



City of Kelowna Regular Meeting Minutes

Date:	Tuesday, February 26, 2019
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine Dehart, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben, Luke Stack* and Loyal Wooldridge
Members Absent	Councillor Mohini Singh
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Acting Divisional Director Community Planning & Strategic Investments, Derek Edstrom; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Legislative Coordinator (Confidential), Clint McKenzie; Legislative Coordinator (Confidential), Rebecca Van Huizen

(*denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:18 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Wooldridge.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Stack

(R0198/19/02/26) THAT the Minutes of the Public Hearing and Regular Meeting of February 12, 2019 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 **Ethel Street 907, BL11752 (TA18-0010) - Emil Anderson Construction Co. Ltd., Inc. No. 172775**

Councillor Sieben did not participate in the vote as he was absent from this portion of the Public Hearing.

Moved By Councillor Given/Seconded By Councillor Wooldridge

(R0199/19/02/26) THAT Bylaw No. 11752 be read a second and third time.

Carried

4.2 Cariboo Rd 160, BL11753 (Z18-0111) - Akram Shami, Jamileh Shami, Shouwkat Shami

Moved By Councillor Stack/Seconded By Councillor Dehart

(R0200/19/02/26) THAT Bylaw No. 11753 be read a second and third time and be adopted.

Carried

4.3 Hobson Rd 4389, BL11754 (Z18-0110) - Cody Franson

Moved By Councillor Dehart/Seconded By Councillor Stack

(R0201/19/02/26) THAT Bylaw No. 11754 be read a second and third time and be adopted.

Carried

4.4 Taylor Rd 545, BL11757 (Z18-0114) - Jessica Michelle Rypstra

Moved By Councillor Stack/Seconded By Councillor Dehart

(R0202/19/02/26) THAT Bylaw No. 11757 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of the was given by sending out or otherwise delivering 203 letters to the owners and occupiers of the surrounding properties on Tuesday, February 12, 2019.

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 Report

6.1 BL11758 - Rescinding Housing Agreement Authorization Bylaw No. 9999

Councillor Stack declared a perceived conflict of interest as his employer applies for housing agreements from time to time and left the meeting at 6:23 p.m.

Moved By Councillor Dehart/Seconded By Councillor Hodge

(R0203/19/02/26) THAT Bylaw No. 11758 be adopted.

Carried

Councillor Stack rejoined the meeting at 6:24 p.m.

6.2 Fuller Ave 555, OCP18-0013 (BL11713) - City of Kelowna

Moved By Councillor Hodge/Seconded By Councillor Given

(R0204/19/02/26) THAT Bylaw No. 11713 be adopted.

Carried

6.3 Fuller Ave 555, Z18-0062 (BL11714) - City of Kelowna

Moved By Councillor Wooldridge/Seconded By Councillor Given

(R0205/19/02/26) THAT Bylaw No. 11714 be adopted.

Carried

6.4 Fuller Ave 555, DP18-0115 and DVP18-0116 - City of Kelowna

Staff:

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

Devan Cronshaw, Makola Development Services, Applicant:

- Displayed a PowerPoint presentation.
- Provided rationale for the parking variance.
- Confirmed they will have a bikeshare program and will include multiple transportation alternatives.
- Responded to questions from Council.

Charisse Daily, Longridge Ct:

- Responded to questions from Council regarding the proposed tenancy makeup.

Carlo DiStefano, DiStefano Jaud Architects:

- Responded to questions from Council regarding development permit form and character details.

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

No one came forward.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Donn

(R0206/19/02/26) THAT final adoption of Rescinding Housing Agreement Authorization Bylaw No. 11758 be considered by Council;

AND THAT final adoption of Official Community Plan Map Amending Bylaw No. 11713 and Rezoning Bylaw No. 11714 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0115 for Lot 1 District Lot 139 ODYD Plan EPP78052, located at 555 Fuller 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 Council authorizes the issuance of Development Variance Permit No. DVP18-0116 for Lot 1 District Lot 139 ODYD Plan EPP78052, located at 555 Fuller Avenue, Kelowna, BC;

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

Section 14.7.5(h)(i): C7 Central Business Commercial Development Regulations

To vary the required minimum setback above 16.0 m in height from 3.0 m permitted to 0.0 m proposed for any property line abutting a street;

Section 14.7.7(e): C7 Central Business Commercial Other Regulations

To vary the percentage of required functional commercial, civic, cultural space or ground oriented residential use on the first floor from 90% of all street frontages to 52.5% proposed;

Section 8 - Table 8.1: Apartment Housing Parking Schedule

To vary the required minimum number of parking stalls from 88 stalls required to 44 stalls 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 Attachment "A" attached to the Report from the Community Planning Department dated February 26, 2019;

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

6.5 Highpointe Place 800, DVP18-0178 - Jasbir Kaur Khunkhun

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that no correspondence was received.

The applicant was not present.

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

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

(R0207/19/02/26) THAT Council authorize the issuance of Development Variance Permit DVP18-0178 for Strata Lot 22, Section 30, Township 26, Osoyoos Division Yale District, Strata

Plan KAS3162, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V, located on 800 Highpointe Place, Kelowna, BC.

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

Section 6.4.1 - Projection Into Yard:

1. To vary the required projection for a portion of an existing accessory building's eave into the front yard from 0.6 meters permitted, to existing 1.14 meters 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

6.6 Taylor Cr 2414, DVP18-0185 - Mark E. A. Danielson and Erin A. Cram

Staff:

- Displayed a PowerPoint presentation summarizing the application.

The City Clerk advised that the following correspondence was received.

Letters of Opposition and Concern:

- Kelly & Mary Meenagh, Birch Ave

The applicant was present and available for questions.

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

No one from the gallery came forward.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Stack

(R0208/19/02/26) THAT final adoption of Rezoning Bylaw No. 11735 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0185 for Lot 16, District Lot 14, Osoyoos Division Yale District, Plan 7336, located at 2414 Taylor Crescent, Kelowna, BC, subject to the following:

1. The dimensions and siting of the principal dwelling and the carriage house to be constructed on the land be in accordance with Schedule "A,"
2. The elevations, exterior design and finish of the buildings to be constructed on the land, be in accordance with Schedule "B".

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

Section 9.5b.1(g) – Carriage House Regulations:

To vary the permitted height of a carriage house from 4.8m to 6.45m.

Carried

7. **Reminders**

There were no reminders.

8. **Termination**

The meeting was declared terminated at 7:29 p.m.

Mayor Basran

City Clerk

sf/rvh