

Regular MeetingJanuary 24, 2000

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, January 24, 2000.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blaneil, R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, 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\*; Long Range Planning Manager, L.V. Foster\*; Urban Design Planner, P.J. McCormick\*; Planner-Long Range, G.L. Stephen\*; 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 Paul MacDonald re: Crossroads Detoxification Facility Update

Paul MacDonald, Executive Director of Crossroads Treatment Centre updated Council on what Crossroads has accomplished to date and of their plans for the future. He discussed the costs for readying the 16-bed detoxification facility for opening on April 1, 2000, and asked for Council's support when their request for \$50,000 funding from the Regional District of Central Okanagan is considered.

4. PLANNING

4.1 Planning & Development Services Department, dated January 20, 2000 re: Rezoning Application No. Z99-1062 – Margaret F. Locke – (James Zeleznik/Jazel Enterprises Ltd.) – 760 Glenwood Avenue (3360-20)

Staff presented the report noting the following:

- The applicant also owns the adjacent lot to the east and intends to develop a boarding and lodging home on each lot. The same building scheme is proposed for both buildings; one building would be a mirror image of the other.
- Conceptual plans indicate a facility for up to 7 residents, including the resident manager, and 5 paved parking stalls would be provided off the rear lane.

Council raised the following issues:

- Potential for expanding beyond 7 residents.
- Impact on the neighbourhood.

Moved by Councillor Nelson/Seconded by Councillor Given

**R51/00/01/24** THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 10, Sec. 19, Twp. 26, O.D.Y.D., Plan 700, located on 760 Glenwood Avenue, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the RU6b – Two Dwelling Housing with Boarding and Lodging House zone;

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

Carried

Regular MeetingJanuary 24, 2000Moved by Councillor Shepherd/Seconded by Councillor Cannan

**R52/00/01/24** THAT staff review the impact of having more than one boarding house or group home in a residential area and report back to Council.

Carried

4.2 Planning & Development Services Department, dated January 19, 2000 re: Rezoning Application No. Z99-1064 – Jason Bennett & Brenda Adams – 2406 O’Reilly Road (3360-20)

Staff presented the report noting the following:

- The basement was built by a previous owner without a building permit.
- The rezoning would allow continued use of an existing suite in the basement.

Council raised the following issue:

- The potential impact of the septic field upgrade if there are neighbouring properties on well water.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

**R53/00/01/24** THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, Sec. 16, Twp. 26, O.D.Y.D., Plan 39508, located on O’Reilly 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 Health Inspector being completed to their satisfaction.

Carried

4.3 Planning & Development Services Department, dated January 19, 2000 re: Kelowna Downtown Plan (6530-12)

Following the staff presentation of the report, representatives from the following groups offered comments on the document:

Peter Schultz, Downtown Kelowna Association

- Recommended removing the one-way couplet proposal from the plan, moving the truck route from Ellis to Richter and/or Gordon, converting Lawrence/Leon back to two-way streets, and including City Park in the Downtown Plan.
- Asked for continued involvement of the DKA in the next stages of the plan.

Dave Rush, Kelowna Chamber of Commerce

- Suggested that more study and analysis is needed before a decision is made on the truck route
- Asked that the same people be appointed to the Downtown Plan Committee as the Town Centre Implementation Committee.
- Urged Council to adopt the plan and give priority to the plan.

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Lindsay Webster, Urban Development Institute

- Expressed support for getting on with a block rezoning downtown but suggested that incentives are needed because current parking-in-lieu requirements and the lack of long term parking are both deterrents for redevelopment downtown.
- Suggested that the parking lot in City Park be relocated to be more convenient for people working in the downtown.

Keith Hewitt, Kelowna South Central Association of Neighbourhoods

- Opposed the one-way couplet proposal.
- Supported moving the truck route to Gordon Drive and converting Lawrence and Leon back to two-way streets.
- Indicated preference for the Chapman Parkade to be expanded rather than relocating the parking lot in City Park closer to Abbott Street.

Council raised the following issues:

- Impact of cash-in-lieu of parking on development in the downtown core.
- The need for a caveat in the Plan to clarify that the one-way couplet is included in the Plan only because of current City transportation policies and that other decisions are to be made before Council considers whether to endorse the concept.

Moved by Councillor Clark/Seconded by Councillor Cannan

**R54/00/01/24** THAT Council approve the *Kelowna Downtown Plan* as a guiding framework for the evolution of the Downtown and for future public and private initiatives within the Plan area;

AND THAT Council direct Planning & Development Services staff to immediately initiate the formation of the Downtown Plan Committee as an adjunct to the Town Centre Implementation Committee;

AND THAT Council direct Planning & Development Services staff to prepare a draft of proposed revisions to the *City of Kelowna Zoning Bylaw No. 8000* consistent with directions set out in the Kelowna Downtown Plan and as outlined in Attachment 1 of the Planning & Development Services report of January 19, 2000, and to advance the draft to further discussion with downtown interest groups and the local development industry;

AND THAT Transportation Division staff be requested by Council to further examine the transportation issues such as existing or proposed couplets identified in Attachment 2 of the Planning & Development Services report of January 19, 2000 with the aim of resolving concerns of the Downtown Plan Advisory Committee and report back to Council;

AND FURTHER THAT following the report back to Council on the transportation issues, Council direct Planning & Development Services staff to initiate a Streetscape Improvement Study as per the *Kelowna Downtown Plan* and report back to Council.

Carried

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- 4.4 Planning & Development Services Department, dated January 19, 2000 re: Area Structure Plan ASP96-004; OCP99-012; Heritage Revitalization Agreement HRA99-001 and Rezoning Application No. Z99-1027 – Stantec Consulting Ltd. (John Steil) – Former CN Rail Lands Between Sunset Drive/Ellis Street

Staff presented the report noting the following:

- The majority of the site is proposed for high rise (maximum 16 storeys) residential development (approximately 1,875 population).
- Industrial Business uses on the northeast portion of the lands will serve as a buffer between Riverside Mill and the proposed residential development along Sunset Drive.
- The Heritage Revitalization Agreement (HRA) will protect the former CN Rail Station building and would permit uses consistent with the C4 zone without rezoning.
- The Design Guidelines in the HRA indicate that additional development would be considered on the north and east sides of the building. Staff recommend that the HRA be amended to remove all reference to building expansion or new structures until such time as plans are submitted to show exactly what is proposed.
- Engineering comments in the staff report concerning road reserves, off-site road improvement/widenings have been dealt with through reserve agreements that supersede the engineering comments.

Moved by Councillor Blanleil/Seconded by Councillor Nelson

R55/00/01/24 THAT Council hear from the applicant, John Steil.

Carried

The applicant, made the following points:

- The former rail station building is only 30 ft. wide and less than 4,000 sq. ft. in size and covers about 6% of the site.
- The building is too small for effective use and for marketing purposes, it is important that it be identified in the HRA that there could be additional development on the site.
- Submitted new wording that he suggested could replace an existing clause in the HRA and address staff's concern about building additions.

Council raised the following issues:

- In order to have a viable use of the existing railway station building additions may be necessary.
- The addition to the Benvoulin Church is a good example of how a building can be added onto without negatively impacting its heritage value.
- A clause could be included in the HRA indicating that Council would consider changes on the property.

Council agreed to a friendly amendment of the motion directing staff to work with the applicant to amend the wording in the HRA to reflect Council's views for additional future development on the site. The amended wording is to be brought forward for review by Council when the bylaw is advanced for first reading.

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Moved by Councillor Shepherd/Seconded by Councillor Given

**R56/00/01/24** THAT the draft Downtown North Area Structure Plan attached as Schedule "A", prepared by Stantec Consulting Ltd., dated August, 1999, be amended as per the report from the Planning and Development Services Department dated January 19, 2000;

AND THAT Council adopt the amended Downtown North Area Structure Plan;

AND THAT Section 15.1 of Schedule "A" of the Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 be amended to acknowledge the adoption of the Downtown North Area Structure Plan;

AND THAT Map 15.1 of Schedule "A" of the Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 be amended to incorporate the generalized future land uses identified in the Downtown North Area Structure Plan;

AND THAT all references in Schedule "A" of the Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 to the "Sunset/Richter" Area Structure Plan be amended to read "Downtown North" Area Structure Plan;

AND THAT the Downtown North Design Guidelines, dated August, 1999, and attached as Schedule "B" to the report from the Planning and Development Services Department dated January 19, 2000 be added to Schedule "A" of the Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 for the future redevelopment of the lands encompassed by the Downtown North Area Structure Plan;

AND THAT the City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Plan DD2134D, Lot 1, Plan 24595, Lot F, Plan 33137, Lot E, Plan 33137, Lot 45, Plan 462 and Lot A, Plan 61239, as shown on Schedule "C", attached to the report from the Planning and Development Services Department dated January 19, 2000 from the I4 (Central Industrial), I2 (General Industrial), and P3 (Parks and Open Space) zones to the C4 (Town Centre Commercial), I1 (Business Industrial), I4 (Central Industrial), P3 (Parks and Open Space) and RM6 (High Rise Apartment Housing) zones;

AND THAT Planning staff be instructed to meet with the developer to amend the Heritage Revitalization Agreement attached as Schedule "D" to the report from the Planning and Development Services Department dated January 19, 2000, to reflect Council's views for additional future development on the site;

AND THAT the amended Heritage Revitalization Agreement between the City of Kelowna and Canada Lands Company CLC Limited, Inc. be supported for the property described as:

Parcel Identifier: 011-820-926  
Parcel A (DD41022F and Plan M44), Lot 13, District Lot 139,  
O.D.Y.D., Plan 1134

Parcel Identifier: 012-359-033  
Parcel B on Plan B1415A, Block 42, District Lot 139,  
O.D.Y.D., Plan 462 shown in red on Plan M44

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Parcel Identifier: 011-358-843  
Parcel F on Plan B703, Block 42, District Lot 139,  
O.D.Y.D., Plan 462 shown in red on Plan M44

Parcel Identifier: 011-820-942  
Parcel D, Plan B667 Being Part of Lot 13, District Lot 139  
O.D.Y.D., Plan 1134 and Block 42, District Lot 139,  
O.D.Y.D., Plan 462, Now Being the Canadian National Railway  
Company's Right of Way as shown in red on Plan M44

Parcel Identifier: 012-358-860  
Parcel G on Plan B833, Block 42, District Lot 139,  
O.D.Y.D., Plan 462 shown in red on Plan M44

Parcel Identifier: 011-358-975  
Parcel Z (DD42851F and Plan M44), Block 42, District Lot 139  
O.D.Y.D., Plan 462

Parcel Identifier: 023-123-028  
Part .473 Acres more or less of Block 42, District Lot 139,  
O.D.Y.D., Plan 462 shown colored red on Plan M44

AND THAT OCP and zone amending bylaws and the Heritage Revitalization Agreement authorization bylaw be forwarded to a Public Hearing for further consideration;

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 OCP and zone amending bylaws be considered following the requirements of the Works & Utilities Department being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be withheld until the Ministry of Environment is satisfied with the Remediation Plan being prepared by the applicant to rectify site contamination and an Approval in Principle is issued;

AND THAT final adoption of the zone amending bylaw be withheld until the owner has executed Servicing Agreements acceptable to the City of Kelowna and posted all required securities;

AND THAT the owner be responsible for all (legal, professional, advertising and Land Title Office) fees and charges resulting from the subdivision, right-of-way, road dedication/widening and contamination clean-up associated with this application;

AND FURTHER THAT subsequent to final adoption of the OCP and zone amending bylaws, and the Heritage Revitalization Agreement authorization bylaw, the Mayor and City Clerk be authorized to sign and seal, on behalf of the City of Kelowna, Servicing Agreements and a Heritage Revitalization Agreement with the applicant.

Carried

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- 4.5 Planning & Development Services Department, dated January 19, 2000 re: Official Community Plan Review – Status Report (6480-30)

Moved by Councillor Shepherd/Seconded by Councillor Given

**R57/00/01/24** THAT the report dated January 19, 2000 from the Long Range Planning Manager on the status of the Official Community Plan Review be received for Council's information.

Carried

5. RESOLUTIONS

- 5.1 Draft Resolution re: Cancellation of February 8, 2000 Council Meetings

Moved by Councillor Hobson/Seconded by Councillor Day

**R58/00/01/24** THAT the Public Hearing and Regular Meeting scheduled for Tuesday, February 8, 2000 be cancelled.

Carried

- 5.2 Draft Resolution re: Restorative Justice & Youth Diversion Retreat (1800-01)

Moved by Councillor Hobson/Seconded by Councillor Cannan

**R59/00/01/24** THAT Councillor Shepherd be authorized to travel to attend a Restorative Justice & Youth Diversion Retreat being held in Chilliwack, B.C. on April 14, 15 & 16, 2000, with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-015-0-001.

Carried

- 5.3 Draft Resolution re: UBCM Seminar for Local Government Decision Makers (1800-01)

Staff advised that because of other commitments, Mayor Gray is unable to attend this seminar as originally planned.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

**R60/00/01/24** THAT Councillors Cannan and Nelson be authorized to attend seminar sessions on Local Government Decision Making for Newly Elected Municipal Officials being held in Penticton, B.C. on February 9-11, 2000 with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-015-0-001.

Carried

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6. COUNCILLOR ITEMS

(a) Central Elementary School

Councillor Shepherd advised that she has been contacted by a number of people about Central Elementary School not being used as a school in future. They are asking if Council is going to make a stand on this and are looking to Council for leadership in that regard.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

R61/00/01/24 THAT Council send a letter to the School Board saying Council wants to encourage educational facilities in the town centres and would like to hear their plans for Central Elementary.

Carried

(b) Road Signage for Springfield Road

Councillor Cannan advised that there is no signage on Highway 33 to indicate the Springfield Road turn-off. Referred to City Transportation staff.

7. TERMINATION

The meeting was declared terminated at 5:24 p.m.

Certified Correct:

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Mayor

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City Clerk

BLH/bn