

Regular MeetingOctober 4, 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, October 4, 1999.

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

Council members absent: Mayor Walter Gray.

Staff members in attendance were: City Manager, R.A. Born; Acting-City Clerk, G.D. Matthews; Director of Planning & Development Services, R.L. Mattiussi*; Current Planning Manager, A.V. Bruce*; Long Range Planning Manager, L.V. Foster*; Inspection Services Manager, K. Skinner*; Civic Properties Manager, H.R. Hyatt*; Director of Works & Utilities, J. Vos*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

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

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

3. PUBLIC IN ATTENDANCE

3.1 Presentation re: National Family Week

Jan Sutherland, representing the Family Therapy Learning Circle, a volunteer group of Kelowna therapists committed to building family relationships, gave a brief presentation to promote National Family Week.

Acting-Mayor Shepherd read a proclamation declaring October 4-10, 1999 as Family Week.

3.2 Presentation by Al Harrison, Negotiator re: Master Agreement Respecting the Transfer of Gallagher Canyon Lands to Reserve Status

Al Harrison, Negotiator, circulated copies of the proposed Master Agreement and gave a brief overview of the contents of the agreement. The agreement deals with the conditions and issues surrounding transfer of 2,916 acres (1,182 ha) of Gallagher Canyon lands that were purchased by Westbank First Nation in the early 1980s to Reserve Status. The Westbank First Nation Council have resolved that once the Gallagher Canyon lands get reserve status, the land would be used for community housing for the members of Westbank First Nation and the proposed land use plan shows minimum 5 acre parcels.

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Mr. Harrison responded to questions of Council clarifying various aspects of the agreement.

Moved by Councillor Leask/Seconded by Councillor Nelson

R813/99/10/04 THAT the verbal presentation by Al Harrison and the written report dated September 23, 1999 from the Regional District of Central Okanagan concerning the proposed Master Agreement between the Westbank First Nation and Local Government respecting the application by Westbank First Nation for the transfer of Gallagher Canyon lands to Reserve status be received as presented;

AND THAT the proposed Master Agreement be made available to the public for their written comments to be received at the Regional District offices on or before October 29th, 1999.

Carried

Acting-Mayor Shepherd altered the order of business and advised that agenda item No. 5 would be dealt with next.

5. PLANNING

5.1 Planning & Development Services Department, dated September 30, 1999 re: Rutland Town Centre Streetscape Plan (6530-07)

The Long Range Planning Manager briefly outlined the report for Council.

Moved by Councillor Hobson/Seconded by Councillor Day

R814/99/10/04 THAT \$9,440.00 plus applicable taxes be allocated from funds within the approved 1999 Neighbourhood Planning Account No. 311-10-162-0-371 to accommodate consultant fees for the preparation of the Rutland Town Centre Streetscape Plan to be prepared by L.A. West Landscape Architects.

Carried

5.2 Planning & Development Services Department, dated September 30, 1999 re: Agricultural Land Reserve Appeal No. A99-108 - Eldorado Ranch Ltd. (Rod Cook/Kent-MacPherson Appraisals) – 475 Beaver Lake Road (6635-20)

The Current Planning Manager presented an overview of the application advising that Western Star is proposing to develop a world-class industrial park that would accommodate a proposed new assembly plant for Western Star Trucks and also serve as Western Star's International Headquarters. The proposed approximately 200 acre industrial park would be of sufficient size to also accommodate the associated manufacturers and suppliers thus allowing Western Star to implement a Just-in-Time manufacturing concept. The subject application is for the exclusion of the 65 acres of the site that are within the Agricultural Land Reserve. Concurrent with this application, the City will submit a special case application to the Agricultural Land Commission for the major access road alignment to the site.

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Councillor Bremner entered the Council Chamber at 2:39 p.m. and took her place at the Council Table.

Moved by Councillor Blanleil/Seconded by Councillor Leask

R815/99/10/04 THAT Agricultural Land Reserve Appeal No. A98-112, East ½ of Sec. 2, Twp. 20, O.D.Y.D., except Plans 19099, 19644 and A15293; and East ½ of the West ½ of Sec. 2, Twp. 20, O.D.Y.D., except (1) Part outlined in red on Plan B1048 and (2) Plans 19099 and 19644, located south of Beaver Lake Road, Kelowna, BC, for exclusion from the Agricultural Land Reserve pursuant to Section 15(1) of the Agricultural Land Commission Act be supported by the Municipal Council;

AND THAT Municipal Council forward the subject application to the Agricultural Land Commission.

Carried

- 5.3 Planning & Development Services Department, dated September 29, 1999 re: Downtown North Area Structure Plan ASP96-004; OCP Amendment No. OCP99-012; Heritage Revitalization Agreement HRA99-001; and Rezoning Application No. Z99-1027 – John Steil/Stantec Consulting Ltd. – Former CN Rail Lands Between Sunset Drive/Richter Street (3360-20)

Withdrawn by the applicant.

The Civic Properties Manager entered the Council Chamber and the Director of Planning & Development Services, the Long Range Planning Manager and the Current Planning Manager left at 2:40 p.m.

4. CORRESPONDENCE

- 4.1 Regional Solid Waste Management Committee, dated September 29, 1999 re: Regional Recycling Program Recommendations (5360)

Director Novakowski, chair of the committee, presented the report and outlined the recommendation to go to curbside pick-up of recyclables with costs shared throughout the region. This would result in an annual impact of about \$10-\$12 per household more than what residents are currently paying for the depot system. The service would start July 1, 2000 and then be ongoing.

Jan Enns, waste reduction coordinator for the Regional District, outlined the criteria in the request for proposals and the main reasons for recommending curbside collection instead of continuing with the depot system. She advised that 70% of those polled and 86% of those in the pilot project indicated willingness to pay the additional cost for curbside pick-up. Curbside pick-up would assist in meeting the goal for 50% waste reduction to the landfill and would leave the door open for further reducing waste to the landfill to 1 bag limits.

Council expressed concern that a move to curbside pick-up of recyclables may not assist much in the 50% waste reduction objective given that businesses and multi-family developments would not be included in the curbside collection program. Council was also concerned about imposing the additional cost for this program on homeowners when the tax impact for next year is still unknown.

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R816/99/10/04 THAT further consideration of the report dated September 29, 1999 from the Regional Solid Waste Management Committee recommending the award of a contract to implement a 'blue-bag' curbside recycling collection program in year 2000 be deferred in order for Council to receive input from the public with a report back from staff by November 1, 1999.

Carried5. PLANNING

5.1 Planning & Development Services Department, dated September 30, 1999 re: Rutland Town Centre Streetscape Plan (6530-07)

Dealt with after agenda item No. 3.2.

5.2 Planning & Development Services Department, dated September 30, 1999 re: Agricultural Land Reserve Appeal No. A99-108 - Eldorado Ranch Ltd. (Rod Cook/Kent-MacPherson Appraisals) – 475 Beaver Lake Road (6635-20)

Dealt with after agenda item 5.1 after No. 3.2

5.3 Planning & Development Services Department, dated September 29, 1999 re: Downtown North Area Structure Plan ASP96-004; OCP Amendment No. OCP99-012; Heritage Revitalization Agreement HRA99-001; and Rezoning Application No. Z99-1027 – John Steil/Stantec Consulting Ltd. – Former CN Rail Lands Between Sunset Drive/Richter Street (3360-20)

Withdrawn from the agenda by the applicant.

The Inspection Services Manager entered the Council Chamber at 3:35 p.m.

6. REPORTS

6.1 Civic Properties Manager, dated September 15, 1999 re: Eldorado Yacht Harbour Ltd. – License to Use at Lakeshore Boat Launch Facility (6340-30)

The Civic Properties Manager briefly outlined the report for Council noting the initial term would be for 5 years with options to renew for two additional 1 year terms.

Councillor Blanleil left the Council Chamber at 3:40 p.m.

Moved by Councillor Nelson/Seconded by Councillor Leask

R817/99/10/04 THAT City Council approve a Licence to Use Agreement with Eldorado Yacht Harbour Ltd. for crossing to and using the Lakeshore Boat Launch Facility for the purpose of operating a dryland moorage operation on the adjacent property.

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The Director of Works & Utilities entered the Council Chamber and the Civic Properties Manager left at 3:45 p.m.

Councillor Blanleil returned to the Council Chamber at 3:46 p.m. and took his place at the Council Table.

6.2 Inspection Services Manager, dated September 27, 1999 re: Off-Premise Sales – Rose's Waterfront Pub – 1352 Water Street (0540-20)

The Inspection Services Manager outlined the report for Council and advised that subsequent to writing this report the Director of Leisure Services pointed out that the promenade is part of the City's parks system and expressed concern that some people may take their alcohol and consume it in the park. The Director of Leisure Services did not, however, recommend that the staff recommendation to Council be changed.

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R818/99/10/04 THAT the Liquor Control and Licensing Branch be advised that Council has no objection to the off-premise sale of beer, cider and coolers from Rose's Waterfront Pub located at 1352 Water Street.

Carried

The Inspection Services Manager left the Council Chamber at 3:47 p.m.

6.3 Electrical Manager, dated September 7, 1999 re: 1999 Electrical Budget Amendment

The Director of Works & Utilities briefly reviewed the report for Council noting this assessment would provide a good indication of long term capital expenditures which in turn would allow development of an 8 year capital plan. The balance (75%) of the required funding would be in the year 2000 budget.

Moved by Councillor Hobson/Seconded by Councillor Nelson

R819/99/10/04 THAT Council approves the following amendments to the 1999 Electrical Budget:

Project:

5300 W444 E0300 – Pole Replacement	Cancelled	\$158,000
Mapping and Condition Assessment – A405 (25% only)	New (system mapping)	\$130,000

Carried

The Director of Works & Utilities left the Council Chamber at 3:49 p.m.

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7. RESOLUTIONS

- 7.1 Draft Resolution re: Highway Reserve Agreement - Shell Canada Products Ltd. – Lane Between Richter and Bertram Street (0911-20)

The City Clerk read the resolution for the benefit of Council and the viewing audience and advised the highway reserve is for future widening of the lane adjoining the property.

Moved by Councillor Blanleil/Seconded by Councillor Hobson

R820/99/10/04 THAT staff be authorized to enter into a Highway Reserve Agreement in the standard City of Kelowna format, pursuant to Sec. 539(1) of the *Municipal Act*, with the registered owners of Lot A, D.L. 139, O.D.Y.D. Plan 36779 for consideration of \$1.00;

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

Carried

8. COUNCILLOR ITEMS

- (a) Second Hand Dealer and Pawnbroker Regulation Bylaw

Councillor Cannan commented that it has been 6 months since Council last discussed the Pawnbroker Bylaw and enquired when staff will be reporting back on the level of compliance and staff time spent on enforcement of the bylaw. The City Manager will investigate.

9. TERMINATION

The meeting was declared terminated at 4:04 p.m.

Certified Correct:

Acting-Mayor Shepherd

Acting-City Clerk

BLH/bn