



## City of Kelowna Regular Meeting Minutes

Date: Tuesday, June 26, 2018  
Location: Council Chamber  
City Hall, 1435 Water Street

Council 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, Doug Gilchrist; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith\*; Urban Planning Manager, Terry Barton; Planner II, Trisa Atwood; Acting Divisional Director Community Planning & Strategic Investments, Derek Edstrom; Financial Services Divisional Director, Genelle Davidson\*; Legislative Coordinator (Confidential), Clint McKenzie

(\*Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 6:55 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Luke Stack.

### 3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Singh

R634/18/06/26 THAT the Minutes of the Public Hearing and Regular Meeting of June 11, 2018 be confirmed as circulated.

Carried

### 4. Bylaws Considered at Public Hearing

4.1 Hwy 33 E 1759, Z17-0065 (BL11625) - Ki-Low-Na Friendship Society, Inc. No. S-10638

Moved By Councillor Singh/Seconded By Councillor Stack

R635/18/06/26 THAT Bylaw No. 11625 be read a second and third time.

Carried

**4.2 Abbott St 2195, Z18-0041 (BL11626) - Gordon and Karen Lovegrove**

Moved By Councillor Singh/Seconded By Councillor Stack

R636/18/06/26 THAT Bylaw No. 11626 be read a second and third time.

Carried

**4.3 Bach Rd 440, Z18-0020 (BL11627) - Richard Therrien and Daniel Good**

Moved By Councillor Hodge/Seconded By Councillor Donn

R637/18/06/26 THAT Bylaw No. 11627 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 93 statutory notices to the owners and occupiers of surrounding properties on Tuesday, June 12, 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 Norris Rd S 2330-2350, DP18-0071 & DVP18-0070 - R 354 Enterprises 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.

The Applicant was present and available for questions.

Gallery:

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Gray

R638/18/06/26 THAT Council authorizes the issuance of Development Permit No. DP18-0071 and Development Variance Permit No. DVP18-0070 for Lot 3, Section 2, Township 23, ODYD, Plan EPP67824, located at 2330-2350 Norris Road S, Kelowna, BC subject to the following:

The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"

The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

Landscaping to be provided on the land be in accordance with Schedule "C";

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 section of Zoning Bylaw No. 8000 be granted:

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

To vary the required minimum flanking side yard from 6.0 m permitted to 0.0 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**

**6.2 Pacific Ave 1155, Z17-0051 (BL11519) - Necessary Homes Inc.**

Moved By Councillor Hodge/Seconded By Councillor Gray

**R639/18/06/26** THAT Bylaw No. 11519 be adopted.

**Carried**

**6.3 Pacific Ave 1155, DP17-0141 & DVP17-0142 - Necessary Homes Inc**

Staff:

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

The City Clerk advised that the following correspondence was received:

**Letters of Opposition and Concern:**

Caroline Dacyk, Brookside Avenue  
Irene Schoenfeld, Brookside Avenue  
P and T Bonk, Brookside Avenue

**Letters of Support:**

Thomas Illichmann, Gordon Dr, Pacific Ave  
Joseph Higgins, Pasnak Street  
Darwin Bates, Pasnak Street

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

**Dave Sargent, Applicant**

- Displayed a PowerPoint presentation, including a CHBC news video.
- Confirmed derelict building on site at time of purchase was demolished after obtaining ownership of property.
- Spoke to rationale behind the variances being requested.
- Spoke to the "passive house" standard building will be constructed to, which meets Step 3 of the upcoming 2020 provincial Step Code making the building 70% more efficient than if it was built only to code.
- Responded to questions from Council.

Gallery:

**Maria Franz - Pacific Ave**

- Supportive of land use, concerned with the number of variances being requested.
- Asked if Council grants seven variances, will other developers be able to obtain seven variances as well.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Stack

**R640/18/06/26** THAT final adoption of Rezoning Bylaw No. 11519 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit and Development Variance Permit No. DP17-0141 and DVP17-0142 for Lot 1 Block 1 District Lot 137 ODYD Plan 5042, located at 1155 Pacific Avenue, 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 variances to the following sections of Zoning Bylaw No. 8000 be granted:

**Section 8.1.11 (b): Size and Ratio**

To vary the minimum ratio of full parking stalls from 50% required to 41% proposed;

**Table 8.1 – Parking Schedule**

To vary the required minimum parking stalls from 20 stalls required to 17 stalls proposed;

**Section 13.10.6 (c): RM4 – Transitional Low Density Housing Development Regulations**

To vary the maximum height from 13.0m or 3 storeys to 12.0m or 3 ½ storeys;

**Section 13.10.6 (d): RM4 – Transitional Low Density Housing Development Regulations**

To vary the required minimum front yard from 6.0m required to 3.66m proposed;

**Section 13.10.6 (e): RM4 – Transitional Low Density Housing Development Regulations**

To vary the required flanking street side yard from 4.5m required to 3.0m proposed;

**Section 13.10.6 (e): RM4 – Transitional Low Density Housing Development Regulations**

To vary the required minimum side yard for an accessory building from 2.3m required to 1.2m proposed;

**Section 13.10.6 (f): RM4 – Transitional Low Density Housing Development Regulations**

To vary the required minimum rear yard from 9.0m (above three storeys) required to 2.8m proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Application 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. MFA Borrowing for Local Area Service for Aspen Road**

Staff:

- Explained the reason for the report being added to the agenda.
- Summarized the MFA borrowing process and why a City resolution is required.

Moved By Councillor DeHart/Seconded By Councillor Hodge

**R641/18/06/26** THAT Council approves borrowing from the Municipal Finance Authority of British Columbia, as part of their 2018 fall issue, \$48,000 as authorized through Loan Authorization Bylaw No. 11275 which authorized the Local Area Service for Aspen Road.

AND THAT the Regional District of Central Okanagan be requested to prepare a security issuing bylaw with a 20-year term.

**Carried**

**8. Reminders**

Councillor Donn:

- Councillor Bob Spiers of City of Vernon passed away.

Mayor Basran:

- Passed condolences to his family on behalf of Council.

**9. Termination**

The meeting was declared terminated at 8:11 p.m.

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Mayor Basran

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City Clerk

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