

Report to Council



Date: May 30, 2016
File: 0705-31
To: City Manager
From: Divisional Director, Community Planning & Real Estate
City Clerk
Subject: Westbank First Nation - Proposed Additions to Reserve
Report Prepared by: City Clerk

Recommendation:

THAT Council authorizes the Mayor, on behalf of Council, to sign the letter to Indigenous and North Affairs Canada, BC Region regarding Westbank First Nations Proposed Additions to Reserve, in the form attached to the report of the Divisional Director, Community Planning & Real Estate and the City Clerk dated May 30, 2016

Purpose:

To provide City comment on the proposed additions to Westbank First Nation reserve

Background:

Westbank First Nation ("WFN") has applied to Indigenous and Northern Affairs to move seven (7) recently acquired lands into reserve status. Five (5) of the parcels are within the City of Kelowna boundary. The parcels were either purchased by WFN or acquired as part of the April 18, 2005 Agreement between Her Majesty the Queen in Right of the Province of British Columbia as represented by the Minister of Transportation and WFN.

The properties within the City are:

McCulloch Rd (670 acres);
Spiers Rd (20 acres);
Hereron Rd (40.5 acres);
Gallagher's Canyon (3.78 acres); and
Vintage Terrace (0.07 acres).

Staff supports the additions to reserve, with the following acknowledgements included as part of the letter to Indigenous and Northern Affairs:

- Any future development of the subject lands that may require servicing by the City of Kelowna (water, sewer, transportation access) would be subject to the same bylaws and regulations as non-reserve lands with respect to cost allocations.
- That WFN recognize and respect that Parcel 3 noted above has two unique components associated with it:
 - That it is subject to a road reserve in favor of the City of Kelowna; which at the time of writing of this letter, the City and WFN are in the process of converting to a road dedication.
 - That there are specific aeronautical zoning specifications that must be adhered to, so as not to impact the operation and planned expansion of Kelowna International Airport (2025 and 2045 YLW Masterplan).

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

Doug Gilchrist, Divisional Director, Community Planning & Real Estate
Stephen Fleming, City Clerk