

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, May 31, 2016
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 Sieben.
3. **Confirmation of Minutes** 1 - 12

Public Hearing - May 17, 2016
Regular Meeting - May 17, 2016
4. **Bylaws Considered at Public Hearing**
 - 4.1 **BL11205 (OCP16-0002) - Amendment to Chapter 2 - Regional Context** 13 - 25

Requires a majority of all members of Council (5).
To give Bylaw No. 11205 second and third readings, and adoption, in order to amend the Official Community Plan to incorporate a new Regional Context Statement.
 - 4.2 **894 Stremel Road, BL11244 (OCP16-0001) - McBeetle Holdings Ltd.** 26 - 27

Requires a majority of all members of Council (5).
To give Bylaw No. 11244 second and third readings in order to change the future land use designation of portions of the subject property to facilitate the construction of an automotive dealership.
 - 4.3 **894 Stremel Road, BL11245 (Z16-0006) - McBeetle Holdings Ltd.** 28 - 29

To give Bylaw No. 11245 second and third readings in order to rezone portions of the subject property to facilitate the construction of an automotive dealership.

- 4.4 820 Finns Road, BL11246 (OCP15-00016) - Raif Holdings Ltd. 30 - 31**

Requires a majority of all members of Council (5).

To give Bylaw No. 11246 second and third readings in order to change the future land use designation of the subject property to allow the lands to be used for service commercial development.

- 4.5 820 Finns Road, BL11247 (Z15-0053) Raif Holdings Ltd. 32 - 33**

To give Bylaw No. 11247 second and third readings in order to rezone the subject property to allow the lands to be used for service commercial development.

5. Notification of Meeting

The City Clerk will provide information as to how the following items on the Agenda were publicized.

6. Liquor License Application Reports

- 6.1 889 Vaughan Avenue, LL14-0006 - 1568447 Alberta Ltd. 34 - 62**

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.

To seek Council support for a Brewery Lounge Endorsement and a Special Event Area Endorsement to be added to the associated Brewery Manufacturing License for the new brewery under development on the subject property.

- 6.2 165 Highway 33 E, LL15-0031 - Klar Enterprises Inc. 63 - 81**

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.

To consider a liquor license application for Liquor Primary Minor in a C4 zone with an occupant load of 40 persons.

7. Development Permit and Development Variance Permit Reports

- 7.1 2741 Highway 97 N, DVP16-0073 - R.J.S. Holdings Inc. 82 - 93**

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

To consider a staff recommendation NOT to vary the number of permitted free standing signs along the highway from one sign to two signs.

7.2 200 Clarissa Road, BL11225 (Z16-0002) - David & Margaret Ward **94 - 94**

To adopt Bylaw No. 11225 to rezone the subject property to facilitate the development of a carriage house.

7.3 200 Clarissa Road, DP16-0004 & DVP16-0005 - David & Margaret Ward **95 - 106**

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

To vary the maximum combined area of all accessory buildings and carriage houses on the subject property from 130 m2 required to 183.5 m2 proposed.

8. Reminders

9. Termination



City of Kelowna Public Hearing Minutes

Date: Tuesday, May 17, 2016
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Brad Sieben*, Mohini Singh and Luke Stack

Council Members Absent: Councillor Charlie Hodge

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Real Estate, Doug Gilchrist*; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; and Legislative Systems Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:04 p.m.

Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

2. Notification of Meeting

The City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board of City Hall on May 3, 2016 and by being placed in the Kelowna Capital News issues of May 6 and May 11, 2016, and by sending out or otherwise delivering 77 statutory notices to the owners and occupiers of surrounding properties, and 5923 informational notices to residents in the same postal delivery route as the applications, between May 3 and May 6, 2016.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

3. Individual Bylaw Submissions

3.1 268 Lake Avenue, BL11240 (Z16-0005) - Frank Renou & Joan Chapman

Councillor Sieben joined the meeting at 6:08 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Support

Edward Guy, Lake Avenue

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

The Applicant was present, but did not have anything further to add to staff's comments.

No one came forward from the gallery.

3.2 330 Merrifield Road, BL11241 (Z16-0011) - Corey Knorr Construction Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence or petitions had been received.

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

The Applicant was present, but did not have anything further to add to staff's comments.

No one came forward from the gallery.

3.3 845 Kinnear Court, BL11242 (Z15-0050) - Carol Kergan

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Opposition or Concern

George Cwiklewski, Kinnear Court

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

The Applicant was present, but did not have anything to add to staff's comments.

No one came forward from the gallery.

3.4 135 Mugford Road & 345 Rutland Road N, BL11243 (Z15-0059) - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Support

Mike Koutsantonis, Uptown Rutland Business Association
John Huston, Rutland Residents Association

Petition of Support

Petition with 5 names of owner/occupiers of surrounding properties as submitted by the Applicant.

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

The Applicant was present but did not have anything further to add to staff's comments.

No one came forward from the gallery.

3.5 820 Finns Road, BL11246 (OCP15-0016) & BL11247 (Z15-0053) - Raif Holdings Ltd.

Mayor Basran advised that Item 3.5 will be deferred during the Regular Meeting portion of the Agenda as per the Applicant's request.

4. Termination

The Hearing was declared terminated at 6:26 p.m.

Mayor

/slh

Heather Stein

City Clerk

DRAFT



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, May 17, 2016
Location: Council Chamber
City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Brad Sieben, Mohini Singh and Luke Stack

Council Members Absent: Councillor Charlie Hodge

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; and Legislative Systems Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:26 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Gray.

3. Confirmation of Minutes

Moved By Councillor DeHart/Seconded By Councillor Donn

R429/16/05/17 THAT the Minutes of the Public Hearing and Regular Meeting of May 3, 2016 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 268 Lake Avenue, BL11240 (Z16-0005) - Frank Renou & Joan Capman

Moved By Councillor Gray/Seconded By Councillor Given

R430/16/05/17 THAT Bylaw No. 11240 be read a second and third time.

Carried

4.2 330 Merrifield Road, BL11241 (Z16-0011) - Corey Knorr Construction Ltd.

Moved By Councillor Given/Seconded By Councillor Gray

R431/16/05/17 THAT Bylaw No. 11241 be read a second and third time.

Carried

4.3 845 Kinnear Court, BL11242 (Z15-0050) - Carol Kergan

Moved By Councillor DeHart/Seconded By Councillor Singh

R432/16/05/17 THAT Bylaw No. 11242 be read a second and third time.

Carried

4.4 135 Mugford Road & 345 Rutland Road N, BL11243 (Z15-0059) - City of Kelowna

Moved By Councillor Singh/Seconded By Councillor DeHart

R433/16/05/17 THAT Bylaw No. 11243 be read a second and third time.

Carried

4.5 820 Finns Road, BL11246 (OCP15-00016) & BL11247 (Z15-0053) - Raif Holdings Ltd.

Moved By Councillor Donn/Seconded By Councillor Gray

R434/16/05/17 THAT Council defers consideration of Bylaw No. 11246 (OCP15-0016) and Bylaw No. 11247 (Z15-0043), for the property located at 820 Finns Road, to the May 31, 2016 Public Hearing.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of the Development Variance Permit Applications was given by sending out or otherwise delivering 246 statutory notices to the owners and occupiers of the surrounding properties, and 2241 informational notices to residents in the same postal delivery route, between May 3 and May 6, 2016.

The correspondence and/or petitions received in response to advertising for the applications on tonight's Agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

6. Development Permit and Development Variance Permit Reports

6.1 2673 Bath Street, DVP15-0253 - Tara Henderson

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence or petitions had been received.

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

The Applicant was present, but did not have anything further to add to staff's comments.

No one came forward from the gallery.

Moved By Councillor Donn/Seconded By Councillor Given

R435/16/05/17 THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0253 for Strata Lot 1 District Lot 14 ODYD Strata Plan KAS2976 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 2673 Bath Street, Kelowna, BC;

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

Section 6.5.8 (a) General Development Regulations - Accessory Development

To vary the required front yard setback for an accessory structure from 18.0 m required to 0.1 m proposed as noted on Schedule "A".

Section 6.5.8 (b) General Development Regulations - Accessory Development

To vary the required side yard setback for an accessory structure from 1.2 m required to 0.6 m proposed as noted on Schedule "A".

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

6.2 1382 Graham Street, DP15-0321 & DVP16-0031 - 476462 BC Ltd.

Staff:

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

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Support

Jessica Burke, Stockwell Avenue

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

The Applicant was not present. No one came forward from the gallery.

Moved By Councillor Stack/Seconded By Councillor Sieben

R437/16/05/17 THAT Council authorizes the issuance of Development Permit No. DP15-0321 for Lot 6 District Lot 138 ODYD Plan 16006 located at 1382 Graham Street, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0031 for Lot 6 District Lot 138 ODYD Plan 16006 located at 1382 Graham Street, Kelowna BC;

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

Section 9.5b.1(d): Carriage House Regulations

To vary the maximum height to the peak of the roof of the carriage house from 5.72m required to 6.11m proposed.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated February 29, 2016;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permit to be issued;

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

Carried

6.3 615 McClure Road, DVP16-0105 - Robert & Sharon Clarke

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Opposition or Concern

Joan Needham, McClure Road

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

The Applicant was not present. No one came forward from the gallery.

Moved By Councillor Given/Seconded By Councillor Singh

R437/16/05/17 THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0105 for Lot A, District Lot 357, Similkameen Division Yale District, Plan 31865, located at 615 McClure Road, 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 from 7.5 m permitted to 3.039 m proposed.

Carried

6.4 1350 St. Paul Street, DP16-0017 & DVP16-0019 - Sole Downtown Developments Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence or petitions had been received:

Letters of Opposition or Concern

Daniel Yacucha, 1331 Ellis Street

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

Kevin Edgecombe, Applicant's Representative:

- Provided additional comments regarding the application including the pedestrian walkway.
- Provided an explanation why the construction crane is already on site.
- Planning on reaching out to the arts community to promote a competition for the proposed artwork on the building.
- Provided an overview of the development and the proposed variances.
- Responded to questions from Council.

No one came forward from the gallery.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Gray

R438/16/05/17 THAT Council authorizes the issuance of Development Permit No. DP16-0017 for Lot 1, DL 139, ODYD Plan KAP 68461 located at 1350 St. Paul Street, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0019 for Lot 1, DL 139, ODYD Plan KAP 68461, located at 1350 St. Paul Street, Kelowna, BC;

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

Section 8.1.11.(a)(h) Width of two-way drive aisle serving 90 degree parking
To vary the required minimum width from 7.0 m permitted to 6.0 m proposed.

Section 8.2.2 Minimum number of loading spaces for a commercial use
To vary the required number of loading spaces from 1 to 0.

Section 14.7.5(e) Setback for portions of the building above 15.0 m (front yard)
To vary the required minimum setback from 3.0m to 0.1m.

Section 14.7.5(f) Setback for portions of the building above 15.0 m (side yard)
To vary the required minimum setback from 4.0m to 3.7 m.

Section 14.7.5(g) Angle of Incidence from fronting street
To vary the required minimum angle of incidence from a fronting street from 80° to 88.5°.

Section 14.7.5(h) Maximum floorplate area above 15.0 m
To vary the required maximum floorplate area for floors above 15.0 from 676m² to 956.7m²

Section 14.7.5(j) Maximum floorplate area above 15.0 m
To vary the required maximum floorplate dimension for floors above 15.0 m from 39m to 48.1m.

AND FURTHER THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Variance Permit Application in order for the permits to be issued.

Carried

7. Reminders

Mayor Basran:

- Reminded Council and the public of the Rutland May Days Parade on Saturday.

8. Termination

The meeting was declared terminated at 7:02 p.m.

Mayor

/slh



City Clerk

DRAFT

CITY OF KELOWNA

BYLAW NO. 11205

OCP16-0002 - Amendments to Chapter 2 - Regional Context

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Official Community Plan Bylaw No. 10500 be amended as follows:

1. **THAT Chapter 2 - Regional Context** be deleted as follows:

The Regional Growth Strategy (RGS) Bylaw was adopted in June 2000 (currently under review) by the Regional Board. The City of Kelowna Official Community Plan (Bylaw 10500) reflects and implements the RGS as required in the Local Government Act (LGA) Section 850 (2) & (3) as related to population and employment projections, housing, transportation, regional district services, parks and natural areas, economic development and reduction of greenhouse gas emissions.

Population and Employment Projections

Population projections for the City of Kelowna to 2030 were derived from BC Stats data (PEOPLE 2008) for the Central Okanagan. Using BC Stats regional population numbers and projected growth rates plus the historical City of Kelowna share of RDCO population it is projected that the regional population of 243,579 and traditional City share of regional population of 66.5% would generate a Kelowna 2030 projected population of 161,701 at an average annual growth rate of 1.51 %. The 2008 BC Stats data was used in order to establish a calibration date for the Regional Traffic Model. Therefore it has also been assumed that other municipalities, electoral areas and First Nations will need to provide growth projections that fit the 2008 BC Stats data at their historical share of regional population.

The City of Kelowna OCP developed a projected growth pattern, including housing units, commercial, industrial and institutional floor space projections (and associated employment projections) that were assigned in the Regional Traffic Model. That data was also used in sanitary sewer and water servicing models, which then became the base for the 20 Year Servicing Plan to establish servicing requirements (including transportation, sanitary sewer, sewer treatment, water and parks) to service the amount and distribution of that growth throughout Kelowna.

Housing

From a housing perspective the City of Kelowna projects the need for approximately 20,100 units by the year 2030 to accommodate the projected growth within the City. Those housing units encompass a range of housing options from low density traditional single detached neighbourhoods to secondary suites/carriage houses, attached homes, town housing as infill and apartments from traditional 4 storey walk-ups to high rise condominiums, including mixed use commercial - residential development in urban centres.

Kelowna 2030 includes policy direction that promotes higher density housing development in general, especially as infill or redevelopment in core areas. Approximately 57% of all new housing would be in the form of apartments and townhouses in support of compact urban form and complete communities objectives, as well as reduced servicing costs. Kelowna 2030 also includes policy direction in support of affordable and safe rental housing, non-market and/or special needs housing.

Transportation

City of Kelowna transportation objectives are focused on generating greater use of sustainable modes - active transportation (cycling / walking) and transit - as well as TDM programs that promote reduced car ownership, reduced vehicle trips, reduced peak hour trips and managing parking supply toward reduction of the need to expand the road network or capacity. Roadway planning will support sustainability goals.

Policy direction focuses on maximizing connectivity for pedestrians and cyclists and prioritizing funding on active transportation. Policy does not provide for roadway modifications that increase capacity until failure is imminent, unless there are safety issues.

Regional District Services

With respect to services, it is the City's objective to ensure a high quality water supply, including groundwater protection, and minimize unnecessary water consumption. Urban development will be connected to the sanitary sewer system. The Regional landfill will be maintained in the long term through diversion of solid waste wherever possible through recycling programs.

Parks and Natural Areas

It is the City of Kelowna's objective to protect and enhance natural areas and provide a variety of parks for people to pursue active, creative and healthy lifestyles. The objective includes creating an open space network that protects sensitive ecosystems and links important habitat areas.

Policy direction includes maintaining a standard of parks at 2.2 ha per 1000 new people, providing active and passive parks as well as a city-wide linear park and trail network, particularly along Okanagan Lake shoreline. The acquisition of regionally significant natural areas is also supported.

Economic Development

Economic development objectives are focussed on a sustainable prosperity that harnesses the skills and talents within the business community, maintains a positive business climate and ensures an adequate supply of serviced commercial and industrial land. Mixed use development and vibrant Urban Centres are the priority along with retention of the tourism industry. Maintaining and attracting a skilled and talented workforce that meets the needs of economic drivers is essential.

The need to ensure a range of housing options, particularly affordable housing, is key to attracting new employees to the community.

Greenhouse Gas Emissions

The City has adopted a GHG reduction target of 33% from 2007 levels by 2020. Achieving this target will involve community effort. From the City of Kelowna's perspective the OCP objectives are focussed on compact urban form (mixed use neighbourhoods and higher density in core areas) that promotes travel by bus, foot or bicycle and other forms of active transportation. It is also the objective to encourage renewable energy supplies and work towards district energy systems and energy efficient technology in new and existing buildings.

In addition, the Kelowna 2030 OCP fulfills the following Regional Growth Strategy (2000) policies:

1. Containing urban growth and supporting growth and redevelopment in existing settlement areas with full urban services.
2. Residential development should include a range of housing types, densities and affordability options.
3. Provision of adequate and appropriate urban services before development is permitted to occur.
4. Impact assessments for major OCP amendments and infrastructure projects, including fiscal impacts to the community.
5. Require an environmental review of developments deemed to impact the land, watershed and other natural resources.
6. Urban development is to be directed away from hazardous areas, sensitive environmental areas, resource extraction areas, and farmland.
7. Maximize the efficiency of the transportation system.
8. Co-ordinated approach to expansion and diversification of the economic base.
9. Consideration for benefits of arts and culture, tourism, and recreation amenities in decision making.
10. Work co-operatively to establish regional governance."

2. AND THAT all quotes in **Chapter 2 - Regional Context** be deleted in their entirety and replaced with the following:

"Both the City of Kelowna and the Regional District of Central Okanagan have traditionally experienced relatively high rates of growth compared to provincial and national averages."

"Policies and objectives in both the RGS and the OCP are consistent with the provincial target to reduce greenhouse gas emissions by 33% by 2020..."

3. AND THAT **Chapter 2 - Regional Context** be amended by adding the following to the beginning of the Chapter:

"In accordance with Section 446 of the Local Government Act, an OCP must include a Regional Context Statement where a Regional Growth Strategy (RGS) applies to the same area as the OCP. Kelowna is within the jurisdictional boundary of the Regional District of Central Okanagan. The Regional District of Central Okanagan Regional Growth Strategy Bylaw No. 1336, 2013 was adopted on June 23, 2014.

The RGS establishes a vision for the region to grow in a manner that promotes economic, environmental and social health. The policy direction of the City of Kelowna OCP is consistent with the intent of the RGS. Table 2.1 below demonstrates the connection between the RGS issue areas and goals and relevant OCP objectives and policies.

Table 2.1 Relationship between Regional Issue Areas and the OCP

Regional Growth Strategy Issue Area & Goal	Related OCP Section		
	Chapter	Objective	Policy
Our Land To manage the land base effectively to protect natural resources and limit urban sprawl	5. Development Process	5.1 Ensure New Development is Consistent with OCP Goals	5.1.3 Rutland & Downtown Revitalization Tax Exemption
		5.2 Develop Sustainably	5.2.3 Complete Suburbs 5.2.4 Complete Communities 5.2.5 Integrated Land Use
		5.3 Focus Development to Designated Growth Areas	5.3.1 Permanent Growth Boundary 5.3.2 Compact Urban Form
		5.33 Protect and Enhance Local Agriculture	5.33.3 Urban Uses
	7. Infrastructure	7.3 Invest Infrastructure Funds to Deliver on Community Goals	7.3.2 DCC Framework
		7.4 Ensure that Densification of Existing Neighbourhoods Happens in a Context of Directly Contributing to Enhanced Livability	7.4.1 Urban Centres and Densifying Neighbourhoods
Our Economy To develop and enhance a positive business environment in the region to achieve a dynamic, resilient and sustainable economy	5. Development Process	5.19 Ensure Development is Compatible with Surrounding Land Uses	5.19.6 North End Industrial (High Tech and Incubator)
		5.30 Ensure Adequate Industrial Land Supply	5.30.1 Industrial Supply Protection
	8. Economic Development	8.1 Focus on Economic Drivers that Generate New and Sustainable Wealth	8.1.1 Sustainable Prosperity 8.1.2 Economic Development Commission
		8.4 Encourage a Positive Investment Climate	8.4.2 Communication 8.4.4 Business Improvement Areas 8.4.5 Entrepreneurial Initiatives
		8.5 Ensure Kelowna is Competitive Relative to Other Jurisdictions	8.5.1 Monitor Costs
		8.7 Provide a Physical Infrastructure that Connects Businesses to their Markets	8.7.1 Highway 97 8.7.2 Transportation Networks 8.7.3 Mobility and Servicing 8.7.4 Communications Infrastructure 8.7.5 Airport

Regional Growth Strategy Issue Area & Goal	Related OCP Section		
	Chapter	Objective	Policy
		8.9 Portray a Positive Image of Kelowna	8.9.1 Positive Image 8.9.2 Downtown
Our Water Resources To manage and protect water resources	5. Development Process	5.19 Ensure Development is Compatible with Surrounding Land Uses	5.19.1 Development Over Lake Surface
		5.36 Ensure Subdivisions are Consistent with Sustainability Goals	5.36.1 Hydro-Geologically Sensitive Areas
	7. Infrastructure	7.17 Minimize Environmental Impacts of Parks	7.17.2 Water Conservation
		7.20 Ensure an Adequate Supply of High Quality Water	7.20.1 Water Availability for Agriculture 7.20.2. Irrigation District Boundaries and Standards 7.20.3 Groundwater Protection
		7.21 Minimize Unnecessary Water Consumption	7.21.1 Best Practices
		7.23 Manage Stormwater and Run-off to Reduce Risk of Flooding and Erosion	7.23.1 Run-off Volumes 7.23.2 Re-use of Stormwater 7.23.3 Urban Run-off Impacts 7.23.4 Surface Drainage / Detention Areas as Amenity Space
	12. Natural Environment DP Guidelines	The objective of Natural Environment Development Permit Areas is to ensure that negative impacts (disturbance) on environmentally sensitive areas are minimized.	Guidelines 7.0 Erosion Control 8.0 Water and Drainage 9.0 Groundwater
Our Health To contribute to the improvement of community health, safety and social well-being	5. Development Process	5.5 Ensure Appropriate and Context Sensitive Built Form	5.5.3 CPTED Guidelines
		5.6 Promote Social Well-being and Quality of Life by Providing Facilities that Serve All Community Members	5.6.1 Accessibility Measures
		5.14 Provide Parks for a Diversity of People and a Variety of Uses	5.14.2 Dedication of Linear Parks 5.14.6 Beach Access Dedications
		5.32 Ensure the Development of Institutional Facilities Meets the Needs of Residents	5.32.10 Health Care Facilities 5.32.13 Recreational Facilities
		5.36 Ensure Subdivisions are Consistent with Sustainability Goals	5.36.3 Design for People and Nature

Regional Growth Strategy Issue Area & Goal	Related OCP Section		
	Chapter	Objective	Policy
	7. Infrastructure	7.2 Design Infrastructure to Deliver Maximum Benefit	7.2.4 Design Guidelines
		7.8 Provide more Active Transportation Infrastructure to: Increase Resilience in the Face of Higher Energy Prices; Improve Community Health; and Reduce Greenhouse Gas Emissions	7.8.2 Active Transportation 7.8.6 Signal Length / Wait Time 7.8.7 Pathway Configuration
		7.12 Provide Active and Passive Parks for a Diversity of People and a Variety of Uses	7.12.2 Natural Area Parks and Open Space 7.12.3 Regional Parks 7.12.5 Walking Radius 7.12.6 Glenmore Recreation Park 7.12.7 Alternative Park Space
		7.16 Develop Parkland to Respond to User Needs	7.16.1 Design to Context 7.16.2 Park Accessibility
	10. Social Sustainability	10.1 Promote Social Well-being and Quality of Life by Providing Facilities and Services for all Community Members	10.1.1 Distribution of Community Resources
Our Food To support a regional food system that is healthy, resilient and sustainable	5. Development Process	5.2 Develop Sustainably	5.2.5 Integrated Land Use
		5.13 Increase Local Food Production	5.13.1 Farmer's Markets 5.13.2 Edible Landscapes 5.13.3 Community Gardens 5.13.4 Multi-residential Shared Garden
		5.33 Protect and Enhance Local Agriculture	5.33.1 Protect Agricultural Land 5.33.2 ALR Exclusions 5.33.7 Subdivision
		5.34 Preserve Productive Agricultural Land	5.34.1 Secondary Suites 5.34.2 Farm Help Housing 5.34.3 Homeplating
	7. Infrastructure	7.5 Minimize Impacts on Agricultural Land	7.5.1 Service Corridors

Regional Growth Strategy Issue Area & Goal	Related OCP Section		
	Chapter	Objective	Policy
Our Housing To improve the range of housing types and tenures to meet the social and economic needs of the region	5. Development Process	5.9 Support the Creation of Affordable and Safe Rental, Non-market and / or Special Needs Housing	5.9.1 Conversion of Rental Dwellings
		5.22 Ensure Context Sensitive Housing Development	5.22.7 Healthy Communities 5.22.8 Embracing Diversity 5.22.10 Adaptable Housing 5.22.11 Housing Mix 5.22.12 Carriage Houses & Accessory Apartments 5.22.13 Family Housing
		5.23 Address the Needs of Families with Children through the Provision of Appropriate Family-oriented Housing	5.23.1 Ground-oriented Housing
	7. Infrastructure	7.3 Invest Infrastructure Funds to Deliver on Community Goals	7.3.1 Housing Mix
	10. Social Sustainability	10.3 Support the Creation of Affordable and Safe Rental, Non-market and / or Special Needs Housing	10.3.1 Housing Availability 10.3.2 City-owned Land 10.3.4 Use of the Housing Opportunities Reserve Fund
Our Climate To minimize regional greenhouse gas emissions and respond to the impacts of climate change	5. Development Process	5.2 Develop Sustainably	5.2.2 Sustainability Incentives
		5.16 Improve the Energy Efficiency and Environmental Performance of New Buildings	5.16.1 Heat Recovery 5.16.2 Eco-industrial Network 5.16.3 Variances for "Green" Features
	6. Environment	6.2 Improve Energy Efficiency and Reduce Community Greenhouse Gas Emissions	6.2.1 GHG Reduction Target and Actions
	7. Infrastructure	7.1 Apply Sustainable Decision-making Approaches in Infrastructure Planning and Procurement	7.1.3 Greenhouse Gas Reduction Criteria

Regional Growth Strategy Issue Area & Goal	Related OCP Section		
	Chapter	Objective	Policy
Our Ecosystems Be responsible stewards of natural ecosystems to protect, enhance and restore biodiversity in the region	5. Development Process	7.8 Provide more Active Transportation Infrastructure to: Increase Resilience in the Face of Higher Energy Prices; Improve Community Health; and Reduce Greenhouse Gas Emissions	7.8.1 Sidewalk Funding 7.8.2 Active Transportation 7.8.5 Walkability 7.8.8 Bicycle Parking 7.8.9 Utility and ROW Corridors
		7.19 Ensure Efficient, Sustainable and Context Sensitive Implementation of Utilities	7.19.2 Energy Reduction Priorities 7.19.3 Renewable Energy
		5.2 Develop Sustainably	5.2.5 Integrated Land Use
		5.15 Ensure Environmentally Sustainable Development	5.15.1 No Net Loss of Aquatic Habitat Productivity 5.15.2 No Net Loss of Terrestrial Habitat 5.15.3 Environmentally Sensitive Area Linkages 5.15.7 Protection Measures 5.15.11 Habitat Protection 5.15.12 Steep Slopes
		5.22 Ensure Context Sensitive Housing Development	5.22.1 Cluster Housing
		5.35 Maintain Biodiversity and Connectivity in Agricultural Environments	5.35.1 Biodiversity
	6. Environment	6.1 Protect and Enhance Kelowna's Biodiversity	6.1.1 Natural Ecosystem Management 6.1.2 Species at Risk
		6.3 Maintain and Enhance Kelowna's Natural Resources	6.3.1 Tree Canopy Coverage 6.3.2 Preferred Plant Species
	7. Infrastructure	7.12 Provide Active and Passive Parks for a Diversity of People and a Variety of Uses	7.12.2 Natural Area Parks and Open Space
			7.12.3 Regional Parks

Regional Growth Strategy Issue Area & Goal	Related OCP Section		
	Chapter	Objective	Policy
	12. Natural Environment DP Guidelines	The objective of Natural Environment Development Permit Areas is to ensure that negative impacts (disturbance) on environmentally sensitive areas are minimized.	Guidelines 1.0 Biodiversity 2.0 Habitat Protection 3.0 Buffers 4.0 Vegetation 8.0 Water and Drainage 11.0 Use of Environmentally Sensitive Areas 12.0 Riparian Management Areas
Our Transportation To enhance the regional transportation system to ensure that it is accessible, affordable, and efficient	5. Development Process	5.10 Ensure Opportunities are Available for Greater Use of Active Transportation and Transit to: Improve Community Health; Reduce Greenhouse Gas Emissions; and Increase Resilience in the Face of Higher Energy Prices	5.10.1 Maximize Pedestrian / Cycling Connectivity 5.10.2 Transit Infrastructure
		5.11 Support Parking Management Programs that Promote Reduced Vehicle Ownerships, Reduced Vehicle Trips and Increased Use of Active Modes of Transportation	5.11.1 Parking Relaxations 5.11.3 Preferred Parking
	7. Infrastructure	7.6 Place Increased Emphasis on Sustainable Modes of Transportation (Walking, Cycling, Transit) while Maintaining Automobile, Commercial Goods and Emergency Vehicle Mobility	7.6.1 Transportation Infrastructure Priority 7.6.2 Complete Streets
		7.7 Reduce Peak Hour Trips and the Percentage of Trips Undertaken by Single Occupant Vehicles, Particularly in Urban Centres, in order to Reduce or Eliminate the Expansion of the Transportation Network and Capacity	7.7.2 Ease of Movement
		7.9 Ensure Efficient and Effective Transit Infrastructure and Facilities	7.9.1 Transit Priority 7.9.2 Transit Expansions 7.9.3 Transit Service 7.9.4 Base Level Transit Service

Regional Growth Strategy Issue Area & Goal	Related OCP Section		
	Chapter	Objective	Policy
		7.10 Ensure Roadway Planning Supports Sustainability Goals	7.10.1 Roadway Modifications
Our Governance To respond to the needs of the region with an effective and efficient governance service model	2. Regional Context	2.1 Deliver Sustainable Services	2.1.1 Inter-municipal Co-operation
	7. Infrastructure	7.15 Develop Park Partnerships	7.15.1 Partnerships

Population Projections

Both the City of Kelowna and the Regional District of Central Okanagan have traditionally experienced relatively high rates of growth compared to provincial and national averages. From 2000 to 2011, the region's population grew an average of 2.1% annually. The majority of this growth was driven by intra-provincial migration, with an increase in interprovincial migration in recent years. The RGS anticipates population growth to continue to 2036, although the average annual rate of growth is expected to slow to 1.8%. The region's total population is projected to be 270,393 in 2036. These estimates are based on the 2011 Census and BC Stats data.

Chapter 3: Growth Projections of the OCP describes the expected population growth for the City of Kelowna until 2030. The OCP identifies an expected annual growth rate of 1.51% for the City of Kelowna with a total population of 161,701 by 2030. These estimates are based on 2008 BC Stats data; 2011 Census data was not available at the time the OCP was prepared and adopted.

The OCP growth projections are generally consistent with the RGS estimates given the available data. Other municipalities within the Regional District of Central Okanagan are expected to experience a somewhat higher rate of growth than the City of Kelowna.

Employment Projections

The RGS indicates that traditional employment generators will continue to be significant for the region's economy. Growth in other sectors such as health care, education, research and development, tourism, aerospace and high tech are expected to diversify and strengthen the economy and to support job creation.

The OCP contains several policies that encourage diverse economic opportunities through support for new and existing businesses, specifically focusing on agricultural resources and the creative economy. Chapter 8: Economic Development also speaks to retaining and attracting a talented workforce that is innovative and entrepreneurial, supporting employment in the growing sectors identified in the RGS.

Other policies outline development processes and objectives for commercial and industrial land, supporting development that leads to job creation in well-positioned areas of the city. Commercial growth is expected to occur through new development on designated land as well as more intensive re-development of existing sites. There is a strong supply of designated industrial land to support development in that area.

The OCP is generally consistent with the direction of the RGS, promoting continued support for traditional employment sectors and encouraging growth in new sectors that create strong employment opportunities.

Greenhouse Gas Emissions

Policies and objectives in both the RGS and the OCP are consistent with the provincial target to reduce greenhouse gas emissions by 33% by 2020, and the RGS includes an additional target to reduce emissions by 80% by 2050 (from 2007 levels). OCP Policy 6.2.1: Greenhouse Gas Reduction Target and Actions identifies several means of reducing emissions, including forming strategic partnerships, supporting more mixed-use neighbourhoods, encouraging active transportation, promoting new building technologies, and incorporating corporate initiatives to reduce greenhouse gas emissions. Policies in Chapter 5: Development Process and Chapter 7: Infrastructure also support these goals as they relate to forms of development and transportation infrastructure."

4. 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 February, 2016.

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. 11244

Official Community Plan Amendment No. OCP16-0001 McBeetle Holdings 894 Stremel Road

A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of portions of Lot A, Section 34, Township 26, ODYD, Plan EPP53299, located on Stremel Road, Kelowna, B.C., from the IND - Industrial designation to the SC - Service Commercial designation and the PARK - Major Park / Open Space designation 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 16th day of May, 2016.

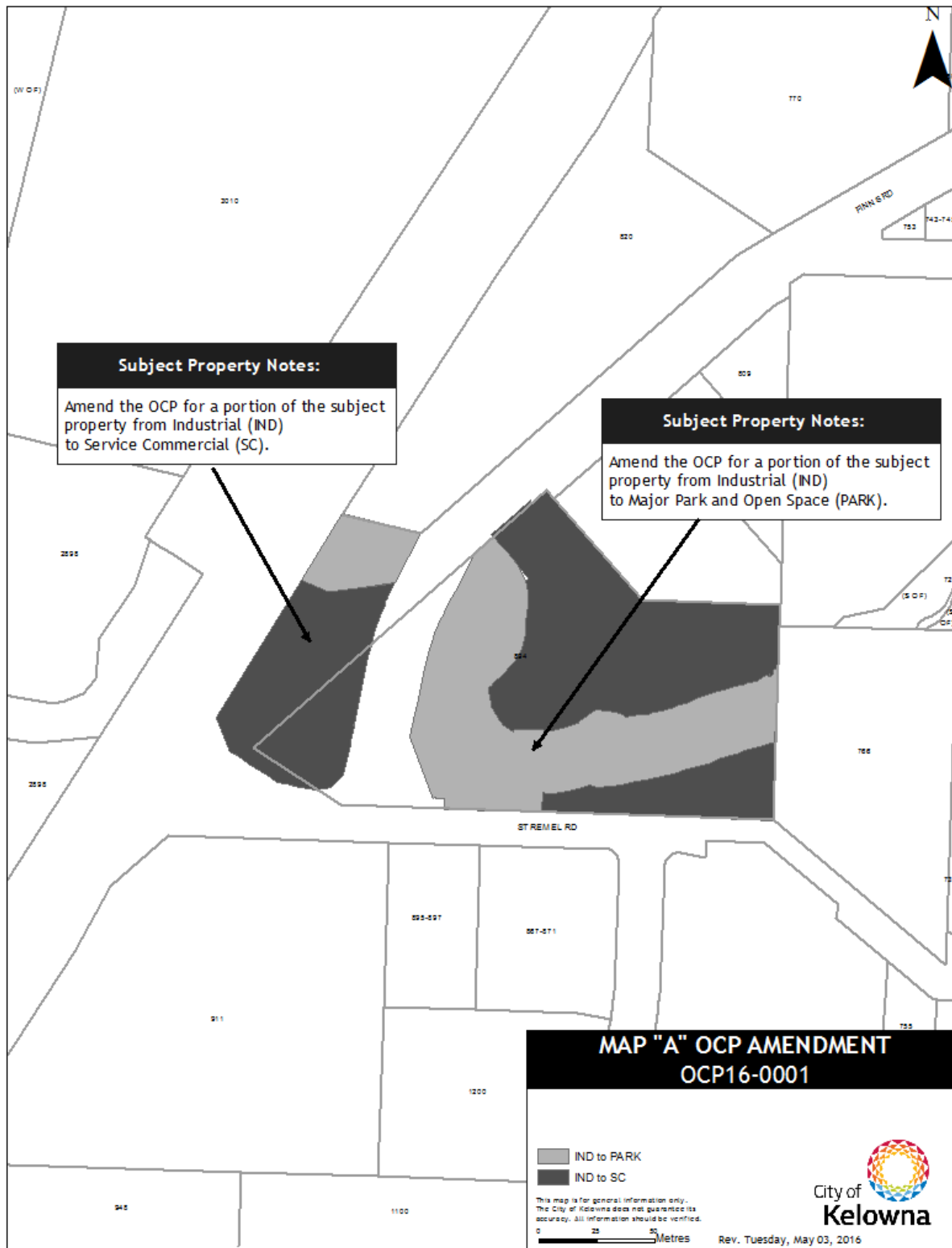
Considered at a Public Hearing on the

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. 11245
Z16-0006 - McBeetle Holdings
894 Stremel 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 portions of Lot A, Section 34, Township 26, ODYD, Plan EPP53299 located on Stremel Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the C10 - Service Commercial zone and the P3 - Parks and Open Space zone as per Map "B" 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 16th day of May, 2016.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

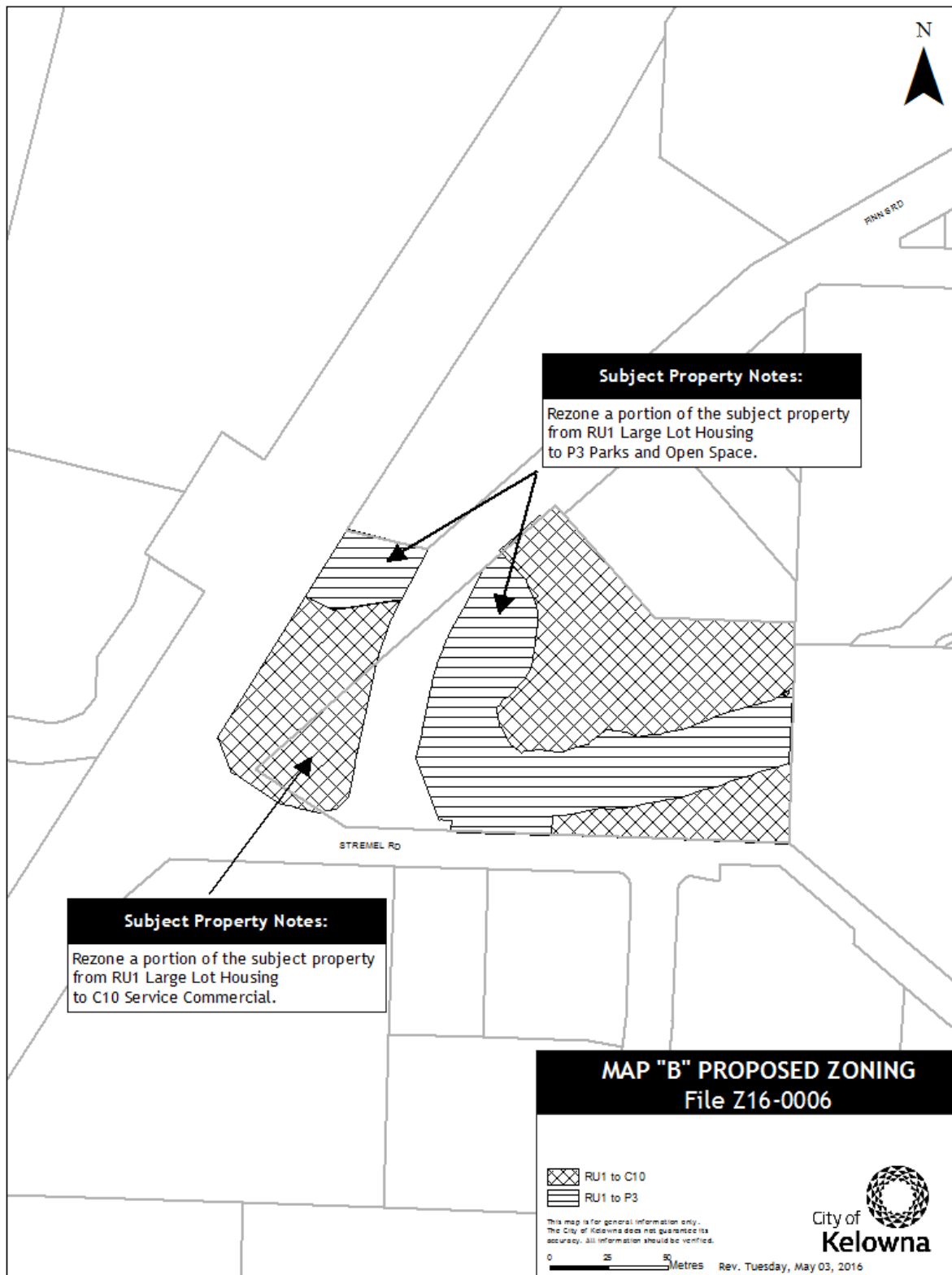
Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA

BYLAW NO. 11246

Official Community Plan Amendment No. OCP15-0016 Raif Holdings Ltd., Inc. No. 129371 820 Finns Road

A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of portions of Lot 1, Section 34, Township 26, ODYD, Plan 18592, located on Finns Road, Kelowna, B.C., from the IND - Industrial designation to the SC - Service Commercial designation and PARK - Major Park / Open Space designation 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 2nd day of May, 2016.

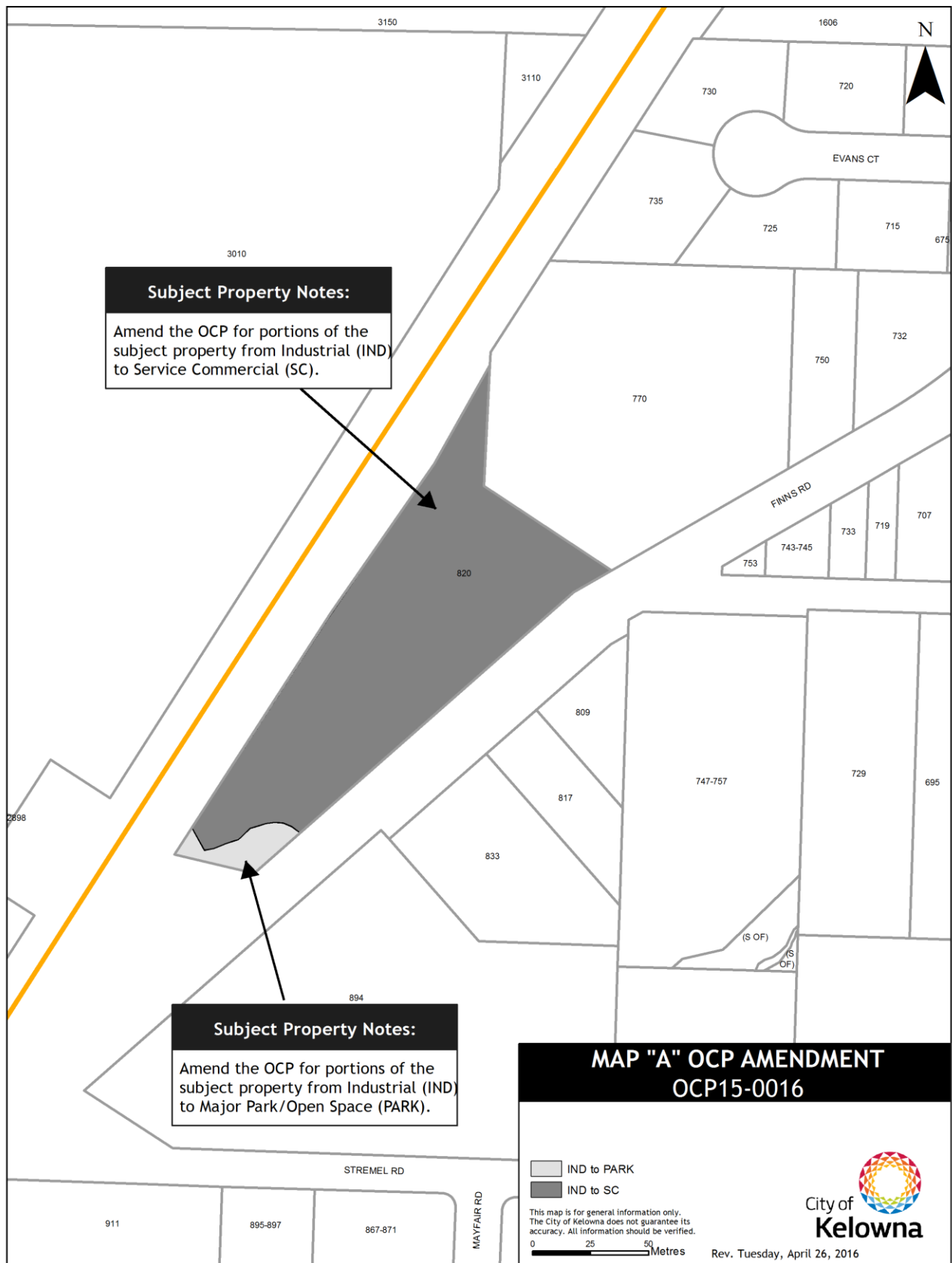
Considered at a Public Hearing on the

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. 11247
Z15-0053 - Raif Holdings Ltd., Inc. No. 129371
820 Finns 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 portions of Lot 1, Section 34, Township 26, ODYD, Plan 18592 located on Finns Road, Kelowna, B.C., from the A1 - Agriculture 1 zone to the C10 - Service Commercial zone and P3 - Parks and Open Space zone as per Map "B" 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 10th day of May, 2016.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

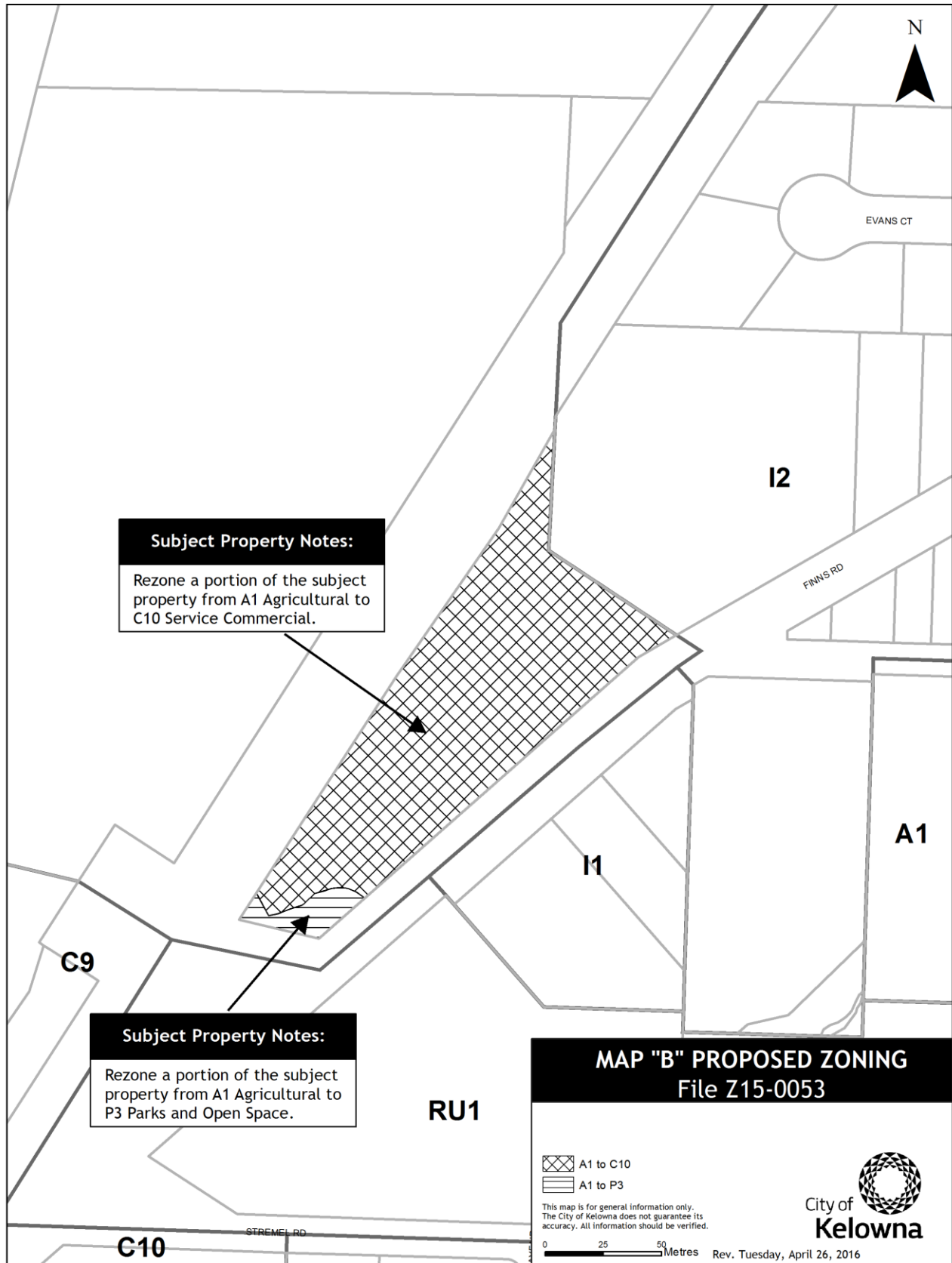
Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date: May 31, 2016

RIM No. 0930-50

To: City Manager

From: Community Planning Department (PMc)

Application: LL14-0006

Owner: 1568447 Alberta Ltd.

Address: 889 Vaughan Ave.

Applicant: Rising Tide Consultants

Subject: Liquor License Application

Existing OCP Designation: Industrial

Existing Zone: I2 - General Industrial / I4 - Central Industrial

1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 53 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of applications from rising Tide Consultants for a brewery lounge endorsement and special event area endorsements for Lot 1, Section 30 Township 26, ODYD, Plan EPP34493, located at 889 Vaughan Ave., Kelowna, BC for the following reasons:

The addition of Brewery Lounge and Special Event Area endorsements to the new brewery are anticipated to add additional hospitality options for tourists in the downtown area.

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

Criteria for a brewery lounge and special event area endorsement:

a. The location of the brewery lounge/special event area:

The proposed lounge area is designed to be located on two levels of the brewery, with the majority of seats located on the ground floor. There is a patio area on the lower level that is to be included as part of the lounge.

b. The proximity of the brewery lounge /special event area to other social or recreational facilities and public buildings: are as noted on the attached map. The potential for negative impact is considered minimal.

c. The person capacity of the Brewery lounge and Special Events Area:

The person capacity of the lounge and Special Events Area is limited to a total of 160 persons for all areas owing to the amount of off-street parking available on the property.

d. Hours of liquor service of the lounge and special events area:

9:00 AM to 1:00 AM, Sunday to Saturday

e. Traffic, noise, parking and zoning:

There is a nominal increase in traffic and parking associated with this application. The person capacity of the facility is limited by the amount of parking available. The parking available on the property meets zoning bylaw regulation. The use of the property as a brewery is permitted under the current I2 - General Industrial and I4 - Central Industrial zones.

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

The use of the site for a brewery lounge and Special Event area is not anticipated to be major, as the proposed development is expected to add more options for brewery tour/tasting to the downtown area, and is expected to benefit other downtown tourist related businesses. Surrounding social or recreational facilities will not conflict with the proposed establishment.

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 seek Council support for a Brewery Lounge Endorsement and a Special Event Area Endorsement to be added to the associated Brewery Manufacturing License for the new brewery under development on the subject property

3.0 Community Planning

There have been a number of significant developments recently in the north end of the downtown area. It is envisioned that the addition of a new brewery on the subject property will add to the tourist opportunities of the downtown and choices in sampling of Okanagan product in the area. The addition of the new brewery will complement the recently completed updates to the nearby Calona Wines facility, as well as the ongoing changes at the BC Fruit Packinghouse located adjacent to the subject property.

The applicant had originally proposed to add a liquor primary licensed area to the brewery. However, the industrial zones limit the size of liquor primary establishments to Liquor Primary - minor, which has a maximum capacity of 100 persons. The applicant has amended their application to now proceed with application for a Brewery Lounge endorsement and a Special Entertainment Area endorsement to be added to the Brewery Manufacture license.

These endorsements are not perceived to have negative effects on the surrounding area given the industrial location along Clement Avenue, and would direct tourist activity to this area of the Downtown. Potential impact on the surrounding community is considered minimal.

The existing industrial zones that regulate use on the property to allow for “Breweries and Distilleries - Major” as a principal permitted use. The outdoor patio seating would be considered as seasonal seating.

In consideration of the above, Community Planning recommends support for the liquor primary license application. Discussion on the LCLB’s regulatory criteria for Local Government comment on liquor license endorsement applications is as contained within staff’s recommendation at the beginning of this report.

4.0 Proposal

4.1 Background

Originally, the subject property formed a portion of four lots that comprised the block between Richter and Ethel Streets that was home to the BC Tree Fruits packing house. After the sale of the site in 2013, the subject property was part of a subdivision application that resulted in the current lot configuration.

At present, the lot is split zoned between part I2 - General Industrial, and part I4 - Central Industrial. These zoning lines reflect the previous lot configuration. Both zones permit the brewery development. As part of the broader area development, the split zoning will be corrected for administrative clarity.

The subject property is currently under construction for a new brewery, as authorized under issued development permit DP14-0064. As part of this revised liquor license proposal, the application is seeking to add a Brewery Lounge endorsement and Special Event Area endorsement to the brewery license.

4.2 Project Description

The developer is proposing to construct a brewery and accessory tasting room and events facilities on the subject property. All the proposed uses will be contained in a single building, being 5,387.5m² (57,992ft²) in gross floor area, which is planned to occupy the centre of the development site.

The applicant has proposed to add a Brewery Lounge Endorsement and Special Area Endorsement to their licensed brewery. The facility is limited to a maximum occupant load of 160 patrons by the amount of off-street parking available on the property. The facility is proposed to be licensed to operate from 9:00am till 1:00am, seven days a week.

Proposed License Summary:

Proposed Hours of Sale:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	9:00am	9:00am	9:00am	9:00am	9:00am	9:00am	9:00am
Close	1:00am	1:00am	1:00am	1:00am	1:00am	1:00am	1:00am
Licensed Area					Capacity		
Interior Licensed area and Patio Area					160 patrons		
Total Proposed Person Capacity					160 patrons*		

*The proposed capacity is limited by the amount of off-street parking available.

4.3 Site Context

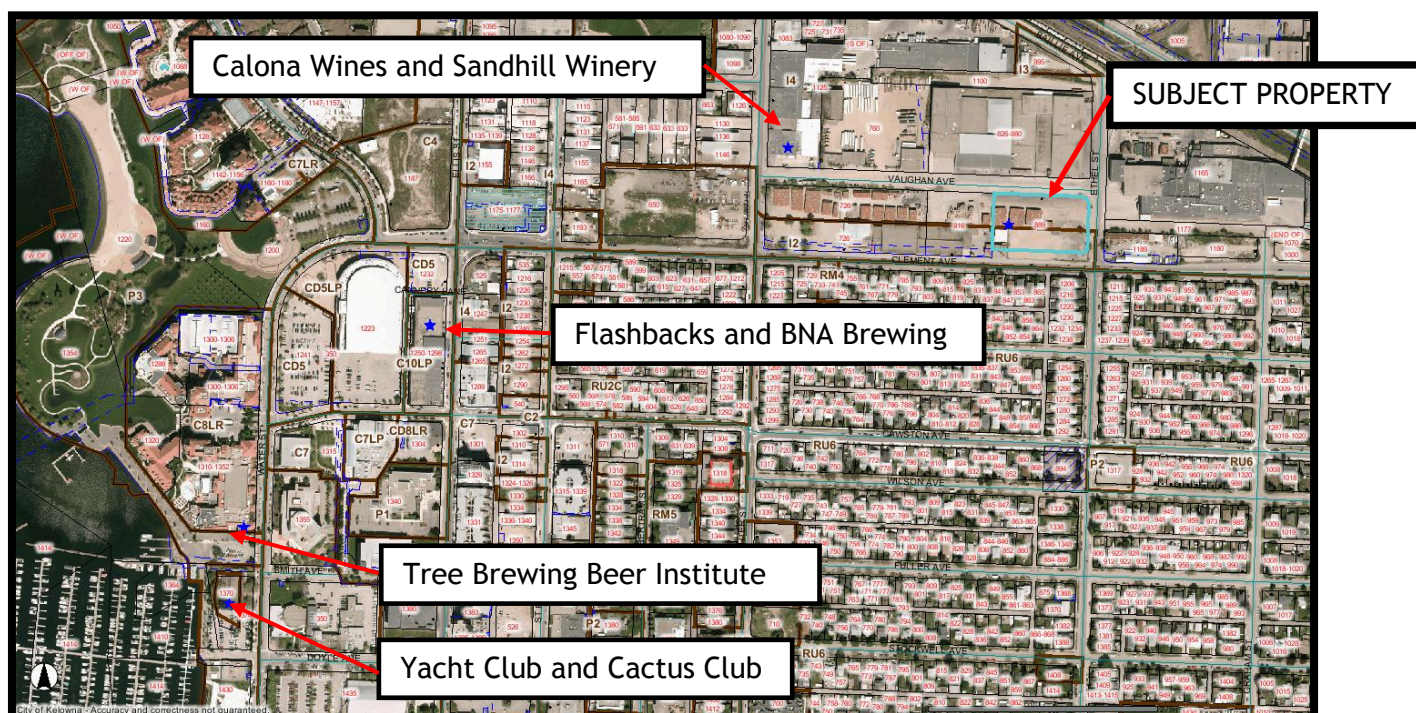
The subject property is located on the northwest corner of Clement Avenue and Ethel Street, on the east side of the former packinghouse site. The 0.78ha site is presently under construction for a new brewery.

The lot sits on the southern boundary between the north end industrial area and the single detached residential area across Clement Avenue to the south. Surrounding uses reflect this division of residential and industrial uses separated by Clement.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I4 - Central Industrial	BC Tree Fruits cold storage facility
East	I4 - Central Industrial	Lois Lane Antiques SunRype
South	RU6 - Two Dwelling Housing	Established low and medium density single detached housing
West	I2 - General Industrial I4 - Central Industrial	Former packinghouse, Urban Square development

Subject Property Map: 889 Vaughn Avenue



5.0 Current Development Policies

5.1 Council Policy #359 - Liquor Licensing Policy and Procedures

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

Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc.)

5.2 Kelowna Official Community Plan (OCP)

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Entertainment Venues.² Within designated Urban Centres, encourage private-sector provision of facilities which diversify the selection of venues and entertainment opportunities throughout the city.

6.0 Technical Comments

6.1 Building & Permitting Department

Provisional Occupant load calculations provided August 20, 2015.

6.2 Fire Department

No concerns

6.3 Interior Health Authority

The applicant/developer must provide the proposed building layout to this office and obtain the health approval from this office prior to the construction. No application has been submitted to this office and no health approval has been issued for the proposed construction.

6.4 R.C.M.P.

No Concerns

¹ Policy 5.3.2 (Development Process Chapter)

² Policy 5.17.1 (Development Process Chapter 5, page 5.21)

7.0 Application Chronology

Date of Application Received: May 7, 2014

Revised application received: December 30, 2015

Report prepared by:

Paul McVey, Urban Planner

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

Attachments:

Location Map
Site Plan/elevations
Rationale Letters
LCLB License Application package



- Legend**
- Easements
 - Legal Lots Text
 - Zoning



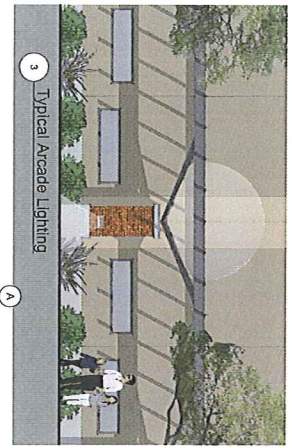
Notes

0 25 50Meters

April 19, 2016

This map is for general information only. The City of Kelowna does not guarantee its accuracy, currency or completeness. All information should be verified.





3 Typical Arcade Lighting

0'0" = 346.24m Geodetic Ave. Grade from south elevation (345.98m+346.23m)/2=346.1m

Maximum Ht. 14m (45'11")

Top of Roof 40'0"

Top of Roof 28'0"

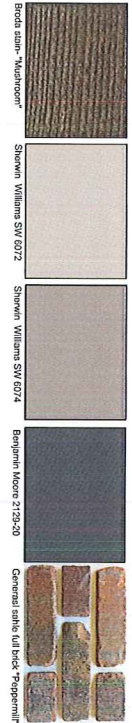
Top of Floor 19'0"

Top of Warehouse Floor 14'0"

Average Grade 346.1m

1 West Elevation

Scale: 3/32" = 1'-0"



Broda stain- "Mushroom"

Sherwin Williams SW 6072

Sherwin Williams SW 6074

Benjamin Moore 2129-20

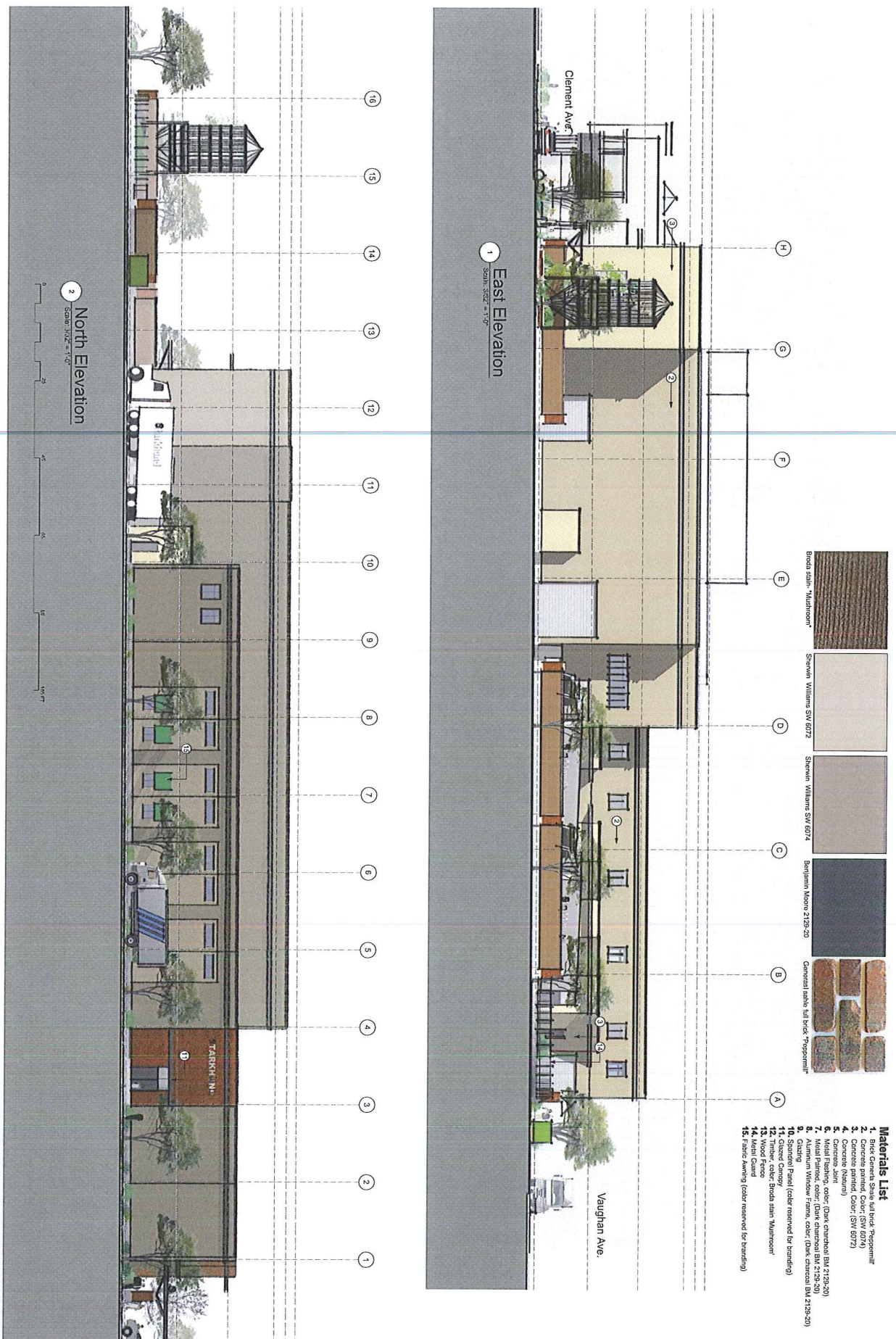
Generali stain- full brick "Pegpermil"

- Materials List**
1. Full brick "Pegpermil"
 2. Concrete painted, color: (SW 6072)
 3. Concrete painted, color: (SW 6072)
 4. Concrete (Natural)
 5. Concrete stain color: (Dark charcoal BM 2129-20)
 6. Concrete stain color: (Dark charcoal BM 2129-20)
 7. Metal Painted, color: (Dark charcoal BM 2129-20)
 8. Aluminum Window Frame, color: (Dark charcoal BM 2129-20)
 9. Glazing
 10. Glazing
 11. Glazing
 12. Timber, color: Broda stain "Mushroom"
 13. Wood Fence
 14. Metal Guard
 15. Plastic, (color reserved for branding)

Clement Ave.

2 South Elevation

Scale: 3/32" = 1'-0"





APPLICATION SUMMARY

For Applicant and Local Government/First Nation

Lounge and SEA Endorsement

Date: December 30, 2015

Job #24405747-2/3

Created by: Emma Ross
Senior Licensing Analyst

Re: Application for a Brewery Lounge and Special Event Area (SEA) Endorsements

Applicant: Starkhund Brewing Company Inc.

Proposed Brewery Name: Starkhund Brewing Company Inc.

Proposed Brewery Location: 889 Vaughan Avenue, Kelowna

1. APPLICATION INFORMATION

Date Application deemed complete: December 30, 2015

Local Government or First Nation Jurisdiction: City of Kelowna

The primary business focus of the proposed Lounge and SEA: Food and Beverage

Person Capacity/Occupant Load Requested:

Total maximum occupant load of all combined areas interior and exterior patio=
160 persons (person capacity is patrons plus staff)

Liquor Service Hours Requested for the Lounge and SEA:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM
2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM	2:00 AM

Statutory Prohibitions to Consider: none identified

Terms and Conditions Requested: none

The Brewery Lounge Endorsement Area, if approved, will allow a licensed brewery to sell and serve all type of liquor by the glass. Food and non-alcoholic beverages must be available at reasonable prices to customers. Hours of service and capacity are subject to local government consideration and comment.

The Special Event Area Endorsement, if approved, allows various areas of the brewery where special events such as concerts, special meals, or wedding receptions can occur with the sale and service of all types of liquor. Special event areas are intended to be event driven only and not an extension or alternative to a brewery lounge.

2. APPLICANT SUITABILITY INFORMATION (Fit and Proper)

Applicant has met the eligibility and suitability requirements of the Liquor Control and Licensing Act.

3. LOCATION/SITE FACTORS

The legal description of the site is: PID 029-228-549 EPP 34493 Lot 1. The proposed brewery lounge endorsement area is an interior area of the manufacturing facility, overlapping the on-site store and tasting room endorsement area, a second floor lounge area and exterior patio. The SEA includes a second floor boardroom and breakout area for smaller events.

The following sections are compiled from information provided by the applicant except where indicated otherwise.

See the attached **Applicant's Letter of Intent** for details of the proposed lounge and SEA endorsement area, including the following details:

- a) **Business Focus**
- b) **Target Market**
- c) **Composition of the Neighbourhood and Reasonable Distance Measure**
- c) **Benefits to the Community**
- d) **Noise in the Community**
- f) **Impact on the Community**
- g) **Other impacts, comments or requests**

Please note that the applicant's letter of intent is enclosed as an attachment to this report for reference purposes. The information or statements included in the letter of intent have not been confirmed unless otherwise stated in this report.

The following information is provided by both the applicant and the Liquor Control and Licensing Branch

The following information is provided by Liquor Control and Licensing Branch except where indicated otherwise.

4. CONTRAVENTION STATISTICS:

The Liquor Control and Licensing Branch will provide contravention statistics for establishments near the subject location upon request.

5. POPULATION AND SOCIO-ECONOMIC INFORMATION

- Circle population statistics for 2001 and 2006 are available from BC Stats by emailing your request to BC.Stats@gov.bc.ca
- BC Stats Community Facts includes the BC Benefits recipient and EI Beneficiary statistics and is available at <http://www.bcstats.gov.bc.ca/data/dd/facsheet/facsheet.asp>
- Statistics Canada Population breakdown by categories is available at: <http://www12.statcan.ca/census-recensement/2006/dp-pd/prof/92-591/index.cfm?Lang=E>

6. PUBLIC INTEREST

In providing the resolution on the proposed Lounge and SEA Area Endorsement application, Local Government must consider and comment on each of the regulatory criteria indicated below.

The written comments must be provided to the general manager by way of a resolution within 90 days after the Local Government receives notice of the application, or any further period authorized by the General Manager, Liquor Control and Licensing Branch, in writing.

Regulatory criteria Local Government or First Nation must consider and comment on:

- (a) the location of the lounge and SEA
- (b) the proximity of the lounge to other social or recreational facilities and public buildings;
- (c) the person capacity and hours of liquor service of the lounge and SEA
- (d) hours of liquor service
- (e) the impact of noise on the community in the immediate vicinity of the lounge and SEA
- (f) the impact on the community if the application is approved.

If the operation of the brewery lounge is likely to affect nearby residents, the Local Government must gather the views of residents* in accordance with section 11.1 (2) (c) of the Act and include in the resolution:

- (i) the views of the residents*,
- (ii) the method used to gather the views of the residents*, and
- (iii) comments and recommendations respecting the views of the residents*;

* Note: "residents" includes business owners

For use by Liquor Control and Licensing Branch:

REGULATORY CONSIDERATIONS

Liquor Control and Licensing Act, sections: 11, 16 and 18

Liquor Control and Licensing Regulations sections: 4, 5, 6, 8, 10

POLICY CONSIDERATIONS

Class of Licence

Applicant Eligibility Assessment

Site and Community Assessment

Building Assessment and Issue of a Licence

Attachment 1

Applicant's Letter of Intent

APPLICATION FOR A LOUNGE ENDORSEMENT

AT: STARKHUND BREWERY
889 Vaughan Ave,
KELOWNA, B.C., V1Y 7A4 4Z9
JOB # 24405747-1

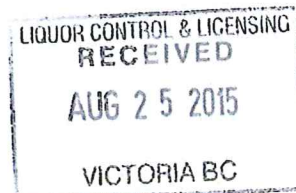
APPLICANT: STARKHUND BREWING COMPANY INC.

LETTER OF INTENT FOR THE APPLICATION FOR A LOUNGE ENDORSEMENT as of August 25, 2015

INTRODUCTION

Starkhund Brewing is proposed to be a state of the art manufacturing facility positioned over an entire block of industrial space within the City of Kelowna. Owned and operated by the Grenke Brothers, Starkhund is a tribute to their late father who wished to see a family history preserved and a legacy live on. This large scale project has been underway with design and implementation for over three years, and has the complete support of the City of Kelowna. The applicants project to open in the winter of 2016 or early 2017.

As a part of this large scale manufacturing project, the applicant has applied for a manufacturing license under Job # 24405747-1. They have also applied for a Liquor Primary application with this original manufacturing submission, but no longer feel the Liquor Primary application in keeping with their business model; therefore, they wish to *abandon the Liquor Primary application Job #24405689-1* and further submit the attached Lounge Endorsement application at the above noted address in its place.



Page 1

The purpose of the proposed lounge will be to highlight Starkhund products for local residence and tourists. In addition to the lounge endorsement, the applicant has also applied for a retail endorsement, tour area endorsement and special event area endorsement. They wish to be a destination manufacturer for tourists and to educate visitors on BC craft beer.

The proposed lounge will be located over two levels of the brewery. The majority of the seats will be on the ground floor, comprised of interior and patio seating with further seating located on the second floor. The City of Kelowna has approved a global occupancy of 160 persons for the licensed areas inclusive of the patio seating. The stamped for occupancy floor plan has been included within this submission.

The proposed hours of licensing for the lounge area are 9:00 a.m. to 2:00 a.m., every day. The entertainment in this lounge will include background and some live music suitable for a lounge environment and may also include TV monitors. The lounge will also feature an array of food choices, created by the in house chef that showcase fresh seasonal selections from the Okanagan.

Starkhund Brewing will be a destination tourist stop, focused on serving top quality products on both a local and national level; furthermore, the unique environment will allow for guests to be educated on diverse and quality products.

The following is the required Letter of Intent for this application, which follows the guidelines set out by the Liquor Control & Licensing Branch.

TARGET MARKET

The location of Starkhund Brewery is such that it will cater to three distinct groups including: residents of the Kelowna, the business people working in the surrounding area, and tourists visiting Kelowna seeking a unique world class brewery experience. The target market group will be primarily over 25 years of age with a variety of occupations.

The proposed site is in an area of Kelowna that has very few liquor primary establishments or lounges of manufacturing facilities. It is located in the fringe area of the central business district where most of the liquor primary and liquor retail establishments are located.

Given the growing population of the area and the size of the business community to be served, the applicant will focus on providing a quality experience for the surrounding community of this area with a focus on driving sales from the tourism channel.



COMPOSITION OF THE NEIGHBOURHOOD

The proposed manufacturing facility and subsequent lounge is zoned I4 (Industrial). This allows for a permitted use of a liquor primary minor; therefore a lounge is a permitted use. The proposed site is located within an up and coming mixed use area in Kelowna. The lounge will contribute to the growth of the hospitality/tourism channel within Kelowna as well as serve the surrounding residential and business communities. Starkhund will be a unique venue for patrons to attend within the City of Kelowna.

BENEFITS TO THE COMMUNITY

The applicant's proposed establishment will benefit the community in the following ways:

- Employment opportunities for residents of the area;
- Provide a source of additional tax revenue for the city, the provincial and federal governments;
- Further diversify the hospitality venues available to the residents, business people and tourists to Kelowna;
- Provide an additional venue for community events, fundraisers and special events;
- Build a strong community profile by way of sponsorships and participation in community activities.

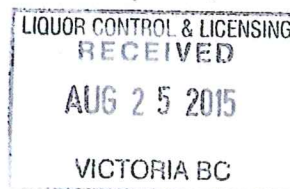
NOISE IN THE COMMUNITY

As the applicant's proposed establishment is a lounge enclosed within a manufacturing facility. It is not a venue that would cause a significant impact on the surrounding residence as its main focus is to highlight their craft product that is manufactured on site. The applicant is proposing to have a patio on site, but as stipulated by the City of Kelowna, the applicant must follow all noise by laws.

This is also a factor the city will consider when they assess the application.

OTHER IMPACTS ON THE SURROUNDING COMMUNITY

Attached to this letter of intent is a zoning map of the area. This site is zoned I4 and a liquor primary minor establishment is a permitted at this site; therefore the lounge is an allowable use. The location is in an area of Kelowna that is best described an up and coming area located in the fringe of the central business district. The property will not be required to rezone. This is also a factor the city will consider when they assess this application.



OTHER

The applicant also submits the following additional factors for consideration:

- The size of the proposed venue is 160 persons for both the interior space and the adjoining patio;
- The venue is to accompaniment the brewery and will allow for guests of the tour to further stay and enjoy the facility;
- There is a manufacturers application being submitted for the same location with a retail, tour and special event endorsement;
- One of the main goals of the principals is to build a strong community profile and sponsor local events.

ADDITIONAL REQUESTS

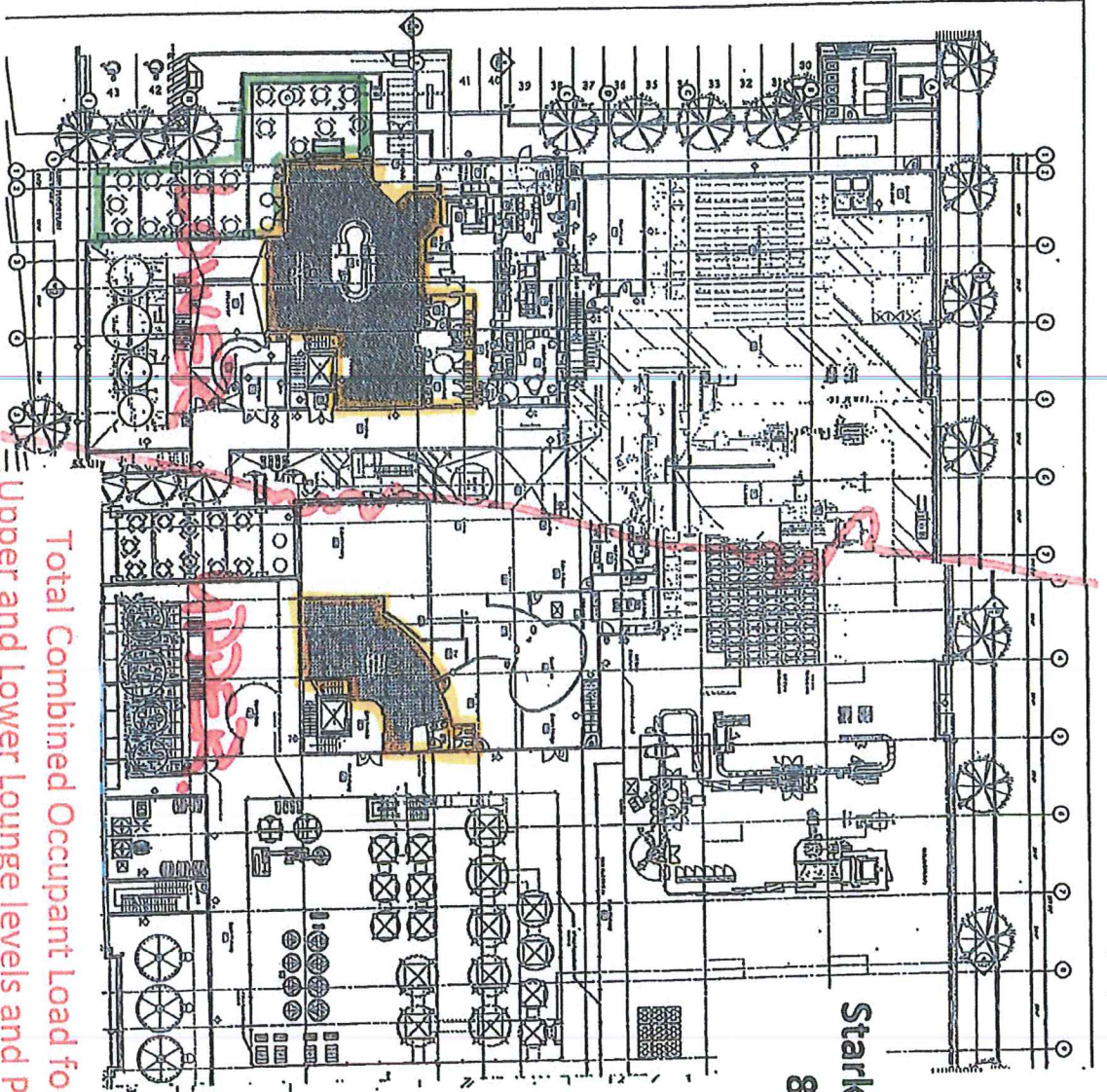
There are no additional requests.

SITE MAP

Please see attached map

Rebecca Hardin
Rising Tide Consultants Ltd.
1030 - 1130 West Pender Street
Vancouver BC V6E 4A4





Starkhund Brewery Company
889 Vaughan Avenue
Kelowna

LIQUOR LICENSING.

THE LOWER + UPPER LOUNGES.

PATIO

AND: The maximum
occupant load shall be
160 persons, based on

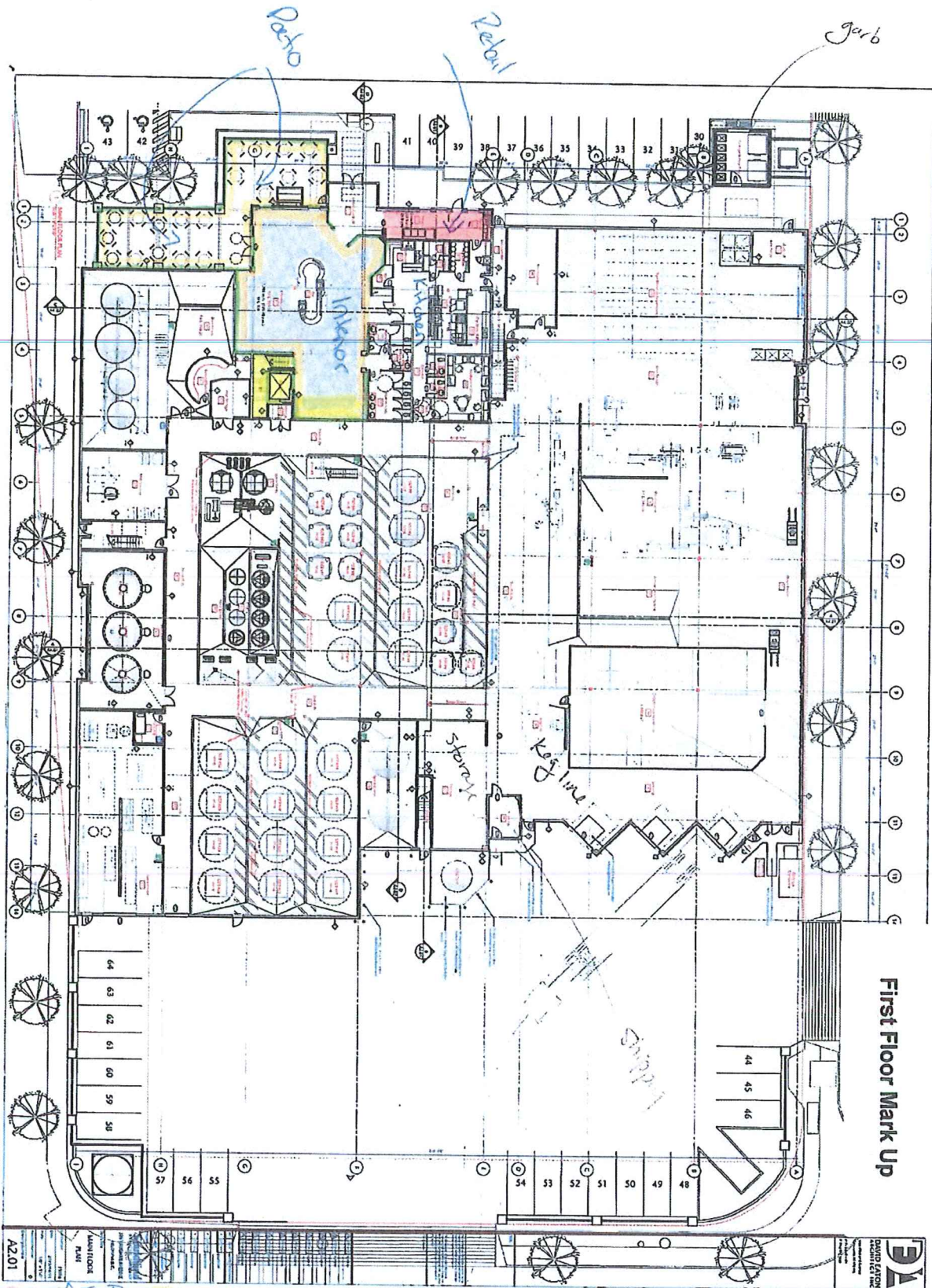
~~PARKING~~
RESTRICTIONS

Total Combined Occupant Load for
Upper and Lower Lounge levels and Patio

- 160 -

Reviewed
by City of Kelowna
Inspection Services
MAY 22/21

LIQUOR CONTROL & LICENSING
RECEIVED

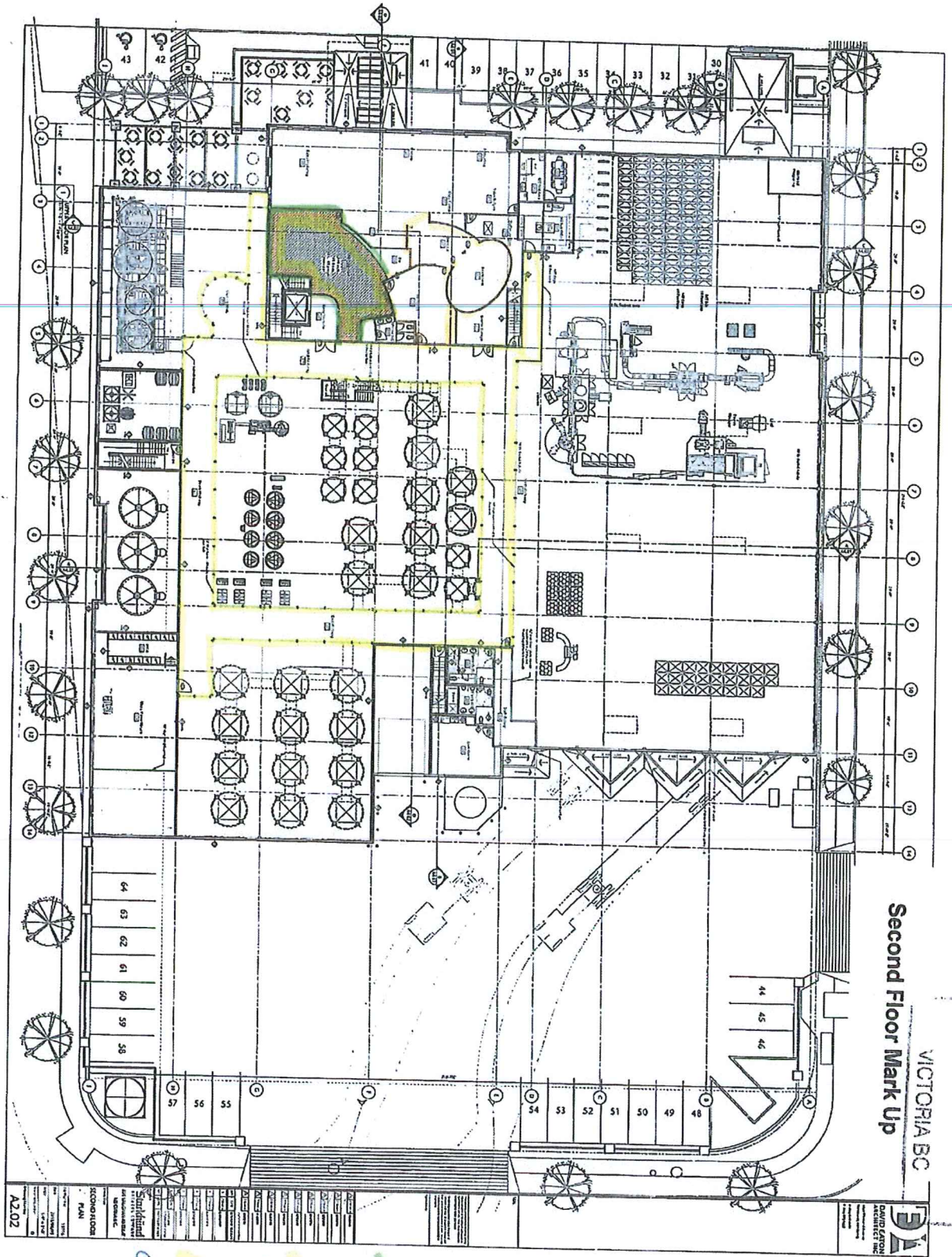


First Floor Mark Up

Large Area
Special Event Area
Tour Area Lower Area - into before moving up stairs
Retail space

elec.
Raw material work area
bottling area
future (remains) area
old storage warehouse
loading

LIQUOR CONTROL & LICENSING
RECEIVED
AUG 25 2015



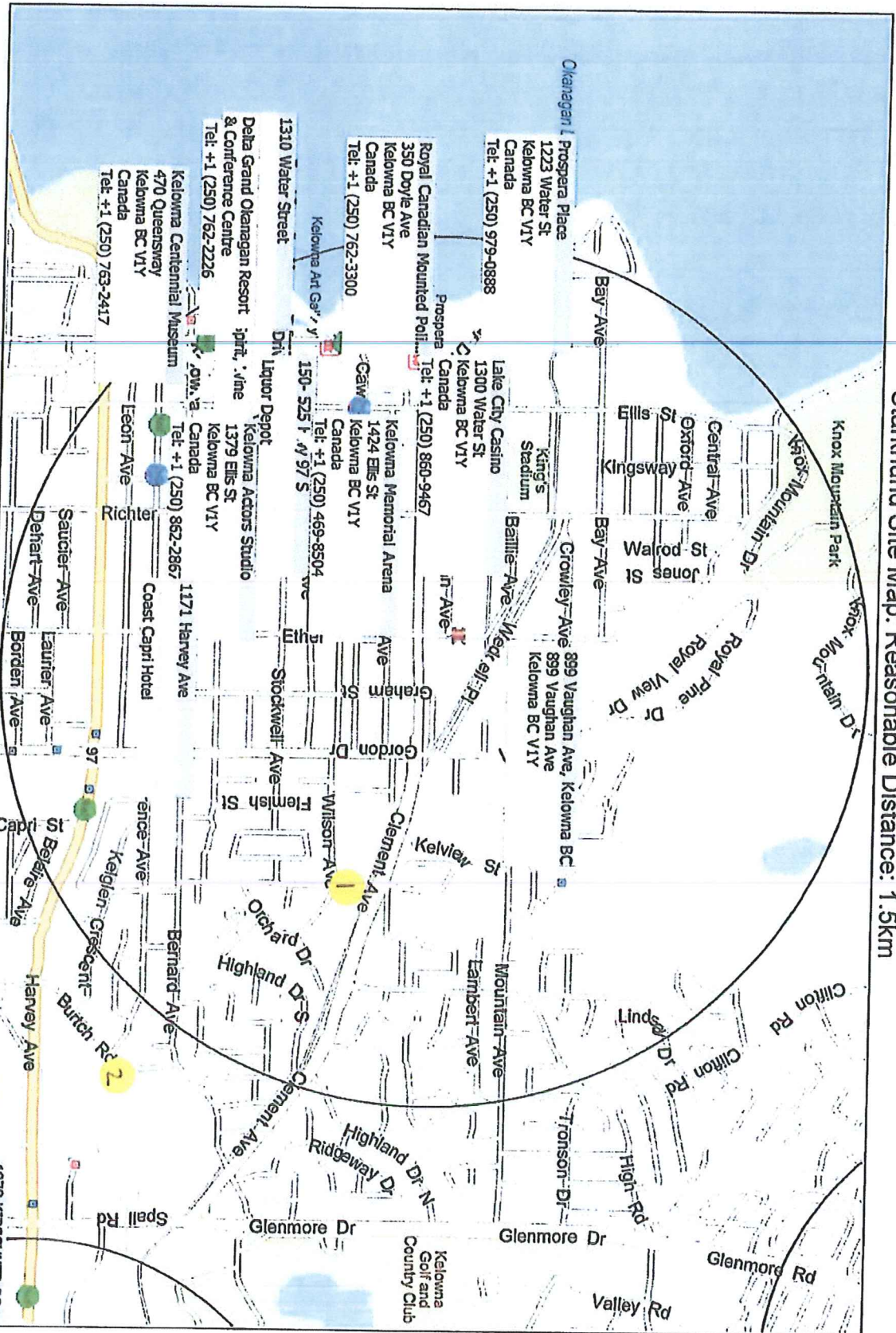
Second Floor Mark Up

VICTORIA BC

LIQUOR CONTROL & LICENSING
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Large Area
Special Event Area
Tour Area on upper walkway

Starkhund Site Map: Reasonable Distance: 1.5km



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AUG 25 2015

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Kelowna Liquor Primary Locations

Establishment Name	Address	Postal Code	Type	Distance from Site
British Columbia Dragoons (Composite Mess) - Kelowna	720 Lawrence Avenue	V1Y6L9	Liquor Primary	1.07
British Columbia Dragoons (Junior Ranks Mess) - Kelowna	720 Lawrence Avenue	V1Y6L9	Liquor Primary	1.07
CARLOS O'BRYAN PUB & KELLY O'BRYAN				
NEIGHBOURHOOD	262 BERNARD AVE	V1Y6N4	Liquor Primary	1.4
Coast Capri Hotel	1171 Harvey Ave	V1Y6E8	Liquor Primary	1.38
Delta Grand Okanagan Resort & Conference Centre	1310 Water Street	V1Y9P3	Liquor Primary	1.06
Doc Willoughby's Downtown Pub	353 Bernard Avenue	V1Y6N6	Liquor Primary	1.3
Elks Stadium	663 Recreation Ave	V1X5H1	Liquor Primary	0.58
Fernando's Pub	279 Bernard Ave	V1Y6N2	Liquor Primary	1.37
FLASHBACK'S	1268 ELLIS ST	V1Y1Z4	Liquor Primary	0.8
Kelowna Community Theatre	1375 Water Street	V1Y1J4	Liquor Primary	1.2
KELOWNA CURLING CLUB	551 RECREATION AVE	V1Y7V5	Liquor Primary	0.79
KELOWNA YACHT CLUB	1414 WATER ST	V1Y1J1	Liquor Primary	1.28
Kings Stadium	552 Gaston Ave	V1Y1J4	Liquor Primary	0.65
Lake City Casinos	1310 Water Street	V1Y9P3	Liquor Primary	1.06
Liquid Zoo Show Lounge	274 Lawrence Avenue	V1Y6L3	Liquor Primary	1.45
Micro Bar Bites	1500 Water Street	V1Y1J7	Liquor Primary	1.34
Okanagan Valley Wine Train	600 Recreation Ave	V1Y2K4	Liquor Primary	0.73
Old Train Station Public House	1177 Ellis Street	V1Y1Z5	Liquor Primary	0.77
Prospera Place	1223 Water Street	V1Y9V1	Liquor Primary	0.93
Rose's Waterfront Pub.	1352 Water St.	V1Y9P4	Liquor Primary	1.15
Rotary Centre for the Arts	421 CAWSTON AVE	V1Y6Z1	Liquor Primary	0.91
ROYAL ANNE HOTEL	348 BERNARD AVE	V1Y6N5	Liquor Primary	1.3
ROYAL CANADIAN LEGION, BRANCH NO. 26	1380 BERTRAM ST	V1Y2G1	Liquor Primary	0.77
The Blue Gator	441 Lawrence Avenue	V1Y6L6	Liquor Primary	1.31
The Grateful Fed Pub	509 BERNARD AVE	V1Y6N9	Liquor Primary	1.18
Tonics	1654 Ellis Street	V1Y8L1	Liquor Primary	1.34
Waterfront Wine Bar	104 - 1180 Sunset Dr	V1Y9W6	Liquor Primary	0.89
Willow Inn Hotel	235 Queensway Ave	V1Y6S4	Liquor Primary	1.29
Willow Inn Hotel	235 Queensway Ave	V1Y6S4	Liquor Primary	1.29
Other Places				
1 Bankhead Elementary School	1280 Wilson Ave		School	
2 Dr. Knotts Middle School	1555 Burtch Road		School	



Preliminary Concept Drawings



View From Clement Avenue

LIQUOR CONTROL & LICENSING
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VICTORIA BC



A 2.0 March 04, 2014

Sketch

PROPOSED STARKHUND BREWERY



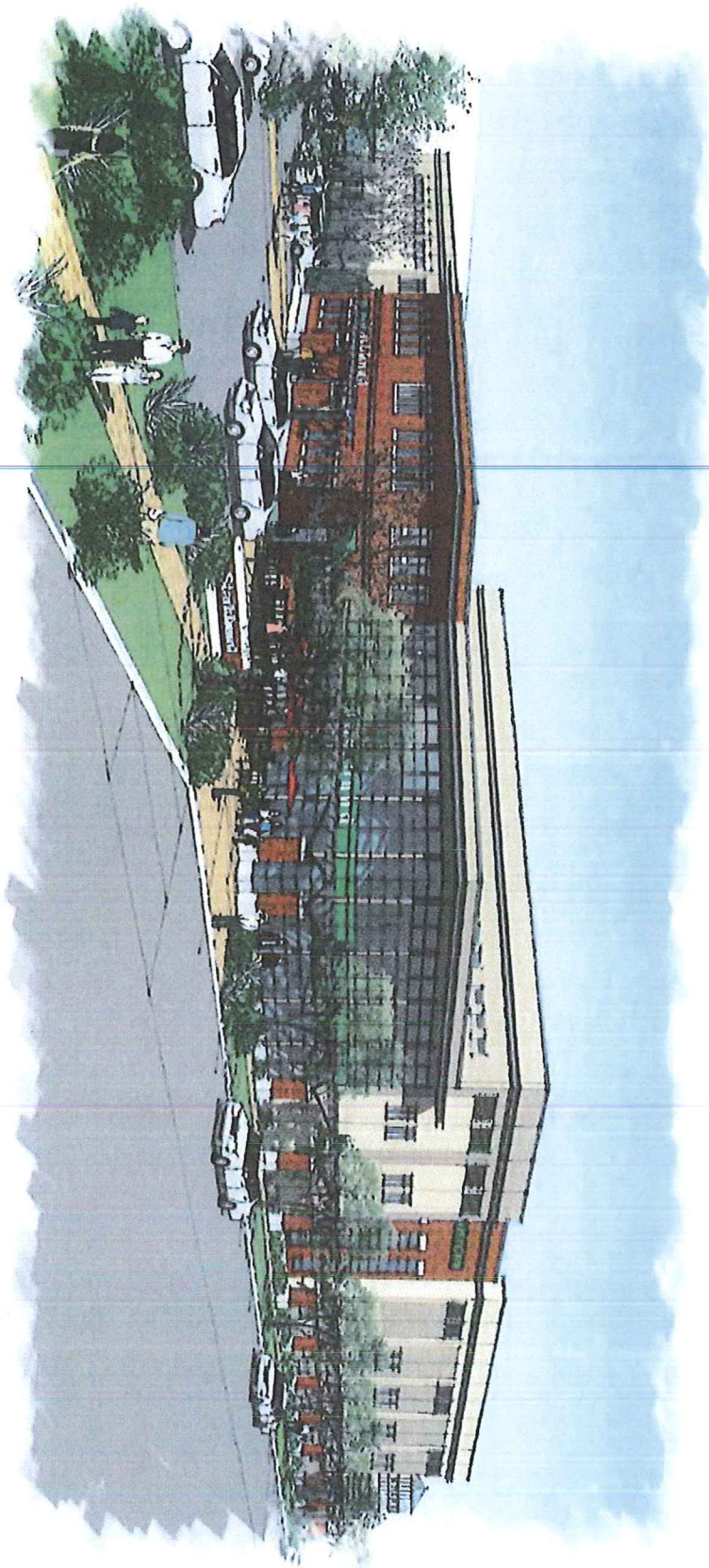
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PROPOSED STARKHUND BREWERY

Sketch

A 2 4 March 04, 2014





LIQUOR CONTROL & LICENSING
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 AUG 25 2015
 VICTORIA BC

PROPOSED STARKHUND BREWERY

Sketch

A 2.5 March 04, 2014



ATTACHMENT 2Sample Resolution Template for a Manufacturer Lounge or Special Event Area Endorsement

General Manager, Liquor Control and Licensing Branch

RE: Application for a manufacturer lounge or special event area endorsement at: (address of proposed establishment)

At the (council/board) meeting held on (date), the (council/board) passed the following resolution with respect to the application for the above named manufacturer licence:

"Be it resolved that:

1. The (council/board) (recommends/does not recommend) the issuance of the winery lounge or special event area endorsement for the following reasons: (detail and explain reasons for recommendation)

2. The (council's/board's) comments on the prescribed considerations are as follows: (see the following page for sample comments for each criterion – a comment on each must be included in the resolution. Where a staff report has been prepared that addresses the criteria this can be used to provide Council's comments provided the staff report is referenced in the resolution and there is a clear statement that Council endorsed the comments in the report.)

- (a) The location of the manufacturer lounge or special event area (provide comments)
- (b) The proximity of the manufacturer lounge or special event area to other social or recreational facilities and public buildings (provide comments)
- (c) In the case of a manufacturer lounge, the person capacity of the lounge (provide comments)
- (d) hours of liquor service of the lounge or special event area
- (e) traffic, noise, parking and zoning, and
- (f) The impact on the community if the application is approved (provide comments)

If the operation of the lounge or special event area may affect nearby residents, the local government must gather the views of residents of an area determined by the local government or first nation.

If the local government or first nation wishes to provide comments to the general manager, it must provide the following in writing:

- (a) Its comments addressing the criteria in subsection (9);
- (b) If it has gathered the views of residents under subsection (10),
 - (i) the views of the residents*
 - (ii) the method used to gather the views of the residents*, and
 - (iii) it's comments and recommendations respecting the views of the residents*
 - (iv) The reasons for its recommendations.

* Note: "residents" includes business owners

3. The (council's/board's) comments on the views of residents are as follows: (describe the views of residents, the method used to gather the views and provide comments and recommendations with respect to the views. If the views of residents were not gathered, provide reasons).

The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the (council/board) of (local government/First Nation) on (date).

Sincerely,

(signature)
(name and title of official)

(local government/First Nation)

Note:

- All of the items outlined above in points 1, 2 (a) through (f) and 3 must be addressed in the resolution in order for the resolution to comply with section 10 of the Liquor Control and Licensing Regulation.
- Any report presented by an advisory body or sub-committee to the council or board may be attached to the resolution.

ATTACHMENT 3**Sample Resolution for a Manufacturer Lounge or Special Event Area Endorsement Application**

The following are examples that illustrate the type of comments that local government and First Nations might provide to demonstrate they have taken into consideration each of the criterion in reaching their final recommendation. Comments may be a mix of positive, negative and neutral observations relevant to each criterion. The final recommendation is the result of balancing these 'pros and cons'.

The list is not intended to illustrate every possible comment as the variations are endless, given the wide range of applications and local circumstances.

It is important that the resolution include the comment and not refer to a staff report, as the general manager cannot suppose that the local government considered all the criteria unless comment on each criterion is specifically addressed in the resolution itself.

Local government or First Nation staff may wish to contact the Liquor Control and Licensing Branch for assistance on drafting the content of a resolution before it is presented to local government or First Nation to avoid resolutions that do not comply with the regulations.

(a) The location of the manufacturer lounge or special event area:

The location of the manufacturer lounge is within the primary manufacturing facility. It has an interior and a patio area. It is located in a remote location and is suitable for such an endorsement.

(b) The proximity of the lounge to other social or recreational facilities and public buildings:

The only nearby social, recreational and public buildings do not conflict with the operation of a lounge.
– or –

The proposed location of the lounge is across a lane from a church with an attached retirement facility and church hall routinely used for youth group gatherings. The proximity of the proposed winery lounge is considered compatible with the neighbouring facilities.

(c) The person capacity of the lounge:

The maximum person capacity of the y lounge is 65 persons as per building authorities.

(d) Hours of liquor service of the lounge:

Hours of liquor service are proposed to be from 4 PM to 10 PM daily. A larger capacity or later hours is not supported given the few number of police on duty to respond to concerns.

(e) Traffic, noise, parking and zoning:

Traffic in the area is not an issue. The road is located away from the main road resulting in noise not being an issue. Ample parking is available at the winery. Zoning permits a lounge for the sale and service of liquor by the glass or bottle.

(f) The impact on the community if the application is approved:

If the application is approved, the impact is expected to be positive in that it will support the growth in tourism and offer a new social venue for residents.

The Council's comments on the views of residents are as follows:

The views of residents within a half mile* of the proposed lounge area were gathered by way of *written comments that were received in response to a public notice posted at the site and newspaper advertisements placed in two consecutive editions of the local newspaper. Residents were given 30 days from the date of the first newspaper advertisement to provide their written views. Residents were also given an opportunity to provide comments at the public meeting of Council held on date.

A total of 63 responses were received from businesses and residents. Of the responses received, 21 were in support of the application citing the creation of additional jobs and a new entertainment venue for the area as their primary reasons. A total of 42 letters were received in opposition to the application. The primary reason cited by those in opposition was the proposed closing hours. A number of business residents in the area also cited the lack of parking as an area of concern.

The following examples illustrate one option that Council may complete their comments on the views of residents based upon the preceding fact pattern.

Based upon the input received by residents within a half mile of the proposed winery lounge there is a two to one ratio of opposed residents to residents that support the application. The opposition to this endorsement comes from both homeowners and businesses. Council is of the view that with both the residential and business communities' opposition to this proposed establishment that the issuance of a winery lounge endorsement would be contrary to the community standard for this area.

Despite the potential creation of additional jobs and a new entertainment venue for the area Council is unable to support the issuance of the endorsement. Council recommends that a licence not be issued.

* The local government or First Nation determines the appropriate area to be included and the method for gathering those views

REPORT TO COUNCIL



Date: May 31, 2016

RIM No. 0930-50

To: City Manager

From: Community Planning Department (TB)

Application: LL15-0031 **Owner:** Klar Enterprises Inc. No. BC0926554

Address: 165 Hwy 33 E **Applicant:** HQ49 - Chun Li

Subject: Liquor License Application

Existing OCP Designation: MXR - Mixed Use Residential Commercial

Existing Zone: C4 - Urban Centre Commercial

1.0 Recommendation

THAT Council directs staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 10 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support for the application from Headquarters49 Entertainment Ltd (HQ49) at 165 Hwy 33 E, legally described as Lot B, Section 23, Township 26, ODYD, Plan 38074, for a liquor primary license with hours of operation from 8:30 pm to 12:00 midnight, seven days a week subject to the following conditions:
 - a. The licenced area supported be restricted to the "general seating area" as outlined on the floor plan submitted and two karaoke rooms adjacent to the proposed bar area numbered 101 and 102 with permanent signs. Licensing of the two karaoke rooms is contingent on the licensee keeping the windows unobstructed to permit line of sight monitoring when the room is occupied and this monitoring is to be supported with an operational CCTV video monitoring system.
 - b. The maximum occupant load is 40 during licensing hours.
 - c. No minors will be permitted within the premises when operating under a Liquor Primary licence. No liquor will be permitted outside of the permitted licenced area within the floor plan. When converting the venue from an all-ages establishment to Liquor Primary, policy requires the premises be vacant for a period of not less than 30

minutes with the exception of staff. When operated as an all-ages establishment all liquor must be removed out of view and secured.

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

(a) The location of the establishment;

The location of the establishment is suitable for liquor service.

(b) The potential for noise if the application is approved;

The potential for noise may increase but it has not been a problem in this location in the past.

(c) The impact on the community if the application is approved:

The impact on the community will be minimal.

3. The 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 liquor license application for Liquor Primary Minor in a C4 zone with an occupant load of 40 persons.

3.0 Community Planning

The applicant is requesting a liquor primary license on the subject property known as HQ49. It is consistent with the guidelines of Council Policy #359 "Liquor Licensing Policy and Procedures" and so Community Planning recommends support to Council for this application. The relatively small capacity establishment is not located near to any other liquor primary establishments, and the business model offers karaoke and other games during licensing hours and therefore has a diversified approach with less focus on alcohol.

4.0 Proposal

4.1 Background

The subject property was first developed as an office building in 1978. In 2011, a building permit was taken out to change the use from an office building to an amusement arcade. In August 2014, the current applicant HQ49 received a building permit to make alterations for the current use.

HQ49 is a family-oriented entertainment establishment that provides electronic darts, pool, board games, private-room karaoke, and non-alcoholic beverages such as bubble tea and smoothies. The applicant was given conditional occupancy in December 2014 allowing them to have a maximum occupant load of 50 people. Final occupancy was received on February 24, 2016 after previous infractions were corrected to the satisfaction of the Building and Permitting Manager.

Due to washrooms and existing water supply the maximum occupant load of 50 people for the entire space will remain in place until the applicant wishes to pursue water service upgrades to provide handicapped washrooms as per BC Building Code requirements.

HQ49 applied for their business license on November 21, 2014 with the business model of being a place for low-cost family entertainment with no food service and no alcohol service. Their business license was not released until they were able to resolve all issues with their building permit and receive their final occupancy (February 2016). They have been operating with their current model since December 2014.

4.2 Project Description

HQ49 has applied for a liquor primary liquor license that would allow them to serve alcohol 7 nights a week. They currently offer only non-alcoholic beverages and no food service. The business will continue to operate as it currently does prior to licensed hours with a focus on family entertainment. As per LCLB policy, all patrons must leave the establishment ½ hours prior to licensed hours. The establishment will then open during licensed hours with no minors permitted. The applicant's rationale is to use the profits from the sale of liquor to offset and lower the costs of entertainment and non-alcohol items during the non-licensed hours of operation.

The initial application for a Liquor-Primary license that was made to the City of Kelowna on December 3, 2015 was not supported by the Community Planning Department. After consultation with Kelowna RCMP and Community Planning the applicant made revisions to the application so that it could be supported. These revisions included reducing the hours, reducing the occupancy, and reducing the floor area that is licensed.

The current revised application indicates a request for operating hours from 8:30pm until 12:00 am midnight, 7 days per week.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	8:30 PM	8:30 PM	8:30 PM	8:30 PM	8:30 PM	8:30 PM	8:30 PM
Close	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM	12:00 AM

The requested hours of sale are within the scope of what the City has supported in the past for areas that are not within the downtown core.

The floor plan of the business as it is operated currently includes number of private rooms that are not easily visible or accessible from the main lounge area. This creates a level of privacy which may not support a safe environment for patrons and staff should alcohol be allowed. It would also provide an impediment to the safety and efficiency of police and other authorities conducting compliance checks with regards to the liquor license. For these reasons, the applicant has proposed to license only the front portion of the floor plan which includes the lounge seating area and only two private rooms (Room 101 and 102). These two rooms have windows that are visible from the bar area as well as CCTV and therefore there is limited safety concern.

Due to the smaller scope of the licensed area, the occupant load for the area that is licensed has been reduced from 50 (total floor plan) to 40 during hours of licensing. During hours when the property is not licensed, the total occupancy will remain at 50.

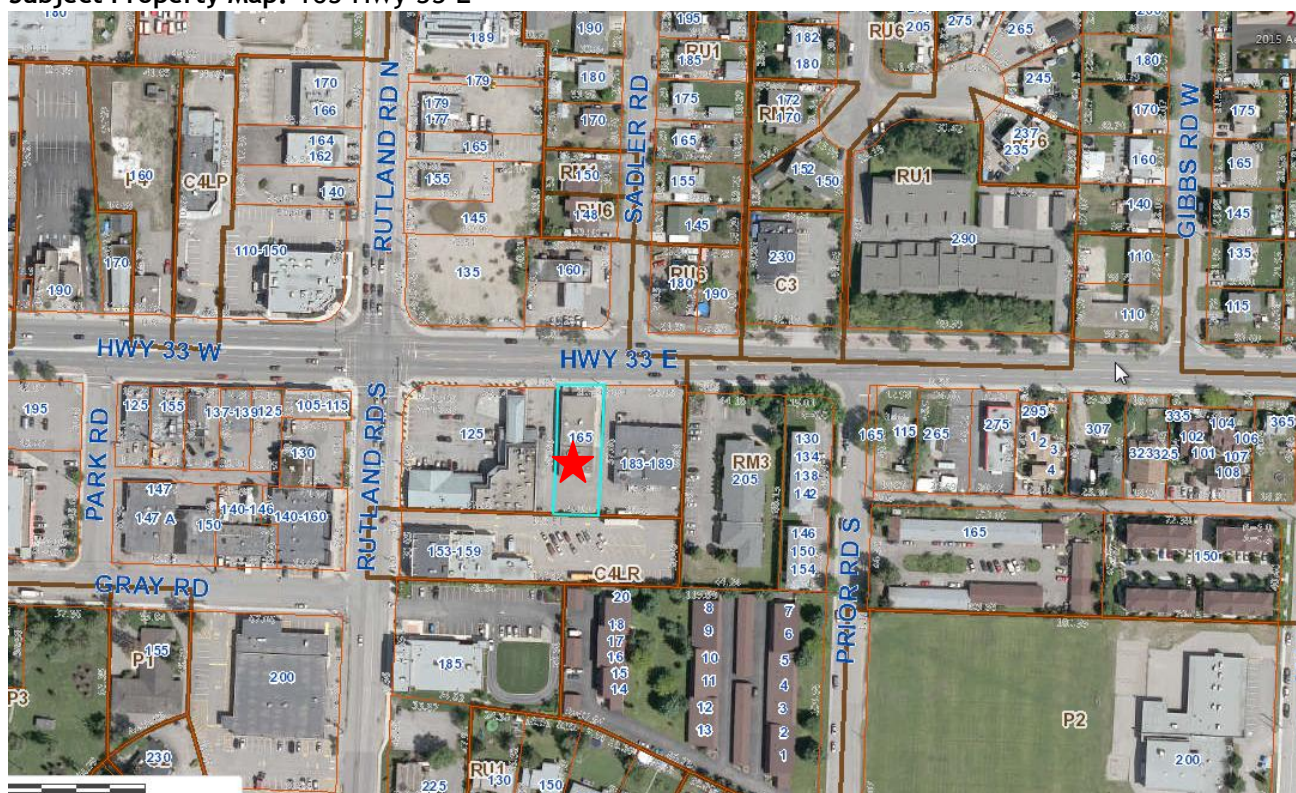
4.3 Site Context

The subject property is located on the south side of Hwy 33 E between Rutland Rd S and Hollywood Rd S. It is in an existing commercial area between two commercial shopping plazas.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 - Urban Centre Commercial	Commercial
East	C4 - Urban Centre Commercial	Commercial
South	C4LR - Urban Centre Commercial Liquor Retail	Commercial
West	C4 - Urban Centre Commercial	Commercial

Subject Property Map: 165 Hwy 33 E



5.0 Current Development Policies

5.1 Council Policy #359 - Liquor Licensing Policy & Procedures

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

- Small establishments (with person capacity less than 100 persons):
 - Should not be located beside another liquor primary establishment.
- Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-driven establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options

in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc.)

The application meets the requirements for siting of small establishments as it is not beside another liquor primary establishment. The policy also supports alternative entertainment options which are less focused on alcohol consumption. The applicant proposes to have karaoke, darts, and other games available during licensed hours. The potential community impacts are reduced by limiting the hours, capacity, and location of licensed area.

6.0 Technical Comments

6.1 Building & Permitting Department

- This tenant space has a maximum occupancy of 50 persons.

6.2 RCMP

RCMP will support this application with the following provisions:

- Liquor Service to end at midnight and no later;
- The licensed area is restricted to the “general seating area” and the two karaoke rooms adjacent to the proposed bar area. This is contingent on the licensee keeping the windows of the two rooms unobstructed and an operational CCTV video monitoring system is required;
- The maximum occupancy will need to be recalculated based on the amended licensed floor area; and
- No minors to be permitted on the premises when operating under a Liquor Primary License. No liquor to be permitted outside of the licensed area within the floor plan. When converting the venue from an all-ages establishment to Liquor Primary, policy requires the premises be vacant for a period of not less than 30 minutes. All liquor must be removed from view and secured when operated as an all-ages establishment.

6.3 Bylaw Services

- No response.

6.4 Fire Department

- The occupant load shall be kept under 150 or a fire alarm system will have to be installed.
- Appropriate exit door to be maintained. Upon our last inspection, an exit door was required from the parkade area to the exterior. Ensure this is complete.

7.0 Application Chronology

Date Application Received:	December 3, 2015
Date of Occupancy Permit:	February 2, 2016
Date of Consultation with Uptown Rutland Business Association:	April 20, 2016
Date Revised Application Received:	April 26, 2015

Report prepared by:

Trisa Brandt, Planner I

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

Attachments:

Letter of Intent
Context Plans
Certified Floor Plans
Liquor Primary License Application
Letter Submitted to Uptown Rutland Business Association

Letter of Intent

A) Purpose:

HQ49 offers the space for family oriented entertainment. The types of entertainment offered are electronic darts, pool, free boardgames, private room karaoke and non-alcoholic beverages such as bubble tea, slushies and smoothies. Because we strive for family fun, we push our costs of all entertainment and beverages extremely low and we intend to use the margins obtained from alcohol sales to sustain our current business model.

B) Target Market:

The target market of the proposed establishment will be neighbouring communities, with focus on family during the day and more college and university students at night.

C) Composition of the neighbourhood:

The establishment is in the middle of a commercial area, a stand alone building in between two shopping plaza, the no named plaza consists of 5 venders and the Rutland Plaza has at least 5 different venders. Directly across is a automotive shop and behind is the parking lot of a large thrift shop.

D) Benefits of the proposed establishment to the community:

Kelowna has desperately been needing a family oriented location and Rutland especially because of its poor image that has passed on since forever ago. The local government has been working hard to improve the area and HQ49 is one of the many venders who are trying to help the cause. We provide a safe environment where families do not have to worry about spending too much money. We understand that there are many families in the area that aren't as fortunate as others and it is horrible for these families to not be able to go out for a family day due to cost. HQ49 wants to be able to sell alcohol to those who also wants to contribute to the community by having fun! We will be using the margins from alcohol sales to keep the business afloat while making the costs of service and beverages even more affordable. We are an one of a kind business and hopefully with our success, we will inspire others to open their arms to families.

E) Impact of noise on the community:

The establishment of HQ49 is a stand alone building and all the rooms are sound proofed. With the current seating limits of 50, we will never fill up the entire building and should not cause noise that will impact the community. A staff will be scheduled to stay outside to check all ID and contain the noise but we are not expecting lineups outside of the building.

F) Other impacts on the surrounding community:

There's been a concern of trouble and drugs in the Rutland area for years. We have been avoiding these problems by having security cameras both inside (the sitting area and in all karaoke rooms as well) and outside of the establishment.

G) Other

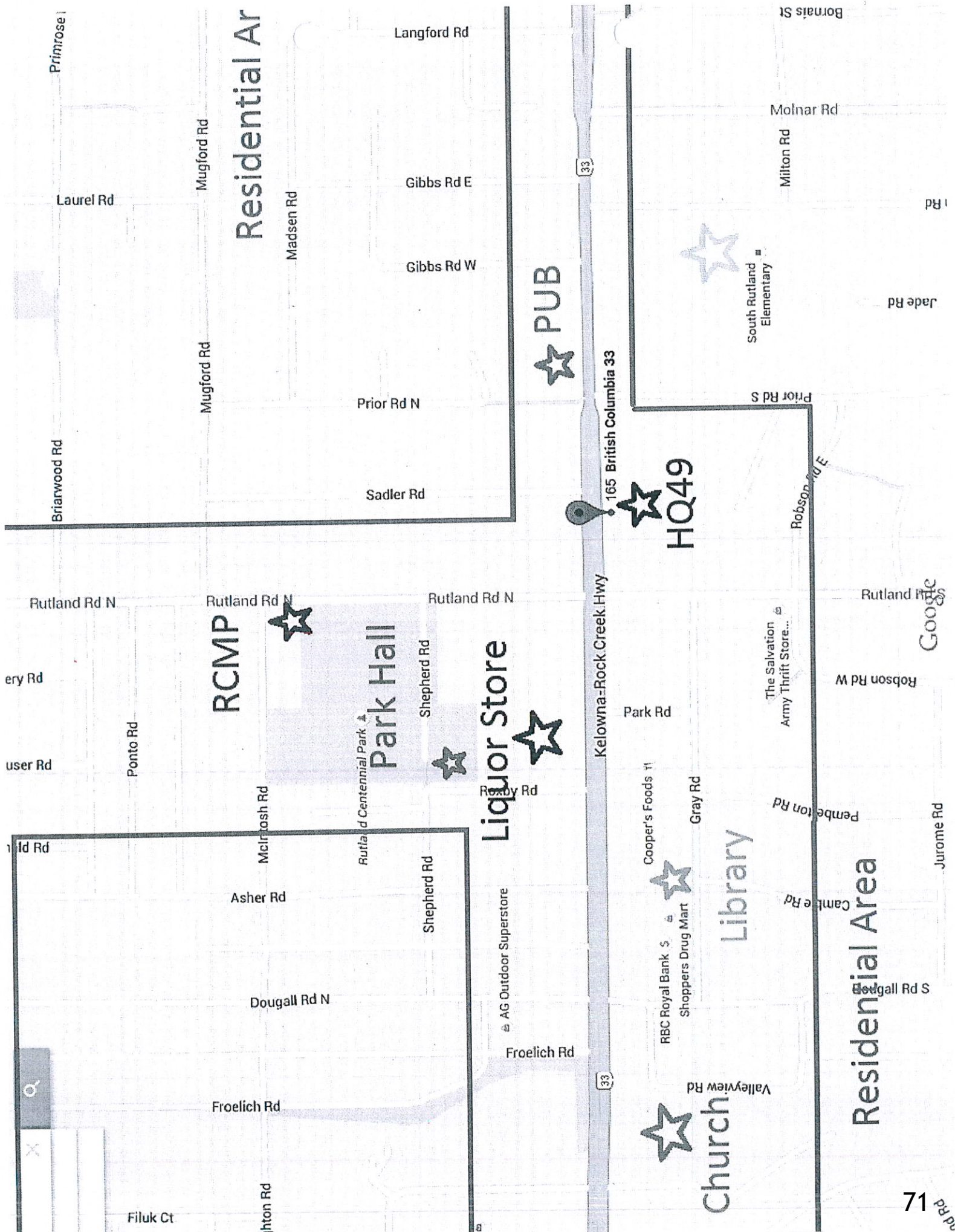
H) Additional Request

Site Map Explanation

The map focuses more on Highway 33 rather Rutland road because more location of interest are on Highway 33. There is a secondary school (Rutland Secondary) further down Rutland road but by including it in the map, it would make all other locations harder to identify.

The blue indicates the parking that is in the back and along the side of the building. There are additional parking underground that is not open to the public (parks 6 cars) and is not indicated on the map because did not want to create confusion.

The red indicates the two different road access while the orange stars shows the 3 different egress of the establishment.



Residential Ar

PUB

HQ49

RCMP

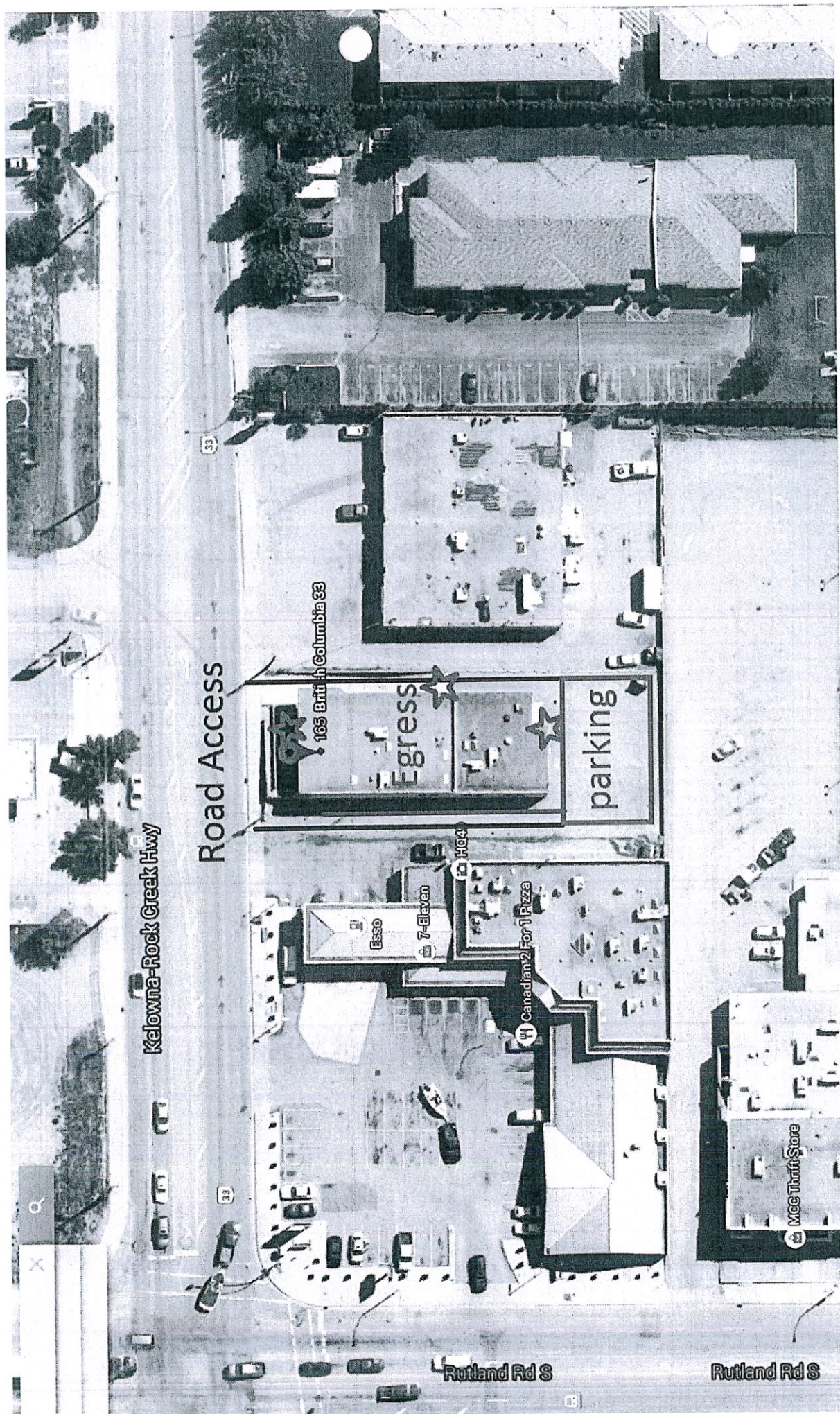
Park Hall

Liquor Store

Library

Church

Residential Area



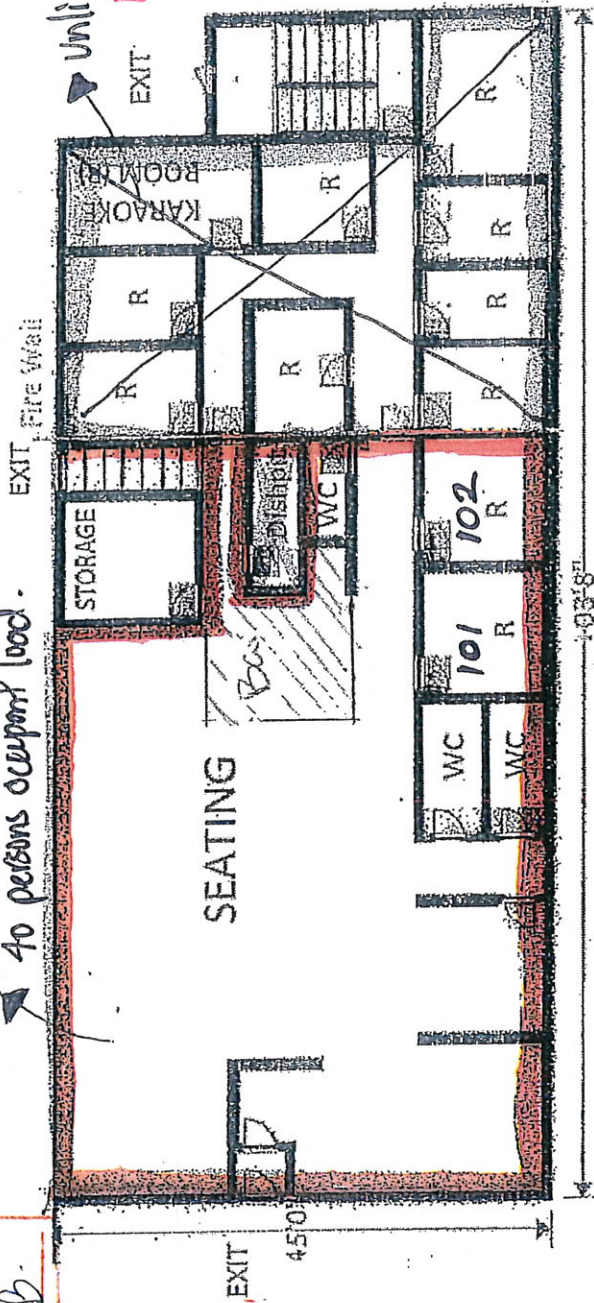
REVISED PLANS

File No.: LL5-0081

Date Received: Apr 26/16 TB

licensed area
40 persons occupant load.

unlicensed area.
max 10 persons.



The Karaoke Lounge has a net floor area of 40 m². The maximum occupant load shall be 40 persons, based on 1 m²/person. TB

HQ 49, 105 Hwy 33 EAST.

A maximum occupant load of 40 for Liquor Licensing Purposes. This shall be posted in a conspicuous location near the principal entrance, by a permanent sign, with lettering not less than 50mm high with a 12mm stroke. Area outlined in red is licensed area plus 2 front private rooms that are visible from the bar area numbered 101 and 102). Maximum occupancy of business is 50 during unlicensed hours due to washrooms and existing water supply as outlined on July 6, 2015 by the Authority Having Jurisdiction.



Liquor Primary Licence Application

Liquor Control and Licensing Form LCLB001

INSTRUCTIONS: Complete all applicable fields, attach required documents and submit with payment as outlined in Part 12. You may complete this form one of two ways: 1) at your computer, save and then print; or 2) by hand - print clearly using dark ink.

- If you have any questions about completing this application, call the Branch toll-free at **1-866-209-2111**
- LCLB forms and supporting materials which may be referred to in this document can be found at: www.pssg.gov.bc.ca/lclb
- Approximate processing time for this application is between **7 - 12 months**.

PART 1: Type of Application

Please check (✓) to indicate the type of application you are submitting:

Office use only

Job No. _____

☒ New Liquor Primary Licence

A Liquor-Primary licence is issued to an establishment whose primary business focus is hospitality, entertainment or beverage service, i.e., a lounge, bar, night club, etc. but cannot cater to youth-oriented activities, such as video arcades. Proper preparation and service of food to the public is required during all hours of liquor service. At minimum, licensees must have available hot or cold snacks and non-alcoholic beverages at reasonable prices. All types of liquor may be served once licensed.

Note: An incomplete application package will be held for forty-five (45) days and if still incomplete, the application may be terminated.

Gaming Facilities: Check (✓) appropriate box below if you are applying for a Liquor-Primary licence in a gaming facility:

☐ Casino ☐ Community gaming centre ☐ Commercial bingo hall

☐ New Liquor Primary Club Licence

Only a society registered under the *Societies Act*, in existence for one year or longer, with more than 50 members who pay annual fees of at least \$10 may apply for a Liquor-Primary Club Licence. A Liquor Primary Club Licence is void if the society (club) ceases to exist. A Liquor Primary Club Licence must meet the same eligibility and operational criteria as a liquor-primary, indicated above. Liquor Primary Club Licence applicants may be eligible for certain club privileges under section 27 of the *Liquor Control and Licensing Act*. Contact LCLB for more information. Restaurants are not eligible for a Liquor Primary Club Licence.

Note: An incomplete application package will be held for forty-five (45) days and if still incomplete, the application may be terminated.

PART 2: Applicant

Applicant name: Headquarter49 Entertainment Ltd.

(Enter the name of the Public or Private Corporation, Partnership, Sole Proprietor (last name, first name, middle name), Society or other entity applying for the licence.)

Applicant phone: 778-821-1645

Applicant fax: _____

Applicant email: info@headquarter49.com

Business Number*: 778-753-2617

Mailing address:
(All correspondence
will go to this address)

165 Highway 33 East

Street

Kelowna

City

BC

Province

V1X 2A1

Postal Code

***NOTE:** Prior to licensing applicants must have a Canada Revenue Agency issued **Business Number** in place in the legal name of the applicant for the liquor licence. This is the first 9 digits of your 15 digit GST/HST registration number. If you don't have a GST/HST registration number, you can apply for one through the Canada Revenue Agency at <http://www.cra-arc.gc.ca>.

PART 3: Application Contact Information

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name: Chun Li

Phone number: 778-821-1645

Fax number: _____

E-mail address: lichun011@gmail.com

PART 4: Applicant Information

1. Do you or any of your shareholders currently hold, have held, or have previously applied for a British Columbia liquor licence? Please check (✓) one box:

☒ **No**, I do not currently hold - and have never held or applied for - a British Columbia liquor licence.

☐ **Yes**, I currently hold a British Columbia liquor licence, or I have held or applied for one in the past. If **Yes**, provide details of current or previous licence(s) or previous applications (date held, licence #(s), location, type of licence and name of establishment(s)):

2. Do you hold a Rural Agency Store Appointment? Please Check (✓) one:

☒ No, I do not currently hold a Rural Agency Store Appointment.

☐ Yes, I currently hold a Rural Agency Store Appointment.

3. Do you, or any of your shareholders, have any connection, financial or otherwise, direct or indirect, with a distillery, brewery or winery? Please check (✓) one:

☒ No, I do not have any connection, financial or otherwise, directly or indirectly, with a distillery, brewery or winery.

☐ Yes, I acknowledge a connection, financial or otherwise, directly or indirectly, with a distillery, brewery or winery. If Yes, provide details:

PART 5: Resident Manager (Complete this section if there will be a resident manager for your business)

A licensee who does not reside in BC or who will not be present to manage the day to day business must hire an individual to manage the establishment. The resident manager must be an employee of the licensee, a resident of BC, a Canadian citizen or lawfully admitted to Canada under the Immigration and Refugee Protection Act (Canada) for permanent residence, and must be 19 years of age or over.

Legal Name of Resident Manager:

(Last)

(Given Names)

Contact telephone with area code:

Submit the following documents for the resident manager with this application:

☐ a completed Consent for Disclosure of Criminal Record Information (RCMP GRC3584) form,

☐ a completed Personal History Summary and Consent for Criminal Record Search (LCLB004) form and required documents noted on form.

PART 6: Type of Business

There are six types of businesses identified here. Choose (✓) the type of business used to operate your liquor primary establishment. Beneath the type of business you indicate are further fields to complete and/or a list of documents to submit with this application.

☐ Partnership

Please check (✓) if you are a ☐ Registered Partnership or a ☐ Non-Registered Partnership

List Partners in the space provided below:

PARTNER 1: Percentage of Ownership:

Legal Name:

PARTNER 2: Percentage of Ownership:

Legal Name:

PARTNER 3: Percentage of Ownership:

Legal Name:

PARTNER 4: Percentage of Ownership:

Legal Name:

If there are more than four partners, provide same information for other partners on separate sheet and attach. If one or more of the partners are a private corporation, a public corporation or a society, submit all the documents listed under that business type with this application.

Plus, each partner (individual) must submit:

☐ a completed Consent for Disclosure of Criminal Record Information (RCMP GRC3584) form,

☐ a completed Personal History Summary and Consent to Criminal Record Search (LCLB004) form and required documents on form.

For a registered partnership the following documents are required and must be submitted with this application:

☐ Statement of Registration of General Partnership, OR

☐ Partnership Agreement.

☐ Society

The society's annual membership fee is: \$

The society has

members.

The following documents are required and must be attached to this application:

☐ Certificate of Incorporation under the Society Act,

☐ current list of officers and directors,

Plus the top four executive officers must submit:

☐ a completed Consent for Disclosure of Criminal Record Information (RCMP GRC3584) form, and

☐ a completed Personal History Summary and Consent to Criminal Record Search (LCLB004) form and required documents noted on form.

☒ **Private Corporation**

The following documents are required for this type of business and must be submitted with this application:

- ☒ Certificate of Incorporation,
- ☐ Extra-provincial registration, if your business is located outside British Columbia,
- ☒ Central Securities Register,
- ☒ Notice of Articles, and
- ☐ Special Rights and Restrictions within the articles of incorporation that detail the class and types of shares and whether or not each class or type of share has voting privileges (if the information is not already included in the Notice of Articles).

And, if one of the shareholders is a private corporation, a public corporation, a society or a partnership, submit all the documents listed under that business type.

Plus, all shareholders (individuals) holding 10% or greater interest in the applicant corporation must submit all the documents listed:

- ☒ a completed Consent for Disclosure of Criminal Record Information (RCMP GRC3584) form,
- ☒ a completed Personal History Summary and Consent to Criminal Record Search (LCLB004) form and required documents noted on form.

Note: Shareholders (individuals) holding less than 10% interest in the applicant corporation must provide their full legal name and date of birth in the space provided below or on a separate sheet of paper.

☐ **Public Corporation**

Check box (☒) if your shares are publicly traded: ☐

The following documents are required for this type of business and must be submitted with this application:

- ☐ Certificate of Incorporation,
- ☐ Extra-provincial registration, if your business is located outside British Columbia, and
- ☐ List of Directors and Officers.

Plus, for the four top executive officers in your public corporation, attach:

- ☐ a completed Consent for Disclosure of Criminal Record Information (RCMP GRC3584) form,
- ☐ a completed Personal History Summary and Consent to Criminal Record Search (LCLB004) form and required documents noted on form.

☐ **Sole Proprietorship**

The sole proprietor must submit the following documents with this application:

- ☐ a completed Consent for Disclosure of Criminal Record Information (RCMP GRC3584) form,
- ☐ a completed Personal History Summary and Consent to Criminal Record Search (LCLB004) form and required documents noted on form.

☐ **Other**

This includes entities incorporated through Federal or Provincial legislation. Examples: Local Government, First Nations, colleges, universities, etc. Contact the branch to discuss documentation requirements.

PART 7: Establishment Information

NOTE: Signs should not be ordered prior to approval of the establishment's name by the Liquor Control and Licensing Branch.

Proposed establishment name:	HQ49			
Proposed establishment physical address:	165 Highway 33 East <small>Street</small>	Kelowna <small>City</small>	BC <small>Province</small>	V1X 2A1 <small>Postal Code</small>
Proposed establishment mailing address:	165 Highway 33 East <small>Street</small>	Kelowna <small>City</small>	BC <small>Province</small>	V1X 2A1 <small>Postal Code</small>
Establishment Phone # with area code and extension:			Establishment fax with area code:	
Business e-mail:	info@headquarter49.com			
Local police jurisdiction:	Rutland RCMP	Local government or First Nation:		
Legal description of site:	Plan# 38074 Lot: B <small>(Legal description and parcel identifier (PID) or Strata Plan number of the establishment site, found on property tax notice or from Land Titles office)</small>			

PART 8: Establishment Proposal

An occupant load calculation will be required for each proposed licensed area(s). The occupant load calculation represents the maximum number of all persons permitted in a licensed area, if approved. Occupant load includes patrons plus staff (as set by the authority in your area).

The occupant load that you detail on the application form (although you may not have the floor plans finalized) will be subject to local government/First Nations consideration and will need to be stamped on the floor plan and signed off by the authority in your area. An alternate qualified architect or design professional may be used in locations only where fire and building authorities do not have jurisdiction to provide an occupant load. Written consent must be provided by local government/First Nations.

1. Proposed interior licensed area(s)

Provide the occupant load of each **interior licensed area** for which you are requesting approval for liquor service and consumption:

Area 1	Area 2	Area 3	Area 4	Area 5	Area 6
50 40					

2. Proposed patio(s)

Provide the occupant load of each **patio** area for which you are requesting approval for liquor service and consumption:

Patio 1	Patio 2	Patio 3	Patio 4

a) Describe the patio perimeter or bounding that you intend to construct to control patron entry/exit (i.e., railing, fencing, planters, hedging, etc.):

b) Describe how your staff will manage and control the patio from the interior licensed area (i.e., surveillance cameras, staff frequency, etc.):

c) For information on patio policy, please see the Licensing Policy Manual: <http://www.pssg.gov.bc.ca/lclb/docs-forms/lclb207-policy-licensing.pdf#page=85>

2. **Proposed hours of sale:** Enter the opening and closing times proposed for the establishment. Hours requested must fall between 9:00 am and 4:00 am of each business day. Requested hours are subject to your local government/First Nation consideration:

8:30 pm - 12am *7 days/week*

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	9pm	9pm	9pm	9pm	9pm	9pm	9pm
CLOSE	2am	2am	2am	2am	2am	2am	2am

3. **Zoning:** If a zoning change/amendment is required, please indicate the status of your application.

C4

4. Minors

- ☐ Tick this box if you are applying to licence a recreation facility such as a curling club, stadium, golf course, bowling alley, etc., and are applying for permission to allow minors unaccompanied in the lounge area until 10pm when the facility is functioning for recreational purposes on a day-to-day basis.
- ☐ Tick this box if you are applying for the Family Foodservice Term and Condition for permission to allow minors accompanied by a parent or guardian in all licensed areas of the liquor primary establishment until 10 pm when meal service is available for families.

Continued on next page...

To qualify for the Family Foodservice Term and Condition, the following conditions must be met. Please confirm by checking the boxes below:

☐ Meal service includes a selection of appetizers and main courses or equivalent.

☐ Meal service will be available when minors are present in your establishment and prepared in: (check one)

☐ Kitchen at establishment

☐ Kitchen at another establishment located in the same building. If so, please explain below:

☐ Signage will be posted at all access points stating minors are permitted until 10 PM when accompanied by a parent or guardian.

☐ Minors will be prohibited from the establishment when there is adult entertainment or licensed gaming events (except for ticket raffles or bingo events licensed by Gaming Policy Enforcement Branch (GPEB)).

• Sale of lottery products (check one):

☐ Lottery products are not offered at my establishment.

☐ Lottery products are sold at my establishment and I have contacted British Columbia Lottery Corporation (BCLC) and satisfied BCLC that minors will be restricted from purchasing self-serve lottery products.

• Sale of tobacco products (check one):

☐ Tobacco products are not offered for sale at my establishment.

☐ Tobacco products are sold at my establishment and I will meet the Tobacco Control Program of the Ministry of

☐ Health requirements by covering tobacco vending machines and tobacco advertising during hours when minors are present.

☐ I understand that LCLB may share this information with the Ministry of Health, BCLC and GPEB.

5. **Catering Endorsement:** A liquor primary applicant (but not a liquor primary club applicant) may apply for a catering endorsement if they wish to be licensed to transport and sell liquor at catered events where they have been hired to provide food service. The catered events must be hosted by other people and must take place outside the 'red-lined area' (the area where liquor is sold, served and consumed) and generally away from the establishment. The caterer must be present for the duration of a catered event. A catering endorsement is subject to an annual licensing fee of \$100.

To qualify for an endorsement the applicant must demonstrate at the time of inspection:

- Catering service is focused on the preparation and serving of food.
- The applicant has the personnel and infrastructure necessary to prepare and serve food at events hosted by others. This includes a requirement to have a full commercial kitchen at the applicant's establishment. For more details please see the Catering Terms & Conditions Guide.

Are you applying for a Catering Endorsement? ☐ Yes ☒ No

6. **Temporary Use Area (TUA) Endorsement** (For a Golf Course and Ski Hills ONLY)

Please refer to Policy Directive 14-16 for eligibility criteria. If you would like to apply for a TUA endorsement, submit an Application for a Temporary Use Area endorsement (LCLB051), found on our website here: <http://www.pssg.gov.bc.ca/lclb/docs-forms/LCLB051.pdf>.

If you are applying for for a new LP and TUA endorsement, please send both applications directly to the branch (do not send it to your local government first) as these applications should be reviewed concurrently.

PART 9: Letter of Intent and Site Map

1. **Letter of Intent** - Attach a detailed letter describing the functions and services your facility or venue will provide. The information you provide must address all of the categories below.

a) **Purpose:** Describe the purpose and business focus of your establishment. If you intend to offer entertainment in your establishment, please describe the types you intend to offer. The business focus must fall within beverage service, entertainment and hospitality services and must not be youth-oriented.

b) **Target market:** Describe the target market your proposed establishment will serve (e.g., urban locals, suburban locals, rural locals, neighbouring communities, tourists, etc.).

c) **Composition of the neighbourhood:** Describe the composition of the neighbourhood surrounding the establishment location (e.g., commercial, residential, industrial, light industrial, urban, downtown, rural, ALR, First Nations' Land, etc.).

d) **Benefits of the proposed establishment to the community:** Describe the community/market need you are addressing by providing an additional licensed establishment in the community (e.g., the proposed establishment will be located in a new mixed-use development where businesses, government offices, residences and sports facilities are located and the LP will be meeting a food and beverage need, there are currently no licensed establishments in the area, etc.).

e) **Impact of noise on the community:** Describe the potential for noise impacts on the community from your proposed establishment and the measures that you intend to implement so that others are not disturbed by your establishment (e.g., entertainment involving amplified music will be addressed by soundproofing walls; noise from outdoor patio will be addressed by closing the patio by 10 p.m., outdoor entry lineups will be monitored according to our security plan by trained door security and outdoor lighting and cameras will be installed, etc.).

(continued on next page...)

- f) **Other impacts on the surrounding community:** Describe any other issues expected from your establishment and the measures you will take to address them (e.g., late night community disturbance).
- g) **Other:** Any other relevant information or details you wish to provide.
- h) **Additional requests:** Detail any additional requests that you may have.
2. **Site Map** - Provide a site map (can be a tourist map, golf course layout, zoning map of the site, google map, etc.) and detail the following:
- a) Provide a site map of the area surrounding your proposed location identifying the following within a reasonable distance* of the proposed establishment:
- Site location
 - Road access, egress, parking and all residential areas
 - All other licensed liquor primary or liquor primary club establishments and liquor primary applications in progress
 - Churches
 - Clubs
 - Schools (K-12, colleges, universities)
 - Preschools
 - Day care centres
 - Health care facilities
 - Seniors facilities
 - Recreational/sports facilities
 - Police stations
 - Fire halls
 - Libraries
 - Government buildings
 - Any other social, public or private facilities
- ***Reasonable Distance Guidelines**
What constitutes a reasonable distance will vary depending on individual circumstances.
- In a densely populated city or municipality, reasonable distance is probably a 2 block radius;
 - In a pocket community having no adjacent developed regional areas (e.g. Gold River, Tumbler Ridge, Whistler, Valemont) reasonable distance is probably the whole community;
 - In a rural area having large acre parcels, reasonable distance is probably up to 8 km (5 miles);
 - In a moderately populated area of developed subdivisions, suburbs, reasonable distance is probably 1.5 or 2 km (1 mile).
- a) On the same map, please mark the boundaries of the neighbourhood of the proposed location as per the reasonable distance guidelines above. State what distance measure you chose and explain your logic.

PART 10: Required Documents

(an application must be complete before it can be processed)

To be considered a "complete application", the following documents must be provided:

- ☐ 1. Completed *Liquor Primary Licence Application* (LCLB001).
- ☐ 2. Letter of intent (See Part 9)
- ☐ 3. Site Map (See Part 9)
- ☐ 4. Application fee. See Part 12 of this application form.
- ☐ 5. Completed *Consent for Disclosure of Criminal Record information* (RCMP GRC3584) for all required individuals. (Please note, you must complete Part 1, 4 and 5 of the *Consent for Disclosure* form and all category boxes must be initialled in section 5.) Refer to the LCLB web page for information on criminal record searches:
http://www.pssg.gov.bc.ca/lclb/LLinBC/criminal_record_search.htm
- ☐ 6. Completed *Personal History Summary and Consent for Criminal Record Search* (LCLB004) forms for all required individuals.
- ☐ 7. Statutory Declaration must be completed by all individuals that answered "Yes" to 2, 3 or 10 in the *Personal History Summary and Consent for Criminal Record Search* form (LCLB004)
- ☐ 8. Driver's abstract (driving record) by all individuals that answered "Yes" to 9 or 10 in the *Personal History Summary and Consent for Criminal Record Search* form (LCLB004)
- ☐ 9. Relevant business documents as identified in Part 6 of this application form. These documents will vary according to applicant type: public corporation, private corporation, partnership, sole proprietorship, society or other.
- ☐ 10. Preliminary floor plan drawings that show access/egress, kitchen, washrooms, bar, stairs, patio(s), unlicensed areas and proposed occupant load determinations for the licensed area(s).
- ☐ 11. If you intend to advertise your business with a sign that includes graphics, please provide a sketch of the proposed signage for Branch approval. Refer to Section 13 of the Licensing Policy Manual (<http://www.pssg.gov.bc.ca/lclb/docs-forms/lclb207-policy-licensing.pdf#page=159>) for more information on signage. The graphics and/or name cannot be directed at minors, associate liquor with driving or show people drinking liquor or being intoxicated or behaving irresponsibly.
If your signage simply displays your "establishment name", there is no need to submit a sketch of the sign. Staff will advise you if the establishment name is not acceptable.

Motor vessels, also provide:

- ☐ 12. Motor vessels: a) Evidence of moorage showing that the moorage contract is for at least 12 months from the date the liquor licence is issued.
b) Site map showing the moorage location, berth number and surrounding areas.
- ☐ 13. Floor plans showing public access areas, kitchen/food service areas, liquor service bar and washroom facilities on the vessel.
- ☐ 14. A captain accreditation certificate.
- ☐ 15. Photocopy of registration and safety certificates. Motor vessels – Passenger Vessel: *Transport Canada Passenger Vessel Inspection Certificate*; Charter Vessel: *Small Vessel Regulation Certificate* or a *Courtesy Examination for Pleasure Craft*.

Golf courses, also provide:

- ☐ 16. Attach a map of the entire golf course clearly marking the following:
 - Label the holes (1-9 or 1-18 as applicable)
 - Public roads that may divide the golf course playing area (if applicable)
 - Existing licensed areas (which may include clubhouse, liquor primary and food primary licensed areas)
 - Putting green and driving range (these areas are not permitted for licensing)
 - Any other external buildings located on the golf course

PART 11: Declaration of Signing Authority Including Valid Interest

My signature, as Applicant, indicates that, with respect to the establishment:

- I am the owner of the business to be carried on at the establishment or the portion of the establishment to be licensed.
- I am the owner or lessee of the establishment or portion of the establishment to be licensed. If I have an option/offer to lease the establishment, or portion of the establishment to be licensed, prior to a licence being issued, I will obtain a completed lease that will not expire for a minimum of 12 months after the date the licence is issued.
- I understand that the general manager has the right to request the following documentation supporting valid interest at any time and I agree to provide the requested documentation in a timely manner upon request:
 - o If the applicant owns the property, a Certificate of Title in the applicant's name.
 - o If the applicant is renting or leasing, a fully executed lease or assignment/offer of lease which does not expire for at least 12 months from the date the licence is issued. An offer for rent/lease must show rent paid, have a term and an expiry date and be signed by both the applicant and the property owner.
 - o If the applicant is buying the land and the building(s), a copy of the offer or option to purchase the property and building(s). An offer must show price paid, have a term and expiry date, and be signed by both the applicant and the property owner.
- I understand that loss of valid interest at any time while holding a licence is reason for the general manager to consider cancelling the licence.
- I understand that I must advise the branch immediately if at any time the potential exists to lose valid interest either during the licensing process or once a licence has been issued.
- I understand that the name(s) on documentation demonstrating valid interest must be identical to the applicant name(s).
- As the licensee, I will be accountable for the overall operation, for all activities within the establishment and will not allow another person to use the licence without having first obtained a written approval from the general manager.
- For licensees with a catering endorsement: I will be accountable for the overall operation, for all activities at catered events and will not allow another person to use the licence without having first obtained a written approval from the general manager.
- I understand that a licence can only be renewed if I am the owner of the business carried on at the licensed establishment and I am the owner or lessee of the licensed portion of the establishment.

I solemnly declare that the statements in this declaration are true.

Signature of any shareholder of a private corporation, signing officer of a public corporation or society, sole proprietor or all individuals in a partnership is required below:

Note: An agent, lawyer, resident manager or third party operator may not sign the declaration on behalf of the applicant.

Name of Official: Li Hao
(last / first / middle)

Position: Director

Date: _____
(Day/Month/Year)

Signature: _____
Name of Official: _____
(last / first / middle)

Position: _____

Date: _____
(Day/Month/Year)

Signature: _____
Name of Official: _____
(last / first / middle)

Position: _____

Date: _____
(Day/Month/Year)

Signature: _____
Name of Official: _____
(last / first / middle)

Position: _____

Date: _____
(Day/Month/Year)

Signature: _____

Section 15(2) of the Liquor Control and Licensing Act states: "A person applying for the issue, renewal, transfer, or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application commits an offence".

False declaration of valid interest is reason for the general manager to consider terminating the licence application and/or cancelling the licence.

Liquor Primary - Licence Application

7 of 8

Headquarter 49 Entertainment LTD.
165 Highway 33 East
Kelowna, BC V1X 2A1

Board of Directors
Uptown Rutland Business Improvement Area
158 Valleyview Rd
Kelowna BC, V1X 3M4

April 19, 2016

Dear Sirs and Madams of the board:

Purpose:

HQ49 offers the space for family oriented entertainment and we are trying to obtain a liquor license for summer of 2016. The types of entertainment offered at HQ49 are electronic darts, pool, free boardgames, private room karaoke and non-alcoholic beverages such as bubble tea, slushies and smoothies. Because we strive for family fun, we push down the costs of all entertainment and beverages extremely low and we intend to use the margins obtained from alcohol sales to sustain our current business model.

Target Market:

The target market of the proposed establishment will be neighbouring communities, with focus on family during the day and more mature audience at night. Liquor sales hours will be from 8:30 pm onwards until midnight 6 days a week (Closed on Monday).

Area and Internal Monitoring:

The proposed liquor licensed area is the front lounge and rooms 101 and 102. The rest of the rooms in the back will not be licensed until HQ49 can prove to the City that we can sustain without causing problems. Both rooms are located right beside the bar and does have CCTV in the rooms in case of emergencies.

Benefits of the proposed establishment to the community:

Kelowna has desperately been needing a family oriented location and Rutland is no different. The local government has been working hard to improve the area and HQ49 is one of the many venders who are trying to help the cause. We provide a safe environment where families do not have to worry about spending too much money. We understand that there are many families in the area that aren't as fortunate as others and it is horrible for these families to not be able to go out for a family day due to cost. HQ49 wants to be able to sell alcohol to those who also wants to contribute to the community by having fun! We will be using the margins from alcohol sales to keep the business afloat so we can maintain the low charges on services and beverages.

Best wishes,

Chun Li.
Director/Operator.

REPORT TO COUNCIL



Date: 5/31/2016

RIM No. 0940-40

To: City Manager

From: Community Planning Department (AC)

Application: DVP16-0073 **Owner:** R.J.S. Holdings Inc., Inc.No. BC0684324

Address: 2741 Hwy 97 N **Applicant:** Five Star Permits - David Atkinson

Subject: Development Variance Permit

Existing OCP Designation: SC - Service Commercial

Existing Zone: C10 - Service Commercial

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP16-0073 for the property legally known as Lot A, District Lot 124, ODYD, Plan 38380, located on 2741 Hwy 97 N, Kelowna, BC;

2.0 Purpose

To consider a staff recommendation NOT to vary the number of permitted free-standing signs along the highway from one sign to two signs.

3.0 Community Planning

The applicant is requesting two separate free-standing pylon signs along the highway in order to differentiate between two different brands (Nissan & Infinity). The Sign Bylaw permits a second sign for every 150 metres of frontage (the property has a lot width of 97 metres). The purpose of this rule was to establish a certain sign density along the highway and ensure the highway corridor is not excessively cluttered with signage. Community Planning's analysis does not identify a significant hardship and encourages the applicant to differentiate the two business brands on one free-standing sign. This is a common approach on other properties in Kelowna with multiple commercial tenants and throughout British Columbia. However, the applicant has stated that these are national rollover signs that have a 'cookie cutter' production process to save costs. Although, the applicant has estimated manufacturing a single sign would almost triple the costs, the cost of the sign in relation to the value of the overall development on-site is minimal. Staff does not support the proposed variance and there is concern that permitting it will provoke others to use this variance as precedent which could increase the density of free-standing signs along the highway.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours within a 50 metre radius.

4.0 Proposal

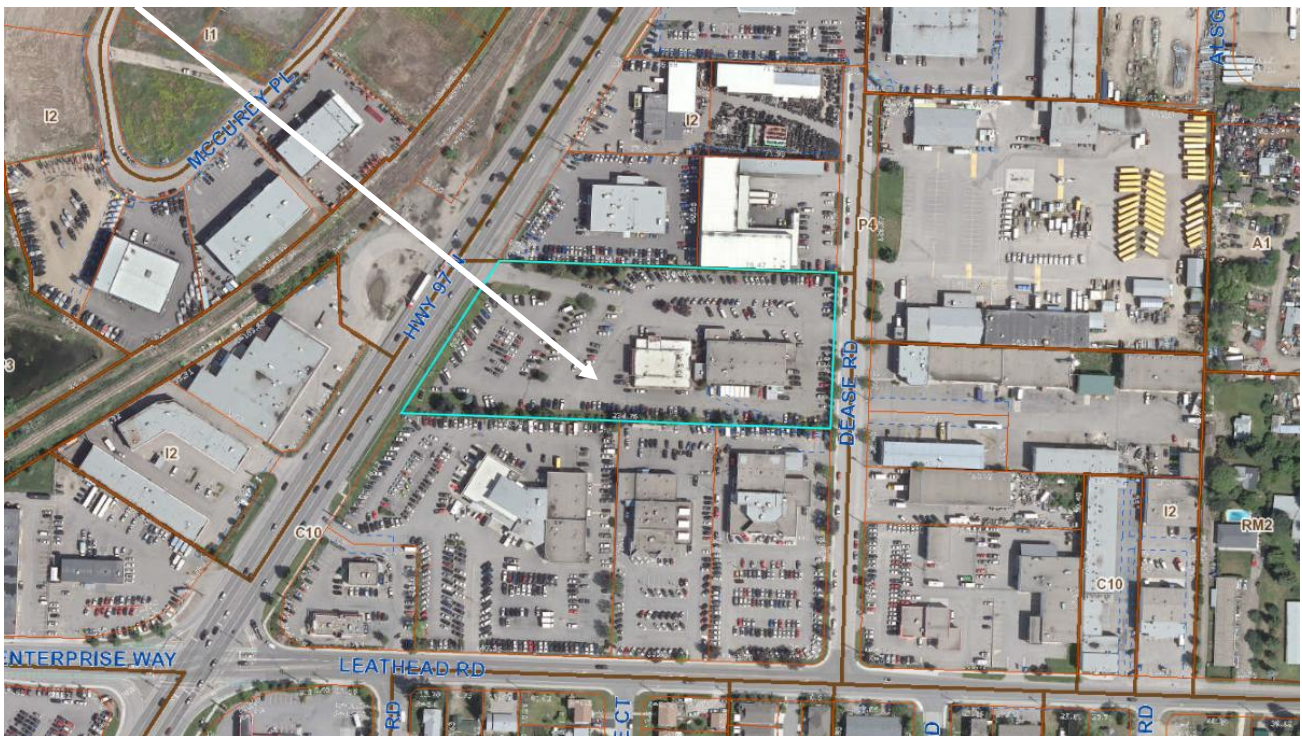
4.1 Project Description

The subject property has two car dealerships with distinct brands (Nissan and Infiniti) and the applicant is applying to have two separate free-standing pylon signs.

4.2 Site Context

The subject property is along the Highway 97 corridor, North of Leathead Road, and is designated as SC - Service Commercial.

Subject Property Map: 2741 Hwy 97 N



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Signage¹

- 7.1 Design signage that is high quality, imaginative, and innovative;
- 7.2 Design signage with consideration of the size of any individual sign as part of the overall scheme of building signage and the appearance of the building's façade. Scale and architectural expression should not be compromised by size and number of signs;
- 7.3 Box signs are strongly discouraged;
- 7.4 Incorporate concise messaging and simple graphics into signage. Corporate and store logos are appropriate only if they form part of an overall sign design, and are suitably scaled to

¹ Chapter 14 Urban Design Development Permit Areas, Section 7.0, pg.19.

- the façade composition;
- 7.5 Light lettering on a dark background is preferred over dark lettering on a light background and consideration should be given to those with visual impairment;
- 7.6 Minimize signage lighting (i.e., incorporate indirect front-lit signs wherever;
- 7.7 Counter-balance illuminated signs with natural materials and appropriate framing.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments.

7.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0073 for the property legally known as Lot A, District Lot 124, ODYD, Plan 38380, located on 2741 Hwy 97 N, Kelowna, BC;

AND THAT a variance to the following section of Sign Bylaw No. 8235 be granted:

Section 6 - Specific Zone Regulations - Industrial and Commercial (free-standing)

To vary the number of free-standing signs along the highway frontage from a maximum of one sign to two signs.

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

8.0 Application Chronology

Date of Application Received:	February 29 th 2016
Date Public Consultation Received:	April 27 th 2016

Report prepared by:

Adam Cseke, Planner

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved by: ☐ Ryan Smith, Community Planning Manager

Attachments:

Development Engineering Memo
DVP15-0182

DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT

File Number DVP16-0073
Issued To: R.J.S. Holdings Inc., Inc.No. BC0684324.
Site Address: 2741 Hwy 97 N
Legal Description: Lot A, District Lot 124, ODYD, Plan 38380
Zoning Classification: C10 - Service Commercial
Development Permit Area: Comprehensive Development Permit Area

SCOPE OF APPROVAL

This 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 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 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.

1. TERMS AND CONDITIONS

THAT Development Variance Permit No. DVP16-0073 for Lot A, District Lot 124, ODYD, Plan 38380, located at 2741 Hwy 97 N, Kelowna, BC vary the following section of Sign Bylaw No. 8235:

Section 6 - Specific Zone Regulations - Industrial and Commercial (free-standing)

To vary the number of free-standing signs along the highway frontage from a maximum of one sign to two signs.

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. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permit Holder and be paid to the Permit

Holder if the security is returned. The condition of the posting of the security is that should the Permit Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permit Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:

- a) Cash in the amount of \$_____ n/a _____ OR
- b) A Certified Cheque in the amount of \$_____ n/a _____ OR
- c) An Irrevocable Letter of Credit in the amount of \$_____ n/a _____ .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree 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 granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of 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.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner / Authorized Agent Date

Print Name in Bold Letters Telephone No.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2016.

Ryan Smith, Community Planning Department Manager Date
Community Planning & Real Estate

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall be returned to the PERMIT HOLDER.**

1. THIS STRUCTURE HAS BEEN DESIGNED TO MEET THE REQUIREMENTS OF PART 4 OF THE 2012 BCBC

DESIGNED TO CLIMATIC AND SEISMIC DATA AS SHOWN IN TABLE C-2

LOADS

WIND: 0.40 KPa (KELOWNA)
q 1/50:

2. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH DRAWINGS BY SIGN MANUFACTURER. CONFIRM ALL DIMENSIONS PRIOR TO FABRICATING AND INSTALLATION.

3. STRUCTURAL STEEL MEMBERS TO CONFORM TO CAN / CSA S16.1, "LIMIT STATES DESIGN OF STEEL STRUCTURES"

4. ALUMINUM MEMBERS TO CONFORM TO CAN3-S157-05, "STRENGTH DESIGN IN ALUMINUM"

5. USE GASKETS TO PROVIDE GALVANIC PROTECTION BETWEEN STEEL AND ALUMINUM

STRUCTURAL STEEL:

ALL HSS MEMBERS TO BE 350MPa STEEL. STEEL PLATE AND ANGEL TO BE 300MPa MIN. ANCHOR BOLTS TO BE A307. THROUGH BOLTS TO BE A325. ALL EXPOSED STEEL TO BE PAINTED WITH 2 COATS EXTERIOR GRADE PAINT AND SHALL MAINTAINED BY THE BUILDING OWNER.

CONCRETE:

CONCRETE TO BE 25MPa (AT 28 DAYS) 4% TO 8% AIR ENTRAINMENT, 3" SLUMP EXPOSURE CLASSIFICATION 'C2'

THE INTRODUCTION OF HOLES, NOTCHES OR ACCESS OPENINGS OF ANY KIND IN STRUCTURAL MEMBERS THAT ARE NOT EXPLICITLY SHOWN ON THE STRUCTURAL PLANS ARE NOT PERMITTED WITHOUT PRIOR WRITTEN APPROVAL OF THE STRUCTURAL ENGINEER.

INSTALLING CONTRACTOR TO TAKE DETAILED DIGITAL PHOTOS OF SIGN INSTALLATION (WITH MEASURING TAPE SHOWING FASTENER DIAMETERS, SPACINGS, ETC) AND EMAIL TO iss@engineering.ca

REVISIONS		
NO	DESCRIPTION	DATE
1	FOR PERMIT	1/15/2016



ISS Engineering Ltd.
204-1180 West Highway 97
Abbotsford, BC V2T 2E2
Tel: (250) 824-2773
Fax: (250) 824-3778

Email: iss@engineering.ca
Web: www.issengineering.ca

CLIENT:

5 STAR PERMITS

PROJECT NO. 15-0125

2 FREESTANDING SIGNS FOR NISSAN INFINITI

ADDRESS:

2741 HWY. 97 KELOWNA, BC

DESCRIPTION:

GENERAL NOTES



SCALE:

DRAWING NO.

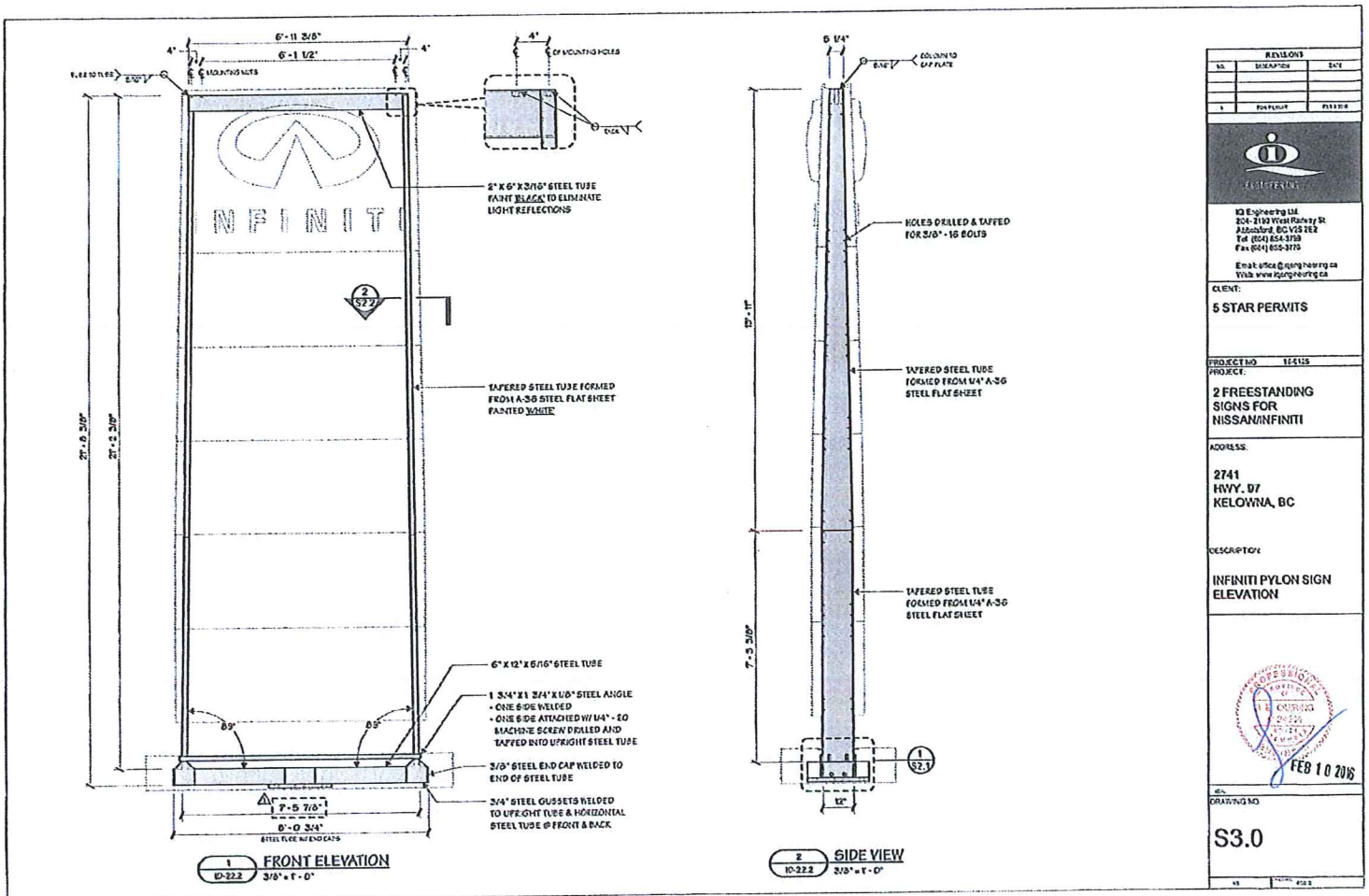
S1.0

41 1/16 1/16 1/16

SCHEDULE A, B, C

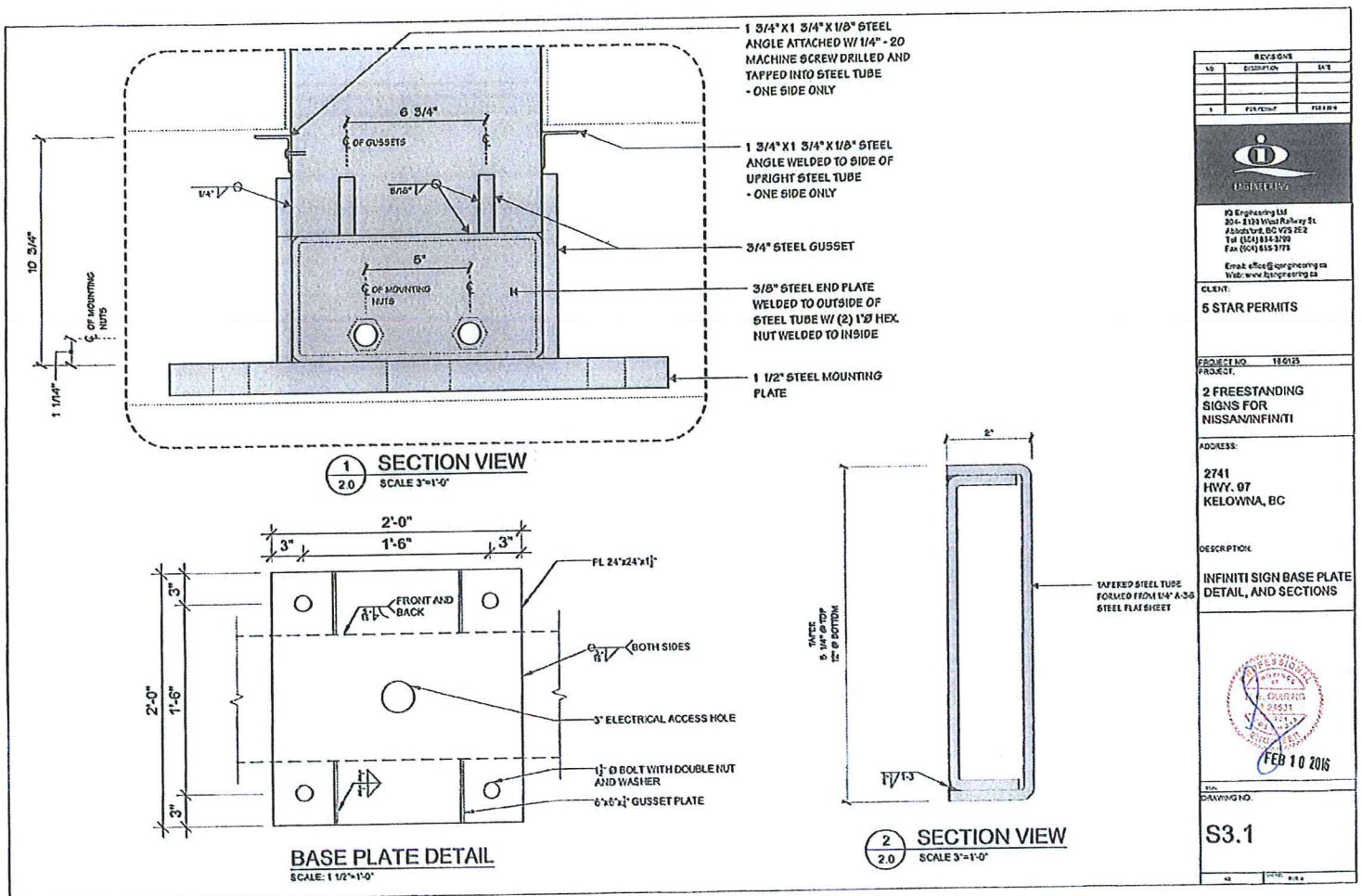
This forms part of development

Permit # DP16-0063



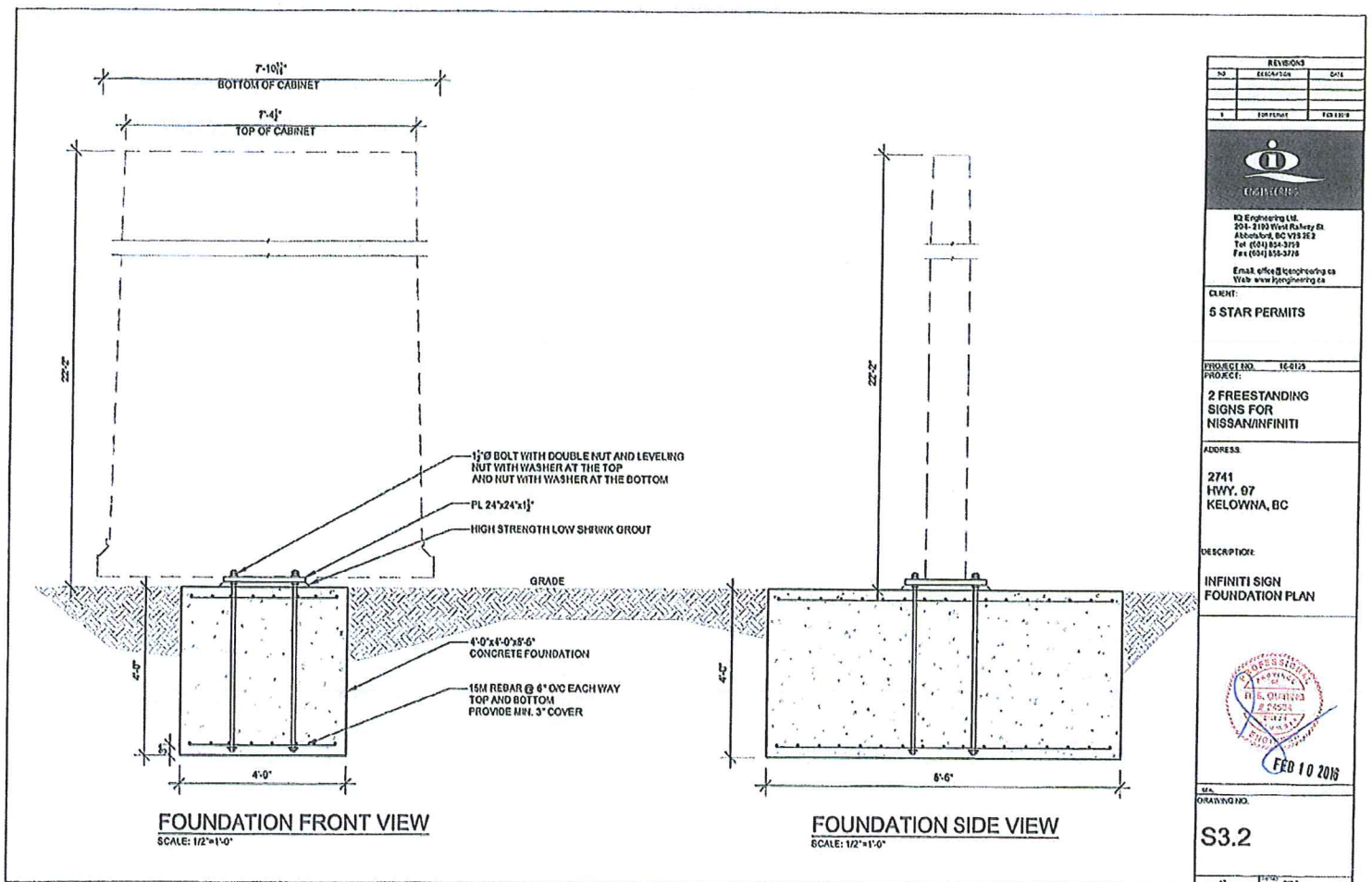
SCHEDULE

This forms part of development
 Permit # DVP16-0063



SCHEDULE

This forms part of development
Permit # DVPI6-0063



REVISIONS		
NO.	DESCRIPTION	DATE
1	FOR PERMIT	FEB 10 2018

5 STAR PERMITS

PROJECT: 2 FREESTANDING SIGNS FOR NISSAN/INFINITI

ADDRESS: 2741 HWY. 97 KELOWNA, BC

DESCRIPTION: INFINITI SIGN FOUNDATION PLAN

DATE: FEB 10 2018

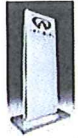
DRAWING NO.: S3.2

SCHEDULE

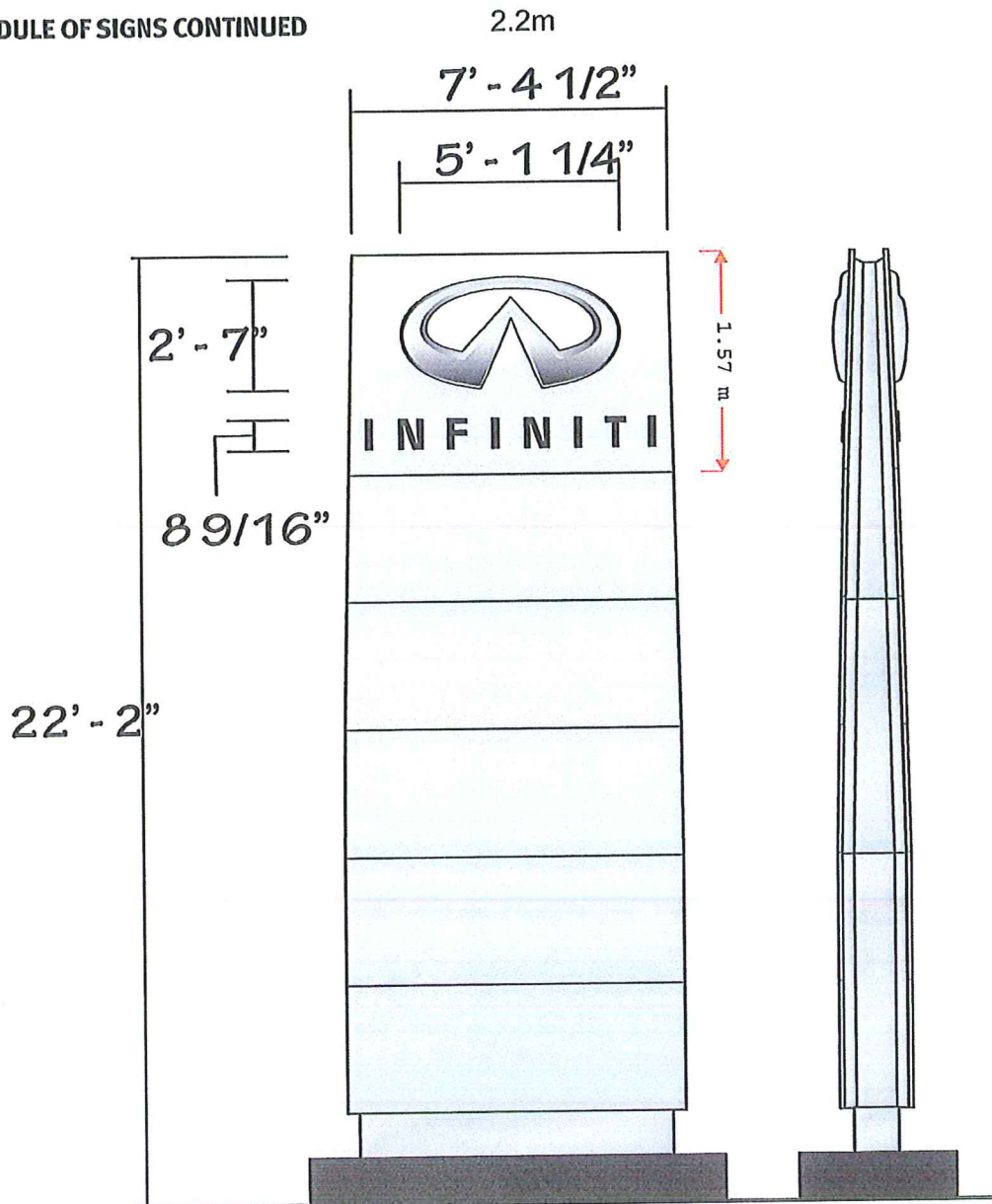
This forms part of development

Permit # DVP/6-0063

INFINITI DIVISION, Nissan Canada, Inc.
Infiniti Retail Environment Design Initiative
Sign Program



III. SCHEDULE OF SIGNS CONTINUED



Main Brand Sign

163.5 Sq. Ft. (Total of 1) 22'-2" OAH
NEW

Scale: 5.42 in = 6.77m

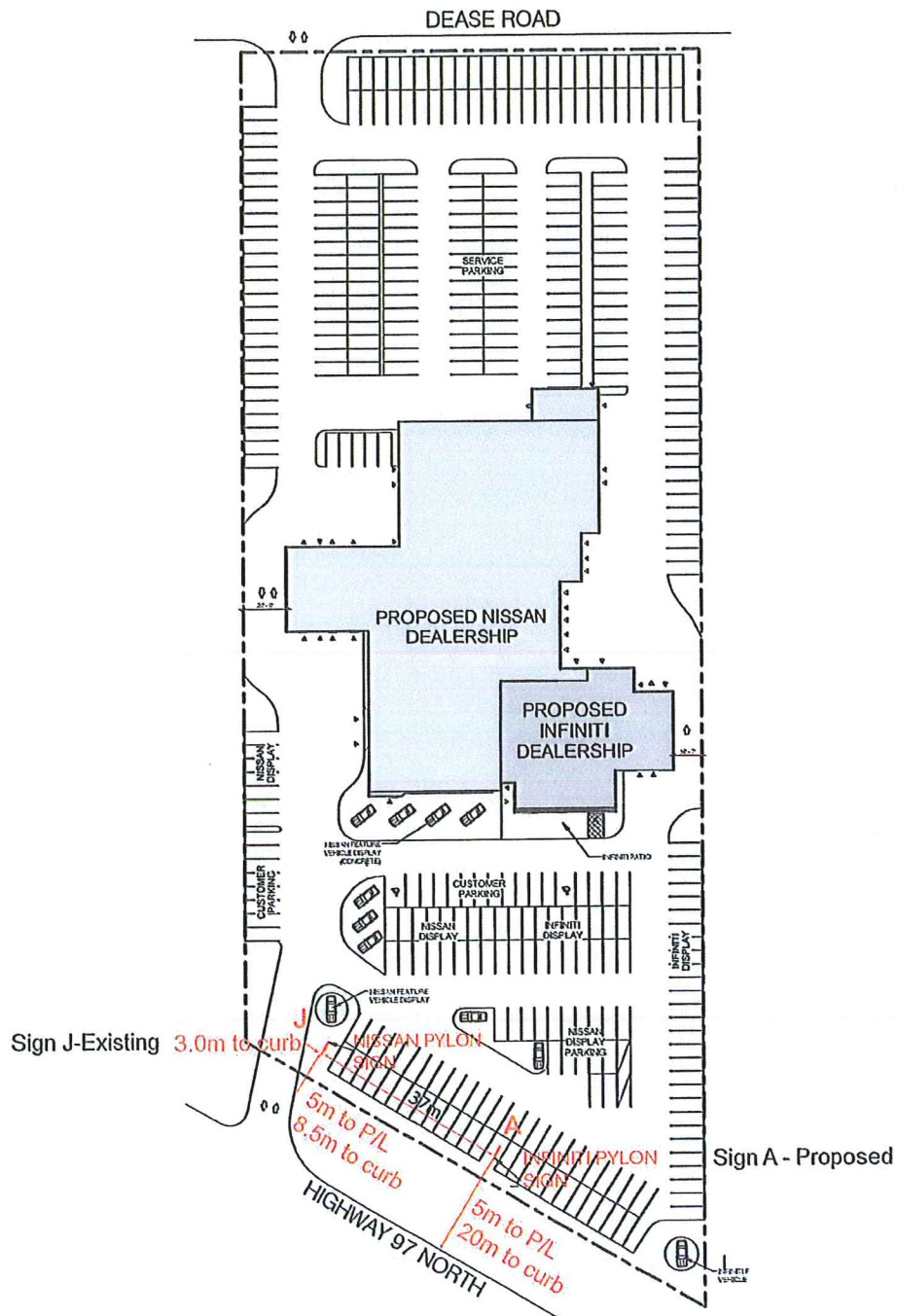
Kelowna Infiniti (0Q150)
 Kelowna, BC
 07/06/2015
 Initial

SCHEDULE _____

This forms part of development

Permit # DVP16-0063

July/2009
 Rev. 0



FIVE STAR

www.fivestarpemits.com
240 Parsons Road
Okanagan Falls BC V0H 1R3
250.487.1210

December 16, 2015 *Date*

Scale 1cm=10m *Sales Rep*

SCHEDULE _____
This forms part of development
Permit # DVP16-0063

CITY OF KELOWNA
BYLAW NO. 11225
Z16-0002 - David & Margaret Ward
200 Clarissa 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 12, Section 23, Township 26, ODYD, Plan 15416 located on Clarissa Rd, Kelowna, B.C., 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 11th day of April, 2016.

Considered at a Public Hearing on the 3rd day of May, 2016.

Read a second and third time by the Municipal Council this 3rd day of May, 2016.

Approved under the Transportation Act this 5th day of May, 2016.

Audrie Henry
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 31, 2016

RIM No. 0940-50

To: City Manager

From: Community Planning Department (TB)

Application: DP16-0004
DVP16-0005

Owner: Margaret Anne Ward
David Bertrum Ward

Address: 200 Clarissa Road

Applicant: David Bertrum Ward

Subject: Development Variance Permit and Development Permit

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1c - Large Lot Housing with Residential

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11225 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP16-0007 for Lot 12, Section 23, Township 26, ODYD, Plan 15416, 200 Clarissa Rd, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0005 for Lot 12, Section 23, Township 26, ODYD, Plan 15416, 200 Clarissa Rd, Kelowna, BC;

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

Section 13.1.6(a): RU1c - Large Lot Housing with Carriage House Development Regulations

To vary the maximum combined area of all accessory buildings/structures and carriage houses (e.g. footprint size) from 130m² required to 183.5m² proposed.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated March 8, 2016;

2.0 Purpose

To vary the maximum combined area of all accessory buildings and carriage houses on the subject property from 130 m² required to 183.5 m² proposed.

3.0 Community Planning

Community Planning supports the proposed variance and development permit application as it facilitates the development of a single storey carriage house. The proposed carriage house meets the majority of the design guidelines for Intensive Residential, and the variance allows the carriage house to be single storey, wheelchair accessible, and maximize the square footage of the living space without negative impacts to the adjacent property or the overall neighbourhood.

This is consistent with the Official Community Plan Future Land Use designation of S2RES - Single / Two Family Residential. It is also consistent with OCP urban policies of Compact Urban Form and Sensitive Infill.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant by providing a letter outlining the proposal. All adjacent neighbours within a 50m radius were notified in December 2015.

4.0 Proposal

4.1 Background

The original single storey bungalow was built in the Regional District of Central Okanagan in 1967. A detached double car garage and workshop was constructed in 1979, which will remain on site adjacent to the proposed carriage house.

4.2 Project Description

The proposed carriage house requires one variance to vary the maximum combined area of all accessory buildings/structures and carriage houses (e.g. footprint size) from 130m² required to 183.5m² proposed. The proposed carriage house takes advantage of the single story incentives and has a footprint size of 99.8m². This allows the development of an accessible carriage house which requires larger hallways and doorways compared to a traditional build. The increase in maximum lot coverage also allows the existing accessory building to be retained for use for parking and storage/workshop. The impact of this variance will be minimal due to the large lot size. The total site coverage of all accessory buildings and carriage houses is 9.1% which is under the maximum allowable of 14%.

The proposed carriage house meets the majority of the design guidelines for Intensive Residential development with the exception of the location of the parking. The parking for the primary dwelling is not located in the rear yard, however the detached garage and carriage house parking is located within the rear yard.

The colours and materials proposed are consistent with that of the main dwelling, and the style is complimentary to the neighbourhood. The entrance is a dominant feature off the street, and private outdoor space is oriented away from neighbouring properties.

Existing mature trees and existing landscaping is proposed to be retained for screening from adjoining properties.

4.3 Site Context

The subject property is located in a predominantly residential neighbourhood in Rutland with a mix of single family, multi-unit, and two dwelling housing. It is within walking distance to public transportation and nearby Belgo Park.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing RM3 - Low Density Multiple Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing	Residential

Subject Property Map: 200 Clarissa Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot		
Lot Area	550 m ²	2012 m ²
Lot Width	16.5 m	32.6 m
Lot Depth	30 m	64.0 m
Development Regulations		
Site Coverage (buildings)	40%	17.3%
Maximum Total Site Coverage (buildings, driveways, & parking)	50%	30.48%
Site Coverage: accessory buildings or structures and carriage house	14%	9.1%
Floor area of carriage house (footprint)	100 m ²	99.8m ²
Max. Lot coverage of all accessory buildings (including carriage house)	130 m ²	183.5m ² ❶
Max. net floor area of carriage house to total net floor area of principal building	75%	60%
Setback from Principal Dwelling	3 m	10.6m
Carriage House Regulations		
Min. Side Yard (south)	2.0 m	2.1 m
Min. Side Yard (north)	2.0 m	20.0 m
Min. Rear Yard (without a lane)	2.0 m	18.3 m
Max. Height (carriage house shall not be higher than existing primary dwelling unit)	1 storey	1 storey
Other Regulations		
Min. Parking Requirements	3 stalls	>3 stalls
Min. Private Open Space	30m ² per dwelling	>30m ² per dwelling
❶ Indicates a requested variance to the maximum lot coverage of all accessory buildings from 130m ² required to 183.5m ² proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.² 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

Please see Community Planning Report to Council dated April 11, 2016 for Z16-0002.

7.0 Application Chronology

Date of Application Received: January 6, 2016
Date Public Consultation Completed: December 3, 2015

Report prepared by:

Trisa Brandt, Planner I

Reviewed by:

☐

Terry Barton, Urban Planning Manager

Approved for Inclusion:

☐

Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Site Plan

Schedule "B": Conceptual Elevations

Attachment "A": Design Guidelines for Intensive Residential - Carriage House/Two Dwelling
Draft Development Permit & Development Variance Permit: DP16-0004/DVP16-005

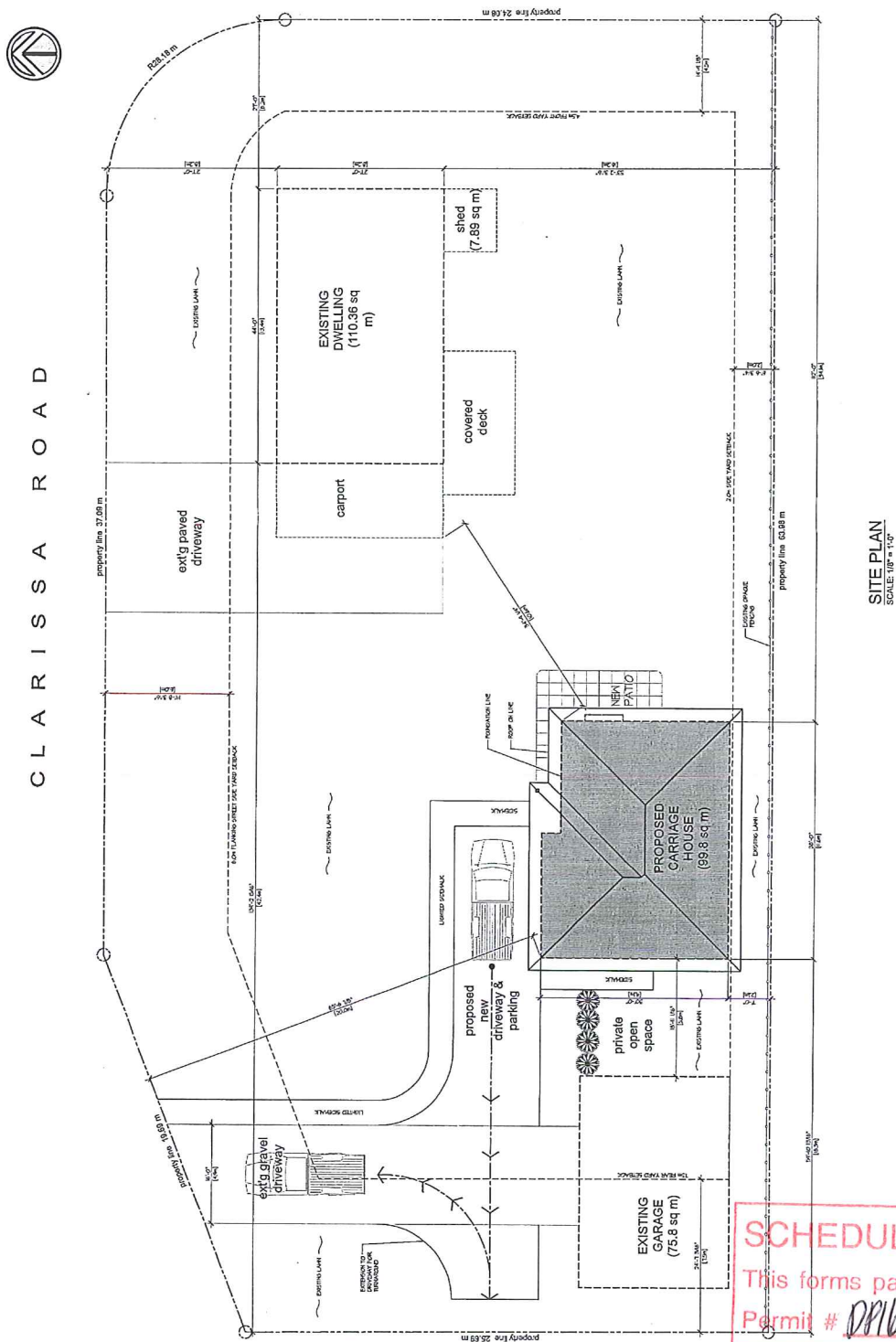
² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

CLARIS SA ROAD

CT DATA 200

PROJECT DATA
CIVIC ADDRESS: 200 CLAUDE A. KADZAK KOLYNIA DC
LEGAL DESCRIPTION: LOT 12, MAP 15-4-6, SEC. 25, T. 2S, R. 4E
CURRENT ZONING: NEW LARG. LOT HOUSING
LOT AREA: 310.2 A.S. (10.20321 HA)
INTENDED USAGE: SINGLE-DWELLING WITH GARAGE HOUSE (R2U)
ZONING BY-LAW REQUIREMENTS
BUILDING AREA:

INTENDED USAGE: SINGLE DETACHED DWELLING WITH C

[illegible]

SITE PLAN
SCALE: 1/8" = 1'-0"

SCHEDULE A
This forms part of development
Permit # DPI6-0004 / DPI6-0005

101

SCHEDULE B
 This forms part of
 Permit # 0 - 0 DP16-0004 / DP16-0005
 Date: Apr 27 2016
 Signature: [Signature]

The following materials are proposed for the principal and secondary buildings.

Roofing Material:
 Colour:

GREY ASPHATE
 Attach a colour photo here
 of roofing material

Main Body:

Material:
 Colour:



Second Colour/Acce
 (If applicable):

Material:

Window/Door/Trim Colour:

Material:
 Colour:

WHITE STUCCO TOP
WHITE LATH BOTTOM.
 Attach a colour clip here
 of window/door colour

Intensive Residential - Carriage House / Two Dwelling Housing

Consideration has been given to the following guidelines as identified in Section 14.C. of the City of Kelowna Official Community Plan relating to Intensive Residential - Carriage House / Two Dwelling Housing Development Permit Areas:

INTENSIVE RESIDENTIAL - CARRIAGE HOUSE / TWO DWELLING HOUSING	YES	NO	N/A
General Considerations			
Does the dwelling complement the character of the neighbourhood and the principal dwelling?	✓		
Is private outdoor space maximized for each dwelling unit?	✓		
Does lighting placement ensure safety and reduce light pollution?			✓
Are parking spaces and garages located in the rear yard?		✓	
Are impermeable surfaces minimized?	✓		
Do all street facing elevations have a high quality of design?	✓		
Are entrances a dominant feature visible from the street or lane?	✓		
Does the design consider the scale and placement of windows on building faces, projections and dormers?	✓		
Is utility and mechanical equipment screened from view?			✓
Do windows and outdoor areas respect the privacy of adjacent properties?	✓		
Does the building location minimize shadowing on the private open space of adjacent properties?	✓		
Does fencing or landscaping screen views of private open space on adjacent properties?	✓		
Is fencing material in keeping with that of abutting properties?			✓
Are existing healthy mature trees and vegetation being retained?	✓		
Does the front yard landscaping use drought tolerant native plants?			✓
Two Dwelling Housing and Carriage Houses			
Does the design create a “lanescape” with a main entrance, massing towards the lane and landscaping?			✓
Do all street facing elevations have an equal level and quality of design?	✓		
Does the exterior design and finish complement the principal dwelling?	✓		
Do the roofline, windows and façades incorporate variation to establish individual character?	✓		
Does the massing next to private open space of adjacent properties reduce the sense of scale?	✓		

DEVELOPMENT PERMIT / DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT PERMIT / DEVELOPMENT VARIANCE PERMIT NO. DP16-0004/DVP16-0005

Issued To: Margaret Anne Ward
Site Address: David Bertrum Ward
200 Clarissa Road
Legal Description: Lot 12, Section 23, Township 26, ODYD, Plan 15416
Zoning Classification: RU1c - Large Lot Housing with Residential
Development Permit Area: Intensive Residential - Carriage House/Two Dwelling Housing

SCOPE OF APPROVAL

This 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 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 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.

1. TERMS AND CONDITIONS

THAT Development Permit No. DP16-0004 for Lot 12, Section 23, Township 26, ODYD, Plan 15416 located at 200 Clarissa Road, Kelowna, BC to allow the construction of a carriage house be approved subject to the following:

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

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

Section 13.1.6(a): RU1c - Large Lot Housing with Carriage House Development Regulations

To vary the maximum combined area of all accessory buildings/structures and carriage houses (e.g. footprint size) from 130m² required to 183.5m² proposed.

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

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree 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 granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of 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.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner / Authorized Agent	Date

Print Name in Bold Letters	Telephone No.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2016.

Ryan Smith, Community Planning Department Manager Community Planning & Real Estate	Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall be returned to the PERMIT HOLDER.**