



City of Kelowna Regular Council Meeting Minutes

Date: Monday, September 23, 2013
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present Mayor Walter Gray and Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson*, Mohini Singh, Luke Stack and Gerry Zimmermann

Staff Present Acting City Manager, Rob Mayne; City Clerk, Stephen Fleming; Planner II, James Moore*; Manager, Subdivision, Agriculture & Environment Services, Todd Cashin*; Director, Subdivision, Agriculture & Environment Services, Shelley Gambacort*; Manager, Cultural Services, Sandra Kochan*; Manager, Property Management, Ron Forbes*; and Council Recording Secretary, Sandi Horning

(* denotes partial attendance)

1. Call to Order

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

Mayor Gray 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 Basran/Seconded By Councillor Zimmermann

R610/13/09/23 THAT the Minutes of the Regular PM Meeting of September 9, 2013 be confirmed as circulated.

Carried

8. Mayor and Councillor Items

Mayor Gray:

- Advised that the City of Kelowna was presented three (3) Awards during last week's UBCM Convention as follows:
 - o "Open for Business Award" from the BC Small Business Roundtable;

- o UBCM "Community Excellence Award for Best Practices"; and
- o "Community Recognition Award" from the Canadian Wood Council.

Councillor DeHart:

- Commented on her attendance at the UBCM Convention last week.
- Commented on the face-to-face meetings with the Provincial Ministers during the Convention week.

Councillor Given:

- Commented on her attendance at the UBCM Convention last week.

Councillor Stack:

- Commented on his attendance at the UBCM Convention last week.
- Noted that the City of Kelowna had two (2) Resolutions on the floor, Beach Water Quality Testing and Anti-Noise (Excessively Loud Motorcycles) and the District of Lake Country had one (1) Resolution on the floor, Protection of Lake Water. All three (3) Resolutions passed with a lot of support.

Mayor Gray:

- Commented on his attendance at the UBCM Convention last week.
- Noted that Premier Clark's announcement that the Richmond Massey Tunnel will be replaced with a bridge does not imply that an Okanagan Lake Second Crossing is now off the table.

3. Public in Attendance

3.1. Superintendent Romanchuk, re: Quarterly Policing Report

Superintendent Romanchuk:

- Introduced himself and provided an overview of the Policing Report.
- Responded to questions from Council.

3.2. Culture Days - Poem by Rawle James

Staff:

- Advised that Kelowna is celebrating 'Culture Days' on September 27 - 29, 2013.
- Introduced the local spoken word artist, Rawle James.

Rawle James, Local Spoken Word Artist:

- Performed a new work entitled 'Rainbow Culture' in support of Kelowna's Culture Days.

4. Development Application Reports & Related Bylaws

4.1. Rezoning Application No. Z12-0062 - 2190 Cooper Road, Brian & Linda Pahl

Staff:

- Summarized the application before Council.
- Displayed several photos and site drawings of the subject property.
- Responded to questions from Council.

Mayor Gray invited the Applicant, or Applicants' Representative, to come forward.

Linda & Brian Pahl, Scenic Road, Applicants:

- Would like to rezone the property from the Agricultural Land Reserve as it is becoming very difficult to farm the property as their children are not willing to take on any of the responsibility.
- Responded to questions from Council.
- Advised that the agri-tourism sites would not be constructed until the Fall of 2014.

Staff:

- Responded to questions from Council.

Council:

- Expressed a concern with the lack of a farm plan.
- Expressed a concern with the lack of farm investment.
- Expressed a concern that the Applicants are requesting the maximum allowable sites, being ten (10).
- Expressed a concern that it appears that the main focus of the Applicants is on agri-tourism rather than farming.

A motion by Councillor Blanleil to forward Rezoning Application No. Z12-0062 to a Public Hearing was lost for lack of a seconder.

Moved By Councillor Given/Seconded By Councillor Zimmermann

R611/13/09/23 THAT Rezoning Application NO.Z12-0062 to amend the City of Kelowna Zoning bylaw No.8000 by changing the zoning classification of Lot A, District Lot 128, ODYD Plan KAP80629 located at 2190 Cooper Road, Kelowna, BC from the A1-Agriculture zone to the A1t-Agriculture 1 with Agri-tourist Accommodation zone NOT be considered by Council.

Carried
Councillor Blanleil - Opposed.

4.2. Report - A13-0003 ALR Exclusion 2025 Springfield Road, 2120 Cooper Road (McIntosh Properties)

Staff:

- Provided an overview of the application before Council.

Councillor Hobson declared a perceived conflict of interest as he represented the Applicants, prior to being on Council, in the 1980's with respect to a similar Agricultural Land Reserve exclusion file and left the meeting at 3:02 p.m.

Staff:

- Responded to questions from Council.

Moved By Councillor Zimmermann/Seconded By Councillor Stack

R612/13/09/23 THAT Agriculture Land Reserve appeal A13-0003 for Lot 1, District Lot 128, Osoyoos Division Yale District, Plan 18971, except Plan 43996 located at 2025 Springfield Road and Lot B, District Lot 128, Osoyoos Division Yale District, Plan 970 except Plans 36410, 41244, KAP47295 and H12895 located at 2120 Cooper Road for exclusion of land in the ALR pursuant to Section 30(1) of the Agricultural Land Commission Act, be supported by Municipal Council;

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

Carried
Councillor Singh - Opposed.

4.3. Extension Report OCP10-0008 Z10-0040 - 2149, 2159, 2169, 2179, 2189 Pandosy St (Marrington, Balla)

Councillor Hobson rejoined the meeting at 3:26 p.m.

Staff:

- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Zimmermann

R613/13/09/23 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for adoption of Official Community Plan Amending Bylaw No. 10440 and Zone Amending Bylaw No. 10439 for Lots 1, 2 and 3, District Lot 14, Osoyoos Division Yale District, Plan 5973 and Lots 1 and 2, District Lot 14, Osoyoos Division Yale District, Plan 3216 located 2149, 2159, 2169, 2179 and 2189 Pandosy Street, Kelowna, BC, be extended from July 10, 2013 to July 10, 2014.

Carried

6. Non-Development Reports & Related Bylaws

6.1. Report to Council Sept 23 - Lease to Okanagan Symphony

Staff:

- Provided an overview of the Lease and responded to questions from Council.

Moved By Councillor Hobson/Seconded By Councillor Given

R614/13/09/23 THAT Council approves the City entering into a five (5) year Lease Agreement, with the Okanagan Symphony Society, at the Knowles House at 865 Bernard Avenue for the purpose of office and storage space, with the option to renew for an additional five (5) year term at the City's sole discretion, in the form attached to the Report of the Manager, Property Management, dated September 18, 2013;

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

Carried

5. Bylaws for Adoption (Development Related)

5.1. Bylaw No.10881 Z13-0026 - 330 Taylor Road (Comfort Crafted Homes Inc)

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R615/13/09/23 THAT Bylaw No.10881 be adopted.

Carried

7. Bylaws for Adoption (Non-Development Related)

7.1. Bylaw No.10863 - Amendment No. 2 to Development Applications Procedures Bylaw No. 10540

Moved By Councillor Basran/Seconded By Councillor Blanleil

R616/13/09/23 THAT Bylaw No.10863 be adopted.

Carried

9. Termination

This meeting was declared terminated at 3:37 p.m.

Mayor

/slh

City Clerk