



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, November 18, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Mohini Singh, Luke Stack*, Rick Webber and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Deputy City Clerk, Michael Jud*; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Development Planning Department Manager, Nola Kilmartin*; Development Planning Manager, Dean Strachan*; Planner Specialist, Tyler Caswell*; Licensing and Systems Improvement Supervisor, Graham March*; General Manager, Corporate Services, Joe Sass*; Controller, Matt Friesen*; Budget Supervisor, Jay Jean*; General Manager, Infrastructure, Mac Logan*; Utility Services Department Manager, Kevin Van Vliet*; Utility Engineer, Jim Hagar*; Planner, Alissa Cook*
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* 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.

2. Confirmation of Minutes

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT the Minutes of the Regular Meetings of November 4, 2024 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Fitzpatrick Rd 426 - A24-0009 - Kamaljeet Singh Sandher

Staff:

- Displayed a PowerPoint Presentation summarizing the application and rationale for non-support.

Councillor Stack joined the meeting at 1:33 p.m.

The Applicant was invited to address Council, no one came forward.

Staff:

- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Agricultural Land Reserve Application No. A24-0009 for Lot 3 Section 35 Township 26 ODYD Plan 20374, located at 426 Fitzpatrick Rd, Kelowna, BC for a subdivision of Agricultural Land Reserve under Section 21(2) of the *Agricultural Land Commission Act*, NOT be supported by Council;

AND THAT Council directs Staff NOT to forward the subject application to the Agricultural Land Commission for consideration.

Carried

3.2 KLO Rd 1629 - A24-0012 - Western Global Enterprises Inc., Inc. No. BC0679291

Staff:

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

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Agricultural Land Reserve Application No. A24-0012 for Block 57 District Lot 131 ODYD Plan 186 Except Parcels C and D Plan B1813 and Plan KAP78678, located at 1629 KLO Road, Kelowna, BC for a Soil and Fill Use in the Agricultural Land Reserve pursuant to Section 20.3 of the *Agricultural Land Commission Act*, be supported by Council.

AND THAT Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

3.3 Dougall Rd N 165 - Z24-0038 (BL12724) - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Lovegrove

THAT Rezoning Application No. Z24-0038 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot A Section 26 Township 26 ODYD Plan EPP137229, located at 165 Dougall Road N, Kelowna, BC from the UC4 – Rutland Urban Centre zone to the UC4r – Rutland 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.

Carried

3.4 Treetop Rd 1870 - Z24-0016 (BL12726) - 1870 Treetop Road Development Ltd., Inc. No. BC1265565

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Rezoning Application No. Z24-0016 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 Section 19 Township 27 ODYD Plan 33849, located at 1870 Treetop Rd, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot 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 November 18th, 2024;

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

Carried

Councillor Lovegrove - Opposed

3.5 Rezoning Bylaws Supplemental Report to Council

City Clerk:

- Commented on notice of first reading.

3.6 Osprey Ave 459 - BL12717 (Z24-0034) - 1347431 B.C. Ltd., Inc. No. BC1347431Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12717 be read a first, second and third time.

Carried**4. Non-Development Reports & Related Bylaws****4.1 Belaire Ave 1330, 1340, 1350-1352 - Housing Agreement - Resurrection Recovery Resource Society, Inc. No. 50045391**

Councillor Stack declared a perceived conflict of interest with items 4.1 and 4.2 due to working with organizations that occasionally apply for rental housing grants and departed the meeting at 1:50 p.m.

Staff:

- Provided an overview of the Housing Agreement for rental housing.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council receives, for information, the report from the Housing Policy & Programs Department dated November 18, 2024, with respect to a Housing Agreement Bylaw for 1330, 1340 & 1350-1352 Belaire Ave;

AND THAT Bylaw No. 12720 authorizing a Housing Agreement between the City of Kelowna and Resurrection Recovery Resource Society, Inc. No. 50045391 which requires the owners to designate 12 dwelling units in purpose-built rental housing for:

- Lot 31 District Lot 137 ODYD Plan 10011, located at 1330 Belaire Ave, Kelowna, BC,
- Lot 32 District Lot 137 ODYD Plan 10011, located at 1340 Belaire Ave, Kelowna, BC, and
- Lot 33 District Lot 137 ODYD Plan 10011, located at 1350-1352 Belaire Ave, Kelowna, BC

be forwarded for reading consideration.

Carried

4.2 BL12720 - Housing Agreement Authorization Bylaw - Belaire Ave 1330, 1340, 1350-1352

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12720 be read a first, second and third time.

Carried

Councillor Stack returned to the meeting at 1:51 p.m.

4.3 Repeal the Medical Marihuana Producer Business Licence and Regulation Bylaw No.10920

Staff:

- Displayed a PowerPoint Presentation with proposed amendments to modernize cannabis-related business licence bylaws.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from Business Licensing, dated November 18, 2024, recommending that Council rescind the Medical Marihuana Production Regulation Business Bylaw No. 10920 and consider amendments to the Business Licence and Regulation Bylaw No. 12585 and Bylaw Notice Enforcement Bylaw No. 10475;

AND THAT Bylaw No. 12727, being Amendment No. 1 to Business Licence and Regulation Bylaw, No. 12585 be forwarded for reading consideration;

AND THAT Bylaw No. 12728, being Amendment No. 37 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration;

AND FURTHER THAT Council direct staff to notify all cannabis producers and retailers within the City with pending and approved business licences, as well as place a newspaper advertisement, allowing for comments to be submitted to the Business Licensing Supervisor no later than 4 p.m. on November 27, 2024.

Carried

4.4 BL12727 - Amendment No. 1 to Business Licence and Regulation Bylaw No. 12585

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12727 be read a first, second and third time.

Carried

4.5 BL12728 - Amendment No. 37 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Bylaw No. 12728 be read a first, second and third time.

Carried

The meeting recessed at 1:56 p.m.

The meeting reconvened at 2:03 p.m.

4.6 Third Quarter 2024 Financial Performance

Staff:

- Displayed a PowerPoint Presentation summarizing the third quarter 2024 financial activities and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT Council receives, for information, the Report from Financial Services dated November 18, 2024, with respect to Third Quarter 2024 Financial Performance.

Carried

4.7 Quarter Three Amendment to the 2024 Financial Plan

Staff:

- Displayed a PowerPoint Presentation outlining the proposed amendments to the 2024 Financial Plan and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Cannan

THAT Council receives, for information, the Report from Financial Services dated November 18, 2024, with respect to quarter three amendments to the 2024 Financial Plan;

AND THAT the 2024 Financial Plan be amended to include budget amendments detailed in this report.

Carried

4.8 Stormwater Utility Engagement Results and Next Steps

Staff:

- Displayed a PowerPoint Presentation providing an update on stormwater utility options, engagement results and next steps and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Wooldridge

THAT Council receives for information, the Report from Utility Services dated November 18, 2024, regarding Stormwater Utility Engagement Results and Next Steps;

AND THAT Council direct staff to prepare principles for bylaw development that align with the tiered-equivalent rate structure option as presented in the report from Utility Services dated November 18, 2024;

AND FURTHER THAT staff return the draft principles to Council for consideration and direction.

Carried

4.9 Review of Policy No. 388 - Code of Conduct

Staff:

- Displayed a PowerPoint Presentation outlining proposed revisions to Council Policy 388- Code of Conduct including a brief summary of complaints to date and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Council receive, for information, the report from the Office of the City Clerk dated November 18, 2024, regarding a review of Council Policy No. 388 – Code of Conduct;

AND THAT Council direct staff to bring forward for Council consideration revisions to Council Policy No. 388 – Code of Conduct and Council Remuneration and Expense Bylaw No. 7547 as outlined in the report from the Office of the City Clerk dated November 18, 2024.

Defeated

Councillors Cannan, DeHart, Hodge, Lovegrove, Singh, Stack, Webber and Wooldridge - Opposed

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Council receive, for information, the report from the Office of the City Clerk dated November 18, 2024, regarding a review of Council Policy No. 388 – Code of Conduct;

AND THAT Council direct staff to bring forward for Council consideration revisions to Council Policy No. 388 – Code of Conduct and Council Remuneration and Expense Bylaw No. 7547 as outlined in the report from the Office of the City Clerk dated November 18, 2024, with the exception of the proposed amendment to section 12 of Policy No. 388.

Carried

5. Resolutions

5.1 Councillor Cannan - Draft Resolution - Complimentary Parking for Veterans

Councillor Cannan:

- Provided comments on the draft resolution.

Moved By Councillor Webber/Seconded By Councillor DeHart

THAT Council directs staff to review and report back to Council on options to grant year-round complimentary parking to vehicles bearing a "veteran" license plate for all City of Kelowna on-street parking.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL12714 Amendment No. 1 to Uptown Rutland Business Improvement Area Bylaw No. 12427

Moved By Councillor DeHart/Seconded By Councillor Cannan

THAT Bylaw No. 12714 be adopted.

Carried

6.2 BL12723 Amendment No. 1 to Kelowna Downtown Business Improvement Area Bylaw No. 12575

Moved By Councillor DeHart/Seconded By Councillor Cannan

THAT Bylaw No. 12723 be adopted.

Carried

6.3 Lakeshore Rd 3773-3795 - BL12725 (RTE23-0004)

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw No. 12725 be adopted.

Carried

6.4 BL12704 - Amendment No. 15 to the Solid Waste Management Bylaw No. 12704

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Bylaw No.12704 be adopted.

Carried
Councillor Webber - Opposed

7. Mayor and Councillor Items

Mayor Dyas:

- A pedestrian crossing at Cawston and Ellis Street was changed to reflect the needs and additional timing for a kindergarten class to safely cross; expressed appreciation to the Transportation Planning team.

Councillor Lovegrove:

- Spoke to their attendance at Remembrance Day events.
- Spoke to their participation in serving dinner with the Rotary Club at a JoeAnna's House fundraiser.
- Will be providing an upcoming School Tour of Council Chambers.
- Commented that the Thompson Okanagan Tourism Association public forum on inter-community transportation to be held Thursday, November 21, 2024 at the Baptist Church.

Councillor Wooldridge:

- Spoke to their attendance at the OCCA Communities Association job connect event.
- Reminder of the Tree of Hope light up on Saturday, November 23, 2024.

Councillor DeHart:

- Spoke to their attendance at the Knights of Columbus 100th Anniversary event.
- Spoke to their attendance at the Chamber of Commerce Business Excellence Awards.
- Spoke to their attendance at the InKeeper's Gala fundraiser for the KGH Foundation.

Councillor Cannan:

- Spoke to their attendance at the School District No. 23 Safer Schools Committee meeting.
- Commented that Brain Trust Canada received funding from the City.
- Commented that the Harvey Outreach Program is looking for sustainable funding.
- Commented that Superintendent Kaardal thanked the City for supporting 2 RCMP School Resource Officers.

Councillor Singh:

- Spoke to their attendance at the Remembrance Day ceremony at the Cenotaph in Lions Park.
- Spoke to their attendance at the Grand Opening of the Sabzi Mandi Supermarket in the Rutland neighbourhood.
- Spoke to their attendance at the OCCA Communities Association job connect event.
- Spoke to their attendance at the Sikh Temple along with Mayor Dyas to honour the founder of the Sikh Faith.

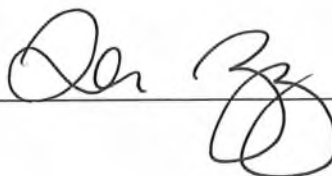
Councillor Hodge:

- Commented on the Tree of Hope light up on Saturday, November 23, 2024.
- Commented that St. Georges Lodge is accepting donations for winter items on Saturday, November 23, 2024.

8. Termination

This meeting was declared terminated at 4:09 p.m.

Mayor Dyas



City Clerk

/acm

Deputy City Clerk

DRAFT