



City of Kelowna Regular Meeting Minutes

Date:	Tuesday, May 21, 2019
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart*, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge
Members Absent	Councillor Ryan Donn
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Urban Planning Manager, Terry Barton; Community Planning Supervisor, Laura Bentley; Suburban and Rural Planning Manager, Dean Strachan*; Business License Manager, Greg Wise*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 9:33 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councilor Singh.

3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R532/19/05/21 THAT the Minutes of the Public Hearing and Regular Meeting of May 7, 2019 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 Clement Ave 1049, BL11814 (Z19-0045) - Gurpreet Pannu

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R533/19/05/21 THAT Bylaw No. 11814 be read a second and third time.

Carried

- 4.2 **Bach Rd 140, Rutland Rd N 615 & 625, BL11815 (OCP19-0001) - Bharosa Developments Ltd. Inc. No. BC1177705**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R534/19/05/21 THAT Bylaw No. 11815 be read a second and third time.

Carried

- 4.3 **Bach Rd 140, Rutland Rd N 615 & 625, BL11821 (TA19-0002) - Bharosa Developments Ltd. Inc. No. BC1177705**

Moved By Councillor Singh/Seconded By Councillor Hodge

R535/19/05/21 THAT Bylaw No. 11821 be read a second and third time.

Carried

- 4.4 **Bach Rd 140, Rutland Rd N 615 & 625, BL11819 (Z19-0039) - Bharosa Developments Ltd. Inc. No. BC1177705**

Moved By Councillor Wooldridge/Seconded By Councillor Given

R536/19/05/21 THAT Bylaw No. 11819 be read a second and third time.

Carried

- 4.5 **Lakeshore Rd 4119, BL11816 (Z19-0046) - Whitworth Holdings Ltd., Inc. No. BC1059455**

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R537/19/05/21 THAT Bylaw No. 11816 be read a second and third time.

Carried

- 4.6 **Kirschner Rd 1977, BL11817 (Z19-0023) - Lambert and Paul Construction Ltd, Inc. No 80191**

Moved By Councillor Hodge/Seconded By Councillor Singh

R538/19/05/21 THAT Bylaw No. 11817 be read a second and third time.

Carried

- 4.7 **Ethel St 1675 & 1685, BL11818 (TA19-0006) - Petel Properties Inc., Inc. No. A0069509**

Moved By Councillor Singh/Seconded By Councillor Hodge

R539/19/05/21 THAT Bylaw No. 11818 be read a second and third time.

Carried

Councillor Hodge - Opposed

Moved By Councillor Sieben/Seconded By Councillor Hodge

R540/19/05/21 THAT Council direct staff to look into visitor parking allocation and number of stalls at Cambridge House, at 1675 and 1685 Ethel Street and report back to Council.

Carried

4.8 Short Term Rental Accommodations (Secondary Suites and Carriage Houses, BL11820 (TA19-0011) - City of Kelowna

Councillor DeHart declared a conflict of interest as the application is in direct competition with her hotel employer and she co-owns units on Sunset Drive and departed the meeting at 9:50 p.m.

Moved By Councillor Sieben/Seconded By Councillor Singh

R541/19/05/21 THAT Bylaw No. 11820 be read a second and third time.

Defeated

Mayor Basran, Councillors Given, Singh and Stack - Opposed

Councillor DeHart rejoined the meeting at 10:29 p.m.

4.9 Union Rd 1550, BL11824 (OCP18-0014) - Glenwest Properties Ltd., Inc. No.CO889227

Moved By Councillor DeHart/Seconded By Councillor Stack

R542/19/05/21 THAT Bylaw No. 11824 be read a second and third time.

Carried

4.10 Union Rd 1550, BL11825 (Z18-0070) - Glenwest Properties Ltd., Inc. No.CO889227

Moved By Councillor Sieben/Seconded By Councillor DeHart

R543/19/05/21 THAT Bylaw No. 11825 be read a second and third time.

Carried

4.11 Airport Way 5505-5507, BL11828 (Z19-0034) - Midwest Ventures Ltd Inc. No BC0046021

Moved By Councillor DeHart/Seconded By Councillor Stack

R544/19/05/21 THAT Bylaw No. 11828 be read a second and third time.

Carried

4.12 Walker Rd 4480, BL11829 (Z18-0047) - Thomas A.M. Brown

Moved By Councillor Sieben/Seconded By Councillor DeHart

R545/19/05/21 THAT Bylaw No. 11829 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these Heritage Alteration Permit Application was given by sending out or otherwise mailing 26 statutory notices to the owners and occupiers of surrounding properties on Tuesday, May 7, 2019.

Notice of this *Temporary Use Permit* was advertised by being posted on the Notice Board at City Hall on Tuesday, May 7, 2019, and by being placed in the Kelowna Daily Courier issues on Friday, May 10 and Wednesday, May 15 and by sending out or otherwise mailing 13 statutory notices to the owners and occupiers of surrounding properties on Tuesday, May 7, 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 Reports

6.1 Cadder Ave 418-422, BL11736 (Z18-0083) - Geoffrey & Michelle Couper and Friedrich & Evelyn Wille

Moved By Councillor Sieben/Seconded By Councillor DeHart

R546/19/05/21 THAT first, second and third reading be rescinded for Bylaw No. 11736.

Carried

6.2 Cadder Ave 418-422, HAP18-0012 - Geoffrey & Michelle Couper and Friedrich & Evelyn Wille

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 from 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 Wooldridge

R547/19/05/21 THAT Council receives, for information, the report from the Community Planning Department dated May 21, 2019 with respect to Z18-0083 for the property located at 418-422 Cadder Ave.

AND THAT Bylaw No. 11736 be forwarded for rescindment consideration and the file be closed.

AND THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP18-0012 for Lot 7, Block 8 District Lot 14 ODYD Plan 348 located at 418-422 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. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

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

Section 13.1.6(e): RU1 – Large Lot Housing, Development Regulations

To vary the required minimum rear yard setback from 7.5 m permitted to 2.5 m proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Heritage Alteration Permit Application in order for the permit to be issued;

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

Carried

6.3 KLO Rd 2085, TUP19-0001 - Irene Lee

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:

Jenny Hildebrand, TRACS, submitted 2 letters of support

Birte Decloux, Urban Options Planning & Permits

- Commented that there is a presentation if Council would like to see it.
- Advised that TRACS stands for The Responsible Animal Care Society.
- Currently there are 60 animals remaining.

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 Stack

R548/19/05/21 THAT Council authorizes the issuance of Temporary Use Permit No. TUP19-0001 to allow for intensive agriculture for Lot A District Lot 131 ODYD Plan 8888 located at 2085 KLO Rd, Kelowna, BC for a three (3) year period commencing from Council approval subject to the following conditions:

- a. The intensive agriculture use shall be limited to a maximum of 80 rabbits;
- b. The dimensions and siting of the buildings to be constructed on the land be in accordance with Schedule "A,"

AND FURTHER THAT any application to extend the permit must be approved by Council prior to this permit expiring.

Carried

7. **Reminders**

There were no reminders.

8. **Termination**

The meeting was declared terminated at 10:44 p.m.

Mayor Basran

City Clerk

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