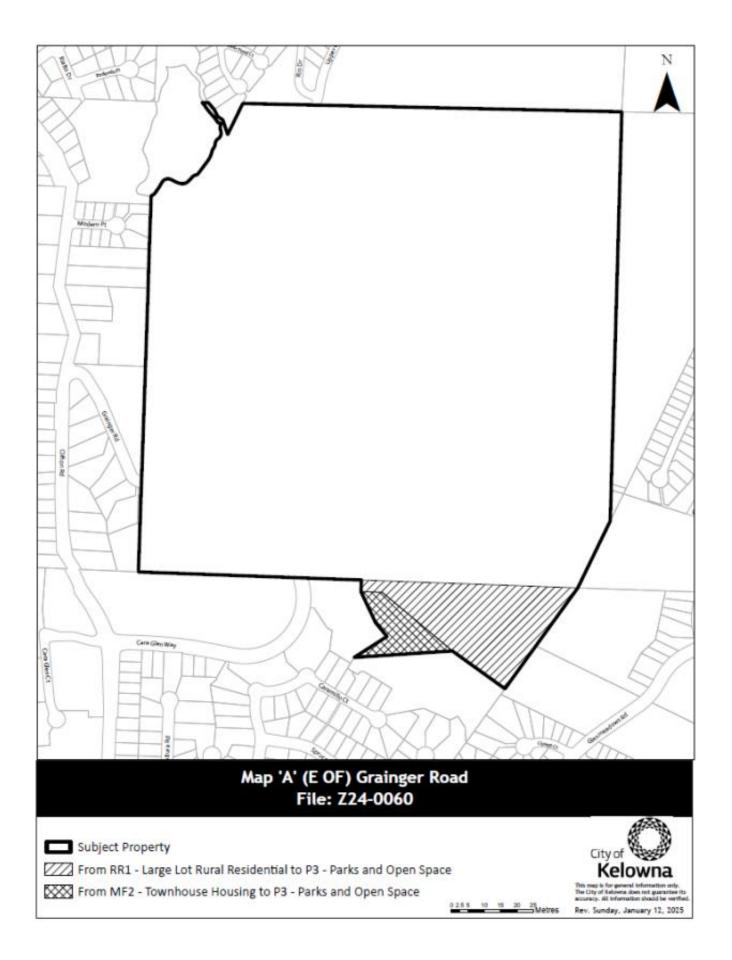
- Form 1 located on Lowe Court, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 31. Lot 9 District Lot 135 ODYD Plan 30518 located on KLO Road, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 32. Lot A District Lot 135 ODYD Plan 14283 Except Plan H16127 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 33. Lot A District Lot 135 ODYD Plan 28381 Except Plan H16127 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 34. Lot 3 District Lot 135 ODYD Plan 23000 Except Plan H16127 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 35. Lot 2 District Lot 135 ODYD Plan 23000 Except Plan H16127 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 36. Lot 1 District Lot 135 ODYD Plan 23000 Except Plan H16127 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 37. Strata Lots 1 and 2 District Lot 135 ODYD Strata Plan KAS1320 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 38. Lot A District Lot 135 ODYD Plan 21945 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 39. Lot B District Lot 135 ODYD Plan 21945 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 40. Lot 1 District Lot 135 ODYD Plan 38307 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 41. Lot 11 District Lot 135 ODYD Plan 38814 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 42. Lot 4 District Lot 135 ODYD, Plan 33569 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 43. Lot 3 District Lot 135 ODYD Plan 33569 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 44. Lot 2 District Lot 135 ODYD Plan 33569 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 45. Lot A District Lot 135 ODYD Plan 17712 located on Gordon Drive, Kelowna, BC from the MF1—Infill Housing zone to the UC5—Pandosy Urban Centre zone;
- 46. Lot 2 District Lot 135 ODYD Plan 17457 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;

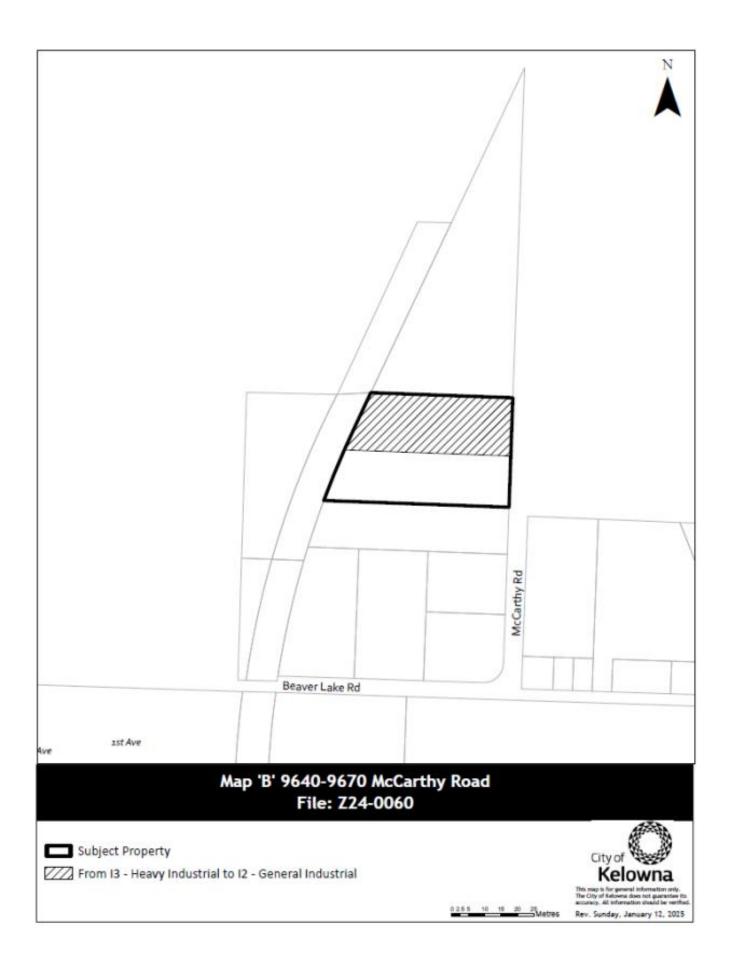
- 47. Lot 1 District Lot 135 ODYD Plan 33569 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 48. Lot A District Lot 135 ODYD Plan 26038 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 49. Lot 25 District Lot 135 ODYD Plan 33569 located on Gordon Drive, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 50. Lot A District Lot 135 ODYD Plan 11528 located on Raymer Avenue, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 51. Lot B District Lot 135 ODYD Plan 11528 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 52. Lot 24 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 53. Lot 23 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 54. Lot 5 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 55. Lot 6 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 56. Lot 7 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 57. Lot 8 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 58. Lot 9 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 59. Lot 10 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 60. Lot 11 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 61. Lot 12 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 62. Lot 13 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 63. Lot B District Lot 135 ODYD Plan 35023 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 64. Lot A District Lot 135 ODYD Plan 35023 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 65. Lot 16 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;

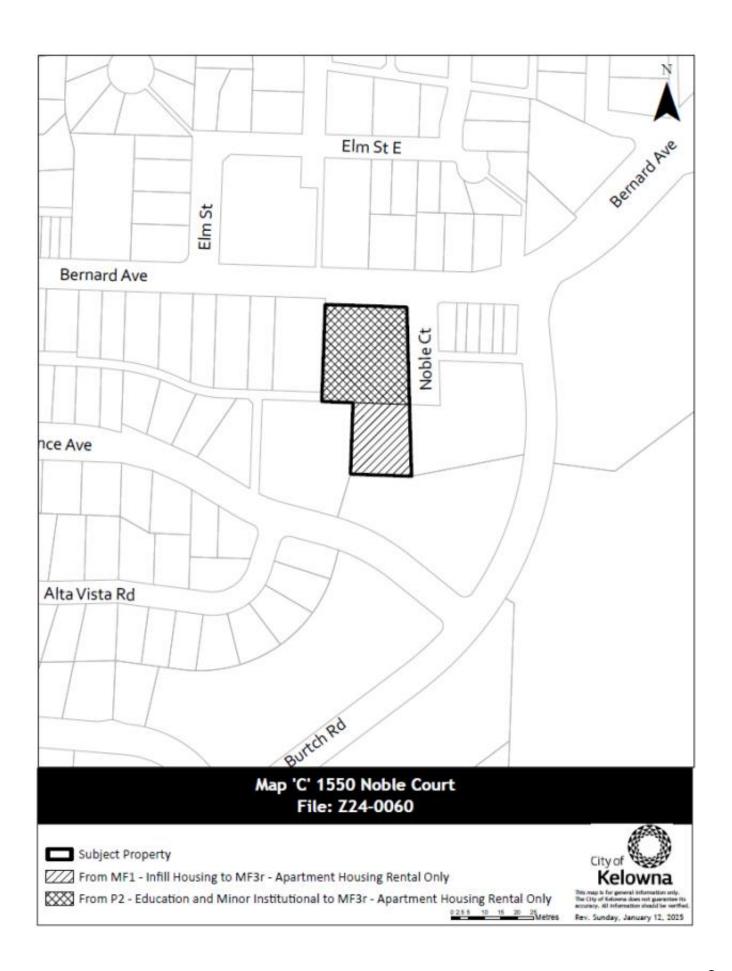
- 66. Lot 17 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 67. Lot 18 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 68. Lot 19 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 69. Lot 20 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 70. Lot 21 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 71. Lot 22 District Lot 135 ODYD Plan 33569 located on Bouvette Street, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 72. Lot 1 District Lot 135 ODYD Plan 24364 Except Plan KAP45674 located on Raymer Avenue, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 73. Lot 2 District Lot 235 ODYD Plan 24364 located on Raymer Avenue, Kelowna, BC from the MF1 Infill Housing zone to the UC5 Pandosy Urban Centre zone;
- 74. A portion of The South West ¼ Section 16 Township 23 ODYD Except Plan EPP123935 located on Glenmore Road North, Kelowna, BC from the RU1 Large Lot Housing zone to the RU5 Multiple Suburban Housing zone as shown on Map 'D' attached to and forming part of this bylaw;
- 75. Portions of Lot A Sections 4, 5, 8, and 9 Township 23 ODYD Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278, KAP86750, EPP24895, EPP93548, EPP101624, EPP115845 and EPP123935 located on Begbie Road, Kelowna, BC from the RU1 Large Lot Housing zone to the RU5 Multiple Suburban Housing zone as shown on Map 'D' and Map 'E' attached to and forming part of this bylaw;
- 76. A portion of Lot D Section 8 Township 23 ODYD Plan KAP75116 Except Plans EPP24895, EPP24897, EPP64871, and EPP77782 located on Clifton Road North, Kelowna, BC from the RU1 Large Lot Housing zone to the RU5 Multiple Suburban Housing zone as shown on Map 'E' attached to and forming part of this bylaw;
- 77. A portion of The North East 1/4 of Section 5 Township 23 ODYD Except Plans 896, B645, KAP69724, EPP24895, EPP24897 and EPP64871 located on Union Road, Kelowna, BC from the RU1 Large Lot Housing zone to the RU5 Multiple Suburban Housing zone as shown onr Map 'E' attached to and forming part of this bylaw;
- 78. A portion of The North West 1/4 of Section 5 Township 23 ODYD Except Plans 20895, KAP88266, EPP24895, EPP24897, EPP66328, EPP64875 and EPP87273 located on Clifton Road North, Kelowna, BC from the RU1 Large Lot Housing zone to the RU5 Multiple Suburban Housing zone as shown on Map 'E' attached to and forming part of this bylaw;
- 79. A portion of Lot A District Lot 131 ODYD Plan EPP76548 located on KLO Road, Kelowna, BC from the MF1 Infill Housing zone to the MF3 Apartment Housing zone as shown on Map 'F' attached to and forming part of this bylaw;

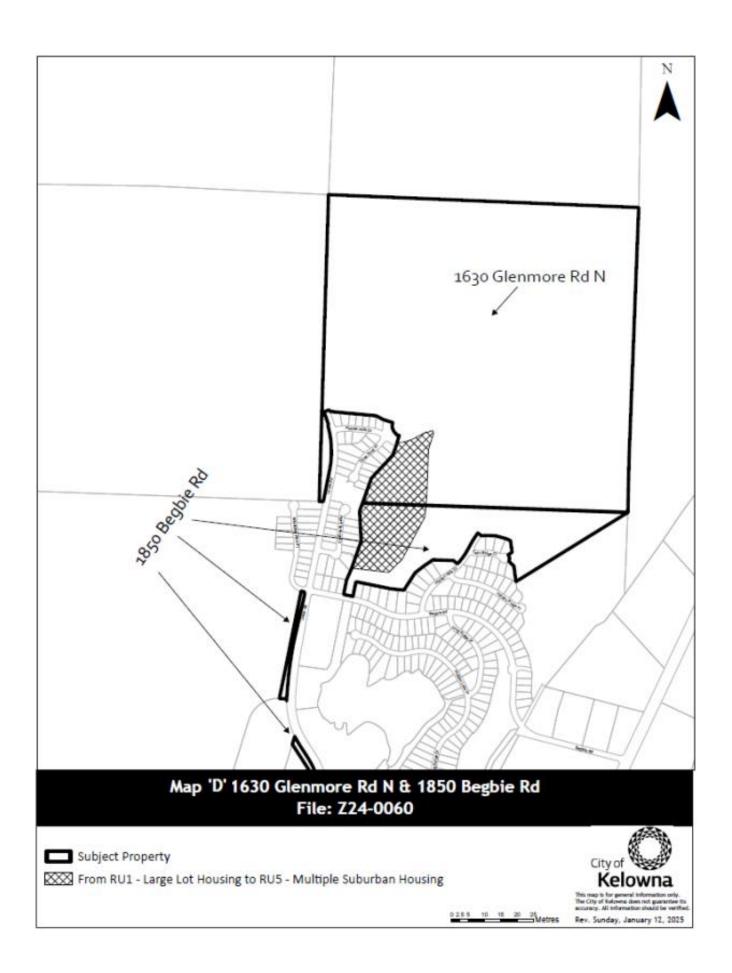
- 80. A portion of Lot 4 Section 31 Township 27 ODYD Plan KAP80993 located on Tower Ranch Boulevard, Kelowna, BC from the P3 Parks and Open Space zone to the RU2 Medium Lot Housing zone as shown on Map 'G' attached to and forming part of this bylaw; and
- 81. A portion of Lot 1 Section 11 Township 20 ODYD Plan EPP57272 Except Plan EPP109677 located on Beaver Lake Road, Kelowna, BC from the I3 Heavy Industrial zone to the I2 General Industrial zone as shown on Map 'H' attached to and forming part of this bylaw.
- 2) This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

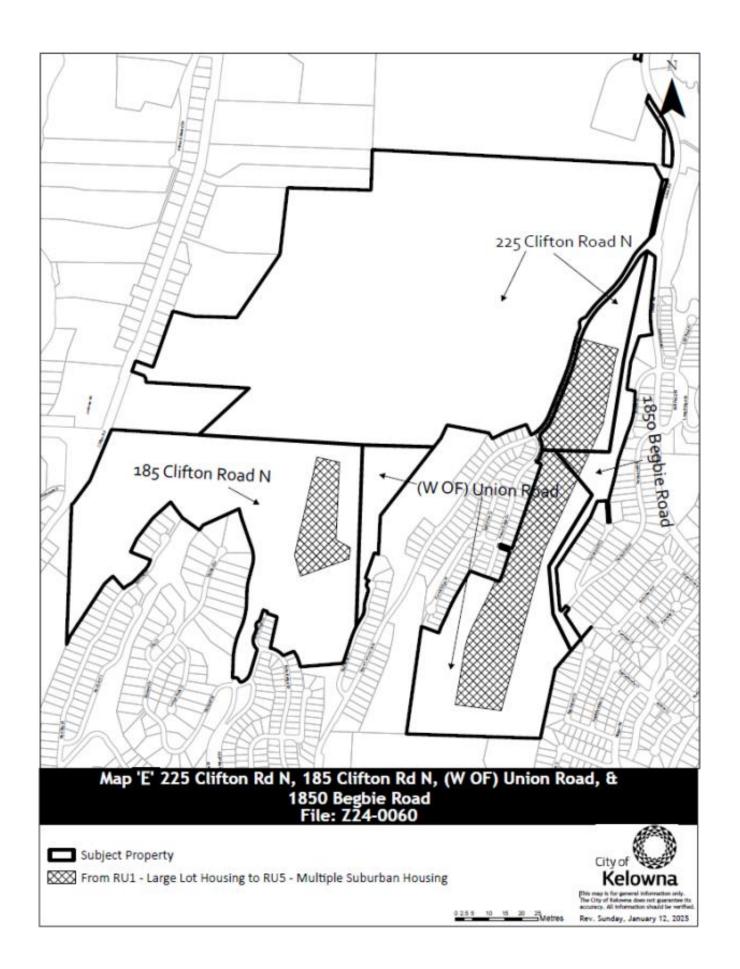
Read a first time by the Municipal Council this 24 th day of February, 2025.
Considered at a Public Hearing on the 11 th day of March, 2025.
Read a second and third time by the Municipal Council this 11 th day of March, 2025.
Approved pursuant to section 52(3)(a) of the Transportation Act this 12 th day of March, 2025.
James Outwaite
for Minister of Transportation & Transit
Adopted by the Municipal Council of the City of Kelowna this
Mayor
City Clerk

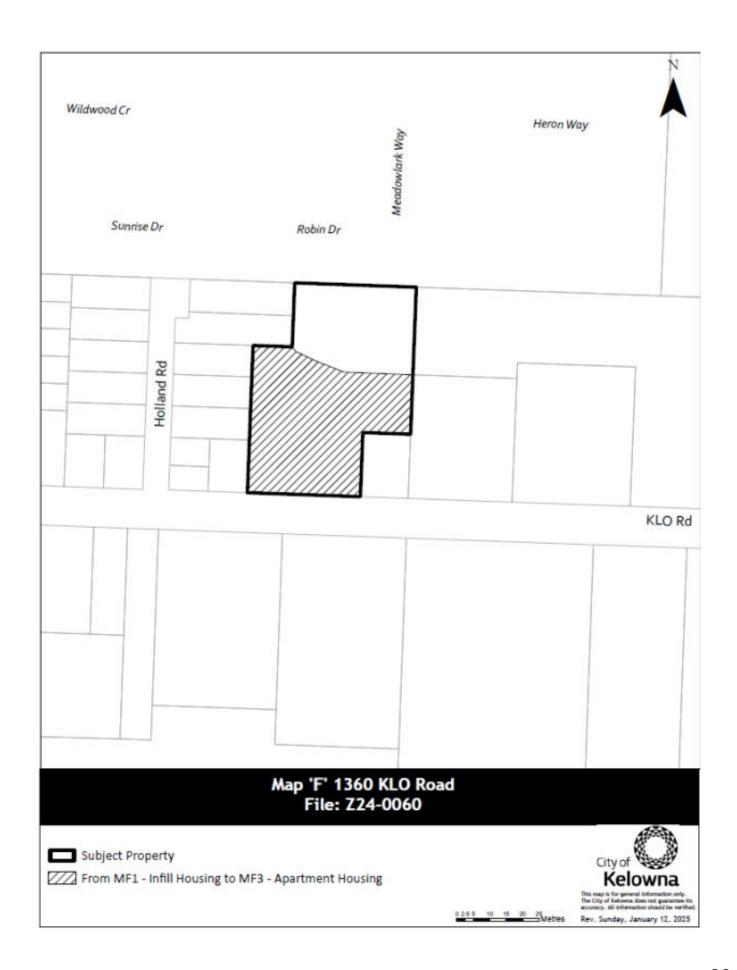


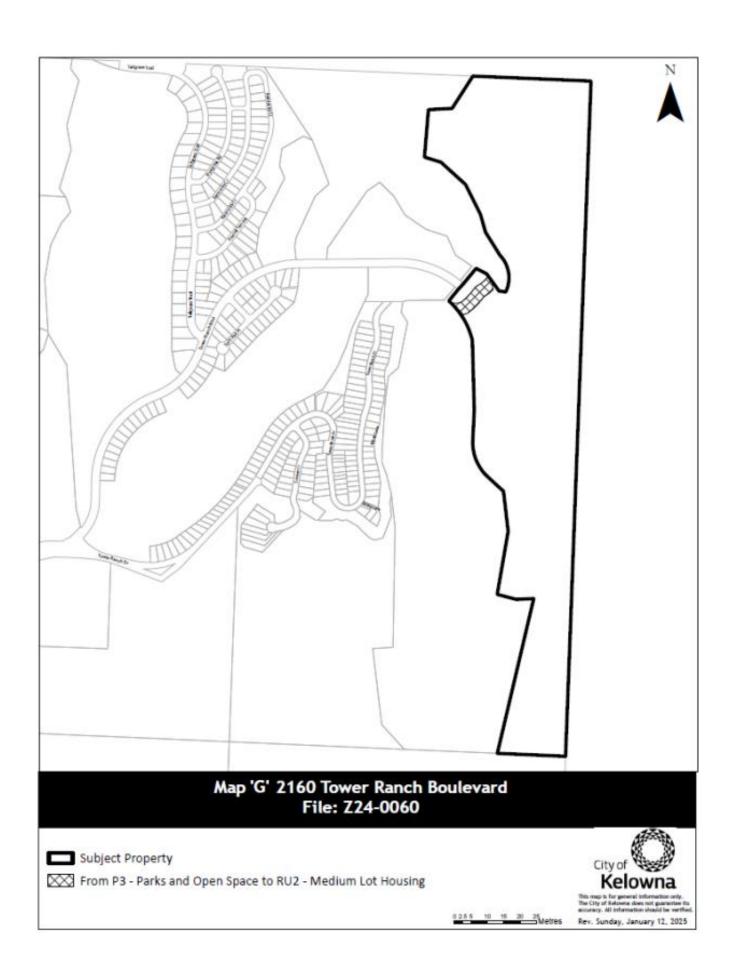


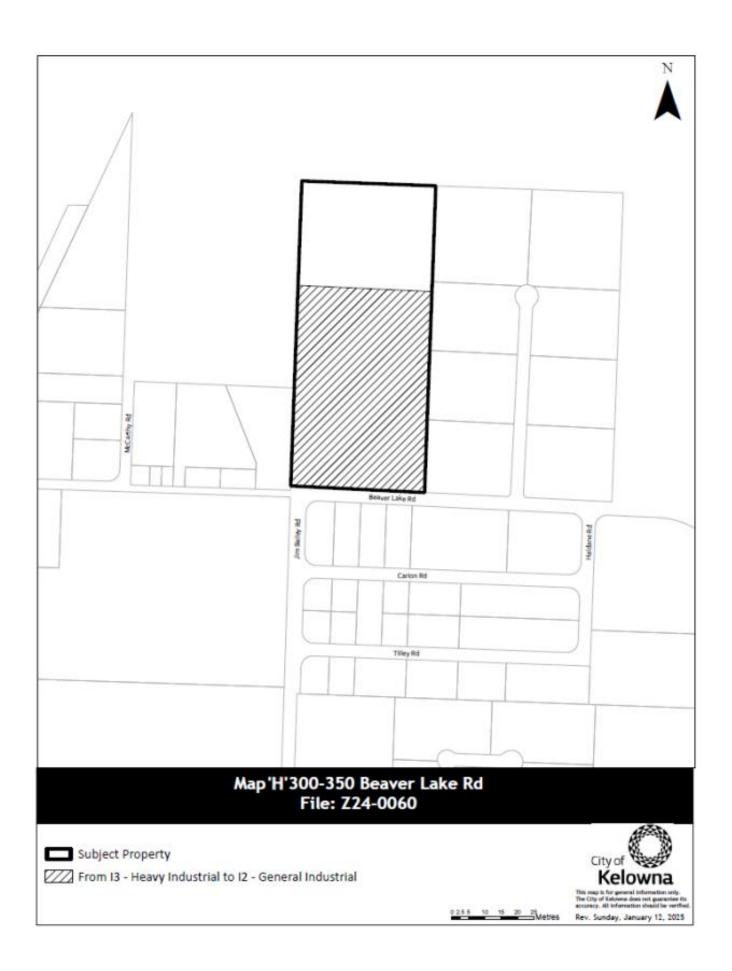












BYLAW NO. 12752 Z24-0057 964 Laurier Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot B District Lot 138 ODYD Plan KAP64260, located on Laurier Avenue, Kelowna, BC from the MF1b – Infill Housing with Boarding or Lodging House zone to the MF1cc – Infill Housing with Child Care Centre, Major zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 24th day of February, 2025.

Approved pursuant to section 52(3)(a) of the Transporta	tion Act this 24 th day of March, 2025.
Audrie Henry	
for Minister of Transportation & Transit	
Adopted by the Municipal Council of the City of Kelowna	a this
	Mayor
	City Clerk

BYLAW NO. 12754 Z24-0061 3699 Hwy 97 N

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 3 Section 35 Township 26 ODYD Plan KAP57139 Except Plan EPP54134 located on Hwy 97 N, Kelowna, BC from the C2 Vehicle Oriented Commercial zone to the C2rcs Vehicle Oriented Commercial Retail Cannabis Sales zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 10th day of March 2025.

Approved pursuant to section 52(3)(a) of the Transportation Act this 12th day of March 2025.

	•	3 .3	•		,	3
	James Outhwaite					
For M	nister of Transportation	on & Transit				
Adopt	ed by the Municipal Co	ouncil of the City	of Kelown	a this		
						Mayor

City Clerk

BYLAW NO. 12756 Z24-0062 465-495 Dougall Road N

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

- 1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot A Section 26 Township 26 ODYD Plan EPP125056, located on Dougall Road N, Kelowna, BC from the UC4 Rutland Urban Centre zone to the UC4r Rutland Urban Centre Rental Only zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 10th day of March 2025.

Approved pursuant to section 52(3)(a) of the Transportation Act this 12th day of March 2025.

	, c
James Outhwaite	
For Minister of Transportation & Transit	_
Adopted by the Municipal Council of the City of Kelown	a this
	Mayor
	City Clerk

Report to Council



Date: March 31, 2025

To: Council

From: Audit Committee

Subject: Value for Money Program Status Report

Department: Financial Services Division

Recommendation:

THAT Council receives, for information, the Report from Audit Committee dated March 31, 2025, with respect to the status of recommendations from the Value for Money Program.

Purpose:

To receive a report outlining the status of recommendations received under the Value for Money Program.

Background:

Value for money engagement reports provide stakeholders with recommendations for improvements to address the findings identified by the Business Performance & Advisory Services (BPAS) team during the audit process. The key stakeholders provide action plans to be implemented in response to the recommendations and findings as outlined in the report. At the end of each year, the BPAS team requests a status update for each action plan to identify progress.

Discussion:

This report covers all open action plans as of December 31, 2024, from six reports that contain 28 recommendations and 50 action plans. Key stakeholders responsible for implementing the action plans provided status updates. The results of management's assessment are as follows:

Status	Count	Percentage
Completed	24	48%
In Progress	26	52%
Not Started	0	0%
Total	50	100%

Conclusion:

In 2024, all action plans are either completed or in progress. Advancing these action plans demonstrates a commitment to addressing the findings and recommendations.

Considerations not applicable to this report:

Legal/Statutory Authority
Legal/Statutory Procedural Requirements
Existing Policy
Financial/Budgetary Considerations
Consultation and Engagement
Communications Comments

Submitted by: Mayor Dyas, Chair, Audit Committee

Approved for inclusion: M. Warrender, Deputy Chief Financial Officer, Financial Services

cc:

S. Little, Business Performance & Advisory Services Manager M. Warrender, Deputy Chief Financial Officer, Financial Services J. Sass, General Manager, Corporate Services



Status Report



6 Reports



28 Recommendations



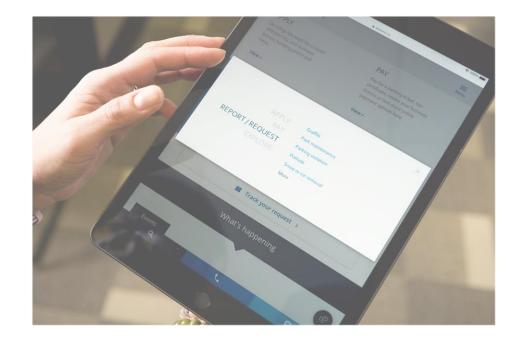
50 Action Plans



24 Completed



26 In Progress







Questions?

Report to Council



Date: March 31, 2025

To: Council

From: Audit Committee

Subject: Treasury Process Follow up Value for Money

Department: Financial Services Division

Recommendation:

THAT Council receives, for information, the report from the Audit Committee dated March 31, 2025 with respect to the results of the Treasury Process Follow up Value for Money engagement.

Purpose:

To receive a report outlining the results of the Treasury Process Follow up engagement.

Background:

The Treasury Process Follow up engagement is the first follow up engagement performed under the internally delivered Value for Money program. The engagement commenced in November 2024 and concluded in February 2025. The report was received by the Audit Committee on March 12, 2025.

Discussion:

This follow up engagement assessed the progress made by action plan owners and managers responsible for implementing the recommendations from the Treasury Process value for money engagement, which was completed in June 2023. This engagement focused on findings identified in the Treasury Process engagement with a finding rating of either moderate or high. As a result, three findings were selected for further analysis. Within these findings, 10 out of a total of 25 action plans were selected and progress made toward completion or implementation was assessed.

A summary of the conclusion ratings for the 10 selected action plans is presented as follows:

Conclusion Rating	Count
Implemented	1
Partially Implemented	4
In Progress	1
Not Implemented	3
Closed	1
Total	10

Conclusion:

Progress has been made in completing most of the action plans identified for follow up from the Treasury Process report. The Treasury team has implemented many improvements in managing investments. However, the team primarily performs these updated processes and practices informally. There are also differences in terminology within inter-related documents. Further fine-tuning and approval of documentation is required to fully implement and operationalize the draft policies, quidelines, procedures and practices.

Considerations not applicable to this report

Legal/Statutory Authority Legal/Statutory Procedural Requirements Existing Policy Financial/Budgetary Considerations Consultation and Engagement Communications Comments

Submitted by: Mayor Dyas, Chair, Audit Committee

Approved for inclusion: M. Warrender, Deputy Chief Financial Officer, Financial Services Division

cc:

S. Little, Business Performance & Advisory Services Manager M. Antunes, Financial Planning Manager M. Warrender, Deputy Chief Financial Officer, Financial Services Division J. Sass, General Manager, Corporate Services



Objective

The purpose of this follow up engagement is to assess the progress made by action plan owners and management responsible for implementing the recommendations from the Treasury Process value for money engagement.











Approach



Consult with assigned action plan owners



Select action plans to follow up on based on severity of finding ratings



Request documentation to verify the status of the action plans



Review and analyze relevant data and documentation



Evaluate progress made toward the action plans



Prepare report



Status of Action Plans



1 Implemented



4 Partially Implemented



1 In Progress



3 Not Implemented



1 Closed







Questions?

Report to Council



Date: March 31, 2025

To: Council

From: Audit Committee

Subject: Infrastructure Deficit Value for Money

Department: Financial Services Division

Recommendation:

THAT Council receives, for information, the Report from the Audit Committee dated March 31, 2025, with respect to the results of the Infrastructure Deficit Value for Money engagement.

AND THAT Council endorses the value for money engagement recommendations directed to management, as outline in the report from the Audit Committee dated March 31, 2025.

Purpose:

To receive a report outlining the results of the Infrastructure Deficit engagement.

Background:

The Infrastructure Deficit engagement commenced in June 2024 and concluded in December 2024. The Audit Committee received the report on March 12, 2025, and supported the recommendations provided to management.

Discussion:

The infrastructure deficit highlights areas where investment is needed, with a higher deficit indicating a greater risk of service disruptions due to aging or inadequate infrastructure to meet current and future demands. It is an important tool for assessing infrastructure investment needs, and understanding how the deficit is calculated enhances its usefulness for decision-making purposes.

The engagement assessed the capital management program's calculation and reporting of the infrastructure deficit, comparing it to other municipalities. Key areas assessed included defining the deficit, project prioritization, and management planning and decision-making.

This engagement focused on the 2023 infrastructure deficit calculation.

Conclusion:

A summary of findings for the Infrastructure Deficit report is attached in Appendix 1. Management responded to the recommendations with appropriate action plans and reasonable timelines for

Page 2 of 2

implementation. To ensure continuous oversight of the recommendations, a follow-up engagement may be conducted.

Considerations not applicable to this report:

Legal/Statutory Authority Legal/Statutory Procedural Requirements Existing Policy Financial/Budgetary Considerations Consultation and Engagement Communications Comments

Submitted by: Mayor Dyas, Chair, Audit Committee

Approved for inclusion: M. Warrender, Deputy Chief Financial Officer, Financial Services Division

Attachment: Appendix 1 Summary of Findings Infrastructure Deficit

cc:

S. Little, Business Performance & Advisory Services Manager

M. Antunes, Financial Planning Manager

M. Warrender, Deputy Chief Financial Officer, Financial Services Division

J. Sass, General Manager, Corporate Services

Appendix 1: Infrastructure Deficit

This report presents the findings and recommendations of an engagement conducted by the Business Performance & Advisory Services Branch. It evaluates the city's method for calculating its infrastructure deficit and compares it to best practices from other municipalities. The report reviews the components of the calculation, the prioritization of projects, and how the infrastructure deficit is integrated into decision-making processes. This engagement focuses on the 2023 infrastructure deficit calculation.

The engagement found that while the infrastructure deficit is somewhat effective in meeting its objectives, the following are areas where improvements can be made. The main findings and recommendations are summarized as follows:

FINDING	RECOMMENDATION
The infrastructure deficit is not actively integrated into the city's decision-making.	It is recommended to enhance the understanding of the infrastructure deficit by: - Adopting a communication strategy to effectively communicate the infrastructure deficit - Ensuring appropriate data collection and analysis to account for sensitivity factors - Selecting a defined time horizon that aligns with a suitable period
The city considers key drivers in infrastructure planning but does not prioritize infrastructure investment based on them.	It is recommended that management: - Develop documentation detailing criteria and methodologies for identifying and evaluating these drivers. - Establish high-level criteria for prioritizing the drivers, with clear practices for weighting and ranking them in decisionmaking.
There is a difference between the infrastructure needs and the city's ability to deliver them resulting in a delivery gap.	It is recommended that the delivery and funding gaps be identified within the infrastructure deficit to clarify which is affecting the calculation
The current understanding of infrastructure needs and identification of funding sources could be improved to ensure a more reliable deficit calculation.	It is recommended that the reliability of the infrastructure deficit calculation be enhanced by: - Consistently applying the key drivers across departments - Considering all relevant funding sources



Objective

To evaluate how the capital management program calculates and reports the infrastructure deficit and to determine its effectiveness for management decision-making and planning.











Approach



Collaborate with key stakeholders



Develop clear objectives, criteria, and scope



Conduct exploratory interviews



Review and analyze relevant data and documentation



Evaluate findings



Prepare report



Recommendations

Defining infrastructure deficit calculation

- The infrastructure deficit is calculated using a common approach. No further
- recommendations are needed.

Project prioritization

- Document criteria and methodologies for evaluating drivers and establish clear prioritization
- practices.

Management planning and decision-making

- Improve reliability of infrastructure deficit by applying the drivers and including all
- funding sources.
- Identify delivery and funding gaps within the infrastructure deficit.
- Improve understanding of infrastructure deficit through improved communication strategy,
- data collection, and time horizon selection.





Questions?

Report to Council



Date: March 31, 2025

To: Council

From: City Manager

Subject: Amendment No. 1 to the Five Year Financial Plan 2024-2028

Department: Financial Planning

Recommendation:

THAT Council receives, for information, the Report from Financial Services dated March 31, 2025 with respect to amendments to the Five Year Financial Plan 2024-2028 Bylaw;

AND THAT Bylaw No. 12757, being Amendment No. 1 to the Five Year Financial Plan 2024-2028 Bylaw No. 12639, be advanced for reading consideration.

Purpose:

To amend the Five Year Financial Plan 2024-2028 as required by the Community Charter to include the authorized transfers and amendments which occurred in the 2024 year.

Background:

The City of Kelowna, in compliance with section 165(1) of the Community Charter (Financial Management), amends the financial plan annually to provide for expenditures required after the adoption of the Five Year Financial Plan Bylaw. These expenditures, in all cases, do not impact taxation demand but rather result in the shift of funding from one source to another and/or shifts in expenditures within, or from one municipal purpose area to another. Budget transfers and amendments included in the amended financial plan are permitted under Council Policies #262 Financial Plan Amendment Policy, and #261 Financial Plan Transfer Policy.

All transfers and amendments, including those that do not require Council approval throughout the year, are presented in an amended Five Year Financial Plan bylaw. The attachment summarizes the authorized transfers and amendments that occurred throughout the 2024 fiscal year. The following are a few transfers and amendments of note that are being brought before Council for the first time.

Community Safety & Bylaw

Outdoor Sheltering Budget Amendment: The City of Kelowna received funding from BC Housing to support provision of resources for the unsheltered community during extreme weather events. Budget of \$236,800 was added, primarily to fund warming buses during cold weather.

Page 2 of 2

Transit

Conventional Transit Budget Amendment: The 2024 budget was amended by \$3.6 million, funded from the Transit service area reserve, to address a timing difference of 2023 transit municipal obligation charges being recorded in the 2024 fiscal year. Reserve funding was available as annual surpluses are contributed to reserve at year end. This will not impact the 2025 transit contract.

Parks

Queensway Washroom Budget Transfer: To complement planned revitalization of the Queensway Exchange area, the existing temporary portable washroom units and kiosk were removed and replaced with a permanent public washroom installation. The upgraded facility includes self-cleaning and antivandalism features to address public safety concerns. Budget of \$300,000 was transferred from the Public Safety Levy to fund this upgrade.

Enabling Services

Prospera Place HVAC Mechanical Renewal Budget Amendment: End-of-life building systems at Prospera Place, including HVAC and boiler systems, were replaced during 2023 and 2024. Budget of \$107,000 was added to support the replacement costs incurred in 2024, funded from the Prospera Place Arena Building reserve.

Previous Council Resolution

Resolution	Date
THAT Council adopts the 2024-2028 Financial Plan;	May 6, 2024
AND THAT Bylaw No. 12639 being the 2024-2028 Five-Year Financial Plan be	
advanced for reading consideration;	
THAT Bylaw Nos. 12639, 12640, 12642, 12643, 12644 and 12645 each be	May 13, 2024
adopted.	

Considerations applicable to this report:

Legal/Statutory Procedural Requirements:

Community Charter section 165

Considerations not applicable to this report:

Discussion
Conclusion
Internal Circulation
Legal/Statutory Authority
Existing Policy
Financial/Budgetary Considerations
Consultation and Engagement
Communications Comments

Submitted by: M. Antunes, Financial Planning Manager

Approved for inclusion: J. Sass, General Manager Corporate Services

Attachment:

Bylaw No. 12757 - Amendment No. 1 to the Five Year Financial Plan 2024-2028 Bylaw No. 12639





Financial Plan Background

- 2024 Financial Plan adopted by bylaw
- ► Changes during the year
 - Emergent events
 - ▶ New Council directed initiatives
 - ► New legislation or regulations





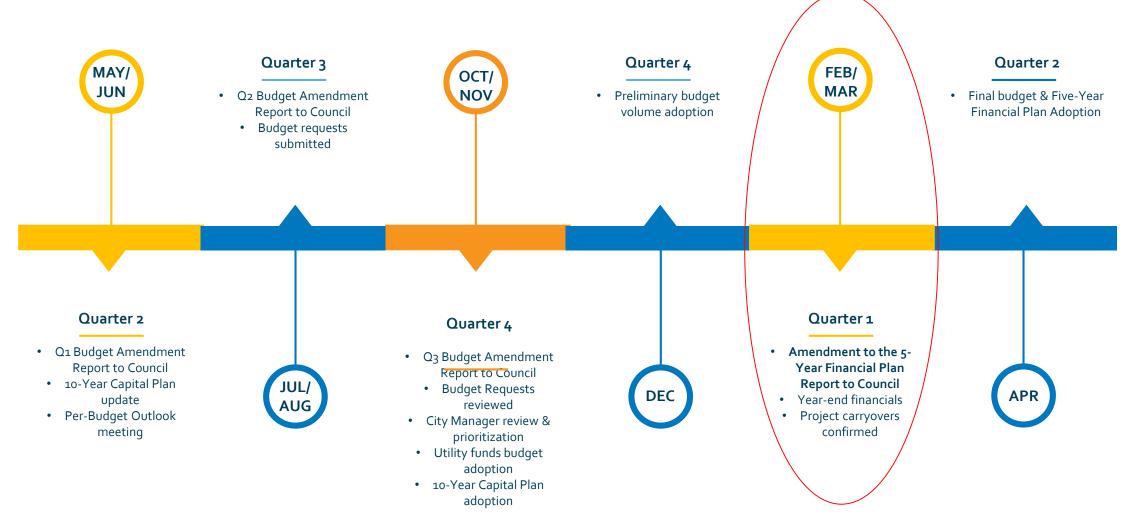
Financial Plan Changes



- Financial Plan changes permitted under:
 - ► Transfer Council Policy #261
 - ► Amendment Council Policy #262
- Community Charter requirement



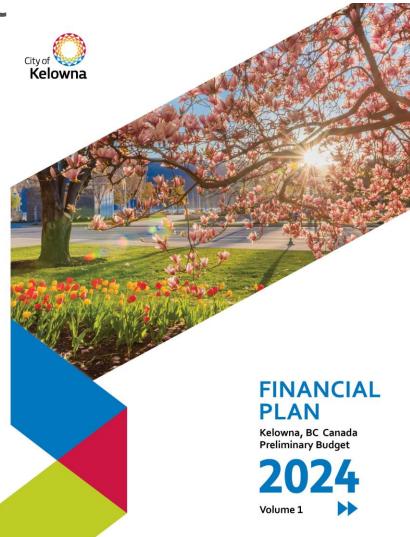
Budget as a Program





Financial Plan Amendment

- ► Amend 2024-2028 Five Year Financial Plan Bylaw 12639
- ► Adjust 2024 only
- No impact on 2024 taxation demand





Questions?



Budget 2024

#kelownabudget

For more information visit:

Kelowna.ca/budget

CITY OF KELOWNA

BYLAW NO. 12757

Amendment No. 1 to the Five Year Financial Plan 2024-2028 Bylaw No. 12639

The Mu	nicipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:
	THAT the Five Year Financial Plan 2024-2028 Bylaw No. 12639 be amended by deleting Schedule "A" in its rety and replacing with the new Schedule "A" as attached to and forming part of this bylaw;
	This bylaw may be cited for all purposes as Bylaw No. 12757 being "Amendment No. 1 to the Five Year Financial Bylaw, 2024-2028, No. 12639."

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor		
•		
City Clerk		

Schedule "A" Financial Plan 2024 - 2028

	2024 Amended Budget	2024	2025	2026	2027	2028	2029-2031
Revenue							
Property Value Tax	191,220,490	191,220,490	203,343,357	216,124,348	230,689,351	244,802,502	786,564,674
Library Requisition	7,859,400	7,859,400	8,016,588	8,176,920	8,340,458	8,507,267	26,035,639
Parcel Taxes	4,440,697	4,440,697	3,450,288	3,290,286	2,944,479	2,711,096	7,883,485
Fees and Charges		178,947,925	185,894,676	196,314,029	204,029,869	212,399,148	688,368,989
Borrowing Proceeds	5,912,000	4,522,400	71,928,262	24,680,540	11,421,775	16,806,499	25,875,982
Other Sources	111,145,672	98,499,082	161,931,710		, ,		23,673,962
Other sources	500,892,225	485,489,994	634,564,881	140,624,333 589,210,457	113,384,030 570,809,962	85,439,508 570,666,020	1,760,309,266
Torreston between Errords							
Transfer between Funds	2.465.240	2 400 040	1 200 000	C 445 742	7 620 225	6 4 42 420	40 540 022
Reserve Funds	2,165,348	2,489,948	1,289,098	6,115,713	7,629,335	6,143,430	18,519,832
DCC Funds	69,285,955	61,375,400	57,634,139	52,938,672	66,663,479	65,428,683	140,205,159
Surplus/Reserve Accounts	346,459,499 417,910,802	305,547,770 369,413,118	119,650,706 178,573,943	100,298,759 159,353,144	95,870,859 170,163,673	75,249,984 146,822,097	257,737,446 416,462,437
Total Revenue	918,803,027	854,903,112	813,138,824	748,563,601	740,973,635	717,488,117	2,176,771,703
Total Revenue	910,003,027	654,505,112	013,130,024	746,505,001	740,973,033	/1/,400,11/	2,170,771,703
Expenditures							
Municipal Debt							
Debt Interest	4,956,085	4,956,085	5,315,399	11,005,460	15,739,605	17,969,307	63,420,320
Debt Principal	7,149,119	7,149,119	7,258,284	8,954,238	10,373,849	10,258,477	36,787,913
Capital Expenditures	467,195,310	415,457,000	357,466,503	272,670,553	248,886,362	206,263,477	519,091,611
Other Municipal Purposes							
Arts & Culture	4,335,437	4,273,737	4,282,458	4,489,454	4,645,033	4,806,007	15,440,657
Community Development	6,140,607	6,002,914	4,793,625	5,150,805	5,209,788	5,382,430	17,243,174
Community Safety & Bylaw	8,742,899	7,853,956	7,650,957	7,902,278	8,183,981	8,467,965	27,232,983
Development Planning	2,642,314	2,713,940	2,599,523	2,687,924	2,779,287	2,873,820	9,222,032
Development Services	6,532,198	6,532,198	7,043,599	7,288,306	7,541,210	7,802,890	25,071,139
Enabling Services	75,543,681	73,464,907	75,380,138	79,266,450	83,399,969	87,762,191	290,811,350
Fire Safety	29,013,014	28,176,552	29,074,292	29,933,760	30,971,906	32,046,076	102,962,498
Governance & Leadership	4,686,337	4,716,757	4,540,408	4,698,150	4,861,176	5,029,858	16,161,228
Parking	5,013,279	4,993,679	4,655,296	4,749,895	4,846,916	4,946,474	15,463,232
Parks	13,685,214	13,402,113	14,280,247	14,825,843	15,339,239	15,870,450	50,986,163
Partnerships Office	1,495,389	1,405,389	1,236,025	1,278,966	1,100,246	1,138,424	3,657,827
Police Services & RCMP	61,864,804	59,394,604	61,498,220	63,634,014	65,841,357	68,125,286	218,885,725
Solid Waste & Landfill	17,093,005	17,080,505	17,294,887	16,831,025	17,314,117	17,813,287	56,603,919
Sport & Recreation	15,818,383	14,858,167	15,289,370	15,752,317	16,266,208	16,822,777	52,637,145
Stormwater & Flood Protection	3,369,341	3,369,341	2,809,749	2,896,693	2,976,454	3,068,875	9,792,654
Transit	35,435,316	31,871,916	31,712,016	32,800,301	33,925,048	35,088,823	112,660,004
Transportation	17,547,726	17,025,537	17,476,533	18,090,049	18,657,774	19,305,199	62,028,728
Wastewater	15,175,658	15,554,826	15,832,141	15,519,908	15,787,332	16,063,682	49,943,013
Water	14,531,186	14,065,368	13,003,895	12,829,942	13,046,487	13,270,324	36,733,688
Airport _	27,441,720	27,176,085	27,726,778	28,855,121	30,541,836	31,576,677	100,472,340
	845,408,022	781,494,695	728,220,343	662,111,453	658,235,180	631,752,776	1,893,309,343
Transfers between Funds							
Reserve Funds	32,564,281	31,623,581	32,305,990	33,735,918	34,877,386	36,090,325	115,392,541
DCC Funds	-	-	-	-	-	-	-
Surplus/Reserve Accounts	40,830,724	41,784,836	52,612,491	52,716,230	47,861,069	49,645,017	168,069,820
	73,395,005	73,408,417	84,918,481	86,452,148	82,738,455	85,735,342	283,462,361

Report to Council



Date: March 31, 2025

To: Council

From: City Manager

Subject: 2024 Financial Performance and Health Indicators Update

Department: Financial Services

Recommendation:

THAT Council receives, for information, the 2024 Financial Performance Report and Financial Health Dashboard from Financial Services.

Purpose:

To receive information summarizing the City of Kelowna's 2024 financial performance and a corresponding update on the Financial Health Dashboard.

Background:

This report presents the 2024 year end (unaudited) financial performance against budget and prior year activity as well as an update to our yearly Financial Health Indicators to assist council with its governance and financial oversight responsibility of the City.

Discussion:

2024 Financial Performance:

Consolidated revenue finished off 11% over budget due to the gain on sale of Fortis shares, which was not budgeted, and interest revenue earned on our investments exceeded budget targets.

Consolidated spending activity finished off 1% over budget at year end.

In 2024, capital activity saw a notable increase compared to 2023. The expenditure for 2024 amounted to \$249 million, up from \$160 million in 2023. By the end of the year, 75% of our capital budget had been utilized, indicating a capital burn rate of 75%.

End of year budget variance projections follow the table below:

Activity Ratio	Description	Third Quarter Performance
Revenue to Budget	This ratio measures revenue performance against budget. It allows management and Council to identify revenue gaps or surpluses, and to adjust where required to reach financial goals.	Group: Revenue ➤ \$501M (111%) ○ Top Source: Property & Parcel Tax (\$198M)
Spending to Budget	This ratio measures performance against budget, providing an indication of progress toward planned outcomes.	Group: Spending ➤ \$382M (101%) ○ Top Source: Salaries & Wages (\$134M)
Capital Spending Burn Rate	This ratio measures the percentage of annual capital budget utilized, reflecting the City's capacity to deliver on its capital program.	Group: Capital Projects ➤ \$249M (75%)

Financial Health indicators

This portion of the report presents key annual financial health indicators and compares them to benchmarks as well as other municipalities throughout the province, specifically those with populations over 100K as well as within the Okanagan. The comparative data is provided by the province and is updated to 2023. The ratios presented for Kelowna are based on 2024 financial data.

Financial Flexibility Ratios: Measure the degree to which a municipality can change its financial structure while still meeting its existing financial obligations in the short term.

Indicator 1: Debt Service Ratio

This ratio measures the percentage of current revenues required to service debt incurred to fund past expenditures and the capacity for the City to incur additional debt. A smaller debt service to revenue ratio indicates that the City has greater flexibility in future borrowing decisions and more revenue to use for other opportunities.

In 2024 2.2% (2023 - 2.5%) of revenues were used to pay for debt service charges. The decrease is due to increased revenues and the payment of long-term debt. The City's borrowing ratio is currently in line with other municipalities. There is significant borrowing room within the Province's legislative thresholds and the upcoming authorized loans for the Building a Stronger Kelowna Initiative and Airport Expansion projects will significantly impact this ratio.

Debt Service Ratio		Kelowna	Benchmark	Pop >100k	Okanagan
Debt Service Ratio	-		<5%	3%	3%

Indicator 2: Own Source Revenue to Total Revenue

This ratio measures the extent to which own source revenues make up total revenues. This is a gauge for how much flexibility the City has to deal with changing revenue sources.

In 2024 this ratio decreased from 36% to 33%, which is in line with normal levels over the past five years. 2024 saw large increases in total revenue while own source revenue remained relatively stagnant. This is due to a significant increase related to the gain on portfolio investments.

Own Source Revenue	Kelowna	Benchmark	Pop >100k	Okanagan
Own Source Revenue		>40%	31%	32%

Indicator 3: Government Transfers to Total Revenues

This ratio measures the dependence of the City on other levels of government funding. It is important to note that a balance needs to be achieved as a reduced dependence on government transfers may reduce vulnerability, but it could also impair sustainability if the City's tax base has to replace the revenues lost from a reduction in transfer payments. The City of Kelowna has a grant strategy in place to create this balance.

Some government transfers are relatively consistent from year to year. However, the City occasionally receives one-time funding, typically for large infrastructure projects, which will cause this ratio to fluctuate. This ratio has been mostly stable in the past five years. In 2023 this ratio increased due to the large Growing Communities Fund. In 2024 we saw a slight decrease back down to 11% from 13%.

Gov. Transfers Ratio	Kelowna	Benchmark	Pop >100k	Okanagan
GOV. Transfers Ratio	11%	<10%	9%	15%

Financial Sustainability Ratios: Measures the ability of a municipality to meet its existing financial obligations and maintain operations and services over the long term

Indicator 4: Financial Assets to Liabilities

This ratio measures liquidity and the City's ability to meet financial obligations. A ratio > 1.0 indicates the City is well positioned to meet its financial obligations without the need to fund past expenditures with future revenues. In recent years, this ratio has remained stable, as financial assets have grown at a rate comparable to that of financial liabilities. In 2024, the ratio decreased slightly from 1.98 in 2023 to 1.87 due to increased liabilities and decreased assets.

Fin. Assets/ Liabilities	Kelowna	Benchmark	Pop >100k	Okanagan
Till. Assets/ Liabilities		>1.75	1.97	1.29

Indicator 5: Net Financial Assets (Financial Assets-Liabilities) to Total Revenue

This ratio provides a measure of revenue that can be used to fund current and future expenditures. An increasing ratio normally indicates stability, and that the City is well positioned to meet its financial obligations now and in the future. This ratio has decreased slightly from 101% to 84% in 2024. In this case, this is due to large revenue increases and a slight decrease in Net Financial Assets in 2024.

Net Fin. Assets/Revenue	Kelowna	Benchmark	Pop >100k	Okanagan
ivet riii. Assets/ Revenue		>70%	83%	21%

Indicator 6: Accumulated Surplus/Deficit to Expenses

This ratio represents reserve balances as a percentage of operating expenses. Reserves are funds allocated to planned future needs, to smooth expenses, or to cover unexpected costs. This metric reflects the amount of funds available that could be used to support City operations. Over time, this measure has been trending up, indicating that we are setting more money aside to fund future expenses. In 2024 this measure decreased slightly from 160% in 2023 due to increased expenses in 2024.

Accum Surplus &		Benchmark	Pop >100k	Okanagan
Reserves/Expenses	134%	>100%	148%	61%

Competitiveness Ratios: Measures how well a municipality fares financially on a per capita basis relative to similar municipalities and to the region.

Indicator 7: Municipal Portion of Taxes on a Representative House

This ratio measures the municipal amount of property taxation per average house within a municipality. This measure has been trending up over the last five years in line with other comparators. The focus as a municipality is to keep the tax burden to an acceptable level while providing services for citizens and growing and maintaining infrastructure. The stability of this measure is dependent on well thought out fiscal planning and financial funding strategies to ensure our citizens are getting an adequate level of service for each tax dollar they pay.

		Denemiark	Lob >Took	Okanagan
Representative House (LGDE)	\$2,807	TBD	\$3,119	\$2,547

Indicator 8: Debt Per Capita

This ratio measures a municipality's debt per citizen. In 2024, the debt per capita decreased from \$440 in 2023 to \$371, continuing a five-year downward trend. Unless the population changes significantly, this ratio will follow the same trend as the debt servicing ratio. With Kelowna not taking on much new debt and paying down old debt in 2024, this continues a favourable trend.

Debt per Capita		Kelowna	Benchmark	Pop >100k	Okanagan
		\$371	TBD	\$635	\$622

Indicator 9: Annual Surplus Per Capita

This ratio measures the City's annual surplus per citizen. It indicates the opportunity to add service capacity within existing taxation levels. This ratio is increasing after a downward trend from 2018 to 2021. While this indicator shows potential for additional service capacity within existing taxation levels, it is also important to note we do not want a significantly high annual surplus per capita as that means we are overtaxing our citizens.

Annual Surplus per capita	Kelowna	Benchmark	Pop >100k	Okanagan
	\$998	TBD	\$817	\$519

Conclusion:

The City's strong overall financial health played a key part in recent years after being challenged in many areas by the ever-changing economic environment. The stability of the City's financial flexibility ratios remains a significant strength moving forward. This is due to revenue increases across all segments. 2024 was once again a period of economic uncertainty with inflation and interest rate uncertainty being the leading factors in an ever-changing environment. Future infrastructure replacement and expansion demands are at the forefront of future planning and funding strategies are always ongoing. When making determinations on funding, the City will need to take the above factors into consideration along with the financial strategies already in place.

Internal Circulation:

Considerations applicable to this report:

Considerations not applicable to this report:
Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
Financial/Budgetary Considerations:
Consultation and Engagement:
Communications Comments:

Submitted by: M. Friesen, Controller, Financial Services

Approved for inclusion: M. Warrender, Deputy Chief Financial Officer, Financial Services

Attachments:

CC:

J. Sass, General Manager, Corporate Services Division

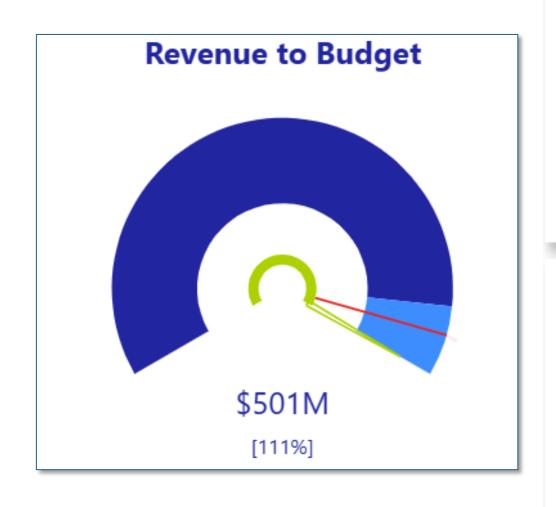


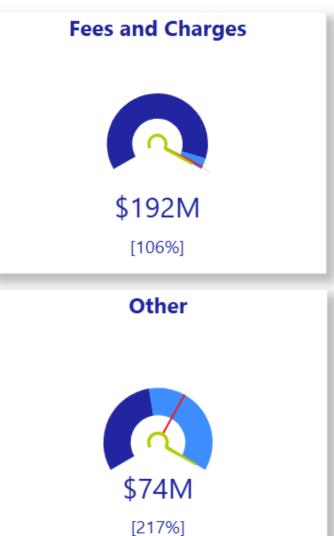
Purpose

- Present 2024 financial performance
- Provide insights into the factors driving our financial performance
- > Discuss our financial health



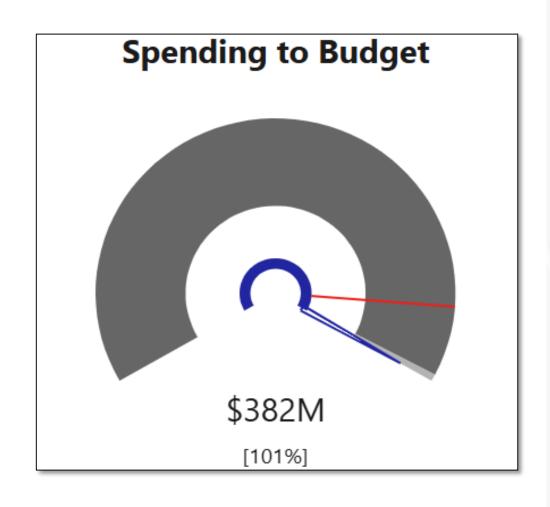
Revenue by Source





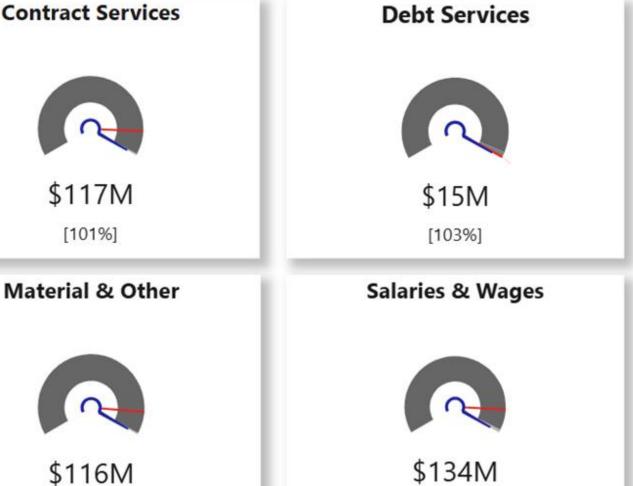


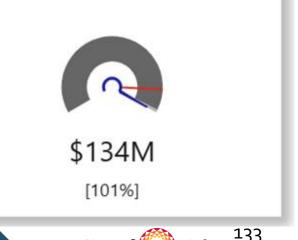
Spending by Type

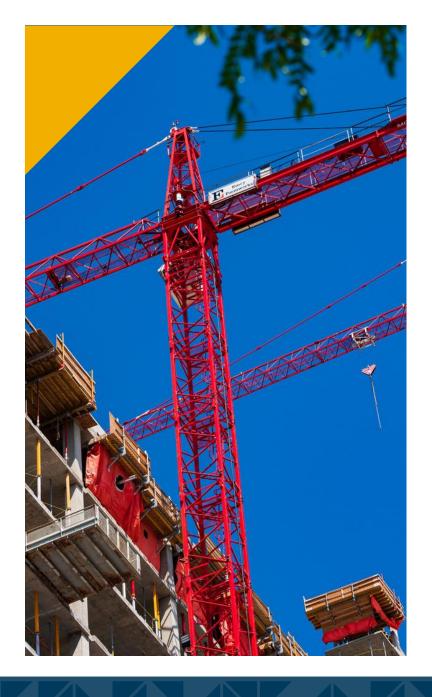




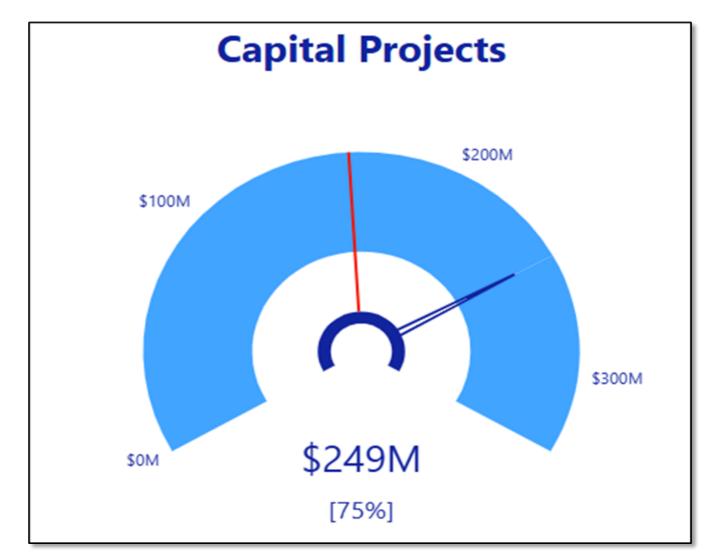
[101%]

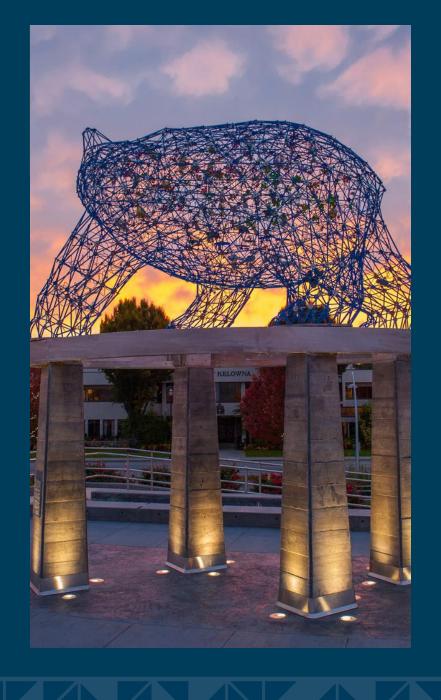






Capital Budget Analysis





Financial Health Indicators

- Financial Flexibility How much flexibility in the short term, without direct tax increases?
- Financial Sustainability Do we have ability to maintain operations and services over the long term?
- ➤ Competitiveness How do we fare financially on a per capita basis relative to similar municipalities and the region?



Financial Flexibility

Level of flexibility in the short term, without direct tax increases

	KELOWNA		COMPARATORS		
			BENCHMARK	Pop > 100K	OKANAGAN
Debt Service Ratio		2.2%	< 5%	3%	3%
Own Source Revenue		33%	> 40%	31%	32%
Gov Transfers Ratio		11%	< 10%	9%	15%

Financial Sustainability

The ability to maintain operations and services over the long term

	KELOWNA		COMPARATORS		
			BENCHMARK	Pop > 100K	OKANAGAN
Financial Assets/Liabilities		1.87	> 1.75	1.97	1.29
Net Financial Assets/Revenue		84%	> 70%	83%	21%
Accum. Surplus & Reserves/Expenses		134%	> 100%	148%	61%



Competitiveness

How do we fare financially on a per capita basis

	KELOWNA	COMPARATORS		
		Pop > 100K	OKANAGAN	
Municipal portion on Representative House (LGDE)	\$ 2,807	\$ 3,119	\$ 2,547	
Debt Per Capita	\$ 371	\$ 635	\$ 622	
Annual Surplus Per Capita	\$ 998	\$ 817	\$ 519	



Conclusion

Financial Flexibility

- Debt is low and decreasing relative to revenues.
- Own source revenues strong and improving over time.
- External sources of revenue forecasted to increase as strategic priority.

Financial Sustainability

- Financial Assets and Liquidity VERY strong on all measures.
- City showing resilience coming out of challenging few years.
- Infrastructure deficit is future headwind. (Future Measure)

Competitiveness

- Kelowna is well positioned relative to similar sized cities.
- Fast growing population will improve per capita metrics.
- Opportunity exists for maximization of annual revenues given surplus figures







Report to Council



Date: March 31, 2025

To: Council

From: City Manager

Subject: Prospera Place Improvements

Department: Infrastructure & Real Estate

Recommendation:

THAT Council receives, for information, the report from the Infrastructure and Real Estate departments dated March 31, 2025, with respect to an update on various improvements being made to Prospera Place;

AND THAT the 2025 Financial Plan be amended to include an additional \$1.3 million for facility improvements at Prospera Place, with funding from General Unrestricted Capital Reserves;

AND FURTHER THAT Council authorizes the Real Estate Department Manager to negotiate and execute an agreement formalizing the City's ownership of the improvements being installed by the City.

Purpose:

To receive an update on the status of the various improvements being made to Prospera Place and approve a budget amendment to complete improvements.

Background:

On November 27, 2024, it was announced that the City of Kelowna had been chosen to host the 106th edition of the Memorial Cup, the prestigious national championship of the Canadian Hockey League. As part of the bid to host the event, the City and the Memorial Cup Bidding team committed to make a number of improvements to Prospera Place to ensure the 25-year old facility is in a position to host the tournament and other similar caliber events in the future.

Council Report March 31, 2025 Page 2 of 3

On August 12, 2024, City Council approved initial funding of \$3.8 million to support various improvements that had been identified by the Canadian Hockey League and various other community stakeholders. The value of the improvements was based on a Class 5 estimate completed in 2022 and did not include taxes, consulting fees, design costs or project management fees. Council subsequently approved an additional \$4.26 million over the next three years for other long-term upgrades required at Prospera Place through the capital plan and budget cycle.

Discussion:

With the assistance of Stafford Sports, a third-party sports consultancy, Staff have been working together with GSL, the Kelowna Rockets, and the CHL to maximize the success of the Memorial Cup experience at Prospera Place, as well as the long-term community benefit of the associated improvements once the city takes ownership of the facility in 2029. To finalize acquisition of the improvements, which include new ice-making equipment, a new scoreboard, and a new sound system, an additional \$1.3 million over the initially approved budget of \$3.8 million is required. The funding variance is due to:

- The value range associated with the original Class 5 budget estimate, and the fact that soft costs (such as engineering fees), were not included;
- Cost escalation and exchange rate fluctuations (\$CDN to \$US) since 2022, when the original
 cost estimate was completed;
- The unique structural characteristics of the building, which require customized components; and,
- To ensure key elements primarily the ice-making equipment and the scoreboard meet the expectations and standards associated with hosting high-caliber, international events over the next 10-15 years.

As owners of Prospera Place, GSL has full care and control of the facility until 2029, with the City and GSL's respective responsibilities formalized in a Facility Agreement. To ensure there is no ambiguity as to the City's ownership of the items being installed at the City's cost, Staff are proposing an amendment to the Facility Agreement to formalize interim ownership of these assets between now and 2029.

Financial/Budgetary Considerations:

Additional funding of \$1.3 million is required to complete the Memorial Cup related improvements to Prospera Place. Staff are proposing this funding be sourced from General Unrestricted Capital reserves.

In addition to the increased capital funding request, Staff anticipate an increase in annual operating funding of \$100,000 to service and maintain the newly installed equipment, including \$45,000/year for an annual service agreement for the new scoreboard, \$18,000/year for an extended warranty for the new sound system and \$10,000/year in increased WIFI operating costs. Budget for these items will be requested as part of the 2026 Financial Plan.

Council Report March 31, 2025 Page 3 of 3

Conclusion:

Prospera Place is the premier facility for hosting cultural and athletic events within the interior, as illustrated by the recent success of the Brier and the opportunity to host the Memorial Cup in 2026. With ownership of the property transferring to the City in 2029, significant capital investments are being made by the City to safeguard the buildings longevity, optimize the user experience, and maximize its impact on the on-going cultural and economic fabric of our City.

Internal Circulation:

Building Services Finance Active Living & Culture

Considerations applicable to this report:
Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
Consultation and Engagement:
Communications Comments:

Considerations not applicable to this report:

Submitted by: S. Wiik; Senior Project Manager
J. Säufferer, Real Estate Department Manager

Approved for inclusion: D. Edstrom, Divisional Director, Partnership & Investments

cc: J. Gabriel, Divisional Director, Active Living & Culture

J. Sass, General Manager, Corporate Services

M. Antunes, Financial Planning Manager

D. Nicholas, Sport & Event Services Manager

T. Lamin, Purchasing Supervisor



Background

- February 20, 2022
 Third-party report identifying Prospera improvements valued at \$3.8 million to host the Memorial Cup
- <u>August 12, 2024</u> City commits \$3.8 million in funding for Prospera Place improvements
- September 2024
 City submits Memorial Cup bid
- November 27, 2024
 City awarded Memorial Cup
- <u>December 2025</u> City approves additional funding of \$4.26 million in Prospera upgrades over the next 3 years





Prospera Place Improvements

- Memorial Cup improvements determined in conjunction with CHL
 - Ice-making equipment (i.e. Zamboni's)
 - Scoreboard
 - Internet / Wi Fi
 - Sound system
 - Media riser
 - Additional media displays
- Installation scheduled for June / July



Prospera Place Improvements

- Original budget estimate \$3.8m (Feb 2022)
- Current budget estimate \$5.1m
 - Original estimate at 'Class 5' level
 - Cost / exchange rate escalation (2022 2025)
 - Accommodate unique structural characteristics of building
 - Long-term perspective on key items:
 - Electric Zamboni's to reduce GHG emissions
 - Daktronics scoreboard to meet industry standards for international / high-profile events





Report to Council



Date: March 31, 2025

To: Council

From: City Manager

Subject: Sale of Deterrent Spray Bylaw

Department: Community Safety Services

Recommendation:

THAT Council receives, for information, the report from the Community Safety Services Branch dated March 31, 2025, recommending that Council adopt the Sale of Deterrent Spray Bylaw No. 12678 and consider amendments to the Bylaw Notice Enforcement Bylaw No. 10475;

AND THAT Bylaw No. 12678, Sale of Deterrent Spray Bylaw, No. 12678 be forwarded for adoption;

AND THAT Bylaw No. 12679, Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for adoption.

Purpose:

To adopt a bylaw regulating the sale of Deterrent Sprays (e.g. bear sprays) from businesses.

Background:

The proposed Sale of Deterrent Spray Bylaw No. 12678 was introduced to Council on March 3, 2025. The bylaw received the first three readings at that time. In accordance with Section 59(2) of the Community Charter, the new Sale of Deterrent Spray Bylaw required a public consultation process.

Discussion:

In accordance with legislative requirements, the City must provide notice and solicit feedback from affected individuals before adopting the Sale of Deterrent Spray bylaw. To meet this obligation, a consultation process was conducted. Impacted parties were required to submit written comments to the Community Safety Services Manager by 4:00 PM on March 19, 2025. As per the summary below, no comments were received prior to the deadline.

Public Notice

Organization	Comments Received
Daily Courier – March 13	0
Daily Courier – March 15	0

Conclusion:

As legislative notice requirements have been met; recommendation to adoption of the two bylaws.

Considerations applicable to this report:

Legal/Statutory Authority:

Community Charter Sections 15, 16, 59 and 60.

Consultation and Engagement:

Daily Courier newspaper

Communications Comments:

Legal/Statutory Procedural Requirements:

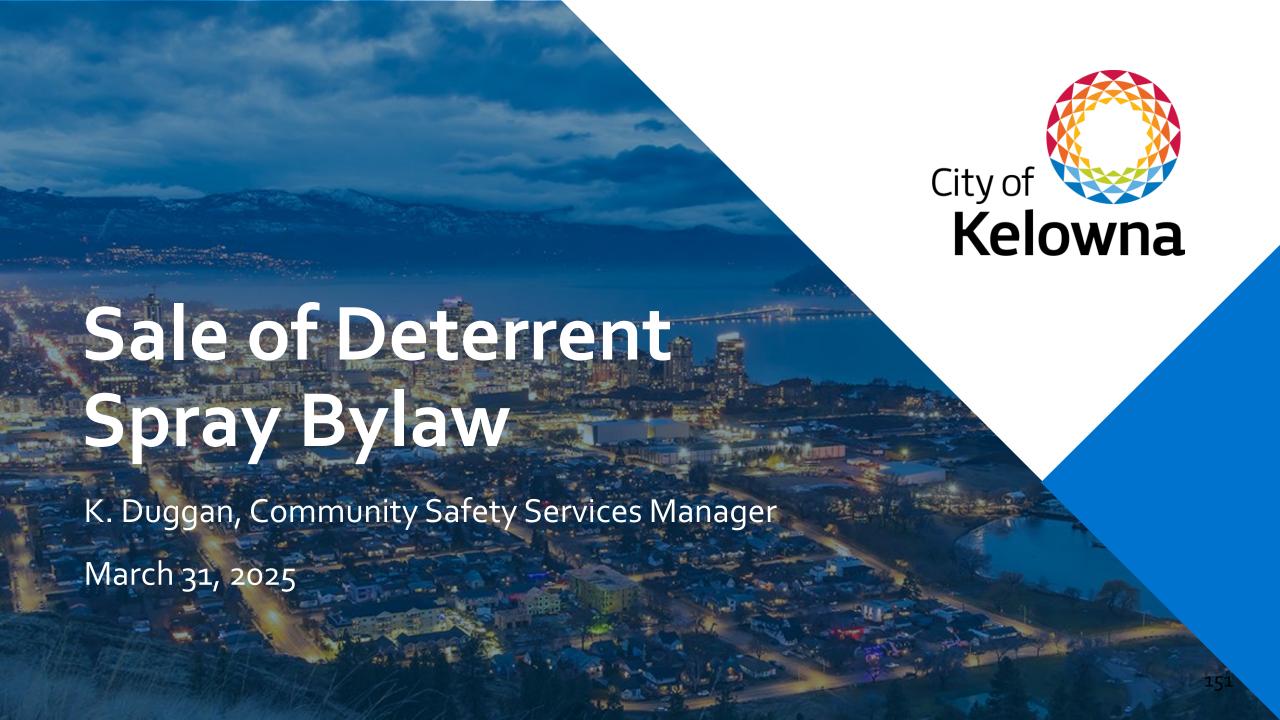
Existing Policy:

Financial/Budgetary Considerations:

Submitted by: K. Duggan, Community Safety Services Manager

Approved for inclusion: S. Leatherdale, General Manager, People & Protective Services

CC: Kevin Mead, Acting Community Safety Director



Notification

- Sale of Deterrent Spray Bylaw No. 12678 received three readings on March 3, 2025
- In accordance with the Community Charter, the City provided notice and solicited feedback from affected individuals
- Advertisements were published in the Daily Courier under Cityin Action banner on March 12 & 15, 2025
- Written feedback was to be submitted by 4 PM on March 19, 2025



Notice & Correspondence Received

Organization	Comments Received
Daily Courier – March 13	O
Daily Courier – March 15	0



Staff Recommendation

- AND THAT Bylaw No. 12678, being Sale of Deterrent Spray Bylaw, No. 12678 be forwarded for adoption;
- AND THAT Bylaw No. 12679, being Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for adoption.





CITY OF KELOWNA

Sale of Deterrent Spray Bylaw No. 12678

WHEREAS under section 8(6) of the Community Charter, S.B.C. 2003, c. 26, a municipal council may, by bylaw, regulate in relation to business;

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. Definitions

- 1.1. In this bylaw a word, phrase, or term not defined in this section will have the same meaning as Business Licence and Regulation Bylaw No. 12585, as amended or replaced from time to time.
- 1.2. In this bylaw:
 - "Authorized Identification" means a current piece of government issued photo identification that includes the bearer's name, date of birth, and signature.
 - "Authorized Vendor" means a business that primarily services the need of an outdoor enthusiast or sportsperson.
 - "Authorized Wholesaler" means a bulk distributor of goods sold to an Authorized Vendor.
 - "Deterrent Spray" means a repellent device containing capsaicin or related capsaicinoids, such as dihydrocapsaicin or nordihydrocapsaicin or other spray listed in the Pesticide Product Information Database administered by the Federal Pest Management Information Service.
 - "Register" means a compilation of records in legible English of Deterrent Spray sold or disposed of by the Authorized Vendor.

2. Regulations

- 2.1. An Authorized Vendor or an Authorized Wholesaler may sell, offer to sell, trade, barter, or exchange Deterrent Spray.
 - 2.1.1. No other person or business will sell, offer to sell, trade, barter, or exchange Deterrent Spray.
- 2.2. An Authorized Wholesaler may only sell Deterrent Spray to an Authorized Vendor which holds a valid business licence under the Business Licence and Regulation Bylaw No. 12585.
- 2.3. An Authorized Vendor
 - 2.3.1. will not display, shelve, or store Deterrent Spray in an area accessible to the public.
 - 2.3.2. will not sell, offer to sell, trade, barter, or exchange Deterrent Spray to
 - (a) a person under the age of 18 years;
 - (b) a person who does not present Authorized Identification;
 - (c) a person who the Authorized Vendor assumes is purchasing Deterrent Spray for a person under the age of 18 years or a person who is not in possession of Authorized Identification;
 - (d) a person who indicates they are purchasing other than for its intended purpose; or
 - (e) a person who does not complete the Register.
 - 2.3.3. must maintain a Register in chronological order of date of sale or disposal.
 - (a) A record for the Register will be completed at the time of the sale or disposal.
 - (b) A record for the Register must be maintained for 3 years from the date of the sale or disposal.

- 2.4. A record for the Register will include the
 - 2.4.1. product name, volume, quantity, and serial number;
 - 2.4.2. date and hour of the sale; and
 - 2.4.3. purchaser's name, phone number, full civic address including postal code, and Authorized Identification type.

3. Inspection

- 3.1. Subject to Section 16 of the *Community Charter* and section 3.2 of this bylaw, an Authorized Vendor will produce a Register for a Bylaw Enforcement Officer or police officer.
- 3.2. An Authorized Vendor will produce a Register for a person listed in section 3.1. only when it can be reasonably expected to assist in
 - 3.2.1. protection and enhancement of the safety and well-being of the community; or
 - 3.2.2. enforcement of this bylaw.

4. Penalty

- 4.1. Every person who violates a provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Fifty Thousand Dollars (\$50,000.00) and the costs of prosecution.
- 4.2. Each day a violation of the provision of this bylaw exists or is permitted to exist will constitute a separate offence.
- 4.3. A penalty imposed pursuant to this bylaw will be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

5. Severability

- 5.1. If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.
- 6. This bylaw may be cited as "Sale of Deterrent Spray Bylaw No. 12678".
- 7. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 3rd day of March, 2025.

Adopted by the Municipal Council of the City of Kelowna this

Mayor	
City Clerk	

CITY OF KELOWNA

Bylaw No. 12679

Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Bylaw Notice Enforcement Bylaw No. 10475 be amended as follows:

1. THAT Schedule "A" be amended by adding in its appropriate location a new section pertaining to the Sale of Deterrent Spray Bylaw No. 12678 that reads as follows:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
Sale of [Deterrent Spr	ray Bylaw No. 12678				
12678	2.3.1	Fail to keep Deterrent Spray in an area inaccessible to the public	\$500.00	\$450.00	\$500.00	No
12678	2.3.2	Incorrectly sell Deterrent Spray to a person	\$500.00	\$450.00	\$500.00	No
12678	2.3.3	Fail to maintain a Register	\$500.00	\$450.00	\$500.00	No
12678	3.1	Fail to produce a Register upon request	\$500.00	\$450.00	\$500.00	No

- 2. This bylaw may be cited as "Bylaw No. 12679, being Amendment No. 39 to Bylaw Notice Enforcement Bylaw No. 10475".
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 3rd day of March, 2025.

Adopted by the Municipal Council of the City of Kelowna this

Mayor
City Clerk

Report to Council



Date: March 31, 2025

To: Council

From: City Manager

Subject: Southern Interior Bylaw Adjudication Registry Agreement – Addition of Town of

Osoyoos and Contract Extension

Department: Community Safety

Recommendation:

THAT Council approves the addition of the Town of Osoyoos to the Southern Interior Bylaw Notice Dispute Registry Agreement.

AND THAT Council renews the agreement for an additional five (5) year term.

Purpose:

To add the Town of Osoyoos as a party to the Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement and renew the contract for an additional five year term.

Background:

In October 2003, the Province of British Columbia enacted legislation providing an alternative approach for processing and resolving minor bylaw infractions - the Local Government Bylaw Notice Enforcement Act.

Prior to the Local Government Bylaw Notice Enforcement Act (the 'Act'), there were three main strategies used by local governments to deal with a problem:

- 1. Seek voluntary compliance;
- 2. Issue a traffic "offence notice" for various offences seeking voluntary payment of a prescribed fine; or
- 3. Initiate formal court proceedings by issuing a Municipal Ticket Information (MTI) or swearing an Information and issuing a Summons.

Over the past fifteen years, there have been calls for bylaw reform with respect to enforcement and prosecution from the Union of British Columbia Municipalities (UBCM), the Hughes Commission on Access to Justice and the Chief Judges' Task Group on Sitting Justices of the Peace. In response to these calls, the Province enacted the Local Government Bylaw Notice Enforcement Act.

Under the Act, local governments may establish a local government bylaw dispute adjudication system, more simply known as an adjudication system, which replaces the Provincial Court as the venue for resolving disputes of minor municipal bylaw breaches.

An initiative, led by the City of Kelowna and involving eight other local Okanagan governments, resulted in the Southern Interior Bylaw Notice Dispute Registry being established in January 2011.

SOUTHERN INTERIOR BYLAW NOTICE ADJUDICATION

The Southern Interior Bylaw Notice Dispute Registry is authorized by the Province to operate as a dispute resolution forum to handle minor bylaw offence ticket disputes. While there is one combined system for all of the participating local governments, each maintains their own bylaws, penalties, and policies with respect to compliance with the bylaws. The Bylaw Notice Dispute Adjudication System allows municipalities to deal with bylaw ticket disputes for minor infractions at the local level more effectively than through the Provincial Court system and offers a more streamlined process for paying and collecting fines.

In British Columbia, anyone wishing to dispute a minor bylaw violation (i.e., parking ticket) prior to 2003 was required to appear in BC Provincial Court; an expensive and time-consuming process for the disputant, the Provincial Court System, and the local municipality. In 2003, the Province enacted the Local Government Bylaw Notice Enforcement Act which enables local governments to establish a local bylaw dispute adjudication system.

In 2011, the City of Kelowna initiated the Southern Interior Bylaw Notice Dispute Registry with eight other local Okanagan governments. Membership in this partnership has grown over the years and, with the addition of the Town of Osoyoos, will bring the total to thirteen:

Central Okanagan Regional District	District of Peachland
City of Penticton	District of Summerland
City of Vernon	Town of Oliver
City of West Kelowna	Town of Enderby
District of Coldstream	Reg. District of Okanagan Similkameen
District of Lake Country	Reg. District of North Okanagan
Town of Osoyoos (PENDING)	

Recently, the Town of Osoyoos applied to the province, received approval, and is seeking to be added to this Registry.

The budget for the Southern Interior Bylaw Notice Dispute Registry is cost-recovered from all participating agencies, based on population numbers collected from BC Statistics. Costs include twelve (12) half-day hearings, the salary of the Adjudication Coordinator, phone/communications, postage, office supplies, and other contingencies.

The parties operate on a shared agreement that comes up for renewal once every five (5) years. The current agreement expired as of January 1, 2025, allowing both the Town of Osoyoos to be added and the contract to be extended simultaneously.

Conclusion:

Request for Council to approve the addition of the Town of Osoyoos to the Southern Interior Bylaw Notice Dispute Registry Agreement and, at the same time, renew the contract for an additional five (5) year term.

Internal Circulation:

General Manager, People & Protective Services General Manager, Corporate Services City Clerk Acting Community Safety Director

Considerations not applicable to this report:
Legal/Statutory Authority:
Legal/Statutory Procedural Requirements:
Existing Policy:
Financial/Budgetary Considerations:
External Agency/Public Comments:
Communications Comments:

Submitted by: N. Bonnett, Acting Bylaw Services Manager

Approved for inclusion: S. Leatherdale, General Manager – People & Protective Services

cc: Kevin Mead, Acting Community Safety Director

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 331

, Approved and Ordered June 17, 2024

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective June 19, 2024, the Bylaw Notice Enforcement Regulation, B.C. Reg. 175/2004, is amended by adding the following to Schedule 1 as indicated:

Column 1 Date Act Applies	Column 2 Local Government	
June 19, 2024	City of Salmon Arm	
June 19, 2024	Town of Osoyoos	

Attorney Gerleral

Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Local Government Bylaw Notice Enforcement Act, S.B.C. 2003, c. 60, s. 29

Other: OIC 392/2004

R20790743

page 1 of 1 163

SOUTHERN INTERIOR BYLAW NOTICE DISPUTE ADJUDICATION REGISTRY AGREEMENT BYLAW

This Agreement, dated day of, 2025
BETWEEN:
CITY OF KELOWNA, 1435 Water Street, Kelowna, British Columbia V1Y 1J4 ("Kelowna")
AND:
CITY OF PENTICTON, 171 Main Street, Penticton, British Columbia V2A 5A9 ("Penticton")
AND:
CITY OF VERNON, 3400 30th Street, Vernon, British Columbia V1T 5E6 ("Vernon")
AND:
CITY OF WEST KELOWNA, 3731 Old Okanagan Highway, West Kelowna, British Columbia, V4T 0G7 ("West Kelowna")
AND:
DISTRICT OF LAKE COUNTRY, 10150 Bottom Wood Lake Road, Lake Country, British Columbia V4V 2M1 ("Lake Country")
AND:
DISTRICT OF SUMMERLAND, 13211 Henry Avenue, Summerland, British Columbia V0H 1Z0 ("Summerland")
AND:
DISTRICT OF PEACHLAND, 5806 Beach Avenue, Peachland, British Columbia V0H 1X7 ("Peachland")
AND:
REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN, 101 Martin Street, Penticton, British Columbia V2A 5J9 ("RDOS")
AND:
TOWN OF OLIVER, 6150 Main Street, Oliver, British Columbia V0H 1T0 ("Oliver")

AND:

REGIONAL DISTRICT OF CENTRAL OKANAGAN, 1450 KLO Road, Kelowna, British Columbia V1W 3Z4 ("RDCO")

AND:

DISTRICT OF COLDSTREAM, 9901 Kalamalka Road, Coldstream, British Columbia V1B 1L6 ("Coldstream")

AND:

CITY OF ENDERBY, 619 Cliff Avenue, Enderby, British Columbia V0E 1V0 ("Enderby")

AND:

REGIONAL DISTRICT OF NORTH OKANAGAN, 9848 Aberdeen Rd, Coldstream, British Columbia V1B 2K9 ("RDNO")

AND:

TOWN OF OSOYOOS, 8707 Main Street, Box 3010, Osoyoos BC, V0H 1V0 ("OSOYOOS")

WHEREAS:

- A. The Local Government Bylaw Enforcement Act permits local governments to create a bylaw designating certain bylaw contraventions that can be enforced by way of bylaw notice as an alternative to traditional bylaw enforcement mechanisms;
- B. The Act also permits two or more local governments to enter into an agreement, adopted by a bylaw of each local government that is party to it, to provide for the joint administration of a local government bylaw notice dispute adjudication system:
- C. Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream, Enderby, RDNO, and Osoyoos wish to:
 - a. share the costs and administration of such a system; and
 - enter such an agreement to establish such a system, to be called the Southern Interior Bylaw Notice Dispute Adjudication Registry, and to provide for the joint administration of the Registry.

NOW THEREFORE in consideration of the mutual promises contained herein, the Parties agree as follows:

PART I - INTRODUCTORY PROVISIONS

Definitions

1. In this Agreement, the following definitions apply:

- a. "Act" means the Local Government Bylaw Notice Enforcement Act;
- "Adjudication" the process where the disputant and the local government are provided opportunity to present evidence to the adjudicator who will decide whether he or she is satisfied that the contravention occurred as alleged;
- c. "Adjudication Fee" means the sum of \$25.00 payable to each Party for each adjudication scheduled to be conducted by the Registry;
- c. "Agreement" means this Agreement;
- d. "Authorizing Bylaws" means the bylaws adopted by the Councils/Boards of each the parties authorizing this Agreement;
- f. "Bylaw Enforcement Officer" means a person in a class prescribed under section 273 (c)
 of the Community Charter who is designated by a local government as a bylaw
 enforcement officer;
- g. "Committee" means the Southern Interior Bylaw Notice Dispute Adjudication Registry's Administrative Committee;
- h. "Contribution Adjustment Amount" means, for each Party, the amount calculated in accordance with Section 22 herein in any year of the Term;
- i. "Contributing Parties" means all of Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream, Enderby, RDNO and Osoyoos, except Kelowna;
- j. "Parties" means all of Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream, Enderby, RDNO, and Osoyoos;
- k. "Party" means any one of Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream, Enderby, RDNO, and Osoyoos;
- "Registry" means the Southern Interior Bylaw Notice Dispute Adjudication Registry established by this Agreement;
- m. "Revenues" means any revenue actually received or estimated to be received, as the case may be, by the Registry, excluding Initial Contributions, Contribution Amounts, or Contribution Adjustment Amounts;
- n. "Terms" means the term of this Agreement as set out herein;

Establishment of the Registry

2. Subject to the Act and to the adoption of the Authorizing Bylaws, the Parties agree that the Registry is hereby established.

PART II - ADMINISTRATION

3. The Parties agree to establish the Committee to implement and administer the Registry.

- 4. The Parties agree that authority of the Committee will include but not be limited to:
 - a. preparing operational budgets; and
 - b. setting policy as authorized under this Agreement and the Act.

Representation

5. Each of the Parties will appoint one representative to serve on the Committee. The Parties agree that representatives will be paid employees of their respective local governments and will not be remunerated by the Registry.

PART III - ADJUDICATION

Screening Officers

 The Parties agree that screening of notices prior to proceeding to adjudication will be established as a function of each Party. Screening officers will be appointed by the individual Party administrative committee.

Bylaw Notice Dispute Adjudication Registry

- 7. The Parties agree that a dispute adjudication system will be established as a function of the Registry, and that disputes will be heard by a bylaw notice dispute adjudicator in the circumstances prescribed in the Act and Authorizing Bylaws.
- 8. The Parties agree that the Committee will select a roster of adjudicators who may hear and determine disputes from the provincial roster of adjudicators to be established by the Attorney General of the Province of British Columbia.
- Adjudicators will be assigned to individual disputes in the manner prescribed by any applicable regulation and policy established by the Committee.

PART IV - OPERATIONS

Location

10. The location of the Registry will be the municipal offices of the City of Kelowna, 1435 Water Street, Kelowna, British Columbia, V1Y 1J4.

Administrative Services

- 11. Kelowna will provide and supervise all administrative services required by the Registry, subject to the following:
 - the collection of any fees, fines or penalties levied against an unsuccessful party in the dispute adjudication process will be the responsibility of the relevant municipality if not collected by the Registry immediately following the adjudication; and
 - ii. any penalty arising directly out of the bylaw notice itself may be paid to the relevant Party or to the Registry,

and any amounts collected by or paid to the Registry pursuant to 11.i and 11.ii will be credited to the relevant Party's Contribution Adjustment Amount.

Financial Reporting

12. Kelowna will ensure that its Director of Financial Services or the designate will conduct and oversee the financial reporting and record keeping of the Registry based on normal procedure, subject to the requirements outlined herein.

PART V - FINANCIAL PLANNING

Start-up Costs

13. Each Party will be responsible for its own start-up costs.

Budget Year

14. The budget year of the Registry is December 1st to November 30th of each year.

Operating Budget

- 15. The Parties agree that, no later than October 31st of each year, the Committee will prepare a draft operating budget for the following budget year, setting out in detail the operational funds required by the Registry for the carrying out of its mandate and responsibilities, including
 - a. the estimated operational expenditures for
 - i. office and administration including financial reporting and administrative services;
 - Registry administration travel costs;
 - iii. bylaw dispute adjudicators; and
 - iv. other functions of the Registry;
 - b. the anticipated revenues (if any) of the Registry;
 - e. the difference between estimated revenues and operational expenditures for the Registry;
 and
 - f. the Contribution Amount required from each of the Parties.

Budget Submissions

16. The Committee will prepare the operating budget in a manner satisfactory to, and in such detail as requested by, the Directors of Finance of each of the Parties, and submit the draft operating budget to the Directors of Finance of each of the Parties each year where required.

Budget Approval and Adjustments

- 17. The Parties will consider and approve, or recommend amendments to, the Registry's operating budget.
- 18. The Parties agree that all recommendations by them for adjustments to the Registry's draft operating budget will
 - a. be reasonable and made in good faith; and
 - b. ensure that a reasonable level of service quality can be maintained by the Registry.

Use of Funds

- 19. The Committee and Kelowna may make only those expenditures during the budget year for the purposes and up to the amounts authorized in the approved operating budget. The Registry (or the Committee or Kelowna on behalf of the Registry) will not incur any other indebtedness or liability, or make any further expenditure, except that:
 - a. Kelowna may make a further reasonable expenditure or contract a further indebtedness of liability that it deems necessary or prudent, subject to a \$1,000 limit; and
 - b. the Committee may
 - make a further reasonable expenditure or contract a further indebtedness or liability that it deems necessary or prudent, subject to a \$5,000 limit.
 - ii. re-allocate funds within categories of the operating budget as reasonably required;
 and
 - iii. make a further expenditure or contract a further indebtedness or liability without limitation if approved in advance by all Parties.

PART VI - COST ALLOCATION

Funding Contributions and Adjustments

- 20. The Parties agree that costs relating to legal counsel, witnesses, screening officers and bylaw enforcement officers as they pertain to the dispute adjudication process, and to the activities of the Registry more generally, will be borne by the relevant Party which issued the bylaw notice in question and will not be borne by the Registry or by Kelowna on behalf of the Registry.
- 21. Kelowna will, as soon following the end of a budget year as practical, invoice the parties for their respective Actual Expenditures Contribution where the proportion is calculated on the basis of each Party's population for the budget year in relation to the population of each of the other Parties except the calculation for RDOS, RDCO and RDNO will exclude incorporated areas.
- 22. Each of the Contributing Parties will, within 30 days of receipt of its respective Contribution invoice, pay to Kelowna its respective Contribution Amount.

Maintenance of Records

- 23. The Director of Financial Services of Kelowna will
 - exercise the duties and powers of the officer responsible for financial administration as provided in the Community Charter, in maintaining the financial records for the Registry on behalf of the Parties;
 - ensure that accounting and payroll records of the Registry are properly prepared and maintained, such records to include payroll, accounts payable, cash receipts and disbursements, accounts receivable, general ledger, subsidiary cost ledger, financial statements and reports and supporting documents to the foregoing;
 - c. provide, when possible, any additional financial systems that have been requested by the Committee:
 - d. direct employees and officers of the Registry to the extent necessary to ensure that the systems and procedures established for financial controls are in effect and are in accordance with the Community Charter.

Examination of Records

24. The Director of Finance of any of the Contributing Parties may, acting reasonably with regard to minimizing the administrative burden on the Kelowna, and no more frequently than once in each year of the Term, conduct audits or examinations to obtain information or determine that adequate financial controls are being maintained for the Registry. Kelowna will cooperate with any reasonable request by any of the Contributing Parties or the Contributing Parties' Director of Finance for access to financial records, user statistics and other information of the Registry.

Access Records

25. Subject to records identified in clause 23 of this agreement, control and disclosure of records pertaining to their own adjudication hearings will be managed by each Party. Any access to information requests received by Kelowna pertaining to another Party shall be transferred to that Party as per Section 11 of the *Freedom of Information and Protection of Privacy Act*.

PART VII - GENERAL PROVISIONS

Insurance

26. Kelowna will ensure that the Registry and its activities are covered under Kelowna's general liability policy and will provide copies of all relevant insurance policies and changes thereto to the Directors of Finance of the Contributing Parties upon request.

Amendments

27. The Parties will, in good faith, negotiate any proposed amendment to this Agreement upon request of any Party, all amendments to be in writing and executed by the Parties.

Dispute Resolution

28. The Parties will submit any dispute arising out of the interpretation or application of this Agreement:

- a. first, to the Committee to resolve the dispute;
- second, if the Committee is unable to resolve the dispute within 60 days, to the Chief Administrative Officers of the Parties; and
- c. third, if the Chief Administrative Officers are unable to resolve the dispute within 60 days, to the Inspector of Municipalities, or at the election of the Parties, to a commercial arbitrator appointed by agreement or, failing agreement, appointed pursuant to the Commercial Arbitration Act, for final determination, and the determination of the Inspector or arbitrator as applicable will be final and binding upon the Parties.

29. This Agreement comes into effect on January 1, 2025, and continues in effect until December 31, 2029. Any Party may withdraw from this Agreement upon six months' written notice to the other Parties.

THE CITY OF KELOWNA	THE CITY OF VERNON
(Mayor)	(Mayor)
(City Clerk)	(City Clerk)
THE DISTRICT OF SUMMERLAND	THE CITY OF WEST KELOWNA
(Mayor)	(Mayor)
(City Clerk)	(City Clerk)
THE CITY OF PENTICTON	THE DISTRICT OF LAKE COUNTRY
(Mayor)	(Mayor)
(City Clerk)	(City Clerk)

- a. first, to the Committee to resolve the dispute;
- second, if the Committee is unable to resolve the dispute within 60 days, to the Chief Administrative Officers of the Parties; and
- c. third, if the Chief Administrative Officers are unable to resolve the dispute within 60 days, to the Inspector of Municipalities, or at the election of the Parties, to a commercial arbitrator appointed by agreement or, failing agreement, appointed pursuant to the Commercial Arbitration Act, for final determination, and the determination of the Inspector or arbitrator as applicable will be final and binding upon the Parties.

29. This Agreement comes into effect on January 1, 2025, and continues in effect until December 31, 2029. Any Party may withdraw from this Agreement upon six months' written notice to the other Parties.

THE CITY OF KELOWNA	THE CITY OF VERNON
	Niclas - Compain
(Mayor)	(Mayor) Victor I Cumming.
	//ool
(City Clerk)	(City Clerk) Sue Wood, Corporate Office
THE DISTRICT OF SUMMERLAND	THE CITY OF WEST KELOWNA
(Mayor)	(Mayor)
(City Clerk)	(City Clerk)
THE CITY OF PENTICTON	THE DISTRICT OF LAKE COUNTRY
(Mayor)	(Mayor)
(City Clerk)	(City Clerk)

- a. first, to the Committee to resolve the dispute;
- second, if the Committee is unable to resolve the dispute within 60 days, to the Chief Administrative Officers of the Parties; and
- c. third, if the Chief Administrative Officers are unable to resolve the dispute within 60 days, to the Inspector of Municipalities, or at the election of the Parties, to a commercial arbitrator appointed by agreement or, failing agreement, appointed pursuant to the Commercial Arbitration Act, for final determination, and the determination of the Inspector or arbitrator as applicable will be final and binding upon the Parties.

29. This Agreement comes into effect on January 1, 2025, and continues in effect until December 31, 2029. Any Party may withdraw from this Agreement upon six months' written notice to the other Parties.

THE CITY OF KELOWNA	THE CITY OF VERNON
(Mayor)	(Mayor)
(City Clerk)	(City Clerk)
THE DISTRICT OF SUMMERLAND	THE CITY OF WEST KELOWNA
(Mayor)	(Mayor) Gord Milson
(City Clerk)	(City Clerk) Trevor Seisel
THE CITY OF PENTICTON	THE DISTRICT OF LAKE COUNTRY
(Mayor)	(Mayor)
(City Clerk)	/City Clark)

- a. first, to the Committee to resolve the dispute;
- b. second, if the Committee is unable to resolve the dispute within 60 days, to the Chief Administrative Officers of the Parties; and
- c. third, if the Chief Administrative Officers are unable to resolve the dispute within 60 days, to the Inspector of Municipalities, or at the election of the Parties, to a commercial arbitrator appointed by agreement or, failing agreement, appointed pursuant to the Commercial Arbitration Act, for final determination, and the determination of the Inspector or arbitrator as applicable will be final and binding upon the Parties.

29. This Agreement comes into effect on January 1, 2025, and continues in effect until December 31, 2029. Any Party may withdraw from this Agreement upon six months' written notice to the other Parties.

THE CITY OF KELOWNA		THE CITY OF VERNON
(Mayor)		(Mayor)
(City Clerk)		(City Clerk)
THE DISTRICT OF SUMMERLAND		THE CITY OF WEST KELOWNA
(Mayor)		(Mayor)
(City Clerk)		(City Clerk)
THE CITY OF PENTICTON	* .	THE DISTRICT OF LAKE COUNTRY
(Mayor)		(Mayor) Seabrook
(City Clerk)		(City Clerk)

THE DISTRICT OF PEACHLAND	THE DISTRICT OF COLDSTREAM
(Mayor)	(Mayor)
(City Clerk)	(City Clerk)
THE REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEEN	THE CITY OF ENDERBY
(Chair)	(Mayor)
(CAO)	(City Clerk)
THE TOWN OF OLIVER	THE REGIONAL DISTRICT OF NORTH OKANAGAN
	(Chair)
(Mayor)	
(City Clerk)	(CAO)
(City Clerk)	THE TOWN OF OSOYOOS
THE REGIONAL DISTRICT OF CENTRAL OKANAGAN	
	(Mayor)
(Chair)	
	(Corporate Officer)
(CAO)	

THE DISTRICT OF PEACHLAND	THE DISTRICT OF COLDSTREAM
(Mayor)	(Mayor)
(City Clerk)	(City Clerk)
THE REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEEN —Docusigned by:	THE CITY OF ENDERBY
Mus Registres 148410 (Chair)	(Mayor)
Signed by: Jim Zaffino D185727A4F2A45A (CAO)	(City Clerk)
THE TOWN OF OLIVER	THE REGIONAL DISTRICT OF NORTH OKANAGAN
(10.000)	(Chair)
(Mayor)	(CAO)
(City Clerk)	THE TOWN OF OSOYOOS
THE REGIONAL DISTRICT OF CENTRAL OKANAGAN	
(Chair)	(Mayor)
	(Corporate Officer)
(CAO)	

THE DISTRICT OF COLDSTREAM THE DISTRICT OF PEACHLAND (Mayor) (Mayor) (City Clerk) (City Clerk) THE REGIONAL DISTRICT OF OKANAGAN THE CITY OF ENDERBY SIMILKAMEEEN (Mayor) (Chair) (City Clerk) (CAO) THE REGIONAL DISTRICT OF NORTH OKANAGAN THE TOWN OF OLIVER (Mayor) (City Clerk) THE TOWN OF OSOYOOS THE REGIONAL DISTRICT OF CENTRAL OKANAGAN (Mayor) (Chair) (Corporate Officer) (CAO)

THE DISTRICT OF PEACHLAND	THE DISTRICT OF COLDSTREAM
(Mayor)	(Mayor)
(City Clerk)	(City Clerk)
THE REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEEN	THE CITY OF ENDERBY
(Chair)	(Mayor)
(CAO)	(City Clerk) THE REGIONAL DISTRICT OF NORTH OKANAGAN
THE TOWN OF OLIVER	THE REGIONAL DISTRICT OF NORTH ORANAGAN
(Mayor)	(Chair)
(City Clerk)	(CAO)
THE REGIONAL DISTRICT OF CENTRAL OKANAGAN	THE TOWN OF OSOYOOS
(Chair)	(Mayor) (Corporate Office)
(CAO)	

DRAFT RESOLUTION

Re: Amendment to Purchasing Bylaw No. 11477

THAT Council directs staff to review Purchasing Bylaw No. 11477, based on the proposed policy direction outlined in the draft resolution from Councillor Cannan dated March 31, 2025, and report back to Council with options to enhance the Bylaw's effectiveness and compliance in alignment with prioritizing Canadian suppliers.

BACKGROUND:

On March 17, 2025, Councillor Cannan indicated their intent to bring forward a resolution regarding amendments to <u>Purchasing Bylaw No. 11477</u> to prioritize Canadian suppliers.

COUNCILLOR CANNAN COMMENTS:

Preamble

Kelowna City Council is entrusted with the responsibility of providing good governance through setting policies, bylaws, strategic planning, financial oversight, and supervising City Administration. Regular review of policies is a hallmark of responsible governance. It ensures that the City remains compliant, efficient, and responsive to changing legal, market, and operational conditions—thereby upholding public trust.

Background

Bylaw No. 11477, establishing the City's Purchasing Policy, was adopted on November 6th, 2017. Since its adoption, City staff have periodically reviewed the policy to ensure that it meets Kelowna's procurement needs, adheres to best practices, and complies with legal obligations. However, there is no record of a City Council reviewing this Purchasing Bylaw since being adopted in 2017. Although there is no one-size-fits-all answer, best practices suggest that a municipal procurement policy should be comprehensively reviewed every three years, with targeted reviews of specific elements on an annual basis when necessary.

In light of ongoing U.S. tariff discussions that could impact Canadian goods and services, our local government should amend its procurement policy to prioritize Canadian suppliers whenever possible. By doing so, we can:

- **Protect Local Economic Stability** Reducing reliance on U.S. suppliers helps shield our community from trade disruptions and price increases.
- **Ensure Supply Chain Security** Strengthening local and national sourcing ensures reliable access to essential goods and services.

- **Support Canadian Businesses and Jobs** Keeping taxpayer dollars within Canada stimulates economic growth and innovation.
- Reduce Costs and Environmental Impact Local procurement minimizes transportation expenses and aligns with sustainability goals.
- **Promote Fair Trade Practices** As U.S. states implement "Buy American" policies, it is in our best interest to support Canadian-made products and services.

Updating our city procurement policy is a proactive step to safeguard our economy, ensure responsible spending, and promote long-term resilience for our community.

Policy Purpose

The purpose of this policy update is to ensure that the City of Kelowna prioritizes the procurement of goods and services from Canadian businesses—including local and British Columbian manufacturers/suppliers—whenever feasible. This initiative is designed to support the local and national economy, maximize value for taxpayers, and promote consistency in procurement practices even with changes in leadership or staff.

Policy Statement

The City of Kelowna is committed to supporting both the local and national economy by giving preference to Canadian suppliers and manufacturers whenever all relevant factors (price, quality, availability, sustainability, and service) are equal. This policy will be implemented in full compliance with applicable provincial, federal, and international trade agreements.

I. Canadian-First Procurement Approach

The City of Kelowna shall:

- Prioritize Suppliers:
 - o Give preference to local, followed by British Columbian and then Canadian suppliers/manufacturers when factors are equal.
- Require Justification:
 - Mandate formal justification when selecting non-Canadian vendors if competitive Canadian alternatives exist.
- Encourage Local Sourcing:
 - Promote the use of locally sourced goods, services, and labor whenever practical and permissible.
- Incorporate Canadian Content:
 - o Embed Canadian content criteria into bid evaluations, ensuring no conflict with international trade obligations.

C

II. Compliance with Trade Agreements

The City shall ensure that its procurement practices comply with all applicable trade agreements, including:

- The Canada-European Union Comprehensive Economic and Trade Agreement (CETA)
- The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)
- The Canada-United States-Mexico Agreement (CUSMA/USMCA)
- Any relevant provincial or municipal trade policies

III. Supplier Development and Engagement

To further support Canadian businesses, the City shall:

- Engage with local suppliers to increase their awareness of procurement opportunities.
- Collaborate with economic development organizations to strengthen Canadian supply chains.
- Encourage capacity-building initiatives for vendors to meet municipal needs.

IV. Exceptions and Special Considerations

While prioritizing Canadian suppliers, the City recognizes that international sourcing may be necessary when:

- Specialized goods or services are not available from Canadian vendors.
- Significant cost savings can be achieved that positively impact budget constraints.
- Trade agreement obligations necessitate the fair treatment of international suppliers.

All exceptions must be documented with a formal justification process.

V. Monitoring and Reporting

To ensure accountability and continuous improvement, the City shall:

- Track procurement spending by country of origin.
- Conduct annual reviews to assess the effectiveness and impact of the Canadian-first approach.
- Adjust procurement strategies based on market conditions, supplier availability, and feedback from staff, vendors, and stakeholders.

VI. Implementation and Review

- Implementation: This policy shall take effect immediately upon Council approval.
- Review Cycle: The comprehensive policy shall be reviewed by City Council every three years.
 Additionally, specific elements may be reviewed on an annual basis to ensure ongoing alignment with legal requirements, market conditions, and the City's strategic objectives.

This revised document is intended to ensure that procurement decisions are made in a transparent, competitive, and efficient manner that provides the highest value for money while best serving the interests of Kelowna's taxpayers.

Date: March 31, 2025