



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, November 21, 2017  
Location: Council Chamber  
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Brad Sieben\* and Mohini Singh  
  
Councillors Charlie Hodge and Luke Stack

City Manager Ron Mattiussi; Deputy City Clerk, Karen Needham, Divisional Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Planner, Melanie Steppuhn\*, Planner Specialist, Laura Bentley\*; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 6:09 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Gray.

### 3. Confirmation of Minutes

Moved By Councillor Gray/Seconded By Councillor Singh

R951/17/11/21 THAT the Minutes of the Public Hearing and Regular Meeting of November 7, 2017 be confirmed as circulated.

Carried

### 4. Bylaws Considered at Public Hearing

4.1 **1888 Abbott St, (Z17-0066) BL11511 - James Theriault and Sheila Roth**

Moved By Councillor Gray/Seconded By Councillor Donn

R952/17/11/21 THAT Bylaw No. 11511 be read a second and third time.

Carried

## 5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these Development Variance Permit and Heritage Alteration Permit Applications was given by sending out or otherwise mailing 984 statutory notices to the owners and occupiers of surrounding properties on Tuesday, November 7, 2017.

Notice of this Temporary Use Permit was advertised by being posted on the Notice Board at City Hall on Tuesday, November 7, 2017, and by being placed in the Kelowna Daily Courier issues on Friday, November 9 and Wednesday, November 14 and by sending out or otherwise mailing 21 statutory notices to the owners and occupiers of surrounding properties on Tuesday, November 7, 2017.

Notice of an amendment to Liquor Primary Licence was advertised by being posted on the Notice Board at City Hall on Tuesday, November 7, 2017, and by being placed in the Kelowna Daily Courier issues on Friday, November 9 and Wednesday, November 14 and by sending out or otherwise mailing 121 statutory notices to the owners and occupiers of surrounding properties on Tuesday, November 7, 2017.

The correspondence and/or petitions received in response to advertising for the applications on tonight's Agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

## 6. Liquor License Application Reports

### 6.1 1250 Ellis Street, LL17-0016 - Whitworth Holdings Ltd

Councillor Sieben declared conflict as he has a financial interest in the property and departed the meeting at 6:12 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence had been received.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

The Applicant was present and available for questions.

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor DeHart

**R953/17/11/21** THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from BNA Brewing for a liquor primary license amendment for Lot 1 District Lot 139 ODYD Plan 660, located at 1250 Ellis Street, Kelowna, BC to increase the interior capacity of 278 persons to 415 persons.
2. Council's comments on LCLB's prescribed considerations are as follows:

The location of the establishment:

The application is for an expansion of an established brewpub (BNA Brewing) which opened for business in June of 2015. The proposal is to expand into a portion of the former Flashbacks nightclub space.

The proximity of the establishment to other social or recreational facilities and public buildings:

The surrounding social and recreational facilities would not conflict with the proposed expansion to the existing establishment. The expansion will add an entertainment venue which will support the cultural district in which it is located. The purpose of the cultural district is to develop and to enhance the cultural district as a centre for arts and entertainment, and a catalyst for community and cultural development. The establishment complements and enhances the entertainment and service value of the neighbourhood.

The person capacity and hours of liquor service of the establishment:

The application is to increase the approved establishment capacity from 278 persons to 415 persons. The expansion affects the second storey area only. The current licensed capacity of the second floor is 106 persons. With the expansion, the capacity would increase by 137 persons to a total second floor capacity of 243 persons. The main floor and outdoor patio area will remain unchanged. The hours of operation will remain unchanged.

The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location:

The proposed expansion of the brewpub is intended to provide a meeting place for people to have dinner, socialize and celebrate in groups. The expansion would see the addition of six bowling lanes with each lane providing a living room style area. The existing single Bocce lane will be maintained and an additional seating area and a full-service bar area is proposed. While separated from the main pub, it is open and accessible from the existing brew pub area.

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. The noise levels would not increase for the surrounding area, as the proposal is for an expansion of the existing brew pub into a portion of the former Flashbacks nightclub. The Train Station Pub is located across the intersection of Clement Avenue and Ellis Street. Both of these businesses increase the vibrancy of the streetscape and area.

The impact on the community if the application is approved:

The potential for negative impacts is considered minimal as the previous use of the expansion space was a Nightclub. The use of this space is transitioning from Nightclub to a less intensive land use for the area.

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**

Councillor Sieben rejoined the meeting at 6:16 p.m.

**7. Development Permit and Development Variance Permit Reports**

**7.1 TA17-0009 (BL11426) - Multiple Dwelling Housing Amendments**

Moved By Councillor Gray/Seconded By Councillor Donn

R954/17/11/21 HAT Bylaw No. 11426 be adopted.

Carried

**7.2 2673 Gore St, Z17-0025 (BL11427) - Stanley Tessmer**

Moved By Councillor Donn/Seconded By Councillor Gray

R955/17/11/21 THAT Bylaw No. 11427 be adopted.

Carried

**7.3 2673 Gore St, DP17-0064 & DVP17-0065 - Stanley Tessmer**

Staff:

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

The City Clerk advised that no correspondence had been received.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

The Applicant was present and available for questions.

Gallery:

Tom Stow, Gore Street

- Does not object to density but does object to the sheer size of the building.
- Believes that asking for a site coverage of 60% is asking too much.
- Believes that this development fails in other areas of the OCP with no additional parks or green space; questioned what the neighbourhood is receiving from this proposal.
- Raised concerns with lack of visitor parking.
- Believes the investment by developers in active transportation is lacking.
- Raised concerns that 8 trees are being removed and only replacing with 4 trees.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Donn

R956/17/11/21 THAT final adoption of Rezoning Text Amendment Bylaw No. 11426 be considered by Council;

AND THAT final adoption of Rezoning Bylaw no. 11427 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0064 for Lot 11, District Lot 14, ODYD, Plan 7927, located at 2673 Gore St, Kelowna, BC, 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. DVP17-0065 for Lot 11, District Lot 14, ODYD, Plan 7927, located at 2673 Gore St, Kelowna, BC, Kelowna, BC;

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

**Section 13.11.6(b): Site Coverage**

To vary the required site coverage from 40% to 60.4% proposed.

**Section 13.11.6(e): Side Yard Setbacks**

To vary the required side yard setback (north and south) for:

Portions of the building not over 2 ½ stories, from 4.5m to 2.32m; and  
Portions of the livable area of the building over 2 ½ stories, from 7.0m to 3.96m; and  
Portions of the stairwell and elevator shaft areas of the building over 2 ½ stories from 7.0m to 2.32m.

**Section 13.11.6(f): Rear Yard Setback**

To vary the required rear yard setback from 7.0m to 1.61m proposed.

AND THAT Council's consideration of this Development Permit/ Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated November 21, 2017;

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

**Carried**

**7.4 720-740 Valley Rd, DP17-0174 & DVP17-0175 - Valley Land Subdivision Ltd**

Staff:

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

The City Clerk advised that no correspondence had been received.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

**Chad Davidson, Traine Developments, Applicant Representative**

- Displayed a PowerPoint Presentation, re: 722 Valley Road
- Thanked staff for their thorough presentation.
- Proposing 5 new multi-family lots in the heart of Glenmore.
- Diversity of housing options on site include:
  - o 166 new rental units
  - o 105 new proposed condominiums

- 49 new proposed family oriented townhomes
- New proposed Memory Care Facility
- New future Senior's oriented assisted living condo.
- Displayed a map outlining all the green space highlighting pedestrian friendly areas on site.
- Provided an overview of the progress made on the overall site as well as the widening of Brandt's Creek with an asphalt trail, as well:
  - Paved pathway connection to Glenmore Road and transit stops;
  - 2 levels of covered parkade to minimize surface parking;
  - Tallest portion of building clustered to the intersection, across from 8 storey Conservatory building; the building is oriented to the south end of the site.
- Spoke to site amenities including;
  - Bicycle service station on paved path with public access
  - Bike/Dog wash in parkade;
  - Class A bike storage lock-up at end of every parkade parking stall;
  - Rooftop patio;
  - Guest Suite;
  - Dedicated lockable storage cubicles for residents;
  - Terraced community garden.
- Provided rationale for height variance:
  - The additional storey required to achieve FAR targets identified by the new CD27 zone;
  - Building aligned along south property line to mitigate impact on future and existing townhomes;
  - The tallest portion of the building clustered to intersection, across from the 8 storey Conservatory building;
  - When viewed from the north, both east and west ends appear as 4 storeys, only furthest centre section reads as 5 storeys.
- Provided rationale for parking variance:
  - The Developer has entered into an agreement with OGO Car Share for placement of 2 shared vehicles to be stationed on site;
  - Reviewed the road network within the site to demonstrate that any parking overflow will be kept off city streets;
  - The site is well served with transit stops on Glenmore Road which is connected to the site by paved walking path;
  - Exceed required number of Class A bike storage stalls by 43 spaces;
  - Site is in close proximity to commercial amenity cores;
  - 55 studios and 1 bedroom units will limit the number of households requiring more than 1 parking stall.
- Responded to questions from Council.

Gallery:

Darren Schlamp, Bullock Road

- Avid cyclist in Kelowna.
- Raised concerns with joint parking for bikes and vehicles that may impact bike storage.
- Raised concerns with less security for bikes and potential for bikes being stolen.
- Believes that bike storage in front of vehicles poses a risk to damaging vehicles or bikes trying to get in and out.
- Hopes this proposal does not become a trend and would prefer to see bike cages to house bikes.

There were no further comments

Moved By Councillor Given/Seconded By Councillor Sieben

**R957/17/11/21** THAT Council authorizes the issuance of Development Permit No. DP17-0174 for a portion of Lot A Sections 32 and 29 Township 26 ODYD Plan EPP54061, located at 720-724 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 this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0175 for a portion of Lot A Sections 32 and 29 Township 26 ODYD Plan EPP54061, located at 720-724 Valley Road, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "D";

**Section 8.1.11(b): Parking and Loading Off-Street Vehicle Parking**

To vary the required parking ratio from 50% full, 40% medium, and 10% compact stalls permitted to 57% full, 29% medium, and 14% compact stalls proposed.

**Section 8.5 Table 8.1: Parking and Loading Parking Schedule**

To vary the required parking from 142 stalls permitted to 133 stalls proposed.

**Section 13.11.6(c): RM5 – Medium Density Multiple Housing**

To vary the required height from 4.5 storeys permitted to 5 storeys 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**

**7.5     3626 Mission Springs Dr, DP17-0231 & DVP17-0232 - Green Square Development Ltd**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence had been received:

**Letters of Opposition:**

- Brian Welwood, Casorso Rd
- Kay Welwood, Casorso Rd
- Isaac Li & Winnie Pun, Casorso Rd
- Jennifer Hight, Casorso Rd
- Alexander Omelchenko & Lioudmila Kozlova, Casorso Road
- Murray Patterson, Truswell Rd
- Andrea Bretherick, Mission Springs Cres.
- Bonnie DeBruyn, Parkridge Drive
- Anne Boyd, Mission Springs Drive
- Rob Boyd, Mission Springs Drive
- Richard Drinnan, Green Road
- Mark Holland, Casorso Rd.

Kenn Cappos, Casorso Rd.

**Petitions (Opposition):**

Kenneth Cappos of Casorso Rd dropped of petition with 405 signatures with address, 6 signature without address

**Letters of Comment:**

Don Henderson (2), Cameron Ave

**Letters in Support:**

Andrew Bennett, Walnut St  
David Wilkins, Armour Cres.  
Christina Ferreira, Cameron Ave  
Shea Bydlowski, Boynton Place  
Dr. Marc Nimchuk, Mission Springs Dr.  
Jeff Brown, Mission Springs Dr.  
Matt Johnston, Architecturally Distinct Solutions Inc.  
Jamie Holitzki, Cooper Rd.  
Greg Hawkins, Mission Springs Crescent  
Kerry MacNaull, Lawrence Avenue  
Brock Raddatz, Brant Ave.  
Luke Simpson, Covington Key W Kelowna  
James Roffel, Suite Upper Canyon Drive  
Carole Threlfall, Mission Springs Dr.  
Tim Valerioti, Truswell Rd.  
Julie Miller, Wintergreen Drive  
Lucas Miller, Wintergreen Drive

**Petitions (Support):**

Josh Klassen of Troika Leon Ave submitted petition with 14 signatures with address, 1 signature no address

**Form Letters (Support):**

Josh Klassen of Troika Leon Ave submitted 68 forms letters with address, 4 no address

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

**Renee Wasylyk CEO Troika Developments, Applicant**

- Displayed a PowerPoint Presentation, re: Green Square Developments
- This project is the final phase of the entire parcel. Green Square is a single land parcel with mixed zoning, both RM3 and RM5, having received this zoning density in 2012. The townhomes are already completed and Vert is the final phase and encompasses the RM5 zoned area.
- Vert is a six story wood frame building with greenspace, community gardens and kids play area.
- Believes the design is exceptional that allows for a huge mix of product styles and sizes.
- We listened to the community, to strata councils, neighbours, and City Council and revised to make our plan better.
- This parcel is only 2/3 the size of Mission Woods and only a half the size of Mission Meadows and not the largest site in the neighbourhood, however, to further diminish the size;
  - o the roof lines were undulated;
  - o used a flat roof system and
  - o shrunk the footprint.
  - o Site coverage is at 45 percent and most RM5 sites will cover at least 55 percent.
- Asking for 2 variances being:
  - o Height Variance (1.5 storeys) to accommodate two six storey buildings.
  - o Side yard Setback Variance (up to 1.5 meters)
- Made changes to the application based on feedback from Council and the community as follows:
  - o No parking variance;



- Shrunk the density and removed 7 units, now have only 134 units;
  - The 6<sup>th</sup> floor is smaller on the two tallest buildings.
- Believes the proposed design allows for more space, better view corridors and sight lines and light exposure.
- Displayed photos of neighbouring property and illustration of Green Square Vert comparing view corridors and noted the separation between Vert buildings and the varied heights that allow for both light exposure and solar shading.
- Noted setbacks on the east and south sides of the buildings are minimal and encompass staircases and small portion of the third floor of the townhouses.
- Noted green and landscaping features being:
  - Community gardens;
  - Naturalized children's play space
  - Green roofs;
  - Green corridors;
  - Green walkways; and
  - Drought tolerant species.
- Will speak to technical information relating to spacing and fire separation after the gallery has had a chance to speak.
- Responded to questions from Council.

Gallery:

Bruce McDonald, Barnes Avenue

- Resident of Mission Woods since 2008.
- Made comment on an unconfirmed rumor related to election campaign donations and wanted clarification.
- Noted history of various height considerations for the property.
- Raised concerns that the development will increase the population which will greatly increase the traffic in the area.
- Raised concerns that proposal will block views for those to the west and will lower their home investment.
- Requested that Council deny the height variance to be in keeping with the neighbourhood.

Deputy City Clerk:

- Advised that conflict of interest provisions and disclosure requirements are legislated for all candidates and elected officials and are not the subject of this meeting, however, the Deputy City Clerk would be happy to provide more information or discuss any concerns at the end of the meeting, or at another time.

Dustin Sergeant, Gordon Drive

- In support of the application and variances as they are minimal.
- Development in this area is desirable with higher density; the population will be drawn to nearby parks, College and sportsfields.
- Believes this is a nice development and looks forward to its completion.

John Schene, Barnes Avenue

- Moved to Kelowna 1.5 years ago and complimented the City on its parks, beaches and recreation centres.
- Impressed with the first townhome development by Green Square.
- Raised concern with a 6 storey building conflicting with smaller homes and heights.
- Responded to questions from Council.

Bill Twaites, Invermere Road

- Resident for 20 years.
- Considers this proposal an improvement, however the application is still asking for variances.
- Not in support of the proposal.
- Raised concerns with parking and traffic implication with this proposal.
- Increased traffic has been the biggest concern with Phase 1 of this development and believes it negatively impacts the neighbourhood.

- Believes the completion of Mission Springs Drive to Casorso is needed before completion of Phase 2.
- Traffic on Gordon Drive makes left turn to/from Barnes unsafe.

#### Andrea Bretherick, Mission Springs Crescent

- Spoke to a letter previously sent to Council and raised concern that the previous application considered by Council has been overturned.
- Commented that Council must represent this community that elected them.
- Opposed to this application.

#### Kyle Stanfield, Invermere Road

- Provided information on profession as an Environmental Scientist; has worked around the world and believes that density is the cause of many of our environmental issues.
- Pleased with some of the changes made by the applicant with this new proposal.
- Raised concerns with increased traffic in the area and no sidewalks to the Invermere neighbourhood.
- Inquired if a full traffic impact study has been conducted to assess impacts.
- Inquired if a full fire code assessment has been completed to ensure compliance with all related codes.
- Opposed to the height variance as it is not in keeping with the neighbourhood.
- Responded to questions from Council.

#### Mark Holland, Casorso Drive

- Opposed to the height variance.
- Believes the height variance does not fit into the neighbourhood.
- Resides in Mission Meadows and looked at city zoning map prior to purchasing and it stated the land was zoned for a 4 storey building.
- A zone was designed for this project and believes the applicant should comply with the zone.

#### Sherri Paiement, Casorso Drive

- In support of this application.
- Believes the changes made including the road connection to Casorso is great for the community.
- Would like to see a left turn onto Gordon as increased traffic has been an issue.
- The development is aesthetically pleasing and hopes the project moves forward.

#### Tom Dias, Lakeshore Road

- In support of this application.
- Believes the applicant has done an excellent job dealing with parking and road network.
- This project will allow young families to buy into this neighbourhood.

#### Yuliia Lynova, KLO Road

- Ukrainian Immigrant with young family has lived in Kelowna for one year.
- Believes this development is an amazing opportunity for an attainable home for his family.
- In support of this application.

#### Justin Yushta, Yates Road

- Has resided in Kelowna for 2 years and works as a Civil Engineer.
- Owner of a condo in Glenmore.
- Believes this type of development suits the young segment looking to purchase homes.
- Believes the variances proposed are of significant value to the community as the parking lot is not visible and there are better site lines with the density.
- Believes that density promotes cycling.
- Need to increase density to rid traffic congestion and thinks sprawl is what creates traffic congestion.
- In support of this proposal.

#### Don Henderson, Cameron Avenue

- Believes this proposal is a 6 storey wooden fire trap.

- Noted Fire Department concerns and believes that should have been dealt with before this application came back.
- Stated that fire trucks need to have proper turning radius and this issue should have been resolved.
- Believes the variances are unnecessary.

Rachel VannPashak, Yates Road and Corinne Zeldone, Lakeshore Road

- In support of this application.
- Works in the area and bikes to work and school.
- This is an area full of amenities for such a development.

Brenda Lupul, Sarsons Road

- Read a letter of support for the proposal from two residents in Phase 3 Mission Meadows.

Lucas Miller, Wintergreen Drive

- Owner of a corner unit in Phase 1 of the Greensquare development and is most effected by traffic; does not believe traffic will change with this development.
- Would like to see additional traffic calming measures when development is completed.
- Believes this development suits this area.
- Believes slimmer buildings will allow for a view.
- In support of this application and all variances.
- Responded to questions from Council.

Renee Wasylyk, CEO Troika Developments, Applicant

- The proposal is using effective height to shrink the footprint; displayed photos to demonstrate patio views will not be obstructed from Mission Woods.
- Currently meet all fire codes and development requirements; outstanding information is related to details on the access road material and turning radius; all issues must be dealt with prior to receiving a building permit.
- Confirmed a traffic study was completed as part of the application for the 2013 development; right in and right out only on Gordon Drive.
- Noted what is allowable under the RM5 zone if built out.
- Believes this plan is better architecturally and provides better views.
- Confirmed that sidewalks go all around and through the site.
- Responded to questions from Council.

Staff:

- The application is reviewed to meet BC Building Code and Fire Department requirements before building commences; any design changes to meet requirements may have to come back for Council's consideration.
- Mission Springs road construction has always been anticipated; neighbourhood traffic is ongoing work for traffic technicians.

There were no further comments

Moved By Councillor Sieben/Seconded By Councillor Donn

**R958/17/11/21** THAT Council authorizes the issuance of Development Permit No. DP17-0231 and DVP17-0232 for Lot 1 DL 134 ODYD Plan EPP23035, located at 3626 Mission Springs Drive, 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 "AA";
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "BB";
3. Landscaping to be provided on the land be in accordance with Schedule "CC";
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 variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with Schedule "DD":

**Section 13.11.6(c): RM5 – Medium Density Multiple Housing Development Regulations**

To vary the maximum height from 18.0 m or 4 ½ storeys required to 21.7 m or 6 storeys proposed;

**Section 13.11.6(d): RM5 – Medium Density Multiple Housing Development Regulations**

To vary the front yard (east) setback for portions of a building over 2 ½ storeys from 6.0 m required to 1.5 m proposed;

**Section 13.11.6(e): RM5 – Medium Density Multiple Housing Development Regulations**

To vary the side yard (south) setback for portions of a building over 2 ½ storeys from 7.0 m required to 4.5 m proposed;

AND THAT the applicant be required to complete the requirements of Schedule "A" as attached to the Report from Community Planning dated November 21<sup>st</sup>, 2017;

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**

**7.6 2092 Enterprise Way, TUP17-0002 - 0838232 BC Ltd**

Staff:

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

The City Clerk advised that the following correspondence had been received:

**Letters in Support:**

Habitat for Humanity – Okanagan Stacey Fenwick (Chair), Ross Road West Kelowna

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

**Darren Schlamp, Argus Properties Ltd., Applicant**

- Available for questions.

No one from the Gallery came forward.

There were no further comments.

**Moved By Councillor Donn/Seconded By Councillor Singh**

**R959/17/11/21** THAT Council authorize Temporary Use Permit No. TUP17-0002 to extend TUP14-0005 to allow the use of a portion of the subject property to be used as a Thrift Store for Lot 3, District Lots 127 & 531, ODYD, Plan KAP54290, located at 2092 Enterprise Way, Kelowna, BC, for a three (3) year period commencing from Council approval;

AND FURTHER THAT no further extensions are permitted as per the regulations of Section 497 of the Local Government Act.

Carried

8. **Reminders – Nil.**

9. **Termination**

The meeting was declared terminated at 9:29 p.m.

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Mayor

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Deputy City Clerk

/acm