



City of Kelowna Regular Meeting Minutes

Date: Tuesday, February 25, 2020
Location: Council Chamber
City Hall, 1435 Water Street

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

Staff Present Acting City Manager, Genelle Davidson; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Urban Planning & Development Policy Manager, James Moore; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 8:15 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Singh.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

R0162/20/02/25 THAT the Minutes of the Public Hearing and Regular Meeting of February 4, 2020 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 **BL11970 (TA19-0004) - Amendment to Section 7 of Zoning Bylaw No. 8000 - Landscaping & Screening**

Moved By Councillor Stack/Seconded By Councillor Given

R0163/20/02/25 THAT Bylaw No. 11970 be read a second and third time.

Carried

4.2 **Gallagher Rd 2975, BL11983 (TA19-0017) - David Geen**

Moved By Councillor Hodge/Seconded By Councillor Singh

R0164/20/02/25 THAT Bylaw No. 11983 be read a second and third time.

Carried

4.3 Coronation Ave 1028, 1036, 1044 BL11731 (Z17-0117) - 1136605 BC Ltd., Inc No. BC1136605

Moved By Councillor Hodge/Seconded By Councillor Singh

R0165/20/02/25 THAT Bylaw No. 11731 be read a second and third time.

Carried

4.4 Gordon Dr 5100, BL11977 (OCP-19004) - Trailhead Communities Ltd.

Moved By Councillor Singh/Seconded By Councillor Given

R0166/20/02/25 THAT Bylaw No. 11977 be read a second and third time and be adopted.

Carried

Councillor Wooldridge - Opposed

4.5 Gordon Dr 5100, BL11978 (Z19-0103) - Trailhead Communities Ltd.

Moved By Councillor Singh/Seconded By Councillor Given

R0167/20/02/25 THAT Bylaw No. 11978 be read a second and third time and be adopted.

Carried

4.6 Pandosy St 2660, BL11980 (Z19-0129) - Southgate Centre Holdings Inc., Inc. No. BC1077192

Moved By Councillor Donn/Seconded By Councillor DeHart

R0168/20/02/25 THAT Bylaw No. 11980 be read a second and third time.

Carried

4.7 Cawston Ave 640-650 & Richter St 1284-1292, BL11982 (OCP20-0002) - 1145287 B.C. LTD., Inc. No. BC1145287

Moved By Councillor DeHart/Seconded By Councillor Donn

R0169/20/02/25 THAT Bylaw No. 11982 be read a second and third time.

Carried

4.8 Cawston Ave 640-650 & Richter St 1284-1292, BL11984 (Z19-0126) - 1145287 B.C. LTD., Inc. No. BC1145287

Moved By Councillor Donn/Seconded By Councillor DeHart

R0170/20/02/25 THAT Bylaw No. 11984 be read a second and third time.

Carried

4.9 Cadder Ave 338, BL11987 (Z19-0120) - Daniel Konrad

Moved By Councillor DeHart/Seconded By Councillor Donn

R0171/20/02/25 THAT Bylaw No. 11987 be read a second and third time.

Carried

5. Liquor License Application Reports

Mayor Basran advised the application was withdrawn by the Applicant.

5.1 Appaloosa Rd 1-3314, LL19-0034 - 1124770 B.C. Ltd., Inc. No. BC1124770

6. Gaming Facility Change Application

6.1 Springfield Rd 1585, LL19-0036 - Springfield Plaza Inc., Inc. No. BCo479374

Councillor Sieben declared a conflict of interest for Item 6.1 as he provides insurance services for the applicant location and departed the meeting at 8:47 p.m.

Staff:

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

Brad Desmarais, VP BC Casino Lottery Corporation, Applicant:

- Clarified that BCLC is the actual applicant for this application and confirmed their role.
- Identified others associated with the application that were in the audience.
- Chances started off as a Bingo Palace, however, in addition there is much more with slot machines, off track horse wagering, restaurant and lounge; Chances currently has 168 employees.
- This facility caters to an older more traditional style player; existing customers have been asking for live table games on site.
- BCLC believes a modest 4 or 5 tables plus a roulette table is appropriate for on-site customer needs.
- This addition is a natural progression of the business rather than competition for the existing Casino.
- In addition to added revenue Chances intends to hire 50 people to support the tables.
- Spoke to the ways that Chances is a strong community supporter.
- Believes this is the right thing for the market and believes Kelowna is a growth market in the gaming industry.
- Responded to questions from Council.

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

Gallery:

Shiera Stuart, Director, Gateway Casino on behalf of Playtime Casino Kelowna

- Opposed to this application.
- Raised concern with the close proximity of Chances to Playtime Casino.
- In 2015 Chances made a request for gaming tables to BCLC; a market analysis was performed at that time and BCLC advised it did not warrant gaming tables; questioned what has changed.
- Raised concern with the negative impacts on their gaming facility.

Tim Lalor, Cawston Avenue

- In support of the application.
- Frequents both facilities and each provide a very different experience.

Clarissa Pruden, General Manager of Playtime Casino

- Opposed to the application.
- Raised concerns with the application impact on current and future business as Playtime relies heavily on table game operations.
- Raised concerns with the impacts this could have on existing staff; may force a change to Playtime's business plan.
- Raised concerns that Chances and Playtime Casino are so close in proximity and are the closest in all of the Province.
- Responded to questions from Council.

James Greave, Sunset Drive

- In support of the application.
- Has worked in the gaming industry.
- Believes there is a need for an additional client experience.

Wayne Salisbury, Trumpeter Drive

- Owner of a downtown property and short term rental business.
- In support of the application.
- Believes there is room for two facilities as they have different customer bases.

Don Clackea, West Kelowna

- Former employee of Playtime Casino.
- In support of this application.
- Hoping for a new job opportunity.

Dale Conway West Kelowna

- Have worked in both these organizations and have nothing negative to say about either business.
- Does not believe this application is competitive but more complimentary.
- In support of the application.

Caroline Miller Gallaghers Look Out

- Employed by a not for profit who helps organizations receive gaming monies.
- In support of this application.

Rick Madison, Woodhaven Place

- In support of this application due to employment opportunities.

Brad Desmarais, VP BC Casino Lottery Corporation, Applicant:

- Believes there is enough market share for each gaming facility to be successful.
- Believes both facilities will be a credit to the city and will continue to provide charitable donations.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Singh

R0172/20/02/25 THAT Council directs Staff to forward the following recommendation to the British Columbia Lottery Corporation:

In accordance with Part 3 Section 19 of the *Gaming Control Act* and Council Policy #367, BE IT RESOLVED THAT:

1. Council recommends support of an application from Chances Gaming Entertainment located at 1585 Springfield Road, Kelowna, BC, legally described as Lot A District Lot 129 ODYD Plan KAP70110 for a Substantial Change to an existing Gaming Facility:
 - a. To expand the existing gaming options to include live table games which may include blackjack, baccarat, poker, roulette and other games which include a live dealer.
2. That Council's comments on the prescribed considerations are as follows:

- a. The location of the gaming facility/ casino: Chances is located on the south side of Springfield Road beyond the boundary of the Capri Landmark Urban Centre within a mixed use area.
- b. Traffic, noise, parking and zoning: The facility has been in operation at this location since 2002. To date, there has been negligible negative impact on traffic, noise, parking and the property is zoned appropriately.
- c. The hours of operation of the facility will remain unchanged.
- d. The impact on the community if the application is approved: The potential for negative impact is considered to be minimal.
- e. Adjacent Notification of Municipalities within a 5 km radius of the subject property: The application was circulated for comment to the District of Lake Country, the City of West Kelowna, West Bank First Nations and RDCO. No objections or concerns were raised.

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 the views of residents were as per Council Policy #367 'Public Notification & Consultation for Development Applications'.

Carried

Councillor Sieben rejoined the meeting at 9:40 p.m.

7. Development Permit and Development Variance Permit Reports

7.1 Hazell Rd 714, DVP19-0222 - Brian and Catherine Reardon

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

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 Hodge/Seconded By Councillor Sieben

R0173/20/02/25 THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0222 for Lot 5 District Lot 358 ODYD Plan 16743, located at 714 Hazell Rd, Kelowna, BC;

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

Section 13.1.5(b): RU1 – Large Lot Housing Subdivision Regulations

To vary the required minimum lot depth from 30.0 m permitted to 28.34 m proposed for future Lot A.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with not opportunity to extend.

Carried

7.2 Clifton Rd 655, DVP19-0234 - Lee Emond

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

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 Wooldridge/Seconded By Councillor Donn

R0174/20/02/25 THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0234 for Lot 4, Section 32, Township 26, Plan 20929, located at 655 Clifton Road, Kelowna, BC;

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

Section 6.5.3 (d): Accessory Buildings in Residential Zones

To vary the front yard setback for an accessory building from 9.0m required to 6.1m proposed.

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

Carried

7.3 Beach Ave 377, DVP20-0005 - Sarah L. MacLeod

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

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 Hodge/Seconded By Councillor Donn

R0175/20/02/25 THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0005 for Lot 1 District Lot 14 ODYD Plan 2918, located at 377 Beach Avenue, Kelowna, BC;

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

Section 13.1.6(e): RU1 – Large Lot Housing Development Regulations

To vary the required minimum rear yard setback from 7.5 m permitted to 5.67 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

8. Reminders – Nil.

9. Termination

The meeting was declared terminated at 9:49 p.m.

Mayor Basran

City Clerk

/acm