



## City of Kelowna Regular Meeting Minutes

Date: Tuesday, January 15, 2019  
Location: Council Chamber  
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Ryan Donn, Gail Given, Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge

Members Absent Councillors Maxine Dehart and Charlie Hodge

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham; Community Planning Department Manager, Ryan Smith; Suburban and Rural Planning Manager, Dean Strachan\*; Community Planning Supervisor, Laura Bentley; Planner, Kim Brunet\*; Legislative Coordinator (Confidential), Clint McKenzie

(\* denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 7:53 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Given.

### 3. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor Wooldridge

(R0032/19/01/15) THAT the Minutes of the Public Hearing and Regular Meeting of December 4, 2018 be confirmed as circulated.

Carried

### 4. Bylaws Considered at Public Hearing

4.1 Darin Pl 4627, BL11702 (Z18-0090) - Calvin Meldrum & Barbara Laupitz

Moved By Councillor Given/Seconded By Councillor Wooldridge

(R0033/19/01/15) THAT Bylaw No. 11702 be read a second and third time.

Carried

- 4.2 Abbott St 2783A, 2783B & 2787, BL11703 (Z18-0038) - AJ Wiens Development Group Ltd., Inc. No. BCo798391**

Moved By Councillor Wooldridge/Seconded By Councillor Given

(R0034/19/01/15) THAT Bylaw No. 11703 be read a second and third time.

Carried

- 4.3 Sarsons Rd 439, BL11705 (Z18-0076) - Rock Shore Developments Ltd., Inc. No. BC1114860**

Moved By Councillor Given/Seconded By Councillor Wooldridge

(R0035/19/01/15) THAT Bylaw No. 11705 be read a second and third time and be adopted.

Carried

Opposed - Councillor Sieben

- 4.4 Molnar Rd 435, BL11707 (Z18-0096) - Craig J. and Natasha B. Guidi**

Moved By Councillor Singh/Seconded By Councillor Wooldridge

(R0036/19/01/15) THAT Bylaw No. 11707 be read a second and third time.

Carried

- 4.5 Eagle Dr 925, Z18-0052 (BL11709) - Gary Johnson and Edi Cote**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

(R0037/19/01/15) THAT Bylaw No. 11709 be read a second and third time and be adopted.

Carried

- 4.6 Fuller Ave 555, OCP18-0013 (BL11713) - City of Kelowna**

Moved By Councillor Singh/Seconded By Councillor Wooldridge

(R0038/19/01/15) THAT Bylaw No. 11713 be read a second and third time.

Carried

- 4.7 Fuller Ave 555, Z18-0062 (BL11714) - City of Kelowna**

Moved By Councillor Stack/Seconded By Councillor Donn

(R0039/19/01/15) THAT Bylaw No. 11714 be read a second and third time.

Carried

- 4.8 Knox Cr. 1969, Z18-0098 (BL11716) - Charles and Lesley Roberts**

Moved By Councillor Sieben/Seconded By Councillor Stack

(R0040/19/01/15) THAT Bylaw No. 11716 be read a second and third time.

Carried

**4.9 Richter St 2125 and 2137, Z18-0081 (BL11717) - 1140648 B.C. LTD., Inc. No. 1140648**

Moved By Councillor Stack/Seconded By Councillor Sieben

(R0041/19/01/15) THAT Bylaw No. 11717 be read a second and third time.

Carried

**4.10 Gore Street 2627 and 2643, Z18-0106 (BL11721) - Teano Holdings Ltd BC1090038**

Moved By Councillor Sieben/Seconded By Councillor Stack

(R0042/19/01/15) THAT Bylaw No. 11721 be read a second and third time.

Carried

**4.11 Old Vernon Rd 252, Z18-0034 (BL11722) -0959036 BC Ltd Inc. No. BC0959036**

Moved By Councillor Stack/Seconded By Councillor Donn

(R0043/19/01/15) THAT Bylaw No. 11722 be read a second and third time.

Carried

**4.12 Rutland Rd N 1354, Z18-0097 (BL11723) - Parminder Singh Kindhra and Sheetu Kindhra**

Moved By Councillor Donn/Seconded By Councillor Stack

(R0044/19/01/15) THAT Bylaw No. 11723 be read a second and third time.

Carried

**4.13 Coopland Cr 786, Z18-0068 (BL11724) - Miles and Lisa Lang**

Moved By Councillor Stack/Seconded By Councillor Donn

(R0045/19/01/15) THAT Bylaw No. 11724 be read a second and third time.

Carried

**5. Notification of Meeting**

The Deputy City Clerk advised that Notice of Council's consideration of the Development Variance Permits was given by sending out or otherwise delivering 59 statutory notices to the owners and occupiers of the surrounding properties on January 2, 2019.

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. Development Permit and Development Variance Permit Reports**

The City Clerk advised that the following correspondence and/or petitions had been received:

**6.1 Hwy 33 E 365, DP18-0123 DVP18-0124 - Harveer Singh Nijjar**

Staff:

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

The Deputy City Clerk advised that the following correspondence was received:



**Letter of Support:**

Gail Corrigan, Mallach Road

The Applicant was not available for questions.

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

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

**(R0046/19/01/15)** THAT Council authorizes the issuance of Development Permit No. DP18-0123 and Development Variance Permit No. DVP18-0124 for Lot C Section 23 Township 26 Osoyoos Division Yale District Plan 5012, located at 365 Highway 33 East, 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 variances to the following sections of Zoning Bylaw No. 8000 be granted:

**Section 13.9.6(e): RM3 – Low Density Multiple Housing Development Regulations**

To vary the required minimum side yard from 4.0 m permitted to 1.2 m proposed.

**Section 13.9.6(f): RM3 – Low Density Multiple Housing Development Regulations**

To vary the required minimum rear yard from a public lane from 3.0 m permitted to 1.45 m proposed.

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

**Carried**

**6.2 Academy Way 625, DP18-0188 DVP18-0189 - Watermark Developments Ltd, Inc No BCo642787**

Staff:

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

- Confirmed there are 3 bedroom units which typically require two parking stalls

The Deputy City Clerk advised that no correspondence was received.

Applicant, Luke Turri, Mission Group:

- Reviewed the master plan to give an idea of overall development in the University area.
- Commented on the hilltop commercial space identified in the plan.
- Transit Service has just started in the area.
- Badminton court being added; nature trail is linking up to the future park and school site space.
- Building height - was reduced from original proposal due to site topography constraints.
- Retaining wall and parking provision – 12 tandem parking stalls dedicated to the 3 bedroom units. No issues with parking in U-series as they have empty spaces so feel meeting needs.
- Parking stall for each home will be provided plus 15 surplus stalls will be provided with the variance requested.

Responded to questions from Council.

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

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Stack

**(R0046/19/01/15)** THAT Council authorizes the issuance of Development Permit No. DP18-0188 and Development Variance Permit No. DVP18-0189 for Lot 6 Section 3 Township 23 Osoyoos Division Yale District Plan EPP53793, located at 625 Academy 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 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 general accordance with Schedule "A":

**Section 7.5.9: Fencing and Retaining Walls**

To vary the required maximum height of a retaining wall from 1.2 m (permitted) to 2.5 m (proposed).

**Table 8.1 – Parking Schedule**

To vary the required number of parking stalls from 132 (required) to 119 (proposed).

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

To vary the required maximum height from 13.0 m or 3 storeys (permitted) to 13.0 m or 4 storeys (proposed).

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

Carried

**7. Reminders**


There were none.

**8. Termination**

The meeting was declared terminated at 8:56 p.m.

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Mayor Basran

kn/cm



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D City Clerk