



City of Kelowna Regular Council Meeting Minutes

Date: Monday, November 30, 2015
Location: Council Chamber
City Hall, 1435 Water Street

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

Staff Present City Manager, Ron Mattiussi*; Acting City Manager, Doug Gilchrist*; Deputy City Clerk, Karen Needham; Recreation Technician, Amber Gilbert*; Community Planning Department Manager, Ryan Smith*; Planner, Melanie Steppuhn*; Suburban & Rural Planning Manager, Todd Cashin*; Cultural Services Manager, Sandra Kochan*; Utility Planning Manager, Andrew Reeder*; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:35 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 Gray/Seconded By Councillor Hodge

R929/15/11/30 THAT the Minutes of the Regular Meetings of November 23, 2015 be confirmed as circulated.

Carried

3. Committee Reports

3.1 2015 Civic Awards Nomination Period

Staff:

- Introduced the Chair of the Civic Awards Nominations Committee, Dawn Wilkinson.

Dawn Wilkinson, Chair of the Civic Awards Nominations Committee

- Displayed a PowerPoint presentation outlining the Civic Awards nomination period.

4. Development Application Reports & Related Bylaws

4.1 4275 Goodison Road, A15-0011 - Kristi & James Caldwell

Councillor DeHart declared a conflict of interested as her business pertaining to hosting weddings is in direct conflict with this application and departed the meeting at 1:46 p.m.

Councillor Sieben joined the meeting at 1:47 p.m.

Staff:

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

Mayor Basran invited the applicant to come forward, followed by comments of Council.

Kristi & James Caldwell, Applicant

- Displayed a PowerPoint Presentation, re: Caldwell Heritage Farms.
- Confirmed that they have no objection to a covenant to decommission the distillery and cease the wedding operation if the property is sold as recommended by the Agricultural Advisory Committee.
- Confirmed that the wedding operation use is only for ceremonies and photography.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Gray

R930/15/11/30 THAT Agricultural Land Reserve Appeal No. A15-0011 for Lot B Section 34 TWP 29 ODYD Plan 43324, located at 4275 Goodison Road, Kelowna for a Non-Farm Use in the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, be supported by Council, subject to the registration of a Section 219 Covenant registered on the property with the Land Title Office, that stipulates the following:

1. Weddings will take place on existing lawn behind the house;
2. No agricultural space will be used or affected by wedding use or distillery use;
3. No additional buildings or parking areas will be constructed;
4. Weddings will be ceremonies only - no evening receptions or food or beverage;
5. Ceremonies would be limited to 100 persons maximum;
6. Bookings available on Saturday afternoons only, from May to September; and
7. That the Non-Farm Use of wedding ceremonies and the distillery will cease when the owners sell that land, such that the use does not run with the land.

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

Carried

5. Non-Development Reports & Related Bylaws

5.1 Amendment to Lease and Operating Agreement for the Rotary Centre for the Arts

Staff:

- Provided an overview of the lease and operating agreement and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Given

R931/15/11/30 THAT Council approve an amendment to the Lease and Operating Agreement dated January 1, 2013 between the Kelowna Visual and Performing Arts

Centre Society (KVPACS) and the City for operation of the Rotary Centre for the Arts (RCA) as set out in Appendix A attached to the report of the Cultural Services Manager dated November 23, 2015;

AND THAT Council authorizes the Mayor and the City Clerk to sign the amendment to the Lease and Operating Agreement on behalf of the City of Kelowna.

Carried

5.2 Cedar Creek Pump Station - Purchase and Installation of Third Pump

Staff:

- Provided rationale for amending the 2015 financial plan to include the addition of a third pump and ancillary works and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

R932/15/11/30 THAT Council receives, for information, the report from the Utilities Planning Manager dated November 30, 2015 regarding the Cedar Creek Pump Station - Purchase and Installation of Third Pump;

AND THAT the 2015 Financial Plan be amended to include \$300,000 for this project, funded from the Water Quality Enhancement Reserve for the purposes of constructing a third duty pump at the Cedar Creek pump station.

Carried

5.3 1091 Guisachan Road (Portion of) - Road Closure & Land Exchange

Moved By Councillor Donn/Seconded By Councillor Hodge

R933/15/11/30 THAT Council receives the Report from the Manager, Real Estate Services dated November 30, 2015, recommending that Council adopt the proposed road closure and disposition of dedicated road adjacent to 1091 Guisachan Road;

AND FURTHER THAT Bylaw No. 11174, being proposed road closure and disposition of dedicated road adjacent to 1091 Guisachan Road, be given reading consideration.

Carried

5.4 1091 Guisachan Road (Portion of), BL11174 - Road Closure Bylaw

Moved By Councillor Hodge/Seconded By Councillor Gray

R934/15/11/30 THAT Bylaw No. 11174 be read a second and third time.

Carried

6. Bylaws for Adoption (Non-Development Related)

6.1 BL11144 - Amendment No. 6 to Kelowna Cemetery Bylaw No. 8807

Moved By Councillor Given/Seconded By Councillor Hodge

R935/15/11/30 THAT Bylaw No. 11144 be adopted.

Carried

6.2 Pier Mac Way (Portion of), BL11154 - Road Closure Bylaw

Mayor 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 Gray/Seconded By Councillor Donn

R936/15/11/30 THAT Bylaw No. 11154 be adopted.

Carried

6.3 Finns Road (Portion of), BL11158 - Road Closure Bylaw

Mayor 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 Stack/Seconded By Councillor DeHart

R937/15/11/30 THAT Bylaw No. 11158 be adopted.

Carried

6.4 BL11172 - Amendment No. 4 to Development Application Fees Bylaw No. 10560

Moved By Councillor DeHart/Seconded By Councillor Stack

R938/15/11/30 THAT Bylaw No. 11172 be adopted.

Carried

7. Mayor and Councillor Items

Councillor DeHart:

- Reminder that the Ministry of Transportation is providing a presentation regarding the Highway 97 corridor and second crossing at the Ramada Hotel on Tuesday, December 1st between 4:00 and 8:00 p.m.

Councillor Sieben:

- Spoke to the success of Canada's West Marketplace Trade Show in tourism that Kelowna hosted in November.

Councillor Donn:

- Spoke to the one year anniversary of the Kelowna Paddle Club.

Councillor Given:

- Will be representing Council, along with Councillor Stack, at the Central Okanagan Foundation Annual Community Meeting.

Mayor Basran:

- Reminder to check out the Open House for the Civic Block Plan at the Community Theatre on December 2nd between 3:00 and 6:30 p.m.

8. Termination

This meeting was declared terminated at 2:56 p.m.

Mayor

Deputy City Clerk

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