



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Tuesday, November 5, 2024
Location: Council Chamber
City Hall, 1435 Water Street

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

Staff Present City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Deputy City Clerk, Michael Jud; Long Range Planning Manager, Robert Miles*; Planner Specialist, Tracy Guidi*; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Development Planning Department Manager, Nola Kilmartin*; Development Planning Manager, Dean Strachan*; Planner, Jason Issler*; Development Planning Manager, Trisa Atwood*; Development Planning Manager, Alex Kondor*; Planner Specialist, Tyler Caswell*

Staff Participating Remotely Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 4:01 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 Stack

THAT the Minutes of the Public Hearing and Regular Meeting of October 8, 2024 be confirmed as circulated.

Carried

4. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 4:03 p.m.

5. Individual Bylaw Submissions

5.1 **START TIME 4:00 PM - Official Community Plan GHG Targets and Tree Canopy Targets - TA24-0016 (BL12711) - City of Kelowna**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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:

Bev Kalmakoff, Rowcliff Avenue

- President of Kelowna Tree Protectors.
- In support of expanding Kelowna's urban tree canopy.
- Spoke to a successful tree planting event at Calmels Park in the Glenmore neighbourhood with help and guidance from the City of Kelowna Parks Department.
- Requested that a permanent staff liaison position within the Parks Department and an Advisory Committee be created to support urban forestry initiatives in the City.
- Commented that an Advisory Committee would build partnerships with the City and would assist with grant funding opportunities.

Greg Garrard, Kelglen Crescent

- UBCO Professor in Environment; spoke to working with students on the revitalization of Brandt's Creek and UBCO's enthusiasm to work with the City on this project noting their connection with the goals of the Sustainable Urban Forest Strategy.
- In strong support for expanding Kelowna's tree canopy and the revitalization of Brandt's Creek.
- Believes there are opportunities for improved forest cover and public space.

Pat Munro, Cadder Avenue

- In support of amending the Official Community Plan in line with the Sustainable Urban Forestry Strategy.
- Commented on the importance of tree equity and the uneven distribution of trees throughout the city.
- Commented on the young and elderly affected by extreme heat and the importance of increased tree canopy.
- Believes barriers to participate in urban forestry initiatives needs to decrease and that community engagement is necessary.
- Spoke to the number of healing forests currently in Canada and suggested the creation of healing forests in collaboration with the Syilx Nation.

Erica Bell-Lowther, Abbott Street

- Member of Kelowna Tree Protectors.
- In support of amending the Official Community Plan in line with the Sustainable Urban Forestry Strategy.
- Raised concern with the high percentage of trees located on private property will make it more challenging to achieve tree canopy goals.
- Raised concern that it will be a challenge to achieve tree canopy goals when a significant percentage of trees are located on private property.

Desiree Skutshek, Coronation Avenue

- Member of Kelowna Tree Protectors.
- Believes the downtown area does not have enough trees to provide shading to walk in the summer months.
- Suggested utilizing development cost charges for new builds in dense neighborhoods.
- To achieve a sustainable urban forest the City must invest and budget for its development.
- Congratulated the staff from the City Parks Department for their assistance with the tree planting event at Calmels Park.

Betty Jeffers, Resident

- Member of Kelowna Tree Protectors.
- In support of amending the Official Community Plan in line with the Sustainable Urban Forestry Strategy.
- Agreed with comments from previous intervenors.
- Believes more community partnerships are needed to achieve tree canopy goals.
- Commented that loss of trees on private property and redevelopment sites need to be taken into consideration.
- Commented on the importance of monitoring mechanisms and public reporting of these strategies.
- Spoke to tree equity and noted a Backyard Tree Planting Program in the City of Kitchener that would be a good example.

Online:

Tracy Davis, Lake Avenue

- In agreement with all speakers this evening.
- In support of amending the Official Community Plan in line with the Sustainable Urban Forestry Strategy and Climate Resilience Strategy.
- Commented on the need to prioritize trees and the need for tree canopy shade in the summer heat.
- Commented on the need to track the removal of trees and importance of annually reporting on the Sustainable Urban Forestry goals.

Staff:

- Responded to public comments.
- Spoke to specific actions outlined in the Sustainable Urban Forest Strategy for achieving the Strategy's goals.
- Responded to questions from Council.

There were no further comments.

6. Termination

The Hearing was declared terminated at 4:57 p.m.

7. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 4:57 p.m.

8. Bylaws Considered at Public Hearing

8.1 START TIME 4:00 PM - Official Community Plan GHG Targets and Tree Canopy Targets - BL12711 (TA24-0016) - City of Kelowna

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Bylaw No. 12711 be read a second and third time and be adopted.

Carried

9. Liquor License Application Reports

9.1 START TIME 4:00 PM - Water St 1370 - LL24-0018 - Kelowna Yacht Club, Inc. No. S-0003099

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Applicant:

- Present and 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.

No one from the Gallery or Online came forward.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT Council directs 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 Rising Tide Consultants for a license amendment for Lot 1 District Lots 139 and 4083 ODYD Plan EPP29214, located at 1370 Water St, Kelowna, BC for the following reasons:
 - The proposed structural change is perceived to be minor in nature and the RCMP do not have any concerns.
2. Council's comments on LCRB's prescribed considerations are as follows:
 - a. The potential for noise if the application is approved:
The potential impact for additional noise is minimal as the patio has been existing under the LCRB's TESA program with no complaints from the neighbourhood. Additionally, there is no residential units in close proximity.
 - b. The impact on the community if the application is approved:
The potential for negative impacts is minimal as there is no proposed change to the overall capacity of the business and the space has been operating in the current layout for several years.
3. Council's comments on the views of residents are 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

**9.2 STARTTIME 4:00 PM - Gray Rd 150 - LL24-0019 - Mayday Society for Seniors, Inc.
No. 39543S**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Steven Walters, President of the Army Navy & Airforce Veterans Association #376 and Dave Pitch, Applicant:

- Provided background on the Mayday Society, the reasons motivating the application, and what it represents to their Members.
- Commented on donations the Mayday Society has provided to organizations in support of their community.

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 from the Gallery or Online came forward.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council directs 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 Army, Navy, and Airforce Veterans Association #376 for a liquor primary license for Strata Lot 5 Section 23 Township 26 ODYD Strata Plan KAS2126 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1, located at 150 Gray Rd, Kelowna, BC for the following reasons:
 - a. Council Policy 359 recommends supporting alternative entertainment options, and/or establishments which are less focused on alcohol consumption;
2. Council's comments on LCRB's prescribed considerations are as follows:
 - a. The location of the establishment:

The proposed location is suitable for a small liquor primary license establishment as the property is within an Urban Centre making it walkable and located in a Transit Oriented Area.
 - b. The proximity of the establishment to other social or recreational facilities and public buildings:

The location is in close proximity to several food primary establishments and retail shops.
 - c. The person capacity and hours of liquor service of the establishment:

The hours are consistent with Council Policy 359. The occupancy is 42 persons.
 - d. The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location:

The clientele will be veterans for the purpose of having a place to gather.
 - e. The impact of noise on the community in the immediate vicinity of the establishment:

The potential impact for noise is minimal and would be compatible with surrounding land uses.
 - f. The impact on the community if the application is approved:

The potential for negative impacts is minimal.
3. Council's comments on the views of residents are 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

The meeting recessed at 5:17 p.m.

The meeting reconvened at 5:29 p.m.

10. Development Permit and Development Variance Permit Reports

10.1 START TIME 4:00 PM - Airport Way 5533-6305 - DP24-0098 DVP24-0099 - The City of Kelowna

Councillor DeHart declared a conflict of interest as they are employed with another major Hotel and departed the meeting at 5:29 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Scott Thompson, Northland Properties, Applicant:

- 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 from the Gallery or Online came forward.

Staff:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council authorizes the issuance of Development Permit No. DP24-0098 for Lot 1 District Lot 146 ODYD Plan 11796, located at 5533-6305 Airport Way, 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 Council authorizes the issuance of Development Variance Permit No. DVP24-0099 for Lot 1 District Lot 146 ODYD Plan 11796, located at 5533 – 6305 Airport Way, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 12375 be granted as shown on Schedule "B":

Section 15.2.5 – CD12 Development Regulations

To vary the maximum height for a building from 3 storeys permitted to 6 storeys proposed.

AND THAT variances to the following sections of Sign Bylaw No. 11530 be granted as shown on Schedule "B":

Section 4.2.2(e) – Signs Requiring a Permit – Canopy Sign - Regulations

To vary the maximum permitted size of a canopy sign from 3.86 m² permitted to 16.56 m² proposed.

Section 8.3(a)a – Local Commercial Zones – Signage Regulations

To vary the maximum permitted size of a fascia sign from 4.0 m² permitted to 29.47 m² proposed.

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

AND FURTHER THAT this Development Permit and Development Variance Permit are valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

Councillor DeHart returned to the meeting at 5:40 p.m.

10.2 START TIME 4:30 PM - Underhill St 1930 - DP24-0095 DVP24-0152 - Underhill Rental Apartments Ltd., Inc. No. BC1337425

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mark Koch, Skeena Drive, Applicant:

- Commented that staff did a great job outlining the application.
- Believes the 177 condominium homes are greatly needed.
- Spoke to the stepback that is part of this application and that staff are preparing stepback bylaw amendments; this building does try to meet the intent of the bylaw.
- Commented on the form and character and high quality materials being used; the building integrates well with recent builds in the neighborhood.

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:

Luca Pacheco, Underhill Street

- Opposed to this application.
- Believes there is too much being built on a small parcel of land.
- Raised concern regarding increased traffic and no traffic signs.

Anne Rowell, Underhill Street

- Opposed to this application.
- Raised safety concerns regarding variances with respect to building setback and impacts on adjacent sidewalks and if sidewalks would be removed.

Applicant in Response:

- Confirmed the sidewalk will remain and that the ground plain setback will be in excess of setback requirement.
- The purpose of the Development Permit is to assess compliance with the DP Guidelines that are in the Official Community Plan; this application does comply with the intent of the guidelines.
- Commented that the maximum height allowed is 12 storeys and this application is 6 storeys.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council authorizes the issuance of Development Permit No. DP24-0095 for Lot B, District Lots 4646 and 127 ODYD Plan EPP104418, located at 1930 Underhill St, 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 Council authorizes the issuance of Development Variance Permit No. DVP24-0152 for LOT B DISTRICT LOTS 4646 AND 127 ODYD PLAN EPP104418, located at 1930 Underhill St, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted as shown on Schedule "B":

Section 14.11: Commercial and Urban Centre Zone Development Regulations, UC3

To vary the required minimum building setback from the front yards from 3.0 m required to 0.0 m proposed (east and west).

Section 14.11: Commercial and Urban Centre Zone Development Regulations, UC3

To vary the required minimum building setback from the flanking side yard from 3.0 m required to 0.0 m proposed (north).

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

Councillors Cannan and Hodge - Opposed

10.3 START TIME 4:30 PM - Cross Rd 1951 - DP24-0158 DVP24-0159 - City of Kelowna

Councillor Lovegrove declared a conflict of interest as they own property adjacent to the site and departed the meeting at 6:16 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Morgan Henderson, Victoria BC, Project Manager, Applicant:

- Displayed a PowerPoint Presentation remotely.
- Provided background on M'akola Development Services and Turning Points Collaborative Society and their collaboration on this project.
- Provided an overview of the Project Vision of affordable and appropriate housing.
- Spoke to the proposed building of 68 homes with a mix of various units, a mixed rent model with a range of affordability.
- Commented on amenity spaces including a common room, community garden, dog run and rooftop patios.
- Displayed a landscape plan and noted a few trees would be removed, however, 26 new trees would be placed on site.

- Commented that there is a significant setback to Brandt's Creek and that there is a Statutory Right of Way that protects the Creek.
- Spoke to securement of project funding with BC Housing including capital grants, ongoing operating subsidy and City-owned land provided for a long-term lease.
- Spoke to project operations with Turning Points Collaborative Society operating the building and governed by an operating agreement with BC Housing.
- Commented that the proposal is in alignment with the Official Community Plan and its goals; aligns with the use and density specified in the MF3r zone.
- Spoke to the proposed variances and rationale for those variances.
- Commented that this proposal aligns with Municipal Policy objectives.

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:

Alex Draper, Snowswell Street

- Lives in close proximity to the proposed application.
- Believes it is an innovative idea to create more affordable housing close to bus services.
- In support of this application.

Becky Logan, Resident

- Lives in the same area of the proposal and in support of the application.
- Raised concern with staging of the building.

Davis Kyle, Glenwood Avenue

- In support of this application.
- Commented that reducing parking minimums on these types of projects is a good idea and supports broader changes on parking.

Applicant in Response:

- The landscape plan shows on surface parking and landscaped areas where staging would occur while the building is under construction.
- Currently there is an RFP for a Construction Manager that asks for specific plans of how they would stage if they were awarded the contract and those stage plans would be reviewed closely.
- Commented that noise bylaws would be followed and that notification to neighbours would be sent well in advance of any work.

Kimberly Fuller and Kelly Fehr, Applicant, participating remotely:

- Provided comments regarding staging and with partnering with the City of Kelowna on this project.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council authorizes the issuance of Development Permit No. DP24-0158 for Lot 1, Section 4 Township 23 ODYD Plan EPP120282, located at 1951 Cross Rd, 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";

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP24-0159 for Lot 1 Section 4 Township 23 ODYD Plan EPP120282, located at 1951 Cross Rd, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted:

Section 6.2.1: General Development Regulations – Projections Into Yards:

To vary the maximum projection length from 4.0 m permitted to 6.9 m proposed.

Table 8.3: Parking and Loading – Required Residential Off-Street Parking Requirements:

To vary the required minimum parking requirements from 66 required to 51 proposed.

Section 13.5: Multi-Dwelling Zones, Development Regulations, MF3 – Apartment Housing:

To vary the required minimum building setback from 3.0 m permitted to 0 m proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the 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 6:58 p.m.

Councillor Lovegrove returned to the meeting at 7:04 p.m.

The meeting reconvened at 7:05 p.m.

10.4 START TIME 5:00 PM - Lawrence Ave 346 Water St 1551 - DP23-0088 DVP23-0089 - 1318421 B.C. Ltd. and Victor Projects Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Sarang Gokhale, Vice President, Mission Group, Applicant:

- Displayed a PowerPoint Presentation.
- Spoke to the multifamily residential component of the 33 storey building and high quality retail space.
- Commented on active retail along Water Street and Lawrence Avenue; all building services and parkade access is located in the north laneway.
- Spoke to building scale and materials used to complement existing elements in the public realm.
- Spoke to the requested variances and noted that adjustments are thoughtful improvements with positive impact to the community.
- Pleased to bring this first of its kind hybrid rental condo tower to downtown Kelowna; this design approach maximizes rental housing with both rental and condo owners living harmoniously.

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:

Don Henderson, Cameron Avenue

- Raised concerns regarding lack of affordability regarding this application and believes this does not improve affordable housing in Kelowna.
- Opposed to this application.

Nancy Shearing, Benvoulin Court

- Raised concerns with lack of affordability in general throughout the city.

Susan Ames, Abbott Street

- Raised concerns with the height of the building and the variances requested.
- Raised concern that there were no shadow studies and loss of viewscape.
- Believes this development should stay at 26 storeys and not increased to 33 storeys.

Davis Kyle, Glenwood Avenue

- In support of this application as rental housing is needed.
- Would like the cost of rentals to be lower but not having rentals is detrimental.

Applicant in Response:

- Providing rental housing within this project and variance requested to add more rental housing; the variance adds 14 more rental units with a total of 89 rental homes.
- Commented on the UC1 zoning base density and indicated they are under the Floor Area Ratio (FAR) with 33 storeys and not the 40 storeys allowed.
- Shadow studies have been provided and have worked with staff to ensure streamline building and tower form are incorporated in and the views from adjacent properties have been factored in as well.
- Believes this proposal is the highest and best use of the site.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council authorizes the issuance of Development Permit No. DP23-0088 for the subject properties:

- Lot A District Lot 139 ODYD Plan 26819, located at 346 Lawrence Ave, Kelowna, BC;
- The South ½ Lot 6 Block 14 DL 139 ODYD Plan 462, located at 1551 Water St, Kelowna, BC;
- The North ½ Lot 6 Block 14 DL 139 ODYD Plan 462, located at 1551 Water St, Kelowna, BC;
- The South ½ Lot 5 Block 14 DL 139 ODYD Plan 462, located at 1551 Water St, Kelowna, BC;
- The North ½ Lot 5 Block 14 DL 139 ODYD Plan 462, located at 1551 Water St, 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;
5. The applicant be required to make a payment into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with Table 6.8.a. in Zoning Bylaw No. 12375;
6. The applicant be required to register a Section 219 Restrictive Covenant restricting the individual stratification and sale of 89 dwelling units on Levels 6 to 12;
7. The applicant be required to complete a technical subdivision to consolidate the five subject lots, provide a 6.0 m corner rounding, and register a Statutory-Right-of-Way 0.8 m wide along the north lane;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP23-0089 for the subject properties;

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted as shown on Schedule "A":

Section 8: Parking and Loading – Table 8.3 Required Residential Off-Street Parking Requirements

To vary the total minimum parking requirements from 283 required to 266 proposed;

Section 8: Parking and Loading – Table 8.5.1 Minimum Dimensions for Bicycle Parking

To vary the minimum distance between wall mounted bicycle racks from 0.45 m required to 0.375 m proposed;

Section 9: Specific Use Regulations – Table 9.11 Tall Building Regulations

To vary the maximum floor plate above the sixth storey from 750.0 m² GFA required to 862.7 m² GFA proposed for Levels 6 to 12;

Section 9: Specific Use Regulations – Table 9.11 Tall Building Regulations

To vary the minimum setback above podium (including balconies) on the north lane side from 3.0 m required to 2.5 m proposed on Levels 7 to 13 and from 3.0 m required to 2.0 m proposed on Levels 14 to 32;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Applications 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

Councillors Cannan, Hodge and Lovegrove - Opposed

11. Termination

The meeting was declared terminated at 8:18 p.m.

Mayor Dyas

Deputy City Clerk

/acm