



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Monday, April 12, 2022
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Deputy Mayor Gail Given, Councillors Maxine DeHart, Ryan Donn, Luke Stack and Loyal Wooldridge

Members participating Remotely Councillors Charlie Hodge, Brad Sieben* and Mohini Singh

Members Absent Mayor Colin Basran

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Acting Urban Planning Manager, Lydia Korolchuk; Legislative Coordinator (Confidential), Clint McKenzie

Staff participating Remotely Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Deputy Mayor Given called the meeting to order at 6:02 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Stack.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor DeHart

R0265/22/04/11 THAT the Minutes of the Regular Meeting of March 22, 2022 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 START TIME 6:00 PM - Abbott St 1889 - HAP21-0005 - James A. Faulkner and Christina C. Faulkner

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Birte Decloux, Urban Options Planning

- Available for questions.

Deputy Mayor Given 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 participating online or in the Gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

Ro266/22/04/11 THAT Council authorize the issuance of Heritage Alteration Permit HAP21-0005 for Lot 1, Block D, District Lot 14, ODYD, Plan 2220, located at 1889 Abbott Street, 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",

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

Section 6.5.3(a): Accessory Buildings in Residential Zones

To vary the maximum site coverage for accessory buildings from the lesser of 14% or a footprint of 90 m² to 112.6 m² proposed.

Section 6.5.3(e): Accessory Buildings in Residential Zones

To vary the minimum side yard from 1.5 m permitted to 0.9 m proposed.

Section 6.5.3(g): Accessory Buildings in Residential Zones

To vary the minimum distance to the principal dwelling from 3.0 m permitted to 1.3 m proposed.

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

Carried

4.2 START TIME 6:00 PM - Holland Rd 3090 - BL12296 (Z21-0044) - Rolan L Facette and Karen M Facette

Moved By Councillor Donn/Seconded By Councillor Wooldridge

Ro267/22/04/11 THAT Bylaw No. 12296 be adopted.

Carried

4.3 START TIME 6:00 PM - Holland Road 3090 - DVP21-0103 - Rolan L Facette and Karen M Facette

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Birte Decloux, Urban Options Planning

- Available for questions.

Deputy Mayor Given 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 participating online indicated they wished to speak.

Gallery:

Larry Diakow, Holland Road

- Inquired which property lines will be the side yard and rear yard following subdivision.

Deputy Mayor Given:

- Responded to the intervenor's inquiry.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0268/22/04/11 THAT final adoption of BL12296 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0103 for Lot 3 District Lot 131 ODYD Plan 10710 Except Plan H16127, located at 3090 Holland Road, Kelowna, BC;

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

Section 13.1.6(d): RU6 – Two Dwelling Housing Development Regulations:

To vary the required minimum rear yard from 7.5 m permitted to 4.8 m 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

4.4 START TIME 6:00 PM - Devonshire Ave 1264-1284 and Belaire Ave 1281-1299 - BL12307 (Z21-0080) - Five Bridges Developments Inc

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0269/22/04/11 THAT Bylaw No. 12307 be amended at 3rd reading by deleting from the legal description that read:

- a) Lot 13 Block 2 District Lot 137, ODYD, Plan 9625 located at 1281 Belaire Avenue, Kelowna, BC;
- b) Lot 14 Block 2 District Lot 137, ODYD, Plan 9625 located at 1289-1291 Belaire Avenue, Kelowna, BC;
- c) Lot 19 Block 2 District Lot 137, ODYD, Plan 9625 located at 1264 Devonshire Avenue, Kelowna, BC;
- d) Lot 20 Block 2 District Lot 137, ODYD, Plan 9625 located at 1274 Devonshire Avenue, Kelowna, BC;
- e) Lot 15 District Lot 137, ODYD, Plan 10011 located at 1284 Devonshire Avenue, Kelowna, BC;
- f) Lot 27 District Lot 137, ODYD, Plan 10011 located at 1299 Belaire Avenue, Kelowna, BC;

And replacing with:

"Lot A District Lot 137, ODYD, Plan EPP115830"

And by deleting the title:

"1264, 1274, 1284 Devonshire Avenue 1281, 1289-1291, 1299 Belaire Avenue"

And replacing with:

"1274 Devonshire Avenue"

Carried

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0270/22/04/11 THAT Bylaw No. 12307, as amended, be adopted.

Carried

4.5 START TIME 6:00 PM - Devonshire Ave 1274 - DP21-0199 DVP21-0200 - Five Bridges Developments

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Matt Johnston, LIME Architecture, Richter Street

- Members of the team are available for questions.
- Made comment on the site background and market research.

Councillor Sieben joined the meeting remotely at 6:22 p.m.

Ryan Tamblyn, CEO Millennial Development, Dickson Avenue

- Spoke to personal background regarding housing prices when first home was purchased compared to today's housing affordability and shortage.
- Commented on the development concept of this project.
- Spoke to the design that will enhance the lifestyle of its owners by blending work, play, community and wellness with cutting edge technology.
- Spoke to the indoor and outdoor amenity space and many building features.
- Responded to questions from Council.

Deputy Mayor Given invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

On Line Participants:

Heather Friesen, Kriese Road

- Raised concern with the number of micro suites in this development.
- Raised concern that micro suites are being referred to as accessible when they are not.
- Made a suggestion that bylaws require affordability and accessibility.

No one participating in the Gallery indicated they wished to speak.

Ryan Tamblyn, Applicant

- Thanked the intervenor for their comments and clarified that the term accessible is in reference to the units being financially affordable, not accessible for physical disabilities.

Staff:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0271/22/04/11 THAT Rezoning Bylaw No. 12307 be amended at third reading to revise the legal description of the subject properties from Lots 13, 14, 19 & 20 Block 2 District Lot 137 ODYD Plan 9625 and Lots 15 & 27 District Lot 137 ODYD Plan 10011 to Lot A District Lot 137 ODYD Plan EPP115830;

AND THAT final adoption of Rezoning Bylaw No. 12307 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0199 and Development Variance Permit DP21-0200 for Lot A District Lot 137 ODYD Plan EPP115830, located at 1274 Devonshire Avenue, 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 13.11.6(b): RM5 – Medium Density Multiple Housing Development Regulations

To vary the required maximum site coverage from 50% permitted to 58.4% proposed;

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

To vary the required maximum site coverage of buildings, driveways and parking areas from 65% permitted to 76.7% proposed;

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

To vary the required maximum height from 18.0 m or 4.5 storeys permitted to 20.5 m & 6 storeys proposed.

AND THAT the applicant be required to enter into a Car-Share Agreement for a minimum of two years from the date of Building Occupancy as set out in Attachment D attached to the Report from the Development Planning Department April 12, 2022;

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

Carried

Councillor Sieben disconnected from the meeting at 6:58 p.m.

4.6 START TIME 6:20 PM - Young Rd 704 - DVP22-0012 - Toby L. McCabe and Carleigh E. Durette

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

Deputy Mayor Given 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 participating online or in the Gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

R0272/22/04/11 THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0012 for Lot B District Lot 358 Osoyoos Division Yale Plan 30370, located at 704 Young Road, Kelowna, BC;

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

Section 13.1.6(d): RU1 – Large Lot Housing Development Regulations

To vary the required minimum side yard from 2.3 m permitted to 2.18 m 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

4.7 START TIME 6:20 PM - Lambert Ave 1551 - DVP22-0047 - Josine Kruiswyk and Johannes Kruiswyk

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

Deputy Mayor Given 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 participating online indicated they wished to speak.

Gallery:

Sean Roberts, Lambert Avenue

- In full support of this application.
- Lives next door and believes there is no change in what the neighbour's would see with the setbacks.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Hodge

R0273/22/04/11 THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0048 for Lot A Section 29 Township 26 ODYD Plan 41178, located at 1551 Lambert Avenue, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw 8000 be granted:

Section 9.5b.1(h): Carriage House Regulations

To vary the required minimum front yard from 9.0m required to 1.29m proposed.

Section 9.5b.1(i): Carriage House Regulations

To vary the required minimum side yard from 1.5m required to 1.07m 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

5. Reminders

Deputy Mayor Given:

- Reminder of the Parcel Tax review meeting on April 25th at 8:45 a.m. and asked for an alternate participant as Councilor Hodge is unable to attend.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0274/22/04/11 THAT Council appoint Councillor Given as an alternate for the Parcel Tax Review panel meeting on April 25, 2022.

Carried

6. Termination

The meeting was declared terminated at 7:07 p.m.

Deputy Mayor Given

/acm



Deputy City Clerk