

Regular MeetingOctober 4, 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 Tuesday, October 4<sup>th</sup>, 2011.

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

Council members absent: Councillors Andre Blanleil and Robert Hobson.

Staff members in attendance were: Acting City Manager, Jim Paterson; City Clerk, Stephen Fleming; Director, Land Use Management, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 7:03 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. PRAYER

2. A Prayer was offered by Councillor Craig.

Mayor Shepherd asked that Council take a moment of silence in honour of BC's missing aboriginal women.

3. CONFIRMATION OF MINUTES

Regular A.M. Meeting - September 19, 2011  
 Regular P.M. Meeting- September 19, 2011  
 Public Hearing - September 20, 2011  
 Regular Meeting - September 20, 2011  
 Special Meeting - September 22, 2011

Moved by Councillor Hodge/Seconded by Councillor Reid-Nagy

R988/11/10/04 THAT the Minutes of the Regular Meetings of September 19, 2011 and September 20, 2011 and the minutes of the Public Hearing of September 20, 2011 and the minutes of the Special Meeting of September 22, 2011 be confirmed as circulated.

Carried

4. Councillor Craig was requested to check the minutes of this meeting.

5. BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS)

5.1 Bylaw No. 10593 (Z11-0060) - DRS Ventures Ltd. (DE Pilling & Associates)  
 - 1800 Crosby Road

Regular MeetingOctober 4, 2011Moved by Councillor Rule/Seconded by Councillor HodgeR989/11/10/04 THAT Bylaw No. 10593 be read a second and third time.Carried  
Councillor Reid-Nagy - Opposed.

- 5.2 Bylaw No. 10598 (Z11-0059) - Fred & Shelley Schmidt (C. Gavel Homes & Consulting) - 1455 Collison Road

Moved by Councillor Hodge/Seconded by Councillor RuleR990/11/10/04 THAT Bylaw No. 10598 be read a second and third time.Carried

- 5.3 Bylaw No. 10599 (OCP11-0004) - Simple Pursuits Inc. (Worman Commercial) - 565, 591, 615, 641 Osprey Avenue and 564, 594, 616 and 636 Raymer Avenue - **Requires a majority of all Members of Council (5)**

Moved by Councillor James/Seconded by Councillor CraigR991/11/10/04 THAT Bylaw No. 10599 be read a second and third time.Carried

- 5.4 Bylaw No. 10600 (Z11-0034) - Simple Pursuits Inc. (Worman Commercial) - 565, 591, 615 and 641 Osprey Avenue and 564, 594, 616 and 636 Raymer Avenue

Moved by Councillor Reid-Nagy/Seconded by Councillor StackR992/11/10/04 THAT Bylaw No. 10600 be read a second and third time.Carried

6. **THE CITY CLERK WILL PROVIDE INFORMATION AS TO HOW THE FOLLOWING ITEMS ON THE AGENDA WERE PUBLICIZED.**

The City Clerk advised that Notice of Council's consideration of the Development Variance Permit Applications was given by sending out or otherwise delivering 757 letters to the owners and occupiers of the surrounding properties between September 16, 2011 and September 23, 2011.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy 309.

7. **DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS**

7.1 (a) **BYLAW PRESENTED FOR ADOPTION**

Bylaw No. 10533 (Z10-0103) - T & A Synergy Enterprises Ltd. (Worman Commercial) - 1810-1824 Gordon Drive

Moved by Councillor Stack/Seconded by Councillor Reid-Nagy

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- (b) Land Use Management Department, dated September 9, 2011 re: Development Permit Application No. DP10-0172 and Development Variance Permit Application No. DVP10-0173 - T & A Synergy Enterprises Ltd. (Worman Commercial) - 1810-1824 Gordon Drive City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

The City Clerk advised that no correspondence and/or petitions had been received.

Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Shane Worman, Worman Commercial, Applicant's Representative

- Displayed a revised Landscape Plan and summarized the revisions.

There were no further comments.

Moved by Councillor Hodge/Seconded by Councillor Rule

R994/11/10/04 THAT Final Adoption of Zone Amending Bylaw No. 10533 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP10-0172 for Lot A, District Lot 138, ODYD, Plan KAP73230, located at 1810-1824 Gordon Drive, Kelowna, BC, subject to the following:

1. The dimensions of 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 THAT Council authorizes the issuance of Development Variance Permit No. DVP10-0173 for Lot A, District Lot 138, ODYD, Plan KAP73230, located at 1810-1824 Gordon Drive, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 8.1.2 - Number of Spaces: To vary the maximum number of parking spaces from 125% (48 stalls) of the required number of spaces to 158% (60 stalls).

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AND THAT issuance of the Development Permit and Development Variance Permit be subject to the requirements of FortisBC being completed to their satisfaction

AND FURTHER THAT the applicant be required to complete the above noted conditions within 180 days of Council approval of the Development Permit application, in order for the permit to be issued.

Carried

Moved by Councillor Hodge/Seconded by Councillor Rule

R995/11/10/04 THAT staff report back to Council, at an in-camera meeting, regarding the process and decision with respect to the City not agreeing to purchase 1800 Crosby Road for park purposes.

Carried

8. REMINDERS - Nil.

9. TERMINATION

The meeting was declared terminated at 7:16 p.m.

Certified Correct:

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Mayor

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City Clerk

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