

Regular MeetingJanuary 24, 2012

A Regular Meeting of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, January 24th, 2012.

Council members in attendance: Mayor Walter Gray, Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Mohini Singh, Luke Stack and Gerry Zimmermann.

Council members absent: Councillor Robert Hobson.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Director, Land Use Management, Shelley Gambacort*; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 6:03 p.m.

2. A Prayer was offered by Councillor Stack.

3. CONFIRMATION OF MINUTES

Regular A.M. Meeting - January 9, 2012
 Regular P.M. Meeting - January 9, 2012
 Public Hearing - January 10, 2012
 Regular Meeting - January 10, 2012
 Regular A.M. Meeting - January 16, 2012
 Regular P.M. Meeting - January 16, 2012

Moved by Councillor Stack/Seconded by Councillor Basran

R093/12/01/24 THAT the Minutes of the Regular Meetings of January 9, 2012, January 10, 2012 and January 16, 2012 and the minutes of the Public Hearing of January 10, 2012 be confirmed as circulated.

Carried

4. Councillor DeHart was requested to check the minutes of this meeting.

5. THE CITY CLERK WILL PROVIDE INFORMATION AS TO HOW THE FOLLOWING ITEMS ON THE AGENDA WERE PUBLICIZED.

The City Clerk advised that Notice of Council's consideration of this Development Variance Permit Application was given by sending out or otherwise delivering 881 letters to the owners and occupiers of the surrounding properties between January 6, 2012 and January 13, 2012.

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.

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6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Land Use Management Department, dated December 23, 2011 re: Development Variance Permit Application No. DVP11-0163 - 0871089 BC Ltd. (Troika Developments) - 554 Leon Avenue City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

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

- o Letters of Support:
 - Pushor Mitchell LLP, 301-1665 Ellis Street
 - Canadian Western Bank, 1674 Bertram Street
 - MMM Group Limited, 540 Leon Avenue
 - Grant Thornton LLP, 200-1633 Ellis Street
 - Callahan Property Group, 218-1626 Richter Street
 - Melcor Developments Ltd., 207-1664 Richter Street
- Letters of Concern:
 - Adrian Bak, 564 Leon Avenue
 - Jody Good, 567 Lawrence Avenue

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

Renee Wasylyk, CEO, Troika Developments, Applicant:

- Gave a presentation regarding the proposed "Upper Avenue Professional Building" development.
- Advised that the proposed development conforms to the Official Community Plan and the draft Downtown Plan.
- Believes that the proposed development addresses the Four Pillars of Sustainability (Cultural, Social, Economic and Environmental).
- Advised that the rooftop patios will incorporate some type of planters and that she is currently working with a landscape architect to determine what type of greenery is suitable.

Gallery:

Dustin Sargent, Owner of 596 Leon Avenue

- In favour of the development and the requested variances.

There were no further comments.

Moved by Councillor Blanleil/Seconded by Councillor Zimmermann

R094/12/01/24 THAT Council authorize the issuance of Development Variance Permit No. DVP11-0163, legally described as Lot A, District Lot 139, ODYD, Plan 34415, located at 554 Leon Ave, Kelowna, BC;

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

Section 14.7.5 (e) (f) (h) (i) (j) - (C7 Development Regulations)

To vary minimum setback for a portion of a building above 15.0m adjacent to a street from 3.0m permitted to 0.0m proposed.

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To vary the minimum setback for a portion of a building above 15.0m adjacent to an interior property line from 4.0m required to 0.0m proposed.

To vary the maximum floor plate above 15.0m in height from 676m² permitted to 753m² proposed.

To vary the maximum exterior horizontal dimension for a portion of a building above 15.0m in height from 26.0m allowed to 36.5m proposed.

To vary the maximum diagonal floor plate dimension above 15.0m from 39.0 allowed to 42.5m proposed.

Section 8 - Table 8.2 (Loading Schedule)

To vary the minimum loading space requirements from 2 required to 0 proposed.

AND THAT variances to the following sections of Sign Bylaw No. 8235 be granted, as per Schedule "A":

Section 5.5.2 (Fascia Signs)

To allow a fascia sign on a wall that is not a business frontage.

AND FURTHER THAT issuance of the Development Variance Permit be subject to the approval of an Urban Design Development Permit by the Director of Land Use Management.

Carried

7. REMINDERS

7.1 Mayor Gray, re: Kelowna Chamber of Commerce Luncheon - January 30, 2012

Moved by Councillor Blanleil/Seconded by Councillor Singh

R095/12/01/24 THAT in accordance with Section 2.3 of Council Procedure Bylaw No. 9200, the January 30, 2012 P.M. Regular Council Meeting be scheduled to begin at 1:45 p.m.

Carried

Moved by Councillor DeHart/Seconded by Councillor Singh

R096/12/01/24 THAT any member of Council who wishes to attend the Kelowna Chamber of Commerce Luncheon scheduled for Monday, January 30, 2012 at the Coast Capri Hotel be authorized to attend, with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547.

Carried

Councillors Blanleil and Stack - Opposed.

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7.2 City Manager, re: Federal Infrastructure Funding

City Manager:

- Advised that MP Ron Cannan has asked for a list of the City of Kelowna's priorities that may require Federal Infrastructure funding and that the deadline for a response is Thursday, January 26, 2012.
- Will provide the previous list of funding priorities to Council for feedback.

8. TERMINATION

The meeting was declared terminated at 6:36 p.m.

Certified Correct:

Mayor

SLH/dld

City Clerk