



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Tuesday, April 9, 2024
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Tom Dyas, Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Luke Stack, Rick Webber and Loyal Wooldridge

Members Participating Remotely Councillor Mohini Singh*

Staff Present City Manager. Doug Gilchrist: City Clerk. Laura Bentley: Divisional Director, Planning, Climate Sustainability and Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan; Deputy City Clerk, Michael Jud; Legislative Coordinator Confidential (FOI), Rebecca Van Huizen

Staff Participating Remotely Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 4:00 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Lovegrove.

3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT the Minutes of the Public Hearing and Regular Meeting of March 12, 2024 be confirmed as circulated.

Carried

4. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 4:02 p.m.

5. Individual Bylaw Submissions

- 5.1 START TIME 4:00 PM - Upper Mission Dr 5347 - OCP23-0012 (BL12633) Z23-0074 (BL12634) - Essential Idea Ltd., Inc. No. BC0134064**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Keith Funk, New Town Services, Applicant

- Present and available for questions.

City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one On-line or in the Gallery came forward.

Councillor Singh joined the meeting remotely at 4:05 p.m.

Staff:

- Responded to questions from Council.

There were no further comments.

6. Termination

The Hearing was declared terminated at 4:08 p.m.

7. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 4:08 p.m.

8. Bylaws Considered at Public Hearing

- 8.1 START TIME 4:00 PM - Upper Mission Dr 5347 - BL12633 (OCP23-0012) - Essential Idea Ltd., Inc. No. BC0134064**

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Bylaw No. 12633 be read a second and third time and be adopted.

Carried

- 8.2 START TIME 4:00 PM - Upper Mission Dr 5347 - BL12634 (Z23-0074) - Essential Idea Ltd., Inc. No. BC0134064**

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12634 be read a second and third time and be adopted.

Carried

9. Development Permit and Development Variance Permit Reports

- 9.1 START TIME 4:00 PM - Frost Rd 940 - 1070 - DVP23-0242 - 0954654 BC Ltd., Inc. No. BC0954654**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Kim McKechnie, Callahan Property Group Ltd., Applicant

- Do not have a formal presentation.
- The requested variance is not intentional; the zoning bylaw changed mid-way through construction.
- Commented that the 3 meter sign will not cover all the tenants.
- Have agreed to turning illumination off after store hours.
- Confirmed signage is not neon it is back lit tenant lighting.
- Believes there is a misunderstanding related to public feedback.
- Available for questions.

City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

On-Line:

Justin David, Windsong Crescent

- Lives directly behind the subject property.
- Raised concern where the sign is being placed and the size of the sign.
- Raised concern that their backyard and home office directly oversees the signage.
- Learning that the illumination from the sign would be turned off at night was reassuring.

Applicant:

- Chose not to address items raised by the public.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council authorizes the issuance of Development Variance Permit No. DVP 23-0242 for Lot A District Lot 579 SDYD Plan EPP127116 located at 940 – 1070 Frost Road, Kelowna, BC;

AND THAT variances to the following sections of Sign Bylaw No. 11530 be granted as shown on Schedule "A":

Section 8.3(a)b.i – Local Commercial Zones, Signage Regulations:

To vary the maximum sign area of a free-standing sign from 3.0 m² permitted to 8.17 m² proposed.

Section 8.3(a)b.ii – Local Commercial Zones, Signage Regulations:

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

AND THAT the free-standing sign only be illuminated during opening hours of businesses on the subject property, provided the sign not be illuminated earlier than 6:00 AM and later than 12:00 AM;

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

10. New Item

City Clerk:

- Spoke to a draft resolution to start the April 15, 2024 PM Regular Meeting at 9:00 a.m.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council change the time of the Monday, April 15, 2024 regular afternoon meeting to begin at 9:00 a.m.

Carried

10. Termination

The meeting was declared terminated at 4:40 p.m.

Mayor Dyas

City Clerk

lb/acm