

Regular MeetingFebruary 1, 1999

A Regular Meeting of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Monday, February 1, 1999.

Council members in attendance were: Mayor Walter Gray, Councillors M.I. Bremner, R.D. Cannan, C.B. Day, R.D. Hobson, J.D. Leask*, J.D. Nelson and S.A. Shepherd.

Council members absent: Councillor A.F. Blanleil.

Staff members in attendance were: City Manager, R.A. Born; Acting-City Clerk, G.D. Matthews; Director of Planning & Development Services, R.L. Mattiussi*; Current Planning Manager, F.B. Pritchard*; Long Range Planning Manager, L.V. Foster*; Planner – Long Range, S.K. Bagh*; Community Planning Manager, T. Eichler*; Environment Manager, M. Watt*; Environmental Technicians, F. Schaad* and M. Kam*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:30 p.m.

2. Councillor Nelson was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Mark Flett, Okanagan Film Commission re: Okanagan Film Industry

Mr. Mark Flett brought Council up to date on efforts by his office to market the Okanagan to the film industry over the past year. He advised the Okanagan Film Commission is funded until November 1999 by Human Resources Canada and are looking at setting up partnerships throughout the area for funding after that date.

4. PLANNING

4.1 Planning & Development Services Department, dated January 20, 1999 re: Rezoning Application No. Z98-1043 – Wenson Holdings Ltd. – 316 Hartman Road (3360-20)

Mayor Gray suggested that agenda items No. 4.1 and 4.2 be presented concurrently.

The Current Planning Manager indicated the properties on a map displayed on the overhead projector and briefly outlined the reports for Council. The requested zoning would permit the construction of a single detached dwelling on each property, both with a secondary suite. Staff recommend support.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R78/99/02/01 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 64, Sec. 26, Twp. 26, O.D.Y.D., Plan KAP53321, located on Hartman Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

Carried

4.2 Planning & Development Services Department, dated January 20, 1999 re: Rezoning Application No. Z98-1044 – Wenson Holdings Ltd. – 304 Hartman Road (3360-20)

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Moved by Councillor Cannan/Seconded by Councillor Nelson

R79/99/02/01 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 65, Sec. 26, Twp. 26, O.D.Y.D., Plan KAP53321, located on Hartman Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

Carried

4.3 Planning & Development Services Department, dated January 27, 1999 re: Rezoning Application No. Z98-1049 – Orval & Lynn Kutny – 2202 Bennett Road (3360-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The rezoning would permit the construction of a single detached dwelling with a secondary suite located above an attached garage. Staff recommend support.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R80/99/02/01 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 24, Secs. 17 and 20, Twp. 23, O.D.Y.D., Plan 16573, located on Bennett Road, Kelowna, B.C., from the RR3 - Rural Residential 3 zone to the RR3s - Rural Residential 3 with Secondary Suite zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

Carried

The Director of Planning & Development Services entered the Council Chamber and the Current Planning Manager left at 2:03 p.m.

4.4 Planning & Development Services Department, dated January 26, 1999 re: Terms of Reference for Official Community Plan Review (6480-30)

The Long Range Planning Manager introduced the report noting a policy review of the Official Community Plan (OCP) is recommended every five years.

The Planner – Long Range outlined the proposed terms of reference for the review noting completion is targeted for June 2000 and the intent would be for the revised OCP to cover the years 2000 to 2020.

The Community Planning Manager entered the Council Chamber at 2:13 p.m.

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A member of Council commented that energy conservation needs to be incorporated into the plan and suggested that the young people in the community also be given an opportunity for input.

Moved by Councillor Day/Seconded by Councillor Hobson

R81/99/02/01 THAT the Terms of Reference attached as Appendix A of the January 26, 1999 report of the Long Range Planning Manager be endorsed as the basis upon which staff initiate the review and update of the City of Kelowna's Official Community Plan.

Carried

The Long Range Planning Manager and the Planner – Long Range left the Council Chamber at 2:29 p.m.

4.5 Planning & Development Services Department, dated January 26, 1999 re: Crime Prevention Through Environmental Design – Guidelines for the City of Kelowna (6970-20)

The Community Planning Manager outlined the report recommending use of the guideline document as an educational tool and advising the guidelines would be provided to various agencies in the community for their support as well.

The Environment Manager and the Environmental Technicians entered the Council Chamber at 2:44 p.m.

Council suggested staff consider holding a CPTED workshop some time and possibly putting together a video for the workshop showing examples of situations that could be improved.

Amendment Moved by Councillor Bremner/Seconded by Councillor Hobson

R82/99/02/01 THAT development applications also be reviewed for compliance to the Crime Prevention Through Environmental Design (CPTED) guidelines with comments provided in the staff reports to Council.

Carried

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

Moved by Councillor Bremner/Seconded by Councillor Hobson

R83/99/02/01 THAT Kelowna City Council receive for information the document entitled "Crime Prevention Through Environmental Design – Guidelines for the City of Kelowna" as attached to the Planning Department's report dated January 26, 1999;

AND THAT Council authorize distribution of the document to various agencies and the availability of the document for public use, including publication on the City's proposed Internet web page;

AND FURTHER THAT development applications also be reviewed for compliance to the Crime Prevention Through Environmental Design (CPTED) guidelines with comments provided in the staff reports to Council.

Carried

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The Director of Planning & Development Services and the Community Planning Manager left the Council Chamber at 3:06 p.m.

5. REPORTS

- 5.1 Environment Manager, dated January 20, 1999 re: 1998 State of the Environment Report (5280-01)

The Environment Manager introduced the report.

The Environmental Technicians gave a presentation on the environmental indicators identified in the State of Environment Report explaining how Kelowna's indicators were created and how measuring the current conditions of our community's environmental health can help solve problems.

Moved by Councillor Shepherd/Seconded by Councillor Day

R84/99/02/01 THAT the *City of Kelowna 1998 State of the Environment Report* dated January 21, 1999 be received for Council's information;

AND THAT staff be authorized to monitor the environmental indicators identified on page 61 of the report, starting in 1999.

Carried

6. RESOLUTIONS

- 6.1 Draft Resolution re: Travel Authorization – 1999 UBCM Convention (0230-20)

The Acting-City Clerk read the resolution for the benefit of Council and the viewing audience.

A member of Council noted that often pre-conference sessions start the day before and that if the date was changed from September 28th to September 27th the resolution would also provide the necessary approval to attend the earlier sessions.

Council agreed to change the date as a friendly amendment to the motion.

Moved by Councillor Hobson/Seconded by Councillor Day

R85/99/02/01 THAT all members of Council be authorized to travel to attend the 1999 Union of British Columbia Municipalities Convention being held September 27 to October 1, 1999 in Vancouver, B.C., with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-015-0-001.

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- 6.2 Draft Resolution re: Travel Authorization – 1999 OMMA Convention (0230-20)

The Acting-City Clerk read the resolution for the benefit of Council and the viewing audience.

Moved by Councillor Shepherd/Seconded by Councillor Leask

R86/99/02/01 THAT all members of Council be authorized to travel to attend the 1999 Okanagan Mainline Municipal Association Convention being held May 5-7, 1999 in Revelstoke, B.C., with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-015-0-001.

Carried

The Environment Manager and the Environmental Technicians left the Council Chamber at 3:51 p.m.

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.1 Bylaw No. 8350 – Amendment No. 2 to City of Kelowna Electricity Regulation Bylaw No. 7639 (amend miscellaneous & administration electrical utility rates for 1999 & 2000)

Moved by Councillor Nelson/Seconded by Councillor Cannan

R87/99/02/01 THAT Bylaw No. 8350 be read a first, second and third time.

Carried

- 7.2 Bylaw No. 8352 – Amendment No. 3 to Kelowna Municipal Cemetery Bylaw No. 7627

The Acting-City Clerk advised this bylaw had been withdrawn from the agenda.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.3 Bylaw No. 8341 – Road Exchange Bylaw – Glenmore/Ivans Roads

Moved by Councillor Bremner/Seconded by Councillor Cannan

R88/99/02/01 THAT Bylaw No. 8341 be adopted.

Carried

- 7.4 Bylaw No. 8355 – Amendment No. 8 to Local Improvement Charges Bylaw No. 6600-90 (replaces Schedule “A”)

Moved by Councillor Cannan/Seconded by Councillor Bremner

R89/99/02/01 THAT Bylaw No. 8355 be adopted.

Carried

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8. COUNCILLOR ITEMS

(a) Pawn Shop Bylaw

Councillor Shepherd requested a report from staff regarding the status of the City's Pawn Shop Bylaw.

(b) Design of City-Owned Parkades

Councillor Day advised that he will be asking staff through the Parking Committee to review the design of the two parkades owned by the City to see if they comply with the Crime Prevention Through Environmental Design (CPTED) guidelines and will report back to Council with the results.

(c) Liquor Licensing Review

Councillor Hobson noted that the industries involved with food and liquor service have reported that they achieved a consensus agreement on liquor licensing issues at a recent meeting in the Lower Mainland. The City of Kelowna is already on record requesting an opportunity for municipal review of any recommended changes through the UBCM prior to changes in liquor licensing. However, some of the changes being recommended by the liquor industry representatives would significantly increase the availability of liquor even though the social and community impacts of this expansion have not yet been determined. Some of the proposed changes include expanding the number of licensed establishments, expanding the seating capacity of existing liquor operations, and increasing the hours that licensed establishments are able to sell liquor.

Moved by Councillor Hobson/Seconded by Councillor Cannan

R90/99/02/01 THAT staff review the changes proposed by liquor industry representatives to the provincial liquor licensing policy and report back on the potential implications to the City at the Regular Meeting on Monday, February 8, 1999.

Carried

(d) Crown Lands on the South Slopes

Councillor Hobson advised that the Provincial Ministry of Finance and the Ministry of Environment, Lands and Parks are selling off Crown Land to help deal with the provincial deficit. There has been constant debate regarding sale of the deeded Crown lots and there is strong opinion in the community that the Crown lands on the South Slopes should never be considered for sale and should be retained in public ownership. Councillor Hobson referred to a letter to MLA Cindy Hawkins from the British Columbia Assets and Land Corporation regarding one area of Crown Land at the south end of Sallows Road that has been reserved for future housing purposes since 1976. Councillor Hobson advised that the City of Kelowna's planning documents have never indicated the Crown Lands in the South Slopes area as future housing reserve and asked that a letter be sent to once again state that the City of Kelowna wants these lands to be retained for recreational purposes.

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Moved by Councillor Hobson/Seconded by Councillor Shepherd

R91/99/02/01 THAT a letter be sent to the Minister of Environment, Lands and Parks, the Minister of Finance, and the B.C. Assets and Land Corporation stating that Kelowna City Council does not deem the area of Crown Land at the end of Sallows Road to be a future housing reserve, and reiterating that the City of Kelowna wants the entire South Slopes area to be retained in public ownership for recreational purposes.

Carried

(e) 2% Hotel/Motel Tax

Mayor Gray informed Council that he intends to send copies of the position paper received from the campground and resort operators on the issue of a 2% hotel/motel tax to the Hotel/Motel Association, the Chamber of Commerce and the Mayors of Vernon and Penticton for their review.

9. TERMINATION

The meeting was declared terminated at 4:17 p.m.

Certified Correct:

Mayor

Acting-City Clerk

BLH/am