



City of Kelowna

Regular Meeting

Minutes

Date: Tuesday, October 22, 2019
Time: 6:00 pm
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; Acting Divisional Director, Planning & Development Services, Danielle Noble-Brandt; Development Planning Department Manager, Terry Barton; Planner Specialist, Adam Cseke, Planner II, Barbara Crawford; Legislative Coordinator (Confidential), Clint McKenzie

1. Call to Order

Mayor Basran called the meeting to order at 9:27 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor DeHart.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R980/19/10/22 THAT the Minutes of the Public Hearing and Regular Meeting of October 8, 2019 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 **Zoning Bylaw No. 8000 - Section 8 Parking & Loading Zoning Bylaw - Text Amendment Application BL11850 (TA18-0009) - City of Kelowna**

Moved By Councillor Hodge/Seconded By Councillor Singh

R981/19/10/22 THAT Bylaw No. 11850 be read a second and third time.

Carried

4.2 Farris Rd 454, BL11937 (Z19-0048) - Scott Cramp and Lei Zhang

Moved By Councillor Singh/Seconded By Councillor Hodge

R982/19/10/22 THAT Bylaw No. 11937 be read a second and third time and be adopted.

Carried

4.3 DEFERRED TO NOVEMBER 5TH MEETING AT APPLICANT'S REQUEST - Eldorado Rd 509 - BL11938 (Z19-0069) - Judith Parsons

4.4 Kyndree Ct 1222 - BL11940 (LUC19-0002) - Hans and Krystyna Schubel

Moved By Councillor Hodge/Seconded By Councillor Singh

R983/19/10/22 THAT Bylaw No. 11940 be read a second and third time and be adopted.

Carried

4.5 Underhill St 1940, BL11941 (LUC18-0004) - 1940 Underhill Developments Corp.

Moved By Councillor Wooldridge/Seconded By Councillor Given

R984/19/10/22 THAT Bylaw No. 11941 be read a second and third time.

Carried

4.6 Underhill St 1940, BL11942 (OCP18-0015) - 1940 Underhill Developments Corp.

Moved By Councillor Wooldridge/Seconded By Councillor Given

R985/19/10/22 THAT Bylaw No. 11942 be read a second and third time.

Carried

4.7 Underhill St 1940, BL11943 (Z18-0071) - 1940 Underhill Developments Corp.

Moved By Councillor Donn/Seconded By Councillor Stack

R986/19/10/22 THAT Bylaw No. 11943 be read a second and third time.

Carried

4.8 Summit Dr 1932, BL11944 (TA19-0014) - Summit Real Estate Holdings Ltd., Inc. No. BC1098449

Moved By Councillor DeHart/Seconded By Councillor Stack

R987/19/10/22 THAT Bylaw No. 11944 be read a second and third time.

Carried

4.9 Summit Dr 1932, BL11945 (Z19-0070) - Summit Real Estate Holdings Ltd., Inc. No. BC1098449

Moved By Councillor DeHart/Seconded By Councillor Stack

R988/19/10/22 THAT Bylaw No. 11945 be read a second and third time.

Carried

4.10 Abbott St 1781, BL11946 (HD19-0002) - Davara Holdings Ltd., Inc. No. BCo797640

Moved By Councillor Donn/Seconded By Councillor Stack

R989/19/10/22 THAT Bylaw No. 11946 be read a second and third time.

Carried
Councillors Donn, Hodge, Sieben - Opposed

4.11 Abbott St 1781, BL11923 (HRA18-0001) - Davara Holdings Ltd., Inc. No. BCo797640

Moved By Councillor Donn/Seconded By Councillor Stack

R990/19/10/22 THAT Bylaw No. 11923 be read a second and third time.

Carried
Councillors Donn, Hodge, Sieben - Opposed

4.12 Abbott St 1884, BL11947 (Z19-0065) - William James Feist and Treena June Harley

Moved By Councillor Stack/Seconded By Councillor DeHart

R991/19/10/22 THAT Bylaw No. 11947 be read a second and third time.

Carried

5. Development Permit and Development Variance Permit Reports

5.1 Abbott St 2210, HAP18-0005 - Richard Mohr, Judith L. Mohr, Craig R. Mohr

Staff:

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

Birte Decloux, Urban Options, Applicant's Agent:

- Displayed a PowerPoint presentation.
- Provided an overview of the application.
- Responded to questions from Council.

Richard Chow, Applicant's architect:

- Spoke to the design considerations.

Craig Mohr, Applicant:

- Spoke to "age-in-place" concept behind the application.
- 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:

Brian Winoski, Abbott St.:

- Supportive of the application.

Steve Nicholson, Abbott St.:

- Supportive of the application.
- He is a builder in the area.

Resident, Abbott St.:

- Spoke to impediments to Lake Okanagan access.
- Opposed to the variances requested. The house is too large.
- Commented on the fences that impede pedestrian access to the waterfront.

Birte Decloux, Applicant's Agent:

- Principle building does not have any variances.
- Spoke to the rationale for the request for a side yard variance.

Staff responded to questions from Council.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Stack

R992/19/10/22 THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP18-0005 for Lot 27, District Lot 14, Osoyoos Division, Yale District, Plan 535, located at 2210 Abbott 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 general 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 professional landscaper;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedules A and B:

Section 6.5.3(c): General Development Regulations

To vary the maximum height of an accessory building from 4.8m permitted, to 6.88m proposed.

Section 6.5.3(d): General Development Regulations

To vary the minimum front yard of an accessory building from 9.0m permitted, to 1.51m proposed.

Section 13.6.6(g): RU6 – Two Dwelling Housing

To vary the minimum flanking street side yard for the main dwelling from 4.5m permitted, to 2.3m 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 permits 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
Councillor Hodge - Opposed

Moved By Councillor Stack/Seconded By Councillor Given

R993/19/10/22 THAT the meeting continue past 11:00 p.m.

Carried

5.2 Cadder Ave 440, HAP19-0011 - Abuta Catherine Fee and Leanne Marie Hopegood

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Gerry Fee, Applicant:

- Bought the property in 2014; spoke to the reason for the application and noted that they are finding the living area a little too small.
- 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.

Moved By Councillor Hodge/Seconded By Councillor Donn

R994/19/10/22 THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP19-0011 for Lot 6 Block 8 District Lot 14 ODYD Plan 348 Except Plan 10478, located at 440 Cadder 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";

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted as show on Schedule "A":

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

To vary the required minimum rear yard from 7.5 m permitted to 4.57 m proposed.

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

5.3 1920 Springfield Rd, DP19-0101 and DVP19-0150- L and S Contracting Ltd., Inc. No. BC0123569

Staff:

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

Shane Worman, Applicant:

- Spoke to the sign options and the reasons for the application.
- Challenge with signage is to identify some of the points on the site, similar to wayfinding signage.

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.

Moved By Councillor Hodge/Seconded By Councillor Stack

R995/19/10/22 THAT Council authorizes the issuance of Development Permit No. DP19-0101 for Lot A, District Lot 129 Osoyoos Division, Yale District Plan 42013, located at 1920 Springfield Rd, 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 the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permit to be issued;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0150 for Lot A, District Lot 129 Osoyoos Division, Yale District Plan 42013, located at 1920 Springfield Rd, Kelowna, BC;

AND THAT variances to the following sections of Sign Bylaw No. 11530 be granted, as per Schedule "D":

Section 11.3 (b)- Service Commercial and Industrial Zones

To vary the maximum number of permanent signs from up to three (3) signs per business for fascia signs to eight (8) fascia signs proposed.

Section 11.3 (b) (c)- Service Commercial and Industrial Zones

To vary the maximum number of permanent signs from two (2) directional signs per lot to three (3) directional signs proposed.

Section 4.7.2 (c)- Menu Box

To vary the maximum size of menu box sign from 0.7 m² permitted to 1.57 m² proposed for four (4) menu box signs.

Section 3.5.2 (c)- Directional Sign

To vary the regulation that directional signage "shall not be lit" to allow for three (3) illuminated directional signs on site.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the 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
Councillor Donn - Opposed

6. Reminders

There were no reminders.

7. Termination

The meeting was declared terminated at 11:14 p.m.

Mayor Basran

sf/cm

City Clerk