

Regular MeetingOctober 30, 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 30th, 2007.

Council members in attendance: Mayor Sharon Shepherd, Councillors Colin Day, Carol Gran, Norm Letnick and Michele Rule.

Council members absent: Councillors Blanleil, Clark, Given and Hobson

Staff members in attendance were: Acting City Manager, David Shipclark; City Clerk, Allison Flack; Current Planning Manager, Shelley Gambacort; and Council Recording Secretary, Arlene McClelland.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 6:42 p.m.

2. PRAYER

Prayer will be offered by Councillor Day.

3. CONFIRMATION OF MINUTES

Regular Meeting A.M. – October 15, 2007
 Regular Meeting P.M. – October 15, 2007
 Regular Meeting – October 16, 2007
 Regular Meeting A.M. – October 22, 2007
 Regular Meeting P.M. – October 22, 2007

Moved by Councillor Day/Seconded by Councillor Gran

R1030/07/10/30 THAT the minutes of the Regular Meetings of October 15th, 2007 and October 16th, 2007 and October 22nd, 2007 be confirmed as circulated.

Carried

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

5. BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS)

5.1 Bylaw No. 9871 (Z07-0054) – Roger Bhullar (Suki Bhullar) – 495 Keithley Road

Moved by Councillor Day/Seconded by Councillor Gran

R1031/07/10/30 THAT Bylaw No. 9871 be read a second and third time.

Carried

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- 5.2 Bylaw No. 9870 (HRA07-0002) Heritage Revitalization Agreement Authorization – 1869 Marshall Street

Moved by Councillor Day/Seconded by Councillor Gran

R1032/07/10/30 THAT Bylaw No. 9870 be read a second and third time and be adopted.

Carried

- 5.3 Bylaw No. 9872 (Z07-0060) – Robert and Rena Mitchell, Mission Creek Homes Ltd., Simon and Corie Griffiths, Amandeep & Bimy Sandhu, Victor Loewen, Gazelle Enterprises Inc., Umberto and Amanda Cagnoni, - (Gazelle Enterprises Inc.) – 601, 605, 609, 613, 617 Horn Crescent and 581, 583, 585, 587, 589 South Crest Drive

Moved by Councillor Day/Seconded by Councillor Gran

R1033/07/10/30 THAT Bylaw No. 9872 be read a second and third time and be adopted.

Carried

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

6.1 (a) **BYLAWS PRESENTED FOR ADOPTION**

- (i) Bylaw No. 9858 (OCP07-0018) – Peter and Patricia Mosychuk (Peter Mosychuk) – 620-622 Wardlaw Avenue

Moved by Councillor Day/Seconded by Councillor Gran

R1034/07/10/30 THAT Bylaw No. 9858 be adopted.

Carried

- (ii) Bylaw No. 9859 (Z07-0053) – Peter and Patricia Mosychuk (Peter Mosychuk) – 620-622 Wardlaw Avenue

Moved by Councillor Gran/Seconded by Councillor Day

R1035/07/10/30 THAT Bylaw No. 9859 be adopted.

Carried

- (b) Planning & Development Services Department, dated August 23, 2007 re: Development Variance Permit Application No. DVP07-0147 and Development Permit DP07-0146 – Peter and Patricia Mosychuk (Peter Mosychuk) – 620-622 Wardlaw Avenue

Staff:

- Recommending support for both Development Permit and Development Variance Permit.

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

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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 came forward.

Moved by Councillor Letnick/Seconded by Councillor Rule

R1036/07/10/30 THAT Final Adoption of OCP Amending Bylaw No. 9858 be considered by Council;

THAT Final Adoption of Zone Amending Bylaw No. 9859 be considered by Council;

AND THAT Council authorize the issuance of Development Variance Permit No. DVP07-0147 for Strata Lot 2, District Lot 14, ODYD, Strata Plan KAS2898, located at 620-622 Wardlaw Avenue, Kelowna, B.C.;

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

Section 13.7.6 (e) Development Regulations – Side Yard Setback

Vary the western side yard setback from 2.5 m required to 2.42 m proposed and the eastern side yard setback from 2.5 m to 2.44 m.

Carried

- 6.2 Planning & Development Services Department, dated September 26, 2007 re: Development Variance Permit Application No. DVP07-0148 – 0726570 BC Ltd. (Grant Maddock – Protech Consultants Ltd.) – 1429 Feedham Avenue Black Mountain Lakeview Estates

Staff:

- Recommend support for this variance.

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

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 came forward.

Moved by Councillor Day/Seconded by Councillor Letnick

R1037/07/10/30 THAT Council authorize the issuance of Development Variance Permit No. DVP07-0148 for the eleven lots to be created from Lot 13 Section 13 Township 26 Osoyoos Division Yale District Plan KAP82094 Except Plan KAP82241 located at 1429 Feedham Avenue, Kelowna, B.C.

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

Section 13.1: RU1 – Large Lot Housing: 13.1.6(c):

The measurement of the setback requirement of Zoning Bylaw 8000 Section 13.1.6(c) for a garage or carport having vehicular entry from the front be varied from “6.0 m from a garage or carport having vehicular entry from the front [property line]” to “6.0 m measured from the back of curb or a sidewalk whichever is closest”.

Carried

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7. BYLAWS

8. REMINDERS

None

9. TERMINATION

The meeting was declared terminated at 6:49 p.m.

Certified Correct:

Mayor

ACM/dd

City Clerk