

Regular Meeting – P.M.December 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 Monday, December 6, 2004.

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 Acting City Clerk, D.M. Fediuk; Manager of Development Services, A.V. Bruce*; City Clerk, S.C. Fleming*; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Gray called the meeting to order at 1:32 p.m.

2. Councillor Clark was requested to check the minutes of the meeting.

3. UNFINISHED BUSINESS

3.1 Acting City Clerk, dated December 1, 2004 re: Request for Refund of Development Variance Permit Application Fee – DVP04-0129 - 569/579 Elliot Avenue

Moved by Councillor Hobson/Seconded by Councillor Given

R1159/04/12/06 THAT Council NOT refund the Development Variance Application fee for DVP04-0129 as to do so would be contrary to the provisions set out in Development Application Fees Bylaw No. 8034.

Carried

4. DEVELOPMENT APPLICATIONS

4.1 (a) Planning & Corporate Services Department, dated November 23, 2004 re: Rezoning Application No. Z04-0067 – Kelowna Central Park Properties Ltd. and Salco Management Ltd. (Kelowna Central Park Properties Ltd.) – 1500 Banks Road and 2400-2402 Highway 97 North

Staff:

- The Best Western is moving their beer and wine store liquor license to a new commercial location in Central Park.
- Best Western has agreed to rescind the 'rls' zoning designation from the existing site.

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R1160/04/12/06 THAT Rezoning Application No. Z04-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, DL 125, ODYD Plan KAP67601, located on Banks Road, Kelowna, B.C., from the C3 – Community Commercial zone to the C3rls – Community Commercial (Retail Liquor Sales) zone, and by changing the zoning classification of Lot A, DL 125, ODYD Plan 19786, exc. Plans H18058 & KAP44339, located on Highway 97 North, Kelowna, B.C., from the C9lp/rls – Tourist Commercial (Liquor Primary/Retail Liquor Sales) zone to the C9lp – Tourist Commercial (Liquor Primary) zone be considered by Council;

AND THAT the zone amending bylaws be forwarded to a Public Hearing for further consideration.

Carried(b) **BYLAWS PRESENTED FOR FIRST READING**

- (i) Bylaw No. 9337 (Z04-0067a) – Kelowna Central Park Properties Ltd. and Salco Management Ltd. – 1500 Banks Road

Moved by Councillor Given/Seconded by Councillor Horning

R1161/04/12/06 THAT Bylaw No. 9337 be read a first time.

Carried

- (ii) Bylaw No. 9338 (Z04-0067b) – Kelowna Central Park Properties Ltd. and Salco Management Ltd. – 2400-2402 Highway 97 North

Moved by Councillor Given/Seconded by Councillor Horning

R1162/04/12/06 THAT Bylaw No. 9338 be read a first time.

Carried5. **BYLAWS (ZONING & DEVELOPMENT)****(BYLAWS PRESENTED FOR ADOPTION)**

- 5.1 Bylaw No. 9306 (TA04-0008) – City of Kelowna Zoning Bylaw Amendment

Moved by Councillor Clark/Seconded by Councillor Shepherd

R1163/04/12/06 THAT Bylaw No. 9306 be adopted.

Carried

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- 5.2 Bylaw No. 9317 (Z04-0056) – John, Anne & Sharon Bulych (Pacific Sun Enterprises Ltd.) – 1862-1872 Chandler Street

Moved by Councillor Clark/Seconded by Councillor Shepherd**R1164/04/12/06** THAT Bylaw No. 9317 be adopted.Carried

6. NON-DEVELOPMENT APPLICATION REPORTS

- 6.1 Planning & Corporate Services Department, dated October 15, 2004 re: Proposed Naming of an Existing Lane (B/L9339; 5450-20)

Moved by Councillor Hobson/Seconded by Councillor Shepherd

R1165/04/12/06 THAT Municipal Council consider naming the existing lane that lies parallel to, and south of Elliot Avenue, extending from Richter Street to Pandosy Street, as shown on Schedule “A” attached to the report from the Planning & Corporate Services Department dated October 15, 2004;

AND THAT the necessary road naming bylaw be advanced for reading consideration by Council.

Carried

7. BYLAWS (OTHER THAN ZONING & DEVELOPMENT)

(BYLAWS PRESENTED FOR FIRST THREE READINGS)

- 7.1 Bylaw No. 9331 – Road Closure and Removal of Highway Dedication Bylaw

Moved by Councillor Cannan/Seconded by Councillor Day

R1166/04/12/06 THAT Bylaws No. 9331 and 9339 be read a first, second and third time.

Carried

- 7.2 Bylaw No. 9339 – A bylaw to name Levitt Lane

See resolution under 7.1 above.

(BYLAWS PRESENTED FOR ADOPTION)

- 7.3 Bylaw No. 9147 – Security Alarm Systems Bylaw

Moved by Councillor Hobson/Seconded by Councillor Day

R1167/04/12/06 THAT Bylaw No. 9147 be adopted.

Carried

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7.4 Bylaw No. 9205 – Amendment No. 4 to Noise Control Bylaw No. 6647

Moved by Councillor Day/Seconded by Councillor Cannan

R1168/04/12/06 THAT Bylaw No. 9205 be adopted.

Carried

8. COUNCILLOR ITEMS – Nil.

9. TERMINATION

The meeting was declared terminated at 2:00 p.m.

Certified Correct:

Mayor

BLH/am

Acting Deputy City Clerk