

Regular Meeting – P.M.December 1, 2003

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 1, 2003.

Council members in attendance were: Mayor Walter Gray, Councillors R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, E.A. Horning and S.A. Shepherd.

Council members absent: Councillor A.F. Blanleil.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, S.C. Fleming; Director of Planning & Corporate Services, R.L. Mattiussi*; Subdivision Approving Officer, R.G. Shaughnessy*; Manager of Policy, Research & Strategic Planning, S.K. Bagh*; Planner-Long Range, G. Steven*; Special Project Planning Manager, H.M. Christy*; Director of Financial Services, P.A. Macklem*; Director of Parks & Leisure Services, D.L. Graham*; Parks Manager, J. Creron*; Urban Forestry Supervisor, I. Wilson*; Parks Construction & Design Supervisor, A. Gibbs*; Manager of Inspection Services, K. Skinner*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:32 p.m.

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

3. PLANNING

- 3.1 Planning & Corporate Services Department, dated November 25, 2003 re: Proposed Renaming of Laurence Road to Pioneer Road (5450-20; BL9124))

Moved by Councillor Shepherd/Seconded by Councillor Given

R980/03/12/01 THAT Municipal Council consider re-naming Laurence Road to Pioneer Road as identified on Schedule "A" attached to the report from the Planning & Corporate Services Department dated November 25, 2003;

AND THAT staff be directed to prepare the necessary road name change bylaw.

Carried

- 3.2 Planning & Corporate Services Department, dated November 20, 2003 re: Proposed Renaming of College Way to University Way (5450-20; BL9125))

Moved by Councillor Given/Seconded by Councillor Hobson

R981/03/12/01 THAT Municipal Council consider re-naming College Way to University Way as identified on Schedule "A" attached to the report from the Planning & Corporate Services Department dated November 20, 2003;

AND THAT staff be directed to prepare the necessary road name change bylaw.

Carried

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- 3.3 Planning & Corporate Services Department, dated November 25, 2003
re: Rezoning Application No. Z03-0047 and OCP03-0011 and
LUC03-0002 – LCC Holdings Inc. (Terry Feeny) – 1094 Lawson Avenue

Withdrawn from the agenda.

- 3.4 Planning & Corporate Services Department, dated November 26, 2003
re: Official Community Plan Amendment No. OCP03-0013 – Amendment
of Bylaw No. 7600 (Amendment Bylaw No. 9096)

Staff:

- It would be difficult to consider the DCC bylaw apart from the Transportation network because the DCC bylaw is largely driven by the Transportation network.
- There are a number of multi-family projects that are on hold pending what is anticipated in the development community to be a January/February resolution of the DCCs through the OCP.

Council:

- The Regional Transportation Committee, First Nations and the Ministry of Transportation are having a workshop regarding the Okanagan Lake bridge project. The outcome of that meeting could impact Council's decisions regarding the one way couplet portion of the Transportation network in the OCP.
- The couplet proposal has been provided for in the OCP for years. The proposed amendment to the OCP would make relatively minor changes to that couplet proposal. No final action would be taken re the couplet until the public has the information Council has regarding the alternatives and the costs of those alternatives.
- It was improper that the Crown Provincial provided \$20 million to solve bridge access problems on the west side of the lake but nothing to help solve those problems on the east side of the lake.
- Discussed deferring the date of the public hearing for this OCP amendment to after the Regional Transportation Committee's meeting and after the public has been presented with the one-way couplet proposal and the alternative options that have been considered by Council. Agreed to proceed with the January 15th target date for the Public Hearing.

Moved by Councillor Given/Seconded by Councillor Day

R982/03/12/01 THAT Council receive the Planning and Corporate Services report of November 26, 2003, plus attachments, regarding the amendment to revise/update the OCP to the 2020 timeframe as "Kelowna 2020 – Official Community Plan";

AND THAT the OCP Amendment Bylaw No. 9096, which includes the revisions outlined in the attachments to the November 26, 2003 report from the Planning and Corporate Services department be forwarded for reading consideration;

AND THAT following first reading, OCP Amendment Bylaw No. 9096 "Kelowna 2020 – Official Community Plan" be considered in conjunction with the existing Financial Plan;

AND THAT following First Reading, OCP Amendment Bylaw No. 9096 "Kelowna 2020 – Official Community Plan" be considered in conjunction with the existing Waste Management Plan;

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AND THAT OCP Amendment Bylaw No. 9096 "Kelowna 2020 – Official Community Plan" be referred to the Regional Board, Agricultural Land Commission, and the District of Lake Country for formal comment prior to the Public Hearing;

AND THAT OCP Amendment Bylaw No. 9096 "Kelowna 2020 – Official Community Plan" be forwarded for Advisory Planning Commission review prior to the Public Hearing;

AND FURTHER THAT OCP Amendment Bylaw No. 9096 "Kelowna 2020 – Official Community Plan" be forwarded to a Public Hearing to be held on January 15, 2004, starting at 7:00 p.m.

Carried

Councillor Cannan opposed.

4. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 4.1 Bylaw No. 9075 (TA03-0006) – OK Corral (Gerald Bruggera) – 1978
Kirschner Road

Moved by Councillor Cannan/Seconded by Councillor Day

R983/03/12/01 THAT Bylaw No. 9075 be adopted.

Carried

- 4.2 Bylaw No. 9076 (Z03-0029) - OK Corral (Gerald Bruggera) – 1978
Kirschner Road

Moved by Councillor Day/Seconded by Councillor Cannan

R984/03/12/01 THAT Bylaw No. 9076 be adopted.

Carried

5. REPORTS

- 5.1 Planning & Corporate Services Department, dated November 25, 2003
re: Public Art for Mission District Park Complex (7800-01)

Moved by Councillor Hobson/Seconded by Councillor Given

R985/03/12/01 THAT City Council endorse the recommendation from the Public Art Committee to commission the firm of I.E. Creative Artworks to fabricate and install a hanging sculpture at a cost of \$80,000 to come from the Public Art Reserve Fund.

Carried

Councillor Cannan opposed.

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5.2 Director of Parks & Leisure Services, dated November 27, 2003 re: Design for Stuart Park and the Downtown Waterfront (6340-30)

Staff:

- A design competition was held to attract the best firms for the design of Stuart Park and the downtown waterfront. Three firms were asked to prepare designs; however, toward the end of the design process, staff became aware of private development interests in the area and found that on evaluating the proposals none would facilitate the impact that development would have.
- Confident that concept plans for the park design can be achieved in-house. Detailed design work would still be contracted out.
- Stuart Park would still be our Centennial project, although it may still be under construction in May 2005.

Moved by Councillor Given/Seconded by Councillor Cannan

R986/03/12/01 THAT City Council receive the information report dated November 27, 2003 from the Director of Parks & Leisure Services regarding Stuart Park and the downtown waterfront;

AND THAT the City's Park Division be instructed to work with the City's Planning Department and stakeholders in the development of a concept plan for Stuart Park and the downtown waterfront.

Carried

Councillor Hobson opposed.

5.3 Urban Forestry Supervisor, dated November 25, 2003 re: Burned Tree Removal on Roadways (6300-02)

Council:

- Staff to investigate whether private property owners can apply to the Province for PEP funding to assist with cost of removing burned trees from their properties.

Moved by Councillor Shepherd/Seconded by Councillor Given

R987/03/12/01 THAT Council authorize the assessment and removal of dead/dangerous trees affected by the Okanagan Mountain Park Fire from City owned right-of-ways;

AND THAT all costs associated with this project, estimated to total up to \$80,000, be charged to chartfield 1092-0-00120 with the 2003 Financial Plan amended with interim funding from the Insurance Deductible Reserve.

Carried

5.4 Inspection Services Manager, dated November 26, 2003 re: Nuisance Trees & Shrubs Bylaw Amendment (4000-00; BL9117)

Moved by Councillor Shepherd/Seconded by Councillor Cannan

R988/03/12/01 THAT Council approve the proposed amendments to the "Nuisance Trees and Shrubs Bylaw No. 6469-89";

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

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Moved by Councillor Day/Seconded by Councillor Hobson

R989/03/12/01 THAT staff review Nuisance Trees and Shrubs Bylaw No. 6469-89 and report back to Council with a recommendation for amending the bylaw to deal only with trees/shrubs that are a hazard to public property and not trees/shrubs that are on private properties.

Carried

6. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

6.1 Bylaw No. 9117 – A bylaw to amend City of Kelowna Nuisance Trees and Shrubs Bylaw No. 6469-89

Moved by Councillor Hobson/Seconded by Councillor Day

R990/03/12/01 THAT Bylaw No. 9117 be read a first, second and third time.

Carried

7. COUNCILLOR ITEMS

(a) Okanagan University/College - University Status Proposal

Councillor Shepherd suggested that the OUC Board Chairperson be invited to a Council meeting to update Council on their efforts to get University Status for OUC and whether there is anything Council should be doing.

(b) Passport Office in Kelowna

Moved by Councillor Shepherd/Seconded by Councillor Given

R991/03/12/01 THAT the Mayor send a letter as a follow-up to his earlier letter to the Federal Minister of Foreign Affairs, asking that consideration be given to establishing a mobile passport office for the B.C. Interior that could be regularly scheduled to be in Kelowna for one month at a time once or twice a year to process passport applications;

AND THAT the letter be copied to MP Werner Schmidt and Senator Fitzpatrick.

Carried

(c) Disposal of Animal Waste After Slaughter

Councillor Horning suggested that the City apply for a license to allow for the disposal of animal waste at the landfill now that the rendering plant has been shut down in Armstrong. The City Manager advised that there is a local business that will accept animal waste from slaughter houses. Will contact the individual who raised the concern with Councillor Horning. Staff will follow-up on pending changes to federal legislation regarding how waste materials from slaughter houses are handled.

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(d) Swamp Road

Councillor Cannan noted there was a fatality on Swamp Road last week and asked that staff investigate whether safety measures are warranted in the section of Swamp Road where the accident occurred.

8. TERMINATION

The meeting was declared terminated at 3:49 p.m.

Certified Correct:

Mayor

Deputy City Clerk

BLH/am