



## City of Kelowna Regular Meeting Minutes

Date:	Tuesday, May 29, 2018
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge and Mohini Singh
Members Absent	Councillors Brad Sieben and Luke Stack
Staff Present	Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Divisional Director Community Planning & Strategic Investments, Doug Gilchrist; Suburban & Rural Planning Manager, Dean Strachan; Community Planning Department Manager, Ryan Smith; Planner Specialist, Adam Cseke; Acting Legislative Coordinator (Confidential), Tania Tishenko

(\*Denotes partial attendance)

**1. Call to Order**

Mayor Basran called the meeting to order at 6:16 pm.

**2. Reaffirmation of Oath of Office**

The Oath of Office was read by Councillor DeHart

**3. Confirmation of Minutes**

**Moved By Councillor Hodge/Seconded By Councillor Gray**

**R554/18/05/29** THAT the Minutes of the Public Hearing and Regular Meeting of May 15, 2018 be confirmed as circulated.

**Carried**

**4. Bylaws Considered at Public Hearing**

**4.1 Sarsons Road 424, Z18-0013 (BL11613) - JK Quest Ltd., Inc. No. BC1108914**

Moved By Councillor Donn/Seconded By Councillor Hodge

R555/18/05/29 THAT Bylaw 11613 be read a 2<sup>nd</sup> and 3<sup>rd</sup> time.

Carried

**4.2 Dougall Rd N 490, Z17-0101 (BL11614) - Jaspreet Sekhon**

Moved By Councillor Hodge/Seconded By Councillor Donn

R556/18/05/29 THAT Bylaw No. 11614 be read a 2<sup>nd</sup> and 3<sup>rd</sup> time.

Carried

**4.3 Hubbard Rd 814, Z18-0014 (BL11615), James and Robin Wilson**

Moved By Councillor Singh/Seconded By Councillor DeHart

R557/18/05/29 THAT Bylaw No. 11615 be read a 2<sup>nd</sup> and 3<sup>rd</sup> time.

Carried

**5. Notification of Meeting**

The City Clerk advised that Notice of Council's consideration of these Development Permit and Development Variance Permit Applications was given by sending out or otherwise mailing 41 statutory notices to the owners and occupiers of the surrounding properties on Tuesday May 15, 2018.

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 Old Vernon Rd 144 - LUC17-0003 (BL11598) - Serra Holdings (No. 9) Ltd Inc. No BC0950182**

**Moved By Councillor DeHart/Seconded By Councillor Singh**

**R558/18/05/29** THAT Bylaw No. 11598 be adopted.

**Carried**

**6.2 Old Vernon Rd 120 & 144, DP17-0223 DVP17-0224 - Serra Holdings (No 9) Ltd Inc. No BC0950182**

Staff:

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

The City Clerk advised that no correspondence was received.

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

**Eaman Rezvani, Development Manager, Serracan Properties, Applicant**

- Displayed a Powerpoint Presentation.
- Spoke to history of site.
- Spoke to reasons for building location on the consolidated two lots.
- Spoke to proposed vehicular and pedestrian traffic flows
- Confirmed sign does not include a LED display screen
- Spoke to sole occupant McDonalds providing economical benefits to community and involvement in community events.
- Responded to questions from Council.

No one from the gallery came forward.

There were no further comments.

**Moved By Councillor Hodge/Seconded By Councillor Donn**

**R559/18/05/29** AND THAT Council authorizes the issuance of Development Permit No. DP17-0223 and DVP17-0224 for Lot 1, Section 2, Township 23, ODYD, Plan 7301 located at 120 Old Vernon Road, Kelowna, BC; and Lot A (X26413), Section 2, Township 23, ODYD, Plan 7301, located at 144 Old Vernon 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";
3. Landscaping to be provided on the land be in 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 Registered Landscape Architect;

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

**Section 14.2.6 (g): C2 – Neighbourhood Commercial Other Regulations**

To permit drive-in food services as a form of development;

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

**Section 6.1: Sign Bylaw - Specific Zone Regulations (C2)**

To vary the maximum height of a free-standing sign from 3.0m to 5.0m;

AND THAT the subject properties are required to be consolidated;

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

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

**Carried**

**6.3 Pier Mac Way 1805, 3515 and 3525 Kel Mac Ct, DP18-0009 & DVP18-0010 - The Armstrong Land Corp. Inc. No. BC1113050**

Staff:

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

The City Clerk advised that no correspondence was received.

Darren Cruikshanks, Krahn Engineering Ltd, Applicant

- Made introductory remarks.

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

No one from the gallery came forward.

There were no further comments.

**Moved By Councillor DeHart/Seconded By Councillor Singh**

**R560/18/05/29** THAT Council authorize the issuance of Development Permit No. DP18-0009 for:

- Lot 1, Section 14, Township 23, ODYD, Plan EPP56391 located at 1805 Pier Mac Way, Kelowna, BC;
- Lot 2, Section 14, Township 23, ODYD, Plan EPP56391 located at 3515 Kel Mac Ct, Kelowna, BC; &
- Lot 3, Section 14, Township 23, ODYD, Plan EPP56391 located at 3525 Kel Mac Ct, 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 to 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;
5. That the applicant consolidates the lots prior to Development Permit issuance and update the legal description of the resulting lot in order for the Development Permit and Development Variance Permit to be registered on the consolidated lot.

AND THAT Council authorize the issuance of Development Variance Permit DVP18-0010 for:

- Lot 1, Section 14, Township 23, ODYD, Plan EPP56391 located at 1805 Pier Mac Way, Kelowna, BC;
- Lot 2, Section 14, Township 23, ODYD, Plan EPP56391 located at 3515 Kel Mac Ct, Kelowna, BC; &
- Lot 3, Section 14, Township 23, ODYD, Plan EPP56391 located at 3525 Kel Mac Ct, Kelowna, BC

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

### **S.8 Table 8.1 Parking Schedule**

To vary the minimum number of parking stalls provided from 55 stalls to 20 stalls.

AND THAT the Development Permit and Development Variance Permit is issued subsequent to the outstanding conditions set out in Attachment "A" attached to the Report from the Community Planning Department dated May 7<sup>th</sup> 2018;

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 permit to be issued;

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

**Carried**

### **6.4 Finns Rd 743-745, DVP18-0069 - Jeffrey and Yvonne Brown**

Staff:

- Displayed a PowerPoint Presentation summarizing the application

The City Clerk advised that the following correspondence was received.

Letter of Opposition and Concern:  
Marian Gruber, Fitzpatrick Road

Birte Decloux, Urban Options, Applicant

- Made brief remarks and was available for questions.

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

No one from the gallery came forward.

There were no further comments.

**Moved By Councillor Hodge/Seconded By Councillor Given**

**R561/18/05/29** THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0069 for Lot 1 Section 34 Township 26 Osoyoos Division Yale District Plan 3389, located at 743-745 Finns Road, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted in general accordance with Schedule "A":

**Section 15.2.5(d): I2 – General Industrial Development Regulations**

To vary the required minimum front yard (north) from 7.5 m permitted to 6.0 m proposed.

**Section 15.2.5(d): I2 – General Industrial Development Regulations**

To vary the required minimum front yard (south) from 7.5 m permitted to 6.0 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**

7. **Reminders – Nil.**

8. **Termination**

The meeting was declared terminated at 7:00 p.m.

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Mayor Basran

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City Clerk

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