



City of Kelowna Regular Meeting Minutes

Date: Tuesday, July 13, 2021
Time: 9:00 pm
Location: Council Chamber
City Hall, 1435 Water Street

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

Members participating remotely Councillor Charlie Hodge

Staff Present City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 10:46 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Donn.

3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0722/2021/07/13 THAT the Minutes of the Public Hearing and Regular Meeting of June 22, 2021 be confirmed as circulated.

Carried

4. Liquor License Application Reports

4.1 **START TIME 9:00 PM - Baillie Ave 727 - LL21-0004 - Acoma Holdings Ltd Inc No 132091**

Councillor Sieben declared a conflict as he is a partner in the ownership of a nearby establishment and left the meeting at 10:48 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The applicant was not present.

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

No one participating online indicated they wished to speak.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

R0723/2021/07/13 THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and 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 a license amendment for Lot 38 Section 30 Township 26 Osoyoos Division Yale District Plan 1014, located at 727 Baillie Avenue, Kelowna, BC for:

An increase in the total occupant load of an existing manufacturer lounge licence from 91 persons to 105 persons, to accommodate an expansion to the exterior patio service area.

2. Council's comments on LCLB's prescribed considerations are as follows:

- a. The potential for noise if the application is approved: The brewery is located in an industrial area just outside of the City Centre Urban Centre and the increased occupant load for the expanded patio service area will have minimal negative impact on noise. 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 patio is not anticipated to be a nuisance.
- b. The impact on the community if the application is approved: The potential for negative community impact is considered minimal. The increased occupant load for this business will aid in the redevelopment and activation of the industrial neighbourhood beyond the standard work day hours.

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

Councillor Sieben returned to the meeting at 10:50 p.m.

4.2 START TIME 9:00 PM - Lexington Dr 900 - LL21-0006 - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

No one participating online indicated they wished to speak.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Donn

R0724/2021/07/13 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 the City of Kelowna - Kinsmen Athletic Park (Softball Quadplex) to include an outdoor patio into the existing liquor primary service area for Lot 1 District Lot 168 and Section 6 Township 26 ODYD Plan KAP80134, located at 900 Lexington Drive, Kelowna, BC for the following reasons:

The request is to include a newly constructed outdoor patio into the liquor service area. There are no changes to the number of patrons or the hours of operation. There should be no new or additional impact to the surrounding area.

2. Council's comments on LCLB's prescribed considerations are as follows:

a. The location of the establishment: The Kinsmen Athletic Park – Softball Quadplex is part of the larger Mission Creek Recreation Park which includes the H2O and Capital New Centre. The softball quadplex is located on a separate parcel at the northeast corner of the recreation park site.

b. The proximity of the establishment to other social or recreational facilities and public buildings: The softball quadplex is situated at the northeast corner of the parcel. To the north is the Mission Creek Greenway with agricultural properties to the north and east of the site. Michaelbrook Ranch Golf Course is to the southeast of the site.

c. The person capacity and hours of liquor service of the establishment: The previously approved capacity of 600 patrons will remain unchanged. The hours of operation will remain unchanged.

d. The number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location: The site is within walking distance of two existing liquor primary locations as follows:

1. Boomers Bar and Grill is located within the Capital New Centre on the Mission Creek Recreation Park parcel on the south side of Lexington Drive.
2. Michaelbrook Ranch Golf Course is situated to the southeast of the site.

The primary focus of both venues is recreational activity with the liquor primary as a supplemental use.

e. The impact of noise on the community in the immediate vicinity of the establishment: The negative impact the change poses is considered minimal due to the nature of the area as there is no intensification anticipated.

f. The impact on the community if the application is approved: The inclusion of the new patio area into the existing approved liquor service area will not have an impact to the community. The facility has operated for a number of years without incidence.

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. **Reminders**

There were no reminders.

6. **Termination**

The meeting was declared terminated at 10:52 p.m.

Mayor Basran

sf/cm



City Clerk

DRAFT