

Regular MeetingMay 17, 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, May 17, 1999.

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

Council members absent: Councillor M.I. Bremner.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi*; Acting-Current Planning Manager, A. Bruce*; Long Range Planning Manager, L.V. Foster*; Community Planning Manager, T. Eichler*; Planning & Development Officer, G. Routley*; Director of Parks & Leisure Services, D.L. Graham*; Parks Manager, J. Creron*; Recreation Manager, R. Oddleifson*; Civic Properties Manager, H.R. Hyatt*; Drainage/Solid Waste Manager, A. Newcombe*; Biosolids Technician, G. Light*; Licensing & Bylaw Enforcement Supervisor, M.A. McCorkell*; Environment Manager, M. Watt*; Communications Manager, C.V. Renkas*; Administrative Research Assistant, K. Cairns*; 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

Mayor Gray altered the order of business and advised that agenda item No. 3.2 would be dealt with at this time.

3.2 Ray Goodman, Chair of Canada Day Festival re: Canada Day Festival 1999

Ray Goodman, Chair of the Canada Day Festival, advised that costs are up in order to provide increased policing to avoid the traffic jam that resulted from the success of last year's event, and because businesses that participated last year at a loss are not prepared to do that again this year. He asked that Council approve a grant in the amount of \$10,000 for the event and asked that the Mayor or a delegate attend.

Dorothy Birker, Chamber of Commerce advised that in addition to policing costs the grant money would also be used for honorariums for entertainers for the event.

Moved by Councillor Nelson/Seconded by Councillor Hobson

R414/99/05/17 THAT Council approve the allocation of \$10,000 to the Canada Day Festival organizers for the 1999 Canada Festival celebrations;

AND THAT the funds be appropriated from Council Contingency.

Carried

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R415/99/05/17 THAT providing funding *in the base budget* for the Canada Day Festival be brought forward for debate at provisional budget discussions;

AND THAT the Canada Day Festival committee provide a report on the previous year's event for Council's information when debating this item.

Carried

- 3.1 Local Government Student Awareness
 - Report dated May 14, 1999 from Councillor Shepherd
 - Youth Council Presentations

Councillor Shepherd advised that six students have participated in this program since March and they have worked diligently evaluating the committee they chose to evaluate from a youth point of view. She also acknowledged the parents and School Superintendent Rubadeau for their attendance at the meeting.

Council viewed a short video of the students asking questions of people in the community to test their knowledge of local government. The video revealed that there is a lack of knowledge about local government in the community and the majority of the youth interviewed indicated there should be more youth involvement in local government.

Garth Martens - Kelowna Secondary School - Regional District Youth Task Force – Garth discussed the terms of reference for the task force and concluded through his research and interviews that the focus has been on youth. Regrettably meetings are during school hours and so actual youth involvement is not possible. He suggested holding the meetings on weekends at the various schools and that each school could form a youth council to obtain input from the student body to relay to the task force.

Kajal Patel – Okanagan Mission Secondary – Community Health Advisory Committee – Kajal reported on a health advisory committee meeting she had attended and the two presentations that the committee heard that day. The message from the first presentation was “that it takes a community to raise a youth” and the other presentation was on the smoking reduction strategy and the magnitude of the teen smoking problem in B.C. She noted there are no youth on this committee but that there should be in order to obtain a youth perspective on issues.

Christiana Fryer – KLO Secondary – Sports Advisory Council – Christiana did not attend any meetings and did not talk to anyone on the advisory council, but based on her research, concluded that their ideas on how to improve public knowledge are good. However, she noted that physical education is optional after grade 10 and suggested that in order to reach all of the students, information on sports related items be advertised or posted throughout the schools and not just in gym areas.

Carrie Huget – Okanagan Mission Secondary – Economic Development Commission – Carrie reported that the EDC has sub-committees that bring issues forward to the board. There are no youth on the board and the board is of the opinion that it would be a challenge to find a role for youth to play on the EDC. The EDC sponsors a Young Entrepreneur program with the School District and also APEC to bring Asia/Pacific Markets to B.C. The EDC prevents the economic future in Kelowna from becoming stagnant.

Conor O'Neill – KLO Secondary – Generation Youth Unites – Conor gave a brief synopsis of his findings. Youth's main issue is being misunderstood and being bored and

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GYU was created to counter this problem. GYU is made up entirely of youth from the Kelowna area and Conor's conclusion was that GYU is successful in fulfilling their mission statement.

Jackelyn Ford, Okanagan Mission Secondary – Kelowna Arts Foundation – Jackelyn suggested that since the arts foundation grants are meant to benefit the community in its entirety, there should be demonstration from the group receiving funding that they have tried to get youth involvement. Youth involvement with the arts foundation is presently non-existent but may be beneficial. Jackelyn noted, however, that youth may have a problem with the liaison relationship and would have to be very passionate about the arts to become involved.

The students responded to questions of Council advising that hearing positive feedback when they make suggestions encourages youth to get more involved in issues and agreeing that students should learn more in school about local government and local issues.

Moved by Councillor Shepherd/Seconded by Councillor Cannan

R416/99/05/17 THAT City Council recognize the importance of youth input into Council Committees;

AND THAT City Council consider involving youth or youth input when Committees are formed;

AND FURTHER THAT the Mayor and Council proclaim the week of May 17 to May 23 as "Local Government Student Awareness Week".

Carried

Mayor Gray read a proclamation declaring May 17-23, 1999 as Local Government Awareness Week.

The Director of Planning & Development Services and the Planning & Development Officer entered the Council Chamber and the Communications Manager and the Administrative Research Assistant left at 2:51 p.m.

Mayor Gray read a proclamation declaring Friday, May 28, 1999 as Arbour Day.

Councillors Blanleil and Leask left the Council Chamber at 2:52 p.m.

Mayor Gray read a proclamation declaring Sunday, May 30, 1999 as Walk the World for Schizophrenia Day.

3.2 Ray Goodman, Chair of Canada Day Festival re: Canada Day Festival 1999

Dealt with after agenda item No. 2.

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4. PLANNING

- 4.1 Planning & Development Services Department, dated May 12, 1999 re: Renewal of Authorization for Issuance of DP97-10,036 – Petro-Canada Exploration Inc. – 2693 Highway 97 North (3060-20)

The Acting-Current Planning Manager indicated the property on a map displayed on the overhead projector and outlined the report noting the applicant has not yet completed the conditions for issuance of the permit. He also advised that Ministry of Transportation and Highways requirements have been reduced which will allow for enhanced landscaping along the highway.

Councillor Hobson left the Council Chamber and Councillor Blanleil returned at 2:56 p.m. and took his place at the Council Table.

Moved by Councillor Cannan/Seconded by Councillor Day

R417/99/05/17 THAT Municipal Council renew authorization for issuance of Development Permit No. DP97-10,036; Lot A, Sec. 27, Twp. 26, O.D.Y.D., Plan 11947 except Plan A12943 for Petro Canada located on Highway 97 North, Kelowna, B.C. for a period of 180 days, expiring on November 23, 1999.

Carried

The Long Range Planning Manager entered the Council Chamber at 2:57 p.m.

- 4.2 Planning & Development Services Department, dated May 12, 1999 re: Rezoning Application No. Z98-1030/TA99-001 – Byron & Patricia Truswell (New Town Planning Services Inc.) – 550 Truswell Road (3360-20)

The Acting-Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The applicant is requesting an amendment to the C9 zone to permit boat storage as a principal use to allow a dry land yacht club operation on the site. An agreement would be required for commercial use of the public boat launch.

Councillor Hobson returned to the Council Chamber at 3:00 p.m. and took his place at the Council Table.

The Acting-Current Planning Manager reviewed the text amendment which he advised is tailor made for the proposed use on the subject site. He noted that staff view this as a temporary use as it is conceivable the site will be redeveloped within 5-10 years.

The Acting-Current Planning Manager responded to questioning advising that the proposal is for year round boat storage. Most boats would come to the site by water and the quick hauler would pick them up from the water and take them to storage racks. The operation would be limited just to boat launching and one tier of boat storage.

Councillor Leask returned to the Council Table at 3:14 p.m. and took his place at the Council Table.

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R418/99/05/17 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by adding boat storage as a permitted use in the C9 – Tourist Commercial zone in accordance with Schedule “A” as outlined in the report of the Planning & Development Services Department dated May 12, 1999;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 17, Sec. 1, Twp. 25, and D.L. 134, O.D.Y.D., Plan 2714 located on Truswell Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the C9 – Tourist Commercial zone;

AND THAT Text Amendment No. TA99-001 and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction which includes the registration of a Section 219 Restrictive Covenant and the upgrading of Lakeshore Road;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the applicant entering into and agreement with the City for access to and use of the existing Cook Road Boat Launch.

Carried

- 4.3 Planning & Development Services Department, dated May 11, 1999 re: Development Permit Application No. DP99-10,023 – Ernst & Monika Sonnenburg (Abacus Homes) – 1551-1561 Ellis Street (3060-20)

The Acting-Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The applicant is proposing to upgrade the exterior façade of the existing commercial building.

The Director of Planning & Development Services left the Council Chamber at 3:17 p.m.

Moved by Councillor Hobson/Seconded by Councillor Day

R419/99/05/17 THAT Municipal Council authorize the issuance of Development Permit No. 99-10,023; for Abacus Homes: for Lot 12, D.L. 139, O.D.Y.D., Plan 1347, located on Ellis Street, Kelowna, B.C., subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B".

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The Community Planning Manager entered the Council Chamber and the Acting-Current Planning Manager left at 3:20 p.m.

4.4 Planning & Development Services Department, dated May 10, 1999 re: Kelowna Heritage Register (6800-02)

The Planning & Development Officer used slides displayed on the overhead projector to assist with a review of the process undertaken to date on this initiative and the eligibility criteria for inclusion in the heritage register.

The Long Range Planning Manager advised that each affected property owner would be notified and invited to an open house forum and feedback from the forum would then be presented when Council considers approval of the register.

A member of Council noted a number of buildings missing from the heritage register and was advised that the register is a working document that hopefully would be updated annually.

The Planning & Development Officer advised that there would be a notation in the City's GIS system so that when potential buyers or realtors enquire at City Hall about a property they would be informed if the property was included in the heritage register.

Council suggested that staff also inform the MLS of the register with a request that they notify their membership to contact the City regarding the status of properties being listed for sale, and that when the Heritage Register is approved, it and a list of the homes with legal suites be included on the City's Web Page.

Council agreed to a friendly amendment to add "draft" in the first paragraph of the motion.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R420/99/05/17 THAT the draft Kelowna Heritage Register dated December 1998 be received by City Council;

AND THAT City Council direct City staff to initiate a public review process, as outlined in the Planning & Development Services Department report of May 10, 1999, to provide an opportunity for public examination and comment on the Kelowna Heritage Register prior to considering the adoption of the Register.

Carried

Moved by Councillor Day/Seconded by Councillor Shepherd

R421/99/05/17 THAT following conclusion of the public review process on the draft Kelowna Heritage Register, Council agree to hear the concerns of the public at a Regular meeting of Council, if warranted.

Carried

The Parks Manager entered the Council Chamber and the Long Range Planning Manager and the Planning & Development Officer left at 3:50 p.m.

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- 4.5 Planning & Development Services Department, dated May 6, 1999 re: National Housing Policy (5040-01)

The Community Planning Manager reviewed the report and advised that the Big City Mayor's Caucus will be presenting the recommendations at the upcoming FCM convention.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R422/99/05/17 THAT a letter be sent on behalf of City Council and the Community Housing Needs Committee in support of recommendations that will be presented at the June Annual Convention of the Federation of Canadian Municipalities in Halifax, Nova Scotia for the Federal Government to adopt a National Housing Policy and re-invest in housing for disadvantaged Canadians.

Carried

The Community Planning Manager left the Council Chamber at 3:53 p.m.

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 5.1 Bylaw No. 8400 – City of Kelowna Text Amendment No. TA99-002 (dock regulations)

Moved by Councillor Nelson/Seconded by Councillor Leask

R423/99/05/17 THAT Bylaw No. 8400 be adopted.

Carried

The Drainage/Solid Waste Manager and the Biosolids Technician entered the Council Chamber at 3:54 p.m.

6. REPORTS

- 6.1 Parks Manager, dated May 12, 1999 re: Knox Mountain Park Pest Infestation (5810-01)

The Parks Manager reported that input received at the public open house held on May 5th and via survey and telephone hot line indicates clear support for the treatment of the tussock moth and spruce budworm.

Council noted that both NPV and BTK are biological and not chemical agents for controlling these pests and agreed to a friendly amendment to the motion to allow the program to continue in subsequent years if deemed to be necessary.

Moved by Councillor Hobson/Seconded by Councillor Day

R424/99/05/17 THAT as a matter of policy, Knox Mountain Park be treated for Tussock Moth and Spruce Budworm using NPV and BTK when deemed necessary by the Parks Manager.

Carried

The Parks Manager left the Council Chamber at 4:03 p.m.

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- 6.2 Drainage/Solid Waste Manager, dated May 12, 1999 re: Biosolids Recycling – “Ogogrow” (5380-03)

The Drainage/Solid Waste Manager outlined the report for Council.

The Biosolids Technician narrated a slide presentation explaining the composting operation at the City’s biosolids recycling facility. He advised that all compost to date has been approved for unrestricted use including vegetable gardens.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R425/99/05/17 THAT Council receive the report and presentation regarding the biosolids recycling process and the production of "OGOGROW" as information.

Carried

The Licensing & bylaw Enforcement Supervisor entered the Council Chamber and the Biosolids Technician left at 4:19 p.m.

- 6.3 Drainage/Solid Waste Manager, dated May 11, 1999 re: Storm Drain Trunk Allocation (5225-01)

The Drainage/Solid Waste Manager briefly outlined the report for Council.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R426/99/05/17 THAT Council approve an amendment to the 1999 Budget by providing \$177,300 from the unspent budget reserve into the Storm Drain Trunk Allocation program (4000-D9998).

Carried

The Drainage/Solid Waste Manager left the Council Chamber at 4:21 p.m.

- 6.4 Inspection Services Manager, dated May 12, 1999 re: Amendment No. 53 being Bylaw No. 8426 to Amend Ticket Information Utilization Bylaw No. 6550-89 (B/L 8426)

The Licensing & Bylaw Enforcement Supervisor briefly outlined the report for Council.

Moved by Councillor Nelson/Seconded by Councillor Leask

R427/99/05/17 THAT Bylaw No. 8426 be advanced for reading consideration by Council to amend Ticket Information Utilization Bylaw No. 6550-89 to include fines for violations of the Second Hand Dealer and Pawnbroker Regulation Bylaw.

Carried

The Recreation Manager entered the Council Chamber at 4:22 p.m.

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- 6.5 Inspection Services Manager, dated May 11, 1999 re: Amendment No. 10 to Business Licence Bylaw No. 7878 and Amendment No. 52 to Ticket Information Utilization Bylaw No. 6550-89 (B/L 8394 & 8395)

The Licensing & Bylaw Enforcement Supervisor outlined the report for Council.

Members of Council suggested that a better way is needed to communicate to the owners of towed vehicles where their vehicle was towed and that there may be times when tickets alone would suffice instead of both tickets and towing. Staff were asked to report back on the current towing fees and how they are set, and on how the towing companies used by the City are selected.

Moved by Councillor Nelson/Seconded by Councillor Shepherd

R428/99/05/17 THAT Bylaw No. 8394 (Amendment No. 10 to Business Licence Bylaw No. 7878) and Bylaw No. 8395 (Amendment No. 52 to Ticket Information Utilization Bylaw No. 6550-89) for the regulation of tow truck services be advanced for reading consideration by Council.

Carried

The Director of Parks & Leisure Services and the Environment Manager entered the Council Chamber and the Licensing & Bylaw Enforcement Supervisor left at 4:38 p.m.

Councillor Hobson left the Council Chamber at 4:38 p.m.

- 6.6 Recreation Manager, dated May 12, 1999 re: Internet Registration – Class eConnect (0810)

The Recreation Manager outlined the report noting this acquisition is being offered at a 50% discount because it is still being tested.

A member of Council expressed concern that people without computers could be disadvantaged when trying to register for classes and indicated this should be evaluated when the new system is implemented.

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R429/99/05/17 THAT City Council authorize purchase of a CLASS eCONNECT computer system for recreation registration and recreation facility rental using the Internet;

AND THAT the costs for this new software system in the amount of \$33,500 be funded from the Finance/Major Systems Software Reserve;

AND THAT 1999 operational savings generated in the Recreation Department, up to the cost of the software system, be used to replenish the Finance/Major Systems Software Reserve;

AND FURTHER THAT the 1999 budget be amended to reflect this increased expenditure.

Carried

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The Civic Properties Manager entered the Council Chamber and the Recreation Manager left at 4:49 p.m.

Councillor Blanleil left the Council Chamber at 4:49 p.m.

- 6.7 Environment Manager, dated May 12, 1999 re: 1999 Pollution Prevention Program (5280-14)

The Environment Manager reviewed the report for Council.

Moved by Councillor Leask/Seconded by Councillor Shepherd

R430/99/05/17 THAT the report dated May 12, 1999 from the Environment Manager regarding 1999 Pollution Prevention Programs be received for Council's information.

Carried

- 6.8 Environment Manager, dated May 10, 1999 re: Lower Mill Creek Channel Assessment

The Environment Manager reviewed the report and advised that some of the restoration work will start this summer.

Moved by Councillor Cannan/Seconded by Councillor Day

R431/99/05/17 THAT Council receive for information the report dated May 10, 1999 from the Environment Manager summarizing the findings of the Lower Mill Creek Channel Assessment.

Carried

The Environment Manager left the Council Chamber at 5:20 p.m.

- 6.9 Civic Properties Manager, dated May 12, 1999 re: Kelowna Waterfront Walkway Connection (5400-01)

The Civic Properties Manager outlined the report for Council.

Moved by Councillor Shepherd/Seconded by Councillor Day

R432/99/05/17 THAT Council approve construction of the landscaped walkway detailed on Drawings No. C001 and C002 attached to the Civic Properties Manager's report dated May 12, 1999, along the waterfront between the Queensway parking lot and the Water Street boat launch.

Carried

The Director of Parks & Leisure Services and the Civic Properties Manager left the Council Chamber at 5:31 p.m.

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- 7.1 Bylaw No. 8394 – Amendment No. 10 to Business Licence and Regulation Bylaw No. 7878 (towing service regulations)

Moved by Councillor Cannan/Seconded by Councillor Leask**R433/99/05/17** THAT Bylaw No. 8394 be read a first, second and third time.Carried

- 7.2 Bylaw No. 8395 – Amendment No. 52 to Ticket Information Utilization Bylaw No. 6550 (replace Schedule 5 – Business Licence & Regulation Bylaw)

Moved by Councillor Leask/Seconded by Councillor Cannan**R434/99/05/17** THAT Bylaw No. 8395 be read a first, second and third time.Carried**8. COUNCILLOR ITEMS**

- (a) 1999 Summer Initiatives - Downtown

Councillor Cannan indicated he would like to hear about the initiatives proposed to make the downtown area safer this summer.

Councillor Leask left the Council Chamber at 5:38 p.m.

- (b) Senior Award Program – Hong Kong Bank

Mayor Gray announced that each year nominations are sought throughout British Columbia for the Senior of the Year award. The senior award program gives provincial recognition to the contribution made by seniors through voluntary activities in their various communities. Nomination forms are available in City Hall or at HSBC Bank Canada (formerly Hong Kong Bank of Canada). The nomination deadline is July 16, 1999.

- (c) Kelowna Family Regatta

Mayor Gray advised that the Kelowna Family Regatta will not be abandoned for 1999 after all. As a result of the recent announcement to cancel the regatta, the Jaycees had a quick meeting and decided their parade will go on with or without the regatta and the Jaycees are also prepared to put on the regatta, if necessary.

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9. TERMINATION

The meeting was declared terminated at 5:43 p.m.

Certified Correct:

Mayor

City Clerk

BLH/bn