

Regular Meeting – P.M.March 19, 2001

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, March 19, 2001.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, R.D. Cannan, B.A. Clark, B.D. Given, J.D. Nelson* and S.A. Shepherd.

Council members absent: Councillors C.B. Day and R.D. Hobson

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, A. Flack; Director of Planning & Development Services, R.L. Mattiussi*; Subdivision Approving Officer, R.G. Shaughnessy*; Director of Works & Utilities, J. Vos*; Director of Parks & Leisure Services, D.L. Graham*; Civic Properties Manager, H.R. Hyatt*; Revenue Manager, L. Walter*; and Acting-Council Recording Secretary, L.M. Taylor.

(* denotes partial attendance)

1. CALL TO ORDER

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

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

3. PLANNING

3.1 Planning & Development Services Department, dated March 13, 2001 re: Z95-1015 – Canyon Creek Joint Venture (John Steil/Stantec Consulting Group) – 5050 McCulloch Road (3360-20)

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R206/01/03/19 THAT in accordance with the Development Application Procedures Bylaw No. 8140 the deadline for adoption of Zone Amending Bylaw No. 8517 (Z95-1015 – Canyon Creek Joint Venture (John Steil/Stantec Consulting Group Ltd.) – McCulloch Road) be extended to September 21, 2001.

Carried

3.2 Planning & Development Services Department, dated March 13, 2001 re: Agricultural Land Reserve Appeal No. A01-101 – Canada Lands Company CLC Ltd. (Rod Cook/Kent-MacPherson) – 5000 Block of Highway 97 North (6635-20)

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R207/01/03/19 THAT Agricultural Land Reserve Appeal No. A01-101 for That Part of the N.E. ¼, Sec. 11, Twp. 23, O.D.Y.D. shown on Plan 2086D except Plan KAP55166, located on Highway 97, Kelowna, B.C., for exclusion from the Agricultural Land Reserve pursuant to Section 12(1) of the *Agricultural Land Commission Act* be supported by the Municipal Council subject to the following condition:

1. preservation of the wetland feature on the site;

AND THAT Municipal Council forward the subject application to the B.C. Land Reserve Commission.

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4. REPORTS

4.1 Director of Works & Utilities, dated March 14, 2001 re: Undergrounding of Wires and Cables (5520-01)

Staff:

- Currently the City has a policy to require burial of all wires and cables as part of all new development; with cooperation from Telus and Shaw Cable the City has been undergrounding existing overhead wires in the City electrical service area.
- Recent deregulation of the telecommunications industry has limited the ability of Telus and Shaw Cable to financially participate in the cost of undergrounding.
- Costs of maintaining, relocating and upgrading existing underground cables is approximately three times as high as overhead cables.
- Primary benefit of burying wires is beautification of neighbourhood.
- Current policies are not working and recommend developers be responsible for installation of underground wires and cables in new streets created by development and for burial of overhead wires fronting their property for new development in urban town centres and residential urban village areas.
- Recommend that redevelopment in areas outside of urban town centres and residential urban villages be given the option of burying overhead wires.
- Recommend that in the City electrical service area the City continue to bury existing wires where all telecommunications companies agree to share the costs; and where requested by residents, the City fund 100% of costs of burying electrical wires and the residents pay any costs related to the telecommunication wires under a local improvement process.
- City currently has a request from the residents of Marshall Street to bury the existing overhead wires in their area.

Moved by Councillor Nelson/Seconded by Councillor Given

THAT Council approve the strategy for the burial of electrical wires and communication cables as outlined in the report of the Director of Works & Utilities dated March 14, 2001;

AND THAT staff be directed to bring forward changes to Council Policy No. 101, Subdivision, Development and Servicing Bylaw No. 7900 and Local Improvement Bylaws to reflect this strategy change.

Council:

- Questioned the implications of the CRTC decision of Ledcor vs. Vancouver.
- Concerned that if the new policy is not approved the taxpayers would be paying the entire costs on undergrounding.
- City should continue undergrounding to promote beautification.
- Suggested the request from the Marshall Street residents could be dealt with separately.
- Requested detailed cost implications of continuing to bury wires for beautification and what share should be allocated to telecommunication companies.

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Moved by Councillor Cannan/Seconded by Councillor Nelson

R208/01/03/19 THAT consideration of the report dated March 14, 2001 from the Director of Works & Utilities regarding the Undergrounding of Wires and Cables be deferred;

AND THAT staff be instructed to prepare a report outlining the alternatives available for the undergrounding of wires and cables as requested by the Marshall Street residents;

AND FURTHER THAT staff be instructed to prepare a report on the cost implications of maintaining the current City policy on undergrounding of wires and cables and on the official position of FCM and UBCM in light of the recent CRTC decision of Ledcor vs. Vancouver.

Carried

4.1.1 City Clerk, dated March 19, 2001 re: Athans Aquatic Centre Agreements Authorization Bylaw No. 8635 & Athans Aquatic Centre Loan Authorization Bylaw No. 8638 (8635 & 8638)

Moved by Councillor Nelson/Seconded by Councillor Given

R209/01/03/19 THAT Council receive the Certificate of Sufficiency dated March 19, 2001 pertaining to the Athans Aquatic Centre Agreements Authorization Bylaw No. 8635;

AND THAT Council receive the Certificate of Sufficiency dated March 19, 2001 pertaining to the Athans Aquatic Centre Loan Authorization Bylaw No. 8638.

AND THAT Bylaw Nos. 8635 and 8638 be advanced for adoption consideration by Council.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

4.1.1(a)Bylaw No. 8635- Athans Aquatic Centre Agreements

Moved by Councillor Given/Seconded by Councillor Nelson

R210/01/03/19 THAT Bylaw No. 8635 be adopted.

Carried

4.1.1(b)Bylaw No. 8638 – Athans Aquatic Centre Loan Authorization

Moved by Councillor Nelson/Seconded by Councillor Given

R211/01/03/19 THAT Bylaw No. 8638 be adopted.

Carried

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- 4.2 Civic Properties Manager, dated March 14, 2001 re: Athans Aquatic Centre Expansion (0760-20)

Moved by Councillor Cannan/Seconded by Councillor Blanleil

R212/01/03/19 THAT Council award the contract for the construction of the Athans Aquatic Centre Expansion to the low bidder, C & T Construction Management Ltd., in the amount of Two Million, Three Hundred Twenty Thousand, Eight Hundred Thirty Dollars (\$2,320,830.00) including G.S.T., and three Separate Price items totalling Twenty-Five Thousand, Five Hundred Dollars (\$25,500.00) plus G.S.T.

Carried

- 4.3 Deputy Director of Finance, dated March 15, 2001 re: Bylaw to Charge the 2001 Sterile Insect Release (SIR) Parcel Tax to Specific Rolls (1820-05; B/L 8653)

Moved by Councillor Nelson/Seconded by Councillor Given

R213/01/03/19 THAT Council forward Bylaw 8653 to charge the 2001 Sterile Insect Release (SIR) Parcel Tax to individual rolls in accordance with the 2001 SIR Parcel Tax Assessment Roll provided to the City of Kelowna by the Regional District of North Okanagan, for reading consideration.

Carried

Councillor Blanleil opposed

5. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 5.1 Bylaw No. 8653 – Sterile Insect Release Program Parcel Tax 2001

Moved by Councillor Cannan/Seconded by Councillor Blanleil

R214/01/03/19 THAT Bylaw No. 8653 be read a first, second and third time.

Carried

Councillor Blanleil opposed

- 5.2 Bylaw No. 8656 – Amendment No. 1 to Five Year Financial Plan (2001-2005) Bylaw No. 8628

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R215/01/03/19 THAT Bylaw No. 8656 be read a first, second and third time.

Carried

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6. COUNCILLOR ITEMS

(a) Parking for Skyreach Events

It was reported a number of cars parked along St. Paul Street had received parking tickets during a recent event at Skyreach. Staff were requested to put a reminder in Council Highlights about the parking restrictions on the residential streets around Skyreach.

Councillor Nelson left the Council Chamber at 2:55 p.m.

(b) Kelowna Secondary School Property

Staff were requested to contact the Ministry of Finance for an update on the status of the ownership of the KSS property.

7. TERMINATION

The meeting was declared terminated at 3:00 p.m.

Certified Correct:

Mayor

LMT/bn

Deputy City Clerk