



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, November 5, 2013  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann

Staff Present: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Manager, Urban Planning, Ryan Smith; Manager, Subdivision, Agriculture & Environment Services, Todd Cashin\*; and Council Recording Secretary, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Mayor Gray called the meeting to order at 6:18 p.m.

### 2. Prayer

A Prayer was offered by Councillor Singh.

### 3. Confirmation of Minutes

Moved By Councillor Singh/Seconded By Councillor Given

R713/13/11/05 THAT the Minutes of the Public Hearing and Regular Meeting of October 22, 2013 be confirmed as circulated.

Carried

### 4. Bylaws Considered at Public Hearing

4.1. Bylaw No. 10891 (Z13-0032) - 325 Hartman Road, Gary Martin Lupul

Moved By Councillor Given/Seconded By Councillor Stack

R714/13/11/05 THAT Bylaw No. 10891 be read a second and third time.

Carried

4.2. Bylaw No. 10892 (Z13-0035) - 341 Clifton Road, Adrian Hazzi & Mandi Moore

Moved By Councillor Blanleil/Seconded By Councillor Basran

R715/13/11/05 THAT Bylaw No. 10892 be read a second and third time.

Carried

## 5. Notification of Meeting

The Deputy City Clerk advised that Notice of the amendment to the Liquor Primary Licence was advertised by being posted on the Notice Board at City Hall on October 22, 2013 and being placed in the Kelowna Capital News issues on October 25, 2013 and October 29, 2013 and by sending out or otherwise delivering 1,523 letters to the owners and occupiers of the surrounding properties between October 29, 2013 and November 1, 2013.

Notice of Council's consideration of these Development Variance Permit Applications was given by sending out or otherwise delivering 554 letters to the owners and occupiers of the surrounding properties between October 29, 2013 and November 1, 2013.

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 No. 309.

## 6. Liquor License Application Reports

6.1. Liquor Licence Application No. LL13-0009, 5505-5507 Airport Way, Midwest Ventures Ltd. Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

The Deputy 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 to come forward, followed by comments from Council. The Applicant was present, but did not have anything further to add to staff's comments. No one came forward.

Moved By Councillor Hobson/Seconded By Councillor Zimmermann

R716/13/11/05 THAT Council directs staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the Liquor Control and Licensing Regulation and Council Policy #359, BE IT RESOLVED THAT:

Council's comments on the Liquor Control & Licensing Branch (LCLB)'s prescribed considerations for the application at address: 5505 Airport Way, Kelowna BC, (legally

described as Lot A, District Lot 14, Township 23, ODYD, Plan EPP23036) for a patron participation entertainment endorsement, are as follows:

- a) **The potential for noise if the application is approved:**  
There may be a minimal increase in noise associated with the application due to live music associated with the weddings, conferences and private parties. The enclosed the "Banquet Room" area has acoustic insulation to mitigate the noise.
- b) **The impact on the community if the application is approved:**  
The potential for negative impacts is considered to be minimal.
- c) **View of residents:**  
The Council's comments on the views of residents (if applicable) are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy & Procedures."
- d) **The person capacity and hours of liquor service of the establishment:**  
The total person capacity proposed for food primary service is 603 seats, with amended operating hours of 9:00am to 12:00 midnight for Sunday to Thursday, and 9:00am to 1:00 am for Friday and Saturday.
- e) **Traffic and parking:**  
There is no increase in traffic or parking associated with this application as there is no additional space or seating being added as part of the application. Therefore the parking and traffic situation should remain unchanged.
- f) **The proximity of the establishment to other social or recreational facilities and public buildings:**  
Surrounding social or recreational facilities would not conflict with the proposed establishment.
- g) **Recommendation:**  
Council recommends that the application for a patron participation entertainment Liquor License endorsement be approved.

Carried

## 7. Development Permit and Development Variance Permit Reports

### 7.1. Development Variance Permit Application No. DVP13-0152, 560 Christleton Ave, Carreras Interiors Ltd. and Inc. No. BC0329813/Carreras Interiors Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

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

- o Letters of Support:
  - 16 page Correspondence Package submitted by the Applicant containing ten (10) Letters of Support from surrounding neighbours.

Mayor Gray invited the applicant or anyone in the public gallery who deemed to come forward, followed by comments from Council. The Applicant was present, but did not have anything further to add to staff's comments. No one came forward.

Moved By Councillor Basran/Seconded By Councillor Blanleil

R717/13/11/05 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0152 for Lot 23, District Lot 14, ODYD, Plan 1246, located at 560 Christleton Avenue, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

**Section 6.5.7 - General Development Regulations - Accessory Development**  
To vary the maximum permitted lot coverage of accessory buildings or structures from 14% permitted to 16.5% proposed, as per Schedule 'A'.

Carried

Moved By Councillor Stack/Seconded By Councillor Hobson

R718/13/11/05 THAT Council directs staff to consider policy options for one-storey carriage home proposals when considering proposed amendments to City of Kelowna Zoning Bylaw No. 8000.

Carried

8. Reminders - Nil.
9. Termination

The meeting was declared terminated at 6:32 p.m.

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Mayor

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Deputy City Clerk

/slh