



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, August 28, 2018  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and 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; and Legislative Services Coordinator (Confidential), Clint McKenzie

(\* denotes partial attendance)

**1. Call to Order**

Mayor Basran called the meeting to order at 9:01 p.m.

**2. Reaffirmation of Oath of Office**

The Oath of Office was read by Councillor Given.

**3. Confirmation of Minutes**

**Moved By Councillor Hodge/Seconded By Councillor Sieben**

**R836/18/08/28** THAT the Minutes of the Public Hearing and Regular Meeting of August 14, 2018 be confirmed as circulated.

**Carried**

**4. Bylaws Considered at Public Hearing**

**4.1 Hobson Rd 4315, Z18-0072 (BL11653) - Jagdeesh Singh Diocee and Anita Sanan**

**Moved By Councillor Donn/Seconded By Councillor Given**

**R837/18/08/28** THAT Bylaw No. 11654 be read a second and third time.

**Defeated**  
Councillors DeHart, Hodge, Sieben, Singh and Stack - Opposed

4.2 Lindahl St 2005, Z18-0039 (BL11654)- Nicholas and Cheryl Kirschner

Moved By Councillor Donn/Seconded By Councillor Given

R838/18/08/28 THAT Bylaw No. 11654 be read a second and third time.

Carried

4.3 Richter St 2529, Z18-0056 (BL11655) - Karambir Singh Kler and Amarjit Kaur Kler

Moved By Councillor Donn/Seconded By Councillor Given

R839/18/08/28 THAT Bylaw No. 11655 be read a second and third time.

Carried

4.4 Barnaby Rd 771, Z18-0074 (BL11660) - Trevor James Taylor and Lori-Lynn Taylor

Moved By Councillor Gray/Seconded By Councillor Hodge

R840/18/08/28 THAT Bylaw No. 11660 be read a second and third time.

Carried

4.5 Curlew Drive 477-2, Z18-0064 (BL11661) - Aspen Point Construction Ltd., Inc. No. BC0922170

Moved By Councillor Hodge/Seconded By Councillor Gray

R841/18/08/28 THAT Bylaw No. 11661 be read a second and third time and be adopted.

Carried

4.6 Pandosy St 2251-2312, OCP18-0011 (BL11665) - Interior Health Authority

Moved By Councillor Sieben/Seconded By Councillor Singh

R842/18/08/28 THAT Bylaw No. 11665 be read a second and third time.

Carried

4.7 Pandosy St 2251-2312, Z18-0055 (BL11666) - Interior Health Authority

Moved By Councillor Sieben/Seconded By Councillor Singh

R843/18/08/28 THAT Bylaw No. 11666 be read a second and third time.

Carried

4.8 Speer St 2268, 2276, 2284, 2292 Pandosy St 2269 - OCP18-0017 (BL11662) - Interior Health Authority

Moved By Councillor Sieben/Seconded By Councillor Singh

R844/18/08/28 THAT Bylaw No. 11662 be read a second and third time.

Carried

4.9 Speer St 2268, 2276, 2284, 2292 Pandosy St 2269 - Z18-0077 (BL11663) - Interior Health Authority and City of Kelowna

Moved By Councillor Sieben/Seconded By Councillor Singh

R845/18/08/28 THAT Bylaw No. 11663 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 94 statutory notices to the owners and occupiers of surrounding properties on Tuesday, August 14, 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 Taylor Cr 2424, Z18-0024 (BL11622) - Kerry and Nicole Begrand Fast

Moved By Councillor Sieben/Seconded By Councillor Singh

R846/18/08/28 THAT Bylaw No. 11622 be adopted.

Carried

6.2 Taylor Cr 2424, DVP18-0053 - Kerry and Nicole Begrand Fast

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 Support:

Nicole & Kerry Begrand-Fast, Taylor Crescent (7 form letters)

Birte Decloux, Urban Options Planning & Permits, Applicant and Nicole Begrand-Fast, Owner

- Displayed a PowerPoint Presentation.
- The variance request is to accommodate a family member on site; allows multi-generational family to age in place.
- Traffic volumes on Taylor Crescent are low and believes there will be little impact if driveway access variance is granted.
- Noted that other properties in the neighbourhood have two driveways.
- Responded to questions from Council.

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

Gallery:

Richard Burrows, Taylor Crescent

- Opposed to the application and supportive of staff's position.
- Believes regulations should be the same for everyone with lane access to ensure safety.
- Responded to questions from Council.

Birte Decloux, Urban Options Planning & Permits

- Made reference to the OCP Policy in support of diverse housing types and asked Council to consider this.
- The landowner is asking for front access in order to have an elderly parent live in the home.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Donn

**R847/18/08/28** THAT Council NOT authorize the issuance of Development Variance Permit No. DVP18-0053 for Lot 17, District Lot 14, ODYD, Plan 7336, located at 2424 Taylor Cr, Kelowna, BC.

AND THAT a variance to the following section of Zoning Bylaw No. 8000 NOT be granted:

**Section 13.1.7(d): Urban Residential Zones**

To allow dual vehicle access from both the rear lane and the front street.

**Carried**

**6.3 St Paul St 1471, Z18-0002 (BL11646) - Mission Group Holdings Ltd**

Moved By Councillor Sieben/Seconded By Councillor Singh

**R848/18/08/28** THAT Bylaw No. 11646 be adopted.

**Carried**

**6.4 St Paul St 1471, DP18-0076 DVP18-0077 - Mission Group Holdings Ltd., Inc. No. BC0993483**

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:**

Dianne Varga, Lake Avenue  
Richard Drinnan, Greene Road

Luke Turri, Mission Group, Applicant

- Displayed a PowerPoint Presentation summarizing the project.
- Spoke to the form and character of the building including the 178 new homes with street level retail.
- Spoke to the podium massing and tower design; will be in keeping with the existing character of St. Paul Street.
- Spoke to the rationale for the height variance due to the parking requirements.
- This will be a master planned site exploring multiple uses.

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

Gallery:

Diane Varga, Lake Avenue

- Opposed to the application.
- Raised concerns with short term rental uses.
- Recommended this project be put on hold until short term rental use policies are determined by the City.
- Recommended the City consider and adopt residential rental tenure zoning regulations.

Richard Drinnan, Greene Road

- Opposed to the application.
- Believes there is no justification for height request and sets a precedence.
- Displayed 20-Year Costs to Taxpayers triggered by Brooklyn Project calculations on the ELMO.
- Reviewed the DCC rates and believes the subsidies will hinder the City's ability to pay for other municipal capital projects such as Parks.
- Commented that there are no public amenities proposed by the Applicant
- Recommended an applicant amenity contribution be collected and used for South Pandosy Park Capital costs.

Luke Turri, Mission Group, Applicant

- Firm believer in long term prosperity of Kelowna and by adding supply of housing is one of the largest levers that can be used to provide housing affordability.

There were no further comments.

**Moved By Councillor Sieben/Seconded By Councillor Stack**

**R848/18/08/28** THAT final adoption of Rezoning Bylaw No. 11646 (Z18-0002) be considered by Council;

THAT Council authorizes the issuance of Development Permit No. DP18-0076 for Lot A, District Lot 139, ODYD, Plan EPP81417, located at 1471 St. Paul 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, as determined by a Registered Landscape Architect;
5. That the Development Permit and Development Variance Permit is issued subsequent to the outstanding conditions set out in Attachment "A" attached to the Report from the Community Planning Department dated July 25<sup>th</sup> 2017;

AND THAT Council authorize the issuance of Development Variance Permit DVP18-0077 for Lot A, District Lot 139, ODYD, Plan EPP81417, located at 1471 St. Paul Street, Kelowna, BC;

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

**Section 14.7.5 (a) Development Regulations**

To vary the maximum height from 58 metres (approx. 19 storeys) to 75 metres (26 storeys).

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. **Reminders – Nil.**

8. **Termination**

The meeting was declared terminated at 10:59 pm.

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Mayor Basran

/cm/acm

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City Clerk