

Regular MeetingMay 13, 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, May 13<sup>th</sup>, 2008.

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

Council members absent: Councillors Barrie Clark, Carol Gran and Robert Hobson.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Stephen Fleming; Current Planning Supervisor, Shelley Gambacort; Planner, Paul McVey; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 6:46 p.m.

2. A Prayer was offered by Councillor Day.

3. CONFIRMATION OF MINUTES

Regular Meeting A.M. – April 28, 2008  
 Regular Meeting P.M. – April 28, 2008  
 Public Hearing – April 29, 2008  
 Regular Meeting – April 29, 2008  
 Regular Meeting A.M. – May 5, 2008  
 Regular Meeting P.M. – May 5, 2008

Moved by Councillor Day/Seconded by Councillor Given

**R455/08/05/13** THAT the Minutes of the Regular Meeting of April 28, 2008 and April 29, 2008 and May 5, 2008 and the Minutes of the Public Meeting of April 29, 2008 be confirmed as circulated.

Carried

4. Councillor Given 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. 9978 (Z07-0020) – Claude Casavant & Marie Casavant Theroux – 167 Homer Court

Moved by Councillor Given/Seconded by Councillor Letnick

**R456/08/05/13** THAT Bylaw No. 9978 be read a second and third time.

Carried

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- 5.2 Bylaw No. 9979 (Z07-0076) – City of Kelowna (Meiklejohn Architects Inc.)  
– 3421 Lakeshore Road

Moved by Councillor Letnick/Seconded by Councillor Given**R457/08/05/13** THAT Bylaw No. 9979 be read a second and third time.Carried

- 5.3 Bylaw No. 9980 (OCP07-0014) – Glenwest Properties Ltd. (Blenk Development Corp.) – 2025 Begbie Road – **Requires a majority of all Members of Council (5)**

Moved by Councillor Letnick/Seconded by Councillor Rule**R458/08/05/13** THAT Bylaw No. 9980 be read a second and third time.Carried

- 5.4 Bylaw No. 9981 (Z07-0043) – Glenwest Properties Ltd. (Blenk Development Corp.) – 2025 Begbie Road

Moved by Councillor Rule/Seconded by Councillor Letnick**R459/08/05/13** THAT Bylaw No. 9981 be read a second and third time.Carried

- 5.5 Bylaw No. 9983 (TA08-0001) – Al Stober Construction Ltd. & T186 Enterprises Ltd. (Meiklejohn Architects Inc.) – 1615 Dickson Avenue

Moved by Councillor Rule/Seconded by Councillor Day**R460/08/05/13** THAT Bylaw No. 9983 be read a second and third time.Carried

- 5.6 Bylaw No. 9990 (TA07-0005) – Text Amendment – City of Kelowna

Moved by Councillor Day/Seconded by Councillor Rule**R461/08/05/13** THAT Bylaw No. 9990 be read a second and third time.Carried**(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS AND ADOPTION)**

- 5.7 Bylaw No. 9973 (OCP08-0008) – Housekeeping Amendments to Bylaw No. 7600, Kelowna 2020 – Official Community Plan – **Requires a majority of all Members of Council (5)**

Moved by Councillor Day/Seconded by Councillor Letnick**R462/08/05/13** THAT Bylaw No. 9973 be read a second and third time and be adopted.Carried

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- 5.8 Bylaw No. 9984 (Z08-0023) – Gurjit & Amritpal Purewal (Jarnail Gioraya)  
– 423 McLennan Crescent

Moved by Councillor Given/Seconded by Councillor Day

**R463/08/05/13** THAT Bylaw No. 9984 be read a second and third time and be adopted.

Carried

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Planning & Development Services Department, dated April 9, 2008 re: Development Permit Application No. DP07-0292 and Development Variance Permit Application No. DVP08-0034 – Rob Zeer (Rob Zeer & Beverly Wanklyn) – 860 Manhattan Drive **City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**

Staff:

- Confirmed that any encroachment issues will be dealt with during the Development Permit process.

The Deputy 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 Letnick/Seconded by Councillor Given

**R464/08/05/13** THAT Council authorize the issuance of Development Permit No. DP07-0292, for Lot 2, District Lot 9, O.D.Y.D., Plan 2443 located 860 Manhattan Drive, Kelowna, BC, 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. The landscaping be in general accordance with Schedule "C"
4. The wooden fence that is currently encroaching onto City Land (east of property) shall be removed or pulled back onto the subject property
5. The current roof line projection on the west side of the house is encroaching into the adjacent property and the encroachment shall be removed (see attached photos)
6. The existing accessory buildings (2 sheds) must be removed
7. The applicant shall not add any openings for the purpose of a window or door on the non conforming side of the building (south west elevation on existing home)

AND THAT Council authorize the issuance of Development Variance Permit No. DVP08-0034, for Lot 2, District Lot 9, O.D.Y.D., Plan 2443 located 860 Manhattan Drive Kelowna, BC

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

**13.6.6(b) RU6 Subdivision Regulations – Maximum Height**

Vary the maximum height of 2 1/2 storeys permitted to 3 storeys required.

Carried

7. REMINDERS – Nil.

8. TERMINATION

The meeting was declared terminated at 6:54 p.m.

Certified Correct:

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Mayor

SLH/dld

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Deputy City Clerk