



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, January 23, 2018  
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 City Manager, Ron Mattiussi; City Clerk, Stephen Fleming, Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist; Director Strategic Investments, Derek Edstrom\*; Planner Trisa Atwood\*; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 6:03 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Sieben.

### 3. Confirmation of Minutes

Moved By Councillor Stack/Seconded By Councillor Hodge

R077/18/01/023 THAT the Minutes of the Public Hearing and Regular Meeting of January 9, 2018 be confirmed as circulated.

Carried

### 4. 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 mailing 381 statutory notices to the owners and occupiers of surrounding properties on Tuesday, January 9, 2018.

Notice of Council's consideration of these *Heritage Alteration Permit Application* was given by sending out or otherwise mailing 23 statutory notices to the owners and occupiers of surrounding properties on Tuesday, January 9, 2018.

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.

**5. Development Permit and Development Variance Permit Reports**

**5.1 Truswell Rd, Capozzi Rd & Lakeshore Rd, (Z16-0069) BL11384 - Waiver of Condition of Adoption- Aqua Resort Ltd Inc., City of Kelowna & Sujata Randhawa**

Staff:

- Provided an explanation of the amendment to update the legal description.

Moved By Councillor Stack/Seconded By Councillor Hodge

**R078/18/01/023** THAT Rezoning Bylaw No. 11384 be amended at third reading to revise the legal description of one of the subject properties from Lot 5, Sec 1, Twp 25, Plan 2714 located at 3838 Capozzi Road, Kelowna, BC; to Lot 5, Sec 1, Twp 25, and Sec 6, Twp, 26, ODYD, Plan 2912 except plan 35979 and Plan KAP56428;

AND THAT Council waives the requirement for final adoption of Rezoning Bylaw No. 11384 to be considered subsequent to the completion of the land exchange between the applicant and the City of Kelowna;

AND THAT Council amends the requirement for final adoption of Rezoning Bylaw No. 11384 to be considered subsequent to the closure of Capozzi Road along 3814 through 3838 Capozzi Road; to require that final adoption of the Rezoning Bylaw No. 11384 to be considered in conjunction with the closure of Capozzi Road along 3814 through 3838 Capozzi Road;

AND FURTHER THAT Final Adoption of Rezoning Bylaw No. 11384 be considered by Council.

**Carried**

**5.2 Truswell Rd, Capozzi Rd, Lakeshore Rd (Z16-0069) BL11384 - Aqua Resort Ltd, City of Kelowna & Sujata Randhawa**

Moved By Councillor Donn/Seconded By Councillor Given

**R079/18/01/023** THAT Bylaw No. 11384 be amended at third reading to update the legal description.

**Carried**

Moved By Councillor Donn/Seconded By Councillor Given

**R080/18/01/023** THAT Bylaw No. 11384 as amended be adopted/

**Carried**

Mayor Basran confirmed the Council would hear public input on both the Variances and Road Closure Bylaw at the same time.

**5.3 Truswell Rd, Capozzi Rd & Lakeshore Rd, DP16-0260 & DVP16-0261 - Aqua Resort Ltd Inc. (To be considered at the same time as Item 5.4)**

Staff:

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

The City Clerk confirmed the City received 29 letter of opposition and two petitions of opposition, as well as 32 letters of support. Staff displayed the names and street of each letter writer. The City Clerk confirmed these represent the correspondence received since January 9, 2018 the date of Notification for the meeting.

**Letters of Opposition or Concern:**

Faye Henderson, Raymer Road  
David Stirling, Hart Road  
Mike and Judy Whitaker, Cook Road (2 letters)  
Janet Smith, Truswell Road  
Brenda Gloster, Coronado Crescent  
Darleen McCaw, Cook St  
Al Aeckersberg, Cook Road  
Gaylene Noyes, Cook Road  
L J Hornby, Truswell Road  
Barry and Catherine Dorin, Truswell Road  
Ken Cappos, Casorso Road (2 letters)  
Andrew & Elizabeth Daley, Lequime Road  
June Dawe, Truswell Rd.  
Eleanor M. Fox, Lequime Rd.  
Elaine Riley, Truswell Road  
Paul Clark Co-Chairman KLO Neighbourhood Assn  
Richard Drinnan, Greene Road  
Mary-Jane Slavin, Gallagher's Blvd South  
Campbell, Boppart Court  
Colin Wilson, Swaisland Rd  
Linda & Bill Knowles, Oliver Crt  
John Matthews, Cook St  
Sean Coward General Manager Hotel Eldorado, Cook St.  
Jason Ladyman, Ministry of Forests, Lands and Natural Resources Operation and Rural Development  
Carol Stein, Bird Place  
Tony and Bev Walls, Cook Rd  
Ron Darnbrough, Truswell Rd.

**Petitions of Opposition:**

Submitted by LJ Hornby, Truswell Road (80 signatures)  
Submitted by Ken Cappos, Casorso Road (105 signatures)

**Letters in Support:**

Tony Markoff, Barnaby  
Marianne & Laverne Hannotte, Saskatoon; property owners Sarsons Rd  
Steve Parsons, Sheerwater Ct.  
Jeff Baerg, Thorneloe Road  
Saul and Genoa Katz, Long Ridge Drive (2 letters)  
Michelle Lemoine, Glacier Court  
Barry Lapointe, KF Aerospace Airport Way  
Scott Wilson, West Ave  
Brad Pelletier, Radant Road  
Peter Brady, Kelowna Water taxis & Cruises, Bernard Ave.  
Jim Kenzie, Parkridge Drive  
Sheilagh Livingstone & Peter White, Birch Ave  
Craig Mohr, Vineyard Developments, Lequime Road

David Atkins, Selkirk Drive  
JoAnna & Danny Chase, Lakeshore Rd  
David Demeyere, Parkridge Place  
George Arambasich, Walburn Road  
Grant Fletcher, Walker Dr.  
Mark Fipke, Lakeshore Road  
Gene Brown, Athalmer Rd.  
Luke Way, Spiers Road  
Bulat and Nailya Khabibullin, Steele Rd.  
JBD Henry, Tanager Court  
Maurice Matte, Mission Superwash, Lakeshore Road  
Michael Wendland, Providence Ave  
Jack & Jayne Huisman, Wintergreen Dr  
Terrence & Lisa Moldenhauer, Birkdale Ave  
Don Hanson, Ceva Canada Sheerwater Crt  
Les Gordichuk, Westpoint Dr  
Bob Dryden, Sarsons Road  
Mary LaPointe, Community Relations, Mission Group, Dickson Ave.

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

#### Luke Turri, Mission Group Properties

- Displayed a PowerPoint Presentation, re: Aqua
- Thanked City staff for their report and presentation and noted that this is a complex proposal and also thanked the greater community who engaged in the project during this process.
- Over the past two years, have engaged local stakeholders and neighbours, held four open houses totalling nearly 1000 visitors, and worked extensively and cooperatively with City staff.
- After 10 years of work Aqua is poised to set a new standard for development excellence in creating a public lakeside destination in the emerging Mission Creek Neighbourhood.
- The existing single family private beach properties and open boat storage on the Aqua lands will be transformed into a mixed-use, waterfront development in alignment with the OCP vision for this area.
- Once complete, there will be approximately 320 homes, 55,000 square feet of commercial and retail area, over 1.3 acres of dedicated waterfront property, and a series of landscaped public pathways leading to a new waterfront boardwalk on the lake along the entire community.
- Moving away from car dominated development with a mixed use, village-style concept that is highly accessible and walkable, with new public infrastructure and high quality commercial services.
- Includes internal boat storage on site, a newly designed and more efficient public parking lot and boat launch, new public washrooms and a new private boat launch.
- The parking provided within the project's development parkade will exceed the bylaw standards and provide ample parking for residents, retail operators, visitors, staff and clients.
- Provided various design improvements and lower building heights than were brought forward at rezoning.
- The revised massing of the buildings evolved through a comprehensive process, working closely with planning where we explored 6 storey, 12 storey and tower massing.
- The 6-storey massing created a walled development, wrapping around the perimeter of the site, challenging any attempt at a rationale or attractive design for this site
- The 12-storey massing was better and contextually appropriate for the area given previously approved projects, however, still created a challenging expression of monotony and strong block forms.
- The revised approach to massing creates interest and opportunities to express light while minimizing direct facing elevations and maximizing views from and through the site.
- The balconies are varied on the exterior of the buildings and perceived by the adjacent neighborhood as curving sail like gestures created by white balcony projections and irregular balcony forms.
- The scale at Aqua is it's two, three, and four storey podium which is activated at each edge by townhomes, retail/commercial uses, residential lobbies or the AMV Clubhouse amenity.

- The podium is a palette of warm stone and brick, accented by wood detailing and white or dark gray window frames provide further distinction.
- The integration of the four-storey boat storage facility into the podium of the building provides a seamless transition between structures along with street front detail, feature signage art and public washrooms.
- The extension of Cook Road improves traffic flow and access while opening up access to a dedicated waterfront.
- Sidewalks along Truswell will create stronger links to the multi-use pathway and Mission Creek Greenway.
- Aqua is providing an economic contribution by bringing 1600 jobs to the region; a world class design and significant community benefits with greater accessibility to the water; extension of Cook Road increases traffic flow and sidewalks on Truswell Road increases the link. The podium is most important for public interaction.
- Responded to questions from Council.

#### Gallery:

#### Mary LaPointe, Community Relations, Mission Group, Dickson Ave.

- Spoke on behalf of Mr. Mark Fipke, Lakeshore Road.
- Read letter of support from Mr. Fipke that had been previously submitted to Council.
- Responded to questions from Council.

#### Al Jennen, representing Plan Kelowna, Abbott Street

- Pleased with the public accessibility being open to the shoreline.
- Made comments on construction timelines and how to mitigate impacts and still allow public access during construction phases.

#### Saul Katz, Long Ridge Drive

- In support of this application.
- Believes this is a very attractive project.

#### Michelle Lemoine, Glacier Court

- Spoke on behalf of Jim Kenzie, Parkridge Drive.
- Read a letter of support from Mr. Kenzie that had been previously circulated to Council.
- Made comment that growing traffic issues need to be looked at by the city.

#### Sonya Arrance, Wilkinson Street

- Resident of Kelowna for 50 years and grew up on Gyro Beach.
- Spoke to the parking and boat launching difficulties encountered in the area of this application.
- Believes this application will make it far more difficult for local residents to launch their boats.
- Raised concerns with increased traffic from this proposed application.

#### Resident, Loche Court

- Opposed to the application.
- Raised concern with the precedence Council would be setting if this application were to be approved.
- Believes that this development would set the stage for high rises all along the Lakeshore.
- Asked Council to think of the kind of future they are voting on.

#### Lloyd Manchester, Stockwell Avenue

- Resident of Kelowna for 39 years with involvement in various environmental projects.
- Disappointed with the application and the way the project looks.
- Raised concern that there are too many buildings being placed on a small piece of land and opposed to the height variances.
- Questioned how the character of land is being improved by this proposal.
- Raised concerns on how the buildings will impact hydrology of the area and raised additional environmental concerns being this close to the lakeshore.

- Referenced the Regional District's 2016 Foreshore and Mapping Project studies where the data strongly suggests that density increased disturbance that translates in loss of lake to keep ecosystems.
- Opposed to this application.

#### Charles Fipke, Capozzi Road

- Resides right next to the proposed development.
- Opposed to this application.
- Raised concerns with impacts of the development on his property.
- Raised concerns that Lakeshore Road traffic has been congested since 1962 and that development has only made this worse.
- Raised concerns with impacts of flooding on his property that would be increased by this application.
- Believes that Council has treated him poorly and will never sell or allow the city to have access to his property.

#### Richard Drinnan, Greene Road on behalf of the KLO Neighbourhood Association

- Raised concerns with this application and the variance that are being sought.
- Believes that revisions to this proposal have changed very little over the past 10 years of planning.
- Raised concerns with environmental impacts and lack of public release of environmental documents.
- Commented that the shoreline is environmentally sensitive and believes no approvals from higher levels of government have been given for this project; believes there has been no studies of how this development will create shadows and wind effects and it's impacts on neighbours.
- Raised concerns with the building mass, height, wind impacts and noise.
- Believes the proposal should be redesigned to create a marina and remove the club house and boat storage in order to set back the buildings from the lake; and create more beach access.
- The KLO Neighbourhood Association is opposed to this application.
- Responded to questions from Council.

#### Ken Cappos, Casorso Road

- Distributed photographs of the application area.
- Displayed a PowerPoint consisting of four slides.
- Believes this application will ruin the neighbourhood.
- Raised concerns with flooding impacts.
- Raised concerns with current traffic congestion on Lakeshore Road and believes this development will exasperate that congestion.
- Believes beach access will only be available from November to March and that it will be flooded out the rest of the year.
- Believes there are a lack of environmental reports that this application should have generated.
- Opposed to this application.

#### David Kovatch, Greene Road

- Resident of Kelowna for 45 years.
- Opposed to this application.
- Raised concerns with the significant impact to traffic on Lakeshore Road that this application will bring.
- Opposed to the height variances.
- The form and character and height are out of character with the rest of the neighbourhood.
- Raised concerns with the negative environmental impacts; particularly with water quality.
- Believes the Official Community Plan and Zoning Bylaws should be followed allowing no variances.
- Raised concerns with the loss of ten stalls for trucks and trailers.

#### Luke Way, Spiers Road

- In support of the application.
- Likes the beach front that will be accessible to the public.
- Looking forward to the how the development will positively impact the neighbourhood with commercial and cultural options.

- Believes this is a welcome improvement to the community.

#### Randy LaRue, Casorso Road

- A longtime Kelowna resident.
- In general, supportive of the project but opposed to the application as presented.
- Raised concerns with the loss of 10 public parking stalls.
- Provided suggestions on how to mitigate traffic, lake access and parking concerns.
- Responded to questions from Council.

#### Bob Dryden, Sarsons Road

- Spoke to his positive experience working with the Mission Group in his community and noted they are proactive, cooperative and believes they will work with the City, the community around and within the project.

#### Martin Lamoureux, Truswell Road

- Raised concerns with the traffic light on Lakeshore and Truswell Road; particularly with not being able to turn left from Lakeshore Road onto Truswell.
- Spoke to the positive job creation this project will bring and stated that his electrical union is available to work on various projects.

#### Craig Mohr, Vineyard Developments, Lequime Road

- In support of this application.
- Believes that the level of detail, care and time spent on this subdivision will be well done and something to be proud of.

#### Richard Drinnan, Greene Road

- Raised concerns with setbacks from high water marks and lack of details on drawings of where the high water mark actually is.
- Raised concerns with the lack of dimension details on the drawings that are attached to the development permits.

#### Luke Turri, Mission Group Properties and Jason Schleppe, Ecoscape Environmental Consulting

- Would work with city staff to create a waterfront walkway access during construction and temporary lakefront access with safety requirements.
- Advised that Mission Group is going through proper channels to have the environmental DP approved for the foreshore as that is a requirement of this project. The restoration of the shoreline is not yet determined at this point but it will not be overlooked.
- Believes that the boat storage is an amenity for more than 200 boats.
- Would like this development without a marina and believe it is more environmentally friendly as well as protecting the view corridor.
- Through consultation had worked with the KLO Residents Association and received a letter of support from them for not having a marina. Raised concern with the more recent letter received from the Association this week.
- Commented on the areas around geotech and flooding issues and stressed it is very important and will have a team working on the care and attention for the remainder of the process.
- Mr. Schleppe provided his credentials and noted that he is obligated to be impartial with this study and to not advocate for or against.
- There are several issues and regulations for any development along the lakefront and can be complicated and I provide guidance to the developer.
- Mr. Schleppe confirmed he had been on site with a surveyor and determined the natural boundary. Determined there is still going to be a beach but not a full beach.
- Responded to questions from Council.

#### Staff:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Stack

**Ro81/18/01/023** THAT Council authorizes the issuance of Development Permit No. DP16-0260 and Development Variance Permit No. DVP16-0261 for portions of each of the following properties:

Lot 1, Sec 1 & 12, Twp 25, ODYD, Plan 2714, located at 3814 Capozzi Road, Kelowna, BC;  
Lot 2, Sec 1, Twp 25, ODYD, Plan 2714, located at 3820 Capozzi Road, Kelowna, BC;  
Lot 3, Sec 1, Twp 25, ODYD, Plan 2714, located at 3828 Capozzi, Road, Kelowna, BC;  
Lot 4, Sec 1, Twp 25, ODYD, Plan 2714, located at 3832 Capozzi Road, Kelowna, BC;  
Lot B, Sec 1, Twp 25, ODYD, Plan 13822, located at 3838 Capozzi Road, Kelowna, BC;  
Lot 17, Sec 1, Twp 25 & DL 134, ODYD, Plan 2714 Except Plan KAP66263, located at 550 Truswell Road, Kelowna, BC;  
Lot 5, Sec 1, Twp 25, & Sec 6 Twp 26, ODYD, Plan 2912 Except Plan 35979 and Plan KAP56428, located at 3786 Lakeshore Road, Kelowna, BC;  
as outlined in red on Attachment "MAP" attached to the Report from the Community Planning Department dated January 23, 2018, subject to the following:

1. Registration of subdivision with the Land Title & Survey Authority;
2. Completion of Land Agreement between City of Kelowna and Aqua Resort Ltd;
3. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
4. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
5. Landscaping to be provided on the land be in accordance with Schedule "C";
6. 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 and improvements as determined by a Registered Landscape Architect and/or Engineer as required;
7. Public Washroom Facilities to be provided on the land in accordance with Schedule "D";
8. 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 Public Washroom Facilities;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, in accordance with Schedule E:

**Section 14.9.5 (b) Tourist Commercial Development Regulations**

To vary the maximum height from 22.0 m or 6 storeys (required) to 53.5m or 16 storeys (proposed), 47.58m or 14 storeys (proposed), and 41.7m or 12 storeys (proposed) for apartment hotels and hotels;

**Section 14.9.6 (f): Tourist Commercial Other Regulations**

To vary the maximum height of a Boat Storage facility from 6.0m or 1 storey (required) to 17.4m or 4 storeys (proposed) and to vary the maximum number of tiers of storage from 1 (required) to 4 (proposed);

**Section 14.9.5 (c): Tourist Commercial Development Regulations**

To vary the minimum front yard setback from 6.0m (required) to 0.0m (proposed) (Cook Road);

**Section 14.9.5 (d): Tourist Commercial Development Regulations**

To vary the minimum side yard setback from a flanking street from 4.5m (required) to 0.0m (proposed) (Cook Road Boat Launch);

**Section 14.9.5 (d): Tourist Commercial Development Regulations**

To vary the minimum side yard setback from a flanking street from 4.5m (required) to 0.0m (proposed) (Truswell Road);



**Section 14.9.5 (e): Tourist Commercial Development Regulations**

To vary the minimum rear yard setback for a structure from 4.5m (required) to 0.0m (proposed) (Waterfront Property Line);

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

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

**Carried**  
Mayor Basran - Opposed

**5.4 Portion of Capozzi Rd, BL11508 - Road Closure Bylaw (Public input considered at the same time as Item 5.3)**

Moved By Councillor Hodge/Seconded By Councillor Gray

**Ro82/18/01/023** THAT Bylaw No. 11508 be adopted.

**Carried**

The meeting recessed at 9:57 p.m.

The meeting reconvened at 10:09 p.m.

**5.5 Celano Cres 165, DP17-0226 & DVP17-0228 - City of Kelowna**

Councillor Stack declared a conflict of interest as his employer is the applicant and departed the meeting at 10:09 p.m.

Staff:

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

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

**Letters of Opposition:**

Jinghao Ye and Lilin Peng, Verna Court  
Michole C. Goutier, Celano Crescent  
Sarah Wallace, Celano Cres.

**Letters of Concern:**

Gloria Bedwell, Celano Cres.  
Charlotte Hardy, Celano Crescent

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

The Applicant was present and available for questions.

Gallery:

**Glen Hardy, Celano Crescent**

- Raised concerns with the loss of privacy on his property as the proposed development is next to his home.
- Raised concerns with sun blocking, shadowing and wind impacts to his property.

- Believes this development is out of character for the neighbourhood.
- Opposed to a 3 storey building.
- Responded to questions from Council.

Anna Ilniczky, Celano Crescent

- Agreed to the previous speaker's comments and believes impacts on her property will be identical.
- Raised concern with loss of privacy to her property.
- Raised concern with loss of property value due to this proposed application.
- Responded to questions from Council.

Jim Bussey, RLA Architects, Applicant Representative

- Spoke to the shadowing analysis diagram in the report package and noted that the shadowing is not extensive and that the variance requested does not impact the shadowing.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Gray

**Ro83/18/01/023** THAT Council authorizes the issuance of Development Permit No. DP17-0226 for Lot B Section 4 Township 23 ODYD Plan EPP70323, located at 165 Celano Crescent, 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 Council authorizes the issuance of Development Variance Permit No. DVP17-0228 for Lot B Section 4 Township 23 ODYD Plan EPP70323, located at 165 Celano Crescent, Kelowna, BC;

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

**Section 13.9.6(f): RM3 – Low Density Multiple Housing Development Regulations**

To vary the required minimum rear yard from 7.5 m permitted to 4.5 m proposed.

AND THAT Council's consideration of this Development Permit and Development Variance 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 (insert date);

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

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

**Carried**

Councillor Stack rejoined the meeting at 10:27 p.m.

**5.6 Welke Rd 635, DVP17-0261 - Leslie & Andrew Dickieson**

Staff:

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

The City Clerk advised that no correspondence had been received.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of 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 Sieben

**R084/18/01/023** THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0261 for Lot 3 District Lot 358 ODYD Plan 30918, located at 635 Welke Road, Kelowna, BC;

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

**Section 13.1.6(d): RU1 – Large Lot Housing Development Regulations**

To vary the required minimum side yard from 2.3 m permitted to 1.68 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**

**5.7 Abbott St 1888, Z17-0066 (BL11511) - James Theriault and Sheila Roth**

Moved By Councillor Hodge/Seconded By Councillor Gray

**R085/18/01/023** THAT Bylaw No. 11511 be adopted.

**Carried**

**5.8 Abbott St 1888, HAP17-0010- James Theriault and Sheila Roth**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

**Letters in Support:**

Angela and Jeremy Furzer, Lake Ave

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

The Applicant was present and available for questions.

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Sieben

**Ro86/18/01/023** THAT final adoption of Rezoning Bylaw No. 11511 be considered by Council;

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP17-0010 for Lot 1 District Lot 14 ODYD Plan 3916 located at 1888 Abbott Street 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";

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

**Section 9.5b.1(f): Carriage House Development Regulations**

To vary the maximum upper storey floor area to be greater than 75% of the carriage house footprint area;

**Section 9.5b.1(i): Carriage House Development Regulations**

To vary the minimum side yard setback from 1.5m required to 1.2m proposed;

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

**Carried**

6. **Reminders – Nil.**

7. **Termination**

The meeting was declared terminated at 10:34 p.m.

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Mayor Basran

/acm

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City Clerk