



City of Kelowna
Regular Council Meeting
Minutes

Date:	Monday, April 22, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Charlie Hodge, Gord Lovegrove*, Mohini Singh; Rick Webber and Loyal Wooldridge
Members Absent	Councillors Maxine DeHart and Luke Stack
Staff Present	City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Divisional Director, Planning, Climate Action and Development Services, Ryan Smith*; Planner Specialist, Adam Cseke*; Urban Planning Manager, Jocelyn Black*; Long Range Policy Planning Manager, Robert Miles*; Planner, Mark Tanner*; Utility Planning Manager, Rod MacLean*; Utility Services Manager, Kevin Van Vliet*; Deputy City Clerk, Michael Jud; Legal & Administrative Coordinator, Lisa Schell
Staff Participating Remotely	Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. 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 Hodge/Seconded By Councillor Lovegrove

THAT the Minutes of the Regular Meetings of April 15, 2024 be confirmed as circulated.

Carried
Councillors Cannan and Singh - Opposed

3. Development Application Reports & Related Bylaws

3.1 Multiple Addresses - OCP23-0009 (BL12595) - City of Kelowna

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Webber

THAT Official Community Plan Map Amendment Application No. OCP23-0009 to amend Map 3.1 by changing the future land use of within the Kelowna Official Community Plan Bylaw No.12300 as described in Schedule 'A', attached to the report from the Development Planning Department dated April 22, 2024, be considered by Council;

AND THAT the OCP Amendment Bylaw be forward to a Public Hearing for further consideration.

Carried

3.2 Multiple Addresses - BL12595 (OCP23-0009) - City of Kelowna

Moved By Councillor Hodge/Seconded By Councillor Cannan

THAT Bylaw No. 12595 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

3.3 Small-Scale Multi-Unit Housing and Transit Oriented Areas Alignment - OCP24-0005 (BL12649) - City of Kelowna

Councillor Lovegrove declared a conflict of interest as they live in the Heritage Conservation Area and Transit Oriented Area and left the meeting at 1:38 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the Official Community Plan amendments to align with Provincial legislation and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Wooldridge

THAT Official Community Plan Amendment Application No. OCP24-0005 to amend the Kelowna Official Community Plan Bylaw No. 12300 as shown in Schedule "A" and Schedule "B" attached to the Report from the Policy and Planning Department, dated April 22, 2024, be considered by Council;

AND THAT Official Community Plan Amendment Bylaw No. 12649 be forwarded to a Public Hearing for further consideration.

Carried

3.4 Small-Scale Multi-Unit Housing and Transit Oriented Areas - BL12649 (OCP24-0005) - City of Kelowna

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Bylaw No. 12649 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 Lovegrove returned to the meeting at 1:57 p.m.

3.5 Belaire Ave 1310, 1320 - Z23-0031 (BL12652) - 432623 B.C. Limited, Inc. No. BC1007009

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Rezoning Application No. Z23-0031 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 29 District Lot 137 ODYD Plan 10011, located at 1310 Belaire Ave and Lot 30 District Lot 137 ODYD Plan 10011, located at 1320 Belaire Ave, Kelowna, BC from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone, be considered by Council;

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 Rezoning Bylaws Supplemental Report to Council

City Clerk:

- Commented on Notice of first reading and advised that no correspondence was received.

3.7 Hiram Walker Ct 270 - BL12648 (Z23-0019) - 270 HWC GP Inc., Inc. No. A0124511

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Bylaw No. 12648 be read a first, second and third time.

Carried

3.8 Lawson Ave 1110 - BL12571 (Z23-0022) - HPG Development Ltd., Inc. No. BCo897381

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Bylaw No. 12571 be amended at third reading by deleting "1459 & 1467 Gordon Drive, 1104 - 1130 Lawson Avenue & 1488 Aspen Court" and replacing it with "1110 Lawson Avenue";

AND THAT Bylaw No. 12571 be amended at third reading by deleting the Legal Description that reads:

- Lot 7 District Lot 137 ODYD Plan 14393 located on Gordon Drive, Kelowna, BC;
- Lot 8 District Lot 137 ODYD Plan 14393 located on Gordon Drive, Kelowna, BC;
- Lot 9 District Lot 137 ODYD Plan 14393 located on Lawson Avenue, Kelowna, BC;

- d. Lot 10 District Lot 137 ODYD Plan 14393 located on Lawson Avenue, Kelowna, BC;
 e. Lot 11 District Lot 137 ODYD Plan 14393 located on Aspen Court, Kelowna, BC;"

And replacing it with "Lot A District Lot 137 ODYD Plan EPP133457 located on Lawson Avenue, Kelowna, BC";

AND THAT Bylaw No. 12571 be amended at third reading by deleting the underlying zone that reads "RU4 – Duplex Housing" and replacing it with "MF1 – Infill Housing";

AND FURTHER THAT Bylaw No. 12571, as amended, be adopted.

Carried

3.9 Lawson Ave 1110 - DP23-0072 - HPG Development Ltd., Inc. No. BCo897381

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Rezoning Bylaw No. 12571 be amended at third reading to revise the legal description of the subject properties from Lot 7 District Lot 137 ODYD Plan 14393, Lot 8 District Lot 137 ODYD Plan 14393, Lot 9 District Lot 137 ODYD Plan 14393, Lot 10 District Lot 137 ODYD Plan 14393, and Lot 11 District Lot 137 ODYD Plan 14393 to Lot A District Lot 137 ODYD Plan EPP133457;

AND THAT Final Adoption of Rezoning Bylaw No. 12571 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0072 for Lot A District Lot 137 ODYD Plan EPP133457, located at 1110 Lawson Ave, 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 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 enter into a Car-Share Agreement for a minimum of two years from the date of Building Occupancy as set out in Attachment "C" attached to the Report from the Development Planning Department dated April 22, 2024;

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's approval, with no opportunity to extend.

Carried

3.10 Temple Ct 252 - Z22-0045 (BL12486) - Extension Request

Staff:

- Spoke to the rezoning application and request for extension and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT in accordance with Development Application and Heritage Procedures Bylaw No. 12310, the deadline for the adoption of Rezoning Bylaw No. 12486, be extended from March 13, 2024 to March 13, 2025;

AND THAT Council direct Staff to not accept any further extension requests.

Carried

4. Bylaws for Adoption (Development Related)

4.1 Buck Road 654 - BL12622 (Z22-0077) - He Na and Wei Li

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Bylaw No. 12622 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Potable and Non-Potable Water System - Supply Status Update

Staff:

- Displayed a PowerPoint Presentation providing an update on the Potable and No-Potable Water System supply status and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from Utility Services dated April 22, 2024, with respect to the status of anticipated water supplies for 2024;

AND THAT due to drought conditions leading to an anticipated shortage in supply of water in the Non-Potable water system, Council declare Stage 1 Water Use Restrictions be in effect for all water customers of the Kelowna Water Utility;

AND FURTHER THAT Council declare that Agricultural Customers of the Kelowna Water Utility cannot exceed their annual Allotment in 2024; and that the City may shut off water services in the event that Customers exceed their Allotment.

Carried

Moved By Councillor Singh/Seconded By Councillor Cannan

THAT Council directs staff to request the Agricultural Advisory Committee to provide input on the impacts of current drought conditions on Kelowna's agricultural community and any additional measures that can be taken to balance water conservation with agricultural and environmental needs.

Carried

The meeting recessed at 2:57 p.m.

The meeting reconvened at 3:05 p.m.

6. Resolutions

6.1 Councillor Lovegrove - Draft Resolution - Transit for Teens Campaign

Councillor Lovegrove

- Commented on the existing Provincial Fare-Free Transit Initiative and the request to endorse it for youth up to the age 18 years.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Council directs staff to investigate the costs and implications of endorsing fare-free transit for youth up to age 18 and report back to Council.

Carried

6.2 Special Meeting of Council

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT a Special Meeting of Council be held on Monday, April 29, 2024, at 9:00 am;

AND THAT the April 29, 2024, Special Council Meeting be held at another location other than City Hall, being the Rotary Centre for the Arts, Pacific Safety Products Boardroom, 421 Cawston Avenue, Kelowna, B.C.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1 BL12637 - Amendment No. 4 to Development Application and Heritage Procedures Bylaw No. 12310

Councillor Lovegrove declared a conflict of interest as they live in the Heritage Conservation Area and left the meeting at 3:10 p.m.

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Bylaw No. 12637 be adopted.

Carried
Councillors Cannan and Hodge - Opposed

Councillor Lovegrove returned to the meeting at 3:11 p.m.

7.2 BL12631 - Amendment No. 1 to Development Application Fees Bylaw No. 12552

Moved By Councillor Lovegrove/Seconded By Councillor Cannan

THAT Bylaw No. 12631 be adopted.

Carried

7.3 BL12638 - Amendment No. 1 to the Five Year Financial Plan 2023-2027 Bylaw No. 12502

Moved By Councillor Lovegrove/Seconded By Councillor Cannan

THAT Bylaw No. 12638 be adopted.

Carried

8. Mayor and Councillor Items

Councillor Singh:

- Spoke to an upcoming Elementary school tour of City Hall.
- Spoke to the annual Vaisakhi Celebration and Parade on Saturday, April 27, 2024.
- Provided a reminder of Canada's National Day of Mourning on April 28, 2024.

Councillor Lovegrove:

- Provided Earth Day Greetings.

Councillor Wooldridge:

- Spoke to their attendance at the UBCO graduating class of Visual Arts and Media Studies year end exhibition.
- Hosted the SPCA Fur Ball fundraiser on Saturday, April 20, 2024.

Councillor Cannan:

- Thanked Mayor Dyas for meeting Rabbi Shmuly Hecht and his family in Council Chambers to sign a proclamation for education and sharing regarding fundamental human rights.
- Commented on adoption of the amendment to the Council Remuneration and Expense Bylaw.

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Council directs staff to schedule reconsideration of the adoption of Amendment No. 12 to the Council Remuneration and Expense Bylaw to a future Council meeting.

Defeated

Mayor Dyas, Councillors Hodge, Webber and Wooldridge - Opposed

9. Termination

This meeting was declared terminated at 3:27 p.m.

Mayor Dyas

lb/cm/acm



City Clerk