



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, February 7, 2017  
Location: Council Chamber  
City Hall, 1435 Water Street

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

Staff Present City Manager, Ron Mattiussi City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Suburban & Rural Planning Manager, Todd Cashin; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 6:37 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Donn.

### 3. Confirmation of Minutes

The City Clerk noted amendments to include the correct spelling of the name of one of the intervenors and amend wording in second bullet to "Opposed to a new Tourism Kelowna facility at this location".

Moved By Councillor Stack/Seconded By Councillor Singh

R109/17/02/07 THAT the Minutes of the Public Hearing and Regular Meeting of January 24, 2017 be confirmed as amended.

Carried

### 4. Bylaws Considered at Public Hearing

4.1 BL11333 (TA16-0005) - Secondary Suites Amendment

Moved By Councillor DeHart/Seconded By Councillor Singh

R110/17/02/07 THAT Bylaw No. 11333 be read a second and third time.

Carried

**4.2 1940 KLO Road, BL11339 (Z16-0055) - Mission Creek Mews Ltd**

Moved By Councillor Singh/Seconded By Councillor DeHart

R111/17/02/07 THAT Bylaw No. 11339 be read a second and third time.

Carried

**4.3 5425 Upper Mission Dr, BL11344 (OCP16-0012) - Kestrel Holdings Ltd**

Moved By Councillor Singh/Seconded By Councillor DeHart

R112/17/02/07 THAT Bylaw No. 11344 be read a second and third time.

Carried

**4.4 5425 Upper Mission Dr, BL11345 (Z16-0014) - Kestrel Holdings Ltd**

Moved By Councillor Singh/Seconded By Councillor DeHart

R113/17/02/07 THAT Bylaw No. 11345 be read a second and third time.

Carried

**4.5 170 Drysdale Blvd, BL11346 (Z16-0082) - City of Kelowna**

Moved By Councillor Donn/Seconded By Councillor Gray

R114/17/02/07 THAT Bylaw No. 11346 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 Applications was given by sending out or otherwise mailing 246 statutory notices to the owners and occupiers of surrounding on Wednesday, January 25, 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. Development Permit and Development Variance Permit Reports**

**6.1 752 & 760 Bechard Rd, BL11295 (Z16-0047) - Elda & Louis Pagliaro**

Moved By Councillor Donn/Seconded By Councillor Gray

R115/17/02/07 THAT Bylaw No. 11295 be adopted.

Carried

**6.2 752 & 760 Bechard Rd, DVP16-0178 - Elda & Louis Pagliaro**

Staff:

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

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

**Letters in Favour or Support:**  
E B Patterson, Casorso Road

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

**Julie Anderton, Applicant Representative:**

- Staff summarized the application well.
- The variance request purpose is straight forward; the application supports the OCP and creates a streetscape that will compliment homes on Bechard Road.
- The owners have had support from the broader neighbourhood.
- The owners will add to the existing landscaping to provide privacy for neighbours.
- The owners are longtime residents and will continue to live in the neighbourhood.
- This proposal is intended to make a positive contribution to the neighbourhood

No one from the Gallery came forward.

There were no further comments.

**Moved By Councillor Stack/Seconded By Councillor DeHart**

**R116/17/02/07** THAT final adoption of Rezoning Bylaw No. 11295 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0178 for Lots 6 & 19, District Lot 134, ODYD, Plan 20399, located at 752 & 760 Bechard Road, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule A attached:

**Section 13.1.6(e): RU1 – Large Lot Housing Development Regulations (760 Bechard Rd)**

To vary the required minimum rear yard from 7.5 m permitted to 2.35 m proposed.

**Section 13.1.6(e): RU1 – Large Lot Housing Development Regulations (752 & 760 Bechard Rd)**

To vary the required minimum rear yard from 7.5 m permitted to 2.39 m proposed.

**Section 13.2.5(b): RU2 – Medium Lot Housing Subdivision Regulations (752 Bechard Rd)**

To vary the required minimum lot depth from 30.0 m permitted to 27.7 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**

**6.3     3150 & 3170 Sexsmith Rd, BL11316 (Z16-0062) - Palomino Developments Ltd**

**Moved By Councillor Donn/Seconded By Councillor Given**

**R117/17/02/07** THAT Bylaw No. 11316 be adopted.

**Carried**

#### 6.4 3150 & 3170 Sexsmith Rd, DP16-0232 & DVP16-0233 - Palomino Developments Ltd.

Staff:

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

The City Clerk advised that no correspondence or petitions had been received.

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

Grant Maddock, Protech Consultants Ltd., Applicant Representative:

- Responded to questions from Council.
- Confirmed chain link fence with slats and cedar hedges on the inside of the chain link fence will be used for screening.

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Hodge

**R118/17/02/07** THAT Final Adoption of Zone Amending Bylaw No. 11316 be considered by Council;

THAT Council authorize the issuance of Development Permit No. DP16-0232 for Lots 26 and 27, Section 3, Township 23, ODYD, Plan 18861, located at 3150 & 3170 Sexsmith Rd, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land to be in general accordance with Schedule "C";
4. That 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 professional landscaper;

AND THAT Council authorize the issuance of Development Variance Permit DVP16-0233 for Lots 26 and 27, Section 3, Township 23, ODYD, Plan 18861, located at 3150 & 3170 Sexsmith Rd, Kelowna, BC;

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

Section 15.6.9 Landscaping, buffering and Parking:

To allow parking in the front yard by reducing the front yard setback (from 4.5m to 3.0m);

To allow parking in the east side yard setback by reducing that side yard setback (from 4.5m to 0.0m);

To allow parking in the west side yard setback by reducing that side yard setback (from 4.5m to 3.0m);

To allow parking in the rear yard setback by reducing the rear yard setback (from 7.5m to 3.0m);

Section 7.6.1 (c) Minimum Landscape Buffers:

To reduce the minimum landscape buffer on the east side yard property line from 3.0m to 0.0m;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permits/Development Variance Permits Applications in order for the permit to be issued;

AND FURTHER THAT the Development Permits and Development Variance Permits be valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

**6.5 430 Pine Rd, DVP16-0306 - Callie Pasitney**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence or petitions had been received.

Mayor Basran invited the applicant or 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 Hodge/Seconded By Councillor Singh

**R119/17/02/07** THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0306 for Lot 10, Section 26, Township 26, ODYD, Plan 23278, located at 430 Pine Road, Kelowna, BC;

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

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

To vary the required minimum rear yard from 7.5m required to 6.77m 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. Reminders**

- There will be no Council meeting on Monday, February 12<sup>th</sup> as it is Family Day.
- Councillor Given congratulated Councillor Gray who is the new Chair for the Okanagan Basin Water Board.

**8. Termination**

The meeting was declared terminated at 7:18 p.m.

\_\_\_\_\_  
Mayor

/acm

\_\_\_\_\_  
City Clerk