

Regular Meeting – P.M.April 10, 2006

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, April 10, 2006.

Council members in attendance: Mayor Sharon Shepherd, Councillors A.F. Blanleil, B.A. Clark, C.B. Day, B.D. Given, C.M. Gran, R.D. Hobson and M.J. Rule.

Council members absent: Councillor N.J. Letnick.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, A.M. Flack; Director of Planning & Corporate Services, R.L. Mattiussi\*; Manager of Development Services, A.V. Bruce\*; Manager of Community Development & Real Estate, D.L. Shipclark\*; Community Planning Manager, T. Eichler\*; Sport & Recreation Manager, J. Gabriel\*; Parks Manager, J. Creron\*; Parks Operation & Maintenance Supervisor, T. Sophonow\*; and Council Recording Secretary, B.L. Harder.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 1:33 p.m.

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

3. PUBLIC IN ATTENDANCE

3.1 Civic Awards Committee re: 2005 Civic Awards

Jim Gabriel:

- Announced the finalists in each category.
- The award ceremony is on April 20<sup>th</sup> at The Grand Hotel.

3.2 Supportive Housing Project

- 24 delegations

Reg Olson, Carmel Court Condominium:

- Speaking as Chair of the Board of Directors of the 64 unit complex at 1450 Bertram Street.
- The Board is opposed. People are promising to move if this project goes ahead.

Clint McKenzie, Downtown Kelowna Association (DKA):

- Representing the Board of Directors of the DKA.
- The Board is concerned about the economic impact on the businesses in the downtown area.

Brad Dunlop, 1040 Thompson Road:

- Was a member of the site selection task force.
- The downtown was well represented on the task force.
- Cannot continue to ignore the homeless problem in Kelowna and this first project has to go somewhere. The next facilities need to be integrated throughout the community.
- The Province is providing financial and operational support for this project. If the project does not proceed, it will be a long time before this type of partnership opportunity comes up again.
- Traditional abstinence programs do not work for everyone. The Harm Reduction model helps people who stumble along the way.

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Garry Enns,

- Is involved with an organization that provides an abstinence based program that is faith based and focuses on emotional and physical well-being of the person. The program has taken the test of time and continues to work. The organization works with Interior Health, Mental Health, the RCMP and other institutions and has homes scattered throughout Kelowna.
- Recommend scattered housing.

Lisa Frankowski – not available.

Joe Gordon, Gordon & Company:

- His business is at 1433 St. Paul Street. Found out about the intention to put the proposed supportive housing facility at 1436 St. Paul Street about one month after moving and signing a 5 year lease.
- Other tenants in the building are planning to move out.
- There are no significant substance abuse services downtown for a reason. Some are downtown but they extol the virtues of mobile counsellors. Those downtown are largely available for those who pay for them.
- The services people with substance abuse require are not downtown yet that has been assumed in the deliberations of the site selection task force.
- St. Paul Street is in the 'red zone'. The proposed facility does not belong in Kelowna's red zone.
- 'Wet' does not work. It allows room for the people to slip up but that is when they commit the crime to get the money to buy their drugs.

Ian Graham:

- Was a member of the site selection task force. Is also chair of the Homelessness Steering Committee and volunteers with many other organizations.
- Spoke in support of the location and the operational premise proposed by the Interior Health Authority.
- The proposed project is housing where tenancy is controlled in that the tenants may slip and use their drug of choice without being evicted. This is no different than what can happen in any house in the City of Kelowna.
- Kelowna could use a 300 bed facility but 30 beds are better than none at all.

Richard Berlin, Shanri Investments Ltd.:

- Lives in Victoria but his family owns commercial property (The Bargain Store) in downtown Kelowna that would be impacted by the proposed facility. Finding tenants of substance for the property has over the years been difficult. However, four years ago exciting things started happening in the downtown and that revitalization prompted his family to start looking for projects for redevelopment of their property. Plans for a mixed use project have already commenced for redevelopment of the site through a joint venture relationship.
- The proposed facility is needed but would drastically alter downtown Kelowna at the proposed location. If the facility proceeds at the proposed location, his family will likely continue to lease their property to a lower end merchant rather than proceed further with plans for redevelopment.

Jan Johnson – not available.

Colleen Kane:

- Has been a resident of Kelowna since 1988.
- The proposed location and description of the facility is ludicrous. Millions of dollars have already been spent to revitalize the downtown. This would be a major step back.
- It would be better to find these people individual apartments in and around the city.
- Many people have gone through abstinence based programs and gone on to lead productive lives. How many have survived Harm Reduction programs?

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Randy Benson, Executive Director of the Kelowna Gospel Mission:

- People who are sick often come back to health in stages. Not everyone is ready to enter total abstinence programs so they end up on the street. Of the 52 men that were at the Mission last night at least 12 would be likely candidates for the proposed facility and ultimate abstinence.
- His name is in the source list attached to a submission from the St. Paul Business Committee (SPBC) to the site review task force. Clarified that the Gospel Mission was not consulted by the SPBC and including his name in the source list infers that he supports the recommendations of the SPBC – that is not the case.

Kim Stanyer, Kelowna Homelessness Steering Committee:

- Played a video to put a face on the homeless in Kelowna and the need for housing and programs for these people.

Randy LaRue:

- Is speaking in support of the St. Paul Business Committee.
- Owns property in the 200 block of Lawrence Avenue. A property in that block was rezoned and became a nightclub, despite his lobbying against the rezoning, and now the others in the block have to pay for patrolled parking and deal with the vandalism problems from people patronizing the club.
- Children have to be 4 km away to ride a bus to school. Why does the proposed facility have to be so close to services?
- Suggest that if the facility moves ahead at the proposed location, a snapshot be taken of the area as it is today and then again once it is built and then down the road for a comparison. And, the lease language needs to be such that if the Interior Health Authority does not perform, they are evicted.
- Instead of sending the message to our youth to just say no to drugs, this is saying drugs and substance abuse is okay.

Anna Morris, on behalf of Shannon Lavell:

- Supports the site selected by the task force.
- Talked about the importance of social programs and transitional housing for people with mental illness and problems with substance abuse, based on personal experience with family members.

R. Livingston:

- Commercial viability in the downtown core has been eroding.
- There are other locations where the proposed facility could be built.
- Save the downtown core for everyone.

Michael Loewen:

- Is a member of the Kelowna Homelessness Steering Committee but is speaking on his own behalf.
- The St. Paul Business Committee has helped to heighten public awareness of homelessness. However, the committee is not the group most affected – it is the group who need the housing and they won't be appearing here today.
- The proposed housing would be part of the solution not the problem.

Michael Neill:

- He and his wife own Mosaic Books. They decided to keep the book store in the downtown because of the City's plans to revitalize the downtown.
- Concerned that the good intentions of the Interior Health Authority is just an experiment. Site 'J' is probably the best location.
- 100% of the task force criteria was concerned only about the 30 people it was serving.
- The proposed area is prime for high density housing for full time residents of all income levels.
- A 'wet' facility is a negative on the surroundings.

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George Schell, Pentell Developments Ltd.:

- Is in favour of a much needed facility to address the needs of the homeless, but not of locating it in an area that Council has been trying to revitalize.
- There has been an overwhelming consensus to relocate the Gospel Mission to a better location. The proposed facility serves the same population and will bring them back downtown again.
- His company is part of a joint venture that was about to commence redevelopment of The Bargain Store site.

David Popp:

- Has been an addictions counsellor. Addicts are in and out of support facilities with little positive results. Trying to solve homelessness, addictions and mental health on an untried model is folly. The proposed facility is not likely to be any different other than giving the addicts a home to practise their addictions in.
- There should not be a deadline on this project but since there is, Council should petition for an extension of the deadline.

Darlene Ramsay:

- The proposed location could potentially wipe out the downtown businesses.
- Drug addicts and crime are synonymous and there are seniors living within ½ block of the proposed facility.
- Bus them to the downtown when they need to be here.

James Ramsay, Interior Equities:

- Owns a property on St. Paul Street right across from the proposed 'wet' facility site and has already lost potential tenants.
- Concerned that there may be strings attached to the grants for capital and operational funding, and about where the shortfall would come from if the \$500,000 is not enough to operate the facility.
- Council has insufficient information to make the decision that has to be made.
- Find another location instead of putting this facility in the path of proposed new development that would be good for the downtown.

Jim Carta, St. Paul Business Committee:

- Supports compassion but with accountability and minimization of risk.
- Understands that the committee wants to help the needy but does not understand why the proposed facility has to be downtown.
- Group homes and scattered housing work and some in Kelowna already follow the harm reduction model.
- It would be better to give the money to the existing service providers to enhance their facilities as they are now.
- The facility should not be where substances are readily available and visible.
- If there are no strings attached to the funding, we should be able to keep it and find another location or another solution.

Theresa Shaver:

- Is a resident on Bertram Street and works on St. Paul Street.
- The majority of the residents in her building are seniors and disabled. If this proceeds, they will be prisoners in their homes in the evening.
- What about the rights of the taxpaying law abiding citizens?
- Supports helping people who want help, not enabling addicts who want to keep hurting themselves.
- Temptation in the downtown is too great for them to get rid of their addiction problem.
- The proposed facility is to hide/warehouse addicts until they die or kill themselves. If the expectation is not to stop the abuse, addicts will give up on themselves.
- The facility will kill the cultural area.

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Ira Roness, Alcohol &amp; Drug Services, Interior Health Authority:

- Outlined initiatives that are proposed in addition to the housing initiative for mental health & addiction plans.
- Interior Health will be involved in the screening for motivation/readiness and suitability for this facility and will provide counselling services and support workers.
- The facility will be staffed 24 hours per day, 7 days per week.
- A community advisory committee will be established to address the concerns of the community. The typical tenants will be individuals who want to improve their health and who are already involved in treatment services.
- Tenants would be evicted for any behaviour that is not appropriate.
- Interior Health is committed to make immediate changes whenever the need for improvements is identified.

Dr. Don Duncan, Medical Director Mental Health &amp; Addictions, Interior Health Authority:

- Harm reduction is an approach that is not abstinence based.
- A facility modelled on harm reduction is needed to fill an existing gap in service in Kelowna.
- It is difficult to change behaviour; have to anticipate that some who are committed to change will slip.
- The IHA will screen for housing readiness and treatment commitment. Residents will have to sign a contract. As long as they are trying, they will not be kicked out just because they slip.
- This is not an experiment. There is research that demonstrates effectiveness for the goals.

James Munroe, Regional Development Manager for the Interior, BC Housing:

- The Housing provider will lease the land, lead the development, manage construction and the housing once it is built and will be the community liaison. The Housing provider will also provide property management staff on site as required.
- Hope to complete the site selection this month, select the housing provider in May and have plans for building designs ready in June and start of construction start in winter 2006/2007.

5. DEVELOPMENT APPLICATION REPORTS5.1 Rezoning Application No. Z06-0009 – Silvano & Domenica Vizzutti (Harvey Benson) – 1749 KLO Road (BL9594)

- (a) Planning & Corporate Services report dated March 8, 2006

Moved by Councillor Hobson/Seconded by Councillor Given

**R322/06/04/10** THAT Rezoning Application No. Z06-0009 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, District Lot 131, O.D.Y.D. Plan 13722 except Plan KAP78946, located on K.L.O. Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RU6 – Two Dwelling Housing zone be considered by Council;

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

AND THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of Preliminary Layout Review Letter by the Approving Officer.

Carried

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Bylaw No. 9594 (Z06-0009) - Silvano & Domenica Vizzutti (Harvey Benson) – 1749 KLO Road

*To rezone the property from A1 – Agriculture 1 to RU6 – Two Dwelling Housing to facilitate a subdivision to create 3 new lots from the existing lot, with two principal dwellings on each of the 3 proposed lots.*

Moved by Councillor Gran/Seconded by Councillor Clark

**R323/06/04/10** THAT Bylaw No. 9594 be read a first time.

Carried

5.2. Rezoning Application No. Z06-0006 – Robert McArthur (Cassandra Tompkins/Robert McArthur) – 324 Park Avenue (BL9596)

(a) Planning & Corporate Services report dated March 30, 2006

Moved by Councillor Blanleil/Seconded by Councillor Gran

**R324/06/04/10** THAT Rezoning Application No. Z06-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 14, O.D.Y.D. Plan 3998, located on Park Avenue, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council;

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

Carried

(b) **BYLAW PRESENTED FOR FIRST READING**

Bylaw No. 9596 (Z06-0006) - Robert McArthur (Cassandra Tompkins/Robert McArthur) – 324 Park Avenue

Moved by Councillor Gran/Seconded by Councillor Given

**R325/06/04/10** THAT Bylaw No. 9596 be read a first time.

Carried

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5.3 Rezoning Application No. Z06-0011 – Mark Elgood (Lynn Welder) – 827 Wardlaw Avenue (BL9595)

- (a) Planning & Corporate Services report dated March 29, 2006

Moved by Councillor Given/Seconded by Councillor Day

**R326/06/04/10** THAT Rezoning Application No. Z06-0011 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, DL 135, ODYD, Plan 7821 located on Wardlaw Avenue, Kelowna, B.C. from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone be considered by Council;

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

AND 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

- (b) **BYLAW PRESENTED FOR FIRST READING**

Bylaw No. 9595 (Z06-0011) - Mark Elgood (Lynn Welder) – 827 Wardlaw Avenue

Moved by Councillor Given/Seconded by Councillor Clark

**R327/06/04/10** THAT Bylaw No. 9595 be read a first time.

Carried

5.4 Rezoning Application No. Z06-0007 – F & H Homes Ltd. (Huber Developments Ltd.) – 4600 Lakeshore Road (BL9593)

- (a) Planning & Corporate Services report dated March 16, 2006

Moved by Councillor Blanleil/Seconded by Councillor Clark

**R328/06/04/10** THAT Rezoning Application No. Z06-0007 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 25, Township 28, SDYD Plan 25458, located on Lakeshore Road, Kelowna, B.C. from the C2 – Neighbourhood Commercial zone to the C2rls – Neighbourhood Commercial with Retail Liquor Store zone be considered by Council;

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

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

Carried

Councillor Hobson opposed.

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(b) **BYLAW PRESENTED FOR FIRST READING**

Bylaw No. 9593 (Z06-0007) - F & H Homes Ltd. (Huber Developments Ltd.) – 4600 Lakeshore Road

Moved by Councillor Blanleil/Seconded by Councillor Rule

**R329/06/04/10** THAT Bylaw No. 9593 be read a first time.

Carried

Councillor Hobson opposed.

6. **BYLAWS (ZONING & DEVELOPMENT)**

**(BYLAWS PRESENTED TO RESCIND 1<sup>ST</sup>, 2<sup>ND</sup> & 3<sup>RD</sup> READINGS AND CLOSE THE FILE)**

6.1 Bylaw No. 9135 (OCP03-0011) – LCC Holdings Inc. – 1094 Lawson Avenue **Requires majority vote of Council (5)**

Moved by Councillor Day/Seconded by Councillor Rule

**R330/06/01/10** THAT first, second and third readings given Bylaw No. 9135 under Resolutions No. R1051/03/12/16 and R029/04/01/13 be rescinded and the file closed.

Carried

6.2 Bylaw No. 9136 (Z03-0047) – LCC Holdings Inc. – 1094 Lawson Avenue

Moved by Councillor Rule/Seconded by Councillor Day

**R331/06/01/10** THAT first, second and third readings given Bylaw No. 9136 under Resolutions No. R1051/03/12/16 and R030/04/01/13 be rescinded and the file closed.

Carried

7. **NON-DEVELOPMENT APPLICATION REPORTS**

7.1 Financial Planning Manager, dated March 29, 2006 re: Funding Request for the Uptown Rutland Business Association (1950-06)

Deferred to April 24, 2006 Regular Meeting agenda.

7.2 Special Projects Planning Manager, dated April 4, 2006 re: Advisory Committee for Community and Womens Issues (0540-20; 0550-01)

Deferred to April 24, 2006 Regular Meeting agenda.



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- 7.3 Maintenance & Operations Supervisor, dated March 29, 2006 re: Janitorial Contract – Parks Washrooms 2006

Staff:

- Clarified that the contract would be for 1 year with four 1-year options for renewal at a bid price of \$180,521 per year.

Moved by Councillor Blanleil/Seconded by Councillor Clark

**R332/06/04/10** THAT the 2006 Parks Washrooms Janitorial Contract be awarded to the low bidder Great Master Cleaning Company for one year with four additional one year options for renewal, at a bid price of \$180,521 per year plus G.S.T.;

AND THAT the 2006 Financial Plan be amended to include an additional \$82,030 with funding to be determined at Council's Final Budget discussion on May 1, 2006.

Carried

- 7.4 Parks Manager, dated March 28, 2006 re: Dog Parks (6130-020)

Deferred to April 24, 2006 Regular Meeting agenda.

- 7.5 City Clerk, dated April 5, 2006 re: Local Area Service (No. 26) for Sanitary Sewer and Water System for Fisher Road

Moved by Councillor Hobson/Seconded by Councillor Day

**R333/06/04/10** THAT Council receive the Certificate of Sufficiency dated April 5<sup>th</sup>, 2006 pertaining to the proposed Local Service Area No. 26 (Fisher Road) for a Water System and a Sanitary Sewer Collection.

Carried

8. COUNCILLOR ITEMS – None.

9. TERMINATION

The meeting was declared terminated at 5:31 p.m.

Certified Correct:

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Mayor

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City Clerk

BLH/am