

Regular MeetingOctober 16, 2007

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, October 16<sup>th</sup>, 2007, 2007.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andrew. Blanleil, Barrie Clark, Colin Day, Carol Gran, Brian Given, Robert Hobson, Norm Letnick and Michele Rule.

Staff members in attendance were: City Manager, R.L. Mattiussi; Deputy City Clerk, Stephen Fleming; Director of Corporate Services/Acting Director of Planning and Development Services, David Shipclark; Current Planning Manager, Shelley Gambacort; Planner, Nelson Wight\*; and Council Recording Secretary, Arlene McClelland.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 6:00 p.m.

2. PRAYER

Prayer will be offered by Councillor Rule.

3. CONFIRMATION OF MINUTES

Regular Meeting A.M. – October 1, 2007  
 Regular Meeting P.M. – October 1, 2007  
 Public Hearing – October 2, 2007  
 Regular Meeting – October 2, 2007

Moved by Councillor Hobson/Seconded by Councillor Clark

**R988/07/10/16** THAT the minutes of the Regular Meetings of October 1<sup>st</sup>, 2007 and October 2<sup>nd</sup>, 2007 and the Minutes of the Public Hearings of October 2<sup>nd</sup>, 2007 be confirmed as circulated.

Carried

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

5. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

5.1 Planning & Development Services Department, dated September 21, 2007 re: Development Variance Permit Application No. DVP07-0135 – T 186 Enterprises Ltd. (Meiklejohn Architect) – 1595 Sutherland Avenue

Staff:

- APC supports this application.

The City Clerk Advised that the following correspondence and/or petitions had been received:

- Nil

Mayor Shepherd Invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one stepped forward.

Regular MeetingOctober 16, 2007Moved by Councillor Letnick/Seconded by Councillor Hobson

**R989/07/10/16** THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP07-0135; Meiklejohn Architect; Lot B, DL 141, O.D.Y.D., Plan 26714, located on Sutherland Avenue, Kelowna, B.C.;

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

1. Section 8.1.2 **Off-Street Parking – Number of Stalls Required**; vary maximum number of stalls from 125% permitted to 421% proposed,
2. Section 14.3.5(b) **Development Regulations**; Vary site coverage from 50% permitted to 80% proposed,
3. Section 14.3.5(d) **Development Regulations**; Vary front yard from 3.0m required to 1.8m proposed

Subject to the registration of a plan of subdivision to consolidate the subject property with property to the east (Lot D, DL 141, O.D.Y.D., Plan 20443)

AND THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

Carried

5.2 (a) **BYLAW PRESENTED FOR ADOPTION**

Bylaw No.9748 (Z06-0068) – Diane Drummond – 4284 Jaud Road

Moved by Councillor Given/Seconded by Councillor Letnick

**R990/07/10/16** THAT Bylaw No. 9748 be adopted.

Carried

- (b) Planning & Development Services Department, dated September 21, 2007 re: Development Variance Permit Application No. DVP06-0228 – Diane Drummond – 4284 Jaud Road

Staff:

- Staff and APC supportive of this application.

The City Clerk Advised that the following correspondence and/or petitions had been received:

- Nil

Mayor Shepherd Invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one stepped forward.

Regular MeetingOctober 16, 2007Moved by Councillor Hobson/Seconded by Councillor Given

**R991/07/10/16** THAT Council authorize the issuance of Development Variance Permit No. DVP06-0228 for Lot A, Section 34, Township 29, O.D.Y.D, Plan 13328, located on Jaud 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";

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

**Section 9.5.4 – Secondary Suite (Maximum Floor Area for Suite)**

To vary the maximum allowable floor area of a secondary suite within an accessory building (the lesser of 90 m<sup>2</sup> or 75% of principal building) in order to allow a secondary suite floor area of 113 m<sup>2</sup>

Carried

5.3 (a) **BYLAW PRESENTED FOR ADOPTION**

Bylaw No 9864 (Z07-0965) – John and Patricia Gorges (Oasis Design – James Haasdyk) – 1989 Knox Crescent

Moved by Councillor Given/Seconded by Councillor Letnick

**R992/07/10/16** THAT Bylaw No. 9864 be adopted.

Carried

- (b) Planning & Development Services Department, dated September 19, 2007 re: Heritage Alteration Permit Application No. HAP07-0007 – John and Patricia Gorges (Oasis Design – James Haasdyk) – 1989 Knox Crescent

Staff:

- Staff supportive of the application.
- Applicant to get building permit to address the Fire Department requirements.

Council:

- Has the Fire Department access requirement been met?

The City Clerk Advised that the following correspondence and/or petitions had been received:

- Nil

Mayor Shepherd Invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

No one stepped forward.

Moved by Councillor Hobson/Seconded by Councillor Rule

**R993/07/10/16** THAT Council authorize the issuance of Heritage Alteration Permit No. HAP07-0007; for Lot 2, District Lot 14, ODYD, Plan 3878, located at 1989 Knox Crescent, 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 building to be constructed on the land be in general accordance with Schedule "B"
3. Landscaping to be provided on the land be in general accordance with Schedule "C".
4. Access from the front or street side of the property to the back building(s)/property line is not to be impeded at anytime. If a fence is ever constructed between the dwellings a six foot wide gate is required. Any gate is to open with out special knowledge

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

Section 9.5.1 (e) Secondary Suites – Height.  
To vary the permitted height for accessory buildings from 4.5m required to 4.56m proposed and to permit an accessory building that exceeds the height of the existing principle dwelling by 0.3m.

Carried

6. BYLAWS

Nil

7. REMINDERS

Nil

8. TERMINATION

The meeting was declared terminated at 6:11 p.m.

Certified Correct:

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Mayor

\_\_\_\_\_  
Deputy City Clerk

ACM/dd