



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, October 21, 2013  
 Location: Council Chamber  
 City Hall, 1435 Water Street

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

Council Members Absent: Mayor Walter Gray

Staff Present: Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Property Officer, Tammy Abrahamson\*; Manager, Subdivision, Agriculture & Environmental Services, Todd Cashin\*; Planner, James Moore\*; Manager, Strategic Land Development, Graham Hood\*; and Council Recording Secretary, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

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

Deputy Mayor Stack 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.

Deputy Mayor Stack handed out bottles of water to Council as a reminder to drink water before and after you donate blood and noted that there are only ten (10) days left for the "Interior Drive for Life, Kelowna vs. Prince George Challenge".

## 2. Confirmation of Minutes

Moved By Councillor Singh/Seconded By Councillor Given

R658/13/10/21 THAT the Minutes of the Regular PM Meeting of October 7, 2013 be confirmed as circulated.

Carried

## 3. Development Application Reports & Related Bylaws

### 3.1. Agricultural Land Reserve Appeal Application No. A13-0010 - 3588 Benvoulin Rd, Vince, Juhlie & Lesah Curatolo

Staff:

- Summarized the application before Council and responded to questions from Council.

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

Vince & Juhlie Curatolo, Applicants:

- Appreciates staff's comments and concerns.
- Provided the history of the farm practice and confirmed that it is their intention to amalgamate all of the farm practice operations within the 16 acres.
- Provided an overview the products that they grow and advised that they have employed brokers to promote their product, which has increased production and sales.
- Advised that they want to put in greenhouses on the portion of the land that is considered non-farmable.
- Confirmed that the entire family is involved in all the aspects of the farming operations.
- Advised that they purchased the property in 2010 and that it had not been farmed in over 30-40 years.
- Advised that after purchasing the property, it was determined that a portion of the site did not have good growing soil.
- Advised that they have tried to improve the soil capability.
- Advised that a second dwelling is required on the farm in order to assist with the farming operations which they considered to be a 24 hour/7 day a week operation.
- Confirmed that they would prefer to construct a second dwelling rather than place a modular home on the site.
- Believes that the construction costs for a second dwelling are significantly less than the cost of a modular home.
- Advised that the second dwelling would be for immediate family use only and would be willing to place a covenant on the title to that effect.
- Responded to questions from Council.
- Advised that the original structures will remain on the site and that an additional structure will need to be constructed for the sales associated with 'farm gate'.
- Confirmed that Juhlie will reside in the second dwelling and her main source of income is working the farm.

Moved By Councillor Zimmermann/Seconded By Councillor Blanleil

R659/13/10/21 THAT Agricultural Land Reserve appeal A13-0010 for Parcel 2 (Plan B1427) of District Lot 132 Osoyoos Division Yale District, located at 3588 Benvoulin Road, Kelowna, B.C. for a non-farm use of agricultural land in the Agricultural Land Reserve, pursuant to Section 20(3) of the Agricultural Land Commission Act, be supported by Municipal Council;

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

Carried

### 3.2. Rezoning Application No. Z13-0032 - 325 Hartman Rd, Gary Martin Lupul

Staff:

- Summarized the application before Council.

Moved By Councillor Hobson/Seconded By Councillor Blanleil

R660/13/10/21 THAT Rezoning Application No. Z13-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 26, ODYD, Plan 20566, located on 325 Hartman Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6- Two Dwelling Housing zone be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch and the Black Mountain Irrigation District being completed to their satisfaction.

Carried

#### 3.2.1. Bylaw No. 10891 (Z13-0032) - 325 Hartman Road, Gary Martin Lupul

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R661/13/10/21 THAT Bylaw No. 10891 be read a first time.

Carried

### 3.3. Rezoning Application No. Z13-0035 - 341 Clifton Rd, Adrian Hazzi & Mandi Moore

Staff:

- Summarized the application before Council and responded to questions from Council.

Moved By Councillor Basran/Seconded By Councillor Singh

R662/13/10/21 THAT Rezoning Application No. Z13-0035 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5 Section 31 Township 26 Osoyoos Division Yale District Plan 10686, located at 341 Clifton Road, Kelowna, BC, from the A1 zone to the RU1 - Large Lot Housing and RU2 - Large Lot Housing as shown on Map "A" attached to the Report of the Subdivision, Agriculture & Environment Services Branch dated October 3, 2013, be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered following the staff issuance of a Natural Environment Development Permit for the subject property.

Carried

**3.3.1. Bylaw No. 10892 (Z13-0035) - 341 Clifton Road, Adrian Hazzi & Mandi Moore**

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R663/13/10/21 THAT Bylaw No. 10892 be read a first time.

Carried

**3.4. Rezoning Application No. Z12-0063, Extension Request - 835 Solly Crt, Kamalpreet Kaur Gill & Gurdev Singh Gill**

Staff:

- Responded to questions from Council.
- Confirmed that the Applicant has been advised that this will be the last extension supported by staff.

Moved By Councillor Given/Seconded By Councillor Zimmermann

R664/13/10/21 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10779, for Lot 3, Section 26, Township 26, Osoyoos Division Yale District, Plan 20566, located on 835 Solly Court, Kelowna, BC, be extended from November 27, 2013 to November 27, 2014.

Carried

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

**4.1. Housing Agreement - 550 Rowcliffe and 555 Buckland Ave, Davara Holdings Ltd.**

Staff:

- Provided background information regarding the Housing Agreement.

Moved By Councillor Given/Seconded By Councillor Basran

R665/13/10/21 THAT Council receives, for information, the Report from the Strategic Land Development Manager dated October 15, 2013, regarding the proposed Housing Agreement with Davara Holdings Limited with respect to the properties located at 550 Rowcliffe Avenue and 555 Buckland Avenue;

AND THAT Bylaw No. 10850 authorizing a Housing Agreement between the City of Kelowna and Davara Holdings Limited, which requires the owner to designate a total

of thirty (30) affordable rental units on Lots 5 and 6, Plan KAP92715, located at 500 Rowcliffe Avenue and 555 Buckland Avenue be forwarded for reading consideration.

Carried

**4.1.1. Bylaw No.10850, Housing Agreement Authorization Bylaw - 550 Rowcliffe Road and 555 Buckland Avenue, Davara Holdings Ltd.**

Moved By Councillor Given/Seconded By Councillor DeHart

R666/13/10/21 THAT Bylaw No. 10850 be read a first, second and third time.

Carried

**4.2. Library Parkade Bistro**

Staff:

- Provided an overview of the proposed Lease for the bistro space at the Library Parkade and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Zimmermann

R667/13/10/21 THAT Council approves the City entering into a five (5) year Commercial Lease, with 0937820 B.C. Ltd., and Mr. Youn Tae Kang for bistro space at the Library Parkade, with the option to renew for an additional five (5) year term, in the form attached to the Report of the Manager, Property Management, dated October 15, 2013;

AND THAT the Mayor and City Clerk be authorized to execute all documents related to the Commercial Lease.

Carried

**5. Bylaws for Adoption (Non-Development Related)**

**5.1. Bylaw No. 10855 - Road Closure Bylaw, Portion of Spall Road**

Deputy Mayor Stack invited anyone in the public gallery who deems themselves affected by the proposed road closure to come forward. No one came forward.

Moved By Councillor Blanleil/Seconded By Councillor Basran

R668/13/10/21 THAT Bylaw No. 10855 be adopted.

Carried

**5.2. Bylaw No. 10889 - 2014 Permissive Tax Exemption Bylaw**

Deputy Mayor Stack declared a conflict of interest as the Society he works for has an interest in the 2014 Permissive Tax Exemption Bylaw and left the meeting at 2:25 p.m. Deputy Mayor DeHart took over as Chair of the meeting at 2:25 p.m.

Moved By Councillor Singh/Seconded By Councillor Hobson

R669/13/10/21 THAT Bylaw No. 10889 be adopted.

Carried

## 6. Mayor and Councillor Items

Deputy Mayor Stack returned to the meeting and took over as Chair from Deputy Mayor DeHart at 2:26 p.m.

Councillor Given:

- Commented on her attendance at 'V Day', an event to encourage youth to volunteer.

Councillor DeHart:

- Commented on her attendance, on behalf of the Mayor, at the Southern Interior Construction Awards last week.
- Thanked the Community and Council for the contributions to the 'Maxine DeHart Drive Thru Breakfast' and noted that, to date, over \$41,000.00 was raised.

Councillor Hobson:

- Commented on his attendance at the Municipal Pension Plan Annual General Meeting.

Deputy Mayor Stack:

- Commented on his attendance at the 50th Anniversary of the RCMP Auxilliary this past weekend.
- Commented on his attendance at Lions Park over the weekend in which new trees were planted in the Park.
- Read the note from the Rutland Residence Association thanking Council for the contribution to Lions Park and the Rutland area over the past few years.

Deputy City Manager:

- Encouraged the public to take part in the Okanagan Travel Survey ([www.oktravelsurvey.ca](http://www.oktravelsurvey.ca) or 1-877-778-8220).

## 7. Termination

This meeting was declared terminated at 2:41 p.m.

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Deputy Mayor Stack

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City Clerk

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Deputy Mayor DeHart

/slh