



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Tuesday, August 13, 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, Mohini Singh, Luke Stack and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Urban Planning and Development Policy Manager, Laura Bentley; Development Planning Department Manager, Terry Barton; Policy & Planning Department Manager, Danielle Noble-Brandt; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:50 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Given.

3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

R790/19/08/13 THAT the Minutes of the Public Hearing and Regular Meeting of July 30, 2019 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 Vaughan Ave 889, BL11866 (Z19-0025) - 1568447 Alberta Ltd.

Moved By Councillor Hodge/Seconded By Councillor Singh

R791/19/08/13 THAT Bylaw No. 11866 be read a second and third time and be adopted.

Carried

- 4.2 DEFERRED TO AUGUST 27TH MEETING BY APPLICANT DUE TO SIGNAGE ISSUE - Glenwood Ave 455, BL11914 (Z19-0038) - Mark Procknow

Item was not read as it was deferred from the Public Hearing to the August 27, 2019 Regular meeting.

- 4.3 Fitzpatrick Rd 249, BL11915 (Z19-0064) - Patrick and Hendrika Hayden

Moved By Councillor Hodge/Seconded By Councillor Singh

R792/19/08/13 THAT Bylaw No. 11915 be read a second and third time.

Carried

- 4.4 Gordon Drive 1450 and Lawson Avenue 1094, BL11916 (Z19-0058) - 1094 Lawson Avenue Ltd. Inc. No. BC1176688

Moved By Councillor Stack/Seconded By Councillor DeHart

R793/19/08/13 THAT Bylaw No. 11916 be read a second and third time

Carried

Councillor Hodge - Opposed

5. Development Permit and Development Variance Permit Reports

- 5.1 Richter St 1458, DVP18-0139 - Friso Stolk and Kirsten Belinda Bennett

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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 Donn/Seconded By Councillor Wooldridge

R794/19/08/13 THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0139 for Lot 2 Block D District Lot 139 ODYD Plan 2345, located at 1458 Richter Street, Kelowna, BC;

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

Section 9.5b.1 (j): Carriage House Regulations

To vary the required minimum rear yard from 0.9 m permitted to 0.0 m 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

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

Moved By Councillor Stack/Seconded By Councillor DeHart

R795/19/08/13 THAT Bylaw No. 11816 be adopted.

Carried

5.3 Lakeshore Rd 4119, DP19-0037 DVP19-0089 - Whitworth Holdings Ltd., Inc. No. BC1059455

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Jim Meiklejohn, Meiklejohn Architects Inc.

- Displayed a PowerPoint Presentation.
- Displayed an aerial view of the north and south of the subject property with neighbouring apartments.
- Displayed a Landscape Plan as well as colours and materials to be used on the proposed building.
- Believes the variance for the minimum landscape buffer along a rear portion of the property line will not greatly impact the neighbouring school property.
- The variance for the balconies will make the balconies more liveable and will provide more privacy.
- Displayed a letter of support for the development by the Strata Management Company of the neighbouring building.

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 Given/Seconded By Councillor Wooldridge

R796/19/08/13 THAT final adoption of Rezoning Bylaw No. 11816 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP19-0037 and Development Variance Permit No. DVP19-0089 for Lot 3 Section 6 Township 26 ODYD Plan 4912, located at 4119 Lakeshore 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 "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 in accordance with Schedules A and C:

Section 6.4.2: Projections into Yards

To vary the maximum projection of decks into a required side yard from 0.6 m to 1.5 m.

Section 7.6.1 (c): Minimum Landscape Buffers

To vary the minimum landscape buffer from 3.0 m to 0.0 m along a portion of the rear property line.

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 are valid for (2) years from the date of Council approval, with no opportunity to extend.

Carried

6. Reminders – Nil.

7. Termination

The meeting was declared terminated at 7:18 p.m.

Mayor Basran

/acm

City Clerk