



City of Kelowna Regular Meetings Minutes

Date: Tuesday, March 16, 2021
Time: 7:15 pm
Location: Council Chamber
City Hall, 1435 Water Street

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

Members participating remotely Councillors Charlie Hodge and Luke Stack

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Urban Planning Manager, Jocelyn Black

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie

1. Call to Order

Mayor Basran called the meeting to order at 8:55 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Donn.

3. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0318/21/03/16 THAT the Minutes of the Public Hearing of February 23, 2021 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 **START TIME 7:15 PM - Bach Rd 185 - BL12064 (Z20-0019) - Ashwani K. Lakha and Komal R. Lakha**

Moved By Councillor Given/Seconded By Councillor Donn

R0319/21/03/16 THAT Bylaw No. 12064 be adopted.

Carried

4.2 START TIME 7:15 PM - Bach Rd 185 - DVP20-0074 - Ashwani K. Lakha and Komal R. Lakha

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Birte Decloux, Urban Options, Applicant's Agent,
Applicant was available for questions.

Online Participants:

No one participating online indicated they wished to speak.

Moved By Councillor Donn/Seconded By Councillor Sieben

Ro320/21/03/16 THAT final adoption of Rezoning Bylaw No. 12064 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0074 for Lot B Section 26 Township 26 ODYD Plan KAP57577, located at 185 Bach Road, Kelowna, BC;

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

Section 13.2.5(a): RU2 – Medium Lot Housing, Subdivision Regulations

To vary the minimum lot width from 13.0m required to 12.65m 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

4.3 START TIME 7:15 PM - Enterprise Way 2540 - DP20-0215 DVP20-0216 - SD 116 Ventures Ltd., Inc.No. 648597

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Eric Worman, Matt Johnston West Ave, Applicant
Showed a rendering of the proposed development

Online Participants:

Gord Hayes, Diamond View

- Representing Kelowna BMW.
- Their business shares the driveway with the applicant.
- Concerned regarding the traffic flow and the impacts the setback would have on safety.
- Opposed to the proposed variance as it does not fit into the existing business area.

Applicant in response

- Responded to questions from Council.
- Reviewed why the setback variance is required.

Matt Johnston, Landmark Architect, Applicant's Agent

- Wish to engage the pedestrian scale of the property. The building will take up only a third of the width of the property to be respectful of the shared driveway.
- Confirmed the overall floor area in the new building is slightly less than the existing building.
- Confirmed additional parking is being provided over what is required along with an adequate driving corridor in order for truck traffic to get around the entire property.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R0321/21/03/16 THAT Council authorizes the issuance of Development Permit No. DP20-0215 for Lot 2, District Lot 125, ODYD Plan KAP69740, located at 2540 Enterprise Way, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land 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 in accordance with Schedule "C";
4. The applicant be required to post with 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 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. DVP20-0216 for Lot 2, District Lot 125, ODYD Plan KAP69740, located at 2540 Enterprise Way, Kelowna, BC;

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

Section 15.2.5(d): I2 - General Industrial Development Regulations

To vary the required minimum front yard setback from 7.5m permitted to 4.0m 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

4.4 START TIME 7:15 PM - Royal Ave 480 - BL12142 (Z20-0059) - W Squared Ventures Inc., Inc.No. BC1258050

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0322/21/03/16 THAT Bylaw No. 12142 be amended at third reading by replacing the legal description;

AND THAT Bylaw No. 12142 as amended be adopted.

Carried

4.5 START TIME 7:15 PM - Royal Ave 480 - HAP20-0008 - W Squared Ventures Inc., Inc. No. BC1258050

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Eric Worman, Royal Ave, Applicant,

- Applicant displayed a rendering and was available for questions.
- Responded to questions from Council.
- Spoke to the Pandosy side of the building and the improvements.
- Spoke to planting mature trees and ensuring no impact on power poles on Pandosy Ave.

No one participating online indicated they wished to speak.

Moved By Councillor Donn/Seconded By Councillor Stack

R0323/21/03/16 THAT final adoption of Rezoning Bylaw No. 12142 be considered by Council;

AND THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP20-0008 for Lot 4, District Lot 14, ODYD, Plan 7535, Except Plan EPP108760 located at 480 Royal 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";
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 Registered Landscape Architect;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

Section 17.3.4(b): HD3 – Health Services Transitional, Development Regulations

To vary the maximum site coverage with driveways and parking areas from 60% permitted to 72% proposed.

Section 17.3.5(b): HD3 – Health Services Transitional, Other Regulations

To vary the minimum landscape buffer setback areas from 2.0m permitted to 0.66m proposed for the north side yard and from 3.0m permitted to 0.47m proposed for the rear yard.

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

5. Reminders

None

The meeting recessed at 9:40 p.m.

The meeting reconvened at 9:42 p.m.

6. Resolution Closing the Meeting to the Public

Moved By Councillor Donn/Seconded By Councillor Hodge

R0324/21/03/16 THAT this meeting be closed to the public pursuant to Sections 90(1)(e)(g) of the Community Charter for Council to deal with matters relating to the following:

- Disposition of land or improvements
- Litigation or potential litigation affecting the municipality

Carried

7. Adjourn to Closed Session

The meeting adjourned to a closed session at 9:42` p.m.

8. Reconvene to Open Session

The meeting reconvened to an open session at 9:56 p.m.

Moved By Councillor Hodge/Seconded By Councillor Given

R0325/21/03/16 THAT Council schedule a Special Council Meeting for Monday a.m., March 29, 2021 to be held in Council Chambers.

Carried

9. Termination

The meeting was declared terminated at 9:57 p.m.

Mayor Basran

sf/cm

City Clerk