



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Tuesday, March 11, 2025
Location: Council Chamber
City Hall, 1435 Water Street

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

Members Absent Councillors Gord Lovegrove and Charlie Hodge**

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Michael Jud; Acting Development Planning Manager, Adam Cseke*; Development Planning Department Manager, Nola Kilmartin; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith; Legislative Coordinator (Confidential), Rebecca Van Huizen

Staff Participating Remotely City Clerk, Laura Bentley; Legislative Coordinator (Confidential), Clint McKenzie

(** Denotes leave of absence)

1. **Call to Order**
Mayor Dyas called the meeting to order at 4:00 p.m.
2. **Reaffirmation of Oath of Office**
The Oath of Office was read by Councillor Singh.
3. **Confirmation of Minutes**

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT the Minutes of the Public Hearing and Regular Meeting of February 11, 2025 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 - Multiple Properties - OCP24-0013 (BL12743) - City of Kelowna**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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 Official Community Plan Map Amendment Application No. OCP24-0013 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of 100 parcels described in Schedule 'A', be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration.

Carried

6. Termination

The Hearing was declared terminated at 4:08 p.m.

7. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 4:08 p.m.

8. Bylaws Considered at Public Hearing

8.1 START TIME 4:00 PM - Multiple Properties - BL12743 (OCP24-0013) - City of Kelowna

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Bylaw No. 12743 be read a second and third time and be adopted.

Carried

9. Termination

The Hearing was declared terminated at 4:09 p.m.

10. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 4:09 p.m.

11. Individual Bylaw Submissions

11.1 START TIME 4:00 PM - Multiple Properties - Z24-0060 (BL12748) - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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.

There were no further comments.

Staff:

- Responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Cannan

THAT Rezoning Application No. Z24-0060 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of 81 parcels described in Schedule 'A', be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Carried

12. Termination

The Hearing was declared terminated at 4:15 p.m.

13. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 4:15 p.m.

14. Bylaws Considered at Public Hearing

14.1 START TIME 4:00 PM - Multiple Properties - BL12748 (Z24-0060) - City of Kelowna

Moved By Councillor DeHart/Seconded By Councillor Stack

THAT Bylaw No. 12748 be read a second and third time.

Carried

15. Development Permit and Development Variance Permit Reports

15.1 START TIME 4:00 PM - Clement Ave 647 - DP25-0010 DVP25-0011 - Madison Avenue Clement GP Inc., Inc.No. A0117433

Staff:

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

Kimberly Fuller, Bluegreen Architecture; Johannes Famlee, Madison Avenue Clement GP, Inc. Applicants

- Displayed a PowerPoint presentation outlining images of the proposed development.
- Spoke to the variances.
- Spoke to the outdoor amenity space being more than required and the common area space being the variance.
- Spoke to the construction impacts and the powerline work that was completed.
- Spoke to the legal adjuster involvement and the cash settlement with the adjacent neighbour.

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 and Online:

Ryan Whittle, Clement Ave

- Spoke in opposition to the proposed variances and impacts on neighbouring properties.
- Concerned with the variances.
- Concerned about being right against his property line to the west. Rock piling for the development is right on the property line and they have experienced driveway issues as a result.
- Spoke to the damage to the property line fencing and structural issues now with their house.
- They have owned the house for 25 years.
- Concerned with loss of value in their property.
- Spoke to Bylaw No. 9162 not being adhered to as there were no vibration monitors in place during rock piling.
- Concerned with moving forward with building permit and further damage.

Tyler Jensen, Ptarmigan St

- Spoke in support of the proposed DP/DVP.
- Expressed appreciation for the applicant and the applicant's contributions to the community.
- Spoke to the variances being relatively minor in size.

Megan McGloock, Mckinley Beach

- Spoke in support of the proposed DP/DVP.
- Spoke positively regarding the applicant's personal character.
- Spoke regarding the existing buyers of units in the development.

Richard Lejeun, Coronation Ave

- Lives in one of the houses the developer owns.
- Spoke in support of the DP/DVP.
- Spoke to the good neighbour policy in the Coronation area and the developer's generous nature.
- Lives in the house for free and helps oversee issues in the area for neighbours.

Nasi Kajavi, Habert Ct

- Spoke in support of the proposed DP/DVP.
- Lived in Kelowna since 1990.
- Known the developer for over four years.
- Realtor in Kelowna.
- Spoke positively of the applicant's personal character.
- Developer has been very generous and accommodating with real estate on Coronation.
- Spoke to street issues on Coronation Ave and issues of litter and squatting and the developer assisting with the continuous clean-up.
- Asked Council to proceed with the project to assist in making the area look beautiful.

Clark Van Petigmen, Clement Ave

- Spoke in support of the proposed DP/DVP.
- Expressed that the project promises to add to the economic vitality of the area.
- Spoke positively of the applicant's personal character.
- Grateful for their cooperation.

Gallery:

Kellen Bear, Coronation Ave

- Spoke to support of the DP/DVP.
- Spoke positively of the applicant's personal character.

Hamid Kajavi, Foothill Ct

- Lived in Kelowna for 39 years.
- Spoke positively of the applicant's personal character.
- Supportive of the project.

Sylvia Matineau, Ace Project Marketing, Harvey Ave

- Spoke in support of the proposed DP/DVP.
- Spoke to the 40+ homeowners waiting for the development to be completed.
- Spoke positively of the applicant's personal character.

Shawna Wittle, Clement Ave

- Spoke in opposition to the proposed DP/DVP.
- Spoke to the plans for the development of their property.
- Spoke to the variance causing extreme damage to their property.
- Spoke to the need to protect the neighbouring properties.
- Spoke to the promises and retainers being asked but not currently present.
- Spoke to no plan in place to prevent future damage.
- Spoke to the construction activities and the proposed variances and the negative impact they will have on their adjacent property.
- Indicated the house has sat vacant for 9 months.

Applicant in response:

- Spoke to the home owners waiting to get into their home, 50+
- Concern with neighbour, insurance is engaged and started last October
- Communciation has gone back and forth with the home owners.
- Spoke to trying to be a good neighbour.
- Spoke to the jobs being provided and wanting to protect them
- Spoke to the western variance and the two setbacks being added.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

The meeting recessed at 5:22 p.m.

The meeting reconvened at 5:28 p.m.

Moved By Councillor Wooldridge/Seconded By Councillor Webber

THAT Council authorizes the issuance of Development Permit No. DP25-0010 and Development Variance Permit No. DVP25-0011 for Lot 1 District Lot 139 ODYD Plan EPP121801, located at 647 Clement 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

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

Table 8.5.1 – Minimum Dimensions for Bicycle Parking, Wall Mounted Rack

To vary the minimum distance between bicycle racks (for racks that accommodate two or more bicycles) from 0.9 m permitted to 0.8 m proposed.

Section 8.5.6(c)i. – Off-Street Bicycle Parking, Long-Term Bicycle Parking Standards

To vary the minimum amount of ground-anchored long-term bicycle parking from 50% permitted to 38% proposed.

Section 14.11: UC1 – Commercial and Urban Centre Zone Development Regulations

To vary the required minimum building setback from 3.0 m permitted to 0.0 m proposed.

Section 14.11 – Commercial and Urban Centre Zone Development Regulations

To vary the minimum common amenity space from 264 m² permitted to 217 m² proposed.

Section 14.11 Footnote .2: UC1 – Commercial and Urban Centre Zone Development Regulations

To vary the required minimum upper floor setback for a portion of the building above 16.0 m abutting the east property line from 4.0 m permitted to 0.0 m proposed.

Section 14.11 Footnote .2: UC1 – Commercial and Urban Centre Zone Development Regulations

To vary the required minimum upper floor setback for a portion of the building above 16.0 m abutting the west property line from 4.0 m permitted to 3.0 m 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 Applications in order for the permits to be issued;

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

Carried

The meeting recessed at 5:22 p.m.

The meeting was reconvened at 5:28 p.m.

15.2 START TIME 4:00 PM - Pandosy St 2275 and 2283 - DP25-0025 DVP25-0026 - 0918843 B.C. Ltd., Inc.No. BC0918843

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Morgan Reynolds, Argus Properties, Stoke Tonne, Meiklejohn Architects, Applicant:

- Displayed a PowerPoint presentation outlining the application.
- Spoke to the project's positive elements as it addresses the shortage in housing for hospital employees in the neighbourhood.
- Spoke to transit, car share and cycling amenities.
- Spoke to it being a great addition to the neighbourhood with benefits including retail opportunities and a sense of community with urban amenities that are not currently offered in the area.
- Spoke to the letter of support from the BC Cancer Society.

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.

Applicant:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council authorizes the issuance of Development Permit No. DP25-0025 and Development Variance Permit No. DVP25-0026 for:

- a. Lot 11 District Lot 14 ODYD Plan 413 Except West 10 Feet Thereof, located at 2275 Pandosy St, Kelowna BC; and
- b. Lot 12 District Lot 14 ODYD Plan 413 Except the West 10 Feet Thereof, located at 2283 Pandosy 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 variances to the following sections of Zoning Bylaw No. 12375 be granted:

Section 13.5 – Multi-Dwelling Zones, Development Regulations, MF4:

To vary the required minimum front yard setback from 2.0 meters permitted to 0.0 meters proposed.

Section 13.5 – Multi-Dwelling Zones, Development Regulations, MF4:

To vary the required minimum flanking side yard setback from 2.0 meters permitted to 0.0 meters proposed.

Section 13.5 – Multi-Dwelling Zones, Development Regulations, MF4:

To vary the required minimum side yard setback from 3.0 meters permitted to 0.0 meters proposed.

Section 13.5 – Multi-Dwelling Zones, Development Regulations, MF4:

To vary the required minimum building setback from front yard from 3.0 meters permitted to 2.5 meters proposed.

Section 13.5 – Multi-Dwelling Zones, Development Regulations, MF4:

To vary the required minimum building setback from flanking side yard from 3.0 meters permitted to 0.0 meters 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 THAT the applicant be required to consolidate the subject properties 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

16. Termination

The meeting was declared terminated at 5:48 p.m.

Mayor Tom Dyas

mj/cm

Michael J. Ford

Deputy City Clerk

DRAFT