

Regular MeetingNovember 15, 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 15, 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*; Long Range Planning Manager, L.V. Foster*; Inspection Services Manager, K. Skinner*; Recreation Manager, R. Oddleifson*; Civic Properties Manager, H.R. Hyatt*; 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 Terry Flannigan, Chairman & President, BC 2000 Seniors Games re: Update

Dr. Flannigan advised this year's games will be the largest Seniors Games to date with 21 sports and activities. The 3,000 athletes and significant others are expected to generate about \$1.5 to \$2 million economic impact for Kelowna and the surrounding area. The Seniors Games will be held September 6-9, 2000 and participants are 55 years of age and older. Dr. Flannigan advised they will soon be looking to the community for approximately 1,500 volunteers to help with the games.

4. PLANNING

4.1 Planning & Development Services Department, dated November 10, 1999 re: Rezoning Application No. Z99-1054 – Fred & Diana Behner – 119 McTavish Avenue (3360-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The rezoning would legalize an existing suite that is located above the attached garage. At the time of construction the area above the garage was developed as a recreation area but it was subsequently upgraded to a suite for use by family and guests. The applicants are now undertaking the necessary improvements to legalize the suite so that it can be used for revenue purposes.

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Council noted the report indicates that although the home on the subject property was identified as a Class "B" heritage building in an inventory prepared by the Heritage Commission, it has not been included in the City's proposed Heritage Registry. Staff were asked to confirm at the public hearing the heritage status of the property.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R902/99/11/15 THAT the City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Plan 22525, Sec.24, Twp. 25, O.D.Y.D., located on 119 McTavish Avenue, 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 THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property;

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

Carried

4.2 Planning & Development Services Department, dated November 10, 1999 re: Rezoning Application No. Z99-1046 – Johannes & Irma Schepp; Jakob & Eleonore Jahner and Peter & Ludilla Becker (John Schepp) – 1125 Bernard Avenue

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 develop the site with a 4-storey, 26-unit congregate care facility with one manager's suite. Access would be off Bernard Avenue with parking provided in the rear. The applicant has followed procedure for giving notice to the tenants of the existing motel and most, if not all, have already vacated the premises. Planning Department staff have no concerns with the proposed development and recommend favourable consideration by Council.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R903/99/11/15 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, Sec. 20, Twp. 28, ODYD, Plan 5803, except Plan KAP46957, located on Bernard Avenue, Kelowna, B.C., from the C9 – Tourist Commercial zone to the C-4 Town Centre zone;

AND THAT 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;

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

AND THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a Subdivision Plan in the Land Titles Office;

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 subsequent to final adoption of the zone amending bylaw, the Mayor and City Clerk be authorized to sign and seal, on behalf of the City of Kelowna, a Servicing Agreement to the applicant's credit.

Carried

The Inspection Services Manager entered the Council Chamber and the Current Planning Manager left at 1:52 p.m.

- 4.3 Planning & Development Services Department, dated November 10, 1999 re: Cultural District Marketing Strategy and Implementation Plan (8200-03)

The Long Range Planning Manager presented the report for Council advising the target date for completion of the plan is March 31, 2000.

Moved by Councillor Leask/Seconded by Councillor Bremner

R904/99/11/15 THAT the consultant consortium coordinated by Commonwealth Historic Resource Management Ltd. be commissioned to prepare the Cultural District Implementation Strategy and Marketing Plan, at a cost not to exceed \$51,093 inclusive of fees, disbursements and taxes, to be funded from the Neighbourhood Area Planning Account (\$25,000), a grant from Human Resources Development Canada (\$25,000), and the Civic Properties Streetscape Improvement Account.

Carried

The Civic Properties Manager entered the Council Chamber and the Long Range Planning Manager left at 2:09 p.m.

5. REPORTS

- 5.1 Inspection Services Manager, dated November 2, 1999 re: Class "A" Liquor License for Manteo Resort – 3766 Lakeshore Road (0540-20)

The Inspection Services Manager briefly outlined the report noting the applicant has advised that the intent is not to actively promote the lounge. The "A" class license would also allow the hotel to qualify for room service.

Moved by Councillor Blanleil/Seconded by Councillor Shepherd

R905/99/11/15 THAT the Liquor Control and Licensing Branch be advised that Council supports the licencing of a 34 seat Class "A" Lounge with an 8 seat patio area proposed by Adrian A.J. Block of Manteo Resort at 3766 Lakeshore Road.

Carried

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- 5.2 Inspection Services Manager, dated November 2, 1999 re: ST99-06 – Stratification of Duplex – 1070/1072 Felix Road (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 the requested stratification to come forward. There was no response.

Moved by Councillor Bremner/Seconded by Councillor Leask

R906/99/11/15 THAT the application to stratify the semi-detached dwelling located on Lot A, Plan 30808 – 1070-1072 Felix Road be approved in the name of Steven Renaud with no conditions.

Carried

The Recreation Manager entered the Council Chamber and the Inspection Services Manager left at 2:13 p.m.

- 5.3 Civic Properties Manager, dated November 8, 1999 re: Boating and Swimming Buoy Lease (6340-30; 2280-20-399)

The Civic Properties Manager briefly outlined the report for Council noting the original lease included 8 sites; the new lease includes 17 covering a total of 34 ha.

Moved by Councillor Leask/Seconded by Councillor Cannan

R907/99/11/15 THAT City Council approve a new ten year Licence to Occupy with the Ministry of Environment, Lands & Parks for the purpose of installation of Boating and Swimming Control Buoys commencing May 19, 1997 for a term of 10 years, at a cost of \$742.00 plus tax, for Licence Fee, Documentation Fee and Application.

Carried

- 5.4 Recreation Manager, dated November 10, 1999 re: Sports Tourism – Interim Report (0230-20)

The Recreation Manager briefly outlined the recommendation before Council.

Council discussed the recommendation for a member of Council to chair the advisory committee and agreed that once the committee becomes established that could change.

Mayor Gray advised the appointment to the committee will be made at Council's Inaugural Meeting on December 6th.

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R908/99/11/15 THAT the activities of the Sports Tourism **Steering** Committee role come to a completion;

AND THAT Council authorize a Sports Tourism **Advisory** Committee, to be chaired by a City Councillor appointed by the Mayor, to continue with the Sports Tourism Initiative starting December 1999.

Carried

The Recreation Manager and the Civic Properties Manager left the Council Chamber at 2:28 p.m.

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- 5.5 City Clerk, dated November 8, 1999 re: Helicopter Landing – Santa Claus Brunch – Kelowna Golf and Country Club – December 12 & 19, 1999 (8400-01)

The City Clerk read the resolution for the benefit of Council.

Moved by Councillor Bremner/Seconded by Councillor Cannan

R909/99/11/15 THAT Municipal Council grant approval to Northern Air Support to land a helicopter on the 16th tee at the Kelowna Golf & Country Club, at approximately 11:30 a.m. on December 12th and 19th, 1999, subject to approval of Transport Canada and compliance with all related flight requirements.

Carried

The Director of Planning & Development Services entered the Council Chamber at 2:31 p.m.

6. COUNCILLOR ITEMS

- (a) Sand and Gravel Extraction Operation – Mission Ridge Area

Councillor Cannan expressed concern that a sand and gravel extraction permit has been issued by the Ministry of Energy and Mines to a developer in the Mission Ridge area without first following the agreed-upon public consultation process. He noted that the permit is for a substantial amount of material and suggested that a letter be sent from the Mayor and Council asking the Ministry why they did not follow the consultation process.

The Director of Planning & Development Services confirmed that on October 27, 1999, the Ministry of Energy and Mines issued a permit for the Mission Ridge area for removal of 140,000 cubic metres of sand and gravel over a 1 year period. He advised that to remove that amount of soil from the site, a truck with a pup would be required to make about 27 trips per day leaving the site every 15 minutes or a standard truck size would be leaving every 10 minutes. Staff are particularly concerned about that amount of truck traffic on the rural neighbourhood roads. The Ministry had been asked by the City not to approve a permit because there is an active development application for the property and no grading plan has been approved by Council. Staff were informed by the developer that a permit has been issued and are very concerned that the permit was issued without consultation.

Moved by Councillor Cannan/Seconded by Councillor Day

R910/99/11/15 THAT a letter be sent from the Mayor and Council to the Minister of Energy and Mines expressing concern about their issuance of a permit for a sand and gravel extraction operation in the Mission Ridge area and asking that the permit be immediately suspended.

Carried

Moved by Councillor Day/Seconded by Councillor Shepherd

R911/99/11/15 THAT staff bring forward recommendations to Council for implementation of a Soil Placement Bylaw in the City of Kelowna.

Carried

The Director of Planning & Development Services left the Council Chamber at 2:58 p.m.

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(b) 911 Emergency Response

Councillor Blanleil asked that the City Manager follow-up on a letter received from the Firefighter's Union about 911 emergency response.

The City Manager clarified that the 911 committee has agreed that firefighters are to be dispatched when a motor vehicle accident involves an injury. The problem is that the fire truck is not always being dispatched at the same time as the ambulance. The Regional District administers the 911 program and their Administrator has already been asked to investigate the concerns raised in the letter. Council will be informed once a response is received.

Councillor Shepherd suggested that the 911 committee be asked to report to Council at a future date.

(c) Smoking Regulations – Apple Bowl

Councillor Hobson advised he has received complaints about people smoking in the seating area of the Apple Bowl and asked that staff investigate whether there are regulations that restrict smoking in outdoor public facilities.

7. TERMINATION

The meeting was declared terminated at 3:12 p.m.

Certified Correct:

Mayor

BLH/bn

City Clerk