

CITY OF KELOWNA
REGULAR COUNCIL AGENDA
COUNCIL CHAMBER - CITY HALL - 1435 WATER STREET

TUESDAY, JUNE 24, 2003

7:00 P.M.

(following the Public Hearing)

1. CALL TO ORDER
2. Prayer will be offered by Councillor Hobson.
3. CONFIRMATION OF MINUTES
Regular Meeting, June 9, 2003
Public Hearing, June 10, 2003
Regular Meeting, June 10, 2003
4. Councillor Hobson requested to check the minutes of this meeting.
5. PLANNING BYLAWS CONSIDERED AT PUBLIC HEARING

(BYLAWS PRESENTED FOR SECOND & THIRD READINGS AND ADOPTION)

- 5.1 Bylaw No. 9040 (Z03-0014) – Shelly Gellner – 942 Nassau Crescent
To rezone the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite to legalize an existing suite located in the basement of a single detached dwelling on the site.
6. UNFINISHED BUSINESS
 - 6.1 Mayor's Entertainment District Task Force, dated June 16, 2003 re: Final Report Recommendations for improving liveability in the Kelowna Downtown area.
 - 6.2 Deferred from the Regular Meeting of May 13, 2003: Planning & Development Services Department, dated April 9, 2003 re: Liquor Licensing Application No. LL03-0006 – Gotcha Nightclub – 238 Leon Avenue **Mayor to invite anyone in the public gallery who deems themselves affected by this liquor licence application to come forward**
To consider a request for Council support to extend the hours of operation for Gotcha Nightclub from 2 a.m. to 4 a.m.

6. UNFINISHED BUSINESS – Cont'd

- 6.3 Deferred from the Regular Meeting of May 5, 2003: Planning & Development Services Department, dated March 10, 2003 re: Liquor Licensing Application No. LL03-0003 - Flashbacks Entertainment Ltd. – 1250 & 1298 Ellis Street **Mayor to invite anyone in the public gallery who deems themselves affected by this liquor licence application to come forward**
To consider an application to increase the licensed person capacity from 491 to 686 persons and to extend the permitted hours of liquor sales from 8 p.m. to 2 a.m. daily to 9 a.m. to 4 a.m. daily

TABLED MOTION (from the Regular Meeting of May 5, 2003)

Moved by Councillor Horning/Seconded by Councillor Blanleil

THAT Council support the person capacity increase (from 491 to 686 persons) proposed by Flashbacks Entertainment Ltd for 1250-1298 Ellis Street;

AND THAT Council support an extension to the permitted hours of liquor sales from 9:00 a.m. to 2:00 a.m., Monday to Sunday, proposed as the second option by Flashbacks Entertainment Ltd. for 1250-1298 Ellis Street;

AND FURTHER THAT Council direct staff to forward the appropriate resolution to the Liquor Control and Licensing Branch in Victoria subject to the following:

- The applicant meeting the parking requirement or arranging for a cash in-lieu payment to the City of Kelowna
- Sprinkler testing and upgrading throughout the building.

7. PUBLIC MEETING TO RECEIVE INPUT ON LIQUOR LICENCE APPLICATION:

NOTE: Council shall consider whether, based on the input received, the majority are in favour or not in favour of the licence to be granted by the Provincial Liquor Licensing Branch.

- 7.1 Planning & Corporate Services Department, dated May 22, 2003 re: Liquor Licensing Application No. LL02-0010 – M.S. Developments Inc. (Nicholas Sintichakis) – 1630-1654 Ellis Street, 466-484 Leon Avenue **Mayor to invite anyone in the public gallery who deems themselves affected by this liquor licence application to come forward**
To consider a request to increase the licensed person capacity from 102 to 132 for pub under development adjacent to Yamas Restaurant.
- 7.2 Planning & Corporate Services Department, dated May 28, 2003 re: Liquor Licensing Application No. LL03-0010 – Callahan Construction/3720 Investments (Fred Hamel/Laughing Loon Pub Inc.) – 15-590 Highway 33 West **Mayor to invite anyone in the public gallery who deems themselves affected by this liquor licence application to come forward**
To consider a request for Council support for a 34-seat Liquor Primary licensed Neighbourhood Pub and a Licensee Retail Store at Willow Park Mall ((license transfer from Williams Lake).

8. PLANNING

- 8.1 Planning & Corporate Services Department, dated May 21, 2003 re: Development Variance Permit Application No. DVP03-0041 – James Odermatt – 3735 Gordon Drive **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 to come forward**
To vary the required side yard setback from 3 m to 2.5 m as a result of an error in the placement of the foundation for a second dwelling on the property.
- 8.2 Planning & Corporate Services Department, dated May 22, 2003 re: Development Variance Permit Application No. DVP03-0043 – Corcoran Industries Ltd. (Ken Corcoran) – 4-4190 Lakeshore 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 to come forward**
To vary the side yard setback from 2.3 m to 2.15 m to address an error that was made during construction of the dwelling that now exists on the site.
- 8.3 Planning & Corporate Services Department, dated May 13 re: Development Variance Permit Application No. DVP03-0036 – Andrea Gostlin (Maric Construction) – 2312 Dewdney 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 to come forward**
To vary the setback from Okanagan Lake from 15.0 m to 0.0 m to construct a tramway and deck within the riparian management area.
- 8.4 Planning & Corporate Services Department, dated May 23 re: Development Permit Application No. DP03-0029 and Development Variance Permit Application No. DVP03-0030 – RSSD Ventures Ltd. c/o Porter Ramsay (Tony Lockhorst) – 1959, 1965 & 1971 Pandosy 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 variances to come forward**
To allow for construction of a 3.5 storey, 36-unit apartment building and to vary the front yard, side yard, rear yard and Mill Creek setback requirements, site coverage and required parking.

9. BYLAWS

(BYLAWS PRESENTED FOR FIRST READING)

- 9.1 Bylaw No. 9052 (Z03-0018) – Jacob & Irene Welder – 1299 Rodondo Place
To rezone the property from RR1 – Rural Residential 1 to RU1 – Large Lot Housing to facilitate a subdivision to create an additional single family lot.

10. REMINDERS

11. TERMINATION