



City of Kelowna Regular Meeting Minutes

Date:	Tuesday, March 22, 2022
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn and Luke Stack
Members participating remotely	Councillors Charlie Hodge and Gail Given
Members Absent	Councillors Brad Sieben, Mohini Singh and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan
Staff participating remotely	Legislative Coordinator (Confidential), Clint McKenzie

1. Call to Order

Mayor Basran called the meeting to order at 6:02 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Donn.

3. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor DeHart

R0216/22/03/22 THAT the Minutes of the Public Hearing and Regular Meeting of March 1, 2022 be confirmed as circulated.

Carried

4. Liquor License Application Reports

4.1 **START TIME 6:00 PM - Pandosy St 1630 - LL21-0011 - Ricco Bambino Wines Inc. Inc. No. BC1129356**

Staff:

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

The Applicant was present and available for questions.

Mayor Basran invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Online Participants:

No one participating online indicated they wished to speak.

Gallery:

No one in the Gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Hodge

R0217/22/03/22 THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with Division 9 (71) of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from Ricco Bambino Wines for a new liquor primary license for Strata Lot 1 District Lot 139 ODYD, Strata Plan KAS3411 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V, located at 1630 Pandosy St, Kelowna, BC for the following reasons:
 - a. The maximum capacity is 77 persons and is anticipated to have a minimal impact on the community.
 - b. Based on the maximum capacity allowed the establishment is defined as a small establishment.
2. Council's comments on LCLB's prescribed considerations are as follows:
 - a. The location of the establishment:

The subject property is located within the Downtown Urban Centre and is surrounded by a variety of other commercial, residential and mixed-use developments.

b. The proximity of the establishment to other social or recreational facilities and public buildings:

The site is located in close proximity to City Park to the west of the property which includes a few smaller public buildings such as washrooms and the Kelowna Lawn Bowling Club. Both Stuart Park and the Kelowna Visitor Centre are located to the northwest. Additionally, City Hall, Kasugai Gardens, Kelowna Community Theater, and the Kelowna Library are located further north of the subject site.

c. The person capacity and hours of liquor service establishment:

The existing establishment is currently licensed through the LCRB as a wine manufacturing and lounge endorsement liquor license; however, the application is proposing to change the existing license to a liquor primary without any physical changes to the location, licensed area or hours of operation. The existing person capacity of 57 persons inside and 20 persons on the exterior patio for a total of 77 persons will remain unchanged.

d. The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location:

With the property being located in the heart of the Downtown City Centre, there are many existing commercial liquor serving establishments clustered together including a mixture of bars, pubs, restaurants, nightclubs and boutique wineries. Ricco Bambino defines itself as a micro boutique urban winery.

e. The impact on the community if the application is approved:

As the applicant is not proposing to change the existing hours of operation, existing liquor license person capacity, or internal or external seating arrangements, the potential impact on the community is considered to be minimal, if at all.

3. 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

5. Development Permit and Development Variance Permit Reports

5.1 START TIME 6:00 PM - Pier Mac Way 2065-2075 - DVP22-0010 - Harmony West Constructors Corp. and 1225610 B.C. Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

Mayor Basran invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Online Participants:

No one participating online indicated they wished to speak.

Gallery:

No one in the Gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Stack

R0218/22/03/22 THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0010 for Lot 6, District Lot 32, Township 23, Osoyoos Division Yale District, Plan EPP64961, located at 2065-2075 Pier Mac Way, Kelowna, BC;

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

Section 7.5.9: Landscaping and Screening, Fencing and Retaining Walls

To vary the maximum height of a retaining wall from 1.2 m required to 2.3 m proposed.

Section 7.5.11: Landscaping and Screening, Fencing and Retaining Walls

To vary the maximum height of a combined fence and retaining wall from 2.0 m required to 3.5 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

6. Reminders

There were no reminders.

The meeting recessed at 6:11 p.m.

The meeting reconvened at 6:14 p.m.

7. Resolution Closing the Meeting to the Public

Moved By Councillor Donn/Seconded By Councillor Hodge

R0219/22/03/22 THAT this meeting be closed to the public pursuant to Sections 90(1)(d)(e) and Section 90(2)(b) of the Community Charter for Council to deal with matters relating to the following:

1. Security of municipal land
2. Land disposition
3. Confidential information from the Province

Carried

8. Adjourn to Closed Session

The meeting adjourned to a closed session at 6:11 p.m.

9. Reconvene to Open Session

The meeting reconvened to an open session at 6:27 p.m.

10. Termination

The meeting was declared terminated at 6:27 p.m.

Mayor Basran

City Clerk

/cm