



## City of Kelowna Regular Meeting Minutes

Date:	Tuesday, August 10, 2021
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	Councillor Charlie Hodge
Members Absent	Councillor Luke Stack
Staff Present	Acting City Manager, Stu Leatherdale; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Legislative Technician, Rebecca Van Huizen
Staff participating remotely	Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 8:42 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Hodge.

### 3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor DeHart

**Ro800/21/08/10** THAT the Minutes of the Public Hearing and Regular Meeting of July 27, 2021 be confirmed as circulated.

**Carried**

### 4. Development Permit and Development Variance Permit Reports

4.1 **START TIME 6:30 PM - Cedar Ave 417 - BL12209 (Z21-0002) - 417 Cedar Developments Ltd., Inc. No. BC1283948**

Moved By Councillor Sieben/Seconded By Councillor DeHart

Ro801/21/08/10 THAT Bylaw No. 12209 be adopted.

Carried

**4.2 START TIME 6:30 PM - Cedar Ave 417 - DP21-0005 DVP21-0006 - 417 Cedar Developments Ltd., Inc. No. BC1283948**

Staff:

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

Kevin Edgecombe, Live Edge Okanagan Enterprises Inc., Applicant

- Displayed a PowerPoint Presentation.
- Provided background of the application and spoke to the three main components including a commercial component, potential land assembly, and lack of lane way on the south side of the property.
- Made comments on the unique form and character of the building that is being created on a single lot development.
- Made comments on the requested variances and believes support will provide much needed density in an Urban Centre with a very high walk score with less reliance on motor vehicles and a step towards renewing and revitalization of the Cedar Avenue corridor.
- Provided a parking analysis and commented that their application exceeds the parking bylaw by one parking stall.
- Made comment on the large decks that provide private open space, addition of planting boxes and the building's rooftop amenity.
- Responded to questions from Council.

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

No one participating online or in the gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Sieben

Ro802/21/08/10 THAT Council authorizes the issuance of Development Permit No. DP21-0005 for Lot 2 District Lot 14 ODYD District Plan 4135 located at 417 Cedar 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 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 Council authorizes the issuance of Development Variance Permit No. DVP21-0006 for Lot 2 District Lot 14 ODYD District Plan 4135 located at 417 Cedar Avenue, Kelowna, BC;

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

**Section 14.4.5(b): C4 – Urban Centre Commercial, Development Regulations**

To vary the maximum site coverage allowed from 75% permitted to 91.5% proposed.

**Section 14.4.5(c): C4 – Urban Centre Commercial, Development Regulations**

To vary the maximum height from 15.0 m or 4 storeys permitted to 19.5 m and 6 storeys proposed.

**Section 14.4.5(e): C4 – Urban Centre Commercial, Development Regulations**

To vary the required minimum side yard from 2.0 m permitted where the site abuts a residential zone to 0.0 m proposed for the east and west sides.

**Section 14.4.5(f): C4 – Urban Centre Commercial, Development Regulations**

To vary the required minimum rear yard from 6.0 m permitted where the site abuts a residential zone to 0.0 m proposed.

**Section 14.4.6(e): C4 – Urban Centre Commercial, Other Regulations**

To vary the required functional commercial frontage for any building located on streets classified as a collector or arterial as identified in the OCP Map 7.3 – 20 Year Major Road Network and Road Classification Plan from 90% required to 27% proposed.

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 Hodge - Opposed

5. **Reminders – Nil.**

6. **Termination**

The meeting was declared terminated at 9:21 p.m.

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Mayor Basran

/acm

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City Clerk