

Regular MeetingNovember 1, 1999

A Regular Meeting of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Monday, November 1, 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\*; Director of Parks & Leisure Services, D.L. Graham\*; Recreation Manager, R. Oddleifson\*; Transportation Manager, R.W. Westlake\*; Development Engineering Manager, S. Muenz\*; Inspection Services Manager, K. Skinner\*; Airport General Manager, R. Sellick\*; Financial Planning & Systems Manager, K. Grayston\*; 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 Shepherd was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Dr. Eugene Krupa, Community Action Toward Children's Health re: Children's Health Initiative

Dr. Eugene Krupa explained that CATCH is a network of Central Okanagan organizations and individuals working together to improve the health and development of children from age zero to 5.

The Director of Planning & Development Services entered the Council Chamber at 1:47 p.m.

Dr. Krupa discussed the community actions the group is currently working on and asked for Council's support of the initiative.

Councillor Shepherd clarified that her involvement with CATCH is not as a representative of Council and suggested that a Council appointee be considered in future. She also clarified that Council's endorsement of the Charter would include use of the City logo.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

**R882/99/11/01** THAT Council supports the Community Action Toward Children's Health (CATCH) initiative by:

- ◆ endorsing the CATCH "Charter";
- ◆ identifying child health and development as a key issue in the review and revision of the City of Kelowna Official Community Plan;
- ◆ supporting and encouraging the involvement of the City's Community Planning Manager as a liaison with CATCH.

Carried

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The Director of Planning & Development Services left the Council Chamber at 2:14 p.m.

3.2 Renata Mills, Parks Alive Program Coordinator re: Year End Summary

The Granny Dancers entertained Council with two line dance numbers indicative of one of the many types of entertainment offered throughout the 1999 entertainment season.

The Current Planning Manager entered the Council Chamber at 2:20 p.m.

Renata Mills, Parks Alive Program Coordinator, reviewed the history of Parks Alive and shared highlights of the 1999 entertainment season with Council. She thanked Council for their continued support of the program and asked that a member of Council be appointed to the Parks Alive committee.

4. PLANNING

4.1 Planning & Development Services Department, dated October 27, 1999 re: Rezoning Application No. Z99-1011 and OCP99-007– Douglas Lloyd and Alfred Appel (Tom Smithwick) - 3205 Highway 33 East (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 relocate an existing truck storage yard from Springfield Road to the subject property. The site would be developed with a truck repair shop, administration office and truck storage yard. A landscape berm is proposed to screen the industrial buildings and storage yard area from the highway and surrounding agricultural lands. An application for exclusion of the property from the Agricultural Land Reserve (ALR) was denied by the Agricultural Land Commission (ALC) but the ALC approved the requested use within the ALR.

The Airport General Manager entered the Council Chamber at 2:38 p.m.

The Current Planning Manager acknowledged that the proposed industrial use is contrary to planning documents, but advised that because the property is unique from other properties in that the gravel extraction operation existed before the ALR was created and the property has very limited agricultural capabilities, the requested use is not considered to be precedent setting. Staff are willing to consider the property for the uses proposed; any uses other than those proposed would require the approval of the ALC.

The Director of Planning & Development Services returned to the Council Chamber at 2:41 p.m.

Regular MeetingNovember 1, 1999Moved by Councillor Hobson/Seconded by Councillor Day

**R883/99/11/01** THAT the Future Land Use Designation on Map 15.1 of the City of Kelowna Official Community Plan (1994-2013) Bylaw No. 7600, be amended by changing the designation of Lot A, Sec. 17, Twp. 27, O.D.Y.D., Plan 20065, located on 3205 Highway 33 East, Kelowna, B.C., from the Rural/Agricultural designation to the Industrial designation;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Sec. 17, Twp. 27, O.D.Y.D., Plan 20065, located on 3205 Highway 33 East, Kelowna, B.C., from the A1 – Agriculture 1 zone to the I2 – General Industrial 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 FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Ministry of Highways being completed to their satisfaction.

Carried

## 5. BYLAWS (ZONING & DEVELOPMENT)

### **(BYLAWS PRESENTED FOR FIRST READING)**

- 5.1 Bylaw No. 8471 (TA99-010) – City of Kelowna Zoning Bylaw Text Amendment to amend “Home Based Business, Major” to include Custom Wigs (Crowning Glory Stylist)

Council asked that at the Public Hearing, staff clarify: whether physicians even write referrals for wigs, how staff propose to ensure that the wigs are only sold to patients that are referred by a physician; whether this service is available at the Cancer Centre.

Moved by Councillor Nelson/Seconded by Councillor Leask

**R884/99/11/01** THAT Bylaw No. 8471 be read a first time.

Carried

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

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6. REPORTS

- 6.1 Airport General Manager, dated October 18, 1999 re: Proposed Southern Interior Flight Centre Ltd. Leasehold Improvements – Kelowna International Airport (2380-20-8057; 0550-05)

The Airport General Manager outlined the report noting this expansion would double the lease area for Southern Interior Flight Centre.

Moved by Councillor Nelson/Seconded by Councillor Cannan

**R885/99/11/01** THAT Council approve adding approximately 78,763 square feet of airport land to Southern Interior Flight Centre (1993) Ltd.'s existing sub-lease for vehicle parking, aircraft parking, flight line parking, and fuel tank replacements;

AND THAT Council authorize the Mayor and City Clerk to sign a supplemental agreement on behalf of the City covering these arrangements.

Carried

The Inspection Services Manager entered the Council Chamber at 3:07 p.m.

- 6.2 Airport General Manager, dated October 18, 1999 re: Assignment of Kelowna Airport Shuttle Bus Licence (2320-20; 0550-05)

The Airport General Manager outlined the report noting the new operator has extensive experience in business and has the necessary experience to offer this service.

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

**R886/99/11/01** THAT conditional on the Motor Carrier Commission approval, Council approve assignment of the Kelowna Airport Shuttle bus licence from SD-23 Ventures Ltd., to 593697 B.C. Ltd., to the end of the licensing term expiring March 31, 2002;

AND THAT Council authorize the Mayor and City Clerk to execute the consent documents on behalf of the City of Kelowna.

Carried

The Development Engineering Manager entered the Council Chamber and the Airport General Manager left at 3:09 p.m.

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- 6.3 Inspection Services Manager, dated October 21, 1999 re: ST99-05 – Application for Stratification of a Duplex at 480/482 Rutland Road South (3760-10)

The Inspection Services Manager briefly outlined the report for Council.

Mayor Gray invited anyone in the public gallery who deemed themselves affected by this stratification to come forward. There was no response.

Moved by Councillor Leask/Seconded by Councillor Nelson

**R887/99/11/01** THAT the application to stratify the duplex located on Lot 22, Plan 18044, being 480 and 482 Rutland Road South, be approved in the name of Big Valley Holdings Ltd. with no conditions.

Carried

The Director of Parks & Leisure Services entered the Council Chamber and the Inspection Services Manager left at 3:10 p.m.

- 6.4 Director of Works & Utilities, dated October 19, 1999 re: Latecomer Charges – 584107 BC Ltd. – Loseth Road (2250-70-59)

The Development Engineering Manager spoke briefly to the information in the report.

Moved by Councillor Cannan/Seconded by Councillor Nelson

**R888/99/11/01** THAT the Municipal Council requires the owner of Lot 2 Plan 30654 which is to be subdivided or developed, provide the excess or extended services shown in Appendix D of the Latecomer Agreement, attached to the report of the Director of Works & Utilities, dated October 19, 1999;

AND THAT the Municipal Council consider the cost to provide the excess or extended services shown in Appendix D of the Latecomer Agreement, in whole or in part, to be excessive;

AND THAT the Latecomer charges be imposed for excess or extended services, as shown in Appendix D of the Latecomer Agreement, which are required to be installed as part of the referenced Development Project;

AND THAT Latecomer charges be imposed on the benefiting lands listed in Exhibit "6" attached to the report of the Director of Works & Utilities dated October 19, 1999;

AND THAT the City enter into the Latecomer Agreement with the owner to be effective upon Substantial Performance of the Excess or Extended Services, and the Mayor and City Clerk be authorized to execute and affix the corporate seal to the Latecomer Agreement, incorporating Exhibit "6" into the Agreement;

AND FURTHER THAT the owners of the benefiting lands be advised in writing of the Latecomer charge to be imposed on their land.

Carried

The Development Engineering Manager left the Council Chamber at 3:11 p.m.

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- 6.5 Director of Parks & Leisure Services, dated October 26, 1999 re: Main Business Terms for the Operation and Expansion of the Athans Aquatic Centre (7900-20)

The Director of Parks & Leisure Services introduced the parties fundamental to bringing the Main Business Terms forward, including Reid Oddleifson and Ron Forbes of the Parkinson Recreation Centre and Sharon Sawchuk and Barbara Duggan of the YM/YWCA.

Barbara Duggan, past president of the YM/YWCA, spoke of how the “Y” has diversified their services and widened partnership strategies over the past five years and expressed confidence that this partnership will result in improvements to the delivery of recreation and community services. She commented that the agreement is realistic and should be supported by Council.

The Director of Parks & Leisure Services gave a powerpoint presentation to present an overview of the main business terms.

Moved by Councillor Nelson/Seconded by Councillor Cannan

**R889/99/11/01** THAT City Council authorize staff to prepare final agreements between the City and the YMCA–YWCA for the operation and capital expansion of the Athans Aquatic Centre substantially in accordance with the Main Business Terms attached to the Director of Parks & Leisure Services’ report dated October 26, 1999.

Carried

The Financial Planning & Systems Manager and the Transportation Manager entered the Council Chamber and the Director of Parks & Leisure Services and the Recreation Manager left at 4:01 p.m.

- 6.6 Mayor Gray, Chair, Kelowna Regional Transit Committee, dated October 27, 1999 re: 1999/2000 Kelowna Conventional & Custom Transit - Annual Operating Agreements (2240-20)

The Financial Planning & Systems Manager presented the report highlighting the changes to the City’s net share of the costs under the proposed agreements.

Moved by Councillor Nelson/Seconded by Councillor Leask

**R890/99/11/01** THAT Council approve the 1999/2000 Annual Operating Agreements for conventional transit services for the City of Kelowna based on successful negotiations with Kelowna Bus & Transportation Inc.;

AND THAT Council approve the 1999/2000 Annual Operating Agreements for custom transit services for the City of Kelowna based on successful negotiations with Kelowna Handi-Bus Ltd.;

AND THAT the Mayor and City Clerk be authorized to execute the Operating Agreements between B.C. Transit, the City of Kelowna and the two operating companies covering the period April 1, 1999 to March 31, 2000.

Carried

The Transportation Manager and the Financial Planning & Systems Manager left the Council Chamber at 4:26 p.m.

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- 6.7 Councillor Day, Chair, Council Policy Review Committee, dated October 20, 1999 re: Council Policy Manual Review (0110)

Councillor Day advised that this report brings the review of the Council Policies to a conclusion. The policies will be included on the City's website, and will be reviewed annually to ensure they remain current.

A member of Council noted that there was no correspondence with the Union regarding Policy No. 253 and they have some concerns with the new policy.

Moved by Councillor Cannan/Seconded by Councillor Bremner

**R891/99/11/01** THAT further consideration of proposed new policy No. 253 (City-Owned Passenger Vehicles/Personal Vehicles Required for City Business/Casual Personal Vehicle Use for City Business) be deferred to allow the City Manager to follow-up on a concern that the Union was not consulted on the policy.

Carried

Moved by Councillor Day/Seconded by Councillor Shepherd

**R892/99/11/01** THAT Council Policy Nos. 28, 77, 79, 87, 97, 116, 130, 141, 142, 147, 150, 170, 180 and 212 be rescinded;

AND THAT Council Policy Nos. 31, 33, 40, 56, 66, 76, 81, 135, 148, 160, 164, 174, 181, 222, 226 be revised as attached to the report dated October 20, 1999 from the Council Policy Review Committee;

AND THAT the Council policies be made available to the public on the Internet;

AND FURTHER THAT a member of Council continue to be appointed to the Council Policy Review Committee to participate in ongoing reviews.

Carried

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR ADOPTION)**

- 7.1 Bylaw No. 8477 – Housing Agreement Authorization Bylaw – Marona Estates Ltd. – Valley/Glenmore Roads

Councillor Day declared a conflict of interest because the agreement involves direct family members and left the Council Chamber at 4:37 p.m.

Moved by Councillor Bremner/Seconded by Councillor Cannan

**R893/99/11/01** THAT Bylaw No. 8477 be adopted.

Carried

Councillor Cannan opposed.

Councillor Day returned to the Council Chamber at 4:38 p.m. and took his place at the Council Table.

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7.2 Bylaw No. 8478 – 2000 Tax Exemption – Foursquare Gospel Church

Moved by Councillor Bremner/Seconded by Councillor Cannan

**R894/99/11/01** THAT Bylaw No. 8478 be adopted.

Carried

8. COUNCILLOR ITEMS - Nil

9. TERMINATION

The meeting was declared terminated at 4:40 p.m.

Certified Correct:

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Mayor

BLH/am

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City Clerk