



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, May 15, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas*, Councillors Maxine DeHart*, Charlie Hodge, Gord Lovegrove, Mohini Singh, Luke Stack and Rick Webber
Members participating Remotely	Councillors Ron Cannan and Loyal Wooldridge*
Staff Present	City Manager, Doug Gilchrist*; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Community Planning & Development Manager, Dean Strachan*; Urban Planning Manager, Jocelyn Black*; Planner, Sara Skabowski*; Planner II, Mark Tanner*; Divisional Director, Partnership & Investments, Derek Edstrom*; Parks & Buildings Planning Manager, Robert Parlane*; Project Architect, Amy Johnston*; Community & Neighbourhood Services Manager, Mariko Siggers*; Divisional Director Financial Services, Joe Sass; Parks & Planning Department Manager, Danielle Noble-Brandt*; Infill Housing Planning Manager, James Moore*; Planner Specialist, Daniel Sturgeon*; Legislative Technician, Paul Selzer
Staff participating Remotely	Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 1:30 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 DeHart/Seconded By Councillor Lovegrove

THAT the Minutes of the Regular Meetings of May 8, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Providence Ave 410 - OCP23-0001 (BL12523) Z23-0001 (12524) - Kettle Valley Holdings Ltd., Inc. No. 551772

Mayor Dyas declared a conflict of interest as the applicant is a client of a business his son operates and left the meeting at 1:31 p.m.

Deputy Mayor Hodge presided over the meeting at 1:31 p.m..

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Stack

THAT Official Community Plan Map Amendment Application No. OCP23-0001 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 1 Section 23 Township 28 SDYD Plan KAP85435, located at 410 Providence Ave, Kelowna, BC from the EDINST – Educational / Institutional designation and the PARK – Parks designation to the S-RES – Suburban Residential designation, the S-MU – Suburban-Multiple Unit designation, and the PARK – Parks designation, as shown on Map “A” attached to the Report from the Development Planning Department dated May 15, 2023 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 Information Session public 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 15, 2023;

AND THAT Rezoning Application No. Z23-0001 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 Section 23 Township 28 SDYD Plan KAP85435, located at 410 Providence Ave, Kelowna, BC from the P2 – Education and Minor Institutional zone to the RU1 – Large Lot Housing zone, the RU2 – Medium Lot Housing zone, the RU3 - Small Lot Housing zone, the MF2 – Townhouse Housing 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 15, 2023 be considered by Council;

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

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 15, 2023; and

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

Councillor Cannan - Opposed

3.2 Providence Ave 410 - BL12523 (OCP23-0001) - Kettle Valley Holdings Ltd., Inc. No. 551772

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw No. 12523 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
Councillor Cannan - Opposed

3.3 Providence Ave 410 - BL12524 (Z23-0001) - Kettle Valley Holdings Ltd., Inc. No. 551772

Moved By Councillor DeHart/Seconded By Councillor Stack

THAT Bylaw No. 12524 be read a first time.

Carried
Councillor Cannan - Opposed

Mayor Dyas returned to the meeting at 1:49 p.m.

The City Manager joined the meeting at 1:49 p.m.

3.4 High Rd 1885 and Glenmore Dr 810 - Z21-0060 (BL12522) - Polar Projects Development Group Ltd., Inc. No. 1287251

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Rezoning Application No. Z21-0060 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A Section 29 Township 26 ODYD Plan KAP58828 and Lot 2 Section 29 Township 26 ODYD Plan 4101 located at 1885 High Road and 810 Glenmore Drive, Kelowna, BC from the C2 – Vehicle Oriented Commercial zone and the RU1 – Large Lot 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 May 15th, 2023;

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

Carried

3.5 Road Closure Adjacent to 1885 High Road and 810 Glenmore Road

There was no motion.

3.6 BL12529 - Road Closure Bylaw - Portion of Road Adjacent to 1885 High Rd & 810 Glenmore Rd

Moved By Councillor Hodge/Seconded By Councillor Stack

THAT Bylaw No. 12529 be read a first, second and third time.

Carried**3.7 Leathead Rd 385, 405, Dougall Rd N 530, 540 - Z23-0010 (BL12530) - Various Owners**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Webber/Seconded By Councillor Lovegrove

THAT Rezoning Application No. Z23-0010 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of:

- Lot A Section 26 Township 26 ODYD Plan 17758, located at 540 Dougall Rd N, Kelowna, BC;
- Lot B Section 26 Township 26 ODYD Plan 17758, located at 530 Dougall Rd N, Kelowna, BC;
- Lot 19 Section 26 Township 26 ODYD Plan 3476 Except Plan A12943, located at 405 Leathead Rd, Kelowna, BC;
- Lot A Section 26 Township 26 ODYD Plan KAP80294, located at 385 Leathead Rd, Kelowna, BC;

from the UC₄ – Rutland Urban Centre zone to the UC_{4r} – Rutland Urban Centre 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 May 15, 2023;

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 for the subject property.

Carried**3.8 Patterson Ave 550-552 - Z22-0080 (BL12531) - Petterson Financial Investment Limited, Inc. No. BC1351792**

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor DeHart

THAT Rezoning Application No. Z22-0080 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 2 District Lot 14 ODYD PLAN 3249, located at 550-552 Patterson Ave, Kelowna, BC from the RU₄ – Duplex Housing zone to the MF₁ – Infill 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 Attachment “A” attached to the Report from the Development Planning Department dated May 15th, 2023.

Carried

3.9 Dougall Rd N 305 - BL12468 (Z22-0063) - 285 Dougall Rd Development Ltd., Inc. No. 1348727

Moved By Councillor Lovegrove/Seconded By Councillor DeHart

THAT Bylaw No. 12468 be amended at third reading by deleting the Legal Descriptions that read:

"Lot 16 Section 26 Township 26 ODYD Plan 994
Lot 17 Section 26 Township 26 ODYD Plan 994
Lot 18 Section 26 Township 26 ODYD Plan 994"

And replacing them with:

"Lot A Section 26 Township 26 ODYD Plan EPP127489"

AND THAT Bylaw No. 12468, as amended, be adopted.

Carried

3.10 Dougall Rd N 305 - DP22-0190 - 285 Dougall Road Development Ltd., Inc. No. BC1348727

Staff:

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

Moved By Councillor Webber/Seconded By Councillor DeHart

THAT Rezoning Bylaw No. 12468 be amended at third reading to revise the legal description of the subject property from Lots 16, 17, and 18 Section 26 Township 26 ODYD Plan 9924 to Lot A Section 26 Township 26 ODYD Plan EPP127489;

AND THAT final adoption of Rezoning Bylaw No. 12468 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP22-0190 for Lot A Section 26 Township 26 ODYD Plan EPP127489, located at 305 Dougall Rd N, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finished of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land in accordance with Schedule "C";
4. The applicant to be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimate 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

3.11 Frost Rd 1055 - DP21-0179 - Highstreet Canyon Falls Apartments Ltd., No. BC1311111

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council authorizes the issuance of Development Permit No. DP21-0179 for Lot 1 District Lot 579 SDYD Plan EPP74481, located at 1055 Frost Rd, Kelowna, BC subject to the following:

1. The dimensions and siting of the buildings to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the buildings 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

4. Bylaws for Adoption (Development Related)

4.1 Lochview Rd 380 - BL12487 (TA21-0014) - Michael Georg Anton Holzhey

Councillor DeHart declared a conflict of interest as the applicant is in competition with her employer who rents accommodation and left the meeting at 2:31 p.m.

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12487 be adopted

Carried

Councillor DeHart returned to the meeting at 2:31 p.m.

4.2 Ethel St 2473 - BL12515 (TA23-0003) - B.C. Life Builders Rehabilitation Society, Inc. No. S-0037307

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Bylaw No. 12515 be read a second and third time and be adopted.

Carried

The meeting recessed at 2:32 p.m.

The meeting reconvened at 2:37 p.m.

5. Non-Development Reports & Related Bylaws

5.1 Building a Stronger Kelowna Funding Strategy

Staff:

- Displayed a PowerPoint Presentation regarding Building a Stronger Kelowna Funding Strategy and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor DeHart

THAT Council receives, for information, Building a Stronger Kelowna: Growing active amenities in Central Kelowna, Glenmore, Mission, and Rutland from the Financial Services Division dated May 15, 2023;

AND THAT Council directs staff to proceed with the funding strategy for the Building a Stronger Kelowna: Growing active amenities in Central Kelowna, Glenmore, Mission, and Rutland projects as outlined in the report from the Financial Services Division dated May 15, 2023;

AND FURTHER THAT Council directs staff to prepare to conduct an Alternative Approval Process (AAP) for the borrowing of \$241.32 million to fund the Building a Stronger Kelowna: Growing active amenities in Central Kelowna, Glenmore, Mission, and Rutland.

Carried
Councillor Cannan - Opposed

Councillor Wooldridge disconnected from the meeting at 3:50 p.m.

5.2 Infill Options - Update and Next Steps

Staff:

- Displayed a PowerPoint Presentation regarding the Infill Options project and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Cannan

THAT Council receive, for information, the report from Policy and Planning dated May 15, 2023 with respect to an update on the Infill Options Project.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL12527 - Amendment No. 3 to the Development Application & Heritage Procedures Bylaw No. 12310

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Bylaw No. 12527 be adopted.

Carried

6.2 BL12528 - Amendment No. 14 to the Development Application Fees Bylaw No. 10660

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12528 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Stack:

- Reflected upon the number of housing units approved this afternoon.

Councillor Singh:

- Represented the Mayor at the RCMP Youth Academy on the weekend in Vernon.

Councillor Cannan:

- Represented the Mayor at the Kelowna Cemetery for those who have lost a child or grandchild.
- Attended the memorial service for a former City employee.
- Toured the food bank.
- Spoke to the Gyro Beach washroom vandalism.

Councillor DeHart:

- Advised it is the 150 anniversary of the RCMP.
- Attended the Tourism Kelowna board meeting.
- Attended the memorial service for a former City employee.

Councillor Lovegrove:

- Attended the Friends of Knox Society AGM .
- Spoke to upcoming events and research efforts in Europe.

Mayor Dyas:

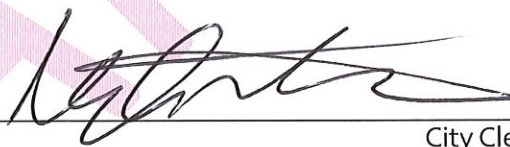
- Attended the 25th anniversary of the Kelowna Cancer Treatment Centre.

8. Termination

This meeting was declared terminated at 4:46 p.m.

Mayor Dyas

sf/cm



City Clerk