

Regular MeetingMarch 4, 2008

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, March 4th, 2008.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Barrie Clark, Colin Day, Norm Letnick and Michele Rule.

Council members absent: Councillors Brian Given, Carol Gran and Robert Hobson.

Staff members in attendance were: Acting City Manager, John Vos; City Clerk, Allison Flack; Current Planning Supervisor, Shelley Gambacort; Planner, Nelson Wight and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 6:15 p.m.

2. A Prayer was offered by Councillor Day.

3. CONFIRMATION OF MINUTES

Regular Meeting A.M. - February 18, 2008
 Regular Meeting P.M. - February 18, 2008
 Public Hearing - February 19, 2008
 Regular Meeting – February 19, 2008
 Regular Meeting A.M. - February 25, 2008
 Regular Meeting P.M. - February 25, 2008

Moved by Councillor Day/Seconded by Councillor Letnick

R206/08/03/04 THAT the Minutes of the Regular Meeting of February 18th, 2008 and February 19th, 2008 and February 25th, 2008 and the Minutes of the Public Hearing of February 19th, 2008 be confirmed as circulated.

Carried

4. Councillor Rule was 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. 9928 (OCP06-0010) - Seventh-Day Adventist Church (Rutland Seventh Day Adventist Church) – 1215 Highway 33 W_ **Requires majority vote of Council (5)**

Moved by Councillor Letnick/Seconded by Councillor Clark

R207/08/03/04 THAT Bylaw No. 9928 be read a second and third time.

Carried

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- 5.2 Bylaw No. 9929 (Z06-0033) - Seventh-Day Adventist Church (Rutland Seventh Day Adventist Church) – 1215 Highway 33 W

Moved by Councillor Clark/Seconded by Councillor Rule**R208/08/03/04** THAT Bylaw No. 9929 be read a second and third time.Carried

- 5.3 Bylaw No. 9932 (OCP07-0013) – Renee and Thomas Burzuk – 3089-3091 Gordon Drive **Requires majority vote of Council (5)**

Moved by Councillor Day/Seconded by Councillor Blanleil**R209/08/03/04** THAT Bylaw No. 9932 be read a second and third time.Carried

- 5.4 Bylaw No. 9933 (Z07-0039) - Renee and Thomas Burzuk – 3089-3091 Gordon Drive

Moved by Councillor Blanleil/Seconded by Councillor Day**R210/08/03/04** THAT Bylaw No. 9933 be read a second and third time.Carried

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

UNFINISHED BUSINESS (Consideration of motion to authorize issuance of DP07-0228 and DVP07-0299 deferred from February 19, 2008 regular meeting.)

- 6.1 Planning & Development Services Department, dated January 10, 2008 re: Development Variance Permit Application No. DVP07-0299 and Development Permit Application No. DP07-0228 – Johnny and Joy Klempner, Michael Daley and Josephine Tyabji – 800 and 804 Fuller Avenue

The City Clerk reviewed the status of this item. Public input has been closed and further consideration of the motion was deferred pending the requested clarification from staff. No additional correspondence and/or petitions had been circulated since Council last dealt with the item at the February 19, 2008 Council meeting.

Staff:

- Provided further clarification regarding the support/opposition of the neighbourhood.
- Advised that the applicants are willing to move back on the site, as well as relocate the main entrances to the front of the dwellings to address the concerns raised at the public meeting, which eliminates one variance.
- Showed the revised plans which would be the basis of the Development Permit if Council were to accept the changes.

The following motion from the February 19, 2008 Council meeting is now back on the floor for debate and reconsideration:

Regular MeetingMarch 4, 2008Moved by Councillor Gran/Seconded by Councillor Given

R211/08/03/04 THAT Council authorize the issuance of Development Permit No. DP07-0228, for Lot 23, District Lot 138, O.D.Y.D., Plan 694, and Lot 1, District Lot 138, O.D.Y.D., Plan 947, located on Fuller Avenue, 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 annotated Schedule "B";
3. The landscaping be in general accordance with annotated Schedule "C"

AND THAT Council authorize the issuance of Development Variance Permit No. DVP07-0299, for Lot 23, District Lot 138, O.D.Y.D., Plan 694, and Lot 1, District Lot 138, O.D.Y.D., Plan 947, located on Fuller Avenue, Kelowna, B.C.

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

13.6.5(a) RU6 Subdivision Regulations – Lot Width

Vary the minimum lot width requirement from 13.0 m to 11.4 m.

13.6.6(d) RU6 Development Regulations – Lot Width

Vary the minimum side yard setback requirement from 2.0 m to 1.5 m.

DEFEATED

Mayor Shepherd and Councillors Blanleil, Clark, Day, Letnick and Rule - Opposed

Moved by Councillor Letnick/Seconded by Councillor Blanleil

R212/08/03/04 THAT Council authorize the issuance of Development Permit No. DP07-0228, for Lot 23, District Lot 138, O.D.Y.D., Plan 694, and Lot 1, District Lot 138, O.D.Y.D., Plan 947, located on Fuller Avenue, subject to the following

1. The dimensions and siting of the building to be constructed on the land be in general accordance with revised Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with revised annotated Schedule "B";
4. The landscaping be in general accordance with revised annotated Schedule "C"

AND THAT Council authorize the issuance of Development Variance Permit No. DVP07-0299, for Lot 23, District Lot 138, O.D.Y.D., Plan 694, and Lot 1, District Lot 138, O.D.Y.D., Plan 947, located on Fuller Avenue, Kelowna, B.C.

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

13.6.5(a) RU6 Subdivision Regulations – Lot Width

Vary the minimum lot width requirement from 13.0 m to 11.4 m.

Carried

Mayor Shepherd and Councillor Day - Opposed

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7. BYLAWS – Nil.
8. REMINDERS – Nil.
9. TERMINATION

The meeting was declared terminated at 6:33 p.m.

Certified Correct:

Mayor

SLH/dld

City Clerk