



**City of Kelowna  
Regular Council Meeting  
Minutes**

Date: Tuesday, August 27, 2019  
Location: Council Chamber  
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben\*, Mohini Singh, Luke Stack and Loyal Wooldridge

Members Absent Councillor Maxine DeHart

Staff Present City Manager, Doug Gilchrist; Deputy City Clerk, Karen Needham, Urban Planning and Development Policy Manager, Laura Bentley; Suburban and Rural Planning Manager, Dean Strachan; Divisional Director, Planning & Development Services, Ryan Smith; Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

**1. Call to Order**

Mayor Basran called the meeting to order at 6:28 p.m.

**2. Reaffirmation of Oath of Office**

The Oath of Office was read by Councillor Hodge.

**3. Confirmation of Minutes**

Moved By Councillor Wooldridge/Seconded By Councillor Given

R890/19/08/27 THAT the Minutes of the Public Hearing and Regular Meeting of August 13, 2019 be confirmed as circulated.

Carried

**4. Bylaws Considered at Public Hearing**

**4.1 Glenwood Ave 455, BL11914 (Z19-0038) - Mark Procknow**

Moved By Councillor Hodge/Seconded By Councillor Singh

R891/19/08/27 THAT Bylaw No. 11914 be read a second and third time.

Carried

- 4.2 Hwy 97 N 2339-2397, BL11919 (Z19-0018) - Dilworth Shopping Centre Ltd, Inc. No. 319846

Moved By Councillor Hodge/Seconded By Councillor Singh

R892/19/08/27 THAT Bylaw No. 11919 be read a second and third time.

Carried

- 4.3 Findlay Rd 1308, BL11920 (Z18-0107) - R 547 Enterprises Ltd

Moved By Councillor Singh/Seconded By Councillor Hodge

R893/19/08/27 THAT Bylaw No. 11920 be read a second and third time.

Carried

- 4.4 Greene Rd 604, BL11921 (Z19-0073) - James A. Baumgartner and Elanda C. Baumgartner

Moved By Councillor Sieben/Seconded By Councillor Donn

R894/19/08/27 THAT Bylaw No. 11921 be read a second and third time and be adopted.

Carried

- 4.5 Lakeshore Rd 110-3140, BL11922 (Z19-0059) - D and R Properties Ltd, Inc. No BC0562497

Councillor Sieben declared a conflict of interest as he provides insurance services for the Applicant and departed the meeting at 6:32 p.m.

Moved By Councillor Donn/Seconded By Councillor Hodge

R895/19/08/27 THAT Bylaw No. 11922 be read a second and third time.

Carried

Councillor Sieben rejoined the meeting at 6:33 p.m.

## 5. Liquor License Application Reports

- 5.1 Baillie Ave 727, LL19-0005 - Acoma Holding Ltd

Councillor Sieben declared a conflict of interest due to his interest in a family owned business that includes a craft brewery and departed the meeting at 6:33 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The Applicant was not present.

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

No one from the gallery came forward.

There were no further comments

Moved By Councillor Given/Seconded By Councillor Hodge

**R896/19/08/27** THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor & Cannabis Regulation Branch (LCRB):

In accordance with Section 71 of the *Liquor Control and Licensing Regulation* and Council Policy #359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Jackknife Brewing Inc. for Lot 38 Section 30 Township 26 ODYD Plan 1014, located at 727 Baillie Avenue, Kelowna, BC for a manufacturer lounge license from:
  - a. "10:00 AM to Midnight Sunday to Saturday" for the indoor service areas; and
  - b. "10:00 AM to 11:00 PM Sunday to Saturday" for the patio service areas.
2. Council's comments on LCLB's prescribed considerations are as follows:
  - c. The location of the brewery lounge establishment: The brewery is located in an industrial area north of the downtown City Centre Urban Centre;
  - d. The proximity of the establishment to other social or recreational facilities and public buildings: The proposed brewery is located next door to an existing brewery (Kettle River Brewing). The north end industrial area has a number of small-scale breweries and wineries within the immediate area.

The site is walking distance to multiple recreation facilities which includes the Kelowna Badminton Club, The Curling Club and Elks Stadium ballpark. The site is within walking distance of the downtown City Centre Urban Centre.

- e. The person capacity of the establishment: The person capacity of the brewery is 70 persons for the indoor service area and 21 persons for the patio service area.
- f. Traffic, noise, parking and zoning: The brewery is located in an industrial area to the north of the City Centre Urban Centre and will have minimal negative impact on traffic, noise and parking. The property is zoned appropriately for this type of use (brewery and distilleries, minor). There are no residential dwellings in the immediate vicinity and the noise from the lounge and patio should not be a nuisance.
- g. The impact on the community if the application is approved: The potential for negative impact is considered minimal. The addition of this business will aid in the redevelopment and activation of the industrial neighbourhood beyond the standard work day hours.

AND THAT Council's comments on the views of residents 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 and Procedures."

**Carried**

Councillor Sieben rejoined the meeting at 6:38 p.m.

## **6. Development Permit and Development Variance Permit Reports**

### **6.1 Lakeshore Rd 4264, Z17-0037 (BL11444) - Joseph Crosara & Elizabeth Shelton**

Moved By Councillor Sieben/Seconded By Councillor Donn

**R897/19/08/27** THAT Bylaw No. 11444 be adopted.

**Carried**

## 6.2 Lakeshore Rd 4264, DVP17-0084 - Joseph Crosara and Elizabeth Shelton

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

William Morel, Applicant

- Believes this project is good infill and does not affect anyone's views.
- Made a general comment on large buildings being built in the city that are blocking mountain views.
- Available for questions.

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

Gallery:

Colleen Black, Hobson Road

- My residence is behind and adjacent to the subject property.
- Willing to support 2 dwellings but no more on the subject property.
- Believes more density on site will increase traffic and noise and would not support this plan for more than 2 dwellings.

Derrick Slack, Simeon Court

- In support of the project as there is a dire need to remove and replace the current house.
- In support of 2 dwellings in the subject property.
- Raised concerns with having 4 dwellings on the subject property and would not support that much density.
- Believes that requirements should be met and not varied.

Staff:

- Clarified that 3 homes plus a carriage house could be allowed on the subject property.

There were no further comments

Moved By Councillor Sieben/Seconded By Councillor Wooldridge

**R898/19/08/27** THAT final adoption of Rezoning Bylaw No. 11444 be considered by Council; AND THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0084 for Lot 11 District Lot 167 ODYD Plan 4610, located at 4264 Lakeshore Road, Kelowna, BC;

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

**Section 13.6.5(a): RU6 – Two Dwelling Housing Development Regulations**

To vary the required minimum lot width from 13.0 m permitted to 12.46 m proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

**Carried**

## 7. Reminders

Deputy City Clerk:

- UBCO have suggested another date for hosting a Council meeting at their campus.

Moved By Councillor Hodge/Seconded By Councillor Singh

R899/19/08/27 THAT Council hold the Monday, November 18, 2019 Council meeting at UBC Okanagan, starting late afternoon or early evening.

**8. Termination**

The meeting was declared terminated at 6:53 p.m.

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Mayor Basran

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Deputy City Clerk

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