

Regular MeetingMay 2, 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, May 2, 2000.

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

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; 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 7:24 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

Regular Meeting, April 17, 2000

Moved by Councillor Nelson/Seconded by Councillor Given

R392/00/05/02 THAT the minutes of the Regular Meeting of April 17, 2000 be confirmed as circulated.

Carried

4. Councillor Cannan 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. 8537 [Z99-1028(a)] – Cambridge Shopping Centres Ltd. and Shaw Cablesystems Co. – 2350 Hunter Road and 2430 Highway 97 North

Moved by Councillor Nelson/Seconded by Councillor Given

R393/00/05/02 THAT Bylaw No. 8537 be read a second and third time.

Carried

5.2 Bylaw No. 8542 (Z00-1016) – Joseph & Kathryn Neilsen (Lawrence Josey) – 998 Laurier Avenue

Moved by Councillor Given/Seconded by Councillor Nelson

R394/00/05/02 THAT Bylaw No. 8542 be read a second and third time.

Carried

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5.3 Bylaw No. 8543 (Z00-1008) – Brad Farrell – 927 Tataryn Road

Moved by Councillor Nelson/Seconded by Councillor Given

R395/00/05/02 THAT Bylaw No. 8543 be read a second and third time.

Carried

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

5.4 Bylaw No. 8541 (Z00-1017) – Shada Enterprises Ltd. and Robert Richardson – 442 Christleton Avenue

Moved by Councillor Cannan/Seconded by Councillor Hobson

R396/00/05/02 THAT Bylaw No. 8541 be read a second and third time, and be adopted.

Carried

5.5 Bylaw No. 8544 (Z00-1014) – Lance Pilott and Donalene Zacharias – 4632 Gordon Drive

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R397/00/05/02 THAT Bylaw No. 8544 be read a second and third time, and be adopted.

Carried

6. PLANNING

6.1 (a) BYLAW PRESENTED FOR ADOPTION:

Bylaw No. 8493 (Z99-1042) – John Arnold, Arnold Properties Ltd. and Terilyn Eidse (Ed Friesen/Connector Construction) – 4896 and 4894 Lakeshore Road

Moved by Councillor Shepherd/Seconded by Councillor Clark

R398/00/05/02 THAT Bylaw No. 8493 be adopted.

Carried

Councillor Clark opposed.

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- (b) Planning & Development Services Department, dated March 30, 2000 re: Development Variance Permit Application No. DVP99-10,099 – John Arnold, Arnold Properties Ltd. and Terilyn Deetta Eidse (Connector Construction) – 4896 Lakeshore Road

Staff:

- The variance for the accessory building height may not be required since the suite is proposed in the second storey of a 2-car garage which would then allow for a higher height for the accessory building.

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

Moved by Councillor Blanleil/Seconded by Councillor Nelson

R399/00/05/02 THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP99-10,099; Connector Construction; Lot 2, Sec. 25, Twp. 28, S.D.Y.D., Plan 18016 and a part of the SW ¼ of Sec. 25 shown on Plan B3047, Twp. 28, S.D.Y.D., except Parcel 2 (Plan DD22438) thereof (2) Plan H563 as shown on Map A attached to the report of the Planning and Development Services Department dated March 30, 2000, located on Lakeshore Road, Kelowna, B.C.;

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

Section 12.3.4(a) Subdivision Regulations, lot width: a 2.71 m variance from the minimum lot width of 18 m to 15.29 m as proposed.

Section 12.3.5(b) Development Regulations, accessory building height: a 1.2 m variance from the maximum accessory building height of 4.5 m to 5.7 m as proposed.

Carried

Councillor Clark opposed.

6.2 (a) BYLAWS PRESENTED FOR ADOPTION:

- (i) Bylaw No. 8475 – City of Kelowna Official Community Plan Amendment No. OCP99-011 (Central Park Golf Course Area Structure Plan (ASP97-003) – Cambridge Shopping Centres Ltd. (Marshall Hundert/IBI Group) – 2430 Highway 97 North **requires majority vote of full Council (5)**

Moved by Councillor Shepherd/Seconded by Councillor Clark**R400/00/05/02** THAT Bylaw No. 8475 be adopted.Carried

- (ii) Bylaw No. 8476 (Z99-1028) – Cambridge Shopping Centres Ltd. (Marshall Hundert/IBI Group) – 2430 Highway 97 North

Moved by Councillor Clark/Seconded by Councillor Shepherd**R401/00/05/02** THAT Bylaw No. 8476 be adopted.

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- (b) Planning & Development Services Department, dated April 26, 2000 re: Development Permit Application No. DP99-10,051 – Cambridge Shopping Centres Ltd. (Marshall Hundert/IBI Group) – 2430 Highway 97 North (3360-20)

Staff:

- The generalized Development Permit is for review of the proposed layout of the building pads, accesses, the location of parking and drive aisles, and the perimeter landscaping that will all be completed at the outset of construction.
- This Development Permit also sets out the design guidelines for the buildings (colour scheme, etc.).
- No development is proposed for construction at this time.
- 307 new trees will be introduced as part of this development.
- A total of 97 trees will be removed to accommodate the roads and building plans as presented.
- The application was reviewed and supported by the Advisory Planning Commission and their comments are reflected in the design before Council.

Marshall Hundert, applicant:

- Explained the proposed landscaping along the Highway 97 frontage.

Moved by Councillor Nelson/Seconded by Councillor Given

R402/00/05/02 THAT Municipal Council authorize the issuance of Development Permit No. DP99-10,051, on lands described as part of Lot B, D.L. 125, SE of Sec. 28, Twp. 26, O.D.Y.D., Plan 19786, Except Plans M15094 & 37794, as shown on Map "A" attached to the report of the Planning & Development Services Department, dated April 26, 2000, located at the site of the former Central Park Golf Course in Kelowna, B.C., subject to the following terms and conditions:

1. The dimensions and siting of the future buildings to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the future buildings to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. 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 the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

Carried

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- 6.3 Planning & Development Services Department, dated April 27, 2000 re: Development Permit Application No. DP99-10,059 and Development Variance Permit Application No. DVP99-10,060 – The Omicron Design Group (George Sawatzky) – 2430 Highway 97 North (3060-20; 3090-20)

Staff:

- The Development Permit is for construction of the Home Depot building and the landscaping of the property.
- The variances are for a reduction in the landscaping width along the extension of Enterprise Way and to the signage in view of the large size of the development.
- There are approximately 100 trees being added to the site and 25 are being removed from the site for a net gain of approximately 75 trees.

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

Marshall Hundert, on behalf of the applicant:

- The reciprocal access is from the Best Western Hotel site along the mutual drive aisle between the Home Depot property and the land to the south and it will extend to Banks Road.
- Linear pedestrian access will be provided from the Best Western site north to Mill Creek.
- Phase 1 construction will likely commence within the next month or two.

Moved by Councillor Nelson/Seconded by Councillor Given

R403/00/05/02 THAT Municipal Council authorize the issuance of Development Permit No. DP99-10,059 for a portion of Lot B, D.L. 125, S.E. of Sec. 28, Twp. 26, O.D.Y.D., Plan 19786, Except Plans M15094 and 37794, located at the former site of the Central Park Golf Course, adjacent to Highway 97 in Kelowna, B.C., 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 be in general accordance with Schedule "C";
4. 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 the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued;

AND THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP99-10,060 for a portion of Lot B, D.L. 125, S.E. of Sec. 28, Twp. 26, O.D.Y.D., Plan 19786, Except Plans M15094 and 37794, located at the former site of the Central Park Golf Course, adjacent to Highway 97 in Kelowna, B.C.;

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AND THAT variances to the following sections of Sign Bylaw No. 8235 be granted:

Section 2.3.1(i) The size of the on-site directional signage be varied to exceed the maximum permitted for:

Sign No. 2 (Garden Centre) from 1.0 m² permitted to 3.34 m² proposed;
Sign No. 3 (Tool Rental Centre {3 signs}) from 1.0 m² permitted to 2.02 m² proposed;

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

Section 7.6.1(c) Minimum Landscape Buffer – Reduce from the minimum 3 metres required to 1 metre proposed for a portion of the landscape strip on the northern boundary to allow for a better truck turning radius and sight lines.

Carried

7. RESOLUTIONS

7.1 Draft Resolution re: Appointments to Airport Advisory Committee (0540-20)

Moved by Councillor Clark/Seconded by Councillor Hobson

R404/00/05/02 THAT the following representatives be appointed to the Kelowna International Airport Advisory Committee:

Rod McKenzie	- Westbank District Chamber of Commerce
Mayor George Waldo	- District of Peachland
Lloyd Callahan	- Economic Development Commission
Mayor Rolly Hein	- District of Lake Country
Councillor Robert Hobson	- Regional District of Central Okanagan
Mayor Sean Harvey	- City of Vernon
David Rush	- Kelowna Chamber of Commerce.

Carried

7.2 Draft Resolution re: Appointments to Community Heritage Commission (6800-02)

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R405/00/05/02 THAT the Kelowna Centennial Museum representatives appointed to the Community Heritage Commission be as follows, for the unexpired term ending December 2002:

- Wayne Wilson, Curator as appointee with Lorna Gunn, Associate Director as alternate.

Carried

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- 8.1 Bylaw No. 8548 (Z00-1007) – Star-Line Enterprises Ltd. (Tony Vantgeloof) – 1891, 1893 and 1899 Ambrosi Road

Moved by Councillor Blanleil/Seconded by Councillor Cannan**R406/00/05/02** THAT Bylaw No. 8548 be read a first time.Carried

- 8.2 Bylaw No. 8549 (Z00-1009) – Fernbrae Holdings Ltd. (Janet Wilson) – 295 Gerstmar Road, and City of Kelowna Official Community Plan Amendment No. OCP00-001 **requires majority vote of full Council (5)**

Moved by Councillor Blanleil/Seconded by Councillor Cannan**R407/00/05/02** THAT Bylaw No. 8549 be read a first time.Carried

Council:

- Require time to discuss potential park needs with respect to the subject property before the Public Hearing on this application.

Moved by Councillor Hobson/Seconded by Councillor Cannan**R408/00/05/02** THAT Bylaw No. 8549 (Z00-1009 – Fernbrae Holdings Ltd. – 295 Gerstmar Road) be scheduled to the May 30, 2000 Public Hearing agenda.Carried

- 8.3 Bylaw No. 8550 (Z00-1005) – Christian Bond – 565 Coronation Avenue

Moved by Councillor Hobson/Seconded by Councillor Day**R409/00/05/02** THAT Bylaw No. 8550 be read a first time.Carried

- 8.4 Bylaw No. 8551 (Z00-1015) – Chuan Guan & Poh-Tin Teh (New Town Planning) – 155 Nickel Road

Moved by Councillor Day/Seconded by Councillor Hobson**R410/00/05/02** THAT Bylaw No. 8551 be read a first time.Carried

Regular MeetingMay 2, 2000**(BYLAWS PRESENTED FOR FIRST THREE READINGS)**8.5 Bylaw No. 8560 – Road Exchange Bylaw No. 8560Moved by Councillor Day/Seconded by Councillor Hobson**R411/00/05/02** THAT Bylaw No. 8560 be read a first, second and third time.Carried8.5.1 Bylaw No. 8562 – Amendment No. 24 to City of Kelowna Traffic Bylaw No. 4495-78 (sidewalk/roadway occupancy permits)Moved by Councillor Day/Seconded by Councillor Hobson**R412/00/05/02** THAT Bylaw No. 8562 be read a first, second and third time.Carried**(BYLAWS PRESENTED FOR ADOPTION)**8.6 Bylaw No. 8533 – Amendment No. 55 to City of Kelowna Ticket Information Utilization Bylaw No. 6550-89 [replaces Schedule 15 – Solid Waste Management (Garbage) Bylaw]Moved by Councillor Hobson/Seconded by Councillor Day**R413/00/05/02** THAT Bylaw No. 8533 be adopted.Carried9. REMINDERS

- May 3-5 – 2000 OMMA Convention in Salmon Arm.

10. TERMINATION

The meeting was declared terminated at 8:24 p.m.

Certified Correct:_____
Mayor_____
City Clerk

BLH/bn