

Regular MeetingOctober 18, 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, October 18, 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*, J.D. Leask*, J.D. Nelson and S.A. Shepherd.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi*; Current Planning Manager, A.V. Bruce*; Special Projects Planning Manager, H.M. Christy*; Community Planning Manager, T. Eichler*; Financial Planning & Systems Manager, K. Grayston*; Transportation Manager, R.W. Westlake*; Environment Manager, M. Watt*; Recreation Manager, R. Oddleifson*; 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 Dorothee Birker, Downtown Kelowna Association re: Canada Day Committee Report

Dorothee Birker thanked Council for their support, gave a slide presentation on the Canada Day Festival, and asked that funds be placed in the City's base budget for an annual allocation for future events.

Councillor Hobson entered the Council Chamber at 1:36 p.m. and took his place at the Council Table.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R839/99/10/18 THAT the request from the Downtown Kelowna Association for an annual allocation in the City's base budget of \$15,000 for the Canada Day Festival plus \$5,000 to off-set traffic control and for use of City-owned parks at no cost to the festival, be brought forward for debate at year 2000 budget discussions.

Carried

The Director of Planning & Development Services entered the Council Chamber and the Recreation Manager left at 1:50 p.m.

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- 4.1 Planning & Development Services Department, dated October 14, 1999 re: Rezoning Application No. Z99-1028 (ASP97-003/ OCP99-011) - Cambridge Shopping Centres Ltd. (Marshall Hundert/ IBI Group) - Central Park Golf Course - Highway 97 North (3360-20)

The Special Projects Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report addressing questions previously raised by Council at initial consideration of the application. She noted that the applicant was in the public gallery in the event that Council had additional concerns not addressed in the information provided.

Council asked that at the Public Hearing for this application, a topographic map be provided to show the contours of the land in the special study area and that there be something to show that access is feasible from Dilworth Drive to any potential residential development in the special study area.

Moved by Councillor Bremner/Seconded by Councillor Leask

R840/99/10/18 THAT Bylaw No. 8475 (OCP99-011 and ASP97-003) and Bylaw No. 8476 (Z99-1028) - Cambridge Shopping Centres Ltd. - 2430 Highway 97 North, be advanced for first reading consideration by Council.

Carried

The Community Planning Manager entered the Council Chamber and the Special Projects Planning Manager left at 2:09 p.m.

5. PLANNING

- 5.1 Planning & Development Services Department, dated October 12, 1999 re: Rezoning Application No. Z99-1051 - Bob Callahan/R354 Enterprises Ltd. - 2455 Acland 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 has entered into a lease agreement with Central Okanagan Academy for use of the former Ellison School building on the northerly portion of the site for a private school. Staff recommend support.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R841/99/10/18 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot 1, Plan 11263, Sec. 2, Twp. 23, O.D.Y.D., as shown on Map "A" attached to the report of the Planning & Development Services Department dated October 12, 1999, located on Acland Road, Kelowna, B.C., from the P1 - Major Institutional zone to the P2 - Education and Minor Institutional zone;

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

Carried

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- 5.2 Planning & Development Services Department, dated October 13, 1999 re: Rezoning Application No. Z99-1043 & OCP99-014 – 544805 BC Ltd. (Culos Developments Inc.) – 120 Leathead 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 mixed use commercial/residential building with three medical offices on the lower floor and three 2-bedroom dwelling units above. The site would be accessed from a partial lane at the south end of the property and parking would be both beneath the building and at-grade.

The Current Planning Manager advised that the Advisory Planning Commission recommends support for this application provided the uses are as proposed. However, the City of Kelowna Official Community Plan and the Rutland Sector Plan both designate the property for low-density, multi-family development and in order to maintain the integrity of those documents, staff do not recommend support for the commercial zoning. Staff would support this type of use at a location closer to the town centre.

Council indicated support for the application but expressed concern at the range of uses that would be permitted by the zone.

Moved by Councillor Blanleil/Seconded by Councillor Bremner

R842/99/10/18 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 of; Lot B and Lot C, Sec. 26, Twp 26, O.D.Y.D., Plan 34969, Located on Rutland Road North and Leathead Road, from Multiple Family Residential – Low Density to Commercial as shown on Map “A”;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B and Lot C, Sec. 26, Twp 26, O.D.Y.D., Plan 34969, located on Rutland Road North and Leathead Road, Kelowna, B.C., from the RU1 – Large Lot Housing and RU6 – Two Dwelling Housing zones to the C2 – Neighbourhood Commercial 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 requirements of the Works & Utilities Department being completed to their satisfaction;

AND FURTHER THAT final adoption of the zone amending bylaw be withheld until the owner has executed a Servicing Agreement acceptable to the City of Kelowna.

Carried

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5.3 Planning & Development Services Department, dated October 7, 1999 re: Community Housing Needs Committee (0540-20)

The Community Planning Manager outlined the report for Council.

A member of Council pointed out that it is up to the incoming Council to determine what committees they wish to establish and that these appointments would be subject to a decision to continue with the Community Housing Needs Committee.

Council asked that letters of thanks be sent from the Mayor to the members who are leaving.

Moved by Councillor Leask/Seconded by Councillor Nelson

R843/99/10/18 THAT City Council extend the membership term of the following member of the Community Housing Needs Committee until June 30, 2001:

Fred Lindsay;

AND THAT City Council appoint the following new members to the Community Housing Needs Committee to June 30, 2001, when membership can be reconsidered:

Vi Sorenson Glenn Bowden Al MacKenzie Greg Dusik;

AND FURTHER THAT City Council accept with regret, the resignation (due to having served two consecutive terms) of the following members from the Community Housing Needs Committee:

Ken Webster Dorothy Silgram Ian Bazley Brenda Gibson.

Carried

The Community Planning Manager left the Council Chamber at 2:32 p.m.

5.4 Planning & Development Services Department, dated September 29, 1999 re: Official Community Plan Review – Status Report (6480-30)

The Director of Planning & Development Services briefly outlined the report for Council.

Moved by Councillor Hobson/Seconded by Councillor Day

R844/99/10/18 THAT the Long Range Planning Manager's report dated September 29, 1999 outlining the status of the Official Community Plan Review, to date, be received for the information of Council.

Carried

The Financial Planning & Systems Manager entered the Council Chamber and the Director of Planning & Development Services left at 2:37 p.m.

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- 6.1 Bylaw No. 8475 – City of Kelowna Official Community Plan Amendment No. OCP99-011 – Central Park Golf Course Area Structure Plan ASP97-003 – Cambridge Shopping Centres Ltd. (Marshall Hundert/IBI Group) – 2430 Highway 97 North **requires majority vote of full Council (5)**

Moved by Councillor Leask/Seconded by Councillor Nelson**R845/99/10/18** THAT Bylaw No. 8475 be read a first time.Carried

- 6.2 Bylaw No. 8476 (Z99-1028) – Cambridge Shopping Centres Ltd. (Marshall Hundert/IBI Group) –2430 Highway 97 North

Moved by Councillor Nelson/Seconded by Councillor Leask**R846/99/10/18** THAT Bylaw No. 8476 be read a first time.Carried**(BYLAWS PRESENTED FOR ADOPTION)**

- 6.3 Bylaw No. 8465 (Z99-1044) – John (Ian) & Margaret Donn – 595 White Road

Moved by Councillor Bremner/Seconded by Councillor Cannan**R847/99/10/18** THAT Bylaw No. 8465 be adopted.Carried

The Transportation Manager entered the Council Chamber and the Current Planning Manager left at 2:40 p.m.

7. REPORTS

- 7.1 Deputy Director of Finance, dated October 13, 1999 re: 2000 Tax Exemption Bylaw No. 8473

The Financial Planning & Systems Manager reviewed the property changes for tax exemption for the year 2000.

Moved by Councillor Leask/Seconded by Councillor Nelson

R848/99/10/18 THAT a bylaw under Sections 339, 340 and 341 of the *Municipal Act*, to provide exemption from taxation for the year 2000, include the following property changes in addition to those set out in Schedules A to D of the 1999 Tax Exemption Bylaw No. 8308:

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1. Delete Roll 43810, Lot 8, 9 and 10, Plan 7936 (1370 Lawrence Avenue) – Apostolic Church Pentecost Canada
2. Change Item No. 70, Roll 70005, Lot 1, Plan 28180 (615 Lawrence Avenue) – Kelowna Victory Life Fellowship

Schedule B:

1. Add Item No. 23, Roll 6370.241, Lot D, Plan 22268 (760 Highway 33 West) – Crossroads Treatment Centre Society

Schedule C:

1. Add Item No. 7, Roll 38641, Lease only part of Lot A, Plan 5438 (Memorial Arena) – Okanagan Military Museum Society

Schedule D:

1. Change Item No. 37, Rolls 6371.365-.403, Lots 1-39, Plan K384 (530 Franklyn Road) – Society of HOPE
2. Add Item No. 49, Roll 48770, Lot 35, Plan 10011 (1822-1826 Chandler Street) – Okanagan Halfway House Society
3. Add Item No. 50, Roll 48820, Lot 40, Plan 10011 (1865-1869 Chandler Street) – Okanagan Halfway House Society.

Carried

The Environment Manager entered the Council Chamber and the Financial Planning & Systems Manager left at 2:44 p.m.

- 7.2 Transportation Manager, dated October 13, 1999 re: Council Policy No. 107 – Residential Parking Permit Program (5480-01)

The Transportation Manager reviewed the report and advised that adoption of this policy would allow staff to respond in kind when petitions for parking permits are received.

Moved by Councillor Day/Seconded by Councillor Blanche

R849/99/10/18 THAT Council Policy No. 107 (Residential Parking Permit Program) be adopted by Council, as attached to the report dated October 13, 1999 from the Transportation Manager.

Carried

The Transportation Manager left the Council Chamber at 2:54 p.m.

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- 7.3 Environment Manager, dated October 5, 1999 re: Environment Youth Team (E-Team) Work Crew – Summary of Accomplishments (5280-14)

The Environment Manager reviewed the report outlining the variety of projects completed by the crew during the 12 week period they were employed by the City.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R850/99/10/18 THAT Council receive as information the E-Team Work Crew Summary of Accomplishments from the Environment Manager.

Carried

- 7.4 Environment Manager, dated October 5, 1999 re: Sutherland Beach Water Quality (5280-00)

The Environment Manager reviewed the report for Council.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R851/99/10/18 THAT the report dated October 5, 1999 from the Environment Manager regarding water quality at Sutherland Beach be received by Council;

AND THAT Council direct staff to consult with the South Okanagan Health Region for consideration of re-opening the beach to swimming activity.

Carried

The Environment Manager left the Council Chamber at 3:08 p.m.

Councillor Cannan left the Council Chamber at 3:09 p.m.

- 7.5 Chief Election Officer, dated October 5, 1999 re: Appointment of Additional Deputy Chief Election Officer – 1999 Civic Elections (4200)

The City Clerk briefly outlined the report for Council.

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R852/99/10/18 THAT Allison Flack be appointed Deputy Chief Election Officer in accordance with Section 41 of the Municipal Act, for the purposes of conducting the 1999 General Local Government Elections.

Carried

Councillor Cannan returned to the Council Chamber at 3:10 p.m. and took his place at the Council Table.

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The City Clerk read the resolution and advised that Councillor Hobson will already be in Vancouver on other business and has agreed to attend this symposium on behalf of Councillor Shepherd who is unable to attend.

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R853/99/10/18 THAT Councillor Hobson be authorized to attend a Symposium sponsored by the Minister of Small Business, Tourism and Culture on the topic of Arts and Culture in the New Economy being held November 22-24, 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.

Carried

8.0.2 Draft Resolution re: Travel Authorization – Relocation of PNE

Mayor Gray asked that this authorization be granted, after the fact.

Moved by Councillor Day/Seconded by Councillor Shepherd

R854/99/10/18 THAT Councillor Bremner be authorized to travel to Penticton, B.C. to attend a meeting on July 21, 1999 regarding the potential relocation of the Pacific National Exhibition to the Okanagan Valley, with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-015-0-001.

Carried

8. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**8.1 Bylaw No. 8472 – Amendment No. 2 to Council Remuneration & Expense Bylaw No. 7547

Council noted the bylaw indicates that Council's remuneration is based on the Consumer Pricing Index for only the first 2 years of their 3 year term. The City Clerk advised that the intent was for the same to apply for year 2002 as well and that the bylaw had been so amended.

Moved by Councillor Day/Seconded by Councillor Shepherd

R855/99/10/18 THAT Bylaw No. 8472 be read a first, second and third time.

Carried

Regular MeetingOctober 18, 19998.2 Bylaw No. 8473 – 2000 Tax Exemption BylawMoved by Councillor Shepherd/Seconded by Councillor Blanleil**R856/99/10/18** THAT Bylaw No. 8473 be read a first, second and third time.Carried**(BYLAWS PRESENTED FOR ADOPTION)**8.3 Bylaw No. 8461 – Tax Exemption Bylaw – Multi-Purpose Facility
requires 2/3 majority vote of Council (6)

The City Clerk reported that notices were published in the Kelowna Daily Courier on September 9 & 10, 1999 advising the public of the opportunity to counter petition against this tax exemption. The deadline for counter petitions was October 12, 1999 and no counter petitions were received.

Council noted that this is simply reducing the amount the City is paying under our community use payments by the amount of the tax.

Moved by Councillor Blanleil/Seconded by Councillor Day**R857/99/10/18** THAT Bylaw No. 8461 be adopted.Carried9. COUNCILLOR ITEMS(a) Limitations - Access to City Web Page

Councillor Bremner asked that staff investigate concerns that some people's access to the City's Web Page is restricted if they do not have a sophisticated browser that apparently is needed in order to navigate the City page.

(b) Road Standards – Landscape Requirements

Councillor Shepherd expressed concern at the lack of landscaping along Benvoulin Road and requested a staff report on the City's policy for landscape requirements in conjunction with road improvement projects.

Councillor Leask left the Council Chamber at 3:26 p.m.

(c) Parking Issues

Councillor Day advised that in order to encourage increased use of the Library Parkade during events at Skyreach Place, the rate for the parkade will be reduced from \$4 to \$3 for event parking.

Councillor Day asked that when the Mayor's appointments to Council committees are confirmed at the upcoming Inaugural Meeting, two additional members be appointed to the Parking Committee, one from the Rutland Business Association and one from the South Pandosy Business Association.

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(d) Lighting on Water Street Across from Skyreach Place

Councillor Shepherd expressed concern that it is difficult to see people crossing the road along Water Street across from Skyreach Place and asked that staff see if there is anything that can be done to improve the lighting in that area.

10. TERMINATION

The meeting was declared terminated at 3:45 p.m.

Certified Correct:

Mayor

City Clerk

BLH/bn