

Regular Meeting – P.M.

December 18, 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, December 18, 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; City Clerk, D.L. Shipclark\*; Acting Deputy Clerk, L.M. Taylor; Current Planning Manager, A.V. Bruce\*; Special Projects Planning Manager, H.M. Christy\*; Subdivision Approving Officer, R.G. Shaughnessy\*; Deputy Director of Finance, P.A. Macklem\*; Director of Parks & Leisure Services, D.L. Graham\*; and 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 Given was requested to check the minutes of the meeting.

3. PLANNING

3.1 Planning & Development Services Department, dated December 13, 2000 re: Rezoning Application No. Z00-1050 – Ronald Walter – 1940 Treetop Road (3360-20)

Staff:

- The applicant proposes to create one additional rural residential lot and continue the tree farm operation on the lot with the existing single family dwelling.
- The application has been reviewed and supported by the Agricultural Advisory Committee.

Councillor Hobson entered the Council Chamber at 1:33 p.m. and took his place at the Council Table.

Moved by Councillor Shepherd/Seconded by Councillor Nelson

**R997/00/12/18** THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, Sec. 19, Twp. 27, O.D.Y.D., Plan 33849, located at 1940 Treetop Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RR1 – Rural Residential 1 zone;

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

Carried

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- 3.2 Planning & Development Services Department, dated December 13, 2000 re: Rezoning Application No. Z00-1048 – Yellow Rose Ventures Ltd. (FWS Construction Ltd.) - 2260 Benvoulin Road (3360-20)

Staff:

- A 58-unit multi-family, non-profit residential development for special needs housing project is proposed for construction through the Father Delestre Housing Society.
- A Housing Agreement will be registered to specify the affordability component of the development.

Council:

- At the Public Hearing, staff to advise the number of units that will be handicapped accessible; clarify that the subject property will be temporarily serviced with a forced main for sanitary sewer disposal similar to the adjacent development to the south; and clarify the City's plans in the short and/or long term for traffic movement on this section of Benvoulin.

Moved by Councillor Shepherd/Seconded by Councillor Clark

**R998/00/12/18** THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 3, D.L. 128, O.D.Y.D., Plan 8771 Exc. Plan KAP61007, located on Benvoulin Road, Kelowna, B.C., from the A1 – Agricultural 1 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 subsequent to 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 owner has executed a Servicing Agreement acceptable to the City of Kelowna;

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 Housing Agreement;

AND FURTHER THAT subsequent to final adoption of the zone amending bylaw, the applicant register the Housing Agreement on title.

Carried

3.3 (a) BYLAWS PRESENTED FOR ADOPTION

Mayor Gray advised that consideration of all the items under agenda No. 3.3 will be deferred to the first meeting in January 2001, including the Development Variance Permit application which was advertised to this meeting. The deferral is necessary because one of the bylaws has not yet been approved by the Ministry of Transportation & Highways.

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- (i) Bylaw No. 8609 (TA00-004) – Zoning Bylaw Text Amendment to Add the CD14 – Comprehensive High Tech Business Campus zone

Deferred to January 8, 2001.

- (ii) Bylaw No. 8610 (Z00-1020) – Al Stober Construction (Doug Lane/Water Street Architecture) – 1621 Harvey Avenue, 1717 Harvey Avenue and 1624 Dickson Avenue, and Discharge a Portion of Mervyn Motors Ltd. Land Use Contract 76-1054 (M68950), Discharge a Portion of Inter City Ventures, et al Land Use Contract 71-1, and Official Community Plan Amendment No. OCP00-008

Deferred to January 8, 2001.

- (b) Planning & Development Services Department, dated December 13, 2000 re: Development Permit Application No. DP00-10,020 – Al Stober Construction Ltd. (Doug Lane/Water Street Architecture) – Harvey/ Dickson Avenues (3060-20)

Deferred to January 8, 2001.

- (c) Planning & Development Services Department, dated December 6, 2000 re: Development Variance Permit Application No. DVP00-10,023 – Al Stober Construction Ltd. (Doug Lane/Water Street Architecture) – Harvey/ Dickson Avenues (3090-20)

Deferred to January 8, 2001.

Councillor Cannan entered the Council Chamber at 2:05 p.m. and took his place at the Council Table.

- 3.4 Planning & Development Services Department, dated December 13, 2000 re: Rezoning Application No. Z98-1006 – Gallaghers Canyon Land Developments Ltd./CRC Developments Ltd. (Tom Weisbeck) – 3980 & 4150 Field Road

Moved by Councillor Hobson/Seconded by Councillor Cannan

**R999/00/12/18** THAT in accordance with the Development Application Procedures Bylaw No. 8140 the deadline for adoption of Zone Amending Bylaw No. 8353 (Z98-1006 – Gallaghers Canyon Land Developments Ltd./CRC Developments Ltd. – Field Road be extended to March 7, 2001.

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- 3.5 Planning & Development Services Department, dated December 13, 2000 re: Public Art Committee – Annual Report for 2000 (7800-01)

Council:

- Suggest the committee consider doing a mural somewhere in Kelowna, similar to those in Vernon.
- Suggest the committee consider a policy to deal with organizations wanting to donate art for display in a public place.

Moved by Councillor Hobson/Seconded by Councillor Cannan

**R1000/00/12/18** THAT City Council receive the Public Art Committee's Annual report for 2000 for information.

Carried

4. BYLAWS (ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR ADOPTION)**

- 4.1 Bylaw No. 8513 (OCP99-012 & ASP96-004) – City of Kelowna Official Community Plan Amendment to Add the Downtown North Area Structure Plan – Canada Lands Company (John Steil/Stantec Consulting) – Clement/Sunset/Richter/Recreation **Requires majority vote of full Council (5)**

Moved by Councillor Clark/Seconded by Councillor Shepherd

**R1001/00/12/18** THAT Bylaw No. 8513 be adopted.

Carried

- 4.2 Bylaw No. 8514 (Z99-1027) – Canada Lands Company CLC Ltd. and City of Kelowna (John Steil/Stantec Consulting Ltd.) – 990 Ellis Street, 1080-1096 Ellis Street, Sunset Drive, and 425 Bay Avenue

Moved by Councillor Given/Seconded by Councillor Nelson

**R1002/00/12/18** THAT Bylaw No. 8514 be adopted.

Carried

- 4.3 Bylaw No. 8512 – Canada Lands Company CLC Limited Inc. Heritage Revitalization Agreement Authorization Bylaw – Former CN Train Station

Moved by Councillor Given/Seconded by Councillor Nelson

**R1003/00/12/18** THAT Bylaw No. 8512 be adopted.

Carried

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5. REPORTS

- 5.1 Councillor Day, Chair, Council Policy Review Committee, dated December 12, 2000 re: Council Policy Manual Review (0550-06)

Moved by Councillor Day/Seconded by Councillor Blanleil

**R1004/00/12/18** THAT Council Policy Nos. 63, 81, 92, 123, 160, 210, 240, 252, 261 and 262 be revised as attached to the report dated December 12, 2000 from the Council Policy Review Committee;

AND THAT Council Policy No. 15, 30 and 254 be rescinded;

AND FURTHER THAT staff be authorized to make appropriate changes throughout the Council Policy Manual to change all reference to the Municipal Act to the Local Government Act and all reference to the Agricultural Land Commission to the Land Reserve Commission.

Carried

Mayor Gray altered the order of business and advised that agenda item Nos. 5.4 would be dealt with next.

- 5.2 Deputy Director of Finance, dated December 12, 2000 re: Revision of Schedules 'A' and 'B' to Local Improvement Bylaw No. 6600-90

Deferred until staff are in attendance.

- 5.3 Deputy Director of Finance, dated December 12, 2000 re: Municipal Finance Authority Pooled Investments – Change in Custodial and Administrative Agent (1860-01)

Deferred until staff are in attendance.

- 5.4 Recreation Manager, dated December 14, 2000 re: Gymnastics Facility Lease – Okanagan Kokanees Gymnastics Club (0230-20)

Moved by Councillor Hobson/Seconded by Councillor Shepherd

**R1005/00/12/18** THAT Kelowna City Council approve a lease with the Okanagan Kokanees Gymnastics Club for the gymnasium facility to be constructed at 375 Hartman Road for a term of twenty years commencing October 1, 2001 subject to the terms and conditions outlined in the report from the Recreation Manager dated December 14, 2000;

AND THAT the Mayor and City Clerk be authorized to execute the lease documents on behalf of the City of Kelowna;

AND THAT the deadline for receipt of counter petitions by the City Clerk be set at 4:00 p.m., Monday, January 22, 2001.

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- 5.2 Deputy Director of Finance, dated December 12, 2000 re: Revision of Schedules 'A' and 'B' to Local Improvement Bylaw No. 6600-90

Moved by Councillor Nelson/Seconded by Councillor Hobson

**R1006/00/12/18** THAT Council approve the revised Schedules "A" and "B" which form part of Bylaw 8622, Amendment No. 9 to Local Improvement Charges Bylaw 6600-90.

Carried

- 5.3 Deputy Director of Finance, dated December 12, 2000 re: Municipal Finance Authority Pooled Investments – Change in Custodial and Administrative Agent (1860-01)

Moved by Councillor Given/Seconded by Councillor Nelson

**R1007/00/12/18** THAT Council authorize the filing of the specimen signature forms attached to the December 12, 2000 report from the Deputy Director of Finance with CIBC Mellon Global Securities so they may act on trade instructions and directions, on the City's behalf, from the Municipal Finance Authority of British Columbia (MFABC) relative to Pooled Investment Funds.

Carried

- 5.4 Recreation Manager, dated December 14, 2000 re: Gymnastics Facility Lease – Okanagan Kokanees Gymnastics Club (0230-20)

Dealt with after agenda item 5.1.

- 5.5 City Clerk, dated December 13, 2000 re: New Hangar Development Land Sub-Lease – 600897 B.C. Ltd. (2380-20-8057)

Moved by Councillor Clark/Seconded by Councillor Shepherd

**R1008/00/12/18** THAT January 25, 2001 at 4:00 p.m. be set as the deadline for receipt of Counter Petitions by the City Clerk in relation to the proposed sub-lease with 600897 B.C. Ltd. for a new hangar at the Kelowna International Airport.

Carried

- 5.6 City Clerk, dated December 13, 2000 re: Committee Terms of Reference (0540-01)

Staff:

- The revisions reflect changes by the Provincial Government to the Local Government Act and changes approved by Council to the Council Bylaw.
- In addition, the term of office for all committee members has been changed to a 3-year term concurrent with Council's term. As such, all committees would be advertised for new members prior to the inaugural meeting of the incoming Council.

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Moved by Councillor Shepherd/Seconded by Councillor Hobson

**R1009/00/12/18** THAT the Committee Terms of Reference attached to the report from the City Clerk dated December 13, 2000 for the following committees be endorsed by Council:

*Select Committees:*

Airport Advisory Committee  
 Arts & Cultural Advisory Committee  
 Community Housing Needs Committee  
 Parking Advisory Committee  
 Social Planning Board  
 Town Centres Implementation Committee

*Other Committees:*

Audit Committee  
 City Council Water Committee  
 Parks & Facilities Committee

*Advisory Committees:*

Agricultural Advisory Committee  
 Public Art Committee;

AND THAT the name of the Arts & Cultural Development Committee be formally changed to the Arts & Cultural Advisory Committee;

AND THAT the following people be appointed to the indicated Council Committee for a term expiring December 31, 2002:

*Arts & Cultural Advisory Committee:*

Dennis Mapleton	Greg Salloum
Robert Fine	Elke Lange
Renata Mills	Wayne Wilson
Rob Grifone	

*Community Housing Needs Committee:*

Glenn Bowden	Sam Neufeld
Kelly McKnight	Fred Lindsay
Sheri Wood	Al MacKenzie
Nancy Darling	Vi Sorenson
Jean-Jacques Clermont-Ferrand	John Schlosser
Peter Chau	

*Parking Advisory Committee:*

Clint McKenzie	Peter Schultz
Bradley Cronquist	Sheri Newcomen
Thomas Dick	

*Social Planning Board:*

Alan Dolman	Mac Campbell
Mike Morrill	Dorothy Silgram
William Downie	Louise Wall
Allyson Fagan	Farah Lorimer
Carol Bernard	Michael Loewen
Eric Greer	

*Town Centres Implementation Committee:*

Steve Shoraniuk (UDI)  
 Sharon Frankland (Rutland Resident's Association)  
 Rob Tonsoo (Rutland Business Association)  
 Jack Kingma (KLO Association)  
 David Lovell (Kelowna South Central Association)  
 John Hertay (DKA)  
 Todd Sanderson (Chamber of Commerce)  
 Brad Bennett (Hwy 97/Springfield Business Association)

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Richard Bullock  
 Gary Schnierer  
 Leo Gebert  
 Ed Henkel

George Fagyas  
 Domenic Rampone  
 John Vielvoye  
 Rob Grifone

*Public Art Committee:*

Doug Kirk  
 Jerry Jessop  
 Fern Helfand  
 Gordon Hartley  
 Shaida Langley

Robert Belton  
 Don McIntosh  
 Paul Skutshek  
 Roxanne Wyma  
 Michael Griffin;

AND FURTHER THAT Council Policy No. 285 (Standing and Select Council Committees) be amended as shown on the revised policy attached to the report from the City Clerk dated December 13, 2000.

Carried6. RESOLUTIONS

- 6.1 Draft Resolution re: Funding Assistance – Central Okanagan Heritage Society (1840-01)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R1010/00/12/18** THAT the request from the Central Okanagan Heritage Society for reimbursement of \$24,961.35 in City fees and charges related to the replacement of Reid Hall at the Benvoulin Heritage Park site be approved using funds appropriated from the 2000 Council Contingency account;

AND THAT the remaining unallocated funds in 2000 Council Contingency be allocated to Ben Lee Park.

Carried7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 7.1 Bylaw No. 8622 – Amendment No. 9 to Local Improvement Charges Bylaw No. 6600-90

Moved by Councillor Clark/Seconded by Councillor Shepherd

**R1011/00/12/18** THAT Bylaw No. 8622 be read a first, second and third time.

Carried

- 7.2 Bylaw No. 8624 – Gymnastics Facility Construction Loan Authorization Bylaw

Moved by Councillor Blanleil/Seconded by Councillor Day

**R1012/00/12/18** THAT Bylaw No. 8624 be read a first, second and third time.

Carried



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**(BYLAWS PRESENTED FOR ADOPTION)**

- 7.3 Bylaw No. 8612 – Amendment No. 1 to Multi-Purpose Facility Agreements

Moved by Councillor Blanleil/Seconded by Councillor Day

**R1013/00/12/18** THAT Bylaw No. 8612 be adopted.

Carried

8. COUNCILLOR ITEMS

- (a) Lacross Box at Ben Lee Park

Councillor Blanleil suggested that the City write a letter to the Rutland Neighbourhood Association to see if they can provide the name of a group/individual to use as a contact to get the Lacross Box at Ben Lee Park flooded and maintained as an outdoor ice rink.

- (b) Traffic Movement – Median on Rutland Road

Councillor Hobson noted that the installation of concrete medians in the centre of Rutland Road has impacted access/egress to St. Theresa's church and asked that staff investigate to see what can be done.

9. TERMINATION

The meeting was declared terminated at 3:25 p.m.

Certified Correct:

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Mayor

BLH/bn

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Acting Deputy Clerk