

Regular MeetingNovember 13, 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, November 13, 2001.

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 members absent: Councillor A.F. Blanleil.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, A. Flack; 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 7:32 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

Regular Meeting, October 29, 2001
Public Hearing, October 30, 2001

Moved by Councillor Hobson/Seconded by Councillor Nelson

R876/01/11/13 THAT the Minutes of the Regular Meeting of October 29, 2001 and the Minutes of the Public Hearing of October 30, 2001 be confirmed as circulated.

Carried

4. Councillor Cannan was requested to check the minutes of this meeting.

5. **(BYLAW PRESENTED FOR ADOPTION)**

5.1 Bylaw No. 8711 (TA01-010) – Zoning Bylaw Text Amendment

Moved by Councillor Given/Seconded by Councillor Nelson

R877/01/11/13 THAT Bylaw No. 8711 be adopted.

Carried

6. PLANNING BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)

6.1 Bylaw No. 8743 (TA01-012) – Zoning Bylaw Text Amendment No. TA01-012

Moved by Councillor Given/Seconded by Councillor Nelson

R878/01/11/13 THAT Bylaw No. 8743 be read a second and third time.

Carried

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- 6.2 Bylaw No. 8744 (Z01-1039) – Johnathon & Michelle Demmers – 3265 O'Reilly Court

Moved by Councillor Nelson/Seconded by Councillor Given

R879/01/11/13 THAT Bylaw No. 8744 be read a second and third time.

Carried

Councillor Clark opposed.

(BYLAW PRESENTED TO AMEND THE BYLAW AT FIRST READING AND CONSIDER THE AMENDED BYLAW FOR SECOND AND THIRD READINGS AND ADOPTION)

- 6.3 Bylaw No. 8746 (TA01-011) – Zoning Bylaw Text Amendment No. TA01-011

Moved by Councillor Nelson/Seconded by Councillor Given

R880/01/11/13 THAT Bylaw No. 8746 be amended at first reading to delete all references to the RU2h zone.

Carried

Moved by Councillor Nelson/Seconded by Councillor Given

R881/01/11/13 THAT Bylaw No. 8746, as amended, be read a second and third time, and be adopted.

Carried

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 6.4 Bylaw No. 8745 (Z01-1041) – James Dickson – 2238 Wilkinson Street

Moved by Councillor Nelson/Seconded by Councillor Shepherd

R882/01/11/13 THAT Bylaw No. 8745 be read a second and third time, and be adopted.

Carried

- 6.5 Bylaw No. 8747 (Z01-1048) – 369736 B.C. Ltd., et al (Grant Gaucher) – south of South Ridge Drive

Moved by Councillor Clark/Seconded by Councillor Shepherd

R883/01/11/13 THAT Bylaw No. 8747 be read a second and third time, and be adopted.

Carried

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Bylaw No. 8716 (Z00-1042) – T172 Enterprises Ltd. (Jim Langley) – 2678 Highway 97 North, and City of Kelowna Official Community Plan Amendment No. OCP00-006 requires majority vote of Council (5)

Moved by Councillor Clark/Seconded by Councillor Shepherd**R884/01/11/13** THAT Bylaw No. 8716 be adopted.Carried

- (b) Planning & Development Services Department, dated October 16, 2001 re: Development Permit Application No. DP00-10,064 and Development Variance Permit Application No. DVP01-10,054 – T172 Enterprises Ltd. (Jim Langley) – 2678 Highway 97 North

Staff:

- The applicant is modifying the existing house for use as an automotive sales office.
- A variance is requested to reduce the minimum lot width requirement.

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 Nelson/Seconded by Councillor Cannan

R885/01/11/13 THAT Municipal Council authorize the issuance of Development Permit No. DP00-10,064; T172 Enterprises Ltd.; for Lot 2, District Lot 125, ODYD, Plan 7319 except Plan 12318, located on Highway 97 North, 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. DVP01-10,054; T172 Enterprises Ltd.; for Lot 2, District Lot 125, ODYD, Plan 7319 except Plan 12318, located on Highway 97 North, Kelowna, B.C.;

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

Section 14.10.4(a) – The C10 – Service Commercial minimum lot width requirement be varied to allow for a minimum lot width of 31.52 m which is a variance of 8.48 m from the required 40 m minimum lot width.

Carried

8. RESOLUTIONS

8.1 Draft Resolution re: Helicopter Landing – Santa Claus

Moved by Councillor Shepherd/Seconded by Councillor Cannan

R886/01/11/13 THAT Municipal Council grant approval for Northern Air Support Ltd. to fly Santa Claus from the Kelowna Airport to the Kelowna Golf & Country Club on December 9 & 16, 2001, subject to the approval of Transport Canada and compliance with all related flight requirements.

Carried

8.2 Draft Resolution re: Travel Authorization – Provincial Congress - Vancouver (1800-02)

Moved by Councillor Nelson/Seconded by Councillor Given

R887/01/11/13 THAT Mayor Walter Gray be authorized to travel to attend the Provincial Congress being held in Vancouver on February 26, 2002, with expenses paid in accordance with Council Remuneration and Expense Bylaw No. 7547, using funds from Account No. 351-10-011-0-001.

Carried

9. BYLAWS

(BYLAWS PRESENTED FOR FIRST READING)

9.1 Bylaw No. 8752 (HRA01-010) – Heritage Revitalization Agreement Authorization Bylaw – J.W. Hughes House – 806 Bernard Avenue

Moved by Councillor Shepherd/Seconded by Councillor Clark

R888/01/11/13 THAT Bylaw No. 8752 be read a first time.

Carried

9.2 Bylaw No. 8753 (HRA01-011) – Heritage Revitalization Agreement Authorization Bylaw – Park Avenue Properties – 2056 Pandosy Street

Moved by Councillor Shepherd/Seconded by Councillor Clark

R889/01/11/13 THAT Bylaw No. 8753 be read a first time.

Carried

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(BYLAWS PRESENTED FOR ADOPTION)

- 9.3 Bylaw No. 8710 (OCP01-013) – Official Community Plan Amendment requires **majority vote of Council (5)**

Moved by Councillor Day/Seconded by Councillor Cannan

R890/01/11/13 THAT Bylaw No. 8710 be adopted.

Carried

- 9.4 Bylaw No. 8712 – Amendment No. 6 to Subdivision, Development & Servicing Bylaw No. 7900

Moved by Councillor Hobson/Seconded by Councillor Day

R891/01/11/13 THAT Bylaw No. 8712 be adopted.

Carried

- 9.5 Bylaw No. 8731 (OCP01-008) – Abraham Salloum and Frederick Bloomfield (Mike Jacobs/Emil Anderson Construction Co. Ltd.) – 2025 Rojem Road requires **majority vote of Council (5)**

Moved by Councillor Day/Seconded by Councillor Cannan

R892/01/11/13 THAT Bylaw No. 8731 be adopted.

Carried

- 9.6 Bylaw No. 8732 (LUC74-57) – Mike Jacobs/Emil Anderson Construction Co. Ltd. – 902 Summit Drive

Moved by Councillor Cannan/Seconded by Councillor Day

R893/01/11/13 THAT Bylaw No. 8732 be adopted.

Carried

- 9.7 Bylaw No. 8733 [Z01-1019(a)] – Emil Anderson Construction Co. Ltd., et al (Mike Jacobs) – 902 Summit Drive and 1969, 1983, 2011 & 2025 Rojem Road

Moved by Councillor Day/Seconded by Councillor Cannan

R894/01/11/13 THAT Bylaw No. 8733 be adopted.

Carried

- 9.8 Bylaw No. 8741 – Amendment No. 12 to Development Application Fees Bylaw No. 8034

Moved by Councillor Day/Seconded by Councillor Hobson

R895/01/11/13 THAT Bylaw No. 8741 be adopted.

Carried

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9.9 Bylaw No. 8742 – Amendment No. 5 to Sign Bylaw No. 8235

Moved by Councillor Hobson/Seconded by Councillor Day

R896/01/11/13 THAT Bylaw No. 8742 be adopted.

Carried

9.10 Bylaw No. 8750 – Amendment No. 5 to Sewer Connection Charge Bylaw
No. 8469

Moved by Councillor Day/Seconded by Councillor Hobson

R897/01/11/13 THAT Bylaw No. 8750 be adopted.

Carried

10. REMINDERS

- Wednesday, November 14th - 7 p.m at St. David's Presbyterian Church – Joint meeting of Glenmore Youth Group and Glenmore Residents Association

11. TERMINATION

The meeting was declared terminated at 7:58 p.m.

Certified Correct:

Mayor

BLH/am

Deputy City Clerk