



City of Kelowna Regular Meeting Minutes

Date: Tuesday, March 6, 2018
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Brad Sieben, Mohini Singh and Luke Stack

Members Absent Councillor Charlie Hodge

Staff Present Deputy City Manager, Joe Creron; City Clerk, Stephen Fleming, Urban Planning Manager, Terry Barton; Community Planning Department Manager, Ryan Smith; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist; Planner Specialist, Adam Cseke; Legislative Coordinator (Confidential), Arlene McClelland

(*Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 7:53 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Mayor Basran.

3. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor DeHart

R226/18/03/06 THAT the Minutes of the Public Hearing and Regular Meeting of February 20, 2018 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 TA16-0002 (BL11552) - General Housekeeping Amendments

Moved By Councillor Gray/Seconded By Councillor Donn

R227/18/03/06 THAT Bylaw No. 11552 be read a second and third time.

Carried

4.2 Tower Ranch Drive OCP17-0002 (BL11488) - Parkbridge Lifestyle Communities Inc.

Moved By Councillor Gray/Seconded By Councillor Donn

R228/18/03/06 THAT Bylaw No. 11488 be read a second and third time and be adopted.

Carried

4.3 Tower Ranch Drive - Z17-0007 (BL11489) - Parkbridge Lifestyle Communities

Moved By Councillor Donn/Seconded By Councillor Gray

R229/18/03/06 THAT Bylaw No. 11489 be read a second and third time and be adopted.

Carried

4.4 Richter St 1304 & 1308, Z17-0104 (BL11553) - Stewart and Danielle Turcotte and Pyper Geddes

Moved By Councillor Given/Seconded By Councillor Gray

R230/18/03/06 THAT Bylaw No. 11553 be read a second and third time.

Carried

4.5 Neptune Rd 1235 & 1260, OCP17-0014 (BL11558) - Davara Holdings Ltd

Moved By Councillor Given/Seconded By Councillor Stack

R231/18/03/06 THAT Bylaw No. 11558 be read a second and third time.

Carried

4.6 Neptune Rd 1235 & 1260, Z17-0053 (BL11559) - Davara Holdings Ltd

Moved By Councillor Donn/Seconded By Councillor Given

R232/18/03/06 THAT Bylaw No. 11559 be read a second and third time.

Carried

4.7 Terai Ct 265, Z17-0111 (BL11560) - Marty and Denise Hoglin

Moved By Councillor Stack/Seconded By Councillor DeHart

R233/18/03/06 THAT Bylaw No. 11560 be read a second and third time.

Carried

4.8 Mayfair Rd 935, Z17-0076 (BL11561) - Singla Bros Holdings Ltd, South Okanagan Construction

Moved By Councillor DeHart/Seconded By Councillor Stack

R234/18/03/06 THAT Bylaw No. 11561 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 mailing 167 statutory notices to the owners and occupiers of surrounding properties on Tuesday, February 20, 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.

6. Development Permit and Development Variance Permit Reports

6.1 Kneller Rd 150, BL11199 (Z15-0041) - Kneller Holdings Ltd.

Moved By Councillor Singh/Seconded By Councillor Sieben

R235/18/03/06 THAT Bylaw No. 11199 be amended at third reading.

Carried

Moved By Councillor Donn/Seconded By Councillor DeHart

R236/18/03/06 THAT Bylaw No. 11199, as amended, be adopted.

Carried

6.2 Kneller Rd 150, DP15-0176 & DVP15-0177 - Okanagan Metis & Aboriginal Housing Society Inc.

Mayor Basran advised that DP15-0176 and DVP15-0177 will be deferred.

6.3 KLO Rd 1083-1089, OCP17-0017 (BL11512) - Sole on KLO Developments Ltd.

Moved By Councillor Singh/Seconded By Councillor Sieben

R237/18/03/06 THAT Bylaw No. 11512 be adopted.

Carried

6.4 KLO Rd 1083-1089, TA17-0011 (BL11513) - Section 14 - Commercial Zones

Moved By Councillor Singh/Seconded By Councillor Sieben

R238/18/03/06 THAT Bylaw No. 11513 be adopted.

Carried

6.5 KLO Rd 1083-1089, Z17-0069 (BL11514) - Sole on KLO Developments Ltd.

Moved By Councillor Stack/Seconded By Councillor DeHart

R239/18/03/06 THAT Bylaw No. 11514 be adopted.

Carried

6.6 KLO Rd 1083-1089, DP17-0169 & DVP17-0170 - Sole on KLO Developments Ltd

Staff:

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

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 of Council.

Kevin Edgecombe, Applicant

- Appreciates staff's work on this application.
- Acknowledges this proposal has a lot of variances and commented on the unsuccessful efforts to purchase the adjacent parcel.
- Spoke to the rationale for the parking variances and believes that 65% parking ratio is quite adequate.
- Believes this project consists of attainable units and noted the various types and sizes of units being offered.
- Believes this is an excellent location for this project and commented that the commercial units on the ground floor will be well used by the area residents and students.
- This will be the third branded Sole development named SOLE KLO.

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Donn

R240/18/03/06 THAT final adoption of Rezoning Bylaw No. 11514 (Z17-0069), OCP Amending Bylaw No. 11512 (OCP17-0017), & Text Amendment Bylaw No. 11513 (TA17-0011) be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0169 for Lot 2, District Lot 135, ODYD, Plan 25466 except Plan 38538, located at 1083-1089 KLO Rd, 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;
5. The applicant be required to pay the cash-in-lieu of parking;
6. The applicant sign a contract (to the satisfaction of the City) that ensures a car-share program will be provided for the project.

AND THAT Council authorize the issuance of Development Variance Permit DVP17-0170 for Lot 2, District Lot 135, ODYD, Plan 25466 except Plan 38538, located at 1083-1089 KLO Rd, Kelowna, BC;

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

Section 14.4.5 (c) Development Regulations

To vary the maximum height from 15.0m / 4storeys to 17.2m / 5 storeys.

Section 14.4.5 (e) Development Regulations

To vary the western side yard setback from 2.0 metres to 1.6 metres.

Section 14.4.5 (f) Development Regulations

To vary the rear yard setback from 6.0 metres to 0.3 metres.

Section 14.4.5 (b) Development Regulations

To vary the maximum site coverage from 75% to 76.1%.

Section 8.1.11 (a) Size and Ratio

To vary the minimum drive aisle width for the parkade from 7.0 metres to 6.7 metres.

Section 8.1.11 (b) Size and Ratio

To vary the ratio of vehicular parking stalls sizes from: min 50% Full size, max 40% medium size, & max 10% compact size to 46.6% Full size, 33.3% medium size, & 20% compact size.

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 is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

6.7 Sheerwater Ct 180 20, DVP17-0195 - Marius Anton Scheepers and Sandra Cornelia Keel

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters of Opposition:

KM and GM Campbell & H. Hartmann, Boppart Court

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

Carl Scholl, Carl Scholl Design Inc. and Scott Ross, West Kelowna

- Available for questions.

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Singh/Seconded By Councillor Sieben

R241/18/03/06 THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0195 For Strata Lot 20 Section 6 Township 23 Osoyoos Division Yale District Plan KAS3129 together with an interest in the Common Property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located at 20 180 Sheerwater Court, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A" and "B":

Section 12.1.6(b): RR1 – Rural Residential 1 Development Regulations

To vary the required maximum height from 9.5 m or 2 ½ storeys to 15.45 m or 3 storeys.

AND THAT approval of a Hazardous Condition Development Permit is granted by Staff;

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

6.8 Cadder Ave 889, DVP17-0217 - Jesse Kyle Aldridge

Staff:

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

The City Clerk advised that the following correspondence was received:

Letter of Opposition:

Gregory, Cadder Ave

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

Paul Schuster, Applicant

- Client purchased the property 1 year ago and believed there were three suites and has since worked with Bylaw staff to reach compliance.

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Donn

R242/18/03/06 THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0217 for Lot 28 Section 19 Township 26 Osoyoos Division Yale District Plan 700, located at 889 Cadder Ave, 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. Landscaping to be provided on the land be in accordance with Schedule "B";
3. 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 variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

Section 9.5b.1(i): Specific Use Regulations – Carriage House Regulations

To vary the required minimum side yard from 1.5 m permitted to 1.2 m existing.

Section 9.5b.1(j): Specific Use Regulations – Carriage House Regulations

To vary the required minimum rear yard from 1.5 m permitted to 1.0 m existing.

Table 8.1 – Parking Schedule: Section 8 – Parking and Loading

To vary the required number of parking spaces from 3 required to 2 existing.

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

6.9 Sands Ct 434, DVP18-0001 - Daniel Mark Sandberg and Jo-Ann Lyn Sandberg

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letter in Support:

Barton & Monica Bigford, Madsen Road

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 Given/Seconded By Councillor Gray

R243/18/03/06 THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0001 for Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan 30432, located at 434 Sands Court, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted in accordance with Attachment "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 3.45 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.

The meeting was adjourned at 8:55 p.m.

The meeting reconvened at 8:58 p.m.

Moved By Councillor Sieben/Seconded By Councillor Donn

R244/18/03/06 THAT this meeting be closed to the public pursuant to Section 90(1)(a) of the Community Charter for Council to deal with matters relating to the following:

- Position Appointment

The meeting convened to a closed session at 8:58 p.m.

The meeting reconvened to an open session at 9:04 p.m.

8. Termination

The meeting was declared terminated at 9:04 p.m.

Mayor Basran

/acm

City Clerk