



City of Kelowna Regular Meeting Minutes

Date: Tuesday, June 2, 2020
Location: Council Chamber
City Hall, 1435 Water Street

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

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming*; Deputy City Clerk, Laura Bentley*; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Planner Specialist, Adam Cseke; Legislative Coordinator (Confidential), Clint McKenzie

(*Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 7:00 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Stack.

3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

(Ro423/20/06/02) THAT the Minutes of the Public Hearing and Regular Meeting of May 12, 2020 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 START TIME - 7:00 PM - Bernard Ave 560 -592 DP19-0064 and DVP19-0065 - Mission Group Holdings Ltd., Inc. No. BC0993483

Staff:

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

Luke Turri, Mission Group, Applicant

- Made introductory comments

- Displayed a video that expressed the overall comprehensive plan and design principles

- 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.

No one from the Gallery came forward.

Staff responded to questions from Council.

There were no further comments

Moved By Councillor Given/Seconded By Councillor Stack

(Ro424/20/06/02) THAT Council authorizes the issuance of Development Permit No. DP19-0064 for Lot 1, District Lot 139, ODYD, Plan EPP96156, located at 560-592 Bernard 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";
3. That the Development Permit and Development Variance Permit is issued subsequent to the outstanding conditions set out in Attachment "A" attached to the Report from the Community Planning Department dated July 25th 2017; and
4. That a building permit is not issued until the rear lane has been dedicated by 0.8m to the City.

AND THAT Council authorize the issuance of Development Variance Permit DVP19-0065 for Lot 1, District Lot 139, ODYD, Plan EPP96156, located at 560-592 Bernard Ave, Kelowna, BC. subject to the following:

1. That a Section 219 covenant be registered on title limiting the 25 compact stalls to be used by commercial or office tenants only and that the covenant ensures that the maximum vehicle dimensions that are permitted to park within the compact stall must be a maximum of 3.4m in length and 1.7m in width.

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

Section 14.7.5(a) – C7 Central Business Commercial - Development Regulations

To vary the maximum height from 76.5m (approx. 26 storeys) to 106m (34 storeys).

Section 8 Table 8.5 – Minimum Bicycle Parking Required

To vary the minimum amount of Class 2 bicycle parking stalls from 74 bikes to 17 bikes.

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

The meeting adjourned at 7:53 p.m.

The meeting reconvened at 8:01 p.m.

4.2 START TIME - 8:00 PM - Water St 1659, DP19-0161 and DVP19-0162 - MJI Contracting Inc., No. BC0915334

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.
- Confirmed parking requirements of the building.

Matthew Isabel, MJI Contracting Inc., Applicant

- Confirmed parking stalls being purchased being included in the triple nets on the building.
- Confirmed snow load building code.
- 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:

Marion Grimwood, adjacent property owner

- Objected to the reduction in parking requirements.
- Raised concerns regarding the Chapman Parkade waiting list being taken.

Ted Grimwood, adjacent property owner

- Raised concern to the parking cash-in-lieu
- Outlined concerns with the structural problems with snow load.
- Raised concern on the wait list to Chapman parkade.

Matthew Isabel, MJI Contracting Inc., Applicant:

- Spoke to the variance requirements and the site not having enough space for a driveway.
- Spoke to the snow load issue with the neighbouring property.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Donn

(Ro425//20/06/02) THAT Council authorizes the issuance of Development Permit No. DP19-0161 for Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841 located at Water St, 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 Council authorize the issuance of Development Variance Permit DVP19-0162 for Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841 located at Water St, Kelowna, BC;

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

Section 14.7.5(h) - C7 – Central Business Commercial - Development Regulations

1. To vary the setback above the 16.0 m height mark for the front yard from 3.0 m to 0.0 m.
2. To vary the setback above the 16.0 m height mark for the side yard (east) from 4.0 m to 0.1 m.
3. To vary the setback above the 16.0 m height mark for the flanking side yard (west) from 4.0 m to 0.0 m.

Table 8.3.2 - Required Off-Street Parking Requirements - Commercial

4. To vary the minimum off-street parking from 10 stalls to 3 stalls (cash-in-lieu for the remainder 3 stalls).

Table 8.5 - Minimum Bicycle Parking Required

5. To vary the minimum off-street short-term bicycle parking from 6 stalls to 0 stalls.

Section 14.7.7(d) - C7 – Central Business Commercial - Other Regulations

6. To vary the minimum commercial on ground floor area percentage from 90% to 68% on Leon Avenue and 40% on Water Street.

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 DeHart, Hodge, Sieben - Opposed

The meeting adjourned at 8:53 p.m.

The meeting reconvened at 9:00 p.m.

4.3 START TIME - 9:00 PM - Clifton Rd 550, DP20-0017 DVP20-0096 - Ryan Peak ULC, Inc. No. Aoo66628

Mayor Basran declared a conflict of interest as family members own property adjacent to the subject property and left the meeting at 9:01 p.m.

Deputy Mayor Sieben took over the meeting.

Staff:

- Displayed a PowerPoint Presentation summarizing the application

Mark Appelton Blue-Green Architecture, Ellis Street, Applicant

- Variance is for tandem parking only.
- Provided the history of the development application.
- Reviewed the tandem parking.
- Spoke to the types of housing provided in the development.

Jared Sheath, Groves Avenue, Applicant:

- Displayed a PowerPoint presentation.
- Reviewed the number of units on the site and the overall density on the site.
- Spoke to the need for affordability of the site.
- Responded to questions from Council.

Deputy Mayor Sieben 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 Hodge

(Ro426/20/06/02) THAT Council authorize the issuance of Development Permit No. DP20-0017 for Lot 2 Section 31 Township 26 ODYD Plan KAP86216, located at 550 Clifton Road, Kelowna, BC.

AND THAT Council authorize the issuance of Development Variance Permit No. DVP20-0096 for Lot 2 Section 31 Township 26 ODYD Plan KAP86216, located at 550 Clifton Road, Kelowna, BC.

Defeated
Councillor DeHart; Sieben, Singh, Stack - Opposed

6. Termination

The meeting was declared terminated at 9:44 p.m.

Mayor Basran

City Clerk

Deputy City Clerk

/cm