City of Kelowna
Regular Meeting
Minutes

Date:	Tuesday, June 1, 2021
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Brad Sieben, Luke Stack and Loyal Wooldridge
Members participating remotely	Councillors Charlie Hodge and Mohini Singh
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Urban Planning Manager, Jocelyn Black; Planner Specialist, Adam Cseke*; Legislative Technician, Rebecca Van Huizen

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 8:56 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Wooldridge.

3. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor Wooldridge

R0556/21/06/01 THAT the Minutes of the Public Hearing and Regular Meeting of May 11, 2021 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 START TIME 7:30 PM - Springfield Rd 1975 - DVP21-0020 - FortisBC Inc

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

Brian Quiring, Jennifer Fossum, MQN Architects, Applicant

- Provided rationale for the variance.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

Moved By Councillor Given/Seconded By Councillor Donn

R0561/21/06/01 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0020 for Lot 2 District Lot 129 ODYD Plan KAP45185, located at 1975 Springfield Road, Kelowna, B.C.;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 16.4.5(c): P4 – Utilities, Development Regulations:

To vary the side yard setback from 7.5m required to 3.0m 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

4.2 START TIME 7:30 PM - Lakeshore Rd 3290 3340 - BL12102 (Z19-0078) - Stober Construction Ltd., Inc. No. 125611

Moved By Councillor Stack/Seconded By Councillor Donn

R0562/21/06/01 THAT Bylaw No. 12102 be adopted.

Carried

4.3 START TIME 7:30 PM - Lakeshore Rd 3340 - DP19-0133 DVP21-0076 - Stober Construction Ltd., Inc.No 125611

Staff displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Bob Dagenais, Jim Meikeljohn, Mary Lapointe, Applicant's representatives

- Applicant technical issues delayed the start of their presentation.
- Displayed a PowerPoint presentation outlining the application.
- Spoke to form and character issues.
- Spoke to community consultation efforts undertaken.
- Spoke to the design rationale.
- Displayed a video outlining the "ground level experience".
- Provided comments on "Pendozi Court".
- Identified key benefits to the community.
- Confirmed Geo Pacific did a set of recommendations for ground improvements for geo-technical.
- Confirmed the development would be similar in height to the SOPA Square development in the neighbourhood.
-Responded to questions from Council.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Online Participants:

Matt Haney, Watt Rd, President of Strata KAS 853, Mission Bay Residence
- Opposed to the application.
- Concerned with the soil conditions outlined by the geotechnical consultants.
- Concerned about densification and piling that would be required during construction.
- Read from the geotechnical report.

Chris Loewen, Cassiar Dr.
- Supportive of the application.
- The development would be the type of building he and his wife would downsize to in the future
- Raised concerns with housing affordability and how the development would help with affordability.

Tommy Guison, Ellis St.
- Supportive of the application and its proposed location.
- Spoke to how the development will complement the neighbourhood.
- Believes the development is a sustainable approach to land planning
- Supportive of the work the Stober family has completed in the community.

Walter Weisstock, Walnut Rd.
- Made reference to correspondence submitted previously and displayed it on screen.
- Spoke to the shadowing effect on neighbouring multi- family property.
- Made reference to shadowing regulation in other jurisdictions.
- Provided a screen share showing daylight hours in Kelowna during different times of the year and shadowing on neighbouring property.

Marshall McAnerney, Groves Ave
- Supportive of the application.

Robert Stupka, Scott Rd.
- Displayed a PowerPoint presentation outlining their opposition to the application.
- Spoke to the contradictions with the OCP and other plans the development poses.

Steve McKay, Watt Rd.
- Supportive of the application. – Applicant responsive to community concerns.

Applicant
- Responded to questions from Council.
- Spoke to the shadowing of the building.
- Spoke to the piling required and the option being considered referred to as continuous flight augering which is currently being used by the Mission Group at their Bertram Avenue development site.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Donn

R0563/21/06/01 THAT final adoption of Rezoning Bylaw No. 12102 (Z19-0078), be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP19-0133 for Lot 1, District Lot 14, ODYD, Plan EPP77760, located at 3340 Lakeshore 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;
5. Prior to issuance of Building Permit, the applicant register a public access right-of-way and maintenance agreement with the City for the pedestrian walkways along the southern property line.

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0076 for Lot 1, District Lot 14, ODYD, Plan EPP77760, located at 3340 Lakeshore Road, Kelowna, BC;

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

Section 14.4.5 (c): C4 – Urban Centre Commercial, Development Regulations

To vary the maximum height from 15 metres and 4 storeys required to 48 metres (14 storeys) proposed.

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 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
Councillor Hodge - Opposed

5. Reminders

There were no reminders.

6. Termination

The meeting was declared terminated at 11:07 p.m.

Mayor Basran

City Clerk

/cm