



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, April 11, 2022
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Deputy Mayor Gail Given, Councillors Maxine DeHart, Ryan Donn, Brad Sieben, Luke Stack and Loyal Wooldridge
Members participating Remotely	Councillors Charlie Hodge and Mohini Singh
Members Absent	Mayor Colin Basran
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Acting Urban Planning Manager, Lydia Korolchuk*; Divisional Director, Corporate and Protective Services, Stu Leatherdale*; Divisional Director, Active Living & Culture, Jim Gabriel*; Community Safety Director, Darren Caul*; Crime Prevention Supervisor, Colleen Cornock*; Planner, Barbara Crawford*; Planner Specialist, Adam Cseke*; OCP Project Manager, Robert Miles*; Planner, Aaron Thibeault*; Budget Supervisor, Jennifer Grills*; Controller, Jackie Dueck*; Revenue Supervisor, Patrick Gramiak*
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Deputy Mayor Given called the meeting to order at 1:38 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0242/22/04/11 THAT the Minutes of the Regular Meetings of April 4, 2022 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Reid Rd 3223-3257 - FH21-0004 - Partap Singh Shergill and Satvinder Kaur Shergill

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor DeHart

R0243/22/04/11 THAT Agricultural Land Reserve Application No. A21-0011 for Lot B Section 15 Township 26 ODYD Plan KAP76792 located at 3223-3257 Reid Rd, Kelowna, BC for a Non-Adhering Residential Use Permit pursuant to Section 25 of the Agricultural Land Commission Act, be supported by Council;

AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration;

AND THAT Council authorizes the issuance of Temporary Farm Working Housing Permit No. FH21-0004 for Lot B Section 15 Township 26 ODYD Plan KAP76792 located at 3223-3257 Reid Rd, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A21-0011;
2. The dimensions and siting of the building to be constructed on the land in accordance with Schedule A;
3. Registration of a Section 219 Restrictive Covenant on the Title that states:
 - a. The dwellings will be used for temporary farm workers only;
 - b. The owner will remove the dwellings if the farm operation changes such that if they are no longer required;
 - c. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;
 - d. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers: and,
 - e. The temporary farm worker housing building footprint is a maximum of 0.3ha.

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

Carried

3.2 Bertram St 1319, 1325, 1329 - Z21-0022 (BL12348) - Bertram - Mission Group Rentals Ltd., Inc No BC1268483

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Singh

R0244/22/04/11 THAT Rezoning Application No. Z21-0022 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

- LOT 15 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 2085, located at 1329 Bertram Street, Kelowna, BC;
- LOT 16 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 2085, located at 1325 Bertram Street, Kelowna, BC; and
- LOT 17 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN 2085, located at 1319 Bertram Street, Kelowna, BC

from the RM5 – Medium Density Multiple Housing zone to the C7r - Central Business Commercial (Residential Rental Tenure 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 Schedule "A" attached to the Report from the Development Planning Department dated April 11, 2022;

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

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

Carried

3.3 Clement Ave 1089-1095 - Z20-0070 (BL12140) - Rescindment of Bylaw Readings

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R0245/22/04/11 THAT Council receives, for information, the Report from the Development Planning Department dated April 11, 2022 with respect to Rezoning Application No. Z20-0070 for the property located at 1089-1095 Clement Ave.

AND THAT Bylaw No. 12140 be forwarded for rescindment consideration and the file be closed.

Carried

3.4 Clement Ave 1089 1095 - BL12140 (Z20-0070) - Karambir Singh Kler and Amarjit Kaur Kler

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0246/22/04/11 THAT first, second and third reading of Bylaw No. 12140 be rescinded and the file closed.

Carried

3.5 Richter St 1875 - BL12289 (Z21-0055) - 1243978 BC Ltd., Inc. No. BC1243978

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0247/22/04/11 THAT Bylaw No. 12289 be amended at third reading by deleting from the legal description that read:

"Lot B, District Lot 138, ODYD, Plan 4495"

And replacing it with:

"Lot1, District Lot 138, ODYD, Plan EPP117925"

Carried

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0248/22/04/11 THAT Bylaw No. 12289, as amended, be adopted.

Carried

3.6 Richter St 1875 - DP21-0119 - 1243978 BC LTD., Inc. No. BC1243978

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0249/22/04/11 THAT Council hear from the Applicant regarding DP21-0119, 1875 Richter Street.

Carried

Paul Schuster, Innovation Architecture, Byrns Road

- Responded to questions from Council.
- Spoke to the building accessibility and the bylaw requirement to have a van accessible parking stall to be designated to the accessible ground floor unit if utilized by someone that had accessible needs.
- Made comment on retaining a large mature tree that straddles the property lines; cannot remove without authorization of the neighbouring property. The parking garage was set back beyond the side yard setbacks to accommodate tree roots.
- The only public feedback through social media was regarding the lack of parking, however, all parking bylaws are being met.
- Confirmed garbage disposal containers are stepped back from the laneway with privacy screening.

Moved By Councillor Stack/Seconded By Councillor Sieben

R0250/22/04/11 THAT Rezoning Bylaw No. 12289 be amended at third reading to revise the legal description of the subject property from Lot B District Lot 138 ODYD Plan 4495 to Lot 1 District Lot 138 ODYD Plan EPP117925;

AND THAT final adoption of Rezoning Bylaw No. 12289 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0119 for Lot 1 District Lot 138 ODYD Plan EPP117925, located at 1875 Richter Street, Kelowna, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

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

Carried

4. **Bylaws for Adoption (Development Related)**

- 4.1 **Barnaby Rd 664 - BL12302 (Z21-0065) - Leith Campbell Pedersen and Theresa Pedersen**

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0251/22/04/11 THAT Bylaw No. 12302 be adopted.

Carried**4.2 Knowles Rd 549 - BL12324 (Z21-0104) - Neil J. Roe & Lyndsay C. Roe**Moved By Councillor Stack/Seconded By Councillor DeHartR0252/22/04/11 THAT Bylaw No. 12324 be adopted.Carried**5. Non-Development Reports & Related Bylaws****5.1 Community Safety Plan**

Staff:

- Introduced and thanked the Steering Committee members who collaborated on this initiative and commented on the Plan's development.
- Displayed a PowerPoint Presentation summarizing the Community Safety Plan.
- Spoke to the Plan's background, context and development process.
- Presented the key themes, priorities, recommendations and actions.
- Spoke to the implementation governance model, monitoring, evaluating and reporting.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor DeHartR0253/22/04/11 THAT Council receives, for information, the report from the Community Safety Department dated April 11, 2022, with respect to the Community Safety Plan;

AND THAT Council endorse the Community Safety Plan as attached to the report of the Community Safety Department dated April 11, 2022;

AND THAT Council direct staff to begin implementation of the recommendations and actions.

Carried**5.2 2022 Strengthening Communities Services' Program Grant Application**

Staff:

- Provided an overview of the grant application for the second phase of the Kelowna Outdoor Sheltering Strategy.

Moved By Councillor Stack/Seconded By Councillor SiebenR0254/22/04/11 THAT Council receives, for information, the report from the Community Safety Department dated April 11th with respect to the UBCM Local Government Program Services for the 2022 Strengthening Communities' Services Program funding opportunity;

AND THAT Council directs staff to apply for grant funding for the evolution of the Kelowna Outdoor Sheltering Strategy through the UBCM Local Government Program Services for the Strengthening Communities' Services Program;

AND THAT Council support the current proposed activities and endorse staff to provide overall grant management;

AND THAT, if the grant application is successful, the 2022 Financial Plan be amended to include the receipt of funds.

Carried

The meeting recessed at 2:50 p.m.

The meeting reconvened at 2:57 p.m.

5.3 City of Kelowna New Zoning Bylaw - Consultation Results

Staff:

- Displayed a PowerPoint Presentation summarizing the results of the public and stakeholder consultation efforts and next steps.
- Outlined the consultation process, strategy and key themes.
- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Donn

R0255/22/04/11 THAT Council receives, for information, the report from the Development Planning Department, dated April 11, 2022, that outlines the public and stakeholder consultation efforts for the new Zoning Bylaw.

Carried

5.4 North End Plan - Phase 2 Update

Staff:

- Displayed a PowerPoint Presentation providing an update on the North End Plan process and summary of public engagement.
- Spoke to vision and objectives.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

R0256/22/04/11 THAT Council receives, for information, the report from the Policy & Planning Department, dated April 11, 2022, regarding the North End Plan;

AND THAT Council endorses in principle the draft Vision & Objectives for the North End Plan included as Attachment A in the report from the Policy & Planning Department, dated April 11, 2022.

Carried

5.5 Amendment No. 1 to the Five Year Financial Plan 2021-2025

Staff:

- Displayed a PowerPoint Presentation summarizing the 2021 Financial Plan amendments.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0257/22/04/11 THAT Council receives, for information, the Report from Financial Services dated April 11, 2022 with respect to amendments to the Five Year Financial Plan 2021-2025 Bylaw;

AND THAT Bylaw No. 12335 being Amendment No. 1 to the Five Year Financial Plan 2021-2025 Bylaw No. 12198 be advanced for reading consideration.

Carried

5.6 BL12335 - Amendment No. 1 to the Five Year Financial Plan 2021-2025

Moved By Councillor DeHart/Seconded By Councillor Stack

R0258/22/04/11 THAT Bylaw No. 12335 receive first, second and third reading.

Carried

5.7 2022 Tax Distribution

Staff:

- Displayed a PowerPoint Presentation outlining distribution of taxation demand among property classes that will result in the 2022 tax rate.

Moved By Councillor Stack/Seconded By Councillor Donn

R0259/22/04/11 THAT Council approve a Municipal Tax Distribution Policy as outlined in the Report dated April 11, 2022, for the year 2022 that will result in a modification of the 2021 Tax Class Ratios to reflect the uneven market value changes which have been experienced between property classes, as follows:

Property Class	2021 Tax Class Ratios	2022 Tax Class Ratios
Residential/Rec/NP/SH	1.0000:1	1.0000:1
Utilities	4.9179:1	6.0783:1
Major Industrial	5.8504:1	7.5328:1
Light Industrial/Business/Other	2.2556:1	2.5451:1
Farmland	0.1639:1	0.2052:1
Farm Improvements	0.5081:1	0.4905:1

AND THAT Council approve development of 2022 tax rates to reflect the 2022 assessment changes in property market values

Carried

5.8 BIA-DKA Council Report Bylaw 11645

Staff:

- Displayed a PowerPoint Presentation outlining the 2022 budget and levy for the Downtown Kelowna Association Business Improvement Area.

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

R0260/22/04/11 THAT Council approves the Downtown Kelowna Association 2022 Budget as attached to the report of the Revenue Supervisor dated April 11, 2022.

AND THAT Council approves the 2022 levy of \$1,137,572 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.

Carried

5.9 BIA-URBA Council Report Bylaw 11504

Staff:

- Displayed a PowerPoint Presentation outlining the 2022 budget and levy for the Uptown Rutland Business Improvement Area.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0261/22/04/11 THAT Council approve the Uptown Rutland Business Association 2022 Budget as attached to the report of the Revenue Supervisor dated April 11, 2022;

AND THAT Council approve the 2022 levy of \$204,172 on the Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.

Carried

5.10 Amendment to Council Remuneration and Expense Bylaw

Moved By Councillor Sieben/Seconded By Councillor Donn

R0262/22/04/11 THAT Council receives, for information, the report from the Office of the City Clerk dated April 11, 2022 with respect to a bylaw amendment for Council benefits;

AND THAT Bylaw No. 12352, being Amendment No. 11 to Council Remuneration and Expense Bylaw No. 7547 be forwarded for reading consideration.

Carried

Moved By Councillor Sieben/Seconded By Councillor Donn

R0263/22/04/11 THAT Council direct staff to bring forward information regarding remuneration packages of comparable municipalities for the position of Mayor.

Carried

5.11 BL12352 - Amendment No. 11 to Council Remuneration Bylaw No. 7547

Moved By Councillor Stack/Seconded By Councillor DeHart

R0264/22/04/11 THAT Bylaw No. 12352 receive first, second and third reading.

Carried

6. Mayor and Councillor Items

Councillor Hodge:

- Spoke to their attendance at the Downtown Kelowna Association meeting last week.

Councillor Stack:

- Wished all citizens a Happy Easter.

7. Termination

This meeting was declared terminated at 4:32 p.m.

Deputy Mayor Given

/acm

Deputy City Clerk