

Regular Meeting – P.M.April 10, 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, April 10, 2000.

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

Council members absent: Councillor A.F. Blanleil.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, G.D. Matthews; 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. Eicher*; Deputy Director of Finance, P.A. Macklem*; Transportation Demand Management Supervisor, S.K. Bagh*; Parks Manager, J. Creron*; 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 Clark was requested to check the minutes of the meeting.

3. PLANNING

3.1 Planning & Development Services Department, dated March 27, 2000 re: Rezoning Application No. Z00-1007 – Star-Line Enterprises Ltd. (Tony Vantgeloof) – 1891, 1893 & 1899 Ambrosi Road (3360-20)

Staff:

- The requested zoning would facilitate the development of a 6-storey, 48-unit apartment building constructed over a concrete parking deck that would be partly below grade.
- The proposal is consistent with the Official Community Plan and the neighbourhood plan for the area.
- The Advisory Planning Commission recommends support with no conditions.
- A Development Permit and a Development Variance Permit related to building height will be processed concurrent with the rezoning.

Moved by Councillor Hobson/Seconded by Councillor Day

R314/00/04/10 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots 4, 5, and 6, D.L. 129, O.D.Y.D., Plan 10140, located on Ambrosi Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Housing 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.

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- 3.2 Planning & Development Services Department, dated April 5, 2000 re: Rezoning Application No. Z00-1009 and OCP00-001 – Fernbrae Holdings Ltd. – 295 Gerstmar Road (3360-20)

Staff:

- The application is for phased development of a 3-storey congregate care facility on the site.
- The property would be developed in two phases with 183 units in the first phase and 112 units in phase two.
- The Advisory Planning Commission recommends support.
- Development Permit and Development Variance Permit Applications have been submitted for phase 1. The variance is required to permit the 3-storey building height.
- The subject property is a former school site and is currently vacant. The school that was on the property has been relocated and the property sold by the School District to the applicant.

Council:

- Staff to investigate whether this former school site was identified in the City's inventory of open space available in Rutland, and if so, whether development of this site will impact the neighbourhood park needs.

Moved by Councillor Nelson/Seconded by Councillor Hobson

R315/00/04/10 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 1, Sec. 22, Twp. 26, O.D.Y.D., Plan 27366, located on Gerstmar Road, from Education/Major Institutional to Multiple Family Residential – low density as shown on Map “A”;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Sec. 22, Twp. 26, O.D.Y.D., Plan 27366, located on Gerstmar Road, Kelowna, B.C., from the P2 – Education and Minor Institutional zone to the RM3 – Low Density Multiple Housing 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 and a Development Variance Permit on the subject property;

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.

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- 3.3 Planning & Development Services Department, dated April 5, 2000 re: Bylaw No. 8434 - City of Kelowna Official Community Plan Amendment No. OCP98-021 (Glenmore Highlands Area Structure Plan ASP97-001)

Staff:

- Reviewed the process to date and highlighted some of the changes made to the generalized land uses since the Public Hearing.
- The bylaw has been held at third reading pending resolution of traffic impact issues.
- Reviewed the assumptions that went into the traffic impact study and the results of the study, off-site as well as on-site over the 20 year time horizon.
- The appropriate upgrades will have to be considered at each zoning phase of this development.
- If revised DCCs are required for off-sector road improvements, the developer has advised he will pay them.
- Adoption of this bylaw would allow the developer to proceed with phase 1.

Moved by Councillor Nelson/Seconded by Councillor Shepherd

R316/00/04/10 THAT Bylaw No. 8434 to incorporate the Glenmore Highlands Area Structure Plan into the City of Kelowna Official Community Plan be advanced for adoption consideration by Council;

AND THAT staff be instructed to review amendments to the Development Cost Charge Bylaw based on this Official Community Plan amendment;

AND FURTHER THAT Council Policy No. 200 respecting open space, linear parks/trails and access in this sector of the City, be rescinded in its entirety.

Carried

Mayor Gray altered the order of business and advised that the bylaws under section 4 of the agenda would be dealt with next.

4. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 4.1 Bylaw No. 8434 – City of Kelowna Official Community Plan Amendment No. OCP98-021 (Glenmore Highlands Area Structure Plan ASP97-001)
requires majority vote of Council (5)

Moved by Councillor Day/Seconded by Councillor Nelson

R317/00/04/10 THAT Bylaw No. 8434 be adopted.

Carried

Councillors Cannan and Hobson opposed.

- 4.2 Bylaw No. 8521 (Z00-1004) – Stuart Dickson and Susan Worden – 265 Davie Road

Moved by Councillor Cannan/Seconded by Councillor Day

R318/00/04/10 THAT Bylaw No. 8521 be adopted.

Carried

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3.4 Planning & Development Services Department, dated April 5, 2000 re: Housing Study (5040-20)

Staff:

- The Municipal Act indicates that municipalities must address affordable housing issues.
- The Official Community Plan directs staff to undertake a housing study to determine needs and define affordability and what action should be taken.
- About 1/3 of our housing is rental and 26% of tenant households paid more than 50% for rent in 1996, compared to 20% in 1996.
- Recommend establishment of a Housing Reserve Fund that would only be used to buy land to address housing for the need groups identified.
- Consider using a density gradient approach to the calculation of DCCs to promote smaller units for improved affordability.
- The Community Housing Needs Committee recommends against having a Standard of Maintenance & Occupancy Bylaw.

Council:

- Other levels of government are opting out of their responsibility with respect to social housing.
- Allocating 10% from the sale of City lands into a Housing Reserve Fund could result in a tax increase.
- Need to look at incentives to get more of the types of housing that are needed.

Staff:

- The Housing Reserve would not be a tax drain for the municipality. The reverse is likely as payments from leases and sales of units on City-owned land are paid back to the fund. The details would need to be worked out in the bylaw but there would also be market housing on the City-owned land and the City would collect revenue on those when they are sold.

Council:

- Agreed to delete the last 2 paragraphs of the Housing Reserve Fund bylaw recommendations under section 3 in the staff report and to request that the wording of the resolution to the UBCM to lobby the Province for changes to address deficiencies in the Residential Tenancy Act be brought back for Council consideration.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R319/00/04/10 THAT City Council receive Housing Study – 1999/2000 in its entirety for information, publication and distribution;

AND THAT Council endorse the Official Community Plan Policy Recommendations, the Published Information Recommendations, the Development Cost Charge Recommendation, the Stratification Policy (1989) Recommendation, and the Standards of Maintenance Bylaw Recommendation, on pages 1 to 6 of the report dated April 5, 2000 from the Community Planning Manager, initiating actions to address the findings of the Housing Study;

AND THAT the Housing Reserve Fund Bylaw Recommendations on page 5 of the report be amended to delete the last two paragraphs and be endorsed by Council, as revised;

AND FURTHER THAT the Council Resolutions on page 6 of the report be endorsed by Council, with paragraph 7(iii) amended to add that the wording of

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the resolution be brought back to Council for approval before being forwarded to the UBCM.

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4. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 4.1 Bylaw No. 8434 – City of Kelowna Official Community Plan Amendment No. OCP98-021 (Glenmore Highlands Area Structure Plan ASP97-001) **requires majority vote of Council (5)**

Dealt with after agenda item No. 3.3.

- 4.2 Bylaw No. 8521 (Z00-1004) – Stuart Dickson and Susan Worden – 265 Davie Road

Dealt with after agenda item No. 3.3.

5. REPORTS

- 5.1 Transportation Manager, dated March 28, 2000 re: Allocation of 2000 Bicycle Network Program Funds (8320-06)

Staff:

- For this year, staff are recommending 3 specific bike lane projects that would include providing an off-road bicycle connection through the cemetery to enhance access from the Dilworth neighbourhood to the downtown; an enhanced short cut route up to the Crawford area via a Dehart Road link through the Coronado slopes; and providing improved bicycle parking facilities through partnership funding arrangements with the business community, and installation of bike lockers for secure parking in high profile locations within each of the four urban centres.

Councillors Cannan and Given left the meeting at 4:00 p.m.

Council:

- Need to give priority to providing safe cycling on Abbott as soon as possible.
- Need to explore bike lanes along Crawford Road for next year, at least on one side of the road.
- Consider providing a bike route for the area at the west end of Royal Pine Drive and Royal View Drive.
- Ensure that the Request for Proposals for the proposed new downtown parkade include a requirement for secured bicycle parking.
- Need to give more priority to a Bertram Creek Park bicycle connection from Lakeshore Road.

Moved by Councillor Shepherd/Seconded by Councillor Given

R320/00/04/10 THAT the Bicycle Facility Evaluation Matrix attached as Appendix 1 to the report dated March 28, 2000 from the Works & Utilities Department be endorsed as a guideline for prioritizing future bicycle facility projects;

AND THAT Works & Utilities staff be directed to pursue, through funds available in the 2000 Bicycle Network Program (Account No. 10-3306-R9998), the projects noted in the report.

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- 5.2 Deputy Director of Finance, dated March 29, 2000 re: Bylaw to Charge the 2000 Sterile Insect Release (SIR) Parcel Tax to Specific Rolls (1950-01)

Moved by Councillor Hobson/Seconded by Councillor Day

R321/00/04/10 THAT Bylaw 8523 be advanced for reading consideration by Council to authorize the charging of the 2000 Sterile Insect Release (SIR) Parcel Tax to individual rolls in accordance with the 2000 SIR Parcel Tax Assessment Roll provided to the City of Kelowna by the Regional District of North Okanagan.

Carried

- 5.3 Parks Manager, dated April 5, 2000 re: Landscape Centre Medians on Highway 97 Contract (T00-21) (6240-01)

Staff:

- The Province has provided \$700,000 toward this project.
- The proposed brick apron with shrubs and landscaping comes in over the \$700,000 budget but will save the City at least \$20,000 annually in maintenance.
- The additional funding required for this option would be appropriated partly from the operational budget and partly from the capital budget.

Moved by Councillor Shepherd/Seconded by Councillor Clark

R322/00/04/10 THAT City Council award the Landscape Centre Medians on Highway 97 Contract to West-Wind Nurseries for a total bid price of Seven hundred Five thousand, Five hundred Twenty-one dollars (\$705,521) plus G.S.T.

Carried

- 5.4 Recreation Manager, dated April 6, 2000 re: Canada Day Festival – Civic Committee, 2000 (8100-20)

Moved by Councillor Hobson/Seconded by Councillor Day

R323/00/04/10 THAT Council receive the report dated April 6, 2000 from the Recreation Manager which lists the Canada Day Festival Civic Committee for 2000 as follows:

| | |
|------------------|-----------------------------------|
| Clarence Johnson | Chair |
| Joe Iafrancesco | Vice-Chair/Community Fund Raising |
| Michael Loewen | Treasurer |
| Ken Besseson | Program/Events |
| Kevin Davies | Fireworks |
| Gavin Hamilton | Corporate Fund Raising |
| Renata Mills | Island Stage Entertainment |
| Shelley Paynter | Media & Promotions |
| Kendall Pew | Program/Events/Secretary |
| Reid Oddleifson | City Liaison |
| Randy Zahara | City Liaison; |

AND THAT this Committee have the authority to manage the expense and revenue of the budget for this event.

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Moved by Councillor Shepherd/Seconded by Councillor Nelson

R324/00/04/10 THAT Council hear from the committee representative in the public gallery.

Carried

Clarence Johnson, Chair of the Canada Day Festival Civic Committee:

- Presented each member of Council with a button and advised that the buttons are being sold for \$5 as the main fundraiser for this event.

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 6.1 Bylaw No. 8523 – Sterile Insect Release Program Parcel Tax Bylaw (2000) **bylaw circulated with report under agenda item No. 5.2**

Moved by Councillor Day/Seconded by Councillor Hobson

R325/00/04/10 THAT Bylaw No. 8523 be read a first, second and third time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

- 6.2 Bylaw No. 8481 – Road Exchange Bylaw

Moved by Councillor Shepherd/Seconded by Councillor Day

R326/00/04/10 THAT Bylaw No. 8481 be adopted.

Carried

- 6.3 Bylaw No. 8527 – Amendment No. 3 to Heritage Procedures Bylaw No. 7776 **requires 2/3 majority vote of Council (6)**

Moved by Councillor Shepherd/Seconded by Councillor Clark

R327/00/04/10 THAT Bylaw No. 8527 be adopted.

Carried

- 6.4 Bylaw No. 8531 – Amendment No. 5 to Airport Fees Bylaw No. 7982

Moved by Councillor Clark/Seconded by Councillor Shepherd

R328/00/04/10 THAT Bylaw No. 8531 be adopted.

Carried

- 6.5 Bylaw No. 8532 – A bylaw to further amend Water Regulation Bylaw No. 2173

Moved by Councillor Nelson/Seconded by Councillor Hobson

R329/00/04/10 THAT Bylaw No. 8532 be adopted.

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- 6.6 Bylaw No. 8536 – A bylaw to amend the Sewerage System User Bylaw, 1982, No. 3480

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R330/00/04/10 THAT Bylaw No. 8536 be adopted.

Carried

7. COUNCILLOR ITEMS

(a) Policy Request

Councillor Shepherd asked that staff draft a policy for consideration by Council for demolition of City-owned residential properties to allow salvaging opportunities by the heritage community.

(b) Video Surveillance Camera

The City Manager reported that the video surveillance camera has now been installed in the Kasugai Park/Bennett Clock area but that the camera will not be operational until policy and operational issues have been dealt with.

8. TERMINATION

The meeting was declared terminated at 4:23 p.m.

Certified Correct:

Mayor

City Clerk

BLH/bn