

Regular Meeting – P.M.

June 18, 2001

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, June 18, 2001.

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: Acting City Manager/Director of Parks & Leisure Services, D.L. Graham, City Clerk, D.L. Shipclark\*; Deputy City Clerk, A. Flack; Current Planning Manager, A.V. Bruce\*; Spatial Data Analyst, D. Huang\*; Transportation Manager, R.W. Westlake\*; Traffic & Transportation Planning Engineer, K. Gauthier\*; Parks Manager, J. Creron\*; Landscape Planner, P. Alexander\*; Acting-Recreation Manager, J. Gabriel\*; and Council Recording Secretary, B.L. Harder.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:35 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 Presentation of GO GREEN Challenge Awards

Mary Krupa, coordinator of this year's event, presented the GO GREEN Challenge awards with the assistance of Mayor Gray and the Transportation Manager for the City of Kelowna.

3.2 Presentation by Dr. Clyde Hertzman, lead researcher for child development in Canada re: Child Development and Health

Dr. Clyde Hertzman:

- He is trying to help communities find ways to improve early child development before the age of 5.
- Here to support the work that CATCH (Community Action Toward Children's Health) is doing to improve child development in Kelowna.
- There are enormous differences in child development and research shows their health and welfare is affected throughout life as a result of their environment in early years.

4. PLANNING

4.1 Planning & Development Services Department, dated June 13, 2001 re: Rezoning Application No. Z01-1004 (OCP01-001) – W.H. & M.W. Reid (Wally Reid) – 659-687 Dehart Road (3360-20)

Staff:

- The plan submitted in application for the Official Community Plan amendment identifies proposed land use patterns that differ from the land use patterns identified in the OCP and the North Mission/Crawford Sector Plan which both supported a higher level of residential uses on the subject property.
- The application also changes the future land use of the area currently identified for medium density multi-family to the single and two family residential designation to support the proposed 47-lot bareland strata development.

Regular Meeting – P.M.

June 18, 2001

- The Planning Department supports the requested park land designation and the medium density, multi-family designation. While the proposed neighbourhood commercial node may prove beneficial to the area, based on population thresholds, staff are not prepared to support a commercial designation until such time as the applicant puts forward a more detailed concept plan. Staff also do not support the single and two family residential designation which consumes a little over half of the southern portion of the property because the lower density tends to be exclusionary and does not promote family orientated housing.
- The application was reviewed by the Advisory Planning Commission and they supported rezoning the southerly half of the property to single and two family residential and deferred making a recommendation on the uses proposed for the northerly half of the property until after the review of the OCP is completed.
- A walkway would be provided from Sherwood Road to the park site and staff are also attempting to achieve a walkway to Gordon Drive.
- The applicant could develop the site under its current R1 zoning and achieve a lot yield of 42 lots.
- The applicant is concerned about the marketability of the higher density envisaged as the ultimate land use.
- The applicant has no plans for development of the northern portion of the land at this time.
- No arrangements have been made for the City's acquisition of the park site.
- Staff recommend Council not support this application at this time.
- Should Council support advancing the application to Public Hearing, staff recommend that the OCP amendment for the future land uses for the entire property be processed concurrent with the rezoning for the bareland strata.

Moved by Councillor Hobson/Seconded by Councillor Day

**R492/01/06/18** THAT Council hear from the applicant.

Carried

Wally Reid, applicant:

- Reviewed their history since his family acquiring the property in 1916.
- His parents want to live in their house as long as they can. When they can no longer maintain the house they are now in, it is anticipated they would move into the proposed strata development. They do not want to give up title to the portion of the site proposed for park until such time as they vacate their home.
- The proposed strata development would be intended for mature residents wanting to downsize their homes and move to a development where they can feel safe and retain their independence.
- The family is trying to leave the future land uses for the northerly portion of the property as open as possible at this time.
- The family does not envisage development of the commercial node for 8-12 years.

Grant Murdoch, Protech Consultants:

- The proposed park is the size recommended by City Parks staff. There has been no agreement on the City's acquisition of the park site because the parents are living in a residence on a portion of that property.
- The southerly portion of the subject property is adjacent to an existing single family neighbourhood and so the family felt a single family development would be better while also serving a purpose for themselves.
- The applicant's plans for the multi-family portion of the development are long term and would likely take the form of two buildings, each with about 60 units.
- The applicant does not want to commit to a pedestrian link to Gordon Drive until the long term plans for the multi-family development take shape.
- Access to the bareland strata development would be opposite Shafer Road.

Regular Meeting – P.M.

June 18, 2001

- The family is concerned about the marketability of higher density at this time given that apartments are currently being developed on the nearby Fairview Golf Course property.
- The family views the proposed seniors oriented single family development as a transition to the future higher density on the northerly portion of the subject property.

Council:

- Agreed they could support going forward to Public Hearing with all the requested OCP amendments but the commercial.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R493/01/06/18** 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 the East ½ of Lot 1, DL 358, O.D.Y.D., Plan 260, except Plans B1546, 18828, and 42674, located on Gordon Road and DeHart Road, from Major Park/Open Space, Educational/Major Institutional, and Multiple Family Residential (Medium Density) to Major Park/Open Space, Single/Two Family Residential, and Multiple Family Residential (Medium Density) as shown on Map “A” attached to the report of the Planning & Development Services Department dated June 13, 2001;

AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of the East ½ of Lot 1, DL 358, O.D.Y.D., Plan 260, except Plans B1546, 18828, and 42674, as shown on Map “A” attached to the report of the Planning and Development Services Department, dated June 13, 2001, located on Gordon Road and DeHart Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU5 – Bareland Strata 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 withheld until the owner has executed a Servicing Agreement acceptable to the City of Kelowna.

AND THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the zone amending bylaw be withheld until satisfactory arrangements have been made between the applicant and the City Land Agent for securing the proposed park land acquisition.

Carried

#### 5.0 Mission Greenway - Update

Mayor Gray advised that the City Clerk was in Court earlier today regarding the Mission Greenway and is here to update Council on the outcome.

The City Clerk reported that the Judge ruled that on the basis of the evidence before him he was obligated to set the default judgement aside and awarded costs of \$300 for the plaintiffs. The Judge also admonished both sides for not settling the matter of setting aside the default judgement out of court.

Regular Meeting – P.M.

June 18, 2001

5. REPORTS

- 5.1 Acting-Recreation Manager, dated June 6, 2001 re: Sports Event Development Grant (1850-20)

Moved by Councillor Shepherd/Seconded by Councillor Nelson

**R494/01/06/18** THAT draft Council Policy No. 298 (Sports Event Development Grant) be approved as attached to the June 6, 2001 report from the Acting Recreation Manager;

AND THAT Council Policy No. 58 be amended to remove Hosting Provincial, Regional or National Events from the Hosting Grant-In-Aid Program and future requests be processed as part of the Sports Event Development Grant Program;

AND THAT City Council approve an amendment to the financial plan that moves \$5,000 from the Grant-In-Aid Program (Council Contingency) to the Sports Event Development Grant Program.

Carried

- 5.2 Fire Chief, dated June 13, 2001 re: 4% Insurance Premium Tax (0043-001)

Withdrawn from the agenda.

- 5.3 Parks Manager, dated June 4, 2001 re: Mill Creek Linear Park Master Plan (6140-30)

Staff:

- The development cost to implement the plan is estimated at \$2.7 million not \$2.4 million as indicated in the staff report. Costs of instream work are not included in the \$2.7 million cost estimate.
- Gave an overview of the City plans and policies that led up to this master plan.
- Advised that the proposed linear park would be located within the riparian area.
- The master plan would be implemented through phasing over the 20 year timeframe.
- Changes and refinements of the plan are to be expected and can be accommodated easily.
- This is the first creek to be looked at in such detail and will be a guideline for future creeks.

Melanie Steppuhn, consultant with EBA Engineering:

- Reviewed the master plan objectives and showed the different pathway profiles that would be incorporated along the trail.
- Explained how the natural environment would be protected in the riparian management zone.

Council:

- Brent's Mill is proposed to be relocated to the opposite side of the creek as is shown in the plan.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

**R495/01/06/18** THAT the Mill Creek Linear Park Master Plan prepared by EBA Engineering Consultants Ltd. and dated December 2000, be approved as a guide for the development and management of Mill Creek Linear Park.

Carried

Regular Meeting – P.M.

June 18, 2001

- 5.4 Transportation Manager, dated June 12, 2001 re: Purchase of Two Sewer-Cleaning Trucks (1280-01)

Moved by Councillor Nelson/Seconded by Councillor Given

**R496/01/06/18** THAT Council approve awarding the purchase of two tandem axle sewer cleaning trucks to Kendrick Equipment Ltd.

Carried

- 5.5 Transportation Manager, dated June 18, 2001 re: Left Turn Lanes on KLO Road (5460-07)

Staff:

- The length of the left turn bays are not to full transportation standards but will service the sites for the foreseeable future.

Moved by Councillor Shepherd/Seconded by Councillor Hobson

**R497/01/06/18** THAT a left-turn bay be installed on K.L.O. Road at the Regional District of Central Okanagan building and Immaculata School.

Carried

- 5.6 Transportation Manager, dated June 13, 2001 re: Neighbourhood Traffic Management Policy (5460-04)

Staff:

- Concerns have been raised by a number of neighbourhoods about traffic volumes and speeds. The proposed policy is based on research in other communities across the country and is intended to help address those concerns.
- Outlined the proposed policy.
- Displayed a brochure intended to get the word out in the community that this policy exists.
- The policy is geared toward local roadways in residential areas not arterial roadways.

Moved by Councillor Hobson/Seconded by Councillor Cannan

**R498/01/06/18** THAT the Neighbourhood Traffic Management Policy attached to the Transportation Manager's report of June 13, 2001 be adopted Council Policy No. 300;

AND THAT the 10 Year Capital Plan be amended to include an annual allocation of \$30,000 to support the policy.

Carried

Regular Meeting – P.M.

June 18, 2001

- 5.7 City Clerk, dated June 12, 2001 re: Bylaw No. 8673 – Amendment No. 6 to Sewer Specified Area No. 8 Bylaw No. 5373-84 (Rutland/Highway 33)

Staff:

- The petition period ended June 11<sup>th</sup> and no petitions were received.

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R499/01/06/18** THAT Council receive the Certificate of Sufficiency dated June 12, 2001 pertaining to Bylaw No. 8673 - Amendment No. 6 to Sewer Specified Area No. 8 Bylaw No. 5373-84 (Rutland/Highway 33);

AND THAT Bylaw No. 8673 - Amendment No. 6 to Sewer Specified Area No. 8 Bylaw No. 5373-84 (Rutland/Highway 33) be advanced for adoption consideration.

Carried

- 5.8 City Clerk, dated June 14, 2001 re: BC Gas Loan Authorization Bylaw No. 8660 and BC Gas Agreements Authorization Bylaw No. 8661

Moved by Councillor Hobson/Seconded by Councillor Nelson

**R500/01/06/18** THAT 4:00 p.m., Monday, July 23, 2001 be set as the deadline for receipt of Counter Petitions by the City Clerk in relation to Bylaw No. 8660 and Bylaw No. 8661.

Carried

## 6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

### **(BYLAWS PRESENTED FOR ADOPTION)**

- 6.1 Bylaw No. 8666 – Road Exchange Bylaw

Moved by Councillor Given/Seconded by Councillor Nelson

**R501/01/06/18** THAT Bylaw No. 8666 be adopted.

Carried

- 6.2 Bylaw No. 8673 – Amendment No. 6 to Sewer Specified Area No. 8 Bylaw No. 5373-84

Moved by Councillor Shepherd/Seconded by Councillor Clark

**R502/01/06/18** THAT Bylaw No. 8673 be adopted.

Carried

## 7. COUNCILLOR ITEMS

- (a) Chimineia Pots

Councillor Shepherd noted that apparently some local hardware stores are selling chiminea pots and telling purchasers that it is legal to put the pots on balconies and burn in them. Councillor Shepherd asked that a notice be included in the City Highlights section of the local newspapers to let people know that burning in these pots is not legal.

Regular Meeting – P.M.

June 18, 2001

(b) Crosswalk over Lakeshore Road across from Lakeshore Place

Councillor Shepherd asked for a report from staff evaluating the effectiveness of the crosswalk installed at Lakeshore Place and advising what other locations are being considered for a similar crosswalk.

8. TERMINATION

The meeting was declared terminated at 4:49 p.m.

Certified Correct:

---

Mayor

---

Deputy City Clerk

BLH/am