

A Public Hearing of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, June 12, 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; Director, Land Use Management, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. Mayor Gray called the Hearing to order at 6:02 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and "Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

The Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on May 25, 2012 and by being placed in the Kelowna Capital News issues of June 1, 2012 and June 5, 2012, and by sending out or otherwise delivering 396 letters to the owners and occupiers of surrounding properties between May 25, 2012 and June 1, 2012.

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.

3. INDIVIDUAL BYLAW SUBMISSIONS

- 3.1 Bylaw No. 10708 - Rezoning Application No. Z12-0019 - Victor Projects Ltd. (CEI Architecture) - 1850 Underhill Street - THAT Rezoning Application No. Z12-0019 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, D.L. 127, ODYD, Plan KAP59534 located at 1850 Underhill Street, Kelowna, B.C. from A1 - Agriculture 1 to C3 - Community Commercial 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 on the subject property;

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

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the registration of access easements on the adjacent parcels to accommodate the proposed vehicular movements.

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

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. The Applicant was present, but did not have anything further to add to staff's comments. No one came forward.

- 3.2 Bylaw Nos. 10709 and 10710 - Official Community Plan Bylaw Amendment Application No. OCP12-0002 and Rezoning Application No. Z12-0021 - No. 21 Great Projects Ltd. - 1355 Steele Road and 5000 Gordon Drive - THAT OCP Bylaw Amendment No. OCP12-0002 to amend Map 19.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing a portion of the Commercial designation of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638 and EPP15721, located at 1355 Steele Road, Kelowna, B.C. from Commercial to Major Park & Open Space and Public Service Utilities, as shown on Map "A" attached to the report of the Land Use Management Department, dated May 4th, 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 May 4th, 2012;

AND THAT Rezoning Application No. Z12-0021 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for a portion of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638 and EPP15721, located at 1355 Steele Road and the South ½ District Lot 579, SDYD, Except Plans KAP77336, KAP86178, KAP86917, KAP87090, KAP87918, EPP9619, EPP9638, EPP12863 and EPP15721, located at 5000 Gordon Drive, Kelowna, B.C. from A1 - Agriculture 1 to C3 - Community Commercial and P3 - Parks & Open Space as shown on Map "B" attached to the report of the Land Use Management Department, dated May 4th, 2012, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP12-0002 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 in conjunction with Council's consideration of a Development Permit on the subject properties;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch and Infrastructure Planning being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a plan of subdivision as proposed;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the dedication of the high voltage power line area as public park to the City.

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

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

Lloyd Nesman, General Manager, No. 21 Great Projects Ltd., Applicant

- Displayed a PowerPoint Presentation with respect to the development known as "Village at the Ponds".
- Advised that the Sector Plan was originally drafted back in 1996, but was only adopted by Council in 2006.
- Believes that the village centre will help reduce the impact on the roads in the southwest area of the City.
- Advised that there is approximately 22 km of walking trails being proposed for the development and that there will be another 1.5 km added to ensure a connection to the existing pathways.
- Advised that the development will trigger the extension of Steele Road.
- Advised that he met with the Neighbourhood Association back in April and that they have provided their support and approval for the development.

Ray, Applicant's Representative

- Displayed a PowerPoint Presentation with respect to the proposed development.
- Displayed photos of similar developments for comparison.
- Displayed a diagram of the Site Plan.
- Advised that the village core will be the trailhead for the walking paths and that the village centre will be unique to the Upper Mission Area.
- Advised that the Village Centre will be very pedestrian focused with parking at the rear of the commercial buildings.
- Advised that Frost Road will be the main road for the development and on-street parking will be required, and is critical, for the commercial properties facing the street.
- Provided an overview of the Design Principles that were considered for the development.
- Advised that the buildings will vary in design in order to create unique character, but still be compatible with each other.

Lloyd Nesman, General Manager, No. 21 Great Projects Ltd., Applicant

- Responded to questions from Council with respect to the possible connection of the proposed Village Centre to the Crawford Road area.
- Suggested options to ensure the connection between the Village Centre and the Crawford area, including funding ideas and public/private partnerships.

Bruce Callahan, Applicant's Representative

- Responded to questions from Council with respect to when the grocery store being proposed will be constructed.

There were no further comments.

Public Hearing

June 12, 2012

4. TERMINATION:

The Hearing was declared terminated at 6:36 p.m.

Certified Correct:

Mayor

/slh

Seedham

Deputy City Clerk

DRAFT

Regular MeetingJune 12, 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 Tuesday, June 12, 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; Director, Land Use Management, Shelley Gambacort*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 6:36 p.m.

2. PRAYER

A Prayer was offered by Councillor Stack.

3. CONFIRMATION OF MINUTES

Public Hearing - May 29, 2012
Regular Meeting - May 29, 2012

Moved by Councillor Hobson/Seconded by Councillor Basran

R551/12/06/12 THAT the Minutes of the Public Hearing of May 29, 2012 and the Minutes of the Regular Meeting of May 29, 2012 be confirmed as circulated.

Carried

4. BYLAWS CONSIDERED AT THE PUBLIC HEARING

4.1 Bylaw No. 10708 (Z12-0019) - Victor Projects Ltd. (CEI Architecture) - 1850 Underhill Street

Moved by Councillor Stack/Seconded by Councillor Given

R552/12/06/12 THAT Bylaw No. 10708 be read a second and third time.

Carried

4.2 Bylaw No. 10709 (OCP12-0002) - No. 21 Great Projects Ltd. - 1355 Steele Road - Requires a majority of all Members of Council (5)

Moved by Councillor DeHart/Seconded by Councillor Zimmermann

R553/12/06/12 THAT Bylaw No. 10709 be read a second and third time.

Carried

Regular MeetingJune 12, 2012

- 4.3 Bylaw No. 10710 (Z12-0021) - No. 21 Great Projects Ltd. - 1355 Steele Road and 5000 Gordon Drive

Moved by Councillor Singh/Seconded by Councillor Basran

R554/12/06/12 THAT Bylaw No. 10710 be read a second and third time.

Carried

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

The Deputy City Clerk advised that Notice of Council's consideration of the Development Variance Permit Applications was given by sending out or otherwise delivering 46 letters to the owners and occupiers of the surrounding properties between May 25, 2012 and June 1, 2012.

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 No. 309.

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Land Use Management Department, dated May 16, 2012, re: Development Variance Permit Application No. DVP12-0070 - Kelowna Central Park Phase II Properties Ltd. (Randall Olafson Consultants Ltd.) - 1575 Banks Road Deputy 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:

- The Applicant advised that they were not able to attend tonight's meeting.

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

Mayor Gray 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 Stack/Seconded by Councillor Blanleil

R555/12/06/12 THAT Council authorizes the issuance of Development Variance Permit No. DVP12-0070, for Lot B, District Lot 125, ODYD, Plan KAP75635, located on Banks Road, Kelowna, BC;

AND THAT a variance to the following section of Sign Bylaw No. 8235 be granted:

Section 5.5.1 (a) - Fascia Signs:

To vary the regulation to allow a fascia sign to project above the roofline or parapet, as per Schedule "A".

Carried

- 6.2 Land Use Management Department, dated May 16, 2012, re: Development Variance Permit Application No. DVP12-0054 - Robert Turner - 1270 Irene Road Deputy 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 Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Opposition:
 - Donna Stevenson, 239 Wallace Road

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

Robert Turner, Applicant

- Confirmed that he has spoken with Donna Stevenson regarding her concerns and agreed to reduce the size of the garage to 93m², which a reduction of 1,000 square feet.
- Advised that the reduction in size will shorten the structure by 10 linear feet.
- Confirmed that he will still be able to park three (3) vehicles in the garage as the reduction in size will only affect the proposed working area.

There were no further comments.

Moved by Councillor Basran/Seconded by Councillor Stack

R556/12/06/12 THAT Council authorizes the issuance of Development Variance Permit No. DVP12-0054, for Lot 2, Section 35, Township 26, O.D.Y.D., Plan 22634, located on Irene Road, Kelowna, BC;

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

Section 6.5.8(a) Accessory Buildings in residential zones:

To vary the required front yard setback for an accessory building from being located at least two times the distance of the required front yard setback for that zone (12m) to 6m proposed (as per Schedule "A");

Section 6.5.7 Accessory Development - lot coverage:

To vary the maximum allowable lot coverage for an accessory building from 90m² permitted to 93m² proposed (as per amended Schedule "A").

Carried

7. REMINDERS - Nil.

Regular MeetingJune 12, 20128. TERMINATION

The meeting was declared terminated at 6:50 p.m.

Certified Correct:

Mayor

/slh



Deputy City Clerk

DRAFT