

Regular Meeting – P.M.

September 9, 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, September 9, 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; City Clerk, D.L. Shipclark; Director of Finance & Corporate Services, C. Kraft*; Director of Planning & Development Services, R.L. Mattiussi*; Deputy Director of Finance, P. Macklem*; Current Planning Manager, A.V. Bruce*; Long Range Planning Manager, S. Bagh*; Planning & Development Officer, G. Routley*; Financial Planning Manager, K. Grayston*; Senior Accountant, J. Wunderlich*; Senior Accountant, H. Wilson*; Junior Accountant, J. Dueck*; Financial Accounting & Systems Manager, R. Mayne*; Wastewater Manager, B. Berry*; and Assistant City Clerk, L.M. Taylor (Acting Council Recording Secretary).

(* denotes partial attendance)

1. CALL TO ORDER

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

2. Councillor Given to check the minutes of the meeting.

3. PUBLIC IN ATTENDANCE

3.1 Mayor Gray re: Presentation of Government Finance Officers Association's Distinguished Budget Presentation Award to the City's Finance Division

Mayor Gray presented the award to Keith Grayston, Jim Wunderlich; Heather Wilson and Jackie Dueck of the City's Finance division noting this is a significant achievement as it is a North American award, and the first time the City of Kelowna has won.

4. PLANNING

4.1 Planning & Development Services Department, dated August 29, 2002 re: Rezoning Application No. Z01-1029 – David Kornell/Pacific Sun Enterprises Ltd. – 1889/1879/1859 Chandler Street and 1450 Sutherland Avenue (B/L8715)

Staff:

- Final adoption of bylaw is subject to lot consolidation and a servicing agreement.
- Lot consolidation has been completed but applicant is still negotiating with the Interior Health Authority regarding the redevelopment of the existing facilities.

Moved by Councillor Hobson/Seconded by Councillor Nelson

R773/02/09/09 THAT in accordance with the Development Application Procedures Bylaw No. 8698 the deadline for the adoption of Zone Amending Bylaw No. 8715 (Z01-1029, Pacific Sun Enterprises), be extended for a twelve-month period to August 28, 2003.

Carried

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- 4.2 Planning & Development Services Department, dated September 4, 2002 re: Official Community Plan Amendment No. OCP02-0008 & Rezoning Application No. Z02-1031 – H. Benson Electric Ltd. (Patrick McCusker) – 1229 & 1239 KLO Road (3360-20)

Staff:

- Proposal is for a 33-unit, 3½-storey condominium development.
- Development variance permit application is required to increase the height from the 3 storeys permitted.
- Staff recommend support.

Council:

- Requested information be presented at public hearing about future designs for KLO Road and access to the subject properties.

Moved by Councillor Hobson/Seconded by Councillor Given

R774/02/09/09 THAT Map 19.1 – *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 Lots 2 & 3, D.L. 131, ODYD, Plan 17528 except Plan H17514 located on KLO Road, Kelowna, B.C. from Multiple Unit Residential (Low Density) to Multiple Unit Residential (Low Density-Transitional) be considered by Council;

AND THAT Rezoning Application No. Z02-1031 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 2 & 3, D.L. 131, ODYD, Plan 17528 except Plan H17514, located on KLO Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RM4 – Transitional Low Density Housing zone be considered by Council;

AND THAT the Official Community Plan and zone amending bylaws be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction of Council’s consideration of a Development Permit and a Development Variance Permit on the subject properties.

Carried

- 4.3 Planning & Development Services Department, dated September 4, 2002 re: Official Community Plan Amendment No. OCP02-0010 & Rezoning Application No. Z02-1018 – Lutheran Church Canada, Alberta BC District (MQLN Architect/Brian Quiring) – 4091 Lakeshore Road (3360-20)

Withdrawn by Applicant

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4.4 Planning & Development Services Department, dated September 3, 2002
re: Local Graffiti Prevention Efforts (0540-20)

Staff:

- The Kelowna and District Graffiti Task Force has been established and has met every two weeks for the last seven months
- The graffiti prevention program provided for in Council Policy No. 302 has been implemented and staff and the Task Force are working on ways to expand and improve the program.
- Two staff members from RCMP support unit are looking at ways the City and police can deal with vandalism and a catalogue of all the different graffiti tags has been created.
- The RCMP have liaised with Kelowna Crown Counsel with the result that Crown Counsel has appointed one individual to deal with all graffiti cases
- RCMP have improved the prosecution of graffiti vandalism as there is now zero tolerance on graffiti vandalism and if the "tagger" is caught charges are laid.

Moved by Councillor Nelson/Seconded by Councillor Hobson

R775/02/09/09 THAT Council receive the information relating to local graffiti prevention efforts, as outlined in the Planning and Development Services Department report of September 3, 2002;

AND THAT Council endorse the recommendation of the Kelowna and District Graffiti Task Force to encourage local retailers to voluntarily regulate the sale of products that could be used for graffiti vandalism, as outlined in the Planning and Development Services Department report of September 3, 2002;

AND THAT Council direct Civic Properties to assume the primary responsibility for co-ordinating City of Kelowna graffiti prevention efforts with the Kelowna and District Graffiti Task Force until it is reviewed;

AND THAT Council request that Civic Properties submit a supplemental budget request for \$15,000.00, to be used for graffiti removal and prevention efforts, including a comparative budget that contracts out the graffiti removal and prevention efforts, for consideration at the time of 2003 budget deliberations;

AND THAT Council request that the Central Okanagan Regional District, Lake Country and Peachland encourage retailers to voluntarily regulate the products that could be used for graffiti vandalism.

Carried

5. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST READING)

5.1 Bylaw No. 8892 (OCP02-0006) – Al Stober Construction Ltd. et al (Emil Anderson Construction Co. Ltd. /Mike Jacobs) – 2060 Summit Drive

Moved by Councillor Cannan/Seconded by Councillor Blanleil

R776/02/09/09 THAT Bylaw No. 8892 be read a first time.

Carried

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- 5.2 Bylaw No. 8893 (Z02-1019) – Al Stober Construction Ltd. et al (Emil Anderson Construction Co. Ltd. /Mike Jacobs) – 2060 Summit Drive

Moved by Councillor Nelson/Seconded by Councillor Given

R777/02/09/09 THAT Bylaw No. 8893 be read a first time.

Carried

- 5.3 Bylaw No. 8897 (Z02-1029) – Barry & Sandra-Lee Domes – 1907 Abbott Street

Moved by Councillor Nelson/Seconded by Councillor Given

R778/02/09/09 THAT Bylaw No. 8897 be read a first time.

Carried

- 5.4 Bylaw No. 8898 (Z02-1030)- Jo-Anna Long (Marlin & Shanny Toews) – 255 Mail Road

Moved by Councillor Nelson/Seconded by Councillor Given

R779/02/09/09 THAT Bylaw No. 8898 be read a first time.

Carried

- 5.5 Bylaw No. 8899 (Z02-1032) – Robert & Benigna Cummings – 1931 Abbott Street

Moved by Councillor Nelson/Seconded by Councillor Given

R780/02/09/09 THAT Bylaw No. 8899 be read a first time.

Carried

- 5.6 Bylaw No. 8901 (Z02-1025) – Donald & Sharifah Luttmer – 926 Lawrence Avenue

Moved by Councillor Nelson/Seconded by Councillor Given

R781/02/09/09 THAT Bylaw No. 8901 be read a first time.

Carried

6. REPORTS

- 6.1 Deputy Director of Finance, dated June 17, 2002 re: Council Appointment of the Library Society Directors (1830-20)

Moved by Councillor Clark/Seconded by Councillor Day

R782/02/09/09 THAT Council appoint G. Ross Langford and Barbara Degan as Directors of the Library Society Board, effective June 5, 2002 and accept the resignation of Phyllis Paine and Donna Christianson.

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- 6.2 Deputy Director of Finance, dated September 3, 2002 re: Charitable Donation Policy (1830-20)

Staff:

- Cash and “gifts-in-kind” provide additional source of revenue.
- City may provide an income tax receipt in the amount of fair market value of the donation, which the donor may use to offset taxable income.

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R783/02/09/09 THAT Council approve Council Policy No. 306 - Charitable Donations and Gifts to the City attached as Schedule ‘A’ to the report dated September 3, 2002 from the Deputy Director of Finance.

Carried

- 6.3 Wastewater Manager, dated September 3, 2002 re: Award of Construction Contract TE02-11 - Campion/Cambro Sanitary Sewer Specified Area No. 29

Moved by Councillor Nelson/Seconded by Councillor Day

R784/02/09/09 THAT the Contract for construction of the Sanitary Sewer Specified Area No. 29 (Campion/Cambro) be awarded to Peters Bros. Construction Ltd. in the amount of \$881,435.83 including GST;

AND THAT the Mayor and City Clerk be authorized to execute the Contract on behalf of the City.

Carried

7. RESOLUTIONS

- 7.1 Draft Resolution re: Air Quality Workshop 2002

Council

- This request should be sent to the Regional District for consideration and if need be, bring it back to Council on September 16, 2002.

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R785/02/09/09 THAT consideration of the draft resolution to authorize Councillor Shepherd to attend the 3-day Air Quality Workshop on October 21 to 23 be deferred to the Regular Meeting of September 16, 2002 to allow Councillor Shepherd time to present the request to the Regional District.

Carried

Regular Meeting – P.M.September 9, 20028. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)**(BYLAWS PRESENTED FOR ADOPTION)**

- 8.1 Bylaw No. 8885 – Road Exchange Bylaw – 759 Dehart Road (Westpoint Drive)

Moved by Councillor Blanleil/Seconded by Councillor Cannan**R786/02/09/09** THAT Bylaw No. 8885 be adopted.Carried

- 8.2 Bylaw No. 8902 – Road Exchange Bylaw – 5440 Chute Lake Road

Moved by Councillor Cannan/Seconded by Councillor Blanleil**R787/02/09/09** THAT Bylaw No. 8902 be adopted.Carried9. COUNCILLOR ITEMS

- (a)
- Central Okanagan Community Health Advisory Committee

Councillor Shepherd reported the Central Okanagan Community Health Advisory Committee has now disbanded so it will no longer be necessary for the City to appoint representation to the Committee or to include it in the annual budget.

- (b)
- Shaw Cable

The City Manager reported Shaw Cable will once again discontinue the recording of Council Meetings for the month prior to the civic election so as not to give incumbent Councillors an unfair advantage. The meetings of October 28 and November 4 will not be recorded.

10. TERMINATION

The meeting was declared terminated at 3:35 p.m.

Certified Correct:

 Mayor

LMT/am

 City Clerk