

Regular MeetingNovember 29, 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, November 29<sup>th</sup>, 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: 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 7:07 p.m.

2. PRAYER

A Prayer was offered by Councillor Hobson.

3. CONFIRMATION OF MINUTES

Regular A.M. Meeting - November 7, 2011  
 Regular P.M. Meeting - November 7, 2011  
 Regular A.M. Meeting - November 14, 2011  
 Regular P.M. Meeting - November 14, 2011  
 Public Hearing - November 15, 2011  
 Regular Meeting - November 15, 2011

Moved by Councillor Hodge/Seconded by Councillor Rule

**R1194/11/11/29** THAT the Minutes of the Regular Meetings of November 7, 2011, November 14, 2011 and November 15, 2011 and the minutes of the Public Hearing of November 15, 2011 be confirmed as circulated.

Carried

4. Councillor Blanleil 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. 10423 (TA10-0007) - New HD2 - Hospital and Health District Services Zone, City of Kelowna Zoning Bylaw No. 8000

Moved by Councillor Hobson/Seconded by Councillor Stack

**R1195/11/11/29** THAT Bylaw No. 10423 be read a second and third time.

Carried

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- 5.2 Bylaw No. 10617 (OCP11-0003) - OCORP Development Ltd. (PC Urban Properties) - 1966-1968 Kane Road - **Requires a majority of all Members of Council (5)**

This Agenda item was withdrawn by staff as the Bylaw was not considered at the Public Hearing.

- 5.3 Bylaw No. 10618 (Z11-0033) - OCORP Development Ltd. (PC Urban Properties) - 1966-1968 Kane Road

This Agenda item was withdrawn by staff as the Bylaw was not considered at the Public Hearing.

- 5.4 Bylaw No. 10630 (Z11-0072) - Pinloco Holdings Inc. - 2311 Pandosy Street

Moved by Councillor James/Seconded by Councillor Hodge

R1196/11/11/29 THAT Bylaw No. 10630 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 246 letters to the owners and occupiers of the surrounding properties between November 10, 2011 and November 18, 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 Land Use Management Department, dated October 28, 2011 re: Development Variance Permit Application No. DVP11-0166 - Colin David Ross Suttie and Kirsten Courtenay (Colin David Ross Suttie) - 450 Collett Road 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.

Colin Suttie, Applicant

- Advised that he would like construct a larger garage so that both his and his wife's vehicles can utilize the space.

There were no further comments.

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**R1197/11/11/29** THAT Council authorizes the issuance of Development Variance Permit No. DVP11-0166, for Lot 2, D.L. 167, O.D.Y.D., Plan 33810, located on Collett Road, Kelowna, BC;

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

**Section 13.1.6(d) Development Regulations:**

To vary the eastern side yard setback from 2.3m required to 1.49m proposed (as per Schedule "A").

Carried

- 7.2 Land Use Management Department, dated November 2, 2011 re: Development Variance Permit Application No. DVP11-0177 - Joanne Senechal - 612 Birch Avenue 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.

Staff:

- Advised that the Applicant is unable to attend the Public Hearing as she is working this evening.
- Advised that the Applicant did receive support from the adjacent property owners.

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. No one came forward.

Moved by Councillor Hobson/Seconded by Councillor Craig

**R1198/11/11/29** THAT Council authorizes the issuance of Development Variance Permit No. DVP11-0177, for Lot 46, District Lot 14, ODYD Plan 1246, located on Birch Avenue, Kelowna, BC;

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

**Section 13.6.6(d): Development Regulations:**

To vary the west side yard setback from 2.0m permitted to 1.0m proposed.

Carried

- 7.3 Land Use Management Department, dated November 4, 2011 re: Development Variance Permit Application No. DVP11-0178 - Lucy Wilson - 185 Robson Road East 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.

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The City Clerk advised that the following correspondence and/or petitions had been received:

- Additional Information Submitted by the Applicant:
  - Additional information submitted by the Applicant, Lucy Wilson, 185 Robson Road East

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

Lucy Wilson, Applicant

- Advised that she purchased the property back in April 2011.
- Was unaware that she required a Building Permit for the carport until a Building Inspector showed up at the property.
- Advised that all of the neighbours on the street have provided their support for the proposed carport.
- Advised that the carport will blend in with the residence once completed.

There were no further comments.

Moved by Councillor Blanleil/Seconded by Councillor Hobson

**R1199/11/11/29** THAT Council authorize the issuance of Development Variance Permit No. DVP11-0178 for Lot 12, Section 23, Township 26, ODYD, Plan 17102, located at 185 Robson Road East, Kelowna, BC;

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

**Section 13.1.6(c) - RU1 Development Regulations:**

To vary the minimum front yard to a carport from 6.0m required to 4.2m proposed, as per Schedule "A".

AND FURTHER THAT Development Variance Permit issuance be subject to a Building Permit application being made for the carport.

Carried  
Councillor Stack - Opposed.

8. REMINDERS - Nil.

9. TERMINATION

The meeting was declared terminated at 7:34 p.m.

Certified Correct:

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Mayor

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City Clerk

SLH/dld