

City of Kelowna
Regular Council Meeting
AGENDA



Tuesday, August 27, 2019
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

- 1. Call to Order**
- 2. Reaffirmation of Oath of Office**
The Oath of Office will be read by Councillor Hodge.
- 3. Confirmation of Minutes**
- 4. Bylaws Considered at Public Hearing**
 - 4.1 Glenwood Ave 455, BL11914 (Z19-0038) - Mark Procknow** 1 - 1
To give Bylaw No. 11914 second and third reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.
 - 4.2 Hwy 97 N 2339-2397, BL11919 (Z19-0018) - Dilworth Shopping Centre Ltd, Inc. No. 319846** 2 - 3
To give Bylaw No. 11919 second and third reading in order to rezone the subject property from the C4 and C4rls zones to the C4rcs and C4rls/rcs zones.
 - 4.3 Findlay Rd 1308, BL11920 (Z18-0107) - R 547 Enterprises Ltd** 4 - 4
To give Bylaw No. 11920 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the I2 – General Industrial zone.
 - 4.4 Greene Rd 604, BL11921 (Z19-0073) - James A. Baumgartner and Elanda C. Baumgartner** 5 - 5
To give Bylaw No. 11921 second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

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

6 - 6

To give Bylaw No. 11922 second and third reading in order to rezone the subject property from the C4lp - Urban Centre Commercial (Liquor Primary) zone to the C4lp/rcs - Urban Centre Commercial (Liquor Primary/Retail Cannabis Sales) zone.

5. Liquor License Application Reports

Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward for each item.

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

7 - 11

To consider a new manufacturer lounge liquor license with an outdoor patio for Jackknife Brewing Inc to allow patrons to purchase and consume liquor products between the hours of 10:00 am to midnight for the indoor service area with a capacity of 70 people and 10:00 am to 11:00 pm for the patio service area with a capacity of 21 people.

6. Development Permit and Development Variance Permit Reports

Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward for each item.

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

12 - 12

To adopt Bylaw No. 11444 in order to rezone the subject property from RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.

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

13 - 21

To consider an application to vary the lot width of the parcel from 13.0 m required to 12.46 m proposed in order to facilitate a two-lot subdivision.

7. Reminders

8. Termination

CITY OF KELOWNA
BYLAW NO. 11914
Z19-0038 – 455 Glenwood Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot C, District Lot 14, ODYD, Plan 5742, located on Glenwood Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of July, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11919
Z19-0018 – 2339-2397 Highway 97 N

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot A, District Lots 126 and 532 Osoyoos Division Yale District Plan 40108, located on Hwy 97 N, Kelowna, BC, from the C₄ - Urban Centre Commercial and C₄rls - Urban Centre Commercial (Retail Liquor Sales) zones to C₄rCs - Urban Centre Commercial (Retail Cannabis Sales) and C₄rls/rCs - Urban Centre Commercial (Retail Liquor Sales/Retail Cannabis Sales) zones as per Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of August, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

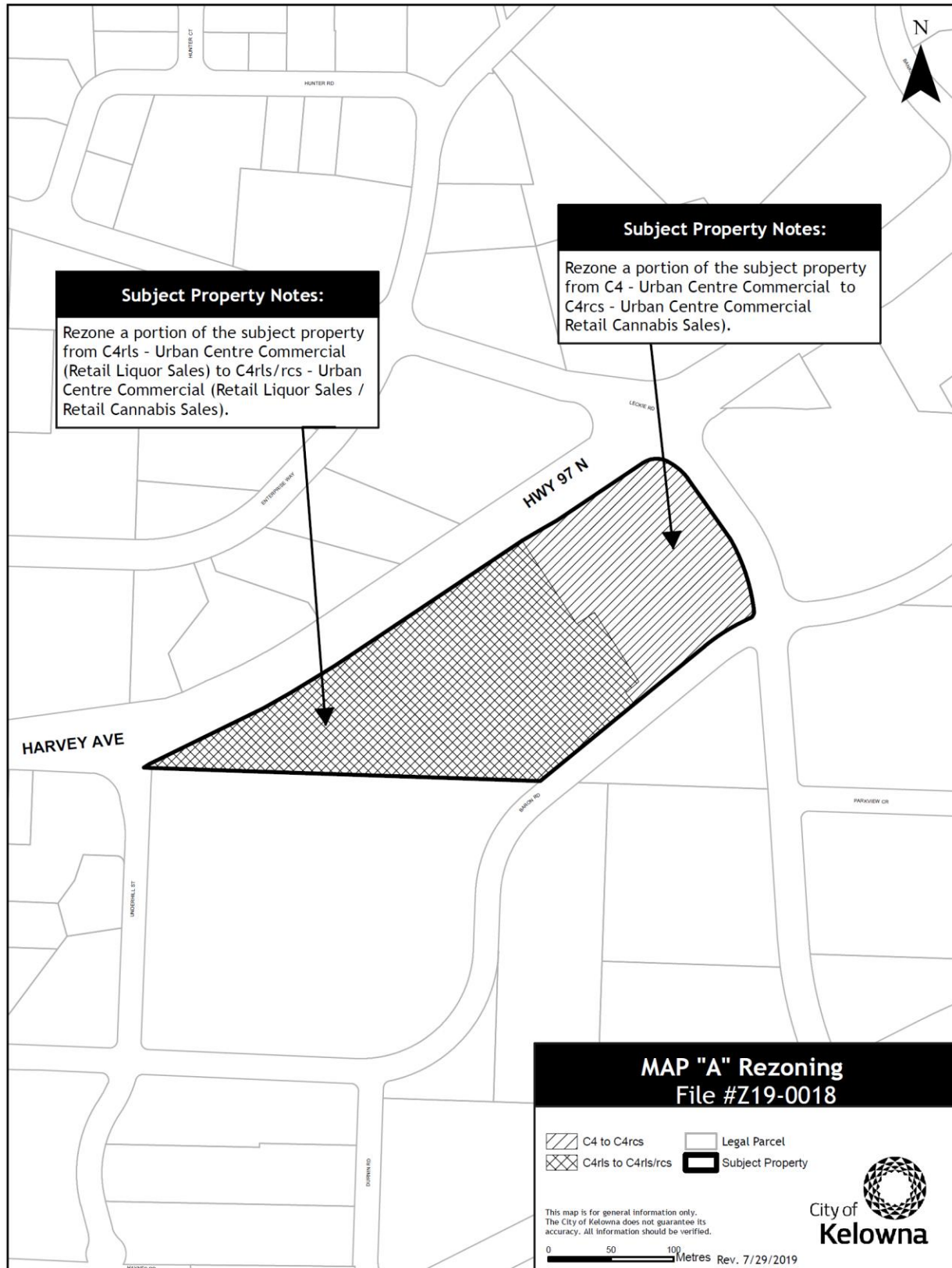
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11920
Z18-0107 – 1308 Findlay Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, Section 34, Township 26, ODYD Plan 14612 located on Findlay Rd, Kelowna, BC from RU1 – Large Lot Housing zone to the I2 – General Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of August, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11921
Z19-0073 – 604 Greene Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 District Lot 358 ODYD Plan 9564, located on Greene Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of August, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11922
Z19-0059 – 3140 Lakeshore Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, District Lot 14 Osoyoos Division Yale District Plan 35059, located on Lakeshore Rd, Kelowna, BC, from the C4lp - Urban Centre Commercial (Liquor Primary) zone to the C4lp/rcs - Urban Centre Commercial (Liquor Primary/Retail Cannabis Sales) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of August, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: August 27, 2019

RIM No. 0930-50

To: Council

From: City Manager

Application: LL19-0005

Owner: Acoma Holdings Ltd

Address: 727 Baillie Avenue

Applicant: Jackknife Brewing Inc.

Subject: Liquor License

Existing OCP Designation: IND - Industrial

Existing Zone: I4 – Central Industrial

1.0 Recommendation

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:
 - a) The location of the brewery lounge establishment: The brewery is located in an industrial area north of the downtown City Centre Urban Centre;
 - b) 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.

- c) 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.
 - d) 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.
 - e) 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.
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."

2.0 Purpose

To consider a new manufacturer lounge liquor license with an outdoor patio for Jackknife Brewing Inc to allow patrons to purchase and consume liquor products between the hours of 10:00 am to midnight for the indoor service area with a capacity of 70 people and 10:00 am to 11:00 pm for the patio service area with a capacity of 21 people.

3.0 Community Planning

Staff generally support manufacturer lounge requests in order to permit customers to consume the manufacturer's products on-site. This is a new brewery with lounge and outdoor patio in the north end industrial area. Over the last few years, the area has been redeveloping and evolving to become a destination for both locals and visitors to the City. Staff do not foresee negative land use impacts of permitting this type of license in this location.

Staff are recommending that Council endorses the applicant's proposed hours of operation for both the indoor and outdoor service areas. The requested hours of operation are consistent with all new manufacturer lounges with patios both within and outside of the downtown City Centre. The applicant has agreed that limiting the hours of operation for the patio to 11:00 pm is reasonable for the purposes of limiting noise and being a good neighbor.

The Official Community Plan (OCP) encourages complete communities and complete suburbs, which includes evening entertainment. While the immediate neighbourhood has limited existing residential development, it is a short walk to the north end residential area along with many proposed higher density residential developments in the surrounding area. The establishment will provide the local residents with a walkable neighbourhood pub setting they can frequent without the necessity of driving a vehicle or taking a taxi or public transit. The addition of another local manufacturer lounge will aid in rebranding and activating the area beyond the standard industrial business workday.

4.0 Proposal

4.1 Background

An application has been forwarded by the licensee to the Provincial Liquor and Cannabis Regulation Branch (LCRB) for their approval. Procedurally, this type of application requires Local Government comments prior to the LCRB making a final decision.

4.2 Project Description

Proposed Hours of Sale (Indoor Service Area)

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am
Close	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight

Proposed Hours of Sale (Outdoor Patio Service Area)

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am
Close	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm	11:00 pm

Subject Property Map: 727 Baillie Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Council Policy #359 – Liquor Licensing Policy and Procedures

The following sections of Policy #359 are applicable to this application:

- New patios associated with liquor establishments should be located and designed to limit potential impacts on surrounding property owners.

6.o Application Chronology

Date of Application Received: March 26, 2019

Prepared by: Lydia Korolchuk, Planner

Reviewed by: Laura Bentley, Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Floorplan - Occupant Load

ATTACHMENT A

This forms part of application
LL19-0005

Planner Initials

LK

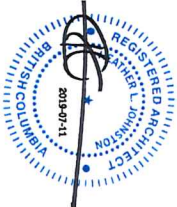
City of Kelowna

DEVELOPMENT PLANNING

PLACE

heather Johnston architect AIBC
PLACE architect ltd.
6562 24 ganges avenue
west VANCOUVER BC, V6V 1Z7
778 386 6769
www.placearchitects.com

THIRD AXIS DESIGN



NO	DATE	ISSUE
01	2019/02/22	RENEW
02	2019/03/28	COORDINATION
03	2019/04/17	PERMIT CORRECTION
04	2019/05/08	PERMIT CORRECTION
05	2019/07/10	PERMIT CORRECTION

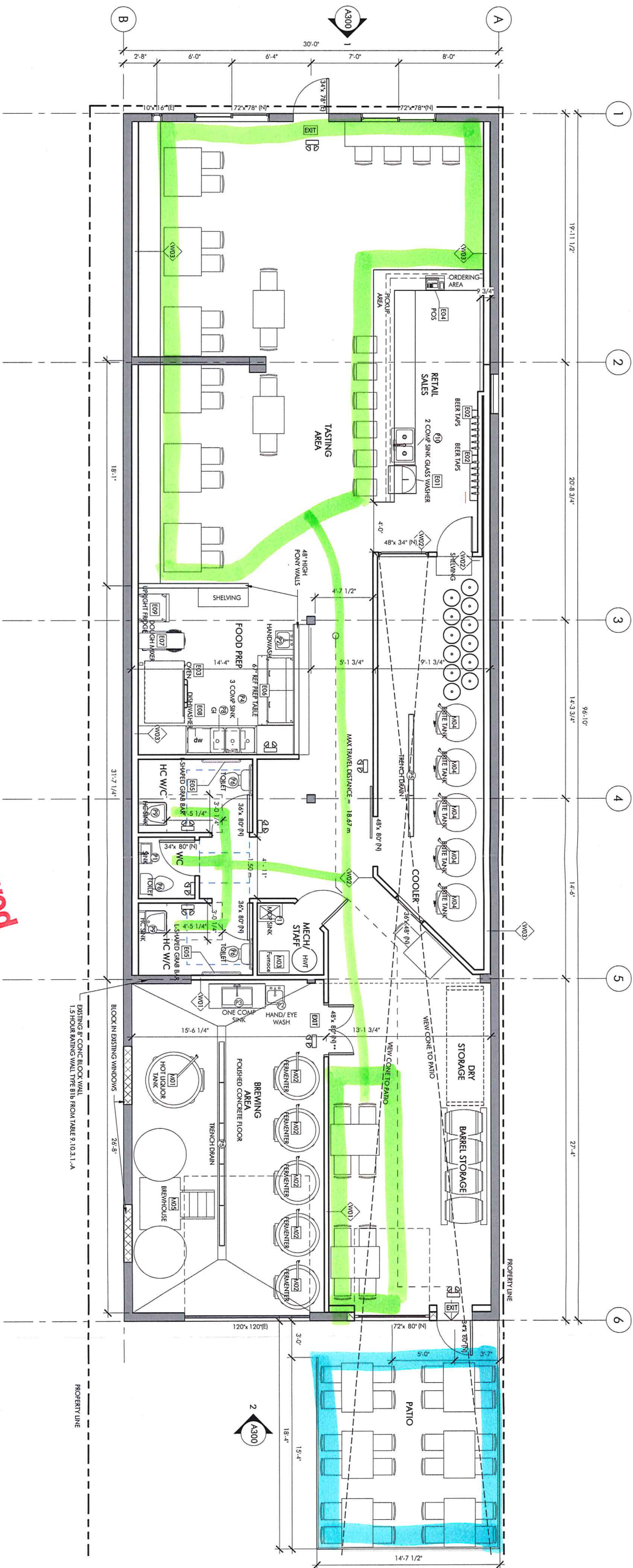
PROJECT NAME:
JACKKNIFE BREWERY
727 BAILEY AVENUE
KELOWNA, BC

DRAWING:
PROPOSED FLOOR PLAN

PROJECT NO:	SCALE:
2018055	1/4" = 1'-0"
FORMAT:	DRAWN BY:
ARCH D	TAD
SHEET NUMBER:	

A201

Office copy



1 GROUND FLOOR PLAN - PROPOSED
A201 SCALE - 1/4" = 1'-0"

Reviewed
by City of Kelowna
Inspection Services

The TASTING AREAS
has a net floor area of 84 m². The maximum
occupant load shall be 70 persons, based on
1.2 m²/person

The PATIO
has a net floor area of 25 m². The maximum
occupant load shall be 21 persons, based on
1.2 m²/person

BUILDING ASSEMBLY LEGEND:

- EXISTING BUILDING ELEMENTS SHOWN WITH GREY FILL
- DEMOLISHED ELEMENTS SHOWN DASHED
- NEW WALLS TO BE 2X4" STEEL STUDS @ 16" O.C. CW/ 1/2" GYPSUM WALL BOARD EX. SIDE UNO.
- 1 HOUR RATED WALL UIC OR 5/8" TYPE X GWB EX. SIDE OF 2X6 STEEL STUDS @ 16" O.C.
- INSULATED COOLER PANEL WALL
- INSULATED METAL WALL
- 2X4" STEEL STUDS @ 16" O.C. CW R12 BATT INSULATION

LEGEND:

- EMERGENCY LIGHTING C/W BATTERY BACKUP
- RUNNING MAIN STEEL DOTT SIGN

- NOTES:
- WINDOWS WITH * INDICATE 45 MIN RATED WINDOW AND GLAZING
 - DOORS WITH + INDICATE 45 MIN RATED DOOR C/W 30 MIN COOLER AND RATED HARDWARE
 - INDICATE CORNER OVERLAPPING AT JOINTS, SMOOTH AND INTERIOR FINISHES IN KITCHEN



CITY OF KELOWNA
BYLAW NO. 11444
Z17-0037 – 4264 Lakeshore Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 11 District Lot 167 ODYD Plan 4610 located on Lakeshore Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 24th day of July, 2017.

Considered at a Public Hearing on the 15th day of August, 2017.

Read a second and third time by the Municipal Council this 15th day of August, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: August 27, 2019

RIM No. 0940-50

To: Council

From: City Manager

Application: DVP17-0084

Owner: Joseph Crosara & Elizabeth Shelton

Address: 4264 Lakeshore Road

Applicant: Bill Morell

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

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.

2.0 Purpose

To vary the lot width of the parcel from 13.0 m required to 12.46 m proposed in order to facilitate a two-lot subdivision.

3.0 Community Planning

Development Planning Staff support the proposed variance to the width of the parcel to facilitate a two-lot subdivision. The reduced lot width is minor in nature resulting in an approximately 0.54 m reduction while facilitating a modest increase in housing density in the area. The increase in housing density is well supported by OCP Urban Infill Policies and the form, character and massing of the new housing should be

complementary to the neighbourhood. The site has a Walk Score of 20 – Car Dependent (Almost all errands require a car), a Transit Score of 33 – a few nearby public transportation options in the area and a Bike Score of 42 – Somewhat Bikeable.

4.0 Proposal

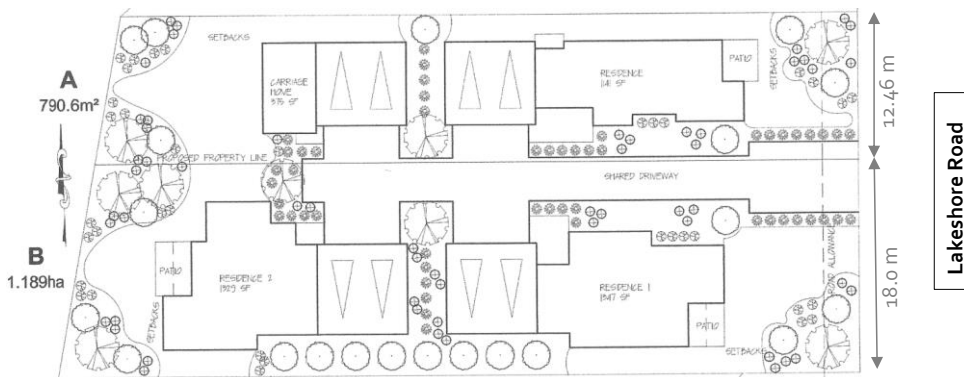
4.1 Background

The request for rezoning came before Council and received 3rd reading following the Public Hearing on Aug 17, 2017. The following year, the applicant asked for a one-year extension in order to meet the Development Engineering requirements. The current property owner has decided to sell the property to a developer who would like to see the project through to completion.

4.2 Project Description

The rezoning application is to amend the existing RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone and to then subdivide the property into two titled lots. The RU6 zone would allow the owner to develop the south parcel with two single family dwellings (which could be strata titled), and the north parcel with a single-family dwelling and a carriage house. This is due to the north parcel having a narrower parcel width. The RU6 – Two Dwelling Housing zone allows for the development of two dwellings on lots that have a minimum lot width of 18.0 m. The north lot proposes a 12.46 m lot width; therefore, the lot can only accommodate a single-family dwelling and a carriage house (or secondary suite).

Proposed Subdivision Layout:



Proposed Variance

The owner is proposing a lot width variance from 13.0 m required to 12.46 m. The parcel width variance is supportable as the two parcels will share a common driveway access from Lakeshore Road with the driveway mainly located on the larger south parcel. While the plans are only schematic, each shows an achievable building footprint that would meet the Zoning Bylaw Development Regulations. The parcel area of the smaller Lot A is almost double the minimum requirement of 400 m² at 790.60 m² and the minimum parcel depth of 30.0 m is far exceeded at over 62.0 m.

The two single family dwellings to be located on Lot B could be stratified, while the dwelling and carriage house on Lot A would retain a single title for the ownership of both buildings as strata titling is not allowed for carriage houses.

There is an existing road right-of-way along the western (rear) property line which is utilized for underground services. The City has no intention of developing a vehicular laneway through this area.

No development permit is required for the project. After the subdivision is completed, the development would proceed to building permit applications as Zoning Bylaw development regulation compliance would again be reviewed at that stage.

4.3 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Housing
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU1 – Large Lot Housing	Single Dwelling Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

Context Map:



Future Land Use Map:



Subject Property Map: 4264 Lakeshore Road



4.3 Subdivision Regulations Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Subdivision Regulations		
Minimum Lot Area	700 m ²	Lot A - 790.7 m ² Lot B - 1190.4 m ²
Minimum Lot Width	13.0 m for single dwelling housing 18.0 m for two dwelling housing	Lot A - 12.46 m ❶ Lot B - 18.0 m
Minimum Lot Depth	30 m	Lot A - 62.27 m Lot B - 64.48 m
❶ Indicates a requested variance to the minimum parcel width from 13.0 m required to 12.46 m proposed.		

4.4 Zoning Analysis Table

CRITERIA	RU6 – TWO DWELLING HOUSING ZONE REQUIREMENTS
Minimum Front Yard	4.5 m (6.0 m from a garage or carport)
Minimum Side Yard	2.0 m (for up to 1 ½ storey portion of building) 2.3 m (for 2 storey portion of building)
Minimum Rear Yard	7.5 m
Maximum Site Coverage	40 % buildings (50 % including driveways and parking areas)

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)Chapter 5: Development Process*Objective 5.3 Focus development to designated growth areas*

Policy .1 Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

6.0 **Technical Comments**6.1 Development Engineering Department

- All requirements will be addressed with Subdivision Application S17-0034.

7.0 Application Chronology

Date of Application Received: April 11, 2017

Date Public Consultation Completed: July 17, 2019

Report prepared by: Lydia Korolchuk, Planner II

Reviewed by: Dean Strachan, Subdivision and Rural Planning Manager

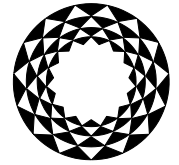
Approved for Inclusion: Terry Barton, Development Planning Department Manager

Commented [CM1]: Minor application (no Director signoff required)

Attachments:

Attachment A: Draft Development Variance Permit DVP17-0084

Attachment B: Existing Site Survey



Development Variance Permit DVP 17-0084

This permit relates to land in the City of Kelowna municipally known as

4264 Lakeshore Road

and legally known as

Lot 11 District Lot 167 ODYD Plan 4610

and permits the land to be used for the following development:

Two Dwelling Housing

USE as per Zoning Bylaw

One/Two Dwelling Housing, Carriage House

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision August 27, 2019

Decision By: COUNCIL

Development Permit Area: N/A

Existing Zone: RU6 – Two Dwelling Housing

Future Land Use Designation: S2RES – Single/Two Unit Residential

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Joseph Cosara & Elizabeth Shelton

Applicant: Bill Morel

Terry Barton
Community Planning Department Manager
Planning & Development Services

Date

1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";

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.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

N/A

4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

**SITE PLAN OF LOT 11 DISTRICT LOT
167 OSOYOOS DIVISION YALE
DISTRICT PLAN 4610**

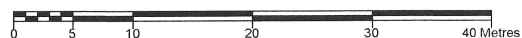
PID: 007-500-513

APPLICANT: CHRISTOPHER BLAKE

CIVIC ADDRESS: 4264 LAKESHORE ROAD

REGISTERED DOCUMENTS: NONE

SCALE 1:400 (@ 11" x 17")



LEGEND

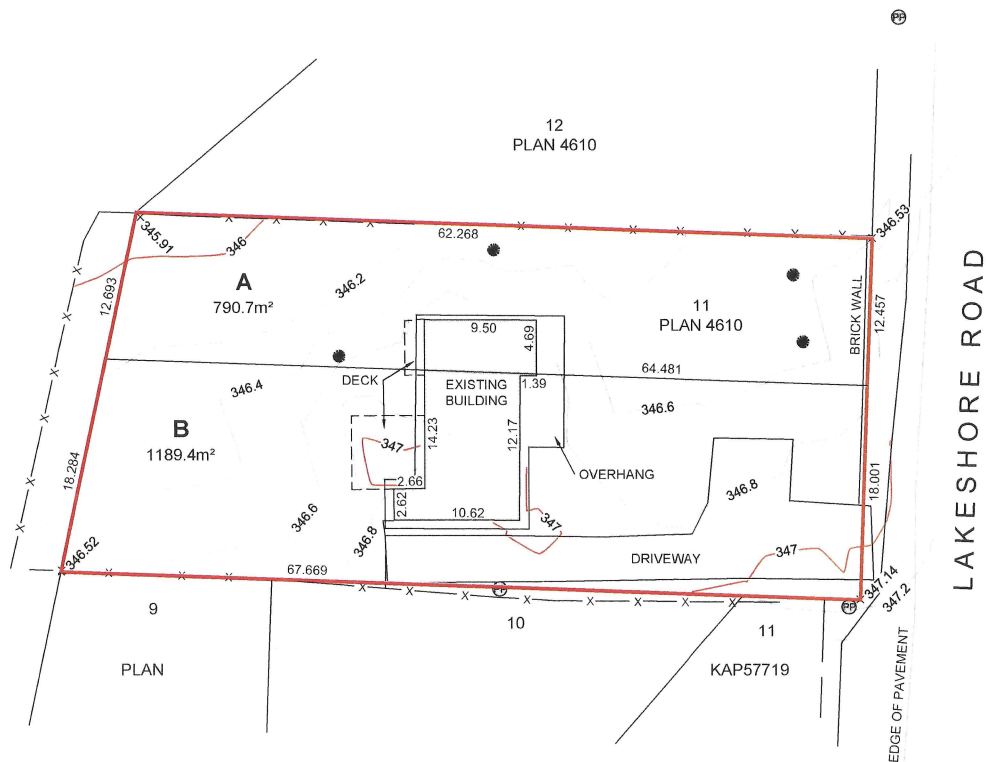
- Subject Property
- Major Contour (1m)
- Minor Contour (0.2m)
- Fence
- Power Pole
- Tree

ATTACHMENT B

This forms part of application

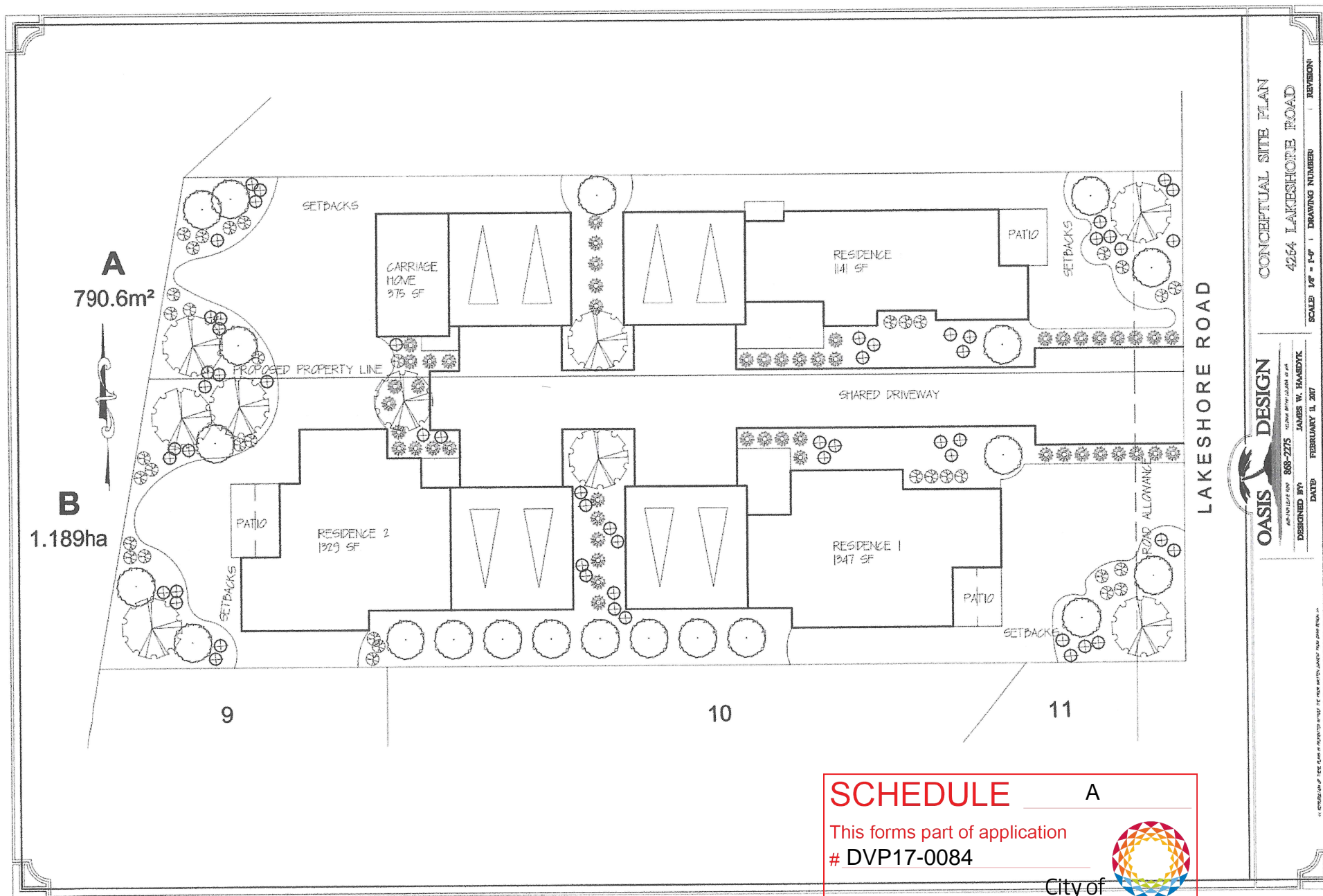
DVP17-0084

Planner
Initials **LK**



VECTOR
GEOMATICS LAND SURVEYING LTD.
Head Office - Fort St. John Kelowna Office
8884 Airport Rd., PO Box 6428 170-1855 Kirschner Rd
Fort St. John, B.C. V1J 4H8 Kelowna, B.C. V1Y 4N7
Ph.: (250) 785-7474 Ph.: (250) 868-0172
www.vectorgeomatics.com
File: 1600163

© COPYRIGHT 2017 VECTOR GEOMATICS LAND SURVEYING LTD.



CONCEPTUAL SITE PLAN

4264 LAKESHORE ROAD

SCALE: 1/8" = 1'-0" 1. DRAWING NUMBER

REVISION



888-2775

JAMES W. HANDELYK

DESIGNED BY: DATE: FEBRUARY 11, 2017

DATE:

© 2017 OASIS DESIGN. ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM OASIS DESIGN.

SCHEDULE A

This forms part of application

DVP17-0084

Planner
Initials

LK

City of
Kelowna
DEVELOPMENT PLANNING

