



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, March 26, 2013  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, Maxine DeHart, Gail Given, Robert Hobson, Luke Stack and Gerry Zimmermann

Council Members Absent: Councillors Andre Blanleil and Mohini Singh

Staff Present: Acting City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Manager, Urban Land Use, Danielle Noble; Manager, Development Engineering, Steve Muenz\*; and Council Recording Secretary, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Mayor Gray called the meeting to order at 11:27 p.m.

### 2. Prayer

A Prayer was offered by Councillor DeHart.

### 3. Confirmation of Minutes

Moved By: Councillor Zimmermann/Seconded By: Councillor Stack

R210/13/03/26 THAT the meeting be continued past 11:00 p.m. in accordance with Section 5.5 of Council Procedure Bylaw No. 9200.

Carried

Moved By: Councillor Given/Seconded By: Councillor Zimmermann

R211/13/03/26 THAT the Minutes of the Public Hearing and Regular Meeting of March 12, 2013 be confirmed as circulated.

Carried

4. **Bylaws Considered at Public Hearing**

- 4.1. Bylaw No. 10817 (OCP12-0008) - 3787, 3791 and 3795 Lakeshore Road
- 4.2. Bylaw No. 10812 (TA12-0007) - New CD24 Comprehensive Development Zone 24 - Zoning Bylaw No. 8000
- 4.3. Bylaw No. 10818 (Z12-0039) - 3787, 3791 and 3795 Lakeshore Road

Moved By: Councillor Basran/Seconded By: Councillor Given

R212/13/03/26 THAT Council defers consideration of Bylaw No. 10817 (OCP12-0008), Bylaw No. 10812 (TA12-0007) and Bylaw No. 10818 (Z12-0039) with respect to 3787, 3791 and 3795 Lakeshore Road to the Monday, April 8, 2013 PM Regular Council Meeting;

AND THAT staff report back to Council with the intent of Council Policy No. 229 - Mobile Home Park Redevelopment, together with the intent of Option #4 of the Westcorp Relocation Plan.

Carried

- 4.4. Bylaw No. 10816 (TA13-0003) - Miscellaneous Amendments - Zoning Bylaw No. 8000

Moved By: Councillor Basran/Seconded By: Councillor Given

R213/13/03/26 THAT Bylaw No. 10816 be read a second and third time.

Carried

5. **Notification of Meeting**

The City Clerk advised that Notice of Council's consideration of the Development Variance Permit Applications was given by sending out or otherwise delivering 446 letters to the owners and occupiers of the surrounding properties between March 12, 2013 and March 19, 2013.

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. Bylaw No. 10793 - OCP12-0019 - The Creeks Kelowna - East of Steele Road

Moved By: Councillor Given/Seconded By: Councillor Basran

R214/13/03/26 THAT Bylaw No. 10793 be adopted.

Carried

6.1.1. Bylaw No. 10794 - Z12-0057 - The Creeks Kelowna - East of Steele Road

Moved By: Councillor Basran/Seconded By: Councillor Given

R215/13/03/26 THAT Bylaw No. 10794 be adopted.

Carried

6.1.2. Development Variance Permit Application No. DVP12-0143 - The Creeks Kelowna - East of Steele Road

The 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 from Council. No one came forward.

Moved By: Councillor Stack/Seconded By: Councillor Basran

R216/13/03/26 THAT Final Adoption of Official Community Plan Bylaw No. 10793 and Zone Amending Bylaw No. 10794 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP12-0143 for Part 8.1 acres more or less of the South West ¼ Section 29 shown outlined green on Plan B4787 Township 29 Similkameen Division Yale District, located at (E OF) Steele Road, Kelowna, B.C.;

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

Section 13.3.7 (b) Development Regulations

To allow direct front driveway access where access is only permitted from a rear lane as shown on Schedule 'A'.

Carried

6.2. Development Variance Permit Application No. DVP13-0019 - John Robert and Mary MacDonald - 990 Villa Vista Road

The 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 to come forward, followed by comments from Council.

Mary MacDonald, Applicant

- Advised that she was originally told by City staff that a permit was not required for the additional to the dwelling.

There were no further comments.

Moved By: Councillor Zimmermann/Seconded By: Councillor Hobson

R217/13/03/26 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0019, for Lot 2, Section 23, Township 26, ODYD Plan 15939, located on 990 Villa Vista Road, Kelowna, BC;

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

Section 13.1.6 (c): Development Regulations

To vary the south side yard setback from 2.0m permitted to 0.73 proposed, as per schedule 'A';

AND FURTHER THAT a Building Permit for the addition and existing carport be applied for in order for the Development Variance Permit to be issued.

Carried

**8. Termination**

The meeting was declared terminated at 11:45 p.m.

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Mayor

\_\_\_\_\_  
City Clerk

/slh