



City of Kelowna Regular Meeting Minutes

Date: Tuesday, April 23, 2019
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge

Members Absent Councillor Ryan Donn

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham; Divisional Director, Community Planning & Development, Ryan Smith; Urban Planning Manager, Terry Barton; Community Planning Supervisor, Laura Bentley; Planner, Barbara Crawford; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 8:35 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Given.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R445/19/04/23 THAT the Minutes of the Public Hearing and Regular Meeting of April 9, 2019 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 Commercial Frontage Amendment, BL11796 (TA19-0005) - City of Kelowna

Moved By Councillor Hodge/Seconded By Councillor Singh

R446/19/04/23 THAT Bylaw No. 11796 be read a second and third time.

Carried

4.2 Kelly Rd 1050, BL11797 (Z18-0112) - Jonathan D.C. Tyre and Heather E. Tyre

Moved By Councillor Hodge/Seconded By Councillor Singh

R447/19/04/23 THAT Bylaw No. 11797 be read a second and third time and be adopted.

Carried

Item 4.3 and 4.4 will be deferred to the May 7 2019 Public Hearing.

4.3 Laurier Ave 913, BL11798 (Z18-0105) - 1128826 B.C. Ltd, Inc. No. BC1128826

4.4 Laurier Ave 934, BL11799 (Z18-0103) - 1079687 B.C. Ltd, Inc. No. BC1079687

4.5 Groves Ave 448,458 and 460, BL11801 (OCP18-0019) - Abbott Park Holdings Inc., Inc. No. BC1096096

Moved By Councillor Wooldridge/Seconded By Councillor Given

R448/19/04/23 THAT Bylaw No. 11801 be read a second and third time.

Defeated

Councillors DeHart, Hodge, Singh and Stack - Opposed

Item 4.6 was not read as the Official Community Plan amendment was defeated.

4.6 Groves Ave 448,458 and 460, BL11802 (Z17-0032) - Abbott Park Holdings Inc., Inc. No. BC1096096

4.7 Byrns Rd 2089, BL11810 (OCP18-0018) - Mohammed Maizal Munif

Moved By Councillor Stack/Seconded By Councillor DeHart

R449/19/04/23 THAT Bylaw No. 11810 be read a second and third time.

Carried

Mayor Basran, Councillors Hodge and Stack - Opposed

4.8 Byrns Rd 2089, BL11811 (Z18-0094) - Mohammed Maizal Munif

Moved By Councillor Stack/Seconded By Councillor DeHart

R450/19/04/23 THAT Bylaw No. 11811 be read a second and third time.

Carried

Mayor Basran, Councillors Hodge and Stack - Opposed

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of the Development Variance Permit Applications were given by sending out or otherwise mailing 37 statutory notices to the owners and occupiers of surrounding properties on Tuesday, April 9, 2019.

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 Altura Rd 30, DVP18-0190 - David & Camille Harkins

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition and Concern:

Brent Kelly and Joanne Takahashi, 44 Caramillo Road

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

Birte Decloux, Urban Options Planning & Permits

- Displayed a PowerPoint Presentation outlining the proposed design.
- Property is zoned RU2c – Medium Lot Housing with Carriage House.
- The property is 2,630.4 m² in size.
- The first variance is being sought as the accessory buildings will exceed the maximum of 90m² by 27m² for a total area coverage of 117m² (1259 sq. ft.).
- The second variance is being requested for a front yard setback for the carriage house.
- Provided intensive neighbourhood consultation.
- The house is being relocated and saving it from the landfill.
- The owners will be living on the property and the other house will be a rental.
- Responded to questions from Council.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Stack

R451/19/04/23 THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0190 for Lot 1 Section 32 Township 26 ODYD Plan 35716, located at 30 Altura Rd, Kelowna, BC;

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

Section 6.5.3(a) – Accessory Buildings in Residential Zones

To vary the allowable lot coverage from 90m² to 117m²

Section 6.5.3(d) – Accessory Buildings in Residential Zones

To vary the minimum front yard setback of an accessory building from 9.0m to 5.5m.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 23, 2019;

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

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 Parkridge Dr 4675, DVP19-0039 - Monika Klanyi-Nebojsza

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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 from Council.

The Applicant was present and available for questions.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R452/19/04/23 THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0039 for Lot 17 Section 29 Township 29 ODYD Plan 34978, located at 4675 Parkridge Drive, Kelowna, BC;

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

Section 12.3.6(c): RR3 – Rural Residential 3 Development Regulations

To vary the required minimum front yard from 6.0 m permitted to 5.8 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

There were no reminders.

8. Termination

The meeting was declared terminated at 9:25 p.m.

Mayor Basran

/acm



Deputy City Clerk