

Regular MeetingSeptember 21, 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, September 13th, 2010.

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

Council members absent: Councillors Kevin Craig and Robert Hobson.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Manager, Urban Land Use, Danielle Noble; and Council Recording Secretary, Sandi Horning.

(* denotes partial attendance)

1. CALL TO ORDER

Mayor Shepherd called the meeting to order at 8:25 p.m.

Mayor Shepherd advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet.

2. PRAYER

2. Prayer will be offered by Councillor Stack.

3. CONFIRMATION OF MINUTES

Public Hearing - September 7, 2010
 Regular Meeting - September 7, 2010
 Regular A.M. Meeting - September 13, 2010
 Regular P.M. Meeting - September 13, 2010

Moved by Councillor James/Seconded by Councillor Stack

R903/10/09/21 THAT the Minutes of the Regular Meeting of September 7, 2010 and September 13, 2010 and the Public Hearing Meeting of September 7, 2010 be confirmed as circulated.

Carried

4. Councillor Blanleil 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. 10401 (Z10-0060) - Chlojo Investments Inc. (Edgecombe Builders) - 1290 & 1298 St. Paul Street

Moved by Councillor Hodge/Seconded by Councillor Rule

R904/10/09/21 THAT Bylaw No. 10401 be read a second and third time.

Carried

Regular Meeting

September 21, 2010

- 5.2 Bylaw No. 10402 (Z10-0061) - William & Lynn Jeffrey - 4555 Sallows Road

Moved by Councillor Hodge/Seconded by Councillor Rule

R905/10/09/21 THAT Bylaw No. 10402 be read a second and third time.

Carried

- 5.3 Bylaw No. 10403 (Z10-0044) - Gordon Kaltenhauser - 120 Homer Road

Moved by Councillor James/Seconded by Councillor Hodge

R906/10/09/21 THAT Bylaw No. 10403 be read a second and third time.

Carried

- 5.4 Bylaw No. 10404 (Z10-0051) -Kane #2 Resources Ltd. (Protech Consultants Ltd.) - 335 Gerstmar Road

Moved by Councillor Blanleil/Seconded by Councillor Reid

R907/10/09/21 THAT Bylaw No. 10404 be read a second and third time.

Carried

- 5.5 Bylaw No. 10405 (Z10-0056) - David Erikson, Alexander Norman & Susan Ames (David Erikson) - 1353 Flemish Road

Moved by Councillor Reid/Seconded by Councillor Blanleil

R908/10/09/21 THAT Bylaw No. 10405 be read a second and third time.

Carried

Moved by Councillor Hodge/Seconded by Councillor Rule

R909/10/09/21 THAT Council directs staff to clarify the business licence requirement for rental property where the property owner does not occupy the premises;

AND THAT staff clarify why business licences are required for secondary suites;

AND FURTHER THAT this information be provided to Council when staff report back on the proposed amendments to the City's Business Licence Bylaw.

Carried

Councillor Blanleil - Opposed.

- 5.6 Bylaw No. 10407 (Z10-0055) - Singla Bros. Holdings Ltd. - 875 Hollywood Road South

Moved by Councillor Stack/Seconded by Councillor Reid

R910/10/09/21 THAT Bylaw No. 10407 be read a second and third time.

Carried

Regular MeetingSeptember 21, 2010**(BYLAWS PRESENTED FOR SECOND AND THIRD READINGS AND ADOPTION)**

- 5.7 Bylaw No. 10406 (Z10-0011) - Olga Stuhbert (Van Gulp & Company) - 1785 Swainson Road

Moved by Councillor Stack/Seconded by Councillor Reid

R911/10/09/21 THAT Bylaw No. 10406 be read a second and third time and be adopted.

CarriedMoved by Councillor Hodge/Seconded by Councillor Rule

R912/10/09/21 THAT Council requests that, during the subdivision process, staff consider the Agricultural Advisory Committee's request for the registration of a Section 219 Covenant on the property located at 1785 Swainson Road which advises future inhabitants that the property is located adjacent to agricultural lands and is subject to typical farm practices.

Carried6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Community Sustainability Division, dated August 18, 2010 re: Development Variance Permit Application No. DVP10-0086 - Ronald Jesse & Karen Bamford - 1344 Mountainview 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 Stack/Seconded by Councillor James

R913/10/09/21 THAT Council authorize the issuance of Development Variance Permit No. DVP10-0086 for Lot 21, Sec. 29, Twp. 26, O.D.Y.D., Plan 5070, located at 1344 Mountainview St., Kelowna, B.C.

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

Section 13.1.6(d) Development Regulations

To vary the minimum flanking southern sideyard setback from 4.5m required to 1.0m proposed, as shown on Schedule "A".

Carried

Regular MeetingSeptember 21, 2010

- 6.2 Community Sustainability Division, dated August 23, 2010 re: Development Variance Permit Application No. DVP10-0113 - Kevin & Nancy Halchuk - 559 McClure 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.

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 Hodge/Seconded by Councillor Blanleil

R914/10/09/21 THAT Council authorize the issuance of Development Variance Permit No. DVP10-0113 for Lot 2, District Lot 167, O.D.Y.D., Plan 18442, located at 559 McClure Road, Kelowna, BC;
AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.1.6(e) Rear Yard Setback- To vary the required rear yard (western) setback from 7.5 m required to 4.5 m proposed.

Carried

7. REMINDERS - Nil.

8. TERMINATION

The meeting was declared terminated at 9:00 p.m.

Certified Correct:

Mayor

SLH/dld

Deputy City Clerk