

Regular MeetingMay 16, 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, May 16, 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\* and M.J. Rule.

Council members absent: Councillor N.J. Letnick.

Staff members in attendance were: Acting City Manager/Director of Planning & Corporate Services, R.L. Mattiussi; Deputy City Clerk, S.C. Fleming; Subdivision Approving Officer, R.G. Shaughnessy; Planner, R. Smith; and Council Recording Secretary, B.L. Harder.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 6:21 p.m.

2. PRAYER

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

3. CONFIRMATION OF MINUTES

Regular Meeting, May 1, 2006  
Public Hearing, May 2, 2006  
Regular Meeting, May 2, 2006  
Regular Meeting, May 8, 2006

Moved by Councillor Hobson/Seconded by Councillor Rule

**R458/06/05/16** THAT the Minutes of the Regular Meetings of May 1, May 2 and May 8, 2006 and the Minutes of the Public Hearing of May 2, 2006 be confirmed as circulated.

Carried

4. Councillor Clark 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. 9593 (Z06-0007) - F & H Homes Ltd. (Huber Developments Ltd.) – 4600 Lakeshore Road

Moved by Councillor Blanleil/Seconded by Councillor Rule

**R459/06/05/16** THAT Bylaw No. 9593 be read a second and third time.

Carried

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- 5.2 Bylaw No. 9594 (Z06-0009) - Silvano & Domenica Vizzutti (Harvey Benson) – 1749 KLO Road

Moved by Councillor Given/Seconded by Councillor Clark**R460/06/05/16** THAT Bylaw No. 9594 be read a second and third time.Carried

- 5.3 Bylaw No. 9595 (Z06-0011) - Mark Elgood (Lynn Welder) – 827 Wardlaw Avenue

Moved by Councillor Blanleil/Seconded by Councillor Rule**R461/06/05/16** THAT Bylaw No. 9595 be read a second and third time.Carried**(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)**

- 5.4 Bylaw No. 9596 (Z06-0006) - Robert McArthur (Cassandra Tompkins/Robert McArthur) – 324 Park Avenue

Moved by Councillor Rule/Seconded by Councillor Blanleil**R462/06/05/16** THAT Bylaw No. 9596 be read a second and third time, and be adopted.Carried**6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS**

- 6.1 Planning & Corporate Services Department, dated April 19, 2006 re: Development Variance Permit Application No. DVP06-0062 – Markui Contracting Ltd. (Mark Fruson) – 1504 Highway 33 East

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

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

Moved by Councillor Given/Seconded by Councillor Hobson

**R463/06/05/16** THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP06-0062, Markui Contracting Ltd.; Lot 14, Sec. 13, Twp. 26, ODYD, Plan KAP75908, located on Highway 33 East, Kelowna, B.C.;

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

**Section 6.10 – General Development Regulations – Setback from Provincial Highways:**

To vary the Provincial Highways setback requirement from 15 m required to the 7.5 m proposed.

Carried

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- (b) Planning & Corporate Services Department, dated April 21, 2006 re: Development Variance Permit Application No. DVP05-0136 – Armogan & Elizabeth Odiyar – 375 Taylor Road

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

Applicant:

- Nothing to add at this time.

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

There were no further comments.

Moved by Councillor Hobson/Seconded by Councillor Day

**R465/06/05/16** THAT Council authorize the issuance of Development Variance Permit No. DVP05-0136 for Lot A, Section 22, Township 26, ODYD, Plan 31372, located on Taylor Road, Kelowna, B.C. subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the buildings to be constructed on the land be in general accordance with Schedule "B";
3. The exterior finish of the existing house to be finished in accordance with Schedule "B" prior to issuance of an Occupancy Permit;
4. Landscaping to be provided on the land be in general accordance with Schedule "C";
5. Privacy Fencing is to be constructed in general accordance with Schedule "C" prior to issuance of an Occupancy Permit;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.6.6 – RU6- Two Dwelling Housing

- To obtain a variance to allow a rear yard setback of 2.4 m where 6.0 m is required.

Carried

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- 6.3 Planning & Corporate Services Department, dated April 20, 2006 re: Development Variance Permit Application No. DVP06-0050 – David & Margaret Hobson (Edgecombe Builders) – 4328 Hobson Road

Councillor Hobson declared a conflict of interest because the applicant is a direct family member and left the Council Chamber at 6:31 p.m.

Staff:

- Staff had a concern about site grading but the concern was resolved when the applicant reduced the height by removing the basement and removing the suite from above the garage.

The City Clerk advised that no correspondence had been received.

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

Applicant:

- Nothing to add at this time.

Moved by Councillor Given/Seconded by Councillor Day

**R466/06/05/16** THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP06-0050; Edgecombe Builders Ltd. (Kevin Edgecombe); Lot B. DL 167, O.D.Y.D., Plan KAP69885, located on Hobson Road, Kelowna, B.C.;

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

**Section 6.11 Okanagan Lake Sight Lines** be varied from 60° required to 41° proposed.

Carried

7. REMINDERS – Nil.

8. TERMINATION

The meeting was declared terminated at 6:34 p.m.

Certified Correct:

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Mayor

BLH/am

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Deputy City Clerk