



Public Hearing Agenda

Council Chambers
661 Eighth Ave., Midway, BC

Monday, July 13, 2026 – 6:30 PM

Lisa Teggarty, Chief Administrative Officer

- 1) Call to Order
- 2) Public Hearing – The Public Hearing meeting is convened to consider any written submissions that were received prior to this public hearing meeting by those who consider themselves affected, and to hear those who wish to make presentation on Development Variance Permit (DVP) 2601.
- 3) Procedure – Pursuant to Section 464 of the Local Government Act, the Council of the Village of Midway requires that a Public Hearing be held prior to the approval of DVP 2601.

Notice of Council's intention was placed on the Village's website and Facebook page.

DVP 2601, if adopted, would allow the owners of the subject property to place one 40ft by 8ft metal storage container (sea can) on a long-term basis to allow for additional storage to support grocery store operations. The proposed placement location is on the south side of the existing building.
- 4) Terms and Conditions – The DVP contains three conditions to mitigate potential neighbourhood impacts and ensure a limited approval scope for this request:
 - a. A maximum of one (1) metal storage container (sea can) may be placed on the Lands
 - b. The metal storage container (sea can) shall be placed on the Lands in accordance with the site plan in Appendix 1
 - c. The visual impact of the metal storage container (sea can) shall be minimized by painting or finishing it in a similar style as the principal building
- 5) Purpose – The purpose of the Public Hearing meeting is to provide information and receive comments from the public. Any person attending the public meeting may make written or verbal representation relating to the proposed **Development Variance Permit 2601**.
- 6) The proposed DVP and additional information were made available and could be inspected at the municipal office between 8:30 a.m. and 12:00 noon and 1:00 p.m. to 4:30 p.m., Monday to Friday excluding holidays.
- 7) Public Input
 - a. Correspondence received – William Faminoff
- 8) Adjournment of Public Hearing

Subject: Development Variance Permit Application-630 Florence Street, Midway, BC
Date: Tuesday, July 7, 2026 at 4:41:20 PM Pacific Daylight Time
From: William Faminoff
To: midwayreception@shaw.ca
CC:

Hello Ms. Teggarty,

We hope you and your staff are well. It has been brought to our attention that a Development Variance Permit Application will be made by the owners of the grocery store located at 630 Florence Street, Midway, BC on July 13, 2026. The application seeks to allow the placement of an 8' X 40' storage container to be placed on a long term basis along the south side wall at 630 Florence Street. While we are pleased that the store owners have decided to place their storage container along the south side wall, we wish to remind Midway Village Council that the container must not include any temperature control features that will generate ongoing noise for residents of the nearby neighborhood. In addition, as previously presented to Midway Council, the container must be placed behind fencing that is high enough to block the negative visual impact created by the storage container to the surrounding residential neighborhood.

If you have any questions, please do not hesitate to contact me at your convenience. Thank you for your attention to these matters.

Yours sincerely,

Bill Faminoff



Virus-free www.avg.com

Development Variance Permit

The Village of Midway
PO Box 160
Midway, BC V0H 1M0

(the "Village")

ISSUED TO:

Hammy's Kettle Valley Holdings Inc.
Suite 301, 1353 Ellis Street
Kelowna, BC V1Y 1Z9

(the "Permittee")

DATE OF ISSUANCE:

July _____, 2026

Development Variance

This Development Variance Permit varies section 302(e) of Zoning Bylaw No. 464 (Temporary Buildings and Structures), to allow a maximum of one (1) metal storage container (sea can) to be placed at 630 Florence Street, Midway BC on a long-term basis for additional grocery store storage.

General

1. This Development Variance Permit applies to that real property including land with or without improvements located within the Village of Midway, with the legal description and civic address as follows:

Legal Description: Lot A District Lot 501 Similkameen Division Yale District Plan 31361

PID: 003-742-806

Civic Address: 630 Florence Street, Midway B.C.

(the "Lands")

2. This Development Variance Permit is issued subject to compliance by the Permittee with all bylaws, orders, regulations or agreements except as specifically varied or supplemented by this Development Variance Permit.
3. This permit shall not have the effect of varying the use or density of land specified in the Village of Midway Zoning Bylaw No. 464 and amendments thereto, nor a floodplain specification in the Village of Midway Floodplain Bylaw No. 293.
4. This permit is not transferrable unless specifically permitted by the Village. The authorization to transfer the permit shall, if deemed acceptable, be granted by Council resolution.
5. This Development Variance Permit shall lapse if the Permittee does not substantially start any construction with respect to which this Development Variance Permit is issued, within two (2) years after the date this Development Variance Permit is issued.

Terms and Conditions

6. This Development Variance Permit is issued subject to the following development conditions:
 - a. A maximum of one (1) metal storage container (sea can) may be placed on the Lands.
 - b. The metal storage container (sea can) shall be placed on the Lands in accordance with the site plan in Appendix 1.
 - c. The visual impact of the metal storage container (sea can) shall be minimized by painting or finishing it in a similar style as the principal building.
7. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Development Variance Permit and any plans, conditions and/or specifications attached to the Permit which shall form a part hereof.
8. This Development Variance Permit is not a Building Permit.
9. Upon enacting the requirements of this Development Variance permit, the Permittee hereby covenants and agrees to save harmless and effectually indemnify the Village against:
 - a. All actions and proceedings, costs, damages, expenses, claims and demands whatsoever brought, due to the Village granting the said Development Variance Permit;
 - b. All costs, expenses, claims that may be incurred by the Village, if the construction of works as called for by the Development Variance Permit results in damage to any property owned in whole or in part by the Village or which the Village by duty or custom

is obligated directly or indirectly in any way or in any degree, to construct, repair, or maintain; and,

- c. The Permittee further covenants and agrees that when granted this Development Variance Permit, the Village may withhold granting any Occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all works called for by the Permit have been completed to the satisfaction of the Village.

10. Notice of this Development Variance Permit shall be filed in the Land Title Office under Section 503 of the Local Government Act, and upon such filing, the terms of this permit or any amendment hereto shall be binding, upon all persons who acquire an interest in the land affected by this Development Variance Permit.

11. Should there be any changes in ownership or legal description of the property, the Permittee shall undertake to notify the Village of Midway immediately.

AUTHORIZING RESOLUTION NO. _____ PASSED BY THE COUNCIL
FOR THE VILLAGE OF MIDWAY AT A REGULAR MEETING HELD THE _____ DAY OF
_____, 2026.

Lisa Teggarty, Chief Administrative Officer
Village of Midway, BC

Development Variance Permit ISSUED this _____ day of _____ 2026.

Mayor Doug McMynn
Village of Midway, BC

Appendix 1 – Site Plan

