

Regular MeetingApril 4, 2006

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 4, 2006.

Council members in attendance: Mayor Sharon Shepherd, Councillors A.F. Blanleil, B.A. Clark, C.B. Day, B.D. Given*, C.M. Gran, R.D. Hobson, N.J. Letnick and M.J. Rule.

Staff members in attendance were: Acting City Manager/Director of Planning & Corporate Services, R.L. Mattiussi; City Clerk, A.M. Flack; Manager of Development Services, A.V. Bruce; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 6:22 p.m.

2. PRAYER

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

Councillor Given joined the meeting at 6:23 p.m.

3. CONFIRMATION OF MINUTES

Regular Meeting, March 6, 2006
 Public Hearing, March 7, 2006
 Regular Meeting, March 7, 2006
 Regular Meeting, March 13, 2006
 Regular Meeting, March 20, 2006
 Regular Meeting, March 27, 2006

Moved by Councillor Day/Seconded by Councillor Hobson

R308/06/04/04 THAT the Minutes of the Regular Meetings of March 6, March 7, March 13, March 20 and March 27, 2006 and the Minutes of the Public Hearing of March 7, 2006 be confirmed as circulated.

Carried

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

5. BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND BE ADOPTED)

5.1 Bylaw No. 9565 (OCP05-0017) - ATM Properties Ltd. – 1641 Commerce Avenue **requires majority vote of Council (5)**

Councillor Given advised that he was absent from tonight's Public Hearing and therefore would not be voting on the bylaws that were considered at the Public Hearing and left the Council Chamber at 6:25 p.m.

Moved by Councillor Letnick/Seconded by Councillor Clark

R309/06/04/04 THAT Bylaw No. 9565 be read a second and third time and be adopted.

Carried

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- 5.2 Bylaw No. 9566 (Z05-0079) - ATM Properties Ltd. – 1641 Commerce Avenue

Moved by Councillor Letnick/Seconded by Councillor Clark

R310/06/04/04 THAT Bylaw No. 9566 be read a second and third time and be adopted.

Carried

- 5.3 Bylaw No. 9563 (Z05-0075) - Okanagan Chinese Baptist Church (Peter Chataway/Fine Home Designs) – 1025 Rutland Road North

Moved by Councillor Clark/Seconded by Councillor Gran

R311/06/04/04 THAT Bylaw No. 9563 be read a second and third time, and be adopted.

Carried

- 5.4 Bylaw No. 9567 (Z05-0074) - Lamberton/Johnson & Appleby (Grant Maddock/Protech Consultants Ltd.) 5031 Killdeer Road, 5080 & 5090 Frost Road

Moved by Councillor Blanleil/Seconded by Councillor Day

R312/06/04/04 THAT Bylaw No. 9567 be read a second and third time, and be adopted.

Carried

Councillor Given returned to the meeting at 6:27 p.m.

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Planning & Corporate Services Department, dated March 8, 2006 re: Development Variance Permit Application No. DVP05-0205 – Okanagan Chinese Baptist Church (Peter Chataway/Fine Home Designs) – 1025 Rutland Road North)

The City Clerk advised that no correspondence and/or petitions had been received.

Mayor Shepherd invited anyone in the public gallery who deemed themselves affected by the required variances to come forward. There was no response.

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R313/06/04/04 THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP05-0205; Fine Home Designs (Peter Chataway); Lot A, Sec. 26, Twp. 26, O.D.Y.D., Plan 4841, located on Rutland Road North, Kelowna, B.C.;

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

Section 16.2.5(b), Development Regulations - be varied from maximum site coverage of 60% for buildings, parking areas and roads permitted to 65% site coverage existing,

Section 16.2.5(e), Development Regulations - be varied from minimum flanking side yard setback of 6.0 m permitted, to 3.68 m flanking side yard existing.

Carried

6.2 Planning & Corporate Services Department, dated February 3, 2006 re: Development Variance Permit Application No. DVP06-0009 – Brian & Donna Widrick – 136 Clifton Road

Withdrawn from the agenda.

6.3 Planning & Corporate Services Department, dated March 10, 2006 re: Development Variance Permit Application No. DVP05-0237 – Robert & Cindy Bollhorn (Cindy Bollhorn) – 200 – 440 Cascia Drive

The City Clerk advised that no correspondence and/or petitions had been received.

Mayor Shepherd invited anyone in the public gallery who deemed themselves affected by the required variances to come forward. There was no response.

Moved by Councillor Blanleil/Seconded by Councillor Day

R314/06/04/04 THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP05-0237; Cindy L. Bollman; Strata Lot 14, DL's 167, 5284 & 5285, O.D.Y.D., Plan KAS2393, located on Cascia Drive, Kelowna, B.C.;

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

Section 6.4.2 **Projections Into Yards**, be varied from maximum of 2.5 m into a rear yard greater than 6.0 m permitted to 3.5 m projection into a 7.5 m rear yard proposed,

Section 13.1.6 (a) **Development Regulations**, be varied from 40% maximum site coverage permitted to 42.8% proposed.

Carried

Regular MeetingApril 4, 20067. BYLAWS**(BYLAWS PRESENTED FOR ADOPTION)**7.1 Bylaw No. 9560 – Road Closure Bylaw – 860 Paret Road

Mayor Shepherd invited anyone in the public gallery who deemed themselves affected by the proposed road closure to come forward. There was no response.

Moved by Councillor Day/Seconded by Councillor Blanleil

R315/06/04/04 THAT Bylaw No. 9560 be adopted.

Carried

8. REMINDERSSupportive Housing Project

Mayor Shepherd advised that the St. Paul Business Committee has been asking for an opportunity to present to Council regarding the location for the proposed 30-bed supportive housing project. The Interior Health Authority will be attending the Monday, April 10, 2006 Regular Meeting to talk about the operation of the facility, would Council like to hear from the St. Paul group at the same meeting.

Moved by Councillor Blanleil/Seconded by Councillor Gran

THAT Council agree to a 10 minute presentation by a representative of the St. Paul Business Committee at the Regular Meeting of April 10, 2006.

Amendment Moved by Councillor Rule/Seconded by Councillor Day

R316/06/04/04 THAT any other interested person be permitted to address Council at the April 10 2006 Regular Meeting as long as a written request is received by 4 p.m. on April 6, 2006.

Carried

Councillor Blanleil opposed.

The original motion as amended was then voted on and carried, as follows:

Moved by Councillor Blanleil/Seconded by Councillor Gran

R317/06/04/04 THAT Council agree to a 10 minute presentation by a representative of the St. Paul Business Committee at the April 10, 2006 Regular Meeting;

AND THAT any other interested person be permitted to address Council at the April 10 2006 Regular Meeting as long as a written request is received by 4 p.m. on April 6, 2006.

Carried

Councillor Clark opposed.

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9. TERMINATION

The meeting was declared terminated at 7:22 p.m.

Certified Correct:

Mayor

City Clerk

BLH/am