

Regular MeetingApril 6, 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 Tuesday, April 6, 1999.

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

Council members absent: Councillors J.D. Leask and J.D. Nelson.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi; Special Projects Planning Manager, H.M. Christy*; Licensing & Bylaw Enforcement Supervisor, M.A. McCorkell*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 10:06 p.m.

2. PRAYER

The meeting was opened with a prayer offered by Councillor Cannan.

3. CONFIRMATION OF MINUTES

3.1 Regular Meeting, March 22, 1999

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R253/99/04/06 THAT the minutes of the Regular Meeting of March 22, 1999 be confirmed as circulated.

Carried

3.2 Public Hearing, March 23, 1999

Moved by Councillor Bremner/Seconded by Councillor Cannan

R254/99/04/06 THAT the minutes of the Public Hearing of March 23, 1999 be confirmed as circulated.

Carried

3.3 Regular Meeting, March 23, 1999

Moved by Councillor Bremner/Seconded by Councillor Cannan

R255/99/04/06 THAT the minutes of the Regular Meeting of March 23, 1999 be confirmed as circulated.

Carried

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3.4 Regular Meeting, March 29, 1999

Moved by Councillor Blanleil/Seconded by Councillor Shepherd**R256/99/04/06** THAT the minutes of the Regular Meeting of March 29, 1999 be confirmed as circulated.Carried

4. Councillor Cannan was requested to check the minutes of this meeting.

5. PLANNING BYLAWS CONSIDERED AT PUBLIC HEARING**(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)**5.1 Bylaw No. 8367 – City of Kelowna Zoning Bylaw Text Amendment No. TA99-005 (miscellaneous amendments)

Council adopted a resolution at the Public Hearing held immediately prior to this meeting, adjourning the portion of the public hearing dealing with Bylaw No. 8367 to the April 20, 1999 Public Hearing.

5.2 Bylaw No. 8383 – City of Kelowna Zoning Bylaw Text Amendment No. TA99-006 (amendments regarding pawnshops)

Council did not support restricting pawnshops to only the I4 – Central Industrial zone.

Moved by Councillor Hobson/Seconded by Councillor Day**R257/99/04/06** THAT No. 2(g) of Bylaw No. 8383 (Zoning Bylaw Text Amendment No. TA99-006 – amendments regarding pawnshops) be amended by removing (aa) as a paragraph to be deleted from the C10 Service Commercial zone.CarriedMoved by Councillor Hobson/Seconded by Councillor Day**R258/99/04/06** THAT Bylaw No. 8383, as amended, be read a second and third time.CarriedMoved by Councillor Hobson/Seconded by Councillor Shepherd**R259/99/04/06** THAT implementation of the \$3,000 business license fee for pawnshops be brought back for review by Council in October 1999;

AND THAT City staff meet with the RCMP and a representative of the pawnshops to establish the level of compliance to the Pawnshop Bylaw that would be required in order for a reduced business license fee to be considered in October and report back with a recommendation for Council.

Carried

A member of Council suggested that, if in October the recommendation is to proceed with implementation of the \$3,000 business license fee, then a business plan should also be presented as part of the staff report to show how the additional revenue would be allocated.

6. UNFINISHED BUSINESS

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- 6.1 (a) Licensing & Bylaw Enforcement Supervisor, dated March 31, 1999 re: Bylaw No. 8360 - Amendment No. 1 to Second Hand Dealer and Pawnbroker Regulation Bylaw No. 7611

The Licensing & Bylaw Enforcement Supervisor reviewed the report and highlighted the revisions to the draft bylaw that staff are now recommending as a result of meeting with a representative of the pawnbrokers operating within the City.

Council instructed staff to monitor whether non-acceptance of Native Status Cards and Passports as identification is an issue for concern. The results of this monitoring is to be included in the report back to Council in October regarding the business license fees for pawnshops, or sooner if a major issue is being created for the pawnbrokers.

Moved by Councillor Day/Seconded by Councillor Hobson

R260/99/04/06 THAT second and third readings given Bylaw No. 8360 (Amendment No. 1 to Second Hand Dealer and Pawnbroker Regulation Bylaw No. 7611) under Resolution No. R203/99/03/15 on March 15, 1999 be rescinded and the bylaw amended as outlined in the report dated March 31, 1999 from the Licensing & Bylaw Enforcement Officer.

Carried

- (b) Bylaw No. 8360 – Amendment No. 1 to Second Hand Dealer and Pawnbroker Regulation Bylaw No. 7611

Moved by Councillor Day/Seconded by Councillor Hobson

R261/99/04/06 THAT Bylaw No. 8360, as amended, be read a second and third time.

Carried

The Special Projects Planning Manager and the Licensing & Bylaw Enforcement Supervisor left the Council Chamber at 10:33 p.m.

(BYLAW PRESENTED FOR AMENDMENT AT FIRST READING, AND TO CONSIDER SECOND & THIRD READINGS AND ADOPTION)

- 6.2 Bylaw No. 8327 – City of Kelowna Official Community Plan Amendment No. OCP98-025 – Wetland Habitat Management Strategy **requires majority vote of Council (5)**

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R262/99/04/06 THAT further reading consideration of Bylaw No. 8327 (OCP98-025 – Wetland Habitat Management Strategy) be deferred to the Regular Meeting of Monday, April 12, 1999.

Carried

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7. REPORTS

- 7.1 Financial Planning & Systems Manager, dated March 30, 1999 re: Amendment No. 1 – 1999 Provisional Budget (1700-20; B/L 8388)

The City Manager spoke briefly to the information in the report.

Moved by Councillor Hobson/Seconded by Councillor Day

R263/99/04/06 THAT 1999 Provisional Budget Amendments reviewed at the March 8, 1999 Regular Meeting be approved by Council;

AND THAT the 1999 Amended Provisional Budget, in the amount of \$197,125,000 reflecting net operating and total capital costs of the combined Adopted Provisional Budget and Carry-over projects, be adopted as per Schedule A attached to the report dated March 30, 1999 from the Financial Planning & Systems Manager;

AND FURTHER THAT the City Manager be authorized to proceed with all projects provided for in the 1999 Amended Provisional Budget, details of which will be distributed to operating departments.

Carried

8. RESOLUTIONS

- 8.1 Draft Resolution re: Board of Variance Appointment (3730-01)

The City Clerk read the resolution for the benefit of the viewing audience.

Moved by Councillor Bremner/Seconded by Councillor Cannan

R264/99/04/06 THAT Council appoint Mr. Keith Johnston as a member of the Board of Variance for a three (3) year term commencing April 6, 1999 pursuant to Section 899 of the Municipal Act;

AND THAT the Mayor write a letter to Mr. Cornie Peters thanking him for his 9 years of service on the Board of Variance.

Carried

9. BYLAWS

BYLAWS PRESENTED FOR FIRST READING)

- 9.1 Bylaw No. 8384 (Z98-1046) – William & Lise Sinclair – 1506 Dickson Avenue

Moved by Councillor Bremner/Seconded by Councillor Cannan

R265/99/04/06 THAT Bylaw No. 8384 be read a first time.

Carried

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- 9.2 Bylaw No. 8385 (Z98-1052) – Lakeshore Dental Centres Inc. (Stacey Marsh) – 1255 Gaggin Road

Moved by Councillor Cannan/Seconded by Councillor Bremner**R266/99/04/06** THAT Bylaw No. 8385 be read a first time.Carried

- 9.3 Bylaw No. 8387 (Z99-1022) – Shato Holdings Ltd. (City of Kelowna) – 2190 Harvey Avenue

Moved by Councillor Hobson/Seconded by Councillor Day**R267/99/04/06** THAT Bylaw No. 8387 be read a first time.Carried**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 9.4 Bylaw No. 8388 – Amendment No. 1 to Provisional Budget Bylaw, 1999, No. 8343

Moved by Councillor Day/Seconded by Councillor Hobson**R268/99/04/06** THAT Bylaw No. 8388 be read a first, second and third time.Carried**(BYLAWS PRESENTED FOR ADOPTION)**

- 9.5 Bylaw No. 8376 – Sterile Insect Release Program Parcel Tax Bylaw

Moved by Councillor Cannan/Seconded by Councillor Blanleil**R269/99/04/06** THAT Bylaw No. 8376 be adopted.Carried10. REMINDERS – Nil.11. TERMINATION

The meeting was declared terminated at 10:39 p.m.

Certified Correct:_____
Mayor

BLH/am

City Clerk