



## City of Kelowna Regular Council Meeting Minutes

Date:	Monday, November 16, 2015
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Deputy Mayor Maxine DeHart, Councillors Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack*
Members Absent	Mayor Colin Basran
Staff Present	City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Crime Prevention Supervisor, Garth Fletcher*; Suburban & Rural Planning Manager, Todd Cashin*; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Urban Planner, Adam Cseke*; Planner Specialist, Ross Soward*; Long Range Policy Planning Manager, James Moore*; Property Management Manager, Mike Olson*; Real Estate Director, Derek Edstrom*; Parking Services Manager, Dave Duncan*; Council Recording Secretary, Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Deputy Mayor DeHart called the meeting to order at 1:32 p.m.

Deputy Mayor DeHart advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

### 2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Singh

**R882/15/11/16** THAT the Minutes of the Regular Meetings of November 9, 2015 be confirmed as circulated.

**Carried**

Deputy Mayor DeHart acknowledged Garth Fletcher, Crimes Prevention Supervisor for being the recipient of the prestigious Crime Prevention Awareness Award from the Ministry of Justice.

### 3. Development Application Reports & Related Bylaws

#### 3.1 1789 Munson Road, A15-0009 - Gabriel & Linda Coupal

##### Staff:

- Displayed a PowerPoint Presentation summarizing the application and the reasons behind the staff recommendation to not support the exclusion.
- Responded to questions from Council.

##### Gabriel and Linda Coupal, Munson Road, Applicant:

- Owners of the Property since 1972.
- Displayed photos and sketches of the surrounding area that depict the uses surrounding the subject property.
- Advised of the large diesel trucks that operate in close proximity and the loud noises that emanate. The enjoyment of nature and picking in this area for customers is diminished.
- Advised of the typically heavy traffic on Benvoulin Road during peak hours. Many vehicular accidents have occurred during these peak hours and their property was not accessible.
- Advised that across the street from their dwelling is an illegal wood waste dump site.
- Advised that the future designated parking to access Munson Pond would create significant changes in their neighbourhood with access for the public.
- Advised that traffic is an issue and the newly erected median in front of their property hinders access to the parking lot.
- Advised that their property shares two common fronts with the Christian School. The playing fields are in very close proximity to the crops. The applicants have to adjust spray application in accordance with the use of the school fields. Displayed a photo of the hedge that separates the crop and the school field.
- Advised that the land uses across from their home has been non-conforming for many years. End gates on dump trucks slam and the activity is extremely loud when dumping snow on the property.
- Advised that the decision to allow the Fortis building and Christian School has drastically changed the composition of this neighbourhood.
- Advised that an exclusion of their property would not affect the surrounding neighbourhood as they are the last ones farming in the area.
- Acknowledged that it is important to preserve farm land however the safety issues and land conflicts make that extremely difficult. They have tried to farm on this land with all the negative going on all around. They have been committed to the farming industry many years.
- Responded to questions from Council.

##### Moved By Councillor Hodge/Seconded By Councillor Singh

**R883/15/11/16** THAT Agricultural Land Reserve Appeal No. A15-0009 for Parcel B on *Plan B6522 Amended Lot 7 DL 130 ODYD Plan 415 except Plans 18843 and KAP64190*, located at 1789 Munson Road, Kelowna BC, for an exclusion of agricultural land in the Agricultural Land Reserve, pursuant to Section 30(1) of the Agricultural Land Commission Act, be supported by Council; subject to the issuance of a Farm Protection Development Permit, and that the conditions of the Community Planning Department and the Development Engineering Department, including but not limited to access, be satisfied;

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

**Defeated**  
Councillors Stack, Given, Donn and Gray - Opposed

Moved By Councillor Stack/Seconded By Councillor Given

**R884/15/11/16** THAT Agricultural Land Reserve Appeal No. A15-0009 for Parcel B on *Plan B6522 Amended Lot 7 DL 130 ODYD Plan 415 except Plans 18843 and KAP64190*, located at 1789 Munson Road, Kelowna BC, for an exclusion of agricultural land in the Agricultural Land Reserve, pursuant to Section 30(1) of the Agricultural Land Commission Act, NOT be supported by Council;

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

**Defeated**  
Deputy Mayor DeHart, Councillors Hodge, Sieben and Singh - Opposed

Moved By Councillor Sieben/Seconded By Councillor Hodge

**R885/15/11/16** THAT Council encourages the Agricultural Land Commission to find a solution to the farming issues facing Agricultural Land Reserve Appeal No. A15-0009 for Parcel B on *Plan B6522 Amended Lot 7 DL 130 ODYD Plan 415 except Plans 18843 and KAP64190*, located at 1789 Munson Road, Kelowna BC.

**Carried**  
Councillors Given, Gray and Stack - Opposed

**3.2 125 Dundas Road & 815 Highway 33 W, Z15-0046 - Unico One Developments Ltd.**

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Given

**R886/15/11/16** THAT Rezoning Application No. Z15-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification from the RU1 - Large Lot Housing zone to the RM5 - Medium Density Multiple Housing zone, be considered by Council on the following parcels:

Lot A, Section 22, Township 26, ODYD, Plan 19344 Except Plan 39372, located at 815 Hwy 33 W.

Lot B, Section 22, Township 26, ODYD, Plan 19344 Except Plan 39372, located at 125 Dundas Rd;

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 following:

1. To the outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated November 16<sup>th</sup> 2015.

**Carried**

**3.3 125 Dundas Road & 815 Highway 33 W, BL11165 (Z15-0046) - Unico One Developments Ltd.**

Moved By Councillor Given/Seconded By Councillor Donn

**R887/15/11/16** THAT Bylaw No. 11165 be read a first time.

**Carried**

**3.4 305 Homer Road, Z15-0049 - Davara Holdings Ltd.**

Staff:

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

Moved By Councillor Stack/Seconded By Councillor Donn

**R888/15/11/16** THAT Rezoning Application No. Z15-0049 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 27, Township 26, ODYD, Plan 18004, located at 305 Homer Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone, 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 following:

1. To the outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated November 2<sup>nd</sup> 2015.

**Carried**

**3.5 305 Homer Road, BL11166 (Z15-0049) - Davara Holdings Ltd.**

Moved By Councillor Donn/Seconded By Councillor Given

**R889/15/11/16** THAT Bylaw No. 11166 be read a first time.

**Carried**

**3.6 984 Dehart Road, OCP14-0022 & Z14-0047, Extension Request - Sherwood Mission Developments et al**

Moved By Councillor Gray/Seconded By Councillor Sieben

**R890/15/11/16** THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Official Community Plan Amending Bylaw No. 11017 and Rezoning Bylaw No. 11018, be extended from October 22, 2015 to October 22, 2016;

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

**Carried**

#### 4. Non-Development Reports & Related Bylaws

##### 4.1 Rental Housing Grant Recommendation for 2016

Councillor Stack declared a conflict of interest as his employer is a recommended recipient for one of the Rental Housing Grants and left the meeting at 4:18 pm

Staff:

- Displayed a PowerPoint Presentation summarizing the 2016 Grant recipients and responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor Sieben

**R891/15/11/16** THAT Council receives the report from the Planner Specialist, dated November 16, 2015 regarding the rental housing grant recommendation for 2016;

AND THAT Council approves the 2016 Rental Housing Grants as identified in the report from the Planner Specialist, dated November 16, 2015, in accordance with the Housing Opportunities Reserve Fund Bylaw No. 8593 and Council Policy No. 335.

**Carried**

Councillor Stack returned to the meeting at 4:38 p.m.

##### 4.2 Rutland Arena Concession Lease

Staff:

- Displayed a PowerPoint Presentation summarizing the Food Concession Lease.

Moved By Councillor Hodge/Seconded By Councillor Singh

**R892/15/11/16** THAT Council approves the City entering into a three (3) year Lease Agreement, with Una Mak, for the purpose of operating a food concession at Rutland Arena, with the option to renew for an additional two (2) year term, in the form attached to the Report of the Manager, Property Management dated November 16, 2015;

AND THAT the Mayor and City Clerk be authorized to execute the Lease Agreement.

**Carried**

##### 4.3 Parking Rate, Fine and Fee Adjustments

Staff:

- Displayed a PowerPoint Presentation summarizing the parking rates, fines and fee adjustments and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Donn

**R893/15/11/16** THAT Council receives, for information, the report from the Manager, Parking Services, dated November 16, 2015 with respect to Parking Rate, Fine and Fee Adjustments;

AND THAT Council approves base parking rate, fine and fee adjustments, consistent with the City-Wide Parking Management Strategy, effective February 1, 2016, as outlined in the report from the Manager, Parking Services, dated November 16, 2015;

AND THAT Bylaw No. 11167, being Amendment No. 27 to Traffic Bylaw No. 8120, be forwarded for reading consideration;

AND THAT Bylaw No. 11168, being Amendment No. 13 to Bylaw Notice Enforcement Bylaw No. 10475, be forwarded for reading consideration.

Carried

#### 4.4 BL11167 - Amendment No. 27 to Traffic Bylaw No. 8120

Moved By Councillor Singh/Seconded By Councillor Sieben

R894/15/11/16 THAT Bylaw No. 11167 be read a first, second and third time.

Carried

#### 4.5 BL11168 - Amendment No. 13 to Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor Singh/Seconded By Councillor Sieben

R895/15/11/16 THAT Bylaw No. 11168 be read a first, second and third time.

Carried

### 5. Mayor and Councillor Items

Councillor Stack:

- Suggested that the Agricultural Land Commission listen to entire Council debate via the Castanet Link and that staff provide the link in the ALC correspondence.

Councillor Singh:

- Reminder that Miss Lady of the Lake Committee looking for volunteer escorts.

Councillor Sieben:

- Spoke to his attendance at the Western Canadian Irish Dance Championships held this past week in Kelowna.

Councillor Hodge:

- Spoke to his attendance, along with Councillor Donn, at the Fit for Children Conference.
- Reminder that Friday November 20<sup>th</sup> is National Child Day.

Councillor Gray:

- Reminder that the Kelowna Chamber of Commerce is hosting Business After Hours at the Brew House at Sopa Square on Tuesday, November 17<sup>th</sup> between 5:00 and 7:00 p.m.
- Council will be attending the launch of the Salvation Army Christmas Kettle Campaign on Friday, November 20<sup>th</sup> at Walmart.

Councillor Donn:

- Spoke to new Youth Grant Program.
- Will be attending the Okanagan Sports Hall of Fame Breakfast at the Capri on Thursday, November 19<sup>th</sup> at 7:00 a.m.

Deputy Mayor DeHart:

- Reminder that Canada's West Marketplace Trade Show is being held at the Delta Grand from November 16<sup>th</sup> to 19<sup>th</sup>.

**6. Termination**

This meeting was declared terminated at 5:11 p.m.

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Mayor

/acm

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City Clerk