

City of Kelowna Regular Council Meeting AGENDA



Monday, July 11, 2016

9:00 am

Knox Mountain Meeting Room (#4A)

City Hall, 1435 Water Street

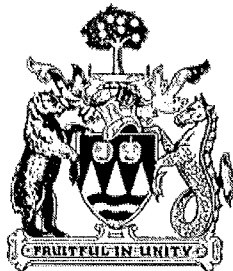
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3. Reports
 - 3.1 Update on Agricultural Planning Initiatives 60 m 10 - 13

To provide Council with a status update on agricultural planning initiatives.
4. Resolution Closing the Meeting to the Public

THAT this meeting be closed to the public pursuant to Section 90(1) (a), (j) and (k) and 90(2) (b) of the *Community Charter* for Council to deal with matters relating to the following:

 - Position Appointment;
 - Third Party Information;
 - Provision of a Municipal Service; and
 - Negotiations with another level of Government (Province).
5. Adjourn to Closed Session
6. Reconvene to Open Session
7. Issues Arising from Correspondence & Community Concerns
 - 7.1 Mayor Basran, re: Issues Arising from Correspondence 30 m
8. Termination



City of Kelowna
Committee-of-the-Whole Meeting
Minutes

Date: Tuesday, June 14, 2016
Location: Knox Mountain Meeting Room (#4A)
 City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben and Mohini Singh

Council Members Absent: Councillors Maxine DeHart and Luke Stack

Staff Present: Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Department Manager, Community Planning, Ryan Smith; and City Clerk, Stephen Fleming

Guest: UDI Okanagan, President Andrew Gaucher; Current Past President, Andrew Bruce, and Directors Shane Worman; Randy Shier; and Sean Hughes; and Executive Director Jennifer Dixon

1. Call to Order

The meeting was called to order at 2:05 p.m.

2. Presentations

2.1 Development 101

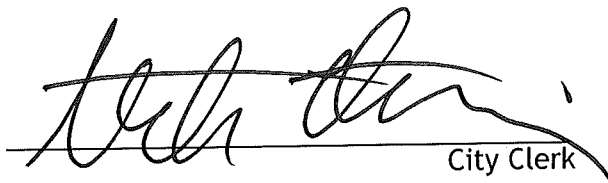
Mr. Hughes displayed a PowerPoint presentation "The Real Estate Development Process" and each UDI member responded to questions from Council

3. Termination

The meeting was terminated at 5:05 p.m.

 Mayor

/sf



 City Clerk



City of Kelowna
Regular Council Meeting
Minutes

Date: Monday, June 27, 2016
 Location: Knox Mountain Meeting Room (#4A)
 City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Staff Present: Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Real Estate, Doug Gilchrist*; Divisional Director, Communications & Information Services, Carla Weaden*; Divisional Director, Corporate & Protective Services, Rob Mayne*; Divisional Director, Active Living & Culture, Jim Gabriel*; Risk Manager, Lance Kayfish*; and Legislative Systems Coordinator, Sandi Horning

(*denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 9:02 a.m.

2. Confirmation of Minutes

Moved By Councillor Stack/Seconded By Councillor Donn

R515/16/06/27 THAT the Minutes of the AM Meeting of June 20, 2016 be confirmed as circulated.

Carried

3. Resolution Closing the Meeting to the Public

Moved By Councillor Hodge/Seconded By Councillor Gray

R516/16/06/27 THAT this meeting be closed to the public pursuant to Section 90(1) (a) and (e) of the Community Charter for Council to deal with matters relating to the following:

- Acquisition, Disposition, or Expropriation, of Land of Improvements; and
- Law Enforcement.

Carried

4. Adjourn to Closed Session

The meeting adjourned to a closed session at 9:02 a.m.

5. Reconvene to Open Session

The meeting reconvened to an open session at 11:20 a.m.

6. Reports

6.1 Homelessness and Related Social Issues Update

Divisional Director, Active Living & Culture:

- Displayed a PowerPoint presentation summarizing the update with respect to homelessness and related social issues.
- Responded to questions from Council.
- Advised that the position has been filled and the successful candidate is expected to start in late July or early August of this year.
- Confirmed that the position will be working with the Kelowna Gospel Mission and BC Housing regarding the need for storage space and the possibility of having a location designated at the Kelowna Gospel Mission.

Moved By Councillor Hodge/Seconded By Councillor DeHart

R517/16/06/27 THAT Council receives, for information, the Report from the Divisional Director, Active Living & Culture dated June 22, 2016 with respect to homelessness and related social issues.

Carried

Council:

- Inquired if the City will be issuing a Press Release regarding the hiring of the Social Development Manager as this is considered a high profile position.

Divisional Director, Active Living & Culture:

- Staff will confirm with Human Resources & Communications on the appropriateness of a Press Release.

7. Issues Arising from Correspondence & Community Concerns

7.1 Acting City Manager, re: Rutland Transit Exchange

Acting City Manager:

- Provided an update with respect to the Rutland Transit Exchange.

Mayor Basran:

- Made comment regarding the Provincial funding announcement for transit.

6. Reports

6.2 Divisional Director, Communications & Information Services, Verbal Report, re: Mayor & Council Correspondence

Divisional Director, Communications & Information Services:

- Provided an update on the technical ability and implications of Councillors directly receiving all emails sent to the mayorandcouncil@kelowna.ca email address.
- Provided an overview of how Mayor & Council Correspondence is processed.
- Responded to questions from Council.

Council:

- Agreed there should be a single policy that applies to all members of Council.
- Agreed to add a sentence to the auto response that states "Individual Councillors may be contacted directly by their individual email addresses" with a link to the Council contacts page.

8. Resolution Closing the Meeting to the Public

Moved By Councillor Hodge/Seconded By Councillor Sieben

R518/16/06/27 THAT this meeting be closed to the public pursuant to Section 90(2) (b) of the Community Charter for Council to deal with matters relating to the following:

- Negotiations with another level of Government (Provincial Government).

Carried

9. Adjourn to Closed Session

The meeting adjourned to a closed session at 12:12 p.m.

8. Termination

The meeting was declared terminated at 12:37 p.m.

Mayor

Steph. Henry

City Clerk

/slh

DRAFT



City of Kelowna
Committee-of-the-Whole Meeting
Minutes

Date: Tuesday, June 28, 2016
 Location: Knox Mountain Meeting Room (#4A)
 City Hall, 1435 Water Street

City of Kelowna Council Members Present: Mayor Colin Basran and Councillors Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

City of Kelowna Council Members Absent: Councillor Maxine DeHart

City of Kelowna Staff Present: Acting City Manager, Joe Creron; and City Clerk, Stephen Fleming

Central Okanagan School District No. 23 Board of Education Trustees Present: Chairperson Moyra Baxter and Trustees Deb Butler, Rolli Cacchioni, Lee Mossman and Lee-Ann Tiede

Central Okanagan School District No. 23 Board of Education Trustees Absent: Trustees Julia Fraser and Chris Gorman

Central Okanagan School District No. 23 Staff Present: Superintendent of Schools/CEO, Kevin Kaardal; and Secretary-Treasurer, Larry Paul

1. Call to Order

Mayor Basran called the meeting to order at 2:08 p.m.

2. School District No. 23 Agenda Items

2.1 French Immersion Review

School District No. 23:

- Program under review District-wide.
- KLO overcrowding as it is the only French-immersion middle school for the entire District.

City of Kelowna:

- Noted there will traffic and transit implications for the City to and from KLO Middle School.

2.2 Grade Configuration Review

School District No. 23:

- Examining sending Grade 6er's to be in middle schools, of three grades with high school starting in Grade 9.
- Currently the configuration in Rutland, with other areas added as space permits.

2.3 School District Capital Plan

School District No. 23:

- Working on a 5-year plan.
- Ponds supported project by Ministry, plus one in District of Lake Country.
- Will be submitting a proposal for a high school for old Dr. Knox site.
- Rutland Middle School not currently on Ministry supported list.
- Few unused School District owned sites in Kelowna available for potential sale.

2.4 Apple Bowl Agreement

School District No. 23:

- Agreement has expired.
- Joint use needs to be dealt with, with plans for future school.
- New Board Office expansion on Hollywood Road under construction.

City of Kelowna:

- City needs to have firmer idea of what is happening on site with new Parkinson Recreation Centre and School District before agreement terms can be determined.

2.5 Civic Awards for Students

School District No. 23:

- Thanked the City of Kelowna for City awards program and those applicable to students.
- City of West Kelowna is looking into doing something similar.

2.6 Mayor's Forum

School District No. 23:

- Would like to see a Mayor's Forum reconstituted by the City of Kelowna.
- Students appreciated participating in such Forums.

City of Kelowna:

- Spoke to new City Youth Development and Engagement grant program as part of the Strong Neighbourhoods Program.
- Schools may be made aware of this new City program via the Superintendent's Office.

2.7 BC Summer/Winter Games

School District No. 23:

- Summer games easier to accommodate than winter games.
- Concerns raised to the Board with respect to letter content regarding volunteer opportunities that may be expected.
- Significant undertaking with insufficient time to contemplate and consult with the Board stakeholders.
- Positive impacts of hosting need to be identified and articulated.
- No Board decision.

City of Kelowna:

- Needs the support of the School District Board as part of the application to host the games.
- Winter games easier to accommodate than summer games.

3. City of Kelowna Agenda Items

3.1 School Bus Program

City of Kelowna:

- Inquired if there are opportunities for utilizing City transit for bussing students to schools.

School District No. 23:

- No requirement for the School District to provide bussing.
- Board interested in exploring options for using City transit.

City of Kelowna:

- Various issues would need to be explored.

4. Termination

The meeting was declared terminated at 3:30 p.m.

Mayor

/slh



City Clerk

Report to Council



Date: July 11, 2016
To: City Manager
From: Suburban & Rural Planning Manager
Subject: Update on Agricultural Planning Initiatives

Recommendation:

THAT Council receives, for information, the report from the Suburban & Rural Planning Manager dated July 11, 2016 with respect to Agricultural Planning Initiatives.

Purpose:

To provide Council with a status update on agricultural planning initiatives.

Background:

Over the first half of 2016, staff in Community Planning have been working on a number of key agricultural planning initiatives:

- Agricultural Compliance & Enforcement Strategy
- Carriage Houses on Agricultural Land (A1c)
- Temporary Farm Worker Housing
- Weddings & Special Events on Agricultural Lands
- Agri-tourism Accommodation (A1t)

Agricultural Compliance & Enforcement Strategy

The Agricultural Compliance and Enforcement Strategy outlines the City's approach to its compliance goals, ranging from assisting property owners in understanding their obligations to comply with legislative requirements on agricultural lands and extends to monitoring compliance, performing inspection activities to the various tools available to respond to non-compliance.

The first phase of this initiative focused on the Benvoulin Corridor which was identified as a priority area for enforcement by staff and supported by Council. This was the first area targeted for enhanced enforcement and staff have had initial success in working with landowners to ensure bylaw compliance.

Carriage Houses on Agricultural Land (A1c)

In January 2014, the Okanagan Basin Water Board updated their Sewage Grants Policy. This policy requires grant recipients (including the City of Kelowna) to update their bylaws to exclude development of accessory dwellings (carriage houses) on lots less than one hectare that rely on on-site sewage disposal.

Staff have prepared bylaw amendments clarifying the one hectare requirement for carriage houses on lots not connected to sewer and are prepared to bring forward text amendments for Council's consideration.

Temporary Farm Worker Housing

Community Planning staff have organized a working group from the Agricultural Land Commission, Ministry of Agriculture, District of Lake Country, City of West Kelowna and Regional District of Central Okanagan to work on revisions to Temporary Farm Worker Housing (TFWH) policy and thereby provide a more regional approach to TFWH for farm operations.

The Ministry of Agriculture's Guide to Bylaw Development in Farming Areas, advises that temporary farm workers should be housed in temporary structures and further states that: *The TFWH should be either an existing building or a manufactured home, constructed or manufactured to be moved from one place to another, and to be used for residential use, installed on a temporary foundation with no basement.*

TFWH remains an issue in the community and is time consuming for staff resources. Staff continue to meet with members of the public and the farming community regarding both the use and misuse of TFWH on agricultural land in the City. It is clear that a number of residents are impacted by this land use and farm operators eagerly await clear direction on this matter.

In coordination with regional partners, staff have prepared bylaw and policy amendments clarifying the approach for TFWH and are prepared to bring forward text amendments for Council's consideration.

Weddings & Special Events on Agricultural Lands

Wedding and commercial assembly activities are not a permitted use in the A1 zone under the City's Zoning Bylaw and remain an issue in the community and a time consuming file for staff resources. Staff continue to meet with members of the public and the farming community regarding both the use and misuse of commercial assemblies on agricultural land in the City. It is clear that a number of residents are impacted by this land use and farm operators eagerly await a resolution on this matter.

In September, the Ministry of Agriculture prepared a discussion paper to seek local government input into a draft Minister's Bylaw Standard to assist local government bylaw development regulating agri-tourism, agri-tourism accommodation and farm retail sales in the Agricultural Land Reserve. The discussion paper states that: *commercial weddings (and any other commercial assembly activity)' are a non-farm use in the Agricultural Land Reserve.*

The document further outlines that: *Agri-tourism uses and activities only augment a farmer's regular farm income, rather than exceed or replace it.*

As staff understand it, provincial staff are currently preparing revisions for the Minister's approval. Once approved, the changes will be incorporated in the guide pursuant to Section 916 of the *Local Government Act*. Once completed, staff intend to prepare updates to associated policy and bylaws amendments for Council's consideration.

Agri-tourism Accommodation (A1t)

Agri-tourist accommodation is a *permitted non-farm use* in the Agricultural Land Reserve (ALR) according to the ALR Use, Subdivision and Procedure Regulation. While the use is a *permitted non-farm use* by the Agricultural Land Commission (ALC), the activity is not designated as a *farm use* and therefore may be regulated or prohibited by a local government bylaw.

In our community, the A1t is the zone which allows agri-tourism accommodation and the City currently regulates this use by allowing agri-tourist accommodation as a secondary use if the accommodation is associated with an agri-tourism activity. However, this use is expected to be subordinate and secondary to the principal agriculture use.

Agri-tourist accommodation, and more specifically RV parks, remain an issue in the community and a significant time consuming file for City resources. Staff continue to meet with members of the public and the farming community regarding the misuse of farm land and the number of residents that are impacted by this land use.

Based on Council direction, staff will prepare updates to policy and bylaws regarding agri-tourism accommodation and the A1t zone.

Legal/Statutory Authority:

Section 479 of the Local Government Act allows the City of Kelowna to adopt a Zoning Bylaw regulating land uses within the city. Where property being zoned is within the Agricultural Land Reserve, the bylaw must comply with the ALC Act, Regulations and Policies.

All actions being undertaken by staff comply with the relevant bylaw and senior government requirements.

Personnel Implications:

The Agricultural Planning initiatives have been staff intensive involving Agricultural Land Commission and Ministry of Agriculture staff, as well as, Community Planning and Bylaw Enforcement staff.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Communications Comments:

External Agency/Public Comments:

Existing Policy:

Financial/Budgetary Considerations:

Submitted by:

Todd Cashin, Suburban & Rural Planning Manager

Approved for inclusion: Derek Edstrom
 Acting Divisional Director, Community Planning & Real Estate

Cc:

Divisional Director, Corporate & Protective Services

Divisional Director, Community Planning & Real Estate

Community Planning Department Manager

Bylaw Services Manager