



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Tuesday, February 13, 2024
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Deputy Mayor Luke Stack, Councillors Maxine DeHart and Rick Webber

Members Participating Remotely Councillors Ron Cannan, Charlie Hodge and Gord Lovegrove

Members Absent Mayor Tom Dyas, Councillors Loyal Wooldridge and Mohini Singh

Staff Present Acting City Manager, Stephen Fleming; Deputy City Clerk, Laura Bentley; Community Planning & Development Manager, Dean Strachan; Legislative Coordinator (Confidential), Rebecca Van Huizen

Staff Participating Remotely Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call to Order

Deputy Mayor Stack called the meeting to order at 4:00 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 Cannan

THAT the Minutes of the Public Hearing and Regular Meeting of January 16, 2024 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 START TIME 4:00 PM - Appaloosa Rd 3226 - BL12606 (Z23-0025) - Astria Academy Nominee Ltd., Inc.No. BC1396329

Moved By Councillor DeHart/Seconded By Councillor Webber

THAT Bylaw No. 12606 be adopted.

Carried

4.2 START TIME 4:00 PM - Appaloosa Rd 3226 - DP23-0079 DVP23-0170 - Astria Academy Nominee Ltd., Inc.No. BC1396329

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Jack Priestley, Astria Properties, Head of Development, Applicant, Online

- Displayed a PowerPoint Presentation.
- Provided details regarding the proposed building design and road frontages.
- Reviewed the variances requested related to side yard landscape setback and the proposed mitigation.
- Spoke to building design and Academy Way access to the subject property.
- Reviewed the proposed mural being completed by a local artist and some examples of artwork previously commissioned by the artist.

Deputy Mayor Stack 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 from the gallery or online.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Hodge

THAT final adoption of Rezoning Bylaw No. 12606 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0079 and Development Variance Permit No. DVP23-0170 for Lot 1, Section 2, Township 23, ODYD, Plan EPP134314, located at 3226 Appaloosa 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT the variance to the following section of the Zoning Bylaw No. 12375 be granted:

Section 14.12 – Industrial, Institutional and Water Zone Development Regulations

To vary the minimum flanking side yard setback from 2.0m required to 1.0m proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application and Development Variance Permit in order for the permits to be issued;

AND FURTHER THAT this Development Permit ad 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 4:19 p.m.

Deputy Mayor Stack

Deputy City Clerk

lb/cm