

Regular MeetingAugust 23, 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, August 23, 1999.

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

Council members absent: Councillors M.I. Bremner and J.D. Leask.

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, A.V. Bruce*; Subdivision Approving Officer, R.G. Shaughnessy*: Long Range Planning Manager, L.V. Foster*; Special Projects Planning Manager, H.M. Christy*; Transportation Manager, R.W. Westlake*; Development Engineering Manager, S. Muenz*; Roadways Superintendent, M. Duggan*; Deputy Director of Finance, P.A. Macklem*; Financial Planning & Systems Manager, K. Grayston*; Electrical Manager, R. Carle*; Recreation Manager, R. Oddleifson*; Properties Supervisor, J. Waugh*; 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 Blanleil was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Steven Graham re: Trans Canada Trail - Development Process Update

Steven Graham, regional chair for Trails B.C. gave a brief progress report on development of the 16,000 km Trans Canada recreational corridor and asked that Council, in conjunction with the Chamber of Commerce, consider putting together a Trans Canada Trail Week.

Councillor Hobson entered the Council Chamber at 1:35 p.m. and took his place at the Council Table.

4. PLANNING

4.1 Planning & Development Services Department, dated August 11, 1999 re: Cultural District Plan Funding (1855-20)

The Long Range Planning Manager briefly outlined the report and advised the plan must be completed by March 2000.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R704/99/08/23 THAT \$25,000.00 be allocated as the City's contribution toward preparation of the Cultural District Plan, with the funds provided within the approved 1999 Neighbourhood Planning Account No. 311-10-162-0-371 and matched by an approved Human Resources Development Canada grant of \$25,000.00;

AND THAT the 1999 budget be amended to include this additional \$25,000 expenditure with funding from an HRDC grant.

Regular MeetingAugust 23, 1999Carried

The Long Range Planning Manager left the Council Chamber at 1:39 p.m.

- 4.2 Planning & Development Services Department, dated August 12, 1999 re: Rezoning Application No. Z99-1040 – Austin Beese (Mike Jacobs) – 3579 Water Road (3360-20)

The Subdivision Approving Officer indicated the property on maps displayed on the overhead projector and outlined the report for Council. The applicant is proposing to subdivide the 4.63 ha parcel into 20 lots. The lot with the existing dwelling would continue to be accessed from Water Road. The other 19 lots would be accessed from a westerly extension of Kimatouche Road. The Advisory Planning Commission reviewed the application and passed a recommendation of support along with a suggestion that a park is needed in this area. The City's Parks Manager has reviewed the need for additional park space in this area of the city and determined the existing Summerside Park is sufficient to meet the needs on the north side of McCulloch Road. Staff recommend forwarding the application to Public Hearing.

Moved by Councillor Blanleil/Seconded by Councillor Hobson

R705/99/08/23 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot B, Sec. 3, Twp. 26, O.D.Y.D., Plan 31531, as shown on Map "A" attached to the report of the Planning & Development Services Department dated August 12, 1999, located on 3579 Water Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RR3 – Rural Residential 1 zone;

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

Carried

- 4.3 Planning & Development Services Department, dated August 17, 1999 re: Agricultural Land Reserve Appeal No. A99-106 – Bernd & Bettina Breitzkreuz – 1839 Walburn Road (6635-20)

The Subdivision Approving Officer indicated the property on maps displayed on the overhead projector and outlined the report for Council. The applicant is requesting permission to subdivide the 6.91 ha parcel into two parcels to create a 2.02 ha parcel with a 4.89 ha parcel remainder both of which would be accessed from Walburn Road. The applicant proposes to use the proceeds from sale of the new parcel for the orchard operation on the parcel remainder. The Agricultural Advisory Committee and staff recommendation is for **non**-support of the application because City of Kelowna planning documents discourage subdivision of agricultural land into smaller parcels except when positive benefits to agriculture can be demonstrated.

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R706/99/08/23 THAT Council hear from the applicant.

Carried

Regular MeetingAugust 23, 1999

Peter Klimuk, on behalf of the applicant, responded to the comments in the Planning Department's report and advised that Area 4 which comprises 70% of the proposed new lot has slopes ranging from 30-50% and only Area 3 of the proposed lot could be productive. Mr. Klimuk submitted that the proposed subdivision does not contravene any of the City's planning documents and asked that Council support the appeal adding that it is better to subsidize the existing orchard operation than to remove the orchard and that is a very real possibility.

The Director of Planning & Development Services entered the Council Chamber at 2:04 p.m.

Council agreed to support the appeal subject to registration of a restrictive covenant to protect the areas over 30% slope and restrict the building envelope on the proposed new lot to within area 3.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R707/99/08/23 THAT Agricultural Land Reserve Appeal No. A99-106; Lot 7, Sec. 13, Twp. 26, O.D.Y.D., Plan 1926, located at 1839 Walburn Road, Kelowna, B.C., for subdivision within the Agricultural Land Reserve pursuant to Section 20(1) of the Agricultural Land Commission Act be supported by the Municipal Council subject to the registration of a restrictive covenant to (1) protect the area over 30% slope as a no-disturb/no tree removal area and (2) restrict the building envelope to area 3;

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

Carried

- 4.4 Planning & Development Services Department, dated August 18, 1999 re: Agricultural Land Reserve Appeal No. A99-107 – Gordon Douglas – 2900 Gallagher Road (6635-20)

Withdrawn from the agenda.

- 4.5 (a) **BYLAW PRESENTED FOR ADOPTION**

Bylaw No. 8424 (Z99-1003) – 554764 B.C. Ltd. (D.E. Pilling & Associates) – 170 Nickel Road, and City of Kelowna Official Community Plan Amendment No. OCP99-004

- (b) Planning & Development Services Department, dated August 18, 1999 re: Development Permit Application No. DP99-10,006 – 554764 B.C. Ltd. (D.E. Pilling & Associates – 170 Nickel Road (3060-20)

Deferred to after 4.7.

Regular MeetingAugust 23, 1999

- 4.6 Planning & Development Services Department, dated August 17, 1999 re: Extension of Approval for Issuance of DP96-10,022 and DVP96-10,028 – Lexington Enterprises – Highway 33 West/ Hollywood Road (3060-20; 3090-20)

Moved by Councillor Blanleil/Seconded by Councillor Shepherd

R708/99/08/23 THAT Municipal Council authorize the extension of the previously approved 360 day period of issuance of Development Permit No. DP96-10,022 and Development Variance Permit No. DVP96-10,028, for that portion of that part of the northeast ¼ of Sec. 22 included in Plan B2030, Twp. 26, O.D.Y.D. included in Plan deposited under D.D. No. 191999F except Plans H14926 and 39372; Lots 1 and 2, Sec. 22, Twp. 26, O.D.Y.D. Plan 19846; that part of the northeast ¼ of Sec. 22 shown outlined in red on Plan B2030, Twp. 26, O.D.Y.D. except: (1) part included in Plan D.D. 191999F (2) Plans 18610, H14926 and 39372, located on Highway 33 and Hollywood Road, Kelowna, B.C., for a further 60 days, to lapse November 14, 1999.

Carried

- 4.7 Planning & Development Services Department, dated August 18, 1999 re: Rezoning Application No. Z99-1044 – John & Margaret Donn – 595 White Road (3360-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The applicant is proposing to construct a secondary suite within the basement of the existing single family dwelling. Staff recommend advancing the application to public hearing.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R709/99/08/23 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Sec. 23, Twp. 26, O.D.Y.D., Plan 16489, located on White 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;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Inspection Services Department and Rutland Water District being completed to their satisfaction.

Carried

Regular MeetingAugust 23, 19994.5 (a) **BYLAW PRESENTED FOR ADOPTION**

Bylaw No. 8424 (Z99-1003) – 554764 B.C. Ltd. (D.E. Pilling & Associates) – 170 Nickel Road, and City of Kelowna Official Community Plan Amendment No. OCP99-004

Moved by Councillor Nelson/Seconded by Councillor Cannan**R710/99/08/23** THAT Bylaw No. 8424 be adopted.Carried

- (b) Planning & Development Services Department, dated August 18, 1999 re: Development Permit Application No. DP99-10,006 – 554764 B.C. Ltd. (D.E. Pilling & Associates – 170 Nickel Road (3060-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. A congregate care facility is proposed for construction on the southern portion of the site. The applicant proposes to provide the maximum parking allowed under the zoning bylaw on-site. There would be 6 apartment style units in the walk-out basement along with the caretaker's suite; the common facilities and 12 single bedroom units are proposed on the main floor. Staff recommend support.

Moved by Councillor Hobson/Seconded by Councillor Day

R711/99/08/23 THAT Municipal Council authorize the issuance of Development Permit No. DP99-10,006, on lands described as part of Lot B, Sec. 27, Twp. 26, O.D.Y.D. Plan 25115, as shown on Map "A" attached to the Planning & Development Services Department report dated August 18, 1999, located on Nickel Road, Kelowna, B.C., subject to the following terms and conditions:

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";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;
5. The applicant register a plan of subdivision to create the proposed development site as shown on Map "A".

Carried

Regular MeetingAugust 23, 1999

- 4.8 Planning & Development Services Department, dated August 18, 1999 re: Development Permit Application No. DP99-10,052 – Shell Canada Products Ltd. (Lynn Welder Consulting) – 634 Harvey Avenue (3060-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The permit would facilitate the installation of new corporate finishes and signage to the existing gas bar and convenience store. Staff recommend favourable consideration.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R712/99/08/23 THAT Municipal Council authorize the issuance of Development Permit No. DP99-10,052; for Lot A, D.L.139, O.D.Y.D. Plan 36779, located on Harvey Avenue, 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";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. Signage to be constructed in general accordance with Schedule "D";
5. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;
6. The registration of a plan of subdivision at the land titles office in Kamloops for required lane widening;

AND THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

Carried

- 4.9 Planning & Development Services Department, dated August 18, 1999 re: Development Permit Application No. DP99-10,058 – Ashley Equities Ltd. (Steve Hale/Septra Projects Ltd.) – 948 McCurdy Road (3060-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report noting this is the eighth development permit for the subject property. The Brick Furniture Warehouse proposes to locate at the northerly property boundary. In order to facilitate this proposal, the original development permit is modified to eliminate what was shown as proposed Building C2 and Building I.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R713/99/08/23 THAT Municipal Council authorize the issuance of Development Permit No. DP99-10,058; for Lot 4, Sec. 27, Twp. 26, O.D.Y.D., Plan 1879, except Plans A12969, H8110 and KAP64562, West Half Lot 61, D.L. 143, O.D.Y.D., Plan 426, except Plans A12969, H8110 and KAP64562, and Lot A, D.L. 143, O.D.Y.D., Plan KAP64566, located on McCurdy Road, 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";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. Fascia sign to be constructed in general accordance with Schedule "D";
5. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;
6. The applicant be required to address the outstanding requirements with respect to the future Rutland Sanitary Sewer Specified Area No. 21, as identified by the Works & Utilities Department prior to the issuance of a building permit for development subject to this permit;
7. The applicant be required to register plan of subdivision to adjust the property line between West Half Lot 61, D.L. 143, O.D.Y.D., Plan 426, Except Plans A12969, H8110 and KAP64562 and Lot A, D.L. 143, O.D.Y.D., Plan KAP64566 to eliminate property line passing under proposed building;

AND THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

Carried

Councillor Hobson left the Council Chamber at 2:34 p.m.

Regular MeetingAugust 23, 1999

- 4.10 Planning & Development Services Department, dated August 18, 1999 re: Rezoning Application No. Z99-1048 – John & Jacqueline Garcha (Ian Watson) – 344 Rio Drive (3360-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The applicant is proposing a secondary suite within a new dwelling presently under construction. The suite would be in the lower floor of the building along the rear elevation.

Moved by Councillor Cannan/Seconded by Councillor Nelson

R714/99/08/23 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 22, Sec. 31, Twp. 26, O.D.Y.D., Plan KAP54129, located on 344 Rio Drive, 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

- 4.11 Planning & Development Services Department, dated August 18, 1999 re: Development Permit Application No. DP99-10,069 – 298874 BC Ltd., Jorde Holdings Ltd., and Philden Holdings Ltd. (Lynn Welder Consulting) – 3260 Highway 97 North (3060-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report noting the property is currently undeveloped. Mill Creek runs along the north boundary of the site and the normal creek setback from a fish bearing stream would be 30 metres. The applicant's environmental consultant has come up with a mitigation plan predominantly at the 30 m setback but reduced in spots. The Ministry of Environment has granted conditional approval of the plan and staff recommend support.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R715/99/08/23 THAT Municipal Council authorize the issuance of Development Permit No. DP99-10,069; for a portion of Lot B, Sec. 34, Twp. 26, O.D.Y.D., Plan 25328, located on 3260 Highway 97 North, Kelowna, B.C., as shown on Schedule "A" attached to the report of the Planning & Development Services Department dated August 18, 1999 subject to the following:

1. Landscaping to be provided on the land be in general accordance with Schedule "A";
2. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper.

Carried

Regular MeetingAugust 23, 1999

- 4.12 Planning & Development Services Department, dated August 18, 1999 re: Rezoning Application No. Z99-1007 and OCP99-006 – Aberdeen Holdings Ltd. (Grant Maddock/Protech Consultants Ltd.) – 2350 Burtch Road (SW Corner of Guisachan/Burtch Roads) (3360-20)

Councillor Day declared a conflict of interest because a direct member of his family owns an adjacent property and left the Council Chamber at 2:40 p.m.

Councillor Hobson returned to the Council Chamber at 2:41 p.m. and took his place at the Council Table.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The rezoning would facilitate a phased development designed to consist of 226 sites for single storey modular homes, constructed on-site, similar to the existing adjacent Sunrise Village development.

Council discussed the proposed development and suggested that at the least there should be pedestrian connections to the abutting areas to the south and west of the development to enable residents to walk within their neighbourhood and that the developer should consider providing a tot lot.

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R716/99/08/23 THAT Map 15.1 – *General Future Land Use* of Schedule “A” of the Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 be amended by changing the Future Land Use designation for part of Lot 4, D.L. 136, O.D.Y.D., Plan 1562, Except Plans 41601 and KAP46155, located on Burtch Road, Kelowna, B.C., from the Single/Two Family use to Mobile Home Park use as shown on Map “A” attached to the report from the Planning & Development Services Department dated August 18, 1999;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot 4, D.L. 136, O.D.Y.D., Plan 1562, Except Plans 41601 and KAP46155, as shown on Map "A", located on Burtch Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RM7 – Mobile Home Park zone;

AND THAT the Official Community Plan and 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 issuance of a Preliminary Layout Review letter by the Approving Officer;

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;

AND FURTHER THAT prior to final adoption of the zone amending bylaw, the applicant enter into a Servicing Agreement with the City of Kelowna.

Carried

Regular Meeting

August 23, 1999

Councillor Day returned to the Council Chamber at 3:07 p.m. and took his place at the Council Table.

- 4.13 Planning & Development Services, dated August 19, 1999 re: Heritage Alteration Permit No. HAP99-004 – Central Okanagan Heritage Society – 2269 & 2279 Benvoulin Road (3060-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The applicant is proposing to demolish the existing hall attached to the church and construct a new hall area that would more closely match the seating capacity of the church area. He circulated a model of the proposed addition and advised that the majority of the suggestions from the Heritage Commission have been addressed by the applicant and staff recommend support of the permit.

Council enquired about the proposed roof design for the hall addition.

Peter Chataway, president of the Central Okanagan Heritage Society explained that the proposed hall roof is intended to be incidental but attractive without competing with the church. The church seats 80 and with the new hall and the additional washrooms and kitchen the facility will be able to accommodate receptions in addition to wedding services. Construction would hopefully start in the next few weeks.

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R717/99/08/23 THAT Municipal Council authorize the issuance of Heritage Alteration Permit No. HAP99-004 for Lots 15 and 16, Blk. 7, D.L. 130, O.D.Y.D., Plan 415B, located at 2269 and 2279 Benvoulin Road, 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";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;
5. The applicant address the Public Health Officer's and Works & Utilities Department's comments and requirements associated with this development application.

Carried

Regular MeetingAugust 23, 1999

- 4.14 Planning & Development Services Department, dated August 18, 1999 re: Glenmore Highlands Area Structure Plan ASP97-001 and OCP98-021 – Paul Rosenau/Ekistics Town Planning Inc. (B/L 8434)

The Special Projects Planning Manager indicated the property on maps displayed on the overhead projector and advised this is a supplementary report to deal with the Official Community Plan amendment to adopt the Glenmore Highlands Area Structure Plan (ASP). The ASP is a culmination of several years of work by the applicant and staff. The model shows the complexity of the proposed development which comprises 720 acres and 2,740 units over the next 20 years. The Public Hearing for the rezoning was held on June 29, 1999 when Council deferred reading consideration of the zone amending bylaw for a daytime workshop with staff to discuss the issues raised at the Public Hearing. That workshop was held in mid-July.

The Special Projects Planning Manager summarized the staff recommendations for revisions to the bylaw to deal with the growth strategy, road, environmental and land use issues raised at the Public Hearing and advised the applicant's response to the proposed changes are summarized in a late submission that has been circulated to Council. Staff's intent would be to amend the bylaw with whatever revisions are approved by Council and then bring the amended bylaw back for second and third readings at a future date. Fourth reading would be deferred pending a traffic impact study.

Council agreed the recommended changes are limited to issues raised at the public hearing and therefore a new public hearing would not be necessary.

Moved by Councillor Blanleil/Seconded by Councillor Shepherd

R718/99/08/23 THAT Council defer further consideration of the report dated August 18, 1999 from the Planning & Development Services Department in which staff are recommending amendments to Bylaw No. 8434 (OCP98-021 - Glenmore Highlands Area Structure Plan ASP97-002) to the Regular Meeting of Monday, September 13, 1999 to allow Council time to review the late staff report dated August 23, 1999 outlining the applicant's response to the proposed amendments.

Carried

The Deputy Director of Finance entered the Council Chamber and the Special Projects Planning Manager left at 4:35 p.m.

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 5.1 Bylaw No. 8417 (Z99-1023) – Anton & Maria Wolf (Lambert & Paul Construction Ltd.) – 860 McCurdy Road

Moved by Councillor Cannan/Seconded by Councillor Nelson

R719/99/08/23 THAT Bylaw No. 8417 be adopted.

Carried

The Development Engineering Manager entered the Council Chamber and the Current Planning Manager left at 4:37 p.m.

Regular MeetingAugust 23, 19996. REPORTS

- 6.1 Deputy Director of Finance, dated August 6, 1999 re: Reporting of Council Remuneration and Expenses (1900-20)

The Deputy Director of Finance presented the report for Council.

Moved by Councillor Hobson/Seconded by Councillor Day

R720/99/08/23 THAT Council receive the report dated August 6, 1999 from the Deputy Director of Finance reporting on Council's 1998 remuneration and expenses.

Carried

The Transportation Manager and the Roadways Superintendent entered the Council Chamber and the Director of Planning & Development Services and the Deputy Director of Finance left at 4:38 p.m.

- 6.2 Development Engineering Manager, dated August 11, 1999 re: Work Performed by Westfair Foods on Behalf of the City (Z95-1023)

The Development Engineering Manager presented the report advising the work was performed as part of the Super Store development.

Moved by Councillor Day/Seconded by Councillor Nelson

R721/99/08/23 THAT Council approve the following amendments to the 1999 Works & Utilities Budget:

Sewer Offsite and Oversize Reserve Account	\$32,000.00
Administration Offsite and Oversize Reserve Account	\$30,529.15
Transportation/Roads Unspent Budget Reserve	\$24,900.00.

Carried

The Properties Supervisor entered the Council Chamber at 4:41 p.m.

- 6.3 Transportation Manager, dated August 19, 1999 re: Award of Construction Contract TE99-08 – Longhill Road Construction (5400-20)

The Roadways Superintendent reviewed the report and explained that the recommended contractor has a source of rip rap through a project they are working on in Vernon and that is why their bid is so much lower than the others received. The project would be complete by the end of October, including bike lanes.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R722/99/08/23 THAT Council award the contract for the reconstruction of Longhill Road to L.B. Chapman Contracting Ltd. in the amount of three hundred seventy-seven thousand, five hundred forty three dollars and sixty two cents (\$377,543.62), including GST;

AND THAT The Mayor and City Clerk be authorized to execute the Contract on behalf of the City.

Carried

Regular Meeting

August 23, 1999

The Financial Planning & Systems Manager entered the Council Chamber and the Roadways Superintendent left at 4:44 p.m.

6.3.1 Mayor Gray, Chairman, Regional Transportation Committee, dated August 19, 1999 re: Proposed Transit Fare Change

The Transportation Manager presented the report and advised that information about the proposed transit fare change would be communicated through the various parent advisory groups.

Council expressed concern that the proposed student passes could only be used going to school and back and would not be valid evenings or on weekends. The Transit Committee was urged to look at encouraging use of the pass at any time, even if just on a trial 1-month basis.

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R723/99/08/23 THAT Council approve a reduction in the monthly student transit pass from \$25 to \$20 per month for the 1999/2000 school year;

AND THAT the family maximum for student passes be set at \$50 per month.

Carried

The Recreation Manager entered the Council Chamber and the Transportation Manager and the Financial Planning & Systems Manager left at 4:59 p.m.

6.4 Properties Supervisor, dated August 17, 1999 re: House Demolition – 2030 Highway 33 East (0750-30)

The Properties Supervisor outlined the report for Council.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R724/99/08/23 THAT the City Council approve the demolition of the City owned house at 2030 Highway 33 East;

AND THAT the estimated \$5,500 cost of demolition and disposal be funded from the Rental Property Reserve;

AND FURTHER THAT the 1999 budget document be so amended.

Carried

Regular Meeting

August 23, 1999

- 6.5 Properties Supervisor, dated August 17, 1999 re: Re-Roof City Rental House – 865 Bernard Avenue (0750-20)

The Properties Supervisor outlined the report for Council.

A member of Council advised there may be an opportunity for the Neighbourhood Association to obtain funding for some major repairs to the house.

Moved by Councillor Shepherd/Seconded by Councillor Cannan

R725/99/08/23 THAT further consideration of the report dated August 17, 1999 from the Properties Supervisor recommending replacement of the roof of the City's rental house at 865 Bernard Avenue be deferred for 1 month to allow the area neighbourhood association to pursue other funding opportunities that could allow for an upgrade in the materials used.

Carried

The Electrical Manager entered the Council Chamber and the Properties Supervisor left at 5:05 p.m.

- 6.6 Recreation Manager, dated August 17, 1999 re: Civic Awards Policy and Procedure Manual (0290)

The Recreation Manager presented the report noting the policy and procedure manual is a compilation of all the best practices over the years.

Council noted the manual is very detailed and in order that staff do not always have to come back to Council for changes agreed to authorize staff to make moderate changes that are consistent with the policy.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R726/99/08/23 THAT Council approve the City of Kelowna Civic Awards Policy and Procedure Manual as attached to the report from the Recreation Manager dated August 17, 1999;

AND THAT Council authorize the Civic Awards Steering Committee to secure adequate sponsorship on an ongoing basis for all future Civic Awards ceremonies;

AND FURTHER THAT staff be authorized to make moderate changes to the policy and procedure manual provided they are consistent with the intent of the policy.

Carried

The Recreation Manager left the Council Chamber at 5:08 p.m.

Regular MeetingAugust 23, 1999

- 6.7 Electrical Manager, dated August 17, 1999 re: Electrical Utility Rates (1824-02)

The Electrical Manager reviewed the report noting the changes are in keeping with the City's objective to restructure the electrical utility rates to establish rates based on the consumption and demand requirements rather than on the use of the electrical power.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R727/99/08/23 THAT Council approve a change to the City's electrical utility structure and rates resulting in a **2.0% increase** in annual residential customer revenues, a **1.5% decrease** in annual commercial customer revenues and a **1.0% increase** in annual municipal and school revenues;

AND THAT the approved changes be implemented with the first billing cycle in October, 1999.

Carried

The Director of Planning & Development Services returned to the Council Chamber and the Electrical Manager left at 5:14 p.m.

- 6.8 Councillor Colin Day, Council Policy Review Committee Chairman, dated August 12, 1999 re: Council Policy Manual Review (0110)

Councillor Day advised the report is self-explanatory and leads up to the policies being put on the website for access by staff and the public. Once on the website the need for hard copies of the policies in the various city departments would be eliminated, other than in the Clerk's Dept. which is responsible for ensuring the policies are kept up to date.

A member of Council noted the healthy communities initiative program has been cut and that Policy No. 190 needs to be further amended to delete reference to the program.

The Transportation Manager returned to the Council Chamber at 5:19 p.m.

Moved by Councillor Day/Seconded by Councillor Shepherd

R728/99/08/23 THAT Council Policies No. 37, 55, 65, 100, 108, 144, 175, 186, 214, 217 and 237 be rescinded;

AND THAT Council Policy No. 54 be rescinded upon Council's adoption of Bylaw No. 8452 being Amendment No. 9 to Development Application Fees Bylaw No. 8034;

AND THAT Council Policies No. 31, 152, 190, 196, 210 and 236 be revised as attached to the report dated August 12, 1999 from the Council Policy Review Committee, along with the additional amendment to Policy No. 190 to delete reference to the healthy community *initiatives program*;

AND THAT the proposed new Council Policies No. 281 and 282 be adopted by Council;

AND FURTHER THAT staff be authorized to amend all Council policies, as required, to implement the new policy format including inserting the Reason for Policy, Legislative Authority, and Procedure for Implementation for each policy, and to ensure that all position titles referenced in the policies are correct.

Carried

Regular MeetingAugust 23, 1999

- 6.9 City Clerk, dated August 13, 1999 re: Proposed Council Policy No. 280 – Registration of Highway Reserve Agreements (0110)

The City Clerk briefly outlined the report for Council noting this policy would apply to highway reserves that do not involve a subdivision.

Moved by Councillor Nelson/Seconded by Councillor Shepherd

R729/99/08/23 THAT Draft Policy No. 280 - Registration of Highway Reserve Agreements – be approved as attached to the City Clerk's report dated August 13, 1999, for City preparation and registration of Highway Reserve Agreements, when there is no subdivision involved, in return for the owner paying a \$500 processing fee.

Carried

Councillor Blanleil opposed.

7. RESOLUTIONS

- 7.1 Draft Resolution re: Travel Authorization – Family Court Youth Justice Conference (1800-01)

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

Moved by Councillor Cannan/Seconded by Councillor Hobson

R730/99/08/23 THAT Councillor Nelson be authorized to travel to attend the 1999 Provincial Family Court Youth Justice Convention being held October 22-24, 1999 in Courtenay, 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 Development Engineering Manager returned to the Council Chamber at 5:29 p.m.

- 7.2 Draft Resolution re: Highway Reserve Agreement – Hiram Walker & Sons Ltd. – Jim Bailey Road (0911-20)

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

Moved by Councillor Nelson/Seconded by Councillor Shepherd

R731/99/08/23 THAT Municipal enter into a Highway Reserve Agreement in the standard City of Kelowna format, pursuant to Section 539(1) of the Municipal Act, with the registered owners of Lot 4, 5, 7 and 8, Sec. 2, Twp. 20, O.D.Y.D., Plan KAP_____, for consideration of \$1.00 and \$1.00 per square foot for road area in excess of 20 metres in width;

AND THAT the Mayor and City Clerk be authorized to sign the agreement and affix the corporate seal of the City of Kelowna to same.

Carried

Regular MeetingAugust 23, 19998. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 8.1 Bylaw No. 8452 – Amendment No. 9 to Development Application Fees
Bylaw No. 8034 (fire hydrant charges)

Responding to questioning by Council, the Development Engineering Manager explained that staff has determined that on average 20 lots can be serviced by a hydrant, based on the spacing distance between fire hydrants. The \$250 fire hydrant levy was determined by dividing the cost of installing a hydrant by 20 lots.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R732/99/08/23 THAT Bylaw No. 8452 be read a first, second and third time.

Carried

9. COUNCILLOR ITEMS

- (a) Safety Concerns re Access to Parking Lot at Rutland Senior Secondary School

The Director of Planning & Development Services, the Transportation Manager, and the Development Engineering Manager responded to the safety concern raised by Councillor Shepherd at the last Council meeting. They explained that the Dodd Road access to the school parking lot was eliminated when the decision was made to deny any direct access onto City land from the school site. That decision was made in order to discourage students from using the parking lots intended for City leisure facilities in the area. The proposed single access to the parking lot from Rutland Road was identified in a traffic study that was approved by the Ministry of Transportation & Highways in 1998. City Transportation staff have reviewed the concerns, however, and are considering installing barriers along the front of the school to restrict access to the parking lot to right-in/right-out only.

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R733/99/08/23 THAT Council hear from Laurie deBoer, the resident who brought the concerns about safety and the proposed Rutland Road access to the school parking lot to Council's attention.

Carried

Laurie deBoer, #6 - 645 Rutland Road North, outlined her concerns with changing the access to the school parking lot to only one location off Rutland Road. She noted that visibility is limited with bumper to bumper cars parked on both sides of the street from people picking up kids at the three different schools. People walk across Rutland Road to get back and forth from the schools to their cars and all this congestion will be compounded this year with the reduction in school buses. Restricting turning movements to right-in/right-out will result in those students wanting to turn left doing so in an uncontrolled location. She submitted that if something is not done there will be accidents and asked that Council do something to prevent the inevitable tragedy from happening. Ms. deBoer advised that there is no physical barrier to prevent access from the school parking lot onto Dodd Road at this time and suggested that access to the parking lot be continued.

Members of Council agreed that it is inappropriate to have only one access to a school parking lot. City Staff will meet with School District staff to find a solution to the problem.

The Development Engineering Manager left the Council Chamber at 6:03 p.m.

(b) Glenmore Traffic Study

Councillor Cannan asked about the status of the Glenmore traffic study and was advised by the Transportation Manager that the study was to be reviewed one more time with the stakeholders and if that meeting has taken place the study could be back to Council as early as September 13th.

The Transportation Manager left the Council Chamber at 6:04 p.m.

(c) Towing of Vehicles During Thunderfest

Councillor Blanleil advised he received complaints about vehicles being towed from the Canada Lands property during Thunderfest. If there was a sign indicating private parking, the sign was apparently not visible to the tourists and residents who parked there. The \$97 charge for a tow is costly and not good for our city image. The City Manager advised that the City cannot control parking on private lands where the property owner has the right to determine when a vehicle is towed.

(d) Downtown Heli-Pad

Councillor Blanleil suggested that a downtown location be considered for a helicopter landing pad. The pad could potentially be used for business purposes as well as in times when ambulances are impeded from crossing Okanagan Lake bridge by heavy traffic or bridge malfunctions. Councillor Hobson noted that there was an area at Kelowna General Hospital that was used for helicopter landings, but it is not available for that purpose anymore. He further noted that it is up to the ambulance people to tell the City if they have a problem getting across the bridge.

The Director of Planning & Development Services left the Council Chamber at 6:10 p.m.

Councillor Shepherd asked for report from staff outlining our emergency preparedness plan for times when the bridge is out of commission.

(e) Councillor Shepherd – Notice of Motion re Funding for Free Spirit Society

Councillor Shepherd put Council on notice that she will be bringing forward a motion to the September 13, 1999 Regular Meeting asking for \$1,000 from Council Contingency for the Free Spirit Society.

(f) Public Art Committee Decisions Public Art Competitions

Councillor Shepherd enquired about the accountability of the Public Art Committee for their selections in public art competitions and asked for a report outlining how individuals who submit projects for public art competitions are informed when their submission does not meet the final criteria for acceptance by the committee. She suggested that telling the artist how they did or did not meet the criteria could help the artist decide whether to submit in future art competitions.

Regular Meeting

August 23, 1999

10. TERMINATION

The meeting was declared terminated at 6:22 p.m.

Certified Correct:

Mayor

Acting City Clerk

BLH/am