

Regular MeetingFebruary 23, 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, February 23, 2010.

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

Council members absent: Councillors Kevin Craig, Robert Hobson and Angela Reid.

Staff members in attendance were: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; 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 6:56 p.m.

2. PRAYER

A Prayer was offered by Councillor Stack.

3. CONFIRMATION OF MINUTES

Regular A.M. Meeting - February 8, 2010
 Regular P.M. Meeting - February 8, 2010
 Public Hearing - February 9, 2010
 Regular Meeting - February 9, 2010
 Regular A.M. Meeting - February 15, 2010
 Regular P.M. Meeting - February 15, 2010

Moved by Councillor James/Seconded by Councillor Hodge

R161/10/02/23 THAT the Minutes of the Regular Meetings of February 8, 2010, February 9, 2010 and February 15, 2010 and the Public Hearing Meeting of February 9, 2010 be confirmed as circulated.

Carried

4. Councillor Stack 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. 10286 (Z09-0078) - Blaine McKain - 650 Denali Court

Moved by Councillor Stack/Seconded by Councillor Blanleil

R162/10/02/23 THAT Bylaw No. 10286 be read a second and third time.

Carried

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- 5.2 Bylaw No. 10287 (Z09-0068) - Sukhjit & Bhupinder Sidhu (Axel Hilmer) -
737 Renshaw Road

Moved by Councillor Stack/Seconded by Councillor Blanleil

R163/10/02/23 THAT Bylaw No. 10287 be read a second and third time.

Carried

- 5.3 Bylaw No. 10288 (Z09-0076) - Rajvinder & Harjit Johal (Axel Hilmer) -
408 Stetson Street

Moved by Councillor James/Seconded by Councillor Rule

R164/10/02/23 THAT Bylaw No. 10288 be read a second and third time.

Carried

- 5.4 Bylaw No. 10289 (Z09-0081) - Diane & Guy Delaurier (Diane Delaurier) -
916 Arbor View Drive

Moved by Councillor Rule/Seconded by Councillor Hodge

R165/10/02/23 THAT Bylaw No. 10289 be read a second and third time.

Carried

City Manager:

- Provided details regarding the City's process with respect to illegal suites.

Moved by Councillor Stack/Seconded by Councillor Hodge

R166/10/02/23 THAT Council direct staff to report back to Council with respect to the current process in place of illegal secondary suite bylaw infractions together with any further options for enforcement.

Carried

6. DEVELOPMENT PERMIT AND DEVELOPMENT VARIANCE PERMIT REPORTS

- 6.1 Community Sustainability Division, dated January 29, 2010 re: Development Variance Permit Application No. DVP09-0159 - Joel & Sara Wakaruk (Paul Schuster) - 1459 Feedham Avenue 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 if the variance is not granted, the owner of the property will have to reduce the height of the retaining wall so that it meets the City's Bylaw requirements.

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.

Regular MeetingFebruary 23, 2010Paul Schuster, Applicants' Representative

- Advised that the retaining wall was required in order to utilize a ramp system that was installed on the subject property so that the applicants' relative who is living with them and who is in a wheelchair, can gain access to the basement of the dwelling.
- Advised that the applicants have letters confirming that the engineering requirements have been met.
- Advised that the applicants would be agreeable to installing a guardrail that is compliant with the BC Building Code and the City's Bylaws.

Moved by Councillor James/Seconded by Councillor Hodge

R167/10/02/23 THAT Council authorize the issuance of Development Variance Permit No. DVP09-0159 for Lot 12, Section 13, Township 26, ODYD, Plan 76178 located at 1459 Feedham Avenue, Kelowna, BC;

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

Section 7.5.9 (Fencing & Retaining Walls)

Vary the maximum height of a retaining wall in a residential zone from 1.2m allowed to 2.16m proposed.

AND THAT prior to issuance of the Development Variance Permit, confirmation be provided to the Director, Land Use Management that the Building Services Branch has issued a Building Permit for the retaining wall.

Carried7. REMINDERS8. TERMINATION

The meeting was declared terminated at 7:20 p.m.

Certified Correct:

 Mayor

SLH/dld

 Deputy City Clerk