

Regular MeetingSeptember 17, 2002

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, September 17, 2002.

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 10:12 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

Regular Meeting, August 26, 2002
 Regular Meeting, August 27, 2002
 Regular Meeting, September 9, 2002

Moved by Councillor Hobson/Seconded by Councillor Day

R806/02/09/16 THAT the Minutes of the Regular Meetings of August 26, 2002, August 27, 2002 and September 9, 2002 be confirmed as circulated.

Carried

4. Councillor Shepherd 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. 8898 (Z02-1030)- Jo-Anna Long (Marlin & Shanny Toews) – 255 Mail Road

Moved by Councillor Given/Seconded by Councillor Nelson

R807/02/09/17 THAT Bylaw No. 8898 be read a second and third time.

Carried

5.2 Bylaw No. 8901 (Z02-1025) – Donald & Sharifah Luttmer – 926 Lawrence Avenue

Moved by Councillor Given/Seconded by Councillor Nelson

R808/02/09/17 THAT Bylaw No. 8901 be read a second and third time.

Carried

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- 5.3 Bylaw No. 8888 (TA02-0003) – City of Kelowna Zoning Bylaw Text Amendment (to change the permitted height of accessory buildings with secondary suites)

Staff:

- Three applications for accessory buildings with secondary suites were instream before this text amendment was initially considered by Council. The subject bylaw cannot be considered for adoption until building permits have been issued for the three instream applications.

Council:

- Staff to arrange a workshop to discuss the broader issues that were raised at the Public Hearing.

Moved by Councillor Blanleil/Seconded by Councillor Cannan**R809/02/09/17** THAT Bylaw No. 8888 be read a second and third time.Carried

Councillors Blanleil and Cannan opposed.

Council:

- Reminded the public that they cannot contact members of Council about this issue until after adoption of this bylaw which is anticipated to be on September 30th.

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 5.4 Bylaw No. 8892 (OCP02-0006) – Al Stober Construction Ltd. et al (Emil Anderson Construction Co. Ltd./Mike Jacobs) – 2060 Summit Drive **requires majority vote of full Council (5)**

Moved by Councillor Cannan/Seconded by Councillor Blanleil**R810/02/09/17** THAT Bylaw No. 8892 be read a second and third time, and be adopted.Carried

- 5.5 Bylaw No. 8893 (Z02-1019) – Al Stober Construction Ltd. et al (Emil Anderson Construction Co. Ltd. /Mike Jacobs) – 2060 Summit Drive

Moved by Councillor Given/Seconded by Councillor Nelson**R811/02/09/17** THAT Bylaw No. 8893 be read a second and third time, and be adopted.Carried

- 5.6 Bylaw No. 8897 (Z02-1029) – Barry & Sandra-Lee Domes – 1907 Abbott Street

Moved by Councillor Given/Seconded by Councillor Shepherd**R812/02/09/17** THAT Bylaw No. 8897 be read a second and third time, and be adopted.Carried

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- 5.7 Bylaw No. 8899 (Z02-1032) – Robert & Benigna Cummings – 1931 Abbott Street

Moved by Councillor Shepherd/Seconded by Councillor Given

R813/02/09/17 THAT Bylaw No. 8899 be read a second and third time, and be adopted.

Carried

6. PLANNING

- 6.1 Planning & Development Services Department, dated August 26, 2002 re: Heritage Alteration Permit Application No. HAP02-0005 – Barry & Sandra-Lee Domes – 1907 Abbott Street

Staff:

- The subject Heritage Alteration Permit must be dealt with by Council because it involves a variance of the flanking side yard setback.

The City Clerk stated for the record that no correspondence had been received regarding this application.

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

There was no response.

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R814/02/09/17 THAT Council authorize the issuance of Heritage Alteration Permit No. HAP02-0005; Barry and Sandra-Lee Domes, Lot 28, Block 5, DL 14, ODYD, Plan 384 except Sublot 1 on Plan B967, Sublot 2 on Plan B1037 and parts outline red on Plan B3957 and B4788, located on Abbott Street, Kelowna, B.C., to permit the construction of an accessory building, subject to the following:

- a) The landscaping be altered so as not to impede visibility from the buildings to the street;
- b) The existing log siding on the house is retained and the design of the gables and the colour of the proposed detached building match the design of the gables and the colour of the existing house;

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

13.1.5 (d) Flanking Street: Reduce the Flanking Yard Setback from the 4.5 metres required to 2.9 metres.

Carried

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- 7.0.1 City Clerk, dated September 17, 2002 re: Bryns Baron Trunk Sewer Main Construction Loan Authorization Bylaw No. 8884

Moved by Councillor Blanleil/Seconded by Councillor Shepherd

R815/02/09/17 THAT Council receive the Certificate of Sufficiency dated September 17, 2002 pertaining to the Bryns Baron Trunk Sewer Main Construction Loan Authorization Bylaw No. 8884;

AND THAT Bryns Baron Trunk Sewer Main Construction Loan Authorization Bylaw No. 8884 be advanced for adoption consideration.

Carried7. BYLAWS**(BYLAWS PRESENTED FOR FIRST READING)**

- 7.1 Bylaw No. 8903 (OCP02-0008) - H. Benson Electric Ltd. (Patrick McCusker) – 1229 & 1239 KLO Road **requires majority vote of full Council (5)**

Moved by Councillor Day/Seconded by Councillor Cannan

R816/02/09/17 THAT Bylaw No. 8903 be read a first time.

Carried

- 7.2 Bylaw No. 8904 (Z02-1031) – - H. Benson Electric Ltd. (Patrick McCusker) – 1229 & 1239 KLO Road

Moved by Councillor Hobson/Seconded by Councillor Day

R817/02/09/17 THAT Bylaw No. 8904 be read a first time.

Carried**(BYLAWS PRESENTED FOR ADOPTION)**

- 7.3 Bylaw No. 8884 – Bryns/Baron Trunk Sewer Main Construction Loan Authorization Bylaw

Moved by Councillor Nelson/Seconded by Councillor Given

R818/02/09/17 THAT Bylaw No. 8884 be adopted.

Carried8. REMINDERS – Nil.

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9. TERMINATION

The meeting was declared terminated at 11:00 p.m.

Certified Correct:

Mayor

City Clerk

BLH/am