

Regular MeetingJune 29, 1999

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, June 29, 1999.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blanleil, M.I. Bremner, R.D. Cannan, C.B. Day, R.D. Hobson, J.D. Leask, J.D. Nelson and S.A. Shepherd.

Staff members in attendance were: Acting-City Manager/Director of Planning & Development Services, R.L. Mattiussi; Acting-City Clerk, G.D. Matthews; Special Projects Planning Manager, H.M. Christy; and Council Recording Secretary, B.L. Harder.

1. CALL TO ORDER

Mayor Gray called the meeting to order at 2:11 a.m.

2. PRAYER

The meeting was opened with a prayer offered by Councillor Nelson.

EXTENSION OF MEETING

Moved by Councillor Bremner/Seconded by Councillor Cannan

**R580/99/06/29** THAT the Rules of Procedure be suspended and the meeting be continued beyond 11 p.m.

Carried

3. CONFIRMATION OF MINUTES

3.1 Regular Meeting, June 14, 1999

Moved by Councillor Bremner/Seconded by Councillor Leask

**R581/99/06/29** THAT the minutes of the Regular Meeting of June 14, 1999 be confirmed as circulated.

Carried

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

5. PLANNING BYLAWS CONSIDERED AT PUBLIC HEARING**(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)**

5.1 Bylaw No. 8434 (OCP98-021) – Glenmore Highlands Area Structure Plan ASP97-001)

Moved by Councillor Hobson/Seconded by Councillor Shepherd

**R582/99/06/29** THAT second and third reading consideration of Bylaw No. 8434 (OCP98-021 – Glenmore Highlands Area Structure Plan No. ASP97-001 – Paul Rosenau/Ekistics Town Planning Inc.) be deferred to allow Council to meet with staff in a daytime workshop session to discuss the issues raised at the Public Hearing of June 29, 1999.

Carried

Regular MeetingJune 29, 1999

- 5.2 Bylaw No. 8435 (TA99-007) – Adds ‘Participant Recreation Services, Indoor’ and ‘Congregate Housing’ as Principal Uses Permitted in the CD2 – Kettle Valley Comprehensive Residential Development zone **requires majority vote of full Council (5)**

Moved by Councillor Cannan/Seconded by Councillor Bremner**R583/99/06/29** THAT Bylaw No. 8435 be read a second and third time.Carried6. PLANNING

- 6.1 Planning & Development Services Department, dated May 25, 1999, re: Development Variance Permit Application No. DVP99-10,035 – Harv’s Outdoor Sports & Cameras Inc. (Roy Hulse/Scallywags Design Ltd.) – 2903 Pandosy Street (3090-20)

The Special Projects Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council. A Development Permit has been approved for construction of a mixed use commercial building on the site. The building will appear as though it is made up of several narrow Victorian styled buildings; three fronting on Pandosy Street and 4 fronting on West Avenue. To achieve this optical illusion, the building along West Avenue has been positioned with a zero setback.

Mayor Gray invited anyone in the public gallery who deemed themselves affected by the requested variance to come forward. There was no response.

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

**R584/99/06/29** THAT Municipal Council authorize the issuance of Development Variance Permit No. 99-10,035; Scallywags Design Inc.; Lot 14, D.L. 14, O.D.Y.D., Plan 3292 Except Plan KAP59103, located on 2903 Pandosy Street, Kelowna, B.C.;

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

**14.4.5(e) Development Regulations Side Yard Setbacks:** a 2 m variance is requested to vary the side yard setback along a flanking street (West Avenue) from the 2 m required to the proposed 0 m.

Carried7. BYLAWS**BYLAWS PRESENTED FOR FIRST READING)**

- 7.1 Bylaw No. 8438 (Z99-1033) – Barbara Lane, Derrick Elliott and Sharon Loudoun (Brian Wurst) – 1193 Cerise Drive

Moved by Councillor Blanleil/Seconded by Councillor Shepherd**R585/99/06/29** THAT Bylaw No. 8438 be read a first time.Carried

Regular MeetingJune 29, 1999

- 7.2 Bylaw No. 8439 (Z99-1036) – Luigi D. Rossi Professional Corp. (Gerry Toye/Toye Construction Ltd. & Kildare Developments Ltd.) – 548 Francis Avenue

Moved by Councillor Nelson/Seconded by Councillor LeaskR586/99/06/29 THAT Bylaw No. 8439 be read a first time.Carried**(BYLAW PRESENTED TO RESCIND 2<sup>ND</sup> & 3<sup>RD</sup> READINGS, AMEND THE BYLAW, AND GIVE THE BYLAW 2<sup>ND</sup> & 3<sup>RD</sup> READINGS, AS AMENDED)**

- 7.3 Bylaw No. 8395 – Amendment No. 52 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89 (replace Schedule 5 – Business Licence & Regulation Bylaw)

Moved by Councillor Leask/Seconded by Councillor Nelson

R587/99/06/29 THAT second and third readings given Bylaw No. 8395 on May 17, 1999 under Resolution No. R434/99/05/17 be rescinded and the bylaw be amended at first reading to reduce the fines for “Solicit a Tow Destination from an Accident Scene” and “Offer Tow Services at an Accident Scene” from \$150 to \$100.

CarriedMoved by Councillor Leask/Seconded by Councillor Nelson

R588/99/06/29 THAT Bylaw No. 8395, as amended, be read a second and third time.

Carried**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**

- 7.4.0 Bylaw No. 8441 – Amendment No. 2 to Development Application Procedures Bylaw No. 8140 (delegate authority to issue Development Permits to Director of Planning & Development Services) **requires 2/3 majority vote of full Council (6)**

Moved by Councillor Shepherd/Seconded by Councillor BlanleilR589/99/06/29 THAT Bylaw No. 8441 be adopted.Carried**(BYLAWS PRESENTED FOR ADOPTION)**

- 7.4 Bylaw No. 8426 – Amendment No. 53 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89 (pawnbroker bylaw)

Moved by Councillor Bremner/Seconded by Councillor CannanR590/99/06/29 THAT Bylaw No. 8426 be adopted.Carried

Regular Meeting

June 29, 1999

Regular Meeting

June 29, 1999

8. REMINDERS - Nil

9. TERMINATION

The meeting was declared terminated at 2:24 a.m.

Certified Correct:

---

Mayor

BLH/bn

---

Acting-City Clerk