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Memo



Date: July 29, 2011
File: Bylaw
To: City Manager
From: City Clerk
Subject: Condition of Rezoning Kelowna General Hospital site - Community Engagement Memorandum of Understanding between Interior Health and the City of Kelowna

Recommendation:

THAT Council approves the City entering into a Memorandum of Understanding with Interior Health, regarding Commitment to Community Engagement at Kelowna General Hospital, in the form attached to the Report of the City Clerk, dated July 29, 2011;

AND THAT the Mayor and City Clerk be authorized to execute the Memorandum of Understanding.

Purpose:

To confirm that Interior Health (IH) has met the requirements for final adoption of the HD 1 - Kelowna General Hospital zone; and to enter into a Memorandum of Understanding between IH and the City of Kelowna regarding Community Engagement IH will follow prior to Council's consideration of development applications.

Background:

At the public hearing for the KGH Hospital zone, Council heard from members of the public concerned that future development of the Kelowna General Hospital site may not include adequate neighbourhood consultation prior to a development application being considered by Council. At the subsequent Council meeting, Council advanced the OCP and rezoning bylaws to third reading, and adopted the following resolution:

THAT, prior to final adoption of Bylaw No. 10541 and Bylaw No. 10542, Council directs staff to enter into a tri-party Agreement between the City of Kelowna, Interior Health Authority and the KGH Neighbourhood Liaison Group with respect to a public consultation process for the HD1 - Kelowna General Hospital zone;

AND THAT the draft Agreement be forwarded to Council for further consideration.

The attached Memorandum of Understanding (MOU) is a collaborative effort between the Kelowna General Hospital Neighbourhood Liaison Group, Interior Health and City of Kelowna staff.

Interior Health has committed to a community engagement process prior to Council consideration of any development permit application within the HD -1 zone. City staff will provide comment to Council, as part of the staff report, on whether the terms of the MOU were met on a case-by-case basis.

Council, as part of the staff report, on whether the terms of the MOU were met on a case-by-case basis.

The signatories to the MOU are restricted to Interior Health and the City as the Neighbourhood Liaison Group is not a legal entity able to enter into agreements. Nevertheless, representatives of the Group have been involved in the drafting of the MOU and are satisfied with the end result.

Internal Circulation:

Director, Land Use Management

External Agency/Public Comments:

Representatives from the Kelowna General Hospital Neighbourhood Liaison Group participated in the drafting of the MOU and are satisfied with the terms.

The attached MOU has been reviewed internally and executed by Interior Health.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

Communications Comments:

Alternate Recommendation:

Submitted by:



Stephen Fleming, City Clerk

Approved for inclusion:



R. Mayne, Director, Corporate Services

cc: Director, Land Use Management
Director, Development Services
Manager, Urban Land Use

Memorandum of Understanding

between

Interior Health and the City of Kelowna

regarding

Commitment to Community Engagement at Kelowna General Hospital

WHEREAS Interior Health is committed to engage with internal and external stakeholders when awareness, support, input or partnerships are integral to the success of an initiative;

AND WHEREAS Interior Health wishes to formalize this commitment with regard to working with the community, and more specifically the residents in the neighborhood surrounding Kelowna General Hospital, with respect to future redevelopment initiatives at the hospital site;

AND WHEREAS Interior Health affirms the following eight community engagement principles as articulated in its October 2010 Community Engagement Framework:

1. We will make every reasonable effort to ensure all parties understand the rationale for engagement and the decision-making parameters involved;
2. We will provide timely information to enable meaningful participation;
3. Consultation will occur when there is a real opportunity to influence the decision-making process, and when decision makers have sufficient time to fully consider public input;
4. Diverse voices will be invited to contribute to the discussion reflecting geography, demography and culture;
5. We will listen and learn;
6. We will work toward finding collective solutions, recognizing that engagement cannot be expected to dissolve all dissent and differences of opinion, and it does not abrogate the Health Authority's decision-making responsibility;
7. We will report back to stakeholders to ensure they are aware of how their input was used in decision-making;
8. Community engagement principles will be included in all key strategies of the organization to ensure they form a fundamental tenet of Interior Health's operations and are embedded within the organizational culture;

AND WHEREAS the immediate neighbourhood, primarily through the KGH Neighbourhood Liaison Group, desires to be engaged with Interior Health and the Kelowna General Hospital respecting development within those properties zoned HD1 – Kelowna General Hospital Zone;

AND WHEREAS the City of Kelowna desires to see meaningful community engagement between Interior Health and the immediate neighbourhood surrounding Kelowna General Hospital prior to Council's consideration of development applications;

NOW THEREFORE Interior Health (IH) agrees to the following:

1. On all occasions where IH intends to build on its property zoned HD1, and which would require a development permit to be issued by the City of Kelowna, IH shall prior to the application for a building permit:
 - (a) Notify the Kelowna South Central Association of Neighborhoods (KSAN) of its intention to build and of the general nature of the planned building;
 - (b) Determine, in conjunction with KSAN, whether or to what extent the planned construction merits consultation;
 - (c) Consult with the representatives of the residents in the neighbourhood surrounding KGH (the KGH Neighbourhood Liaison Group), if consultation is merited pursuant to 1(b).
2. For the purposes of 1(c) consultation shall include:
 - (a) An initial meeting of the KGH Neighbourhood Liaison Group where IH advises of its intentions to build and the nature of the building;
 - (b) A meeting or meetings with representatives of the KGH Neighbourhood Liaison Group to obtain input into the development of the construction specifications pertaining to the exterior form and character of the building, including but not limited to design, noise, light, privacy, traffic flow, parking, landscaping and signage;
 - (c) In the event that there are no residents to act as representatives to the KGH Neighbourhood Liaison Group with respect to paragraph 2(b), KSAN shall act for the neighbourhood; and
 - (d) City of Kelowna staff will comment to Council on the efforts of Interior Health to meet the consultation provisions as envisioned by this MOU as part of the development application Report to Council.
3. Following consultation IH shall report to the residents of the neighbourhood surrounding KGH of the outcome of the consultation and the request for a development permit.
4. Information and notification pertinent to this Memorandum of Understanding shall be delivered to:

Interior Health Authority	c/o Corporate Director, Capital Planning & Project Interior Health Authority B3-1620 Dickson Avenue Kelowna, BC V1Y 9Y2
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City of Kelowna	c/o Office of the City Clerk City of Kelowna 1435 Water Street Kelowna, BC V1Y 1J4
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Signed at Kelowna, British Columbia on this 27 day of July, 2011.

For Interior Health Authority:



Chief Executive Officer

For City of Kelowna:

Mayor

City Clerk