



City of Kelowna

Regular Council Meeting Minutes

Date: Tuesday, March 1, 2016
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh* and Luke Stack

Members Absent Councillors Ryan Donn and Gail Given

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Urban Planning Manager, Terry Barton; Community Planning Department Manager, Ryan Smith; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 8:25 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Mayor Basran.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Gray

R170/16/03/01 THAT the Minutes of the Public Hearing and Regular Meeting of February 16, 2016 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 1855 Bennett Road, 1005 Clifton Road N & (E of) Paly Road, BL11159
(OCP14-0018) - Lakeside Communities Inc.

Councillor Singh declared a conflict of interest as she resides on Bennett Road and departed the meeting at 8:28 p.m.

Moved By Councillor Hodge/Seconded By Councillor Stack

R171/16/03/01 THAT Bylaw No. 11159 be read a second and third time.

Carried

4.2 1855 Bennett Road, 1005 Clifton Road N, (E of) Paly Road, BL11160 (Z14-0033) - Lakeside Communities Inc.

Moved By Councillor Hodge/Seconded By Councillor Gray

R172/16/03/01 THAT Bylaw No. 11160 be read a second and third time.

Carried

Councillor Singh rejoined the meeting at 8:30 p.m.

4.3 3697 Lakeshore Road, BL11201 (Z15-0066) - Pam Irene Sahlin

Moved By Councillor Hodge/Seconded By Councillor Gray

R173/16/03/01 THAT Bylaw No.. 11201 be read a second and third time.

Carried

4.4 464 Morrison Avenue, BL11202 (Z15-0058) - Flying Eagle Holdings & Birkett Holdings

Moved By Councillor DeHart/Seconded By Councillor Stack

R174/16/03/01 THAT Bylaw No. 11202 be read a second and third time.

Carried

4.5 330 Davie Road, BL11203 (Z15-0062) - Jeremiah Weiler & Carissa Kennedy

Moved By Councillor Stack/Seconded By Councillor DeHart

R175/16/03/01 THAT Bylaw No. 11203 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 81 statutory notices to the owners and occupiers of surrounding properties, and 742 informational notices to residents in the same postal delivery route, between February 19 and 24, 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 BL11163 (TA15-0014) - Amendment to RM4 - Transitional Low Density Housing

Moved By Councillor DeHart/Seconded By Councillor Singh

R176/16/03/01 THAT Bylaw No. 11163 be adopted.

Carried

6.2 1295 St. Paul Street, BL11162 (Z15-0023) - ML Holdings Ltd.

Moved By Councillor Singh/Seconded By Councillor DeHart

R177/16/03/01 THAT Bylaw No. 11162 be adopted.

Carried

6.3 1295 St. Paul Street, DP15-0215 & DVP15-0216 - ML Holdings Inc.

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 else came forward.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Singh

R178/16/03/01 THAT final adoption of Rezoning Bylaw No. 11162 be considered by Council;

AND THAT final adoption of Zoning Bylaw Text Amending Bylaw No. 11163 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP15-0215 for Lot 25, District Lot 139, ODYD, Plan 1303, located at 1295 St Paul Street, 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 this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0216 for Lot 25, District Lot 139, ODYD, Plan 1303, located at 1295 St Paul Street, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "D":

Section 7.6.1: Minimum Landscape Buffers

To vary the minimum landscape buffer for the front yard and flanking street from Level 2 permitted to Level 1 proposed and to vary the minimum landscape buffer for the rear yard from Level 3 permitted to Level 1 proposed.

Section 8.1.11(b): Parking and Loading Size and Ratio

To vary the minimum parking ratio from 50% full size and 50% medium size permitted to 50% full size, 25% medium size and 25% compact size proposed.

Section 13.10.6(b): RM4 - Transitional Low Density Housing Development Regulations

To vary the maximum site coverage from 50% permitted to 71.3% proposed and to vary the maximum site coverage for buildings, driveways and parking areas from 60% to 73.9%.

Section 13.10.6(d): RM4 - Transitional Low Density Housing Development Regulations

To vary the minimum front yard from 6.0 m permitted to 1.0 m proposed.

Section 13.10.6(e): RM4 - Transitional Low Density Housing Development Regulations

To vary the minimum side yard from 4.5 m permitted to 1.5 m proposed and to vary the minimum flanking street side yard from 4.5 m permitted to 0.8 m proposed.

Section 13.10.6(f): RM4 - Transitional Low Density Housing Development Regulations

To vary the minimum rear yard from 7.5 m permitted to 1.5 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.

Councillor Hodge - Carried
Opposed

7. Reminders - Nil.

8. Termination

The meeting was declared terminated at 8:57 p.m.

Mayor

/acm



City Clerk