



City of Kelowna

Regular Council Meeting Minutes

Date: Tuesday, November 17, 2015
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, Mohini Singh and Luke Stack

Staff Present Acting City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham; Community Planning Department Manager, Ryan Smith; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. **Call to Order**

Mayor Basran called the meeting to order at 6:13 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 Gray

R896/15/11/17 THAT the Minutes of the Public Hearing and Regular Meeting of November 3, 2015 be confirmed as circulated.

Carried

4. **Bylaws Considered at Public Hearing**

4.1 1570 Glenmore Road North, BL11161 (Z15-0037) - Aletta Nixon

Moved By Councillor Gray/Seconded By Councillor Donn

R897/15/11/17 THAT Bylaw No. 11161 be read a second and third time.

Carried

5. **Notification of Meeting**

The Deputy City Clerk advised that Notice of Council's consideration of these Development Variance Permit Applications was given by sending out or otherwise delivering 90 statutory notices to the owners and occupiers of surrounding properties, and 1932 informational notices to residents in the same postal delivery route, between November 3 and 6, 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.

6. Development Permit and Development Variance Permit Reports

6.1 4077 Lakeshore Road, BL11136 (OCP15-0011) - Greencorp. Ventures Inc.

Moved By Councillor Gray/Seconded By Councillor Donn

R898/15/11/17 THAT Bylaw No. 11136 be adopted.

Carried

6.2 4077 Lakeshore Road, BL11137 (Z15-0031) - Greencorp Ventures Ltd.

Moved By Councillor Given/Seconded By Councillor Gray

R899/15/11/17 THAT Bylaw No. 11137 be adopted.

Carried

6.3 4077 Lakeshore Road, DP15-0137 & DVP15-0138 - Greencorp. Ventures Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

Letters of Opposition or Concern

J.M. Stone, 631 Pimlico Road

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 came forward.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R890/15/11/17 THAT final adoption of Official Community Plan Amendment Bylaw No. 11136 and Rezoning Bylaw No. 11137 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP15-0137 for Lot B Section 6 Township 26 ODYD Plan 10613, Located at 4077 Lakeshore Road, 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 pose 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 Council authorizes the issuance of Development Variance permit No. DVP15-0138 for Lot B Section 6 Township 26 ODYD Plan 10613, Located at 4077 Lakeshore Road, Kelowna, BC;

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

Section 6.4.1: General Development Regulations Projections Into Yards

- A) To vary the required maximum projection into a yard from 0.6 m required to 1.2 m proposed and the required maximum length of a projection from 3.0 m required to 13.1 m proposed for the side yard (south).

Section 13.9.6 (f) - RM3 - Low Density Multiple Housing Development Regulations

- B) To vary the required minimum rear yard from 7.5 m required to 4.0 m proposed.

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

Carried

6.4 799 McClure Road, DVP15-0217 - Michael Young & Susan Wood-Young

Staff:

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

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

Letters of Opposition or Concern

Jeff McKinley & Andrea Honey, McClure Road

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.

Gallery:

Jeff McKinley, McClure Road

- Spoke to the photos and correspondence y submitted to Council.
- Does not feel he was consulted regarding the application as he only received a piece of correspondence in the mailbox by the Applicant.
- All other lots in the neighbourhood are large and this proposal will create a smaller lot which does not conform with the neighbourhood.
- Raised concern with lack of privacy and enjoyment of yard.
- Opposed to this application.

Mike Young, Applicant

- Owner of the property.
- Noted that the lots meet all requirements for zoning.
- Intention is to build a two storey house. There is a 7 metre rear yard setback required that cannot be part of the development.
- Responded to questions from Council.

Staff:

- Confirmed that in this case the rear yard setback provides more of a buffer than if it was a side yard setback.
- Confirmed that after subdivision both lots will meet the minimum RU1 zoning.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Donn

R891/15/11/17 THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0217 for Lot 5, District Lot 357, ODYD, Plan 17105, located at 799 McClure Road, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

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

To vary the required minimum rear yard from 7.5 m permitted to 4.8 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 - Nil

8. Termination

The meeting was declared terminated at 6:44 p.m.

Mayor

/acm



Deputy City Clerk