

Regular MeetingJune 10, 2003

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 10, 2003.

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, E.A. Horning and S.A. Shepherd.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, S. Fleming; Manager of Development Services, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

1. CALL TO ORDER

Mayor Gray called the meeting to order at 8:21 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

Regular Meeting, May 26, 2003
Public Hearing, May 27, 2003
Regular Meeting, May 27, 2003

Moved by Councillor Given/Seconded by Councillor Day

R541/03/06/10 THAT the Minutes of the Regular Meetings of May 26 and May 27, 2003 and the Minutes of the Public Hearing of May 27, 2003 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. 9046 (Z03-0011) – VGM Holdings Ltd. (Axel Hilmer) – 1250 Gaggin Road

Moved by Councillor Horning/Seconded by Councillor Given

R542/03/06/10 THAT Bylaw No. 9046 be read a second and third time.

Carried

Councillor Clark opposed.

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(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 5.2 Bylaw No. 9044 (OCP03-0004) – Monashee Financial Corporation – 632 Craig Road **Requires majority vote of full Council (5)**

Moved by Councillor Blanleil/Seconded by Councillor Clark

R543/03/06/10 THAT further consideration of Bylaw No. 9044 (OCP03-0004 – Monashee Financial – 632 Craig Road) be deferred until such time as the applicant for the related rezoning application can discuss with the owner the concerns about the RU1s component of the application.

Carried

- 5.3 Bylaw No. 9045 (Z03-0013) – Monashee Financial Corporation – 632 Craig Road

Moved by Councillor Blanleil/Seconded by Councillor Clark

R544/03/06/10 THAT further consideration of Bylaw No. 9045 (Z03-0013 – Monashee Financial – 632 Craig Road) be deferred until such time as the applicant can discuss with the owner the concerns about the RU1s component of the application.

Carried

- 5.4 Bylaw No. 9047 (Z03-0023) – Sue & Jayson Gordon – 3522 Landie Road

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R545/03/06/10 THAT Bylaw No. 9047 be read a second and third time, and be adopted.

Carried

Councillor Clark opposed.

6. PLANNING

- 6.1 Planning & Corporate Services Department, dated February 18, 2003 re: Development Variance Permit Application No. DVP03-0008 – Brad Garth – 739 South Crest Drive

Staff:

- The applicant is requesting a variance to the maximum permitted height for a recently constructed retaining wall.
- Do not recommend approval of the variance because of concern with aesthetics and that the wall may impede visibility.
- Recommend terracing the retaining wall to reduce the drop-off and provide for a safer and more aesthetically pleasing rear corner.

The Deputy City Clerk advised that no correspondence had been received.

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

The gentleman who built the retaining wall:

- Considered building two 4-ft high walls but built the wall at its existing height because of concern for the safety of the owner's children.
- The engineer who designed the wall was supposed to get the required permits.
- The neighbours across the lane have provided a letter saying they have no objection to the retaining wall and others on the lane have indicated verbally that they have no objection either.

Brad Garth, applicant:

- Pretty much all his neighbours have no concerns with the visibility and are happy with the aesthetics of the wall.
- The engineered drawings were certified after the retaining wall was constructed.

Moved by Councillor Blanleil/Seconded by Councillor Cannan

R546/03/06/10 THAT Council authorize the issuance of Development Variance Permit No. DVP03-0008 for Lot 51, D.L. 1688s, SDYD, Plan KAP68647, located on South Crest Drive, Kelowna, B.C.,

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

Section 7.5 Fencing and Retaining Walls

Vary the maximum height for a retaining wall from 1.2 m permitted to 2.4 m existing.

Carried

6.2 Planning & Corporate Services Department, dated May 21, 2003 re: Development Variance Permit Application No. DVP03-0045 – Gary Stroeder – 3009 Brindisi Place

Staff:

- The applicant poured a footing based on survey information that was not quite correct and resulted in an encroachment at the corner of the house where the garage would be.
- The owner of the property to the south would be most affected by the variance and has signed off a letter indicating no concern.

The Deputy City Clerk advised that no correspondence had been received:

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

Moved by Councillor Shepherd/Seconded by Councillor Given

R547/03/06/10 THAT Council authorize the issuance of Development Variance Permit No. DVP03-0045 for Lot 9, Section 22, Township 23, ODYD, Plan KAP70243, located on Brindisi Place, Kelowna, B.C.;

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

Section 13: RU1-Large Lot Housing: Subsection 13.1.5 (d):

Vary the eastern side yard setback from 2 m required to 1.5 m proposed.

Carried

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7. BYLAWS

(BYLAWS PRESENTED FOR FIRST READING)

7.1 Bylaw No. 9040 (Z03-0014) – Shelly Gellner – 942 Nassau Crescent

Moved by Councillor Hobson/Seconded by Councillor Day

R548/03/06/10 THAT Bylaw No. 9040 be read a first time.

Carried

8. REMINDERS – Nil.

9. TERMINATION

The meeting was declared terminated at 9:04 p.m.

Certified Correct:

Mayor

BLH/am

Deputy City Clerk