



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, June 14, 2016

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 and Mohini Singh

Members Absent Councillor Luke Stack

Staff Present Acting City Manager, Doug Gilchrist, City Clerk, Stephen Fleming, Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Suburban & Rural Planning Manager, Todd Cashin*; Planner, Tracey Yuzik*; Council Recording Secretary, Arlene McClelland

(* 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 Singh.

3. Confirmation of Minutes

Moved By Councillor DeHart/Seconded By Councillor Gray

R492/16/06/14 THAT the Minutes of the Public Hearing and Regular Meeting of May 31, 2016 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 731 Royal Pine Drive, BL11248 (Z16-0013) - Richard & Jennifer Sutton

Moved By Councillor Hodge/Seconded By Councillor Gray

R493/16/06/14 THAT Bylaw No. 11248 be read a second and third time.

Carried

4.2 2420 Abbott Street, BL11252 (Z16-0014) - Stephani Bruckal

Moved By Councillor Donn/Seconded By Councillor Hodge

R494/16/06/14 THAT Bylaw No. 11252 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 49 statutory notices to the owners and occupiers of surrounding properties, and 4865 informational notices to residents in the same postal delivery route, between May 31 and June 3, 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

6.1 610 Peck Road, DVP16-0098 - Arthur & Barbara Schmid

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence 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.

Applicant:

- Present and available for questions.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Hodge

R495/16/06/14 THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0098 for Lot 14, District Lot 5196, and of Section 14, Township 26, ODYD, Plan 25160, located at 610 Peck Road, Kelowna, BC;

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

Section 8.1.9(b): Parking and Loading

To allow off-street parking to be located in the required front yard on a driveway that does not provide access to a required off-street parking space.

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

6.2 866 Coronado Crescent, DVP16-0106 - Trevor & Kyla Feddersen

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence 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.

Applicant was not present.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R496/16/06/14 THAT Council Authorizes the issuance of Development Variance Permit No. 8000 DVP15-0106 for Lot 24 District Lot 580A SDYD Plan 25407, located at 866 Coronado Crescent;

AND THAT variances to the following section of the Zoning Bylaw NO. 8000 be granted:

Section 13.1.6(d): RU1 - Large Lot Housing Development Regulations

To vary the required minimum side yard from 2.3 m permitted to 2.19 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

6.3 2075 KLO Road, BL11188 (TA15-0010) - Amendment to Section 11 - Agricultural Zone

Moved By Councillor Donn/Seconded By Councillor Gray

R497/16/06/14 THAT Bylaw No. 11188 be adopted.

Carried
Councillor Gray - Opposed

6.4 2075 KLO Road, BL11189 (Z15-0045) - Eva Lintell

Moved By Councillor Singh/Seconded By Councillor DeHart

R498/16/06/14 THAT Bylaw No. 11189 be adopted.

Carried
Councillor Gray - Opposed

6.5 2075 KLO Road, DP16-0110 & DVP15-0191 - Eva M. Lintell

Staff:

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

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

Letters of Concern/Opposition:

Randy Folk, Parsons Road
Friends of Mission Creek Society

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

Tyler Lintell, Applicant (get PP)

- Displayed a PowerPoint presentation summarizing the application.
- Summarized the farming progress made since the last Public Hearing.
- Spoke to the reasons for the requested variances and noted that the proposed RV location is the best for agriculture as well as minimizes the impact of neighbours and will create the best experience for guests.
- Responded to questions from Council.
- Confirmed there are no substantive changes to what was previously proposed.

Gallery:

Carol Drury, Friends of Mission Creek Society

- Made reference to correspondence that had been submitted to Council.
- Displayed photographs that had been included with written submission.
- Raised concern that there is insufficient screening in place for users of the Greenway.
- Patrons of the Greenway will be able to see through the trees to the RV's.
- Raised concern that there could be a loss of trees due to digging for services.
- Raised concern with the RV's located a distance from the house for monitoring inappropriate behavior.

Jennifer French, North End Resident

- Former resident of the area.
- Raised concern that commercial use will hinder the enjoyment of the Greenway.
- Opposed to commercial uses along the Greenway.

Tyler Lintell, Applicant

- Advised that 95% of the area where the RV's would be located is blocked by trees. There is a 50 metre riparian area that we are not permitted to go into.
- Confirmed that no trees will be disturbed.
- Confirmed that RV activities will be monitored.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Singh

R499/16/06/14 THAT final adoption of Rezoning Bylaw No. 11189 (Z15-0000) and Text Amendment Bylaw No. 11188 (TA15-0000) be considered by Council;

AND THAT Council authorize the issuance of Development Variance Permit No. DVP15-0191 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC;

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

Section 11.1.8.h - Agricultural Zones - Agri-tourist accommodation

To vary the location of agri-tourist accommodation units from within 30.0 m of the principal dwelling to within 180.0 m of the principal dwelling as shown in Schedule A.

AND THAT Council authorize the issuance of Development Permit No. DP16-0110 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the development on the land be in accordance with Schedule "A" and Schedule "C";
2. Landscaping to be provided on the land be in accordance with Schedule "B";
3. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Required Landscape Buffer and Year 1 Agricultural Plan in accordance with Schedules "A", "B" and "C".

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

Carried
Councillors Given and Gray - Opposed

6.6 477 Christleton Avenue, BL11222 (Z16-0007) - Legault Enterprises Ltd.

Moved By Councillor DeHart/Seconded By Councillor Singh

R500/16/06/14 THAT Bylaw No. 11222 be adopted.

Carried

6.7 Item To Be Deferred to the June 28, 2016 Meeting - 477 Christleton Avenue, DP16-0029 & DVP16-0030 - Legault Enterprises Ltd.

Item 6.7 to be deferred to the June 28, 2016 Regular Meeting.

7. Reminders - Nil.

8. Termination

The meeting was declared terminated at 6:54 p.m.

Mayor

/acm

City Clerk