

Regular MeetingDecember 7, 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, December 7, 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: Acting Deputy City Clerk, D.M. Fediuk; and Manager of Development Services, A.V. Bruce.

1. CALL TO ORDER

Mayor Gray called the meeting to order at 7:05 p.m.

2. PRAYER

The meeting opened with a prayer offered by Councillor Shepherd.

3. CONFIRMATION OF MINUTES

Regular Meeting, November 29, 2004
Public Hearing, November 30, 2004
Regular Meeting, November 30, 2004

Moved by Councillor Given/Seconded by Councillor Hobson

R1169/04/12/07 THAT the Minutes of the Regular Meetings of November 29 and November 30, 2004 and the Minutes of the Public Hearing of November 30, 2004 be confirmed as circulated.

Carried

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

5. BYLAWS CONSIDERED AT PUBLIC HEARING**(BYLAWS PRESENTED FOR SECOND & THIRD READINGS)**

5.1 Bylaw No. 9326 (OCP04-0017) – Temporary Use Permit TUP04-0001 – 2355-2455 Acland Road **requires majority vote of Council (5)**

The Acting Deputy City Clerk advised that Ministry of Transportation approval was received subsequent to the agenda being printed and it would now be appropriate for the subject bylaw to also be considered for adoption.

Moved by Councillor Clark/Seconded by Councillor Shepherd

R1170/04/12/07 THAT Bylaw No. 9326 be read a second and third time and be adopted.

Carried

Regular MeetingDecember 7, 2004Moved by Councillor Hobson/Seconded by Councillor Given

R1171/04/12/07 THAT Council authorize issuance of Temporary Use Permit No TUP04-0001; for the Okanagan Independent School Society, on lands described as Lot 1, Sec. 2, Twp. 23, ODYD, Plan 11263; and located at 2355-2455 Acland Road, Kelowna, BC, subject to the following terms and conditions:

1. The subject property is to be used solely for temporary commercial use as a private school, in accordance with Chapter 19 of the City of Kelowna Official Community Plan;
2. The authorization for the temporary commercial use be valid until November 10, 2006;
3. The dimensions and siting of the buildings be in general accordance with Schedule "A";
4. Upon termination of the temporary use permit, the use of the land shall revert back to the existing zoning of the land;
5. Prior to issuance of the temporary commercial use permit, the applicant must provide written acknowledgement that the use will be carried out in compliance with any and all direction from the City of Kelowna Fire Department, an acknowledgement by the applicant of any fire protection deficiencies and further, an agreement to indemnify and save harmless the City from any and all liabilities, claims or demands arising out of fire damage or issuance of this permit, to the satisfaction of the City solicitor;
6. Prior to issuance of the temporary commercial permit, the applicant must provide evidence that the owner's insurance policy has been amended to recognize the implication of Condition No. 5 and that the City is named insured in order to guarantee performance of the terms of the permit.

Carried6. REMINDERS – Nil.7. TERMINATION

The meeting was declared terminated at 7:08 p.m.

Certified Correct:_____
Mayor_____
Acting Deputy City Clerk

DMF/blh