

Regular MeetingJuly 12, 1999

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, July 12, 1999.

Council members in attendance were: Acting-Mayor M.I. Bremner, Councillors A.F. Blanleil, R.D. Cannan*, C.B. Day*, R.D. Hobson*, J.D. Leask*, J.D. Nelson and S.A. Shepherd.

Council members absent: Mayor Walter Gray.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi*; Current Planning Manager, A. Bruce*; Subdivision Approving Officer, R.G. Shaughnessy*; Long Range Planning Manager, L.V. Foster*; Planner-Long Range, S.K. Bagh*; Director of Parks & Leisure Services, D.L. Graham*; Civic Properties Manager, H.R. Hyatt*; Director of Works & Utilities, J. Vos*; Wastewater/Pump Station Engineer, K.K. Li*; Inspection Services Manager, K. Skinner*; Licensing & Bylaw Enforcement Supervisors, M.A. McCorkell* and A. Dixon*; Electrical Manager, R. Carle*; Parks Operations & Maintenance Supervisor, D. Radford*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Acting-Mayor Bremner called the meeting to order at 1:30 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 Kelowna Arts Foundation re: Grant Awards to Professional Non-Profit Arts Organizations (0230-20-70)

Councillor Shepherd, Council's liaison with the Kelowna Arts Foundation, spoke briefly to the report.

Councillor Cannan entered the Council Chamber at 1:31 p.m. and took his place at the Council Table.

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R591/99/07/12 THAT the correspondence from the Kelowna Arts Foundation advising of the 1999 Arts Foundation grant recipients for professional non-profit arts organizations be received for the information of Council;

AND THAT the grants in the amount of \$40,000 be approved as recommended by the Kelowna Arts Foundation.

Carried

Councillor Hobson entered the Council Chamber at 1:33 p.m. and took his place at the Council Table.

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4. UNFINISHED BUSINESS

4.1 Planning & Development Services Department, dated July 7, 1999 re: Secondary Suites (3360-20)

(a) Interim Annual Progress Report

The Current Planning Manager referred to charts displayed on the overhead projector to assist with presentation of the interim annual progress report. As of July 1, 1999, 38 applications have been received for the 's' zoning designation. Of those 27 were applications for new suites or conversions and 11 were to legalize existing suites. Staff recommend that the general approach to considering individual applications to rezone to permit secondary suites continue. Once enforcement is stepped up it is anticipated that the number of applications to legalize existing suites will increase considerably.

The Current Planning Manager confirmed that with Council's acceptance of this report, staff would, as a matter of practise, present additional information when secondary suite applications (city-wide) come forward to help Council determine the level of acceptance of secondary suites in the area. This information would include the number of secondary suites or duplexes within the same block as a subject property and the number of complaints received in that same block regarding illegal suites and parking issues.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R592/99/07/12 THAT the Current Planning Manager's interim annual progress report dated July 7, 1999 summarizing the activity related to rezoning applications for secondary suites (the 's' zoning designation) be received for Council's information.

Carried

(b) Applications in the Hartman Road Area

The Current Planning Manager displayed the pre-plan of the Hartman Road area on the overhead projector and reviewed the report for Council. The plan was supported by Council as a guideline for how the area would develop. The pre-plan provides for 65% single family and a 35% mixture of single family with suites and duplex lot types, and projects a maximum yield of 742 units with about a 50/50 split in dwelling units types. However, the actual number of units realized will be considerably less than what was projected in the pre-plan for the area.

The Current Planning Manager indicated on a map the properties in the Hartman Road area that people have complained have characteristics associated with illegal suites noting that 65 complaints have been logged since 1997. The Current Planning Manager was not aware how many of the properties actually had illegal suites when investigated by City Bylaw Enforcement staff.

The Current Planning Manager indicated the properties already approved for secondary suites in the Hartman area and advised that impacts of suites change from neighbourhood to neighbourhood based on family size, the age and number of children at home, the ability of people to afford additional vehicles or RVs, etc., all of which contribute to increased parking on the street. He recommended that Council continue to deal with individual applications based on their own merits.

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Council noted there is potential for a significant number of applications coming forward for the 's' zone in the Hartman area and considered dealing with the applications on a cumulative basis so that those residents who are opposed do not have to attend multiple public hearings to state their views. However, Council also noted that the intent of the 's' zone is to encourage the legalization of existing suites. The consensus of Council was to consider applications on an individual basis, as they are received.

Moved by Councillor Nelson/Seconded by Councillor Leask

R593/99/07/12 THAT the Current Planning Manager's report dated July 7, 1999 concerning the impact of the 's' zone in the Hartman Road area be received for Council's information;

AND THAT applications for secondary suites in the Hartman Road area continue to be reviewed by Council on an individual basis.

Carried

4.2 BYLAWS FROM JUNE 15, 1999 PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS)

4.2.1 Bylaw No. 8406 (Z99-1005) – Ashok, Kuldip, Raj, Mayaram and Parmar (Annie Beserekian) – 418 McLennan Crescent

The Current Planning Manager indicated the property on a map displayed on the overhead projector.

Moved by Councillor Leask/Seconded by Councillor Cannan

R594/99/07/12 THAT Bylaw No. 8406 be read a second and third time.

Carried

Councillors Blanleil, Bremner and Day opposed.

4.2.2 Bylaw No. 8421 (Z99-1013) – David & Tanya Newman – 412 McLennan Crescent

The Current Planning Manager indicated the property on a map displayed on the overhead projector.

Moved by Councillor Leask/Seconded by Councillor Cannan

R595/99/07/12 THAT Bylaw No. 8421 be read a second and third time.

Carried

Councillors Blanleil, Bremner and Day opposed.

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(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS AND ADOPTION)

- 4.2.3 Bylaw No. 8422 (Z99-1012) – R89 Enterprises Ltd. (Cathleen & Bret Loge/Marty Van Mulder) – 954 Freisen Road

The Current Planning Manager indicated the property on a map displayed on the overhead projector.

Moved by Councillor Shepherd/Seconded by Councillor Day

R596/99/07/12 THAT Bylaw No. 8422 be read a second and third time, and be adopted.

Carried

Councillor Bremner opposed.

- 4.2.4 Bylaw No. 8423 (Z99-1015) – Craig & Lelia Koop – 465 Wigglesworth Crescent

The Current Planning Manager indicated the property on a map displayed on the overhead projector.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R597/99/07/12 THAT Bylaw No. 8423 be read a second and third time, and be adopted.

Carried

Councillor Bremner opposed.

5. PLANNING

- 5.1 Planning & Development Services Department, dated July 7, 1999 re: Rezoning Application No. Z99-1035 – Connie Burgher (Lorne Robinson) – 527 Radant Road (3360-20)

Councillor Day declared a potential conflict of interest because he owns property on Bluebird Road within the notification radius for this application and left the Council Chamber at 2:51 p.m.

Councillor Leask left the Council Chamber at 2:51 p.m.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and reviewed the report for Council. The applicant is in the process of raising the existing single storey house in order to construct a new lower level where the proposed suite would be located. Planning Department staff have no concerns with the proposal and both neighbours have indicated support for the application.

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Moved by Councillor Hobson/Seconded by Councillor Shepherd

R598/99/07/12 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 3, Sec. 1, Twp. 25, O.D.Y.D., Plan 7334, located on Radant Road, Kelowna, B.C., from the _ RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction.

Carried

Councillor Leask returned to the Council Chamber at 2:54 p.m.

- 5.2 Planning & Development Services Department, dated July 7, 1999 re: Rezoning Application No. Z99-1021 – Thelma & Andy Davis – 1590 Lindsay Drive (3360-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The building is currently under construction. The main dwelling would comprise the basement level, half the main floor and the entire upper floor; the proposed suite would comprise the other half of the main floor. All requirements for the 's' zoning designation have been met, and a separate outside entrance is proposed in compliance with the building scheme registered on title. A few complaints have already been received from the neighbourhood. Staff recommend forwarding the application to Public Hearing for further input.

The Civic Properties Manager entered the Council Chamber at 2:58 p.m.

A member of Council suggested that the dwelling unit has been designed more like a duplex than a typical secondary suite. The Current Planning Manager clarified that anything more than one secondary suite would require a multi-family zoning designation.

Responding to questioning by Council, the Current Planning Manager advised the application took longer than usual to come forward to Council because of concerns that there were multiple electrical connections. There is now only one electrical connection and potential for one more.

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Moved by Councillor Nelson/Seconded by Councillor Leask

R599/99/07/12 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 9, Sec. 29, Twp. 26, O.D.Y.D., Plan KAP58501, located on Lindsay Drive, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Inspection Services Department being completed to their satisfaction.

Carried

Councillors Blanleil, Cannan and Shepherd opposed.

Councillor Day returned to the Council Chamber at 3:03 p.m. and took his place at the Council Table.

The Long Range Planning Manager and the Planner-Long Range entered the Council Chamber at 3:03 p.m.

- 5.3 (a) Civic Properties Manager, dated July 7, 1999 re: Eldorado Yacht Harbour Ltd. Licence to Use at Lakeshore Boat Launch Facility (6340-30; 2380-20-872)

The Civic Properties Manager advised that staff were prepared to recommend the tentative agreement that was in place at the time this item was placed on the agenda. However, because of a lack of understanding regarding the term and potential advertising requirements, approval of the agreement would be premature at this time.

The City Manager advised that the applicant is motivated to conclude the agreement because it is essential to the proposed dryland moorage operation and therefore Council could proceed with agenda items 5.3 (b) and (c).

The City Clerk added that it would be appropriate to instruct staff to withhold issuance of the Development Permit until the subject agreement is in place.

Moved by Councillor Hobson/Seconded by Councillor Leask

R600/99/07/12 THAT Council defer approval of the License to Use Agreement with Eldorado Yacht Harbour Ltd. for use of the Lakeshore boat launch facility for a dryland moorage operation pending satisfactory resolution of all terms of the agreement;

AND THAT staff be instructed to **take no action** on Development Permit Application No. DP99-10,009 (New Town Planning Services for Bryon & Patricia Truswell – 550 Truswell Road) until the License to Use Agreement is in place with Eldorado Yacht Harbour Ltd.

Carried

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- (i)
- Bylaw No. 8430 (TA99-001)
- To add 'Boat Storage' as a Principal Permitted Use in the C9 Zone

Moved by Councillor Nelson/Seconded by Councillor Leask**R601/99/07/12** THAT Bylaw No. 8430 be adopted.Carried

- (ii)
- Bylaw No. 8431 (Z98-1030)
- Bryon & Patricia Truswell (New Town Planning Services Inc.) – 550 Truswell Road

Moved by Councillor Leask/Seconded by Councillor Nelson**R602/99/07/12** THAT Bylaw No. 8431 be adopted.Carried

- (c) Planning & Development Services Department, dated July 7, 1999 re:
- Development Permit Application No. DP99-10,009 – Bryon & Patricia Truswell (New Town Planning Services) – 550 Truswell Road (3060-20)

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. The applicant is proposing a dryland boat storage facility on the site. Signage would be limited to the Lakeshore Road frontage of the site and be to maximum 3 m height. Lighting would be limited to the nautical marine lighting proposed at the sign feature and at the Truswell entrance.

Councillor Cannan left the Council Chamber at 3:21 p.m.

Moved by Councillor Blanleil/Seconded by Councillor Shepherd

R603/99/07/12 THAT Municipal Council authorize the issuance of Development Permit No. DP99-10,009 on Lot 17, Sec. 1, Twp. 25, and D.L. 134, O.D.Y.D., Plan 2714; for New Town Planning Services, located on Truswell Road, Kelowna, B.C., subject to the following:

1. The dimensions and siting of the building and structures to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building and structures to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

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5. Signs and lighting to be constructed are limited to those shown on Schedule "D";
6. The applicant register a subdivision for the road dedication and construct or otherwise secure the road improvements along the Lakeshore Road frontage of the proposed development;

AND THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

Carried

The Subdivision Approving Officer entered the Council Chamber and the Civic Properties Manager left at 3:23 p.m.

- 5.4 Planning & Development Services Department, dated June 29, 1999 re: Rezoning Application No. Z99-1032 – Shane Bellman and Gisele Jean – 884 Toovey Road (3360-20)

Councillor Day declared a potential conflict of interest because he owns property on Lone Pine Drive that is within the notification radius for this application and left the Council Chamber at 3:23 p.m.

Councillor Cannan returned to the Council Chamber at 3:24 p.m.

The Subdivision Approving Officer indicated the property on maps displayed on the overhead projector and outlined the report for Council. A 2-lot subdivision is proposed. The proposal complies with City development policies and a preliminary layout review letter has been issued subject to rezoning.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R604/99/07/12 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 31, Sec. 24, Twp. 26, O.D.Y.D., Plan 23445, located on 884 Toovey Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

Carried

Councillor Day returned to the Council Chamber at 3:26 p.m. and took his place at the Council Table.

The Subdivision Approving Officer left the Council Chamber at 3:26 p.m.

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- 5.5 Planning & Development Services Department, dated July 6, 1999 re: Official Community Plan Review – Status Report (6480-30)

The Planner-Long Range referred to charts displayed on the overhead projector to assist with presentation of the report outlining the progress of the OCP review to date.

Council discussed the public reaction to various issues.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

- R605/99/07/12** THAT the July 6, 1999 Official Community Plan status report of the Long Range Planning Manager be received for information.

Carried

The Long Range Planning Manager and the Planner-Long Range left the Council Chamber at 3:36 p.m.

Councillor Hobson left the Council Chamber at 3:36 p.m.

6. BYLAWS (ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR ADOPTION)

- 6.1 Bylaw No. 8385 (Z98-1052) – Lakeshore Dental Centres Inc. (Stacey March) – 1255 Gaggin Road

Moved by Councillor Nelson/Seconded by Councillor Leask

- R606/99/07/12** THAT Bylaw No. 8385 be adopted.

Carried

The Civic Properties Manager returned to the Council Chamber at 3:37 p.m.

- 6.2 Bylaw No. 8419 (TA99-003) – To add the RU6b – Two Dwelling Housing with Boarding or Lodging House zone

Moved by Councillor Leask/Seconded by Councillor Cannan

- R607/99/07/12** THAT Bylaw No. 8419 be adopted.

Carried

- 6.3 Bylaw No. 8420 (Z99-1024) - City of Kelowna – to rezone various properties from the RU6 zone to the RU6b zone

Moved by Councillor Cannan/Seconded by Councillor Leask

- R608/99/07/12** THAT Bylaw No. 8420 be adopted.

Carried

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The Licensing & Bylaw Enforcement Supervisors entered the Council Chamber and the Director of Planning & Development and the Current Planning Manager left at 3:38 p.m.

7. REPORTS7.1 Civic Properties Manager, dated July 8, 1999 re: Repair Projects/ Funding Required from Building Repair Reserve (1700-20)

The Civic Properties Manager reviewed the report for Council.

Moved by Councillor Nelson/Seconded by Councillor Leask**R611/99/07/12** THAT City Council approve an expenditure of \$58,900 from the Building Repair Reserve for the following emergency or unscheduled projects:

1.	Floor Drainage System Water St. Firehall	\$ 9,400
2.	Replacement of Fire Line/Rutland Arena	\$11,500
3.	Electrical Panel Repairs/Rutland Arena	\$ 3,700
4.	Roof Replacement (Pool Lounge Area) Parkinson Recreation Centre	\$ 4,800
5.	Roof Replacement (Office Area) Works Yard	\$25,000
6.	Replace High Pressure Washer/(Vehicle Maintenance Shop) Works Yard	\$ 4,500;

AND THAT the 1999 Budget document be so amended.

Carried

The Parks Operations & Maintenance Supervisor entered the Council Chamber and the Civic Properties Manager left at 3:40 p.m.

7.2 Licensing & Bylaw Enforcement Supervisor, dated June 28, 1999 re: Amendments to Dog Regulation and Impounding Bylaw No. 5880-88 – Impounding Fees for Vicious Dogs (B/L 8442)

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Licensing & Bylaw Enforcement Supervisor Al Dixon outlined the report for Council.

Moved by Councillor Nelson/Seconded by Councillor Blanleil

R612/99/07/12 THAT Council consider draft Bylaw 8442 that would amend Dog Regulation and Impounding Bylaw 5880-00 to increase the impounding fees for vicious dogs.

Carried

The Director of Parks & Leisure Services and the Electrical Manager entered the Council Chamber and the Licensing & Bylaw Enforcement Supervisors left at 3:44 p.m.

7.3 Parks Maintenance & Operations Supervisor, dated June 24, 1999 re: Kelowna Memorial Park Cemetery Bylaw Amendment (B/L 8427)

The Parks Maintenance & Operations Supervisor outlined the report for Council noting the Bennett Memorial Columbaria is now ready for marketing. The proposed rates have received pre-approval from Victoria.

Councillor Hobson returned to the Council Chamber at 3:45 p.m. and took his place at the Council Table.

Moved by Councillor Hobson/Seconded by Councillor Day

R613/99/07/12 THAT Kelowna Memorial Park Cemetery Bylaw No. 7967 be amended to include the regulations and tariffs for the Bennett Memorial Columbaria as outlined in Draft Bylaw No. 8427;

AND THAT the Parks Maintenance and Operations Supervisor be authorized to enter into Agency Agreements with local Funeral Directors to market the Columbaria niches on behalf of the City in accordance with the sample agreement attached to the report of the Parks Maintenance Operations Supervisor dated June 24, 1999;

AND FURTHER THAT the Cemetery Budget be amended to incorporate these initiatives.

Carried

The Parks Maintenance & Operations Supervisor left the Council Chamber at 3:50 p.m.

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- 7.4 Director of Parks & Leisure Services, dated July 6, 1999 re: Mission Greenway Management Regulation Contract (6140-30)

The Director of Parks & Leisure Services briefly outlined the report noting the agreement is housekeeping in nature as the Regional District is already managing the greenway.

Moved by Councillor Hobson/Seconded by Councillor Day

R614/99/07/12 THAT City Council approve the Mission Creek Greenway Management Regulation Contract as attached to the July 6, 1999 report from the Director of Parks & Leisure Services;

AND THAT the Mayor and Clerk be authorized to sign the agreement on behalf of the City.

Carried

The Inspection Services Manager entered the Council Chamber and the Director of Parks & Leisure Services left at 3:51 p.m.

- 7.5 Electrical Manager, dated July 6, 1999 re: Wholesale Power Agreement Amendment (5520-01)

The Electrical Manager briefly presented the report for Council.

Moved by Councillor Leask/Seconded by Councillor Cannan

R615/99/07/12 THAT the Mayor and City Clerk be authorized to execute an agreement to extend the expiry date of the City's service agreement with West Kootenay Power Ltd. from June 30, 1999 to October 31, 1999.

Carried

The Electrical Manager left the Council Chamber at 3:52 p.m.

- 7.6 Inspection Services Manager, dated June 30, 1999 re: ST98-07 – Application for Stratification of a 31-Unit Apartment Building – 780 Leon Avenue (3760-10)

The Inspection Services Manager outlined the report for Council and confirmed that the existing tenants would have first right of refusal to buy the units and the units would be sold as they become vacant.

Acting-Mayor Bremner invited anyone in the public gallery who deemed themselves affected by the stratification to come forward. There was no response.

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R616/99/07/12 THAT the application to stratify the 31 Unit Apartment building located on Lot A, Plan 38631 – 780 Leon Avenue, be approved in the name of Lynn Welder Consulting Ltd. with the following conditions:

1. That the requirements of the Building Inspection Division be completed;
2. That the requirements of the Electrical and Mechanical Engineers be completed;
3. That the requirements of the Works & Utilities Department with regard to the lane upgrades (including \$25,500 bond) and the 0.75 metre rear lane dedication be completed.

Carried

The Director of Works & Utilities and the Wastewater/Pump Station Engineer entered the Council Chamber at 3:55 p.m.

- 7.7 Inspection Services Manager, dated June 23, 1999 re: ST99-04 – Stratification of a Duplex – 1192/1196 Wilson Avenue (3760-10)

The Inspection Services Manager briefly outlined the report for Council.

Acting-Mayor Bremner invited anyone in the public gallery who deemed themselves affected by the stratification to come forward. There was no response.

Moved by Councillor Nelson/Seconded by Councillor Leask

R617/99/07/12 THAT the application to stratify the semi-detached dwelling located on Lot 56, D.L. 137, Plan 15035 – 1192/1196 Wilson Avenue be approved in the name of Barb Gregory and Wayne Ross with no conditions.

Carried

The Inspection Services Manager left the Council Chamber at 3:56 p.m.

- 7.8 Director of Works & Utilities, dated July 7, 1999 re: Award of Construction Contract – Ethel Street Trunk Sewer (5340-07)

The Wastewater/Pump Station Engineer presented the report and advised the timing for completion of the works included in the contract.

Moved by Councillor Leask/Seconded by Councillor Cannan

R618/99/07/12 THAT Peter Bros. Construction Ltd. be awarded the tender TE99-07 to carry out the construction of Ethel Street Trunk Sewer and associated works for the price of \$1,336,588.90, GST included;

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

Carried

The Director of Works & Utilities and the Wastewater/Pump Station Engineer left the Council Chamber at 3:57 p.m.

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- 8.1 Draft Resolution re: Highway Reserve Agreement – McCurdy Road (Wolf) (0911-20)

The City Clerk read the resolution and advised that the highway reserve is triggered by a subdivision application and that the consideration is for \$1 should the City exercise the option in future.

Moved by Councillor Nelson/Seconded by Councillor Shepherd

R619/99/07/12 THAT Municipal Council enter into a Highway Reserve Agreement in the standard City of Kelowna format, pursuant to Section 539(1) of the Municipal Act, with the registered owners of Lot 62, D.L. 143, Osoyoos Division Yale District, Plan 426 Except Plans 17786 and A12969 for consideration of \$1.00;

AND THAT the Mayor and City Clerk be authorized to sign the agreement and affix the corporate seal of the City of Kelowna to same.

Carried

- 8.2 Draft Resolution re: Highway Reserve Agreement – McCurdy Road (543988 Alberta Ltd.) (0911-20)

The City Clerk read the resolution and advised that the highway reserve is triggered by a subdivision application and that the consideration is for \$1 should the City exercise the option in future.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R620/99/07/12 THAT Municipal Council enter into a Highway Reserve Agreement in the standard City of Kelowna format, pursuant to Section 539(1) of the Municipal Act, with the registered owners of Lot A, D.L. 143, Osoyoos Division Yale District, Plan 15819 for consideration of \$1.00;

AND THAT the Mayor and City Clerk be authorized to sign the agreement and affix the corporate seal of the City of Kelowna to same.

Carried

- 8.3 Draft Resolution re: Highway Reserve Agreement – Clifton/Bennett/Dewdney Roads (Milestone Management Corp. et al) (0911-20)

The City Clerk read the resolution and advised that the highway reserve is triggered by a subdivision application and that the consideration is for \$1 should the City exercise the option in future.

Moved by Councillor Blanleil/Seconded by Councillor Day

R621/99/07/12 THAT Municipal Council enter into a Highway Reserve Agreement in the standard City of Kelowna format, pursuant to Section 539(1) of the Municipal Act, with the registered owners of Lot 1 and 2, Sec. 17, Twp. 23, Osoyoos Division Yale District, Plan KAP _____ for consideration of \$1.00;

AND THAT the Mayor and City Clerk be authorized to sign the agreement and affix the corporate seal of the City of Kelowna to the same.

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- 9.1 Bylaw No. 8427 – Amendment No. 4 to Kelowna Memorial Park Cemetery Bylaw No. 7967 bylaw

Moved by Councillor Shepherd/Seconded by Councillor DayR622/99/07/12 THAT Bylaw No. 8427 be read a first, second and third time.Carried

- 9.2 Bylaw No. 8442 – Amendment No. 13 to City of Kelowna Dog Regulation and Impounding Bylaw No. 5880-88 (impounding fees for vicious dogs)

Moved by Councillor Day/Seconded by Councillor ShepherdR623/99/07/12 THAT Bylaw No. 8442 be read a first, second and third time.Carried10. COUNCILLOR ITEMS(a) McCurdy Road Extension

Councillor Cannan enquired when the barricades will be removed for the McCurdy Road extension to be opened for traffic. The City Manager will investigate.

(b) Water Can Program

Councillor Shepherd enquired about the potential of the City of Kelowna participating in the Water Can Program. The City Manager advised that a staff report is pending.

11. TERMINATION

The meeting was declared terminated at 4:03 p.m.

Certified Correct:

 Acting-Mayor Bremner

 City Clerk

BLH/am