



City of Kelowna Regular Council Meeting Minutes

Date: Monday, May 9, 2022
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn*, Gail Given, Charlie Hodge, Luke Stack, Brad Sieben*, Mohini Singh and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Planner, Kimberly Brunet*; Planner, Mark Tanner*; Planner, Trisa Atwood*; Planner, Tyler Caswell*; Planner Specialist, Wesley Miles*; Divisional Director, Financial Services, Genelle Davidson*; Corporate Finance Manager, Shelly Little*; Controller, Jackie Dueck*; Revenue Supervisor, Patrick Gramiak*; Water Operations Manager, Andy Weremy*; Social Development Manager, Sue Wheeler*

Staff participating Remotely Legislative Coordinator (Confidential), Arlene McClelland

Guests Journey Home Society Executive Director, Stephanie Gauthier*
 Journey Home Society Data Specialist, Mitch DeCock*

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:33 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.

Mayor Basran made comments on the efforts and accomplishments of City Council and the BC Urban Mayors caucus with regards to engaging the Province with public safety concerns and the implementation of changes that have been made by the Province.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0329/22/05/09 THAT the Minutes of the Regular Meeting of May 2, 2022 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Hwy 33 W 590 - TA22-0001 Z22-0011 - 0838239 BC Ltd Inc No BCo838239

Councillor Sieben declared a conflict of interest as his employer provides insurance services to the applicant and departed the meeting at 1:36 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application and rationale for non-support and responded to questions from Council.

Mathew Dober, Applicant

- Displayed a PowerPoint Presentation.
- Spoke to Argent Diversified and the investments in more than 15 local businesses which employs more than 200 local residents.
- Made comment that FLORA currently operates three retail cannabis stores in Kelowna which employ 50 people.
- Spoke to Cannabis Public Policy and rationale for advancing the application.
- Believes this application does not create a cluster of stores as it is located in one of the most densely populated urban centres in Kelowna.
- Displayed a chart that offered a comparative analysis of the Rutland Urban Centre, the Downtown Urban Centre and the greater Kelowna area; the Rutland Urban centre has the highest density of residential households on a per store basis.
- Made comment on the 2040 Official Community Plan (OCP) and noted that the proposed store location is consistent with the OCP intention.
- Spoke to the application history of the proposed location and the changes that have occurred in the past few years with the successful rollout of retail cannabis in Kelowna.
- Believes that this application is consistent with the public policy of this local government.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro330/22/05/09 THAT Zoning Bylaw Text Amendment Application No. TA21-0001 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Development Planning Department dated May 9, 2022 for Lot B Sections 26 and 27 Township 26 Osoyoos Division Yale District Plan 30302 located at 590 Hwy 33 W, NOT be considered by Council.

AND FURTHER THAT Rezoning Application No. Z22-0011 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B Sections 26 and 27 Township 26 Osoyoos Division Yale District Plan 30302, located at 590 Hwy 33 W, Kelowna, BC from the C4rls – Urban Centre Commercial (Retail Liquor Sales) zone to the C4rls/rcs – Urban Centre Commercial (Retail Liquor Sales/Retail Cannabis Sales) zone NOT be considered by Council.

Carried

Mayor Basran and Councillor Hodge - Opposed

Councillor Sieben returned to the meeting at 2:10 p.m.

3.2 Steele Rd 1450 - OCP22-0004 (BL12376) Z21-0094 (BL12377) - Mair Developments Ltd., Inc. No. BCo753083

Staff:

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

Moved By Councillor Given/Seconded By Councillor Singh

R0331/22/05/09 THAT Official Community Plan Map Amendment Application No. OCP22-0004 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot A, Sections 20 and 29, Township 29, SDYD, Plan KAP44335 Except Plans KAP92565, EPP23066, EPP31364, EPP51781, EPP72348, EPP82001, and EPP100536, located at 1450 Steele Road, Kelowna, BC from the NAT – Natural Areas and S-RES – Suburban Residential designations to the NAT – Natural Areas and S-RES – Suburban Residential designations, as shown on Map “A” attached to the Report from the Development Planning Department dated May 9, 2022, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Consultation process to be appropriate consultation for the Purpose of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated May 9, 2022;

AND THAT Rezoning Application No. Z21-0094 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot A, Sections 20 and 29, SDYD, Plan KAP44335 Except Plans KAP92565, EPP23066, EPP31364, EPP51781, EPP72348, EPP82001, and EPP100536, located at 1450 Steele Road, Kelowna, BC, from the A1 – Agriculture 1 zone to the RU2h – Medium Lot Housing (Hillside Area) zone and the P3 – Parks and Open Space zone as shown on Map “B” attached to the Report from the Development Planning Department dated May 9, 2022, be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.3 Steele Rd 1450 - BL12376 (OCP22-0004) - Mair Developments Ltd., Inc. No. BC0753083

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0332/22/05/09 THAT Bylaw No. 12376 be read a first time;

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

3.4 Steele Rd 1450 - BL12377 (Z21-0094) - Mair Developments Ltd., Inc. No. BC0753083

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0333/22/05/09 THAT Bylaw No. 12377 be read a first time.

Carried

3.5 St Paul St 1405 - Z21-0011 (BL12371) - Abacio Properties Ltd

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Given

R0334/22/05/09 THAT Rezoning Application No. Z21-0011 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 139 ODYD Plan 25942, located at 1405 St Paul St, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C7 – Central Business Commercial 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 May 9, 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

3.6 Guy St 945 - TA22-0010 (BL12372) - Tolko Industries Ltd. Inc. No, A0066883

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Sieben

R0335/22/05/09 THAT Zoning Bylaw Text Amendment Application No. TA22-0010 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Schedule "A" attached to the report from the Development Planning Department dated May 9, 2022, for Lot A District Lot 9 ODYD Plan 39328, located at 945 Guy Street be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration.

Carried

3.7 Guy St 945 - BL12372 (TA22-0010) - Tolko Industries Ltd. Inc. No, A0066883

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0336/22/05/09 THAT Bylaw No. 12372 be read a first time.

Carried

3.8 Pasadena Rd 1290 - Z22-0015 (BL12373) - Laul Real Estate Group Inc., Inc. No. BC1259351

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R0337/22/05/09 THAT Rezoning Application No. Z22-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 14 Township 26 ODYD Plan 19639, located at 1290 Pasadena Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing 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 May 9th, 2022.

Carried

3.9 Supplemental Report - Ellis St 1070-1130 - Z21-0108 (BL12362) - Waterscapes Homes Ltd., Inc. No. BCo767408

Moved By Councillor Donn/Seconded By Councillor Given

R0338/22/05/09 THAT Council receives, for information, the report from the Office of the City Clerk dated May 9, 2022 with respect to Zoning Bylaw No. 12362;

AND THAT Rezoning Bylaw No.12362 be forwarded for further reading consideration.

Carried

3.10 Ellis St 1070-1130 - BL12362 (Z21-0108) - Waterscapes Homes Ltd., Inc. No. BCo767408

Moved By Councillor Sieben/Seconded By Councillor Stack

R0339/22/05/09 THAT Bylaw No. 12362 be read a first, second and third time.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Proposed Amendments to Second Residences in the ALR

Staff:

- Displayed a PowerPoint Presentation identifying recent amendments to the ALC Act and Regulations regarding second residences in the ALR, provided regulatory options, and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0340/22/05/09 THAT Council receives, for information, the report from the Development Planning Department dated May 9, 2022, with respect to amending the Official Community Plan and Zoning Bylaw to allow for second residences on properties in the Agricultural Land Reserve;

AND FURTHER THAT Council direct staff to bring forth changes to the 2040 Official Community Plan Bylaw No. 12300 and Zoning Bylaw No. 8000, for Option 2, as outlined in the report from the Development Planning Department dated May 9, 2022.

Carried

4.2 Audit Committee Meeting Review for 2021

Staff:

- Displayed a PowerPoint Presentation providing a high level review of information provided to the Audit Committee.

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

R0341/22/05/09 THAT Council receives, for information, the report of the Audit Committee dated May 9, 2022, with respect to the 2022 Audit Committee Meeting Review.

Carried**4.3 2021 Consolidated Financial Statements**

Staff:

- Displayed a PowerPoint Presentation recommending the allocation of surplus funds and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0342/22/05/09 THAT Council receives, for information, the Report from the Audit Committee dated May 10, 2021 with respect to the Consolidated Financial Statements and Auditor's Report for the City of Kelowna for the year ending December 31, 2020;

AND THAT Council approves the appropriation of \$8,955,028 of surplus generated from all general fund operations in 2020 to reserves and accumulated surplus as detailed in the Report from the Audit Committee dated May 10, 2021;

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

Carried**4.4 Downtown Kelowna Association 2022 Tax Rate Amendment**

Staff:

- Displayed a PowerPoint Presentation providing reasons for the proposed Tax Rate amendment.

Moved By Councillor Given/Seconded By Councillor Hodge

R0343/22/05/09 THAT Council approves an amendment to the Annual Tax Rates Bylaw, 2022 Bylaw No. 12340 to change the 2022 tax rate for Class 5 light industry and Class 6 business/other for the Downtown Business Improvement Area from 1.2486 to 1.1604;

AND THAT Bylaw No. 12387, being Amendment No. 1 to 2022 Tax Rate Bylaw No. 12340 be forwarded for consideration.

Carried**4.5 BL12387 - Amendment No. 1 to 2022 Tax Rate Bylaw**Moved By Councillor Stack/Seconded By Councillor Sieben

R0344/22/05/09 THAT Bylaw No. 12387 be read a first, second and third time.

Carried**4.6 Southeast Kelowna Golf Course Irrigation Rates**

Staff:

- Displayed a PowerPoint Presentation recommending fee amendments for water consumption rates for three Southeast Kelowna golf courses and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R0345/22/05/09 THAT Council receives for information, the report from Utility Services dated May 09, 2022, with respect to the Water Regulation Bylaw update;

AND THAT Bylaw No. 12367 being amendment #16 to Water Regulation Bylaw No. 10480 be forwarded to Council for reading consideration.

Carried

Councillors DeHart, Hodge, Sieben and Singh - Opposed

4.7 BL12367 - Amendment No. 16 to the Water Regulation Bylaw No. 10480Moved By Councillor Singh/Seconded By Councillor StackR0346/22/05/09 THAT Bylaw No. 12367 be read a first, second and third time.Carried

Councillors Hodge and Sieben - Opposed

The meeting recessed at 4:06 p.m.

The meeting reconvened at 4:15 p.m.

4.8 Central Okanagan Journey Home Society - Mid-Strategy Review Report

Staff:

- Provided opening remarks.
- Introduced Stephanie Gauthier, Executive Director, Central Okanagan Journey Home Society.

Stephanie Gauthier, Executive Director

- Displayed a PowerPoint Presentation summarizing the Central Okanagan Journey Home Society Mid-Term Report including:
 - Lived Experience
 - Truth and Reconciliation
 - Housing and Supports
 - Innovation
 - Inclusion and Prevention
 - Coordination and Partnerships
 - Key Actions and Priorities
 - Data Modelling Project; and
 - Next Steps
- Responded to questions from Council.

Mitch DeCock, Data Specialist

- Responded to questions from Council.

Councillor Donn left the meeting at 4:41 p.m.

Councillor Sieben left the meeting at 5:18 p.m.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0347/22/05/09 THAT Council receives, for information, the report from Active Living and Culture dated May 9, 2022, introducing the Journey Home Strategy Mid-Term Report that provides an overview of the Journey Home Strategy implementation progress and updated priorities.

Carried**5. Mayor and Councillor Items – Nil.**

6. Termination

This meeting was declared terminated at 5:47 p.m.

Mayor Basran

/acm



City Clerk

DRAFT