



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, May 21, 2013
Location: Council Chamber
City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack* and Gerry Zimmermann.

Staff Present: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Manager, Urban Land Use, Danielle Noble; Manager, Long Range Planning, Gary Stephen*; Subdivision Approving Officer, Ryan Smith*; Council Recording Secretary, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 6:26 p.m.

2. Prayer

A Prayer was offered by Councillor Hobson.

3. Confirmation of Minutes

Moved By: Councillor Hobson/Seconded By: Councillor DeHart

R364/13/05/21 THAT the Minutes of the Public Hearing and Regular Meeting of April 23, 2013 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

- 4.1. Bylaw No. 10841 (HD13-0001) - Heritage Designation Bylaw "Copeland House" - 0874309 BC Ltd., 784 Elliot Avenue

Moved By: Councillor Zimmermann/Seconded By: Councillor DeHart

R365/13/05/21 THAT Bylaw No. 10841 be read a second and third time.

Carried

- 4.2. Bylaw No. 10840 (HRA12-0001) - Heritage Revitalization Agreement Authorization Bylaw, 0874309 BC Ltd., 784 Elliot Avenue

Moved By: Councillor Stack/Seconded By: Councillor Given

R366/13/05/21 THAT Bylaw No. 10840 be read a second and third time.

Carried

- 4.3. Bylaw No. 10746 (OCP12-0010) - City of Kelowna, Miscellaneous Amendments

Councillor Stack declared a perceived conflict of interest, as the subject Bylaw deals with a site specific piece of property, and the Society that he is involved with is within the notification area of that property. Councillor Stack left the meeting at 6:29 p.m.

Moved By: Councillor Singh/Seconded By: Councillor Given

R367/13/05/21 THAT Bylaw No. 10746 be given second and third readings and be adopted.

Carried

Councillor Stack rejoined the meeting at 6:29 p.m.

5. Notification of Meeting

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 399 letters to the owners and occupiers of the surrounding properties between May 7, 2013 and May 10, 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. Development Variance Permit Application No. DVP13-0038 - The Pit Stop C-Store & Gas Bar Ltd., 3802 Gordon Drive

Staff:

- Summarized the application before Council and responded to questions from Council.

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

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

David Atkinson, Applicant's Representative

- Advised that the requested variance will increase the distance between the road and the property.
- Believes that there will be no impact with respect to visibility and that there is no safety impact to vehicular or pedestrian traffic.

There were no further comments.

Moved By: Councillor Blanleil/Seconded By: Councillor Stack

R368/13/05/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0038 for Lot A D.L. 134, ODYD, Plan 40137, located at 3802 Gordon Drive, Kelowna, B.C.;

AND THAT variances to the following sections of Sign Bylaw No. 8325 be granted:

Section 6.1 - Permitted Area of Freestanding Signs in the C2 zone:

To vary the area for projecting signs in the C2 zone from 3.0m² permitted to 5.9 m² proposed as per schedule 'A'.

Carried

6.2. Heritage Alteration Permit Application No. HAP13-0001 - Edward and Marilyn Wiltshire, 1979 Abbott Street

Staff:

- Summarized the application before Council.
- Clarified that height could be the means for more storage for the crawl space, with improvements, and expected variances.
- Responded to questions from Council.

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

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

Doug Clark, Applicants' Representative

- Advised that was never a basement mentioned, only elevations as a possible solution for parking.
- Advised that the property is located pretty close to the water table.
- Discussed the rationale for the requested variance.
- Advised the building can't be moved without triggering variances.
- Advised that before attempting any renovations to the home, the foundation needs to be raised and inspected.
- Advised that there is no 'Plan B' for the property should the Heritage Alteration Permit not be granted.
- Advised that he canvassed the neighbourhood and did not receive any negative comments regarding the proposal.
- Confirmed that the intent is to gain additional, useable, space.
- Advised that there currently is no parking on site and that there is no place on the site to put parking.
- Responded to questions from Council.

There were no further comments.

Moved By: Councillor Stack/Seconded By: Councillor Basran

R369/13/05/21 THAT Council NOT authorize the issuance of Heritage Alteration Permit No. HAP13-0001, Lot 1, District Lot 14, ODYD plan 3998, located on 1979 Abbott Street, Kelowna, B.C.

Carried

6.3. Development Variance Permit Application No. DVP13-0037 - Rory and Donna Gatenby, 286 Atwood Place

Staff:

- Summarized the application before Council and responded to questions from Council.

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

Mayor Gray invited 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.

Moved By: Councillor Zimmermann/Seconded By: Councillor Hobson

R370/13/05/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0037, for Lot B, District Lot 14, ODYD Plan KAP73616 located on 286 Atwood Place, 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 north side yard setback from 2.0m permitted to 1.0m proposed (Schedule A).

Carried

8. Termination

The meeting was declared terminated at 7:23 p.m.

Mayor

/slh

Deputy City Clerk