

Regular MeetingDecember 1, 2009

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, December 1<sup>st</sup>, 2009.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Brian Given, Robert Hobson, Charlie Hodge, Graeme James, Michele Rule and Luke Stack.

Council members absent: Councillor Angela Reid.

Staff members in attendance were: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Director, Land Use Management, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 7:12 p.m.

2. PRAYER

A Prayer was offered by Councillor Stack.

3. CONFIRMATION OF MINUTES

Special Meeting - November 13, 2009  
 Regular A.M. Meeting - November 16, 2009  
 Regular P.M. Meeting - November 16, 2009  
 Public Hearing - November 17, 2009  
 Regular Meeting - November 17, 2009  
 Regular A.M. Meeting - November 23, 2009  
 Regular P.M. Meeting - November 23, 2009

Moved by Councillor Hobson/Seconded by Councillor Rule

R1127/09/12/01 THAT the minutes of the Special Meeting of November 13, 2009 and the Regular Meetings of November 16, 2009, November 17, 2009 and November 23, 2009 and the Public Hearing Meeting of November 17, 2009 be confirmed as circulated.

Carried

4. Councillor Hodge 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. 10257 (Z09-0023) - Bhupinder & Raj Dhanwant (Bob Dhanwant) - 410 Hartman Road

Council:

- Expressed a concern regarding the form & character of the proposed development, including the proposed landscaping.

Moved by Councillor Hodge/Seconded by Councillor James

Regular MeetingDecember 1, 2009R1128/09/12/01 THAT Bylaw No. 10257 be read a second and third time.Carried5.2 Bylaw No. 10259 (Z09-0055) - Arnaldo & Norberta Magsajo - 1294 Black Mountain Crescent

The Public Hearing of this item was left open and rescheduled to the December 15, 2009 Public Hearing.

5.3 Bylaw No. 10260 (Z09-0052) - Gerald & Susan Lord - 235 Gibbs Road WestMoved by Councillor Stack/Seconded by Councillor BlanleilR1129/09/12/01 THAT Bylaw No. 10260 be read a second and third time.Carried**(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS AND ADOPTION)**5.4 Bylaw No. 10258 (Z09-0045) - Carrie Moir - 2080 KLO RoadMoved by Councillor Blanleil/Seconded by Councillor JamesR1130/09/12/01 THAT Bylaw No. 10258 be read a second and third time and be adopted.Carried**6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS**

6.1 Community Sustainability Division, dated November 6, 2009 re: Development Variance Permit Application No. DVP09-0141 - Vladikovic Holdings Ltd., Inc. No. BC0335506 (Vanagan Architects Inc.) - 130 Carion Road 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:

- Advised that the proposed setbacks meet the I2 zoning and therefore this application is supported by staff.

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.

**Rob Archibald, Applicant's Representative**

- Works for the applicant with respect to leasing the subject property.
- The applicant did not wish to pursue a rezoning to the I2 zone as the Development Variance Permit application process is a lot quicker than the rezoning process.
- Would be willing to rezone the property to the I2 zone should Council request it.
- Confirmed that there will be minimal storage outside of the structure.

There were no further comments.

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Moved by Councillor Hobson/Seconded by Councillor Stack

R1131/09/12/01 THAT Council authorize the issuance of Development Variance Permit No. DVP09-0141 for Lot 7, Section 2, Twp. 20, ODYD, Plan KAP57943, located at 130 Carion Road, Kelowna, B.C;

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

Section 15.3.5 (c) Development Regulations - Front Yard Setback  
Vary the required front yard setback from 10.0m required to 7.62m proposed.

Section 15.3.5 (d) Development Regulations - Side Yard Setback  
Vary the required western side yard setback from 7.5m required to 0.914m proposed.

Carried

7. REMINDERS - Nil.

8. TERMINATION

The meeting was declared terminated at 7:25 p.m.

Certified Correct:

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Mayor

SLH/dld

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City Clerk