

Regular Meeting – P.M.

January 7, 2002

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, January 7, 2002.

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; Deputy City Clerk, A. Flack; Director of Planning & Development Services, R.L. Mattiussi\*; Current Planning Manager, A.V. Bruce\*; Deputy Director of Finance, P.A. Macklem\*; Financial Planning & Systems Manager, K. Grayston\*; Inspection Services Manager, K. Skinner\*; 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 1:30 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 Presentation by Mr. Bill Downing, British Columbia Government Employees' Union re: Community Charter – Community Service Impacts and Economic Markers

Bill Downing:

- Concerned about the significant impact of proposed cut-backs in Provincial Government services on jobs and the local economy and the ability to respond to community needs.
- Concerned that services provided by provincial agencies will be downloaded to local government.
- Urged Council to adopt a resolution similar to the draft resolution in Council's agenda package.

Moved by Councillor Shepherd/Seconded by Councillor Cannan

THAT the draft Local Government resolution provided by the BCGEU be adopted with the following amendments:

- Insert, a new first WHEREAS clause to state that local government recognizes and supports the intent of the Provincial Government to balance the provincial budget;
- Amend the third BE IT THEREFORE RESOLVED clause by deleting the words "and families without ensuring program integrity and".

Amendment Moved by Councillor Blanleil/Seconded by Councillor Nelson

**R09/02/01/07** THAT the proposed new first WHEREAS clause be amended by adding ***with no increase in taxation*** at the end.

DEFEATED

Mayor Gray and Councillors Cannan, Clark, Day, Given, Hobson and Shepherd opposed.

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Moved by Councillor Shepherd/Seconded by Councillor Cannan

**R10/02/01/07** THAT the draft Local Government resolution provided by the BCGEU be adopted by Kelowna City Council, amended to read as follows:

WHEREAS local government recognizes and supports the intent of the Provincial Government to balance the provincial budget;

AND WHEREAS local government is best qualified to understand the strengths, needs and challenges of our community;

AND WHEREAS the roles, rights and responsibilities of local governments will be redefined by the Fall of 2002 through the new Community Charter;

AND WHEREAS the Provincial Government has announced its intentions to shift primary support for key social services to communities and families;

AND WHEREAS the Provincial Government has further announced its intentions to reduce program funding for services such as child protection, environmental services and aboriginal services by as much as 50%;

AND WHEREAS the provincial economy is in a fragile state and a dramatic reduction in community support services and funding may only further the economic instability;

THEREFORE BE IT RESOLVED THAT the City of Kelowna call on the Provincial Government to ensure full community consultation on program reviews and funding reductions;

AND BE IT ADDITIONALLY RESOLVED THAT the City of Kelowna request the Union of British Columbia Municipalities to address this issue with the Provincial Government;

AND BE IT FURTHER RESOLVED THAT the Provincial Government not off-load current provincial program responsibilities onto communities without adequate funding;

AND BE IT FINALLY RESOLVED that any transitions in program funding or delivery be done on a schedule that is respectful to the service recipients, program providers and local economies.

Carried

Mayor Gray and Councillors Blanleil, Clark and Nelson opposed.

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4. PLANNING

- 4.1 Planning & Development Services Department, dated January 2, 2002 re: Appointment of Advisory Planning Commission Members (0360-20)

Moved by Councillor Hobson/Seconded by Councillor Nelson

**R11/02/01/07** THAT Municipal Council appoint the following candidates to the Advisory Planning Commission for the respective terms, effective January 1, 2002:

David Rush	3 year term, expiring December 31, 2004
Don McConachie	3 year term, expiring December 31, 2004
Janet Digby	1 year term, expiring December 31, 2002;

AND THAT Municipal Council reappoint Rolli Cacchioni and Al Harrison to the Advisory Planning Commission for a second term of three years, expiring December 31, 2004.

Carried

- 4.2 Planning & Development Services Department, dated December 19, 2001 re: Rezoning Application No. Z99-1033 – Barbara Lane, Derrick Elliott and Sharon Loudoun – 1193 Cerise Drive

Moved by Councillor Blanleil/Seconded by Councillor Cannan

**R12/02/01/07** THAT in accordance with the Development Application Procedures Bylaw No. 8140 the deadline for adoption of Zone Amending Bylaw No. 8438 (Z99-1033 – Lane/Elliott/Loudoun – Cerise Drive) be extended to July 13, 2002.

Carried

- 4.3 Planning & Development Services Department, dated December 31, 2001 re: Rezoning Application No. Z01-1047 – Canada Lands Co. CLC Ltd. (Dale Knowlan/Canada Lands Company) – 1175 Sunset Drive

Staff:

- The rezoning would facilitate an RFP request by Canada Lands for construction of a major hotel on the consolidated parcel.

Moved by Councillor Shepherd/Seconded by Councillor Nelson

**R13/02/01/07** THAT OCP Bylaw Amendment No. OCP01-012 to amend Map 15.1 Schedule "A" of the Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 be amended by changing the Future Land Use designation of; Lot 8, D.L. 139, O.D.Y.D., Plan KAP68693, and part of Lot 7, D.L. 139, O.D.Y.D., Plan KAP68693, located on Sunset Drive, from Multiple Family Residential – High Density to Commercial as shown on Map "A" attached to the report of the Planning and Development Services Department dated December 31, 2001, be considered by Council;

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AND THAT Rezoning Application No. Z01-1057 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8, D.L. 139, O.D.Y.D., Plan KAP68693, and part of Lot 7, D.L. 139, O.D.Y.D., Plan KAP68693, as shown on Map "A" attached to the report of the Planning and Development Services Department dated December 31, 2001, located on Sunset Drive, Kelowna, B.C., from the RM6 – High Rise Apartment Housing zone to the C4 – Town Centre Commercial zone;

AND THAT the Official Community Plan Bylaw Amendment No. OCP01-012 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 on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a plan of subdivision in the Land Titles Office in Kamloops for the required lot consolidation;

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 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.

Carried

## 5. REPORTS

- 5.1 City Manager, dated January 2, 2002 re: 2002 Financial Plan (B/L 8788; 1700-20)

Moved by Councillor Nelson/Seconded by Councillor Given

**R14/02/01/07** THAT the 2002 Financial Plan in the amount of \$172,352,758 reflecting total operating and capital costs including changes made by Council during the financial plan review meeting of December 13, 2001, be approved as summarized on Schedule A attached to the report dated January 2, 2002 from the City Manager;

AND THAT the bylaw required to adopt the 2002 Financial Plan be advanced for reading consideration by Council.

Carried

Councillors Blanleil and Cannan opposed.

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5.2 Inspection Services Manager, dated December 20, 2001 re: Removal of a Notice Against 2498 Dubbin Road

Staff:

- Notice was registered on title of the property to warn prospective buyers that alterations and renovations were done to the residential dwelling on the subject property without benefit of permits or inspections. A prospective buyer has now been so-warned.
- In return for removal of the notice, a 219 Covenant will be registered to ensure that all of the required works are completed by March 31, 2002 or the dwelling will cease to be occupied.

Moved by Councillor Hobson/Seconded by Councillor Clark

**R15/02/01/07** THAT in accordance with Section 701(2) of the *Local Government Act*, the Municipal Council pass a resolution to remove a Notice (number KR4075) previously filed in the Land Title Office against Lot A, RP 16429, regarding alterations and renovations to the residential dwelling that have taken place without the required permits and inspections;

AND THAT the owner be responsible for the costs involved.

Carried

5.3 Acting Recreation Services Manager, dated December 30, 2001 re: Wakeboard & Waterski World Cup (8100-20)

Moved by Councillor Hobson/Seconded by Councillor Blanleil

**R16/02/01/07** THAT Council hear from the event organizer, Mr. Phil Dumoulin.

Carried

Phil Dumoulin:

- Hopes to keep the event in Kelowna past 2003 and then anticipates a new sponsor that would probably either be liquor or beer.

Moved by Councillor Blanleil/Seconded by Councillor Cannan

**R17/02/01/07** THAT City Council support hosting the Wakeboard & Waterski World Cup July 12-14, 2002 at Waterfront Park as recommended by the Parks and Facilities Committee, provided that:

- Staff be able to review the tobacco advertising prior to being installed;
- The tobacco advertising comply with all federal advertising regulations;
- The tobacco advertising not be permitted within the radius of the Operation ID Program;
- The appropriate steps be taken to protect the Rotary Marshes during the event.

Carried

Councillors Clark and Shepherd opposed.

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6. RESOLUTIONS

- 6.1 Draft Resolution re: Council Appointee – Kelowna International Regatta Association (8100-20)

Moved by Councillor Given/Seconded by Councillor Blanleil

**R18/02/01/07** THAT Councillor R.D. Cannan be appointed as Council's liaison with the Kelowna International Regatta Association for the term ending December 2002.

Carried

- 6.2 Draft Resolution re: Notice of Intent to Amend Council Bylaw 7906 (B/L 8794)

Staff:

- The intent of the amendment is to remove the discretion of what information will and will not be circulated in the Council agenda package.

Moved by Councillor Given/Seconded by Councillor Nelson

**R19/02/01/07** THAT Council give notice of their intention to consider amending Council Bylaw No. 7906 to address FOI concerns on the handling of public information received on development applications.

Carried

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

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

- 7.1 Bylaw No. 8787 – Marshall Street Local Improvements Security Issuing Bylaw

Moved by Councillor Nelson/Seconded by Councillor Given

**R20/02/01/07** THAT Bylaw No. 8787 be read a first, second and third time.

Carried

- 7.2 Bylaw No. 8788 – Five Year Financial Plan 2002-2006

Moved by Councillor Given/Seconded by Councillor Nelson

**R21/02/01/07** THAT Bylaw No. 8788 be read a first, second and third time.

Carried

8. COUNCILLOR ITEMS – Nil.

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9. TERMINATION

The meeting was declared terminated at 3:33 p.m.

Certified Correct:

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Mayor

BLH/am

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Deputy City Clerk