

Public HearingDecember 13, 2005

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, December 13, 2005.

Council members in attendance: Mayor Sharon Shepherd, Councillors A.F. Blanche, C.B. Day, B.D. Given*, C.M. Gran, R.D. Hobson, N.J. Letnick and M.J. Rule.

Council members absent: Councillor B.A. Clark

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

(* denotes partial attendance)

1. Mayor Shepherd called the Hearing to order at 7:02 p.m.

Mayor Shepherd advised that agenda item No. 7.2 has been withdrawn from tonight's Regular Meeting agenda.

2. Mayor Shepherd advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "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 Deputy City Clerk advised the Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on November 25, 2005, and by being placed in the Kelowna Daily Courier issues of December 5 & 6, 2005, and in the Kelowna Capital News issue of December 4, 2005, and by sending out or otherwise delivering 272 letters to the owners and occupiers of surrounding properties between November 25-28, 2005.

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 **2339-2397 Highway 97 North**

- 3.1 Bylaw No. 9529 (Z05-0067) – Dilworth Shopping Centre Ltd. (Rising Tide Consultants Ltd.) – Highway 97 North – THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot A, District Lots 126 and 532, ODYD Plan 40108, located on Highway 97 North, Kelowna, B.C., from the C4 – Urban Centre Commercial zone to the C4rls – Urban Centre Commercial (Retail Liquor Sales) zone.

Staff:

- The applicant is proposing to rezone a portion of the Dilworth Shopping Centre site to accommodate a retail liquor store in one of the commercial tenancy spaces near the Jysk store.
- On-site parking is adequate and no changes are proposed other than signage and notification on the front door.
- The application is consistent with the OCP and the recommendations of the Mayor's Entertainment District Task Force.
- Staff have no concerns and recommend support.

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

- letter from Roger Tellier, #103 – 1835 Dilworth Drive, opposed because there are already enough liquor stores in the vicinity and the additional traffic would negatively impact existing businesses.

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

Bert Hick, applicant:

- Nothing to add at this time.

Peter Schultz, applicant:

- This is not a request for a new liquor license. This is for a relocation of the Doc Willoughby's liquor license to a more appropriate location and regain the liquor store space for the pub.
- Is partnering with a company with a proven record.
- There may be a density of liquor stores in the vicinity but there is also a density of shopping.
- Available to answer questions later in the meeting, if needed.

Councillor Given joined the meeting at 7:15 p.m.

Grant Smith, partner:

- This is a relocation of the Doc Willoughby's downtown liquor store which would close and reopen at the new location.
- Displayed site and floor plans and images of the proposed store. The store would be approximately 3,360 sq. ft. with about one-third dedicated to refrigeration. Deliveries would be at the rear. Hours would be as allowed by the Liquor Control Branch.
- All goods and services would be purchased locally in the Kelowna area.
- Gave the distances from the proposed location to other private liquor stores in the vicinity. Did not include the liquor store at Orchard Park because there is no distance criteria for government liquor stores.
- His partners currently operate 80 stores today, five in B.C. and the rest in Alberta. They have a proven record of contributing to communities with the regulatory authorities that govern liquor sales.

Carol Grimes, property manager for Dilworth Shopping Centre:

- Spoke in support of the application. It will generate increased customer traffic and have a positive economic impact on the other tenants. A food store such as Safeway and a liquor store on the same premise will establish the location as a shopping destination and encourage significant spill-over sales within the centre.
- There are 802 parking stalls throughout the shopping centre and there are plans to do some modification of the parking.

There were no further comments.

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4. TERMINATION:

The Hearing was declared terminated at 7:24 p.m.

Certified Correct:

Mayor

Deputy City Clerk

BLH/am