

Regular MeetingJuly 13, 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, July 13, 1999.

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

Council members absent: Councillor R.D. Hobson.

Staff members in attendance were: City Manager, R.A. Born; City Clerk, D.L. Shipclark; Director of Planning & Development Services, R.L. Mattiussi; Current Planning Manager, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 7:17 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

3.1 Public Hearing, June 15, 1999

Moved by Councillor Blanleil/Seconded by Councillor Shepherd

R624/99/07/13 THAT the minutes of the Public Hearing of June 15, 1999 be confirmed as circulated.

Carried

3.2 Regular Meeting, June 15, 1999

Moved by Councillor Shepherd/Seconded by Councillor Day

R625/99/07/13 THAT the minutes of the Regular Meeting of June 15, 1999 be confirmed as circulated.

Carried

3.3 Regular Meeting, June 21, 1999

Moved by Councillor Day/Seconded by Councillor Bremner

R626/99/07/13 THAT the minutes of the Regular Meeting of June 21, 1999 be confirmed as circulated.

Carried

3.4 Public Hearing, June 22, 1999

Moved by Councillor Leask/Seconded by Councillor Nelson

R627/99/07/13 THAT the minutes of the Public Hearing of June 22, 1999 be confirmed as circulated.

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3.5 Special Meeting, June 22, 1999

Moved by Councillor Shepherd/Seconded by Councillor Blanleil**R628/99/07/13** THAT the minutes of the Special Meeting of June 22, 1999 be confirmed as circulated.Carried

3.6 Regular Meeting, June 28, 1999

Moved by Councillor Blanleil/Seconded by Councillor Nelson**R629/99/07/13** THAT the minutes of the Regular Meeting of June 28, 1999 be confirmed as circulated.Carried

3.7 Public Hearing, June 29, 1999

Moved by Councillor Cannan/Seconded by Councillor Leask**R630/99/07/13** THAT the minutes of the Public Hearing of June 29, 1999 be confirmed as circulated.Carried

3.8 Regular Meeting, June 29, 1999

Moved by Councillor Nelson/Seconded by Councillor Bremner**R631/99/07/13** THAT the minutes of the Regular Meeting of June 29, 1999 be confirmed as circulated.Carried

4. Councillor Bremner 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. 8438 (Z99-1033) – Barbara Lane, Derrick Elliott and Sharon Loudoun (Brian Wurst) – 1193 Cerise Drive

A member of Council suggested that staff investigate the on-street parking concerns on Cerise Drive and maybe restrict parking to one side of the street only.

Moved by Councillor Day/Seconded by Councillor Shepherd**R632/99/07/13** THAT Bylaw No. 8438 be read a second and third time.Carried

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

Moved by Councillor Day/Seconded by Councillor Shepherd

R633/99/07/13 THAT Bylaw No. 8439 be read a second and third time, and be adopted.

Carried6. PLANNING

- 6.1 Planning & Development Services Department, dated June 14, 1999 re: Development Variance Permit Application No. DVP99-10,040 – Connie Burgher (Lorne Robinson) – 527 Radant Road (3090-20)

Councillor Day declared a potential conflict of interest as owner of a property on Bluebird Road within the notification radius for this application and left the Council Chamber at 7:22 p.m.

The Current Planning Manager indicated the property on maps displayed on the overhead projector and outlined the report for Council noting the rezoning was initially considered yesterday to permit a secondary suite in the basement. The house is being raised to add a new lower level. The requested variance would allow use of the existing foundation footprint and continuance of the existing exterior stairs to the second floor. The applicant has received the consent of the neighbours and staff recommend favourable consideration of the application.

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

R634/99/07/13 THAT Municipal Council authorize the issuance of Development Variance Permit No. 99-10,040; Lorne Robinson; Lot 3, Sec. 1, Twp. 25, O.D.Y.D., Plan 7334, located on 527 Radant Road, Kelowna, B.C.;

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

Section 13.1.5(d) Development Regulations, side yard: to reduce the east side yard from the 2.3 m required to the 0.6 m proposed.

Carried

Councillor Day returned to the Council Chamber at 7:25 p.m. and took his place at the Council Table.

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- 7.0 Bylaw No. 8436 (Z99-1020) – Gurjit & Amritpal Purewal – 423 McLennan Crescent

The Current Planning Manager indicated the location of the subject property, the location of other 's' zone applications already approved on that block, and where the RU6 zone properties are in the neighbourhood and advised that this is a legalization of an existing secondary suite.

Moved by Councillor Nelson/Seconded by Councillor Leask

R635/99/07/13 THAT Bylaw No. 8436 be read a first time.

DEFEATED

Councillors Blanleil, Bremner, Cannan, Day and Shepherd opposed.

- 7.1 Bylaw No. 8443 (Z96-1028) – Barrie & Ingrid Clark and No. 21 Great Projects Ltd. (R.R. Runnalls & Associates) – 902 & 908 Paret Road and 845 & 850 Steele Road

Moved by Councillor Shepherd/Seconded by Councillor Day

R636/99/07/13 THAT Bylaw No. 8443 be read a first time.

Carried

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.2 Bylaw No. 8349 – Amendment No. 3 to Subdivision, Development and Servicing Bylaw No. 7900 (housekeeping amendment – clarifies applicability)

Moved by Councillor Nelson/Seconded by Councillor Leask

R637/99/07/13 THAT Bylaw No. 8349 be read a first, second and third time.

Carried

- 7.3 Bylaw No. 8427 – Amendment No. 4 to Kelowna Memorial Park Cemetery Bylaw No. 7967 (Bennett Memorial Columbarium)

Withdrawn.

- 7.4 Bylaw No. 8440 – Amendment No. 8 to Development Application Fees Bylaw No. 8034 (housekeeping amendment – sets minimum engineering fee of \$300 and clarifies document administration fee of \$150)

Moved by Councillor Leask/Seconded by Councillor Nelson

R638/99/07/13 THAT Bylaw No. 8440 be read a first, second and third time.

Carried

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- 7.5 Bylaw No. 8442 – Amendment No. 13 to City of Kelowna Dog Regulation and Impounding Bylaw No. 5880-88 (impounding fees – vicious dogs)

Withdrawn.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.6 Bylaw No. 8395 – Amendment No. 52 to Ticket Information Utilization Bylaw No. 6550 (fines for ‘solicit a tow destination from an accident scene’ and ‘offer tow services at an accident scene’)

Moved by Councillor Bremner/Seconded by Councillor Cannan

R639/99/07/13 THAT Bylaw No. 8395 be adopted.

Carried

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

Moved by Councillor Bremner/Seconded by Councillor Cannan

R640/99/07/13 THAT Bylaw No. 8441 be adopted.

Carried

8. REMINDERS – Nil.

9. TERMINATION

The meeting was declared terminated at 7:38 p.m.

Certified Correct:

Mayor

City Clerk

BLH/am