



City of Kelowna Regular Meeting Minutes

Date:	Tuesday, April 10, 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, Mohini Singh* and Luke Stack
Members Absent	Councillor Brad Sieben
Staff Present	Acting City Manager, Joe Creron; City Clerk, Stephen Fleming, Community Planning Department Manager, Ryan Smith; Planner Specialist, Adam Cseke; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist; Legislative Coordinator (Confidential), Arlene McClelland

(*Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 7:34 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Donn.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Donn

R350/18/04/10 THAT the Minutes of the Public Hearing and Regular Meeting of March 20, 2018 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 **Springfield Rd 3054, Z17-0078 (BL11573) - Hyung Ja Eo**

Moved By Councillor Gray/Seconded By Councillor Hodge

R351/18/04/10 THAT Bylaw No. 11573 be read a second and third time.

Carried

Moved By Councillor Stack/Seconded By Councillor Hodge

R352/18/04/10 THAT Council direct staff to report back prior to final adoption on the following:

- Confirm driveway dimension width meets Bylaw requirements;
- Confirm fencing would be constructed between the subject property and 360 Springfield Road;
- Confirm tenancy meets the Zoning Bylaw requirements.

Carried

4.2 Richter St 1205, 1215, 1223, 1229, 1235 & 1241, OCP18-0001 (BL11574) - 1120797 BC Ltd Inc.

Moved By Councillor Donn/Seconded By Councillor Given

R353/18/04/10 THAT Bylaw No. 11574 be read a second and third time.

Carried

4.3 Richter St 1205, 1215, 1223, 1229, 1235 & 1241, Z18-0003 (BL11575) - 1120797 BC Ltd Inc.

Moved By Councillor Singh/Seconded By Councillor DeHart

R354/18/04/10 THAT Bylaw No. 11575 be read a second and third time.

Carried

4.4 South Ridge Dr 5008, Z17-0114 (BL11576) - Emil Anderson Construction Co Ltd.

Moved By Councillor DeHart/Seconded By Councillor Singh

R355/18/04/10 THAT Bylaw No. 11576 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 185 statutory notices to the owners and occupiers of surrounding properties on Tuesday, March 27, 2018.

Notice of this *Liquor Primary Licence* was advertised by being posted on the Notice Board at City Hall on Tuesday, March 27, 2018, and by being placed in the Kelowna Daily Courier issues on Friday, March 30 and Wednesday, April 4 and by sending out or otherwise mailing 70 statutory notices to the owners and occupiers of surrounding properties on Tuesday, March 27, 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. Liquor License Application Reports

6.1 Pandosy St 1630 - 101, LL18-0004 - Ricco Bambino Wines Inc Inc No BC1129356

Councillor Singh left the meeting at 7:50 p.m.

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 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 Donn

R356/18/04/10 THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 10 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

Council recommends support of an application from Rising Tide for Strata Lot 1, DL 139, ODYD, Strata Plan KAS3411, 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 101 – 1630 Pandosy Street, Kelowna, BC for a manufacturer lounge for the hours of 9 am to 12:00 am (midnight) Monday to Sunday;

Council's comments on LCLB's prescribed considerations are as follows:

The location of the winery: The winery is located in an urban setting in the Downtown Core;
The person capacity of the winery lounge: The person capacity is 57 persons inside and 20 persons on exterior patio;
Traffic, noise, parking and zoning: The winery is located downtown and will have minimal negative impact on traffic, noise, parking, and the property is properly zoned;
The impact on the community if the application is approved: The potential for negative impact is considered to be minimal;

AND THAT Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

Carried

7. Development Permit and Development Variance Permit Reports

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

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.

Lisa Fraser, New Town Planning Services, Roman Yamchshikov, Architect

- Displayed a PowerPoint Presentation displaying renderings of the proposed application.
- The proposed project is 3 storeys with 78 units with a caretaker suite and Okanagan Metis & Aboriginal Housing Society offices.
- Spoke to the 111 parking stalls, with 44 stalls being surface and 67 stalls below surface.
- Spoke to the size/ratio of the variance request.
- There will be a significant amount of public open space with a play area.
- Responded to questions from Council.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Donn

R357/18/04/10 THAT Council authorizes the issuance of Development Permit No. DP15-0176 for Lot 2, Section 27, Township 26, ODYD, Plan EPP63257, located at 150 Kneller 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;

AND THAT Council authorize the issuance of Development Variance Permit DVP15-0176 for Lot 2, Section 27, Township 26, ODYD, Plan EPP63257, located at 150 Kneller 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 8.1.11 (a) 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 37.8% Full size, 56.8% medium size, & 5.4% 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

7.2 Knowles Rd 504, DVP17-0220 - David Rolleston and Jennifer Rolleston

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 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 DeHart

R358/18/04/10 THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0220 for Lot 1 District Lot 167 ODYD Plan 15446, located at 504 Knowles Road, Kelowna, BC;

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

Section 13.2.5 (b): RU2 – Medium Lot Housing Subdivision Regulations
To vary the minimum lot depth from 30.0m required to 27.5m 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

7.3 McCurdy Road 730-760, DP17-0267 & DVP17-0268 - Midwest Ventures Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Letters in Support:

Rick Valenti, Silver City Hldgs. Inc., McCurdy Road

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

Darren Schlamp, Argus Properties Ltd.

- Staff covered everything in their report.
- Confirmed that there was a letter of support from the neighbouring property.
- Confirmed that the neighbouring property technically triggered the variance as it is undergoing rezoning that would have the setback to 0 m should the bylaw be adopted.

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Gray

R359/18/04/10 THAT Council authorizes the issuance of Development Permit No. DP17-0267 and Development Variance Permit DVP17-0268 for Lot 63, DL 143, ODYD Plan 426, Except Plans 15819 and A12969, located at 730 McCurdy 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 "D"; and

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.

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

Section 15.2.5(e): I2 – General Industrial Development Regulations

To vary the required minimum side yard setback for an industrial building from 4.5 m permitted to 0.0 m proposed.

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

Carried

7.4 Campion Street 170 - 180, DVP17-0276 - Campion Road Management

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 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 Donn

R360/18/04/10 THAT Council authorizes the issuance of Development Variance Permit DVP17-0276 for Lot 2, Section 34, Township 26, ODYD, Plan EPP12919 located at 170 – 180 Campion Street, 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;

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

Section 15.2.5(d): I2 – General Industrial Development Regulations

To vary the required minimum front yard setback for an industrial building from 7.5 m permitted to 3.0 m proposed.

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

Carried

8. **Reminders – Nil.**

9. **Termination**

The meeting was declared terminated at 8:18 p.m.

Mayor Basran

/acm

City Clerk