



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Tuesday, April 18, 2023
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Gord Lovegrove, Mohini Singh, Luke Stack*, Rick Webber and Loyal Wooldridge

Members participating Remotely Councillor Charlie Hodge

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Planner, Mark Tanner*; Planner Specialist, Adam Cseke; Legislative Technician, Natasha Beauchamp

Staff participating Remotely Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 4:00 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Lovegrove.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

THAT the Minutes of the Public Hearing and Regular Meeting of March 21, 2021 be confirmed as circulated.

Carried

4. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 4:02 p.m.

5. Individual Bylaw Submissions

**5.1 START TIME 4:00 PM - Coronation Ave 979 983 - Z22-0075 (BL12484) - 979
Coronation GP Ltd. and Jamie Dennis Haynes**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Jeff Waters, Waters Development Management, Applicant Representative

- Displayed a PowerPoint Presentation.
- Provided brief comments regarding the three project partners and the intent of one of the project partners to reside in one of the proposed suites.
- Provided an overview of the request for the MF2 zone vs. the existing MF1 zone; noting that there is no increase in density being requested, with the MF2 zone there will be no variances and it will strike a balance of secured parking and livable units while maximizing greenspace.
- Spoke to the overall improvements to the development under the MF2 zone:
 - 2.5 times distance of side yard setbacks;
 - Private front yards;
 - Common rooftop gardens;
 - Private rooftop patios;
 - Private balconies
- Displayed alternatives if developing under the MF1 zone including reduced greenspace, reduced setbacks, elimination of common amenity space and reduced ground oriented housing in the downtown community.

Brian Quiring, MQN Architects, Vernon BC

- Continued with the PowerPoint presentation and displayed a picture of ground oriented townhouses, called Stride Downtown, as it is very walkable.
- Identified core area considerations with respect to supporting the Official Community Plan:
 - Infill housing in core area;
 - Housing variety – top priority;
 - Access to jobs, amenities, transport;
 - Support a variety of households and life stages;
 - Build healthier neighbourhoods.
- The site is very well supported with transit bus routes, bike paths and sidewalks.
- Believes the proposal adheres to smart growth principles such as limiting urban sprawl, upgrading existing housing stocks, provides alternative housing type units and new low carbon efficient homes.
- Spoke to the site sensitive plan and massing consideration.
- Compared the difference between developing the site under the MF1 zone and MF2 zone
- Displayed images of the housing diversity and access and circulation on site.
- Spoke to the community benefits with respect to private and common spaces.

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

Gallery:

Desiree Skutshek, Coronation Avenue

- Spoke to previously submitted correspondence.
- Raised concern with lack of sensitive infill in the neighbourhood.
- Raised concern with increased height.
- Opposed to rezoning.

Logan Miller, Coronation Avenue

- Raised concern with the scale of the development and the lack of sensitivity to existing 2 storey houses.
- Believes this is not the right fit for the neighbourhood at this time.
- Opposed to rezoning.

Kelly Bulley, Coronation Avenue

- Questioned whether parking will be 1 stall per unit plus visitors or 2 stalls per unit.
- Raised concern that parking is currently an issue on Coronation Avenue.
- Agreed with comments from previous intervenor.

Lisa Robazza, Cawston Avenue

- Shares the laneway with this development and two empty lots across from her property.
- Questioned the reason why the rooftop deck is not shown in the height diagram.
- Raised concern with the reference to more parking than required being provided.

Brian Quiring, Applicant in Response

- Providing 1 parking stall per unit within the unit, 3 additional parking stalls outdoors at grade for visitors and 1 accessible parking stall for a total of 13 parking stalls.
- The MF2 zone is better for the community and provides more housing that is needed in the community.
- Commented that the site coverage is lower in the MF2 zone than what it could be in the MF1 zone.
- Spoke to the sensitive densification in proximity to bus routes and believes this proposal is of high quality and is the right fit for this neighbourhood.
- Rooftop gardens are not considered an additional storey and that the renderings do not represent exactly what was shown in the building section.
- Commented on height being within regulations permitted in the MF2 zone.
- This is not an increase in density from the MF1 zone but an increase in the number of unit doors.
- Commented that the proposal is not relying on any on-street parking.
- Responded to questions from Council.

Andrew Houston, MQN Architects

- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comment

6. Termination

The Hearing was declared terminated at 5:00 p.m.

7. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 5:00 p.m.

8. Bylaws Considered at Public Hearing

8.1 START TIME 4:00 PM - Coronation Ave 979 983 - BL12484 (Z22-0075) - 979 Coronation GP Ltd. and Jamie Dennis Haynes

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12484 be read a second and third time.

Carried
Councillors Cannan, Hodge, Lovegrove and Webber - Opposed

Mayor Dyas:

- Commented on form and character considerations.

9. Termination

The meeting was declared terminated at 5:17 p.m.

10. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 5:17 p.m.

11. Individual Bylaw Submissions

Items 11.1 to 26.1 were considered in a different order than presented on the Agenda.

17.1 START TIME 4:00 PM - TA23-0001 (BL12500) - Amendments to Multiple Sections of Zoning Bylaw - 2 of 3 - City of Kelowna

Staff:

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

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

Gallery

Penny Pearson, Glenwood Avenue

- Speaking to Item 8 on the Executive Summary with the removal of the HD2 zone in Part 2.
- Report and liaison with a number of neighbours on Glenwood Avenue, Royal Avenue and Richter Street.
- Most HD2 zones will become MF3 zones; however the vacant lot at 2169 Pandosy Street is going from the HD2 zone to the HD1 zone. Currently there is a building permit to construct a parking lot on that vacant lot.
- Commented that there has been an improvement of communication between the Planning Department and the neighbours to keep the neighbourhood informed regarding the progress of the rezoning application and building permit.
- Regarding design of the parking lot, Planning has agreed to put access onto Royal Avenue and not just the alley that accesses Glenwood Avenue, they agreed to put a right turn only sign exiting onto the alley to help limit east bound traffic behind houses.
- In summary, asking that a Covenant on 2169 Pandosy Street for further input from the neighbourhood once development plans come forward and to remove access from the parking lot to the alley in the residential neighbourhood.

The meeting recessed at 5:35 p.m.

The meeting reconvened at 5:42 p.m.

Council agreed to open the Public Hearing for the other two text amending bylaws to the Zoning Bylaw.

11.1 START TIME 4:00 PM - TA22-0014 (BL12497) - Amendments to Multiple Sections of Zoning Bylaw 1 of 3 - City of Kelowna

23.1 START TIME 4:00 PM - TA23-0002 (BL12475) - Spelling and Grammar Changes - Zoning Bylaw No. 12375 - 3 of 3

Staff:

- Displayed a PowerPoint presentation summarizing the packages of text amendments associated with Bylaws 12497 and 12475.

Deputy City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak to any of the Text Amending Bylaws 12497, 12500 and 12475 followed by comments from Council.

Birte Decloux, Urban Options Planning

- Displayed a PowerPoint presentation outlining comments regarding dwelling unit width and the areas that will be negatively impacted by this amendment.
- Speaking to Item 17.1, Bylaw 12500, Section 13.5 minimum dwelling unit width of 7.5 m which is the equivalent to 24.5 feet.
- Spoke to impact of the change in regulation on the design process for applications being prepared.
- Asked Council to defer the minimum building width requirement until early 2024.

There were no further comments.

12. Termination

The Hearing was declared terminated at 6:05 p.m.

13. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 6:05 p.m.

14. Bylaws Considered at Public Hearing

- 14.1 START TIME 4:00 PM - BL12497 (TA22-0014) - Amendments to Multiple Sections of Zoning Bylaw 1 of 3 - City of Kelowna**

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Bylaw No. 12497 be read a second and third time.

Carried

- 20.1 START TIME 4:00 PM - BL12500 (TA23-0001) - Amendments to Multiple Sections of Zoning Bylaw 2 of 3 - City of Kelowna**

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12500 be read a second and third time.

This motions was not voted on.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12500, as amended, be read a second and third time.

Carried

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw No. 12500 be amended at first reading to remove minimum dwelling unit width in Section 13.5 of Zoning Bylaw No. 12375.

Carried

Moved By Councillor Stack/Seconded By Councillor Lovegrove

THAT Council direct staff to require neighbourhood consultation for future development of 2169 Pandosy Street and to investigate removing access from the parking lot to the lane to the east;

AND THAT Council direct staff to report back to Council regarding minimum dwelling unit width for townhouses in the MF2 – Townhouse Housing zone.

Carried

26.1 START TIME 4:00 PM - BL12475 (TA23-0002) - Amendments to Multiple Sections of Zoning Bylaw 3 of 3 - City of Kelowna

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12475 be read a second and third time.

Carried

27. Liquor License Application Reports

27.1 START TIME 4:30 PM - Gordon Dr 105-1111 - LL23-0003 - Lakeside Land Development Corp., Inc. No. BCo797739

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Liam Mitchell, Gordon Drive, Applicant

- Believes there should be minimal impact with minimal hours of operation.
- Looking forward to being good neighbours within the community.
- Available for questions.

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

Online:

Devan Gaffney, Kelglen Crescent

- Raised Social concerns regarding alcohol and addiction.
- Would like to see a balance between social concerns and liquor facilities.
- Believes that drunk driving, domestic violence, risky behaviour, drug consumption are all influenced by alcohol consumption.
- Commented that the North end of Kelowna has a high concentration of breweries; an issue for those with addictions.
- Believes there is a lack of publicly available addiction support and that private facilities are unaffordable.
- Commented on overdose issues.
- Raised concern that Kelowna is branded as brewery and wine central.
- Asked Council to take a moment of silence.

Liam Mitchell, Applicant:

- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comment.

Moved By Councillor Webber/Seconded By Councillor Wooldridge

THAT Council direct Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with 'Division 9 (71)' of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Buffalo Rouge Brewing for a Lounge Endorsement for a Manufacturer's License for Lot 1 Section 30 Township 26 ODYD Plan EPP44783, located at 105-1111 Gordon Drive, Kelowna, BC for the following reasons:
 - o The addition of Lounge Endorsement to the Manufacturer License is perceived to have a minimal impact on the community and surrounding properties as this is an existing industrial building and there are limited residential properties in the area.
2. Council's comments on LCRB's prescribed considerations are as follows:

- o The location of the winery/special event area:

The proposed location is suitable for a manufacturer with a lounge endorsement as the property is located in an industrial area and is close to the Downtown Urban Centre and areas in the Core Area Neighbourhood.

- o The proximity of the winery/special event area to other social or recreational facilities and public buildings:

The location is in relatively close proximity to other social gathering establishments.

- o The person capacity of the winery lounge:

The proposed capacity is 50 persons (34 in tasting room and 16 on patio). The inside areas and patio will be open until 11:00pm.

- o Traffic, noise, parking and zoning:

The potential impact for noise is minimal and would be compatible with surrounding land uses and the use is compatible with the underlying zone.

- o The impact on the community if the application is approved:

The low capacity and small patio will have minimal negative impacts on the community.

3. Council's comments on the views of resident's area as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

Carried

28. Development Permit and Development Variance Permit Reports

28.1 START TIME 4:30 PM - Clifton Rd N 372 - DVP23-0022 - Ryan Fugger

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Ryan Fugger, Clifton Road, Applicant

- Commented that they are not building into setback zone; connecting two existing buildings.
- Available to answer questions.

Deputy City Clerk 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 came forward.

Ryan Fugger: Applicant

- Responded to questions from Council.

There were no further comment

Moved By Councillor Cannan/Seconded By Councillor Wooldridge

THAT Council authorizes the issuance of Development Variance Permit No. DVP23-0022 for Lot 40 Section 8 Township 23 ODYD Plan 20895, located at 372 Clifton Rd N, Kelowna, BC; AND THAT variances to the following section of Zoning Bylaw No. 12375 be granted as shown on Schedule "A":

Section 11.5: RU1 – Large Lot Housing Development Regulations

To vary the required minimum side yard setback from 2.1 m permitted to 0.95 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

29. **Reminders -Nil.**

30. **Termination**

The meeting was declared terminated at 6:43 p.m.

Mayor Dyas

Deputy City Clerk

/acm