

Regular MeetingFebruary 22, 2000

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, February 22, 2000.

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

Council members absent: Councillor B.A. Clark.

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 12:58 a.m.

2. PRAYER

The meeting was opened with a prayer offered by Councillor Given

EXTENSION OF MEETING

Moved by Councillor Nelson/Seconded by Councillor Day

R136/00/02/22 THAT the Rules of Procedure be suspended and the meeting be continued beyond 11:00 p.m.

Carried

Councillors Blanleil, Hobson and Shepherd opposed.

3. CONFIRMATION OF MINUTES

3.1 Regular Meeting, January 24, 2000

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R137/00/02/22 THAT the minutes of the Regular Meeting of January 24, 2000 be confirmed as circulated.

Carried

3.2 Public Hearing, January 25, 2000

Moved by Councillor Hobson/Seconded by Councillor Blanleil

R138/00/02/22 THAT the minutes of the Public Hearing of January 25, 2000 be confirmed as circulated.

Carried

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3.3 Regular Meeting, January 25, 2000

Moved by Councillor Hobson/Seconded by Councillor Day**R139/00/02/22** THAT the minutes of the Regular Meeting of January 25, 2000 be confirmed as circulated.Carried

3.4 Regular Meeting, January 31, 2000

Moved by Councillor Day/Seconded by Councillor Blanleil**R140/00/02/22** THAT the minutes of the Regular Meeting of January 31, 2000 be confirmed as circulated.Carried

3.5 Special Meeting, February 4, 2000

Moved by Councillor Cannan/Seconded by Councillor Blanleil**R141/00/02/22** THAT the minutes of the Special Meeting of February 4, 2000 be confirmed as circulated.Carried

3.6 Regular Meeting, February 7, 2000

Moved by Councillor Cannan/Seconded by Councillor Given**R142/00/02/22** THAT the minutes of the Regular Meeting of February 7, 2000 be confirmed as circulated.Carried

3.7 Regular Meeting, February 14, 2000

Moved by Councillor Blanleil/Seconded by Councillor Day**R143/00/02/22** THAT the minutes of the Regular Meeting of February 14, 2000 be confirmed as circulated.Carried

4. Councillor Given 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. 8500 (Z99-1041) – William & Sharon Ridinger – 200 Barber RoadMoved by Councillor Nelson/Seconded by Councillor Given**R144/00/02/22** THAT Bylaw No. 8500 be read a second and third time.Carried

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- 5.2 Bylaw No. 8506 (Z99-1042) – Fredor Holdings Ltd. and Fred Marshall (Matt Cameron/Reid Crowther & Partners) – 1361 Mountain Avenue

Council adopted a resolution adjourning the portion of the February 22, 2000 Public Hearing dealing with this application to the Public Hearing of April 4, 2000.

- 5.3 Bylaw No. 8508 (Z99-1064) – Jason Bennett and Brenda Adams – 2406 O'Reilly Road

Moved by Councillor Nelson/Seconded by Councillor Given

R145/00/02/22 THAT Bylaw No. 8508 be read a second and third time.

Carried

Councillor Cannan opposed.

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 5.4 Bylaw No. 8505 (Z99-1059) – Samesun International Travel Hostels Ltd. (Craig Kelley) – 245 Harvey Avenue

Council:

- Directed staff to check with the International Hostel Association to confirm that the applicant is a member and to ask what the regulations are for managing these facilities.
- Also check with the RCMP and City Bylaw Enforcement staff to see if they have any complaints on record re the hostel at the Harvey Avenue location.

Moved by Councillor Nelson/Seconded by Councillor Shepherd

R146/00/02/22 THAT further readings of Bylaw No. 8505 (Z99-1059 – Samesun International Travel Hostels Ltd. – 245 Harvey Avenue) be deferred to the Regular Meeting of Tuesday, March 7, 2000.

Carried

Councillors Blanleil and Cannan opposed.

- 5.5 Bylaw No. 8507 (Z99-1062) – Margaret Locke (James Zeleznik/Jazel Enterprise Ltd.) (new owners: Enayat & Felour Behrouzi-Noubar) – 760 Glenwood Avenue

Moved by Councillor Given/Seconded by Councillor Nelson

R147/00/02/22 THAT Bylaw No. 8507 be read a second and third time, and be adopted.

Carried

Councillors Cannan and Shepherd opposed.

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- 6.1 Planning & Development Services Department, dated February 15, 2000 re: Development Permit Application No. DP99-10,090 – Craig Kelley/Samesun International Travel Hostels Ltd. – 245 Harvey Avenue (3060-20)

Deferred to the Regular Meeting of March 7, 2000.

- 6.2 Planning & Development Services Department, dated January 28, 2000 re: Development Variance Permit Application No. DVP99-10,091 – Craig Kelley/Samesun International Travel Hostels Ltd. – 245 Harvey Avenue (3090-20)

Deferred to the Regular Meeting of March 7, 2000.

- 6.3 Planning & Development Services Department, dated January 27, 2000 re: Development Variance Permit Application No. DVP99-10,103 – Ron & Marlene Allen – 3254 Watt Road (3090-20)

Staff:

- The applicant is proposing a 2-lot subdivision of the property.
- The covered deck portion of the proposed dwelling is encroaching into the 60° Okanagan Lake sight line requirement for the property to the north.
- The land owners to the north have indicated they have no objection.

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 Given

R148/00/02/22 THAT Municipal Council authorize the issuance of Development Variance Permit No. 99-10,103; Ron & Marlene Allen; Lot B, D.L. 14, O.D.Y.D., Plan 18273, located on Watt Road, Kelowna, B.C.;

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

1. Section 6.11.1 Okanagan Lake Sight Lines

The Okanagan Lake panoramic sight line requirement be reduced from the 60° required to the 50° proposed, with respect to the southwest corner of the existing single family dwelling on the lot to the north of the subject property.

Carried

- 6.4 Planning & Development Services Department, dated January 19, 2000 re: Development Variance Permit Application No. DVP99-10,101 – David & Lee Lesack – 402 Okaview Road (3090-20)

Staff:

- The applicant is proposing to build a split level garage in the front yard of the site with vehicle parking on the upper level and a workshop in the lower level.
- The site is sloping and the workshop would face the house.

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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 Blanleil/Seconded by Councillor Cannan

R149/00/02/22 THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP99-10,101; David & Lee Lesack; Lot 32, Sec. 23, S.D.Y.D., Plan 25767, located on Okaview Road, Kelowna, B.C.;

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

Section 13.1.5(b) Development Regulations: Height: A variance of 1.87 m from RU1 the required 4.5 m to the 6.37 m as proposed for the rear elevation of an accessory building.

Carried

6.5 Planning & Development Services Department, dated January 19, 2000 re: Development Variance Permit Application No. DVP99-10,094 – Frank William Grigel (Tony Markoff) - #8 – 4524 Eldorado Court (3090-20)

Staff:

- The property is within a bareland strata development and is the last of 2 lots to be developed within the subdivision.
- The swimming pool encroaches into the 10 m setback from Okanagan Lake.

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 Blanleil/Seconded by Councillor Given

R150/00/02/22 THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP99-10,094; Tony Markoff; Strata Lot 8, D.L. 167, O.D.Y.D., Strata Plan K739, together with an interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1, located on Eldorado Court, Kelowna, B.C.;

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

Section 6.14 Stream Protection Leave Strip requirements be varied from the minimum leave strip requirement of 10 m to a 7.5 m proposed setback from the normal high water mark of Lake Okanagan to permit the placement of a pool as shown on Map "A" subject to the following condition being met:

- Applicant to meet the requirements of the Ministry of Environment.

Carried

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7. BYLAWS

BYLAWS PRESENTED FOR FIRST READING)

- 7.1 Bylaw No. 8510 (Z00-1001) – William & Lienne Cook – 440 Mugford Road

Moved by Councillor Nelson/Seconded by Councillor Given

R151/00/02/22 THAT Bylaw No. 8510 be read a first time.

Carried

- 7.2 Bylaw No. 8511 (Z99-1056) – R383 Enterprises Ltd. (Ralf Rohrlack/Greystoke Design Ltd.) – 1894 Ambrosi Road

Moved by Councillor Shepherd/Seconded by Councillor Nelson

R152/00/02/22 THAT Bylaw No. 8511 be read a first time.

Carried

- 7.3 Bylaw No. 8513 – City of Kelowna Official Community Plan Amendment No. OCP99-012 to Add the Downtown North Area Structure Plan (ASP96-004) – Canada Lands Company (John Steil/Stantec Consulting) – Clement/Sunset/Richter/Recreation **Requires majority vote of full Council (5)**

Moved by Councillor Day/Seconded by Councillor Hobson

R153/00/02/22 THAT Bylaw No. 8513 be read a first time.

Carried

- 7.4 Bylaw No. 8514 (Z99-1027) – Canada Lands Company CLC Ltd. and City of Kelowna (John Steil/Stantec Consulting Ltd.) – 990 Ellis Street, 1080-1096 Ellis Street, Sunset Drive, and 425 Bay Avenue

Moved by Councillor Hobson/Seconded by Councillor Day

R154/00/02/22 THAT Bylaw No. 8514 be read a first time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

- 7.5 Bylaw No. 8346 – 2000 Revenue Anticipation Borrowing Bylaw

Moved by Councillor Day/Seconded by Councillor Hobson

R155/00/02/22 THAT Bylaw No. 8346 be adopted.

Carried

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8. REMINDERS

- For staff to bring forward the RU6b policy mentioned by the Planner at the Public Hearing on the Glenwood Avenue rezoning application for consideration by Council at a future date.

9. TERMINATION

The meeting was declared terminated at 1:42 a.m.

Certified Correct:

Mayor

BLH/bn

City Clerk