



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, January 19, 2016
Location: Council Chamber
City Hall, 1435 Water Street

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

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Community Planning Department Manager, Ryan Smith; and Legislative Systems Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:18 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Sieben.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Gray

R030/16/01/19 THAT the Minutes of the Public Hearing and Regular Meeting of December 15, 2015 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 988 Frost Road, BL11176 (Z15-0051) - 0954654 BC Ltd.

Moved By Councillor Hodge/Seconded By Councillor Gray

R031/16/01/19 THAT Bylaw No. 11176 be read and second and third time and be adopted.

Carried

4.2 200 Potterton Road, BL11178 (OCP15-0018) - Roth Enterprises Ltd.

Moved By Councillor Donn/Seconded By Councillor Given

R032/16/01/19 THAT Bylaw No. 11178 be read a second and third time and be adopted.

Carried

4.3 200 Potterton Road, BL11179 (Z15-0057) - Roth Enterprises Ltd.

Moved By Councillor Singh/Seconded By Councillor Sieben

R033/16/01/19 THAT Bylaw No. 11179 be read a second and third time and be adopted.

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 53 statutory notices to the owners and occupiers of the surrounding properties, and 2,019 informational notices to residents in the same postal delivery route, between January 5 and January 8, 2016.

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 2055 Heimlich Road, DP15-0225 & DVP15-0226 - Christine Bothe

Staff:

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

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

Mayor Basran invited the applicant or 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 presentation. No one came forward.

Moved By Councillor Stack/Seconded By Councillor Hodge

R034/16/01/19 THAT Council authorizes the issuance of Development Permit No. DP15-0225 for Lot 1 Section 8 Township 26 ODYD Plan 34462 located at 2055 Heimlich Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule 'A';
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule 'B';

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0226 for Lot 1 Section 8 Township 26 ODYD Plan 34462 located at 2055 Heimlich Road, Kelowna, BC;

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

Section 12.3.6(b): RR3 Rural Residential 3 Development Regulations

To vary the height for an accessory building from 4.5m maximum to 5.61m proposed.

AND THAT Council's consideration of this Development Permit and Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment 'A' attached to the Report from the Community Planning Department dated January 19, 2016;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Application in order for the permits to be issued;

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

Carried

- 6.2 TO BE DEFERRED - 3657 Highway 97 N, BL10934 (Z13-0037), DP13-0159 & DVP13-0160 - Raul Holdings Inc.

Moved By Councillor Singh/Seconded By Councillor DeHart

R035/16/01/19 THAT Council defers consideration of Bylaw No. 10934 (Z13-0037), Development Permit Application No. DP13-0159 and Development Variance Permit Application No. DVP13-0160 for the property located at 3567 Highway 97 North to the February 2, 2016 Regular Meeting.

Carried

7. Reminders - Nil.

8. Resolution Closing the Meeting to the Public

Moved By Councillor Given/Seconded By Councillor Singh

R036/16/01/19 THAT this meeting be closed to the public pursuant to Section 90(2) (b) of the *Community Charter* for Council to deal with matters relating to the following:

- Negotiations with the Provincial Government.

Carried

9. Adjourn to Closed Session

The meeting adjourned to a closed session at 6:32 p.m.

10. Reconvene to Open Session & Termination

The meeting reconvened to an open session and was declared terminated at 6:35 p.m.

Mayor

City Clerk

/slh