



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, August 12, 2014
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: Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Manager, Urban Planning, Ryan Smith; Supervisor, Urban Planning, Lindsey Ganczar*; Planner II, Damien Burggraeve; and Council Recording Secretary, Tania Tishenko

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 7:27 p.m.

2. Prayer

A Prayer was offered by Councillor Given.

3. Confirmation of Minutes

Moved By Councillor Hobson/Seconded By Councillor Given

R594/14/08/12 THAT the Minutes of the Public Hearing and Regular Meeting of July 29, 2014 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1. Bylaw No. 10987 (Z14-0018) - 1781 Capistrano Drive, Mahesh Raj Tripathi

Moved By Councillor DeHart/Seconded By Councillor Zimmerman

R595/14/08/12 THAT Bylaw No. 10987 be read a second and third time and be adopted.

Carried

Councillor Stack Opposed

Moved By Councillor Hobson/Seconded By Councillor Stack

R596/14/08/12 THAT Council direct staff to enter into discussion with impacted property owners and Residence Associations to gauge support for secondary suites within the CD6 Zone.

Carried

4.2. Bylaw No. 10989 (Z14-0017) - 815 Juniper Road, Brad Ferrell

Moved By Councillor DeHart/Seconded By Councillor Zimmerman

R597/14/08/12 THAT Bylaw No. 10989 be read a second and third time.

Carried

4.3. Bylaw No. 10991 (Z14-0024) - 505 Doyle Avenue, Interior Health Authority

Moved By Councillor Basran/Seconded By Councillor Blanleil

R598/14/08/12 THAT Bylaw No. 10991 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these Develop Variance Permit Applications was given by sending out or otherwise delivering 90 Statutory Notices to owners and occupiers of surrounding properties, and 4584 Informational Notices to residents in the postal delivery area between July 29, 2014 and August 1, 2014.

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. 369.

6. Development Permit and Development Variance Permit Reports

6.1. Development Variance Permit Application No. DVP14-0092 - 2282 Aberdeen Street, Amanda Lister & Timothy DeGroot

Staff:

- Displayed a PowerPoint presentation and responded to questions from Council.

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

- Letter of Concern
 - Lisbet L. Sondergaard

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

Timothy DeGroot & Amanda Lister, Applicants

- Biggest single issue is height, and is willing to compromise with design.
- Challenged with design because property is 48 ft wide, plus requirements of onsite parking needed to be met.

Jeremy Brownly, Designer

- Precedent had been set in neighbourhood from prior carriage homes built.
- Privacy concerns had been addressed.
- Neighbors have shown support.

No one from the gallery came forward and there were no further comments.

Moved By Councillor Hobson/Seconded By Councillor Blanleil

R599/14/08/12 THAT Council defer the application indefinitely;

AND THAT Council refer the application back to staff.

Carried

6.2. WITHDRAWN - Bylaw No. 10403 (Z10-0044) - 120 Homer Road, Nathan Morden

6.2.1. WITHDRAWN - Development Permit Application No. DP14-0137 & Development Variance Permit Application No. DVP10-0076 - 120 Homer Road, Nathan Morden

6.3. Bylaw No. 10968 (OCP14-0006) - 560 & 582 McKay Avenue, 0781540 BC Ltd.

Moved By Councillor Hobson/Seconded By Councillor Singh

R600/14/08/12 THAT Bylaw No. 10968 be adopted.

Carried

6.3.1. Bylaw No. 10969 (Z14-0008) - 560 & 582 McKay Avenue, 0781540 BC Ltd.

Moved By Councillor Basran/Seconded By Councillor Blanleil

R601/14/08/12 THAT Bylaw No. 10969 be adopted.

Carried

6.3.2. Development Permit Application No. DP14-0041 & Development Variance Permit Application No. DVP14-0042 - 560 & 582 McKay Avenue, 0781540 BC Ltd.

Staff:

- Displayed a PowerPoint presentation and responded to questions from Council.

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 of Council.

Applicant was present and did not have anything further to add.

No one came forward from the gallery and there were no further comments.

Moved By Councillor Hobson/Seconded By Councillor Stack

R602/14/08/12 THAT final adoption of Official Community Plan Amending Bylaw No.10968 be considered by Council;

THAT final adoption of Zone Amending Bylaw No. 10969 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP14-0041 for of Lots 12 and 13, District Lot 14, ODYD, Plan 3769 located on 560 and 582 McKay Avenue, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP14-0042, for Lots 12 and 13, District Lot 14, ODYD, Plan 3769, located on 560 and 582 McKay Avenue, Kelowna, BC;

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

Section 8: Off-Street Vehicle Parking / Table 8.1: Parking Schedule

To vary the parking from 28 stalls required to 22 stalls proposed.

Section 8.2: Off-Street Loading

To vary the requirement to provide off-street loading spaces for new development to allow the development to proceed with no loading spaces.

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council's approval of the Development Permit Development Variance Permit Applications, in order for the permits to be issued.

Carried

6.4. Development Variance Permit Application No. DVP14-0104 - 375 Gibson Road, Karmjit, Balvir & Avineet Gill

Councillor Hobson declared a conflict of interest as the applicant is working for him on another project and left the meeting at 8:25 pm.

Staff:

- Displayed a PowerPoint presentation and responded to questions from Council.

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

- Letters of Concern
 - Doug MacDonald
 - Simon and Joyce Grant

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

Robert Holden, Applicant's representative

- Summarized application and responded to questions from Council.

Gallery:

Simon Grant, Swainson Road resident

- Referred to correspondence submitted as part of Public Hearing application.
- Spoke to City in regards to work undertaken on Creek.
- Concerned with wetland factor in this area and damage done to Francis Brook.
- Concerned with traffic hazards if this application should go ahead.

Karmit Gill, Owner

- Agreed for good signage to drive customers into stand.
- Surrounding neighbours are pleased with how the property looks.

There were no further comments.

Moved By Councillor Zimmermann/Seconded By Councillor Stack

R603/14/08/12 THAT Council authorizes the issuance of Development Variance Permit No. DVP14-0104, for Lot 4, Section 25 TWP 26, ODYD Plan 1760 Except Plan KAP60715, located on 375 Gibson Road, Kelowna, BC;

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

Section 11.1.6 (f): Development Regulations

To vary the maximum distance for an agricultural and garden stand from 15.0 metres permitted to any lot line to 6.0 metres proposed.

Carried

7. Reminders

Mayor Gray:

- Noted that the Kelowna Yacht Club will have their flag raising on Tuesday at 8 a.m.

8. Termination

The meeting was declared terminated at 8:57 p.m.

Mayor

City Clerk

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