

Regular MeetingFebruary 27, 2001

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 27, 2001.

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; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 9:18 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

Regular Meeting, February 12, 2001
Public Hearing, February 13, 2001
Regular Meeting, February 13, 2001

Council:

- Item 8(b) on page 73 of the Regular Minutes of February 12, 2001 to be amended to indicate that the Mayor was downtown on Sunday afternoon rather than morning.

Moved by Councillor Nelson/Seconded by Councillor Cannan

R151/01/02/27 THAT the Minutes of the Regular Meetings of February 12, 2001 and February 13, 2001 and the Minutes of the Public Hearing of February 13, 2001 be confirmed as circulated.

Carried

4. Councillor Clark 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. 8637 (Z00-1053) – Thomas Poole (Porter Ramsay/Tom Smithwick) – 3994 Bluebird Road

Councillor Day declared a conflict of interest as owner of an adjoining property and left the Council Chamber at 9:20 p.m.

Moved by Councillor Nelson/Seconded by Councillor Given

R152/01/02/27 THAT Bylaw No. 8637 be read a second and third time.

DEFEATED

Mayor Gray and Councillors Cannan, Clark, Given, Hobson, Nelson and Shepherd opposed.

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Councillor Day returned to the Council Chamber at 9:21 p.m. and took his place at the Council Table.

5.2 Bylaw No. 8641 (Z00-1061) – Wade Benner – 640 Seaford Road

Moved by Councillor Given/Seconded by Councillor Nelson

R153/01/02/27 THAT Bylaw No. 8641 be read a second and third time.

Carried

5.3 Bylaw No. 8642 (Z00-1055) – Skoglund Enterprises Ltd. (Dave Skoglund)
– 1735 Richter Street

Moved by Councillor Given/Seconded by Councillor Nelson

R154/01/02/27 THAT Bylaw No. 8642 be read a second and third time.

Carried

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

5.4 Bylaw No. 8636 (Z00-1056) – Larry Hawkins – 704 Barnaby Road

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R155/01/02/27 THAT Bylaw No. 8636 be read a second and third time, and be adopted.

Carried

5.5 Bylaw No. 8640 (Z01-1003) – Vintage Properties (Greg Dusik) – 1716
Marona Court

Councillor Day declared a conflict of interest because the application involves direct members of his family and left the Council Chamber at 9:23 p.m.

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R156/01/02/27 THAT Bylaw No. 8640 be read a second and third time, and be adopted.

Carried

Councillor Clark opposed.

Councillor Day returned to the Council Chamber at 9:29 p.m. and took his place at the Council Table.

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6. PLANNING

- 6.1 Planning & Development Services Department, dated February 6, 2001 re: Development Permit Application No. DP00-10,095 and Development Variance Permit Application No. DVP01-10,003 – Victor Projects Ltd. (Westfair Properties Ltd.) – 2280 Baron Road (3060-20; 3090-20)

Staff:

- The Real Canadian Super Store and associated gas bar is the only tenant on the site.
- Until such time as the pods for satellite buildings that are contemplated for the site develop, the applicant has been asked to provide some irrigation and hydro-seed the vacant area in order to control dust and for aesthetics.
- The Development Permit is for construction of an approximately 25,000 sq. ft. (2,390.6 m²) addition along to the south side of the existing building and for an additional pump island for the gas bar. Some of the existing parking would be reconfigured and additional landscaping is proposed.
- The Development Variance Permit deals with a requested variance to loading bay requirements.
- The application was reviewed and supported by the Advisory Planning Commission with no conditions.

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 Nelson

R157/01/02/27 THAT Municipal Council authorize the issuance of Development Permit No. DP00-10,095; for Lot 6, DL 126, O.D.Y.D., Plan KAP59534, located on Baron Road, 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 Municipal Council authorize the issuance of Development Variance Permit No. DVP01-10,003; Westfair Properties Ltd.; Lot 6, DL 126, O.D.Y.D., Plan KAP59534, located on Baron Road, Kelowna, B.C.;

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

Section 8 – Parking and Loading, Table 8.2 – Loading Schedule, Commercial and Industrial Uses, be varied from 8 loading stalls (1 loading stall per 1,900 m²) required to 2 loading stalls provided (1 loading stall per 6,800 m²);

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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

- 6.2 Planning & Development Services Department, dated February 7, 2001 re: Development Variance Permit Application No. DVP01-10,001 – City of Kelowna (Civic Properties Division) – 1420-1424 Ellis Street (Corner of Ellis/Doyle) (3090-20)

Staff:

- Displayed a graphical representation of the mural (sign) to show the proposed size noting it would be painted on plywood and mounted on the wall so as to be transportable in the event that the museum is relocated in future.
- The requested variances are to allow the mural sign to be larger than the maximum size permitted and to allow a second sign giving the name of the museum.

Mayor Gray invited anyone in the public gallery who deemed themselves affected by the requested variances to come forward.

Bob Hadgraft, President of the Okanagan Military Museum:

- The location of the mural sign on the south-facing wall of the Memorial Arena may not be exactly as indicated on the graphical representation displayed by the Planner.
- The mural is of three local people who represent all who served in the army, navy and airforce during World War II.

Staff:

- Confirmed that the graphical representation was not intended to depict the actual size of the mural or actual size or style of the lettering.

Moved by Councillor Shepherd/Seconded by Councillor Given

R158/01/02/27 THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP01-10,001; City of Kelowna, Lot A, D.L. 139, O.D.Y.D., Plan 5438, located on Ellis Street, Kelowna, B.C.;

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

Section 6.1, Table for Specific Zone Regulations, Public and Institutional Zones, Fascia: a 13.5 m² variance to the maximum size of a fascia sign from the maximum size of 4.0 m² to 17.5 m² as proposed;

Section 6.1, Table for Specific Zone Regulations, Public and Institutional Zones, Fascia: a variance to permit two fascia signs on the same building frontage.

Carried

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- 7.1 Bylaw No. 8644 – Amendment No. 10 to Development Application Fees
Bylaw No. 8034

Moved by Councillor Day/Seconded by Councillor Cannan

R159/01/02/27 THAT Bylaw No. 8644 be adopted.

Carried

8. REMINDERS

- (a) Kelowna General Hospital (KGH) - Parking

Councillor Shepherd reported that residents on Strathcona Avenue are being approached by staff of KGH to sell their homes and are being told the land would be used for future parking for KGH. City staff to contact KGH to try to clarify their plans.

- (b) Letters Submitted to Advisory Planning Commission (APC) Meetings

Councillor Shepherd suggested that Council does not always see copies of the correspondence received on development applications when they are being considered by the APC. City staff to review the current process for handling APC correspondence.

- (c) Volunteer Services of Individual – Affordable Housing

Councillor Clark reported that there is an individual in our community who has been volunteering his efforts to locate housing for people with mental deficiencies. The man is providing a very essential and admirable service and is doing it all at his own expense with the exception of a \$50 a month grant he was receiving from the Canadian Mental Health Association to subsidize his gasoline expenses. That subsidy has been cut and it seems there should be a role the City can play to help.

Councillor Blanleil pointed out that there are many volunteers providing essential services in the community and perhaps it would be more appropriate for Council to lobby the Health Ministry to create a position that perhaps this individual could fill.

The City Manager will investigate.

- (d) Access to St. Theresa's Parish - Rutland Road

Councillor Given reported that parishioners of St. Theresa's Parish are still experiencing problems entering and exiting the church parking lot on Rutland Road as the result of traffic control barricades. The City Manager advised that City staff are aware of the concerns and are actively working on a solution to the problem.

- (e) Agri-Tourism Approval by Land Reserve Commission

Councillor Cannan noted that it would appear from an article on the front page of the local newspaper that the Land Reserve Commission has approved the RV Park proposal put forward by the Clarke family (on their farm property on Union Road). Councillor Cannan stated he would like a list of what all was approved by the LRC and to know exactly what can be done on the site without the Clarke's having to come back to Council for approval.

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(f) March 13, 2001 Council Meetings

Mayor Gray reminded Council and the public that the March 13, 2001 Public Hearing and Regular Meeting have been cancelled.

9. TERMINATION

The meeting was declared terminated at 10:12 p.m.

Certified Correct:

Mayor

City Clerk

BLH/bn