

Regular MeetingMay 16, 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 16, 2000.

Council members in attendance were: Mayor Walter Gray, Councillors A.F. Blaneil, 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; Deputy City Clerk, G.D. Matthews; Director of Planning & Development Services, R.L. Mattiussi; Current Planning Manager, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

1. CALL TO ORDER

Mayor Gray called the meeting to order at 8:35 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

Moved by Councillor Given/Seconded by Councillor Nelson

**R458/00/05/16** THAT the minutes of the Public Hearing and Regular Meeting of April 18, 2000, the Regular Meeting of May 1, 2000, the Public Hearing and Regular Meeting of May 2, 2000 and the Regular Meeting of May 8, 2000 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. 8548 (Z00-1007) – Star-Line Enterprises Ltd. (Tony Vantgeloof) – 1891, 1893 and 1899 Ambrosi Road

Council:

- When the Development Permit for this application comes forward for consideration by Council, staff to advise on the City's ability to proceed with portions of the Agassiz Road extension now, and provide a comparison of the number of units that could be achieved under the existing zoning versus the requested zoning.

Moved by Councillor Nelson/Seconded by Councillor Given

**R459/00/05/16** THAT Bylaw No. 8548 be read a second and third time.

Carried

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

- The Public Hearing on this application has been adjourned to the Public Hearing of May 30, 2000. The bylaw remains at first reading.

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Staff:

- Ministry of Transportation and Highways' approval of the bylaw was received subsequent to preparation of the agenda and that allows the bylaw to also be considered for adoption.

Moved by Councillor Given/Seconded by Councillor Nelson**R460/00/05/16** THAT Bylaw No. 8551 be read a second and third time and be adopted.Carried**(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)**5.4 Bylaw No. 8553 (Z00-1024) – Egon & Rita Kulak – 593 Sherwood RoadMoved by Councillor Nelson/Seconded by Councillor Given**R461/00/05/16** THAT Bylaw No. 8553 be read a second and third time, and be adopted.Carried6. PLANNING6.1 (a) **BYLAW PRESENTED FOR ADOPTION:**Bylaw No. 8529 (Z00-1002) – Brian & Lillian Berry (New Town Planning Services) – 1571 Sutherland Avenue

Staff:

- City Works & Utilities staff confirm that they are expanding their program to upgrade some lanes to asphalt.
- Reviewed the history of grading work undertaken by the City to deal with pot holes in the lane behind this property and to address drainage concerns, noting the lane has become a high maintenance lane.

Moved by Councillor Day/Seconded by Councillor Hobson**R462/00/05/16** THAT Bylaw No. 8529 be adopted.Carried

- (b) Planning & Development Services Department, dated April 19, 2000 re: Development Variance Permit Application No. DVP00-10,008 – Dr. R.D. Baldassare Inc. (New Town Planning Services) – 1571 Sutherland Avenue (3090-20)

Staff:

- An eye surgery clinic is proposed for construction on the site.
- The landowner to the west supports the requested variances.

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

Moved by Councillor Shepherd/Seconded by Councillor Blanleil

**R463/00/05/16** THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP00-10,008; for Lot 8, D.L. 141, O.D.Y.D., Plan 3736, located on 1571 Sutherland Avenue, Kelowna, B.C.;

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

**Section 14.3.5 Development Regulations (e):** The minimum side yard be varied from the greater of 4.5 m or half the height of the building required, to the zero side yard proposed on the west side;

**Table 8.1 Parking Schedule - Health Services:** The minimum number of parking stalls be varied from the 5 per 100 m<sup>2</sup> required to the 4.8 per 100 m<sup>2</sup> proposed; and

**Section 7.6.1 Minimum Landscape Buffers (c):** The minimum landscape buffer of the east and west side yards be reduced from 3.0 m of vegetative buffer and a continuous opaque barrier, to zero vegetative buffer and no opaque barrier;

AND FURTHER 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

## 7. BYLAWS

### (BYLAWS PRESENTED FOR FIRST READING)

7.1 Bylaw No. 8552 (Z00-1021) – Kenneth & Noemi Koleba – 1085 Waldie Court

Moved by Councillor Hobson/Seconded by Councillor Day

**R464/00/05/16** THAT Bylaw No. 8552 be read a first time.

Carried

7.2 Bylaw No. 8561 (HRA00-002) – City of Kelowna Heritage Revitalization Agreement Authorization Bylaw – Knowles House – 855 & 865 Bernard Avenue

Moved by Councillor Blanleil/Seconded by Councillor Cannan

**R465/00/05/16** THAT Bylaw No. 8561 be read a first time.

Carried

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- 7.3 Bylaw No. 8565 (Z00-1011) – University Business Park Ltd. (Grant Maddock/Protech Consultants) – 149 Commercial Drive

Moved by Councillor Blanleil/Seconded by Councillor Cannan

**R466/00/05/16** THAT Bylaw No. 8565 be read a first time.

Carried

8. REMINDERS - Nil

9. TERMINATION

The meeting was declared terminated at 9:00 p.m.

Certified Correct:

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Mayor

Deputy City Clerk

BLH/bn