



City of Kelowna
Regular Council Meeting
Minutes

Date: Tuesday, December 3, 2019
Time: 6:00 pm
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors, Maxine DeHart, Ryan Donn, Charlie Hodge, Gail Given, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning and Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Legislative Coordinator (Confidential), Clint McKenzie

1. Call to Order

Mayor Basran called the meeting to order at 7:35 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 Wooldridge

R1085/19/12/03 THAT the Minutes of the Public Hearing and Regular Meeting of November 5, 2019 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 Rutland Ct 2155-2165, BL11950 (Z19-0106) - CGSB Automotive Group LTD., Inc. No. BC0731187

Moved By Councillor Singh/Seconded By Councillor Hodge

R1086/19/12/03 THAT Bylaw No. 11950 be read a second and third time.

Carried

4.2 Barkley Rd 456, BL11952 (Z19-0113) - Landon D. Horne, Tamara J. Horne

Moved By Councillor Hodge/Seconded By Councillor Singh

R1087/19/12/03 THAT Bylaw No. 11952 be read a second and third time and be adopted.

Carried

4.3 Hollywood Rd 150, BL11953 (Z19-0109) - Lexington Enterprises Ltd.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R1088/19/12/03 THAT Bylaw No. 11953 be read a second and third time.

Carried

4.4 Sadler Rd 145, Hwy 33 E 180 & 190, BL11957 (Z18-0117) - Studio 33 Properties Ltd., Inc No. BC1137489

Moved By Councillor Given/Seconded By Councillor Wooldridge

R1089/19/12/03 THAT Bylaw No. 11957 be read a second and third time.

Carried

4.5 Pandosy St 1636-1652, BL11959 (TA19-0013) - ALM888 Ventures Ltd, Inc. No. BC1089095

Moved By Councillor Wooldridge/Seconded By Councillor Given

R1090/19/12/03 THAT Bylaw No. 11959 be read a second and third time.

Carried

Mayor Basran, Councillors Donn, Sieben - Opposed

4.6 Pandosy St 1636-1652, BL11960 (Z19-0100) - ALM888 Ventures Ltd, Inc. No. BC1089095

Moved By Councillor Stack/Seconded By Councillor Donn

R1091/19/12/03 THAT Bylaw No. 11960 be read a second and third time.

Carried

Mayor Basran, Councillors Donn, Sieben - Opposed

5. Development Permit and Development Variance Permit Reports

5.1 Via Centrale 3200, BL11789 (OCP18-0020) - 0971205 B.C. Ltd.

Moved By Councillor Stack/Seconded By Councillor Donn

R1092/19/12/03 THAT Bylaw No. 11789 be adopted.

Carried

5.2 Via Centrale 3200, BL11791 (Z18-0113) - 0971205 B.C. Ltd.

Moved By Councillor Donn/Seconded By Councillor Stack

R1093/19/12/03 THAT Bylaw No. 11791 be adopted.

Carried

5.3 Via Centrale 3200, DP18-0230 DVP19-0151- 0971205 B.C. Ltd.

Staff:

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

David Sargent, Applicant:

- Displayed a PowerPoint presentation.
- Spoke to the variances.
- Reviewed the stormwater management plan. Spoke to how it will interact with the adjacent property.
- Indicated the project architect is also 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 Given/Seconded By Councillor Donn

R1094/19/12/03 THAT Council authorizes the issuance of Development Permit No. DP18-0230 for Lot A Sections 14, 15, 22 and 23 Township 23 ODYD Plan KAP56201 Except Plans KAP68068 and KAP80682 located at 3200 Via Centrale, 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 permits to be issued;

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

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0151 for Lot A Sections 14, 15, 22 and 23 Township 23 ODYD Plan KAP56201 Except Plans KAP68068 and KAP80682 located at 3200 Via Centrale, Kelowna, BC;

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

Section 7.6.1: Minimum Landscape Buffers

To vary the required landscape buffer from 'Level 5' to 'Level 3' as proposed.

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 Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

5.4 Valley Rd 330, BL11830 (OCP19-0002) - Springdale Properties Ltd., Inc. No. BCo864963

Moved By Councillor Donn/Seconded By Councillor Stack

R1095/19/12/03 THAT Bylaw No. 11830 be adopted.

Carried

5.5 Valley Rd 330, BL11831 (Z19-0041) - Springdale Properties Ltd., Inc. No. BCo864963

Moved By Councillor Stack/Seconded By Councillor Donn

R1096/19/12/03 THAT Bylaw No. 11831 be adopted.

Carried

Councillor Sieben - Opposed

5.6 Valley Rd 330, DP19-0014 DVP19-0015 - Springdale Properties Ltd (RM3)

Staff:

- Provided an overview of the reasons for two different variance permits for the one property.
- Both received the proper public notification. The subdivision could not occur before zoning is adopted due to zoning bylaw.
- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Ed Hall, Applicant:

- Spoke to the setback variances to create a larger play area, including a 4000 square foot indoor play area as well.
- Units are designed around children with two, three and four-bedroom units available.
- Spoke to the need for family supportive housing in the community.
- 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:

Greg Bartel, Valley Rd:

- no objections to the application. Requested clarity on setback variances.

Thomas Davey, Glenpark Dr:

- Raised concerns with walking conditions in the immediate area. Valley Road is very dangerous to walk along. Encourage measures be taken to protect children and other pedestrians.

Bill Holland, Drysdale Blvd:

- Raised concerns with traffic and on street parking in the area. There are no traffic lights on the south end of Drysdale Boulevard but it is classed as a minor collector road.
- Requested a traffic impact assessment be done for the area as there will be over 300 units added.

Liz Talbot, Executive Director, NOW Canada Society:

- NOW Canada has assisted in the community since 1998 and understands the unique housing services required. The project will address a critical need for housing.
- Spoke to the relationship with the applicant.
- Spoke to the benefits of the project and the positive impact.

Ed Hall, Applicant:

- Spoke to the safety of the street frontage along Glenpark Drive. Confirmed that pedestrian use is discouraged along the Valley Road frontage from the development to avoid pedestrian safety concerns.
- Parking and traffic impacts of the development will be low during peak community hours.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

R1097/19/12/03 THAT Council authorizes the issuance of Development Permit No. DP19-0014 for a portion of Lot A Section 33 Township 26 ODYD Plan EPP94225, located at 330 Valley 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 Council authorizes the issuance of Development Variance Permit No. DVP19-0015 for a portion of Lot A Section 33 Township 26 ODYD Plan EPP94225, located at 330 Valley Road, Kelowna, BC;

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

Section 13.9.6(e): RM3 – Low Density Multiple Housing Development Regulations

To vary the required minimum south side yard from 4.0 m permitted to 3.1 m proposed.

Section 13.9.6(f): RM3 – Low Density Multiple Housing Development Regulations

To vary the required minimum rear yard from 7.5 m permitted to 3.0 m proposed.

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

5.7 Valley Rd 330, DP19-0016 DVP19-0017 - Springdale Properties Ltd. (RM5)

Staff:

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

Ed Hall, Applicant:

- Commented on the height and design elements used to break up the larger building.
- A glass walkway will be constructed between the buildings to break up the massing.

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

Gallery:

Greg Bartel, Valley Rd:

- Inquired on the timeline for the development permit.
- Commented that there needs to be a traffic light on Drysdale. An upgrade is needed on the intersection of Drysdale and Kane.

Tomas Davey, GlenPark Dr.:

- Agreed that the amount of traffic along Valley Road needs to be addressed.
- Opposed to the height of the development and encouraged Council to review policies.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor DeHart

R1098/19/12/03 THAT Council authorizes the issuance of Development Permit No. DP19-0016 for a portion of Lot A Section 33 Township 26 ODYD Plan EPP94225, located at 330 Valley 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 Council authorizes the issuance of Development Variance Permit No. DVP19-0017 for a portion of Lot A Section 33 Township 26 ODYD Plan EPP94225, located at 330 Valley Road, Kelowna, BC;

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

Section 13.11.6(c): RM5 – Medium Density Multiple Housing - Development Regulations

To vary the maximum number of storeys from 4.5 permitted to 5 proposed.

Section 13.11.6(d): RM5– Medium Density Multiple Housing - Development Regulations

To vary the minimum site front yard from 6.0m permitted to 4.2m proposed.

Section 7.6.1: Minimum Landscape Buffers

To vary the minimum required landscape buffer along portions of the rear property line from 3.0m permitted to 2.2m and 1.2m proposed.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated May 27, 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 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

5.8 Dubbin Rd 2484, DVP19-0139 - Ivan Heidecker and Darla Galloway

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R1099/19/12/03 THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0139 for Lot A Section 20 Township 23 ODYD Plan 36590, located at 2484 Dubbin Rd, Kelowna, BC;

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

Section 12.3.6 (a) – RR3 - Rural Residential 3 Zone – Development Regulations

To vary the maximum site coverage from 30% permitted to 37.56% proposed in accordance with Schedule "A".

Section 12.3.6 (c) – RR3 - Rural Residential 3 Zone – Development Regulations

To vary the minimum front yard from 6.0m permitted to 0.9m proposed in accordance with Schedule "A".

Section 6.6.2 – General Development Regulations – Height and Grade

a) To vary the maximum height for the lowest floor or walkout basements from 3.6m permitted to 4.57m proposed in accordance with Schedule "A".

b) To vary the maximum height of the rear building elevation from 12.5m permitted to 13.43m proposed in accordance with Schedule "A".

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

The Mayor asked staff to provide comments on the Kane Rd. – Drysdale Blvd. intersection.

Staff advised they will review the intersection and report back to Council.

6. Reminders

The City Clerk reminded Council that the 2020 Budget books are now available in their mailboxes.

7. Termination

The meeting was declared terminated at 9:19 p.m.

Mayor Basran

City Clerk

/cm