

Regular MeetingSeptember 4, 2007

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, September 4<sup>th</sup>, 2007.

Council members in attendance: Deputy Mayor Michelle Rule, Councillors Barrie Clark, Colin Day, Brian Given, Carol Gran, Robert Hobson and Norm Letnick.

Council members absent: Mayor Sharon Shepherd and Councillor Andre Blanleil.

Staff members in attendance were: City Manager, R.L. Mattiussi; City Clerk, Allison Flack; Director of Corporate Services/Acting Director of Planning and Development Services, David Shipclark; Current Planning Manager, Shelley Gambacort; and Council Recording Secretary, Sandi Horning.

(\* denotes partial attendance)

1. CALL TO ORDER

Deputy Mayor Rule called the meeting to order at 6:26 p.m.

2. PRAYER

A Prayer was offered by Councillor Day.

3. CONFIRMATION OF MINUTES

Regular Meeting A.M. – August 20, 2007  
 Regular Meeting P.M. – August 20, 2007  
 Public Hearing – August 21, 2007  
 Regular Meeting – August 21, 2007

Moved by Councillor Letnick/Seconded by Councillor Gran

**R833/07/09/04** THAT the Minutes of the Regular Meetings of August 20<sup>th</sup> and August 21<sup>st</sup>, 2007 and the Minutes of the Public Hearings of August 21<sup>st</sup>, 2007 be confirmed as circulated.

Carried

4. Councillor Hobson 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. 9841 (Z07-0048) – Tracy Thomas Hayes (Alf Wiens Construction) – 845 Mayfair Road

Moved by Councillor Given/Seconded by Councillor Letnick

**R834/07/09/04** THAT Bylaw No. 9841 be read a second and third time.

Carried

5.2 Bylaw No. 9844 (Z06-0038) – City of Kelowna – 1410, 1414, 1364 Water Street and 238 Queensway Avenue

Regular MeetingSeptember 4, 2007Moved by Councillor Day/Seconded by Councillor Gran**R835/07/09/04** THAT Bylaw No. 9844 be read a second and third time.Carried

Council:

- Looking forward to staff bringing forward the park dedication bylaw for the larger waterfront park properties beyond the immediate Jim Stuart Park site.

6. LIQUOR LICENSE APPLICATION REPORTS

- 6.1 Planning & Development Services Department, dated July 23, 2007 re: Liquor Licensing Application No. LL07-0005 – Victor Projects Ltd. (616189 BC Ltd.) – 948 McCurdy Road **Deputy Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.**

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

- Letters in Support:
  - Tom St. Georges, The Brick, McCurdy Road
  - Jim Findlay, Jim's Vacuum World, McCurdy Road

Deputy Mayor Rule invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one came forward.

Moved by Councillor Letnick/Seconded by Councillor Given**R836/07/09/04** Be it resolved THAT:

1. Council supports an application from 616189 BC Ltd. dba Freddy's Brewpub & McCurdy Bowling Centre located at Part of Lot 1, District Lot 143 Osoyoos Division Yale District, Plan KAP65021, 948 McCurdy Road, Kelowna, BC to
  - a) increase the licensed person capacity up to the Building Occupant Load from the existing 199 persons to 440 persons; and
  - b) allow a structural alteration to enclose existing patios at the front of the establishment

because the changes proposed will be confined to the area currently under license and are not anticipated to have any impact on the tenants or patrons of McCurdy Corner or the surrounding neighbourhood.

2. The Council's comments on the prescribed considerations are as follows:
  - a) The potential for noise if the application is approved remains unchanged.
  - b) The impact on the community if the application is approved is considered minimal given that the establishment is located within an established commercial/industrial area with ample parking on site.

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3. The Council's comments on the views of residents are as contained within the staff report submitted for consideration and the minutes of the meeting at which the application was considered by Council.

Carried

7. REMINDERS – Nil.

8. TERMINATION

The meeting was declared terminated at 6:33 p.m.

Certified Correct:

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Deputy Mayor Rule

City Clerk

SLH/dld