

Regular MeetingJanuary 31, 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 31, 2000.

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

Council members absent: Councillor R.D. Hobson.

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*; Long Range Planning Manager, L.V. Foster*; Planner – Spatial Data Analyst, D. Huang*; Planner-Long Range, G. Routley*; Transportation Manager, R.W. Westlake*; Civic Properties Manager, H.R. Hyatt*; Recreation Manager, R. Oddleifson*; Inspection Services Manager, K. Skinner*; 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 Day was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Steve New, B.C. Transit re: Kelowna Transit Service

Steve New, Vice-President of Municipal Systems for B.C. Transit

- explained the Request for Proposal process and the basis for recommending Farwest Group as the management company of the Kelowna regional transit service for the next 5 year period.
- scoring of submissions was based on the strength of the management plan
- layoff notices have to be issued to existing employees on March 31, 2000 which is when the existing operating contract with Kelowna Bus and Transportation Inc. expires
- continued employment is guaranteed for those required employees; it could be that fewer employees will be required to deliver the service
- the level of service will be unchanged for both conventional and custom transit.

Council raised the following issues:

- potential loss of jobs and benefits for existing employees
- lack of Council input into the RFP or evaluation process
- concern that successorship rights were not included as a condition of the RFP
- there is no guarantee of savings beyond the \$46,000 over 2 years
- the collective agreement and the management agreement should expire on the same date

Moved by Councillor Cannan/Seconded by Councillor Clark

R72/00/01/31 THAT Council hear from the union representative for the employees of Kelowna Bus and Transportation Inc.

Carried

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Gord Irish, representing the union for the Kelowna Handidart and Conventional transit services, raised the following issues:

- loss of benefits
- the bid from the current contractor had to include costs of paying for benefits that Farwest did not have to include in their bid
- the union wanted the collective agreement to extend past the term of the operating agreement; the existing collective agreement expires is 2001

Bob Irwin, President of B.C. Transit:

- concern about legalities surrounding the RFP process

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R73/00/01/31 THAT further consideration of the recommendation regarding management of Kelowna regional transit services be deferred to Thursday, February 3, 2000 at 9 a.m. in the Council Chamber at City Hall to allow B.C. Transit to seek legal advice on delaying the decision on this Request for Proposal. *[this resolution was **rescinded** later in the meeting – see agenda item No. 8(a)]*

Carried

Councillor Day opposed.

- 3.2 Gary Crooks, President of Interior Lumber Manufacturers' Association re: Update on Southern Interior Forest Industry Issues

Deferred to a future agenda.

- 3.3 Sylvie Zebroff, Matheson Central School Parent Advisory Council re: Proposed Closure of Central Elementary School

Deferred to a future agenda.

- 3.4 Wendy Falkowski, Chair of Kelowna 2000 Millennium Celebration Committee re: Kelowna 2000 Celebration

Deferred to a future agenda.

Mayor Gray altered the order of business and advised that agenda item No. 4.5 would be dealt with at this time.

4. PLANNING

- 4.5 Planning & Development Services Department, dated January 28, 2000 re: Okanagan Mission Community Hall – Heritage Register Designation (6800-02)

Moved by Councillor Shepherd/Seconded by Councillor Clark

R74/00/01/31 THAT the City of Kelowna designate the Okanagan Mission Community Hall building located at 4409 Lakeshore Road as an additional building on Kelowna's Heritage Register, acknowledging the building's significant heritage value as a community hall for the Okanagan Mission area.

Carried

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- 4.1 Planning & Development Services Department, dated January 19, 2000 re: Extension of Period for Commencement of Construction – DP98-10,014 and DVP98-10,015 – Aberdeen Holdings Ltd. (Steve Hale/Septa Projects Ltd.) – 2350-2370 Stillingfleet Road (3060-20; 3090-20)

Moved by Councillor Nelson/Seconded by Councillor Blanleil

R75/00/01/31 THAT Municipal Council authorize the extension of the one year period of issuance of Development Permit DP98-10,014 and Development Variance Permit DVP98-10,015, for Lot C, D.L. 136, O.D.Y.D., Plan KAP46155, except Plan KAS1424, located on Stillingfleet Road, Kelowna, B.C., for a further one year period, to lapse March 5, 2001.

Carried

- 4.2 Planning & Development Services Department, dated December 8, 1999 re: Rezoning Application No. Z99-1056 – R383 Enterprises Ltd. – 1894 Ambrosi Road (3360-20)

Staff presented the report noting:

- a 2-storey commercial school building is proposed for use as a marshall arts training centre, including residential dormitory space for people training at the facility
- a Development Variance Permit would be required to address the lot width

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R76/00/01/31 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, D.L. 129, O.D.Y.D., Plan 10140, located on 1894 Ambrosi Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the C5 - Transition Commercial 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 and 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 Works & Utilities Department being completed to their satisfaction.

Carried

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- 4.3 Planning & Development Services Department, dated January 14, 2000
re: Rezoning Application No. Z00-1001 – William & Lienne Cook – 440
Mugford Road (3360-20)

Staff presented the report noting:

- the rezoning would permit use of the basement of the existing dwelling as a secondary suite for rental purposes

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R77/00/01/31 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, Sec. 26, Twp. 26, O.D.Y.D., Plan 14835, Except Plan 17525, located on 440 Mugford 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 THAT subsequent to adoption of the zone amending bylaw, the Mayor and City Clerk be authorized to Quit Claim the existing Section 219 Restrictive Covenant that pertains to the use of a summer kitchen on the subject property.

Carried

- 4.4 Planning & Development Services Department, dated January 24, 2000
re: Soil Deposit Bylaw No. 8504

Staff:

- outlined the rationale for the bylaw, the proposed permit process and the list of exemptions from the permit process
- housekeeping changes to wording in the bylaw
- advised the bylaw is proposed as an interim measure until a soil removal and placement bylaw can be done on a regional basis
- the bylaw is aimed at the renegade deposit of soil outside the development process
- there would be no charge for the Soil Deposit Permit

Council raised the following issues:

- creating more bureaucracy
- homeowners need more time to complete their landscaping
- the right to appeal to Council if a permit is denied by staff

Moved by Councillor Given/Seconded by Councillor Shepherd

R78/00/01/31 THAT proposed Soil Deposit Bylaw No. 8504 be amended to include an exemption for homeowners completing their landscaping and a right to appeal.

Carried

Councillors Blanleil and Cannan opposed.

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- 4.5 Planning & Development Services Department, dated January 28, 2000 re: Okanagan Mission Community Hall – Heritage Register Designation (6800-02)

Dealt with after agenda item No. 3.4.

5. REPORTS

- 5.1 Inspection Services Manager, dated January 25, 2000 re: Proposed Class “A” (Train) Liquor Licence for Funtrain Canada Ltd. (0540-20)

Moved by Councillor Blanleil/Seconded by Councillor Nelson

R79/00/01/31 THAT the Provincial Liquor Control and Licensing Branch be advised that Council supports the second 225 seat Class “A” (Train) Liquor Licence proposed by Funtrain Canada Inc. at 600 Recreation Avenue.

Carried

- 5.2 Civic Properties Manager, dated January 26, 2000 re: Museum Conservation Lab/Exhibition Space Addition and Related Improvements (0760-20)

Staff presented the report noting:

- the \$60,000 grant from the millennium fund is not yet approved but would not impact the overall project because if not approved the renovations to the main exhibition space would just be modified
- the amount required from the City of Kelowna remains at \$180,000

Moved by Councillor Clark/Seconded by Councillor Shepherd

R80/00/01/31 THAT City Council provide approval to proceed with the design and construction of the proposed Conservation Lab/Exhibition Space Addition and related interior renovations and enhancements to the Kelowna Centennial Museum for a cost of \$630,000;

AND THAT the 2000 Budget Document be amended to reflect the total costs and revenues associated with this project, as follows:

Kelowna Museum Fundraising	\$ 90,000
Human Resources Development Canada	\$265,000
City of Kelowna	\$180,000
Regional District of Central Okanagan	\$ 30,000
Museum Assistance Program	<u>\$ 65,000</u>
	<u>\$630,000.</u>

Carried

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- 5.3 Recreation Manager, dated January 26, 2000 re: Kinsmen Softball Complex Fence Advertising (1475-00)

Staff:

- displayed a photo of the proposed transparency-type advertising to show it would not interfere with irrigation
- advised \$10,000 is already approved in the budget to facilitate start-up

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R81/00/01/31 THAT Parks & Leisure Services initiate a pilot project of fence advertising at the Kinsmen Softball Complex;

AND THAT the method of advertising be of a type specifically designed for chain link fencing;

AND FURTHER THAT this be done in collaboration with a community non-profit organization.

Carried

6. RESOLUTIONS

- 6.1 Draft Resolution re: Symposium on New Local Government Legislation (1800-01)

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

R82/00/01/31 THAT Mayor Gray be authorized to attend a Symposium on New Local Government Legislation being held in Richmond, B.C. on March 1-2, 2000 with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-011-0-001.

Carried

- 6.2 Draft Resolution re: CCAF-BC Regional Conference (1800-01)

Moved by Councillor Nelson/Seconded by Councillor Blanleil

R83/00/01/31 THAT Councillor Hobson be authorized to travel to attend the B.C. Regional Conference of the Canadian Comprehensive Auditing Foundation being held March 6, 2000 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

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R84/00/01/31 THAT Steven Martin, Regional Accommodation Securing Manager for the British Columbia Buildings Corporation, be appointed to the Parking Committee for a two term;

AND THAT Peter Schultz, President of the Downtown Kelowna Association, be appointed to the Parking Committee for a one term;

AND FURTHER THAT Clint McKenzie, Executive Director of the Downtown Kelowna Association, be appointed as a resource person to the Parking Committee.

Carried7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**7.1 Bylaw No. 8504 – Soil Deposit Bylaw

Withdrawn.

8. COUNCILLOR ITEMS(a) Date of Special Meeting - Kelowna Transit Service

Councillor Day advised that he could re-arrange his travel schedule and be back for Friday morning if Council would consider changing the meeting date to continue discussion of the Kelowna transit service from 9:00 a.m. on Thursday, February 3rd to 8:30 a.m. on Friday, February 4th.

Moved by Councillor Shepherd/Seconded by Councillor Given

R85/00/01/31 THAT the resolution of deferral adopted by Council under agenda item No. 3.1 of these minutes be rescinded;

AND THAT further consideration of the recommendation regarding management of Kelowna regional transit services be deferred to Friday, February 4, 2000 at 8:30 a.m. in the Council Chamber at City Hall to allow B.C. Transit to seek legal advice on delaying the decision on this Request for Proposal.

Carried(b) Pedestrian Safety - Summit/Valley Road Intersection

Councillor Cannan expressed concern about pedestrian safety at the Summit Drive and Valley Road intersection. Referred to staff for investigation.

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(c) Cat Bylaw

Councillor Cannan noted that staff were checking with other municipalities before considering whether Kelowna should implement a Cat control bylaw and asked about the results of that investigation. Referred to staff.

(d) Proclamation

Mayor Gray read a proclamation declaring the week of February 13-21, 2000 as "IODE Week".

9. TERMINATION

The meeting was declared terminated at 5:05 p.m.

Certified Correct:

Mayor

Acting-City Clerk

BLH/am