

Regular MeetingJune 27, 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, June 27, 2000.

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

Council member absent: A.F. Blanleil

Staff members in attendance were: Acting-City Manager, R.L. Mattiussi; City Clerk, D.L. Shipclark; Current Planning Manager, A.V. Bruce; and Acting-Council Recording Secretary, L.M. Taylor.

1. CALL TO ORDER

Mayor Gray called the meeting to order at 7:13 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

Regular Meeting, June 12, 2000
Public Hearing, June 13, 2000
Regular Meeting, June 13, 2000
Regular Meeting, June 19, 2000

Moved by Councillor Nelson/Seconded by Councillor Given

R587/00/06/27 THAT the minutes of the Regular Meeting of June 12, June 13 and June 19, 2000 and the Public Hearing of June 13, 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. 8573 (Z00-1026) – Total Mechanical Systems Inc. – 700 McCurdy Road

Moved by Councillor Given/Seconded by Councillor Nelson

R588/00/06/27 THAT Bylaw No. 8573 be read a second and third time.

Carried

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- 5.2 Bylaw No. 8570 – City of Kelowna Official Community Plan Amendment No. OCP00-005 (Minimum Lot Size for Septic)

Moved by Councillor Given/Seconded by Councillor Nelson

R589/00/06/27 THAT Bylaw No. 8570 be read a second and third time, and be adopted.

Carried

- 5.3 Bylaw No. 8571 – City of Kelowna Zoning Bylaw Text Amendment No. TA00-002 (Minimum Lot Size for Septic)

Moved by Councillor Nelson/Seconded by Councillor Clark

R590/00/06/27 THAT Bylaw No. 8571 be read a second and third time, and be adopted.

Carried6. PLANNING

- 6.1 Planning & Development Services Department, dated June 6, 2000 re: Development Variance Permit Application No. DVP00-10,029 – Manteo Beach Club Ltd. (Adrian Block) – 3766 Lakeshore Road (3090-20)

Staff:

- Applicant wishes to expand existing dock facility by addition of second dock structure located north of the existing beach area of the development.
- The proposed facility has been approved by the Canadian Coast Guard.
- The structure will not have a negative impact on either the lake bed or foreshore.

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 Nelson/Seconded by Councillor Hobson

R591/00/06/27 THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP00-10,029; Manteo Resort Hotel Ltd.; Lot A, DL 134 and Sec. 6, Twp 26, O.D.Y.D., Plan KAP56428 exc. Strata Plan KAS1776 (PH1), located on Lakeshore Road, Kelowna, B.C.; subject to the following:

1. The applicant receiving appropriate authorization for dock construction from BC Assets and Lands;
2. The applicant providing a report acceptable to the City of Kelowna regarding the proposed construction having no net impact on aquatic habitat as per Ministry of Environment guidelines, and that there will be no impact on lakebed erosion;

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

- (a) Section 9.9.5(a) Dock and Boatlift regulations, be varied from maximum extension distance from natural boundary of 40 m permitted to 53.6 m proposed;
- (b) Section 9.9.5(b) Dock and Boatlift regulations, be varied from maximum walkway width of 3.0 m permitted to walkway width of 6.0 m proposed;
- (c) Section 9.9.5(c) Dock and Boatlift regulations, be varied from the maximum length of structure parallel to the shoreline of 10 m permitted to 60.3 m length proposed;
- (d) Section 16.6.6(a) W2 – Intensive Water Use Zone, Other Regulations, be varied to allow two docks for each waterfront property;

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. 8574 (Z00-1031) – Jeanette Mergens (Sherri Simson/Simson Construction Management & Design) – 1922 Abbott Street

Moved by Councillor Given/Seconded by Councillor Shepherd

R592/00/06/27 THAT Bylaw No. 8574 be read a first time.

Carried

- 7.2 Bylaw No. 8576 (Z00-1023) – B. Lawrence Contracting Ltd. (New Town Planning Services – 188 Penno Road

Moved by Councillor Cannan/Seconded by Councillor Day

R593/00/06/27 THAT Bylaw No. 8576 be read a first time.

Carried

(BYLAWS PRESENTED FOR ADOPTION)

- 7.3 Bylaw No. 8572 – Amendment No. 4 to Subdivision, Development & Servicing Bylaw No. 7900

Moved by Councillor Cannan/Seconded by Councillor Day

R594/00/06/27 THAT Bylaw No. 8572 be adopted.

Carried

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- 7.4 Bylaw No. 8569 (Z99-1066) – Hume-Smith Contracting & Development Co. Ltd., et al (George Hume-Smith) – 510 & 550 Pearson Road

Moved by Councillor Day/Seconded by Councillor Cannan

R595/00/06/27 THAT Bylaw No. 8569 be read a second and third time and be adopted.

Carried

Councillor Shepherd opposed.

8. REMINDERS(a) Pesticide Spraying

Councillor Shepherd raised the issue of the application of pesticides on boulevard trees. Residents have expressed concerns about the type and lack of notice when spraying is going to take place, the types of pesticides used and the fact that the City is using pesticides of any kind. Councillor Hobson advised the FCM is proposing an initiative that would discourage the spraying of pesticides in urban areas for domestic purposes. Council requested that staff review the policies the City has regarding the application of pesticides and report to Council.

(b) Revisions to Motor Carrier Act – Taxi Licenses

Councillor Clark reported on a meeting held with representatives of local Taxi companies pertaining to the amendments to the Motor Carrier Act in Bill 13. As a result of the concerns expressed by the local taxi operators, Council requested a letter be sent to the Motor Carrier Commission seeking information on how many licenses are going to be issued for the Kelowna area and whether the grandfathered licenses will have the same boundary restrictions that exist under the municipal licenses.

9. TERMINATION

The meeting was declared terminated at 7:39 p.m.

Certified Correct:

 Mayor

 City Clerk

LMT/bn