

Regular Meeting - P.M.August 20, 2012

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, August 20th, 2012.

Council members in attendance: Mayor Walter Gray, Councillors Colin Basran, Andre Blaneil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Acting General Manager, Corporate Sustainability, Doug Gilchrist*; Manager, Urban Land Use, Danielle Noble*; Manager, Environment & Land Use, Todd Cashin*; Director, Infrastructure Planning, Randy Cleveland*; Community Planning Manager, Theresa Eichler*; Manager, Utilities Planning, Andrew Reeder*; Director, Regional Services, Ron Westlake*; Director, Recreation & Cultural Services, Jim Gabriel*; Theatre Manager, Randy Zahara*; Director, Financial Services, Keith Grayston*; Manager, Systems & Reporting, Genelle Davidson*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:41 p.m.

Mayor Gray advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

Mayor Gray acknowledged several students in the gallery from the Martin Avenue Boys and Girls Club.

Kim Elsasser, a local professional photographer, presented Mayor Gray and the City of Kelowna with a photograph of Okanagan Lake.

2. CONFIRMATION OF MINUTES

Regular PM Meeting - August 7, 2012

Moved by Councillor Hobson/Seconded by Councillor Zimmermann

R759/12/08/20 THAT the Minutes of the Regular P.M. Meeting of August 7, 2012 be confirmed as circulated.

Carried

Mayor Gray advised that Agenda Items 6.1 and 6.1.1 will be moved forward on the Agenda and dealt with immediately.

6. UNFINISHED BUSINESS

- 6.1 Land Use Management Department, dated June 28, 2012, re: Rezoning Application No. Z12-0017 - Michael Gaspari - 614-624 Francis Avenue - Reconsideration of a Council Decision from the Regular P.M. Meeting of July 9, 2012

Staff:

- Displayed a map indicating which of the property owners in the area provided support for the proposed rezoning.

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Deputy City Clerk:

- Advised that there has not yet been a bylaw compliance agreement signed between the Applicant and the City's Bylaw Services Division.

Moved by Councillor Zimmermann/Seconded by Councillor Singh

R760/12/08/20 THAT Rezoning Application No. Z12-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 14, ODYD, Plan 3438, located on Francis Avenue, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the RM1 - Four-plex 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 in conjunction with Council's consideration of a Development Permit and a Development Variance Permit for the subject property;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of Development Engineering Branch being completed to their satisfaction.

Carried
Councillors Hobson and Stack - Opposed.

6.1.1 Bylaw No. 10739 (Z12-0017) - Michael Gaspari - 614-624 Francis Avenue

Moved by Councillor Hobson/Seconded by Councillor Singh

R761/12/08/20 THAT Bylaw No. 10739 be read a first time.

Carried
Councillors Hobson, Singh and Stack - Opposed.

3. DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

3.1 Land Use Management Department, dated August 8, 2012, re: Agricultural Land Reserve Appeal Application No. A12-0001 - H-12 Enterprises Ltd. (New Town Planning Services Inc.) - 3010 Highway 97 North - Mayor to invite the Applicant, or Applicant's Representative, to come forward.

Staff:

- Displayed a map indicating the Official Community Plan Future Land Use Designations of the area.

Mayor Gray invited the Applicant, or Applicant's Representative, to come forward.

Keith Funk, New Town Planning Services, Applicant's Representative:

- Displayed a PowerPoint presentation.
- Believes that the existing agriculture constraints of the subject property are as follows:
 - o Site security (ongoing theft);
 - o High water table/flooding issues;
 - o Mole contamination; and
 - o Farm us adjacent to Highway 97.

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- Believes that the proposed agricultural benefits of the proposal are as follows:
 - o Net gain to the Agricultural Land Reserve of over 100 acres;
 - o 16,500m³ of topsoil from the site will be used for upgrades to other agricultural lands in the area;
 - o Hay crop will be increased by 300%; and
 - o Provision of a secured Community Garden.
- Believes that the proposed community benefits of the proposal are as follows:
 - o Linear trail network secured;
 - o Riparian Area protection;
 - o Local food production;
 - o Free and secure Community Garden; and
 - o Capital investment (increased tax base and employment).
- Advised that the purchase of the other parcel of agricultural land is subject to the approval of the Agricultural Land Commission for the exclusion of a portion of the subject property from the Agricultural Land Reserve.
- Advised that the subject parcel was originally used for cattle grazing.
- Advised that the Community Gardens will be owned and operated by the property owner, however, the property owner would be willing to donate the land to the City. If the Community Garden was donated to the City, it would then be the City's responsibility to secure and maintain the site.

Moved by Councillor Blanleil/Seconded by Councillor Stack

R762/12/08/20 THAT Agricultural Land Reserve Appeal Application No. A12-0001 for Lot 3, Sec. 34, Twp. 26, O.D.Y.D., Plan 10770 except Plans 18592 and H8110, located at 3010 Highway 97 N. for exclusion of a 3.3 ha portion of the subject lot from the Agricultural Land Reserve, pursuant to Section 30 (1) of the *Agricultural Land Commission Act*, be supported by Municipal Council;

AND THAT the Municipal Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

3.2 Land Use Management Department, dated August 9, 2012, re: Rezoning Application No. Z08-0030 - Paul Warnock - 1220-1222 & 1230 Brookside Avenue - Mayor to invite the Applicant, or Applicant's Representative, to come forward.

This Agenda item was withdrawn by staff.

3.2.1 Bylaw No. 10105 (Z08-0030) - Paul Warnock - 1220-1222 & 1230 Brookside Avenue

This Agenda item was withdrawn by staff.

3.3 Land Use Management Department, dated August 10, 2012, re: Official Community Plan Bylaw Amendment Application No. OCP12-0003 and Rezoning Application No. Z12-0023 - Various Owners (Blenk Development Corporation) - Various Wilden Properties

Moved by Councillor Stack/Seconded by Councillor Basran

R763/12/08/20 THAT OCP Bylaw Amendment No. OCP12-0003 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 53, Section 5, Township 23, ODYD, Plan EPP9195, located at 155 Lost Creek Court from Single / Two Unit Residential to Major Parks & Open Space as shown on Map 'A1' attached to the

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report of the Land Use Management Department, dated August 10th, 2012 and by changing the Future Land Use Designation for a portion of:

STREET ADDRESS	LEGAL DESCRIPTION
225 Clifton Road	Lot D, Section 8, Township 23, ODYD, Plan KAP75116
185 Clifton Road North	The North West ¼ of Section 5, Township 23, ODYD, Except Plans 20895 and KAP88266
(W OF) Union Road	The North East ¼ of Section 5, Township 23, ODYD, Except Plans 896, B645 and KAP69724

from Multiple Unit Residential, Single / Two Unit Residential, Single / Two Unit Residential - Hillside and Major Park and Open Space to Single / Two Unit Residential - Hillside and Major Park and Open Space as shown on Map "A2" attached to the report of the Land Use Management Department dated August 10th, 2012, be considered by Council;

AND THAT Council considers the Public Hearing process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Land Use Management Department dated August 10th, 2012;

AND THAT Rezoning Application No. Z12-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

STREET ADDRESS	LEGAL DESCRIPTION	PROPOSED ZONE	EXISTING ZONE
123 Lost Creek Court	Lot 54, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
117 Lost Creek Court	Lot 55, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
111 Lost Creek Court	Lot 56, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h

and by rezoning a portion of:

STREET ADDRESS	LEGAL DESCRIPTION	PROPOSED ZONE	EXISTING ZONE
155 Lost Creek Court	Lot 53, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
208 Lost Creek Place	Lot 57, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
183 Lost Creek Court	Lot 52, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
189 Lost Creek Court	Lot 51, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
195 Lost Creek Court	Lot 50, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
201 Lost Creek Court	Lot 49, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
207 Lost Creek Court	Lot 48, Section 5, Township 23, ODYD, Plan EPP9195	P3	RU2h
1409 Rocky Point Drive	Lot 13, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
146 Lost Creek Court	Lot 25, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
152 Lost Creek Court	Lot 26, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3

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158 Lost Creek Court	Lot 27, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
194 Lost Creek Court	Lot 31, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
200 Lost Creek Court	Lot 32, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
206 Lost Creek Court	Lot 33, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
212 Lost Creek Court	Lot 34, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
249 Lost Creek Court	Lot 41, Section 5, Township 23, ODYD, Plan EPP9195	RU2h	P3
246 Lost Creek Lane	Lot 63, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
240 Lost Creek Lane	Lot 64, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
234 Lost Creek Lane	Lot 65, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
228 Lost Creek Lane	Lot 66, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
222 Lost Creek Lane	Lot 67, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
216 Lost Creek Lane	Lot 68, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
210 Lost Creek Lane	Lot 69, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
191 Lost Creek Place	Lot 72, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
179 Lost Creek Place	Lot 73, Section 5, Township 23, ODYD, Plan EPP9195	RU1h	RU2h
1285 Rio Drive	Lot 74, Section 5, Township 23, ODYD, Plan EPP9195	RU1h & RU2h	P3

as shown on Map 'B1' attached to the report of the Land Use Management Department, dated August 10th, 2012 and by changing the zoning classification for a portion of:

STREET ADDRESS	LEGAL DESCRIPTION	PROPOSED ZONE	EXISTING ZONE
185 Clifton Road North	The North West ¼ of Section 5, Township 23, ODYD, Except Plans 20895 and KAP88266	RU1h & P3	RU1h & P3
(E OF) Upper Canyon Drive	The South West ¼ of Section 5, Township 23, ODYD, Except Plans KAP83526, KAP88266 and EPP9195	RU1h & P3	RU1h & P3
(W OF) Union Road	The North East ¼ of Section 5, Township 23, ODYD, Except Plans 896, B645 and KAP69724	RU1h & P3	RU1h & P3
2025 Begbie Road	Lot A, Sections 4,5,8 and 9, Township 23, ODYD, Plan KAP69724 Except Plans KAP71944, KAP73768, KAP75949, KAP78547, KAP80107, KAP81912, KAP85278 and KAP86750	RU1h & P3	RU1h & P3
225 Clifton Road	Lot D, Section 8, Township 23, ODYD, Plan KAP75116	RM3	RU1h

as shown on Map 'B2' attached to the report of the Land Use Management Department, dated August 10th, 2012 be considered by Council;

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AND THAT the OCP Bylaw Amendment No. OCP12-0003 bylaw and 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 Parks Department and Fortis BC requirements being completed to their satisfaction.

Carried

- 3.3.1 Bylaw No. 10751 (OCP12-0003) - Various Owners (Blenk Development Corporation) - Various Wilden Properties - Requires a majority of all Members of Council (5)

Moved by Councillor Stack/Seconded by Councillor Given

R764/12/08/20 THAT Bylaw No. 10751 be read a first time;

AND THAT the Bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

- 3.3.2 Bylaw No. 10752 (Z12-0023) - Various Addresses (Blenk Development Corporation) - Various Wilden Addresses

Moved by Councillor Given/Seconded by Councillor Stack

R765/12/08/20 THAT Bylaw No. 10752 be read a first time.

Carried

- 3.4 Land Use Management Department, dated August 10, 2012, re: Rezoning Application No. Z12-0048 - 4G Developments Ltd. (Robert Gaspari) - 2463 & 2473 Pandosy Street

Moved by Councillor Stack/Seconded by Councillor Hobson

R766/12/08/20 THAT Council receives, for information, the Supplemental Report of the Land Use Management Department dated August 10, 2012 amending the existing zone, 'RU1 Large Lot Housing', as referenced in the report of the Land Use Management Department dated June 27, 2012 for Rezoning Application No. Z12-0048, to the 'RU6 - Two Dwelling Housing' zone;

AND THAT Rezoning Application No. Z12-0048 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 14, ODYD Plan EPP17676 and Lot 20 District Lot 14, ODYD Plan 1141, Except Plan KAP60686, located on Pandosy Street, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the RM3- Low Density Multiple Housing zone be considered by Council;

AND THAT Bylaw No. 10733 be amended as attached in the report of the Land Use Management Department dated August 10, 2012;

AND FURTHER THAT the zoning amending bylaw be forwarded to the September 4, 2012 Public Hearing.

Carried

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- 3.4.1 Bylaw No. 10733 (Z12-0048) - 4G Developments Ltd. (Robert Gaspari) - 2463 & 2473 Pandosy Street

Moved by Councillor Given/Seconded by Councillor Stack

R767/12/08/20 THAT Bylaw No. 10733 be amended at first reading by changing the zoning classification of the subject property from the RU6 - Two Dwelling Housing zone to the RM3 - Low Density Multiple Housing zone.

Carried

- 3.5 Land Use Management Department, dated August 9, 2012, re: Rezoning Application No. Z11-0035 - Robert & Michelle Geismayr - 1599 KLO Road

Moved by Councillor Blanleil/Seconded by Councillor Zimmermann

R768/12/08/20 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10569 (Z11-0035), Lot 4, District Lot 131, ODYD Plan 17156 except Plan KAP78069, located on KLO road, Kelowna, BC be extended from August 9, 2012 to February 9, 2013.

Carried

- 3.6 Land Use Management Department, dated August 9, 2012, re: Official Community Plan Bylaw Amendment Application No. OCP10-0006 and Rezoning Application No. Z10-0031 - Jasvinder & Navjot Kandola (GTA Tomporowski) - 1045, 1053 & 1069 Laurier Avenue

Moved by Councillor Hobson/Seconded by Councillor Basran

R769/12/08/20 THAT in accordance with Development Application Procedures Bylaw No. 10540 the deadline for the adoption of Zone Amending Bylaw Nos. 10380/10379 (Z10-0031/OCP10-0006, 1045, 1053, 1069 Laurier Avenue, Jasvinder & Navjot Kandola), be extended from August 10, 2012 to February 10, 2013.

Carried

4. BYLAWS FOR ADOPTION (Development Related)

- 4.1 Bylaw No. 10724 (Z11-0081) - Regional District of Central Okanagan, Central Okanagan Land Trust and Crown (Regional District of Central Okanagan) - Various Addresses

Moved by Councillor DeHart/Seconded by Councillor Zimmermann

R770/12/08/20 THAT Bylaw No. 10724 be adopted.

Carried

5. NON-DEVELOPMENT APPLICATION REPORTS & RELATED BYLAWS

- 5.1 Director, Recreation & Cultural Services, dated August 15, 2012, re: Fees and Charges Bylaw No. 9609 - Update

Staff:

- Provided an overview of the proposed amendments and responded to questions from Council.

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- Responded to questions from Council
- Advised that September 13, 2012 is the 50th Anniversary of the Kelowna Community Theatre.

Moved by Councillor Hobson/Seconded by Councillor Basran

R771/12/08/20 THAT Council receives the report from the Director, Recreation & Cultural Services dated August 15, 2012 to update the Recreation & Cultural Services Fees and Charges Bylaw No. 9609;

AND THAT Bylaw No. 10728 being Amendment No. 4 to the Recreation & Cultural Services Fees and Charges Bylaw No. 9609 be advanced for reading consideration.

Carried

5.1.1 Bylaw No. 10728 - Amendment No. 4 to Recreation and Cultural Services Fees and Charges Bylaw No. 9609

Moved by Councillor Zimmermann/Seconded by Councillor DeHart

R772/12/08/20 THAT Bylaw No. 10728 be read a first, second and third time.

Carried

5.2 Manager Utilities Planning, dated August 11, 2012, re: Lawrence Avenue (Richter to Ethel) Local Area Service

Staff:

- Displayed a PowerPoint presentation and responded to questions from Council.

Moved by Councillor Zimmermann/Seconded by Councillor Hobson

R773/12/08/20 THAT Council receives for information, the Report from the Manager of Utilities Planning, dated August 11, 2012 with respect to the creation of the Lawrence Avenue -Richter to Ethel, Local Area Service;

AND THAT Council give reading consideration to Bylaw No. 10748 being the Establishment and Loan Authorization Bylaw for the Local Area Service for Lawrence Avenue (Richter to Ethel).

Carried

5.2.1 Bylaw No. 10748 - Establishment of Local Area Service and Borrowing Bylaw for Lawrence Avenue Local Area Service

Moved by Councillor Blancheil/Seconded by Councillor Basran

R774/12/08/20 THAT Bylaw No. 10748 be read a first, second and third time.

Carried

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- 5.3 Manager, Utilities Planning, dated August 13, 2012, re: Cost Sharing Agreement - Frost Road Water Main Over-Sizing

Moved by Councillor Stack/Seconded by Councillor Singh

R775/12/08/20 THAT Council receives, for information, the report from the Manager, Utilities Planning dated August 13, 2012 regarding the Cost Sharing Agreement- Frost Road Water Main Over-Sizing;

AND THAT Council approves \$500,000 [\$133,500 from DCC Sector B (R702), \$60,000 from the Offsite and Oversize Reserve - Water (R024), and \$306,500 from the Water Quality Enhancement Reserve (R222)] for the purposes of entering into an a cost sharing agreement with No. 21 Great Projects Ltd.;

AND FURTHER THAT the 2012 Financial Plan be amended accordingly.

Carried

- 5.4 Community Planning Manager, dated August 10, 2012, re: Request to Change Housing Agreement for "Mode" - 1550 Dickson Avenue

Staff:

- Advised that the property owners have confirmed to staff that the Strata Corporation is agreeable to allowing rental units.
- Advised that if these strata units are sold, the new owner would be bound by the 10-year affordability clause in the Housing Agreements. The amendments to the Housing Agreements are to allow the current strata unit owners to rent out their units.

Moved by Councillor Given/Seconded by Councillor Singh

R776/12/08/20 THAT Council, receives for information, the report from the Community Planning Manager, dated August 10, 2012 with respect to amending Bylaw No. 10183 being the Housing Agreement Bylaw for Mode Properties Ltd Inc. to create new agreements for the properties located at Strata Lot 40, District Lot 141 ODYD KAS3658 and Strata Lot 41, District Lot 141 ODYD KAS3658;

AND THAT Council gives reading consideration to Bylaw No. 10750 being Amendment No. 1 to Bylaw No. 10183 being the Housing Agreement Bylaw for Mode Properties Ltd. Inc.;

AND FURTHER THAT the Mayor and City Clerk be authorized to execute the Housing Agreements after the adoption of Bylaw No. 10750 being Amendment No. 1 to Bylaw No. 10183 being the Housing Agreement Bylaw for Mode Properties Ltd. Inc.;

Carried

- 5.4.1 Bylaw No. 10750 - Amendment No. 1 to Housing Agreement Authorization Bylaw No. 10183 - Mode Properties Ltd.

Moved by Councillor Basran/Seconded by Councillor Blanleil

R777/12/08/20 THAT Bylaw No. 10750 be read a first, second and third time.

Carried

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5.5 Director, Regional Services, dated August 15, 2012, re: Transit 3 Year Service Plan

Staff:

- Introduced the presentation.

Michelle Orfield, Senior Urban Transportation Planner, BC Transit:

- Displayed a PowerPoint presentation and responded to questions from Council.
- Existing and proposed community development in the City of Kelowna plays a key role in the development of the 3-year Service Plan. Some of the key community development factors considered were:
 - o Kelowna General Hospital;
 - o UBC-O;
 - o Mission Recreation Park; and
 - o Increased density between Downtown Kelowna and the Lower Okanagan Mission.
- Implementation considerations were as follows:
 - o BC Transit is in the process of drafting 3-year base budgets that now include an expansion line item for each year. These budgets are to be presented in September/October;
 - o Council's direction on the 3-year Service Plan will inform what is included in the 3-year budget expansion;
 - o Provincial and local funding is confirmed annually;
 - o Implementation will be confirmed on an annual basis through an Implementation Agreement Memorandum of Understanding between BC Transit and the City of Kelowna; and
 - o BC Transit and the City are meeting in September 2012 to discuss infrastructure requirements for FTN corridors such as Gordon Drive. Items for discussions will be:
 - Infrastructure requirements (i.e. bus stops, transit signal priority etc.)
 - Opportunities for partnership and cost sharing; and
 - Timing and phasing opportunities.

Council:

- Would like to ensure that the Commonwealth Road area is on the agenda when BC Transit and the City meet in September 2012.

Staff:

- Advised that City staff is working with the Interior Health Authority on a program that will introduce payroll deductions for transit passes in order to encourage more IHA staff to use transit to and from

Moved by Councillor Hobson/Seconded by Councillor Given

R778/12/08/20 THAT Council endorses the 3-Year Service Plan for public transit service expansions from 2013 to 2015 as prepared by BC Transit in consultation with City staff.

AND THAT Council direct staff to prepare budget submissions based on the 3-Year Service Plan for Council's consideration in the 2013 and future Budgets.

Carried

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- 5.6 Manager, Real Estate Services, dated August 20, 2012, re: Proposed Road Closure - Jenkins Road

Moved by Councillor Stack/Seconded by Councillor Blanleil

R779/12/08/20 THAT Council receives for information, the Report from the Manager, Real Estate Services dated August 20, 2012, recommending that Council adopt the proposed road closure of a portion of Jenkins Road.

AND THAT Bylaw No. 10726, being proposed road closure of a portion of Jenkins Road is forwarded for reading consideration.

Carried

- 5.6.1 Bylaw No. 10726 - Road Closure Bylaw - Portion of Jenkins Road

Moved by Councillor Blanleil/Seconded by Councillor Basran

R780/12/08/20 THAT Bylaw No. 10726 be read a first, second and third time.

Carried

- 5.7 Acting General Manager, Corporate Sustainability, dated August 14, 2012, re: Downtown Revitalization - Interior Health

Staff:

- Displayed a PowerPoint presentation with respect to the proposed redevelopment of City-owned lands in downtown Kelowna and responded to questions from Council.
- Advised that the City of Kelowna will be responsible for:
 - o the land sale;
 - o parkade development; and
 - o long-term Lease Agreement.
- Advised that the Interior Health Authority will be responsible for:
 - o office and clinical support co-location;
 - o facility RFP; and
 - o long-term Leases.
- Provided an overview of the Financial Analysis with respect to the proposal.

Moved by Councillor Hobson/Seconded by Councillor Given

R781/12/08/20 THAT Council receives, for information, the Report from the Acting General Manager, Corporate Sustainability, dated August 14, 2012, 2012, regarding the proposed redevelopment of City owned lands at the southeast corner of Ellis St. and Doyle Ave. in downtown Kelowna;

AND THAT Council directs staff to proceed with the steps necessary to complete the obligations identified in the Memorandum of Understanding ("MOU") between the City of Kelowna (the "City") and the Interior Health Authority, dated April 25, 2012 and attached to the Report of the Acting General Manager, Corporate Sustainability dated August 14, 2012 as Schedule 'C';

AND THAT Council authorizes the Mayor and City Clerk to execute all documents necessary to complete the related transactions identified in the MOU;

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AND THAT Council directs staff to bring forward the associated 2013 budget requests for the development of the two (2) parkades for consideration during the 2013 budget discussions;

AND THAT the five (5) year financial plan be amended to provide for the construction of the parkades;

AND THAT Council approves borrowing through the Municipal Finance Authority of British Columbia for the amount of Fifteen Million (\$15,000,000.00) Dollars for the development of two (2) parking facilities as described in the Report from the Acting General Manager, Corporate Sustainability dated August 14, 2012, as the Extension and New Facility;

AND THAT Bylaw No. 10742 being the Extension and New Facility Loan Authorization Bylaw be forwarded for reading consideration;

AND FURTHER THAT following approval from the Inspector of Municipalities, Council directs staff to report back to Council with a Report to initiate an Alternative Approval Process (AAP) opportunity that will be open to all electors with the City of Kelowna.

Carried

5.7.1 Bylaw No. 10742 - Extension and New Facility Loan Authorization Bylaw

Moved by Councillor Singh/Seconded by Councillor Hobson

R782/12/08/20 THAT Bylaw No. 10742 be read a first, second and third time.

Carried

6. UNFINISHED BUSINESS

6.1 Land Use Management Department, dated June 28, 2012, re: Rezoning Application No. Z12-0017 - Michael Gaspari - 614-624 Francis Avenue - Reconsideration of a Council Decision from the Regular P.M. Meeting of July 9, 2012

6.1.1 Bylaw No. 10739 (Z12-0017) - Michael Gaspari - 614-624 Francis Avenue

Agenda Item Nos. 6.1 and 6.1.1 were moved forward on the Agenda and dealt with immediately after Agenda Item No. 2.0.

7. MAYOR & COUNCILLOR ITEMS

7.1 Councillor Stack, re: City of Kelowna Flag Policy

Moved by Councillor Stack/Seconded by Councillor Given

R783/12/08/20 THAT Council directs staff to delete Section D - Courtesy Flag Pole from Council Policy No. 361 - Flag Policy and Section B, subsection 4 - Guidelines, Courtesy Flag Pole - City Hall, from Council Policy No. 362 - Flag Guidelines.

Carried

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Council:

- Requested that staff develop a Protocol Policy with respect to the use of the City of Kelowna's flag pole by other jurisdictions based on diplomatic reasons.

7.2 Mayor Gray, re: Council Focus 2012-2014

Mayor Gray:

- Advised that Council has published a document entitled "Moving Opportunities Forward" which sets out Council's focus for the 2012-2014 Council term. The document can be found at kelowna.ca/council.

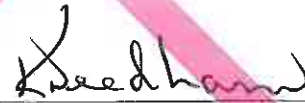
8. TERMINATION

The meeting was declared terminated at 4:52 p.m.

Certified Correct:

Mayor

SLH/dld



Deputy City Clerk

DRAFT