



City of Kelowna

Date: Tuesday, May 12, 2015
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran*, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben*, Mohini Singh and Luke Stack

Staff Present Acting City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Urban Planning Supervisor, Lindsey Ganczer*; Urban Planner, Adam Cseke*; Subdivision, Agriculture & Environment Manager, Todd Cashin; Council Recording Secretary, Arlene McClelland

(* denotes partial attendance)

1. **Call to Order**

Mayor Basran called the meeting to order at 6:00 p.m.

2. **Reaffirmation of Oath of Office**

The Oath of Office was read by Councillor Singh.

3. **Confirmation of Minutes**

Moved By Councillor Gray/Seconded By Councillor Given

R375/15/05/12 THAT the Minutes of the Public Hearing and Regular Meeting of April 28, 2015 be confirmed as circulated.

Carried

4. **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 391 statutory notices to the owners and occupiers of surrounding properties, and 3090 informational notices to residents in the same postal delivery route, between April 28 and May 1, 2015. 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.

5. **Development Permit and Development Variance Permit Reports**

5.1 1250 Ellis Street, DVP15-0066 - Whitworth Holdings Ltd.

Councillor Sieben declared a conflict of interest as the applicant is a relative and he is an investor and departed the meeting at 6:02 p.m.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that no correspondence was received.

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

Applicant

- Present and available for questions.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor DeHart

R376/15/05/12 THAT Council authorize the issuance of Development Variance Permit No. DVP15-0066, for the property legally known as Lot 1, District Lot 139, ODYD, Plan 660, located on 1250 Ellis St., Kelowna, BC.

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

Section 5.3.1 (c) - Specific Regulations

To vary that the canopy sign to project above the upper edge of a canopy from 300mm to 720mm.

Section 5.8.1 (a) - Specific Zone Regulations

To vary the maximum height of a projecting sign from 7.5m to 8.3m above grade.

Section 6 - Specific Zone Regulations

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

To vary the number of permitted projecting signs from 0 to 1.

AND FURTHER THAT this Development Permit / Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

Councillor Sieben rejoined the meeting at 6:07 p.m.

5.2 2127 Ethel Street, BL11064 (Z15-0004) - Simple Pursuits Inc.

Moved By Councillor Hodge/Seconded By Councillor Gray

R377/15/05/12 THAT Bylaw No. 11064 be adopted.

Carried

5.3 2127 Ethel Street, Z14,0004, DP15-0019 & DVP15-0080 - Simple Pursuits Inc.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that the following correspondence was received:

Letters of Concern
Dianne Varga, Copeland Place
Janice Sich, Glenwood Avenue
Joanne Bayley, Aberdeen Street

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

Applicant

- Present and available for questions.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Given

R378/15/05/12 THAT Final Adoption of Zoning Amending Bylaw No. 11064 be considered by Council;

AND THAT Council authorize the issuance of Development Permit DP15-0019 for Lot 1, Section 19, Township 26, ODYD, Plan 29557, located on 2127 Ethel 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. That 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 authorize the issuance of Development Variance Permit DVP15-0080 for Lot 1, Section 19, Township 26, ODYD, Plan 29557, located on 2127 Ethel Street, Kelowna, BC, subject to the following:

Subdivision, Development & Servicing Bylaw No. 7900/Schedule 4 - Design Standards/Section 4. Highway/4.6 Curb & Gutter, Sidewalks & Bike Lanes

- Variance to allow access from a class 1 collector road (Ethel Street) when an alternate access is available.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit/Development Variance Permit Applications in order for the permit to be issued.

AND FURTHER THAT this Development Permit and Development Variance Permit be valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

5.4 3528 Landie Road, BL11067 (Z14-0058) - Jesse East

Mayor Basran declared a conflict of interest as the Applicant is the Basran family Realtor and left the meeting at 6:19 p.m. Deputy Mayor Gray took over as Chair.

Moved By Councillor Donn/Seconded By Councillor Hodge

R379/15/05/12 THAT Bylaw No. 11067 be adopted.

Carried

5.5 3528 Landie Road, DVP14-0254 - Jesse East

Staff:

- Provided a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence was received.

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

Applicant:

- Present and available for questions.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Donn

R380/15/05/12 THAT final adoption of Zone Amending Bylaw No. 11067 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP14-0254 for Lot C, District Lot 134, ODYD, Plan 31819, located on 3528 Landie Road, Kelowna, BC;

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

Section 13.2.6(d): RU2 - Medium Lot Housing Development Regulations

To vary the minimum side yard for a 2 or 2 ½ storey portion of a building from 1.8 m permitted to 1.2 m proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

Mayor Basran returned to the meeting at 6:24 p.m. and resumed the Chair

5.6 3373-3395 Neid Road, DVP15-0036 - Kewal Singh Mann & Jasmel Kaur Mann

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that no correspondence was received.

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

Applicant:

- Present and available for questions.

There were no further comments.

Moved By Councillor Singh/Seconded By Councillor Hodge

R381/15/05/12 THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0036, for a variance for the South ½ of Lot 26 Section 16 Township 26 ODYD Plan 187 Except Plan B129 located at 3373-3395 Rd, Kelowna, BC, as shown in Schedule 'A';

AND THAT variance to the following Section 11 of Zoning Bylaw No. 8000 be granted:

Section 11.1.6 (f) A1- Agriculture 1(Development Regulations)

To vary the front yard setback from 15 m permitted to 8.0 m proposed for an agricultural garden stand to property line.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

6. Resolutions

- 6.1 341 Clifton Road, BL10892 (Z13-0035) and DVP14-0240, Draft Resolution - Adrian Hazzi & Mandi Moore

Moved By Councillor Given/Seconded By Councillor DeHart

R382/15/05/12 THAT Council defers consideration of the adoption of Bylaw No. 10892 and the issuance of Development Variance Permit Application No. DVP14-0240 to the May 26, 2015 Regular Meeting.

Carried

7. Reminders

City Clerk advised Council of an invitation from WFN for a bus tour of their lands on Monday, July 13, 2015. This is a regularly scheduled Council day.

8. Termination

The meeting was declared terminated at 6:34 p.m.

Mayor

City Clerk

Deputy Mayor

/acm