



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, August 26, 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: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Manager, Urban Planning, Ryan Smith; Supervisor, Urban Planning, Lindsey Ganczar*; and Council Recording Secretary, Tania Tishenko

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 8:34 p.m.

2. Prayer

A Prayer was offered by Councillor Hobson.

3. Confirmation of Minutes

Moved By Councillor Basran/Seconded By Councillor Hobson

R622/14/08/26 THAT the Minutes of the Public Hearing and Regular Meeting of August 12, 2014 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1. Bylaw No. 10992 (OCP14-0010) - 1225 Lund Road, Melcor Lakeside Inc.

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R623/14/08/26 THAT Bylaw No. 10992 be read a second and third time.

Carried

4.2. Bylaw No. 10993 (Z14-0020) - 1225 Lund Road, Melcor Lakeside Inc.

Moved By Councillor Stack/Seconded By Councillor Given

R624/14/08/26 THAT Bylaw No. 10993 be read a second and third time.

Carried

4.3. Bylaw No. 10994 (Z14-0026) - 1280 Glenmore Drive, 561655 BC Ltd.

Moved By Councillor Blanleil/Seconded By Councillor Basran

R625/14/08/26 THAT further reading consideration of Bylaw No. 10994 be deferred so the applicant and staff may determine an appropriate use and lane location for the western portion of the parcel;

AND THAT staff report back to Council as appropriate following discussions with the applicant.

Carried

4.4. Bylaw No. 10995 (TA14-0009) - Amendment to Zoning Bylaw No. 8000 - Boat Storage Definition

Moved By Councillor Singh/Seconded By Councillor Hobson

R626/14/08/26 THAT Bylaw No. 10995 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these Development Variance Permit Applications was given by sending out or otherwise delivering 50 Statutory Notices to owners and occupiers of surrounding properties, and 1625 Informational Notices to residents in the postal delivery route between August 12, 2014 and August 15, 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. Bylaw No. 10962 (OCP14-0005) - 235 Queensway Avenue, 1470 & 1476 Water Street, Portions of Mill Street & Queensway Avenue, Westcorp Holyrood Inc. et al

Councillor DeHart declared a conflict of interest as she is employed in the hotel industry and left the meeting at 8:55 pm.

Moved By Councillor Basran/Seconded By Councillor Blanleil

R627/14/08/26 THAT Bylaw No. 10962 be adopted.

Carried

6.1.1. Bylaw No. 10963 (Z14-0006) - 235 Queensway Avenue, 1470 & 1476 Water Street, Portions of Mill Street & Queensway Avenue, Westcorp Holyrood Inc. et al

Moved By Councillor Blanleil/Seconded By Councillor Basran

R628/14/08/26 THAT Bylaw No. 10963 be adopted.

Carried

6.1.2. Development Permit Application No. DP14-0024 & Development Variance Permit Application No. DVP14-0025 - 235 Queensway Avenue, 1470 & 1476 Water Street and Portions of Mill Street & Queensway Avenue, Westcorp Holyrood Inc. et al

Staff:

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

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

- Letters of Support
 - Caroline Grover
 - Bob Evans
 - Rosanne Laberge
 - Wesley J. Forgione
 - Jacqueline & Bruce Jones
 - Angie Bricker
 - Lane & Ron Shupe
 - Jan Woolsey
 - Paul Mitchell
 - Brad Attwood
 - Luigi Cocco
 - Deborah Hughes
 - Mary Jo Schnepf
 - Rick Pushor
 - Dallas Gray
 - Brian Scanlan
 - Amarjit Lalli
 - Doug Gosso
 - Steve Wilson
 - Barry Lapointe
 - David H. Pihl
 - Francis Braam
 - Paul Maarschalk
 - Peggy Athans

- Ted Vardalos
- Yarden Gershony
- Jamie Meyer
- Randy Urban
- Dan Allen
- Lesley Spiegel
- John Hertay
- Alison Ramchuk
- Mike Ertel
- Jim Hawkins
- Russ Foster
- Bob Brown
- Bruce & Kim Davis
- Roy Sommerey
- Darryl Ruff
- Kim Dobranski
- Richard Borroughs
- Jack Shabbits
- Luc Schingh
- Lynn Burkart & Mel Pointer
- Robert Fershau, Ben Walker & David James
- Jim Shedden
- Jim Nixon
- Meghan O'Mara
- Martin Cronin
- Jan Johnson
- W. Brent Lobson
- Trent Kitsch
- Bob Callahan
- Peter Raja
- Susanne Zimmerman
- Cheryl Gillespie & Roger Hopkins
- Scott Brown

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

Gail Temple, Westcorp, and Michael McDonald, Kasian Architecture, Applicant's Representatives

- Displayed PowerPoint presentation summarizing application and responded to questions from Council.

Gallery:

Andrew Bruce, Keith Road resident

- In favor of the application.

There were no further comments.

Moved By Councillor Hobson/Seconded By Councillor Blanleil

R629/14/08/26 THAT final adoption of Official Community Plan Amending Bylaw No. 10962 be considered by Council;

THAT final adoption of Zone Amending Bylaw No. 10963 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP14-0024 for Lots 1 and 2, District Lot 139, ODYD, Plan 2698, and Lot A, District Lot 139 ODYD Plan 2180 and Lots 6 and 7, District Lot 139 ODYD Plan 505, and that Part of District Lot 139

ODYD Shown as closed Road on Plan EPP41444, located on 235 Queensway, 1470 and 1476 Water Street, 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. DVP14-0025, for Lots 1 and 2, District Lot 139, ODYD, Plan 2698, and Lot A, District Lot 139 ODYD Plan 2180 and Lots 6 and 7, District Lot 139 ODYD Plan 505 and that Part of District Lot 139 ODYD Shown as closed Road on Plan EPP41444, located on 235 Queensway, 1470 and 1476 Water Street, Kelowna, BC;

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

Section 14.7.5 (a): Development Regulations

To vary to the maximum height of buildings and structures from 22.0m permitted to 83.995m proposed;

Section 14.7.5 (e): Development Regulations

To vary minimum building setback above 15.0m abutting a street from 3.0m permitted to 0.0m proposed 8 minor encroachments into the required setback as illustrated on Schedule "D" attached to this report;

Section 14.7.5 (l)ii: Development Regulations

To vary the minimum building setback from a lane for portions of a building over 22.0 m in height from 10.0 m permitted to 0.0m proposed as illustrated on Schedule "D" attached to this report;

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

Carried

- 6.2. Development Variance Permit Application No. DVP14-0122 - 1545 Keehn Road, Hywood Properties Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application 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 didn't have anything further to add. Nobody came forward from the gallery and there were no further comments.

Moved By Councillor Zimmermann/Seconded By Councillor Stack

R630/14/08/26 THAT Council authorize the issuance of Development Variance Permit No. DVP14-0122 for Lot A, District Lot 125, ODYD, Plan EPP36652 located at 1545 Keehn Road, Kelowna, BC;

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

Section 6.1 - Specific Zone Regulations

To vary the number of allowable fascia signs from 2 signs per business to 3 signs per business.

Carried

8. Termination

The meeting was declared terminated at 9:37 p.m.

Mayor

/tt/slh

City Clerk