

Regular MeetingNovember 27, 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, November 27<sup>th</sup>, 2012.

Council members in attendance: Mayor Walter Gray, Councillors Colin Basran, Andre Blanleil, 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 8:47 p.m.

2. PRAYER

2. A Prayer was offered by Councillor Given.

3. CONFIRMATION OF MINUTES

Public Hearing - November 13, 2012  
Regular Meeting - November 13, 2012

Moved by Councillor Basran/Seconded by Councillor Zimmermann

R1045/12/11/27 THAT the Minutes of the Regular Meeting of November 13, 2012 and the Minutes of the Public Hearing of November 13, 2012 be confirmed as circulated.

Carried

4. BYLAWS CONSIDERED AT PUBLIC HEARING

4.1 Bylaw No. 10471 (Z09-0062) - 0775362 BC Ltd. - (W of) South Perimeter Way

Council:

- Requested that staff investigate parking on the City-owned property in the trailhead area.

Moved by Councillor Stack/Seconded by Councillor Given

R1046/12/11/27 THAT Bylaw No. 10471 be read a second and third time.

Carried

4.2 Bylaw No. 10778 (Z12-0061) - Sharon Walker - 424 Park Avenue

Moved by Councillor Zimmermann/Seconded by Councillor DeHart

R1047/12/11/27 THAT Bylaw No. 10778 be read a second and third time.

Carried

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- 4.3 Bylaw No. 10779 (Z12-0063) - Kamalpreet & Gurdev Gill (Gurdev Gill) - 835 Solly Court

Moved by Councillor Singh/Seconded by Councillor Hobson

R1048/12/11/27 THAT Bylaw No. 10779 be read a second and third time.

Carried

Councillors Blanleil, DeHart, Hobson and Zimmermann - Opposed.

Moved by Councillor Blanleil/Seconded by Councillor Stack

R1049/12/11/27 THAT staff report back to Council with options related to setting minimum lot widths for the RU2 and RU3 zones in order to qualify under the new secondary suite regulations.

Carried

5. THE 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 402 letters to the owners and occupiers of the surrounding properties between November 9, 2012 and November 16, 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.

This meeting is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Land Use Management Department, dated November 2, 2012 re: Development Variance Permit Application No. DVP12-0183 - Montague Holdings Ltd. (Alfred Horie Construction Co. Ltd.) - 2610 Enterprise Way 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:

- o Letter of Opposition:
  - William Peitsch, Peitsch Investments Ltd., 4-1345 Industrial Road

Mayor Gray to invite anyone in the public gallery who deemed themselves affected by the application to come forward. No one came forward.

Moved by Councillor Blanleil/Seconded by Councillor Hobson

R1050/12/11/27 THAT Council authorizes the issuance of Development Variance Permit No. DVP12-0183, for That Part Lot B Lying South of the Right of Ways As Shown on Plan 2042, District Lot 125, ODYD, Plan 2042 Except: (1) Part Outlined in Red on Plan B5087 (2) Plans 9963, 12572, 20426, 21777 and KAP72758, located on 2610 Enterprise Way, Kelowna, BC;

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

**Section 7.6.9(c): Minimum Landscape Buffers**

To vary the minimum landscape buffer for industrial zone properties located adjacent to non-industrial zone properties from Level 3 required to Level 1 proposed;

**Table 7.1: Minimum Landscape Buffer Treatment Levels Schedule**

To vary the minimum landscape buffer for the front yard of a property zoned I2 from Level 2 required to Level 1 proposed;

**Section 15.2.5(d): Development Regulations**

To vary the minimum front yard setback from 7.5m required to 0.3m proposed;

**Table 8.1: Parking Schedule**

To vary the minimum off-street parking requirement from 28 permitted to 18 proposed.

Carried

- 6.2 Land Use Management Department, dated November 2, 2012 re: Development Variance Permit Application No. DVP12-0184 - AJ Wiens Development Group Ltd. (Alf Wiens) - 2160 Burnett Street 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 no correspondence and/or petitions had been received.

Mayor Gray to invite anyone in the public gallery who deemed themselves affected by the application to come forward. The Applicant was present, but did not have anything further to add to Staff's comments. No one came forward.

Moved by Councillor Blanteil/Seconded by Councillor Zimmermann

**R1051/12/11/27** THAT Council authorizes the issuance of Development Variance Permit No. DVP12-0184 for Lot 12, Section 19, Township 26, ODYD, Plan 11811, located at 2160 Burnett Street, Kelowna, BC;

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

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

To vary the maximum building site coverage from 40% permitted to 44% proposed, and the maximum building site coverage including driveways and parking areas from 50% permitted to 54% proposed (as per Schedule A).

Carried

7. REMINDERS - Nil.

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8. TERMINATION

The meeting was declared terminated at 9:22 p.m.

Certified Correct:

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Mayor

SLH/dld

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Deputy City Clerk