



City of Kelowna Regular Council Meeting Minutes

Date:	Tuesday, September 21, 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, Luke Stack and Loyal Wooldridge
Members participating remotely	Councillor Charlie Hodge
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Legislative Technician, Rebecca Van Huizen; Development Planning Department Manager, Terry Barton; Community Planning & Development Manager, Dean Strachan*; Planner Specialist, Lydia Korolchuk*
Staff participating remotely	Legislative Coordinator (Confidential), Clint McKenzie; Divisional Director, Planning & Development Services, Ryan Smith

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 8:14 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Singh.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro885/21/09/21 THAT the Minutes of the Public Hearing and Regular Meeting of August 24, 2021 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 START TIME 7:50 PM - Abbott St 1815 - HAP21-0001 - Diane Duckett

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Diane Duckett, Applicant

-Spoke to the proposed addition and intended use.

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 DeHart

Ro886/21/09/21 THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP21-0001 for Lot 10, Block B, District Lot 14, ODYD, Plan 2220, located at 1815 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";

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

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

To vary the minimum rear yard setback from 7.5 m required to 5.5 m proposed.

AND THAT a certified arborist be retained during construction to ensure a rootzone barrier is established and maintained during construction as well as to follow the other Arborist's recommendations attached to this report in order to protect the silver maple tree located on the north side of the property.

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

4.2 START TIME 7:50 PM - Hemmerling Crt 1958 - DVP21-0126 - Maxwell House Developments Ltd., Inc. Co756620

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Matt Johnston, Lime Architecture, Richter St., Applicant

- Commented on site coverage.

-Spoke to the irregularly shaped subject property.

-Available for questions.

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 Sieben/Seconded By Councillor Donn

Ro887/21/09/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0126 for Lot 15 Section 4 Township 23 ODYD Plan EPP95497, located 1958 Hemmerling Court, Kelowna, BC;

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

Section 13.2.6(c): RU2: Medium Lot Housing - Development Regulations

To vary the front yard setback from 4.5 m required to 1.8 m proposed and to vary the front yard setback from a garage from 6.0 m required to 2.2 m proposed.

Section 13.2.6(e): RU2: Medium Lot Housing - Development Regulations

To vary the rear yard setback from 7.5 m required to 3.5 m 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 7:50 PM - Garner Rd 1625 - DVP21-0145 - Robert Willy Deubner and Sherry Lee Deubner

Staff:

-Displayed a PowerPoint Presentation summarizing the application.

Jacob Wall, Vineyard Dr., West Kelowna, Applicant

-Available for questions.

-Believes there are no negative impacts because of siting.

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 Hodge

Ro888/21/09/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0145 for Lot 1 Section 17 Township 26 ODYD Plan KAP53187, located at 1625 Garner Road, Kelowna BC;

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

Section 11.1.6(Table 11.1): A1 – Agriculture 1, Development Regulations

To vary the front yard setback of an accessory building from 6.0m 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 7:50 PM - (N OF) Shayler Road - DVP21-0160 - Azhadi Vineyards Ltd., Inc. No. BC1155440

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mike and Janet Azhadi, McKinley Beach Lane, Applicant

-Displayed a video showing the proposed project and site layout.

- Displayed a PowerPoint presentation summarizing the vision.
- Spoke to the vineyard being planted.
- Commented on building design and architectural inspiration.
- Displayed a virtual walk through of the site and building.

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 DeHart/Seconded By Councillor Donn

Ro889/21/09/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0160 for Lot 2, Section 33, Township 23, ODYD, Plan EPP8753, located at (N OF) Shayler Road, Kelowna;

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

Section 11.1.6(Table 11.1): A1 – Agriculture 1, Development Regulations

To vary the maximum building height from 9.5m permitted to 19.5 m 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

4.5 START TIME 8:30 PM - Swick Rd 160 - DVP21-0165 - EJF Holdings Ltd., Inc. No. B0778933

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Paul McVey, Urban Options Planning, Applicant

- Available for questions.

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 Singh/Seconded By Councillor Wooldridge

Ro890/21/09/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0165 for Lot 1 Section 16 Township 28 SDYD Plan 39170, located at 160 Swick Road, Kelowna, BC;

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

Section 12.2.6(d): RR2 – Rural Residential 2 – Development Regulations:

To vary the side yard setback of the principal dwelling from 3.0m required to 2.38m 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

4.6 START TIME 8:30 PM - Braemar St 1400 - DVP21-0177 - Damien Ignace Prud'homme and Stephanie Anne Edwards

Staff:

-Displayed a PowerPoint Presentation summarizing the application.

Damien Prud'homme, Braemar St. Applicant

-Commented on the siting of the property.

-Intent is to use more usable greenspace in the yard.

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 Donn/Seconded By Councillor Stack

Ro891/21/09/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0177 for Lot 13 Section 20 Township 26 ODYD Plan 14090, located at 1400 Braemar Street, Kelowna, BC;

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

Section 13.6.6(h): RU6 – Two Dwelling Housing – Development Regulations:

To vary the rear yard setback of a dwelling from 7.5 m required to 2.3 m 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

4.7 START TIME 8:30 PM - Valley Rd 252 - BL11641 (OCP18-0008) - Vanmar Developments Glenpark 2 Ltd., Inc. No. BC1155488

Moved By Councillor Sieben/Seconded By Councillor Stack

Ro892/21/09/21 THAT Bylaw No. 11641 be amended at third reading by deleting the legal description that read:

- Lots 6, 5 & 4 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan 18062; and
- Lot 2 Section 4 Township 23 ODYD Plan EPP64488;

And replacing with:

- Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632

AND THAT Bylaw No. 11641, as amended, be adopted.

Carried

4.8 START TIME 8:30 PM - Valley Rd 252 - BL11642 (Z18-0042) - Vanmar Developments Glenpark 2 Ltd., Inc. No. BC1155488

Moved By Councillor Wooldridge/Seconded By Councillor Stack

Ro893/21/09/21 THAT Bylaw No. 11642 be amended at third reading by deleting the legal description that reads:

- Lots 6, 5 & 4 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan 18062; and
- Lot 2 Section 4 Township 23 ODYD Plan EPP64488;

And replacing with:

- Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632

AND THAT Bylaw No. 11642, as amended, be adopted.

Carried

4.9 START TIME 8:30 PM - Valley Rd 252 - DP18-0086 DVP21-0187- Vanmar Developments Glenpark 2 Ltd., Inc. No. BC1155488

Staff:

-Displayed a PowerPoint Presentation summarizing the application.

Mary Lapointe, Applicant and Jeff Marin, Vanmar Construction, Owner

-Displayed a PowerPoint presentation showing the project site, building design and landscape plans.

-Commented on the Phase 1 progress.

-Spoke to plan refinements in response to neighbour concerns.

-Commented on the plan to install a fence and add landscaping along the west perimeter of the site.

-Spoke to the window design in one building to improve the privacy of adjacent residents.

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.

Online Participants

Steve Brodrick, Zinnia Rd.

-Commented on the landscaping, fencing and privacy details presented by the applicant.

-Requested information on the timing of the privacy landscaping and fencing during the construction phase to minimize the impact to the neighbours.

Gallery:

No one came forward.

Applicant, Mary Lapointe

-Confirmed a six foot high fence during construction will be in place and then replaced by a permanent fence when construction is complete.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Hodge

Ro894/21/09/21 THAT Official Community Plan Map Amending Bylaw No. 11641 and Rezoning Bylaw No. 11642 be amended at third reading to revise the legal description of the subject properties from Lots 6, 5 & 4 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan 18062 and Lot 2 Section 4 Township 23 ODYD Plan EPP64488 to Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632;

AND THAT final adoption of Official Community Plan Map Amending Bylaw No. 11641 and Rezoning Bylaw No. 11642 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0086 for Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632, located at 252 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 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. DVP21-0187 for Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632, located at 252 Valley Road, Kelowna, BC;

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

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

To vary the maximum building height for a building within 7.5 m of an abutting lot with a Single/Two Unit Residential Designation in the City's Official Community Plan from 9.5 m or 2 ½ storeys to 10 m and 3 storeys 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

5. Reminders

There were no reminders.

6. Termination

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

Mayor Basran

/cm

Deputy City Clerk