

Regular MeetingJanuary 11, 2011

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, January 11th, 2011.

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

Council members absent: Councillor Robert Hobson.

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 7:04 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. A Prayer was offered by Councillor Craig.

3. CONFIRMATION OF MINUTES

Regular A.M. Meeting - December 13, 2010
 Regular P.M. Meeting - December 13, 2010
 Public Hearing - December 14, 2010
 Regular Meeting - December 14, 2010

Moved by Councillor Stack/Seconded by Councillor Hodge

R034/11/01/11 THAT the Minutes of the Regular Meetings of December 13, 2010 and December 14, 2010 and the minutes of the Public Hearing of December 14, 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. 10461 (Z10-0079) - Emil Anderson Construction Co. Ltd. -
 2428 Glacier Court

Moved by Councillor Craig/Seconded by Councillor Rule

R035/11/01/11 THAT Bylaw No. 10461 be read a second and third time.

Carried

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- 6.1 Land Use Management Department, dated December 6, 2010 re: Development Variance Permit Application No. DVP10-0118 - Ruth Welder and William & Gertrude Welder (Lynn Welder Lalonde) - 1401 Highland Drive South 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 City Clerk advised that the following correspondence and/or petitions had been received:

- o Letter of No Objection:
 - Don and Helen Green, 1402 Highland Drive South
- o Letter of Support:
 - Terry and Christine Ward, 1404 Highland Drive South

Mayor Shepherd invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Lynn Welder, Applicants' Representative

- Advised that the variance for the side yard setback is simply a housekeeping amendment and confirmed that the structure is currently considered to be legal non-conforming.
- Displayed photos of the subject property.
- Believes that the work being done to the dwellings will greatly benefit the surrounding area.
- Advised that she canvassed the neighbourhood and obtained several signatures in support of the requested variances.
- Advised that the revised plans show exactly what will be constructed on the site.

Staff:

- Confirmed that a Petition in Support of the variances was provided to the Advisory Planning Commission.

Gallery:

Terry Ward, 1404 Highland Drive S.

- Advised that he lives across the street from the subject property and supports the variances being requested.

There were no further comments.

Moved by Councillor Rule/Seconded by Councillor Craig

R035/11/01/11 THAT Council authorize the issuance of Development Variance Permit No. DVP10-0118, Lot 4, District Lot 137, ODYD Plan 27891, located on Highland Drive South, Kelowna, BC;

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

Section 13.6.6(d):

To vary the required south side yard of an existing dwelling from 2.0m required to 1.65 m proposed.

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Section 13.6.6(e):

To vary the required rear yard of a proposed second dwelling from 6.0m required to 4.5m proposed.

Carried

7. RESOLUTIONS

- 7.1 City Clerk, Draft Resolution, re: Liquor License Application No. LL10-0013 - Delta Hotels No. 48 Holdings Ltd. (Gateway Casinos & Entertainment) - 1300 Water Street

Moved by Councillor Rule/Seconded by Councillor James

R036/11/01/11 THAT Council defers consideration of Liquor License Application No. LL10-0013 to the January 25, 2011 Regular Meeting.

Carried

8. REMINDERS - Nil.

9. TERMINATION

The meeting was declared terminated at 7:15 p.m.

Certified Correct:

Mayor

SLH/dld

City Clerk