

Regular MeetingApril 6, 2004

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, April 6, 2004.

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

Council members absent: Councillor A.F. Blanleil.

Staff members in attendance were: City Manager, R.A. Born; Deputy City Clerk, S.C. Fleming; Manager of Development Services, 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 8:44 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

Regular Meeting, March 22, 2004
Public Hearing, March 23, 2004
Regular Meeting, March 23, 2004
Regular Meeting, March 29, 2004

Moved by Councillor Given/Seconded by Councillor Hobson

R351/04/04/06 THAT the Minutes of the Regular Meetings of March 22, ~~March 23~~ and March 29, 2004 and the Minutes of the Public Hearing of March 23, 2004 be confirmed as circulated.

Carried

4. Councillor Day 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. 9203 (Z03-0075) – Frost Park Holdings Ltd. – 5010 Frost Road

Moved by Councillor Shepherd/Seconded by Councillor Clark

R352/04/04/06 THAT Bylaw No. 9203 be read a second and third time.

Carried

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- 5.2 Bylaw No. 9198 – Heritage Designation – 2124 Pandosy Street
To designate the ‘Cadder House’ as a municipal heritage building.

Moved by Councillor Clark/Seconded by Councillor Given

R353/04/04/06 THAT Bylaw No. 9198 be read a second and third time, and be adopted.

Carried

- 5.3 Bylaw No. 9199 (Z03-0039) – Eldon James Veitch – 1301 Lewis Road

The Deputy City Clerk advised that this bylaw was placed on the agenda in anticipation of Ministry of Transportation approval of the bylaw being received. However, MOT approval has not been received and therefore the bylaw can only be considered for second and third readings at this time. As a consequence, the Development Variance Permit application under agenda item No. 6.2 cannot be considered tonight.

Moved by Councillor Given/Seconded by Councillor Horning

R354/04/04/06 THAT Bylaw No. 9199 be read a second and third time.

CarriedMoved by Councillor Given/Seconded by Councillor Horning

R355/04/04/06 THAT Council consideration of Development Variance Permit No. DVP03-0082 (Veitch – 1301 Lewis Road) be deferred to the Regular Meeting of May 4, 2004.

Carried

- 5.4 Bylaw No. 9201 (Z04-0006) – Wylie Svisdahl – 215 Arab Road

Moved by Councillor Hobson/Seconded by Councillor Day

R356/04/04/06 THAT Bylaw No. 9201 be read a second and third time, and be adopted.

Carried

- 5.5 Bylaw No. 9202 (Z04-0007) – Melanie & Mathias Steppuhn – 1635 Smithson Place

Moved by Councillor Given/Seconded by Councillor Horning

R357/04/04/06 THAT Bylaw No. 9202 be read a second and third time, and be adopted.

Carried

Councillors Cannan and Clark opposed.

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6.1 Planning & Corporate Services Department, dated March 8, 2004 re: Development Variance Permit Application No. DVP03-0152 (Supplemental Report) – George Kasdorf – 988 Wilson Avenue

Staff:

- There is an existing house that straddles the shared property line of the two separately titled lots. The application was originally proposing to demolish the existing house and build a house and a carriage house on each lot. Further consideration of the application was deferred from the Regular Meeting of February 24, 2004 for the applicant to reconsider the design for the corner lot.
- The applicant has subsequently revised the plans to develop the corner lot with a house with a suite that is all in one building and that meets rezoning requirements.
- The proposal for development of the subject property remains unchanged from original proposal, with a house and garage in an accessory building along with a suite. Two variances are required for the east side yard and the west side yard (internal to the corner lot which is also being developed at the same time by the same owner).

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 requested variances to come forward. The applicant's agent indicated he was available for questions.

There were no further comments.

Moved by Councillor Hobson/Seconded by Councillor Day

R358/04/04/06 THAT Council authorize the issuance of Development Variance Permit No. DVP03-0152; Lot 59, District Lot 138, ODYD Plan 1102 located on Wilson Avenue, Kelowna, B.C.;

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

Section 13.6.5: Subsection: (d):

Vary the required side yard setback (east side) on lot 59 from 4.5 m required to 2.93 m proposed and from 6.0 m required (garage) to 2.93 m proposed;

Section 13.6.5: Subsection: (d):

Vary the required side yard setback (west side) from 2.0 m required to 0.67 m proposed on lot 59.

Carried

6.2 Planning & Corporate Services Department, dated February 27, 2004 re: Development Variance Permit Application No. DVP03-0082 – Eldon James Veitch (Terry Peters) – 1301 Lewis Road

See resolution adopted under agenda item No. 5.3 deferring consideration of this application to the Regular Meeting of May 4, 2004.

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7. BYLAWS

(BYLAWS PRESENTED FOR FIRST READING)

7.1 Bylaw No. 9206 (Z04-0005) – Ronald Egert – 1441 Springfield Road

Moved by Councillor Cannan/Seconded by Councillor Day

R359/04/04/06 THAT Bylaw No. 9206 be read a first time.

Carried

8. REMINDERS

- Wednesday, April 7 - 9:30 a.m. - Trench burning demonstration.

9. TERMINATION

The meeting was declared terminated at 9:06 p.m.

Certified Correct:

Mayor

BLH/am

Deputy City Clerk