



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, June 10, 2014
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: Acting City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham; Manager, Development Engineering, Steve Muenz; Director, Subdivision, Agriculture & Environment, Shelley Gambacort; Manager, Urban Planning, Ryan Smith; and Council Recording Secretary, Tania Tishenko

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 10:10 p.m.

2. Prayer

A Prayer was offered by Councillor DeHart.

3. Confirmation of Minutes

Moved By Councillor DeHart/Seconded By Councillor Given

R412/14/06/10 THAT the Minutes of the Public Hearing and Regular Meeting of May 27, 2014 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1. Bylaw No. 10964 (OCP13-0011) - 984 Dehart Road, Sherwood Mission Developments Ltd.

Moved By Councillor Hobson/Seconded By Councillor Singh

R413/14/06/10 THAT Bylaw No. 10964 be defeated at second reading.

Carried

4.2. Bylaw No. 10965 (Z13-001) - 984 Dehart Road, Sherwood Mission Developments Ltd.

Because Bylaw No. 10964 was defeated at second reading, Council did not consider Bylaw No. 10965.

Council requested the applicant to consider amending the application and work with staff to bring forward any amendments to a future meeting of Council.

4. Bylaws Considered at Public Hearing

4.3. Bylaw No. 10968 (OCP14-0006) - 560 & 582 McKay Avenue, 0781540 BC Ltd.

Moved By Councillor Basran/Seconded By Councillor Blanleil

R414/14/06/10 THAT Bylaw No. 10968 be read a second and third time.

Carried

4.4. Bylaw No. 10969 (Z14-0008) - 560 & 582 McKay Avenue, 0781540 BC Ltd.

Moved By Councillor Blanleil/Seconded By Councillor Basran

R415/14/05/26 THAT Bylaw No. 10969 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these Development Variance Permit Applications was given by sending out or otherwise delivering 10 Statutory Notices to the owners and occupiers of surrounding properties between May 27, 2014 and May 30, 2014.

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. 369.

6. Liquor License Application Reports

6.1. Bylaw No. 10953 (Z14-0012) - 1370 Water Street, Kelowna Yacht Club

R416/14/05/26 THAT Bylaw No. 10953 be adopted.

Carried

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.

- Letter of Support
 - Beryl Itani

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

The applicant was present, and had no further comments.

**6.1.1. Liquor License Application No. LL14-0002 - 1370 Water Street,
Kelowna Yacht Club**

Moved By Councillor Stack/Seconded By Councillor Singh

R417/14/05/26 THAT Zone Amending Bylaw 10953 be forwarded for adoption consideration;

AND THAT 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 from at address: 1370 Water Street, Kelowna BC, (legally described as Lot 1, District Lot 139 & 4083, ODYD, Plan EPP29214) for a new Liquor Primary License, are as follows:

a) The potential for noise if the application is approved:
A minimal increase in noise is expected compared to current circumstances.

b) The impact on the community if the application is approved:
The potential for negative impacts are 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 liquor primary service is 474 seats (including outdoor patio area) with serving hours of 9:00am to 2:00am, 7 days a week.

e) Traffic and parking:

The parking requirements were addressed through the original Development Permit application and associated Development Variance Permit application which reduced the required off-street parking to 30 stalls. Therefore, the onsite parking provided is considered compliant.

f) The proximity of the establishment to other social or recreational facilities and public buildings:

The relocation of the Yacht Club is approximately 60m. north of the existing location. Surrounding facilities are not anticipated to conflict with the proposed new location.

g) Recommendation:

Council recommends that the application for a relocated liquor primary license for a total capacity of 474 patrons (including patio area) with the hours of 9:00 am to 2:00am, 7 days a week, for the property located at 1370 Water Street be approved.

Carried

7. Development Permit and Development Variance Permit Reports

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 themselves affected to come forward.

No one came forward, and there were no further comments.

7.1. Development Variance Permit Application No. DVP14-0086 - 987 Clement Avenue, Okanagan Valley Construction

Moved By Councillor Hobson/Seconded By Councillor Basran

R418/14/06/10 THAT Council authorize the issuance of Development Variance Permit No. DP14-0086, for Lot 24, Section 30, Township 26, ODYD, Plan 1271 located on 987 Clement Ave, Kelowna, BC;

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

Section 6.6.4 - Height and Grade Regulations

To vary the maximum permitted width of a dormer from 1.2m to 2.6m

Carried

9. Termination

The meeting was declared terminated at 10:47 p.m.

Mayor

Deputy City Clerk

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