

Regular Meeting – P.M.

November 7, 2011

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, November 7th, 2011.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Kevin Craig, Robert Hobson, Charlie Hodge, Graeme James, Angela Reid-Nagy, Michele Rule and Luke Stack.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; General Manager, Community Services, John Vos*; Director, Real Estate & Building Services, Doug Gilchrist*; Manager, Urban Land Use, Danielle Noble*; Director, Development Services, Mo Bayat*; Manager, Property Management, Ron Forbes*; Sustainability Coordinator, Michelle Kam*; Manager, Community Planning, Theresa Eichler*; Director, Infrastructure Planning, Randy Cleveland*; Planner Specialist, Pat McCormick*; Manager, Parks & Public Places, Terry Barton*; Manager, Building & Permitting Branch, Doug Patan*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

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

Mayor Shepherd 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.

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

3. DEVELOPMENT APPLICATION REPORTS

3.1 (a) BYLAWS PRESENTED FOR ADOPTION

(i) Bylaw No. 10579 (Z11-0024) - Davara Holdings Ltd. - 120 Leathead Road

Moved by Councillor James/Seconded by Councillor Craig

R1094/11/11/07 THAT Bylaw No. 10579 be adopted.

Carried

(ii) Bylaw No. 10574 - Housing Agreement - Davara Holdings Ltd. - 120 Leathead Road

Moved by Councillor Rule/Seconded by Councillor Hodge

R1095/11/11/07 THAT Bylaw No. 10574 be adopted.

Carried

(b) Land Use Management Department, dated October 25, 2011, re: Development Permit Application No. DP11-0063 - Davara Holdings Ltd. - 120 Leathead Road

Moved by Councillor Hobson/Seconded by Councillor Reid-Nagy

R1096/11/11/07 THAT Final Adoption of Housing Agreement Bylaw No. 10574 be considered by Council;

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AND THAT Final Adoption of Zone Amending Bylaw No. 10579 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP11-0063 for Lot 1 Section 26 Township 26 ODYD Plan KAP64894, located on 120 Leathead Rd, Kelowna, subject to the following:

- 1) The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- 2) The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- 3) Landscaping to be provided on the land be in general accordance with Schedule "C";
- 4) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND FURTHER THAT the applicant be required to complete the above-noted condition No. 4 within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

Carried

3.2 Land Use Management Department, Supplemental Report dated November 1, 2011, re: Text Amendment Application No. TA10-0007 - Text Amendment for HD2 - Hospital & Health Support Services Zone

Moved by Councillor Hobson/Seconded by Councillor Stack

R1097/11/11/07 THAT Text Amendment No. TA10-0007 to add the proposed HD2 - Hospital & Health Support Services zone and the Retail Stores, Health Products definition Zoning Bylaw No. 8000 as outlined in Schedule "A" of the report of the Land Use Management Department dated November 1, 2011 be received by Council.

Carried

4. NON-DEVELOPMENT APPLICATION REPORTS

4.1 Sustainability Coordinator, dated November 1, 2011, re: Climate Smart Update

Staff:

- Provided an update and introduced Elizabeth Sheehan, President of Climate Smart.

Elizabeth Sheehan, President, Climate Smart:

- Gave a presentation with respect to the Climate Smart Training Program (March - June 2011).
- Advised that the following companies are participants of the Kelowna Climate Smart Program:
 - o Anodyne Electronics Manufacturing Corp.;
 - o Canadian Mental Health Association - Kelowna;
 - o Formashape;
 - o GRM Inc. Global Roadway Maintenance;

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- Kelowna Museums Society;
- Pushor Mitchell LLP;
- Summerhill Pyramid Winery;
- Sysco Kelowna Ltd.;
- Waterkind Consulting Services Ltd.; and
- Westwood Fine Cabinetry.

Moved by Councillor Rule/Seconded by Councillor Craig

R1098/11/11/07 THAT Council receives, for information, the report from the Sustainability Coordinator dated November 1, 2011 with respect to a Climate Smart Update.

Carried

4.2 Manager, Property Management, dated November 2, 2011, re: Parking around Kelowna General Hospital

Staff:

- Gave a presentation with respect to Parking around Kelowna General Hospital (“KGH”).
- Advised that there is an error in the Council Report and that “Bach Street” should read “Beach Street”.

Moved by Councillor Rule/Seconded by Councillor Hodge

R1099/11/11/07 THAT Council hears from a representative of Interior Health Authority.

Carried

Tracy MacDonald, KGH Health Services Administrator, Interior Health Authority:

- Gave a presentation with respect to the efforts being undertaken by the Interior Health Authority (“IHA”) with respect to parking around KGH.
- Confirmed that IHA has had several meetings with the neighbourhood liaison group over the past four (4) years and that IHA and their contractor, Graham Construction, have been trying to better communicate the construction schedule to the surrounding residents.
- Advised that the KGH area currently has approximately 1,200 parking stalls available and will be opening another 50 parking stalls in the near future. IHA will be approaching the City with respect to a rezoning application for another property close to the area in which IHA wants to create additional parking on.
- Advised that IHA has been monitoring the parking situation on an ongoing basis and that the busiest time of day is between 10:00 a.m. and 2:00 p.m.
- Advised that IHA is implementing the following parking measures:
 - Carpooling Pilot Project (which has not been as successful as had hoped);
 - Encouraging staff to ride bikes (particularly during the summer months);
 - Encouraging staff to use the free parking lot on Ethel Street (staff and construction workers are allowed to park for free); and
 - Working with Graham Construction with respect to parking for construction workers.

Nicola Huppertz, Corporate Director, Capital Planning & Projects, Interior Health Authority:

- Provided comment with respect to some of the reasons IHA has determined why staff is not utilizing the transit system to get to and from work.

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Staff:

- Advised that there was an error in the Council Report and confirmed that the Ethel Street parking lot is only available to KGH staff and construction workers, not the general public.

A Motion by Councillor Hodge to remove Recommendation No. 22 in the Report from the Manager, Property Management dated November 2, 2011 was lost due to lack of a seconder.

Moved by Councillor Stack/Seconded by Councillor Hobson

R1100/11/11/07 THAT Council support implementation of the recommendations contained within the Report from the Manager, Property Management dated November 2, 2011 with respect to Parking around Kelowna General Hospital;

AND THAT Council directs staff to review the effectiveness of the recommendations over the next six (6) months time frame and report back to Council;

AND THAT Council directs staff to continue to work with the Kelowna General Hospital (KGH) staff and the neighbourhood association on additional long-term solutions that reduce the impact of hospital staff and construction workers parking in the neighbourhood;

AND THAT Council directs staff that additional funding in the amount of \$6,173.00 for the cost of implementing the recommendations noted in the Report of the Manager, Property Management dated November 2, 2011 be from the revenue generated from renting Strathcona Park Parking Lot with the balance remaining funded from existing budgets;

AND FURTHER THAT staff report back to Council on the overall strategy to improve parking management operations across the City.

Carried
Councillor Hodge - Opposed.

Moved by Councillor Hobson/Seconded by Councillor Stack

R1101/11/11/07 THAT Council directs staff to develop a traffic management strategy and parking management strategy for the Health District zones, including the Kelowna General Hospital Clinical Campus, in addition to the overall city-wide parking management strategy.

Carried

Moved by Councillor Rule/Seconded by Craig

R1102/11/11/07 THAT staff report back to Council with respect to the implementation and communication plans for the ticket and tow campaign prior to changing the tow criteria.

Carried

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4.3 Manager, Community Planning, dated November 2, 2011, re: City of Kelowna, Housing Strategy

Staff:

- Gave a presentation with respect to the City of Kelowna's Housing Strategy.
- The following recommendations were presented:
 - o Partnerships:
 - Continue to seek partnerships for affordable housing by securing City-owned land;
 - Work with CMHC Partnership Office to achieve more affordable rental housing;
 - o More Housing for Families:
 - Policy for housing alternatives for families when single-detached housing is too costly;
 - Fee-simple townhouses;
 - Courtyard housing;
 - o More Housing Choices:
 - 6-storey wood frame buildings
 - Accessory apartments;
 - Reduce minimum parking requirements in the urban core;
 - Explore housing options as secondary uses in industrial areas;
 - More townhouses & courtyard housing;
 - o Neighbourhoods:
 - New policy for healthy, inclusive communities & a diverse mix of housing forms consistent with the appearance of the neighbourhood;
 - Carefully consider the impacts on land values (& neighbourhoods) when assessing requests for amendments to the OCP;
 - Increase understanding of various housing needs and forms;
 - o Seniors, Singles & People with Disabilities:
 - Promote adaptable design;
 - Look for greater mix of sizes, forms & tenures of housing in new multi-unit & mixed-use developments;
 - Allow accessory apartments & legal secondary suites;
 - Monitor industrial transition areas;
 - o Reducing Cost:
 - Expand the application of 10 year property tax exemptions to affordable rental housing;
 - Determine funding for the Housing Opportunities Reserve Fund annually based on budget considerations & a business plan;
 - o Reducing Process:
 - Consider waiving the Public Hearing for needed housing requiring a rezoning, if it conforms to the OCP & meets the City's requirements for:
 - Fee-simple townhousing; and
 - Affordable rental housing;
 - Remove referral to the Advisory Planning Commission for rental housing, courtyard housing or town-housing that is consistent with the OCP;
 - o Secondary Suites:
 - Add OCP policy to recognize the role of secondary suites (& accessory apartments);
 - Ensure that the required 3 off-street parking spaces do not allow tandem parking for the suite;
 - Refine zone regulations for secondary suites to improve the fit of suites in the neighbourhood;
 - Consider waiving the Public Hearing for suites within the principal dwelling in the urban core;

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- Zone for secondary suites within the main dwelling in the urban core & single/two unit designation in the OCP.
- Advised that the next steps of the process will be to implement the recommendations by the means of:
 - Policy changes;
 - Zoning regulations;
 - Changes in process;
 - Financial procedures (reducing costs); and
 - Fit into the 2012 and future work plans.

City Clerk:

- Provided comment with respect to the process for waiving a public hearing at initial consideration.

Moved by Councillor Stack/Seconded by Councillor Rule

R1103/11/11/07 THAT Council receive for information the November 2, 2011 report from the Community Planning Manager outlining the results of the September 27, 2011 Open House for the Housing Strategy and the findings and recommendations of the Housing Strategy;

AND THAT Council supports recommendations one to twenty-five as set out in the Appendix to the November 2, 2011 report from the Community Planning Manager.

Carried

Moved by Councillor Hobson/Seconded by Councillor Rule

R1104/11/11/07 THAT Council directs staff to continue previous advocacies and strategies in lobbying the Federal Government to change the tax legislation to be more favorable for rental accommodation.

Carried

4.4 Public Art Coordinator, dated November 2, 2011, re: H₂O Adventure & Fitness Centre Public Art Installation

Staff:

- Introduced the members of the Public Art Committee in attendance.
- Gave a presentation with respect to the public art installation at the H₂O Adventure & Fitness Centre.

Moved by Councillor Stack/Seconded by Councillor Hobson

R1105/11/11/07 THAT Council receives, for information, the report from the Public Art Coordinator dated November 2, 2011, with respect to the H₂O Adventure & Fitness Centre Public Art Installation;

AND THAT Council approves the project objectives and process for the proposed H₂O Adventure & Fitness Centre Public Art Installation as outlined in the report from the Public Art Coordinator dated November 2, 2011.

Carried

Mayor Shepherd and Councillors Hodge and James – Opposed.

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- 4.5 Manager, Building & Permitting Branch, dated October 24, 2011, re: Natural Gas Permit Fee Increase

Staff:

- Advised that the Natural Gas Permit Fees have not been increased since 1988.

Moved by Councillor Hobson/Seconded by Councillor James

R1106/11/11/07 THAT Council receives, for information, the Report from the Manager, Building & Permitting Branch dated October 24, 2011 pertaining to a permit fee increase for natural gas installations within the City of Kelowna as per Schedule "A" attached to the Report of the Manager, Building & Permitting Branch;

AND THAT Bylaw No. 10483 being Amendment No.1 to City of Kelowna Gas Bylaw No. 9316 be forwarded for reading consideration.

Carried

- 4.6 Manager, Building & Permitting Branch, dated October 24, 2011, re: Plumbing Permit Fee Increase

Staff:

- Advised that the Plumbing Permit Fees have not been increased since 1987.

Moved by Councillor James/Seconded by Councillor Rule

R1107/11/11/07 THAT Council receives, for information, the report from the Manager, Building & Permitting Branch, dated October 24, 2011 pertaining to a permit fee increase for Plumbing installations within the City of Kelowna as per Schedule "A" attached to the Report of the Manager, Building & Permitting Branch dated October 24, 2011;

AND THAT Bylaw No. 10631 being Amendment No. 7 to City of Kelowna Plumbing Regulation Bylaw No.5968-87 be forwarded for reading consideration.

Carried

Councillor Hodge - Opposed.

- 4.7 Manager, Building & Permitting Branch, dated October 24, 2011, re: Building Permit Fee Increase

Staff:

- Advised that the Building Permit Fees have not been increased since 1993.

Moved by Councillor Blanleil/Seconded by Councillor Hodge

R1108/11/11/07 THAT Council receives, for information, the report from the Manager, Building & Permitting Branch, dated October 24, 2011, pertaining to a fee increase for Building Permits within the City of Kelowna as per Schedule "A" attached to the Report of the Manger, Building & Permitting Branch;

AND THAT Bylaw No. 10632 being Amendment No. 11 to City of Kelowna Building Bylaw No 7245 be forwarded for reading consideration.

Carried

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- 5.1 Bylaw No. 10483 - Amendment No. 1 to City of Kelowna Gas Bylaw No. 9316
- 5.2 Bylaw No. 10631 - Amendment No. 7 to City of Kelowna Plumbing Regulation Bylaw No. 5968-87
- 5.3 Bylaw No. 10632 - Amendment No. 11 to City of Kelowna Building Bylaw No. 7245

Moved by Councillor Blanleil/Seconded by Councillor Reid-Nagy

R1109/11/11/07 THAT Bylaw Nos. 10483, 10631 and 10632 be read a first, second and third time.

Carried6. MAYOR & COUNCILLOR ITEMS

- 6.1 Mayor Shepherd, re: "Spirit of Kelowna" Acknowledgment

Mayor Shepherd:

- Acknowledged Ron LeRoy, and the Members of Branch 26 of the Royal Canadian Legion, as the latest recipient of the "Spirit of Kelowna" Acknowledgement for their efforts to raise the most fundraising dollars of all branches of the Remembrance Day poppy campaign.

7. TERMINATION

The meeting was declared terminated at 5:30 p.m.

Certified Correct:_____
Mayor

SLH/dld

City Clerk