



**City of Kelowna
Regular Meeting
Minutes**

Date: Tuesday, November 30, 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; Divisional Director Planning & Development Services, Ryan Smith; Urban Planning Manager, Jocelyn Black, Planner Specialist, Alex Kondor

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie

(* partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:41 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor DeHart.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R1093/21/11/30 THAT the Minutes of the Public Hearing and Regular Meeting of November 16, 2021 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 START TIME 6:40 PM - Abbott St 1842 - HAP20-0006 - Jo-Anne Elizabeth Kubas and Lonny Allan Kubas

Staff:

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

The applicant was not present.

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 Given/Seconded By Councillor Wooldridge

R1094/21/11/30 THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP20-006 for Lot 2 District Lot 14 ODYD Plan EPP85648, located at 1842 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:

Section 9.5b.1(k): Carriage House Regulations, Development Regulations in Residential, Health District and Comprehensive Development Zones

To vary the required minimum distance to a principal dwelling from 3.0m permitted to 2.0m proposed.

AND THAT Council's consideration of the Heritage Alteration Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated November 30, 2021;

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 6:40 PM - Abbott St 3031 - BL12106 (OCP20-0004) - 3031 and 3041 Abbott Street GP Ltd., Inc. No. BC1176909

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R1095/21/11/30 THAT Bylaw No. 12106 be amended at third reading by deleting the legal description that reads:

- "Lots 7 and 8, Block 2, District Lot 14, ODYD, Plan 4743"

And replacing it with:

- Lot 1, Block 2, District Lot 14, ODYD, Plan EPP114842

And by deleting "and 3041" from the title.

Carried

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R1096/21/11/30 THAT Bylaw No. 12106, as amended, be adopted.

Carried

4.3 START TIME 6:40 PM - Abbott St 3031 - BL12107 (Z20-0007) - 3031 and 3041 Abbott Street GP Ltd., Inc. No. BC1176909

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R1097/21/11/30 THAT Bylaw No. 12107 be amended at third reading by deleting the legal description that reads:

- "Lots 7 and 8, Block 2, District Lot 14, ODYD, Plan 4743"

And replacing it with:

- Lot 1, Block 2, District Lot 14, ODYD, Plan EPP114842

And by deleting "and 3041" from the title.

Carried

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R1098/21/11/30 THAT Bylaw No. 12107, as amended, be adopted.

Carried

4.4 START TIME 6:40 PM - DP21-0041 DVP21-0042 Abbott St 3031 - 3031 and 3041 Abbott Street GP Ltd., Inc. No. BC1176909

Staff:

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

Mark Aquion, BlueGreen Architecture, Applicant

- Spoke to building height and materials relative to Abbott House.
- Displayed a PowerPoint presentation summarizing the application.
- Commented on area changes and policies in OCP 2040.
- Spoke to the unit and use breakdown and live/work units.
- Commented on the form and character.
- Spoke to the parkade being above grade.
- Displayed elevation renderings.

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 Stack/Seconded By Councillor Donn

R1099/21/11/30 THAT Official Community Plan Map Amending Bylaw No. 12106 and Rezoning Bylaw No. 12107 be amended at third reading to revise the legal description of the subject property from Lots 7 & 8, Block 2, District Lot 14, ODYD, Plan 4743 to Lot 1 Block 2 District Lot 14 ODYD Plan EPP114842;

AND THAT final adoption of Official Community Plan Map Amending Bylaw No. 12106 and Rezoning Bylaw No. 12107 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP20-0041 for Lot 1 Block 2 District Lot 14 ODYD Plan EPP114842, located at 3031 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";
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 a land use restriction covenant be registered on title to protect the provision of a food primary establishment use within the commercial space;

AND THAT a land use restriction covenant be registered on title to ensure the longevity of live/work units along the Newsom Avenue frontage;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0042 for Lot 1 Block 2 District Lot 14 ODYD Plan EPP114842, located at 3031 Abbott Street, Kelowna, BC;

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

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

To vary the required maximum height from 15.0 m or 4 storeys permitted to 15.75 m and 4 1/2 storeys proposed,

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

To vary the required minimum rear yard from 6.0 m permitted to 0.0 m proposed.

Table 8.2.7(a): Section 8 - Parking and Loading, Off-Street Parking Regulations, Dimensions of Parking Spaces and Drive Aisles

To vary the required minimum Van-Accessible Parking Space height clearance from 2.3 m permitted to 2.0 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 Application 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 recessed at 7:10 p.m.

The meeting reconvened at 7:41 p.m.

4.5 START TIME 7:40 PM - Francis Ave 410 - BL12146 (Z20-0037) - 1256484 B.C. Ltd., Inc.No. BC1256484

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R1100/21/11/30 THAT Bylaw No. 12146 be adopted.

Carried

4.6 START TIME 7:40 PM - Francis Ave 410 - DVP20-0110 - 1256484 BC Ltd., Inc. No. BC1256484

Staff:

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

Andrew Gaucher, Paley Rd, Applicant

-Was available to answer questions.

-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 Hodge/Seconded By Councillor Wooldridge

R1101/21/11/30 THAT final adoption of Rezoning Bylaw No. 12146 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0110 for Lot 19 District Lot 14 ODYD, Plan 7336, located at 410 Francis Avenue, Kelowna, BC;

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

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

To vary the minimum front yard setback from 4.5 m required to 4.0 m proposed.

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

To vary the minimum flanking side yard setback from 4.5 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

4.7 START TIME 7:40 PM - Cara Glen Crt 1402 - DP21-0159 DVP21-0204 - Prime Clifton Homes Inc., Inc. No. A0116073

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Leonard Kerkhoff, Kerkhoff Construction, Applicant's Agent

- Displayed a PowerPoint presentation summarizing the application.
- Commented on the master plan and other developments underway.
- Spoke to the community park space.
- 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 Stack

R1102/21/11/30 THAT Council authorizes the issuance of Development Permit No. DP21-0159 for Lot 1, Section 31, Township 26, ODYD, Plan EPP100150, located at 1402 Cara Glen Court, 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. DVP21-0204 for Lot 1, Section 31, Township 26, ODYD, Plan EPP100150, located at 1402 Cara Glen Court, Kelowna, BC;

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

Section 13.10.6(d): RM4 – Transitional Low Density Housing Development Regulations

To vary the required front yard setback from 6.0m permitted to 4.2m proposed,

Section 13.10.7(b) : RM4 – Transitional Low Density Housing Other Regulations

To vary the maximum continuous building frontage from 40.0m permitted to 58.3m 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**

The Mayor reminder Council that the budget books are ready.

6. **Termination**

The meeting was declared terminated at 7:58 p.m.

Mayor Basran

/cm

Deputy City Clerk