

Regular Meeting – P.M.August 14, 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, August 14, 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, R.D. Hobson, J.D. Nelson and S.A. Shepherd.

Staff members in attendance were: City Manager, R.A. Born; Acting-Deputy City Clerk, L.M. Taylor; Director of Planning & Development Services, R.L. Mattiussi*; Current Planning Manager, A.V. Bruce*; Planner – Long Range, G. Routley*; Director of Works & Utilities, J. Vos*; Electrical Manager, R. Carle*; Airport General Manager, R. Sellick*; Inspection Services Manager, K. Skinner*; 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 1:33 p.m.

2. Councillor Clark was requested to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Laura Thurnheer, Tourism Kelowna re Exceptional Service Under the Sun Awards

Laura Thurnheer:

- Assisted by Mayor Gray, presented the July Exceptional Service Under the Sun award to Mike Brown, employee of Willow Park Esso Station along with a plaque to the manager of Willow Park Esso.

4. UNFINISHED BUSINESS

4.1 Jason Martin, Okanagan Mission Community Hall Association re Funding for Community Hall

The Association is seeking clarification as to whether the \$50,000 grant approved by Council for use toward the restoration of the OKM Community Hall and Scout Hall was to be released to the Association as a lump sum or released proportionately as the money is raised for the project.

Jason Martin, OKM Community Hall Association:

- OKM Hall is a community facility and the Association is a volunteer organization. Overall, the facility is operated at no cost to the City.
- The confusion is whether the \$50,000 from the City was an outright grant or whether it was tied to other grants.
- The Association did not have sufficient time to comply to the requirements for a Federal Government millennium project grant and the Province tied their funding to that of the federal government so that grant was also lost.
- To date, \$12,000 has been received from the Provincial Lotteries Commission and some advance funds have been received from the City.

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- The Association was under the impression that the \$50,000 from the City was an unconditional grant and that is why the work proceeded. The Association cannot proceed with the work that is already started until more funds are advanced.
- The overall project cost was estimated at \$198,000 however, the project has been scaled down for now. The Association still intends to try for funding from the Provincial and Federal governments in the future. Completion of the project will be a continuing fundraising issue and any funds raised will be used for the restoration project.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R660/00/08/14 THAT the \$50,000 grant approved under Council Resolution No. R209/00/03/13 to assist the Okanagan Mission Community Hall Association with restoration of the Okanagan Mission Community Hall and Scout Hall be endorsed for release to the Association unconditionally.

Carried

Jason Martin, OKM Community Hall Association:

- The Lands and Buildings Committee will have a program prepared within the next 90-120 days for the future of the Association's lands and buildings and adjoining properties and will come to the City for a partnership at that time.

5. PLANNING

5.1 Kelowna Heritage Foundation, dated July 27, 2000 re: New Appointment to Board of Directors

Moved by Councillor Shepherd/Seconded by Councillor Clark

R661/00/08/14 THAT Council appoint Ms. Ursula Surtees to the Board of Directors of the Kelowna Heritage Foundation for the balance of the current Board's three year term, ending in December 2002.

Carried

5.2 Planning & Development Services Department, dated July 26, 2000 re: Rezoning Application No. Z00-1035 - 554007 BC Ltd. - 952 Lawson Avenue (3360-20)

Staff:

- The applicant proposes to construct a new dwelling to house a maximum of 10 residents as a boarding and lodging home.
- A covenant would be required for placement of the building and parking.

Moved by Councillor Nelson/Seconded by Councillor Given

R662/00/08/14 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, D.L. 138, O.D.Y.D., Plan 4491, located on Lawson 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;

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AND THAT final adoption of the zone amending bylaw be considered subsequent to the final approval of a subdivision for road dedication by the Approving Officer;

AND 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;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a Section 219 covenant indicating access, parking and building envelope restrictions as per Schedule A.

Carried

5.3 Planning & Development Services Department, dated July 26, 2000 re: Development Permit Application No. 00-10,026 – Progressive Homes Ltd. – 440 Yates Road (3060-20)

Councillor Cannan declared a conflict of interest as a resident within the area and left the Council Chamber at 2:11 p.m.

Staff:

- Originally the subject property was intended to be phase 2 of the Orchard View development to the south. Phase 2 of that development did not proceed and the property was sold to the applicant.
- A Development Permit approved by Council in 1995 for 41 townhouse units has lapsed.
- The applicant is now proposing a 54-unit townhouse development with units ranging from duplex units to a block of 6 units in a row. A common recreation building, a community garden and a children's play area would be included in the project.
- A covenant would be required to ensure no disturbance of the hillside.
- The application was reviewed and supported by the Advisory Planning Commission subject to the applicant meeting with the neighbourhood and some changes were made as a result of that consultation.
- The project would be funded by B.C. Housing.

Council:

- It is not common practise to hear from the public at the Development Permit stage, but because of the time lapse since the rezoning and because the proposed development has changed from what was originally proposed at the time of rezoning, it would be appropriate to hear from the public and the applicant.
- Since the zoning is already in place, it would not be appropriate to hear comments about land use and density; the discussion should be confined to form and character issues.

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R663/00/08/14 THAT Council hear from the adjacent strata council and the applicant.

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Ernie Obst, Chair, Orchard View Strata Corp KAS916:

- The proposed form and character and density of the 54-unit project would be incompatible with that of the adjoining single family area.
- Phase 2 of the original proposal was to be a phased strata development. The strata corporation was told that if they would agree with the cancellation of phase 2, then the proposed development would be low-rise with buildings oriented toward seniors and the number would be in the order of 22 duplexes or 44 dwelling units. It was on that basis that the neighbourhood agreed to cancel the original plans for development and the building scheme that went with those plans.
- The neighbourhood did not support the Development Permit that was approved by Council in 1995 and that has since lapsed.
- People have bought into the area with the understanding that the adjacent property would be a 44-unit development.
- Without any warning, in March 2000 notice was posted for the proposed 54-unit co-operative housing but with the zoning already in place there was no opportunity for input from the neighbourhood.
- Linking the emergency access to the private road system for Orchard View was not supported by the strata council and has since been dropped by the developer.
- The neighbourhood has no objection to low income or co-op or any other type of market housing but not at the density that is proposed.
- With the number of units proposed, the development would be extremely congested and unattractive.
- The staff report indicates use of fencing materials completely different than what was agreed to at the open house with the applicant. Otherwise the materials and building profiles are fine other than the roofing material not being shakes.
- There is no sidewalk on the west side of Yates Road adjacent to the proposed development and Yates is a busy street.
- People from the development could have tendency to park on Yates Road on a continuous basis rather than stacking in single vehicle width driveways.
- The entrance to the proposed development should be wider to more closely resemble the entrances to the adjoining development.

Elaine Duvall, applicant:

- A concrete panel fence that looks like cedar would be constructed between the subject property and the property to the south. The existing fence to the east along Yates Road would be painted and new landscaping installed along the fence, and the intent is to stay with a cedar fence along the north side where there is an adjacent single family home and vacant field.
- The proposed development is under the FAR (floor area ratio) that could be on the property and the parking exceeds requirements.
- The 1-storey units have been relocated to the front for a lower profile in that area.
- Would not be prepared to reduce the density.
- The development is a provincially funded project.

Brian Peterson, Director with the Kelowna group of Co-operative Housing:

- The budget has already been approved with the Province.
- Cannot change the number of units because that would change the budget.
- The directors have agreed that the recreation centre would be available for use by the community.
- It is a co-operative project, not a rental project, and would be operated by committees.
- Co-op Housing projects are all through the Lower Mainland and there is one in Kelowna on Mill Street and it has caused no controversy within the neighbourhood.
- Outlined the criteria for co-operative housing projects with 30% of the units going to people spending more than 50% of their gross income on housing (targeted at seniors), 30% targeted at low income families and the remaining 40% of the units going at market rate. There is a minimal fee (around \$1,000) to join the co-op.

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Elaine Duvall, applicant:

- Changing the width of the entrance would impact the site layout of the proposed development.
- The roofing material would be asphalt shingles with the appearance of cedar shakes.

Moved by Councillor Nelson/Seconded by Councillor Day

R664/00/08/14 THAT Municipal Council authorize the issuance of Development Permit No. DP00-10,026; Progressive Homes Limited; for Lot A, Twp. 26, Sec. 32, O.D.Y.D. Plan 53788; located on 440 Yates Road, Kelowna, B.C., subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper.

Carried

- 5.4 Planning & Development Services Department, dated August 8, 2000 re: Development Permit Application No. DP00-10,057 – Lakepoint JV Investments Ltd (Protech Consultants (1989) Ltd.) – 1050, 1106 & 1124 Sunset Drive (3060-20)

Staff:

- The existing indenture agreement indicates a proposed development concept for two highrise towers with stacked townhouses around the perimeter of the parking structure.
- The proposed development agreement would permit construction of a 6-storey 258-unit residential development constructed as three 4-storey apartment buildings on top of a 2-storey parking structure, with 2 storeys of residential units constructed around the perimeter of the parking structure.
- The proposed development is an increase of about 25 units over the original proposal.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R665/00/08/14 THAT the existing Indenture Agreement registered in the Land Title Office, Kamloops, B.C. as a Section 219 covenant identified as document No. KG25682 be discharged from the following properties:

Lot A, D.L. 139 and 3457, O.D.Y.D., Plan KAP45698, and Lot B, D.L. 139, 1349, 3454 and 3457, O.D.Y.D., Plan KAP45698 located on Sunset Drive, Kelowna, B.C.;

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AND THAT a new Development Agreement as attached to the report of the Planning & Development Services Department dated August 8, 2000 as Schedule "A" be concurrently registered against the following properties:

Lot A, D.L. 139 and 3457, O.D.Y.D., Plan KAP45698, and Lot B, D.L. 139, 1349, 3454 and 3457, O.D.Y.D., Plan KAP45698 located on Sunset Drive, Kelowna, B.C.;

AND THAT the proposed discharge of the Indenture Agreement and registration of the Development Agreement be forwarded to a Public Hearing for further consideration;

AND THAT the owner be responsible for all costs related to the Public Hearing, and preparation, discharge and registration of all documents;

AND THAT subsequent to the Public Hearing, the Mayor and City Clerk be authorized to execute all documents related to the discharge and registration of the required agreements;

AND FURTHER THAT the new Development Agreement be considered in conjunction with Council's consideration of a Development Permit and a Development Variance Permit on the subject properties.

Carried

5.5 Planning & Development Services Department, dated August 9, 2000 re: Rezoning Application No. Z00-1037 – H. & S. Bouchard & Barbara Cymbala (Lynn Welder Consulting Ltd.) – 519 & 543 McKay Avenue (3360-20)

Staff:

- There is an existing single family residence on both lots; the applicant is proposing to use the existing residences for office uses.
- A Development Variance Permit would be required to address the existing non-conforming siting of the houses.

Moved by Councillor Given/Seconded by Councillor Shepherd

R666/00/08/14 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots 16 and 17, D.L. 14, O.D.Y.D., Plan 3769, located on McKay Avenue, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the C4 – Town Centre 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 withheld until the owner has executed a Servicing Agreement acceptable to the City of Kelowna.

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- 5.6 Planning & Development Services Department, dated August 9, 2000 re: Rezoning Application No. Z00-1012 - Edward & Kazimere Surowiec – 145, 155 & 165 Taylor Road and 1315, 1325 & 1345 Highway 33 West (3360-20)

Staff:

- The applicant is proposing to consolidate the lots for development of a 77-unit congregate housing facility.
- The building would be on the southern portion of the consolidated lots with access from a driveway shared with the church to the east.
- A Development Permit and Development Variance Permit would be required to deal with form and character of the proposed development and an increase in building height from 2½ storeys to 4 storeys.
- The proposed Housing Agreement would allow a density bonus in exchange for affordable housing. 8 additional bachelor units would be provided at 90% of market rate and that rate is established by an appraiser.
- The application has been reviewed and supported by the Advisory Planning Commission.

Moved by Councillor Cannan/Seconded by Councillor Nelson

R667/00/08/14 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots 1, 2 and 3, Sec. 22, Twp. 26, O.D.Y.D., Plan 3727, Except Plan 39705, and Lots 4, 5, and 6, Sec. 22, Twp. 26, O.D.Y.D., Plan 3727, located on Taylor Road and Highway 33 West, Kelowna, B.C., from the RU1-Large Lot Housing zone to the RM3-Low Density Multiple 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 THAT final adoption of the zone amending bylaw be considered subject to the submission and approval of a subdivision application to address the City of Kelowna and Ministry of Transportation and Highways' road dedication, right-of-way, and access easement requirements;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department, the Ministry of Highways, and Rutland Water Works being completed to their satisfaction.

Carried

- 5.7 Planning & Development Services Department, dated August 9, 2000 re: Zoning Bylaw Text Amendment No. TA00-001 and Rezoning Application No. Z00-1038 - Kelowna Self Storage Ltd. (True Consulting Group/Robert Evans) – 1698 Findlay Road (3360-20)

Staff:

- The applicant proposes to develop the subject property for uses compatible with the commercial storage uses to the south.
- Variances would be required to reduce lot area requirements, the front yard setback from Findlay Road and for some of the landscaping along the north property boundary off-site.

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Moved by Councillor Shepherd/Seconded by Councillor Hobson

R668/00/08/14 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by adding commercial storage as a principal use in the I1 – Business Industrial zone as outlined in the report of the Planning & Development Services Department dated August 9, 2000;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Part one acre more or less of Lot 6 shown on Plan B5071, Sec. 34, Twp. 26, O.D.Y.D., Plan 2043, Except Plan H8110, located on 1698 Findlay Road, Kelowna, B.C., from the A1-Agriculture One zone to the I1-Business Industrial zone;

AND THAT the above text amendment and 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 Development Variance Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department and the Ministry of Highways being completed to their satisfaction;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the applicant submitting and attaining approval for a subdivision application reflecting the road reserve and road dedication requirements.

Carried

5.8 Planning & Development Services Department, dated August 9, 2000 re: Rezoning Application No. Z00-1041 – George & Melissa Summach (Porter Ramsay) – 370 Braeloch Road (3360-20)

Staff:

- The applicant's intent is to use the house that is currently under construction as a guesthouse and to construct the principal single family dwelling next.
- A variance would be required to allow the size of the guesthouse to exceed bylaw restrictions.
- The property is serviced with sanitary sewer.

Moved by Councillor Nelson/Seconded by Councillor Given

R669/00/08/14 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Sec. 23, Twp. 28, S.D.Y.D., Plan KAP63082, located on 370 Braeloch Road, Kelowna, B.C., from the RR3 – Rural Residential 3 zone to the RR3s – Rural Residential 3 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 subsequent to the requirements of the Inspection Services Department being completed to their satisfaction;

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AND FURTHER 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.

Carried

6. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 6.1 Bylaw No. 8537 [Z99-1028(a)] – Cambridge Shopping Centres Ltd. and Shaw Cablesystems Co. – 2350 Hunter Road and 2430 Highway 97 North

Moved by Councillor Blanleil/Seconded by Councillor Day

R670/00/08/14 THAT Bylaw No. 8537 be adopted.

Carried

7. REPORTS

- 7.1 Director of Works & Utilities dated August 10, 2000 re: Electrical Utility Contract (5520-06)

John Vos:

- Negotiations for a public/private partnership with West Kootenay Power were unsuccessful.
- The contract with Utilicorp includes all aspects of electrical utility operations and maintenance; street light maintenance; electrical capital project management, design and construction; and electric meter services.
- Tentative understandings reached with B.C. Gas for the customer care, utility billing and meter reading services component of the PPP have yet to be reviewed with Servco, a new firm being created to be responsible for these services, thus delaying a decision on that portion of the PPP until later this fall.
- Anticipate a savings to the City of approximately \$300,000 per year over the term of the 5 year contract, along with equipment savings.
- Contracting out the electrical utility to Utilicorp still meets the goals of the PPP.
- Utilicorp has agreed to provide full permanent employment to the 9 City union employees and 1 management employee and has committed to work with the IBEW to resolve employee concerns.

Moved by Councillor Blanleil/Seconded by Councillor Day

R671/00/08/14 THAT Council approve the award of a five year contract for electrical utility services to Utilicorp British Columbia (UCBC) for the terms and conditions as outlined in the report dated August 10, 2000 from the Director of Works & Utilities;

AND THAT the Mayor and Clerk be authorized to sign the contract documents.

Carried

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- 7.2 Airport General Manager, dated August 4, 2000 re: Assignment of Sub-Leases from Southern Interior Flight Centre (1993) Ltd. To 600897 B.C. Ltd. (2380-20-8041 & 2380-20-8057)

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R672/00/08/14 THAT Council approve assignment of the two Southern Interior Flight Centre (1993) Ltd. land sub-leases at the Kelowna International Airport to 600897 B.C. Ltd.;

AND THAT Council authorize the Mayor and City Clerk to sign the consent to assignment of sub-leases document on behalf of the City of Kelowna.

Carried

- 7.3 Financial Planning & Systems Manager, dated August 9, 2000 re: Tax Exemption Request – Okanagan Families Society (1970-50)

Staff:

- Okanagan Families Society is requesting a tax exemption for two residences.
- The staff recommendation is negative because the request has come after the deadline (October 31 of the year prior) for adoption of the tax exemption bylaw.

Moved by Councillor Shepherd/Seconded by Councillor Given

R673/00/08/14 THAT Council approve payment of the municipal portion of taxes for the year 2000 for the Okanagan Families Society in consideration of the use of property roll no.'s 49310 and 56700 (located at 831 Lawrence Avenue and 1290 Bernard Avenue) meeting the permissive exemption definition under section 341(2)(c) of the Municipal Act;

AND THAT funding in the amount of \$2,409.44 be provided from Council Contingency and refunded to the Okanagan Families Society.

Carried

- 7.4 Inspection Services Manager, dated August 8, 2000 re: Application for Stratification of Semi-Detached Dwelling (3760-10)

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

Moved by Councillor Nelson/Seconded by Councillor Given

R674/00/08/14 THAT the application to stratify the semi-detached dwelling at 1200 – 1206 Wilson Avenue, Lot 57, Plan 15035 be approved in the name of L & M Marketing Ltd. with no conditions.

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7.5 Planning & Development Services Department, dated August 4, 2000 re: Neighbourhood Pub Licensing and Associated Procedural Amendments (540-20)

Staff:

- The Liquor Licensing Advisory Committee is being disbanded because their effectiveness would be limited by open meetings and because of staff concerns about conflicts of interest.
- The \$500 fee was approved in the previous terms of reference for the committee.
- Applicants would also have to pay for rezoning, if required.

Council:

- Asked that staff investigate to see if there are opportunities to reduce the fee when joint applications are required.

Moved by Councillor Nelson/Seconded by Councillor Hobson

R675/00/08/14 THAT Council Policy No. 205 Liquor Licensing Procedure/Neighbourhood Pub be rescinded in its entirety and replaced with Policy No. 255, attached as Schedule "A" to the report from the Planning & Development Services Department dated August 4, 2000;

AND THAT the Terms of Reference for the Liquor Licensing Advisory Committee be rescinded in their entirety and the Liquor Licensing Advisory Committee be disbanded;

AND FURTHER THAT Development Application Fee Bylaw Law No. 8034 be amended by adding the following category after the section titled "SUBDIVISION APPLICATIONS", in Table 2 of Schedule "A":

	APPLICATION FEE	TOTAL COST
NEIGHBOURHOOD PUB APPLICATIONS*	\$500.00	\$500.00 plus actual costs for public hearing/meeting

* It should be noted that this application fee does not eliminate the need to pay for rezoning and/or development permit application fees where required.

Carried

7.6 Licence and Bylaw Enforcement Supervisor, dated August 8, 2000 re: Rotational Towing List Criteria (4000-00)

Staff:

- The intent of the policy is to establish criteria for all towing companies who wish to be placed on the Rotational Towing List to provide towing services to the City and the RCMP.
- The policy requires towing service providers to have 5 trucks available for exclusive use in the city and that is causing concern that the RCMP will establish similar criteria for providing towing services outside the city.

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Council:

- The requirement for exclusive use of 5 trucks in the city could limit the ability of towing service providers within municipal boundaries to respond to calls on Okanagan Lake bridge or outside the city.
- Prefer a policy that would set out criteria that would apply to both within and outside the municipal boundaries.

Moved by Councillor Nelson/Seconded by Councillor Shepherd

R676/00/08/14 THAT further consideration of the report dated August 8, 2000 from the Licensing & Bylaw Enforcement Supervisor seeking approval of a policy to establish rotational towing list criteria be deferred for staff and the RCMP to address Council's suggestion that towing services be provided on a regional basis and to provide further information on how the current process works and how the process would change under the new criteria.

Carried

8. RESOLUTIONS

- 8.1 Draft Resolution re: 2000 National Symposium on Parks and Grounds (1800-01)

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R677/00/08/14 THAT Councillor Cannan be authorized to attend the 2000 National Symposium on Parks and Grounds being held in Edmonton, Alberta on September 27-29, 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

9. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 9.1 Bylaw No. 8357 – Amendment No. 51 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89

Moved by Councillor Nelson/Seconded by Councillor Given

R678/00/08/14 THAT Bylaw No. 8357 be adopted.

Carried

10. COUNCILLOR ITEMS

- (a) Cedar Creek Park

Councillor Shepherd requested a staff report before the summer is over on the bylaw enforcement and/or police presence that takes place to monitor activities at Cedar Creek Park.

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(b) Kelowna Arts Centre

Councillor Shepherd expressed embarrassment that the City of Vernon is getting the shovel in the ground for development of their arts centre before Kelowna. She noted that the Arts Council are apparently still about \$600,000 short in their fundraising endeavours and asked for a report on what needs to be done to move the Kelowna project forward.

Mayor Gray noted that the Arts Council hope to be able to announce, after a meeting scheduled for the third week of September, that they have a major donor to allow the project to proceed and suggested that the report come forward after that meeting.

(c) Rezoning Applications to Facilitate Multiple Housing Development

Councillor Shepherd noted there was an application on today's agenda to rezone a property to RM3 – Low Density Multiple Housing to facilitate development of another congregate housing facility. She further noted that North Vancouver has a policy that requires developers to provide child care in all multiple housing projects and asked that staff investigate.

(d) Public/Private Use of Okanagan Lake Foreshore

Councillor Clark asked for a report from staff addressing the rights of the property owners and of the public with respect to use of the foreshore, and on the control of wharves. Councillor Shepherd noted that those issues are dealt with in the City's Shorezone Policy.

(e) Hillside Development Guidelines

Councillor Cannan asked for a report from staff on the status of the Hillside Development Guidelines, noting it would be helpful to have them for consideration with the OCP review.

(f) Coquihalla Connector Coalition Committee

Mayor Gray noted that Coquihalla Connector Coalition Committee, of which he is a member, was formed because the members believe that there is no need for the proposed widening of the +20 km stretch of highway to Merritt, that there are other higher priorities for highway improvements at this time, and that the Kingsdale short cut option should be preserved for the future. The Coalition intends to petition the Courts to require the Province to conduct the environmental assessment that would normally be required for the highway widening and Mayor Gray put Council on notice that in 2 or 3 week's time when more information is available, the Coalition would be asking that Okanagan Valley municipal councils consider contributing toward the costs of the law suit.

11. TERMINATION

The meeting was declared terminated at 5:03 p.m.

Certified Correct:

Mayor

Acting-Deputy City Clerk

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BLH/bn