

Regular Meeting – P.M.

December 3, 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, December 3, 2001.

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

Council members absent: Mayor Walter Gray and Councillor B.A. Clark.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, A. Flack; Director of Planning & Development Services, R.L. Mattiussi\*; Current Planning Manager, A.V. Bruce\*; Special Projects Planning Manager, H.M. Christy\*; Long Range Planning Manager, S.K. Bagh\*; Planner-Long Range, G. Stephen\*; Wastewater Manager, W.J. Berry\*; Acting Director of Parks & Leisure Services, H.R. Hyatt\*; Acting-Cultural Services Manager, R. Oddleifson\*; Acting Recreation Manager, J. Gabriel\*; and Council Recording Secretary, B.L. Harder.

(\* denotes partial attendance)

1. CALL TO ORDER

Deputy Mayor Cannan called the meeting to order at 1:30 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 Bank of Montreal Representatives re: Cheque Presentation for “Dancing Pedestrians” Art Piece for Northwest Corner of Bernard and Water Street

Wendy Tite and Lorraine McGrath, Bank of Montreal:

- Presented a cheque in the amount of \$50,000 toward the cost of the public art piece that will be situated in front of the new Bank of Montreal building on the northwest corner of Water Street and Bernard Avenue.
- The artwork is a bronze sculpture entitled “Dancing Pedestrians”, created by local sculptor Jock Hildebrand.

3.2 Presentation by Renata Mills, Parks Alive Coordinator re: Parks Alive – Summary from 2001 and Introduction for 2002

Renata Mills, Parks Alive:

- Presented highlights from the 2001 season and proposed expansion plans for 2002 programming for Parks Alive.

4. UNFINISHED BUSINESS

**(BYLAW PRESENTED FOR SECOND & THIRD READING)**

4.1 Bylaw No. 8753 (HRA01-011) – Heritage Revitalization Agreement Authorization Bylaw – Park Avenue Properties – 2056 Pandosy Street

Staff:

- Reading consideration of this bylaw was deferred from the November 27, 2001 Regular Meeting in order to obtain details on programming from the Okanagan Similkameen Health Region.
- The Health Region has agreed to reduce the maximum number of clients from 25 to no more than 20 clients at any one time. Their intent is to run maximum 2 classes at any one given time with random class sizes that would not exceed 20 in total. The 5 staff members would be over and above.

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- The Health Region intends to move to a 5-day per week operation once the HRA is approved.
- The Health Region would like to retain the 7:00 p.m. closing time to allow for group sessions for clients that work. There would only be one group up to 7:00 p.m.
- Dr. Weiser says less than half the clients even have the option of driving and less do not drive. Those that do drive have been encouraged to park in the hospital parking lot. The on-site stalls are intended for use by staff. It was the Community Heritage Commission that suggested additional parking be provided on-site and that is why there are 8 stalls proposed. Some of those stalls can be used during client drop-offs or some clients may be allowed to park there for their sessions.
- The Health Region has agreed to provide a landscape screen along the rear fence to screen the on-site parking stalls from the view of the neighbour to the west.
- The Health Region has agreed to provide a gravel lay-by that would allow two vehicles to pass in the driveway without having to turn around or back onto Pandosy Street.

Council:

- Staff to ensure that the landscape screen is of sufficient height and density to shield vehicle headlights.
- Suggest that the Health Region include a parking pass for the hospital parking lot as part of the package for programs offered.

Moved by Councillor Given/Seconded by Councillor Nelson**R966/01/12/03** THAT Bylaw No. 8753 be read a second and third time.Carried5. PLANNING

- 5.1 Director of Planning & Development Services, dated November 26, 2001 re: 2001 Public Art Committee Report (7800-01)

Staff:

- Presented a summary of 2001 activities and activities planned for the future.

Moved by Councillor Given/Seconded by Councillor Shepherd**R967/01/12/03** THAT City Council receive the 2001 report of the Public Art Committee dated November 26, 2001 for information.Carried

- 5.2 Planning & Development Services Department, dated November 28, 2001 re: Liquor Licensing Application No. LL01-013 – Darwin Enterprises Inc. and Moltke Enterprises Inc. (Ken Hutchinson/Chicago Grill) – 311 Harvey Avenue

Staff:

- The applicant is seeking Council support of an application to the Liquor Control & Licensing Board for an entertainment endorsement to allow Chicago Grill Restaurant to offer dancing for patrons.
- The licence requires the applicant to close earlier than he normally would in order to allow dancing.

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Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R968/01/12/03** THAT Council support patron participant entertainment for Chicago Grill Restaurant;

AND THAT Council direct staff to forward the appropriate resolution to the Liquor Control and Licensing Board in Victoria.

Carried

5.3 Planning & Development Services Department, dated November 28, 2001 re: Official Community Plan – Introduction of Bylaw 8600 (6480-30)

Staff:

- March 5, 2002 has been set as the tentative date for the Public Hearing to update the **policy content** of the new OCP. The 20-Year Major Road Network Plan, the Future Land Use Chapter and Map, and the Financing Chapter from the 1995 OCP will be carried over into OCP Bylaw 8600 pending completion of consultation that Council has requested on the one-way couplet issue. When that consultation has been completed, a separate Public Hearing will be held to obtain public input on the updated 20-year road network, future land use and financing portion of the new OCP and at that time the timeframe of the OCP will be expanded from 2014 to 2020.

Council:

- Include wording in the OCP regarding the objective to attain full university status for Okanagan University College.
- Include management plans to ensure protection of environmental areas;
- Check with the Regional District of Central Okanagan to see if any of the 8 lots north of Stewart Road East that are straddling the power line could be acknowledged as park.
- The block of Bernard Avenue between Richter and Ethel Streets should be identified in the OCP as a heritage conservation area instead of multi-family.
- Add road names to better define town centre boundaries.

Moved by Councillor Shepherd/Seconded by Councillor Day

**R969/01/12/03** THAT OCP Bylaw 8600, as outlined in the report of the Planning and Development Services Department dated November 28, 2001, be received for information and forwarded for initial reading consideration by Council at the Regular Meeting of December 17, 2001.

Carried

6. BYLAWS (ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR ADOPTION)**

6.1 Bylaw No. 8743 (TA01-012) – Zoning Bylaw Text Amendment No. TA01-012

Moved by Councillor Given/Seconded by Councillor Shepherd

**R970/01/12/03** THAT Bylaw No. 8743 be adopted.

Carried

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7. REPORTS

- 7.1 Acting Cultural Services Manager, dated November 28, 2001 re: Kelowna Community Theatre Liquor License – Concert Hall Class “E” (7940-20)

Moved by Councillor Blanleil/Seconded by Councillor Nelson

**R971/01/12/03** THAT the City of Kelowna apply for a Class ‘E’ liquor license for the Kelowna Community Theatre.

Carried

- 7.2 Acting Recreation Manager, dated November 26, 2001 re: City of Kelowna Bid to Host the 2003 B.C. Disability Games (8100-20)

Council:

- Suggest the Access Awareness Team be included in this endeavour.

Moved by Councillor Nelson/Seconded by Councillor Shepherd

**R972/01/12/03** THAT City Council authorize staff to submit a proposal to host the B.C. Disability Games in 2003 at a cost of \$40,000;

AND THAT staff rearrange existing 2002 budgets to support the Disability Games for \$20,000 as a cash contribution;

AND FURTHER THAT a 2002 budget submission be brought forward for an additional \$20,000 for in-kind services and facilities.

Carried

- 7.3 Acting Director of Parks & Leisure Services, dated November 28, 2001 re: Okanagan Kokanees Gymnastics Facility (0760-20)

Moved by Councillor Shepherd/Seconded by Councillor Given

**R973/01/12/03** THAT Council hear from Jennifer Charles and Neil Parent, Okanagan Kokanees Gymnastics Club.

Carried

Jennifer Charles:

- There is already a 30% increase in enrolment and requests for use of the alternate space that is as yet unfinished.
- The additional funding would allow for completion of the changerooms, the alternate area, second level offices, concession, sound system, telephone system, floors, counter tops and workstations.

Neil Parent:

- The facility is 12,000 sq. ft. on the main floor with 2,500-2,800 sq. ft. of mezzanine on the second floor.

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Moved by Councillor Hobson/Seconded by Councillor Shepherd

**R974/01/12/03** THAT City Council approve an increase to the overall Kokanees' Project Budget of up to a maximum of \$90,000;

AND THAT the funding be consistent with the existing 50/50 partnership formula:

- A \$45,000 increase in the existing \$500,000 loan to the Okanagan Kokanees Gymnastics Club under the same terms and conditions and recorded as a Community Contribution, internally financed over the term from the Major Facilities Reserve.
- A \$45,000 additional contribution from the Major Facilities Reserve;

AND FURTHER THAT the 2001 Financial Plan be amended to reflect this increased expenditure and funding sources.

Carried

7.4 Wastewater Manager, dated November 27, 2001 re: 2002 Sewer Rates (B/L 8778; 1824-02)

Moved by Councillor Hobson/Seconded by Councillor Nelson

**R975/01/12/03** THAT Council approve an increase to Residential Sewer rates effective January 1, 2002, as follows:

	<u>Existing 2001</u>	<u>New 2002</u>
Residential - Flat Rate	\$11.50 / month	\$ 11.90 / month

AND THAT the necessary amending bylaw be advanced for reading consideration by Council.

Carried

7.5 Wastewater Manager, dated November 27, 2001 re: Campion/Cambro Sewer Specified Area No. 29 (B/L 8771; 5340-09-29)

Moved by Councillor Nelson/Seconded by Councillor Given

**R976/01/12/03** THAT the City of Kelowna initiate a Sewer Specified Area project pursuant to Section 646 of the *Local Government Act*, for the area shown on the map attached to the Wastewater Manager's report dated November 27, 2001, which indicates the proposed service area including Campion Road and Cambro Road;

AND THAT Council direct staff to take the necessary steps of advising and involving the affected property owners as required by the *Local Government Act*.

Carried

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- 7.6 Deputy City Clerk, dated November 27, 2001 re: Park Exchange Bylaw No. 8740 – West Rutland Elementary School (B/L 8740)

Moved by Councillor Hobson/Seconded by Councillor Day

**R977/01/12/03** THAT Council receive the Certificate of Sufficiency dated November 27, 2001 pertaining to Park Exchange Bylaw No. 8740 – West Rutland Elementary School;

AND THAT Park Exchange Bylaw No. 8740 – West Rutland Elementary School be advanced for adoption consideration.

Carried

8. RESOLUTIONS

- 8.1 Draft Resolution re: Council Appointees – Okanagan Regional Library Board (0380-01)

Moved by Councillor Nelson/Seconded by Councillor Given

**R978/01/12/03** THAT the City of Kelowna Municipal Council appointees to the Okanagan Regional Library Board for 2002 be re-affirmed as Councillor C.B. Day with Councillor A.F. Blanche as alternate.

Carried

9. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 9.1 Bylaw No. 8771 – Sewer Specified Area No. 29 – Campion/Cambro

Moved by Councillor Day/Seconded by Councillor Blanche

**R979/01/12/03** THAT Bylaw No. 8771 be read a first, second and third time.

Carried

- 9.2 Bylaw No. 8778 – A bylaw to amend Sewerage System User Bylaw, 1972, No. 3480

Moved by Councillor Day/Seconded by Councillor Blanche

**R980/01/12/03** THAT Bylaw No. 8778 be read a first, second and third time.

Carried

**(BYLAWS PRESENTED FOR ADOPTION)**

- 9.3 Bylaw No. 8740 – Park Land Exchange – West Rutland Elementary School – Houghton Road

Moved by Councillor Blanche/Seconded by Councillor Day

**R981/01/12/03** THAT Bylaw No. 8740 be adopted.

Carried

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- 9.4 Bylaw No. 8770 – Amendment No. 2 to Petroleum Products Storage Tank  
Bylaw No. 8267

Moved by Councillor Day/Seconded by Councillor Hobson

**R982/01/12/03** THAT Bylaw No. 8770 be adopted.

Carried

10. COUNCILLOR ITEMS

- (a) Councillor Shepherd re: Grant Allocation – Central Okanagan Foundation (1840-01)

Councillor Shepherd advised that the Central Okanagan Foundation (COF) is working with the Vancouver Foundation to establish a Youth in Philanthropy Council in the Okanagan. Youth in Philanthropy is a partnership to provide opportunities for young people and community foundations to work together and through this partnership the group involved will gain knowledge and skills, promote volunteerism and philanthropy, strengthen community foundations, and support youth projects at a local level. The COF in partnership with the Vancouver Foundation will provide program development, coordination, training and technical assistance. Council is asked to consider a one-time grant of \$15,000 toward this project using funds from Council Contingency.

The City Manager advised that as at November 20<sup>th</sup>, there was \$63,417 left in the 2001 Council Contingency account. He also noted that the City's Recreation Manager has advised that there is a Youth Council that the City of Kelowna funds annually through the Recreation Services Division. The Recreation Manager supports the City proceeding with this one-time grant as he envisages possibilities of collaborating and developing partnerships between the Youth Council and the Youth in Philanthropy Council.

Moved by Councillor Shepherd/Seconded by Councillor Nelson

**R983/01/12/03** THAT Council approve a one-time grant in the amount of \$15,000 to the Central Okanagan Foundation to be allocated by the COF as follows:

- \$7,500 to be added to the Youth endowment fund held by the COF that will provide endowment income for the youth to distribute in future years;
- \$2,500 to be made available for the Youth council to use for the purpose of providing grants to youth projects and programs in 2002;
- \$5,000 to be used to assist with the operating costs of the Youth in Philanthropy Council, including Community Foundations of Canada conference registration for local youth (\$300 per person) (the conference is being hosted in Kelowna in May 2002);

AND THAT the funds be appropriated from the 2001 Council Contingency Account.

Carried

- (b) City of Kelowna Traffic Bylaw – Sight Line Requirements

Councillor Shepherd noted that the City of Kelowna contracts the enforcement of sight line requirements of the City of Kelowna's Traffic Bylaw to the Regional District. She asked that the City Manager review this to see if it is still in the City's best interests to continue contracting out for enforcement of that section of the Traffic Bylaw.

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(c) Okanagan Mission Hall Association

Councillor Hobson noted that the Mission Hall Association has apparently submitted a letter to the City about their need for additional resources to provide lighting that is less likely to impact neighbouring properties and for extra landscaping to act as a screen for the residents next to the tennis courts that would be constructed on City-owned property. He asked that staff review the request and be prepared to respond to that request at the Public Hearing.

(d) Homelessness Issue

Councillor Cannan advised that members of Council and City staff have met a couple of times with the 'tent-town' group who were recently removed from City-owned property. As a result, it was determined that the highest priority is for finding accommodation for short-term stays for women. A Society that operates from a location on Leon Avenue is interested in providing for that need. The Society board will be meeting this Thursday to discuss the matter further. Emergency Services Coordinator, Beryl Itani, is also looking into what can be done to shelter the homeless in the event of a sudden drop in temperature.

(e) Nations in Bloom

Councillor Cannan advised that Mayor Gray has sent a fax from China advising that the City of Kelowna placed second in the Nations in Bloom competition.

11. TERMINATION

The meeting was declared terminated at 4:06 p.m.

Certified Correct:

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Deputy Mayor Cannan

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Deputy City Clerk

BLH/am