



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, January 16, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas*, Councillors Ron Cannan, Charlie Hodge, Gord Lovegrove, Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge
Members Absent	Councillor Maxine DeHart
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Senior Transportation Planning Engineer, Chad Williams*; Infill Housing Planning Manager, James Moore*
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 1:34 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 and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

R0029/23/01/16 THAT the Minutes of the Regular Meetings of January 9, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Supplemental Report – Rezoning Bylaw Reading Consideration

Mayor Dyas declared a conflict of interest due to the applicant being a client and previously conducting business with the Mayor and departed the meeting at 1:35 p.m.

Deputy Mayor Hodge took over chairing the meeting at 1:35 p.m.

City Clerk:

- Confirmed that this is the application Council directed last week to be forwarded to Public Hearing.

Moved By Councillor Cannan/Seconded By Councillor Singh

R0030/23/01/16 THAT Council receives, for information, the Supplemental Report from the Office of the City Clerk dated January 16, 2023 regarding a Rezoning Bylaw that requires reading consideration;

AND THAT the Rezoning Application Z22-0042, located at 949 Hewetson Court, Kelowna, BC be forwarded to a Public Hearing for further consideration.

Carried

Mayor Dyas returned to the meeting at 1:37 p.m. and resumed chairing the meeting.

3.2 Hewetson Ct 949 - BL12473 (Z22-0042) - Upper Mission Development Inc., Inc. No. BC1224405

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

R0031/23/01/16 THAT Bylaw No. 12473 be read a first time.

Carried

3.3 McCarthy Rd 9640 - BL12433 (Z22-0038) - Nicola Va (9640 McCarthy) Nominee Inc., Inc. No. BC1333757

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

R0032/23/01/16 THAT Bylaw No. 12433 be adopted.

Carried

3.4 McCarthy Rd 9640 - DP22-0133 - Nicola Va (9640 McCarthy) Nominee Inc., Inc. No. BC1333757

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Singh

R0033/23/01/16 THAT Council authorizes the issuance of Development Permit No. DP22-0133 for Lot 1 Sections 10 and 11 Township 20 ODYD Plan EPP91012, located at 9640 McCarthy Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land in accordance with Schedule "A",
2. The exterior design and finish of the building to be constructed on the land in accordance with Schedule "B",
3. Landscaping to be provided on the land 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 THAT issuance of the Development Permit be considered subsequent to approval of the Ministry of Transportation and Infrastructure;

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. Non-Development Reports & Related Bylaws

4.1 2022 Budget Amendment, ICBC Road Improvement Program

Staff:

- Provided comments on the funds received and projects they were directed to and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

R0034/23/01/16 THAT Council receives, for information, the report from Integrated Transportation dated January 16, 2023 with respect to the ICBC Road Improvement Program;

AND THAT the 2022 Financial Plan be amended to include \$ 486,600 in the ICBC Road Improvement Program as funded by ICBC Road Safety grant contributions.

Carried

4.2 Revitalization Tax Exemption and Housing Agreements for Purpose Built Rental Housing - Winter 2022

Staff:

- Displayed a PowerPoint Presentation summarizing the Revitalization Tax Exemption Program and current applications and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0035/23/01/16 THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 1297889 BC LTD for Lot A Section 27 Township 26 ODYD Plan EPP85221, located at 155 Bryden Road, Kelowna, BC in the form attached to the Report from Policy and Planning dated January 16, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with 0838239 BC LTD for Lot B Sections 26 & 27 Township 26 ODYD Plan KAP30302, located at 235 Hollywood Road N, Kelowna, BC in the form attached to the Report from Policy and Planning dated January 16, 2023;

AND THAT Council approves the City entering into a Revitalization Tax Exemption Agreement with Ironclad Developments Missions Heights Holdings Inc., No. A0119488 for Lot B District Lots 128 and 142 ODYD Plan KAP85660, located at 2241 Springfield Road, Kelowna, BC in the form attached to the Report from Policy and Planning dated January 16, 2023;

AND THAT the Mayor and City Clerk be authorized to execute the Revitalization Tax Exemption Agreements, in the form attached to the Report from Policy and Planning dated January 16, 2023 on behalf of the City of Kelowna;

AND THAT Bylaw No. 12471 authorizing a Housing Agreement between the City of Kelowna and 1297889 BC LTD which requires the owners to maintain 192 dwelling units as rental housing for 10 years for Lot A Section 27 Township 26 ODYD Plan EPP85221, located at 155 Bryden Road, Kelowna, BC be forwarded for reading consideration;

AND FURTHER THAT Bylaw No. 12472 authorizing a Housing Agreement between the City of Kelowna and Ironclad Developments Missions Heights Holdings Inc., No. A0119488 which requires the owners to maintain 401 dwelling units as rental housing for 10 years for Lot B District Lots 128 and 142 ODYD Plan KAP85660, located at 2241 Springfield Road, Kelowna, BC be forwarded for reading consideration.

Carried

4.3 BL12471 - Housing Agreement Authorization Bylaw - 155 Bryden Road

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0036/23/01/16 THAT Bylaw No. 12471 be read a first, second and third time.

Carried

4.4 BL12472 - Housing Agreement Authorization Bylaw - 2241 Springfield Road

Moved By Councillor Wooldridge/Seconded By Councillor Stack

R0037/23/01/16 THAT Bylaw No. 12472 be read a first, second and third time.

Carried

5. Resolutions

5.1 Draft Resolution, re: SILGA Executive

Moved By Councillor Singh/Seconded By Councillor Stack

R0038/23/01/16 THAT Council nominate Councillor Hodge to run for the SILGA Executive for the 2023-2024 term.

Carried

6. Mayor and Councillor Items

Mayor Dyas:

- MP Gray spoke with Council this morning in regard to Bill C-283 the "End The Revolving Door Act".

Moved By Councillor Webber/Seconded By Councillor Hodge

R0039/23/01/16 THAT Council authorizes the Mayor to write, on behalf of Council, a letter of support for MP Gray's Private Members Bill C-283 the "End the Revolving Door" Act.

Carried

Councillor Stack:

- Confirmed that the Notice of Motion to amend the Future Land Use designation of 480 Penno Road will be brought forward February 27, 2023 for consideration.

7. **Termination**

This meeting was declared terminated at 2:11 p.m.

Mayor Dyas

/acm

 per City Clerk

DRAFT