

Regular MeetingJuly 13, 2010

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, July 13th, 2010.

Council members in attendance: Mayor Sharon Shepherd, Councillors Andre Blanleil, Kevin Craig, Robert Hobson, Charlie Hodge, Graeme James*, Angela Reid, Michele Rule and Luke Stack.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; 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 7:37 p.m.

2. A Prayer was offered by Councillor Hobson.

3. CONFIRMATION OF MINUTES

Regular A.M. Meeting - June 28, 2010
 Regular P.M. Meeting - June 28, 2010
 Public Hearing (4 pm) - June 29, 2010
 Public Hearing (6 pm) - June 29, 2010
 Regular Meeting - June 29, 2010
 Special Committee-of-the-Whole Meeting - June 30, 2010

Moved by Councillor James/Seconded by Councillor Stack

R680/10/07/13 THAT the Minutes of the Regular Meetings of June 28th, 2010 and June 29, 2010 and the Public Hearing Meetings of June 29th, 2010 and the Special Committee-of-the-Whole Meeting of June 30, 2010 be confirmed as circulated.

Carried

4. Councillor Craig 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. 10269 (TA09-0006) - City of Kelowna - Text Amendment - Agriculture 1 zone Amendment to Zoning Bylaw No. 8000

Councillor James declared a conflict of interest as he has a direct pecuniary interest in this matter as the owner of an agri-tourism business and left the meeting at 7:38 p.m.

Staff:

- Confirmed that the 10m setback is the minimum requirement.

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R681/10/07/13 THAT Council directs staff to amend the setback requirement from 10 meters to 50 meters with respect to agri-tourist accommodation sites.

DEFEATED
Councillors Blanleil, Craig, Reid, Rule and Stack - Opposed.

City Clerk:

- Advised that the amendments to the Business License Bylaw will apply to everyone as those amendments will not be covered through the grandfathering process.

Moved by Councillor Stack/Seconded by Councillor Blanleil

R682/10/07/13 THAT Bylaw No. 10269 be read a second and third time.

Carried
Councillor Hobson- Opposed.

City Clerk:

- Advised that Business Licenses are issued annually and expire on December 31st of each year. Anyone who has a 2010 Business License will be required to renew it by the end of December 2010.
- Anticipates that the amendments to the Business License Bylaw will come forward to Council in either late August or early September and will be effective once the Bylaw amendments have been adopted.

City Clerk:

- Confirmed that staff will report back to Council with respect to the different grandfathering options for Council's consideration.

Moved by Councillor Stack/Seconded by Councillor Hobson

R683/10/07/13 THAT Council directs staff to report back to Council with the various enforcement options and resulting impacts on the existing agri-tourist accommodation sites as a result of Text Amendment No. TA09-0006.

Carried

Moved by Councillor Rule/Seconded by Councillor Hodge

R684/10/07/13 THAT Council directs staff to report back to Council with information on the current state of the commercial RV sites within the City of Kelowna as well as the number of properties that are already zoned to permit commercial RV sites.

Carried

Staff:

- Confirmed that commercial RV sites are only permitted within the C9 Commercial zone.

Councillor James rejoined the meeting at 8:33 p.m.

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- 5.2 Bylaw No. 10294 (Z10-0004) - 0765777 BC Ltd. (Gail Temple) - 1690-1698 Powick Road

Moved by Councillor James/Seconded by Councillor Hodge

R685/10/07/13 THAT Bylaw No. 10294 be read a second and third time.

Carried

- 5.3 Bylaw No. 10367 (Z10-0025) - Martin Cleveland, Gregory Allen and Carol Cleveland - 1336 Mountainview Street

Moved by Councillor Hodge/Seconded by Councillor Rule

R686/10/07/13 THAT Bylaw No. 10367 be read a second and third time.

Carried

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Community Sustainability Division, dated June 11, 2010 re: Development Variance Permit Application No. DVP10-0072 - Jason Easton & Nancy Wright (Casey Easton) - 2435 Richter Street 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.

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 Hobson/Seconded by Councillor Rule

R687/10/07/13 THAT Council authorize the issuance of Development Variance Permit No. DVP10-0072 for Lot A, D.L. 136, ODYD, Plan KAP44789, located at 2435 Richter Street, Kelowna, B.C;

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

Section 13.6.6 (e) Development Regulations - Rear Yard Setback
Vary the required rear yard setback from 1.5m required to 0.79m proposed.

Carried

7. REMINDERS - Nil.

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8. TERMINATION

The meeting was declared terminated at 8:44 p.m.

Certified Correct:

Mayor

SLH/dld

Deputy City Clerk