

A Public Hearing of the Municipal Council of the City of Kelowna was held in the Council Chamber, 1435 Water Street, Kelowna, B.C., on Tuesday, June 1, 2004.

Council members in attendance were: Mayor Walter Gray, Councillors R.D. Cannan, B.A. Clark, C.B. Day, B.D. Given, R.D. Hobson, E.A. Horning and S.A. Shepherd.

Council members absent: Councillor A.F. Blanche.

Staff members in attendance were: Acting City Manager/Director of Planning & Corporate Services, R.L. Mattiussi; Acting City Clerk, S.C. Fleming; Manager of Development Services, A.V. Bruce; Manager of Policy, Research & Strategic Planning, S.K. Bagh; and Council Recording Secretary, B.L. Harder.

(* denotes partial attendance)

1. Mayor Gray called the Hearing to order at 7:09 p.m.
2. Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "*Kelowna 2020 - Official Community Plan Bylaw No. 7600*" and "Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

The Acting City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on May 14, 2004 and by being placed in the Kelowna Daily Courier issues of May 25 & 26, 2004, and in the Kelowna Capital News issue of May 23, 2004 and by sending out or otherwise delivering 478 letters to the owners and occupiers of surrounding properties between May 14-17, 2004.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy 309.

3. INDIVIDUAL BYLAW SUBMISSIONS

3.1 **Intensive Residential Development Permit Areas**

- 3.1 Bylaw No. 9240 (OCP04-0009) – THAT *Kelowna 2020* Official Community Plan Bylaw No. 7600 be amended to designate properties that are zoned to allow Secondary Suite and Two Dwelling Housing as Intensive Residential Development Permit Areas.

Staff:

- This amendment is put forward for Council's consideration in response to community desire for more rigorous design control for new secondary suite and two dwelling housing in order to help ensure that the form and character is consistent with the existing neighbourhood.
- There are already residential development guidelines in place for heritage conservation areas and multiple unit development permit areas. The proposed amendment would designate properties zoned for secondary suite and two dwelling housing as intensive residential development permit areas, subject to the guidelines for form and character of development as outlined in the bylaw.
- Outlined the types of single family and two dwelling housing development activity that may qualify for a waiver of the development permit requirement.

- Reviewed the proposed guidelines for processing development permits for secondary suite and two dwelling housing, including relationship to the street, neighbourhood context and privacy, building massing, parking, landscaping, building form and finish, and accessibility.
- Outlined the proposed procedure for processing development permit applications for intensive development permit areas. The applications would not be reviewed by Council-appointed advisory committees and there would be no requirement to post development notice signs on the property. The Director of Planning & Corporate Services would be authorized to issue the permits. The applications could be processed in conjunction with building permits and would be processed at the lowest base fee, within the normal processing timeframe of 2 weeks.
- Council had asked that staff consider designating certain blocks of Bernard and Lawrence Avenues as a Heritage Conservation Area. In the opinion of staff, the proposed guidelines would achieve the same result.
- There are several applications for secondary suites that have been held in abeyance pending adoption of the proposed guidelines.
- Proposed Zoning Bylaw amendments regarding secondary suite and two dwelling housing that are pending, include introducing open space requirements for suites; requiring that the principal dwelling be located in front of accessory buildings containing suites, and limiting the maximum height of accessory buildings to the lesser of 4.5 m or the height of the principal dwelling.

The Acting City Clerk advised that no correspondence and or petitions had been received.

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

David Lovell, president of Kelowna South-Central Association of Neighbourhoods (KSAN):

- The KSAN area covers about 60 city blocks, includes an estimated population of 10,000 and includes both the Abbott Street and Marshall Street heritage conservation areas where heritage guidelines are already in place. A large portion of the area is zoned RU6 – Two Dwelling Housing.
- The Zoning Bylaw amendments that are pending are encouraging, but having seen the impact of carriage homes, KSAN is proposing a compromise: that carriage homes be restricted to 1 storey only with an attached carport. That would ensure that the parking space is used for parking and the suite would be more accessible for wheelchairs and physically challenged persons.
- The RU6 zone has in the past had little control over design. The proposed intensive development permit area and guidelines should help and KSAN supports second unit development. Realize the intent is to speed up the processing time and reduce staff time and costs. But, concerned that there would be no public review process for new two unit development. Would prefer that, at least for carriage homes, a sign be posted at the front and rear of the property so the neighbours know.
- Also concerned that any new single detached homes would not be subject to an Intensive Residential Development Permit except when in a heritage conservation area and that could encourage large, possibly low quality out of character buildings to be built, possibly adding suites at a later stage.
- There are 46 registered heritage homes in the three blocks of Bernard and Lawrence Avenues. Disappointed that those blocks will not be designated as a heritage conservation area. Concerned that the proposed guidelines would not protect existing neighbourhoods from large out of character homes or alterations. Had hoped there would be a public review process.
- Size, height and proliferation of carriage homes has become an issue. Showed photos of typical carriage homes that are being built in the area.

Staff:

- Referred to the photos and, as an indication to the public of what they can expect implementing the new design guidelines, explained how the guidelines would have been applied in each instance.

Ray Lewis, 575 Okanagan Boulevard:

- The 'may' and 'should' wording in the guidelines make it sound like the guidelines are voluntary.
- There are many good elements in the guidelines but, if they are not mandatory the neighbourhood character would be lost.

Steve Shoranick, MKS Resources:

- If Council limits affordable housing to 1 storey on a 50 ft. lot, the setback requirements and size restrictions would make it uneconomical for anyone to build. The guidelines are acceptable when a property is near a heritage building, but otherwise not.
- Some of the proposed guidelines would streamline and simplify the process.

Brenda Bachman, 1812 Marshall Street:

- Her home is within a heritage conservation area and she has built two carriage homes herself. The first was to old rules and is higher than the home in front of it but matches the roof line of the home beside it and fits in with the street very well. The second one is to the maximum 4.5 m height and would never have been permitted under the proposed guidelines. It is slightly larger than the existing dwelling but is not at all obtrusive.
- Concerned that the height requirement, setbacks, and limitations on lot/ building coverage compared to the main dwelling, would make it not viable for people to build carriage homes and that people would demolish existing homes that should be preserved, or make wrong renovations to existing homes in order to get more height on a proposed carriage home.
- The KSAN area has a lot of duplex houses with suites that are totally inappropriate. Carriage houses would be preferred.
- Supports the proposed guidelines but not the new height restriction.

Staff:

- The height restriction is not part of the subject OCP amendment but will be part of a zoning bylaw amendment that is proposed to come forward at a future date.

Andre Kolber, resident of Vancouver:

- Owns the properties at 631 Okanagan Boulevard and 741 Lawson Avenue; both are zoned RU6.
- The proposed guidelines should be more strict for carriage houses. The pitch of the roof should have to be the same as the main house, and the siding and trim around the window coverings and landscaping should also have to be similar. Need to also consider views from windows into neighbouring properties.

There were no further comments.

3.2(a) Housingkeeping Items and Adding DP Requirements for Institutional Uses

- 3.2(a) Bylaw No. 9236 (OCP04-0010) – THAT *Kelowna 2020* Official Community Plan Bylaw No. 7600 be amended as outlined in Schedule 1 attached to the report from the Planning & Corporate Services dated May 5, 2004, to incorporate minor wording changes for clarification, mapping updates based on recent subdivision approvals, as well as clarification of the OCP provisions with respect to Development Permit requirements for Institutional developments within Urban Centres or containing a residential, commercial or industrial component.

Staff:

- The proposed amendments are the result of ongoing use of the OCP and dialogue within the community. The amendments have no implications on the 20 year servicing plan and financing strategy and so can be dealt with outside the regular 5 year reviews of the OCP.
- The 'housekeeping' amendments include wording clarifications to avoid confusion and to be consistent with provincial wording from legislative changes, map updates, and extension of the Development Permit (DP) umbrella to apply to Institutional projects that are within Urban Centres or that contain a residential, commercial or industrial component.
- The text amendments include adding a cluster housing policy; requiring a DP for commercial projects that are located in a residential neighbourhood; changes to the road network map to make the OCP consistent with the DCC bylaw as an outcome of removing the couplet from the OCP and needing to apply the monies that were allocated to that project to other projects to make the two documents consistent.

The Acting City Clerk advised that the following correspondence and or petitions had been received:

- letter from E.J. Montgomery, 873 Grenfell Avenue regarding unrelated issues that stem from her own property which is zoned RU6.

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

Mike Gardner, 311-1855 Pandosy Street:

- Commented on a Development Variance Permit application that is on the Regular Meeting agenda tonight suggesting that the stamped concrete area at the corner of Lake Avenue and Pandosy Street be changed to pavement.

Eileen Montgomery, 873 Grenfell Avenue:

- Asked about the concern expressed in her letter regarding whether her property is bareland strata or a detached home.

Staff:

- The strata unit Ms. Montgomery bought is on a duplex lot. Her concern has nothing to do with the amendment before Council tonight and can be discussed with staff at another time.

3.2(b) Shore Zone Public Route of Access

- 3.2(b) Bylaw No. 9243 (OCP04-0010) – THAT Kelowna 2020 Official Community Plan Bylaw No. 7600 be amended by deleting the existing policy 14.1.40 from Section 14.1 of Chapter 14 – Parks and Leisure and replacing it with the following new policy 14.1.40:

“Shore Zone Route of Access. Pursue the establishment of a 10 metre route of access by way of a road right-of-way dedication, from the natural boundary, along the Lake Okanagan shore zone for the purposes of flood control, lake conservation, lake maintenance, and public access. Provision of the route of access shall be pursued on all pending and future applications for subdivision and rezoning.”

Withdrawn from the agenda.

3.3 441 Lawrence Avenue

- 3.3 Bylaw No. 9217 (Z04-0018) – Kelowna Speedometer Ltd. – Frank Beckmann (664918 BC Ltd. {The Blue Gator}) – Lawrence Avenue – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, District Lot 139, ODYD Plan 3508, located on Lawrence Avenue, Kelowna, B.C. from the C7 – Central Business Commercial zone to the C7lp – Central Business Commercial (Liquor Primary) zone.

Staff:

- The establishment is a blues club and currently holds a food primary liquor license and so is restricted on the number of patrons they can serve liquor to without food and on the hours they can serve.
- A liquor primary license would not result in any significant change. Occupancy would stay the same, with 95 seating capacity within and 12 person capacity on the patio. Hours of operation will be discussed later this evening during the Regular Meeting.
- The rezoning is consistent with policy direction set out by the Mayor’s Entertainment District Task Force.

The Acting City Clerk advised that no correspondence and or petitions had been received.

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

Mark Vnette:

- He and his wife own the Blue Gator which is recognized as one of Canada’s foremost Blues Clubs. The club caters to the older more sophisticated crowd.
- Spoke to Mrs. Grimwood of Wasco Holdings and her concerns are general and not specific to this facility. The proximity to some of the nightclubs in the downtown is more of a problem than the patrons who frequent the Blue Gator.

The City Clerk clarified that the letter from Mrs. Grimwood was circulated to Council in their agenda package for the Regular Meeting as it retains to the Liquor Licensing application under agenda item No. 6.1.

Marian Grimwood, Wasco Holdings Inc., 2303 Leckie Road:

- Clarified that her major concern is with the proposed rezoning because once the zoning is in place, the Blue Gator can move and the zoning stays, potentially expanding the existing problems in the downtown.
- She owns two buildings in the downtown and her commercial tenants complain about the mess all the time.
- Does not want to see another area of the downtown zoned with the liquor primary designation.

Staff:

- Any change to hours or seating capacity would have to be approved by Council.

There were no further comments.

3.4 Various Properties

- 3.4 Bylaw No. 9228 (Z04-0022) – Various Owners (City of Kelowna) – Various Locations – THAT City of Kelowna Zoning Bylaw 8000 be amended by updating Schedule “A” as outlined in the report of the Planning & Corporate Services Department dated April 20, 2004, in order to correct discrepancies that resulted from the conversion of Zoning Bylaw 4500 to Zoning Bylaw 8000, and to correct other discrepancies that, because of subdivisions occurring after adoption of rezoning bylaws, resulted in zoning boundaries that do not correspond with final lot lines.

Staff:

- The proposed amendments will correct map discrepancies that are a result of drafting errors and/or subdivisions that occurred after zonings.
- Showed examples of the minor zoning adjustments to property boundaries noting that some of the inconsistencies were discovered through the conversion from the old to new zoning bylaw.
- As requested by Council, letters were sent to the owners of all the properties with zoning changes to notify them of the changes.

The Acting City Clerk advised that no correspondence and or petitions had been received.

Mayor Gray invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. There was no response.

3.5(a) CD16 – Bingo and Gaming Zone

- 3.5(a) Bylaw No. 9238 (TA04-0001) – Springfield Plaza Inc. – Springfield Road - THAT City of Kelowna Zoning Bylaw No. 8000 be amended by adding the CD16 – Bingo and Gaming Zone to Section 17, Schedule ‘B’ of Zoning Bylaw No.8000 as outlined in the report of the Planning & Corporate Services Department dated April 27, 2004.

Councillor Given declared a conflict of interest because he works for an agency that derives money from this facility and left the Council Chamber at 9:13 p.m.

Councillor Day declared a conflict of interest because a direct family member owns adjoining property and left the Council Chamber at 9:13 p.m.

Staff:

- The property was developed to consolidate the bingo operations to a single location a few years ago. At that time the City had assurance from the Gaming Commission that this would be the only bingo operation in Kelowna in the foreseeable future.
- The applicant is now seeking to proceed with the expansion that was proposed as phase 2 of the building. With that phase they want to incorporate electronic slot machines and an area for off-track betting and they are also seeking a Liquor Primary license that would be restricted to between 150 to 200 patrons but not necessarily to specific locations within the facility.
- The intent has been to have casinos in the downtown entertainment district.
- Staff supported the proposed building expansion under C10 zoning and would still support that. Staff do not support the extended gaming or the proposed liquor primary zoning.
- It was at Council's request that staff prepared a CD zone to limit the uses on the site to those proposed; the CD16 zone does that.

The Acting City Clerk advised that the following correspondence and or petitions had been received:

Opposition

- letter from Robert Randall, 101-1580 Springfield Road
- letter from Don & Elizabeth Crowe, #184-1995 Burtch Road
- letter from Gayle Stevenson, 187-1995 Burtch Road
- letter from Harvey Benson, Jabs Construction Ltd., #200-1889 Springfield Road
- letter from R. Burrige, 201-2125 Burtch Road
- letter from D. Crow with an accompanying petition bearing signatures representing 53 households at 1995 Burtch Road

All opposed generally on the basis that criminal activity, traffic and noise would increase; lack of parking; the two storey addition would negatively impact the adjacent residential area.

Support

- George Sweny, Vice President, Bingo Gaming
- Brenda Gilbert, Secretary, Central Okanagan Bingo Association

In favour because of the increase in charitable funds that would be available to the Central Okanagan.

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

Stan Walt, applicant:

- Off-track racing already exists in Angie's Pub and would be relocated into the proposed building addition.
- The number of electronic slot machines would be determined by the B.C. Lotto Corp.
- The Bingo Association represents some 119 charities within the city; well over 4,000 charities are affected by bingo revenues throughout Kelowna.
- Has licensed all 800 seats in the facility at times for special occasions and experienced no interior or exterior problems.
- The strata council of the adjacent residential building does not support the proposed changes. The strata council of Burtch Estates passed a resolution neither in support nor opposition. They are the closest neighbour and Bingo Kelowna worked closely with them throughout construction and since to address any concerns they had. The proposed building addition faces Rona and backs onto Burtch Estates; there is 1 row of parking adjacent to Burtch Estates. The solid wall of the building addition would act as a sound buffer for Burtch Estates and there would also be solid 6 ft. fence as a sound barrier. There would be about 110 ft. between Burtch Estates and the back of

the proposed building. Patrons of the bingo facility would most likely want to park in front of the building rather than behind and have to walk around. The residential development south of Burtch Estates had no concerns. The residents of Springrose Estates, to the north of the subject property, had some concerns about issues that will be worked out with City staff. Was not aware that the residents of Sandringham had a concern until hearing of the petition that they submitted to Council.

- Bingo is quiet. The patrons are adult and come and go quietly. Bingo is the primary business in the facility now but would like to enhance that entertainment for the customers by offering the expanded gaming and liquor service that only recently became available to bingo facilities.
- There have been no noise related complaints since the facility was established, either in its present or former location.
- Hours of operation are 9 a.m. to 2 a.m. The majority of the crowd leaves at around 9:30 p.m. Horseracing is typically over by 5 p.m. because the races are live. Anticipate that there would only be 25-100 patrons playing the slot machines between 11:30 p.m. and 2 a.m.
- Opposition appears to be primarily toward liquor, not gaming. Bingo Kelowna is a responsible community neighbour and is a service provider licensed under the Province which has stringent regulations to make sure the facility is operated in a responsible manner.
- The focus is on expanding bingo not liquor service. Offering liquor service would be revenue neutral but would draw more people into the facility and so would benefit the charitable organizations.
- Expansion is part of the evolution of the gaming industry. It represents the continued growth and viability of bingo in the community and is a unique entertainment option for residents and visitors.
- The building addition would be 2-storeys, stepped down to mitigate the height difference and maintain the integrity of the existing building.
- Without the liquor license, the building addition would not be as shown tonight.
- With the proposed new building, the net loss of parking would be about 9 spaces in the front of the building. During the day there is ample parking. In the evening, there is an agreement in place for overflow parking to use the Rona parking lot. A pedestrian walkway has been built through to the Rona parking lot to accommodate that.
- The building addition as proposed would be approximately 9,000 sq. ft. on the main floor and about 7,000 sq. ft. on second floor.

Brian Butters, BC Lottery Corporation:

- The Lottery Corporation is trying to revitalize bingo and broaden the customer base to increase revenues and benefit charitable organizations which are the ultimate beneficiaries of gaming revenue.
- The Lottery Corporation is in partnership with Mr. Walt; his group that operates the Bingo Kelowna facility is under contract with the BC Lottery Corporation.
- Approximately 18 months ago changes were made to permit the service of alcohol in casinos and bingo facilities, and now electronic slot machines are being added to that. These are considered 'significant changes' and the Gaming Control Act requires Council's approval of a significant change.
- Strict regulations and guidelines are in place including Serving it Right for staff. Bingo Kelowna is an adult only facility (19 and over) due to Gaming Regulations.
- The intent is to create a community gaming centre where the primary game is bingo and the Lotto Corporation will insist that bingo remain the primary game in these facilities. Table games and slot machines are the primary games in casinos. A move to allow table games in bingo facilities would be considered another 'significant' change and again, the Gaming Control Act requires Council's approval of a significant change.

- The slot machines contemplated in community gaming centres would have a lower bet level and lower pay-out level and would be less intrusive than the type of slot machines in a casino. In gaming centers, the machines would allow the patron to spend more time on the machine and to win more often but in smaller amounts.
- The liquor licensing concept is new and only a small number of applications are before Municipal Councils; is not aware of any having been approved to date.

Don Crowe, 184 - 1995 Burtch Road:

- There is nothing but residential development between this end of the commercial area and the lake. You could hit 198 homes with golf balls hit from the green space which is intended for the proposed building addition; should not have 198 homes within a 9 iron shot of a drinking establishment. This type of facility should be in commercial space.
- The Public Hearing notice says the rezoning is requested to facilitate a 2-storey addition that would 'potentially' house slot machines. The applicant says he would not go ahead with the addition without the slot machines this so not 'potential'. The notice down-plays what is actually intended. It seems like a given that the facility will expand further.
- The facility is an excellent neighbour and the residents of Sandringham have had no complaints about the Bingo Kelowna operation. However, the residents are opposed to expanding the facility to include gaming and liquor service. Currently the hours of operation are 9 a.m. to midnight. Horseracing could go all night if they link up with other countries and the slot machines will go until 2 a.m.
- Expanded gaming would not be complementary to the neighbourhood and nor would liquor sales. People would be driving after drinking and traffic would be leaving at all hours of the night.
- Patrons of the facility will park along the shared property boundary because that is where the shade is. The parking lot is already full on weekends and the facility will be almost doubled in size.
- The residents at the southeast corner of Sandringham will have a 29 ft. high wall for their view.
- The residents of Sandringham are concerned that the facility will expand further, and there is no guarantee that the province will continue to require Council's support for 'significant' changes in future.

Linda Bodie, Burtch Estates, 2125 Burtch Road:

- Representing the strata council and owners of Burtch Estates..
- Clarified that Burtch Estates did not pass a resolution to either support or oppose; they listened to a presentation saying the roof line of the 2-storey addition would be no taller than the roof feature over the entry of the existing building. The applicant asked for a letter which the strata council did not provide.
- The Burtch Estates strata council are not opposed to the expansion but they are unanimously opposed to the 9 a.m. to 2 a.m. hours. Prefer to stay with the current hours of operation.

Steve Sellers, #502 Burtch Estates:

- All the wiring and piping is already in the ground for this expansion. This change would dramatically impact homes in the area.
- The parking spaces along the shared property boundary are not overflow, they are packed from 7 p.m. to 10 or 11 p.m. The units in Sandringham that are adjacent to the row of parking all have 2 bedrooms and the residents are being woken up not from noise from the business but from the sound of vehicles starting. Suggest that, as a compromise, the parking stalls along the shared property boundary be decommissioned.
- People are typically louder after having a few drinks so noise will increase if with the liquor license.

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- Liquor is not non-revenue generating.
- Liquor service every day is a huge change from liquor service for special events.
- Charitable organizations need the revenue, but at what expense?
- Concerned about the hours of operation and about the impact of adjacent parking on the residents' sleep patterns. Asked that Council limit the hours of operation to what they currently are or alternatively, allow the expansion to 2 a.m. but require that the facility be closed on Sundays.

Chedwan Yung, 503 Burtch Estates:

- If hours extend to 2 a.m. everyday, there will be at least 50 cars starting engines 35 m away from his master bedroom, disrupting his sleep.
- Urged Council to deny the extended hours of operation.

Charles Stuart, 189-1995 Burtch Road:

- He emailed a letter to the City on May 27th but the letter was not acknowledged by the City Clerk.
- He and his wife signed the petition against the liquor service and the slot machine gaming. They also object to the height of the building on the north elevation because it would block their view of the south slopes.
- The illuminated signs already shine into their townhouse unit, the problem would worsen if more signs are added in front of the building.
- Would prefer that the addition be at the rear of the building instead of in front.
- Slot machines belong in the casino downtown.
- There is already a lot of garbage along the boulevard and there will be more if the liquor license is approved.

EXTENSION OF MEETING:Moved by Councillor Horning/Seconded by Councillor Shepherd

P513/04/06/01 THAT pursuant to Section 5.5 of Council Procedure Bylaw No. 9200, the Public Hearing be permitted to continue past 11:00 p.m.

Carried

Councillors Clark and Hobson opposed.

Ted Grimwood, Wasca Developments:

- His company owns 8 commercial buildings in Kelowna. From his experience the concern about noise is real; noise echoes off big walls.

John MacAffee, 1585 Springfield Road:

- Is a partner with Mr. Walt, in that he and his wife are part owner of the building, but are not involved in the business.
- The services are already in the ground and in the wall because the expansion has always been anticipated and has always been known. It was just not known that the expansion it would be for expanded gaming.
- When the decision was made to go ahead with the expansion, met with the Burtch Estates residents and discussed height of building and liquor licensing. Their strata council passed a resolution saying they would not support and they would not oppose.
- Heard from Sandringham about their concerns for the first time 3 days ago.

- The proposed height for the addition is slightly higher than the existing building which has 1 storey in front and 2-storeys in the back.
- The petition submitted by Mr. Crow says nothing about being opposed to gaming. What Mr. Crow is saying is not coming from the residents of Burtch Estates.
- There is an 8-10 ft. high wall around the entire Sandringham complex yet the residents are complaining that their view would be blocked off by the proposed 2 storey building.
- Considered putting a large sign at the entrance but decided the sign is not necessary.
- If the 9 a.m. to 2 a.m. hours of operation are a deal breaker; then would cut back to a midnight closing if that would satisfy City Council and the residents. Will also try to find a way to rectify the concern about the 20 stalls along the west property boundary; maybe restrict parking there during certain times.
- Liquor has been served in the entire facility on many occasions and no problems as a result.
- In future, Springfield Plaza will work with Sandringham to make sure the residents are made aware of changes being contemplated.
- The Central Okanagan Bingo Association wrote on behalf of the charities; the letter represents 3,000 to 4,000 people in support.

Staff:

- Clarified that the application before Council is to change the zoning to add gaming and liquor primary services. Hours of operation are not on the table for discussion tonight.
- Council will have an opportunity to discuss the parking issue through the Development Permit and hours of liquor service through the liquor license.

Moved by Councillor Shepherd/Seconded by Councillor Cannan

P514/04/06/01 THAT the Public Hearing on Bylaw No. 9238 (TA04-0001 – CD16 Bingo and Gaming Zone) be adjourned to a future date to allow the applicant to meet with the strata councils of the residential developments in the area to try to resolve their concerns.

DEFEATED

Mayor Gray and Councillors Blanleil, Clark, Day, Horning, Hobson opposed.

There were no further comments.

3.5(b) 1585 Springfield Road

3.5(b) Bylaw No. 9239 (Z04-0011) – Springfield Plaza Inc. – Springfield Road – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, District Lot 129, ODYD Plan KAP70110, located on Springfield Road, Kelowna, B.C. from the C10 – Service Commercial zone to the CD16 – Bingo and Gaming Zone.

See discussion under 3.5(a) above.

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4. TERMINATION:

The Hearing was declared terminated at 11:32 p.m.

Certified Correct:

Mayor

Acting City Clerk

BLH/am