



## City of Kelowna Regular Meeting Minutes

Date: Tuesday, October 6, 2015  
Location: Council Chamber  
City Hall, 1435 Water Street

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

Members Absent Councillor Maxine DeHart

Staff Present Acting City Manager, Rob Mayne; City Clerk, Stephen Fleming; Community Planning Manager, Ryan Smith; Suburban & Rural Planner, Damien Burggraeve\*; Council Recording Secretary, Arlene McClelland

(\* denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 8:51 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Mayor Basran.

### 3. Bylaws Considered at Public Hearing

#### 3.1 BL11131 (TA15-0007) - Micro Suite Housing Amendments to Zoning Bylaw No. 8000

Moved By Councillor Donn/Seconded By Councillor Hodge

R777/15/10/06 THAT Bylaw No. 11131 be read a second and third time.

Mayor Basran, Councillors Donn & Sieben - Carried  
Opposed

Moved By Councillor Hodge/Seconded By Councillor Stack

R778/15/10/06 THAT Council direct staff to remove the 400 meter bus stop and transit station regulation section in Text Amendment No TA15-0007.

Councillor Sieben - Carried  
Opposed

**3.2 5305 and 5315 Main Street, BL11138 (TA15-0009) - Anthony and Susan Overton**

Moved By Councillor Donn/Seconded By Councillor Hodge

R779/15/10/06 THAT Bylaw No. 11138 be read a second and third time and be adopted.

Carried

**3.3 BL11139 (TA14-0022) - Housekeeping Text Amendments to Zoning Bylaw No. 8000**

Moved By Councillor Given/Seconded By Councillor Donn

R780/15/10/06 THAT Bylaw No. 11139 be read a second and third time.

Carried

**3.4 BL11140 (TA14-0022) - Housekeeping Text Amendments to Zoning Bylaw No. 8000**

Moved By Councillor Stack/Seconded By Councillor Singh

R781/15/10/06 THAT Bylaw No. 11140 be read a second and third time.

Carried

**3.5 BL11141 (TA14-0022) - Housekeeping Text Amendments to Zoning Bylaw No. 8000**

Moved By Councillor Singh/Seconded By Councillor Sieben

R782/15/10/06 THAT Bylaw No. 11141 be read a second and third time.

Carried

**3.6 (South of) Academy Way, BL11143 (Z15-0006) - Watermark Development Ltd. & City of Kelowna**

Moved By Councillor Singh/Seconded By Councillor Sieben

R783/15/10/06 THAT Bylaw No. 11143 be read a second and third time.

Carried

**4. Notification of Meeting**

The City Clerk advised that Notice of Council's consideration of the Development Variance Permit Applications was given by sending out or otherwise delivering 9 statutory notices to the owners and occupiers of surrounding properties, and 788 informational notices to residents in the same postal delivery route, between September 22 and September 25, 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

5.1 392 Stellar Drive, DVP15-0129 - Steve & Elizabeth Moore

Staff:

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

The City Clerk advised that the following correspondence had been received:

Letters of Opposition or Concern

Al Kassian, Stellar Drive  
G. Nykiforuk, Lakeshore  
Noel and Joyce O'Mahony, Tellar Drive

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

Steve Moore, Stellar Drive, Applicant

- Confirmed that a geotechnical engineer had surveyed the property.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Gray

R784/15/10/06 THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0129 for Lot A Section 23 Township 28 SDYD Plan KAP81216, located at 392 Stellar Drive, Kelowna, BC;

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

Section 7.5.9 - Landscaping and Screening Fencing and Retailing Walls

To vary the maximum height of the retaining wall from 1.2 m required to 3.4 m proposed in accordance with Schedule "A" and Schedule "B".

Section 8.1 - Parking and Loading Parking Schedule

To vary the designated secondary suite parking space from one required to none proposed in accordance with Schedule "A".

Section 13.1.6(c) - RU1 - Large Lot Housing Large Lot Housing Development Regulations

To vary the minimum front yard setback from 4.5 m required to 3.5 m proposed in accordance with Schedule "A".

To vary the minimum front yard setback from a garage having vehicular entry from the front from 6.0 m required to 3.75 m proposed in accordance with Schedule "A".

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. Reminders - Nil.

7. Termination

The meeting was declared terminated at 9:49 p.m.

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Mayor

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City Clerk

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