



City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 11, 2016
 Location: Council Chamber
 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: City Manager, Ron Mattiussi*; Deputy City Manager, Paul Macklem*; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Suburban and Rural Planning Manager, Todd Cashin*; Community & Neighbourhood Services Manager, Louise Roberts*; and Legislative Systems Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:31 p.m.

Mayor Basran 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 Stack

R005/16/01/11 THAT the Minutes of the PM Meeting of December 14, 2015 be confirmed as circulated;

AND THAT the Minutes of the 2016 Budget Deliberations of December 17, 2015 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 2075 KLO Road, Z15-0045 & TA15-0010 - Eva Linttell

Staff:

- Displayed a PowerPoint presentation summarizing the reasons for staff non-support of the application and responded to questions from Council.

Mayor Basran invited the Applicant, or Applicant's Representative, to come forward.

Tyler Linttell, Applicant, 2075 KLO Road:

- Displayed a PowerPoint presentation summarizing the reasons for Council to support the application moving forward.
- Responded to questions from Council.

Scott Lintell, Owner, 2075 KLO Road:

- Provided a timeline with respect to the construction and the planting of vegetable gardens.

The City Manager left the meeting at 2:04 p.m. The Deputy City Manager joined the meeting at 2:04 p.m.

Tyler Linttell, Applicant, and Scott Linttell, Owner, 2075 KLO Road:

- Responded to questions from Council.
- Confirmed that there is a verbal and written contract with John Hofer of Wise Earth Farms for the 2016 season. Once John returns from his winter vacation, further negotiations will take place.

Staff:

- Responded to questions from Council.
- Clarified the City's Zoning Bylaw regulations with respect to the number of RV sites permitted.
- Clarified the Agricultural Land Commission's regulations with respect to the number of RV sites permitted.

The Deputy City Manager left the meeting at 3:09 p.m. The City Manager rejoined the meeting at 3:09 p.m.

Staff:

- Confirmed that the proposed Text Amendment will be site specific and only apply to the property that is the subject of this application.

Moved By Councillor Hodge/Seconded By Councillor Singh

THAT Zoning Bylaw Text Amendment Application No. TA15-0010 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "B" in the Report from the Community Planning Department dated January 11, 2016 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC be considered by Council;

AND THAT Rezoning Application No. Z15-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC from the A1 - Agriculture 1 zone

to the A1t - Agriculture 1 with Agri-tourist Accommodation zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw and Text Amending Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 11, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Section 219 Restrictive Covenant that will limit the area of the agri-tourist accommodation footprint, dates of operation, as well as prohibiting storage of RV's;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Section 219 Restrictive Covenant that will prohibit individual water and sewer services to each agri-tourist accommodation units, permitting one water hookup and one sani-dump located at the front of the property;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of an Agri-Tourist Accommodation Business Licence;

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

Amendment Moved By Councillor Gray/Seconded By Councillor Sieben

R006/16/01/11 THAT the condition of the issuance of a Section 19 Restrictive Covenant that will prohibit individual water and sewer services to each agri-tourist accommodation units, permitting one water hookup and one sani-dump located at the front of the property be removed.

Carried
Councillors Given & Stack - Opposed.

The original motion as amended was then voted on and carried as follows:

Moved By Councillor Hodge/Seconded By Councillor Singh

R007/16/01/11 THAT Zoning Bylaw Text Amendment Application No. TA15-0010 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "B" in the Report from the Community Planning Department dated January 11, 2016 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC be considered by Council;

AND THAT Rezoning Application No. Z15-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC from the A1 - Agriculture 1 zone to the A1t - Agriculture 1 with Agri-tourist Accommodation zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw and Text Amending Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 11, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Section 219 Restrictive Covenant that will limit the area of the agri-tourist accommodation footprint, dates of operation, as well as prohibiting storage of RV's;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of an Agri-Tourist Accommodation Business Licence;

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

Carried
Mayor Basran and Councillors Given, Gray & Stack - Opposed.

3.2 260 Davie Road, Z15-0047 - Urban Cottage Homes Ltd.

Staff:

- Provided the rationale for waiving the requirement for a Development Permit.

Moved By Councillor Given/Seconded By Councillor Donn

R008/16/01/11 THAT Council waives the requirement for a Development Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11164;

AND THAT Final Adoption of Rezoning Bylaw No. 11164 be considered by Council.

Carried

3.3 260 Davie Road, BL11164 (Z15-0047) - Urban Cottage Homes Ltd.

Moved By Councillor DeHart/Seconded By Councillor Stack

R009/16/01/11 THAT Bylaw No. 11164 be adopted,

Carried

3.4 2755 McCurdy Road, OCP11-0011, Z11-0069 & TA11-0010, Extension Request - Prodev GP Ltd. et al

Staff:

- Provided the rationale for extending the date for adoption and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Given

R010/16/01/11 THAT in accordance with the Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Official Community Plan Amendment Bylaw No. 10875 (OCP11-0011) and Rezoning Bylaw No. 10877 (Z11-0069) be extended from July 29, 2015 to July 29, 2016.

Carried

4. Non-Development Reports & Related Bylaws

4.1 Grants to Address the Sexual Exploitation of Youth

Staff:

- Displayed a PowerPoint presentation summarizing the proposal to merge the Grants to Address the Sexual Exploitation of Youth with the Community Social Development Grants.
- Responded to questions from Council.
- Confirmed that the changes would be implemented in 2016 and would affect the 2017 grant program.

Moved By Councillor Donn/Seconded By Councillor Given

R011/16/01/11 THAT Council receives, for information, the report from the Community & Neighbourhood Services Manager dated January 11, 2016, which outlines merging the Grants to Address the Sexual Exploitation of Youth with the Community Social Development Grants;

AND THAT COUNCIL approves merging the Grants to Address the Sexual Exploitation of Youth with the Community Social Development Grants as outlined in the report dated January 11, 2016;

AND THAT COUNCIL rescinds Council Policy 277 Grants to Address Sexual Exploitation of Youth;

AND FURTHER THAT COUNCIL approves moving the funds in budget for the Grants to Address Sexual Exploitation of Youth to the Community Social Development Grants budget.

Carried

5. Bylaws for First Three Readings (Non-Development Related)

5.1 BL11177 - Amendment No. 14 to Bylaw Notice Enforcement Bylaw No. 10475

City Clerk:

- Clarified that the staff report was considered by Council in December, however the Bylaw did not receive any readings at that time.

Moved By Councillor Donn/Seconded By Councillor Given

R013/16/01/11 THAT Bylaw No. 11177 be read a first, second and third time.

Carried

6. Mayor and Councillor Items - Nil.

7. Termination

This meeting was declared terminated at 4:06 p.m.

Mayor

/slh

City Clerk